



PLANNING AND ZONING DIVISION

FILE NUMBER: Z0925-0418
REQUEST FOR: Conditional Use Permit
CASE MANAGER: Ti'Ara Clark, Planner

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, October 13, 2025
City Council: Monday, November 3, 2025

GENERAL INFORMATION

Applicant: David Vu Tran
Requested Action: Rezone from "C," Commercial within the Town East Restaurant and Retail Area (TERRA) Overlay to "C," Commercial within the TERRA Overlay with a Conditional Use Permit (CUP) to allow wholesale trade of nail supplies.
Location: 3677 W Emporium Circle

PLANNING AND ZONING ACTION

Decision: On October 27, 2025, the Planning and Zoning Commission voted 4-3 to approve the CUP, with Commissioners Arnold, Chenault, and Alwalee opposing, and included a stipulation limiting the CUP to the applicant.

SITE BACKGROUND

Platting: Emporium Phase 1, Block A, Lots 11RR
Size: 9.22 Acres
Zoning: C – Commercial within the TERRA Overlay
Future Land Use: Town East Special Planning Area
Zoning History: 1951: Annexed into City of Mesquite, Zoned Residential
1967: Rezoned to Multi-Family
1984: Rezoned to Commercial
1996: Rezoned to Commercial and TERRA Overlay
2014: Conditional Use Permit to allow Indoor Archery Range (Expired)

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	Planned Development Single Family	Single Family Residences
SOUTH:	Commercial, TERRA Overlay	24 Hour Fitness
EAST:	Commercial, TERRA Overlay, CUP	Lakepointe Church
WEST:	Commercial, TERRA Overlay	Premier High School & Custom T-Shirt Store

CASE SUMMARY

The applicant is requesting a Conditional Use Permit (CUP) to allow Sam's Nail Supply to operate within an existing structure at 3677 W. Emporium Circle. Sam's Nail Supply is a retail and wholesale business that sells various items used in nail salons, including nail polish, nail tools, accessories, personal protective equipment, and spa furniture.

This request was previously considered by the Planning and Zoning Commission in 2021 and was denied in a 5-1 vote. Following the denial, the applicant agreed to operate only as a retailer under the conditions of the issued Certificate of Occupancy. However, since that time, the City has been notified on multiple occasions that wholesale operations have continued at the property. As of November 3, 2025, the site also remains out of compliance with Building and Fire Code requirements.

According to their website, Sam's Nail Supply offers wholesale membership for individuals or businesses wishing to purchase nail supplies and equipment in bulk. The applicant has indicated that the subject property will be used for retail, wholesale, and as a distribution center. The retail component will allow customers to purchase nail supplies for personal use without a wholesale membership. The wholesale and distribution operations will include pickup and delivery of supplies. Sam's Nail Supply proposes to have two box trucks at the subject property to make deliveries to customers.

The applicant currently operates nine other Sam's Nail Supply locations in Garland, TX; Grand Prairie, TX; Dallas, TX; San Antonio, TX; Houston, TX; Oklahoma City, OK; Tulsa, OK; and Memphis, TN.

The Mesquite Zoning Ordinance (MZO) requires a CUP for wholesale trade operations of nondurable goods within a Commercial zoning district. Additionally, the subject property is located within the Town East Retail and Restaurant Area (TERRA) Overlay, which requires approval of a CUP for all wholesale trade uses.

MESQUITE COMPREHENSIVE PLAN

The *Mesquite Comprehensive Plan* designates the subject property within the Town East Special Planning Area on the Future Land Use Map (see attachment 4). The vision of the Town East Special Planning Area is to be a thriving regional retail and entertainment area that meets the changing needs and desires of the community. Town East Mall shall continue to serve as an anchor with complementary retail, offices, and hotels in the surrounding area.

STAFF COMMENTS:

The requested CUP to allow a nail supply store with wholesale trade operations is not consistent with the Mesquite Comprehensive Plan's *Town East Special Planning Area* designation. The future land use plan identifies retail, entertainment, office, and hotel uses as appropriate for this area. Wholesale trade and distribution uses are not considered compatible with the intended vision for the district.

