

FILE NO.: 1353-39-2017

P&Z HEARING DATE:

March 27, 2017

COUNCIL DATE:

April 17, 2017

GENERAL INFORMATION

APPLICANT: Amber Wilkins – Upscale Retail

REQUESTED ACTION: A Conditional Use Permit to allow sale of used merchandise for a retail and consignment store

LOCATION: 1515 E. Kearney Street, Suite 200

SITE BACKGROUND

EXISTING LAND USE AND SIZE: The 2.35-acre parcel is the location of a strip center. Suite 200 is currently vacant.

SURROUNDING LAND USE AND ZONING (see attached map): The strip center contains service-oriented business, including an indoor athletic club, massage therapist, hair salon, and dentist. To the north are single family homes, zoned Planned Development – Single Family. A strip of General Retail zoning on mostly vacant land extends northeast along both sides of SH 352. To the east and south, across E. Kearney St. and SH 352, are residentially zoned parcels containing single family homes. Further to the southeast lies vacant land with a variety of commercial zoning. To the west is vacant land, zoned General Retail.

ZONING HISTORY:
1972: Annexed and zoned R-1
1972: Zoning change to PD – Townhomes
1980: Zoning change to General Retail

PLATTING: Meadow Creek Retail Phase 1 Replat, Block A, Lot 1

GENERAL: The applicant is requesting a Conditional Use Permit to allow sale of used merchandise for a community-based resale shop. Merchandise will include used clothes, home goods, and some new items. The

store's inventory will be supplied by donations and storage auctions. Any donations considered unsuitable for sale will be given to local charities.

A pole sign exists on the property. If the request is approved, the pole sign will be required to be converted into a monument sign.

STAFF COMMENTS

Mesquite Comprehensive Plan

The subject property is located within a Community Business Area as designated in the *Mesquite Comprehensive Plan*. The Plan states the following for business corridors:

In the Community Areas, the general business designation accommodates a wide variety of nonresidential uses serving the surrounding communities. The scale of projects and the scope of goods offered generally will be less than in the regionally-oriented areas.

Mesquite Zoning Ordinance Sec. 5-303: Review Criteria for Conditional Use Permits
(staff comments are provided in bold and italic).

1. Existing Uses

The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

The “upscale” image of the store will be supported by careful selection of inventory, since only some donations will be shelved. Staff considers use as a retail and consignment store to be consistent with the atmosphere of the strip center and surrounding neighborhood.

2. Vacant Properties

The Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

The proposed Conditional Use Permit conforms to the General Retail zoning of the subject property and the vacant lot directly to the west. Sale of used merchandise for this purpose is not expected to impede development of nearby vacant land.

3. Services

Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

Adequate utilities, access roads and drainage facilities exist for the site and are sufficient for accommodating the demands associated with the request for a Conditional Use Permit.

4. Parking

Adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed uses.

The parking lot contains sufficient spaces to accommodate all currently operating businesses.

5. Performance Standards

Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

It is anticipated that store merchandise will be unloaded at the rear of the building. An approximately 6-foot-tall brick wall is already in place along the subject property's rear (north) side. This wall is expected to control negative impacts on residences to the north.

Analysis

The proposed Conditional Use Permit to allow used merchandise for a retail and consignment store is coherent with the vision of the *Mesquite Comprehensive Plan*. The business's location between several residential clusters will allow it to serve residents of surrounding neighborhoods. The number of customers will not be large enough to disrupt other uses conducted in the strip center. A masonry wall at the rear of the property will minimize negative impacts on adjacent homes. Positive impacts such as new employment and availability of affordable goods are expected.

RECOMMENDATIONS

Staff recommends approval with the following conditions:

1. The used merchandise shall be limited to clothing, furniture and home décor as explained in Attachment 6.
2. Merchandise display shall be orderly and similar in style and organization to typical displays at general merchandise department stores.
3. Outdoor storage or display of merchandise is prohibited.
4. All display merchandise shall be clean and operational. The display of damaged items is prohibited.
5. This Conditional Use Permit is limited to Suite 200.
6. Inventory shall be unloaded during the store's regular operating hours.

