

**FILE NUMBER:** Z0424-0358  
**REQUEST FOR:** Conditional Use Permit to allow a towing company with primary outdoor storage  
**CASE MANAGER:** Jordan Gregory

### **PUBLIC HEARINGS**

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Planning and Zoning Commission: Monday, June 24, 2024  
City Council: Monday, July 15, 2024

### **GENERAL INFORMATION**

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**Applicant:** Majed Khalaf  
**Requested Action:** Conditional Use Permit to allow a towing company with primary outdoor storage  
**Location:** 2425 Edinburgh Street

### **PLANNING AND ZONING ACTION**

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**Decision:** On June 24, 2024, the Planning and Zoning Commission voted 5-0 to approve the Conditional Use Permit request to allow a primary outdoor storage yard at 2425 Edinburgh Street with the condition that the outdoor storage must meet all required conditions set forth in 3-603.B – Outdoor Storage of the MZO.

### **SITE BACKGROUND**

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**Platting:** Hilhome Gardens 2, Block 4, Lot 3  
**Size:** 0.46 acres/19,911.8 square feet  
**Zoning:** C - Commercial  
**Land Use:** Light Industrial  
**Zoning History:** 1951: Property was Annexed into the City of Mesquite  
1964: Zoned to D – Duplex  
1972: Zoned to Commercial  
1973: Conditional Use Permit to allow metal buildings with masonry fronts (Ord. 1618)

Surrounding Zoning and Land Uses (see attachment 3):

	<u><b>ZONING</b></u>	<u><b>LAND USE</b></u>
<b>NORTH:</b>	C - Commercial	Light Industrial (MCS Mechanical)
<b>SOUTH:</b>	C - Commercial	Light Industrial (National Wholesale Supply Inc.)

<b>EAST:</b>	C - Commercial	Light Industrial (Mesquite Islamic Center)
<b>WEST:</b>	C - Commercial	Light Industrial (Premier Vehicle Storage, All Around Towing, E Cars Club)

### **CASE SUMMARY**

The applicant is requesting a Conditional Use Permit (CUP) to allow a towing company with a primary outdoor storage yard located at 2425 Edinburgh Street. Towing/Wrecker Service is permitted by right in Commercial districts so long as it is in accordance with the outdoor storage requirements in Section 3-600. The applicant's request is for a Conditional Use Permit (CUP) to allow the subject properties to be used as a primary outdoor storage yard per Section 3-603.A.2 of the Mesquite Zoning Ordinance.

*Primary outdoor storage yard:* Primary outdoor storage yards shall be permitted in the I district and may be approved as a conditional use permit in the C district. A primary outdoor storage yard shall mean such storage which constitutes a principal use on the premises or is conducted without a permanent building on the premises, which utilizes more than fifty (50) percent of the premises, or which otherwise exceeds the limitation of an accessory storage area.

The applicant plans to renovate the existing property to ensure that it meets the requirements set forth in the City of Mesquite Zoning Ordinance (MZO). As shown in Attachment 6, the applicant plans to submit a site plan for review by City Staff, displaying the required parking, landscaping, stormwater detention, surfacing, and screening. These changes will be in accordance with the requirements for screening outdoor storage as well as all other City of Mesquite Ordinances.

### **MESQUITE COMPREHENSIVE PLAN**

The *Mesquite Comprehensive Plan* designates the future land use of the subject property as within the US 80 Special Planning Area. The vision for the US 80 Special Planning Area is to create an office and commercial district with revitalized existing development and new office space along the highway. Land uses should include small office warehouses and some personal services. Outdoor storage should be screened from view and limited to ensure an aesthetically pleasing appearance and consistent design. New commercial development should be of similar size to the existing development. New professional offices of 2-3 stories should be promoted in the remaining vacant areas. Improved streetscapes should be developed to create an inviting environment and create a distinct feel.

**STAFF COMMENTS:**

The CUP to allow a primary outdoor storage yard is inconsistent with the *Mesquite Comprehensive Plan* designation as the US 80 Special Planning Area. However, the CUP request does match the current land use designation, as well as the land use types found in the surrounding area. This request will not inhibit the development of nearby vacant land as it is primarily an improvement of the current conditions.

