



**PLANNING AND ZONING COMMISSION MEETING
CITY COUNCIL CHAMBERS
757 North Galloway Avenue
Mesquite, Texas
November 23, 2020 - 7:00 P.M.**

MEETING PARTICIPATION INSTRUCTIONS

In accordance with the Governor’s suspension of various provisions of the Texas Open Meetings Act, issued pursuant to his state disaster authority related to the Coronavirus (COVID-19) pandemic, and further guidance issued on the suspensions by the Attorney General’s Office, Commission members, and all other persons may participate in the meeting as follows:

1. A quorum of the Planning and Zoning Commission may be achieved by Commission members being physically present at the meeting location, by telephone conference, or by any combination thereof.
2. All persons may participate in the meeting by either being physically present at the meeting location or by telephone conference.
3. All persons choosing to be physically present at the meeting location must wear some form of face covering over their noses and mouths and shall observe social distancing by remaining a minimum of six (6) feet from other meeting participants. **NOTE:** Seating capacity shall be *limited* at the meeting location to adhere to social distancing protocols.
4. Instructions for participation by telephone conference are described below:

Telephone Conference Number: 214-396-6338

When your call is answered, you will hear:

“Welcome to Turbo Bridge. Please enter your Conference ID and press the pound (#) key.”

Conference ID (Participation Code): 177-6111 #

Additional Instructions:

- Persons may INCREASE their listening volume by pressing *88.
 - Persons may DECREASE their listening volume by pressing *89.
 - Repeat as necessary to incrementally increase or decrease the listening volume.
 - Persons may press *5 to be recognized to speak during the public comment or public hearing portion of the meeting.
5. The meeting will be audible to all in-person and telephone participants and will allow for their two-way communication.
 6. Verbal comments may be made during the meeting upon a request to speak and recognition by the Chairperson during the appropriate times identified on the Agenda.
 7. Written comments may be made in writing before 3:00 P.M., on the afternoon of the meeting, to the following email address: glangford@cityofmesquite.com.
 8. An electronic copy of the agenda packet will be posted online at the City of Mesquite’s website (www.cityofmesquite.com).
 9. A copy of staff presentation will be made available online at <https://www.cityofmesquite.com/1585/Meeting-Packets-Presentations>.

The meeting will be recorded and made available to the public.

AGENDA

The Commission reserves the right to adjourn into a closed meeting at any time during the course of this meeting to discuss any of the matters posted on this agenda, when such closed session is authorized by Texas Government Code Section 551.071 (Consultation with Attorney).

COMMISSION BUSINESS

1. ROLL CALL.

2. INSTRUCTIONS.

City staff shall give verbal instructions for participation in the meeting.

PUBLIC COMMENTS

3. Any individual desiring to address the Planning and Zoning Commission regarding an item on the CONSENT AGENDA shall do so on a first-come, first-served basis. Comments are limited to three (3) minutes, except for a speaker addressing the Planning and Zoning Commission through a translator will be allowed six (6) minutes.

CONSENT AGENDA

All items on the Consent Agenda are routine items and may be approved with one motion; however, should any member of the Planning and Zoning Commission or any individual wish to discuss any item, said item may be removed from the Consent Agenda by a motion of the Planning and Zoning Commission.

4. MINUTES.

Consider approval of the minutes for November 9, 2020, Planning and Zoning Commission.

5. Approval of the 2021 Plat and Zoning Submittal Calendar.

PUBLIC HEARINGS

The City Council may approve a different zoning district than the one requested, except that the different district will not: (1) have a maximum structure height or density that is higher than the one requested; or (2) change the uses to solely nonresidential uses when the request is for solely residential uses or vice versa.

6. ZONING TEXT AMENDMENT NO. Z2020-12

Conduct a public hearing and consider amending various sections of the Mesquite Zoning Ordinance, including but not limited to Section 1-600, Temporary Uses and Structures; Section 3-203, Schedule of Permitted Uses; Section 3-500, Supplementary Use Regulations; and Section 6-102, Definitions, pertaining to mobile food units and mobile food unit parks.