MESQUITE ZONING ORDINANCE

SECTION 5-503: REVIEW CRITERIA FOR CONDITIONAL USE PERMITS

1. The extent to which the proposed CUP promotes public health, safety, and welfare.
 - **STAFF COMMENTS:** The proposed CUP does not promote public health, safety, and welfare. The business has previously operated in violation of the Certificate of Occupancy and continues to be out of compliance with Building and Fire Code requirements. These conditions raise concerns about the applicant's ability to maintain safe operations consistent with City standards.
2. The consistency of the proposed CUP with any adopted land use policies.
 - **STAFF COMMENTS:** The CUP request is not consistent with adopted land use policies, which encourage retail and entertainment uses within the Town East Special Planning Area and discourage wholesale/distribution operations that are better suited to industrial or light industrial areas.
3. The extent to which the proposed CUP created nonconformities.
 - **STAFF COMMENTS:** Approval of the CUP would not create nonconformities on the subject property. However, the property is currently operating in violation of the existing Certificate of Occupancy, which allowed retail use only.
4. The compatibility with the existing uses and zoning of nearby property, such that the proposed CUP will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish property values within the immediate vicinity.
 - **STAFF COMMENTS:** The subject property is located within a commercial corridor that serves as a regional retail and restaurant destination. Wholesale and distribution activities are not compatible with the surrounding retail uses and may negatively impact the character of the district. The requested CUP could be injurious to the use and enjoyment of nearby retail properties that are consistent with the Comprehensive Plan and zoning district intent.
5. The trend of development, if any, in the general area of the property in question.
 - **STAFF COMMENTS:** The trend of development in the Town East area continues to focus on regional-serving retail, restaurant, and entertainment uses. Wholesale trade is inconsistent with this development trend.

6. Whether adequate public facilities are available including, but not limited to, schools, parks, police, and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses which would be permitted on the subject property if the CUP were adopted.
 - **STAFF COMMENTS:** Existing utilities, access roads, and drainage facilities to the site are currently available and adequate for the proposed CUP. However, existing code compliance issues with the site's building and fire protection systems must be resolved before the use can safely operate.
7. The extent to which adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed conditional uses.
 - **STAFF COMMENTS:** The site was originally developed for large-format retail and includes sufficient off-street parking.
8. Whether adequate measures have been or will be taken to prevent or control offensive lights, odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance and/or violate the Mesquite City Code, including the MZO.
 - **STAFF COMMENTS:** It is unclear whether the wholesale and distribution component of the use would create nuisance impacts.

CONCLUSIONS

ANALYSIS

The proposed CUP to allow Sam's Nail Supply to operate a wholesale business is inconsistent with the *Mesquite Comprehensive Plan* and does not meet the review criteria in Section 5-503(N), which may warrant denial.

ACTION

Should the Commission find that the request does not meet the criteria, a motion may be made to deny as submitted.

PUBLIC NOTICE

Staff mailed notification letters to all property owners within 400 feet of the subject property. As of November 3, 2025, one written response in support has been received from the courtesy notice, and one online response in opposition has been submitted from the statutory notice area.

CODE CHECK

The subject property is not in compliance with current Building and Fire Codes.

ATTACHMENTS

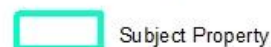
1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Application Materials
7. Returned Notices

