

FILE NUMBER: Z1119-0120
REQUEST FOR: Rezone from “LC,” Light Commercial to Planned Development – Service Station
CASE MANAGER: Garrett Langford

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, December 9, 2019
City Council: Monday, January 6, 2020

GENERAL INFORMATION

Applicant: Mohammad Habis on behalf of Lucky Texan No. 9
Requested Action: Rezone from LC, Light Commercial to PD-SS, Planned Development – Service Station to allow a convenience store, restaurant, and laundromat with more than eight fueling positions in addition to other uses allowed in the Service Station zoning district.
Location: 2650 IH 30

PLANNING AND ZONING ACTION

Decision: On December 9, 2019, the Planning and Zoning Commission voted unanimously to recommend approval of the rezoning to Planned Development – Service Station with six stipulations as recommended by Staff which is included in the proposed ordinance.

SITE BACKGROUND

Platting: Currently being replatted for the new development
Size: 3.598 acres
Zoning: “LC,” Light Commercial
Land Use: Convenience store with eight fueling positions is under construction
Zoning History: 1954 – Annexed and zoned Residential
1959 – Rezoned to C, Commercial
1967 – Rezoned to A-1, Apartments
1981 – Rezoned to LC, Light Commercial

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>LAND USE</u>
NORTH:	NGTC	Office and mini-warehouse
SOUTH:	LC - Light Commercial	Undeveloped
EAST:	LC - Light Commercial	Extended stay hotel
WEST:	Commercial	Office / Warehouse

CASE SUMMARY

The applicant is requesting the rezoning of approximately 3.598 acres at 2650 IH 30 to allow a convenience store that is currently under construction to increase the number of fuel pumps from four to 10, which would provide for 20 fueling positions. The applicant is requesting a PD instead of a straight rezoning to the Service Station (SS) District to allow the laundromat use, which is not permitted in the SS district. If approved, the proposed development will follow the standard requirements in the Mesquite Zoning Ordinance (MZO) and Mesquite City Code except for those requirements specified in the approved Development Standards and Concept Plan.

MESQUITE COMPREHENSIVE PLAN

The *Mesquite Comprehensive Plan* identifies the subject property as the Commercial land use designation within the Corridor Development Area. Commercial land use designation represents a broad range of goods and services for a community or region. Developments in this category are larger and more intense than those in the Neighborhood Retail category. The *Plan* also states that developments within the corridors such as along IH-30 are highly visible and should have a higher quality of development than the typical nonresidential development and cater to highway traffic.

STAFF COMMENTS:

It is Staff's opinion that the proposed PD with the recommended stipulations will bring the development closer to meeting the intent of the *Mesquite Comprehensive Plan*.

CONCLUSIONS

ANALYSIS

To bring the development closer to meeting the intent of the *Mesquite Comprehensive Plan*, Staff is proposing several stipulations that include prohibiting automotive repair or services and address security concerns by establishing requirements for cameras, line of sight, and visibility.

RECOMMENDATION

Staff recommends approving the request to rezone the subject property to PD – Commercial with the following stipulations.

1. All uses permitted in the Service Station District are allowed on the Property except as modified in Subsections “a” and “b” of this paragraph. The uses permitted in the Planned Development are subject to the same requirements applicable to the uses in the Commercial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Service Station District only by conditional use permit (“CUP”) is permitted in this district only by CUP.
 - a. The following uses are permitted on the Property:

7215 Dry Cleaning / Coin Operated Laundries
 - b. The following uses are prohibited on the Property.

75 Automotive Repair, Services
2. Window signs shall be prohibited.
3. Incidental outdoor display shall be prohibited.
4. The operator of the convenience store shall provide, maintain, and operate at least three color digital high-resolution surveillance cameras in the convenience store in compliance with the following.
 - a. The cameras shall have a minimum of four hundred fifty (450) lines of resolution, a lux lower than one (1). One (1) camera shall be placed to capture a view of the face of the customer at the service counter. Another camera shall be placed with view of each entrance/exit area. Additional camera(s) shall be placed with an exterior view of each parking lot.
 - b. The entrance/exit area camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face entering or leaving the store.
 - c. The cameras shall be functional and provide views unobstructed by inventory or other matter, twenty-four (24) hours a day, including hours when the store is not open for business and shall display the date and time of the recording.
 - d. The owner shall provide the police department with digital color images in connection with criminal investigations upon request.
 - e. The owner shall maintain a library of the recorded digital images for not less than thirty (30) days.
 - f. A convenience store shall have posted at all public exits and entrances signs or decals indicating that surveillance cameras are in use.

