

FILE NO.: Z0518-0034

P&Z HEARING DATE:

July 23, 2018

COUNCIL DATE:

August 20, 2018

GENERAL INFORMATION

APPLICANT: Patrick Roffino, Roffino Construction

REQUESTED ACTION: Amend the current Office-Planned Development (O-PD); Ordinance No. 2042, to allow for additional uses, including beauty salons, restaurants, computer repair stores, retail (clothing, cell phones and eye glasses); and to allow the owner/tenant of a suite to live in a portion of the suite as a live/work unit.

LOCATION: 5115 N. Galloway Ave., Suites 202, 204, 301, 302 and 303.

SITE BACKGROUND

EXISTING LAND USE AND SIZE: The subject property includes approximately 1.5 acres of land and is currently developed with two multi-tenant buildings, with multiple owners. Each tenant space (suite) is owned separately in fee simple. (Due to a taking by TxDot for the widening of IH-635, the property is less than 1.5 acres. However, Staff does not have specific details regarding the amount of land that remains).

SURROUNDING LAND USE AND ZONING (see attached map): North: "SS" Service Station, Exxon; and "GR" General Retail, undeveloped
South: "SF-PD" Single Family Residential Planned Development, duplexes
East: IH-635
West: "GR" General Retail, Kwik Kar Lube and Tune

ZONING HISTORY: 1954: Annexed and zoned Residential
1964: "R-3" Single Family zoning established
1984: Zone change to "O-PD"

PLATTING: Club Estates 4, Block 15, Pt. Lot 1

GENERAL: The applicant is proposing an amendment to Ordinance No. 2042 in order to add additional uses as permitted uses, including live/work units, on the 1.5 acre site. The Gus Thomasson Corridor Revitalization Code defines a live/work unit as a mixed use unit consisting of a commercial and residential function. The commercial function may be anywhere in the unit. It is intended to be occupied by a business operator who lives in the same structure that contains the commercial activity or industry. It typically has a substantial commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominately as work space with incidental residential accommodations that meet basic habitability requirements. According to the

applicant, amending the PD Ordinance No. 2042 to allow such a use and other commercial uses would give a young professional the opportunity to reduce his/her living expenses. The proposed PD amendment will affect Suites 202, 204, 301, 302 and 303.

In 1984, the subject property, inclusive of the property to the south; now developed with duplexes, was undeveloped and included approximately 7.5 acres of land. On July 2, 1984, the subject property was rezoned to "O-PD," Office-Planned Development, while the remainder was rezoned to a Planned Development to allow for the construction of duplexes. The subject property is developed with two multi-tenant buildings, with each tenant space owned separately in fee simple. According to the approved site plan, a third multi-tenant building was to be constructed; however, was never constructed. All buildings included a total of 6,500 square feet of first floor area and 1,400 square feet of space identified as loft space, for a total of 7,900 square feet for each building. The site plan illustrated a total of 79 parking spaces. Multiple variances and revisions were approved to the site plan which resulted in reductions in the square footage of the third building (which was not constructed), modifications to the parking layout at the south side of the property, an additional drive approach onto Galloway Avenue, parking in the front yard setback, which was not permitted during that time.

The building closest to Oates Drive includes four suites; Suites 301, 302, 303 and 304. According to the applicant Suites 302 and 303 are the only suites which include a loft space upstairs and both suites are currently vacant. According to the applicant the loft spaces include 500 square feet each. The second building includes five suites; Suites 202, 203, 204, 204 A and 204 B. The only suites involved in the proposal for the PD amendment are Suites 202, 204, 301, 302 and 303. All occupied suites are occupied by office uses such as doctor's offices, in-home care offices, court reporters, etc. Currently, there are two existing drive approaches onto Galloway Avenue and one drive approach onto Club Estates Place. There are a total of 49 striped parking spaces. Due to the proposed expansion of IH-635 by TxDot, several parking spaces along the property's frontage no longer exist and the expansion may affect the number of drive approaches onto Galloway Avenue.

STAFF COMMENTS

Mesquite Comprehensive Plan

The Mesquite Comprehensive Plan designates this area as being located within the Neighborhoods-Retail Limitation designation. The intent of the aforementioned designation is for small-scale retail and personal services offering only those goods which are used most frequently as a convenience to the immediately surrounding residents, as opposed to offering a full range of business services.

