



**PLANNING AND ZONING COMMISSION MEETING
CITY COUNCIL CHAMBERS
757 North Galloway Avenue
Mesquite, Texas
December 9, 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 upon request from a Planning and Zoning Commissioner or by request of any other individual in attendance.

3. MINUTES.

Consider approval of the minutes for November 25, 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 Z1124-0376.

Conduct a public hearing and consider approval of Zoning Application No. Z1124-0376 submitted by Vachele Franklin, Frog Academy, for a zoning change to amend Planned Development – Office Ordinance No. 3961 to allow a child day care center as a permitted use located at 2850 East Glen Blvd.

DIRECTOR'S REPORT

5. DIRECTOR'S REPORT.

Receive the Director's Report on recent City Council action taken on zoning-related items at their meeting on December 2, 2024.

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 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 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 December 9, 2024, was posted on the bulletin boards at the Municipal Center and City Hall by December 6, 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

MINUTES**NOVEMBER 25, 2024****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	Nellapalli Dharmarajan	☒ Present In-Person ☐ Absent
Position No. 2	Millie Arnold	☒ Present In-Person ☐ Absent
Position No. 3	Roger Melend	☐ Present In-Person ☒ Absent
Position No. 4	Ronnie Chenault	☒ 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	Vacant	☐ Present In-Person ☐ Absent (* Attendance Required: ☐ No ☐ Yes)

ATTENDANCE: STAFF

Garrett Langford	Manager of Planning & Zoning	☒ Present In-Person	☐ Absent
John Cervantes	Planner	☒ Present In-Person	☐ Absent
Jordan Gregory	Planner	☒ Present In-Person	☐ Absent
Ti'Ara Clark	Planner	☒ Present In-Person	☐ Absent
Millie Laird	Admin. Aide Planning & Development Services	☒ Present In-Person	☐ Absent
Karen Strand	Deputy City Attorney	☒ Present In-Person	☐ Absent

CALL TO ORDER**1. ROLL CALL**

The meeting was called to order at 7:00 p.m. Admin. Aide - Planning & Development Services, Millie Laird, 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 October 14, 2024, Planning and Zoning Commission.

4. ELEVATION APPROVAL – POLO RIDGE.

Consider approval of a palette of proposed elevations and façade materials of single-family homes pursuant to the Polo Ridge Development Agreement submitted by Crescent Estates for the Polo Ridge subdivision located southeast of IH-20 and FM 740 near the East Fork of the Trinity River and at the western corner of FM 2757 and Kelly Road.

ACTION

Commissioner Dharmarajarn made a motion to approve the consent agenda as presented; Commissioner Chenault seconded; the motion carried 7-0.

5. ZONING APPLICATION Z1024-0371.

Conduct a public hearing and consider approval of Zoning Application No. Z1024-0371 submitted by Spiars Engineering, on behalf of NexMetro, for a zoning change from General Retail to Planned Development (PD) – Multifamily to allow a multifamily development with 186 single-story build-to-rent dwelling units with modifications to the multifamily development standards located at 2200 Newsom Road (southwest corner of East Glen Blvd and Clay Mathis Road).

PRESENTATION

Manager of Planning and Zoning Garrett Langford presented to the Commission.

DISCUSSION

There were questions raised by Commissioners Dharmarajan and Alwalee regarding the project's targeted population. Mr. Langford emphasized to the Commission that the project would not consist of low-income housing.

Commissioner Dharmarajan inquired about the online public comments and if the majority were from Creek Crossing residents, a residential neighborhood near the proposed project. Mr.

Langford advised the Commission that the majority of comments came from residents of Creek Crossing.

APPLICANT

Josh Eadie, 14951 N. Dallas Parkway, Dallas, TX, on behalf of the applicant, presented the proposed project and answered questions from the Commission.

Maxwell Fisher, 2502 Grandview Drive, Richardson, TX, spoke to the Commission on behalf of the applicant.

Josh Eadie returned to the podium to answer additional questions from the Commission.

PUBLIC HEARINGS

The Chair opened the public hearing. Several citizens came forward to speak to the Planning and Zoning Commission:

Debbie Anderson, 2729 Ash Creek, Mesquite, TX, expressed opposition.

George Rice, 1004 Craig Drive, Mesquite, TX, expressed opposition.

J. Patrick Degelis, 3225 Fountain Drive, Mesquite, TX, expressed opposition and concern regarding the impact on traffic for the surrounding neighborhoods.

Luis Barreto, 807 Orion Drive, Mesquite, TX, expressed opposition, stating that he does not believe the project is appropriate for the area and expressed concern that streets, currently in disrepair, will not be improved if the project application is passed.

Tania Montgomery, 816 Banbury Court, Mesquite, TX, expressed opposition and concern for the impact on traffic and the number of eighteen-wheelers that currently use the roadways in the area.

Timothy Smith, 1323 Greenfield Drive, Mesquite, TX, expressed opposition and concern for the impact on traffic.

Claudia Ryan, 4717 Monarch Drive, Mesquite, TX, expressed opposition and concern that the quality of life for residents and education for students will be impacted, not only for nearby residents but for anyone living/going to school in the immediate area.

