

FILE NO.: Z0219-0086

P&Z HEARING DATE:
COUNCIL DATE:

March 25, 2019
April 1, 2019

GENERAL INFORMATION

APPLICANT: Scott Woodruff

REQUESTED ACTION: Rezone from R-2, Single Family Residential within the Town East Retail and Restaurant Overlay District to Planned Development – General Retail within the Town East Retail and Restaurant Overlay District to allow restaurant and retail uses.

LOCATION: A portion of the south side of the 1900 block of North Town East Blvd.

SITE BACKGROUND

EXISTING LAND USE AND SIZE: The 5 +/- acre site was a part of the athletic fields of North Mesquite High School.

SURROUNDING LAND USE AND ZONING (see attached map): To the east is a gas station zoned Service Station. To the south is North Mesquite High School zoned R-2. To the north are retail and restaurant uses zoned Commercial. To the west are retail uses zoned Commercial.

ZONING HISTORY: 1954: Annexed and zoned Residential.

PLATTING: The property is currently platted as part of North Mesquite High School lot. A replat will be required to separate the subject property from the high school property.

GENERAL: The applicant is requesting rezoning of the subject property to allow development of five acres along the south frontage of N. Town East Blvd. The applicant anticipates creating up to five pad sites that will be developed as they are leased or sold. The applicant expects that the pad sites will be used primarily for restaurants. The proposed PD includes a number of stipulations limiting the number of permitted uses, establishing appropriate screening from the high school, and establishing specific design requirements for the pad sites. Those standards which are silent in the PD will revert to the standards within the Mesquite Zoning Ordinance that apply to General Retail zoned properties located within Town East Retail and Restaurant Overlay District.

The proposed development is related to Project Stallion which involved cooperation with the City of Mesquite, Mesquite Independent School District, and Denali Properties. Project Stallion includes the City making improvements on South Mesquite Creek, between Town East Blvd. and Towne Centre Dr., to reduce erosion and flooding. The improvements will remove North Mesquite High School's athletic facilities from the 100-year flood plain. MISD is selling the subject property to Denali Properties while MISD relocates and improves North Mesquite High athletic facilities.

STAFF COMMENTS

The Mesquite Comprehensive Plan designates the subject property within the Town East Retail and Restaurant Area (TERRA). The Plan states the following for TERRA:

TERRA is the major retail district for eastern Dallas County and the counties to the east, providing a concentration of retail, service and entertainment uses oriented primarily toward family services...

In order to regulate and restrict those uses which were considered problematic to the area's regional retail and entertainment role, a zoning overlay district was adopted in 1996. Uses which were targeted in the overlay include uses generating truck traffic or otherwise adding to area congestion; uses with visual or aesthetic characteristics not normally present in a retail-type area; and uses with characteristics disruptive to family- and customer-oriented retail and entertainment uses.

Staff expects that allowing additional pad sites for restaurant or retail uses will be consistent with TERRA's role as a major retail and entertainment district.

Analysis

The proposed rezoning to allow additional pad sites for retail and restaurant uses is consistent with the future land use designation of the Comprehensive Plan. The proposed development will allow the school district to make improvements to the North Mesquite High School campus while providing the City additional land for restaurant and retail developments on a major arterial. A Traffic Improvement Analysis has been submitted and accepted by the City's Traffic Engineering Department. The developer will be responsible for installing any improvements recommended by the TIA and required by the City. The improvements include the following:

1. Adding a traffic signal northbound out of the main entrance at the intersection of N. Town East Blvd and Towne Crossing Blvd.
2. Adding a protected left turn lane on westbound N. Town East Blvd at the main site drive which would include closing the existing median opening on N. Town East Blvd east of Towne Crossing Blvd.
3. Adding an eastbound right turn deceleration lane at the main entrance at N. Town East Blvd and Towne Crossing Blvd.

RECOMMENDATIONS

Staff recommends approval of rezoning to Planned Development – General Retail within the TERRA Overlay District with the following stipulations:

1. Except as provided herein, the site plan for the property shall conform substantially to the Concept Plan, attached hereto as Exhibit "B." In no event shall the number of lots on the property exceed five or be fewer than four. Permissible Building Area (PBA) sizes and locations shown on Exhibit "B" may be modified provided that parking and other development standards are met. In the event of a conflict between the provisions of this ordinance and Exhibit "B," the provisions of this ordinance control.

