



T E X A S

Real. Texas. Service.

PLANNING AND ZONING DIVISION

FILE NUMBER: Z0521-0200
REQUEST FOR: Planned Development – Industrial within the Skyline Logistics Hub Overlay District
CASE MANAGER: Lesley Frohberg, AICP, Senior Planner

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, July 26, 2021
City Council: Monday, August 16, 2021

GENERAL INFORMATION

Applicant: Rob Baldwin, Baldwin Associates
Requested Action: Rezone from Commercial within the Skyline Logistics Hub Overlay District to Planned Development – Industrial within the Skyline Logistics Hub Overlay District with restrictions on manufacturing uses.
Location: 2500, 2526, and 2614 Big Town Blvd.

PLANNING AND ZONING ACTION

Decision: On July 26, 2021, the Planning and Zoning Commission unanimously recommended approval of the zoning change from Commercial within the Skyline Logistics Hub Overlay District to Planned Development – Industrial within the Skyline Logistics Hub Overlay District with Exhibits A (Legal Description), B (Development Standards), and C (Concept Plan).

SITE BACKGROUND

Platting: Truckomatic Addition, Second Addition, Block 1, Lots 1 & 4
Size: 10.0 acres (consists of three parcels)
Zoning: Commercial with Conditional Use Permit (Ord. No. 3650) within the Skyline Logistics Hub Overlay District
Land Use: Vacant
Zoning History: 1954 – Annexed into City of Mesquite & zoned Residential
1964 – Rezoned to Commercial with Special Permit (Ord. No. 537)
1982 – CUP for gameroom with 13 machines (Ord. No. 1758)
1993 – CUP for gameroom with 20 machines (Ord. No. 2890)
2004 – CUP for motor freight transportation (Ord. No. 3650)
2015 – Skyline Logistics Hub Overlay District created

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>LAND USE</u>
NORTH:	C – Commercial with Skyline Logistics Hub Overlay	Pepsi Beverage Company
SOUTH:	C – Commercial with Skyline Logistics Hub Overlay	Kirk Sheet Metal Co. Inc. & Tejas Motel
EAST:	C – Commercial & Planned Development – Industrial (Ord. No. 4840) with Skyline Logistics Hub Overlay	Undeveloped
WEST:	C – Commercial with Skyline Logistics Hub Overlay	Baker Brothers Plumbing, Air & Electric

CASE SUMMARY

The applicant is requesting to rezone the former truck stop site consisting of three tracts totaling 10 acres located on the east side of Big Town Boulevard. The request is to rezone the subject properties to Planned Development – Industrial within the Skyline Logistics Hub Overlay to allow an office, warehouse, and distribution development. The existing zoning of the subject properties is Commercial, all within the Skyline Logistics Hub Overlay district. The subject properties are currently vacant as the truck stop building was demolished in 2018. According to the concept plan (Exhibit C), the intent is to develop a 211,112 square-foot warehouse building for office, warehouse, and distribution while limiting more intense industrial uses like concrete batch plants. The proposed building may be single or multi-tenant.

The proposal includes enhanced landscaping along the property boundary and outdoor seating areas for future tenant use. A portion of the subject property is an existing mutual access easement serving the following properties: 2614, 2526, 2530, and 2500 Big Town Boulevard. This access easement is proposed to remain; however, it will be reconstructed to support heavy load traffic.

Staff has reviewed the concept plan and determined that the proposed development meets the proposed development standards found in Exhibit B and the Industrial zoning district regulations.

MESQUITE COMPREHENSIVE PLAN

The *Mesquite Comprehensive Plan* designates the future land use of the subject property as Light Industrial and Commercial (see Attachment 4). The Light Industrial land use designation represents a variety of manufacturing and storage uses that have a wide range of appearances and intensities. Compatible land use types for this area include indoor refining or manufacturing facilities, indoor warehouse/storage facilities, and industrial business parks. The *Mesquite Comprehensive Plan* supports locating light industrial land uses in proximity to freeways or highways and providing screening and buffering from residential areas. The Commercial land use designation represents a broad range of goods and services for a community or region. Developments in this category are larger and more intense than those in the Neighborhood Retail category. Compatible land use types for this area include retail, hotels, restaurants, big box retailers, entertainment, and personal services.

STAFF COMMENTS:

The proposed Planned Development (PD) is in close proximity to major roadways and has provided enhanced landscaping to decrease the impacts this development may have on the adjacent area. The Mesquite Zoning Ordinance does not currently have a light industrial zoning district. The proposed Planned Development – Industrial with limitations on manufacturing uses will allow the property to be developed as intended for Light Industrial in the *Mesquite Comprehensive Plan*.

The portion of the proposed PD that is designated as Commercial in the *Mesquite Comprehensive Plan* is anticipated to be used for future trailer parking to support the primary structure, which is permitted in the Commercial district.

