

**REQUEST FOR ZONING  
RECLASSIFICATION**



**PLANNING AND  
DEVELOPMENT SERVICES**

**FILE NO.:** Z0718-0057

**P&Z HEARING DATE:**

August 13, 2018

**COUNCIL DATE:**

September 4, 2018

**GENERAL INFORMATION**

**APPLICANT:** Manuel Rosales, Iglesia Cristiana Canaan

**REQUESTED ACTION:** Zone change to remove two tracts of land from the Skyline Logistics Hub Overlay District.

**LOCATION:** 4600 and 4636 Samuell Blvd.

**SITE BACKGROUND**

**EXISTING LAND USE AND SIZE:** The subject tracts are undeveloped and include approximately 4.6 acres of land, collectively. Tract 1 (4636 Samuell Blvd.) includes approximately 2.7 acres of land and Tract 2 (4600 Samuell Blvd.) includes approximately 1.8 acres of land.

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

	<b>Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	"MF"-PD, Multi-Family Planned Development and "C" Commercial	The Annex; a multi-family development, and undeveloped land
<b>South</b>	"I" Industrial	Global Bearings and Power Transmission, Inc.
<b>West</b>	"C" Commercial	Automobile-related use and undeveloped land
<b>East</b>	"I-PD" Industrial Planned Development	Intermodal Terminal – Union Pacific RR Co.
<i>The subject property and all adjacent properties are located within the Skyline Logistics Hub Overlay District.</i>		

**ZONING HISTORY:**

1959: Annexed and zoned Residential  
1960: Zoned Commercial  
2015: Skyline Logistics Hub Overlay

**PLATTING:** The tracts are not platted. Preliminary and final platting will be required prior to the issuance of building permits for construction.

**GENERAL:** The applicant is proposing a change in zoning to remove the subject property from the Skyline Logistics Hub Overlay District in order to build a church. According to the applicant's letter of intent, Iglesia Cristiana Canaan (Canaan Christian Church of Dallas) purchased the property in 2011, with the intent to build a church. The proposed development would be an approximately 11,000 square-foot church temple, which would include a sanctuary, church reception hall, offices, kitchen, classrooms, nursery, restrooms and a parking lot. The subject property will retain its underlying zoning district of "C" Commercial.

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The existing, underlying zoning district permits religious organizations including churches; however, the Skyline Logistics Hub Overlay District expressly prohibits membership organizations, including religious organizations, such as churches, provided that any use existing prior to the adoption and creation of the Skyline Logistics Hub Overlay District may continue to operate as a nonconforming use, subject to the terms of Section 1-300 (Nonconforming Situations) of the Mesquite Zoning Ordinance.

The aforementioned overlay district was adopted by Ordinance No. 4371 in 2015. The overlay district encompasses a large area that is bounded on the west by the western city limits; on the north side by IH-30; on the east along a line formed by East Meadows Blvd., U.S. Highway 80, Forney Ave., South Town East Blvd., Skyline Dr., IH-635, the Union Pacific Rail Road and the easternmost boundary of Skyline Industrial Village Subdivision, Section 2 and 3; and on the south by Military Pkwy. The area is considered to be the heart of Mesquite's industrial sector.

### STAFF COMMENTS

#### Mesquite Comprehensive Plan

The Mesquite Comprehensive Plan encouraged formation of a concentrated logistics hub that would create a regional identity and greater economic development opportunities in west Mesquite. This area of the City includes diverse manufacturing and distribution uses that congregate around the Big Town and Town East Boulevards and stretch to IH-30 to Skyline Boulevard and form the heart of Mesquite's industrial sector. The Comprehensive Plan also recognizes that industrial corridors create land use, environmental and aesthetic problems, if not addressed by proper planning policies and use regulations. Hence, the Skyline Logistics Hub Overlay District was created and approved by Ordinance No. 4371 in 2015.

The Mesquite Comprehensive Plan designates the area as being located within a development area designated as Industrial/Business Parks. The Industrial/Business Park development area is intended to primarily provide sites for basic employment activities such as manufacturing, distribution and heavy commercial. Non-employment uses are discouraged. Retail and personal service type uses should generally be discouraged. The Comprehensive Plan recommended that undeveloped, large acreages within the area should be assigned this designation to assure long-term availability of land for basic employment uses. The Comprehensive Plan recommends that these tracts remain available for industrial/business park type uses and zoning, rather than allowing conversion to other uses.

