

FILE NO.: Z0318-0026

P&Z HEARING DATE:

March 26, 2018

COUNCIL DATE:

April 16, 2018

GENERAL INFORMATION

APPLICANT: Joe Hicks, Cumberland Presbyterian Church

REQUESTED ACTION: Rezone from Planned Development – Single Family to Planned Development Office

LOCATION: 819 N. Town East Boulevard

SITE BACKGROUND

EXISTING LAND USE AND SIZE: The 2.7133-acre property is the site of Cumberland Presbyterian Church. The property is zoned Planned Development – Single Family No. 1427.

SURROUNDING LAND USE AND ZONING (see attached map):

North:	Single family subdivision zoned Planned Development – Single Family.
East:	Car wash zoned General Retail
South:	Single family subdivision zoned Planned Development – Single Family
West:	Grocery store zoned General Retail

ZONING HISTORY:

1971:	Annexed and zoned Residential
1971:	Rezoned to Townhomes
1978:	Rezoned to Planned Development – Single Family

PLATTING: Lot 22, Block 4, Green Canyon Estates (Replat will be required)

GENERAL: The applicant is requesting a rezoning to Planned Development – Office (PD-O) to allow a new office building. Cumberland Presbyterian Church is wanting sell the western portion (.47 acres) of their property to Barbara Cooper who is a member of the church. Ms. Cooper is proposing to build an approximately 3,000 square-foot office building for her accounting firm which is currently located at 3819 Towne Crossing Blvd. Mesquite ISD (MISD) acquired 3819 Towne Crossing in 2016 to houses their administration offices. MISD is continuing to honor the existing leases for the tenants including Ms. Cooper’s accounting firm that are located at 3819 Towne Crossing; however, the leases will not be renewed. Ms. Cooper is now looking to relocate her business to another location preferably within the City of Mesquite.

Cumberland Presbyterian Church is willing to replat the unused portion of their property located next to the Walmart Neighborhood Market grocery store into a separate 0.47 acre lot for Ms. Cooper’s new office building. The concept plan for

the proposed office building is shown in Attachment 4. The newly created lot will be subject to all of the development standards that apply to nonresidential uses. This includes landscaping, parking, screening and architectural requirements. Due to not meeting driveway separation requirements, the new lot will be accessed through the Church's parking lot.

The proposed rezoning not only includes the portion of the property for the new office building but also the rest of the Cumberland Presbyterian Church property. The rezoning of the existing church will not require any changes to the existing development or create any nonconforming issues for the church. By rezoning the entire property to PD-O, it eliminates the setback and screening requirements that would apply to the newly created lot if the church were to remain zoned residential. If the remainder of the church were not included in the rezoning and it retained its current residential zoning, then the new lot for the office building would be required to meet the 25-ft setback from the church's property and would have to provide an 8-ft screening wall between the new office and the church.

The applicant is also requesting as part of the PD to allow a wrought-iron fence with a tree line instead of an 8-ft masonry screening wall along the rear property line adjacent to the residential neighborhood. The new office building is expected to be a low intensity use and would not have any more impact on the residential area to the north than the existing church.

STAFF COMMENTS

Mesquite Comprehensive Plan

The subject property is located within a Neighborhood Community Area as designated in the Mesquite Comprehensive Plan. The Plan states the following regarding Neighborhoods:

The areas are intended primarily for housing, but may accommodate elementary schools and parks in internal locations... Other nonresidential uses which might be permitted, such as churches and neighborhood retail, should be located on the periphery of the neighborhood along an arterial street.

Additionally, the subject property is directly adjacent to the Business Community Area at the intersection of N. Town East Boulevard and Galloway Avenue. The Comprehensive Plan describes business areas as follows:

In addition to retail, personal service and office uses, the general business areas accommodate light commercial-type uses including business, commercial and automotive services and trade contractors where no outdoor storage is involved.

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

The Mesquite Zoning Ordinance describes the purpose of the Office designation:

The O district is established to accommodate professional, management, research, and other similar offices.

Analysis

Given the subject property's position at the edge of a residential area and adjacent to a community business hub, a Zoning Change to PD-Office is consistent with the Mesquite Comprehensive Plan's vision. Allowing for a small office building for an accounting firm on a portion of a property that already has an existing non-residential use (church) is not expected to have any more of an adverse impact on nearby residential lots. The PD-Office zoning will not allow a high intensity uses such as retail. As shown on the concept plan, the new parking spaces will be located in front of the office building and will have no vehicular access to the nearby alley. If the Zoning Change is approved, the property will be subject to all development standards including architectural, setbacks, and screening requirements that apply to the Office zoning district plus any requirements established in the PD.