PUBLIC NOTICE

Notices were mailed to property owners within 200 feet of the subject property. No community response forms have been returned.

ATTACHMENTS


- 1 – Aerial Map
- 2 – Public Notification Map
- 3 – Zoning Map
- 4 – Site Photos
- 5 – Submitted Application Form
- 6 – Applicant Description of Intended Use with Sketch

Aerial Map: Zoning Case 1353-39-2017



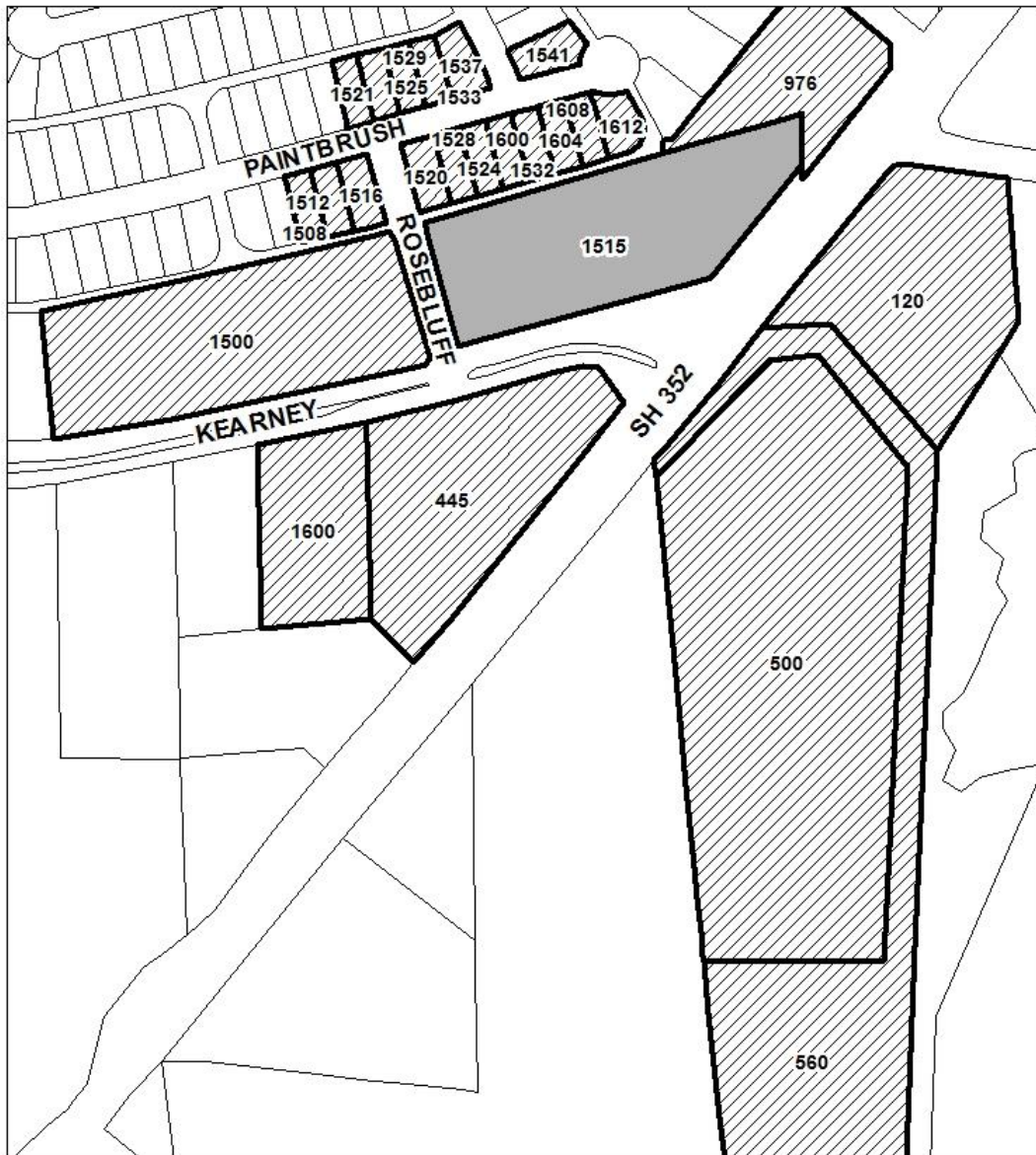
Request: Conditional Use Permit for
sale of used merchandise
Applicant: Amber Wilkins
Location: 1515 E. Kearney St.

