



FILE NUMBER: Z0821-0214
REQUEST FOR: Rezoning
CASE MANAGER: Garrett Langford, AICP, Manager of Planning and Zoning

PUBLIC HEARING

Planning and Zoning Commission: Monday, September 13, 2021
City Council Monday, October 18, 2021

GENERAL INFORMATION

Applicant: Abdallah Adham
Requested Action: Zoning Change from Commercial within Military Parkway-Sycene Corridor (MP-SC) Overlay District to Commercial to remove the MP-SC Overlay District and to allow uses permitted in the Commercial zoning district
Location: 1210 W. Scyene Road

PLANNING AND ZONING ACTION

Decision: On September 13, 2021, the Planning and Zoning Commission unanimously recommended approval of rezoning the property to Planned Development – Commercial with staff's recommended stipulations.

SITE BACKGROUND

Legal Description: Blue Bell Heights 2, Lot 3, Block A

Size: 1.68 acres

Current Zoning: Commercial within the MP-SC Overlay District

Existing Land Use: A 29,200 sqft multitenant building that includes three indoor recreation facilities (Aim House Bounce, Dallas Slot Cars, Baseball Nation) and an electrical contractor. The indoor recreational facilities were approved with Conditional Use Permits (CUP). The proposed rezoning will not remove or nullify the existing CUPs.

Future Land Use: Commercial

Zoning History:

- 1951: Annexed and zoned Residential
- 1955: Rezoned to A-2, Multi-Family
- 1964: Rezoned to Commercial
- 1984: CUP approved to allow for indoor recreation and a metal building with masonry front
- 1986: CUP to allow 4 video games (expired)

- 1990: CUP to allow 16 video games (expired)
- 1991: CUP to allow teen club (expired)
- 1992: CUP to allow indoor batting cages (expired)
- 1996: CUP to allow indoor go-carts (expired)
- 2006: Rezoned to Commercial with the MP-SC Overlay District
- 2009: CUP to allow indoor sports instruction (Suite A – Baseball Nation)
- 2012: CUP to allow ambulance and dispatch service (Suite D); expired
- 2015: CUP to allow ambulance and dispatch service (Suite D); expired
- 2017: CUP to allow an indoor recreation facility (Suite B – Aim High Bounce House)
- 2018: CUP to allow an indoor recreation facility (Suite D – Dallas Slot Cars)

Surrounding Zoning and Existing Land Uses:

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	Industrial	Union Pacific Railroad; Smiley Racing
SOUTH:	Planned Development – Commercial and Planned Development – Light Commercial	Undeveloped
EAST:	Commercial within the MP-SC Overlay	Self-storage facility
WEST:	Planned Development – Commercial within the MP-SC Overlay	Vacant

CASE SUMMARY

The subject property is located between Downtown Mesquite and IH-635, bounded by W. Scyene Rd to the north and Military Pkwy to the south. The subject property was developed in 1984 with a multitenant building that is primarily used for commercial and indoor recreational uses. In 2006, the City rezoned the subject property to Military Parkway – Scyene Corridor (MP-SC) overlay district. The City created the MP-SC Overlay to ensure future developments in the corridor created an attractive and effective gateway between IH 635 and Downtown Mesquite. The Overlay includes development standards intended to promote pedestrian activity and to avoid familiar "strip" patterns of development. Additionally, it restricts permitted uses to a selective palette of retail, entertainment, and service uses. (See Attachment 8.)

The applicant (owner of the property) is requesting the rezoning to remove the MP-SC Overlay District to allow him to lease to a broader range of potential tenants that would be permitted by right in Commercial zoning without obtaining a CUP. The applicant did not apply for a Planned Development but a straight rezoning to remove the Overlay District and allow the property to follow the standards that apply to Commercial zoning. The Commercial zoning district permits a wide range of land uses, including contractors, light industrial, wholesale, retail, personal services, business services, and medical uses.

MESQUITE COMPREHENSIVE PLAN

The *Mesquite Comprehensive Plan* designates the subject property within a Commercial area. 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.

STAFF COMMENTS:

The proposed rezoning to remove the MP-SC Overlay would permit uses allowed in the Commercial zoning district. The permitted uses – which range from special trade contractors to retail to health services to beyond – would allow for businesses that could provide the broad range of goods and services envisioned by the Commercial future land use designation.

CONCLUSIONS

ANALYSIS

While the applicant has requested a straight rezoning to remove the MP-SC Overlay District and utilize the Commercial zoning, staff believes rezoning to a Planned Development (PD) – Commercial zoning would be more appropriate. As noted on the agenda, 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. Rezoning the property to a PD – Commercial would satisfy these conditions and does not require the request to be re-noticed.

