



T E X A S

Real. Texas. Service.

PLANNING AND ZONING DIVISION

**FILE NUMBER:** Z0621-0204  
**REQUEST FOR:** Planned Development - Commercial  
**CASE MANAGER:** Lesley Frohberg, AICP, Senior Planner

**PUBLIC HEARINGS**

---

Planning and Zoning Commission: Monday, July 26, 2021  
City Council: Monday, August 16, 2021

**GENERAL INFORMATION**

---

**Applicant:** Allen Perez, JM Civil Engineering  
**Requested Action:** Zoning Change from Planned Development – Service Station to Planned Development – Commercial to allow a convenience store and fueling station  
**Location:** 1712 W. Scyene Road

**PLANNING AND ZONING ACTION**

---

**Decision:** On July 26, 2021, the Planning and Zoning Commission unanimously recommended approval of the zoning change from Planned Development – Service Station to Planned Development – General Retail with Exhibits A (Legal Description), B (Development Standards), and C (Concept Plan).

**SITE BACKGROUND**

---

**Platting:** Freeway Addition, Block 1, Lot 3  
**Size:** 0.97 acres  
**Zoning:** Planned Development – Service Station  
**Future Land Use:** Neighborhood Retail with Corridor Development Overlay  
**Zoning History:** 1951 – Annexed into City of Mesquite and zoned Residential  
1955 – Rezoned to Local Retail  
1964 – Rezoned to Commercial  
1973 – Rezoned to Service Station  
1994 – Rezoned to Planned Development – Service Station (Ord. 3016)

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 with CUP (Ord. No. 4849)	Quickfix Wireless / Tire Shop & State Inspection
<b>SOUTH:</b>	C – Commercial with Mesquite Arena/Rodeo Entertainment Overlay	Multi-Tenant Shopping Center
<b>EAST:</b>	Planned Development – Commercial with Military Parkway – Scylene Corridor Overlay	Quik Trip
<b>WEST:</b>	C - Commercial	Waffle House

### **CASE SUMMARY**

---

The applicant, JM Civil Engineering, is requesting a zoning change from Planned Development – Service Station (PD-SS) to Planned Development – Commercial (PD-C) to develop a convenience store and fueling station (16 fueling positions) under the ownership of Murphy’s Express. The applicant is proposing a Planned Development rather than a straight zoning change to request different development standards regarding a modification to the 500-foot separation requirement from residential districts and the maximum number of vehicle fueling positions, as well as permitted uses and other development standards.

The subject property has an existing Chevron convenience store with fuel sales (6 pumps/12 vehicle fueling positions) and a tunnel carwash. The applicant is proposing to remove all existing structures to construct a new 2,824 square-foot convenience store with fuel sales, including 8 fuel pumps or 16 vehicle fueling positions. The proposed design would orient the site to face towards Interstate 635 and provide enhanced landscaping along the perimeter of the site.

The applicant requested a zoning change to Planned Development – Commercial; however, after reviewing the case, Staff is recommending Planned Development – General Retail to align with the Neighborhood Retail designation of the *Mesquite Comprehensive Plan* and to limit more intense land uses.

### **MESQUITE COMPREHENSIVE PLAN**

---

The *Mesquite Comprehensive Plan* designates the future land use of the subject property as Neighborhood Retail within the Corridor Development Overlay. The Neighborhood Retail land use designation represents a variety of retail and personal service businesses that meet the daily needs of the residents. This development type generally includes small or medium scale development ranging from 1,500 square feet to 45,000 square feet and one to two stories in height. Neighborhood Retail uses are typically retail, restaurants, and personal services. It is recommended that uses within the Neighborhood Retail:

- Serve as a buffer from roadways for residential areas;
- Provide a combination of screening, increased rear setbacks, and enhanced landscaping; and

- Provide a transitional land use between residential uses and higher intensity commercial land uses.

The Corridor Development designation represents commercial development that is located along a major corridor. Developments within these corridors are highly visible and enhanced landscaping and public art is encouraged in this area.

**STAFF COMMENTS:**

The proposed rezoning to PD-Commercial does not align with the Neighborhood Retail designation because it allows more intensive land uses by right such as construction and manufacturing. The recommendation to rezone the subject property to PD-General Retail supports the intent of the *Mesquite Comprehensive Plan*. The proposed landscaping, which includes 24% of the site landscaped, 9 trees, and 45 shrubs, meets the intent of the Corridor Development Overlay to provide enhanced landscaping to a highly visible area.

---

**MESQUITE ZONING ORDINANCE**

---

**SECTION 4-201(A) 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 is recommended to incorporate the GR, General retail zoning district as its base zone with all applicable regulations and uses, as amended, from the Mesquite Zoning Ordinance. In General Retail zoning, convenience stores and fueling stations require approval of a Conditional Use Permit (CUP) or Planned Development. The proposed PD will allow SIC 549(a) Convenience Stores and SIC 554 Refueling Stations by right. All other land uses not mentioned in the PD will revert to the standards of the underlying zoning district of General Retail, if approved.

**SEC. 4-201(B) DEVELOPMENT REQUIREMENTS**

“An application for a PD district shall specify and the PD ordinance shall incorporate the development requirements and standards which are to be required in the PD district. Development requirements and standards may include, but are not limited to, density, lot size, unit size, setbacks, building heights, lot coverage, parking ratios, screening and other requirements or standards as the Council may deem appropriate. Development requirements and standards may be specified by reference to a specific zoning district, in which case all requirements and standards in the referenced district shall be applicable. The applicant or the City may propose varied or different standards that improve development design or enable a unique development type not otherwise accommodated in the Zoning Ordinance.”