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 is for an office, warehouse, and distribution development including parking and service areas. The uses permitted on the subject property are those uses specified in the Planned Development Standards (Attachment 6). Any standards silent in the PD will revert to the standards of the underlying zoning district of Industrial.

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:

As part of the PD request, the applicant is proposing deviations and enhancements from the City’s standard regulations for an Industrial zoning district. All proposed Development Standards can be found in Attachment 6, which will be attached to the PD ordinance as Exhibit B. Any regulations not listed in the PD must comply with applicable city ordinances.

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:

Attachment 7 includes the proposed Concept Plan, which illustrates the layout of the site. The Concept Plan includes one (1) primary structure, surrounded by a service area, passenger vehicle parking and trailer parking.

CONCLUSIONS

ANALYSIS

The applicant’s proposed development will provide office, warehouse, and distribution space. The request may be a single or multi-tenant development. The PD includes stipulations that limit the number of permitted uses, ensures screening is provided, and regulates landscaping. All standards that are not mentioned in the PD will revert to the standards within the Mesquite Zoning Ordinance that apply to Industrial zoned properties.

RECOMMENDATION

Staff recommends approval of the zoning change request from Commercial within the Skyline Logistics Hub Overlay District to Planned Development – Industrial within the Skyline Logistics Hub Overlay District with Exhibits A (Legal Description), B (Development Standards), and C (Concept Plan).

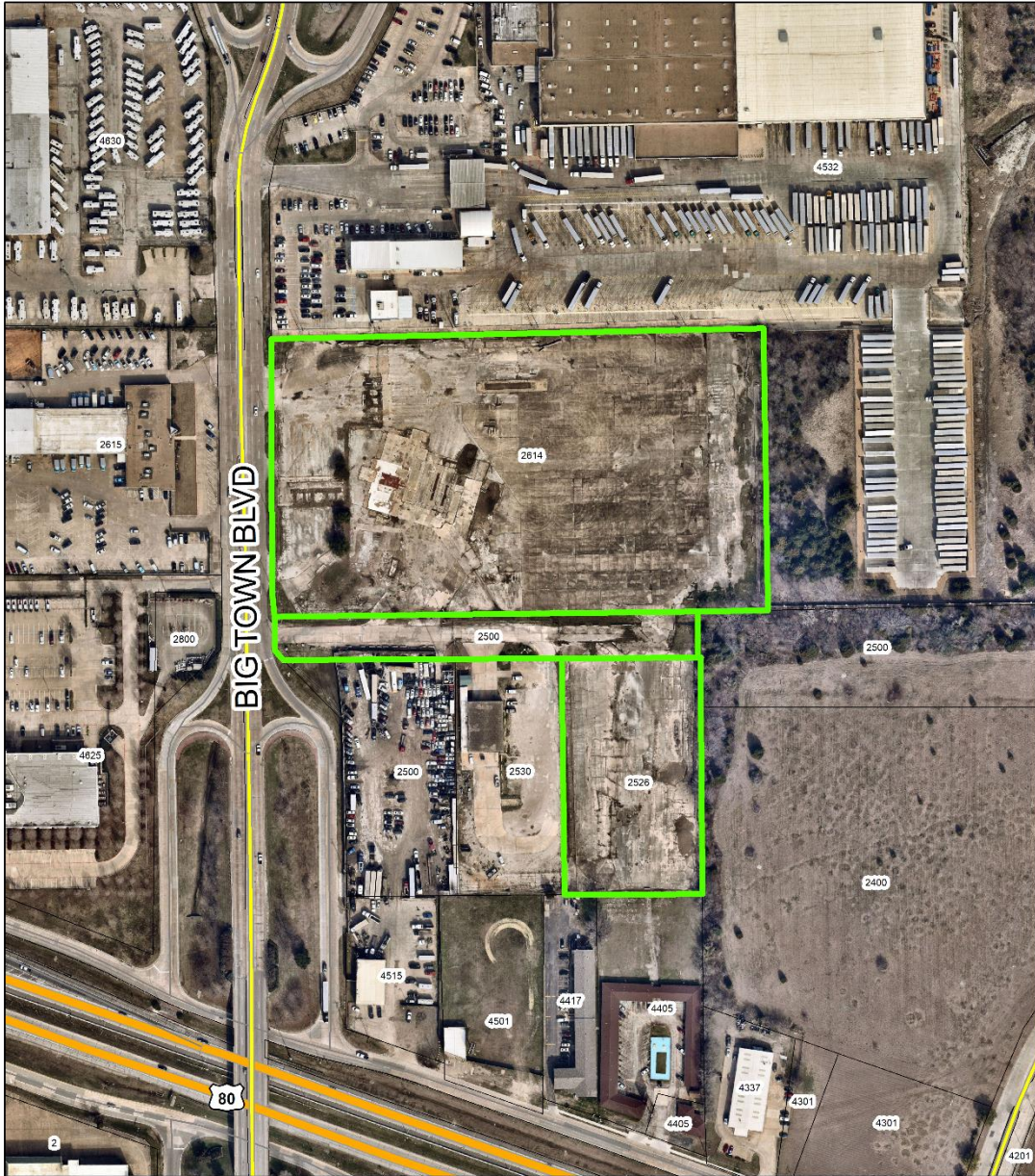
PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of the date of this writing, Staff has received a total of four (4) returned notices in opposition to this request from two adjacent properties due to Staff re-noticing this item.