#### Analysis

Churches are permitted in most zoning districts, by right, as indicated by the land use table below.

SIC Code Use Description	O	GR	LC	THN K20 NGTC	CV	MU	CB	SS	C	I
866 Religious Organizations (Churches)	P	P	P		P	P	P		P	P

However, if associated with an overlay district, certain uses are restricted or may require various approvals from City Council via a Conditional Use Permit. The Skyline Logistics Hub Overlay District is developed with many existing industrial uses, including industrial business parks, factories, railroad-related uses, manufacturing and distribution uses. Uses within the area generally involve the use of heavy load truck transportation. The overlay district created an identity for the concentration of these types of land uses. According to the Comprehensive Plan, the area and the industrial nature of the area is important to the City's economic vitality and economic well-being. Finally, it recommends preservation and encourages further development of available land within the area for industry, which creates jobs and improves the tax base.

Although the Skyline Logistics Hub Overlay District is not a zoning district, it is a special zone placed over an existing zoning district or a combination of zoning districts aimed at more specialized targets designed to address concerns identified within an area. Removing the approximately 4.6 acres from the overlay district which is surrounded by properties within the overlay district, would create an isolated district or what is commonly known in Land Use Planning as spot zoning. Spot zoning is defined as the application of zoning to a specific parcel or parcels of land within a larger zoned area which is usually in conflict with a city's comprehensive plan. Spot zoning is typically frowned upon within the industry; making unjustified exceptions for a small parcel or parcels within a particular district surrounded by a larger, common district.

#### **RECOMMENDATION**

Staff recommends denial of the request to rezone the approximately 4.6 acres in order to remove it from the Skyline Logistics Hub Overlay District.

