MESQUITE
TEXAS
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PLANNING AND ZONING COMMISSION MEETING
CITY COUNCIL CHAMBERS
757 North Galloway Avenue
Mesquite, Texas
May 28, 2024 - 7:00 P.M.

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).

CALL TO ORDER

1. ROLL CALL.

PUBLIC COMMENTS

2. Any individual desiring to address the Planning and Zoning Commission regarding any item on the AGENDA (excluding public hearing items) or any matter not listed on the 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 request from any Planning and Zoning Commission attending member or by request of any other individual in attendance.

3. MINUTES.
   Consider approval of the minutes for May 13, 2024, 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.

4. ZONING APPLICATION Z0524-0361.
   Conduct a public hearing and consider approval of Zoning Application No. Z0524-0361 submitted by the City of Mesquite for a zoning change to amend Planned Development – General Retail Ordinance No. 2399 to modify the sign requirements for the subject property located at 3201 E. Cartwright Road.

****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

DIRECTOR'S REPORT

5. DIRECTOR'S REPORT.
   Director's Report on recent City Council action taken on zoning related items at their meeting on May 20, 2024.

6. Receive briefing regarding the proposed Downtown Overlay ordinance.

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

****

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 May 28, 2024, was posted on the bulletin boards at the Municipal Center and City Hall by May 24, 2024, 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

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MINUTES **MAY 13, 2024**

PLANNING & ZONING COMMISSION
CITY OF MESQUITE, TEXAS

REGULAR MEETING

City Hall
City Council Chambers
757 North Galloway Avenue
Mesquite, Texas

ATTENDANCE: COMMISSIONERS (REGULAR MEMBERS AND ALTERNATES)

POSITION NO.	REGULAR MEMBER NAME	ATTENDANCE
Position No. 1	Mr. Nellapalli Dharmarajan	☒ Present In-Person ☐ Absent
Position No. 2	Ms. Millie Arnold	☒ Present In-Person ☐ Absent
Position No. 3	Mr. Roger Melend	☒ Present In-Person ☐ Absent
Position No. 4	Vacant	☐ Present In-Person ☐ Absent
Position No. 5	Rick Cumby	☒ Present In-Person ☐ Absent
Position No. 6	Jeffrey Walker	☒ Present In-Person ☐ Absent
Position No. 7	Soira Teferi	☒ Present In-Person ☐ Absent

ALTERNATE NO.	ALTERNATE NAME	ATTENDANCE
Alternate No. 1	Wana Alwalee	☒ Present In-Person ☐ Absent (* Attendance Required: ☐ No ☒ Yes)
Alternate No. 2	Ronnie Chenault	☒ Present In-Person ☐ Absent (* Attendance Required: ☒ No ☐ Yes)

ATTENDANCE: STAFF

Garrett Langford	Manager of Planning & Zoning	☒ Present In-Person
Jordan Gregory	Planner	☒ Present In-Person
John Cervantes	Planner	☒ Present In-Person
Karen Strand	Deputy City Attorney	☒ Present In-Person

NOTE: Commissioner Alwalee was seated in Position 4. The recording for the meeting was not recorded due to technical issues.

CALL TO ORDER

1. ROLL CALL

The meeting was called to order at 7:26 PM following the Capital Improvements Advisory Committee meeting. Administrative Aide Devanee Winn took roll call and declared a quorum was present.

PUBLIC COMMENTS

2. Any individual desiring to address the Planning and Zoning Commission regarding any item on the AGENDA (excluding public hearing items) or any matter not listed on the 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.

There were no comments.

CONSENT AGENDA

3. MINUTES.
Consider approval of the minutes for April 22, 2024, Planning and Zoning Commission.

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

PUBLIC HEARINGS

4. ZONING APPLICATION Z0224-0344
Conduct a public hearing and consider approval of Zoning Application No. Z0224-0344 submitted by Provident Realty Advisors for a comprehensive plan amendment to change the future land use designation from Commercial to High-Density Residential and a zoning change from Planned Development – Light Commercial Ordinance No. 2102 to Planned Development – Multifamily to allow a multifamily development with 280 dwelling units with modified development standards located at 900 and 1000 Windbell Circle.

PRESENTATION
Manager of Planning & Zoning Garrett Langford presented to the Commission.

