

FILE NUMBER: Z1021-0222
REQUEST FOR: Conditional Use Permit for Academy and The Learning Center
CASE MANAGER: Garrett Langford, AICP

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, October 25, 2021
City Council: Monday, November 1, 2021

GENERAL INFORMATION

Applicant: Grahm Baumann, WRA Architects, Inc.
Requested Action: Rezone from General Retail to General Retail with a Conditional Use Permit to allow public school.
Location: 2600, 2700, 2704, and 2710 Motely Drive

PLANNING AND ZONING ACTION

Decision: On October 25, 2021, the Planning and Zoning Commission unanimously recommended approval of the Conditional Use Permit with staff recommended stipulations.

SITE BACKGROUND

Platting: Replat will be required.
Size: 11 +/- Acres
Zoning: GR - General Retail
Future Land Use: Town East and Motley Special Planning Area
Zoning History: 1954: Annexed and zoned Residential
1965: Rezoned to Local Retail
1973: Rezoned to General Retail

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>LAND USE</u>
NORTH:	R-3, Single Family Residential	Low Density Residential
SOUTH:	GR - General Retail	Neighborhood Retail
EAST:	R-3, Single Family Residential	Low Density Residential
WEST:	GR - General Retail	Neighborhood Retail

CASE SUMMARY

The applicant is requesting a Conditional Use Permit (CUP) to allow The Learning Center to relocate from 230 Pioneer Road to 2600 Motley Drive, which Mesquite ISD (MISD) previously leased and used as their Professional Development Center. MISD moved Professional Development Center in 2019 to 3819 Towne Crossing Blvd. In 2021, MISD purchased 2600 Motley Drive for the Learning Center, Library Services, and Instructional Technology. As part of this project MISD is relocating Library Services and Instructional Technology from 612 E. Davis Street. The project also includes renovations of the Academy building at 2704 Motley Drive and adding a new gymnasium/storm shelter to be used by students at the Academy and The Learning Center.

In 2018, City Council approved a text amendment to the Mesquite Zoning Ordinance to require all new or expanding primary and secondary schools to obtain a CUP. In addition, the text amendment requires that applicants submit a Traffic Impact Analysis (TIA) with the Conditional Use Permit to be reviewed by the Traffic Engineering Division of the City. The applicant provided a completed TIA and a Traffic Management Plan (TMP) to the Traffic Engineering Division. The Manager of Traffic Engineering reviewed the TIA and TMP and found them to be acceptable.

MESQUITE COMPREHENSIVE PLAN

The subject properties are included in an area referred to by the *Mesquite Comprehensive Plan* as Town East and Motley Special Planning Area. “The vision for the Town East and Motley Special Planning Area is to be a thriving retail intersection with neighborhood staples to serve the surrounding area. The revitalized intersection will feature new commercial construction to replace aged retail shopping centers and improved façade aesthetics of existing buildings. Improvements to the streetscape will include new landscaping, improved lighting, and widened sidewalks to improve pedestrian safety and connectivity.”

STAFF COMMENTS:

While the proposed CUP will not include retail uses, it will allow for adaptive reuse of an existing building that would otherwise remain vacant. Granting the CUP would also allow additional site improvements to the site by MISD, which could assist in revitalizing the Town East and Motley Drive intersection.

MESQUITE ZONING ORDINANCE

SECTION 5-503: REVIEW CRITERIA FOR CONDITIONAL USE PERMITS

1. Existing Uses

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

STAFF COMMENTS:

The proposed use is compatible with surrounding residential uses. The proposed use also conforms to the current zoning of the subject property as well as to the Comprehensive Plan. It is not anticipated that the proposed use will have an adverse impact on the surrounding area.

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 COMMENTS:

Staff does not anticipate the school to negatively 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.

STAFF COMMENTS:

The applicant will be required to provide adequate utilities, access roads and drainage facilities to the site.

4. Parking

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

STAFF COMMENTS:

The proposed school will be required to provide sufficient parking spaces and stacking.

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 disturbances to neighboring properties will result.

