



PLANNING AND ZONING CASE SUMMARY

BACKGROUND

APPLICANT: Devin Huffines, Deal a Day Real Estate, LLC.

REQUESTED ACTION: Planned Development – General Retail to allow a convenience store with fuel sales in addition to uses permitted in the General Retail zoning district.

LOCATION: 10991 IH 20, SWC of IH-20 and FM 741 Road

CASE NUMBER: Zo818-0061

STAFF COMMENTS AND ANALYSIS

The applicant is requesting a zoning change to Planned Development (PD) - General Retail (GR) to develop the property for a 4,000 square-foot convenience store with 8 fuel pumps (16 fueling positions). The applicant is requesting a PD to allow more than the eight fueling positions that are allowed in the General Retail (GR) zoning district and to deviate from some of the development standards (setbacks) of the General Retail zoning district. The proposed development will comply with the requirements in the Mesquite Zoning Ordinance (MZO) along with the requirements stipulated in the Development Standards and Concept Plan. Those regulations which are silent in the PD will revert to the regulations of the Mesquite Zoning and Subdivision Ordinances.

RECOMMENDATION

At the September 24, 2018 Planning and Zoning Commission meeting, the Planning and Zoning Commission voted unanimously to recommend approval of the request with the following conditions.

1. Except as provided herein, the plat and site plan for the property shall conform substantially to the Concept Plan (Exhibit B) and PD Development Standards (Exhibit C).
2. Uses shall be limited to those permitted by right in the General Retail Zoning District as provided in the City of Mesquite Zoning Ordinance :
 - a. Additional Uses Permitted:
 - i. SIC Code 554: Gasoline Service Station with up to 16 fueling positions
 - b. Following Uses Shall be Prohibited:
 - i. SIC Code 5947: Gift, Novelty, Souvenir Shops
 - ii. SIC Code 751: Automotive Rental, Leasing
 - iii. SIC Code 753: Automobile Repair Services
3. Signage shall follow the current City of Mesquite Sign Ordinance and comply with the following requirements.
 - a. Window signs shall be limited to 25 percent of the area of any window or door.

- b. The business shall have no more than one temporary sign at any time, except that two swoosher or teardrop signs may be on the property as long as there are no other temporary signs. Any temporary sign must comply with the Sign Code for the specific sign type.
4. No portion of any window shall be outlined with lighting.
5. Architectural lighting on the exterior of the building or within five feet of a window on the interior of the building shall flash or change no more frequently than every two minutes. Such lighting shall not have any motion or perceived motion. There shall be no rapid changes in color or intensity of lighting.
6. District screening shall not be required from the adjacent agricultural zoned districts.
7. Landscaping shall include:
 - a. Landscaping requirement shall be 15 percent of the site.
 - b. All parking islands shall be landscaped with grasses, perennials, or shrubs.
 - c. Parking lot trees shall be placed in a landscape area no smaller than 9-feet by 18-feet. A landscape island located at an intersection of maneuvering aisles may contain landscape material exceeding 30 inches in height.
 - d. One shade tree, one evergreen tree, or 3 ornamental trees are required for each 500 square feet of required landscape area. All trees may be counted to fulfill the requirement, provided a minimum of 50 percent are located between the main building and the front and/or exterior side property lines.
8. Outdoor display and/or storage shall be prohibited.
9. The sidewalk along FM 741 and IH 20 shall be a minimum of 6 feet in width or a width necessary to comply with the City of Mesquite's Trails Master Plan or Texas Department of Transportation. If necessary or desired, a portion of the sidewalk may be located on private property. Any portion of the sidewalk located on private property must be within a 10' pedestrian easement. Other sidewalks shall be a minimum of 5 feet in width.
10. A pedestrian plaza shall be located on the north side of the building facing the FM 741 and IH 20 intersection and shall consist of one of the following:
 - a. Pedestrian furniture
 - b. Bicycle rack
11. Development shall comply with the Community Appearance Manual.
12. Parking shall be provided as generally shown on the Concept Plan.
13. All parking rows shall be bounded by a landscaped area or a landscaped parking island.