



City of Mesquite, Texas

Minutes - Final City Council

Monday, April 6, 2026

5:00 PM

City Hall | Council Chamber
757 N. Galloway Avenue | Mesquite, Texas

Present: Mayor Daniel Alemán, Jr., and Councilmembers Kenny Green, Elizabeth Rodriguez-Ross, Jeff Casper, Andrew Hubacek, B. W. Smith and Brandon Murden, City Manager Cliff Keheley and City Secretary Sonja Land.

PRE-MEETING - TRAINING ROOMS A&B - 5:00 P.M.

AGENDA REVIEW

STAFF PRESENTATIONS

- 1 Receive briefing regarding hens in residential areas.

This item was not discussed.

CITY COUNCIL/STAFF WORK SESSION - CITY COUNCIL CHAMBER - 6:11 P.M.

- 2 Receive Economic Development Department update and Annual Report.

Kim Buttram, Director of Economic Development, presented the Economic Development Department Annual Report for Fiscal Year 2024-2025 and Strategic Plan. She stated that the Economic Development Department has a Vision Statement developed from the Strategic Plan which states " Rooted in tradition, Mesquite is a welcoming city with a Texas heart - boldly charting new paths and embracing fresh ideas to build better lives and grow prosperity for all." The department focuses on being intentional, cohesive, strategic and prepared.

Ms. Buttram recognized members of City Council, the Mesquite Economic Development Advisory Board (MEDA), the Downtown Development Advisory Board, and Economic Development Department Staff.

Ms. Buttram stated that the Economic Development Department strategic objectives for Fiscal Year 2024-25 include: (1) Promote investment in new and existing businesses; (2) Develop a long term economic and land use plan for Military Parkway/Downtown, Gus Thomasson Corridor, Creek Crossing, Trinity Pointe, and Town East Mall; (3) Promote revitalization of targeted retail and business centers; (4) Continue emphasis on Downtown Revitalization; (5) Cultivate a robust pool of skilled workers and stakeholder partnerships; and (6) Implement a long-range plan for the Mesquite Metro Airport.

Ms. Buttram stated that the Fiscal Year 2024-25 key accomplishments include: (1) Mesquite was ranked 2nd in North Texas for the 2nd year in a row by the Dallas Business Journal for \$2 billion in investment; (2) Ribbons cut for Hithium, Zipline International, Harmon expansion and Town East Asian Buffet; (3) Ground

Breakings for Shadow Creek, Camping World, Senox, Mesquite 80, and BJs Wholesale Club; (4) Sears tract entitlements and development agreement; (5) Completion and adoption of the Downtown Ordinance; (6) Acquisitions of two key properties for Downtown business development; (7) Six Target Areas analysis begun; (8) Gus Thomasson zoning plan begun; (9) MEDA board assisted with the Incentive Policy draft; (10) Formed a community-wide Young Professionals Group; and (11) Mesquite Convention Center remodel kick-off.

Ms. Buttram stated that the Economic Development Department Awards for Fiscal Year 2024-25 include: (1) Community Economic Development Award (CEDA) Best Project for Secondary Benefits for Canadian Solar, from the Texas Economic Development Council (TEDC); (2) Best Downtown Business by the Texas Downtown Association (TDA) for MVP Nutrition; (3) Urban Gold Award by the American Planning Association - TX Chapter (APATX) for Front Street Station; and (4) Texas Destination Excellence Award from the Texas Association of Convention and Visitor Bureaus (TACVB) for the Mesquite Convention and Visitor Bureau (CVB).

Ms. Buttram reviewed the economic snapshot, demographic snapshot, sales tax performance, real estate performance, development agreements, and the top 50 taxpayer analysis. The City has approximately 54,000 households and the median household income is approximately \$73,580.00. Multifamily residential developments include: The Fielder, Torrington Creekside, Avanti Hills, Palladium Carver Living, Military Parkway Living, Motley Senior Living, Town East Trails Senior Living, Torrington Briarwood, and Aura Fairways. Single-Family residential developments include: Ridge Ranch, Solterra, Valley Brooke, Polo Ridge, Talia, and Berkshire Estates.