STAFF COMMENTS:

Staff does not anticipate disturbances to neighboring businesses or residences as a result of the school use.

CONCLUSIONS

ANALYSIS

The proposed CUP for education use is consistent with the future land use designation of the *Mesquite Comprehensive Plan* and the existing zoning. As indicated previously, the applicant submitted a TIA and a TMP which the Manager of Traffic Engineering reviewed and has accepted its preliminary findings. The TIA states that MISD anticipates around 50 students in each facility at the beginning of the school year, with more students being added throughout

the school year. Mesquite ISD expects the maximum student capacity for each facility to be 250. Based on these numbers, the TIA estimates an “average queue length of 725 feet with a maximum length of 830 feet for high demand days.” The concept plan shows that the site will have a queueing capacity of 1,430 feet to meet the anticipated demand.

RECOMMENDATIONS

Staff recommends approval of the Conditional Use Permit with the following stipulations:

1. The Traffic Impact Analysis shall be reviewed and verified prior to final approval of the site plan.
2. Traffic Management Plan be evaluated after implementation to determine if additional measures are necessary.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of October 25, 2021, Staff received four returned notices in favor of the request.

CODE CHECK

Staff conducted a site visit to the subject property and did not find any visible code issues or possible violations as of the date of this writing.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Application Materials
6. Concept Plan
7. Returned Notices


ATTACHMENT 1 – AERIAL MAP

Aerial Map: Zoning Case Z1021-0222



Request: Rezone to General Retail with a
Conditional Use Permit to allow school use.
Applicant: WRAArchitects on Mesquite ISD
Location: 2600, 2700, 2704 and 2710 Motley

