

MINUTES

JUNE 26, 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 type="checkbox"/> Present In-Person <input checked="" 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 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: 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
Devanee Winn	Admin. Asst. Planning & Development Services	<input checked="" type="checkbox"/> Present In-Person
Karen Strand	Deputy City Attorney	<input checked="" type="checkbox"/> Present In-Person
David Paschall	City Attorney	<input checked="" type="checkbox"/> Present In-Person

Note: Commissioner Cumby was seated for position no. 5 Commissioner McBride.

CALL TO ORDER

1. ROLL CALL

Administrative Assistant, Devanee Winn, took roll call and declared a quorum was present.

PUBLIC COMMENTS

2. No comments.

CONSENT AGENDA**3. MINUTES.**

Consider approval of the minutes for June 12, 2023, Planning and Zoning Commission.

ACTION

Commissioner Lynn made a motion to **APPROVE** the consent agenda as presented; Commissioner Rodriguez-Ross seconded; the motion carried 7-0.

PUBLIC HEARINGS**4. ZONING APPLICATION NO. Z0223-0296**

Conduct a public hearing and consider Zoning Application No. Z0223-0296, submitted by Maxwell Fisher of ZoneDev, on behalf of Palladium USA International, Inc, for a change of zoning from Commercial and R-3, Single Family within the Military Parkway – Scyene Corridor Overlay on Tract 1 and R-3, Single Family on Tract 2 to Planned Development – Multifamily to allow a 111-unit multifamily development with modifications to the development standards, located at 930 Military Parkway.

PRESENTATION

Planner John Cervantes presented to the Commission.

DISCUSSION

There was a discussion regarding the fencing and the fencing materials. The Commission voiced concerns with the amount of parking, covered parking, electric vehicle stations, and security.

APPLICANTS

Representing Palladium USA International, Maxwell Fisher, 2502 Grandview Dr., presented to the Commission. Mr. Fisher explained that a large amount of floodplain makes meeting the parking requirements very difficult. Mr. Fisher explained that the nearest residential home would not be affected by the 5-story buildings. Ms. Avis Chaisson with Palladium USA International addressed some of the parking concerns. Ms. Chaisson said that they would be willing to address electric vehicle stations and the covered parking, if possible, since the area that is being developed is constrictive because a large amount of the land is a floodplain. Ms. Chaisson explained that the rent for the 1, 2, and 3-bedroom apartments will be income-driven. Commissioner Dharmarajan Suggested they look into community solar. Commissioner Rodriguez-Ross would like to see them try to give more parking in the back. Mr. Fisher said that they are confident in the parking calculations presented.

PUBLIC HEARING

Chairman Melend opened the public hearing.

The speakers in opposition are as follows;

1. Kathy Serrato 602 S. Walker St. Mesquite, TX.
2. Linda Sparks 614 Pecan Dr. Mesquite, TX.
3. Christina McKamic 502 Bois 'D' Arc, Mesquite, TX
4. Daniel Dutton 1101 Tosch Ln. Mesquite, TX
5. Melissa Lawrence 718 Pecan Dr. Mesquite, TX
6. Jason Vines 725 W. Gross St. Mesquite, TX
7. Ashlyn Capps 608 S. Walker St. Mesquite, TX
8. Kristen Vines 725 W. Gross St. Mesquite, TX

The citizens voiced their concerns regarding the parking. They think that the overflow of the parking will cause an issue. The citizens are concerned that this will cause overcrowding in the schools. Potential crime will increase, and there is not enough police to patrol the area. Not kid-friendly with the current businesses that surround the proposed site. There are not enough amenities for the youth, such as a basketball court. Flooding is a constant issue in the neighborhood located near the proposed site and there are worries that this will cause additional flooding in the neighborhood. There was also concern about the “income-driven” rent.

No one else came to speak and the public hearing was closed.

DISCUSSION

Maxwell Fisher addressed some of the citizens' concerns. Chairman Melend asked if they could maybe remove some of the amenities and/or the parking landscape islands to add more parking. Mr. Fisher stated if they removed some of the landscape islands, then they would have to get a variance for the City of Mesquite's landscape ordinance. Mr. Fisher stated they are confident that there will be enough parking. The development will comply with all the engineering codes to mitigate any flooding affecting the neighborhood.