The work session ended at 6:47 p.m.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:49 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.087 of the Texas Government Code to consider commercial or financial information regarding business prospects or projects (Item No. 22 – Discuss amending an economic development program agreement for a project at IH 20 and FM 2932 in Trinity Pointe); whereupon, the City Council proceeded to meet in Council Conference Room. After the closed meeting ended at 6:53 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

EXECUTIVE SESSION - COUNCIL CONFERENCE ROOM - 6:54 P.M.

Mayor Alemán announced that the City Council would meet in Executive Session pursuant to Section 551.071 of the Texas Government Code to conduct a private consultation with its attorney related to pending or contemplated litigation; a settlement offer; and issues in which there exists a duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (Receive update on pending litigation cases); whereupon, the City Council proceeded to meet in the Council Conference Room. After the closed meeting ended at 6:58 p.m., the City Council reconvened in Open Session.

No executive action was necessary.

REGULAR CITY COUNCIL MEETING - CITY COUNCIL CHAMBER - 7:02 P.M.**INVOCATION**

Michael Edgar, Pastor, The Park Church, Mesquite, Texas.

PLEDGE OF ALLEGIANCE

City Staff.

SPECIAL ANNOUNCEMENTS

1. Mr. Casper announced that Keep Mesquite Beautiful, Inc., will host the Spring Trash Bash on Saturday, April 25, 2026, from 8:00 a.m. to Noon. This community cleanup event is a great opportunity for all citizens to come together and make a real difference in keeping our City clean. Participants will meet under the marquee at Town East Mall to receive supplies before heading to their assigned locations. To help organizers coordinate supplies and cleanup locations, please pre-register by visiting www.cityofmesquite.com/TrashBash. Your participation matters – let's work together to keep Mesquite looking its best.
2. Mr. Green invited citizens to enjoy "Movies in the Park" and "Touch-A-Truck" on Friday, April 24, 2026, from 7:00 p.m. to 10:00 p.m., at Paschall Park, 1001 New Market Road. "Touch-A-Truck" provides kids the opportunity to climb on, learn about and discover their favorite big trucks and vehicles such as police cars, dump trucks, tractors and fire trucks. Also, vehicle operators will be present to answer questions. At sundown, citizens are invited to watch the movie "Cars." Concessions will be available, and attendees are encouraged to bring lawn chairs and blankets to this free event. Visit www.cityofmesquite.com/MoviesInThePark for more information.
3. Ms. Rodriguez-Ross stated that Spring weather can and does change rapidly in North Texas, and you don't want to be caught unaware. Stay "in the know" by signing up for Mesquite Alerts. You'll receive real-time notifications to keep you safe with reliable information about emergencies, weather and news that pertains to your neighborhood. Your contact information remains private and will only be used for community notifications. Visit www.cityofmesquite.com/MesquiteAlerts to learn more and to sign up.
4. Mr. Hubacek invited citizens to attend the free Courtyard Concert Series at the Mesquite Arts Center, 1527 North Galloway Avenue, featuring The Who cover band, "Who's Best," on Thursday, April 16, 2026, from 7:00 p.m. to 9:00 p.m. Visit the newest art exhibit "Passion and Duality" by Loran Thrasher opening today through Saturday, June 20, 2026. Also, the Mesquite Arts Theatre presents "The Odd Couple" running from Friday, April 10, 2026, through Sunday, April 26, 2026. Find all events, concerts, tickets, and exhibition information at www.MesquiteArtsCenter.org.
5. Mr. Smith invited citizens to the Galloway Place Neighborhood Meeting on Thursday, April 16, 2026, at 7:00 p.m., in the Event Room at the Crescent Manor Apartments, 1409 Range Drive.
6. Mr. Smith announced that the Second Annual Citywide Community Picnic will be held on Saturday, May 9, 2026. Residents from all districts in the City are invited to the gathering. There will be family-friendly activities and food, as well as the opportunity to meet Councilmembers, City staff and neighbors. The picnic will be held from 11:00 a.m. to 12:30 p.m., at the City Lake Park Pavillion, 200 Parkview Street.

7. Mr. Murden thanked everyone who has already contributed to the Mesquite Fire Department's Fill-the-Boot Campaign. Since 1954, firefighters across the nation have been collecting funds for the Fill-the-Boot Campaign that benefits the Muscular Dystrophy Association (MDA). The dollars raised benefit research, care, community support, and advocacy for individuals living with neuromuscular diseases. Keep an eye out for Mesquite Firefighters located in major intersections around town on Thursday, April 9, 2026; Friday, April 10, 2026; Thursday, April 23, 2026; and Friday, April 24, 2026.

