



PLANNING AND ZONING CASE SUMMARY

BACKGROUND

APPLICANT: Brian Lingle, Lingle Engineers

REQUESTED ACTION: Rezone from AG, Agriculture to GR, General Retail

LOCATION: 3401 McKenize Road

CASE NUMBER: Z0318-0029

COMMUNITY RESPONSES: Two responses in opposition

STAFF COMMENTS AND ANALYSIS

The property owner is attempting to assemble undeveloped platted lots into a single lot in order to sale the property for commercial development. There is no proposed end user or developer for the subject property at this time. The applicant is pursuing the rezoning on behalf of the property owner in order to move forward with consolidating the properties.

The undeveloped platted lots are part of the Woodland Park subdivision. These lots front onto Ripplewood Drive and Autumn Drive which are streets that were never built but their right-of-ways (ROW) were dedicated to the City. In order to consolidate the undeveloped lots into one lot, the ROWs must be abandoned along with an existing easement by the City. On February 5, 2018, the applicant requested City Council abandon the unused ROW and easements. However, City Council indicated a desire to review the zoning of the property before moving forward with the abandonment request. As a result, the applicant is proposing to rezone the subject property in order to bring the matter before City Council for their consideration.

RECOMMENDATION

At the April 23, 2018, meeting, the Planning and Zoning Commission voted unanimously (7-0) to recommend to approval to rezone the subject property to Planned Development – General Retail with the following stipulations:

1. All uses permitted by right in the General Retail zoning district are allowed on the property except the prohibited uses listed in Subsections a and b of this paragraph. Uses listed in the Mesquite Zoning Ordinance as permitted by Conditional Use Permit in the General Retail zoning district are prohibited on the Property.
 - a. The following Retail Trade uses are prohibited on the Property:

554	Limited Fuel Sales
5947	Gift, Novelty, Souvenir Shops
5993	Tobacco Stores
 - b. The following Finance, Insurance, Real Estate uses are prohibited on the Property:



61 Nondepository Institutions, including Alternative
Financial Institutions

c. The following Services uses are prohibited on the Property:

75 Automotive Repair, Services – all, including:
7514 Passenger Car Rental
7515 Passenger Car Leasing
752 Automobile Parking (Lots and Structures)
753 Automobile Repair Shops
7542 Car Washes, including Detail Shops
7549 Other Automotive Services