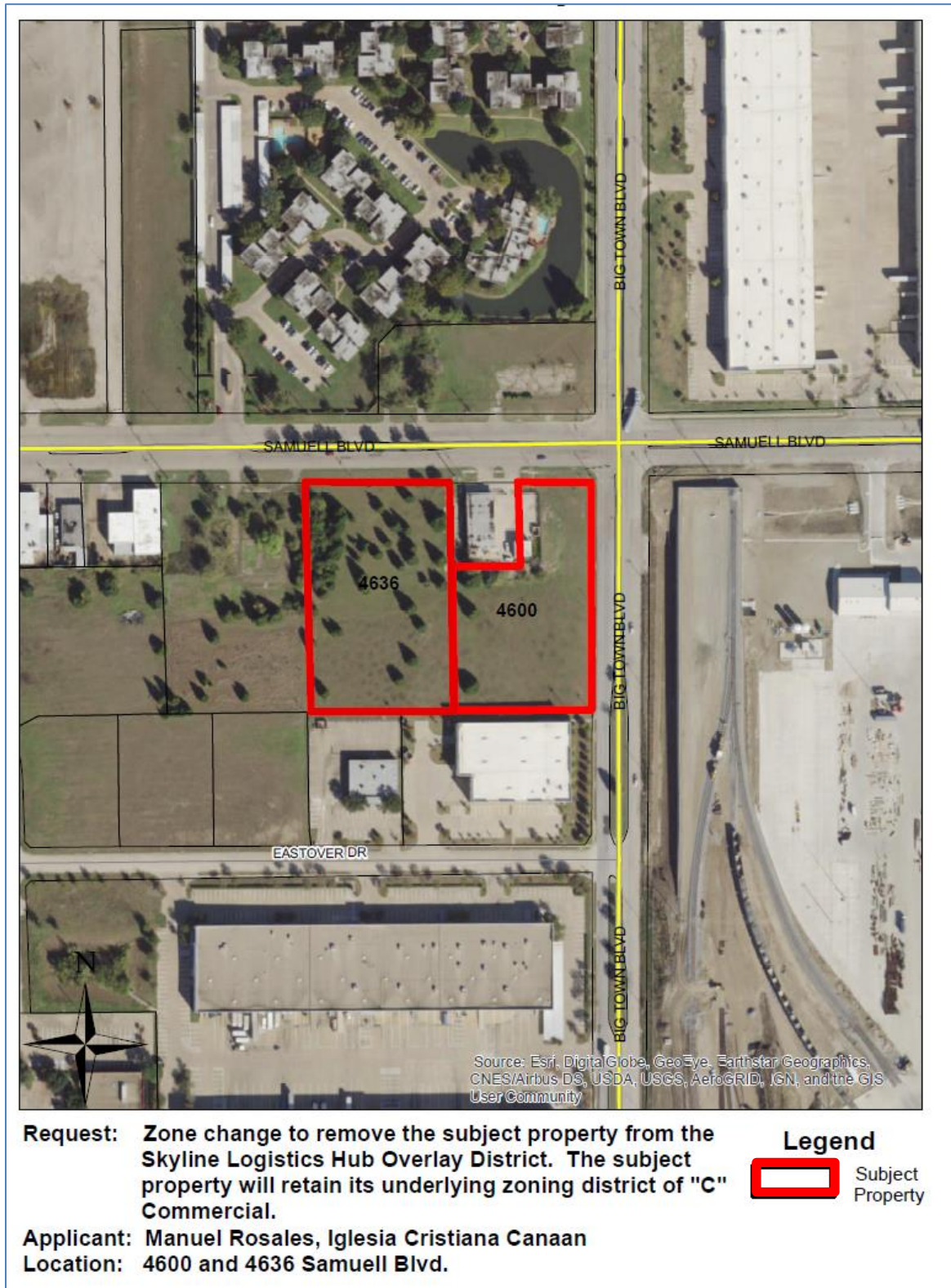
#### **PUBLIC NOTICE**

Notices were mailed to property owners within 200 feet of the subject property. As of the date of this writing, Staff has not received any returned notices.

