

FILE NO.: Z0517-0005

P&Z HEARING DATE: June 12, 2017
COUNCIL DATE: July 3, 2017

GENERAL INFORMATION

APPLICANT: Matthew Maly, Dunaway Associates

REQUESTED ACTION: A Zoning Change from R-1, Single Family Residential to GR, General Retail

LOCATION: 1836 Wilkinson Road and 440 E. Cartwright Road

SITE BACKGROUND

EXISTING LAND USE AND SIZE: The subject properties are 11.556 acres in size. 440 E. Cartwright Road is undeveloped while 1836 Wilkinson Road contains a house along with a barn and a detached garage.

SURROUNDING LAND USE AND ZONING (see attached map): To the east and west are single family homes on land zoned R-1. The vacant property to the south is undeveloped land and is zoned R-1. To the north, across E. Cartwright Road, are single family homes zoned Planned Development – Single Family Residential.

ZONING HISTORY: 1959: Annexed and zoned R-1, Single Family Residential

PLATTING: The property is contained within the unrecorded Nile Valley Addition, meaning that platting was never completed. A plat will be required with development.

GENERAL: The applicant is requesting a Zoning Change to accommodate future development of a 36,000 +/- square-foot grocery store located at the southeast corner of E. Cartwright Road and Wilkinson Road. It should be noted that the requested Zoning Change would allow the property to be used for any uses allowed by right in the General Retail zoning districts. (See *Mesquite Zoning Ordinance* Section 3-203: "Schedule of Permitted Uses" ([online](#)) for a list of use permitted in the GR district.) In summary, the GR district would allow retail, personal service, general office, medical services, restaurants, business services, minor auto repair, miscellaneous repair, etc.

REQUEST FOR ZONING RECLASSIFICATION

ATTACHMENT 4: SITE PHOTOS

This request is a straight rezoning request. Unlike a request for a Conditional Use Permit or a Planned Development, a straight rezoning request does not involve consideration of a concept plan. The purpose of rezoning is to make adjustments to the official zoning map that are necessary in light of changed conditions, changes in public policy, to conform to the City's comprehensive plan or other applicable plans, or to advance the general welfare of the City. In this case, the requested rezoning is to allow a use that is not permitted under the current R-1, Single Family Residential zoning.

The proposed rezoning is not consistent with the Mesquite Comprehensive Plan. Staff has prepared a Comprehensive Plan amendment to run concurrent with this request for the Commission's consideration and is listed as a separate item on the agenda. Staff has prepared a separate memo for the Comprehensive Plan amendment; however, the rezoning and comprehensive plan amendment will be presented together at the public hearing.

If the Zoning Change is approved, the property will be subject to all development standards in City of Mesquite's ordinances applying to a nonresidential development. These standards included but are not limited to landscaping, screening, parking, lighting, architectural, driveways, drainage, utilities, and setbacks.

STAFF COMMENTS

Mesquite Comprehensive Plan

The subject site, according to the *Mesquite Comprehensive Plan*, is designated as Low Density Neighborhood within a low density Community Area. The Low Density Neighborhood designation is intended for "lower than average densities to provide larger lots and increased privacy, thereby assuring that a full range of housing choices are available in the City." Currently, the subject site is zoned R-1, Single Family Residential which consistent with the Low Density Neighborhood designation. To rezone the subject property to General Retail that counters the land use designation identified by the Comprehensive Plan will require an amendment to the Plan. Staff has prepared an analysis of the possible Comprehensive Plan in the accompanying memo.

Zoning Ordinance Sec. 3-101: Nonresidential Districts Established and Purpose

The *Mesquite Zoning Ordinance* describes the purpose of the General Retail designation:

The GR district is established to accommodate the sale of convenience goods and personal services primarily for persons residing in surrounding neighborhoods.

Analysis

The site occupies more than 11 acres and could provide adequate space for retail development. The proposed has been reviewed from the standpoint of providing sufficient transportation access and utilities (e.g., water, sanitary sewer, stormwater drainage). Both water and sewer service are provided by the City. The development, if approved, will need to extend the necessary utilities to subject property and make necessary drainage improvements as required by City ordinances. The eastern portion of the property is adjacent to a creek that is a significant tributary of South Mesquite Creek. North of Cartwright Road this creek is a large fully lined concrete channel with significant water flows. The applicant will be required to complete a hydraulic study to determine the floodplain limits which may limit the amount of developable land and require significant drainage improvements.

The applicant has provided a preliminary Traffic Impact Analysis for the proposed 36,000 square-foot grocery store. This report has been reviewed by City's Traffic Engineering Department and they support its conclusions. The preliminary TIA indicated that a 36,000 square-foot grocery store will generate additional traffic on E. Cartwright Road and Wilkins Road; however, it would not change the level-of-service for E. Cartwright Road or for Wilkinson Road. Changing the zoning will add additional cars on nearby roads, but it is not expected to negatively impact the capacity of the roads and/or congestion at the traffic light at E. Cartwright Road and Wilkinson Road.