5. A convenience store shall maintain an unobstructed line of sight allowing a clear view of and from the cash register and sales transaction area through all windows and public access doors. The unobstructed line of sight must, at a minimum, extend from three (3) feet above the ground to at least six (6) feet above the ground.
6. Store windows and doors must be clear of all items that would obstruct a clear view including, but not limited to, blinds, tinting, signage, advertisements, shelving, and merchandise.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of the date of this writing, Staff received one notice returned in favor and none in opposition to the request.


ATTACHMENTS

1. Aerial Map
2. Public Notification Map filing
3. Zoning Map
4. Site Pictures
5. Site Plan

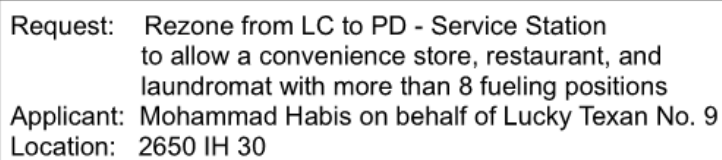
ATTACHMENT 1 – AERIAL MAP



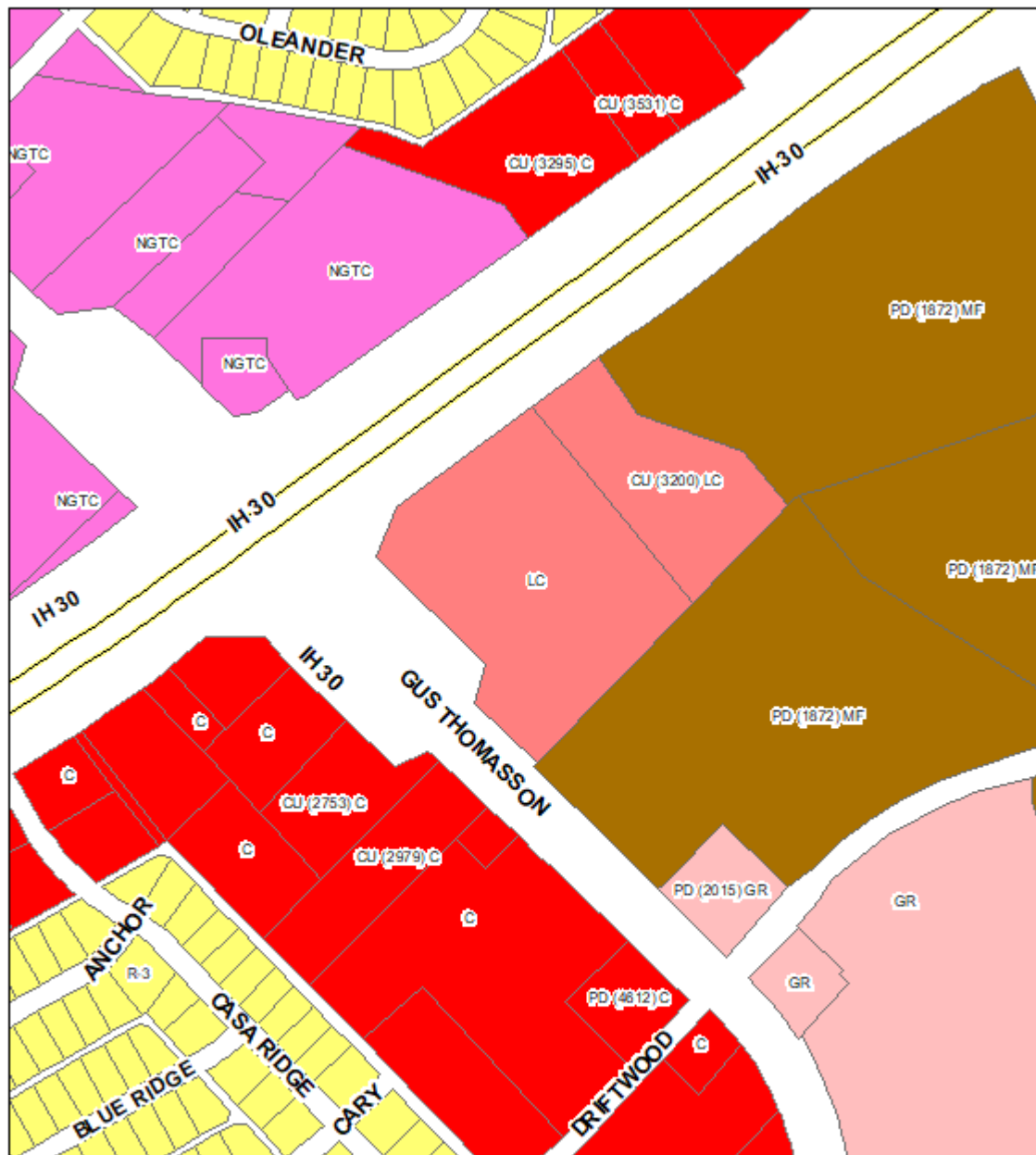
Request: Rezone from LC to PD - Service Station
to allow a convenience store, restaurant, and
laundromat with more than 8 fueling positions
Applicant: Mohammad Habis on behalf of Lucky Texan No. 9
Location: 2650 IH 30

