

**FILE NO.:** Z1117-0016

**P&Z HEARING DATE:**

November 27, 2017

**COUNCIL DATE:**

December 18, 2017

### GENERAL INFORMATION

**APPLICANT:** Andrea Simpson Perez, Aim High Bounce

**REQUESTED ACTION:** Conditional Use Permit to allow an indoor recreation facility

**LOCATION:** 1210 W. Scyene Rd., Suite B

### SITE BACKGROUND

**EXISTING LAND USE AND SIZE:**

The approximately 29,200 square-foot site is developed with a commercial strip center that is occupied by a host of different uses and tenants, including an existing indoor recreation facility offering indoor baseball.

**SURROUNDING LAND USE AND ZONING (see attached map):**

North: Industrial; developed with commercial uses  
South: Light Commercial; the tract directly Southwest of the subject property is undeveloped; the adjacent tract is developed with commercial uses  
East: Commercial; developed with commercial uses  
West: Commercial; commercial strip center

**ZONING HISTORY:**

1951: Annexed and zoned Residential  
1955: Rezoned to A-2, Multi-Family  
1964: Rezoned to C, Commercial  
1984: Conditional Use Permit approved to allow for indoor recreation and a metal building with masonry front  
1986: Conditional Use Permit to allow 4 video games  
1990: Conditional Use Permit to allow 16 video games  
1991: Conditional Use Permit to allow teen club

- 1992: Conditional Use Permit to allow indoor batting cages
- 1996: Conditional Use Permit to allow indoor go-carts
- 2006: Rezoned to C, Commercial with Military Parkway-Scyene Corridor Overlay District
- 2009: Conditional Use Permit to allow indoor sports instruction (Suite A)
- 2012: Conditional Use Permit to allow ambulance and dispatch service (Suite D); expired
- 2015: Conditional Use Permit to allow ambulance and dispatch service (Suite D);
- 2015: Conditional Use Permit to allow indoor sports instruction (Suite B)

**PLATTING:** Blue Bell Heights 2, Lot 3, Block A

**GENERAL:** The applicant; Aim High Bounce, is proposing to expand their business to Mesquite to operate an indoor recreation facility in an approximately 7,000-square foot tenant space. The proposed indoor recreation facility will include an office, gift shop, party tables and additional seating, an arcade with 7 game machines, an air hockey area and a restroom. The applicant's existing location is in Forney, TX. Previous Conditional Use Permits for similar uses have been approved for the site and Suite B, in general. The most previous tenant in Suite B operated an indoor sports instruction facility. Additionally, similar uses currently exist on site.

#### **STAFF COMMENTS**

##### **Mesquite Comprehensive Plan**

According to the Comprehensive Plan, the subject property is located within the Corridor Business future land use designation. Corridor areas accommodate general business and commercial activities, generally with limitation of heavier commercial and outdoor storage uses which are not considered appropriate in many sections of the corridors, especially in those areas which are in close proximity to neighborhoods or which serve as gateways into the City. Outdoor storage areas are generally not a desired use in the corridors.

##### **Mesquite Zoning Ordinance**

In addition to being zoned C, Commercial, the property is located within the Military Parkway-Scyene Corridor Overlay District (MP-SC). Established in 2006, 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. The MP-SC Overlay District established a limited number of permitted uses and design standards. Uses not listed in the MP-SC Overlay District as a permitted use, requires approval of a Conditional Use Permit.

**Review Criteria – Mesquite Zoning Ordinance Sec. 5-303**

In reviewing a request for approval of a Conditional Use Permit, the Planning and Zoning Commission and City Council shall consider:

**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 proposed use will be contained within the building and will not involve outdoor activity that may conflict with surrounding uses, including outdoor storage or outdoor display. Similar uses are currently located within the strip center. It is not anticipated that the proposed use will have any adverse impact on adjacent uses, nor will the use substantially diminish property values within the immediate vicinity.

**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 use will not impede the normal and orderly development and improvement of surrounding properties. The proposed use will occupy a lease space within the existing strip center. The proposed use does not require improvements to the subject property.

**Services**

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

Adequate utilities, access roads, drainage and other necessary facilities have been provided and are sufficient to accommodate the demands associated with the request for approval of a Conditional Use Permit to allow indoor recreation.

**Parking**

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

The subject property has adequate parking facilities to support the proposed use and existing uses located within the strip center.

**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 not anticipated that the operation of an indoor recreation facility at this location will constitute a nuisance of any kind.

**RECOMMENDATION**

Staff recommends approval of the Conditional Use Permit to allow for the operation of an indoor recreation facility.

**PUBLIC NOTICE**

Notices were mailed to property owners within 200 feet of the property. No notices have been returned.