APPLICANT
Representing Provident Realty Advisors, John Hickman, 10210 N. Central Expressway, came up to speak. Vice-Chair Arnold asked why the a decrease in covered parking. Mr. Hickman stated that there is not a demand for the covered parking. Most tenants do not want to pay extra for covered parking and most urban-style multifamily developments usually come with a full parking garage. Commissioner Dharmarajan asked about EV stations. Mr. Hickman stated that there will be EV stations as part of the development.

PUBLIC HEARINGS
Chairman Melend opened the public hearing.

Mike Tolleson is from Sunnyvale, but has businesses in Mesquite and owns the land next to the proposed site. Mr. Tolleson is in favor of the request.

ACTION

Vice-Chair Arnold made a motion to **APPROVE** the zoning change to PD – Multifamily with Exhibit A (Legal Description), Exhibit B (Development Standards), and Exhibit C (Concept Plan); Commissioner Teferi seconded; the motion carried 7-0.

5. ZONING APPLICATION Z0324-0351.

Conduct a public hearing and consider approval of Zoning Application No. Z0324-0351 submitted by Maxwell Fisher of Zone Dev on behalf of Palladium USA International, Inc., for a comprehensive plan amendment to change the future land use designation from Neighborhood Retail to High-Density Residential and a zoning change from Single Family Residential, R-3 zoning district within the Sherwood Forest Overlay district to Planned Development – Multifamily within the Sherwood Forest Overlay district to allow a multifamily development with 288 dwelling units with modified development standards located at 2255 W. Bruton Road.

PRESENTATION

Planner John Cervantes presented to the Commission.

APPLICANT

Maxwell Fisher, 2502 Grandview Dr., gave a presentation to the Commission. There was discussion about the traffic flow and if there will be EV stations. Mr. Maxwell stated that both of those will be addressed.

PUBLIC HEARINGS

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

ACTION

Chairman Melend made a motion to APPROVE with staff's recommendations; Vice-chair Arnold seconded; the motion carried 7-0.

6. ZONING APPLICATION Z0424-0359.

Conduct a public hearing and consider approval of Zoning Application No. Z0424-0359 was submitted by Javier Ruiz for a zoning change from the Central Business zoning district to the Central Business zoning district with a Conditional Use Permit to allow a used motor vehicle dealership located at 611 W. Davis Street.

PRESENTATION

Planner Jordan Gregory presented to the Commission.

DISCUSSION

Commissioners discussed the future overlay and acceptable uses for the downtown area at length.

APPLICANT

Javier Ruiz, 611 W. Davis and Adrian Coria-Merlan, 4309 W Jefferson, Dallas, TX, came up to speak. Mr. Ruiz stated he is planning on building a new building for a nice car dealership. The Commission discussed the future overlay and whether this would fit into those plans. There were discussions about all the car dealerships already located in the area. The Commission thinks that if a new building is built, maybe the other dealerships in that area will improve their image.

PUBLIC HEARINGS

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

ACTION

Commissioner Alwalee made a motion to **APPROVE** with the following stipulations;

1. Each car on display must be parked/displayed fully within a striped parking space or inside of a building.
2. Before the issuance of a Certificate of Occupancy, the property shall be brought into full compliance with the City Code, including the Mesquite Zoning Ordinance regarding landscaping, parking, fencing, screening, etc.
3. Prices shall not be written on windshields.
4. All vehicles shall be in good and operable condition.
5. The Conditional Use Permit remains with the owner.
6. No car repairs on site.
7. The old building is demolished and replaced with a new building.; Commissioner Walker seconded; the motion carried 5-2, with Vice-chair Arnold and Commissioner Dharmarajan dissenting.

DIRECTOR'S REPORT

7. DIRECTOR'S REPORT.

Director's Report on recent City Council action taken on zoning related items at their meetings on May 6, 2024.