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2. All uses permitted in the General Retail zoning district are allowed on the property except the prohibited uses listed in Subsections a, b and c 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
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 - 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/Structures)
753	Automobile Repair Shops
7542	Car Washes, including Detail Shops
7549	Other Automotive Services
3. Drive through windows shall not face a public right-of-way except as shown on Lot 1 on Exhibit “B.”
4. District screening and setbacks are not required from adjacent residential zoning districts.
5. Landscaping shall be provided that creates a harmonious streetscape edge containing native plant materials and drought tolerant shrubs and trees. Along the shared property line with North Mesquite High School, a retaining wall (where required) with a six-foot-high wrought iron fence will be installed by the site developer during the initial site work. The wrought iron fence, at least six (6) feet in height, with evergreen trees selected from Section 1A-500 shall be installed on the subject property to effectively create a visual screen. At the time of planting, the trees must, at minimum, be the height of the wrought iron fence. Before issuance of a certificate of occupancy for any use on the Property, the evergreen screening shown on the Landscape Concept Plan, attached as Exhibit “B-1” must be installed on the lot where the use is located. This

evergreen screening shall be installed by the individual lot developer within five feet of the north side of the wrought iron screening fence on the Property.

6. A cross access easement shall be provided on each lot at the time of development. Cross access easements will assure cross access through all lots in the development and assure that all lots have access to the signalized main entrance.
7. A Traffic Impact Analysis (“TIA”) is required. The TIA shall include recommended measures to minimize and/or mitigate the anticipated impacts and determine the adequacy of the development’s planned access points. Mitigation measures must be approved by the City Engineer and may include, but are not limited to, the following: an access management plan; transportation demand management measures; street improvements on or off site; placement of pedestrian, bicycle or transit facilities on or off the site; or other capital improvements projects such as traffic calming infrastructure or capacity improvements. The developer is responsible for making improvements recommended by the TIA and approved by the City that are necessitated by and proportional to the development.
8. Pole signs are prohibited. One monument sign is permitted on each lot. The monument sign shall be in accordance with the attached sign elevation exhibit attached hereto as Exhibit “D.”
9. On lot 3 as identified on the Exhibit “B,” wall signs shall be permitted on elevations without a customer entrance. Painted brick may be used for an 84 square-foot wall sign on the drive-through side of the building.
10. Architectural Design Requirements.
 - a. *Transparency.* Ground level retail and restaurants shall incorporate transparent features over a minimum of 50 percent of one primary façade. Additional primary façades and secondary façades shall incorporate 20 percent transparency. One rear-facing secondary façade shall be allowed with no fenestration. Transparency, as defined in the Mesquite Community Appearance Manual, shall be measured within the first 10 feet of the building wall, measured vertically at street level. All ground level windows shall provide direct views to the building’s interior or a lit display area extending a minimum of three feet behind the window.
 - b. *Color and Material.* To provide unity throughout the development, the exterior of all buildings shall incorporate the brick and stone material and color as shown on the Material and Color board attached as Exhibit “C” on 80 percent of the primary façades (excluding windows, doors, roofs and curtain walls). The remainder of the wall area shall incorporate other fire-resistive materials such as, but not limited to,

stucco, EIFS and cement board provided that such materials are complementary/compatible with materials and colors shown in Exhibit “C.” Additional accent materials or colors associated with established corporate identity are allowed on the remainder of the wall area.

- c. *Mechanical equipment.* All mechanical equipment shall be screened from view at a point six feet above ground level at the property line. Screening for roof-mounted units shall be incorporated with the building façade.

PUBLIC NOTICE

Staff mailed notices to property owners within 200 feet of the property. Staff has not received any responses to the request.