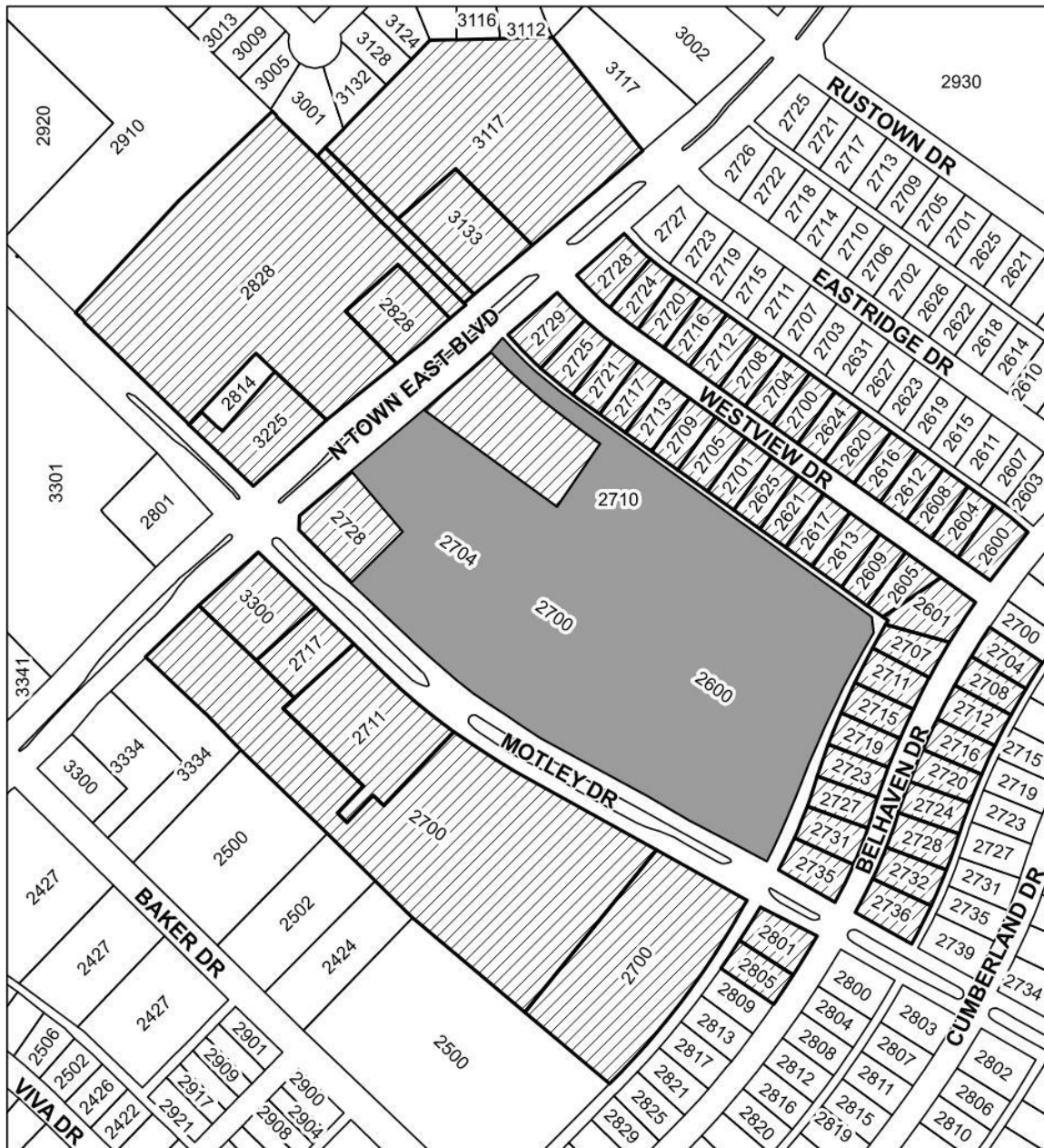
Legend

 Area of Request



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map: Zoning Case Z1021-0222



Request: Rezone to General Retail with a
Conditional Use Permit to allow school use.