Aerial Map



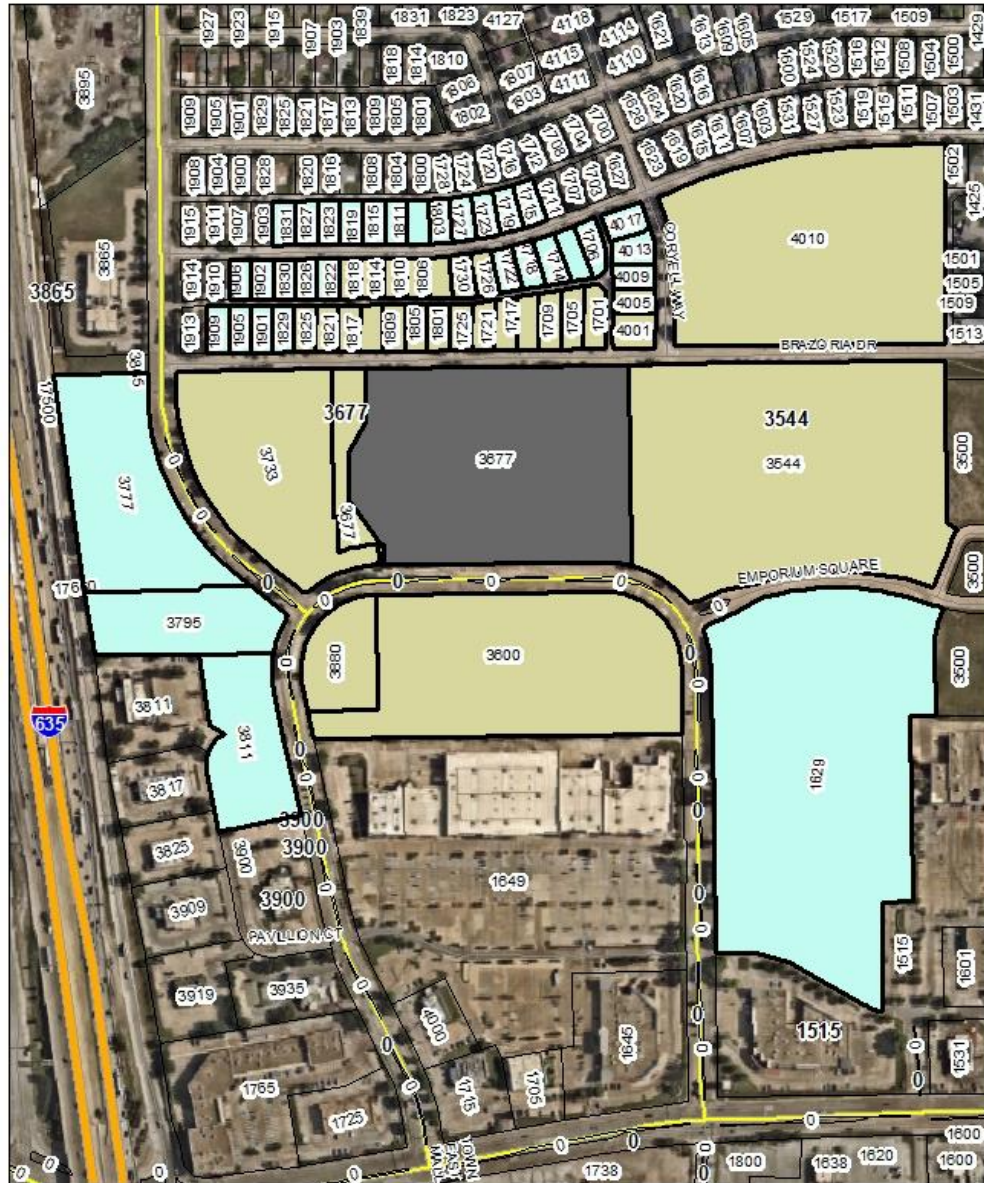
Applicant: David Vu Tran, Sam's Nail Supply
Location: 3677 Emporium Circle
Request: Conditional Use Permit to allow
wholesale trade.

Legend



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map



Applicant: David Vu Tran, Sam's Nail Supply
Location: 3677 Emporium Circle
Request: Conditional Use Permit to allow wholesale trade.