Legend

 Subject Property





Notification Map: Zoning Case 1353-39-2017



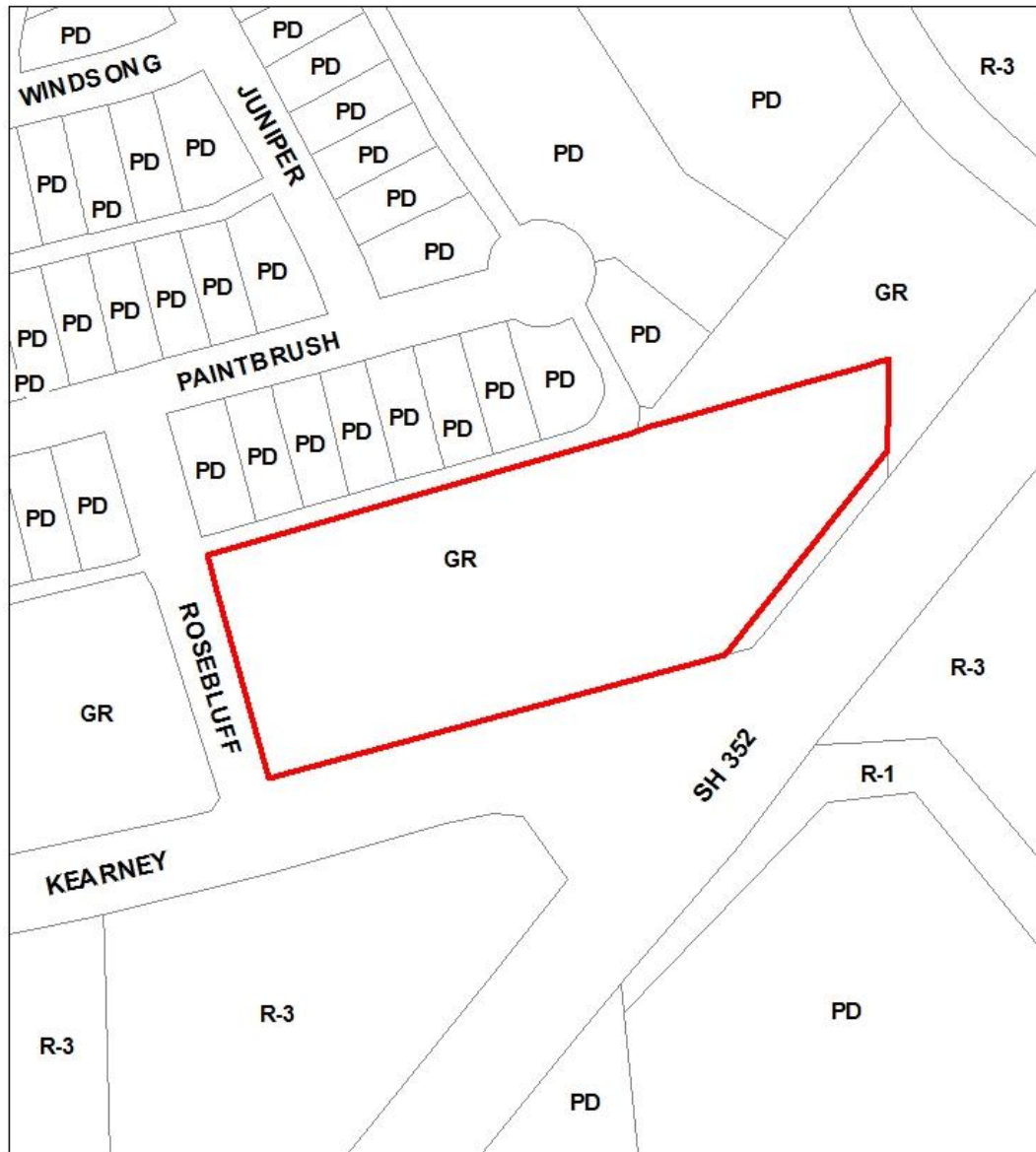
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Legend