ATTACHMENTS

1. Aerial Map
2. Property Owner Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Photos
6. Legal Description (Exhibit A)
7. Development Standards (Exhibit B)
8. Concept Plan (Exhibit C)
9. Application Materials
10. Returned Property Owner Notices

Aerial Map



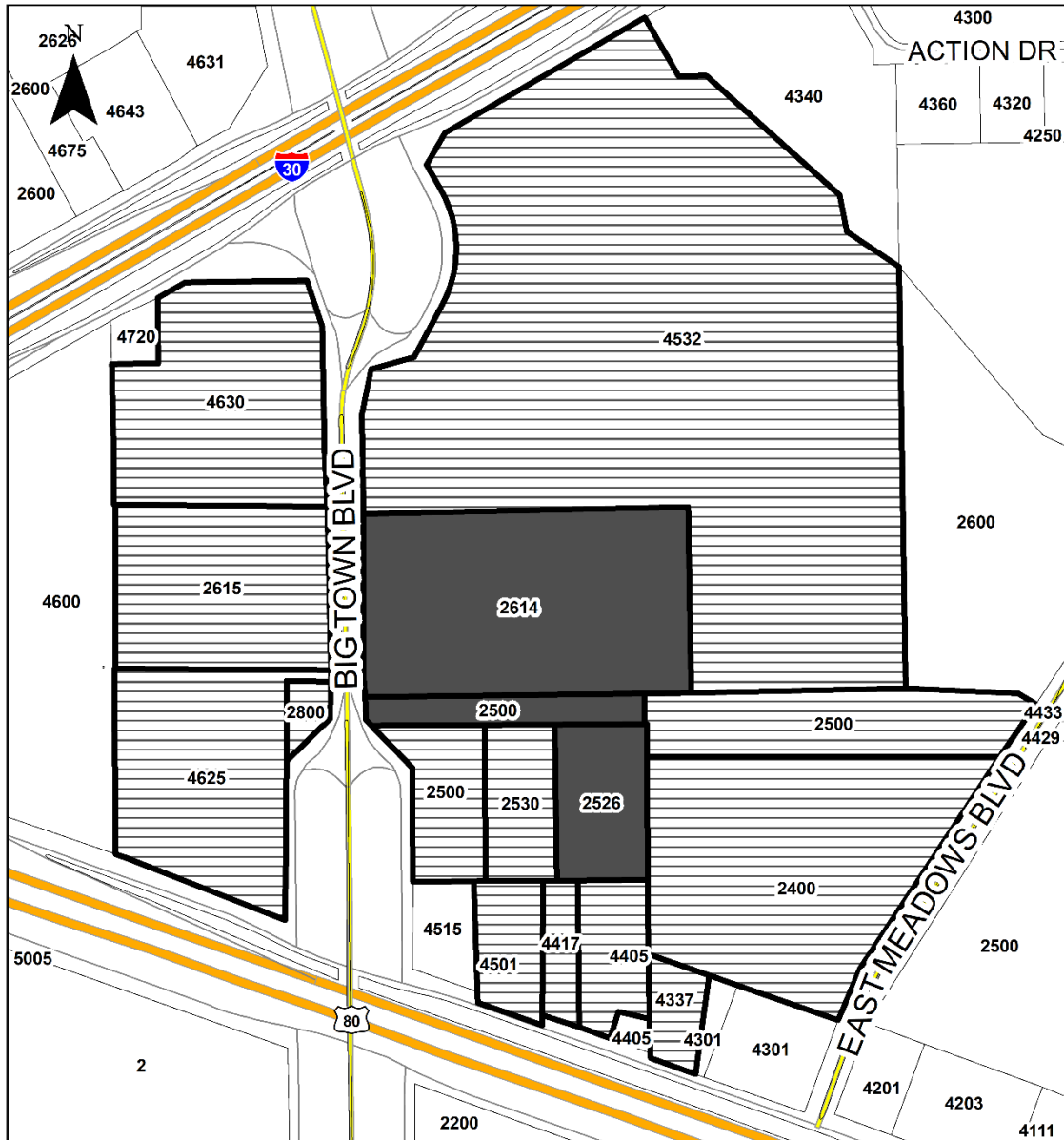
