



**PLANNING AND ZONING COMMISSION MEETING
CITY COUNCIL CHAMBERS
757 North Galloway Avenue
Mesquite, Texas
February 8, 2021 - 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 January 25, 2021, Planning and Zoning Commission.

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.

5. ZONING TEXT AMENDMENT 2021-01

Conduct a public hearing and consider amending section 1-402, Noise, of the Mesquite Zoning Ordinance, thereby repealing Section 1-402 in its entirety and replacing it with the following text:

Section 1-402. Noise.

Noise shall comply with the respective requirements and regulations set out in the City Code.

Cross references –

Noise, Chapter 10, Article III.

Noise from the idling of commercial motor vehicles, Chapter 9, Article XI, [Section 9-342](#)

DIRECTOR'S REPORT

6. DIRECTOR'S REPORT.

Director's Report on recent City Council action taken on zoning items at their meeting on February 1, 2021.

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

PUBLIC COMMENTS

- 7. 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.

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 February 8, 2021, was posted on the bulletin boards at the Municipal Center and City Hall by February 5, 2021, 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

JANUARY 25, 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. Debbie Anderson	<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	Vacant	<input type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input type="checkbox"/> Absent
Position No. 4	Ms. Sherry Williams	<input type="checkbox"/> Present In-Person	<input checked="" 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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes)
Alternate No. 2	Brandon Murden	<input type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video	<input checked="" 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
Lesley Frohberg	Senior Planner	<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
Jeff Armstrong	Director of Planning & Development	<input 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	Admin. Assistant of Planning & Dev.	<input type="checkbox"/> Present In-Person	<input checked="" type="checkbox"/> Present by Telephone/Video
Justin Stoker	Assistant Director of Public Works	<input checked="" type="checkbox"/> Present In-Person	<input type="checkbox"/> Present by Telephone/Video

COMMISSION BUSINESS**1. ROLL CALL**

Chairwoman Debbie Anderson 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.**

Consider approval of the minutes for January 11, 2021, Planning and Zoning Commission.

5. PLAT APPLICATION NO. PL1120-0050.

Consider Plat Application No. PL1120-0050 submitted by Camden Homes for The Villas at Town East Addition, a townhome subdivision with 45 lots and three open space lots located at 3001 N. Town East Blvd.

ACTION

Vice-Chair Williams made a motion to APPROVE; Commissioner Arnold seconded; motion carried 7-0.

PUBLIC HEARINGS**6. ZONING APPLICATION Z0121-0175**

Conduct a public hearing and consider Zoning Application No. Z0121-0175 submitted by the City of Mesquite for a Zoning Change from Agricultural to Agricultural with a Conditional Use Permit to allow a regional utility facility (water pump station with above ground storage tanks) and other governmental facilities, generally located on approximately 10 acres west of Wiser Road and North of IH-20.

PRESENTATION:

Manager of Planning & Zoning Garrett Langford presented the staff report to the Commissioners.

DISCUSSION:

Commissioner McBride asked City staff if this pump station is similar to the pump station located on Lawson road? Assistant Director of Justin Stoker of Public Works answered yes, it would be similar to the pump station located on Lawson Road. Commissioner Abraham asked if the proposed site can be rezoned or does there have to be a CUP. Mr. Langford answered that the ordinance requires a CUP for these types of facilities when they are located in residentially zoned districts. Commissioner Arnold asked how close is residential? Mr. Stoker answered that the surrounding area

is rural, with only a few residences within 200 feet of the pump station. However, the residents are aware of the pump station and will receive services from it. Commissioner Arnold commented that this pump station will be very important for the current and future residents. Mr. Stoker concurred that the pump station is vital to serving current and future customers in Kaufman County.

PUBLIC HEARING OPENED:

Chairwoman Anderson opened the public hearing.
There were no speakers.

PUBLIC HEARING CLOSED:

Chairwoman Anderson closed the public hearing.

DISCUSSION

Vice-Chair Williams asked how many homes will the pump station service. Mr. Stoker answered that the pump station is designed to provide water for future development at full build-out for the City in Kaufman County. Initially, the pump station will pump 7 million gallons of water per day, and the City will have the ability to expand that capacity as needed.

ACTION:

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

DIRECTOR'S REPORT

7. DIRECTOR'S REPORT.

Director's Report on recent City Council action taken on zoning items at their meetings on January 19, 2021.

PRESENTATION

Manager of Planning & Zoning Garrett Langford presented to the Commission the Zoning actions taken. Zoning Application No. Z0920-0153, for a Comprehensive Plan amendment from Commercial to Light Industrial and a change of zoning from Traditional Neighborhood Mixed Residential and Commercial within the Skyline Logistics Hub Overlay to Planned Development - Industrial within the Skyline Logistics Hub Overlay to allow an urban industrial park, located generally northwest of East Meadows Boulevard and U.S. Highway 80. **Approved by Ordinance No. 4840.**

PUBLIC COMMENTS

- 8.** There were no public comments in person or by phone.

Chairwoman Anderson called the meeting adjourned at 7:30 P.M.

Chairwoman Debbie Anderson



MEMORANDUM

TO: Planning & Zoning Commission

FROM: Jeff Armstrong, AICP, Director of Planning & Development Services

DATE: February 4, 2021

SUBJECT: ZTA 2021-01 Noise Ordinance

The City is revising noise ordinances found in various locations of the City Code. The Mesquite Zoning Ordinance (MZO) includes Section 1-402, which specifies maximum noise levels for different land uses. Staff is proposing that this section of the MZO be revised and relocated to Chapter 10 of the City Code, where other noise regulations are located. Doing so will reduce duplication and contradictions that may occur in various parts of the Code. Additional language is being added to Chapter 10 that will improve the Police Department and other City staff's ability to enforce noise complaints. The proposed amendment will replace the language in Section 1-402 with references to Chapter 10 and certain other parts of the Code.

Staff will provide further details about the ordinance at Monday's meeting. Staff recommends approval.

A handwritten signature in black ink that reads "Jeff Armstrong".

Jeff Armstrong, AICP
Director of Planning & Development Services

Mesquite Zoning Ordinance

* * *

PART 1. – GENERAL PROVISIONS

* * *

1-400 – PERFORMANCE STANDARDS

* * *

[Editor's NOTE: Repeal Section 1-402 in its entirety and replace with the following text.]

1-402 – Noise.

See City Code for the respective requirements and regulations for noise.

Cross references –

Noise, Chapter 10, Article III.

Noise from the idling of commercial motor vehicles, Chapter 9, Article XI, [Section 9-342](#).

Noise made by Animals, Chapter 4, Article VII, Section 4-266.

State law reference – Disorderly Conduct, V.T.C.A. Penal Code, Title 9, Chapter 42, § 42.01.

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