 Subject Property
 Noticed Properties



Zoning Map: Zoning Case 1353-39-2017



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Image 1: Street view of 1515 E. Kearney strip center



Image 2: Suite 200 of strip center (positioned in center)



Image 3: Existing pole sign



Image 4: Parking lot near Suite 200



Image 5: Residences northwest of subject property

1353-39-2017

CITY OF MESQUITE ZONING APPLICATION	Receipt No. <u>041916</u>	Date Stamp: RECEIVED FEB 22 2017 PLANNING AND ZONING
	Fee: <u>\$00.00</u>	
	Case Manager: <u>LS</u>	

REQUESTED ACTION:

Change District Classification to: _____	Conditional Use Permit for: <u>Used Merchandise</u>	Amend Special Conditions of Ordinance # _____ <small>(Explain Below)</small>
Additional explanation of requested action: <u>Resale and Consignment Store</u>		

SITE INFORMATION/GENERAL LOCATION:

LOCATION/LEGAL DESCRIPTION:

Current Zoning Classification: _____ Site Size: <u>1200</u> (Acres or <u>Square Feet</u>) Address (if available): <u>1515 E. Kearney St. Ste. 208</u> General Location Description: <u>Resale and Consignment Shop</u>	Complete one of the following: 1. Platted Property Addition: <u>Meadow Creek Retail</u> Block: <u>1</u> Lot: <u>1</u> 2. Unplatted Property: Abstract: _____ Tract: _____
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APPLICANT INFORMATION:

Contact: <u>Amber Wilkins</u>	Phone: <u>214.554.3561</u>
Company: <u>Upscale Resale</u>	Fax: () -
Address: _____	E-mail: <u>Amber@83@gmail.com</u> <small>(Required)</small>
Signature: <u>[Signature]</u>	Owner <input type="checkbox"/> Representative <input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Buyer <input type="checkbox"/>

OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:

1. 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. 2. I hereby designate the person named above as applicant, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite in the processing of this application. 3. 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.	
Owner: <u>CLAYTON ALEXANDER L.P.</u>	Phone: <u>(214) 597-7598</u>
Address: <u>4910 DUBLIN CREEK LANE</u> <u>PARKER, TX 75002</u>	Fax: () -
Signature: <u>Therese Alexander</u>	E-mail: <u>TA1215@ADL.COM</u>

UpScale Resale
FAMILY OWNED

Community based resale shop

One man's trash is another man's treasure!

1515 E Kearney St
Mesquite Tx 75149

p. 214-554-3561
f. [Fax]

Amberlea83@gmail.com
FB

Description of Business

I have always had a passion for helping others in the community. I feel that this store will help bring new jobs to the community and help struggling families afford the simple things we take for granted daily. We accept donations; however, we will be choosy when it comes to what we put on our shelves. All donations we can't shelve will be donated to local charities like schools, churches, and local organizations to help those less fortunate.

Company Ownership/Legal Entity

This will be a family owned business with family values integrated into its structure. I plan on eventually opening additional locations in the near future.

Location

The location I have chosen will be at 1515 e Kearney St in Mesquite TX. I feel this is a great location based on the most recent demographics and local traffic. There are over 52,000 homes in the community and over 3,000 people per square mile with a median household income of 50,000 as of 2013. (See attached demographics)

There will need to be signage viewable from the main highway to attract more consumers. We will have a sign created for the front of the store and I would also like to have a strip mall sign in place.

Interior

The interior of this unit is a perfect start up location. It has wide open space and a room for storage and an office area. A dressing room will have to be installed so consumers can try on clothes. The only other structural change needed is the front room is closed off from the rest of the building, I would like to open it up to expand the length and visibility of the store.

Hours of Operation

Monday through Sunday 10-7. Closed on Thanksgiving Day, Christmas Day, and New Year's Day.