The Manager of Planning & Zoning Garrett Langford presented to the Commission. The zoning actions are as follows;

1. Consideration of a motion to reconsider City Council action taken on April 1, 2024, denying Application No. Z0823-0321, submitted by Tierra Carter-Simmons of Inspiring You to Greatness, for a Comprehensive Plan amendment from Commercial to Low Density Residential and a change of zoning from Agricultural to Planned Development - R-3, Single-Family Residential to allow a 16-lot single-family subdivision, located at 10079 South Belt Line Road. **Motion failed due to lack of a second.**

2. Zoning Application No. Z0324-0355, submitted by Sharing Life, for a change of zoning from Commercial within the Town East Retail and Restaurant Area Overlay District to Commercial within the Town East Retail and Restaurant Area Overlay District with a Conditional Use Permit to allow outdoor storage and metal screening material, located at 3795 West Emporium Circle. **Approved by Ordinance No. 5105.**
3. Zoning Application No. Z0224-0345, submitted by Emily Zoellner of Manhard Consulting, for a change of zoning from Commercial and R-2 Single-Family Residential to Planned Development - Commercial to allow an office warehouse development with modified development standards, located at 21900, 22000, and 22100 Interstate Highway 635. **Withdrawn by the developer.**
4. Consider an ordinance revising the City Code by making a Zoning Ordinance Text Amendment, ZTA No. 2024-02, thereby revising Appendix C - Zoning Ordinance, Part 2 (Residential Districts) to update the City's ordinances regarding parking requirements for multifamily residential development. **Approved by Ordinance No. 5106 with modifications.**

Chairman Melend adjourned the meeting at 9:22 PM.

Chairman Roger Melend

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PLANNING AND ZONING DIVISION

FILE NUMBER: Z0524-0361
REQUEST FOR: Planned Development Amendment
CASE MANAGER: Garrett Langford, Manager of Planning and Zoning

PUBLIC HEARINGS

Planning and Zoning Commission:	Tuesday, May 28, 2024
City Council:	Monday, June 17, 2024

GENERAL INFORMATION

Applicant:	City of Mesquite
Requested Action:	Amend Planned Development – General Retail Ordnance No. 2399 (PD) to modify the sign requirements for Shadow Creek.
Location:	3201 E. Cartwright Road (new addresses will be assigned during permitting)

SITE BACKGROUND

Platting:	Has not been platted
Size:	6.7792 acres
Zoning:	Planned Development – General Retail Ordinance No. 2399 (PD)
Future Land Use:	Neighborhood Retail
Zoning History:	1984: Annexed and zoned Agricultural 1987: Planned Development – General Retail Ordinance No. 2399

Surrounding Zoning and Land Uses (see attachment 3):

	ZONING	EXISTING LAND USE
NORTH:	GR - General Retail	7-Eleven and Retail Center
SOUTH:	Agricultural with a Conditional Use Permit	Horn High School
EAST:	R-3, Single Family Residential	Single family homes
WEST:	Planned Development – General Retail	Undeveloped

CASE SUMMARY

The proposed amendment to the PD will allow multi-tenant monument signs within the Shadow Creek development to advertise any business within the development, regardless of how the development is subdivided. Shadow Creek is a development located at 3201 E. Cartwright Road that will include approximately five [JA1]separate retail buildings to be leased and/or sold to medical offices, local retail, and restaurant concepts. Construction is underway to install utilities and access through the property, with McDonald's expected to be the first business to occupy the property.

The developer entered into a development agreement with the City to develop the property in 2021 (Resolution No. 42-4021), which was later amended in 2023 (Resolution No. 66-2023). The development agreement includes incentives for the developer and contains architectural and signage requirements. Relevant to this request, the agreement prohibits pole signs while allowing several multi-tenant monument signs along E. Cartwright Road and Faithon P. Lucas Blvd, as conceptually shown in the agreement. However, the agreement did not contemplate that Shadow Creek would be subdivided into more than one lot and did not include a provision allowing off-premise advertising within the development. The Mesquite Sign Ordinance does not permit off-premise signs, which are defined "as a sign identifying a business, profession, product, service or facility available at a location other than the premises where the sign is located." The off-premise signage came to staff's attention when the developer submitted sign permits for the multi-tenant monument signs while submitting a proposed plat showing the development will be subdivided into multiple lots.

The proposed PD amendment will allow the multi-tenant signs within the Shadow Creek development to advertise any occupant within the development regardless of whether the occupant and sign are on the same lot. The proposed PD does not include any other changes. The development requirements within the development agreement will continue to be in effect. The proposed PD amendment will add the following to the PD.

1. Multi-tenant monument signs may advertise any business located within the Planned Development, regardless of individual lot lines, without being considered off-premise (billboard) signage.