Analysis

The existing “O” zoning district was established to accommodate professional, management, research and other similar office uses. Office uses require one parking space for each 300 square feet of floor area. Based on the site plan provided by the applicant, each building includes 6,447 square feet, with each tenant space ranging in size from 1600 square feet to 1900 square feet, according to the applicant. Introducing additional uses to the site, as permitted uses, would change the onsite parking requirements. Pursuant to Section 3-400 of the Mesquite Zoning Ordinance, whenever there is a change in use or when a building site is used for a combination of uses and/or multiple tenants, the parking requirement shall be the sum of the requirements for each type of use. The below table illustrates parking required for each proposed use:

Land Use	Parking Standard
Beauty Salon	1 parking space/each 250 sq. ft.
Computer Repair	1 parking space/each 300 sq. ft.
Dwelling (Live/Work Unit)	2 parking spaces/dwelling unit
Restaurant	1 parking space/each 3 seats; or 1 parking space/100 sq. ft., whichever is greater
Retail	1 parking space/each 250 sq. ft.

There are currently 49 existing, striped parking spaces on site. There is a paved area near the entrance onto Club Estates Place which could accommodate an additional 11 parking spaces as indicated on the site plan and an opportunity for an additionally 3 parking spaces in a grassy area near the south side of the property; for a total of 63 parking spaces. The grassy area of the site where the third building was proposed could accommodate additional parking. However, the applicant has indicated the desire to build the third building in the future. Future development of the third building may be restricted due to current parking, landscaping and lot coverage requirements.

RECOMMENDATION

Due to the parking demands for a restaurant, Staff is unable to recommend approval of a restaurant at this location. Staff recommends approval of the following uses and the following conditions:

1. Retail to include stores that provide clothing, cell phone and eyeglass sales only
2. Computer repair
3. Beauty salon
4. Live/work unit
 - o Units shall be retrofitted to meet the requirements of a dwelling unit including living, sleeping, kitchen and bathroom facilities.
5. Site Plan review by the Development Review Committee for the parking lot expansion is required prior to the issuance of a Certificate of Occupancy (CO) for a new use.
6. All parking must be in place prior to the issuance of a CO for a new use.

PUBLIC NOTICE

Notices were mailed to property owners within 200 feet of the subject property. As of the date of this writing, Staff has received three returned notices; 1 in favor and 2 in opposition to the request. The two notices returned in opposition to the request are from a single property owner who owns two lots within 200 feet of the site.