**STAFF COMMENTS:**

Provided as Exhibit B, the proposed PD will include several amendments to GR development standards:

1. The proposed PD will allow a convenience store and fuel sales by right. The Mesquite Zoning Ordinance requires a Conditional Use Permit for convenience stores and fuel sales in GR districts and includes Special Conditions, which requires all fuel pumps and structures to be located 500 feet from any residential district. The proposed convenience store and fuel pumps will be located approximately 400 feet or greater from the Iron Horse subdivision.
2. The PD is proposed to have a minimum of 24% open space. This requirement is 14% above the required 10% and meets the intent of the *Mesquite Comprehensive Plan*.
3. The definition of limited fuel sales includes a maximum of 4 pumps or 8 vehicle fueling positions. The PD proposes to allow 8 pumps or 16 vehicle fueling positions by right.

All other required General Retail development standards and special conditions for fueling stations will be enforced.

**SEC. 4-201(C) CONCEPT PLAN**

“An application for a PD District shall include a concept plan showing a preliminary layout of proposed uses, access, buildings, parking, open space and the relationship to existing natural features and to adjacent properties and uses. The concept plan shall be construed as an illustration of the development concepts and not as an exact representation of all specific details.”

**STAFF COMMENTS:**

Exhibit C (attachment 9) includes the concept plan, landscape plan, façade plan, and truck route. Staff has reviewed these plans based on the proposed development standards and GR zoning district regulations and finds that all requirements are met.

**SEC. 3-301 LOT, SETBACK, AND HEIGHT REGULATIONS**

The table below identifies the existing GR zoning district regulations and the proposed regulations of this PD.

**STAFF COMMENTS:**

	<b>REQUIRED (GR)</b>	<b>PROPOSED</b>
<b>MAXIMUM LOT COVERAGE (%)</b>	30%	30%
<b>MINIMUM FRONT &amp; EXTERIOR SIDE YARDS (FT)</b>	25 feet	25 feet
<b>MINIMUM INTERIOR SIDE &amp; REAR YARDS (FT)</b>	0 feet	0 feet
<b>MAXIMUM STRUCTURE HEIGHT (FT)</b>	35 feet	35 feet

The proposed development is not making any changes to the existing lot, setback, and height regulations of the GR zoning district.

**SEC. 1A-202(A) GENERAL SITE REQUIREMENTS - LANDSCAPING**

All non-residential districts shall have a minimum landscaped area of 10% of the site and all landscaping shall be irrigated.

**STAFF COMMENTS:**

	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>MINIMUM LANDSCAPED AREA (%)</b>	10%	24%
<b>REQUIRED TREE RATIO</b>	1:500 s.f.	1:1,130 s.f.
<b>REQUIRED TREES (BASED ON RATIO SITE SIZE)</b>	9 trees	9 trees
<b>REQUIRED SHRUBS</b>	0 shrubs	45 shrubs

This development proposes to have 24% (10,170 square feet) of the site landscaped, as shown on the landscape plan. This increase in landscaping adheres to the intent of the *Mesquite Comprehensive Plan* for the Neighborhood Retail and Corridor Development Overlay future land designations.

**SEC. 3-504(A)(4) REFUELING STATION RESIDENTIAL SEPARATION**

Pump islands shall be located a minimum of 500 feet from any residential district.

**STAFF COMMENTS:**

The location of the fueling pumps is within 500-foot of a residential district. The fuel pumps are approximately 410 feet from the Iron Horse residential subdivision, located south of Military Parkway.

**CONCLUSIONS**

**ANALYSIS**

The request would provide for the redevelopment of an existing convenience store with fuel sales and a carwash, which would improve the appearance of a highly visible area along Interstate 635. While the proposed development does not meet the 500-foot separation requirement from residential district, the recommended rezoning to PD-GR will bring the property further in compliance with the *Mesquite Comprehensive Plan's* Neighborhood Retail designation.

**RECOMMENDATIONS**

Staff recommends approval of the zoning change request from Planned Development – Service Station to Planned Development – General Retail with Exhibits A (Legal Description), B (Development Standards), and C (Concept Plan).