Legend

 Subject Property



ATTACHMENT 2 – PROPERTY OWNER NOTIFICATION MAP



Notification Map

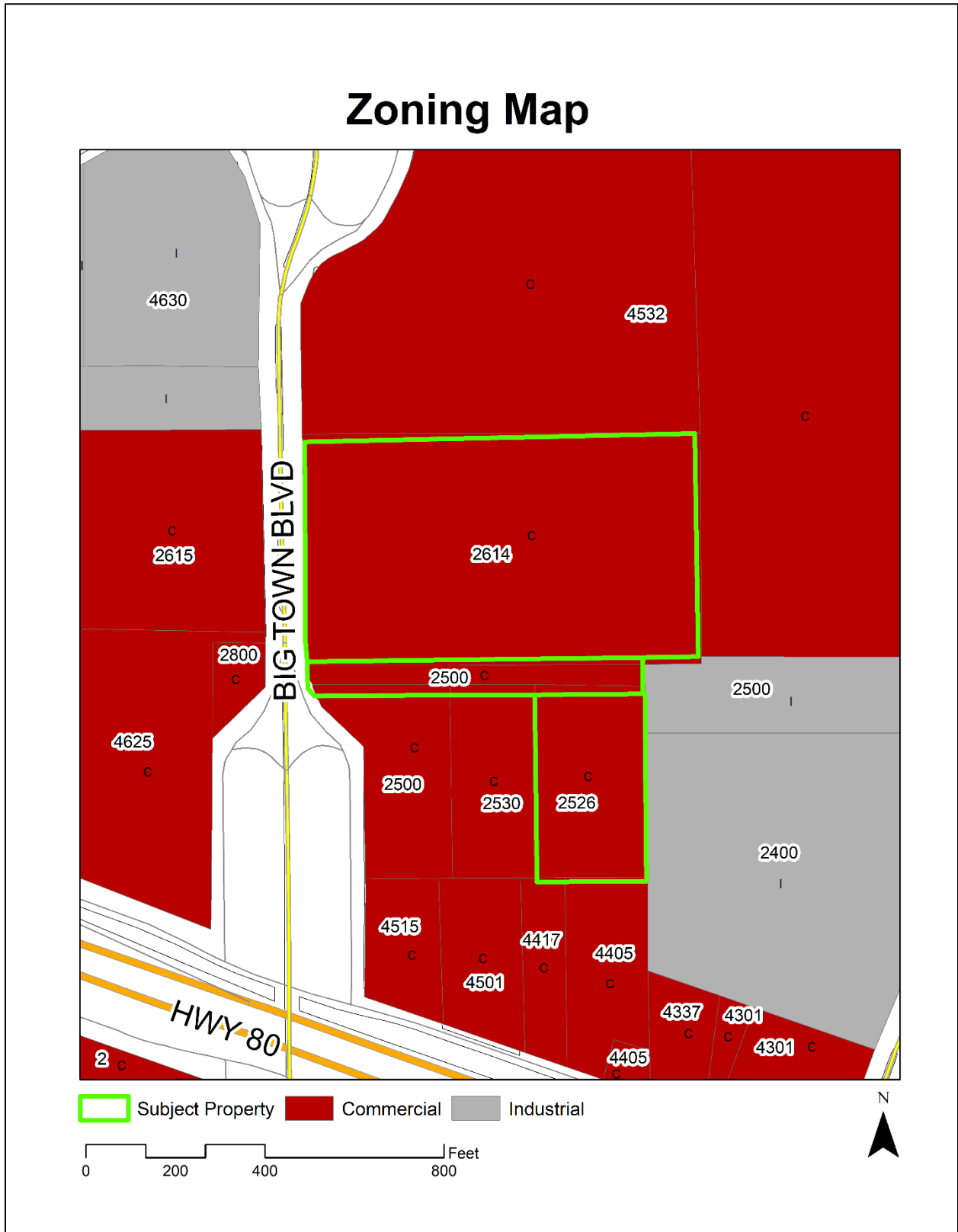


Request: Rezoning from Commercial with CUP (Ord. No. 3650) within the Skyline Logistics Hub Overlay to Planned Development Industrial within the Skyline Logistics Hub Overlay.

