

**REQUEST FOR ZONING  
RECLASSIFICATION**



**PLANNING AND  
DEVELOPMENT SERVICES**

**FILE NO.:** Z1218-0082

**P&Z HEARING DATE:** January 28, 2019

**COUNCIL DATE:** February 18, 2019

**GENERAL INFORMATION**

**APPLICANT:** Nancy Juarez on behalf of Dhaliwal Pharmaceutical Labs

**REQUESTED ACTION:** Conditional Use Permit to allow the manufacturing of over-the-counter drugs and cosmetic supplies.

**LOCATION:** 4400 US Hwy 80, Suite 100

**SITE BACKGROUND**

**EXISTING LAND USE AND SIZE:** Suite 100 is an approximately 79,200-square-foot lease space located in the Mesquite Business Center that is zoned Industrial and is within the Skyline Logistics Hub Overlay District.

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

	<b>Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	"C" Commercial "TNMR"	McIntyre Trucking / Tejas Motel
<b>South</b>	"I" Industrial	Union Pacific Rail Terminal Services
<b>West</b>	"PD" Multifamily "C" Commercial	The Annex Big Town Events Center
<b>East</b>	"PD" Multifamily	Forty200 Apartments Camelot Village

**ZONING HISTORY**

1954: Annexed and zoned R-3 Residential and Commercial  
2006: Planned Development - Industrial  
2015: Skyline Logistics Hub Overlay District

**PLATTING:** Mesquite Business Center, Block A, Lot 1

**GENERAL:** The applicant is requesting a Conditional Use Permit (CUP) to allow the manufacturing of over-the-counter drugs and cosmetic supplies in a 79,000 +/- square-foot lease located space at 4400 US HWY 80 E. The Mesquite Zoning Ordinance requires a CUP in the Industrial zoning district for the manufacturing of both over-the-counter drugs and cosmetic supplies. Dhaliwal Pharmaceutical Labs is proposing to occupy half of Building II within the Mesquite Business Center which consist of three large multi-tenant industrial/warehouse buildings. Building II is the 151,000 square-foot building that fronts along US HWY 80.

According to the applicant, Dhaliwal Pharmaceutical Labs' location at the subject property will be the company's third site. Currently, the company has been in operation in Garland for ten years and also has a production site in Bedford Park, Illinois. Both of these sites employ around 200 workers. At the Mesquite location, Dhaliwal Pharmaceutical Labs will manufacture products

shown in Attachment 6. These are common over-the-counter and cosmetic topical products, such as antifungal creams and sprays, haircare products, and pain-relief creams. It will also include the production of a two oz.-plastic bottle of hand sanitizer. The subject property will receive shipments of needed chemicals and materials to produce the final products on site. A general assembly line will manufacture the products, which will then be stored and shipped from the subject property. The company plans to have approximately 200 employees at the Mesquite location and operate two shifts per day, from 7:00 am to 3:30 pm, and from 3:30 pm to midnight.

Dhaliwal Pharmaceutical Labs will be required to meet all requirements from the Fire Department and Building Inspections before their operation can begin. The manufacturing of these products is considered light assembly of safe products. According to the applicant, the production space currently has an existing explosion-proof room for the storage of flammable chemicals and will have a grease trap installed to reduce the risk of a residue fire while cleaning empty tanks.

#### **STAFF COMMENTS**

##### **Mesquite Comprehensive Plan**

The Mesquite Comprehensive Plan designates the subject property within a Business Corridor. The Plan describes the intent of the Business Corridor designation in the Development Areas as follows:

This designation is intended to primarily provide sites for a variety of business and commercial uses serving both regional and community customers with frontages along the freeways and highway corridors. This area is intended for general business and commercial uses and should not be used for entertainment uses or for large scale display lots.

##### **Skyline Logistics Hub Overlay District: Sec. 4-730 - Ordinance No. 4371:**

###### **1. Skyline Logistics Hub Overlay District Intent**

The subject property is located with the Skyline Logistics Hub Overlay District (SLH), and currently follows a previously adopted ordinance enacted to promote industrial and economic development. The Skyline Logistics Hub Overlay District was adopted in 2015 as an effort to help further development on available land for industry and create jobs within Mesquite.

###### **2. District Gateway Designation**

The Skyline Logistic Hub Overlay District designates the intersection of Big Town Boulevard and Paces Court, termed “Big Town Gateway” as a District Gateway. This designation requires property within the respected “gateways” to comply with applicable provisions of the Community Appearance Manual (CAM) and the Skyline Logistic Hub Overlay District requirements to create a more visually appealing corridor.