## **PUBLIC NOTICE**

---

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**

---

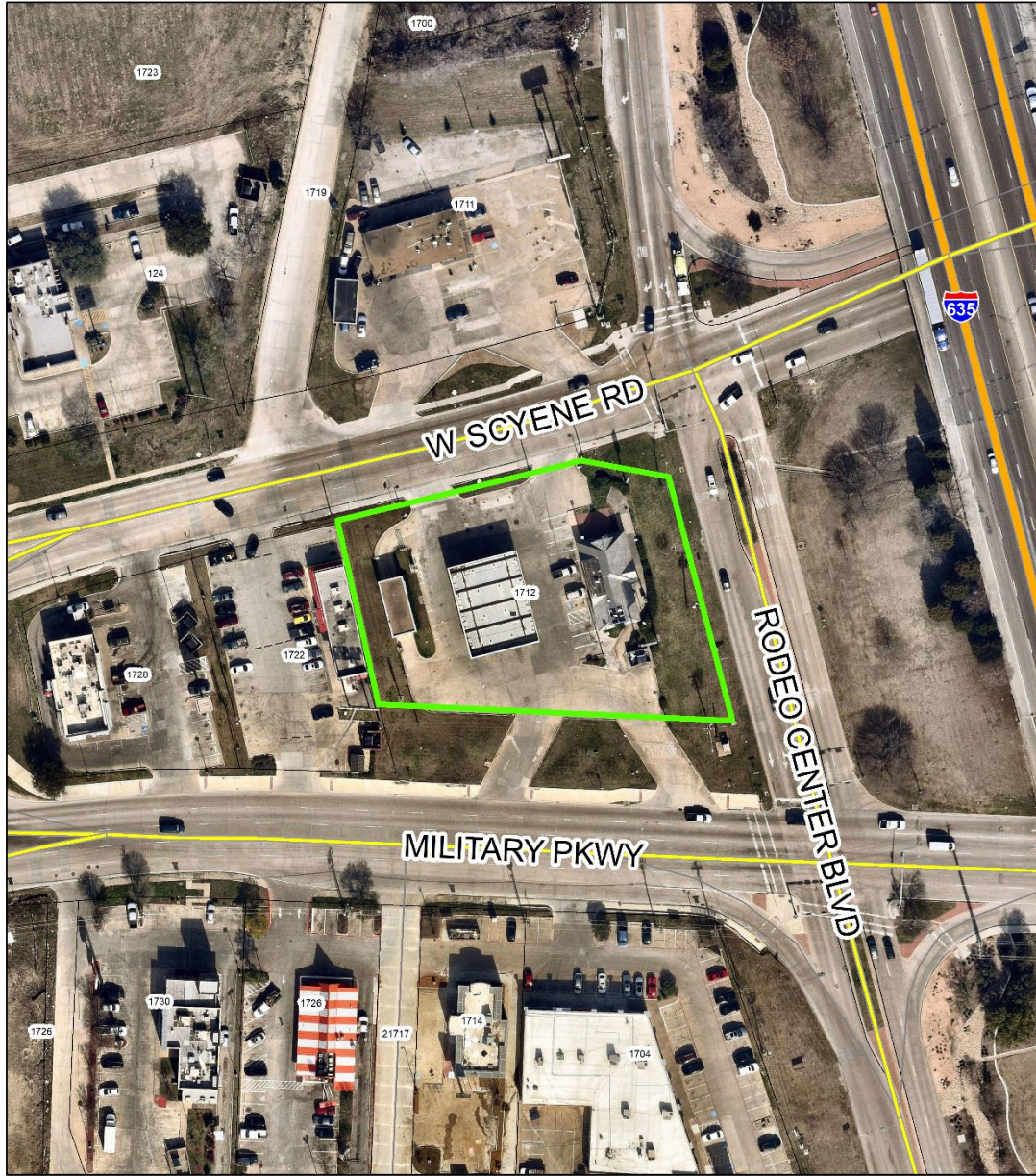
As of the date of this writing, the site does not have any open code cases.

## **ATTACHMENTS**

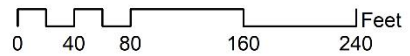
---

1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Legal Description (Exhibit A)
7. Planned Development Standards (Exhibit B)
8. Concept Plan (Exhibit C)
9. Application Materials
10. Traffic Impact Analysis – Executive Summary
11. Returned Property Owner Notice