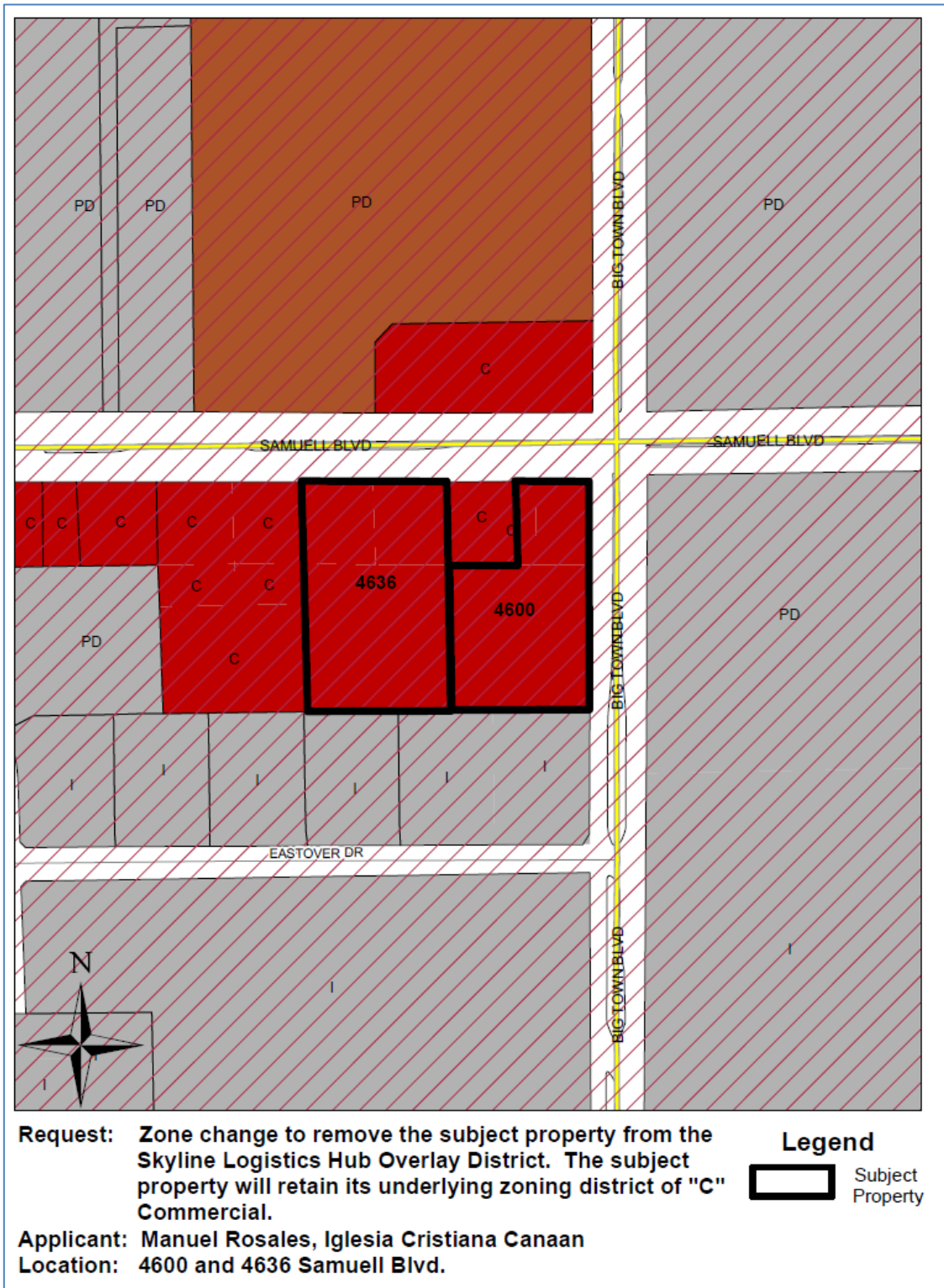
#### **ATTACHMENTS**

- 1 – Aerial Map
- 2 – Zoning Map
- 3 – Public Notification Map
- 4 – Map of Skyline Logistics Hub Overlay District
- 5 – Site Photos
- 6 – Application