MESQUITE COMPREHENSIVE PLAN

The *Mesquite Comprehensive Plan* designates this area as Neighborhood Retail on the Future Land Use Map (see attachment 4). Neighborhood Retail establishments include a variety of retail and personal service businesses that meet the daily needs of the residents. Suggested land use types include but are not limited to retail, restaurants, and personal services. Neighborhood retail should be located on arterial or collector roadways and shall serve as a buffer from roadways for residential areas. This acts as a transitional land use between residential uses and high-intensity uses. A combination of screening, increased rear setbacks, and enhanced landscaping should be present.

STAFF COMMENTS:
The proposed PD does not include any changes to permitted use on the property. The current PD is based on the General Retail zoning district, which aligns with the Neighborhood Retail future land use designation.

CONCLUSIONS

ANALYSIS

The proposed PD will not alter the allowable uses for the Shadow Creek development. The shopping center will be required to continue to comply with the Mesquite Zoning Ordinance, Development Agreement, Mesquite Subdivision Ordinance, and City Code. The proposed PD amendment, if approved, will allow the multi-tenant monument signs conceptualized in the Development Agreement (Attachment 6) to advertise any business within the Shadow Creek development regardless of the lots line without it being considered off-premise signage.

RECOMMENDATIONS

Staff recommends approval to add the following language to the PD.

1. Multi-tenant monument signs may advertise any business located within the Planned Development, regardless of individual lot lines, without being considered off-premise (billboard) signage.

PUBLIC NOTICE

Notices were mailed to property owners within 200 feet of the property and courtesy notices were mailed within 400 feet of the property. As of May 23, 2024, Staff has received no responses.

CODE CHECK

At the time of this writing, there are no outstanding code cases.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Concept Plan/Signage

ATTACHMENT 1 – AERIAL MAP

Aerial Map

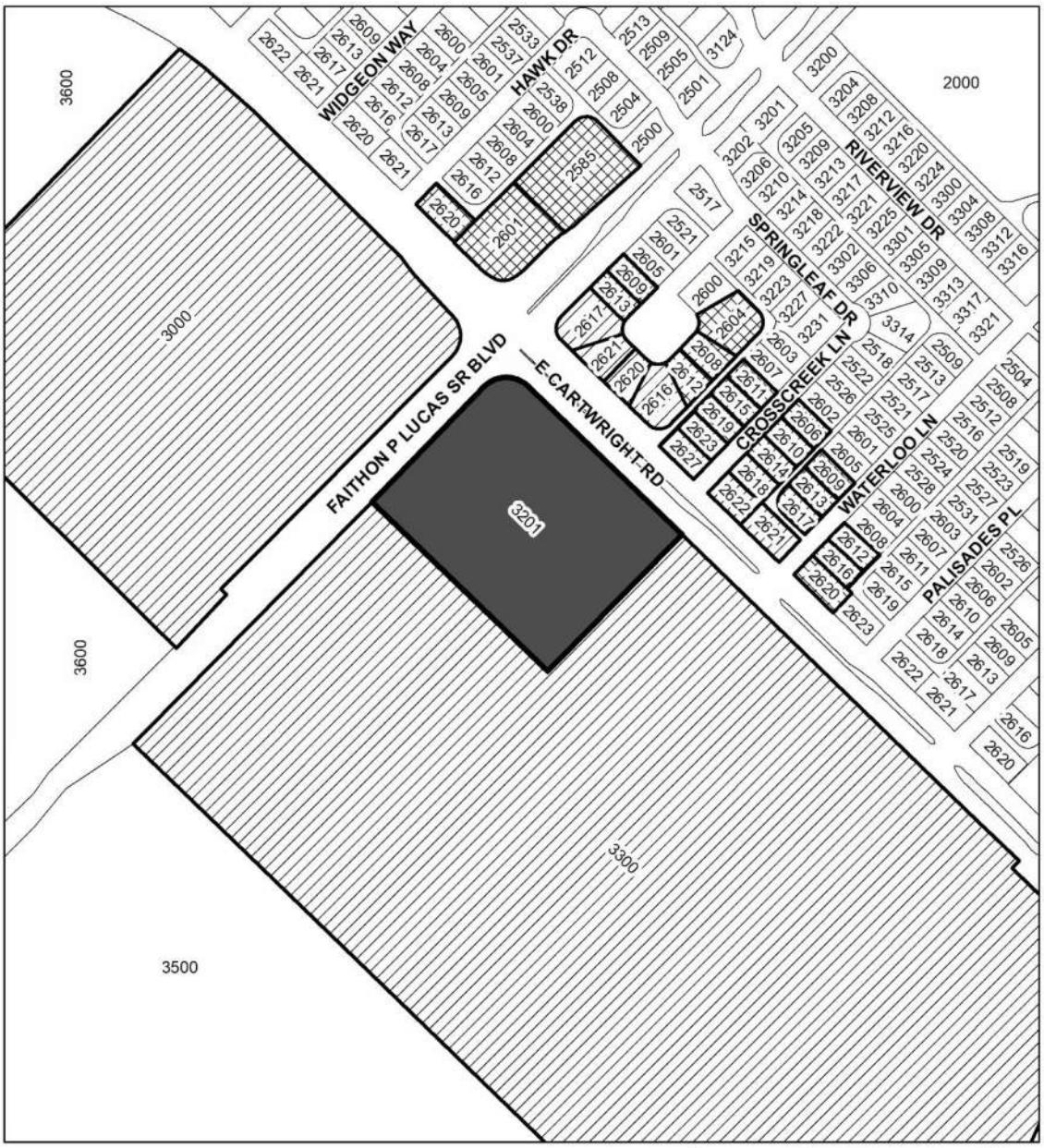
Request: Amend Planned Development to modify the sign requirements.
Applicant: City of Mesquite
Location: 3201 E. Cartwright Road

