



T E X A S
Real. Texas. Service.

PLANNING AND ZONING DIVISION

FILE NUMBER: Z0823-0321
REQUEST FOR: Rezoning and Comprehensive Plan Amendment
CASE MANAGER: Garrett Langford, Manager of Planning and Zoning

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, March 11, 2024
City Council: Monday, April 1, 2024

GENERAL INFORMATION

Applicant: Tierra Carter-Simmons, Inspiring You to Greatness
Requested Action: Zoning Change to Planned Development – Single Family Residential to allow a 16-lot single-family subdivision.
Comprehensive Plan Amendment to change the future land use designation from Commercial to Low-Density Residential.
Location: 10079 S. Belt Line Road

PLANNING AND ZONING ACTION

Decision: On March 11, 2024, the Planning and Zoning Commission voted 6-0 to approve the Zoning Change to Planned Development – Single Family Residential to allow a 16-lot single-family subdivision and to amend the Comprehensive Plan to change the future land use designation from Commercial to Low-Density Residential. Video of the Commission meeting is available [online](#) (item 4).

SITE BACKGROUND

Platting: The property owner will need to plat the property before the permits can be issued for the single family homes.
Size: 3.5892
Zoning: Agricultural
Future Land Use: Commercial
Zoning History: 1984 – Annexed and zoned AG – Agricultural

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	Agricultural	Undeveloped
SOUTH:	Outside of City Limits (Balch Springs)	Low Density Residential
EAST:	R-3, Single Family Residential	Low Density Residential
WEST:	Outside of City Limits (Balch Springs)	Low Density Residential

CASE SUMMARY

The applicant and property owner, Inspiring You to Greatness, requests a zoning change to allow a small single-family subdivision with 16 lots, as shown on the concept plan (attachment 8). The applicant acquired the subject property in July 2023 to develop the property with 16 single-family homes based on the R-3 Single Family Zoning District with modified development standards. The proposed subdivision will have single-family homes with a minimum living space of 1,500 square feet and a reduced minimum lot size of 5,000 square feet with modified setbacks. The applicant proposes a few amenities with the development, including a shared common area with playground equipment near the detention pond, as shown on the Concept Plan. To ensure the upkeep of the amenities and detention pond, a homeowner's association (HOA) will be required as a part of the PD. If this PD request is approved, an amendment of the Mesquite Comprehensive Plan Future Land Use Map from Commercial to Low-Density Residential is recommended.

MESQUITE COMPREHENSIVE PLAN

The Mesquite Comprehensive Plan designates the future land use of the subject property as Commercial. The Commercial land use designation represents a broad range of goods and services for a community or region. Developments in this category are larger and more intense than those in the Neighborhood Retail category. Compatible land use types for this area include retail, hotels, restaurants, big-box retailers, entertainment, and personal services.

STAFF COMMENTS:

The subject property is a little under 4 acres in size, while the undeveloped property to the north is almost 5 acres. These two tracts of land are zoned Agricultural and have a future land use designation of Commercial. The tracts are bounded by the floodplain to the north, the Valley Creek subdivision to the east, the Pioneer Bluff subdivision to the south, and S. Belt Line Road to the west. Given the subject property's adjacency to two single-family subdivisions to the east and south, a development with the intensity described by the Commercial future land use designation in the *Mesquite Comprehensive Plan* is less than ideal and may not be compatible with the adjacent residential subdivisions.

It is staff opinion that the subject property and the property to the north should have a less intense future land use designation such as Neighborhood Retail. A medium or low-density residential land use designation would also be appropriate. A residential future land use designation would be compatible with the existing residential development to the east and south, while a neighborhood retail land use designation would offer retail and personal service uses to the residents already in the area. If the proposed rezoning is approved, then the future land use designation should be changed to Low-Density Residential.

MESQUITE ZONING ORDINANCE

SEC. 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 for a residential subdivision with 16 lots and a few amenities. Any standards silent in the PD will revert to the standards of the underlying zoning district of R-3, Single Family Residential. There are no other primary uses allowed within the PD.

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:

As part of the PD request, the applicant is proposing deviations from some of the City’s standard regulations. The tables below illustrate the requirements and specific deviations proposed by the applicant. Any regulations not listed in the PD must comply with applicable city ordinances.

