

MINUTES

JUNE 12, 2023

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	Mr. Nellapalli Dharmarajan	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Absent <input type="checkbox"/> Present by Telephone/Video
Position No. 2	Ms. Millie Arnold	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Absent <input type="checkbox"/> Present by Telephone/Video
Position No. 3	Mr. Roger Melend	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Absent <input type="checkbox"/> Present by Telephone/Video
Position No. 4	Elizabeth Rodriguez-Ross	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Absent <input type="checkbox"/> Present by Telephone/Video
Position No. 5	Mr. Claude McBride	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Absent <input type="checkbox"/> Present by Telephone/Video
Position No. 6	Ms. Sheila Lynn	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Absent <input type="checkbox"/> Present by Telephone/Video
Position No. 7	Ms. Debbie Screws	<input checked="" type="checkbox"/> Present In-Person <input type="checkbox"/> Absent <input type="checkbox"/> Present by Telephone/Video
ALTERNATE NO.	ALTERNATE NAME	ATTENDANCE
Alternate No. 1	Rick Cumby	<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	Dr. Michael Fulton	<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

Jeff Armstrong	Director of Planning & Development	<input checked="" type="checkbox"/> Present In-Person
Garrett Langford	Manager of Planning and Zoning	<input checked="" type="checkbox"/> Present In-Person
John Cervantes	Planner	<input checked="" type="checkbox"/> Present In-Person
Jalyn Porchay	Planner	<input checked="" type="checkbox"/> Present In-Person
Karen Strand	Deputy City Attorney	<input checked="" type="checkbox"/> Present In-Person

Note: There is no recording. The recorder was not working correctly.

CALL TO ORDER

1. ROLL CALL

Planner John Cervantes took roll call and declared a quorum was present.

PUBLIC COMMENTS

2. No comments.

CONSENT AGENDA**3. MINUTES.**

Consider approval of the minutes for May 22, 2023, Planning and Zoning Commission.

4. PLAT APPLICATION PL0522-0125

Consider approval of Plat Application No. PL0522-0125 submitted by RLK Engineering, Inc., on behalf of Mesquite ISD, for MISD Ben and Jo Ann Cross Elementary School, Block A, Lots 1 and 2, a replat of Lot 1, Block L, Lagan Hill Phase 3, located at 6425 Park Vista Drive.

5. PLAT APPLICATION NO. PL0523-0171.

Consider approval of Plat Application No. PL0223-0160 submitted by LJA Engineering, Inc., on behalf of KLLB AIV, LLC, for a final plat for Solterra South Phase 2 addition, a 106-lot single-family subdivision on 38.882 acres generally located south of Faithon P. Lucas Sr. Blvd. and west of South Mesquite Creek.

ACTION

Vice-Chair Arnold made a motion to **APPROVE** the consent agenda as presented; Commissioner McBride seconded; the motion carried 7-0.

PUBLIC HEARINGS**6. ZONING APPLICATION NO. Z0323-0299**

Conduct a public hearing and consider Zoning Application No. Z0323-0299, submitted by Masterplan on behalf of Edward Arshouk for a change of zoning from Commercial within the TERRA Overlay District to Planned Development – Commercial within the TERRA Overlay District to allow a Car Wash (SIC 7542) within 100 feet from a residential district with modifications, located at 2670 and 2704 Towne Centre Drive.

PRESENTATION

Planner John Cervantes presented to the Commission.

APPLICANT

Masterplan representative, Amy Mathews, 2201 Main Street Suite 1280, Dallas, TX, and Nick Spallone of Car Wash Pro Designers, 6400 N Northwest Hwy Unit 4, Chicago, IL, presented for the commission. Amy Mathew's presentation elaborated on the property's distance of separation and landscape hedge buffering from the existing single-family homes to the southeast, the ability of the car wash to handle increased traffic at peak operating times as described by the research conducted, and the noise levels in the areas produced at present time and how it might change in the future. Nick Spallone described how the car wash would operate

such as the number of employees, hours of operation, and the functionality of the car wash as it pertains to the type and number of vehicles the car wash could serve in a given timeframe and the technology the car wash will utilize to improve the experience for customers and property owners in the immediate vicinity. Mr. Spallone also emphasized that in a scenario where stacking becomes an issue, they would like to deploy sensory technology that would automatically close an arm gate at the northern entrance to impede the ability for stacking to flood onto Towne Centre Drive. As described by Mr. Spallone, this would allow for nearly 100ft of additional stacking located on the property as vehicles enter on the southernmost drive.

DISCUSSION

The Commission asked for clarification as to whether the applicant could not open the car wash by right. Planner John Cervantes elaborated that the reason the car wash required approval through a Planned Development is that the district to the southeast is zoned single-family and the use of the neighboring property as an easement and trail does not preclude the subject properties from the separation requirements. Commissioners Arnold and Screws were concerned that screening on the property would not adequately reduce noise reaching the single-family homes. Amy Mathews clarified that the study concluded that the levels of noise would not be significantly noticeable to residents and were within the City of Mesquite's noise zone levels. Mr. Spallone concurred and described that the blowers in the car wash were the latest available technology, and the vacuums were either indoors or screened by the building itself. Commissioner Dharmarajan asked if the car wash would have sufficient drainage and for an elaboration on traffic. Planner John Cervantes answered that the engineers on staff had not determined a drainage issue would exist and permits would need to be pulled to satisfy any regulatory requirements. Mr. Spallone described that traffic demand over what they expected would not prevent the car wash from making necessary accommodations per the traffic research and the experience he has had in the industry. Commissioner Rodriguez-Ross expressed concern about whether the car wash facility was the best use for the properties near Town East Mall with other car washes existing in the area.