Legend

- Required Notices
- Subject Property
- Courtesy Notices



Legend

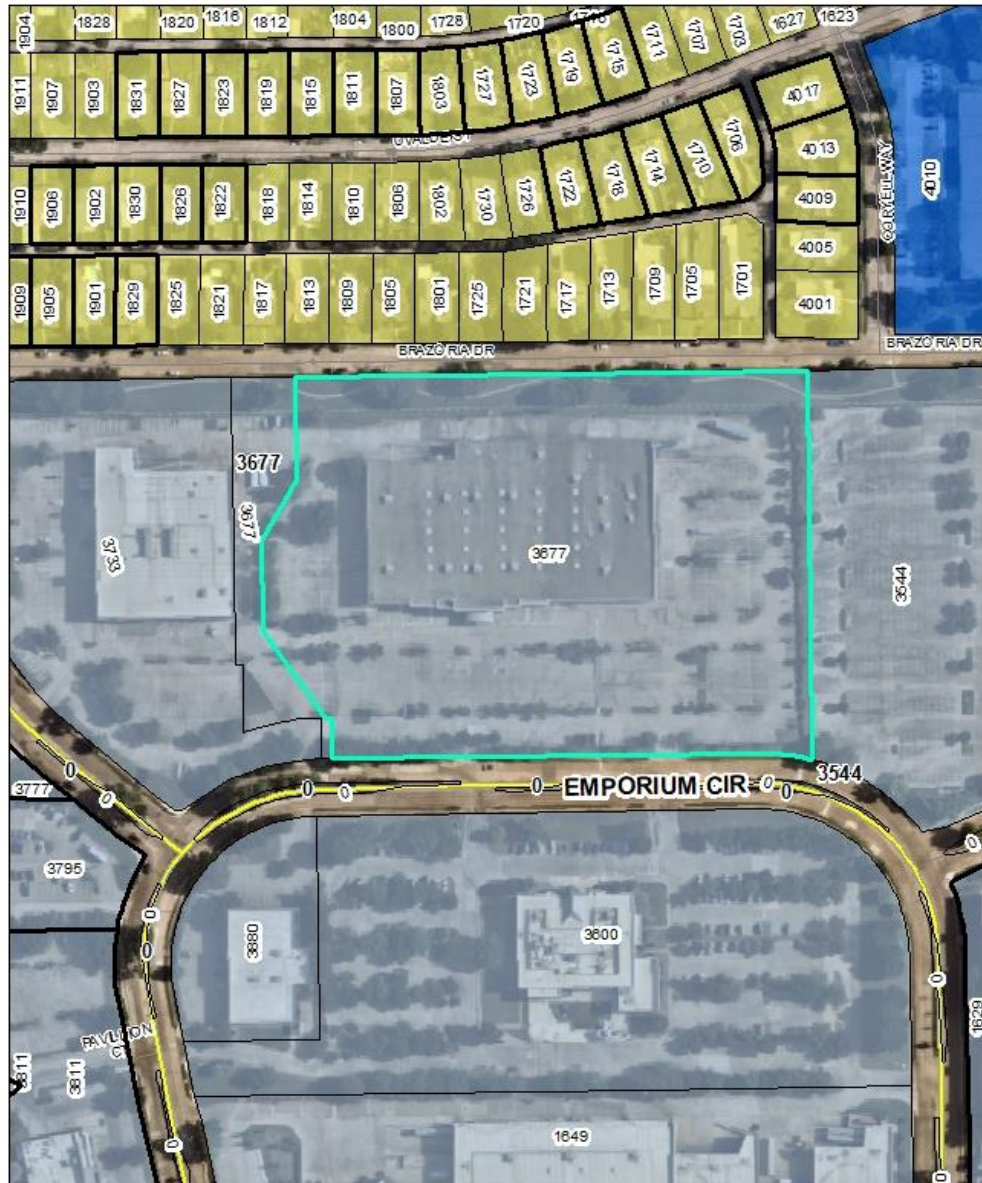


PD - Single Family Residential



ATTACHMENT 4 – FUTURE LAND USE MAP

Future Land Use Map



Applicant: David Vu Tran, Sam's Nail Supply
Location: 3677 Emporium Circle
Request: Conditional Use Permit to allow
wholesale trade.

Legend

-  Subject Property
-  Town East Special Planning Area
-  Low Density Residential



ATTACHMENT 5 – SITE PHOTOS



Subject property from parking lot, facing north.



Subject property from southeast corner of parking lot, facing northwest.