ACTION

A motion was made by Vice-Chair Arnold to APPROVE with staff's recommendations and to include adding a basketball court; Commissioner Screws seconded; the motion carried 5-2 with Commissioner Cumby and Commissioner Rodriguez-Ross dissenting.

5. ZONING APPLICATION NO. Z0623-0307.

Conduct a public hearing and consider Zoning Application No. Z0623-0307, submitted by Sharonda Ross and Kenneth Wilson of Love Healed Pain, for a change of zoning from Agricultural to Agricultural with a Conditional Use Permit to allow a group home, located at 7020 Shannon Road.

PRESENTATION

Planner Jalyn Porchay presented to the Commission.

APPLICANT

Kennet Wilson and Krystal Wilson both listed their address as 7020 Shannon Lane, Mesquite, TX, presented to the Commission. They explained the purpose and need for the group home.

DISCUSSION

The Commission had concerns about security, protection from any of the children drowning in the pool, and how the children would be monitored. Ms. Wilson explained that the pool would be covered and have proper fencing with a locked gate. There will be two staff members in the home 24 hours a day. They will have three shifts to make sure the children are monitored.

PUBLIC HEARING

Chairman Melend opened the public hearing.

Jerone Dittman, 7131 Shannon Rd., stated he was originally opposed; however, after hearing the purpose of the group home, he is no longer opposed. Mr. Dittman suggested that the applicant should have contacted the neighbors to explain their plan in detail. Mr. Dittman said the neighborhood has had problems with the current owner.

Ms. Shay Thomas, 1416 Wesley Dr. Mesquite, TX, stated that there is a need for this kind of home for neglected children.

Citizens in Opposition

1. Tony King 7030 Shannon Rd. Mesquite, TX
2. Scott Gibb 7121 Shannon RD. Mesquite, TX
3. Sharon Robinson 7121 Shannon Rd. Mesquite, TX
4. Rodolfo Perez 7110 Shannon Rd. Mesquite, TX
5. Kaori Saito 7030 Shannon Rd. Mesquite, TX
6. Jackie Frazier 6920 Shannon Rd. Mesquite, TX
7. Luke Frazier 6930 Shannon Rd. Mesquite, TX
8. Dale Meeks 7101 Shannon Rd. Mesquite, TX
9. Shantashe Simmons 75181 Shannon Rd. Mesquite, TX
10. Christine Howard 7110 Shannon Rd. Mesquite, TX
11. Ron Kreger 7010 Shannon Rd. Mesquite, TX
12. Helen Kreger 7010 Shannon Rd. Mesquite, TX

Citizens opposing the request have concerns with their property values lowering, overcrowding of the schools, and safety issues because police do not patrol the neighborhood. There are concerns about the house not being up to code and being a safety issue with all the code violations. The neighbors feel that the area is not a good site for a group home.

The public hearing was closed.

ACTION

A motion was made by Commissioner Rodriguez-Ross to **APPROVE** with all staff recommendations, including:

1. The facility shall obtain an approved Certificate of Occupancy.
2. The facility shall be equipped with a fire sprinkler system and a fire alarm.
3. Residents of the group home shall be limited to no more than ten children who are in the State foster care system and are ages 17 and under.

Commissioner Lynn seconded; the motion carried 4-3, with Commissioner Screws, Vice-Chair Arnold, and Commissioner Cumby dissenting.

6. ZONING TEXT AMENDMENT NO. ZTA2023-01

Conduct a public hearing and consider a Mesquite Zoning Ordinance Text Amendment making certain additions and deletions to sections contained in Parts 1, 5, and 6 pertaining to Certificate of Occupancy provision for issuance, denial, and revocation and clarifying the appeals of such are made to the Board of Adjustment. (ZTA 2023-01)

PRESENTATION

Director of Planning and Development Services Jeff Armstrong presented to the Commission.

PUBLIC HEARING

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

ACTION

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

7. 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;

Zoning Application No. Z0123-0288, submitted by CA Mesquite, for a change of zoning from Commercial to Planned Development - Commercial to allow a shopping center with modifications to sign regulations, located at 200 East U.S. Highway 80. **Approved by Ordinance No. 5029.**

Chairman Melend adjourned the meeting at 10:24 PM.



Chairman Roger Melend