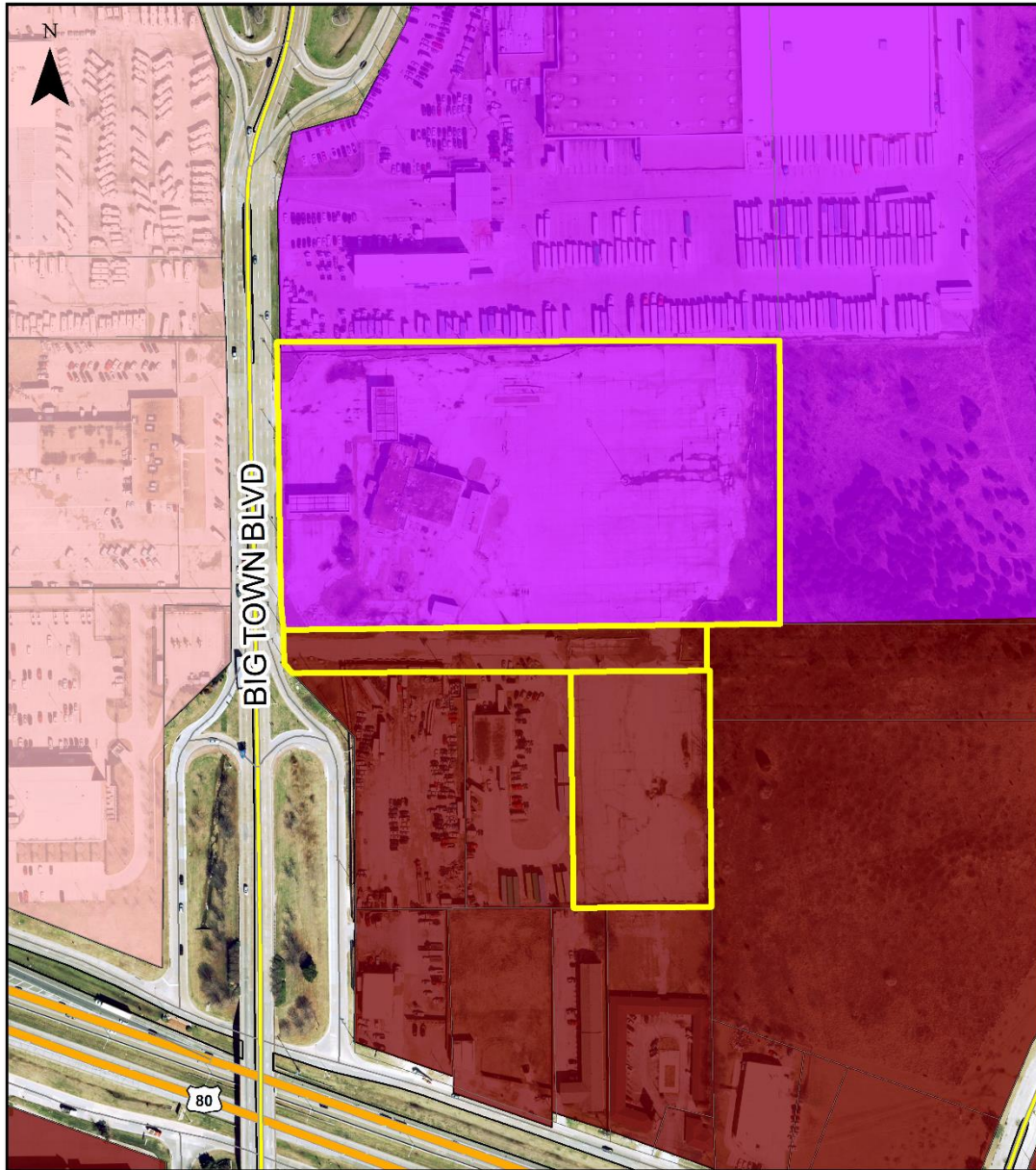
Applicant: Rob Baldwin, Baldwin Associates
Location: 2500, 2526 & 2614 Big Town Blvd

Legend

-  Notified Properties
-  Subject Property



Future Land Use Map



 Subject Property  Office  Commercial  Light Industrial

0 120 240 480 720 Feet

ATTACHMENT 5 – SITE PHOTOS



Subject property, facing north from mutual access easement.



Subject property, facing northeast from mutual access easement.

ATTACHMENT 5 – SITE PHOTOS



Existing mutual access easement, facing east.



Existing access from Big Town Boulevard, facing west.