Applicant: WRA Architects on Mesquite ISD
Location: 2600, 2700, 2704 and 2710 Motley

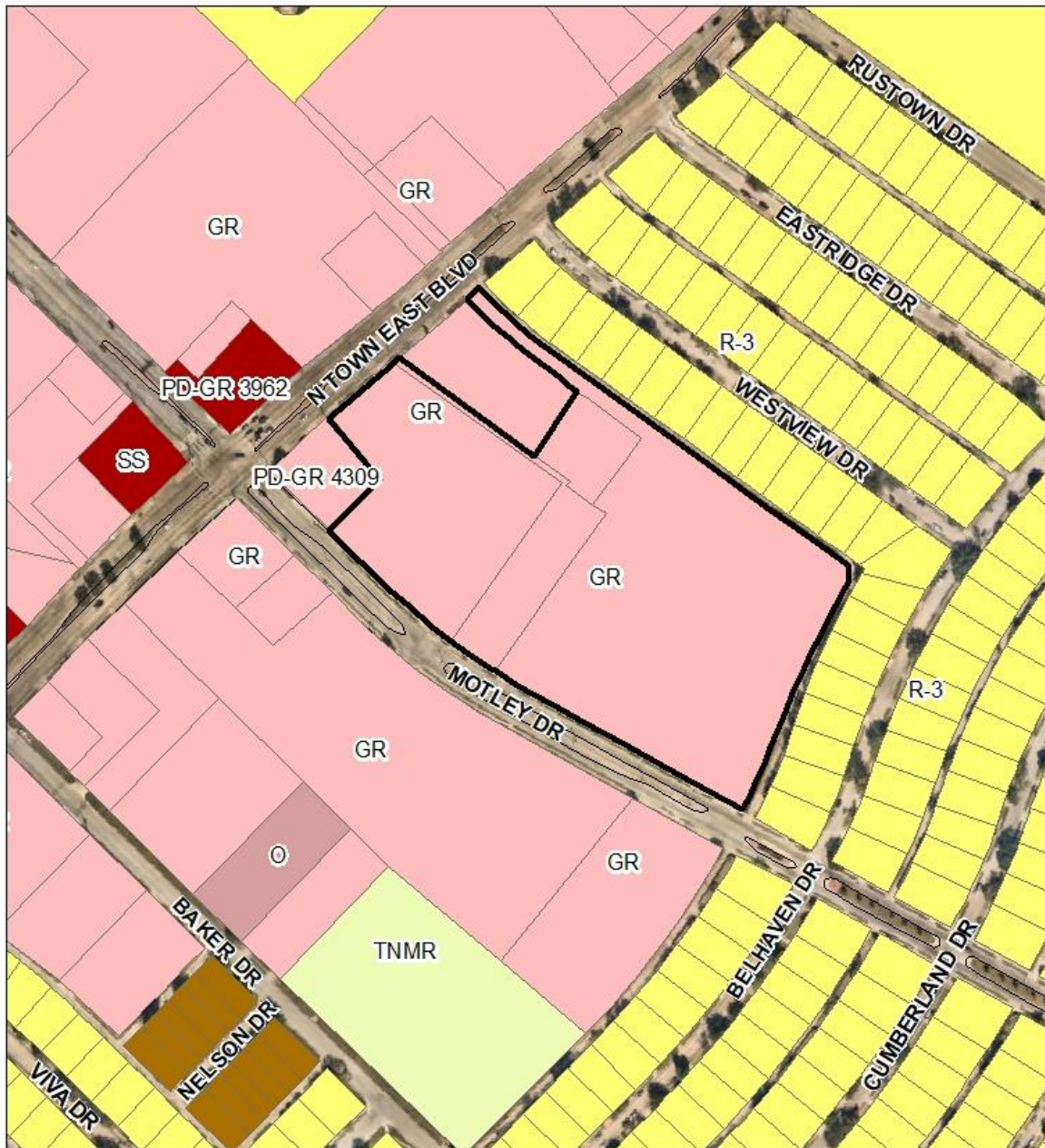
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- Area of Request
- Noticed Properties