# Aerial Map

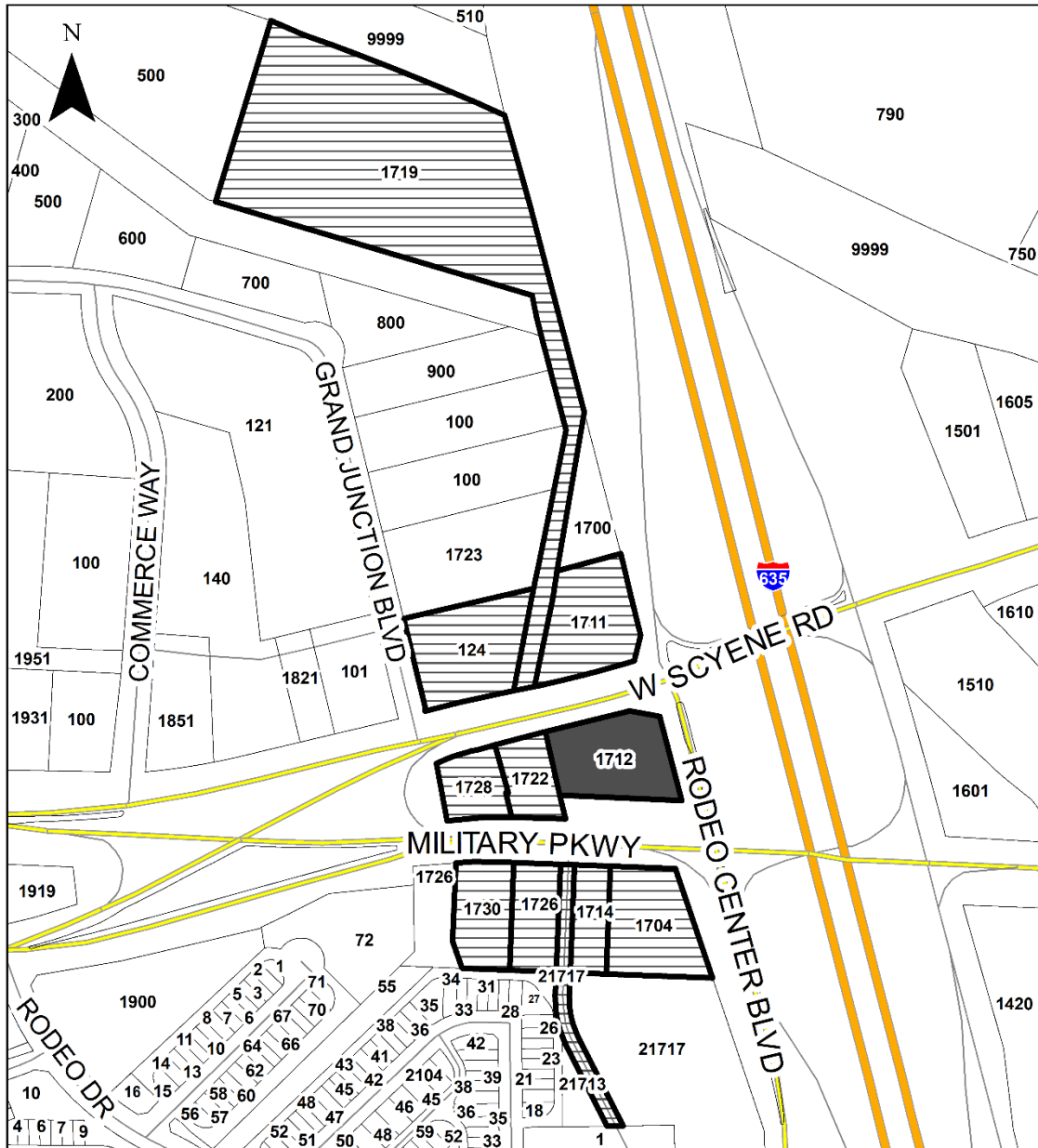


N  
▲  
**Legend**  
■ Subject Property



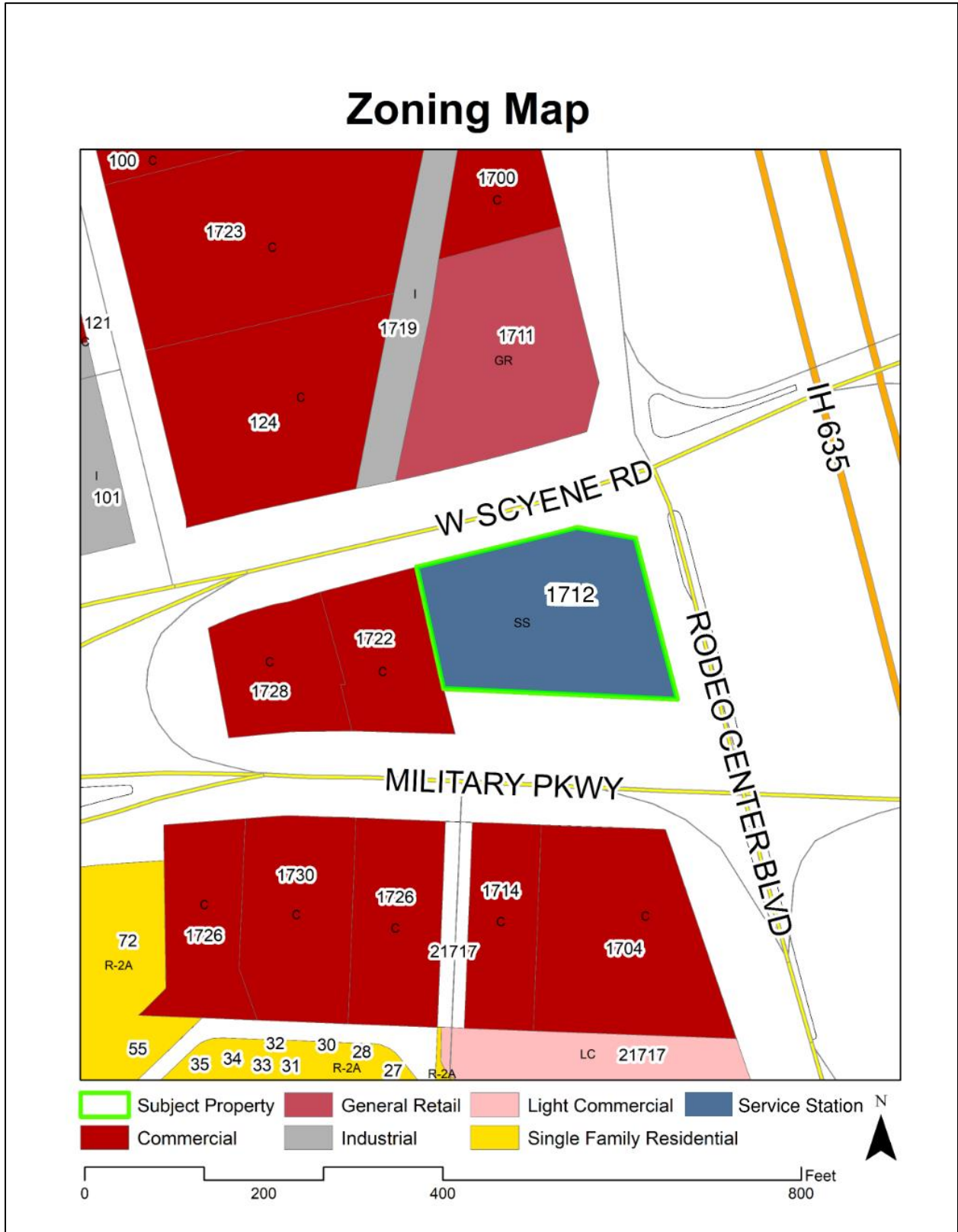
ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