PUBLIC HEARING

Chairman Melend opened the public hearing. No one came to speak. The public hearing was closed.

ACTION

Commissioner Screws made a motion to **Approve** with staff's recommendation to allow a car wash within 100 feet of a residential district with modifications, located at 2670 and 2704 Towne Centre Dr, with the following correction to Exhibit B.

1. A six (6) foot wrought iron fence and landscape hedge abutting any residential district. Commissioner Arnold seconded; the motion carried 5-2 with Commissioners Dharmarajan and Rodriguez-Ross voting no.

7. ZONING APPLICATION NO. Z0523-0303.

Conduct a public hearing and consider Zoning Application No. Z0523-0303, submitted by Flavio Mendoza for a change of zoning from R-3 – Single Family to R-3 – Single Family with a Conditional Use Permit for an Accessory Dwelling Unit (ADU) with the following modifications: (1) to allow an ADU on a lot less than ½ acre in size; (2) to allow an ADU on a lot that does not have a minimum of four off-street parking spaces located behind the front and exterior side building lines and; (3) to allow an ADU to exceed the maximum allowed floor area of 500 square feet by 374 square feet totaling 874 square feet, located at 1432 Hillcrest Street.

PRESENTATION

Planner Jalyn Porchay presented to the Commission.

APPLICANT

The applicant Flavio Mendoza, 1432 Hillcrest St, Mesquite, TX, was accompanied by his son Hector Mendoza, 5084 Preston Oak Rd, Apt. 406, Dallas, TX, to answer questions and address the commission's concerns. During the meeting, the Applicant stated that he wished to convert the detached garage into an ADU for his veteran son who was in school, and his other family members who suffer from health issues.

DISCUSSION

The discussion began with Commissioner Melend asking for clarification as to the parking requirements and how to correctly count the existing parking on the lot. Planner, Jalyn Porchay, stated that the applicant would be required to have 4 off-street parking spaces behind the "building line" and because the applicant was proposing to remove the only parking spaces behind the building line, they needed to request a modification from that specific ADU requirement. Additionally, Porchay clarified that if approved, there would be a total of 6 parking spaces still on the lot, 4 of which would be non-tandem. Commissioner Arnold complimented the property owner on how well kept the property was. Commissioner Rodriguez-Ross asked for clarification regarding if the ADU could be rented. Planner, Jalyn Porchay clarified that the requirements for all ADU is that they exist on lots that are owner-occupied. As such, if the owner wanted to rent the ADU or leave, they would need to apply for another conditional use permit with modification from that requirement.

PUBLIC HEARING

Chairman Melend opened the public hearing. No one came to speak. The public hearing was closed.

ACTION

Commissioner Rodriguez-Ross made a motion to **Approve** with staff's recommendation to allow an ADU with modifications. Commissioner Dharmarajan seconded; the motion carried 7-0.

8. ZONING APPLICATION NO. Z0523-0304.

Conduct a public hearing and consider Zoning Application No. Z0523-0304, submitted by A.N. Moore Consulting, LLC., for a change of zoning from General Retail to Planned

Development – General Retail to allow additional uses not permitted within the General Retail zoning district in addition to other uses allowed in the General Retail zoning district, located at 1313 Oates Drive.

PRESENTATION

Planner Jalyn Porchay presented to the Commission.

APPLICANT

Nikki Moore, 1508 Llano Drive, Euless, TX, presented on behalf of the applicant, A.N. Moore Consulting, LLC., and addressed the commission. During her presentation, she informed the commission of the current use of Printing for Legal services and the form of the building.

DISCUSSION

The commission asked for clarification on what the applicant was requesting and the staff's recommendation. There was some confusion during the meeting regarding the classification of uses and which uses the applicant wanted to be permitted. Planner, Jalyn Porchay specified that the Standard Industrial Classification (SIC) classifies industries with specific uses grouped into those classifications. He then clarified that the staff was only recommending approval of the uses that fell under the Retail Trade and Service classification and denial of the others.

PUBLIC HEARING

Chairman Melend opened the public hearing. No one came to speak. The public hearing was closed.

ACTION

Chairman Melend made a motion to **Approve** with staff's recommendation to allow additional uses not permitted within the General Retail zoning district in addition to other uses allowed in the General Retail zoning district, located at 1313 Oates Drive, with the following additions to the permissible uses.

1. 27 – Printing, Publishing & Allied Services. Commissioner Arnold seconded; the motion carried 7-0.

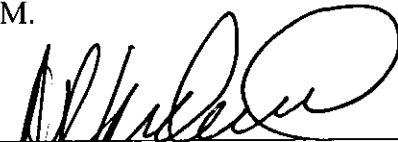
9. DIRECTOR'S REPORT

Director's Report on recent City Council action taken on zoning items at their meeting on June 5, 2023.

The zoning action taken is as follows;

1. Zoning Application No. Z0223-0291, submitted by Horrocks Engineers, on behalf of Helu Development, for a Comprehensive Plan amendment from Medium Density Residential to High Density Residential and to change the zoning from Traditional Neighborhood Mixed Residential and R-3, Single-Family Residential to Planned Development - Multifamily to allow a 240-unit apartment complex, located at 1400 and 1609 Range Drive. City Council approved.

Chairman Melend adjourned the meeting at 8:30 PM.



Chairman Roger Melend