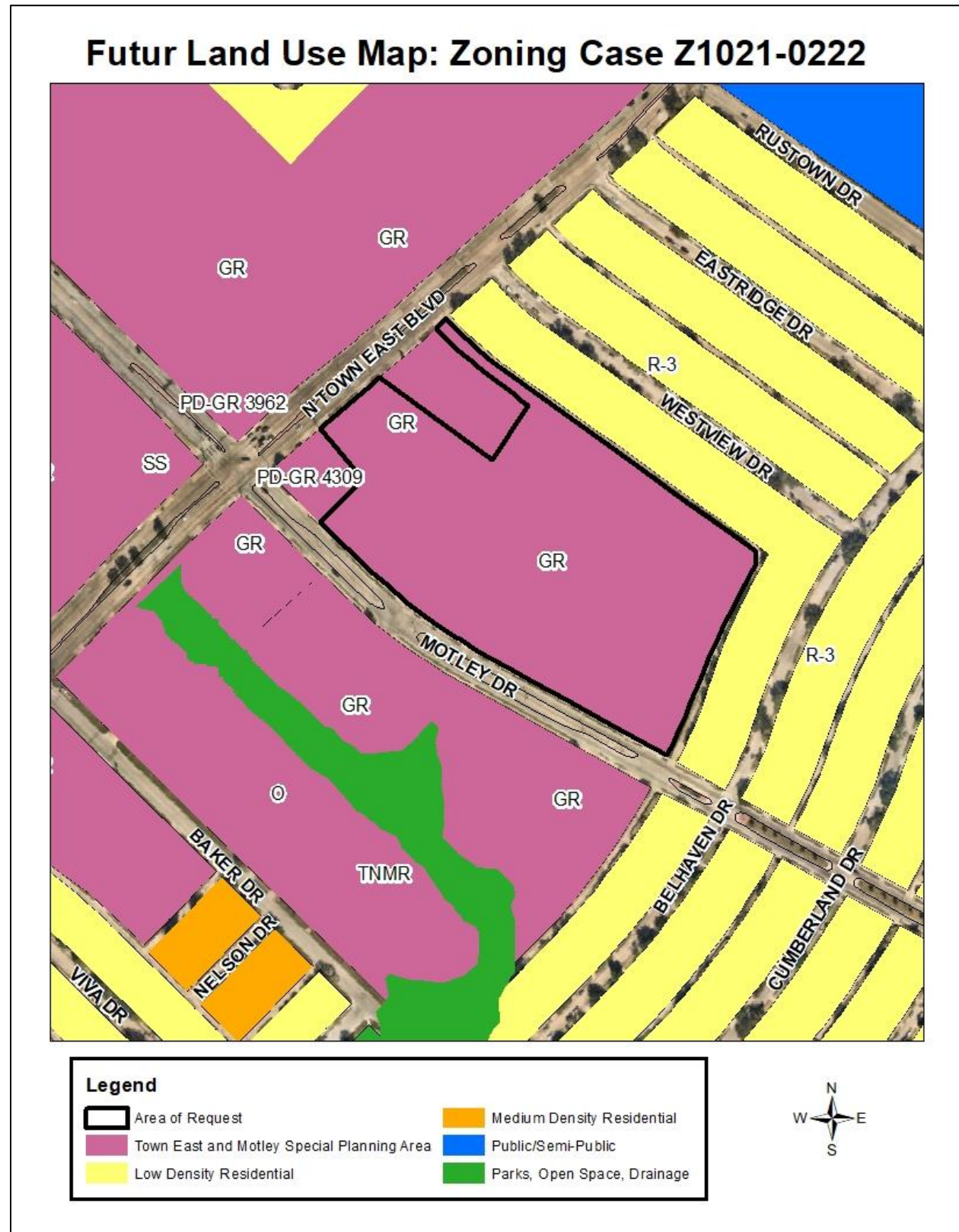


ATTACHMENT 3 – ZONING MAP

Zoning Map: Zoning Case Z1021-0222



ATTACHMENT 4 – FUTURE LAND MAP



ATTACHMENT 5 – APPLICATION MATERIALS



City of Mesquite Conditional Use Permit Packet

Please print legibly. This application can also be completed online at
<https://www.cityofmesquite.com/DocumentCenter/View/17383/Conditional-Use-Permit-Application>

Application Checklist

- ☒ Completed Application ☒ Statement of Intent and Purpose ☒ Zoning Exhibits A & B
☒ Owner Authorization (page 6) ☒ Application Fee*

**Fee will be assessed at time of application submittal (\$800/\$1,000).*

Property Information

General Location: Mesquite ISD Academy and PDC
Physical Address: 2704 & 2600 Motley Drive City, State: Mesquite, Texas
Zip Code: 75150
Platted: ☒ Yes ☐ No (If yes, fill in information below)
Subdivision: Eastridge Park 2 Commercial Block: Block A Lot: Lot 1

Applicant Information – The person filling out the application

First Name: Graham Last Name: Baumann
Phone Number: 214-750-0077 Email Address: gbaumann@wraarchitects.com
Company Name: _____

Property Owner(s) Information – The owner of the property listed as physical address

Same as Applicant: ☐ Yes ☒ No (If no, fill in information below)
First Name: Don Last Name: Pool
Phone Number: 972-882-7419 Email Address: dpool@mesquiteisd.org
Mailing Address: 800 E. Kearney Street City, State: Mesquite, TX
(If different from physical address)
Zip Code: 75149

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ATTACHMENT 5 – APPLICATION MATERIALS

Requested Action

Existing district classification: (Select all that apply)

Residential Zoning Districts

- ☐ AG – Agricultural ☐ R-1 – Single Family ☐ R-1A – Single Family ☐ R-2 – Single Family
☐ R-2A – Single Family ☐ R-3 – Single Family ☐ D – Duplex ☐ Multifamily (less than 25 units)
☐ Traditional Neighborhood Mixed Residential (TNMR)
☐ Other: _____

Non-Residential Zoning Districts

- ☐ O – Office ☒ GR – General Retail ☐ LC – Light Commercial ☐ MU – Mixed Use
☐ CB – Central Business ☐ SS – Service Station ☐ C – Commercial ☐ I – Industrial
☐ CV – Civic
☐ Other: _____

Describe the proposed Conditional Use Permit and the purpose of the request using the space below. You may use a separate sheet if necessary. The following should be included:

1. Description of project uses.
2. If the property is currently developed, list all active businesses on the property with a brief description of each.
3. Address how the requested conditional use permit complies with the [Mesquite Comprehensive Plan](#).