Legend
Area of Request

N
W E
S

ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map



Request: Amend Planned Development to modify the sign requirements.
Applicant: City of Mesquite
Location: 3201 E. Cartwright Road

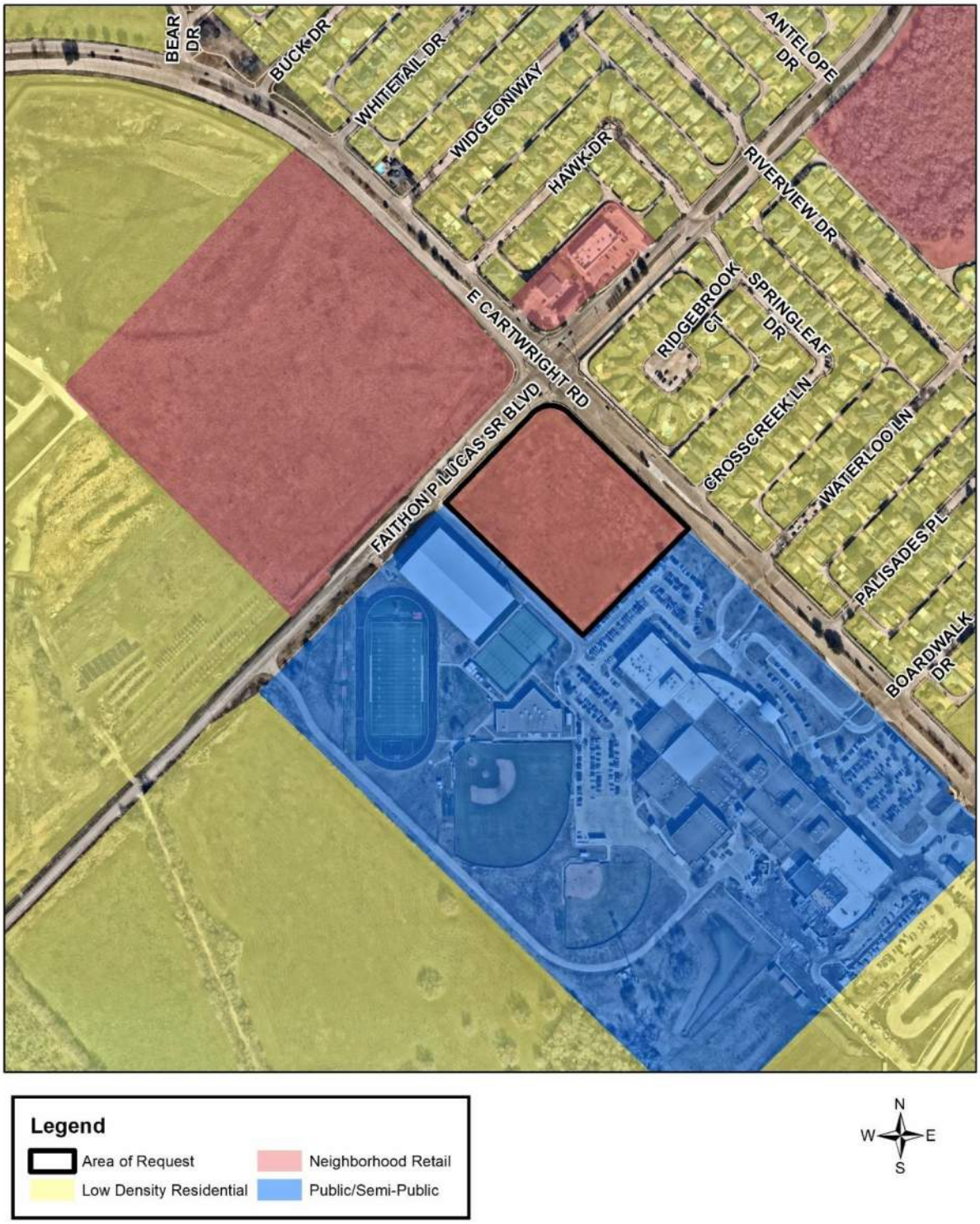
Legend
- Area of Request
- Notified Properties
- Courtesy Notices