**MESQUITE ZONING ORDINANCE**

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**SECTION 5-303: REVIEW CRITERIA FOR CONDITIONAL USE PERMITS**

**1. Existing uses**

The subject property abuts nonresidential uses on all sides. The surrounding properties include a wide variety of uses, such as automotive, warehousing, and storage. The proposed use is consistent and compatible with surrounding nonresidential uses. It is not anticipated that the proposed use will be injurious to the property or 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 request to negatively impact the development or redevelopment of any nearby property. This request is very similar to the surrounding uses.

**3. Services**

Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.

**STAFF COMMENTS:**

Adequate utilities, access roads, and drainage facilities exist for the site and are sufficient for accommodating the demands associated with the request for the Conditional Use Permit. Shown in Attachment 6, the applicant has provided space for stormwater detention to accommodate for the increase in the impervious surface.

**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:**

Sufficient off-street parking is currently provided in the provided concept plan (Attachment 6) and will be required through the Site Plan process.

**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 request.

**CONCLUSIONS**

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**ANALYSIS**

The request for a CUP to allow for a primary outdoor storage yard is consistent with the existing land uses within the immediate area of the subject property and the applicant intends to meet all of the required conditions set forth in 3-603.B – Outdoor Storage as listed below.

1. Type materials: Storage shall be limited to goods and materials customarily stored outside and resistant to damage and deterioration from exposure to the elements.
2. Location: Outdoor storage shall not be located in any required front or exterior side yard; shall not obstruct or eliminate any required parking or loading space, access drive, or fire lane; or occupy any street right-of-way.
3. Height: Storage of stacked materials shall not exceed the height of the screening fence or eight (8) feet, whichever is less. Individual items of greater height may be stored, but may not exceed one-half the height of the principal building.
4. Screening: All outdoor storage shall be screened by a permanently maintained solid wood fence or solid masonry wall at least six feet in height along any side facing a front or exterior side property line, any side facing a rear or interior side property line adjacent to a district that does not allow outdoor storage as a permitted use, or any other side generally open to public view.
5. Surfacing: Storage areas shall be surfaced as follows:
  - a. Storage of goods and materials shall be conducted only on a paved surface or an approved all-weather surface of crushed rock which is maintained in a dust-free condition.
  - b. The storage of vehicles, trailers, and equipment which is normally intended to be mobile, whether self-propelled or towed, shall be conducted only on an approved asphalt or concrete surface which is provided in accordance with the requirements for parking areas.

**RECOMMENDATIONS**

Staff recommends approval of the Conditional Use Permit to allow a primary outdoor storage yard at 2425 Edinburgh Street with the condition that the outdoor storage must meet all required conditions set forth in 3-603.B – Outdoor Storage of the MZO.