ATTACHMENT 6 – LEGAL DESCRIPTION (EXHIBIT A)

EXHIBIT A

LEGAL DESCRIPTION

Situated in the City of Mesquite, Dallas County, Texas, and being all of Lots 1 and 4 in Block 1 of TRUCKOMATIC ADDITION, SECOND REVISION, an addition to said City of Mesquite as shown by plat recorded in Volume 82018, Page 1317, Map Records, Dallas County, Texas and also being a 1.367 acre tract of land described as an access easement recorded in Volume 77222, Page 1641, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" steel rod found at the Northeast corner of said Lot 4 and Block 1;

THENCE South 00 degrees 15 minutes 00 seconds West with the East line of said Lot 4 and Block 1, a distance of 500.00 feet to a 1/2" steel rod set for corner;

THENCE South 89 degrees 52 minutes 00 seconds West, a distance of 122.45 feet to a 1/2" steel rod set for corner;

THENCE South 00 degrees 15 minutes 00 seconds West, a distance of 75.33 feet to a 1/2" steel rod set at the Southeast corner of said 1.367 acre tract;

THENCE North 89 degrees 46 minutes 10 seconds East, a distance of 5.10 feet to a 1/2" steel rod set at the Northeast corner of said Lot 4;

THENCE South 00 degrees 12 minutes 29 seconds West, a distance of 423.12 feet to a 1/2" steel rod found for corner;

THENCE North 89 degrees 12 minutes 57 seconds West, a distance of 249.71 feet to a 1/2" steel rod found for corner;

THENCE North 00 degrees 09 minutes 46 seconds West, a distance of 419.95 feet to a 1/2" steel rod found for corner;

THENCE South 89 degrees 18 minutes 19 seconds West, a distance of 184.36 feet to a 1/2" steel rod found at an angle point;

THENCE South 89 degrees 48 minutes 56 seconds West, a distance of 290.72 feet to a 1/2" steel rod set in the East right-of-way line of Big Town Boulevard;

THENCE North 44 degrees 45 minutes 00 seconds West with said right-of-way line, a distance of 37.30 feet to a 1/2" steel rod set at an angle point;

THENCE North 00 degrees 15 minutes 00 seconds East continuing with said right-of-way line a distance of 550.00 feet to a 1/2" steel rod set at the Northwest corner of said Lot 4 and Block 1;

THENCE North 89 degrees 52 minutes 00 seconds East with the North line of said Lot 4 and Block 1, a distance of 871.20 feet to the POINT-OF-BEGINNING and containing 597,722 square feet or 13.722 acres of land more or less.

ATTACHMENT 7 – DEVELOPMENT STANDARDS (EXHIBIT B)

**EXHIBIT “B”
DEVELOPMENT STANDARDS**
Page 1 of 2

1. Except as provided herein, the site plan for the Property shall conform substantially to the Concept Plan, attached hereto as Exhibit “B”. The orientation and location of structures, driveways and parking areas shown on Exhibit “B” may be modified to avoid conflict with utilities, floodplain and/or wetlands provided that parking and other development standards are met. In the event of a conflict between the provisions of this ordinance and Exhibit “B”, the provisions of this ordinance control.
2. All uses permitted in the Industrial District are allowed on the Property except as modified in Subsections “a” and “b” of this paragraph. Except as otherwise provided below in this Section 2, the uses permitted in the Industrial District are subject to the same requirements applicable to the uses in the Industrial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Industrial District only by conditional use permit (“CUP”) is permitted in the district only by CUP.
 - a. The following use is permitted on the Property by right, and no CUP shall be required:

SIC Code 42:	Motor Freight Transportation, Warehousing
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 - b. The following uses are prohibited on the Property:

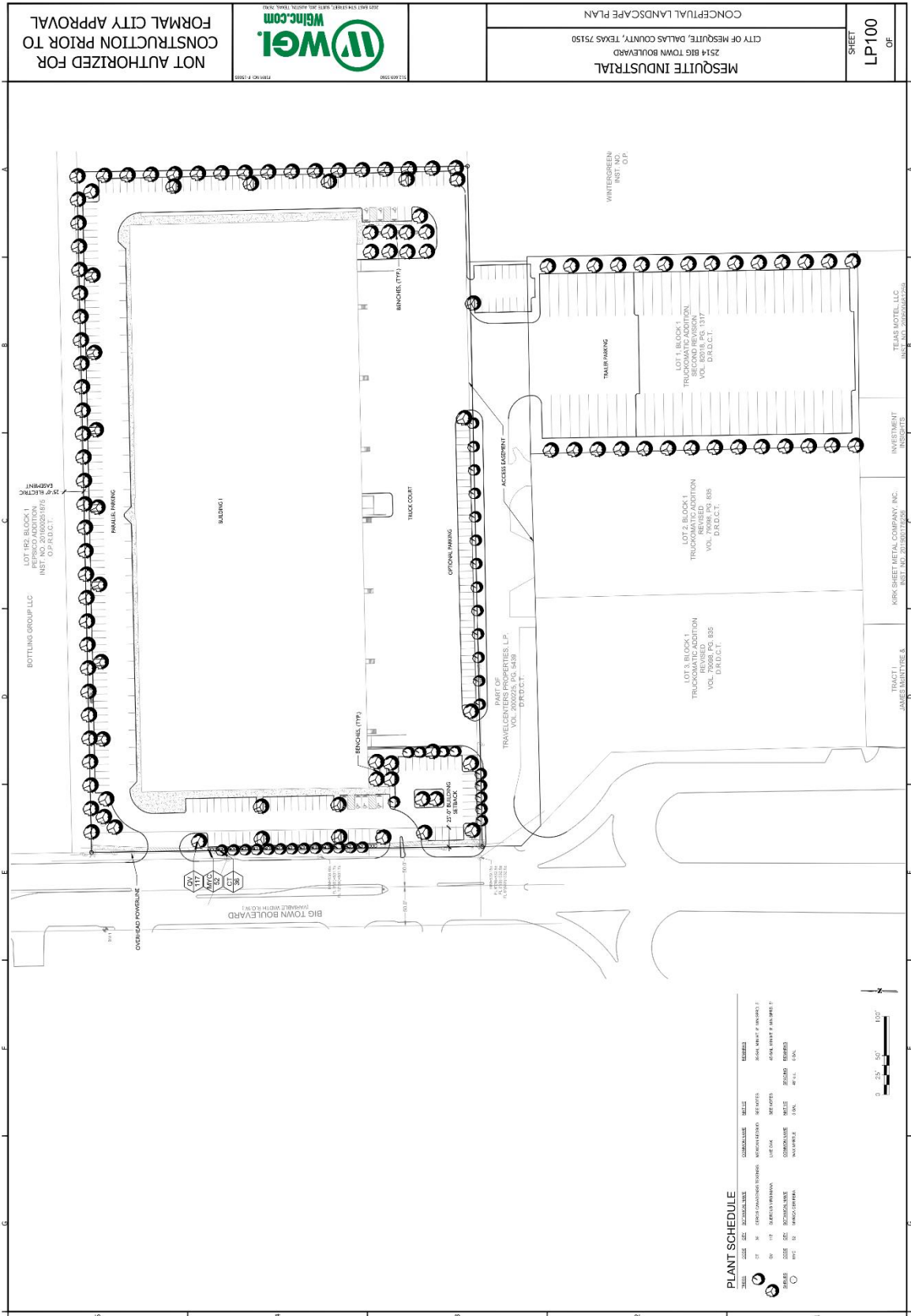
SIC Code 32a:	Concrete Batch Plants
SIC Code 40:	Railroad Passenger Terminal
SIC Code 61:	Alternative Financial Institutions
SIC Code 593a:	Pawnshops
SIC Code 7299a:	Massage Parlors, Turkish and Steam Baths
3. Unless oriented to the rear of the property and at least 500 feet from Big Town Boulevard, primary outdoor storage yard, including heavy load vehicles and unmounted trailers, as defined in section 3-600 of the Mesquite Zoning Ordinance, shall be prohibited.
4. The overnight parking of heavy load vehicles and/or unmounted trailers is permitted as defined in Section 3-600 of the Mesquite Zoning Ordinance in areas designated on the Concept Plan, if it is associated with tenant(s) or owner(s) of the property.
5. The truck court (including heavy load vehicle parking, overhead doors or loading docks) shall not face a public right-of-way without screening. Where not screened by a building, the truck court shall be screened with an eight-foot masonry wall or a living screen pursuant to Section 1A-303D. Wood or chain link screening is prohibited. Required screening shall be provided prior to the issuance of a Certificate of Occupancy.
6. All fire apparatus access roads shall meet the minimum distance separation requirements as approved by the Fire Marshal.

ATTACHMENT 7 – DEVELOPMENT STANDARDS (EXHIBIT B)

**EXHIBIT “B”
DEVELOPMENT STANDARDS**
Page 2 of 2

7. All applicable flood and wetland studies shall be completed as identified in the City of Mesquite Engineering Design Manual.
8. One shade tree, or one evergreen tree, or three ornamental trees shall be provided for each 400 square feet of required landscaped area.

ATTACHMENT 7 – CONCEPT PLAN (EXHIBIT C)



6/24/21

Request for a Planned Development District for Warehousing Uses

2500 Big Town Boulevard, 2526 Big Town Boulevard, and 2614 Big Town Boulevard

Request Narrative

This request is to create a Planned Development District for industrial uses, based on Industrial District standards, allowing for warehousing uses to be allowed by right, rather than by a Conditional Use Permit. The request is to allow for the development of an approximately 212,000 square foot warehouse and distribution center. The proposed Planned Development District would also allow for the outside storage of trucks and trailers but limits the location to be away from Big Town Boulevard.

The current zoning on the Property is Commercial with the Skyline Logistics Overlay. The site is currently vacant but previously included trucking-related uses. We are not asking for any changes to the Skyline Logistics Overlay requirements.

The Mesquite Comprehensive Plan identifies this property as suitable for light industrial uses.