N W E S

ATTACHMENT 3 – ZONING MAP

ATTACHMENT 4 – FUTURE LAND USE MAP

Future Land Use Map



ATTACHMENT 5 – SITE PICTURES

View of the Property from E. Cartwright Road

View of the Property from E. Cartwright Road

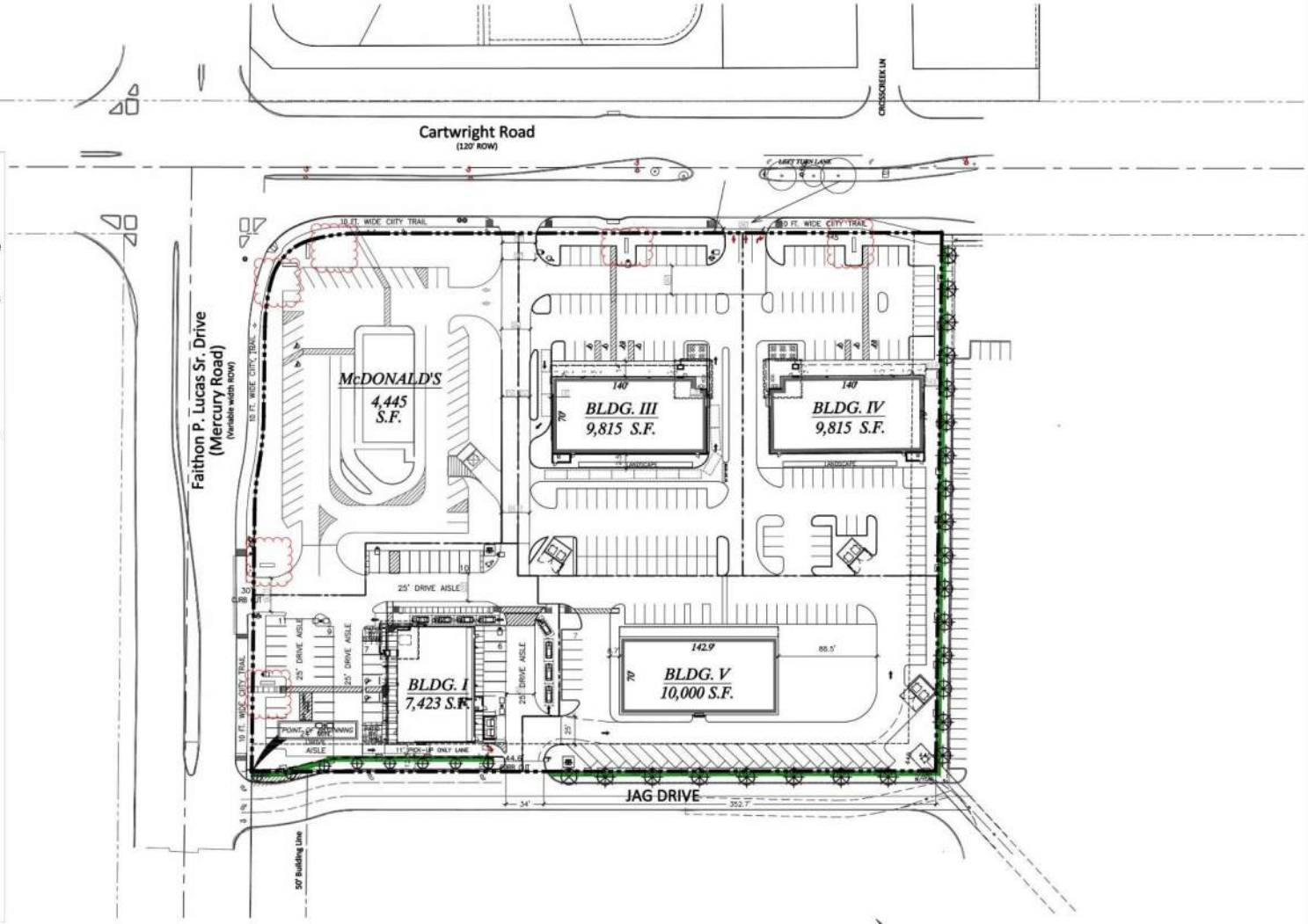
ATTACHMENT 6 – CONCEPT / SIGNAGE PLAN

Concept Plan

The proposed buildings and land uses are permitted.

The proposed rezoning will allow the multi-tenant monument signs to advertise any business within the development. The general locations of the monument signs are shown on the plan (final locations are subject to change).

The Mesquite Sign Ordinance does not approve advertising unless the sign(s) is on the same lot as the business unless approved through a Planned Development zoning.



LA ARCHITECTS
7800 Washington Avenue
Suite 600
Houston, Texas 77007
Main: 713.600.3600
www.laarc.com