ATTACHMENT 5 – SITE PHOTOS



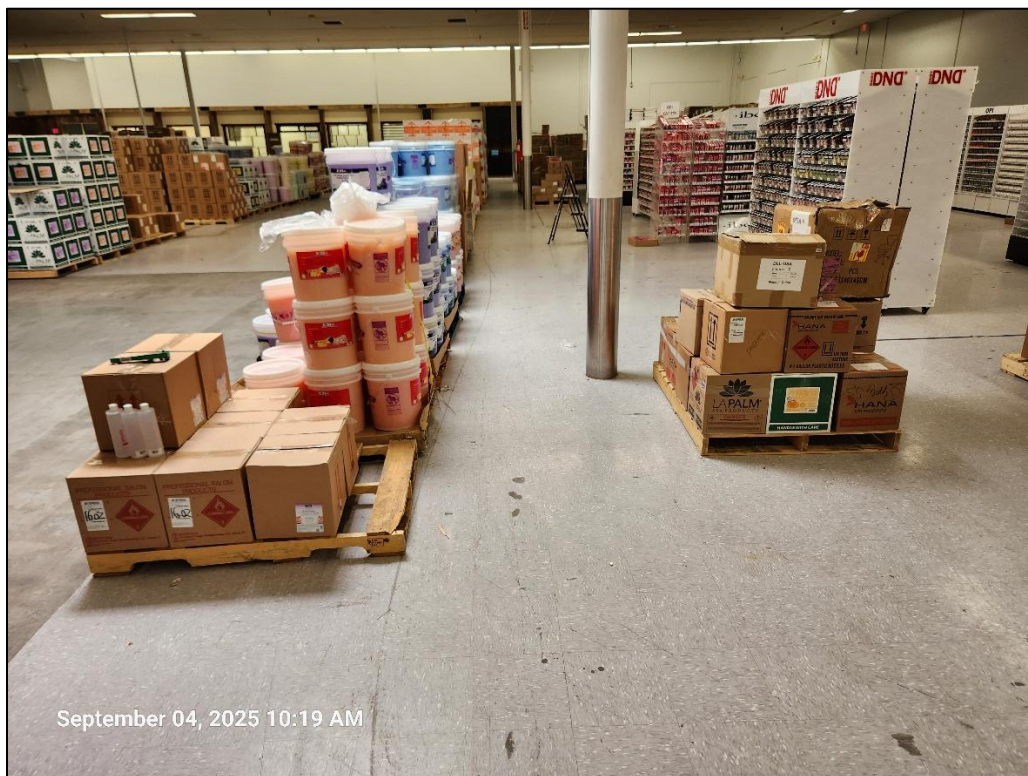
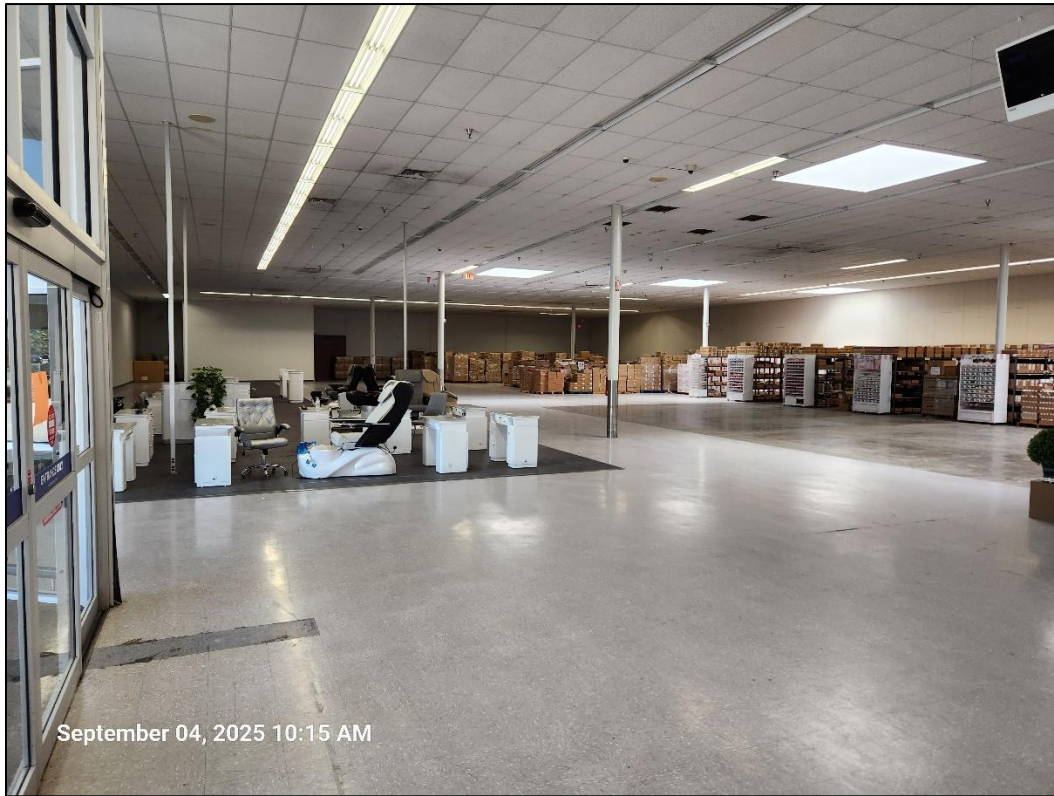
Subject property showing parking and signage, facing northwest.