RECOMMENDATIONS

Staff recommends approval of a Zoning Change from PD – Single-family Residential to PD – Office with the following stipulations:

1. Development of the office building shall conform generally to the concept plan, attached hereto as Exhibit "A," and subject to the City's environmental and site development regulations.
2. Uses shall be limited to those uses permitted by right in the Office Zoning District, as prescribed in the City of Mesquite Zoning Ordinance.
3. In lieu of installing a masonry screening wall along the north property line, a 6-ft wrought-iron fence with masonry columns placed 35 feet on center and with a tree line consisting of large shade trees shall be installed as noted on the Exhibit "A". One tree shall be provided for each 35 linear feet and trees shall be planted no more than 35 feet apart (on center).

PUBLIC NOTICE

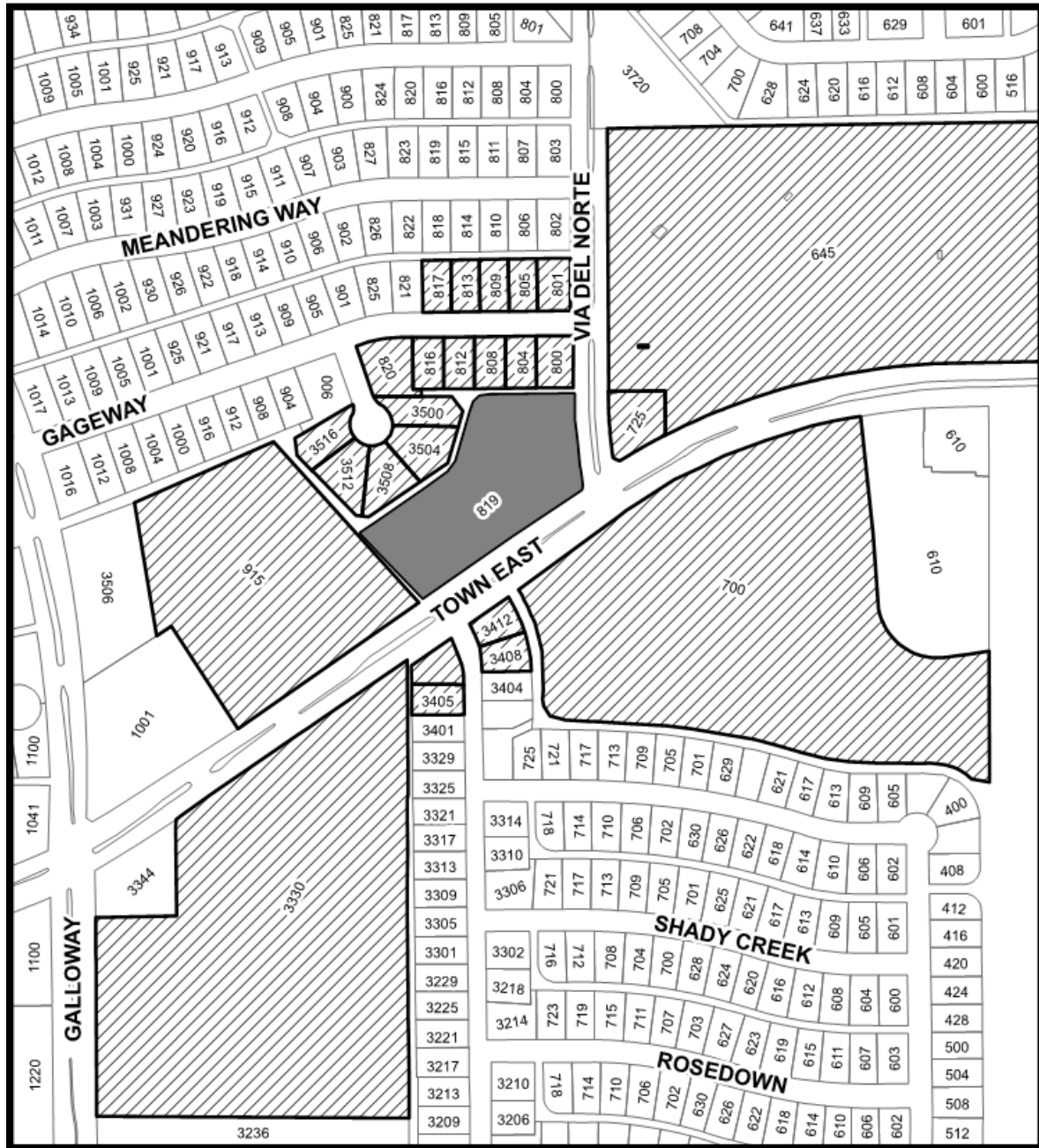
Notices were mailed to property owners within 200 feet of the property. Staff received one response in opposition to the request.

