



**FILE NUMBER:** Z0821-0213  
**REQUEST FOR:** Planned Development – Central Business  
**CASE MANAGER:** Ellen Soward, Planner

## **PUBLIC HEARING**

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Planning and Zoning Commission: Monday, August 23, 2021  
City Council Monday, September 20, 2021

## **GENERAL INFORMATION**

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**Applicant:** City of Mesquite  
**Requested Action:** Zoning Change from Central Business and Planned Development – Central Business (Ord. 2849) within MP-SC Overlay to Planned Development – Central Business to remove the overlay and restrict certain uses – including but not limited to convenience stores, outdoor storage, and automobile repair.  
**Location:** 816 W Scyene Rd and 641, 701, 735, and 821 Military Pkwy

## **SITE BACKGROUND**

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**Legal Description:** Tracts 11 and 12 (0.439 +/- acres) and Tract 34 (1.479 +/- acres) in the D.S. Carver Abstract No. 342 and Lots 1-3, Block 1 Scyene Plaza  
**Size:** 4 +/- acres  
**Current Zoning:** Planned Development – Central Business (Ord. 2849) within Military Parkway – Scyene Corridor (MP-SC) Overlay and Central Business within MP-SC Overlay  
**Existing Land Use:** Multitenant retail building, vacant land, and drainage channel  
**Future Land Use:** Commercial and Parks, Open Space, and Drainage

## **PLANNING AND ZONING ACTION**

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On August 23, 2021, the Planning and Zoning Commission unanimously recommended approval of the zoning change to Planned Development – Central Business and removal of the Military Parkway-Scyene Corridor Overlay with Exhibit A (Legal Description) and Exhibit B (Development Standards).

**File No.: Z0821-0213**  
**Zoning Change**

Zoning History: 1949: Annexed and zoned Residential (641 Military Pkwy)  
1951: Annexed and zoned Residential (all except 641 Military Pkwy)  
1955: Zoning Change to Commercial (641 Military Pkwy) and "A-2",  
Apartments (all except 641 Military Pkwy) (Ord. 120,  
Comprehensive Zoning Ordinance)  
1964: Zoning Change to Central Business (all) (Ord. 560, Comprehensive  
Zoning Ordinance)  
1977: Conditional Use Permit for Health Spa (701 Military Pkwy, Suite 6)  
(Ord. 1378) (*terminated*)  
1992: Zoning Change to Planned Development – Central Business to  
allow outdoor display lot (boat sales) and outdoor storage (816 W  
Scyene Rd) (Ord. 2849)  
2006: Addition of Military Parkway – Scyene Corridor (MP-SC) overlay  
(all) (Ord. 3846)

**Surrounding Zoning and Existing Land Uses:**

	<b><u>ZONING</u></b>	<b><u>EXISTING LAND USE</u></b>
<b>NORTH:</b>	"I", Industrial	Union Pacific Railroad; various warehouse, office, and industrial uses (King Trailer Repair, Quality Furniture, Blue Sky Sales)
<b>SOUTH:</b>	"C", Commercial within MP-SC overlay	Murco Wall Products, Dependable Mini- Storage, Daniel Phone Repair, ICON Computers
<b>EAST:</b>	"CB", Central Business	Vacant
<b>WEST:</b>	"C", Commercial within MP-SC overlay	Vacant

## **CASE SUMMARY**

The subject properties are located west of Downtown Mesquite, surrounded by W Scyene Rd and Military Pkwy to the north and south and S Carmack St and Lindsey Ave to the east and west. Most of the subject area is undeveloped, except for 701 Military Pkwy, which is home to a multitenant retail building. Its existing tenants include a restaurant, bakery, church, and a candle/incense shop.

The Military Parkway – Scyene Corridor (MP-SC) overlay was created in 2006 to create an attractive and effective gateway between IH 635 and Downtown Mesquite. The overlay includes development standards intended to promote pedestrian activity and to avoid familiar "strip" patterns of development. Additionally, it restricts permitted uses to a selective palette of retail, entertainment, and service uses. (See Attachment 8.)

Since the subject properties were rezoned to include the overlay, no new development activity has occurred. In the past few months, the property owners for 816 W Scyene Rd and 735 Military Pkwy have reached out to City Staff to discuss potential retail developments on their properties. As proposed, the projects would not conform with the requirements of the MP-SC overlay, and the developers would rather request a rezoning to remove the overlay than to reconfigure their projects.

Rather than proceeding with individual rezoning requests that might result in inconsistent development standards, Staff proposes to rezone the entire block to a new Planned Development (PD) – Central Business zoning district. The existing base zoning district of Central Business would be maintained due to the proximity to Downtown Mesquite. Additionally, this district allows for some key features of the MP-SC overlay, such as permitting buildings to be built up to the front property line. However, unlike with the requirements of the overlay district, this standard would be optional, providing developers more flexibility to make their projects compatible with their property and the surrounding area.

## **MESQUITE COMPREHENSIVE PLAN**

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The *Mesquite Comprehensive Plan* designates the future land use for this block as Commercial and Parks, Open Space, and Drainage. (See Attachment 4.) The vision for the Commercial land use designation is one represented by a broad range of goods and services for the community or region. The Parks, Open Space, and Drainage areas should be preserved as public and neighborhood-oriented open spaces and left in a naturalistic state, especially when located in the floodplain.