 Subject Property











ATTACHMENT 3 – ZONING MAP



Zoning Districts

 COMMERCIAL	 MULTIFAMILY RESIDENTIAL
 GENERAL RETAIL	 NORTH GUS THOMASSON CORRIDOR
 LIGHT COMMERCIAL	 SINGLE FAMILY RESIDENTIAL



ATTACHMENT 4 – SITE PICTURES



Picture 1 – Northwest side of the property facing southeast.



Picture 2 - Northwest side of the property facing east.

ATTACHMENT 4 – SITE PICTURES

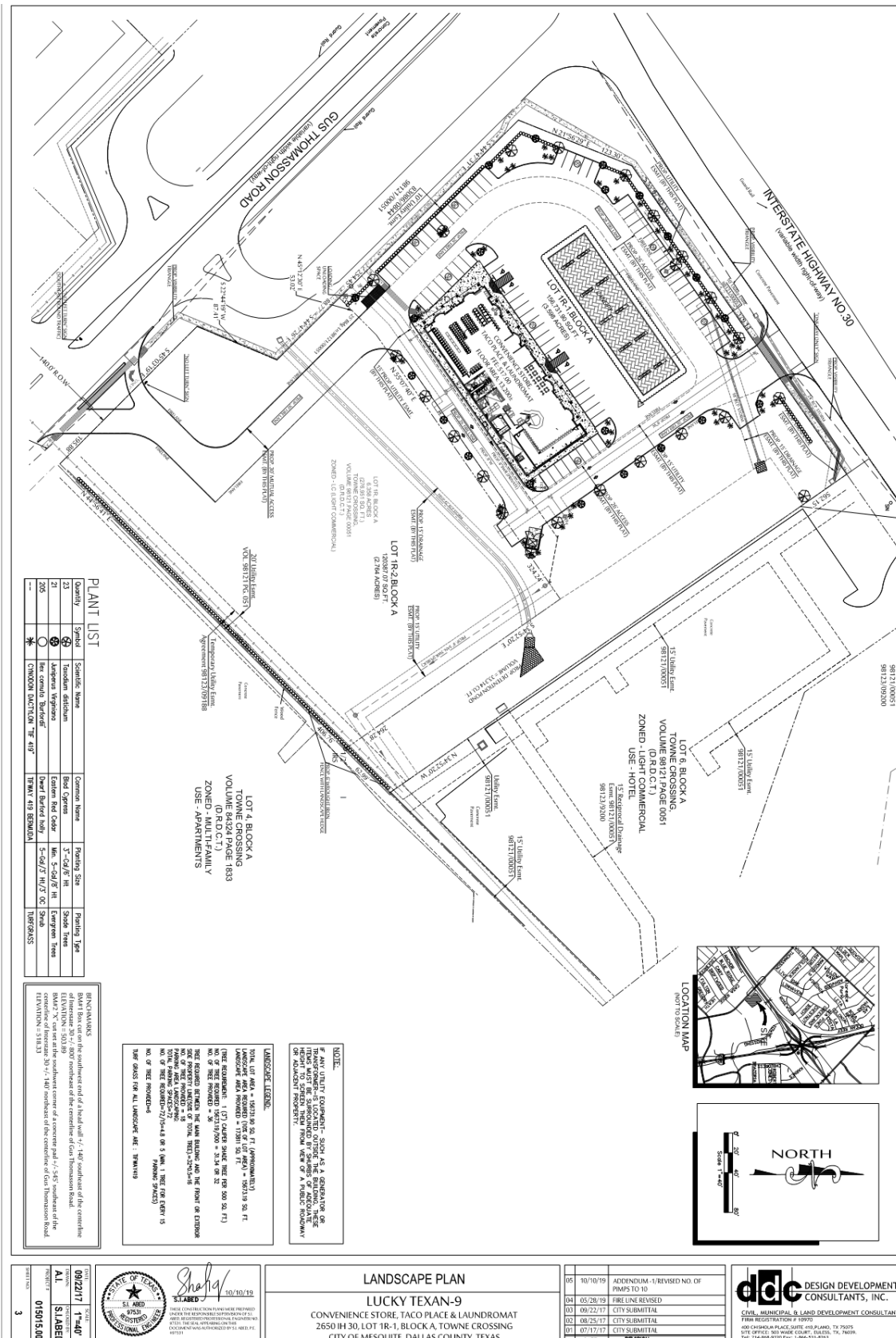


Picture 3- Looking south at the primary elevation.

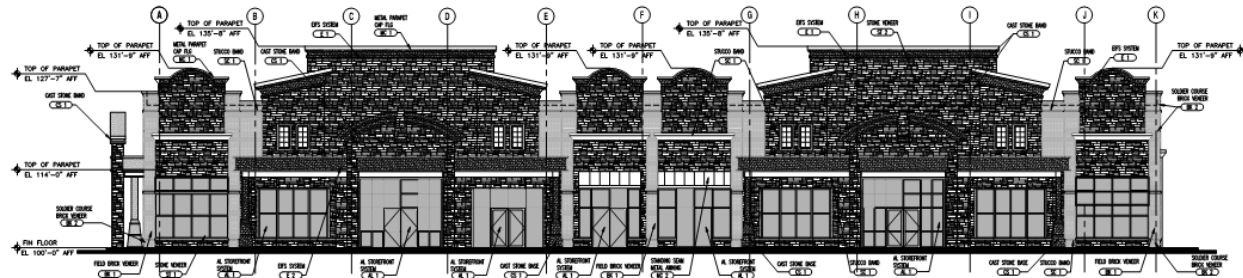