DIRECTOR'S REPORT

7. DIRECTOR'S REPORT.

Director's Report on recent City Council action taken on zoning items at their meetings on November 16, 2020.

[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.

NOTICE OF EXECUTIVE SESSION

Pursuant to Section 551.071 of the Texas Government Code, the Planning and Zoning Commission will meet in closed session to consider pending or contemplated litigation subjects or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, concerning Ordinance No. 4820., and Sections 3-203 and 3-507 of the Mesquite Zoning Ordinance pertaining to "Coin-Operated Amusement Devices."

At the conclusion of business, the Chair shall adjourn the meeting.

City Hall is wheelchair accessible. Any requests for sign interpretive services must be made 48 hours in advance of the meeting.
To make arrangements, call the City Secretary's office at (972) 216-6244 or 1-800-735-2989

The Commission reserves the right to adjourn into a closed meeting at any time during the course of this meeting to discuss any of the matters posted on this agenda, when such closed session is authorized by Texas Government Code Section 551.071 (Consultation with Attorney).

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Conforme a la Sección 30.06 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego oculta), personas con licencia segun el Sub- capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando un arma de fuego oculta.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

Conforme a la Sección 30.07 del Código Penal (entrada ilegal de persona titular de licencia con arma de fuego a la vista), personas con licencia segun el Sub- capitulo H, Capitulo 411, Código de Gobierno (ley de permiso para portar arma de fuego), no deben entrar a esta propiedad portando una arma de fuego a la vista.

Pursuant to Section 551.007 (c) of the Texas Government Code any member of the public wishing to address the Planning and Zoning Commission through the use of a translator is granted at least twice the amount of time as a member of the public who does not require the assistance of a translator.

Conforme a la Sección 551.007 (c) del Código de Gobierno de Texas, cualquier miembro del público que desea dirigirse a la Comisión través del uso de un traductor se le otorga al menos el doble de tiempo como miembro del público que no requiere la asistencia de un traductor.

CERTIFICATE

I, Garrett Langford, Manager of Planning and Zoning for the City of Mesquite, Texas, hereby certify that the attached Agenda for the Planning and Zoning Commission meeting to be held on November 23, 2020, was posted on the bulletin boards at the Municipal Center and City Hall by November 20, 2020, before 5:00 p.m. and remained so posted until after the meeting. This notice was likewise posted on the City's website at www.cityofmesquite.com for a minimum of 72 hours prior to the meeting.



Garrett Langford, AICP
Manager of Planning and Zoning
City of Mesquite, Texas

MINUTES

NOVEMBER 9, 2020

**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	Chairwoman Yolanda Shepard	<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	Ms. Debbie Anderson	<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	Dorothy Patterson	<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	Brandon Murden	<input type="checkbox"/> Present In-Person	<input checked="" type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> * Absent (* Attendance Required: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes)

ATTENDANCE NOTES:

- In accordance with Governor Abbott's suspension of various provisions of the Texas Open Meetings Act issued pursuant to his State Disaster Authority, related to the Coronavirus (COVID-19) pandemic, and the guidance issued on the suspension by the Texas Attorney General's Office this regular board meeting was conducted both in-person and by telephone conferencing to support adequate social distancing.
- Commissioners and City Staff in attendance (in-person) were present in the City Council Chambers, wore facial coverings over their face and mouth, and practiced social distancing of remaining at least 6-feet apart.

ATTENDANCE: STAFF

Johnna Matthews	Principal Planner	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video
Cliff Keheley	City Manager	<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
Garrett Langford	Manager of Planning & Zoning	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video
David Witcher	Director of Economic Development	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video
Eric Gallt	Manager of Traffic Engineering	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video

COMMISSION BUSINESS**1. ROLL CALL**

Chairwoman Shepard called the meeting to order. Manager of Planning & Zoning Garrett Langford took Roll Call and declared a quorum was present.

2. INSTRUCTIONS

Mr. Langford gave verbal instructions on how to participate in the meeting by telephone conference.

PUBLIC COMMENTS

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

CONSENT AGENDA**4. MINUTES.**

Discuss and consider approval of the minutes for October 26, 2020, Planning and Zoning Commission.