### **STAFF COMMENTS:**

*The proposed Planned Development zoning district would permit most uses allowed in Central Business. The permitted uses – which range from special trade contractors to retail to health services to beyond – would allow for businesses that could provide the broad range of goods and services envisioned by the Commercial future land use designation.*

*Any development in the floodplain requires significant changes to the properties that would have to be approved by FEMA and Mesquite's Engineering Division. Thus, it is likely that the portions in the floodplain will remain as open space and drainage areas. This includes most of 641 Military Pkwy, which is owned by the City of Mesquite and currently serves as a drainage channel.*

## **MESQUITE ZONING ORDINANCE**

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### **SEC. 4-201.A: PLANNED DEVELOPMENT DISTRICT REGULATIONS, PROPOSED USES**

An application for a PD district shall specify and the PD ordinance shall incorporate the category or type of use or the combination of uses which are to be permitted in the PD district. Uses may be specified by reference to a specific zoning district, in which case all uses permitted in the referenced district, including those permitted through the cumulative provision of the zoning ordinance, shall be permitted in the PD district. Uses requiring a Conditional Use Permit under the referenced district shall require a Conditional Use Permit under the PD district unless such use is specifically set out as permitted in the PD ordinance.

### **STAFF COMMENTS:**

The proposed PD would restrict certain uses that are otherwise permitted in the Central Business zoning district. These uses include convenience stores, motor vehicle sales, and automobile repair shops. Additionally, outdoor storage would be prohibited. During the visioning process for the MP-SC overlay district, the City identified that many uses – such as those that rely heavily on outdoor storage or display – were inappropriate in the long-term for this area.

Staff believes this is still the case, as the block serves as a gateway into Downtown Mesquite where visual impacts are especially important.

## **CONCLUSIONS**

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### **ANALYSIS**

The proposed PD would limit the permitted uses to exclude those deemed inappropriate for the area while allowing for properties to be developed and provide a range of goods and services for the region and Mesquite community. It is Staff's opinion that the proposed PD meets the spirit and intent of the Mesquite Zoning Ordinance and *Mesquite Comprehensive Plan*.

### **RECOMMENDATIONS**

Staff recommends approval of the zoning change to Planned Development – Central Business and removal of the Military Parkway-Scyene Corridor Overlay with Exhibit A (Legal Description) and Exhibit B (Development Standards).

## **PUBLIC NOTICE**

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Staff mailed notices to all property owners within 200 feet of the subject property. As of the date of this writing, Staff has received one (1) returned notice in favor of the request.

## **CODE CHECK**

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At the time of this writing, there are no outstanding code violations.

## **ATTACHMENTS**

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1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Photos
6. Exhibit A – Legal Description
7. Exhibit B – Planned Development Standards
8. Military Pkwy – Scyene Corridor Overlay District (MZO 4-900)
9. Returned Property Owner Notice