According to the Comprehensive Plan, this classification “Represents a variety of manufacturing and storage uses that have a wide range of appearances and intensities. Development should be located along arterial thoroughfares, in proximity to freeways, and activity should be indoors.”

The proposed use is consistent with the Comprehensive Plan as the location is in proximity to two freeways and the primary storage activity will be indoors.

ATTACHMENT 9 – APPLICATION MATERIALS

Consent Form

Project Name: Mesquite Industrial Submittal Date: 5/24/2021

Application Type (check all that apply)


- | | | |
|---|--|---|
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Residential Replat |
| <input checked="" type="checkbox"/> Planned Development | <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Amending Plat |
| <input type="checkbox"/> Regulating Plan | <input type="checkbox"/> Short Form Final Plat | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Special Exception |

I hereby certify that I am the owner or duly authorized agent of the owner, of the subject property for the purposes of this application. I hereby give CONSENT to Robert Baldwin (type, stamp or print clearly full name of agent/representative) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge of the property I have an ownership interest in is the subject of this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the City of Mesquite, Texas, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent/representative will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I acknowledge that additional information may be required to process this application. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of 1) Erecting, maintaining, or removing "Change of Zoning" signs, which indicate that a zoning amendment is under consideration and which indicate how further information may be obtained, and 2) Taking photographs documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in the erecting, maintaining, or removal of said signs or the taking of said photographs.

Current Property Owner Information

Name: ILPT Mesquite LLC Signature: 
John G. Murray, President & Chief Executive Officer
Address: 255 Washington Street City, State, ZIP: Newton, MA 02458

Agent/Representative Information

Name: Robert Baldwin
Address: 3904 Elm Street - Suite B City, State, ZIP: Dallas, Texas 75226

ATTACHMENT 10 – RETURNED PROPERTY OWNER NOTICES



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

LOCATION: 2500, 2526 & 2614 Big Town Boulevard
(See attached map for reference)
CASE NUMBER: Z0521-0200
APPLICANT: Rob Baldwin, Baldwin Associates
REQUEST: From: "C" – Commercial with Conditional Use Permit (Ord. No. 3650) within the Skyline Logistics Hub Overlay
To: "PD-I" – Planned Development Industrial within the Skyline Logistics Hub Overlay

The requested Zoning Change would allow for the development of a warehouse and distribution facility on the subject property. 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

Truckomatic Addition, Second Addition Block 1, Lots 1 & 4

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **July 12, 2021**, located at 757 N. Galloway Ave.

The City Council will hold a public hearing on this request at 7:00 p.m. on Monday, **August 2, 2021**, at 757 N. Galloway Ave.

Questions pertaining to this case may be directed to the Planning Division at (972) 216-6346 or lfrohberg@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 5:00 pm on **July 6th** to be included in the Planning and Zoning Commission packet and by 5:00 pm on **July 16th** to be included in the City Council packet. All notices received after the listed dates will still be accepted and presented to 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.

Case Number: Z0521-0200

I am in favor of this request

I am opposed to this request

Reasons (optional):

Name:(required)

Address of Noticed Property:

Owner Signature:

Kirk Sheet Metal Co, Inc
2530 Big Town Blvd Mesquite
Ashley Heardy, Pres. Date: 7-6-21

Please respond by returning to: PLANNING DIVISION
Lesley Frohberg
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137

RECEIVED
JUL 14 2021
PLANNING AND ZONING

ATTACHMENT 10 – RETURNED PROPERTY OWNER NOTICES



CITY OF MESQUITE
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I am opposed to this request

Reasons (optional):

Name:(required) Kirk Sheet Metal Co., Inc
Address of Noticed Property: 4501 E Hwy 80 Mesquite
Owner Signature: Ashley Heard, Pres. Date: 7-6-21

Please respond by returning to: PLANNING DIVISION
Lesley Frohberg
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137

RECEIVED
JUL 14 2021
PLANNING AND ZONING

ATTACHMENT 10 – RETURNED PROPERTY OWNER NOTICES



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Name:(required) Kirk Sheet Metal Co. Inc
Address of Noticed Property: 4501 E Hwy 80 Mesquite, TX
Owner Signature: Lesley Frohberg, President Date: 7-20-21

Please respond by returning to: PLANNING DIVISION
Lesley Frohberg
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137

RECEIVED
JUL 26 2021
PLANNING AND ZONING

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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.

Case Number: Z0521-0200

I am in favor of this request

I am opposed to this request

Reasons (optional):

Name:(required)

Address of

Noticed Property:

Owner Signature:

Date: 7-20-21

Kirk Sheet Metal Co
2530 Big Town Mesquite, TX
Ashley Head, President

Please respond by returning to: PLANNING DIVISION
Lesley Frohberg
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137

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PLANNING AND ZONING