



T E X A S  
Real. Texas. Service.

PLANNING AND ZONING DIVISION

**FILE NUMBER:** Z0820-0144  
**REQUEST FOR:** Zoning Change  
**CASE MANAGER:** John Chapman, Planner

**PUBLIC HEARINGS**

Planning and Zoning Commission: Monday, August 24, 2020  
City Council: Monday, September 21, 2020

**GENERAL INFORMATION**

**Applicant:** UTR Homes, LLC – Rosalinda Guzman  
**Requested Action:** Zoning Change from PD-GR – Planned Development-General Retail to R-1 Single Family Residential  
**Location:** 1836 Wilkinson Road

**PLANNING AND ZONING ACTION**

**Decision:** The Planning and Zoning Commission unanimously recommended approval of the request.  
**Conditions:** Since the proposed zoning is not a planned development district or conditional use permit, no conditions can be placed on the request as part of approval.

**SITE BACKGROUND**

**Platting:** Nile Valley Plantations, Lot 9  
**Size:** 5 acres  
**Zoning:** PD-GR – Planned Development-General Retail  
**Future Land Use:** Estate Residential  
**Zoning History:** 1959 – Annexed and zoned R – Residential  
1964 – Zoning Ordinance update changed the zoning from R to R-1  
2017 – Zoning Change from R-1 to Planned Development-General Retail

Surrounding Zoning and Land Uses (see attachment 3):

	<b><u>ZONING</u></b>	<b><u>EXISTING LAND USE</u></b>
<b>NORTH:</b>	GR - General Retail & R-1 Single Family Residential	Vacant/Undeveloped
<b>SOUTH:</b>	R-1, Single Family Residential	Vacant/Undeveloped
<b>EAST:</b>	R-1, Single Family Residential	Single Family Residence

**File No.: Z0820-0144**  
**Zoning Change**

**WEST:** R-1, Single Family Residential | Single Family Residence

## **CASE SUMMARY**

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The applicant is requesting a zoning change from PD-GR – Planned Development-General Retail to R-1 Single Family Residential for constructing a new residence.

In 2017, City Council approved a zoning change for a proposed development of a Lidl grocery store on two tracts of land (440 E. Cartwright Rd. and 1836 Wilkinson Rd.) totaling 11.5 acres located at the southeast corner of Wilkinson Road and E. Cartwright Road. Lidl has since abandoned its planned stores in Texas, including for the subject property.

Prior to the approved zoning change in 2017, the two tracts, including the subject property, were zoned R-1 Single Family Residential. The proposed request is to rezone the southern tract (1836 Wilkinson Rd.) in the PD back to R-1 zoning. The applicant proposes to demolish the existing residence and construct a new home to the standards of the R-1 zoning district.

## **MESQUITE COMPREHENSIVE PLAN**

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The *Mesquite Comprehensive Plan* designates the future land use of the subject property as Estate Residential. The Estate Residential land use designation represents detached single family homes on large lots. Homes are generally farther apart than homes in a traditional residential subdivision and may not have a traditional neighborhood pattern. The recommended density range for this land use is 1 to 3 units per acre and supports schools and parks.

Several strategies of the Estate Residential land use designation include incorporating natural landscaping or rural character. Estate residential should be buffered and/or protected from major roadways, but accessible to the major roadway network and commercial establishments. Estate residential should also be buffered from major commercial areas by low or medium density residential subdivisions.

### **STAFF COMMENTS:**

The proposed zoning change conforms to the *Mesquite Comprehensive Plan*.

## MESQUITE ZONING ORDINANCE

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### SECTION 2-302 LOT, SETBACK, HEIGHT, AND UNIT SIZE REQUIREMENTS

Permitted Residential Uses Development Standards	R-1
Front Yard Setback	30 Feet
Interior Side Yard Setback	5 Feet
Rear Yard Setback	25 Feet
Maximum Height (Whichever is less)	35 Feet or 2.5 Stories
Minimum Living Area	2,000 Square Feet

#### STAFF COMMENTS:

Future development on the subject property must meet the requirements in this section unless provided otherwise within the *Mesquite Zoning Ordinance*. Due to recent changes in Texas laws, future construction is not required to meet any masonry requirements.

