

**REQUEST FOR ZONING  
RECLASSIFICATION**



**PLANNING AND  
DEVELOPMENT SERVICES**

**FILE NO.:** Z0718-0053

**P&Z HEARING DATE:**

August 27, 2018

**COUNCIL DATE:**

September 4, 2018

**GENERAL INFORMATION**

**APPLICANT:** Dick Demien, HHW Solutions

**REQUESTED ACTION:** Conditional Use Permit to allow storage and aggregation of household chemicals

**LOCATION:** 844 Dalworth Drive, Suite 7

**SITE BACKGROUND**

**EXISTING LAND USE AND SIZE:** Suite 7 is an approximately 800-square foot lease space located in the Dalworth Industrial Park that is zoned Industrial and is currently vacant.

**SURROUNDING LAND USE AND ZONING (see attached map):**

	Zoning	Existing Land Use
North	"I"-Industrial	Geo's Import Auto Repair (Automotive-related use)
South		Union Pacific Railroad
West	"I" Industrial	Solo Indoor Soccer (Indoor Recreation Facility)
East	"I" Industrial	Boroughs Sign (Sign manufacturing and service)

**ZONING HISTORY**

1951: Annexed and zoned Residential  
1955: Zoned Light Manufacturing  
1956: Zoned Industrial

**PLATTING:** Dalworth Industrial District, Block B, Lot 4

**GENERAL:** The applicant is requesting a Conditional Use Permit (CUP) to allow for the storage and aggregation of household chemicals in Suite 7 at 844 Dalworth Drive. The chemicals and storage quantity (See Attachment 5) would include oil based paint, diesel, batteries, propane, turpentine, organic peroxides, etc. The applicant anticipates that the majority of all collection would consist of latex paint, estimated around 85% of all collection. The company would temporarily store the chemicals before moving them off site for safe disposal.

The lease space is located within the Dalworth Industrial Park, consisting of two separate structures with multiple lease spaces. Suite 7 is located within the east structure. HHW Solutions is a start-up company that will offer a chemical collection service for residents within the cities of Kaufman, Crandall, Watauga, and Village of Westover Hills. The company contracts with

municipalities to collect hazardous household chemicals for a fee. The chemicals are then aggregated and transported to a final disposal site. The company will not require any outside storage needs or storage of collection trucks at this time.

**Additional Information:** To address the concern of transporting chemicals (See Attachment 7) HHW Solutions will use drum spill containment pallets along with specialized moving carts to limit and reduce the hazard of a chemical spill during the transport from trucks to the building. According to the owner, around 90 percent of all stored chemicals at this location will be latex paint in the original containers with lids.

#### **STAFF COMMENTS**

The Mesquite Comprehensive Plan designates the subject property as Industrial/Business Park. The Plan describes the intent of the Industrial/Business Park designations in the Development Areas as follows:

*This designation is intended to primarily provide sites for employment through manufacturing, wholesale distribution, and heavy commercial. This location is within the Dalworth Industrial District, a designated industrial area along Dalworth Drive that provides space for small industrial and heavy commercial users, including truck transportation and manufacturing. Uses which are generally not appropriate in these locations include areas of retail and personal services, along with non-employment uses.*

**Staff does not anticipate the proposed use at 844 Dalworth Drive to conflict with the Mesquite Comprehensive Plan.**

**Mesquite Zoning Ordinance Sec. 5-303: Review Criteria for Conditional Use Permits (Staff comments are provided below each criteria.)**

**1. Existing Uses**

*The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.*

**The subject property abuts nonresidential uses. The surrounding nonresidential uses include railroad tracks, an indoor-soccer facility, a sign company, roofing supply, and automotive repair uses. The proposed use is consistent and compatible with surrounding nonresidential uses. The proposed use also conforms to the General Retail zoning of the subject property as well as to the Comprehensive Plan. 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 does not expect the proposed use to impact the development or redevelopment of any nearby property.**

**3. Services**

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

**Adequate utilities, access roads and drainage facilities exist for the site and are sufficient for accommodating the demands associated with the request for a Conditional Use Permit to allow the proposed use.**

**4. Parking**

*Adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed uses.*

**The parking lot contains sufficient spaces to accommodate all currently operating businesses and including vacant suites.**

**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 disturbance to neighboring properties will result.*

**Staff anticipates no disturbances to neighboring businesses as a result of the proposed use.**

**Analysis**

The proposed Conditional Use Permit to allow for the collection and aggregation of household chemicals is consistent with the future land use designation of the Comprehensive Plan as well as the existing zoning district. The proposed use will be adjacent to multiple nonresidential uses and located within an existing "I" Industrial zone. Staff does not anticipate any adverse impacts from the proposed use on the surrounding uses or properties.

**RECOMMENDATIONS**

Staff recommends approval of the request to allow the collection and aggregation of household chemicals in a lease space located at 844 Dalworth Dr., Suite 7.