Staff proposes a PD to restrict certain uses that are otherwise permitted in the Commercial zoning district. During the visioning process for the MP-SC overlay district, the City identified that many uses – such as those that rely heavily on outdoor storage or display – were inappropriate in the long-term for this area. Staff believes this is still the case, as the property serves as a gateway into Downtown Mesquite where visual impacts are especially important. These uses include convenience stores and automobile repair shops. Additionally, the PD would require minor improvements (dumpster screening, landscaping, and signage).

RECOMMENDATIONS

Staff recommends approval of the zoning change to Planned Development – Commercial with the following stipulations.

1. All uses permitted in the Mesquite Zoning Ordinance's Commercial District classification ("Commercial") are allowed on the property except as modified in Subsections "a" and "b" of this paragraph. The uses permitted in the Commercial District are subject to the same requirements applicable to the uses in the Commercial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Commercial District only by conditional use permit ("CUP") is permitted in the district only by CUP.
 - a. The following uses are prohibited on the property:
 - i. SIC Code 753: Automobile Repair Shops
 - b. The following uses are permitted only by CUP:
 - i. SIC Code 549a: Convenience Stores

2. All parking spaces shall be striped before the issuance of any new certificate of occupancy.
3. The chainlink fences on the property shall be removed before the issuance of any new certificate of occupancy. Screening for outdoor storage shall comply with Section 3-600 of the Mesquite Zoning Ordinance.
4. Dumpsters shall be screened and enclosed per the requirements in the Mesquite Engineering Design Manual.
5. Eight trees shall be installed along the south right-of-way line and/or along the north right-of-way line. The trees can be placed within the property or within the right-of-way. The trees shall consist of shade or evergreens trees. Three ornamental trees may be used for each shade or evergreen tree. Tree species, size, and spacing shall be installed in compliance with Section 1A-500-1 Tree Schedule of the Mesquite Zoning Ordinance.
6. All conditions of this PD ordinance are required prior to the issuance of any new certificate of occupancy except that, landscaping, and dumpster screening shall be completed by no later than nine months from the date of approval of this PD ordinance.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of the date of this writing, there have been no returned notices.

CODE CHECK

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

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Photos
6. Exhibit A – Legal Description
7. Exhibit B – Planned Development Standards
8. Military Pkwy – Scyene Corridor Overlay District (MZO 4-900)

ATTACHMENT 1 – AERIAL MAP

Aerial Map: Zoning Case Z0821-0214



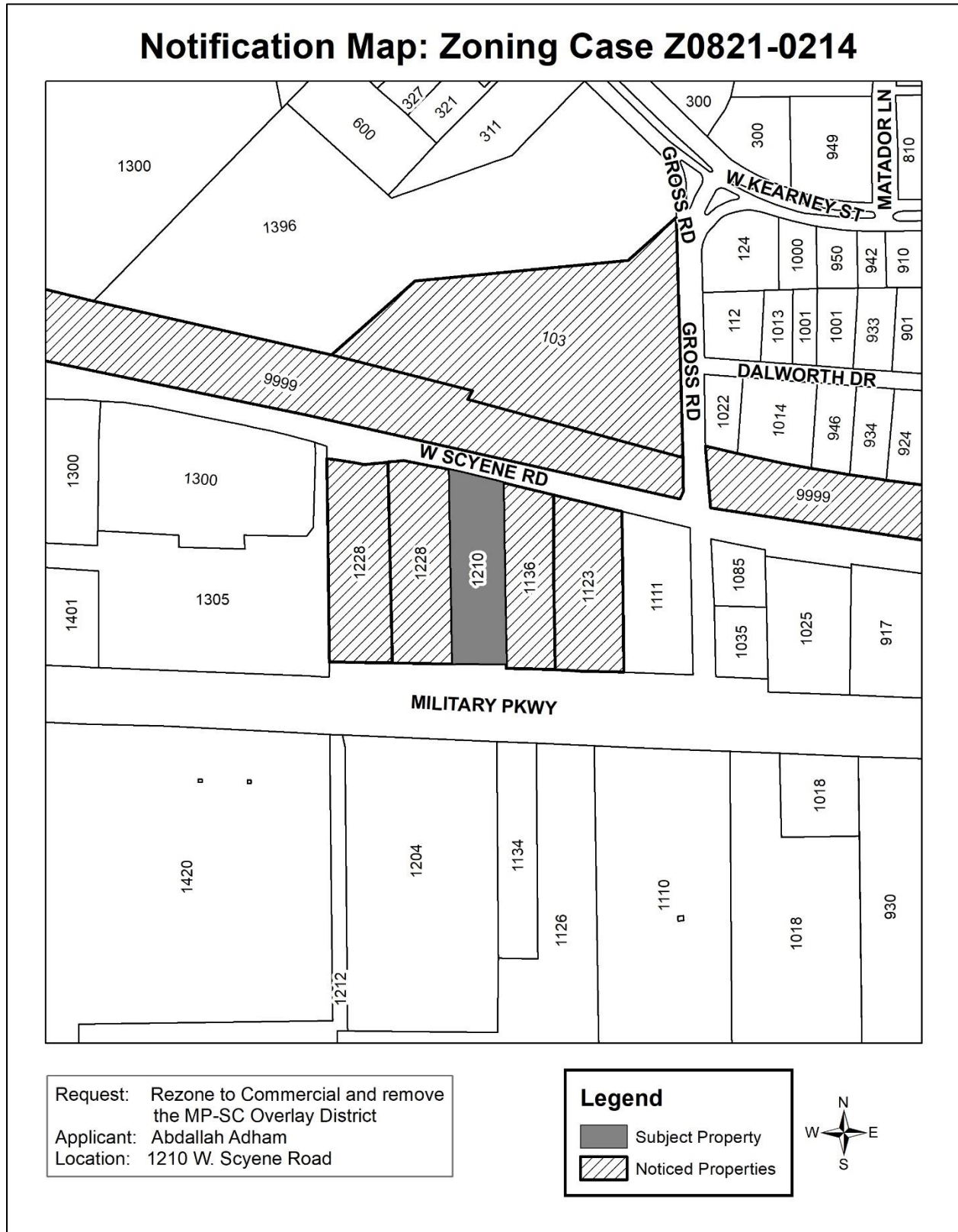
Request: Rezone to Commercial and remove
the MP-SC Overlay District
Applicant: Abdallah Adham
Location: 1210 W. Scyene Road