ACTION:

Motion made by Commissioner Anderson to APPROVE the consent agenda as presented; seconded by Commissioner Lynn; motion carried 7-0.

PUBLIC HEARINGS**5. ZONING APPLICATION NO. Z0820-0146**

Conduct a public hearing and consider Zoning Application No. Z0820-0146 submitted by Halff Associates on behalf of Huntington Industrial for a Zoning Change from LC – Light Commercial and C – Commercial within the Military Parkway – Scyene Corridor Overlay District to Planned Development – Commercial and to remove the property from the Military Parkway – Scyene Corridor Overlay District to allow an industrial park on 22.14 +/- acres of land generally located at 1204, 1212, and 1420 Military Parkway.

PRESENTATION:

Principle Planner Johnna Matthews presented to the Commissioners.

DISCUSSION:

Commissioner Williams is concerned about having an industrial development with outdoor storage of trailers on Military Parkway that leads into Downtown, which the City has put in a lot of work in redeveloping. Commissioner Arnold asked what kind of trailers will be going in and out of the proposed site. Ms. Matthews answered heavy load trailers, such as 18-wheelers.

APPLICANT:

Applicant Steve Meyer, 1201 Berkshire Lane, Dallas, TX, gave a presentation to the Commissioners. Mr. Meyer addressed Commissioner Williams's concerns about the development being near to the City's Downtown. Mr. Meyer stated that there would be no truck doors facing Military parkway and there will be a wing wall that will shield trucks from Military Parkway. In addition, they will build a large landscape buffer with trees along Military Parkway. Commissioner McBride asked if there has been a Traffic Impact Analysis done. Mr. Meyer did not know if one had been done. Commissioner McBride asked how the trucks will exit the site without going through City's Downtown. Mr. Meyer gave a brief explanation of how the trucks will be entering and exiting the proposed site. He indicated that the trucks would leave the site to the east on Military Parkway, then turn north onto Gross Rd, where the trucks will use the light at Gross Rd and W. Scyene Road to turn left. Chairwoman Shepard wanted to know what businesses or what type of goods will be stored there. Mr. Meyer answered it would probably be light manufacturing or local distribution due to the site's location.

PUBLIC HEARING OPENED:

Chairwoman Shepard opened the public hearing.

SPEAKERS:

Mr. Roman Plugge, 10906 Fernald Ave., Dallas, TX, (Applicant's engineer) came up to speak regarding the Traffic Impact Analysis. He stated that they met with City's traffic engineering, and it was determined that the proposed development would not generate enough trips to trigger a Traffic Impact Analysis. There were no other speakers in person or by conference call.

PUBLIC HEARING CLOSED:

Chairwoman Shepard closed the public hearing.

ACTION:

Motion made by Commissioner Williams to APPROVE as presented with City staff's recommendations; Commissioner Lynn seconded, the motion carried 7-0.

6. ZONING APPLICATION NO. Z0820-0147

Conduct a public hearing and consider Zoning Application No. Z0820-01547 submitted by Roberto Nunez, Alchemi Development Partners for a Zoning Change to amend Planned Development – Service Station Ordinance No. 2888 to allow a proposed building expansion located at 1320 Gross Road.

PRESENTATION:

Manager of Planning and Zoning Garrett Langford presented to the Commissioners.

DISCUSSION:

Chairwoman Shepard asked if the Applicant can design the entrance from the service road? Mr. Langford answered that the service road is a TxDot road and they will not allow an entrance off the service road at that location.

APPLICANT:

The Applicant was not in attendance for questions.

PUBLIC HEARING OPENED:

Chairwoman Shepard opened the public hearing.

SPEAKERS:

There were no speakers present in person or on the conference call.

PUBLIC HEARING CLOSED:

Chairwoman Shepard closed the public hearing.

ACTION:

Motion made by Commissioner Abraham to APPROVE as presented; Commissioner Williams seconded, with City staff's recommendations; the motion carried 7-0.