Mark Murphy, 3120 Pecan Crossing, Mesquite, TX, expressed opposition to the proposed project.

Kay Welch, Highwood Street, Mesquite, TX, expressed opposition to the proposed project because of the impact on traffic.

Tasheara Perkin, 1308 Matthew Drive, Mesquite, TX, expressed opposition due to the potential of school crowding and decreased property values; would like to see new business development in the area rather than additional rental properties.

Darlene Clemons, 2411 Decoy Drive, Mesquite, TX, expressed opposition to the project due to concern that the project would increase congestion in the existing overcrowded area.

Janelle Harvey, 2712 Austin Drive, Mesquite, TX, expressed opposition.

Applicant Josh Eadie and Maxwell Fisher returned to the podium to address concerns raised in the Public Hearing and answered one question from Commissioner Teferi regarding data from their presentation concerning the average renter's length of stay.

Commissioner Dharmarajan asked if there was a possible alternative location for the development within Mesquite. Planning and Zoning Manager Garret Langford indicated that they have not identified another site.

ACTION

Commissioner Walker made a motion to DENY; Commissioner Chenault seconded; the motion carried 7-0.

DIRECTOR'S REPORT

6. Director's Report on recent City Council action taken on zoning related items at their meeting on October 21st.

Mr. Langford stated that the following cases were approved/denied:

Zoning Application No. Z0824-0368, submitted by Jonathan Kerby with Kimley-Horn and Associates, Inc., on behalf of NADG 10 Heartland LP and Candr LLC., for a change of zoning from Agricultural and Planned Development - General Retail Ordinance No. 5048 to Planned Development - General Retail with modified development standards to allow a restaurant and retail development located south of IH-20 and west of FM 741 (0, 6611 and 6619 FM 741, Kaufman Tax Property ID Numbers 9680, 9686, 9687, and 182255). – **Approved by Ordinance No. 5145 recorded in Ordinance No. 133**

Zoning Application No. Z0724-0365, submitted by Jim Dewey with JDJR Engineers & Consultants, Inc., on behalf of 20100 LBJ Freeway, LLC., for a change of zoning from Planned Development - Light Commercial Ordinance No. 2649 to Planned Development - Light Commercial with modified development standards to allow a new and used vehicle dealership with outdoor display and auto repair services located at 20100 and 20104 IH-635. **Denied.**

Zoning Application No. Z0824-0366, submitted by Bohler Engineering TX, LLC, on behalf of Bhadresh Trivedi with Dosti Mesquite, LLC., for a change of zoning from Agricultural to Planned Development - Commercial to allow a flex office development with an outdoor storage yard in addition to other uses permitted in the Commercial Zoning District located at 5801 Shannon Road (southwest corner of Shannon Road and IH-20 service road). **Denied.**

Zoning Application No. Z1123-0338, submitted by Jason Shaw with Serenity Senior Living II, LLC., for a comprehensive plan amendment to change the future land use designation from Low Density Residential to Medium Density Residential and for a change of zoning from Agricultural to Planned Development - Townhomes with modified planned development standards to allow an age-restricted townhome development with an assisted living facility located at 2795 Clay Mathis Road. **Application tabled.**

Vice-Chairman Arnold adjourned the meeting at 8:44 p.m.

Vice-Chairman Millie Arnold

FILE NUMBER: Z1124-0376
REQUEST FOR: Planned Development Amendment
CASE MANAGER: Ti'Ara Clark, Planner

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, December 9, 2024
 City Council: Monday, January 6, 2025

GENERAL INFORMATION

Applicant: Vachele Franklin, Frog Academy
Requested Action: Zoning change to amend Planned Development (PD) – Office, Ordinance No. 3961, to allow child day care services in addition to other uses permitted in the Office Zoning District.
Location: 2850 East Glen Boulevard

SITE BACKGROUND

Platting: Calvary First Baptist Church, Lot 1
Size: 7.02 +/- acres
Zoning: PD – Office Ordinance No. 3961
Future Land Use: Light Industrial
Zoning History: 1974 – Annexed and zoned AG – Agricultural
 1982 – Rezoned to PD – Industrial Ordinance No. 1848
 2008 – Rezoned to PD – Office Ordinance No. 3961

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	PD - Planned Development	Industrial development
EAST:	PD - Planned Development	Industrial development
WEST:	PD - Planned Development	Church building
SOUTH:	R-1, Single Family Residential	Low Density Residential

CASE SUMMARY

The applicant is requesting an amendment to the existing Planned Development (PD) - Office Ordinance No. 3961 to allow child day care services in addition to other land uses permitted in the Office Zoning District. The subject property is a 7.02-acre lot that is currently operating as Calvary First Baptist Church. The current PD utilizes the Office Zoning District, which is one of the more restrictive zoning districts within the City, to establish the allowable uses on the subject property. The Mesquite Zoning Ordinance requires child day care centers to obtain a Conditional Use Permit (CUP) in the Office Zoning District. The current PD stipulates that the property can only be developed for uses permitted by right in the Office zoning district. As a result, a CUP is not an option and, therefore, necessitated the applicant's request for a PD amendment. The proposed PD amendment will allow child day care services to be permitted by right without an approved CUP.