Products and Services

We will offer gently used clothes for ages 0-50. We will also have household items such as furniture, art, dishes, linens, toys, and some new items will be displayed as well.

Suppliers

My main suppliers will be through the community's donations. I will also attend several Storage auctions monthly to build my inventory and keep the shelves full. Post cards will be sent out into the community letting the community know what we are and when scheduled pick up days will be. If the donator needs a tax write off form one will be left on the door step accordingly.

Management

I have been in a management position for a total of ten years now. I have learned the ins and outs of how to run a successful business from the ground up. I have developed a very diverse coaching style that has proven to be very useful while connecting with my employees. My plan is to be an owner-operator as much as possible. I will be in the store 20-30 hours weekly and be in the field an additional 20-30 hours collecting inventory and reaching out to the community.

Financial Management

My business will be profitable because I will be selling donated/auctioned items at a reasonable price. My startup costs are minimal because of this and my overhead is relatively low. A break down is below.

Fixed Costs



Rent \$1500.00 a month



Internet and phone \$150.00 a month

Variable costs



Electricity \$200-350 a month



Employee Pay \$8 per HR. = \$1400 a month



Recycled clothing, furniture, and household items= Free or store credit issued

One-time costs



Construction for dressing room and wall \$2500

Pricing Guns \$100.00



Hangers with U-Line 144 a carton @ \$38e = \$380.00



Cash register = \$100.00



Shelving and racks= \$500.00

UPSCALE RESALE
FAMILY OWNED

GRAND OPENING EVENT

Come save money on great clothes and household items with our huge grand opening sale!! We have everything you need in one place with the best prices. Don't miss out on deals for the whole family!!!

Please bring any donations in during business hours only. Please be sure the clothes or items are clean and in good repair.