A Zoning Change to General Retail is not consistent with the *Mesquite Comprehensive Plan's* vision of a Low Density Residential Neighborhood. Based on current policy as dictated by the Comprehensive Plan, the proposed rezoning should not be approved. If the Commission is supportive of this request, then the Commission should recommend amending future land designation for the subject site to a future land use designation that supports General Retail zoning.

RECOMMENDATION

Staff recommends denial of a Zoning Change from R-1, Single Family Residential to GR, General Retail.

PUBLIC NOTICE

Notices were mailed to property owners within 200 feet of the subject property. As of June 8, 2017, eight community response forms have been returned in opposition.

ATTACHMENTS



- 1 – Aerial Map
- 2 – Public Notification Map
- 3 – Zoning Map
- 4 – Site Photos
- 5 – Returned Public Notices
- 6 – Traffic Engineering Memo

Zoning Map: Zoning Case Z0517-0005



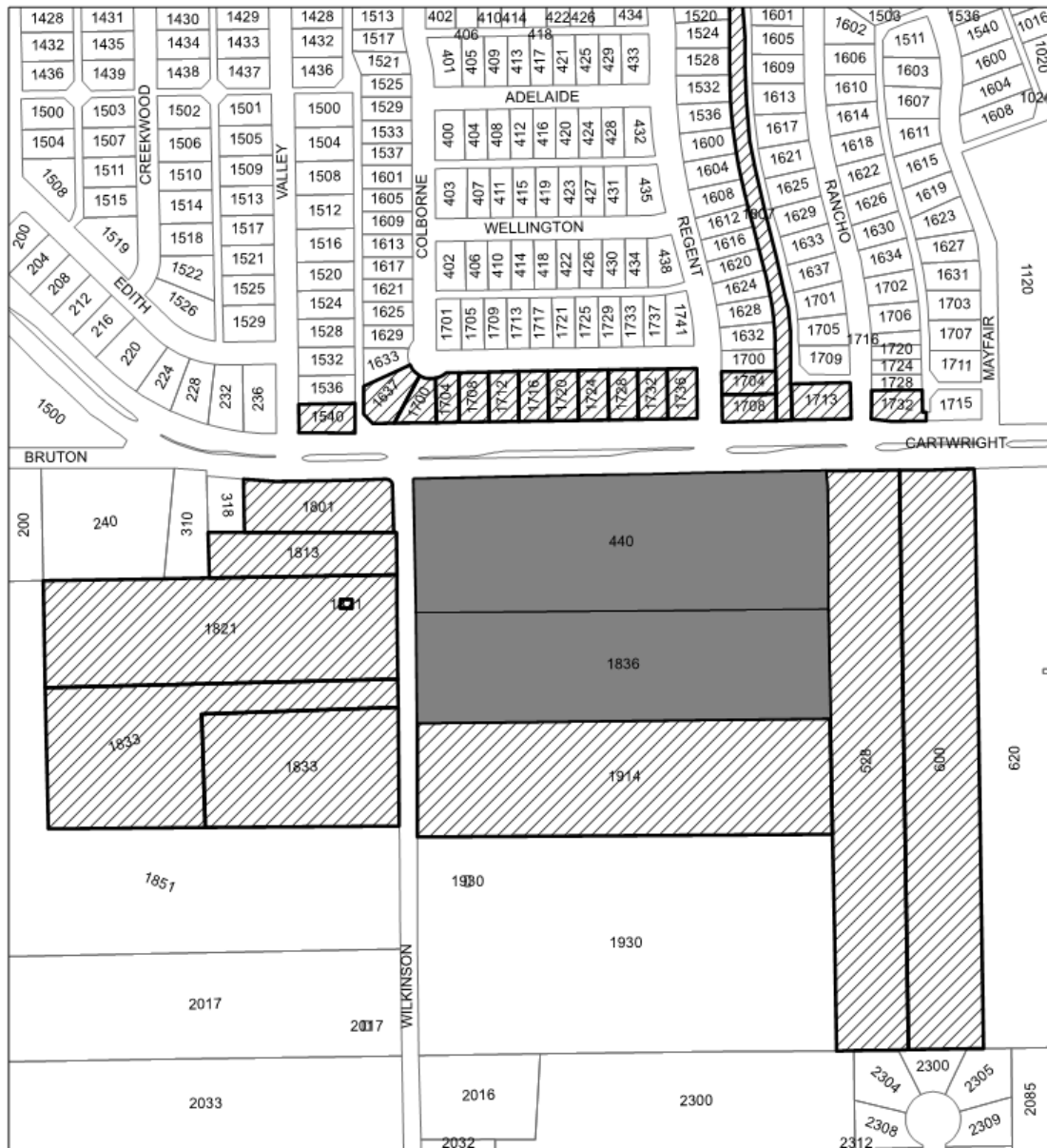
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Legend