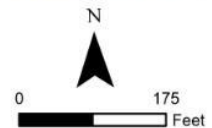


ATTACHMENT 1 – AERIAL MAP

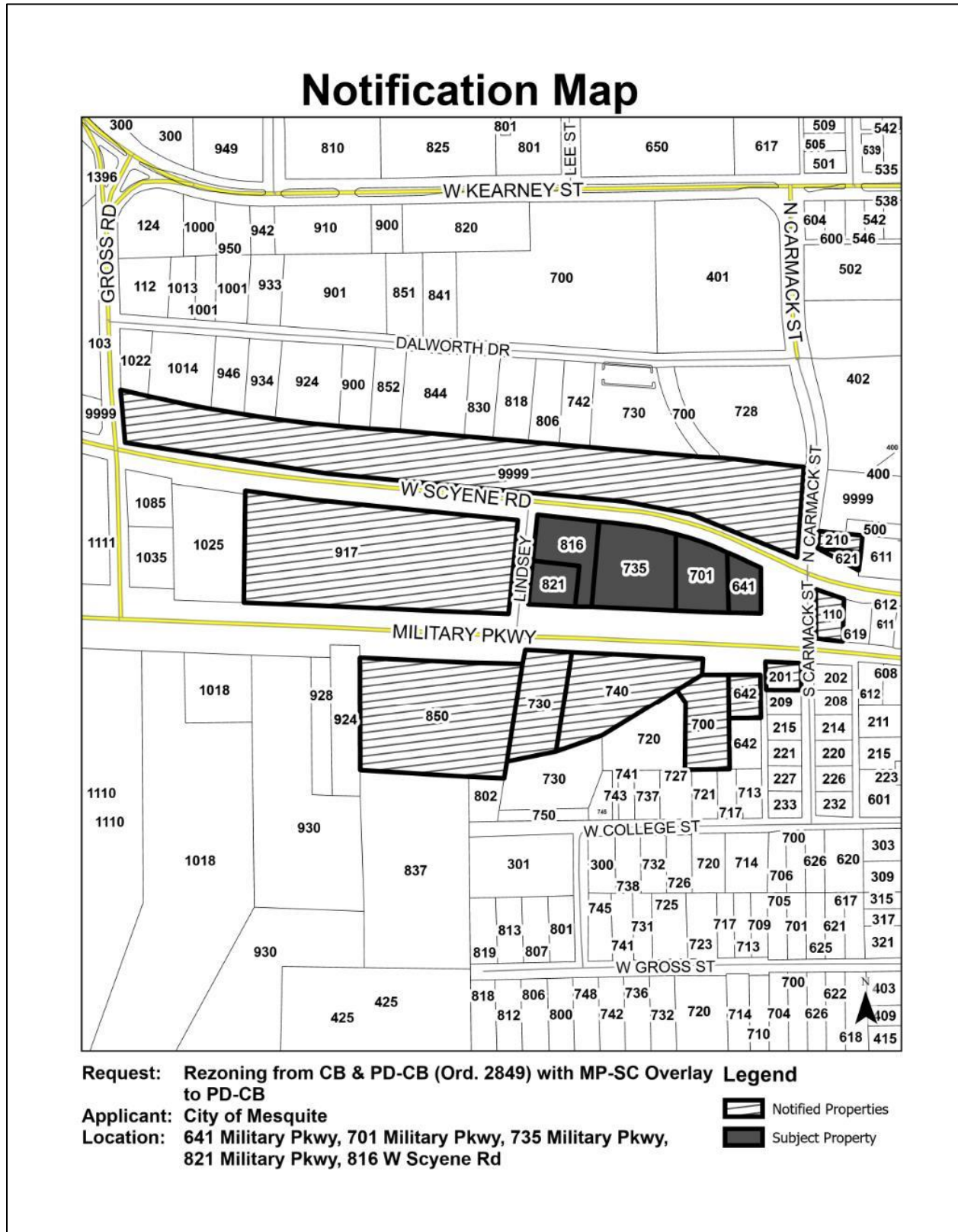
## Aerial Map



 Subject Property



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

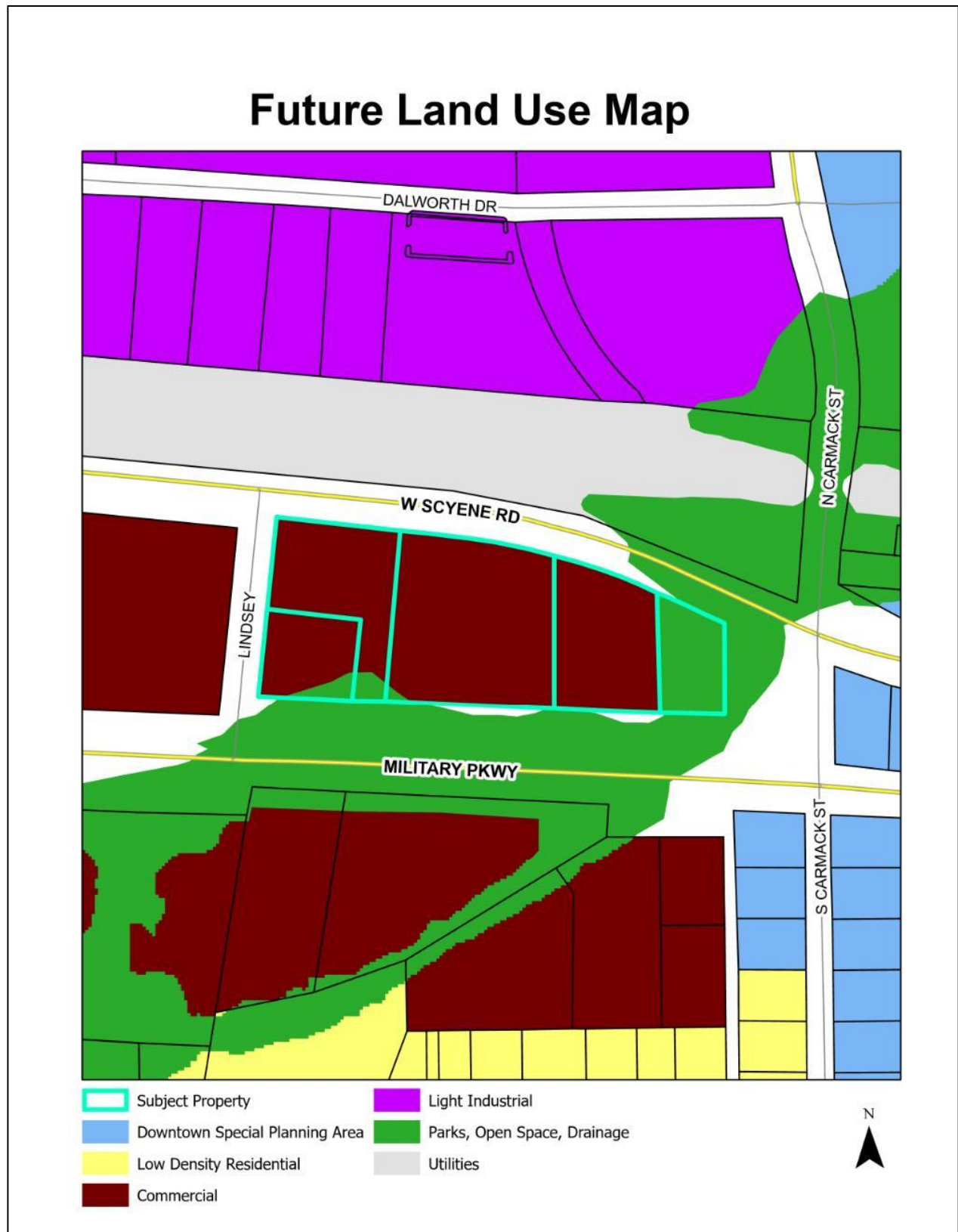




ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – FUTURE LAND USE MAP





**ATTACHMENT 5 – SITE PHOTOS**



**View of 641 Military Pkwy, facing east**



**North end of multitenant retail building at 701 Military Pkwy**



**ATTACHMENT 5 – SITE PHOTOS**



**Center of multitenant retail building at 701 Military Pkwy**



**South end of multitenant retail building at 701 Military Pkwy**



**ATTACHMENT 5 – SITE PHOTOS**



**View of 735 Military Pkwy, facing south**



**View of 735 Military Pkwy, facing north**



**ATTACHMENT 5 – SITE PHOTOS**



**View of 821 Military Pkwy, facing northeast**



**View of 816 W Scyene Rd, facing west**



## **ATTACHMENT 6 – EXHIBIT A – LEGAL DESCRIPTION**

Legal Descriptions will be provided in the ordinance for the following properties:

641 Military Pkwy  
701 Military Pkwy  
735 Military Pkwy  
821 Military Pkwy  
816 W Scyene Rd

## ATTACHMENT 7 – EXHIBIT B – PLANNED DEVELOPMENT STANDARDS

### EXHIBIT “B” DEVELOPMENT STANDARDS

Page 1 of 1

1. All uses permitted in the Mesquite Zoning Ordinance’s Central Business District classification (“Central Business District”) are allowed on the Property except as modified in Subsections “a” and “b” of this paragraph. The uses permitted in the Central Business District are subject to the same requirements applicable to the uses in the Central Business District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Central Business District only by conditional use permit (“CUP”) is permitted in the district only by CUP.
  - a. The following uses are prohibited on the Property:
    - i. SIC Code 551: Motor Vehicle Dealers (New & Used)
    - ii. SIC Code 552: Motor Vehicle Dealers (Used Only)
    - iii. SIC Code 753: Automobile Repair Shops
    - iv. SIC Code 7962: Welding Shops
  - b. The following uses are permitted only by CUP:
    - i. SIC Code 549a: Convenience Stores
    - ii. SIC Code 593: Used Merchandise Stores
2. Outdoor storage – as defined by the Mesquite Zoning Ordinance – is prohibited.

## ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS  
4-900 MILITARY PARKWAY-SCYENE CORRIDOR  
OVERLAY DISTRICT