## **PUBLIC NOTICE**

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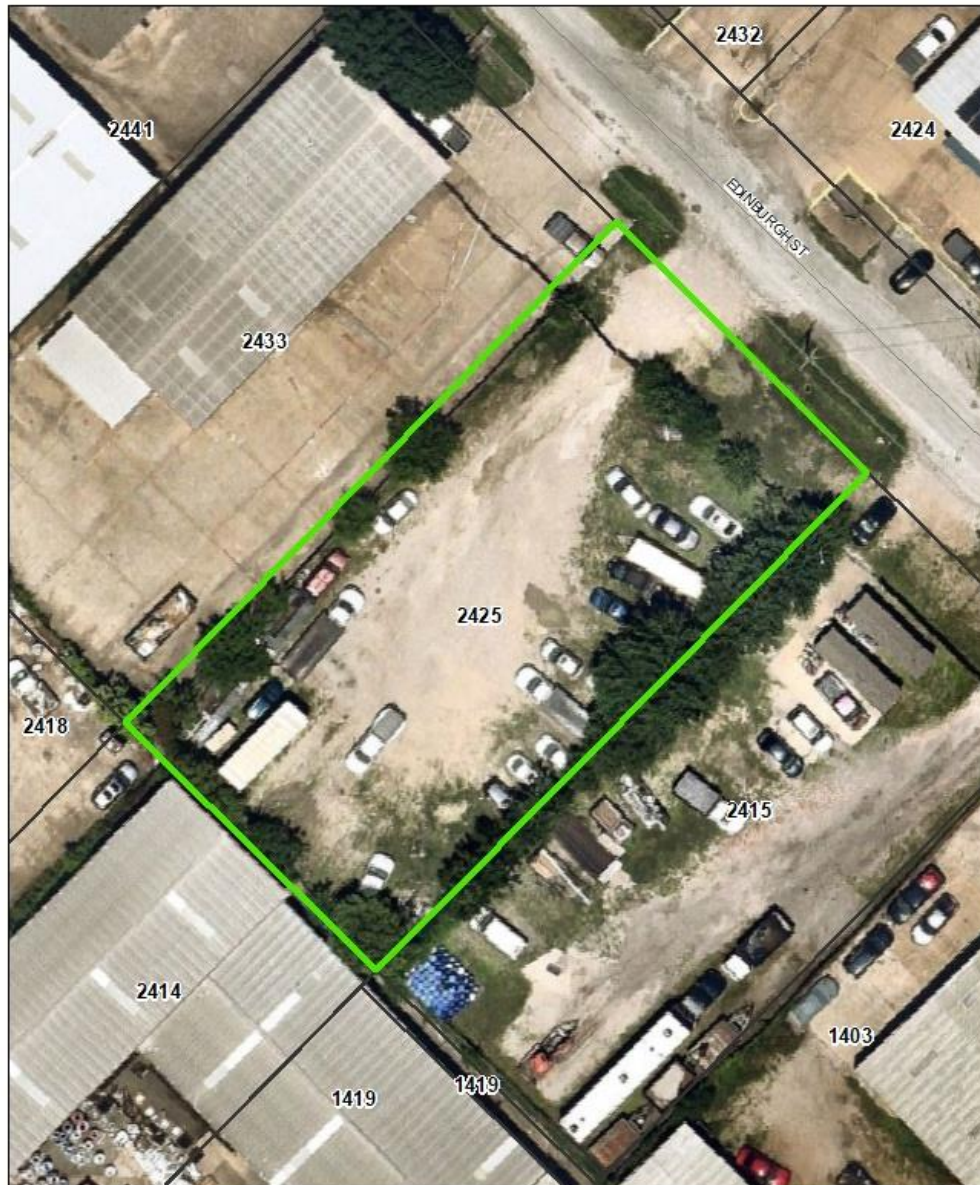
Staff mailed notices to all property owners within 200 feet of the subject property and mailed a courtesy notice for properties within 400 feet. As of June 24, 2024, Staff has received three returned notices (one in favor, two in opposition).

## **ATTACHMENTS**

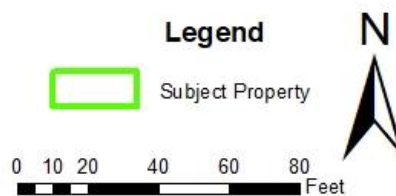
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1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Application Materials
7. Owner Authorization Form
8. Returned Notices