ATTACHMENTS

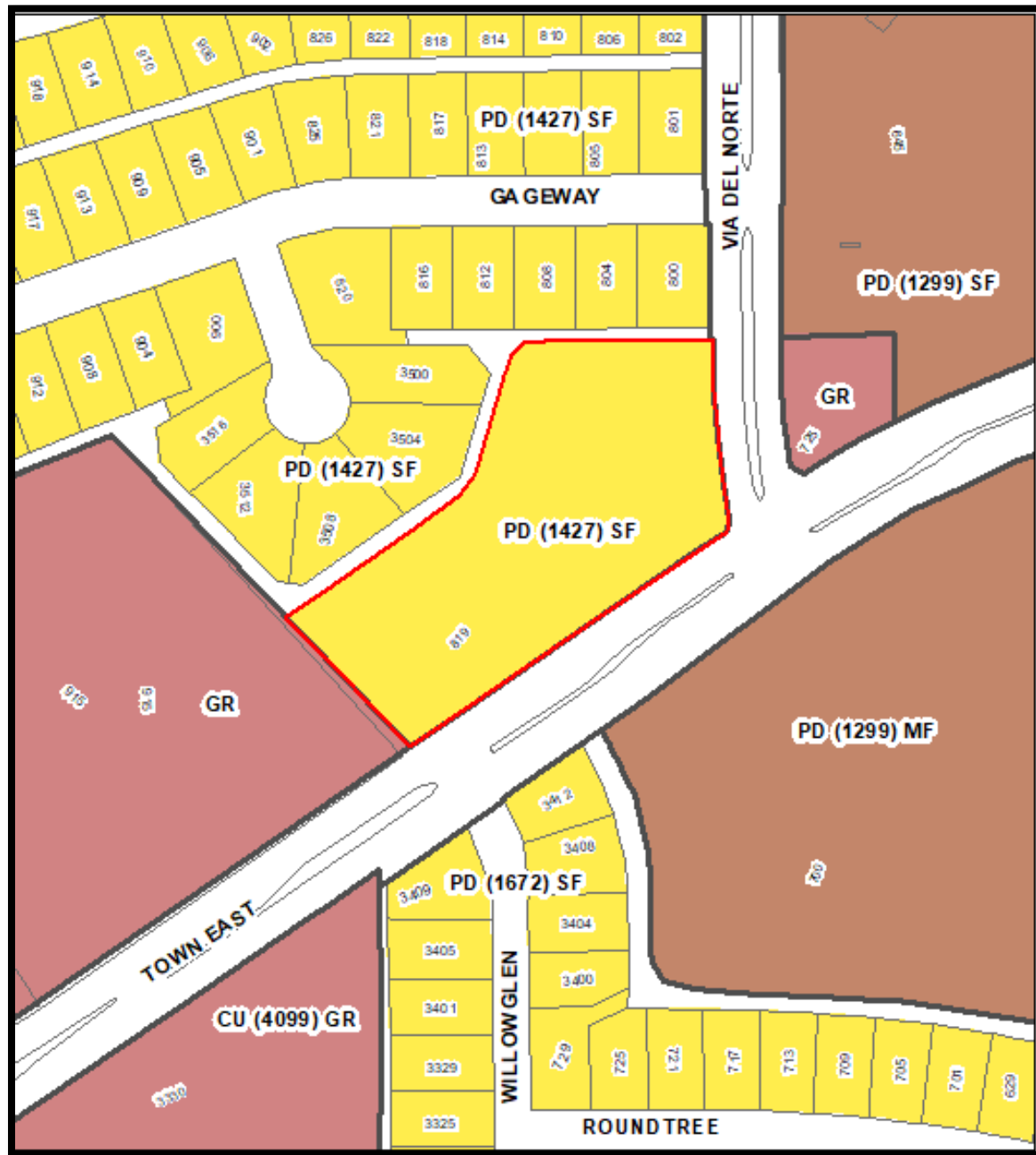
- 1 – Aerial Map
- 2 – Public Notification Map
- 3 – Zoning Map
- 4 – Concept Plan
- 5 – Site Pictures
- 6 – Public Response