### 4-900 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT

#### **4-901 PURPOSE AND SCOPE**

**Ord. 3846/12-18-06**

The Military Parkway–Scyene Corridor is positioned centrally between the Mesquite Arena and Rodeo Entertainment District, the downtown and historic Square area, and IH-635 and the rail line north of Scyene. The purpose of the MP-SC Overlay District is to create an attractive and effective gateway into downtown and link these important assets and land uses. To this end, the MP-SC Overlay District is intended to:

- Provide for a selective palette of retail/entertainment uses while accommodating a limited mix of residential and service uses that compliment the retail development or that support pedestrian- and transit-oriented design.
- Avoid familiar “strip” patterns of development by encouraging multi-use development on large or unified parcels that minimize access points, allow for 360’ design and reduce auto-dominated frontage.
- Establish non-traditional setback, parking standards, lighting, signage and other site planning features that create a distinct and cognizable “sense of place” on Military Parkway and Scyene Road.
- Encourage pedestrian activity on the street frontage, between major uses and with links to the Parks and Recreation trail system.
- Preserve long-term opportunities for incorporating transit-oriented development.

#### **4-902 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT PREFIX**

**Ord. 3846/12-18-06**

The MP-SC prefix designation is a zoning overlay district. After the effective date of this ordinance, the addition or removal of the MP-SC prefix constitutes zoning action requiring due process required under State law. No land within the City except the following described area shall be designated MP-SC without the requisite notice and public hearing provided by State law. The City shall have only one contiguous Military Parkway–Scyene Corridor District.

#### **Land Zoned MP-SC Military Parkway–Scyene Corridor**

All land, regardless of zoning on the effective date of this ordinance, which is located between IH-635 and Carmack Street, and which is situated:

- A. Between Military Parkway and Scyene Road; or
- B. With frontage on the south right-of-way line of Military Parkway or surrounded by land with such frontage.

#### **4-903 PERMITTED USES**

**Ord. 3846/12-18-06**

In this district no land shall be used except for one or more of the following uses to the extent that they are not prohibited by other regulations or ordinances.