7. ZONING APPLICATION NO. Z1020-0156

Conduct a public hearing and consider Zoning Application No. Z1020-0156 submitted by Shield Engineering Group for a Comprehensive Plan Amendment from Commercial to Low Density Residential and a Zoning Change from R-3 Single Family Residential to Planned Development – Single Family Residential with underlying zoning of R-3 to allow a 99-lot single-family subdivision on 20.72 +/- acres of land generally located at 430 Paza Drive and 1218 S. Belt Road

PRESENTATION:

Principle Planner Johnna Matthews presented to the Commissioners.

DISCUSSION:

Commissioner Williams asked if there is only one entrance from Wilkinson Dr.? Ms. Matthews answered there would be an entrance also from Essex Drive. Commissioner Williams asked where the cars will park. Ms. Matthews answered there maybe garages; if not, residents will park in front of the house. Ms. Matthews stated these are front-entrance homes. Chairwoman Shepard asked what the square footage of the proposed homes is. Ms. Matthews answered 1500 square feet minimum.

APPLICANT:

Applicant Zack Mottley came up and gave a presentation for the Commissioners. Commissioner Williams asked the price range of these homes. Mr. Mottley answered \$250,000.00 to \$260,000.00. Chairwoman Shepard asked if a Traffic Impact Analysis was done. Mr. Mottley said he would refer that question to his project engineer.

PUBLIC HEARING OPENED:

Chairwoman Shepard opened the public hearing.

SPEAKERS:

Sharon Stanford of 1104 Wilkinson Dr. came up to speak. Ms. Stanford is okay with the new homes but is very concerned about the traffic on Wilkinson Dr.

Manager of Traffic Engineering Eric Gallt explained the development is right on the bubble in requiring a Traffic Impact Analysis (TIA). Mr. Gallt explained how a TIA is determined and explained that he does not believe that a TIA in this situation would provide any recommended improvements that City staff would support.

Project Engineer John Clinty came up to address the TIA. If the Commission requests the TIA, they will consider the request. Mr. Clinty also wanted to address the Tree Mitigation. They are trying to preserve as many trees as possible and plant one tree per new home built.

Chairwoman Shepard is very concerned about the development not doing a Traffic Impact Analysis. Mr. Gallt came up to address the concern. Mr. Gallt stated that a TIA would not recommend any additional improvements.

PUBLIC HEARING CLOSED:

Chairwoman Shepard closed the public hearing.

ACTION:

Motion made by Commissioner Williams to APPROVE with City staff's recommendations; Commissioner Lynn seconded, the motion carried 7-0.

DIRECTOR'S REPORT

8. DIRECTOR'S REPORT.

Director's Report on recent City Council action taken on zoning items at their meetings on November 2, 2020.

Manager of Planning and Zoning briefed the Commissioners on zoning actions taken at the City Council meeting on November 2, 2020. The actions are as follows;

1. Conduct a public hearing for Zoning Application No. Z0920-0148 submitted by Ghader Mirak for a Zoning Change from "C" - Commercial to "C" - Commercial with a Conditional Use Permit to allow a major reception facility with a modification to the Special Conditions requiring a 500-foot separation from any residential district, located at 3935 E. US Highway 80. **Postponed to the December 7, 2020, City Council meeting with the public hearing held open.**
2. Conduct a public hearing and consider an ordinance for Zoning Text Amendment No. 2020-09 to the Mesquite Zoning Ordinance, by making certain additions and deletions to sections in Part 2 "Residential Districts" pertaining to requirements for off-street parking in residential districts; and amending Chapter 9 and Chapter 10 of the City Code thereby updating certain regulations and offenses regarding the parking and storing of commercial motor vehicles, oversized vehicles, recreational vehicles (RVs) and trailers in residential districts. **Approved by Ordinance No. 4823.**

PUBLIC COMMENTS

9. 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.

There were no public comments in person or by phone.

Chairwomen Shepard called the meeting adjourned at 8:27 P.M.

Chairwoman Yolanda Shepard

Please note the meetings for the Planning and Zoning Commission are subject to change, and the City cannot guarantee the date of the meetings listed below.

