



MEMORANDUM

TO: Planning & Zoning Commission

FROM: Johnna Matthews, Principal Planner

DATE: June 10, 2019

SUBJECT: Zoning Case # ZTA-2019-02

Abdul Awa, (1 Spectrum Solution, Inc.) requested a change in zoning from “SS,” Service Station to “SS-PD,” Service Station – Planned Development on approximately 0.9 acres of land located at 1015 Gross Road. The purpose of the zone change request was to allow a retail use; particularly the sale of cell phones, within Suite A, by Boost Mobile, which the existing “SS” zoning district does not permit, along with various other retail uses that are not permitted within the aforementioned zoning district. The adjacent suite is occupied by a gas station/convenience store. Surrounding uses include retail uses as well as zoning districts which permit retail uses.

Through review of the requested change in zoning, Staff determined that a change in zoning to a PD was not the appropriate tool to permit the proposed use, as no amenities or improvements to the site or building were proposed. On April 22, 2019, Staff presented the request to the Planning and Zoning Commission, with a recommendation of denial. Although denial of the request was recommended, Staff did not anticipate that the proposed retail use would be incompatible or disruptive to the area due to adjacent uses and zoning districts. Staff advised that a more appropriate tool would be a zoning text amendment to the Mesquite Zoning Ordinance (MZO) to allow various retail uses by right and in conjunction with fuel sales or via a Conditional Use Permit (CUP) within the “SS” zoning district. The Planning and Zoning Commission denied the applicant’s request and the applicant did not appeal the decision to City Council.

Staff proposes a zoning text amendment to Section 3-203, Schedule of Permitted Uses, of the MZO in order to add certain retail uses in conjunction with fuel sales, to the list of permitted uses within the “SS” zoning district. Future amendments to the “SS” zoning district and to the MZO as a whole may follow upon approval of the Comprehensive Plan update by City Council.

Memo to
June 26, 2019

Specifically, Staff proposes to include the following uses as permitted uses, but only in conjunction with fuel sales within the “SS” zoning district:

SIC Code 553	Auto & Home Supply Store
SIC Code 573	Radio, TV, Electronics, Music Stores
SIC Code 5994	News Dealers/Newsstands