- A. **Standard District**  
All land in the overlay district shall retain its existing zoning designation and all characteristics of such zoning, except as modified herein.
- B. **Private Club**  
As hereinafter regulated.
- C. **Restricted Uses**
  - 1. Except for the uses listed in paragraphs 3 and 4 of this subsection, all uses within the MP-SC Overlay District shall require approval of a Conditional Use Permit in accordance with §5-300 and the supplemental criteria established herein. When a use is allowed in the underlying existing zoning district

## ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

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by the Schedule of Permitted Uses (§3-203) as a Permitted Use or Conditional Use Permit, application may be made in the MP-SC Overlay District for approval as a Conditional Use Permit.

2. In addition to the review criteria for a Conditional Use Permit enumerated in §5-303, the Planning Commission and City Council shall consider the following:

(a) ***Conformance to Planning Principles***

That the proposed use conforms to the Comprehensive Plan and the purposes of the MP-SC Overlay District.

(b) ***Support for Residents or Customers***

That the proposed use will support the retail and service needs of the residents of the overlay district or the customers of the uses that are permitted-by-right within the overlay district. Support may be evidenced, among other ways, by a public pedestrian connection to the residents or the customer-based uses that will benefit from the proposed use.

3. The uses permitted-by-right in the MP-SC Overlay District include, and are expressly limited to, the following:

***Residential Uses***

- (a) Multi-family dwellings not exceeding 75 percent of the floor-area of a building in a vertical mixed-use development. No multi-family use is permitted at ground level. Multi-family use exceeding the vertical development ratio shall require a Conditional Use Permit.

***Retail Trade (Ord. 4285/09-16-2013)***

- (b) SIC 525 Hardware Stores  
(c) SIC 53 General Merchandise Stores  
(d) SIC 54 Food Stores  
(e) SIC 554a Limited Gasoline Sales (incidental to Convenience Stores only)  
(f) SIC 56 Apparel, Accessory Stores  
(g) SIC 57 Furniture, Home Furnishings  
(h) SIC 5812 Eating Places, except Drive-In Restaurants or Restaurants with Drive-Through Facilities  
(i) SIC 591 Drug, Proprietary Stores  
(j) SIC 594 Miscellaneous Shopping Goods Stores  
(k) SIC 599 Retail Stores NEC, except SIC 5999 Miscellaneous Retail NEC

***Services***

- (l) SIC 701a General Service Hotel/Motel  
(m) SIC 7011 Bed and Breakfast Inns  
(n) SIC 7219 Laundry, Garment Services NEC  
(o) SIC 724 Barber Shops  
(p) SIC 725 Beauty Shops  
(q) SIC 725 Shoe Shine and Repair  
(r) SIC 7334 Photocopying, Duplicating Services  
(s) SIC 7336 Commercial Art, Graphics Design  
(t) SIC 763 Watch, Clock, Jewelry Repair  
(u) SIC 7991 Physical Fitness Facilities  
(v) SIC 7999c Commercial Art Galleries, Museums  
(w) SIC 81 Legal Services  
(x) SIC 835 Child Day Care Services  
(y) SIC 84 Museums, Art Galleries, Arboreta, Zoos  
(z) SIC 87 Engineering, Accounting, Research, Management Services

***Accessory Uses and Structures***

- (aa) Parking

4. The following uses are expressly prohibited within the MP-SC Overlay District, provided that any such use that exists as of December 18, 2006, and which is lawfully operating as of said date, shall not be



## ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

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classified as nonconforming under Section 1-301 A. The right to operate any such use shall terminate if the use is discontinued for one year or more.

**Construction**

- (a) SIC 15 Building Contractors
- (b) SIC 16 Heavy Construction Contractors
- (c) SIC 17 Special Trade Contractors

**Manufacturing**

- (d) SIC 20-39 (All manufacturing uses)

**Transportation and Utilities**

- (e) SIC 42 Motor Freight Transportation and Warehousing
- (f) SIC 44 Water Transportation
- (g) SIC 45 Air Transportation
- (h) SIC 46 Pipelines
- (i) SIC 49 Electric, Gas, Sanitary Sewer, except SIC 49b Business Office

**Wholesale Trade**

- (j) SIC 50-51 (All wholesale trade use, durable and non-durable)

**Retail Trade (Ord. 4285/09-16-2013)**

- (k) SIC 55 Automobile Dealers, Service Stations except as provided for in Subsection 3, above

**Services**

- (l) SIC 735 Miscellaneous Equipment Rental, Leasing
- (m) SIC 75 Automotive Repair and Services
- (n) SIC 836c Residential Care Institutions
- (o) SIC 86 Membership Organizations as the primary use of tracts greater than one acre

**4-904 REQUIRED CONDITIONS** **Ord. 3846/12-18-06; Ord. 4284 & 4285/09-16-2013**

All establishments in the MP-SC Overlay District shall meet the following conditions, in addition to any stipulations or conditions of approval under the Conditional Use Permit provisions of this ordinance.

**A. Site/Floor Plan**

A site/floor plan of any proposed establishment shall be submitted and approved by the Director prior to the issuance of a building permit or certificate-of-occupancy. The site plan approval shall identify (a) the specific activities approved and (b) any added stipulations or conditions for development or operation.