Picture 4 - Looking west from at the northeast side of the property.

ATTACHMENT 5 – SITE PLAN



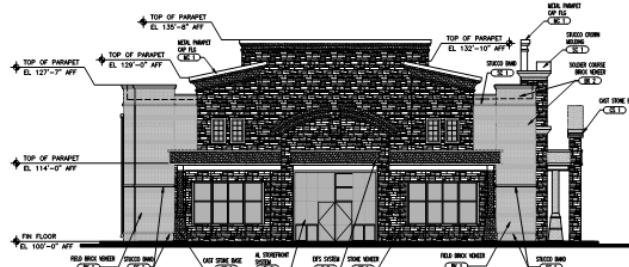
ATTACHMENT 5 – SITE PLAN



01 NORTH ELEVATION
SCALE: 1/8"=1'-0"

TRANSPARENCY CALCULATION (SEE FROM THE STREET)		
TYPE	AREA	%
WALL	2840 SF	
GLAZING	1321 SF	32.0%

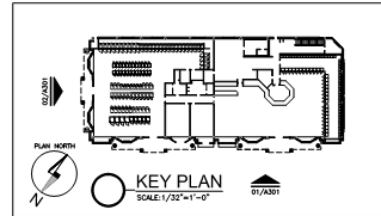
FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
LIQUOR'S STONE	6017 SF	84.0%
BRICK	372 SF	5.2%
TOTAL MASONRY	6389 SF	89.2%
STUCCO FINISH (EPS)	748 SF	10.8%
TOTAL EXCLUDING GLASS AREA	7137 SF	100%