The applicant owns and operates two child care centers, known as the Frog Academy, with two locations in the DFW metroplex, one in Garland and the other adjacent to the subject property at 2600 East Glen Blvd within the New Community Church. Their current location at New Community Church is zoned PD – Industrial (Ord. 1848), which allows child care centers by right. However, with the forthcoming closure of New Community Church, the applicant and Calvary First Baptist Church have reached an agreement to relocate the day care operations to the existing church. This relocation will allow Frog Academy to continue its operations uninterrupted while continuing its service in the City. The daycare plans to accommodate up to 153 students, with sufficient parking available on-site to meet the needs of staff and families.

MESQUITE COMPREHENSIVE PLAN

The *Mesquite Comprehensive Plan* designates the subject property as Light Industrial. This type of development includes a wide range of uses including manufacturing, storage, retail trade, and personal services. Although Light Industrial districts primarily focus on manufacturing and industrial activities, they also allow for personal services, such as child care facilities.

STAFF COMMENTS:

The proposed PD amendment to allow child day care services as an additional use at the subject property does not conflict with the *Mesquite Comprehensive Plan*.

MESQUITE ZONING ORDINANCE

SECTION 4-201(A) PROPOSED USES

"An application for a PD district shall specify and the PD ordinance shall incorporate the category or type of use or the combination of uses, which are to be permitted in the PD district. Uses may be specified by reference to a specific zoning district, in which case all uses permitted in the referenced district, including those permitted through the cumulative provision of the zoning ordinance, shall be permitted in the PD district. Uses requiring a Conditional Use Permit under the referenced district shall require a Conditional Use Permit under the PD district unless such use is specifically set out as permitted in the PD ordinance."

STAFF COMMENTS:

The proposed PD amendment will add child day care centers as permitted uses in addition to uses permitted by right in the Office District.

SEC. 4-201(B) DEVELOPMENT REQUIREMENTS

“An application for a PD district shall specify and the PD ordinance shall incorporate the development requirements and standards which are to be required in the PD district. Development requirements and standards may include, but are not limited to, density, lot size, unit size, setbacks, building heights, lot coverage, parking ratios, screening and other requirements or standards as the Council may deem appropriate. Development requirements and standards may be specified by reference to a specific zoning district, in which case all requirements and standards in the referenced district shall be applicable. The applicant or the City may propose varied or different standards that improve development design or enable a unique development type not otherwise accommodated in the Zoning Ordinance.”

STAFF COMMENTS:

Other than the changes to the permitted uses in the PD, the proposed amendment will not change the development standards.

SEC. 4-201(C) CONCEPT PLAN

“An application for a PD District shall include a concept plan showing a preliminary layout of proposed uses, access, buildings, parking, open space and the relationship to existing natural features and to adjacent properties and uses. The concept plan shall be construed as an illustration of the development concepts and not as an exact representation of all specific details.”

STAFF COMMENTS:

The existing PD did not include a concept plan exhibit. The proposed child day care center does not propose any change to the site; therefore, adding a concept plan to the PD is unnecessary.

CONCLUSIONS

ANALYSIS

The proposed PD amendment will allow Frog Academy to offer child day care services to the residents of Mesquite. It is staff’s opinion that the proposed PD amendment complies with the *Mesquite Comprehensive Plan*.

RECOMMENDATIONS

Staff recommends the approval of the PD amendment to amend Exhibit B of Planned Development – Office Ordinance No. 3961 to allow child day care uses that are permitted by right in the Office District. This amendment represents a valuable addition to the City, providing a critical service that supports working families and strengthens the community. Given that neighboring properties already permit this use by right and there are no anticipated adverse impacts on the surrounding area, City staff recommends approving the amendment.