2021 Planning and Zoning Commission Calendar	
Plat Filing and Meeting Schedule	
Applications for: Long Form Plats, Replats	PLANNING & ZONING COMMISSION Meeting
December 14, 2020	January 11, 2021
December 28, 2020	January 25, 2021
January 11, 2021	February 8, 2021
January 25, 2021	February 22, 2021
February 8, 2021	March 8, 2021
February 22, 2021	March 22, 2021
March 1, 2021	<u>March 29, 2021</u>
March 15, 2021	April 12, 2021
March 29, 2021	April 26, 2021
April 12, 2021	May 10, 2021
April 26, 2021	May 24, 2021
May 17, 2021	June 14, 2021
May 31, 2021	June 28, 2021
June 14, 2021	July 12, 2021
June 28, 2021	July 26, 2021
July 12, 2021	August 9, 2021
July 26, 2021	August 23, 2021
August 2, 2021	<u>August 30, 2021</u>
August 16, 2021	September 13, 2021
August 30, 2021	September 27, 2021
September 13, 2021	October 11, 2021
September 27, 2021	October 25, 2021
October 11, 2021	November 8, 2021
October 25, 2021	November 22, 2021
November 1, 2021	<u>November 29, 2021</u>
November 15, 2021	December 13, 2021
November 30, 2021	<u>December 28, 2021</u>
December 13, 2021	January 10, 2022

Dates in italics and underline will convene only to consider a plat application.

Dates in *italics* indicate a Tuesday meeting date.

Please note the meetings for the Planning and Zoning Commission and City Council are subject to change, and the City cannot guarantee the date of the meetings listed below.

2021 Planning and Zoning Commission Calendar

Applications for: Zoning Changes, Planned Development, CUPs	Applications for: Low Impact CUPs	PLANNING & ZONING COMMISSION Meeting	CITY COUNCIL Meeting
November 9, 2020	November 16, 2020	December 14, 2020	January 4, 2021
December 7, 2020	December 14, 2020	January 11, 2021	February 1, 2021
December 21, 2020	December 28, 2020	January 25, 2021	February 16, 2021
January 4, 2021	January 11, 2021	February 8, 2021	March 1, 2021
January 18, 2021	January 25, 2021	February 22, 2021	March 16, 2021
February 1, 2021	February 8, 2021	March 8, 2021	April 5, 2021
February 15, 2021	February 22, 2021	March 22, 2021	April 19, 2021
March 8, 2021	March 15, 2021	April 12, 2021	May 3, 2021
March 22, 2021	March 29, 2021	April 26, 2021	May 17, 2021
April 5, 2021	April 11, 2021	May 10, 2021	June 7, 2021
April 18, 2021	April 26, 2021	May 24, 2021	June 21, 2021
May 10, 2021	May 17, 2021	June 14, 2021	<i>July 6, 2021</i>
May 24, 2021	May 31, 2021	June 28, 2021	July 19, 2021
June 7, 2021	June 14, 2021	July 12, 2021	August 2, 2021
June 21, 2021	June 28, 2021	July 26, 2021	August 16, 2021
July 5, 2021	July 12, 2021	August 9, 2021	<i>September 7, 2021</i>
July 19, 2021	July 26, 2021	August 23, 2021	September 21, 2020
August 9, 2021	August 16, 2021	September 13, 2021	October 4, 2021
August 23, 2021	August 30, 2021	September 27, 2021	October 18, 2021
September 6, 2021	September 13, 2021	October 11, 2021	November 1, 2021
September 20, 2021	September 27, 2021	October 25, 2021	November 15, 2021
October 4, 2021	October 11, 2021	November 8, 2021	December 6, 2021
October 18, 2021	October 25, 2021	November 22, 2021	December 20, 2021
November 8, 2021	November 15, 2021	December 13, 2021	January 3, 2021

Dates in *italics* indicate a Tuesday meeting date.



T E X A S
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PLANNING AND ZONING DIVISION

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Johnna Matthews, Principal Planner
SUBJECT: Food Truck Ordinance – Zoning Text Amendment (ZTA 2020–12)
DATE: November 23, 2020

Staff is requesting that this item be continued to the December 14, 2020 Planning and Zoning Commission meeting in order to allow additional time to finalize the proposed zoning text amendment. Staff would, however, like to brief the Commission on the proposed text amendment pertaining to mobile food units and mobile food unit parks.