# Notification Map

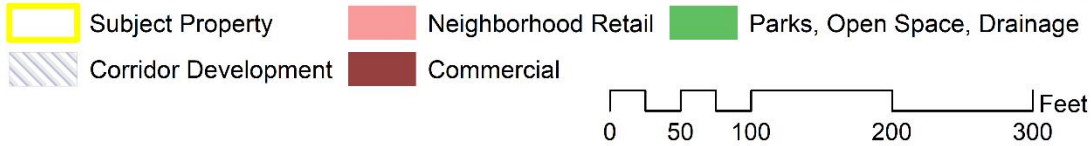
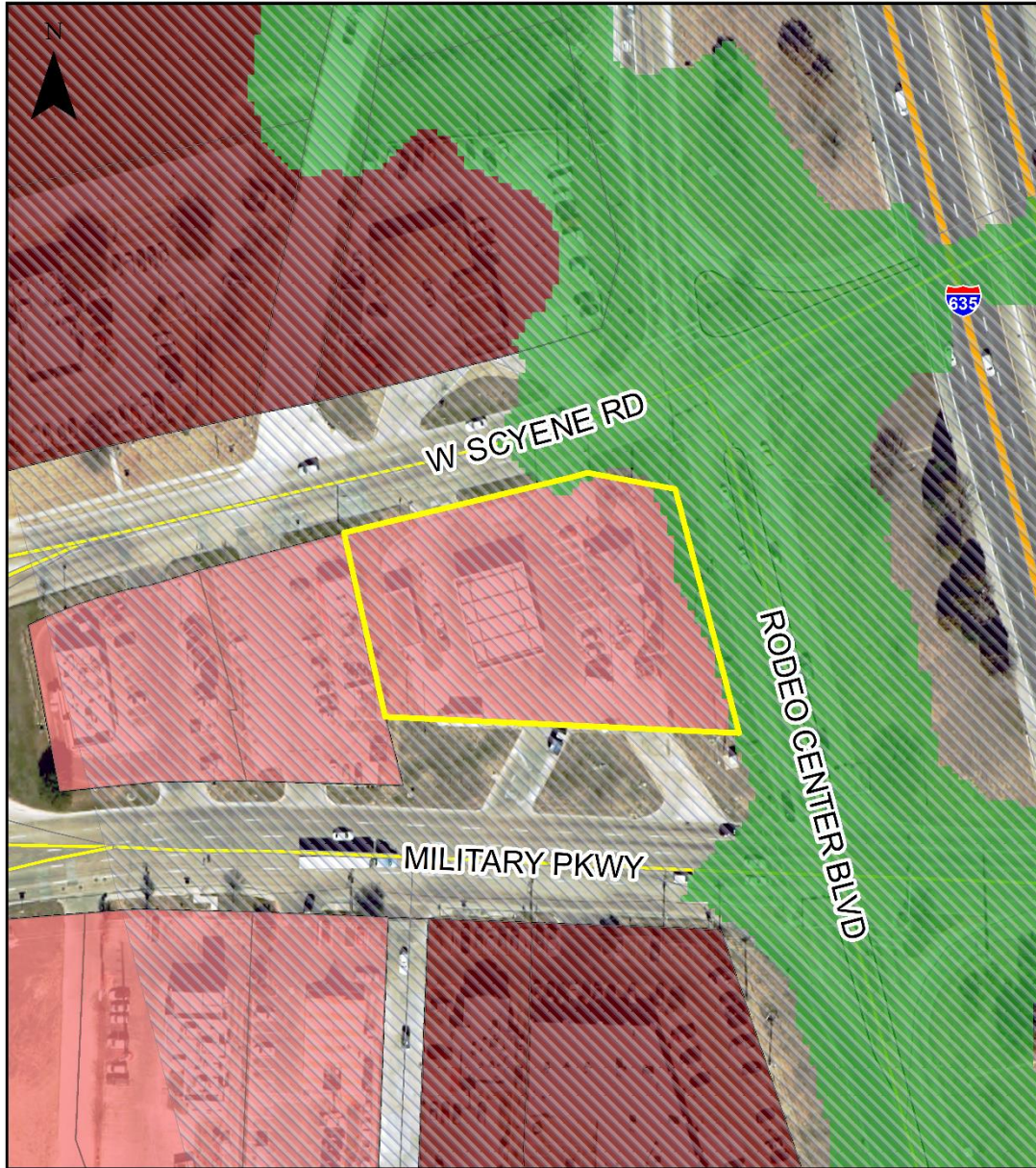


**Request:** Rezoning from Commercial to Planned Development Commercial with modifications.  
**Applicant:** Allen Perez, JM Civil Engineering  
**Location:** 1712 W. Scyene Road