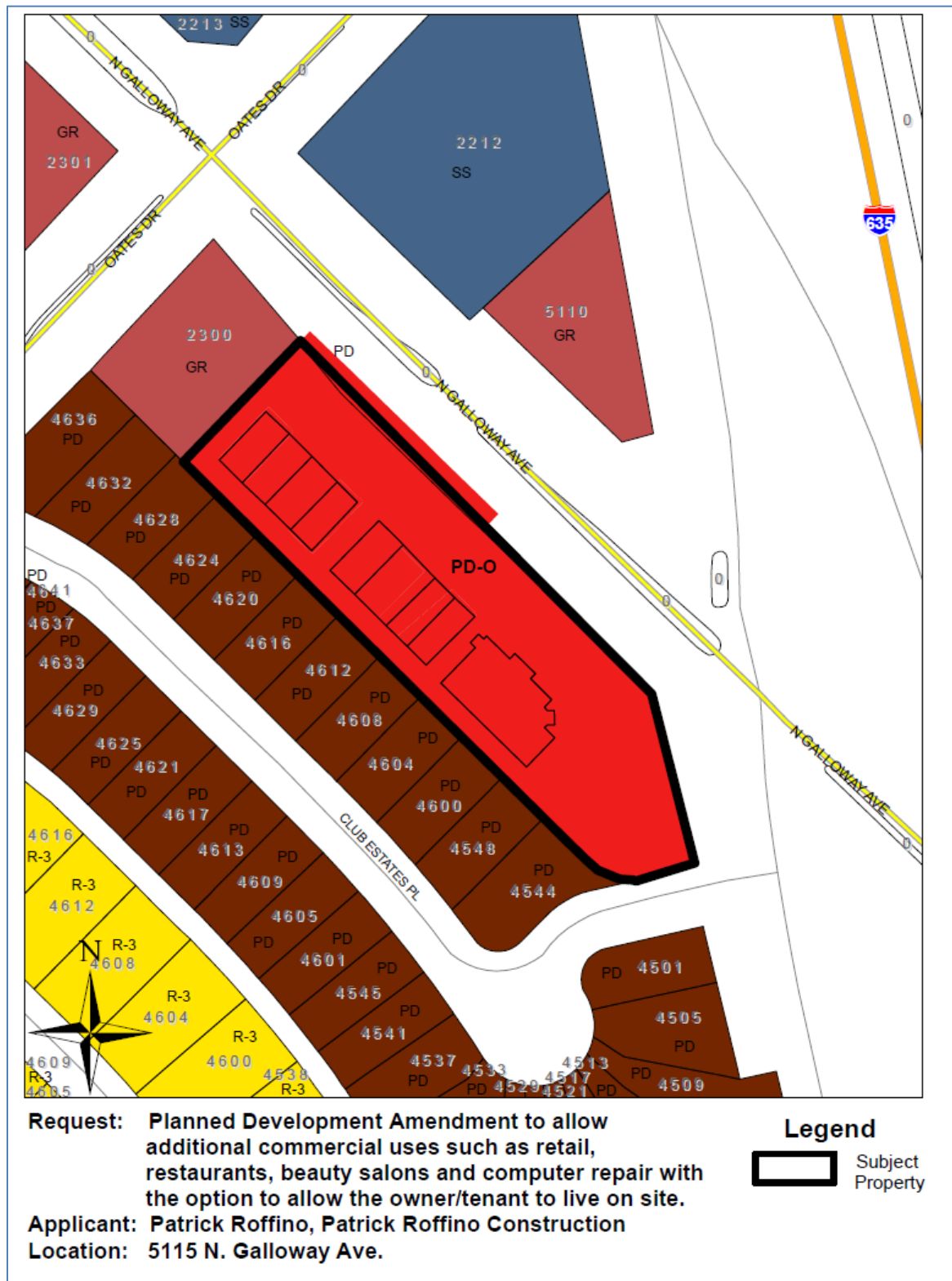
ATTACHMENTS

- 1 – Aerial Map
- 2 – Zoning Map
- 3 – Public Notification Map
- 4 – Site Plan (provided by applicant)
- 5 – Site Photos
- 6 – Returned Notices