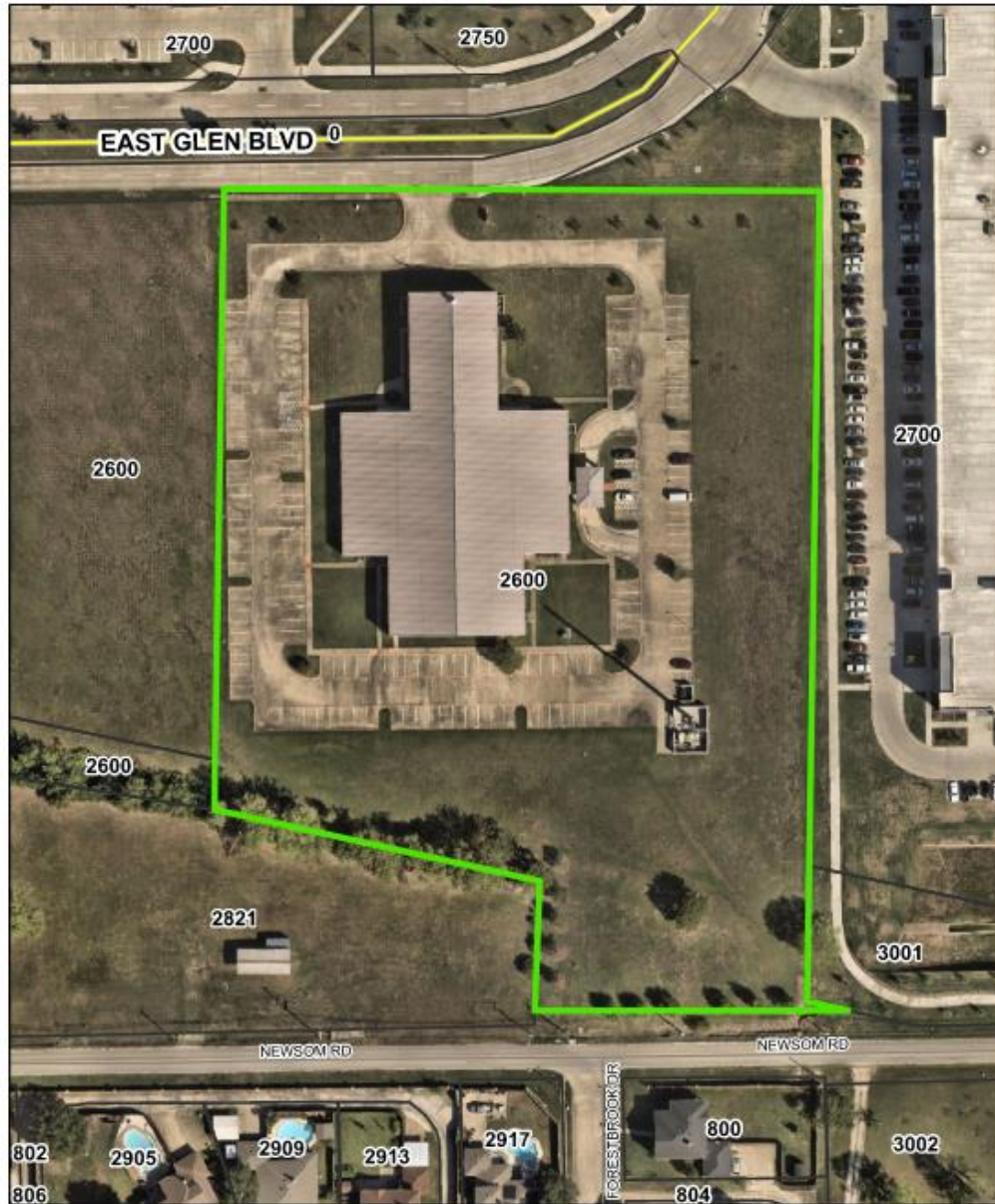
PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property and courtesy notices for properties within 400 feet. As of December 6, 2024, one response in favor has been received from the statutory notification area, while one notice in opposition was received from the courtesy notice.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Permitted Use Table – Office Zoning District
7. Exhibit A – Legal Description (Existing)
8. Exhibit B – Planned Development Standards (Existing)
9. Public Notice Responses

Aerial Map



Applicant: Vachele Franklin
Location: 2850 East Glen
Request: Planned Development Amendment
to allow child day care services