**Legend**  
[Thick black outline] Notified Properties  
[Dark grey fill] Subject Property



# Future Land Use Map



**ATTACHMENT 5 – SITE PICTURES**



**Subject property from I-635 Frontage Road, facing**



**Existing Chevron convenience store, facing east.**

**ATTACHMENT 5 – SITE PICTURES**

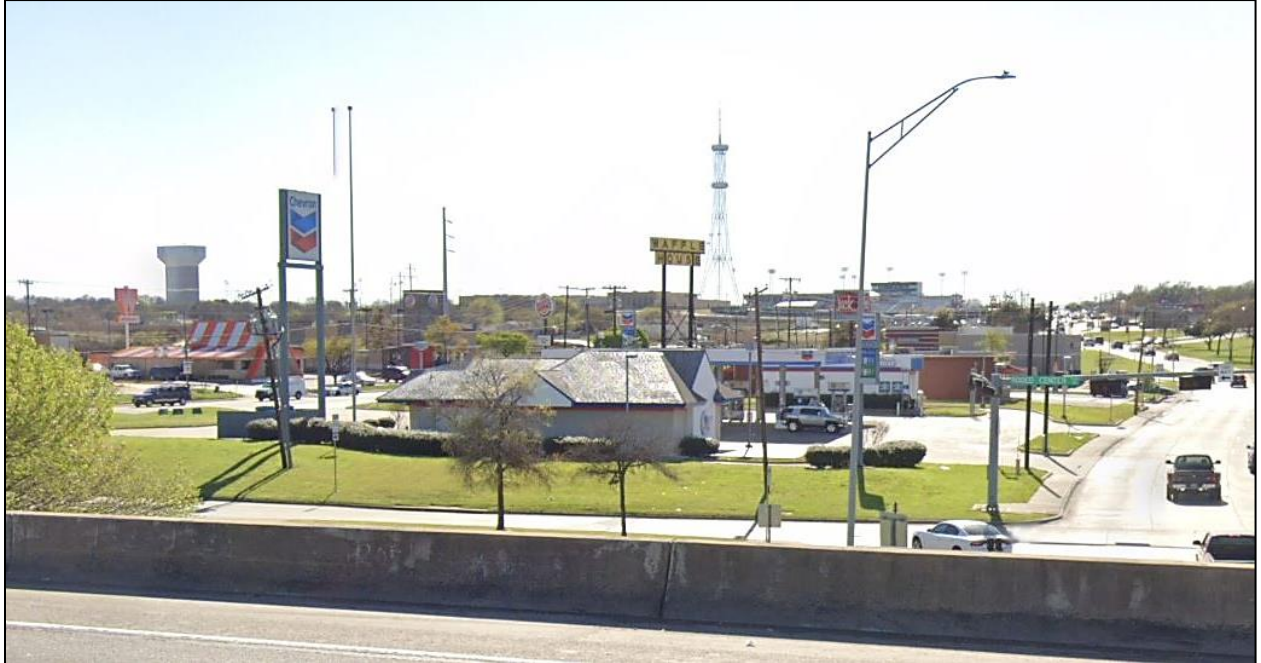


**Existing tunnel carwash, facing northwest.**



**Existing canopy and fuel pumps, facing north.**

**ATTACHMENT 5 – SITE PICTURES**



**Subject property from Interstate 635, facing west.**



**Subject property from Military Parkway, facing northeast.**

**ATTACHMENT 6 – LEGAL DESCRIPTION (EXHIBIT A)**

Exhibit A

**MURPHY MESQUITE – HWY. 635 & MILITARY PARKWAY  
REZONING DESCRIPTION**

**BEING** a 0.9669 acre tract of land located in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, said 0.9669 acre tract of land being all of **LOT 3, BLOCK A, FREEWAY ADDITION**, being an Addition to the said City and State, according to the plat thereof filed for record in Volume 95040, Page 1, Deed Records, Dallas County, Texas (D.R.D.C.T.), said 0.9669 acre tract of land being more particularly described by metes and bounds as follows:

**BEGINNING** at a 2 inch brass monument stamped "GULF OIL CO. PROP CORNER" found at the southeast lot corner of said Lot 3, same being at the intersection of the west right-of-way line of Interstate Highway No. 635 (being a variable width public right-of-way with controlled access, a portion of said right-of-way being conveyed to the State of Texas, by deed thereof filed for record in Volume 658, Page 1261, D.R.D.C.T.) with the north right-of-way line of Military Parkway (being a variable width public right-of-way);

**THENCE** North 87°45'28" West (North 86°42'45" West – Called), along the south lot line of said Lot 3 and along the said north right-of-way line, a distance of 256.51 feet (256.13 feet – Called) to a 1/2 inch iron rod found (Controlling Monument) at the southwest lot corner of said Lot 3, same being the southeast lot corner of Lot 2, Block 1, Freeway Addition, being an Addition to the said City and State, according to the plat thereof filed for record in Volume 74226, Page 36, D.R.D.C.T.;

**THENCE** North 12°54'07" West (North 11°51'30" West – Called) along the common lot line of said Lots 2 and 3, a distance of 141.42 feet (141.03 feet – Called) to a 1/2 inch iron rod found (Controlling Monument) at the northwest lot corner of said Lot 3, same being the northeast lot corner of said Lot 2, and being on the south right-of-way line of West Scyene Road (being a variable width public right-of-way);

**THENCE** North 76°29'37" East (North 77°04'00" East – Called) along the northwest lot line of said Lot 3 and along the said south right-of-way line, a distance of 130.59 feet (130.54 feet – Called) to a 5/8 inch iron rod with a cap stamped "SPOONER" found at the beginning of a tangent curve to the left having a radius of 1,687.02 feet;

**THENCE** continuing along the said lot line and the said right-of-way line, with said curve to the left, an arc length of 50.02 feet (50.03 feet -Called), and across a chord which bears North 75°38'37" East (North 76°13'01" East – Called), a chord length of 50.02 feet (50.03 feet – Called) to an "X" cut in concrete found at the most northerly lot corner of said Lot 3, same being at the westerly end of a corner clip located at the intersection of the said south right-of-way line with the aforementioned west right-of-way line of Interstate Highway No. 635;

**THENCE** South 79°24'31" East, along a northeast lot line of said Lot 3 and along the said corner clip, a distance of 66.13 feet to a 1/2 inch iron rod found (Controlling Monument) at the most easterly northeast lot corner of said Lot 3, same being at the easterly end of the said corner clip;

**THENCE** South 14°52'26" East (South 13°39'20" East – Called), along the east lot line of said Lot 3 and along the said west right-of-way line of Interstate Highway No. 635, a distance of 184.82 feet (186.31 feet – Called) to the **POINT OF BEGINNING**.

The hereinabove described tract of and contains a computed area of **0.9669 acres (42,118 square feet)** of land, more or less.

The basis of bearings for this survey is NAD83 Texas North Central Zone (4202). All distance shown are surface.

I do hereby certify that the above legal description was prepared from public records and from an actual and accurate survey upon the ground and that same is true and correct.