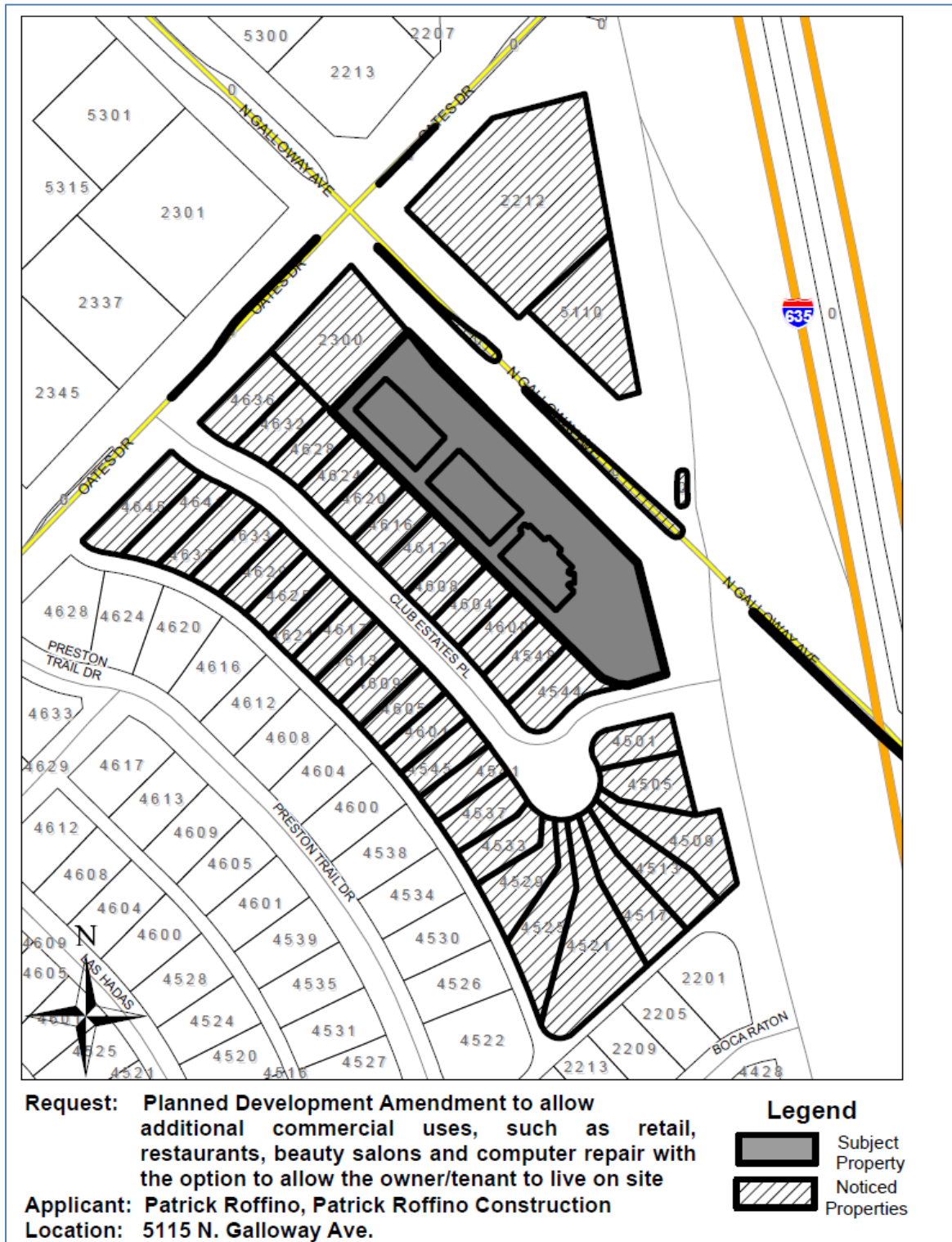
ATTACHMENT 1 – AERIAL MAP



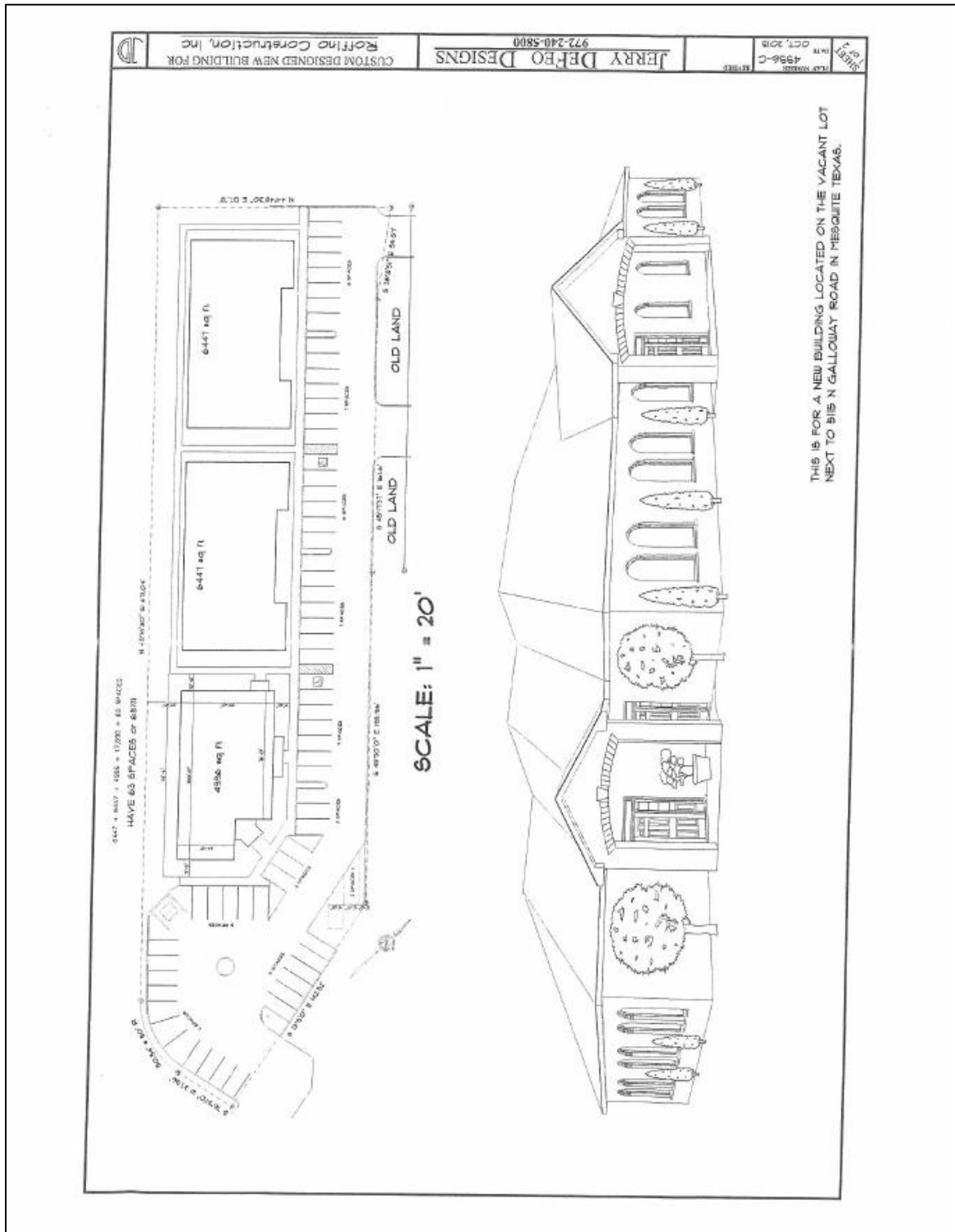
ATTACHMENT 2 – ZONING MAP



ATTACHMENT 3 – PUBLIC NOTIFICATION MAP



ATTACHMENT 4 – SITE PLAN



ATTACHMENT 5 – SITE PHOTOS



Photo of the subject property looking at the two existing buildings taken on the north side of Galloway Avenue.



Photo taken onsite looking at parking in front of the building which no longer exists due to the proposed expansion of IH-635 by TxDot.



Additional parking that no longer exists due to the proposed expansion of IH-635 by TxDot.



Photo taken on site looking at grassy area where third building is proposed in the future.



Photo taken on site near the drive approach onto Club Estates Place.



Club Estates Place entrance.



Photo of grassy area onsite where 3 parking spaces are proposed on the site plan.



**Photo of grassy area on site, and identified on the site plan as including 2 parking spaces.
However, area appears to be offsite.**

ATTACHMENT 6 – RETURNED NOTICES



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

RECEIVED
JUL 18 2018
PLANNING AND ZONING

LOCATION: 5115 N. Galloway Ave., Suites 202, 204, 301, 302, 303
(A map is attached for reference.)

FILE NUMBER: Z0518-0034

APPLICANT: Patrick Roffino, Patrick Roffino Construction

REQUEST: From: O, Office-Planned Development
To: O, Office Planned Development, to allow for additional permitted uses including beauty salons, restaurants, computer stores, clothing stores, phone stores; and the option to allow the owner/tenant of a suite to live on site as a live/work unit.

LEGAL DESCRIPTION

Club Estates 4, Block 15, PT. Lot 1

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, July 23, 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, August 20, 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) 329-8523 or jmatthews@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 Wednesday, July 18, 2018** to be included in the Planning and Zoning Commission packet and by **5 pm on Wednesday, August 15, 2018** to be included in the City Council packet. The protest shall object to the zoning map amendment, contain a legal description of the property on behalf of which the protest is made, 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: Z0518-0034

I am in favor of this request

I am opposed to this request

Reasons (optional):

Name:(required)

Address:(required)

Rosalea Cevallos
5339 Waterloo
Mesquite TX 75150

young people have College Debt - this can
help them save Cost & live on site

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



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

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(Complete and return)

Do not write on the reverse side of this form.

Zoning Case: Z0518-0034

I am in favor of this request

I am opposed to this request X

Reasons (optional):

Name:(required)

Address:(required)

(#600)

Please respond by returning to: PLANNING DIVISION

Johnna Matthews

CITY OF MESQUITE

PO BOX 850137

MESQUITE TX 75185-0137

First category and other animals to intrude the other side of the wall.