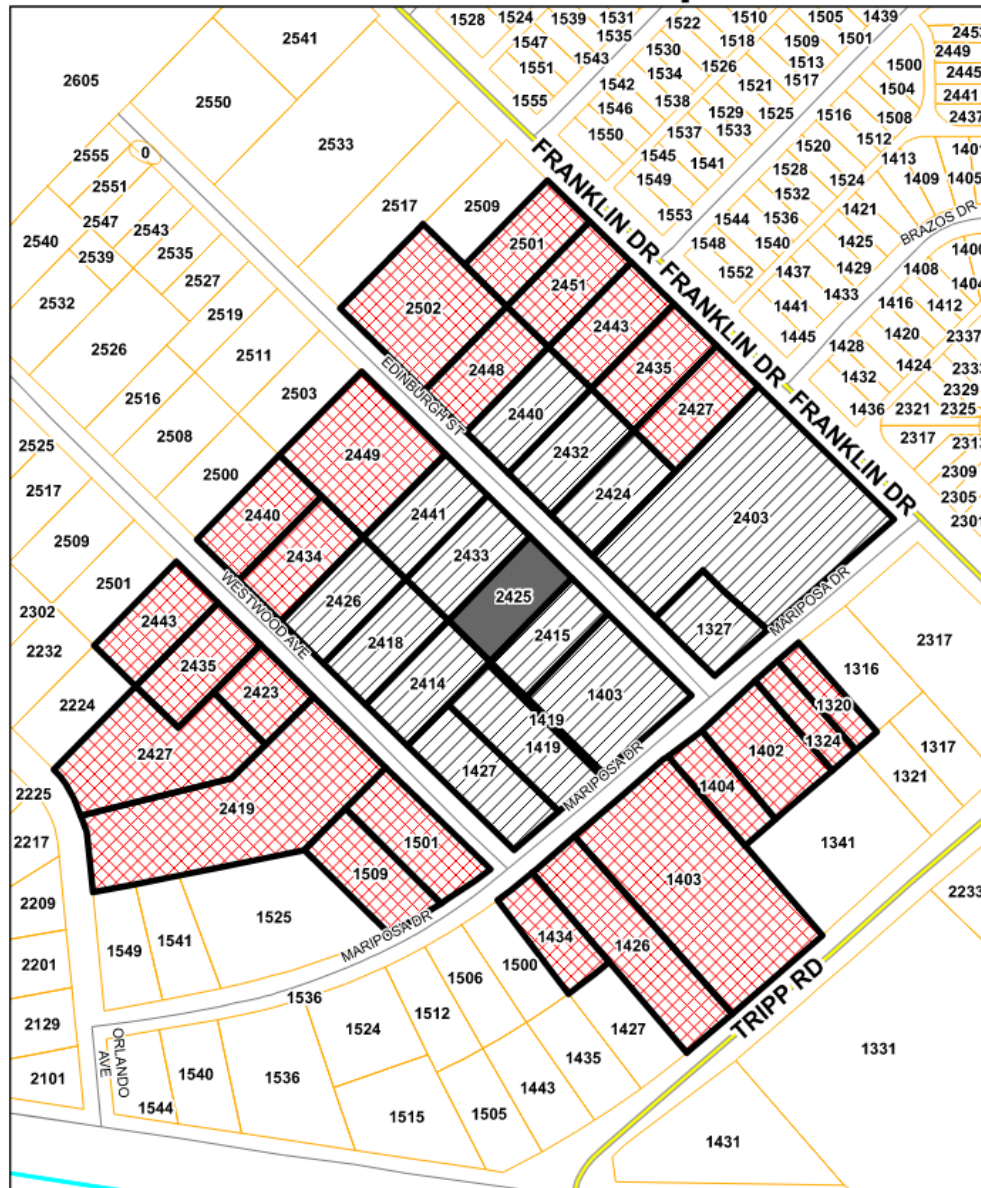
## Aerial Map



Applicant: Majed Khalaf  
Location: 2425 Edinburgh Street



## Notification Map






Request: Conditional Use Permit to allow a  
towing company with primary outdoor storage.

Applicant: Majed Khalaf

Location: 2425 Edinburgh Street

### Legend

-  Subject Property
-  Notified Properties
-  Courtesy Notice Properties



## Zoning Map



Property Address - 2425 Edinburgh Street

### Legend - Base Zones



## Future Land Use Map



Address: 2425 Edinburgh Street



Subject Property



### Legend

US 80 Special Planning Area



**ATTACHMENT 5 – SITE PHOTOS**



**Front view of the subject property facing southwest**



**Front view of the subject property facing west**

**Roc Design Engineers, Inc**  
Superior Civil Engineering Service

April 15, 2024

City of Mesquite  
Planning Department

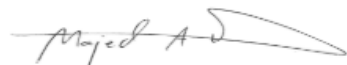
RE: Letter of Intent

Dear Sirs:

The Development is 0.44 Acres of Vacant land, at 2425 Edinburgh Street. Being a part of Lot 3 Block 4 of Hilhome Garden Second Section an addition. The owner is Sudi Corporation, Vol. 201800267763, Dallas County Deed Record. Our intention is to Develop the vacant lot into a Towing Yard and Vehicle Storage. It is requested that the Zoning classification be changed from C-C to CUP Outdoor Storage for Towing Yard and Vehicle Storage.

The Development and use shall be in conformance with Exhibit B: Site Plan attached. Hereto and made a part hereof for all purposes, which reflects no deviation from the requirements of the City of Mesquite Unified Development Code.