Legend

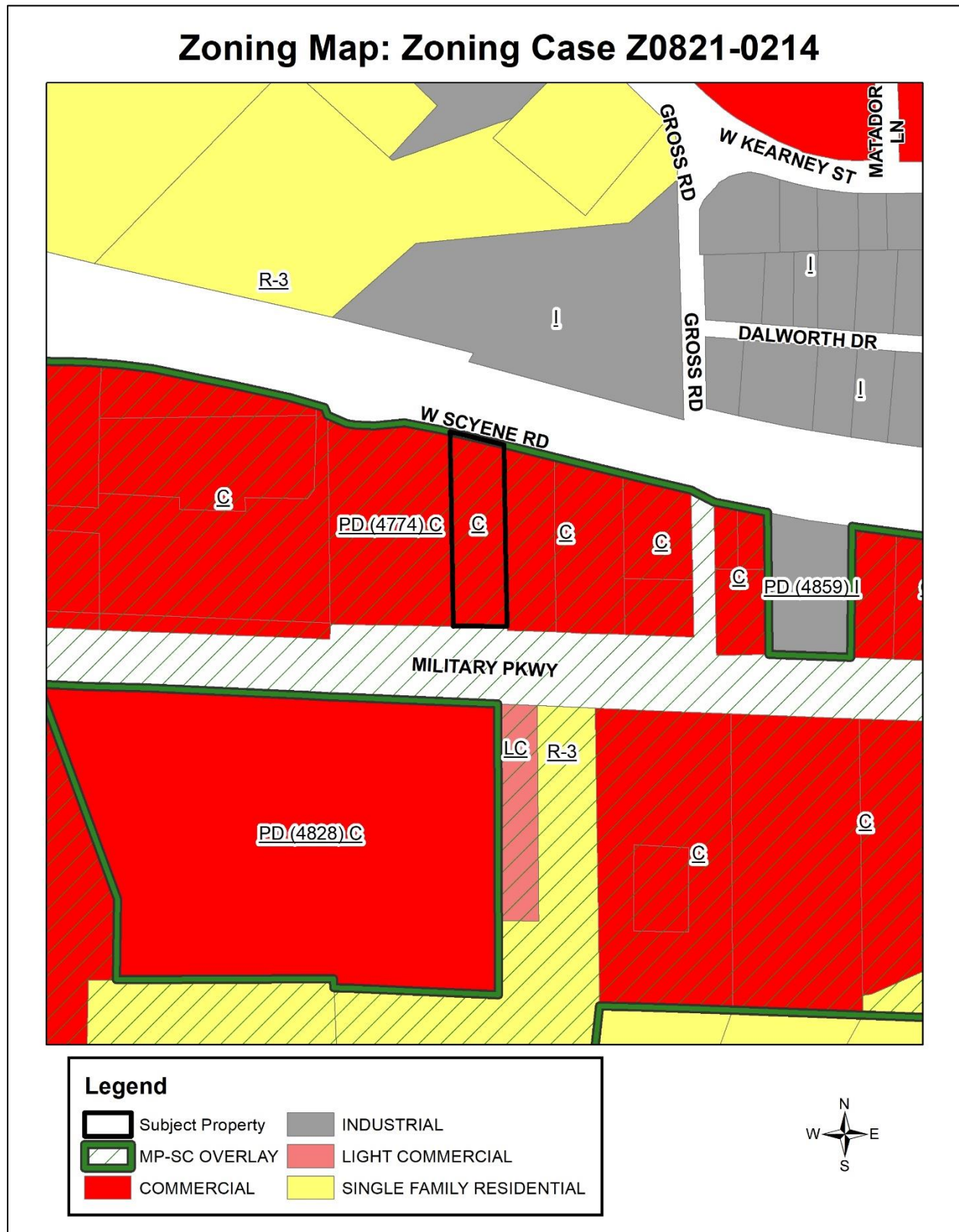
 Subject Property



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP



ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – FUTURE LAND USE MAP



ATTACHMENT 5 – SITE PHOTOS



View of 1210 W. Scyene Rd, facing south from W. Scyene Rd



View of 1210 W. Scyene Rd, facing south from W. Scyene Rd

ATTACHMENT 5 – SITE PHOTOS



View of 1210 W. Scyene Rd, facing north from Military Pkwy



View of 1210 W. Scyene Rd, facing north from Military Pkwy

ATTACHMENT 6 – APPLICANT'S MATERIAL



Please print legibly. This application can also be completed online at [LINK](#)

Application Checklist

- ☐ Completed Application ☐ Statement of Intent and Purpose ☐ Zoning Exhibits A & B
- ☐ Owner Authorization (page 6) ☐ Application Fee* (\$1,000 plus \$15 per acre for properties one acre and over)

**An additional fee may apply if a change to the Mesquite Comprehensive Plan is required*

Property Information

General Location: Military Parkway-Scyene Corridor Overlay District
Physical Address: 1210 W. Scyene Rd City, State: Mesquite, Texas
Zip Code: 75150
Platted: ☒ Yes ☐ No (If yes, fill in information below. If not platted a metes and bounds description is required)
Subdivision: Blue Bell Heights 2 Block: A Lot: 3

Applicant Information – The person filling out the application

First Name: Abdallah Last Name: Adham
Phone Number: (214) 417-5494 Email Address: aadham@msn.com
Company Name: _____

Property Owner(s) Information – The owner of the property listed as physical address