Mesquite Zoning Ordinance and Proposed PD Comparison

	R-3, Single Family	Proposed PD Standards
Min. Lot Size	7,200 sf	5,000 sf
Min. Lot Width	60 ft.	55 ft. except along cul-de-sacs and “eyebrows”, then 30 ft
Min. Lot Depth	110 ft.	110 ft. except along cul-de-sacs and “eyebrows”, then 90 ft
Min. Front Yard	25 ft.	20 ft.
Garage Door Setback	Same as Front Setback	22 ft.
Exterior Side Yard (Key Lot)	25 ft.	20 ft.
Exterior Side Yard (Not on Key Lot)	10 ft.	10 ft.
Interior Side Yard	5 ft.	5 ft.
Rear Yard	25 ft.	10 ft.
Max. Height	35 ft. or 2.5 stories	35 ft. or 2.5 stories
Min. Living Area	1,500 sq. ft.	1,500 sq. ft.

Additional Standards

	R-3, Single Family	Proposed PD Standards
Single Family Landscaping Requirements	N/A	1 3" caliper tree in the front yard of every lot
Screening	8-ft tall long-span precast concrete wall along S. Belt Line Road	8-ft tall board-on-board cedar wood fence along S. Belt Line Road
Open Space	N/A	5% open space with a playground as shown on the concept plan

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:

Attachment 8 includes the proposed Concept Plan, which illustrates the layout of the subdivision and the location of the open space and playground.

CONCLUSIONS

ANALYSIS

It is staff’s opinion that a low-density residential subdivision is an appropriate use for the subject property and would be a continuation of the existing development pattern to the east and south. The proposed subdivision meets the intent of Low-Density Residential as described by the Mesquite Comprehensive Plan. The Planned development will offer housing options with house sizes in accordance with current Single Family R-3 standards. The gross density for the Planned Development is roughly 4.5 units per acre, which is consistent with the density range of 3 to 5 units per acre for Low-Density Residential. The proposed density is not out of alignment with the nearby subdivisions. The Valley Creek subdivision east of the subject property has a density of 4.2 units per acre.

RECOMMENDATIONS

Staff recommends approval of the request to rezone the subject property to Planned Development – Single Family Residential “R-3” to allow a 16-lot single-family subdivision with Exhibits A (Legal Description), B (Development Standards), and C (Concept Plan) and Comprehensive Plan Amendment to change the future land use designation from Commercial to Low-Density Residential.

PUBLIC NOTICE

File No.: Z0823-0321
Zoning Change

Staff mailed notices to all property owners within 200 feet of the subject property and a courtesy notice to all property owners within 400 feet of the subject property. As of March 12, 2024, Staff has received one returned notice in opposition to request from the 200-ft notice area. Staff received no online comments.

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. Development Standards (Exhibit B)
8. Concept Plan (Exhibit C)

Aerial Map



Request: Rezone to PD - Single Family to allow a single family development.