ATTACHMENTS

- 1 – Aerial Map
- 2 – Zoning Map
- 3 – Public Notification Map
- 4 – Site Pictures
- Exhibit B – Concept Plan
- Exhibit B-1 – Landscape Concept
- Exhibit C – Building Material and Color Board
- Exhibit D – Monument Signage

Attachment 1 – Aerial Map



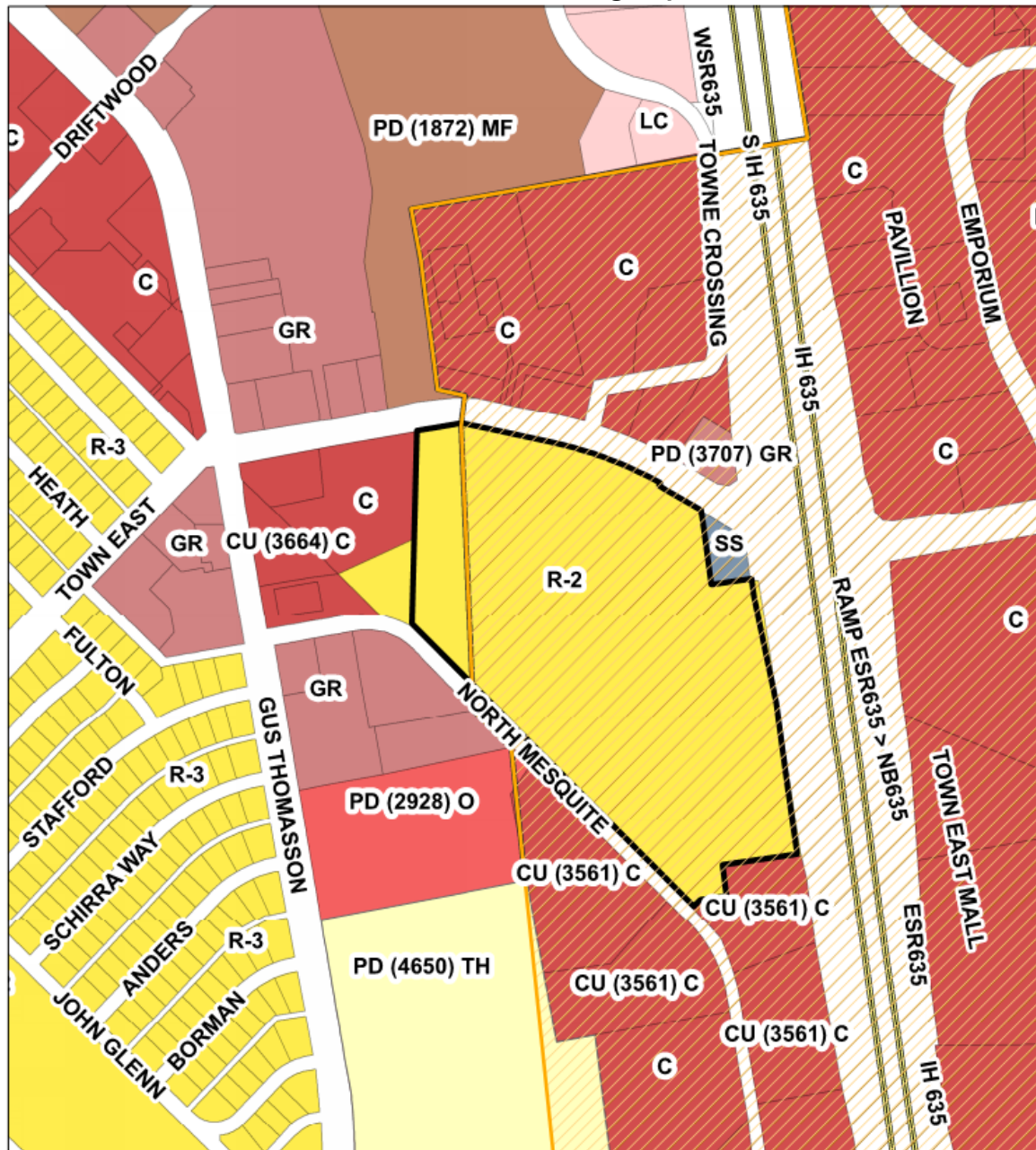
Request: Rezoning from R-2, Single Family with TERRA Overlay to PD – GR within TERRA Overlay to allow restaurants and retail uses.
Applicant: Scott Woodruff
Location: 18201 IH 635

Legend

 Subject Property



Attachment 2 – Zoning Map



Request: Rezoning from R-2, Single Family with TERRA Overlay to PD – GR within TERRA Overlay to allow restaurants and retail uses.
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Legend

- TERRA Overlay
- Subject Property



Attachment 3 – Notification Map



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Legend

- Subject Property
- Noticed Properties