Same as Applicant: ☒ Yes ☐ No (If no, fill in the information below)
First Name: _____ Last Name: _____
Phone Number: _____ Email Address: _____
Mailing Address: 14160 Valley Creek Dr. City, State: Dallas, TX
(If different from physical address)
Zip Code: 75254

Requested Action

October 2020

CONTINUE TO NEXT PAGE

Page 1 of 6

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ATTACHMENT 6 – APPLICANT’S MATERIAL

Existing district classification: (Select all that apply)

Residential Zoning Districts

- ☐ AG – Agricultural ☐ R-1 – Single Family ☐ R-1A – Single Family ☐ R-2 – Single Family
☐ R-2A – Single Family ☐ R-3 – Single Family ☐ D - Duplex ☐ Multifamily (less than 25 dwelling units)
☐ Traditional Neighborhood Mixed Residential (TNMR)
☐ Other: _____

Non-Residential Zoning Districts

- ☐ O – Office ☐ GR – General Retail ☐ LC – Light Commercial ☐ MU – Mixed Use
☐ CB – Central Business ☐ SS – Service Station ☒ C – Commercial ☐ I – Industrial
☐ CV – Civic
☐ Other: _____

Change district classification to: (Select all that apply)

Residential Zoning Districts

- ☐ AG - Agricultural ☐ R-1 – Single Family ☐ R-1A Single Family ☐ R-2 Single Family
☐ R-2A Single Family ☐ R-3 Single Family ☐ D - Duplex ☐ Multifamily (less than 25 dwelling units)
☐ Traditional Neighborhood Mixed Residential (TNMR)
☐ Other: _____

Note: Zero Lot Line Dwellings, Patio Homes, Townhouse Dwellings, Other Attached Dwellings (3-plex, 4-plex), Mobile Home Parks, and Multifamily Districts, all require a Planned Development. See the Planned Development application (LINK).