Applicant: Inspiring You to Greatness

Location: 10079 S. Belt Line Road

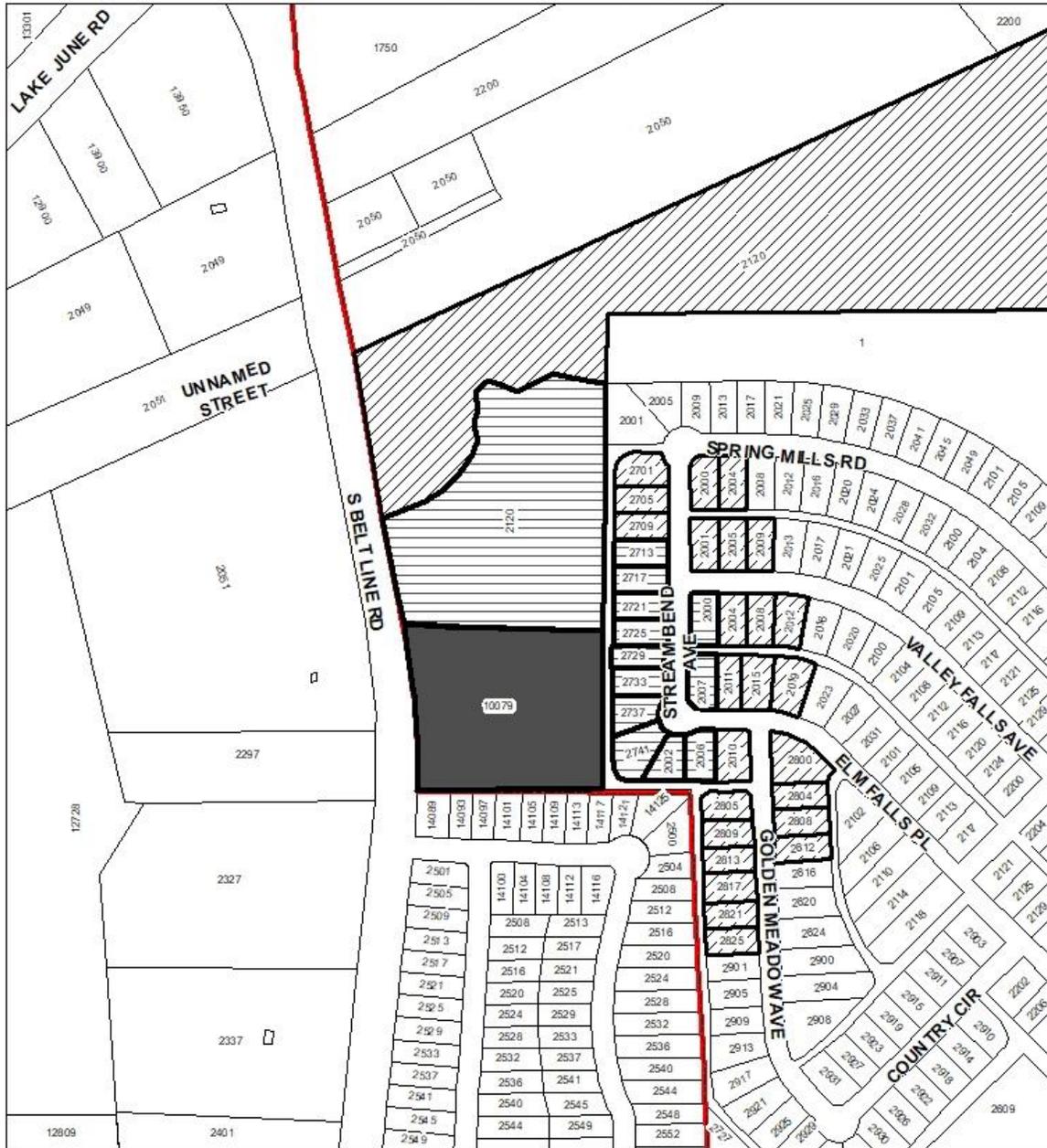
Legend

- Area of Request
- City Limits



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map



Request: Rezone to PD - Single Family to allow a single family development.
Applicant: Inspiring You to Greatness
Location: 10079 S. Belt Line Road

Legend

- Area of Request
- Notified Properties
- Courtesy Notices
- City Limits



Zoning Map

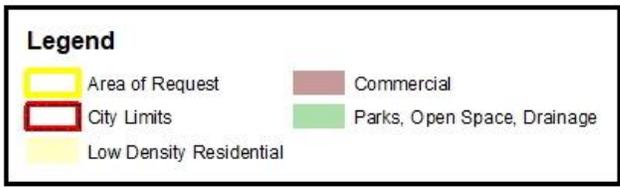


Legend

 Area of Request	 SINGLE FAMILY RESIDENTIAL
 City Limits	
 AGRICULTURAL	



Future Land Use Map





Facing north from the southeast corner of the property.



Facing northwest from the southeast corner of the property.