E. CARTWRIGHT RD. & FAITHON LUCAS BLVD.
MESQUITE, TEXAS
(SP-64) December 29, 2023

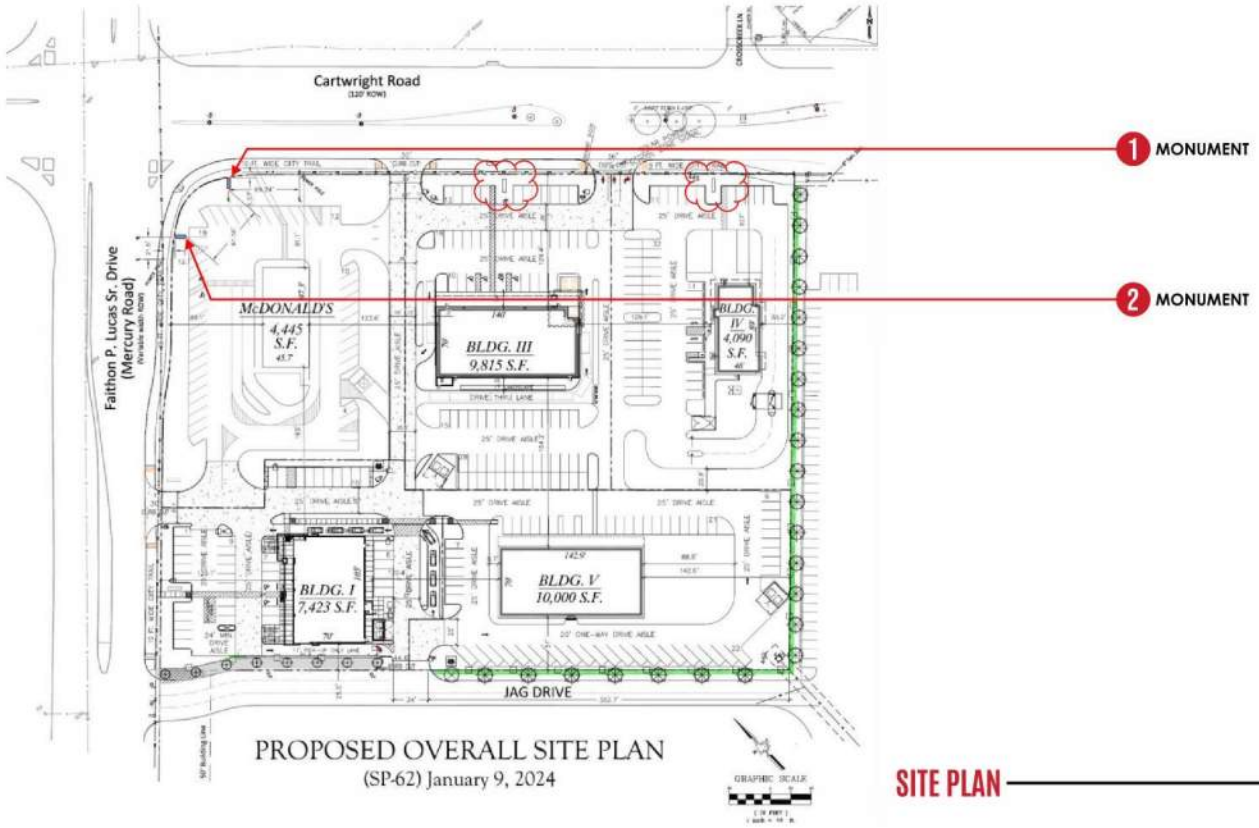
GRAPHIC SCALE

CYPRESS CAPITAL
5952 King William Drive
Plano, Texas 75093
(214) 558-0800

Restaurant
Restaurant
TENANT
TENANT
Domino's
SHADOW CREEK CROSSING
MONUMENT SIGN - 3201 E CARTWRIGHT RD MESQUITE, TX 75181
MELLO SIGNS
E479782 TDLR 18785
990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com
FINAL APPROVAL
CLIENT SIGNATURE
PRINTED NAME
DATE:
SALESMAN:
JOB #: PRELIMINARY ART
CONCEPT ART
PERMIT / ENGINEERING ART (IF APPLICABLE)
PRODUCTION READY ART

JOB #: CONCEPT ART

PAGE 2



SITE PLAN

SCALE: 1"=1'-1200

DETAILED SITE SURVEY REQUIRED

MELLO SIGNS
990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com

UL E479782 TDLR 18785

CLIENT SIGNATURE_____
PRINTED NAME_____
DATE: _____ SALESMAN INITIALS:_____

GENERAL DISCLAIMERS: All signs to be manufactured and installed in accordance with local and state regulations. This drawing is the property of MELLO SIGNS. It shall not be produced, copied or distributed without authorization of MELLO SIGNS. **RENDERING APPROVAL:** Please carefully review all drawings and material specifications. Color samples can be provided upon request. All PDF files are approximate representations. **PLEASE READ CAREFULLY BEFORE FINAL APPROVAL:** Review all