Non-Residential Zoning Districts

- ☐ O -Office ☐ GR – General Retail ☐ LC – Light Commercial ☐ MU – Mixed Use
☐ CB – Central Business ☐ SS – Service Station ☒ C - Commercial ☐ I - Industrial
☐ CV - Civic

☒ Other: Commercial - Removed from the Overlay District

October 2020

CONTINUE TO NEXT PAGE

Page 2 of 6

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ATTACHMENT 6 – APPLICANT'S MATERIAL

Describe the proposed zoning change and the purpose of the request using the space below. The following should be included:

1. Description of project use(s) and confirmation that development will meet all standards regulating the proposed zoning district and use(s).
2. Existing and proposed zoning and land use(s).
3. If the property is currently developed, list all active businesses on the property with a brief description of each.
4. Potential residential density if proposed zoning for residential districts (exclude major thoroughfares from density calculations).
5. Address how the requested rezoning complies with the Mesquite Comprehensive Plan (<https://www.cityofmesquite.com/2051/Comprehensive-Plan>).

The change to Commercial and removal from the Overly District will allow me to lease this property to prospective tenants that will be acceptable to the City of Mesquite. The existing zoning at this time is C with the Overly District. The requested zoning change is to Commercial and removal from the Overly District.

The current tenants are: Aim High Bounce, Baseball Nation, A-R Electric and Dallas Slot Cars. This building is built as a warehouse and with leasing it to prospective tenants, ~~not~~ who will not cause any detrimental effect to the standards of the City of Mesquite.

Thank you for your consideration.

EXHIBIT A – Legal Description

☐ Complete ☒ N/A

Digital PDF copy of the Legal Description (metes and bounds) of the area encompassing the zoning request.

OR

Subdivision description of platted property or properties. Disclaimer: This method may not be used if the requested zoning change is for a portion of a lot, or unplatted property.

1

EXHIBIT B – Zoning Exhibit

☐ Complete ☒ N/A

Planimetric map, boundary survey, or other map, adequate to accurately identify and locate the property in question.

2

October 2020

CONTINUE TO NEXT PAGE

Page 3 of 6

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ATTACHMENT 7 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS
4-900 MILITARY PARKWAY-SCYENE CORRIDOR
OVERLAY DISTRICT

4-900 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT

4-901 PURPOSE AND SCOPE

Ord. 3846/12-18-06

The Military Parkway–Scyene Corridor is positioned centrally between the Mesquite Arena and Rodeo Entertainment District, the downtown and historic Square area, and IH-635 and the rail line north of Scyene. The purpose of the MP-SC Overlay District is to create an attractive and effective gateway into downtown and link these important assets and land uses. To this end, the MP-SC Overlay District is intended to:

- Provide for a selective palette of retail/entertainment uses while accommodating a limited mix of residential and service uses that compliment the retail development or that support pedestrian- and transit-oriented design.
- Avoid familiar “strip” patterns of development by encouraging multi-use development on large or unified parcels that minimize access points, allow for 360’ design and reduce auto-dominated frontage.
- Establish non-traditional setback, parking standards, lighting, signage and other site planning features that create a distinct and cognizable “sense of place” on Military Parkway and Scyene Road.
- Encourage pedestrian activity on the street frontage, between major uses and with links to the Parks and Recreation trail system.
- Preserve long-term opportunities for incorporating transit-oriented development.

4-902 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT PREFIX

Ord. 3846/12-18-06

The MP-SC prefix designation is a zoning overlay district. After the effective date of this ordinance, the addition or removal of the MP-SC prefix constitutes zoning action requiring due process required under State law. No land within the City except the following described area shall be designated MP-SC without the requisite notice and public hearing provided by State law. The City shall have only one contiguous Military Parkway–Scyene Corridor District.

Land Zoned MP-SC Military Parkway–Scyene Corridor

All land, regardless of zoning on the effective date of this ordinance, which is located between IH-635 and Carmack Street, and which is situated:

- A. Between Military Parkway and Scyene Road; or
- B. With frontage on the south right-of-way line of Military Parkway or surrounded by land with such frontage.

4-903 PERMITTED USES

Ord. 3846/12-18-06

In this district no land shall be used except for one or more of the following uses to the extent that they are not prohibited by other regulations or ordinances.

- A. **Standard District**
All land in the overlay district shall retain its existing zoning designation and all characteristics of such zoning, except as modified herein.
- B. **Private Club**
As hereinafter regulated.
- C. **Restricted Uses**
 - 1. Except for the uses listed in paragraphs 3 and 4 of this subsection, all uses within the MP-SC Overlay District shall require approval of a Conditional Use Permit in accordance with §5-300 and the supplemental criteria established herein. When a use is allowed in the underlying existing zoning district

ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS
4-900 MILITARY PARKWAY-SCYENE CORRIDOR
OVERLAY DISTRICT

by the Schedule of Permitted Uses (§3-203) as a Permitted Use or Conditional Use Permit, application may be made in the MP-SC Overlay District for approval as a Conditional Use Permit.