## CONCLUSIONS

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#### ANALYSIS

The proposed zoning change meets the *Mesquite Comprehensive Plan* and future development will comply with all applicable City codes and regulations.

#### RECOMMENDATIONS

Staff recommends approval of the Zoning Change from PD-GR – Planned Development-General Retail to R-1 Single Family Residential.

## 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 no returned notices.

## ATTACHMENTS

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

# Aerial Map

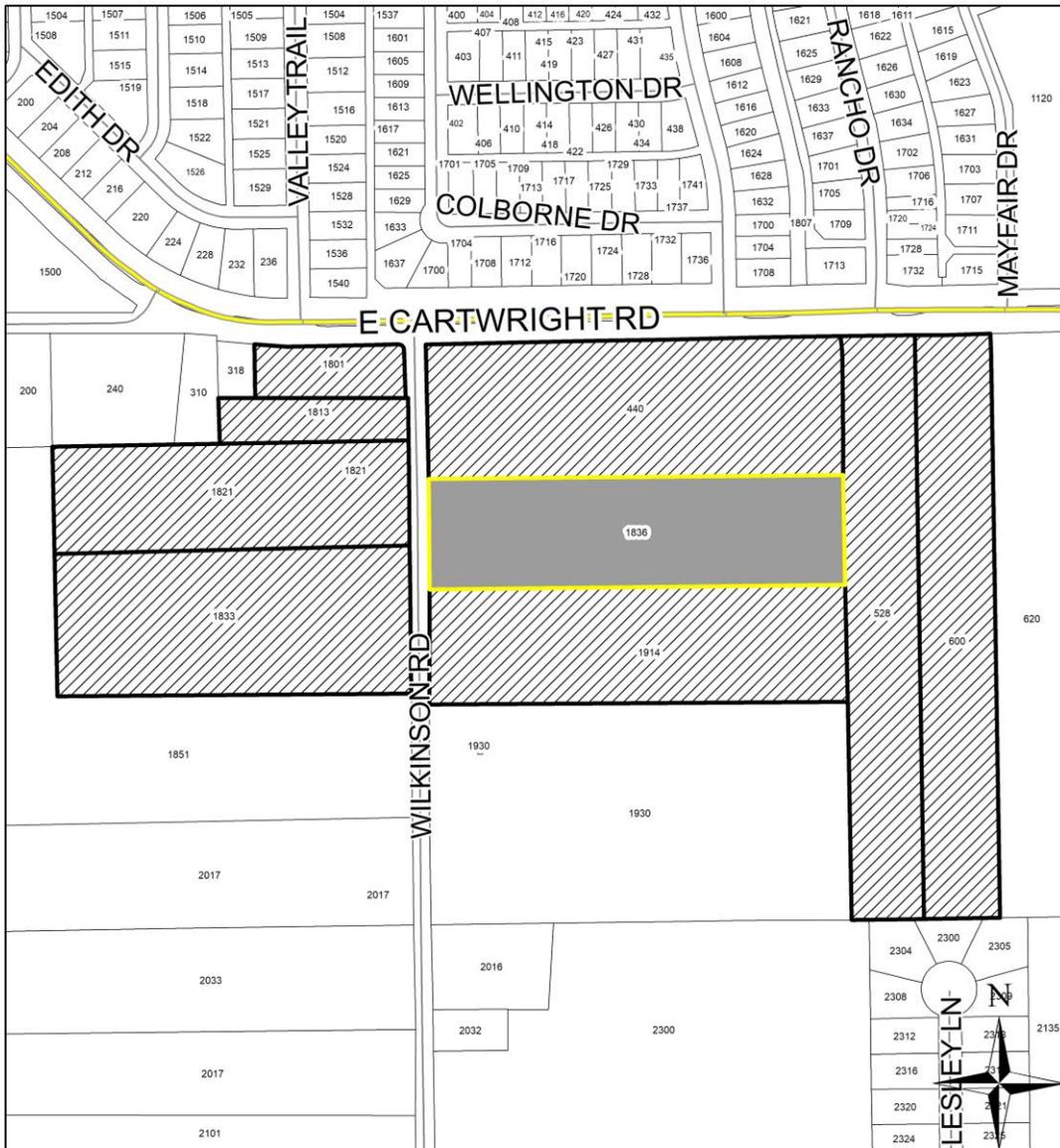


## Legend

-  Subject Property
-  Parcels

ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

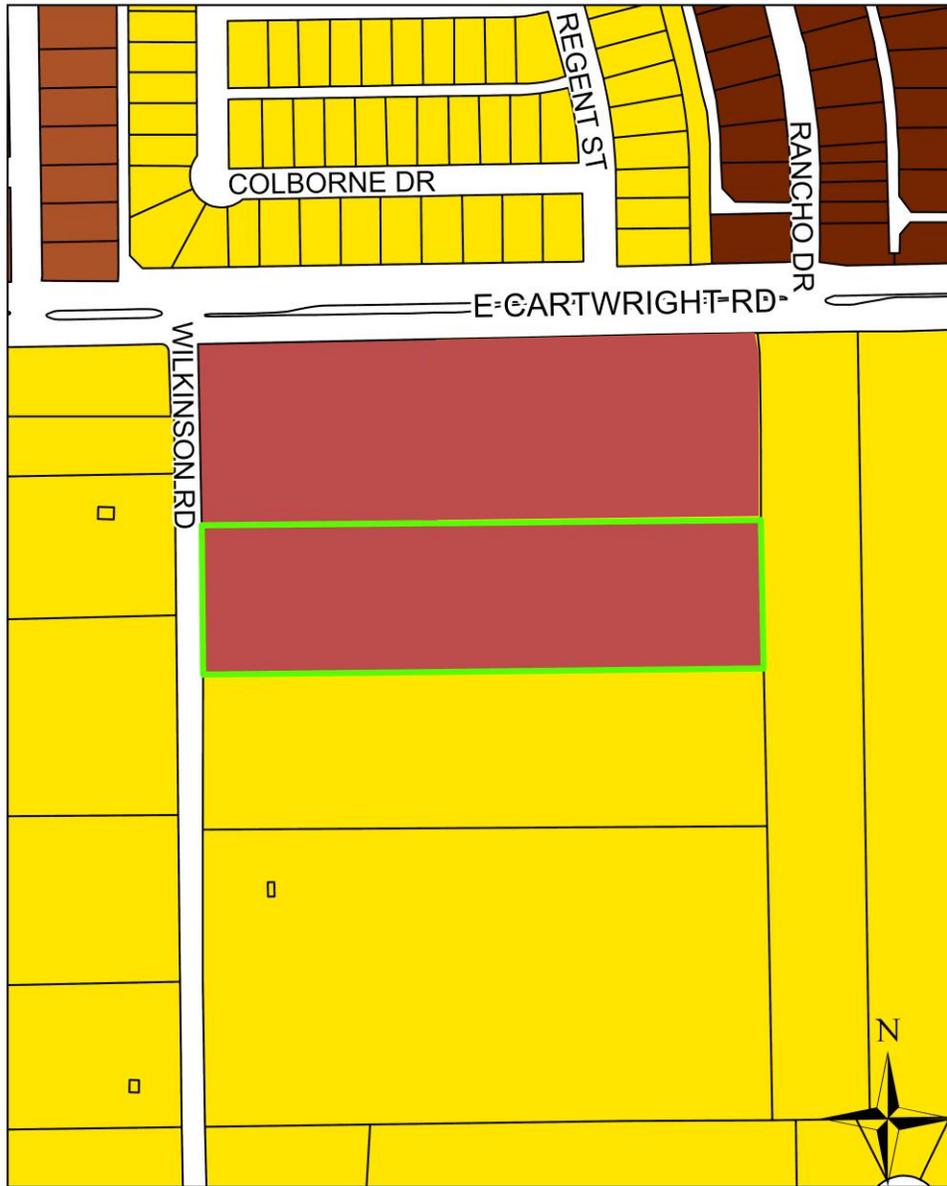
# Notification Map



**Request:** Zoning Change from GR - General Retail to R-1 Single Family Residential  
**Applicant:** UTR Homes, LLC  
**Location:** 1836 Wilkinsons Road