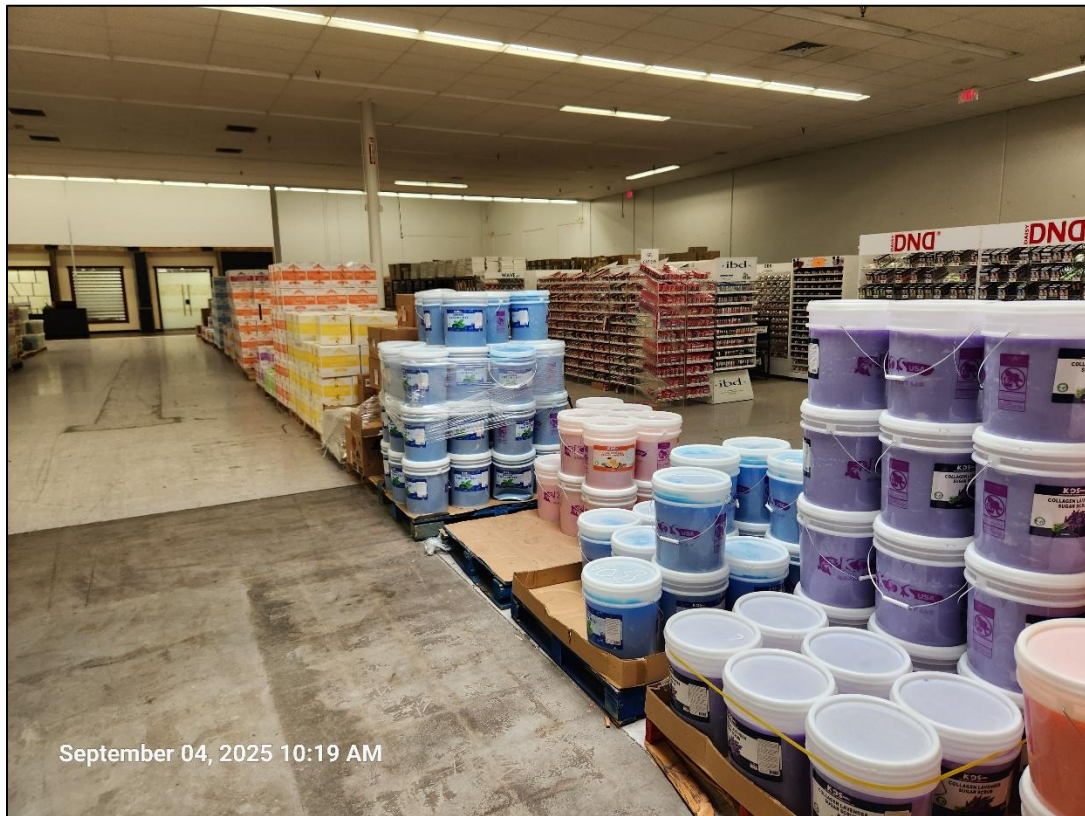


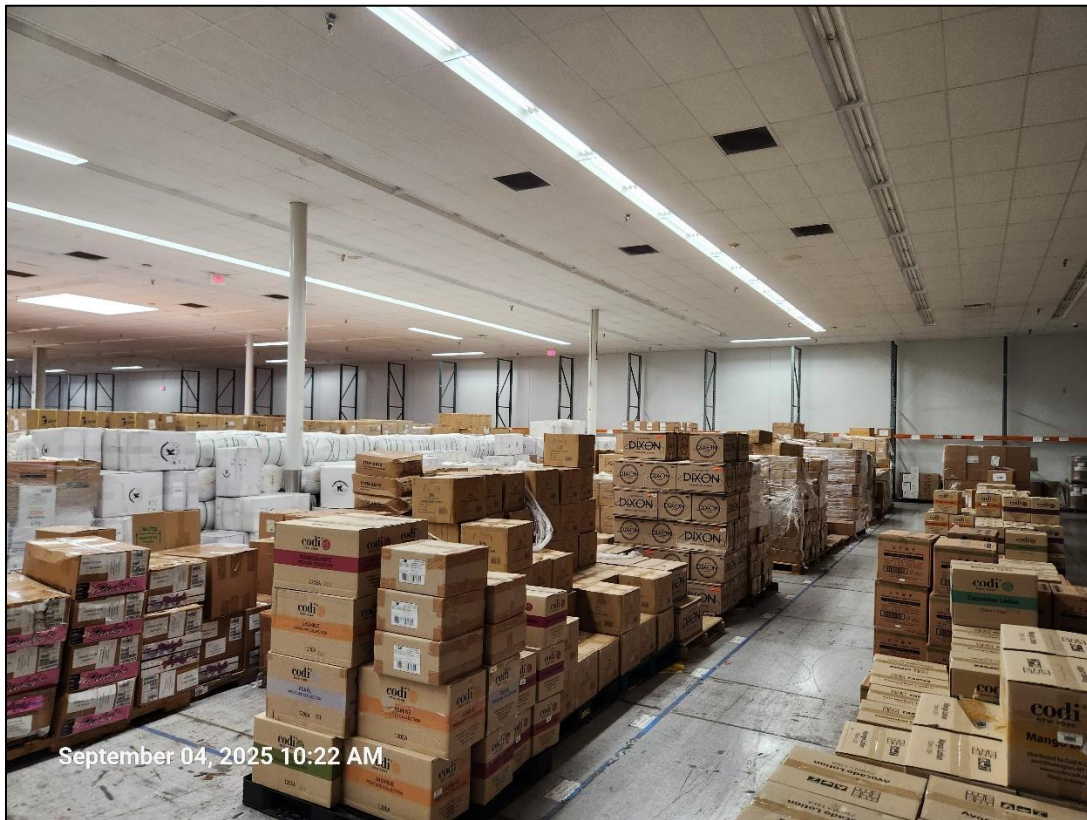
Subject property from southeast corner of parking lot, facing north.