**B. Private Clubs (in conjunction with Full-Service Hotel only) (Ord. 3922/12-17-07)**

A private club may be housed within a full-service hotel on land zoned either LC or C and shall comply with the following:

1. **Location:** The premises shall not be located less than 300 feet from any school. Other separation requirements of City Code §8-840 shall not apply.
2. **Minimum capacity:** The hotel shall contain a minimum of 100 rooms, all with access from internal hallways, and shall contain an internal restaurant.
3. **Primary use:** The hotel shall constitute not less than 60 percent of the gross floor area of the structure.
4. **Access:** The bar area shall have no exterior entrance.
5. **Signs:** No signs advertising the sale of alcoholic beverages shall be permitted; however, this shall not prohibit use of established trade names of establishments.
6. **Drink promotions:** Drinks shall not be offered for sale at a price reduced from the customary price during a specific period for promotional purposes (sometimes called "Happy Hour" or similar promotional activities designed to stimulate the sale of alcohol).

**C. Site Design and Maintenance**

## ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

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The site of any proposed establishment within the MP-SC Overlay District shall be designed and developed in accordance with this Section in addition to all other requirements of the City's ordinances and in accordance with any and all Design Standards<sup>1</sup> adopted by the City Council specifically for the MP-SC Overlay District and on file in the Planning office when application is made for any proposed establishment. In the event of a conflict between this Section and other provisions of the City's ordinances, this Section shall prevail. In the event of a conflict between this Section and the Design Standards adopted for the MP-SC Overlay District, the Design Standards shall prevail. The Board of Adjustment is not authorized to grant relief from the provisions of this subsection.

1. In the front and exterior side yards, not less than 75 percent of the building profile shall be built to the right-of-way line. For eating establishments other than drive-in restaurants or restaurants with drive-through facilities, the amount of the building profile built to the right-of-way line may be reduced below 75 percent when:
  - (a) The area between the building façade and the right-of-way line is used for seating for the eating establishment;
  - (b) Ingress and egress are provided from the area to the interior of the eating establishment; and
  - (c) Not less than 25 percent of the building profile is built to the right-of-way line.
2. Every establishment shall have not less than one customer entrance on each street frontage. An establishment with two intersecting street frontages may have a single customer entrance on a 45 degree plane to the intersecting right-of-way lines. Entrances shall be designed as an elevated stoop, gallery, or a doorway with awning, except on facades lined with an arcade.
3. Any area between the building façade and the right-of-way line shall be landscaped. Such landscaping shall be in addition to and not included in meeting normal landscaping requirements for the site.
4. The height of the building shall be constructed to the required building enclosure ratio as specified in the table below. The design shall be presumed to meet this design standard when the height is greater than the percentage of the optimum width of the adjacent street right-of-way in Column C. The Director may approve a building constructed at a lesser height if the street frontage is activated by patron seating, by building fenestration that meets the Design Standards, and the enhanced landscape and pedestrian walkway assembly shown in Diagram 4.
5. Vehicle access to the parking footprint shall be solely via a rear access drive from a side street other than Military Parkway or Scyene Road, or a shared access drive as provided in this paragraph. A tract without connection to a side street and without adjacency to a shared access drive on an abutting parcel, or a tract with a width of more than 200 feet at the frontage line of Military Parkway or Scyene Road, may have one shared access drive on Military Parkway or Scyene Road not exceeding 12 feet in half-width to access the parking footprint. Shared access drives shall be located at the lot line of an abutting buildable parcel. All shared access drives shall be configured to provide future rear access to both the servient tract and the dominant abutting parcel, which shall be secured with a cross access easement. After September 16, 2013, any plat or replat of land within the MP-SC Overlay District shall provide for access as required herein.
6. A building that is constructed for, or intended to accommodate, multiple tenants at ground level shall not present a building profile to a public street that is greater than five times the height of the building.
7. Spaces separating buildings on the same tract along the same street frontage shall be designed to provide a pedestrian access way from the public right-of-way to the rear of the buildings. A sidewalk shall be installed in the access way connecting to the public sidewalk.
8. All parking shall be designed within the parking footprint. The parking footprint shall have a minimum 25-foot setback from the adjacent right-of-way. The parking profile shall not exceed 10 percent of the property frontage on Military Parkway, Scyene Road or Gateway Boulevard. A development that achieves a building enclosure ratio that is less than or equal to 75 percent of the required ratio may expand

<sup>1</sup> Director's Note: On December 17, 2007, the City Council adopted a *Community Appearance Manual* that applies specifically to the MP-SC Overlay. Ordinance No. 3919, codified as City Code §11-500, et seq.

## ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

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its parking profile to 20 percent. A vertical mixed-use development that is constructed equal to or taller than the required height is eligible for a shared parking benefit.

9. The same masonry materials that are used on the building façade of a public street shall “wrap” around the building and be used on all elevations. Metal exterior siding is prohibited on primary and secondary facades in the overlay.
10. Pole signs and portable signs are prohibited. The City, working in concert with property owners, may erect one or more landmark or wayfinding signs identifying the Military Parkway–Scyene Corridor area.
11. Outdoor sales, display or storage is prohibited, §3-600 et seq. notwithstanding.
12. Any premises that abut the City’s adopted pedestrian and bicycle trail system shall, as a condition of site plan approval, and if the City deems it necessary to secure public access, dedicate an access easement of sufficient width and roughly proportional to the impact of the development from the premises to the City system.
13. Fuel pumps as provided for in Section 4-903.C3(c) above shall comply with the following development standards:
  - (a) A maximum of eight fueling positions shall be permitted.
  - (b) Fuel pumps and related canopies shall be located within the parking footprint.