**Mesquite Zoning Ordinance Sec. 5-303: Review Criteria for Conditional Use Permits** *(Staff comments are provided below each criteria.)*

**1. Existing Uses**

*The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.*

Staff does not anticipate that the proposed use will be injurious to the property or surrounding area. The proposed use conforms with the intent of Skyline Logistic Hub Overlay District and to the Business Corridor designation within the Comprehensive Plan. The Mesquite Business Center was designed for industrial uses including the proposed use. The facility offers a large area of space for businesses with needs for manufacturing and production and includes multiple loading dock areas for the transport of materials.

**2. Vacant Properties**

*The Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*

Staff does not expect the proposed use to impact the development or redevelopment of any nearby property.

**3. Services**

*Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.*

Adequate utilities, access roads and drainage facilities exist for the site and are sufficient for accommodating the demands associated with the request for a Conditional Use Permit to allow the proposed use.

**4. Parking**

*Adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed uses.*

The parking lot contains sufficient spaces to accommodate all currently operating businesses and including vacant suites.

**5. Performance Standards**

*Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*

Staff anticipates no disturbances to neighboring businesses as a result of the proposed use.

**Analysis**

As an industrial use that will add to the City's employment base, the proposed CUP to allow for the manufacturing of over-the-counter drugs and cosmetic supplies is consistent with the future land use designation of the Comprehensive Plan. It is also consistent with the existing zoning and Skyline Logistics Hub Overlay District. The proposed location within the Mesquite Business Center offers a large production area that will allow for the products to be manufactured safely. The lease space is also surrounded by multiple businesses which operate as production and manufacturing sites within the Mesquite Business Center. Dhaliwal Pharmaceutical Labs will be restricted to the production of over-the-counter drugs and cosmetic supplies, as any manufacturing of chemically based products outside of the requested use would require additional approval. Staff does not anticipate any adverse impacts from the proposed use on the surrounding uses or properties.

**RECOMMENDATIONS**

Staff recommends approval of the request for a Conditional Use Permit to allow the manufacturing of over-the-counter drugs and cosmetic supplies at 4400 US Hwy 80, Suite 100.