ATTACHMENT 5 – SITE PHOTOS

Interior of existing Sam's Nail Supply.







ATTACHMENT 6 – APPLICATION MATERIALS

LETTER OF INTENT

Applicant/Owner:

David Vu Tran
3677 W Emporium Circle
Mesquite, TX 75150

Project Location:

3677 W Emporium Circle, Mesquite, Texas
Commercial (C) District / Town East Retail and Restaurant Area (TERRA) Overlay

Subject: Request for Conditional Use Permit

Dear Planning & Zoning Commission and City Council Members,

I respectfully request approval of a Conditional Use Permit (CUP) for the property located at 3677 W Emporium Circle in Mesquite, Texas. The site contains an existing 91,000 sq. ft. retail building within the Commercial (C) District and TERRA Overlay.

The purpose of this request is to allow:

- Primary Use: Retail sales of nail and beauty supply products.
- Secondary Use: Wholesale distribution of nail products Nail supply stores.
- Support Uses: Storage, inventory management, office functions, and e-commerce fulfillment.

All business activities will be fully contained indoors, with no outdoor storage or heavy truck traffic. Adequate utilities, drainage, and road access already serve the property, and parking supply is sufficient to accommodate retail and wholesale operations. Lighting, signage, and operations will comply with all applicable City codes and overlay requirements.

This project is consistent with the Mesquite Comprehensive Plan and the intent of the TERRA Overlay. It will revitalize an existing commercial property, strengthen the Town East retail corridor, generate jobs, and provide long-term economic benefits to the community.

I respectfully request favorable consideration of this Conditional Use Permit.

Sincerely,



David Vu Tran
Property Owner

ATTACHMENT 6 – APPLICATION MATERIALS

OWNER AUTHORIZATION FORM

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.

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.

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 said photographs.

I have read and understand the information contained in the City of Mesquite Conditional Use Permit Application.