Building Enclosure Ratios			
A	B		C
On the following streets:	The required building enclosure ratio is:	≤75%	Presumed met when building height equals or exceeds: (percentage of optimum width of adjacent street right-of-way)
Military Parkway	4:1	3:1	25%
Scyene Road	2:1	1.5:1	50%
Gateway Blvd.	2:1	1.5:1	50%
Gross Road	3:1	2.3:1	33%
Lindsey Street	3:1	2.3:1	33%
Carmack Street	3.5:1	2.6:1	28%
New streets	3:1	2.3:1	33%

### 4-905 DEFINITIONS

**Ord. 3846/12-18-06; Ord. 4284/09-16-2013**

For purposes of this ordinance, the following terms shall have the meanings ascribed to them in this Section. The diagrams (Diagram 1, etc.) that illustrate various terms are considered part of the definition to which they refer.

*Building profile* means the apparent width of a building when viewed from the street. A development with multiple street frontages will have one building profile for each frontage. (Diagram 1)

*Building enclosure ratio* refers to the proportionate relationship between the total distance between buildings on both sides of the adjacent street and the height of a building. (Diagram 2)

*Director* means the Director of Community Development or his designee.

*Parking footprint* means the area defined by the rear building façade(s) and the rear setback lines. (Diagram 3)

*Parking profile* means the apparent width of the parking area and access drives when viewed from the street. (Diagram 3)

*Optimum width* of street right-of-way refers to the planned or future right-of-way width as approved on the City’s Thoroughfare Plan.

*Shared parking benefit* refers to a concession made for parking in a mixed-use development that has the effect of lowering the minimum parking requirement based upon variations in parking demand by time of day and land use relationships that induce single auto trips. The shared parking benefit is determined separately for each mixed-use development according to standards recommended by the Urban Land Institute.



## ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)

### PART 4: PD, OVERLAY AND FORM-BASED DISTRICTS 4-900 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT

*Vertical mixed-use* refers to stacking different uses on different floors of a multi-story building.

*Walkway Assembly* means enhanced pedestrian and landscape improvements installed in the public right-of-way (Diagram 4).

Diagram 1  
Building Profile

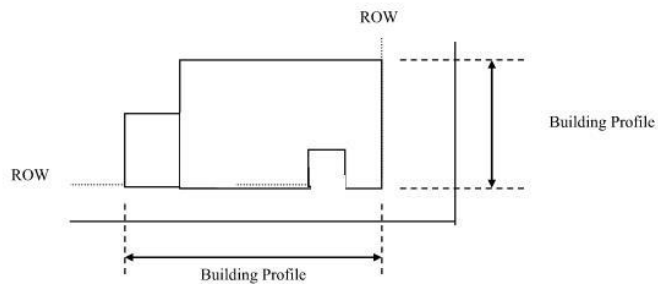
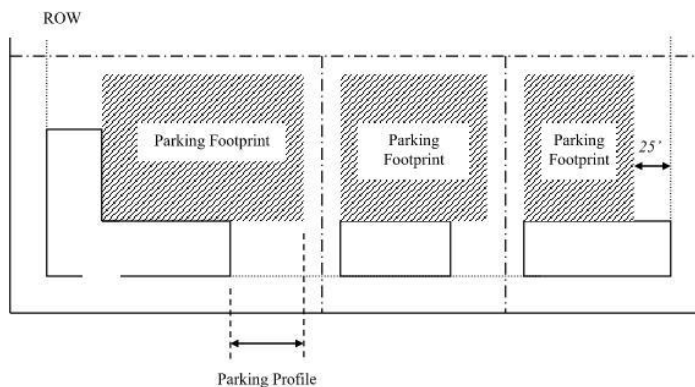