files and check for all errors. Please review all spelling, material and color specifications, and installation notes. Changes after approval and the start of manufacturing may incur additional charges. By signing this proof you are acknowledging that you have read and fully reviewed all drawings, proposals, **and Mello Signs Terms and Conditions. BY LAW PRIMARY ELECTRICAL CONNECTIONS MUST BE RUN WITHIN 6 FEET OF SIGN LOCATION BY A LICENSED ELECTRICIAN.**

CLIENT NAME	SHADOW CREEK CROSSING	DATE	BY	REV #
ST. ADDRESS	3201 E Cartwright Rd	11-17-2023	AB	R1
CITY/STATE	MESQUITE, TX 75181	12-14-2023	AB	R2
PHONE		12-14-2023	AM	R3
EMAIL		12-15-2023	AB	R4
SALESMAN	JOE	01-03-2023	AB	R5
DESIGNER	AMANDA	01-11-2023	AB	R6
FILE NAME	SHADOW CREEK CROSSING - Mesquite, TX	04-08-2024	AB	R9

JOB #: CONCEPT ART

PAGE 3

DAY VIEW **NIGHT VIEW**

SIGN 1 & 2 - DAY / NIGHT VIEW

SCALE: NTS

MELLO SIGNS
990 HALTOM RD. FORT WORTH, TX 76117
682-312-5338 — www.mello-signs.com

UL E479782 TDLR 18785

CLIENT SIGNATURE_____
PRINTED NAME_____
DATE: _____ SALESMAN INITIALS:_____

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CITY/STATE	MESQUITE, TX 75181	12-14-2023	AB	R2
PHONE		12-14-2023	AM	R3
EMAIL		12-15-2023	AB	R4
SALESMAN	JOE	01-03-2023	AB	R5
DESIGNER	AMANDA	01-11-2023	AB	R6
FILE NAME	SHADOW CREEK CROSSING - Mesquite, TX	04-08-2024	AB	R9