8. Mayor Alemán announced that it's time to sign up for Addressing Mesquite Day (AMD). This year, AMD will be held on Saturday, October 3, 2026. For 22 years, this annual day of service has changed the lives of thousands of Mesquite homeowners and their families. If you know someone who needs assistance with exterior house or yard projects, encourage them to complete an AMD request form. Projects could include painting, landscaping, building a ramp or tearing down an old shed. The last day for homeowners to submit applications for assistance is Friday, June 26, 2026. Find out more at www.cityofmesquite.com/AMD.

9. Mayor Alemán announced that beginning today, City employees in the field will be wearing different uniforms. The change was necessitated by switching to a new vendor, and a need to update some uniforms for safety. Employees will be identified by Division name and the City logo.

CITIZENS FORUM

Ricardo Velez, 4805 Club View Circle, expressed concerns regarding the City's First Quarter Financial Report.

CONSENT AGENDA

Approval of the Consent Agenda

Mr. Green moved to approve the items on the Consent Agenda as follows. Motion was seconded by Ms. Rodriguez-Ross and approved unanimously.

- 3** Minutes of the regular City Council meeting held March 16, 2026.

Approved on the Consent Agenda.

- 4** A resolution authorizing the City Manager to apply for the Motor Vehicle Crime Prevention Authority (MVCPA) Auxiliary Grant for the lease or purchase of an Automatic License Plate Reader ("ALPR") investigations software and for the lease or purchase of an ALPR camera, approving the contribution of City funds with a 20 percent match for the ALPR investigation software and for the ALPR camera in an amount not to exceed \$25,000.00, designating and authorizing officials to apply for, accept, reject, alter, terminate, and otherwise administer the grant on behalf of the City, and agreeing to return the grant in the event of loss or misuse of the grant funds.

Approved on the Consent Agenda.

Resolution No. 09-2026, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY AUXILIARY GRANT FOR THE LEASE OR PURCHASE OF AN AUTOMATIC LICENSE PLATE READER ("ALPR") INVESTIGATIONS SOFTWARE AND FOR THE LEASE OR PURCHASE OF AN ALPR CAMERA; APPROVING THE CONTRIBUTION OF CITY FUNDS WITH A 20 PERCENT (20%) MATCH FOR THE ALPR INVESTIGATION SOFTWARE AND FOR THE ALPR

CAMERA IN AN AMOUNT NOT TO EXCEED \$25,000.00; DESIGNATING AND AUTHORIZING OFFICIALS TO APPLY FOR, ACCEPT, REJECT, ALTER, TERMINATE, AND OTHERWISE ADMINISTER THE GRANT ON BEHALF OF THE CITY; AND AGREEING TO RETURN THE GRANT IN THE EVENT OF LOSS OR MISUSE OF THE GRANT FUNDS. (Resolution No. 09-2026 recorded in Resolution Book No. 74.)

- 5** RFQ No. 2025-051 - Architectural Design Services for the Design and Construction of the Police Training Facility and Gun Range.
(Authorize the City Manager to finalize and execute a contract with Brown Reynolds Watford Architects, Inc. for services in connection with the design of the new Police Training Facility and Gun Range at the Public Safety Training Center in an amount not to exceed \$1,566,400.00.)

Approved on the Consent Agenda.

- 6** RFP No. 2025-126 - Opal Lawrence House Restoration.
(Authorize the City Manager to finalize and execute a contract with Concord Commercial Services, Inc., in the amount of \$644,641.74.)

Approved on the Consent Agenda.

- 7** RFP No. 2026-014 - Annual Purchase and Rebuild of Power Take-Offs (PTOs), Hydraulic Pumps and PTO Solenoids.
(Staff recommends award to Inland Truck Parts Company in an amount not to exceed \$250,000.00. The term of the award is for a one-year period, with four additional one-year renewal options. The City Manager is authorized to exercise the renewal options, subject to the annual appropriation of sufficient funds.)

Approved on the Consent Agenda.