2. In addition to the review criteria for a Conditional Use Permit enumerated in §5-303, the Planning Commission and City Council shall consider the following:

(a) ***Conformance to Planning Principles***

That the proposed use conforms to the Comprehensive Plan and the purposes of the MP-SC Overlay District.

(b) ***Support for Residents or Customers***

That the proposed use will support the retail and service needs of the residents of the overlay district or the customers of the uses that are permitted-by-right within the overlay district. Support may be evidenced, among other ways, by a public pedestrian connection to the residents or the customer-based uses that will benefit from the proposed use.

3. The uses permitted-by-right in the MP-SC Overlay District include, and are expressly limited to, the following:

Residential Uses

- (a) Multi-family dwellings not exceeding 75 percent of the floor-area of a building in a vertical mixed-use development. No multi-family use is permitted at ground level. Multi-family use exceeding the vertical development ratio shall require a Conditional Use Permit.

Retail Trade (Ord. 4285/09-16-2013)

- (b) SIC 525 Hardware Stores
(c) SIC 53 General Merchandise Stores
(d) SIC 54 Food Stores
(e) SIC 554a Limited Gasoline Sales (incidental to Convenience Stores only)
(f) SIC 56 Apparel, Accessory Stores
(g) SIC 57 Furniture, Home Furnishings
(h) SIC 5812 Eating Places, except Drive-In Restaurants or Restaurants with Drive-Through Facilities
(i) SIC 591 Drug, Proprietary Stores
(j) SIC 594 Miscellaneous Shopping Goods Stores
(k) SIC 599 Retail Stores NEC, except SIC 5999 Miscellaneous Retail NEC

Services

- (l) SIC 701a General Service Hotel/Motel
(m) SIC 7011 Bed and Breakfast Inns
(n) SIC 7219 Laundry, Garment Services NEC
(o) SIC 724 Barber Shops
(p) SIC 725 Beauty Shops
(q) SIC 725 Shoe Shine and Repair
(r) SIC 7334 Photocopying, Duplicating Services
(s) SIC 7336 Commercial Art, Graphics Design
(t) SIC 763 Watch, Clock, Jewelry Repair
(u) SIC 7991 Physical Fitness Facilities
(v) SIC 7999c Commercial Art Galleries, Museums
(w) SIC 81 Legal Services
(x) SIC 835 Child Day Care Services
(y) SIC 84 Museums, Art Galleries, Arboreta, Zoos
(z) SIC 87 Engineering, Accounting, Research, Management Services

Accessory Uses and Structures

- (aa) Parking

4. The following uses are expressly prohibited within the MP-SC Overlay District, provided that any such use that exists as of December 18, 2006, and which is lawfully operating as of said date, shall not be

ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS
4-900 MILITARY PARKWAY-SCYENE CORRIDOR
OVERLAY DISTRICT

classified as nonconforming under Section 1-301 A. The right to operate any such use shall terminate if the use is discontinued for one year or more.

Construction

- (a) SIC 15 Building Contractors
- (b) SIC 16 Heavy Construction Contractors
- (c) SIC 17 Special Trade Contractors

Manufacturing

- (d) SIC 20-39 (All manufacturing uses)

Transportation and Utilities

- (e) SIC 42 Motor Freight Transportation and Warehousing
- (f) SIC 44 Water Transportation
- (g) SIC 45 Air Transportation
- (h) SIC 46 Pipelines
- (i) SIC 49 Electric, Gas, Sanitary Sewer, except SIC 49b Business Office

Wholesale Trade

- (j) SIC 50-51 (All wholesale trade use, durable and non-durable)

Retail Trade (Ord. 4285/09-16-2013)

- (k) SIC 55 Automobile Dealers, Service Stations except as provided for in Subsection 3, above

Services

- (l) SIC 735 Miscellaneous Equipment Rental, Leasing
- (m) SIC 75 Automotive Repair and Services
- (n) SIC 836c Residential Care Institutions
- (o) SIC 86 Membership Organizations as the primary use of tracts greater than one acre

4-904 REQUIRED CONDITIONS **Ord. 3846/12-18-06; Ord. 4284 & 4285/09-16-2013**

All establishments in the MP-SC Overlay District shall meet the following conditions, in addition to any stipulations or conditions of approval under the Conditional Use Permit provisions of this ordinance.

A. Site/Floor Plan

A site/floor plan of any proposed establishment shall be submitted and approved by the Director prior to the issuance of a building permit or certificate-of-occupancy. The site plan approval shall identify (a) the specific activities approved and (b) any added stipulations or conditions for development or operation.