**Legend**  
[Yellow outline] Subject Property  
[Diagonal lines] Noticed Properties

# Zoning Map

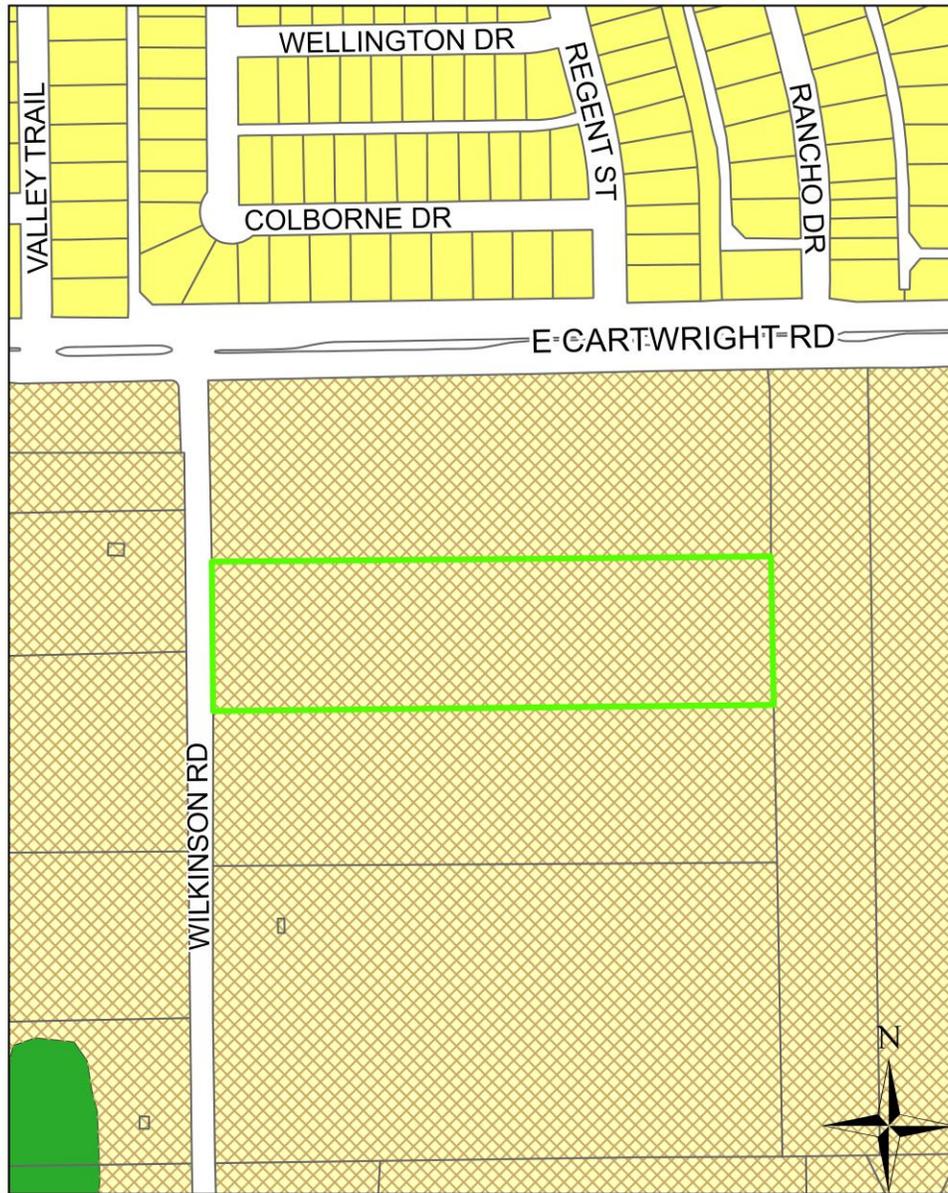


## Legend

- |  |   |
|--|---|
|  Subject Property   |  GENERAL RETAIL            |
|  DUPLEX RESIDENTIAL |  MULTIFAMILY RESIDENTIAL   |
|  |  SINGLE FAMILY RESIDENTIAL |

ATTACHMENT 4 – FUTURE LAND USE MAP

# Future Land Use Map



-  Subject Property
-  Estate Residential
-  Low Density Residential
-  Parks, Open Space, Drainage
-  Parcels

**ATTACHMENT 5 – SITE PICTURES**



View of subject property from Wilkinson Road



View looking north along Wilkinson Road

**ATTACHMENT 6 – APPLICATION MATERIALS**

**Letter of Intent**

August 5, 2020

To Whom It May Concern:

This letter is to explain the purpose of this zoning change request from PD zoning to R2 Residential Re-Zoning.

Thank you,

Rosalinda Guzman

Letter of Intent

Rosalinda Guzman  
August, 05 2020

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EnerGov Application Signature

<b>CITY OF MESQUITE ZONING APPLICATION</b>	Receipt No.	Date Stamp:
	Fee:	
	Case Manager:	

**REQUESTED ACTION:**

Change District Classification to: <u>R-1</u>	Conditional Use Permit for: _____	Amend Special Conditions of Ordinance # _____ <small>(Explain Below)</small>
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Additional explanation of requested action:  
 \_\_\_\_\_  
 \_\_\_\_\_

**SITE INFORMATION/GENERAL LOCATION:**                      **LOCATION/LEGAL DESCRIPTION:**

Current Zoning Classification: <u>PD</u> Site Size: <u>5</u> (Acres or Square Feet) Address (if available): <u>1836 Wilkinson</u> General Location Description: _____ _____ _____	Complete one of the following: 1. Platted Property Addition: <u>NILE VALLEY PLANTATIONS</u> Block: _____ Lot: <u>9</u> 2. Unplatted Property: Abstract: _____ Tract: _____