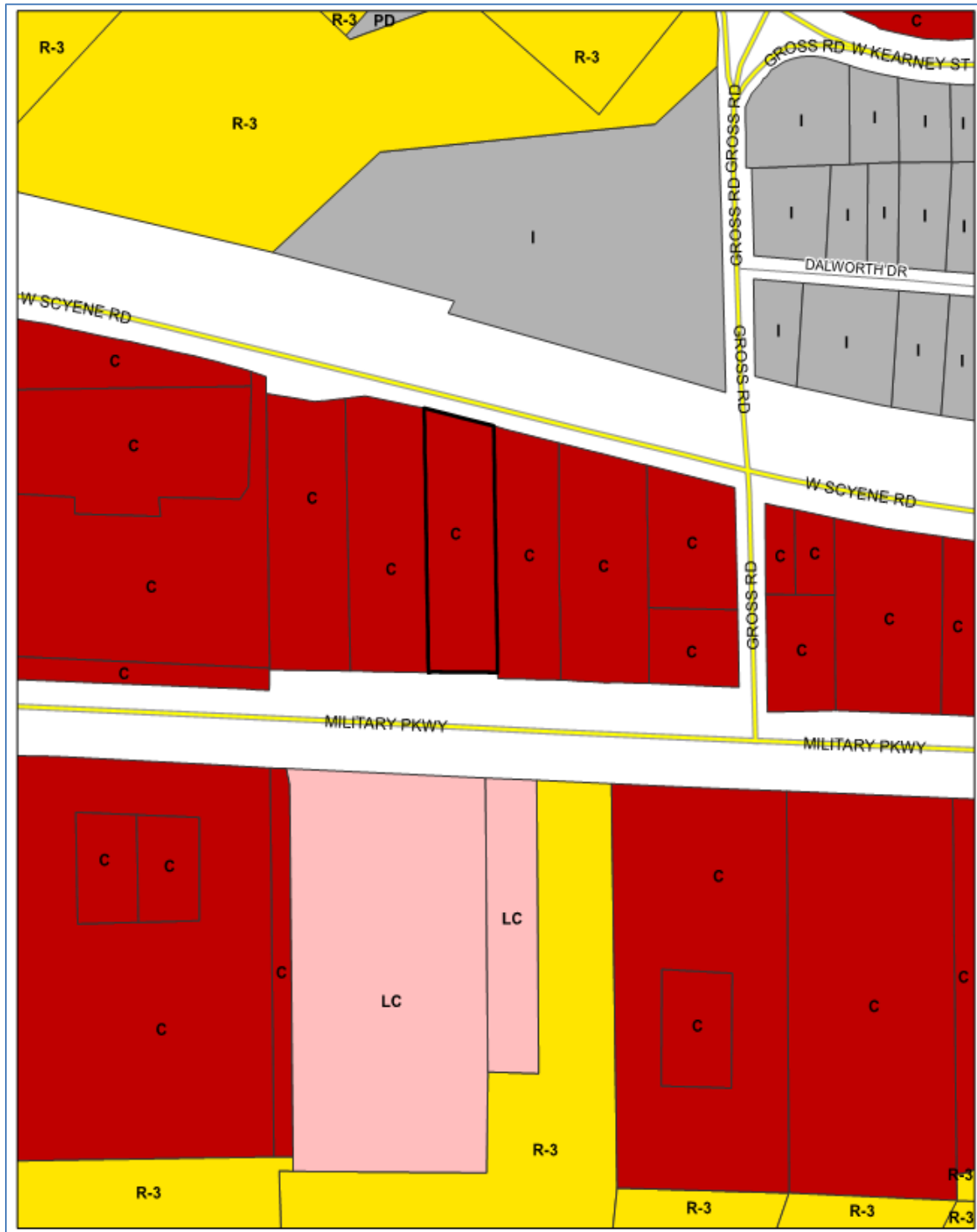
**ATTACHMENTS**

- 1 – Aerial Map
- 2 – Zoning Map
- 3 – Public Notification Map
- 4 – Application
- 5 – Site Photos

**ATTACHMENT 1: AERIAL MAP**



ATTACHMENT 2: ZONING MAP



**ATTACHMENT 3: PUBLIC NOTIFICATION MAP**





**ATTACHMENT 4: APPLICATION**

<b>CITY OF MESQUITE ZONING APPLICATION</b>	Receipt No. <u>044276</u>	Date Stamp:
	Fee: <u>800</u>	
	Case Manager: <u>JM</u>	

<b>REQUESTED ACTION:</b>		
Change District Classification to: <u>CUP</u>	Conditional Use Permit for: <u>Family Entertainment</u>	Amend Special Conditions of Ordinance # _____ <small>(Explain Below)</small>
<b>Additional explanation of requested action:</b> <u>We would like to expand our current business to Mesquite. We will offer birthday parties, indoor bounce houses and an arcade area.</u>		

<b>SITE INFORMATION/GENERAL LOCATION:</b>	<b>LOCATION/LEGAL DESCRIPTION:</b>
Current Zoning Classification: _____ Site Size: <u>7,000 sq ft</u> (Acres or Square Feet) Address (if available): <u>1210 W. Scyene Rd. #B</u> General Location Description: <u>multitenant property with an indoor base-ball park in suite next door</u>	Complete one of the following:  1. Platted Property Addition: _____ Block: _____ Lot: _____  2. Unplatted Property: Abstract: _____ Tract: _____