Diagram 2  
Building Enclosure Ratio

Building A =  $w / h1$   
Building B =  $w / h2$



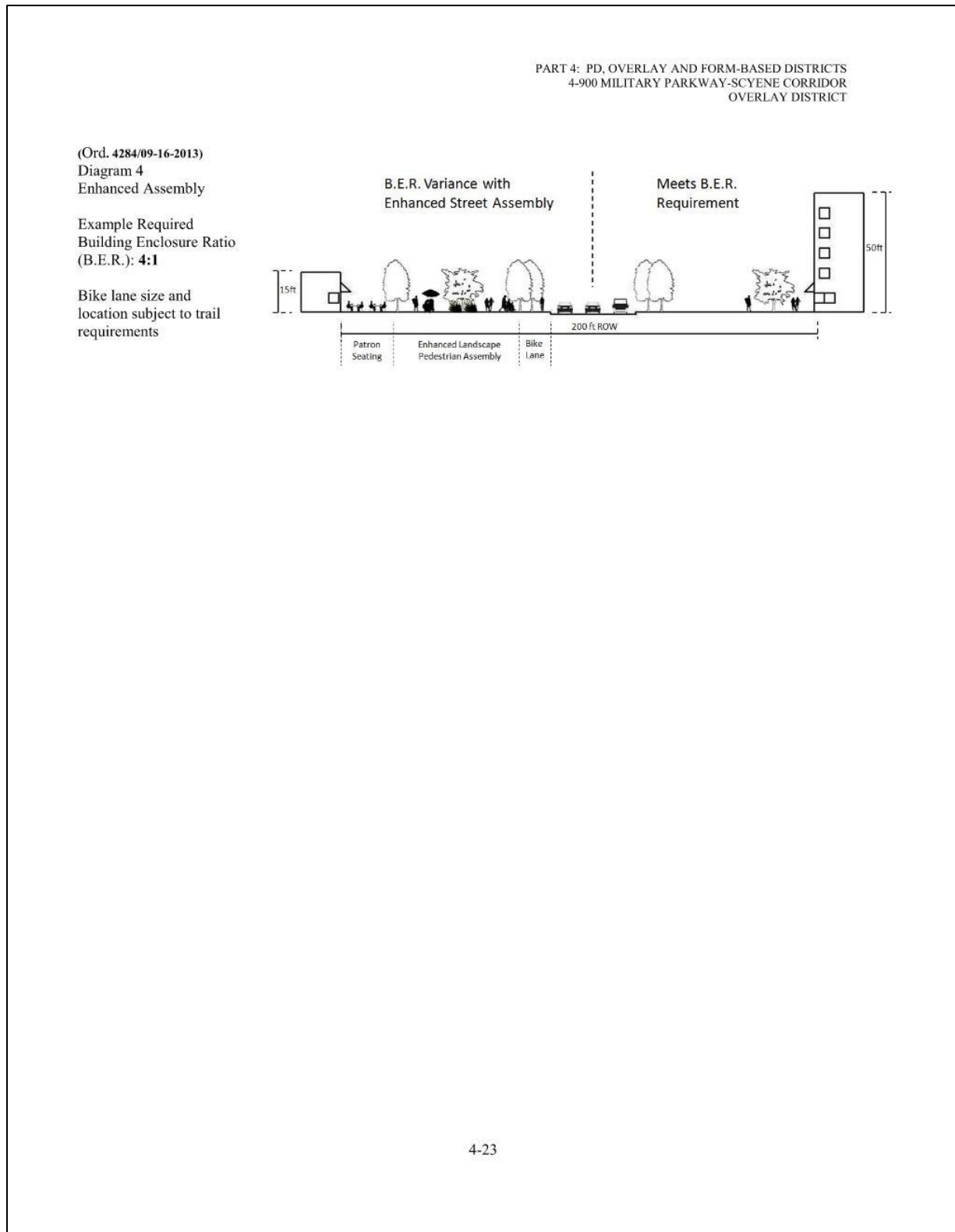
Diagram 3  
Parking Footprint  
and Parking Profile



4-22



## ATTACHMENT 8 – MILITARY PKWY – SCYENE CORRIDOR OVERLAY DISTRICT (MZO 4-900)



## ATTACHMENT 9 – RETURNED PROPERTY OWNER NOTICE



CITY OF MESQUITE  
PLANNING AND ZONING COMMISSION  
NOTICE OF PUBLIC HEARING

**LOCATION:** 641 Military Pkwy, 701 Military Pkwy, 735 Military Pkwy, 821 Military Pkwy, and 816 W Scyene Rd  
(See attached map for reference)

**CASE NUMBER:** Z0821-0213

**APPLICANT:** City of Mesquite

**REQUEST:** From: Central Business within Military Pkwy - Scyene Corridor (MP-SC) overlay and  
Planned Development - Central Business (Ord. 2849) within MP-SC overlay  
To: Planned Development - Central Business

The requested Zoning Change would remove the MP-SC overlay and allow uses permitted in the Central Business zoning district except for certain uses – including but not limited to convenience stores, outdoor storage, and automobile repair – to be prohibited in the proposed Planned Development.

A list of permitted uses for each zoning district is available on the City's website at [www.cityofmesquite.com/1250/Zoning-Ordinance](http://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

As being Tracts 11 and 12 (0.439 +/- acres) and Tract 34 (1.479 +/- acres) in the D S Carver Abstract No. 342 and Lots 1-3, Block 1 Scyene Plaza.

### PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, August 23, 2021, located at 757 N. Galloway Ave.

The City Council will hold a public hearing on this request at 7:00 p.m. on Monday, September 20, 2021, located at 757 N. Galloway Ave.

Questions may be directed to the Planning Division at (972) 216-6344 or [esoward@cityofmesquite.com](mailto:esoward@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 p.m. on August 19th to be included in the Planning and Zoning Commission packet and by 5 p.m. on September 2nd 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: Z0821-0213

I am in favor of this request ☒

I am opposed to this request ☐

Name: (required)

Address of

Noticed Property:

Owner Signature:

JAVIER BELTRAN

735 MILITARY PKWY

*[Signature]*

Date: 8-23-21

Reasons (optional):

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