**PUBLIC NOTICE**

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

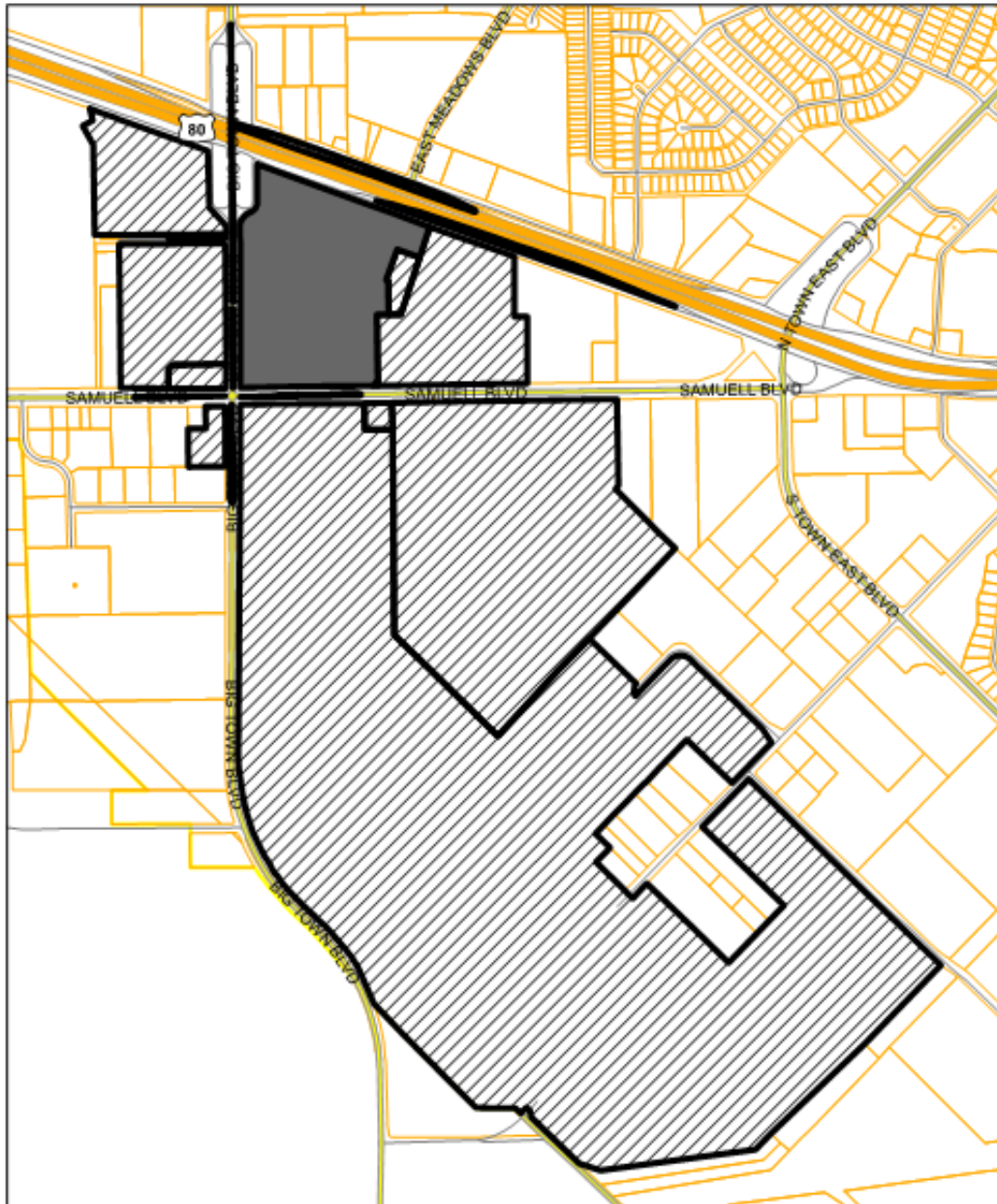
**ATTACHMENTS**

- 1 – Aerial Map
- 2 – Public Notification Map
- 3 – Zoning Map
- 4 – Site Pictures
- 5 – Site Drawing
- 6 – Product Pictures

ATTACHMENT 1 – AERIAL MAP





**ATTACHMENT 2 – PUBLIC NOTIFICATION MAP**



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**Applicant:** Dhaliwal Pharmaceutical Labs  
**Location:** 4400 US Hwy 80, Suite 100