ATTACHMENT 5 – SITE PICTURES



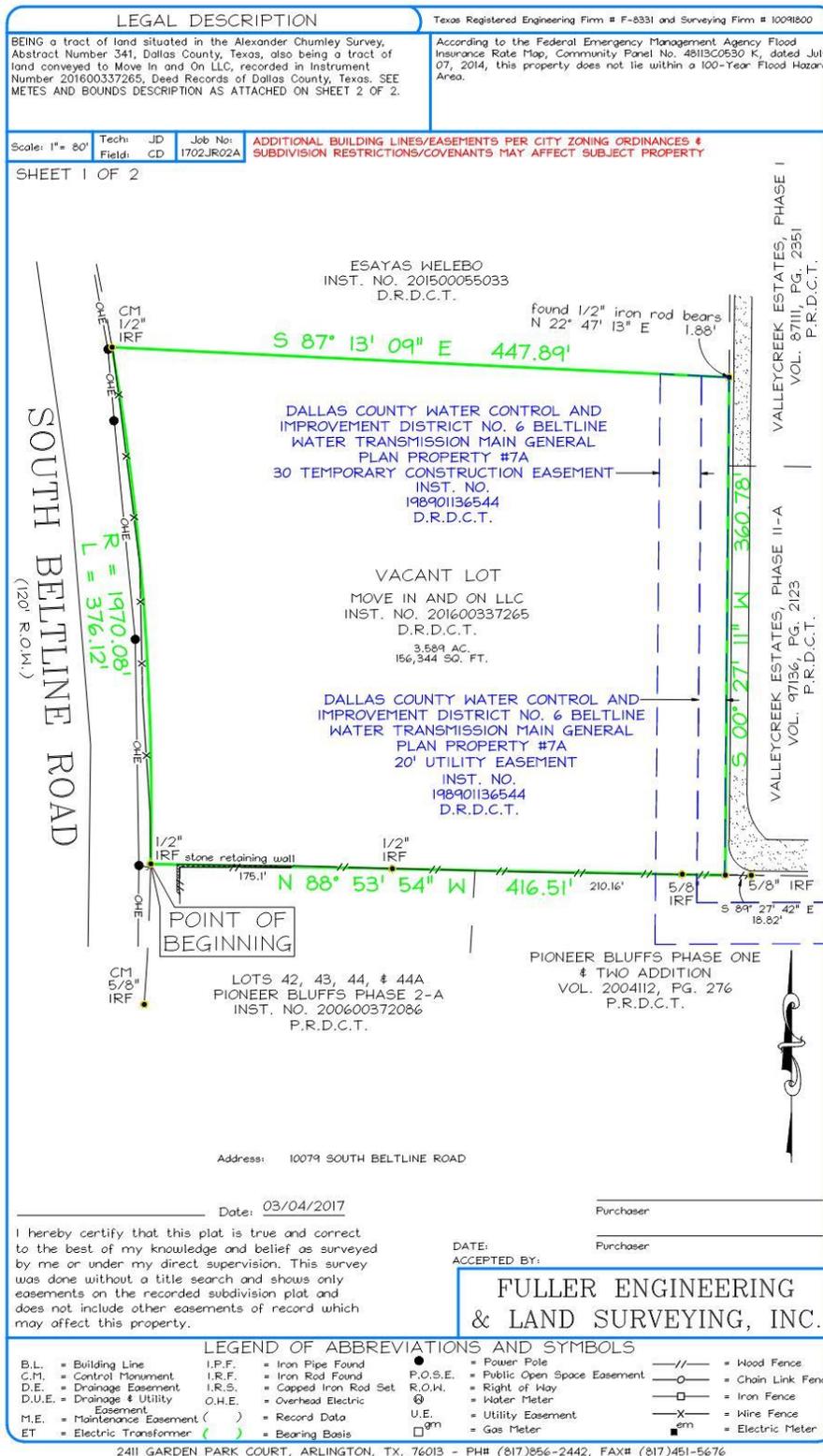
Facing west from the southeast corner of the property.



Facing east along S. Belt Line Road



Facing north along S. Belt Line Road



ATTACHMENT 10 – DEVELOPMENT STANDARDS (EXHIBIT B)

EXHIBIT B – FILE NO. Z0223-0289 PLANNED DEVELOPMENT STANDARDS

This Planned Development Single Family (PD-SF) district must adhere to all conditions of the Mesquite Code of Ordinances, including but not limited to the Mesquite Zoning Ordinance, as amended, and adopts R-3 Single Family Residential base district standards and the standards identified below along with the Concept Plan attached hereto and incorporated herein as Exhibit C, which apply to this PD-SF district. Where these regulations conflict with or overlap another ordinance, the more stringent restriction will control.

A. **Permitted Land Uses.** The permitted uses on the Property include the permitted uses in the R-3 Single Family District classification as set out in the Mesquite Zoning Ordinance (“MZO”), and those permitted uses on the Property are subject to the same requirements as set out in the MZO.