6/10/2021

Surveyors Name: Eric S. Spooner  
Registered Professional Land Surveyor, Texas No. 5922  
Spooners and Associates, Inc.  
Texas Board of Professional Land Surveying Firm No. 10054900  
Surveyed on the ground May 11<sup>th</sup>, 2020



## ATTACHMENT 7 – PLANNED DEVELOPMENT STANDARDS (EXHIBIT B)

**EXHIBIT “B”**  
**DEVELOPMENT STANDARDS**  
Page 1 of 1

This Planned Development General Retail (PD-GR) must adhere to all conditions of the Mesquite Code of Ordinances, as amended, and adopt base district standards corresponding with the Concept Plan attached hereto and incorporated herein as Exhibit C and as identified below. The following regulations must be specific to the PD-GR district. Where these regulations conflict with or overlap another ordinance, the more stringent restriction will prevail.

- A. **Permitted Land Uses.** Uses in the PD-GR are limited to those permitted in the GR – General Retail zoning district, as amended, and submit to the following.
1. Any land use requiring a Conditional Use Permit (CUP) in the GR zoning district, as amended, is only allowed if a CUP is approved for the use.
  2. The following uses are permitted by right:
    - I. SIC 549.a – Convenience Store
    - II. SIC 554 – Fuel Sales (maximum 16 vehicle fueling positions)
- B. **Development Standards.** In addition to the requirements of the GR base zoning district, the Planned Development is subject to the following.
1. Open space, as defined by the Mesquite Zoning Ordinance, must be a minimum of 24% of the lot.
  2. All pole signage must have an irrigated landscaped area consisting primarily of bushes, shrubs, and ornamental grasses that is equal to or greater in size than the total surface area of the pole sign face and shall be installed around the base of the sign.
  3. Pump islands shall be located a minimum of 410 feet from any residential district.











## Project Description

Murphy Express – PD Submittal  
1712 W Scyene Rd. Mesquite, TX 75149

Murphy Oil USA is proposing to demolish and redevelop the existing fueling station located at 1712 W Scyene Rd. The site is bordered on east by the I-635 frontage road, on the north by W Scyene Rd. and on the south by Military Pkwy. A Waffle House restaurant is located on the west side of the site. The proposed rebuild will consist of a 2,800sf convenience store and a canopy with 8 Multi-Product fueling dispensers providing 16 fueling positions. Murphy proposes to alter the existing configuration, which utilizes two access points onto West Scyene and two access points onto Military Pkwy, and redesign with only one access drive onto each Scyene and Military.

**ATTACHMENT 9 – APPLICATION MATERIALS**

**OWNER AUTHORIZATION**

1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
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 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 taking of said photographs.
4. I have read and understand the information contained in the City of Mesquite Planned Development Application.

Property Owner: Franklin Tran Phone Number: 903-588-5376  
Address: 521 Knollcrest trail  
Heath TX 75032 Email Address: FranklinTran@gmail.com  
Signature: Franklin Tran

Each property owner must complete a separate authorization form

## ATTACHMENT 10 – TRAFFIC IMPACT ANALYSIS EXECUTIVE SUMMARY

# DRAFT

## Traffic Study

### EXECUTIVE SUMMARY

Peters & Associates Engineers, Inc., has conducted a traffic engineering study relating to a development of a Murphy Express site proposed to be constructed the north side of Military Parkway, the west side of Rodeo Center Boulevard and the south side of W. Scyene Road in Mesquite, Texas. The site will replace a previous gas station land-use. Access to the site will be via a left-in/left-out access drive along Military Parkway (one-way eastbound), a left-in/left-out access drive along W. Scyene Road (one-way westbound) and a proposed a right-in/right-out access drive along Rodeo Center Boulevard (two-way with a median). The primary focus of this report is to assess traffic operational characteristics of the nearby intersections of Military Parkway and Rodeo Center Boulevard, W. Scyene Road and Rodeo Center Boulevard, Military Parkway and the existing left-in/left-out access drive, W. Scyene Road and the existing left-in/left-out access drive and a proposed right-in/right-out access drive located just west of Rodeo Center Boulevard so they provide acceptable operation.

The site is proposed to consist of a Murphy Express to include 16-fueling positions and C-store as indicated on the project site plan and if approved, is expected to be completed within one year. Additionally, 5-year year background growth of existing traffic volumes has been included for analysis of future traffic conditions. The site will replace a previous 12-fueling position gas station and C-store.

Findings of this study are summarized as follows:

- Approximately 3,286 vehicle trips (combined in and out) per average weekday are projected to be generated by the proposed Murphy Express development on this site. Of this total, approximately 200 vehicle trips are estimated during the traffic conditions of the adjacent street AM peak hour and approximately 224 vehicle trips are estimated during the traffic conditions of the adjacent street PM peak hour. However, this is only approximately 50 more vehicle trips during the adjacent street AM peak hour and approximately only 56 more vehicle trips during the adjacent street PM peak hour than that estimated to be generated by the previous 12-fueling position gas station.
- Capacity and level of service analysis was performed for existing traffic volumes, lane geometry and traffic control for the AM and PM peak hours for the study intersections. The traffic signal controlled intersections of Rodeo Center Boulevard/I-635 and W. Scyene Road and Rodeo Center Boulevard and Military Parkway currently operate at what calculates as an overall acceptable LOS "C" or better during the existing conditions of the AM and PM peak hours. Additionally, all vehicle movements at these traffic signal controlled

## ATTACHMENT 10 – TRAFFIC IMPACT ANALYSIS EXECUTIVE SUMMARY

# DRAFT Traffic Study

intersections and the existing access drive intersections currently operate at what calculates as an acceptable LOS "D" or better for existing traffic conditions for the AM and PM peak hours.