- 8** Bid No. 2026-045 - Roadway Maintenance for Emporium Circle, Childress Avenue, Towne Centre Drive.
(Authorize the City Manager to finalize and execute a contract with Estrada Concrete Company, LLC, in the amount of \$387,356.00.)

Approved on the Consent Agenda.

- 9** Bid No. 2026-059 - Purchase of Twenty-Three (23) Ford Trucks.
(Staff recommends award to Silsbee Ford Inc., through The Interlocal Purchasing System (TIPS) Contract No. 240901, in an amount not to exceed \$1,188,873.47).

Approved on the Consent Agenda.

- 10** Bid No. 2026-062 - Purchase of Load King Trailer.
(Staff recommends award to Bruckner Truck and Equipment, Inc., through Choice Partners Cooperative Contract No. 24/019TC-01, in an amount not to exceed \$146,655.00.)

Approved on the Consent Agenda.

- 11 Bid No. 2026-063 - Microsoft Business and Service Agreements.
(Authorize the City Manager to finalize and execute a contract and any required documents with SHI/Government Solutions, Inc. for the purchase of licenses to host, support and expand use of all Microsoft products utilized within the City's environment through Texas Department of Information Resources, Contract No. DIR-CPO-5237, in an amount not to exceed \$1,164,392.43. The term of the contract is for a three-year period, billed annually at \$388,130.81.)
Approved on the Consent Agenda.
- 12 Bid No. 2026-065 - Purchase of One Bucket Truck for Traffic Division.
(Staff recommends award to Altec Industries, Inc., through Sourcewell Contract No. 110421-ALT, in an amount not to exceed \$134,368.00.)
Approved on the Consent Agenda.
- 13 Authorize the City Manager to finalize and execute Change Order No. 1, to Bid No. 2024-126, Mesquite to Crandall Water Line Connector Project, with BRCT, LLC, dba Black Rock Construction, in the amount of \$470,039.96.
Approved on the Consent Agenda.
- 14 Authorize the City Manager to finalize and execute Amendment No. 2 to the Professional Engineering Services Contract for the Crandall Connector Water Line Project, with Garver, LLC, for the additional design and preparation of construction documents in an amount not to exceed \$22,500.00.
Approved on the Consent Agenda.
- 15 Authorize the City Manager to finalize and execute a Professional Engineering Services Contract with Nathan D. Maier Consulting Engineers, Inc., a Texas Corporation, for Aerial Crossing Repairs, in the amount of \$164,791.00.
Approved on the Consent Agenda.
- 16 Appoint Samuel Ovalle (Position 1) to the Spradley Farms Improvement District of Kaufman County Board of Directors for a term to expire August 19, 2029, and Robert Kearns (Position 2) for a term to expire August 19, 2027.
Approved on the Consent Agenda.

END OF CONSENT AGENDA

OTHER BUSINESS

17

Consideration of a motion to reconsider City Council action taken on March 16, 2026, denying Zoning Application No. Z0126-0434, submitted by Rande LeCours, SLS Consultants, for a change of zoning to amend Planned Development (PD) - Industrial, Ordinance No. 4962, to modify the development standards and concept plan in the PD for the East Tract located at 180, 200, 270, and 300 Long Creek Road.

Adam Bailey, Director of Planning and Development Services, stated that the City Council is requested to consider a motion to reconsider City Council action taken on March 16, 2026, to deny Zoning Application No. Z0126-0434.

Mr. Bailey stated that per Section 6.6 of the Mesquite City Council Rules of Procedure, a motion to reconsider is permitted to consider added information or a changed situation that has been discovered or developed since the taking of the vote. The motion to reconsider may only be made by a Councilmember who originally voted on the prevailing side on the item. In this case, the motion to deny was approved by Councilmember Smith, Hubacek, Murden and Rodriguez-Ross. Any motion for reconsideration can only be made by one of the four who voted to deny. If the motion to reconsider is successful for a rezoning application, actual reconsideration of the item may not occur until new notices have been issued to reopen the public hearing on the zoning application and the item is placed on a future Council agenda.