- 1) The permitted uses requiring a conditional use permit (“CUP”) as set out in the MZO, also require a CUP for the use to be permitted on the Property.

B. **Development Standards.** In addition to the requirements of the R-3 base zoning district, the Planned Development is subject to the following.

1. The plat and site plan for the Property shall conform substantially to the Concept Plan included in Exhibit C. The site plan and plat may be altered without requiring an amendment to the Concept Plan to comply with the adopted Building and Fire Codes and Mesquite Engineering Design Manual. Modifications can include the following:
 - a. The minimum home living area shall be 1,500 square feet in accordance with the Single-Family R-3 standards.
 - b. The minimum lot size shall be 5,000 square feet.
 - c. The minimum lot width shall be 55 feet except along cul-de-sacs and “eyebrows”, then the minimum lot width is 30 feet.
 - d. The minimum lot depth shall be 110 feet except along cul-de-sacs and “eyebrows”, the minimum lot width is 90 feet.
 - e. The minimum setbacks shall be:

Front Setback – 20 feet

ATTACHMENT 10 – DEVELOPMENT STANDARDS (EXHIBIT B)

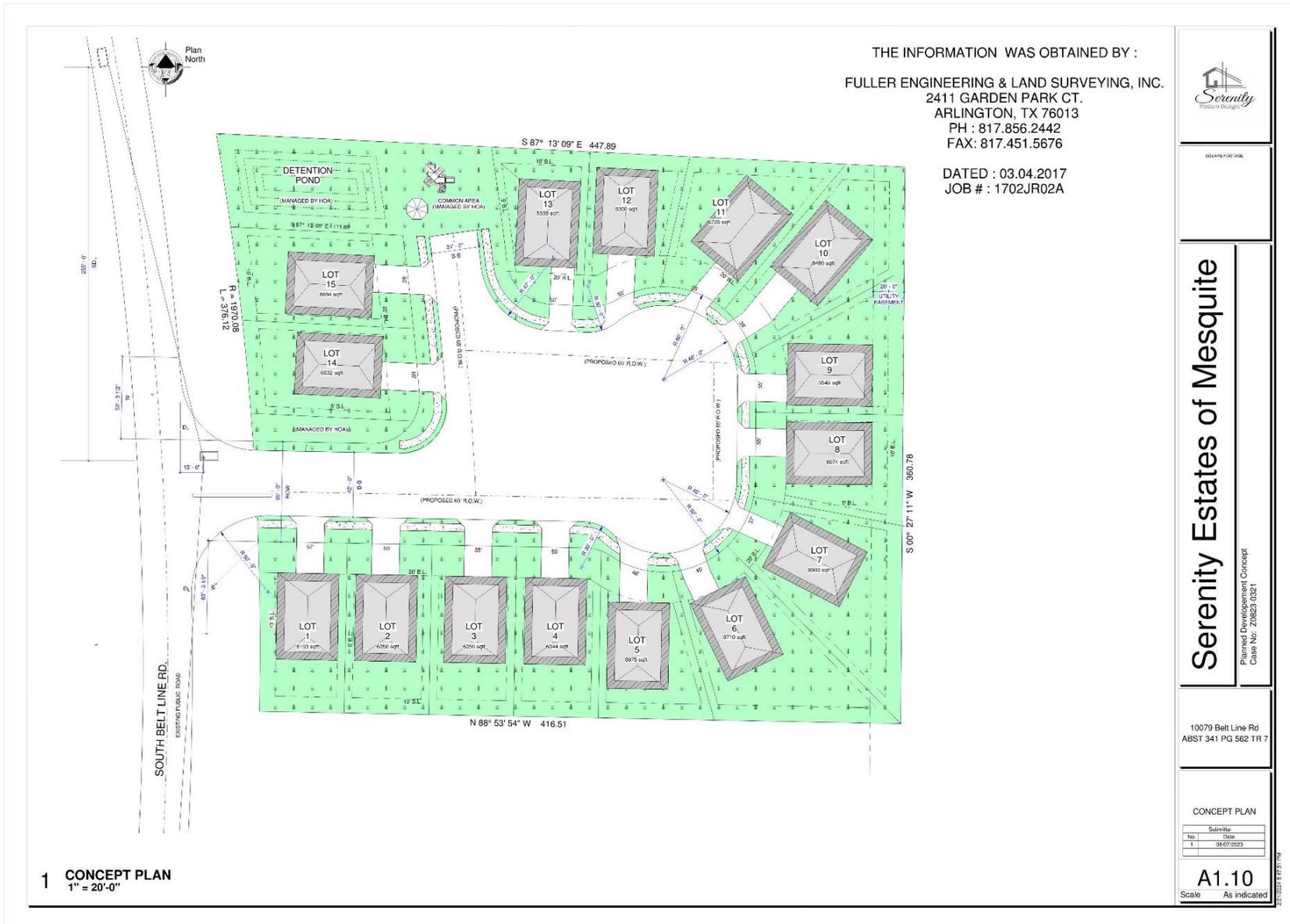
Exterior Side Setback – key lot 20 feet; non-key lot – 10 feet