Legend

 Subject Property

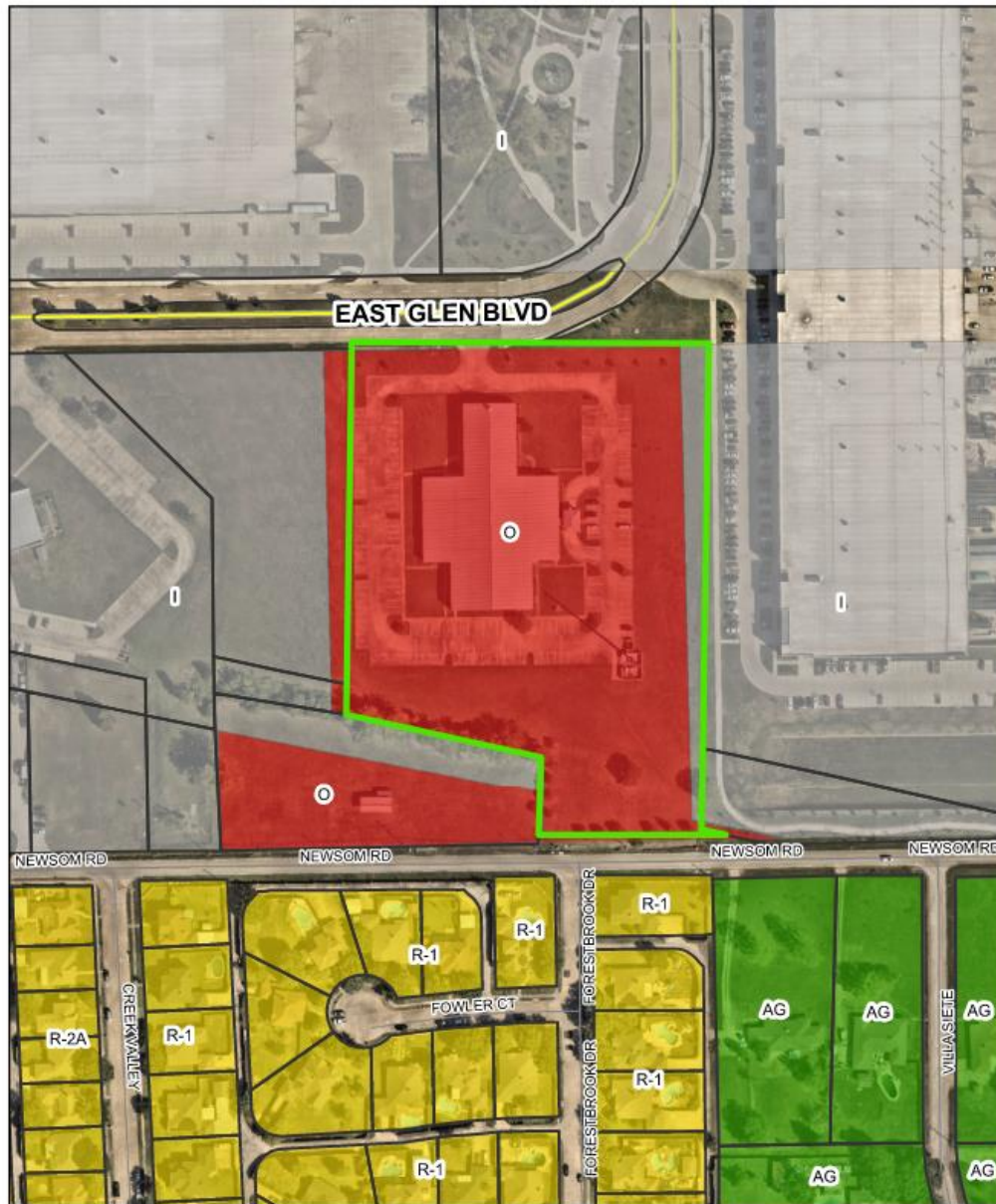
0 30 60 120 180 240
Feet



 Subject Property Notified Properties Courtesy Notice Properties

ATTACHMENT 3 – ZONING MAP

Zoning Map



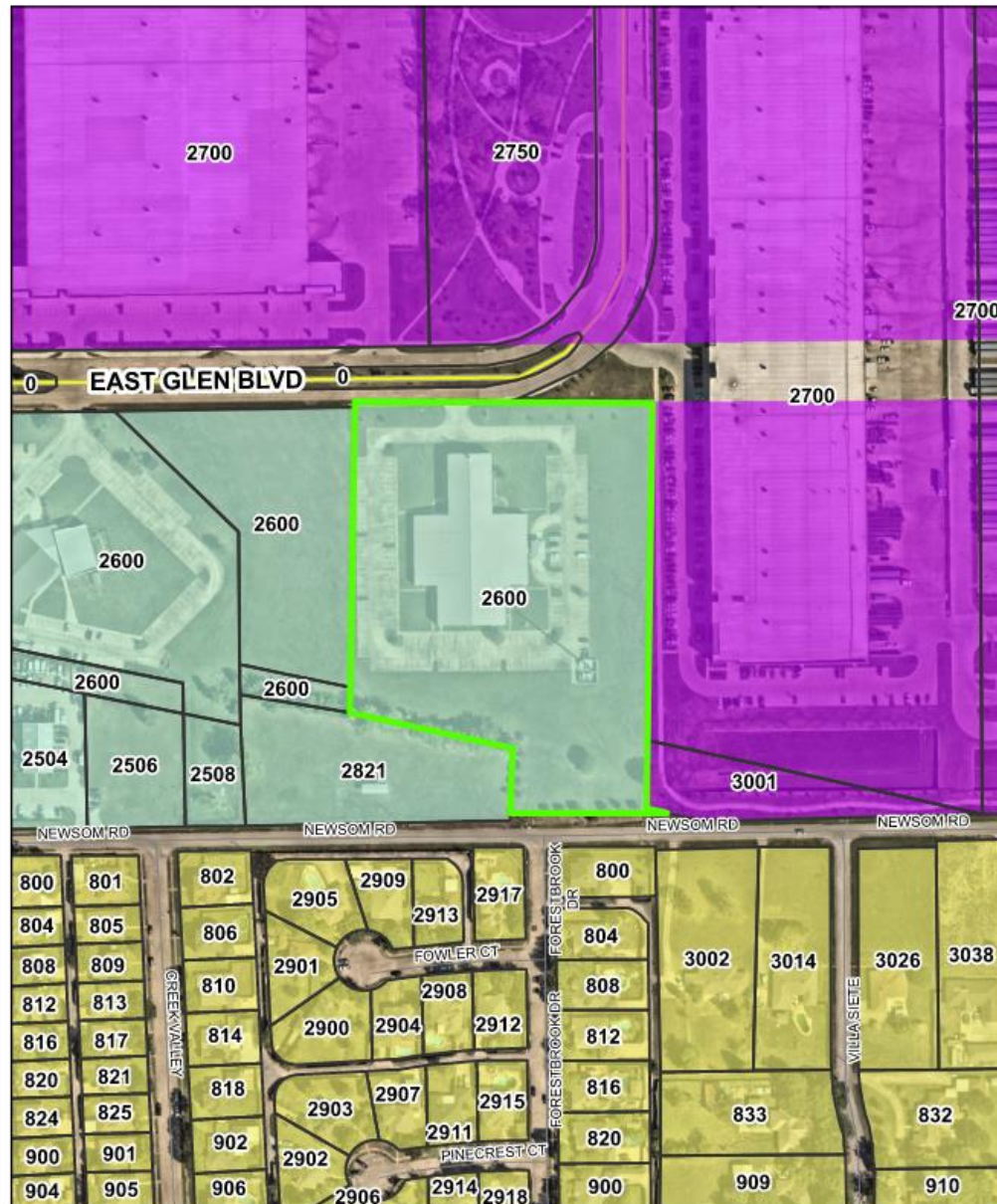
Property Address - 2850 East Glen

Legend - Base Zones

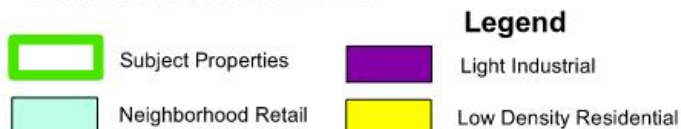
	Subject Properties		Agriculture		R-1, Single Family
	Office		Industrial		



Future Land Use Map



Address: 2850 East Glen





View of the property from the northwest side of the site



View of the southwest property line showing parking



View to the southwest along Newsom Rd



View toward the southeast along Newsom Rd showing Industrial buildings

ATTACHMENT 6 – PERMITTED USE OFFICE

PART 3: NONRESIDENTIAL DISTRICTS
3-200 USE REGULATIONS

3-203 SCHEDULE OF PERMITTED USES

SIC CODE	USE DESCRIPTION	O	GR	LC	THN K20 NGTC I	CV	MU	CB	SS	C	I	PKNG STND	SPECIAL CONDITIONS
	(Includes billiard and bingo parlors, skating rinks, slot car tracks, etc.) (except c-f)												least 100 feet from any residential district.
c.	Commercial Art Galleries, Museums	P	P	P		P	P	P		P	P	15	
d.	Sports Instruction (Indoor)		P	P			P	P		P	P	1	
e.	Ticket Agencies, Sports/Recreation		P	P			P	P		P	P	1	
f.	Escape Rooms		P	P		P	P	P		P	P	12	(Ord. 4419 / 3-21-2016)
g.	Recreational and Entertainment Facilities		P	P	P			P		P	P	28	(Ord. 4585 / 8-6-2018)
80	HEALTH SERVICES												
801	Offices of Doctors of Medicine	P	P	P			P	P		P	P	3	Requires Parking Standard #26 if providing non-emergency outpatient services on a first-come basis with no appointments.
802	Offices of Dentists	P	P	P			P	P		P	P	3	
803	Offices of Doctors of Osteopathy	P	P	P			P	P		P	P	3	
804	Offices of Other Health Practitioners	P	P	P			P	P		P	P	3	
805	Nursing & Personal Care Facilities	P	P	P		P	P	P		P	P	24	
806	Hospitals	C	P	P		P	P	P		P	P	25	
	8062 General Medical, Surgical Hospitals												