<b>APPLICANT INFORMATION:</b>	
Contact: <u>Andrea Simpson Perez</u>	Phone: <u>(972) 999-3279</u>
Company: <u>Aim High Bounce</u>	Fax: ( ) _____
Address: <u>11814 Rylie Crest Drive</u> <u>Belen Springs, TX 75180</u>	E-mail: <u>anws81@gmail.com</u> <small>(Required)</small>
Signature: <u>[Signature]</u>	Owner <input type="checkbox"/> Representative <input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Buyer <input type="checkbox"/>

<b>OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:</b>	
<small>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.</small>	
Owner: <u>Abdullah Adham</u>	Phone: <u>(972) 661-2964</u>
Address: <u>Please see attached</u> <u>for signature</u>	E-mail: <u>aadham@msn.com</u>
Signature: _____	



Oct 31 2017 09:40AM HP Fax

page 1

**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 purpose 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 principle 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 that 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: Abdullah Adhiam

Phone: 972 661 7464

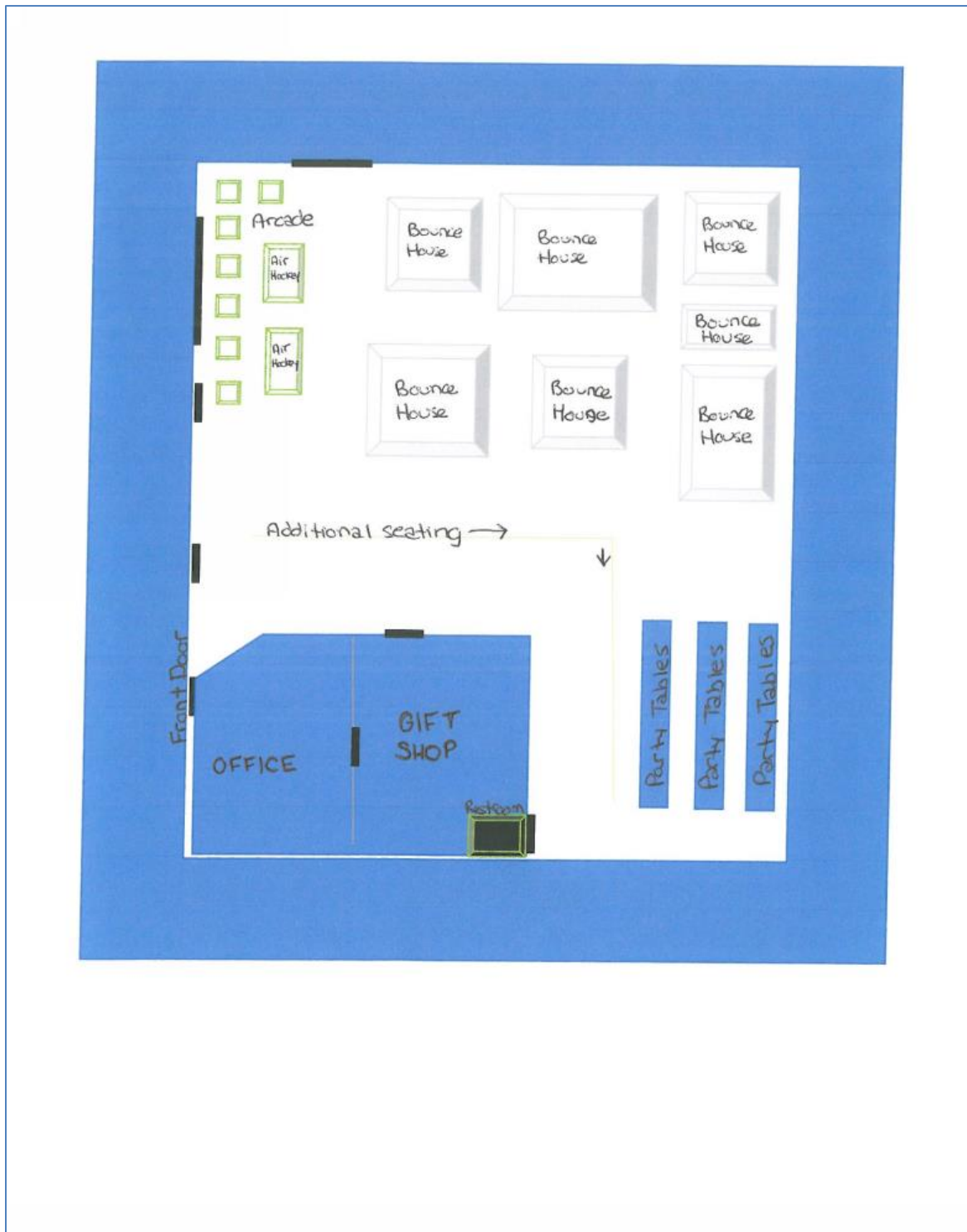
Address: 4460 Valley Creek Dr.  
Dallas, TX 75254

Email: Aadhiam@MSK.com

Signature: Abdullah Adhiam

## Page 10





**ATTACHMENT 5: SITE PHOTOS**



Entrance into the site from Scyene Road.



Photo taken on site looking at existing building.





Entrance into the site from Military Parkway.



Photo taken from Military Parkway looking north at existing building and parking.