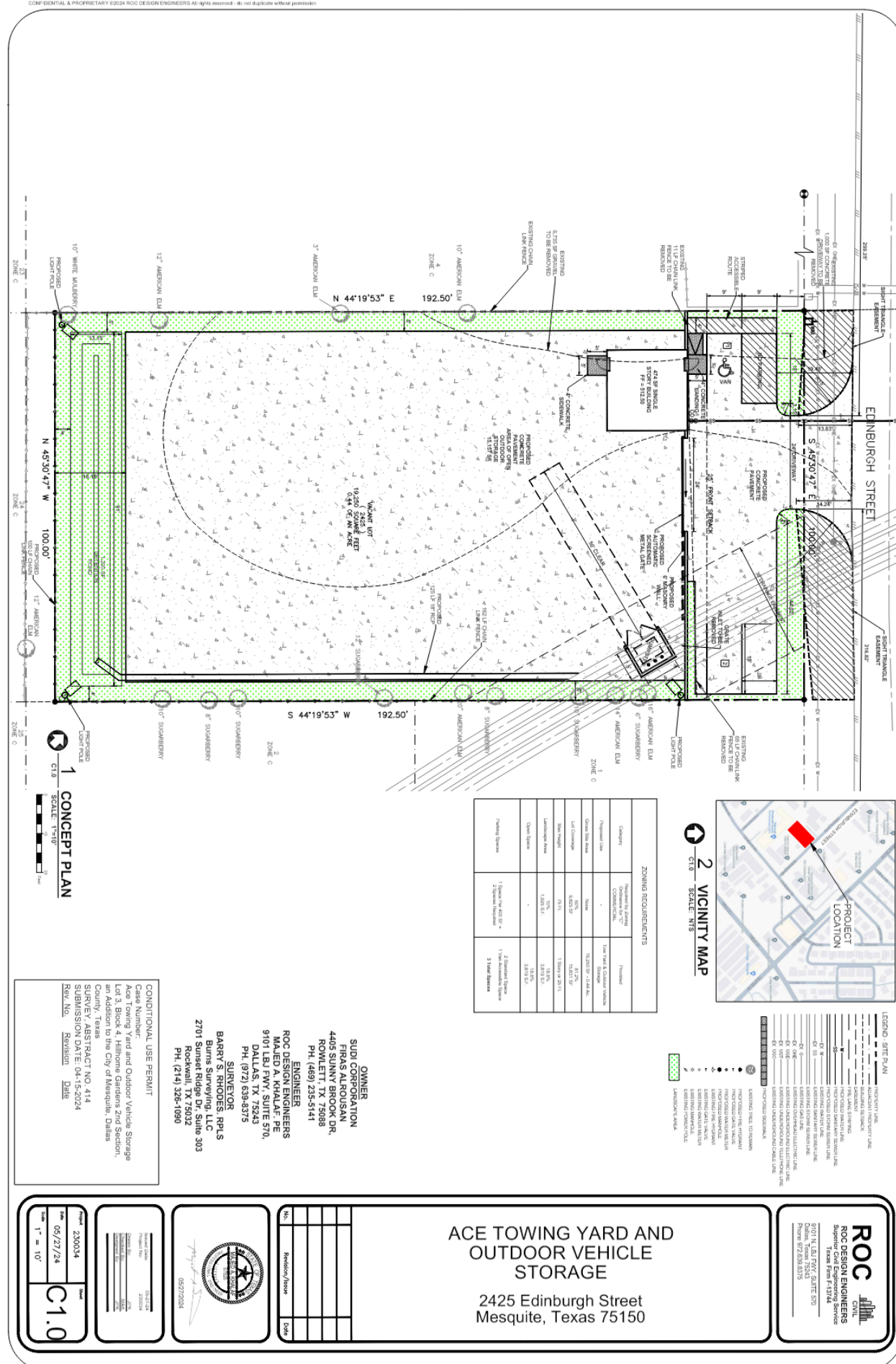
Respectfully requested,



Majed Khalaf, P.E.  
Director of Operations  
Roc Design Engineers  
[Rocdesignengineers@gmail.com](mailto:Rocdesignengineers@gmail.com)  
(972) 639 8375  
9101 LBJ HWY Suite 570  
Dallas Texas 75243

972 639 8375 9101 Lyndon B Johnson Fwy Suite 570 Dallas, TX 75243

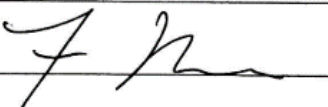
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## ATTACHMENT 7 – OWNER AUTHORIZATION FORM