	8063 Psychiatric Hospitals	C	P	P		C	P	P		P	P	25	Prohibits buildings housing psychiatric patients within 250 feet of any residential district.
	8069 Specialty Hospitals, except Psychiatric	C	P	P		C	P	P		P	P	25	
807	Medical, Dental Laboratories	P	P	P			P	P		P	P	3	
808	Home Care Services	P	P	P			P	P		P	P	28	
809	Health, Allied Services, NEC						P	P		P	P	3	
	8092 Kidney Dialysis Centers	P	P	P			P	P		P	P	3	
	8093 Specialty Outpatient Facilities NEC	P	P	P			P	P		P	P	3	
	8099 Health, Allied Services NEC	P	P	P			P	P		P	P	3	
81	LEGAL SERVICES	P	P	P			P	P		P	P	3	
82	EDUCATIONAL SERVICES												
821	Elementary, Secondary Schools	C	C	C		C	C	C		C	C	21	Requires compliance with 3-509; (Ord. 4562/ 5-7-2018)
822	Universities, Junior Colleges	P	P	P		P	P	P		P	P	22	
823	Libraries	P	P	P		P	P	P		P	P	15	
824	Vocational Schools (except)		P	P		C	P	P		P	P	23	
	a. Truck Driving and Equipment Operating Schools									P	P	23	
829	Schools, Educational Services, NEC		P	P		C	P	P		P	P	23	
83	SOCIAL SERVICES												
832	Individual, Family Social Services	P	P	P		C	P	P		P	P	3	Includes senior citizen centers and day care for the elderly and handicapped.
833	Job Training, Vocational Rehabilitation			P		C	P	P		P	P	3	
835	Child Day Care Services (except)	C	C	P		P	P	P		P	P	20	Requires a circular or similar drive, covered at the building entrance, with loading/unloading space for 1 vehicle for each 500 square feet of gross floor area (not required for drop-in care located in multitenant building); Requires State licensing. (Ord. 2816/6-1-92)
	a. Home Day Care												See 2-203 and Definitions.
836	Residential Care												See 2-203 for Personal Care Home,

P = Permitted Use (3-201A)
P = Italicized P (P) Use Permitted Only in Conjunction with Gasoline Sales (3-504)
C = Conditional Use (3-201B)
S = Special Exception (3-201C)
NEC = Not Elsewhere Classified

* Refer to 4-800 – TERRA Overlay District: An asterisk (*) indicates that the use requires approval of a Conditional Use Permit if located in the TERRA Overlay District.