Property Owner: David Vu Tran

Phone Number: 469-231-3072

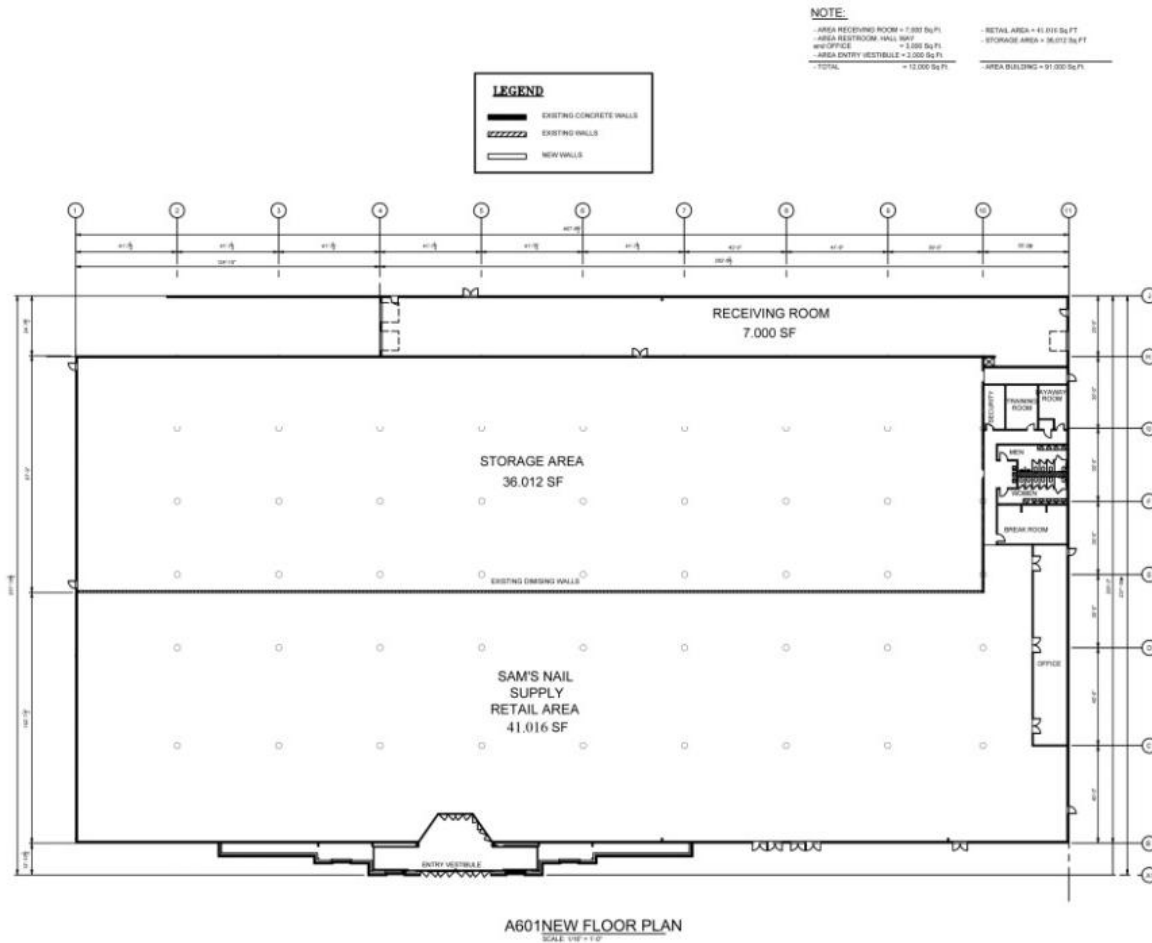
Address: 3677 W Emporium Circle, Mesquite, TX 75150

Email Address: vuvtran@yahoo.com

Signature: 

Date: 09/19/2025

ATTACHMENT 6 – APPLICATION MATERIALS



Proposed floor plan as provided by the applicant.



RECEIVED
OCT 08 2025
PLANNING AND ZONING

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

LOCATION: 3677 Emporium Circle (See attached map for reference)
PROPERTY ID: 380858900A11RR000
FILE NUMBER: Z0925-0418
APPLICANT: David Vu Tran, Sam's Nail Supply
REQUEST: From: C – Commercial within TERRA Overlay
To: C – Commercial within TERRA Overlay with a Conditional Use Permit to allow wholesale trade

The requested Conditional Use Permit would allow wholesale trade of nail supplies as a permitted use on the subject property. 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

Emporium Phase 1, Block A, Lot 11RR

PUBLIC HEARINGS

The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, **October 13, 2025**, in the City Council Chambers of City Hall located at 757 N. Galloway Ave.

The City Council will hold a public hearing on this request at 7:00 p.m. on Monday, **November 3, 2025**, in the City Council Chambers located at 757 N. Galloway Ave.

Questions pertaining to this case may be directed to the Planning Division at (972) 329-8523 or tclark@cityofmesquite.com

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 notice. As a property owner within 400 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 pm on **October 7th** to be included in the Planning and Zoning Commission packet and by 5 pm on **October 24th** to 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.

By signing the form, I declare I am the owner or authorized agent of the property at the address written below.

Zoning Case: Z0925-0418
I am in favor of this request ☒ Name (required) FRANKIE E. MCKINNE
Address of 909 CORYELL WAY
Noticed Property:
I am opposed to this request ☐ Owner Signature: Frankie E. McKinne Date: 10-7-25

Reasons (optional): _____

Please respond by returning to: PLANNING DIVISION
Ti'Ara Clark
CITY OF MESQUITE
PO BOX 850137
MESQUITE TX 75185-0137

<

Respondent

124

Anonymous

03:55

Time to complete

>

...

1. Case Number *

Z0925-0418

2. Please provide your first name. *

Joy

3. Please provide your last name. *

Tompkins

4. Please provide your address. *

1730 Uvalde St. Mesquite 75150

5. Please provide your comments on the proposed request. *

I am opposed to this request