### 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 Conditional Use Permit Application.

Property Owner: Firas Alrousan/ Sudi COPRORATION Phone Number: 4692355141  
Address: 4405 Sunny Brook Drive  
Rowlett TX 75088 Email Address: salrousan@yahoo.com  
Signature: 

Each property owner must complete a separate authorization form

October 2020

CONTINUE TO NEXT PAGE

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P.O. Box 850137 • Mesquite, Texas 75185-0137 • [www.cityofmesquite.com](http://www.cityofmesquite.com)



CITY OF MESQUITE  
PLANNING AND ZONING COMMISSION  
NOTICE OF PUBLIC HEARING

**LOCATION:** 2425 Edinburgh Street  
(See attached map for reference)  
**FILE NUMBER:** Z0424-0358  
**APPLICANT:** Majed Khalaf  
**REQUEST:** From: "C" – Commercial  
To: "C" – Commercial with a Conditional Use Permit to allow a towing company with primary outdoor storage

A public hearing will be held to consider zoning change from "C" – Commercial to "C" – Commercial with a Conditional Use Permit to allow a towing company with primary outdoor storage. 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**

Approximately +/- 0.46-acre tract in Hilhome Gardens 2, Block 4, Lot 3

**PUBLIC HEARINGS**

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **June 24, 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, **July 15, 2024**, located at 757 N. Galloway Ave.

Questions may be directed to the Planning Division at (972) 329-8543 or [jgregory@cityofmesquite.com](mailto:jgregory@cityofmesquite.com).

**REPLY FORM**

State law requires that cities notify all property owners within 200 feet of any proposed zoning change. As a property owner within the notice area, you are invited to provide comments on the request by attending the public hearing or by completing the form below or both. 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 **June 19<sup>th</sup>, 2024**, to be included in the Planning and Zoning Commission packet and by **June 28<sup>th</sup>, 2024**, 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: Z0424-0358

I am in favor of this request

I am opposed to this request

Name: (required)

Address of

Noticed Property:

Owner Signature:

BROWN COCKSEY

2426 WESTWOOD

Date: 6.20.24

Reasons (optional):

DID NOT RECEIVE NOTICE Till 6 pm 6.19.24

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

RECEIVED

JUN 20 2024

PLANNING AND ZONING

ATTACHMENT 8 – RETURNED NOTICES



CITY OF MESQUITE  
PLANNING AND ZONING COMMISSION  
NOTICE OF PUBLIC HEARING

**LOCATION:** 2425 Edinburgh Street  
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(Complete and return)

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**Zoning Case:** Z0424-0358

I am in favor of this request

I am opposed to this request

Name: (required)

Address of

Noticed Property:

Owner Signature:

Billy Carter  
2432 Edinburgh St Mesquite Tx 75150  
Billy Carter  
Date: 6-17-2024

Reasons (optional):

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

RECEIVED

JUN 24 2024

PLANNING AND ZONING

ATTACHMENT 8 – RETURNED NOTICES



CITY OF MESQUITE  
PLANNING AND ZONING COMMISSION  
COURTESY NOTICE OF PUBLIC HEARING

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**REPLY FORM**

State law requires that cities notify all property owners within 200 feet of any proposed zoning change. This courtesy notice is for property owners greater than 200 feet, up to 400 feet from the proposed zoning change. For this reason, we are sending you this courtesy notice. As a property owner within the courtesy notice area, you are invited to provide comments on the request by attending the public hearing or by completing the form below or both. 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 **June 19, 2024**, to be included in the Planning and Zoning Commission packet and by **June 28, 2024**, 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.

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**Zoning Case:** Z0424-0358

More information is available at:

[www.cityofmesquite.com/ZoningCases](http://www.cityofmesquite.com/ZoningCases)

Name:(required)

Address of

Noticed Property:

Owner Signature:

JILL KENNEDY

2502 EDINBURGH

JR Kennedy

Date: 6-18-2024

Comments:

WE ARE AGAINST THE ZONING CHANGE. I WILL BE UNSIGHTLY AND THE WRECKER TRAFFIC WILL INCREASE THE EXISTING PROBLEMS AND DANGER CAUSED BY THE TOW TRUCKS ON EDINBURGH

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

RECEIVED

JUN 24 2024

PLANNING AND ZONING