



**PLANNING AND ZONING COMMISSION MEETING
CITY COUNCIL CHAMBERS
757 North Galloway Avenue
November 25, 2019 - 7:00 P.M.**

Pursuant to Section 551.071 of the *Texas Government Code*, the Planning and Zoning Commission may meet in a closed executive session to consult with the City Attorney regarding matters authorized by Section 551.071, including matters posted on this agenda.

AGENDA

I. ELECTION OF OFFICERS

At this time, any individual wishing to discuss the Election of Officers for the Planning and Zoning Commission shall be allowed to speak for a length of time not to exceed three minutes on a first-come, first-served basis. Citizens addressing the Planning and Zoning Commission through a translator will be allowed six minutes.

II. 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. 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 minutes, except for a speaker addressing the Planning and Zoning Commission through a translator will be allowed six minutes.

- A. Approval of the minutes of the November 11, 2019, Planning and Zoning Commission.

III. ZONING CASES

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.

- A. Conduct a public hearing and consider Zoning Application No. Z1019-0118 submitted by David Martin, Winstead PC, on behalf of Fitch Investments, Inc., for a zoning change from R-1 and R-3, Single Family Residential and PD-LC, Planned Development – Light Commercial No. 2075 and No. 2176, and PD-C, Planned Development – Commercial No. 2963 to Planned Development – Industrial to allow a warehouse and distribution use in addition to other uses allowed in the Industrial zoning district on property described as being 80 +/- acres in the Thomas Scott Survey, Abstract No. 1353, located on the east side of the 500 block of SH 352.

IV. DIRECTOR'S REPORT

At this time, any individual wishing to discuss the Director's Report shall be allowed to speak for a length of time not to exceed three minutes on a first-come, first-served basis. Citizens addressing the Planning and Zoning Commission through a translator will be allowed six minutes.

- A. Director's Report on recent City Council action taken on zoning items at their meetings on November 18, 2019.

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

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 según el Sub- capítulo H, Capítulo 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 según el Sub- capítulo H, Capítulo 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 Local 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 Local 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 November 25, 2019, was posted on the bulletin boards at the Municipal Center and City Hall by November 22, 2019, before 6:00 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 OF THE PLANNING AND ZONING COMMISSION MEETING, HELD AT 7:00 P.M., NOVEMBER 11, 2019, 757 NORTH GALLOWAY AVENUE, MESQUITE, TEXAS

Present: Chairman Ronald Abraham, Vice-Chair Sherry Williams, Debbie Anderson, David Gustof, Sheila Lynn, Claude McBride, Alternate Jerome Geisler

Absent: Yolanda Shepard

Staff: Manager of Planning & Zoning Garrett Langford, Planner Ben Callahan, Planner John Chapman, Planner Lesley Frohberg, City Attorney David Paschall, Senior Administrative Secretary Devanee Winn

Chairman Ron Abraham called the meeting to order and declared a quorum present. Mr. Geisler was seated in place of Ms. Shepard.

I. CONSENT AGENDA

- A. Approval of the minutes of the October 28, 2019, Planning and Zoning Commission.**
- B. Consider and take action on Plat Application No. PL1019-0009 for Main Davis Addition, Block A, Lot 5, submitted by A&W Surveyor's, Inc., on behalf of El-Aya Investments LLC, on a 0.375-acre tract located at 909 E. Davis Street.**
- C. Consider and take action on Plat Application No. PL1019-0144 for Fleckenstein Addition, Block A, Lots 1-4, submitted by CBG Surveying Texas, LLC., on behalf of Ramsey and Holly Fleckenstein, on an 8.95-acre tract located at 15674 Wiser Road.**

A motion was made by Ms. Williams to approve the items on the consent agenda. Motion seconded by Ms. Lynn and approved unanimously.

II. PETITION

- A. Consideration of a petition by David Martin, Winstead PC, on behalf of Fitch Investments, Inc., requesting that the Planning and Zoning Commission initiate an application for change of zoning classification on property described as being 7.952 +/- acres in the Thomas Scott Survey, Abstract No. 1353, located on the east side of the 500 block of SH 352. If the Commission approves the request, the zoning case will be scheduled for a subsequent meeting for a public hearing after compliance with applicable notice requirements.**

Planner Lesley Frohberg briefed the Commission. Ms. Frohberg explained that the requested petition would give the applicant the ability to proceed with a rezoning request on the subject property. The applicant David Martin came up to answer questions. Mr. Gustof wanted to know why they are proceeding with this petition and not just paying the back taxes and buy the land first. Mr. Martin explained that in typical real estate transactions, the developer would want to get the zoning entitlements before

purchasing the land. A motion was made by Ms. Williams to move forward with the petition. Motion seconded by Ms. Anderson and approved on a 5-2 vote with Mr. Gustof and Mr. Geisler dissenting.

III. DIRECTOR'S REPORT

A. Director's Report on recent City Council action taken on zoning items at their meetings on November 4, 2019.

Mr. Langford stated that City Council approved the rezoning for Spradley Farms (Z0819-0104) and the Conditional Use Permits for Cannaday Elementary School (Z0819-0106), Wilkinson Middle School (Z0919-0107), and McDonald Middle School (Z0919-0108). The zoning text amendment No. 2019-05 concerning historic preservation, and administrators and review bodies was approved.

There being no further items before the Commission, Chairman Ron Abraham called the meeting adjourned at 7:25 PM.

Chairman Ronald Abraham



MEMORANDUM

TO: Planning & Zoning Commission

FROM: Garrett Langford, AICP, Planning and Zoning Manager

DATE: November 22, 2019

SUBJECT: Z1019-0118 (SH 352 Industrial)

Staff and the applicant are requesting that Zoning Case No. Z1019-0118 be tabled to the December 9, 2019 Planning and Zoning Commission meeting to allow additional time to finalize the revised concept plan for the proposed Planned Development to allow an industrial development located on the east side of the 500 block of SH 352. Please contact me if you have any questions.

A handwritten signature in black ink that reads "Garrett Langford".

Garrett Langford, AICP
Manager of Planning and Zoning