March 1st

2017

**Best deals on
everything**

**The more you buy
the more you
save!**

**Bring a friend get
10% off!!!!**

**Donations
accepted for store
credit!**

1515 E Kearney st
Mesquite Tx
Suite 200

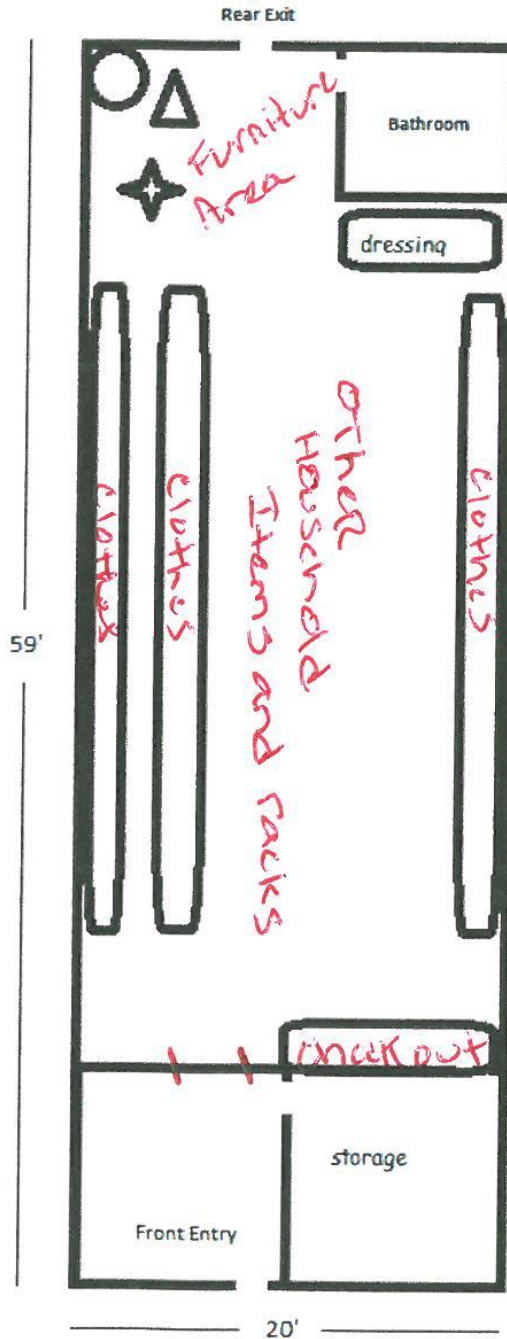
214-554-3561

Open 10-7 everyday

0001	CHARITY RAFFLE DRAWING WILL BE HELD MARCH 7 1ST PRIZE \$75 2ND PRIZE \$40 3RD PRIZE \$10 DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	CHARITY RAFFLE NAME: PHONE: EMAIL: DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	NO. 0001
0002	CHARITY RAFFLE DRAWING WILL BE HELD MARCH 7 1ST PRIZE 100 2ND PRIZE \$40 3RD PRIZE \$10 DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	CHARITY RAFFLE NAME: PHONE: EMAIL: DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	NO. 0002
0003	CHARITY RAFFLE DRAWING WILL BE HELD MARCH 7 1ST PRIZE 100 2ND PRIZE \$40 3RD PRIZE \$10 DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	CHARITY RAFFLE NAME: PHONE: EMAIL: DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	NO. 0003
0004	CHARITY RAFFLE DRAWING WILL BE HELD MARCH 7 1ST PRIZE 100 2ND PRIZE \$40 3RD PRIZE \$10 DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	CHARITY RAFFLE NAME: PHONE: EMAIL: DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	NO. 0004
0005	CHARITY RAFFLE DRAWING WILL BE HELD MARCH 7 1ST PRIZE 100 2ND PRIZE \$40 3RD PRIZE \$10 DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	CHARITY RAFFLE NAME: PHONE: EMAIL: DO NOT HAVE TO BE PRESENT TO WIN / DONATION - 1	NO. 0005

1515 Kearney St

Suite 200 Floor Plan





CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

LOCATION: 1515 E. Kearney St., Suite 200

FILE NUMBER: 1353-39-2017

APPLICANT: Amber Wilkins

REQUEST: From: GR, General Retail
To: General retail with a conditional use permit to allow sale of used merchandise for a resale and consignment store with a Conditional Use Permit for Resale and consignment store

The requested Zoning Change would allow the property to be used for Resale and consignment store in addition to other uses allowed in General retail with a conditional use permit to allow sale of used merchandise for a resale and consignment store Districts.

LEGAL DESCRIPTION

Meadow Creek Retail Phase 1 Replat, Block A, Lot 1

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, March 27, 2017, in the City Council Chambers of City Hall located at 757 N. Galloway Ave.

The City Council will hold a public hearing on this request at 7:00 p.m. on Monday, April 17, 2017, in the City Council Chambers located at 757 N. Galloway Ave.

Questions pertaining to this case may be directed to the Planning Division at (972) 329-8543.

REPLY FORM

As a property owner within 200 feet of the property, you are urged to attend the public hearing to give your opinion on the zoning request. Your written reply is also important and will be considered by the Commission and the Council. The reply form (below) is provided to express your opinion on this matter. This form should be returned to the Planning Division by March 22, 2017, (no faxes, e-mails, or calls).

(Complete and return)

Do not write on the reverse side of this form.

Zoning Case: 1353-39-2017

I am in favor of this request

I am opposed to this request

Reasons (optional):

Name:(required)

Address:(required)

HOWARD HABIB
1541 JUNIPER
LW MESQUITE TX 75147

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

MESQUITE

T E X A S
Real. Texas. Service.

CITY OF MESQUITE PLANNING AND ZONING COMMISSION NOTICE OF PUBLIC HEARING

LOCATION: 1515 E. Kearney St., Suite 200

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(Complete and return)

Do not write on the reverse side of this form.

Zoning Case: 1353-39-2017

I am in favor of this request

Name:(required)

Address:(required)

MATTHEW HEIDELBAUGH
1612 PAINTBRUSH

I am opposed to this request

MESQUITE, TX

Reasons (optional):

DO NOT WANT A RESALE OR CONSIGNMENT

STORE THAT CLOSE TO MY PROPERTY. IF IT DOESN'T
MEET CURRENT, IT SHOULD BE DENIED.

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