Mr. Bailey stated that the applicant previously requested an amendment to Planned Development (PD) - Industrial, Ordinance No. 4962, to modify the development standards and concept plan in the PD for the East Tract at 180, 200, 270, and 300 Long Creek Road to allow development of a Data Center and associated improvements. The applicant proposed developing the East Tract with a 202,800-square-foot data center - a use already permitted within the PD - but requested a PD amendment to adopt a new concept plan and modify certain development standards. Requested changes included replacing Industrial Building 2 with a 48-megawatt data center, allowing a 20-foot-tall precast masonry screen wall to enclose mechanical equipment, including diesel generators, and reducing required parking due to the facility's low staffing levels.

Since the Council's denial, the applicant has continued working with City staff to respond to concerns raised at the public hearing. Specifically, the applicant has begun preparing a Noise Impact Assessment to evaluate anticipated sound levels from mechanical equipment, cooling systems, and generators, with plans to incorporate additional noise-mitigation measures based on the results; revised the concept plan to adjust building placement, massing, and site layout to better buffer nearby properties and reduce visual impacts; strengthened screening and landscaping with additional berming, evergreen plantings, and increased setbacks along Long Creek Road; and coordinated with staff on site access to better manage traffic and reduce impacts on surrounding streets and neighborhoods. Staff believes these revisions meaningfully improve the proposal and speak directly to Council concerns regarding compatibility, buffering, and operational impacts, providing a basis for the City Council to consider a motion to reconsider Application No. Z0126-0434 for further review following issuance of new public hearing notices.

Mr. Hubacek moved to table consideration of the proposed application. Motion was seconded by Mr. Murden. On call for a vote on the motion, the following votes were cast:

Ayes: Hubacek, Murden, Alemán, Green, Casper
Nays: Rodriguez-Ross, Smith

Motion carried.

PUBLIC HEARINGS

18

Conduct a public hearing and consider ordinance for Zoning Application No. Z1125-0431, submitted by Shayla Hamilton, Song Whiddon, PLLC, on behalf of Prosperity Fire Protection, for a change of zoning from North Gus Thomasson Corridor (NGTC) District to Planned Development - Light Commercial to allow office and warehouse operations with an outdoor storage yard with modified development standards located at 2909 Live Oak Drive.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held regarding Zoning Application Z1125-0431.

Adam Bailey, Director of Planning and Development Services, stated that the applicant is requesting to rezone the property at 2909 Live Oak Drive from the North Gus Thomasson Corridor (NGTC) District to Planned Development - Light Commercial to allow Prosperity Fire Protection to operate its service headquarters, warehouse, and screened outdoor storage yard on property owned by America Properties LLC. Prosperity Fire Protection, a locally based fire suppression contractor, currently occupies the building for office use after receiving a Certificate of Occupancy in May 2025 and is seeking to expand operations to include light equipment maintenance, interior storage of fire protection materials, and limited outdoor storage. The proposed outdoor storage would consist of a small number of company vehicles, trailers, and bundled sprinkler piping materials, screened by an eight-foot-tall solid fence with materials stacked no higher than 7.5 feet.

Mr. Bailey stated that the request would remove the property from the NGTC form-based district, which is intended to encourage compact, pedestrian-oriented redevelopment along the Gus Thomasson corridor. The property is also located within the North Gus Thomasson Corridor Study area, which is expected to be completed in summer 2026 and will provide additional guidance on future land uses and zoning along the corridor. As a result, the proposed PD-LC may or may not align with the long-term vision that will ultimately be established through the corridor study.

Applicant Tailim Song, representing Prosperity Fire Protection, presented an overview of the proposed application. He stated that Prosperity Fire Protection currently operates an office in Dallas and is outgrowing the location. Therefore, they are considering consolidating the Mesquite and Dallas offices and relocating to the Mesquite location. However, outdoor storage would be needed. The applicant is currently negotiating their Dallas office lease and is not in favor of postponing this item and coming back to City Council for a Conditional Use Permit.

Vivian Johnson, 4538 Live Oak Drive, and Tammy Jo Strong, 1713 Cool Springs Drive, expressed support for the proposed application.

No others appeared regarding the proposed application.

Mr. Hubacek moved to deny Zoning Application No. Z1125-0431. Motion was seconded by Mr. Green. On call for a vote on the motion, the following votes were cast:

Ayes: Hubacek, Green, Alemán, Smith, Murden

Nayes: Rodriguez-Ross, Casper

Motion carried.