02 EAST ELEVATION
SCALE: 1/8"=1'-0"

TRANSPARENCY CALCULATION (SEE FROM THE STREET)		
TYPE	AREA	%
WALL	1084 SF	
GLAZING	356 SF	32.9%

FACADE MATERIAL CALCULATION		
MATERIAL	AREA	%
LIQUOR'S STONE	1333 SF	82.0%
BRICK	500 SF	30.0%
TOTAL MASONRY	1833 SF	86.0%
STUCCO FINISH (EPS)	300 SF	14.0%
TOTAL EXCLUDING GLASS AREA	2143 SF	100%



EXTERIOR MATERIAL

ALUMINUM STORMDOOR

AL 1-2007

UNIVERSITY

(770)449-5555

CURTAIN WALL

AL 2-2007-1600 WALL SYSTEM

UNIVERSITY

(770)449-5555

BRICK

BR 1-ACME BLEND 137 (FIELD)

LIQUOR'S STONE

P-(272) 241-1400

P-(272) 456-8274

BR 2-ACME BLEND 138 (ACCENT)

LIQUOR'S STONE

P-(272) 241-1400

P-(272) 456-8274

CAST STONE

CS 1-COLOR-1 BUFF

UNIVERSITY

(770)449-5555

GLASS

E 1-MATCH BENJAMIN MOORE HC-83

E 2-COLOR TO MATCH B2

UNIVERSITY

CAULY

P-(214) 267-8800

P-(214) 267-8800

WINDSHIELD GLASS

GL 1-105-30 WINDSHIELD

UNIVERSITY

(1800) 533-2080

WINDSHIELD GLASS

GL 2-105-30 WINDSHIELD

UNIVERSITY

(1800) 533-2080

NOTES

PAINTS AND GLAZING ARE SUBJECT TO THE

OF ALL PAINT COLOR TO THE OWNER BEFORE

SAMPLE OF ALL PAINT AND GET APPROVAL OF

ATTACHMENT 6 – PUBLIC RESPONSE



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

LOCATION: 2650 IH 30
(See attached map for reference)
FILE NUMBER: Z1119-0120
APPLICANT: Mohammad Habis on behalf of Lucky Texan No. 9
REQUEST: From: "LC," Light Commercial
To: "PD-SS" Planned Development-Service Station

The requested Zoning Change would allow a convenience store, restaurant, and laundromat with more than 8 fueling positions in addition to other uses allowed in the Service Station zoning district. A list of permitted uses for each zoning district is available on the City's website at www.cityofmesquite.com/1250/Zoning-Ordinance. Please note that the City Council may approve a different zoning district than the one requested, except that the different district may not (1) have a maximum structure height or density that is higher than the one requested; or (2) be nonresidential when the one requested is for a residential use or vice versa.

LEGAL DESCRIPTION

Towne Crossing, Block A, Lot 1R

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **December 9, 2019**, in the City Council Chambers of City Hall located at 757 N. Galloway Ave.

The City Council will hold a public hearing on this request at 7:00 p.m. on Monday, **January 6, 2020**, in the City Council Chambers located at 757 N. Galloway Ave.

Questions pertaining to this case may be directed to the Planning Division at (972) 216-6343 or glangford@cityofmesquite.com

REPLY FORM

State law requires that cities notify all property owners within 200 feet of any proposed zoning change. For this reason, we are sending you this notice. As a property owner within 200 feet of the property, you are urged to give your opinion on the request by attending the public hearing or by completing the form below or both. Your written reply is important and will be considered by the Commission and the Council. The reply form (below) is provided to express your opinion on this matter. The form should be returned to the Planning Division by 5 pm on December 19th to be included in the City Council packet. All notices received after the listed dates will still be accepted and presented to Commission/Council, but will not be included in meeting packets.

(Complete and return)

Do not write on the reverse side of this form.

By signing the form, I declare I am the owner or authorized agent of the property at the address written below.

Zoning Case: Z1119-0120

I am in favor of this request

I am opposed to this request

Name (required)

Address of

Noticed Property:

Owner Signature:

Date:

Reasons (optional):

RECEIVED

DEC 04 2019

PLANNING AND ZONING

Please respond by returning to: PLANNING DIVISION
Garrett Langford
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137