B. Private Clubs (in conjunction with Full-Service Hotel only) (Ord. 3922/12-17-07)

A private club may be housed within a full-service hotel on land zoned either LC or C and shall comply with the following:

1. **Location:** The premises shall not be located less than 300 feet from any school. Other separation requirements of City Code §8-840 shall not apply.
2. **Minimum capacity:** The hotel shall contain a minimum of 100 rooms, all with access from internal hallways, and shall contain an internal restaurant.
3. **Primary use:** The hotel shall constitute not less than 60 percent of the gross floor area of the structure.
4. **Access:** The bar area shall have no exterior entrance.
5. **Signs:** No signs advertising the sale of alcoholic beverages shall be permitted; however, this shall not prohibit use of established trade names of establishments.
6. **Drink promotions:** Drinks shall not be offered for sale at a price reduced from the customary price during a specific period for promotional purposes (sometimes called "Happy Hour" or similar promotional activities designed to stimulate the sale of alcohol).

C. Site Design and Maintenance

ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS
4-900 MILITARY PARKWAY-SCYENE CORRIDOR
OVERLAY DISTRICT

The site of any proposed establishment within the MP-SC Overlay District shall be designed and developed in accordance with this Section in addition to all other requirements of the City's ordinances and in accordance with any and all Design Standards¹ adopted by the City Council specifically for the MP-SC Overlay District and on file in the Planning office when application is made for any proposed establishment. In the event of a conflict between this Section and other provisions of the City's ordinances, this Section shall prevail. In the event of a conflict between this Section and the Design Standards adopted for the MP-SC Overlay District, the Design Standards shall prevail. The Board of Adjustment is not authorized to grant relief from the provisions of this subsection.

1. In the front and exterior side yards, not less than 75 percent of the building profile shall be built to the right-of-way line. For eating establishments other than drive-in restaurants or restaurants with drive-through facilities, the amount of the building profile built to the right-of-way line may be reduced below 75 percent when:
 - (a) The area between the building façade and the right-of-way line is used for seating for the eating establishment;
 - (b) Ingress and egress are provided from the area to the interior of the eating establishment; and
 - (c) Not less than 25 percent of the building profile is built to the right-of-way line.
2. Every establishment shall have not less than one customer entrance on each street frontage. An establishment with two intersecting street frontages may have a single customer entrance on a 45 degree plane to the intersecting right-of-way lines. Entrances shall be designed as an elevated stoop, gallery, or a doorway with awning, except on facades lined with an arcade.
3. Any area between the building façade and the right-of-way line shall be landscaped. Such landscaping shall be in addition to and not included in meeting normal landscaping requirements for the site.
4. The height of the building shall be constructed to the required building enclosure ratio as specified in the table below. The design shall be presumed to meet this design standard when the height is greater than the percentage of the optimum width of the adjacent street right-of-way in Column C. The Director may approve a building constructed at a lesser height if the street frontage is activated by patron seating, by building fenestration that meets the Design Standards, and the enhanced landscape and pedestrian walkway assembly shown in Diagram 4.
5. Vehicle access to the parking footprint shall be solely via a rear access drive from a side street other than Military Parkway or Scyene Road, or a shared access drive as provided in this paragraph. A tract without connection to a side street and without adjacency to a shared access drive on an abutting parcel, or a tract with a width of more than 200 feet at the frontage line of Military Parkway or Scyene Road, may have one shared access drive on Military Parkway or Scyene Road not exceeding 12 feet in half-width to access the parking footprint. Shared access drives shall be located at the lot line of an abutting buildable parcel. All shared access drives shall be configured to provide future rear access to both the servient tract and the dominant abutting parcel, which shall be secured with a cross access easement. After September 16, 2013, any plat or replat of land within the MP-SC Overlay District shall provide for access as required herein.
6. A building that is constructed for, or intended to accommodate, multiple tenants at ground level shall not present a building profile to a public street that is greater than five times the height of the building.
7. Spaces separating buildings on the same tract along the same street frontage shall be designed to provide a pedestrian access way from the public right-of-way to the rear of the buildings. A sidewalk shall be installed in the access way connecting to the public sidewalk.
8. All parking shall be designed within the parking footprint. The parking footprint shall have a minimum 25-foot setback from the adjacent right-of-way. The parking profile shall not exceed 10 percent of the property frontage on Military Parkway, Scyene Road or Gateway Boulevard. A development that achieves a building enclosure ratio that is less than or equal to 75 percent of the required ratio may expand

¹ Director's Note: On December 17, 2007, the City Council adopted a *Community Appearance Manual* that applies specifically to the MP-SC Overlay. Ordinance No. 3919, codified as City Code §11-500, et seq.

ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS
4-900 MILITARY PARKWAY-SCYENE CORRIDOR
OVERLAY DISTRICT

its parking profile to 20 percent. A vertical mixed-use development that is constructed equal to or taller than the required height is eligible for a shared parking benefit.