19

Conduct a public hearing and consider an ordinance for Zoning Application No. Z1025-0422, submitted by City of Mesquite, for a Comprehensive Plan Amendment to change the future land use designation from Park, Open Space, Drainage to Light Industrial, and for a change of zoning from R-3, Single Family Residential to Planned Development - Industrial with modified development standards to allow uses permitted in the Industrial zoning district located at 1396 West Scyene Road (also addressed as 201 Gross Road) and 600 Gross Road (also addressed as 601 Gross Road).

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held regarding Zoning Application No. Z1025-0422.

Adam Bailey, Director of Planning and Development Services, stated that City staff is proposing to rezone approximately 14 acres of City-owned property west of Gross Road and south of Westlake Park from a residential zoning district to Planned Development (PD) - Industrial for two purposes. First, the City's Economic Development Department is exploring the potential sale of approximately 2 acres along Gross Road for future development, which could include a multi-tenant office/warehouse building for small businesses or contractors, while no improvements are planned for the remaining acreage. Second, rezoning the property to a nonresidential district would remove existing screening requirements that currently apply to the adjacent commercial properties at 311, 321, 327, and 333 Gross Road.

Mr. Bailey stated that because these adjacent commercial and industrial uses predate the residential zoning designation and the subject property is not used residentially, the required screening is technically unnecessary. Rezoning to PD-Industrial would eliminate this obligation and allow the City to establish specific development standards for any future development on the property, making the site more feasible for sale and redevelopment.

Mr. Bailey presented a second option for the proposed application which would rezone only a portion of the property. The remaining property would keep the current R-3, Single Family Residential zoning. Additionally, screening would be required as applicable. In addition to the requirements of the base zoning district, the PD will be subject to the following development standards:

- Added Conditional Use Permit Required Use: Auto Repair, Services
- Site Plan: Shall comply with the Mesquite Zoning Ordinance and Mesquite City Code
- Overhead Doors: Shall not face the public right-of-way

No one appeared regarding the proposed application.

Mr. Rodriguez-Ross moved to approve Zoning Application No. Z1025-0422, with certain stipulations, and to approve Ordinance No. 5235, (Option 2) as presented to the City Council at tonight's meeting, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM PARK, OPEN SPACE, DRAINAGE TO LIGHT INDUSTRIAL AND BY CHANGING THE ZONING FROM R-3, SINGLE FAMILY RESIDENTIAL TO PLANNED DEVELOPMENT – INDUSTRIAL WITH MODIFIED DEVELOPMENT STANDARDS TO ALLOW USES PERMITTED IN THE INDUSTRIAL ZONING DISTRICT ON PROPERTY LOCATED AT 1396 WEST SCYENE ROAD (ALSO ADDRESSED AS 201 GROSS ROAD); REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Green and approved unanimously. (Ordinance No. 5235 recorded in Ordinance Book No. 136.)

20

Conduct a public hearing and consider an ordinance for Zoning Application No. Z0326-0442, submitted by Pleasant Grove Community Baptist Church, for a change of zoning from General Retail to General Retail with a Conditional Use Permit to allow a Day Care (SIC Code 835) located at 3216 Military Parkway (as addressed as 3210 Military Parkway).

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. The Planning and Zoning Commission recommends approval with certain stipulations.)

A public hearing was held regarding Zoning Application No. Z0326-0442.

Adam Bailey, Director of Planning and Development Services, stated that the applicant, Pleasant Grove Community Baptist Church, is requesting a Conditional Use Permit to operate a day care on their property at 3210 Military Parkway. The applicant proposes to construct a multi-purpose building comprised of a day care and a minor reception facility. The church will operate the day care and provide infant and toddler care, as well as Preschool and Pre-K programs. While the minor reception facility is permitted in General Retail zoning, a day care requires a Conditional Use Permit (CUP).

Applicant William Hart, Pleasant Grove Community Baptist Church member, stated that the day care will be open to church members as well as the public. There will also be a community center attached for fellowship and other church events.

No one appeared regarding the proposed application.

Mr. Green moved to approve Zoning Application No. Z0326-0442, as recommended by the Planning and Zoning Commission, with certain stipulations, and adding the following stipulations:

1. The City Council finds that said use(s) defined and permitted under this CUP are sufficiently unusual in character or operation as to create the potential for variations in function or operation with possible negative impacts upon adjacent properties or on the citizenry as a whole.