**ATTACHMENT 1 – AERIAL MAP**

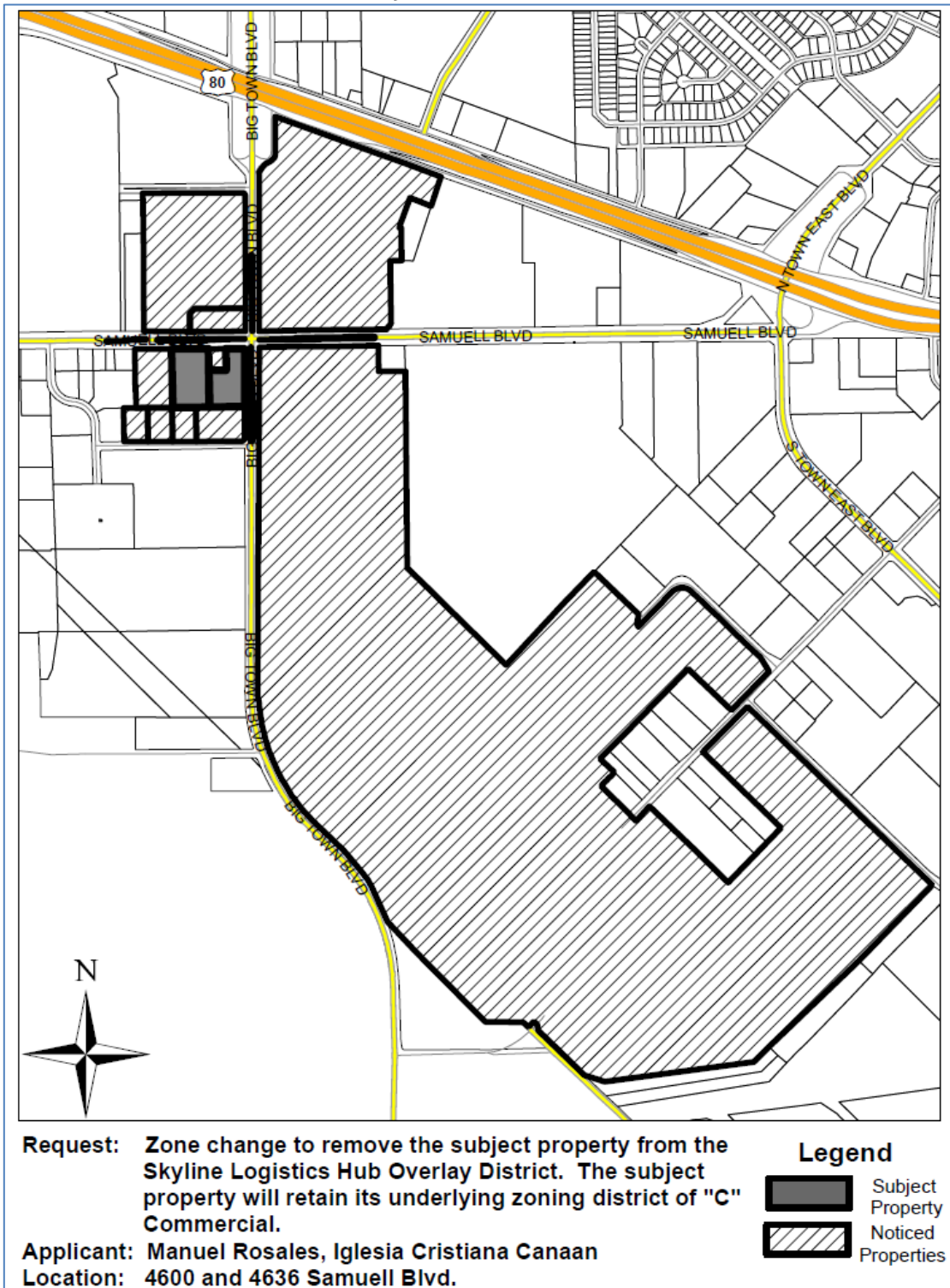


**ATTACHMENT 2 – ZONING MAP**

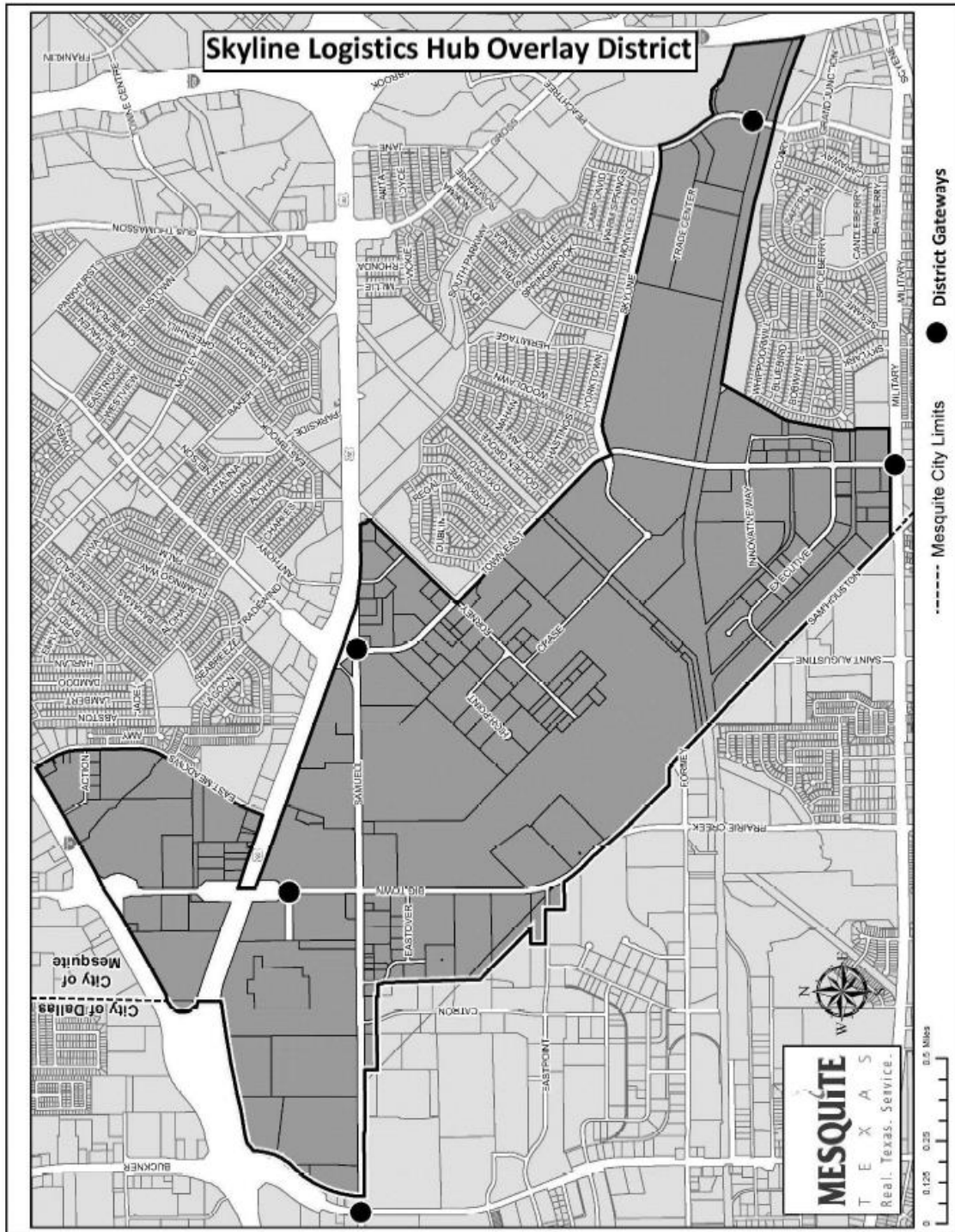




**ATTACHMENT 3 – PUBLIC NOTIFICATION MAP**



## ATTACHMENT 4 – SKYLINE LOGISTICS HUB OVERLAY DISTRICT MAP



**ATTACHMENT 5 – SITE PHOTOS**



**Photo of the subject property taken on the north side of Samuell Blvd., looking south at the site.**





Photo of the subject property taken on the east side of Big Town Blvd., looking west at the site.