9. The same masonry materials that are used on the building façade of a public street shall “wrap” around the building and be used on all elevations. Metal exterior siding is prohibited on primary and secondary facades in the overlay.
10. Pole signs and portable signs are prohibited. The City, working in concert with property owners, may erect one or more landmark or wayfinding signs identifying the Military Parkway–Scyene Corridor area.
11. Outdoor sales, display or storage is prohibited, §3-600 et seq. notwithstanding.
12. Any premises that abut the City’s adopted pedestrian and bicycle trail system shall, as a condition of site plan approval, and if the City deems it necessary to secure public access, dedicate an access easement of sufficient width and roughly proportional to the impact of the development from the premises to the City system.
13. Fuel pumps as provided for in Section 4-903.C3(c) above shall comply with the following development standards:
 - (a) A maximum of eight fueling positions shall be permitted.
 - (b) Fuel pumps and related canopies shall be located within the parking footprint.

Building Enclosure Ratios			
A	B		C
On the following streets:	The required building enclosure ratio is:	≤75%	Presumed met when building height equals or exceeds: (percentage of optimum width of adjacent street right-of-way)
Military Parkway	4:1	3:1	25%
Scyene Road	2:1	1.5:1	50%
Gateway Blvd.	2:1	1.5:1	50%
Gross Road	3:1	2.3:1	33%
Lindsey Street	3:1	2.3:1	33%
Carmack Street	3.5:1	2.6:1	28%
New streets	3:1	2.3:1	33%

4-905 DEFINITIONS

Ord. 3846/12-18-06; Ord. 4284/09-16-2013

For purposes of this ordinance, the following terms shall have the meanings ascribed to them in this Section. The diagrams (Diagram 1, etc.) that illustrate various terms are considered part of the definition to which they refer.

Building profile means the apparent width of a building when viewed from the street. A development with multiple street frontages will have one building profile for each frontage. (Diagram 1)

Building enclosure ratio refers to the proportionate relationship between the total distance between buildings on both sides of the adjacent street and the height of a building. (Diagram 2)

Director means the Director of Community Development or his designee.

Parking footprint means the area defined by the rear building façade(s) and the rear setback lines. (Diagram 3)

Parking profile means the apparent width of the parking area and access drives when viewed from the street. (Diagram 3)

Optimum width of street right-of-way refers to the planned or future right-of-way width as approved on the City’s Thoroughfare Plan.

Shared parking benefit refers to a concession made for parking in a mixed-use development that has the effect of lowering the minimum parking requirement based upon variations in parking demand by time of day and land use relationships that induce single auto trips. The shared parking benefit is determined separately for each mixed-use development according to standards recommended by the Urban Land Institute.

ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS 4-900 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT

Vertical mixed-use refers to stacking different uses on different floors of a multi-story building.

Walkway Assembly means enhanced pedestrian and landscape improvements installed in the public right-of-way (Diagram 4).

Diagram 1
Building Profile

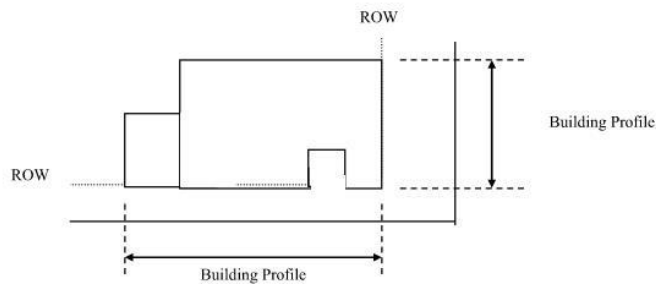
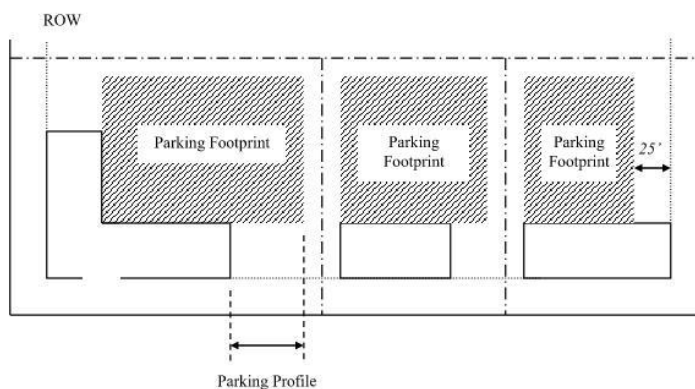


Diagram 2
Building Enclosure Ratio

Building A = $w / h1$
Building B = $w / h2$



Diagram 3
Parking Footprint
and Parking Profile



4-22

ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