2. The CUP is approved solely for Pleasant Grove Community Baptist Church, and the CUP is not transferable or assignable to a different owner or business. A different business applicant desiring to continue this use must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the Mesquite Zoning Ordinance for initial approval of a CUP.

And to approve Ordinance No. 5236, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM GENERAL RETAIL TO GENERAL RETAIL WITH A CONDITIONAL USE PERMIT TO ALLOW A DAY CARE (SIC CODE 835) ON PROPERTY LOCATED AT 3216 MILITARY PARKWAY (ALSO ADDRESSED AS 3210 MILITARY PARKWAY) SUBJECT TO A CERTAIN FINDING AND STIPULATION; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE. Motion was seconded by Mr. Murden and approved unanimously. (Ordinance No. 5236 recorded in Ordinance Book No. 136.)

21

Conduct a public hearing and consider an ordinance approving a variance reducing the separation requirement from 300 feet to 100 feet between Towneast Food Mart and Mesquite Academy, a Mesquite Independent School serving 6th through 12th grades, located at 2704 Motley Drive, to allow the sale of beer and wine for off-premises consumption at a proposed service station and convenience store, located at 3225 North Town East Boulevard.

(No responses in favor or in opposition to the application have been received from property owners within the statutory notification area. This item was postponed at the March 16, 2026, City Council meeting.)

A public hearing was held to consider an ordinance approving a variance request for 3225 North Town East Boulevard.

Adam Bailey, Director of Planning and Development Services, stated that the City of Mesquite requires businesses selling beer or wine to be located a minimum of 300 feet from a public or private school. This distance is measured in a straight line from the school's property line to the property line of the place of business.

Mr. Bailey stated that the applicant is requesting a variance from the 300-foot separation requirement to allow Towneast Food Mart to sell beer and wine at a proposed service station and convenience store that received zoning approval in January 2026. Based on the survey submitted by the applicant, the subject property is approximately 100 feet from the Mesquite Academy property line. However, the entrance to the proposed building at 3225 North Town East Boulevard is approximately 407 feet from the side entrance of Mesquite Academy and approximately 502 feet from the school's main entrance.

Mr. Bailey stated that in December 2018, the City Council passed an ordinance establishing a variance process that could allow businesses that sell beer and

wine to be less than 300 feet from churches and schools. The ordinance gives Council the authority to approve such variances on a case-by-case basis when a request is found to be "...not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, or is not effective or necessary, or for any other reason the City Council determines, after consideration of the health, safety and welfare of the public and the equities of the situation, that the variance is in the best interest of the community."

Applicant Correen Robertson, representing Civil Engineering Professionals, LLC, stated that Council previously approved the zoning for this property. In addition to fuel sales, the owner is proposing the sale of beer and wine for off-premise consumption only. From the front door of the convenience store to the front door of the school, the distance is greater than 300 feet.

Property owner Majid Amiri, stated that all employees will be TABC certified and will require I.D. for alcohol sales.

No one appeared regarding the proposed ordinance.

Ms. Rodriguez-Ross moved to approve Ordinance No. 5237, AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, APPROVING A VARIANCE REDUCING THE SEPARATION REQUIREMENT FROM 300 FEET TO 100 FEET BETWEEN TOWNEAST FOOD MART AND MESQUITE ACADEMY, A MESQUITE INDEPENDENT SCHOOL SERVING 6TH THROUGH 12TH GRADES, LOCATED AT 2704 MOTLEY DRIVE, TO ALLOW THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION AT A PROPOSED SERVICE STATION AND CONVENIENCE STORE LOCATED AT 3225 NORTH TOWN EAST BOULEVARD; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF. Motion was seconded by Mr. Green. On call for a vote on the motion, the following votes were cast:

Ayes: Rodriguez-Ross, Green, Alemán, Casper, Murden
Nays: Hubacek, Smith

Motion carried. (Ordinance No. 5237 recorded in Ordinance Book No. 136.)

ADJOURNMENT

Mr. Green moved to adjourn the meeting. Motion was seconded by Mr. Casper and approved unanimously. The meeting adjourned at 8:46 p.m.

Attest:

Approved:

Sonja Land, City Secretary

Daniel Alemán, Jr., Mayor