¹ Refer to applicable form-based code

EXHIBIT "A"
File No. 1359-8

PROPERTY DESCRIPTION

Being a tract of land out of the Thomas J. Sewell Survey, Abstract No. 1359 in the City of Mesquite, Dallas County, Texas, and being all of two tracts of land conveyed to Mesquite Church of God by Deed recorded in Volume 2002064, Page 10341, and all of a tract of land conveyed to Mesquite Church of God by Deed recorded in Volume 2002064, Page 10337, both of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner in the North right-of-way line of Newsome Road (60 foot right-of-way) and lying in the Southwest line of a tract of land conveyed to The City of Mesquite, by Deed recorded in Volume 2001166, Page 0093, Deed Records, Dallas County, Texas;

THENCE North 89 degrees 57 minutes 34 seconds West, along said North right-of-way line of Newsome Road, a distance of 320.80 feet to a 1/2 inch iron rod found for corner at the Southeast corner of a tract of land conveyed to Marvin W. Woodson, Jr. by deed recorded in Document No. 20070039435, Official Public Records, Dallas County, Texas;

THENCE North 02 degrees 03 minutes 57 seconds East, departing said North right-of-way line of Newsome Road, along the East line of said Marvin W. Woodson, Jr. tract, a distance of 120.97 feet to a 1/2 inch iron rod set for corner with yellow plastic cap stamped "DCA INC." at the Northeast corner of said Marvin W. Woodson, Jr. tract;

THENCE North 77 degrees 36 minutes 45 seconds West, along the North line of said Marvin W. Woodson, Jr. tract, a distance of 279.04 feet to a 1/2 inch iron rod set for corner with yellow plastic cap stamped "DCA INC." at the Southeast corner of a tract of land conveyed to Creek Crossing Assembly of God, by Deed recorded in Volume 2002048, Page 0022, Deed Records, Dallas County, Texas;

THENCE North 00 degrees 52 minutes 19 seconds East, along the East line of said Creek Crossing Assembly of God tract, passing at a distance of 51.00 feet the Northeast corner of said Creek Crossing Assembly of God tract and the Southeast corner of a tract of land conveyed to Skyline East Assembly of God by Deed recorded in Volume 98095, Page 5261, Deed Records, Dallas County, Texas and continuing along the East line of said Skyline East Assembly of God tract, a total distance of 520.78 feet to a 1/2 inch iron rod found for corner at the Northeast corner of said Skyline East Assembly of God tract, in the South right-of-way line of East Glen Boulevard (100 foot right-of-way);

THENCE South 89 degrees 45 minutes 51 seconds East, along said South right-of-way line of East Glen Boulevard, a distance of 499.19 feet to a 1/2 inch iron rod found for corner at the Northwest corner of a tract of land conveyed to The City of Mesquite, by Deed recorded in Volume 95083, Page 0253, Deed Records, Dallas County, Texas;

THENCE South 00 degrees 52 minutes 19 seconds West, along the West line of said City of Mesquite tract, (Volume 95083, Page 0253), passing at a distance of 577.30 feet the Southwest corner of said City of Mesquite tract, (Volume 95083, Page 0253), and the common Northwest corner of said City of Mesquite tract, (Volume 2001166, Page 0093), and continuing a total distance of 679.38 feet to a 1/2 inch iron rod set for corner with yellow plastic cap stamped "DCA INC." at the Southwest corner of said City of Mesquite tract (Volume 2001166, Page 0093);

THENCE South 77 degrees 33 minutes 43 seconds East, a distance of 94.43 feet to the POINT OF BEGINNING and containing 309,536 square feet or 7.1 acres of land.

SURVEYOR'S CERTIFICATE

This survey is made relying on information provided by Chicago Title Insurance Company in

ATTACHMENT 8 – EXHIBIT B – PLANNED DEVELOPMENT STANDARDS

ORDINANCE NO. 3961
File No. 1359-8

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM PLANNED DEVELOPMENT – INDUSTRIAL TO PLANNED DEVELOPMENT – OFFICE SUBJECT TO CERTAIN STIPULATIONS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to approve a change of zoning from Planned Development – Industrial to Planned Development – Office subject to the following stipulations:

1. All standards of development required in the Office Zoning District shall apply to the development of this site.
2. The site must be developed with uses permitted-by-right in the Office Zoning District as prescribed in the City of Mesquite Zoning Ordinance.
3. Pole signs shall be prohibited on the site.
4. Thirty-five percent of the site must be retained as open space as defined by the City of Mesquite Zoning Ordinance.
5. A wrought iron fence and tree buffer line or landscape hedge as defined in the City of Mesquite Zoning Ordinance shall be established and maintained along the property lines abutting the residential use to the southwest.
6. Both the north and south façades of a structure must comply with the primary façade requirements prescribed by the Community Appearance Manual, Ordinance No. 3919.
7. With the exception of a church use, traffic ingress and egress to Newsom Road from the site shall be prohibited. Access shall be physically removed before a certificate of occupancy is approved for any future use other than a church.