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**APPLICANT INFORMATION:**

Contact: <u>Rosalinda Guzman</u>	Phone: <u>(214) 205-6932</u>
Company: _____	Fax: ( ) _____
Address: <u>712 Elm Falls Pl.</u> <u>Mesquite, TX 75181</u>	E-mail: _____ <small>(Required)</small>
Signature: <u>Rosalinda Guzman</u>	Owner <input type="checkbox"/> Representative <input type="checkbox"/> Tenant <input type="checkbox"/> Buyer <input type="checkbox"/>

**OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:**

1. I hereby certify that I am the owner or duly authorized agent of the owner, of the subject property for the purposes of this application.  
 2. I hereby designate the person named above as applicant, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite in the processing of this application.  
 3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of 1) Erecting, maintaining, or removing "Change of Zoning" signs, which indicate that a zoning amendment is under consideration and which indicate how further information may be obtained, and 2) Taking photographs documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in the erecting, maintaining, or removal of said signs or the taking of said photographs.

Owner: <u>GARY WOOD + PATRICIA WOOD</u>	Phone: <u>(214) 676-6350</u>
Address: <u>1836 Wilkinson Rd</u> <u>MESQUITE, TX 75181</u>	Fax: ( ) _____
Signature: <u>Patricia Wood Gary Wood</u>	E-mail: _____