**ATTACHMENT 6 – APPLICATION MATERIALS**

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

**REQUESTED ACTION:**

Change District Classification to: <u>Commercial up/out every</u>	Conditional Use Permit for: _____	Amend Special Conditions of Ordinance # _____ <small>(Explain Below)</small>
Additional explanation of requested action: <u>New building for church</u>		

**SITE INFORMATION/GENERAL LOCATION:**

**LOCATION/LEGAL DESCRIPTION:**

Current Zoning Classification: <u>4-930</u>	Complete one of the following:  1. Platted Property Addition: _____ Block: _____ Lot: _____  2. Unplatted Property: Abstract: <u>1636</u> Tract: <u>182</u>
Site Size: <u>4.5936</u> (Acres or Square Feet)	
Address (if available): <u>4600 &amp; 4636 Samuell Blvd</u>	
General Location Description: <u>Lots on Samuell Blvd &amp; Big Town Blvd</u>	

**APPLICANT INFORMATION:**

Contact: <u>Manuel Rosales</u>	Phone: <u>(214) 417-5356</u>
Company: <u>Iglesia Cristiana Canaan</u>	Fax: ( ) _____
Address: <u>4670 Western Oaks Dr.</u> <u>Dallas, TX 75211</u>	E-mail: <u>canaan3338@yahoo.com</u> <small>(Required)</small>
Signature: <u>Manuel Rosales</u>	Owner <input checked="" type="checkbox"/> Representative <input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Buyer <input type="checkbox"/>

**OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:**

<p>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.</p> <p>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.</p> <p>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.</p>	
Owner: <u>Manuel Rosales</u>	Phone: <u>(214) 417-5356</u>
Address: <u>4670 Western Oaks Dr.</u> <u>Dallas, TX 75211</u>	Fax: ( ) _____
Signature: <u>Manuel Rosales</u>	E-mail: <u>canaan3338@yahoo.com</u>

May 10, 2018

City of Mesquite  
Planning and Zoning Department  
1515 N. Galloway Avenue  
Mesquite, TX 75149

Letter of Intent: 4600 Samuell Blvd. and 4636 Samuell Blvd. Mesquite, TX

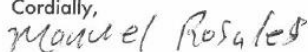
To Whom It May Concern:

Iglesia Cristiana Canaan (Canaan Christian Church of Dallas) was established in 1993 and became a 501(c) 3 non-profit corporation in December 2004. Iglesia Cristiana Canaan (Canaan Christian Church of Dallas) is submitting this Letter of Intent along with their application to request a rezoning of the properties at Samuel Boulevard and Big Town Boulevard Survey Plat A-1636 Tract One and Tract Two (4600 Samuell Boulevard and 4636 Samuell Boulevard). Prior to purchasing the lots in June 2011, we inquired with Elizabeth Butler, Planner with the City of Mesquite, to make sure the zoning at the time of purchase would allow for a church to be built, as the intent for the purchase of the two lots was to build a new church temple.

The properties are currently vacant and measure approximately 4.60 acres combined (200,376 square feet), according to the survey updated on May 19, 2011. The development would be an 11,000(+/-) square foot church temple which will consist of a sanctuary, church reception hall, offices, kitchen, a few classrooms, nursery and required restrooms; with a parking lot to accommodate for the congregation and requirements of the city. We will hold services regularly Wednesday through Sunday in the evenings. The building will be accessible to the church congregation during these hours and for special services throughout the year.

Mr. Edgardo Melendez of Melendez Consulting, LLC has been assisting us with our plans for the project and our contractor Mr. Luis Cerna. Copies of the preliminary sketches and plans for the project are attached.

If you have any questions regarding the project or our organization please feel free to contact me, Manuel Rosales, Pastor of Canaan Christian Church at (214) 417-5356 or at [canaan3338@yahoo.com](mailto:canaan3338@yahoo.com)

Cordially,  


Manuel Rosales  
Pastor  
MR/der

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