- Capacity and LOS analysis was performed for projected traffic conditions at initial completion of the proposed Murphy Express development for the AM and PM peak hours for the study intersections. The traffic signal controlled intersections of Rodeo Center Boulevard/I-635 SB off Ramp and W. Scyene Road and Rodeo Center Boulevard and Military Parkway overall intersection LOS are expected to continue to operate at what calculates as an acceptable LOS "D" or better during these projected conditions at initial completion of the Murphy Express for the AM and PM peak hours. Additionally, all vehicle movements at these traffic signal controlled intersections and the access drive intersections are expected to continue to operate at what calculates as an acceptable LOS "D" or better for the initial completion traffic conditions for the AM and PM peak hours.
- Projected average control delay (seconds per vehicle) and intersection capacity utilization are found to continue to be acceptable for each of the study intersections at initial completion of the Murphy Express development.
- Capacity and LOS analysis was performed for projected 5-year traffic conditions for the AM and PM peak hours for the study intersections. The traffic signal controlled intersections of Rodeo Center Boulevard/I-635 SB off Ramp and W. Scyene Road and Rodeo Center Boulevard and Military Parkway overall intersection LOS are expected to continue to operate at what calculates as an acceptable LOS "D" or better during the 5-year projected conditions for the AM and PM peak hours. Additionally, all vehicle movements at these traffic signal controlled intersections and the access drive intersections are expected to continue to operate at what calculates as an acceptable LOS "D" or better for these 5-year projected conditions for the AM and PM peak hours except for the eastbound right-turn vehicle movement at Military Parkway at Rodeo Center Boulevard during the PM peak hour (LOS "F"). Existing traffic signal timing and phasing, provided by the City of Mesquite, was used for analysis of these projected traffic conditions. Some adjustments to the traffic signal timing by the city in the future, as traffic volumes increase, could improve this LOS.
- Projected average control delay (seconds per vehicle) and intersection capacity utilization are found to continue to be acceptable for each of the study intersections for 5-year projected conditions.

## ATTACHMENT 10 – TRAFFIC IMPACT ANALYSIS EXECUTIVE SUMMARY

# DRAFT Traffic Study

- None of the projected AM or PM peak hours volumes at initial completion of the Murphy Express or for future 5-year projected conditions meet the threshold values for the need for a right-turn acceleration lane on Rodeo Center Boulevard at the proposed right-in/right-out access drive. Additionally, in consideration of a right-turn acceleration lane provided in "Table 2-3: Auxiliary Lane Thresholds" of the "TXDOT Access Management Manual," an auxiliary acceleration lane is not considered to be desirable because of the proximity to the nearby signalized intersection at Rodeo Center Boulevard/I-635 SB off Ramp and W. Scyene Road and Rodeo Center Boulevard and Military Parkway.
- A right-turn deceleration lane should not be considered at Rodeo Center Boulevard at the proposed right-in/right-out access drive per the "TXDOT Access Management Manual Section 7: Auxiliary Lanes" threshold values for both projected traffic conditions.
- The proposed new right-in/right-out access at Rodeo Center Boulevard must conform to TXDOT and City of Mesquite design standards and will require approval by TXDOT and the City.

The conclusion of traffic operational findings associated with this study is that additional traffic expected to be generated by the proposed Murphy Express development can be accommodated by the existing adjacent roadway and access drives (reconfigured) and the proposed new right-in/right-out access drive on Rodeo Center Boulevard, without discernable impact on traffic flow in the vicinity. Additionally, the site is well designed with very good accommodation for internal vehicular circulation. Ingress, egress and internal vehicular circulation are expected to operate well with minimal to no vehicle queuing issues within the site or on the adjacent roadways.

**ATTACHMENT 11 – RETURNED PROPERTY OWNER NOTICE**



CITY OF MESQUITE  
 PLANNING AND ZONING COMMISSION  
 NOTICE OF PUBLIC HEARING  
RE-NOTICE

**RECEIVED**

**AUG 06 2021**

**PLANNING AND ZONING**

**LOCATION:** 1712 W. Scyene Road  
 (See attached map for reference)  
**CASE NUMBER:** Z0621-0204  
**APPLICANT:** Allen Perez, JM Civil Engineering  
**REQUEST:** From: "PD-SS" – Planned Development – Service Station (Ord. No. 3016)  
 To: "PD-C" – Planned Development – Commercial with modifications to the maximum number of vehicle fueling positions and to the separation requirement from a residential district.

The requested Zoning Change would allow for the development of a convenience store with limited fuel sales on the subject property. The request also includes modifications to the 500-foot separation requirement from a residential zoning district and a modification to the maximum allowed vehicle fueling positions, to allow a total of 16 vehicle fueling position on the subject property. 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. 16 vehicle fueling positions

LEGAL DESCRIPTION

Freeway, Block 1, Lot 3

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **July 26, 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, **August 16, 2021**, at 757 N. Galloway Ave.

Questions pertaining to this case may be directed to the Planning Division at (972) 216-6346 or [lfrohberg@cityofmesquite.com](mailto:lfrohberg@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 5:00 pm on **July 21<sup>st</sup>** to be included in the Planning and Zoning Commission packet and by 5:00 pm on **July 28<sup>th</sup>** 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, *Gus V. Rico, Trustee*

**Case Number:** Z0621-0204  
 I am in favor of this request *yes*  
 I am opposed to this request \_\_\_\_\_  
 Reasons (optional): \_\_\_\_\_  
 Name:(required) *Juan A. Rico, Trustee*  
 Address of Noticed Property: *1728 W. Scyene Road*  
 Owner Signature: *Juan Rico, Trustee* Date: *Aug 1, 2021*  
*Gus V. Rico, Trustee Aug 1, 2021*

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

*send*