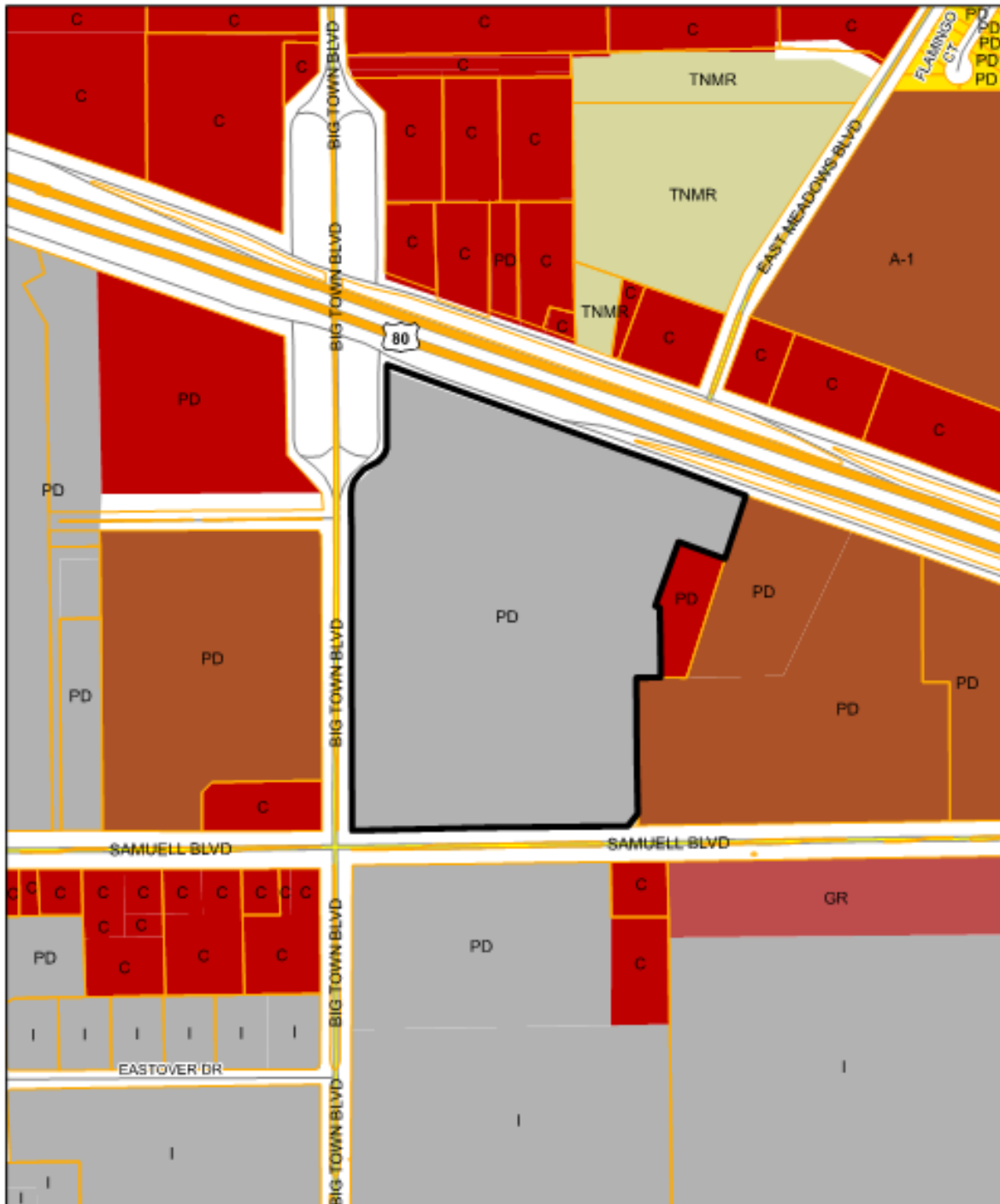
**Legend**

-  Notified Properties
-  Subject Property





ATTACHMENT 3 – ZONING MAP



**ATTACHMENT 4 – SITE PICTURES**



**Front view of the Mesquite Business Center from Highway 80 looking south.**



**View of Suite 100 located on the west side of the structure.**





**View of the current production space.**

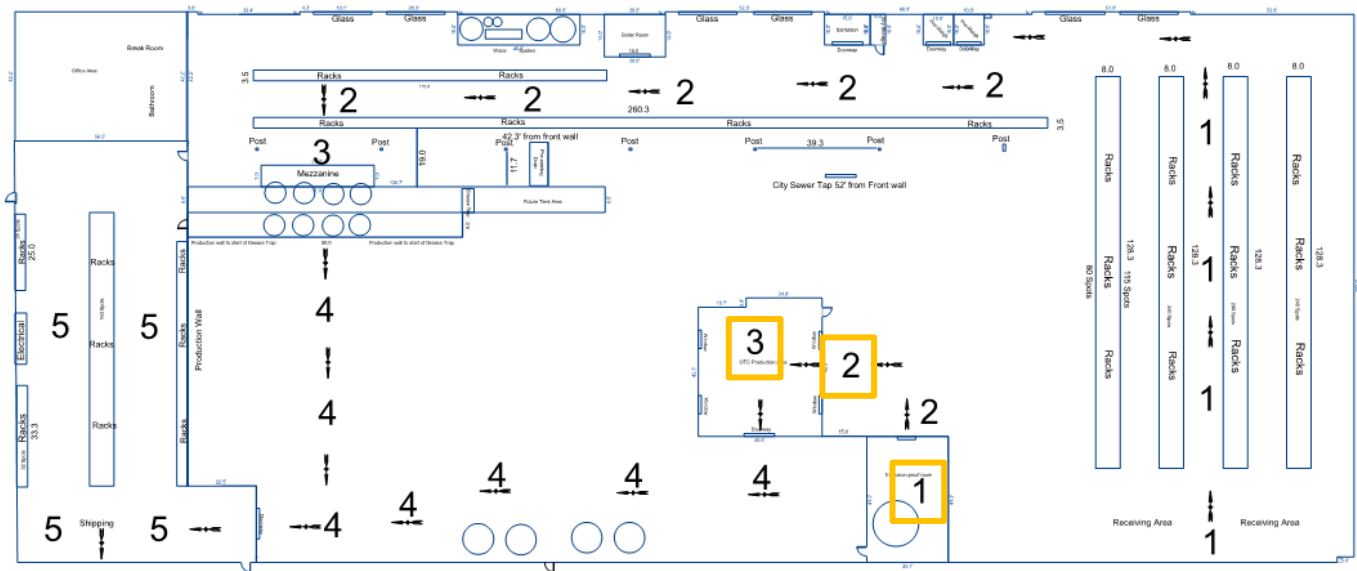


**Explosion-proof enclosure for storing and mixing of chemicals.**



**View from opposite side of production area.**

**ATTACHMENT 5 – SITE DRAWING**



**Projected layout of the production floor.**

***Numbers detail specific areas of the production process:***

- 1. Receiving Area – Materials Arriving On Site**
- 2. Racks – Weighing Materials / Batch Prep**
- 3. Compounding – Batches Are Made**
- 4. Production Area – Assembly Line To Manufacture Products**
- 5. Shipping – Storing Finished Goods And Shipped Out**

***Numbers outlined by a gold box detail chemical movement within the production area:***

- 1. Explosion-Proof Room – Chemicals Are Made And Stored**
- 2. Transfer Area – Chemicals Transferred To Production Area**
- 3. Production Room – Batch Production**

**ATTACHMENT 6 – PRODUCT PHOTOS**



**Photo showing common products that will be produced on the subject site.**

*Shown left to right:*

- Dr. Teal's Foot Care Therapy**
- Tolcylen Antimicrobial Shoe Spray**
- Maestro's Beard Oil**
- Alamo Botanicals Icy Hemp Cooling Pain Lotion**
- Cantu Leave-In Conditioning Mist**
- Tolcylen Antifungal Cream**
- Tolcylen Antifungal Solution**