ATTACHMENT 1: AERIAL MAP

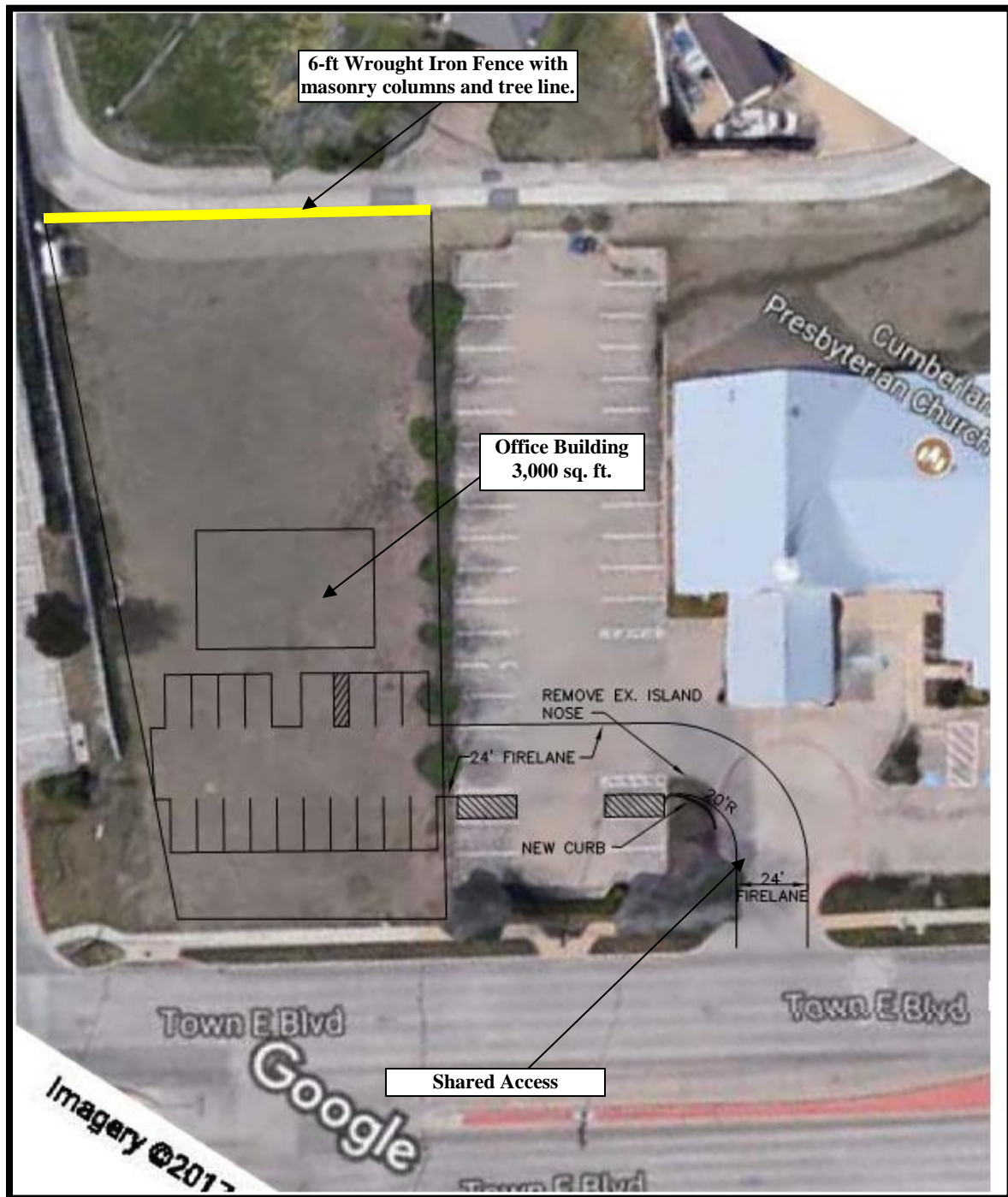




ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – Concept Plan (Exhibit “A”)



Attachment 5 – Site Pictures







Attachment 6 – Public Response



**CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING**

LOCATION: 819 N. Town East Blvd
FILE NUMBER: Z0318-0026
APPLICANT: Joe Hicks, Cumberland Presbyterian Church
REQUEST: From: Planned Development – Single Family #1427
To: Planned Development - Office

The requested Zoning Change would allow an office building for an accounting firm to be located on the property next to the existing church building. The rezoning would also allow other uses permitted in the Office zoning district. A list of permitted uses for each zoning district is available on the City's website at www.cityofmesquite.com/1250/Zoning-Ordinance. The proposed office building will be located to the west of the existing church building and will not involve removal of the existing church building. 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

Green Canyon Estates, Block 4, Lot 22, City of Mesquite, Dallas County, Texas.

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **March 26, 2018**, 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 16, 2018**, 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) 216-6343 or glangford@cityofmesquite.com

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. Any owner of property subject to a proposed rezoning or affected by the proposed rezoning may protest the rezoning by filing a written protest with Planning and Development Services. The protest must be received by 5 pm on **March 22nd** to be included in the Planning and Zoning Commission packet and by 5 pm on **April 5th** to be included in the City Council packet. The protest shall object to the zoning map amendment and be signed by the owner of the property. 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. This form should be returned to the Planning Division.

(Complete and return)
Do not write on the reverse side of this form.

Zoning Case: Z0318-0026

I am in favor of this request

I am opposed to this request

Reasons (optional):

Name:(required)

Address:(required)

CAROL M. CARAPETYAN
805 Gageway Drive
MESQUITE, TX 75150

Please respond by returning to: PLANNING DIVISION