



T E X A S

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PLANNING AND ZONING DIVISION

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

PUBLIC HEARINGS

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

GENERAL INFORMATION

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

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

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):

Table with 2 columns: ZONING and LAND USE. Rows for NORTH and SOUTH.

EAST:	C - Commercial	Light Industrial (Mesquite Islamic Center)
WEST:	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. 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

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

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

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


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

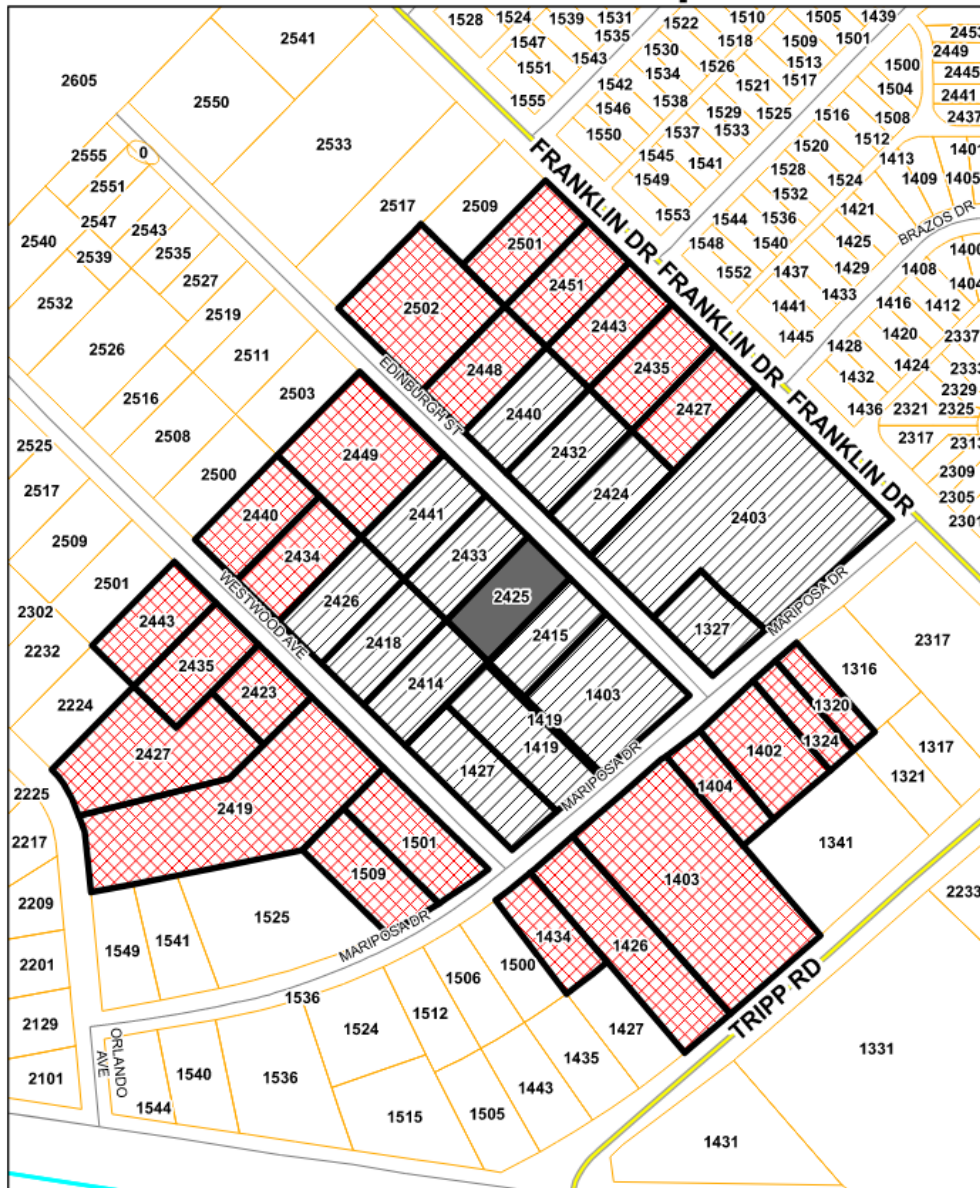
Legend

 Subject Property



0 10 20 40 60 80 Feet

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

-  Subject Properties
-  Commercial



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

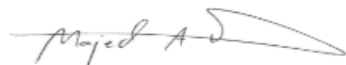
RE: Letter of Intent

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
(972) 639 8375
9101 LBJ HWY Suite 570
Dallas Texas 75243

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 COPORATION 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



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. 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.

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 19th, 2024**, to be included in the Planning and Zoning Commission packet and by **June 28th, 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** Name:(required) BROWN COCKSEY
I am in favor of this request Address of Noticed Property: 2426 WESTWOOD
I am opposed to this request Owner Signature: [Signature] 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
(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

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(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:

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

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

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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.

(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
Name:(required) KYLE KENNEDY
More information is available at: www.cityofmesquite.com/ZoningCases
Address of 2502 EDINBURGH
Noticed Property:
Owner Signature: [Signature] **Date:** 6-18-2024

Comments: WE ARE AGAINST THE ZONING CHANGE. I WILL BE UNSIGHTS 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