Side Yard Setback – 5 feet

Rear Setback – 10 feet

- f. The garage door shall have a minimum setback of 22 feet from the front property line.
- g. The development shall include an open space area of at least 5% of the Property and include a playground, as shown on Exhibit C.
- h. An 8-ft tall, board-on-board cedar wood fence shall be provided along the rear and side property lines that abut S. Belt Line Road.
- i. At the time of home construction, homebuilders shall plant a minimum of one 3” caliper shade tree (selected from Section 1A-500 of the MZO) in the front yard for every lot.
- j. Before the issuance of a building permit, the developer/applicant shall submit to the City for review a proposed master covenant and a master HOA that assures the coordinated development and maintenance of common areas, landscaping, detention ponds, amenities, signage, and themed features, etc. The covenants shall be recorded in Dallas County Records prior to issuance of a building permit.

ATTACHMENT 11 – CONCEPT PLAN (EXHIBIT C)



THE INFORMATION WAS OBTAINED BY :
 FULLER ENGINEERING & LAND SURVEYING, INC.
 2411 GARDEN PARK CT.
 ARLINGTON, TX 76013
 PH : 817.856.2442
 FAX: 817.451.5676

DATED : 03.04.2017
 JOB # : 1702JR02A



Serenity Estates of Mesquite

Planned Development Concept
 Case No: Z0823-0321

10079 Belt Line Rd
 ABST 341 PG 562 TR 7

CONCEPT PLAN

Submitter	
No.	Date
1	08/07/2013

A1.10
 Scale As indicated



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

LOCATION: 10079 S Belt Line Road
(See attached map for reference)
FILE NUMBER: Z0823-0321
APPLICANT: Tierra Carter-Simmons - Inspiring You to Greatness
REQUEST: From: Agricultural
To: Planned Development – Single Family Residential

The requested Zoning Change to Planned Development – Single Family Residential would allow a single-family development with modifications to the development standards and a comprehensive plan amendment to change the future land use designation from Commercial to Low-Density Residential. Additional information about the request is available online at www.cityofmesquite.com/zoningcases.

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 approximately 3.5892 acres in the Alexander Chumley Survey, Abstract No. 341

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on **Monday, March 11, 2024**, located at 757 N. Galloway Ave.

The City Council will hold a public hearing on this request at 7:00 p.m. on **Monday, April 1, 2024**, located at 757 N. Galloway Ave.

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

REPLY FORM

State law requires that cities notify all property owners within 200 feet of any proposed zoning change. For this reason, we are sending you this notice. As a property owner within 200 feet of the property, you are urged to give your opinion on the request by attending the public hearing or by completing the form below or both. Your written reply is important and will be considered by the Commission and the Council. The reply form (below) is provided to express your opinion on this matter. The form should be returned to the Planning Division by 5 p.m. on **March 7, 2024**, to be included in the Planning and Zoning Commission packet and, by **March 15, 2024**, be included in the City Council packet. All notices received after the listed dates will still be accepted and presented to the Commission/Council but will not be included in meeting packets.

(Complete and return)

Do not write on the reverse side of this form.

Zoning Case: Z0823-0321

I am in favor of this request

I am opposed to this request

Name:(required) WENDON YANG
Address of Noticed Property: 2129 Spring Mills Rd., 75781
Owner Signature: [Signature] Date: 3/5/2024

Reasons (optional):

Traffic is high already

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

RECEIVED

MAR 08 2024

PLANNING AND ZONING