Zoning Ordinance/File No. 1359-8/PD-Industrial to PD-Office/June 2, 2008
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That the subject property is comprised of three contiguous tracts located at 2600 Newsom Road, 2600 East Glen Boulevard and 2821 Newsom Road, and is approximately ½ mile east of the intersection of East Glen Boulevard and Clay Mathis Road, and bounded by East Glen Boulevard to the north and Newsom Road to the south, and is described more fully in the approved field notes in Exhibit "A" attached hereto.

SECTION 2. That the property described in Section 1 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance.

SECTION 3. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite including Ordinance No. 3042 codified in Chapter 11 of the Mesquite City Code.

SECTION 4. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 7. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 2nd day of June, 2008.



John Monaco
Mayor

ATTEST:



Judy Wornack
City Secretary

APPROVED:



B.J. Smith
City Attorney



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

RECEIVED

DEC 04 2024

PLANNING AND ZONING

LOCATION: 2850 East Glen Blvd
(See attached map for reference)
FILE NUMBER: Z1124-0376
APPLICANT: Vachele Franklin
REQUEST: To: Amend Planned Development – Office (Ord. 3961)

A public hearing will be held to consider a zoning change to amend Ordinance 3961, with modifications to the development standards of the existing Planned Development – Office Zoning District. The requested Zoning Change would allow for child day care services in addition to other uses allowed in the Planned Development - Office Zoning District.

A list of permitted uses for each zoning district is available on the City's website at www.cityofmesquite.com/1250/Zoning-Ordinance. Please note that the City Council may approve a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height or density that is higher than the one requested; or (2) be nonresidential when the one requested is for a residential use or vice versa.

LEGAL DESCRIPTION

Calvary First Baptist Church, Lot 1, Abstract 7.023

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **December 9, 2024**, in the City Council Chambers of City Hall located at 757 N. Galloway Ave.

The City Council will hold a public hearing on this request at 7:00 p.m. on Monday, **January 6, 2025**, in the City Council Chambers located at 757 N. Galloway Ave.

Questions pertaining to this case may be directed to the Planning Division at (972) 329-8523 or tclark@cityofmesquite.com.

REPLY FORM

State law requires that cities notify all property owners within 200 feet of any proposed zoning change. For this reason, we are sending you this notice. As a property owner within 200 feet of the property, you are urged to give your opinion on the request by attending the public hearing or by completing the form below or both. Your written reply is important and will be considered by the Commission and the Council. The reply form (below) is provided to express your opinion on this matter. The form should be returned to the Planning Division by 5 pm on **December 4th** to be included in the Planning and Zoning Commission packet and by 5 pm on **December 13th** to be included in the City Council packet. All notices received after the listed dates will still be accepted and presented to the Commission/Council, but will not be included in meeting packets.

(Complete and return)

Do not write on the reverse side of this form.

By signing the form, I declare I am the owner or authorized agent of the property at the address written below.

Zoning Case: Z1124-0376
I am in favor of this request X
I am opposed to this request _____
Name: (required) Aleda Daaby, Director of Operations NCC
Address of 2850 East Glen Blvd. Mesquite, TX 75181
Noticed Property: _____
Owner Signature: [Signature] Date: 12/2/24
Reasons (optional): Frog Academy is an asset to the community.

Please respond by returning to: PLANNING DIVISION
TI'ARA CLARK
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137



RECEIVED

DEC 05 2024

PLANNING AND ZONING

CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

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REPLY FORM

State law requires that cities notify all property owners within 200 feet of any proposed zoning change. This courtesy notice is for property owners greater than 200 feet, up to 400 feet from the proposed zoning change. For this reason, we are sending you this courtesy notice. As a property owner within the courtesy notice area, you are invited to provide comments on the request by attending the public hearing or by completing the form below or both. The reply form (below) is provided to express your opinion on this matter. The form should be returned to the Planning Division by 5 pm on **December 4th** to be included in the Planning and Zoning Commission packet and by 5 pm on **December 13th** to be included in the City Council packet. All notices received after the listed dates will still be accepted and presented to the Commission/Council, but will not be included in meeting packets. The response form may be returned by mailing it to the address listed below, delivering it in person to the Planning Office at 1515 N. Galloway Avenue, Mesquite, TX 75149, or by emailing it to planning@cityofmesquite.com.

(Complete and return)

Do not write on the reverse side of this form.

By signing the form, I declare I am the owner or authorized agent of the property at the address written below.

Zoning Case: Z1124-0376
I am in favor of this request
I am opposed to this request X
Name: (required) MARVIN FREEMAN
Address of 2905 FOWLER CT. MESQUITE, TX. 75181
Noticed Property:
Owner Signature: [Signature] Date: 12/1/24

Reasons (optional): Oh! well. I understand business rules. I will relocate RENT the property out. Hopefully not to section 8. That will be the property owner's choice. The peace of quiet was my

Please respond by returning to: PLANNING DIVISION
TI'ARA CLARK
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137