-  Subject Property
-  200' Noticed Properties



Notification Map: Zoning Case Z0517-0005



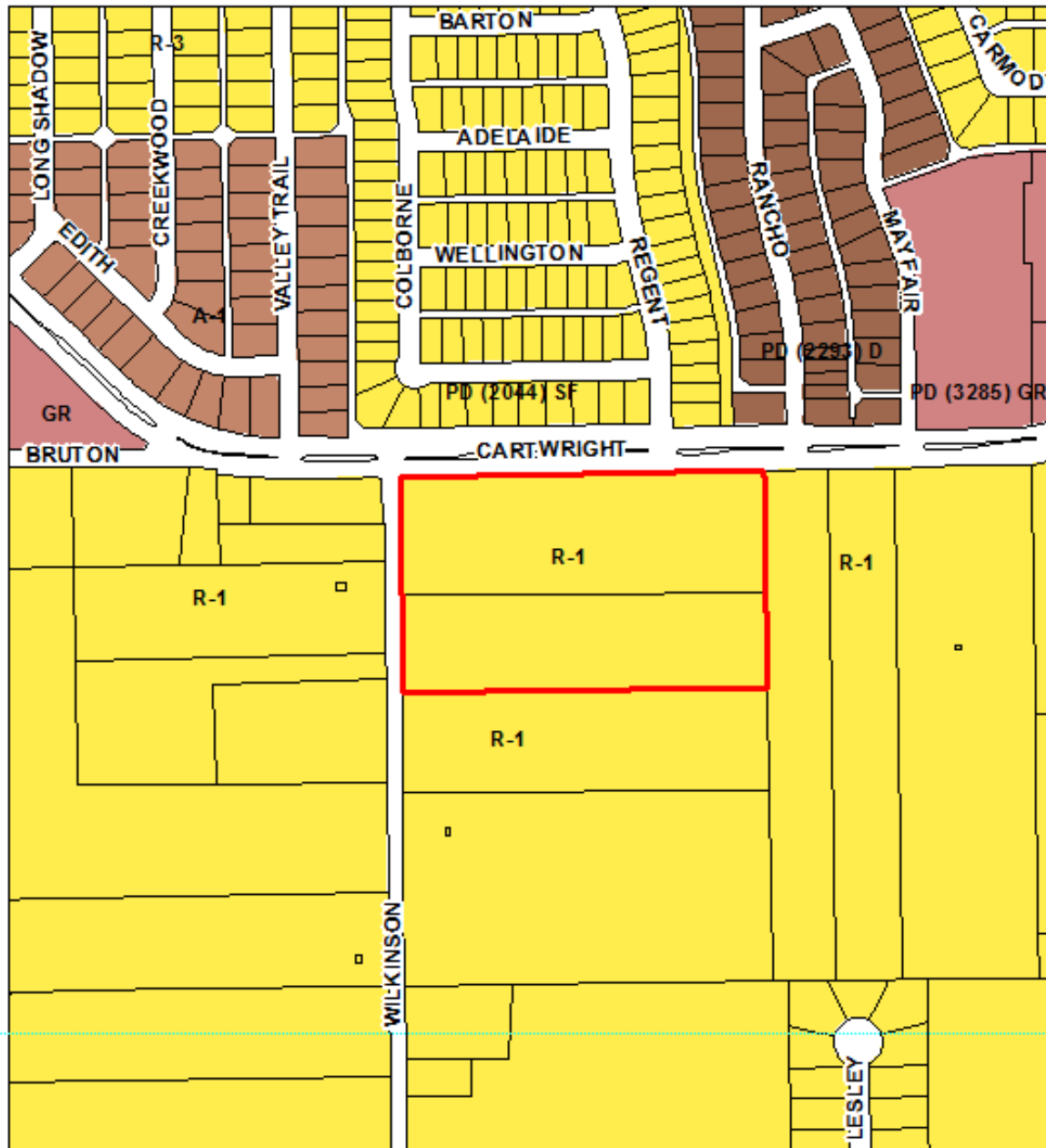
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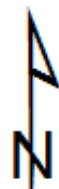




Image 1: View of subject property from the Cartwright/Wilkinson intersection



Image 2: View of subject property from the north side of E. Cartwright Rd



Image 3: View of E. Cartwright Rd. The subject property is on the right side.



Image 4: Single family homes north E. Cartwright Road



Image 5: Home at the SWC of E. Cartwright Rd and Wilkinson.