PDC Renovation

Renovation of existing building for the following uses: relocating

The Learning Center to this building (from previous TLC location),

relocating Library Services and Instructional Technology to this building.

Renovating building for auxiliary administration offices and future growth space.

Academy Gym/Renovation

Addition of Gymnasium/Storm Shelter to be used by students at Academy and students at TLC next door

Renovation of existing building to relocate kitchen and cafeteria

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ATTACHMENT 5 – APPLICATION MATERIALS

Address how the request meets the approval criteria in [Section 5-303](#) of the Mesquite Zoning Ordinance, outlined below.

1. **Existing Uses:** That 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.
2. **Vacant Properties:** That the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in area.
3. **Services:** That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. Conditional uses in residential districts shall generally require direct access to an arterial street.
4. **Parking:** That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed uses.
5. **Performance Standards:** That 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.

You may use a separate sheet if necessary.

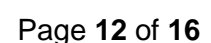
The properties will continue to be used in a similar manner as they have in recent years including the education of school district students and the workspace of school district staff.

The site(s) will be improved to meet current city standards as required by planning and zoning

Utilities to serve or loop around the building will be improved as required by the city.

Parking requirements will be met.

Performance standards of the city will be maintained.



ATTACHMENT 7 – RETURNED NOTICES



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

LOCATION: 2600, 2700, 2710, and 2704 Motley Drive
(See attached map for reference)
FILE NUMBER: Z1021-0222
APPLICANT: WRA Architects on behalf of Mesquite ISD
REQUEST: From: General Retail
To: General Retail with a Conditional Use Permit

The requested Zoning Change to General Retail with a Conditional Use Permit (CUP) will allow a school use on the property. The applicant is proposing to renovate 2600 Motley Dr to be used for the Learning Center, Library Services, and Instructional Technology. The project also includes renovations of the Academy building and adding a new gymnasium/storm shelter to be used by students at the Academy and The Learning Center.

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

Being 2.7946-acre tract in the Daniel Tanner Survey, Abstract No. 1462; 0.553-acre tract in the Daniel Tanner Survey, Abstract No. 1462 Lot 1, Block A, Ward Drug; and Eastridge Park Addition No. 2 Commercial.

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **October 25, 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, **November 1, 2021**, located at 757 N. Galloway Ave.

Questions 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 p.m. on October 21st to be included in the Planning and Zoning Commission packet and by October 25th 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: Z1021-0222
I am in favor of this request ☒ Name: (required) Samuel B. Haigis
I am opposed to this request ☐ Address of 2727 Belhaven Dr
Noticed Property: Samuel B. Haigis Date: 10-18-2021
Owner Signature:

Reasons (optional): _____

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

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Zoning Case: Z1021-0222
I am in favor of this request ☒ Name: (required) Mary A. Dees
I am opposed to this request ☐ Address of Noticed Property: 2713 Westview Dr.
Owner Signature: Mary A. Dees Date: 10-23-2021

Reasons (optional): _____

Please respond by returning to: PLANNING DIVISION
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Zoning Case: Z1021-0222
I am in favor of this request ☒ Name: (required) Billy W. Newby
Address of 2624 Westview Dr.
Noticed Property: _____
I am opposed to this request _____ Owner Signature: X B W Newby Date: 10/18/21

Reasons (optional): _____

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Zoning Case: Z1021-0222

I am in favor of this request ✓

I am opposed to this request _____

Name: (required)

Address of

Noticed Property:

Owner Signature:

Thomas J. Burnett, Jr. & Deborah Burnett
2601 Westview Dr., Mesq. 75150

Date: 10-15-21

Reasons (optional): _____

Please respond by returning to: PLANNING DIVISION
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PLANNING AND ZONING