**PUBLIC NOTICE**

Notices were mailed to property owners within 200 feet of the property. As of the date of this writing, staff has not received any returned notices from property owners within 200 feet of the subject properties.

**ATTACHMENTS**

- 1 – Aerial Map
- 2 – Public Notification Map
- 3 – Zoning Map
- 4 – Application

**ZONING RECLASSIFICATION**

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5 – Description of Chemicals & Storage Quantity

6 – Site Pictures

7 – Additional Information

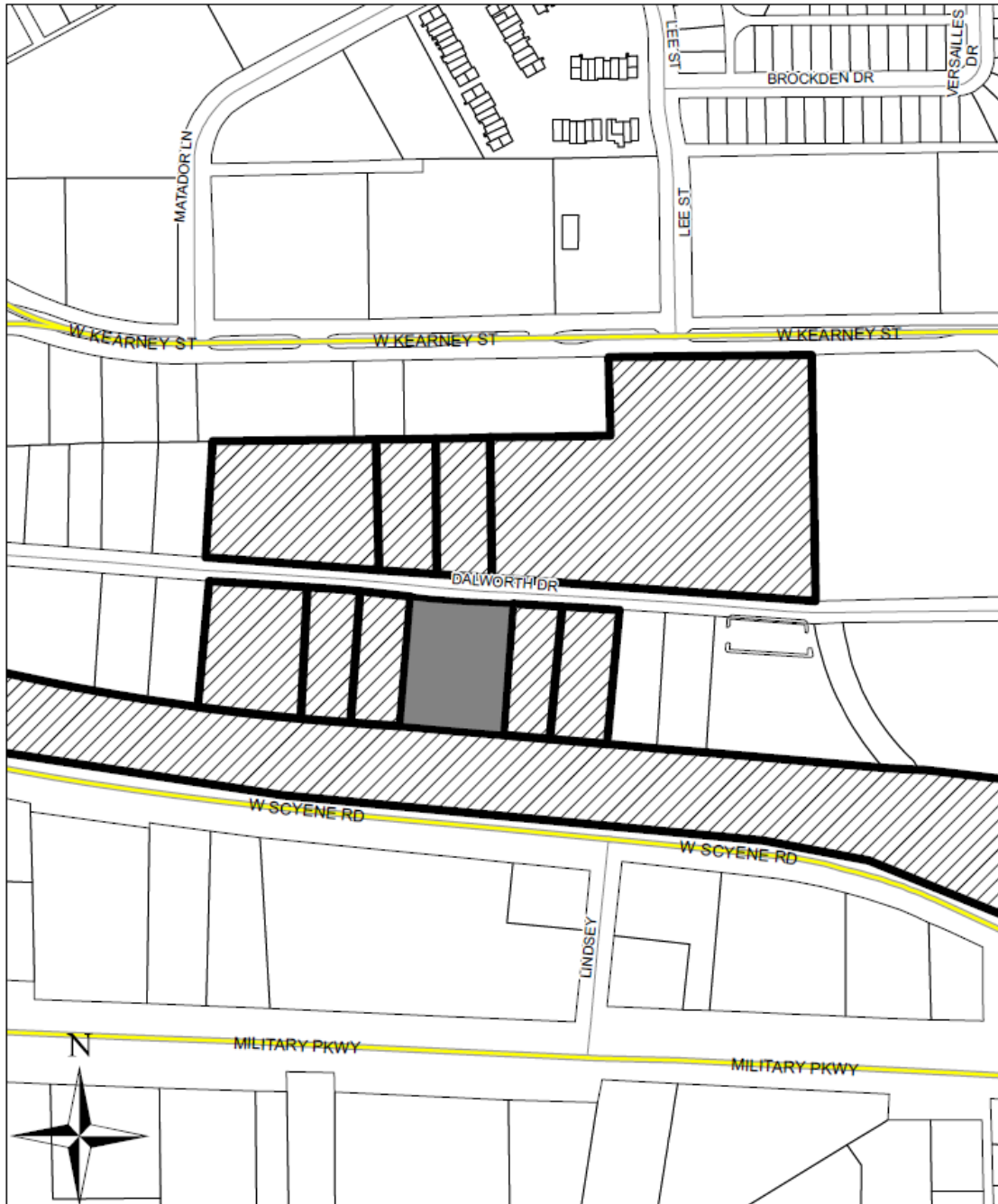
**ATTACHMENT 1 – AERIAL MAP**



**Request:** Conditional Use Permit to allow for storage and aggregation of household chemicals. See reverse side of this notice for more information.  
**Applicant:** Dick Demien, HHW Solutions  
**Location:** 844 Dalworth Dr., Suite 7

**Legend**  
 Subject Property

**ATTACHMENT 2 – PUBLIC NOTIFICATION MAP**

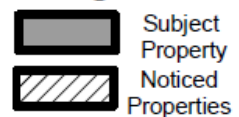


**Request:** Conditional Use Permit to allow for storage and aggregation of household chemicals. See reverse side of this notice for more information.

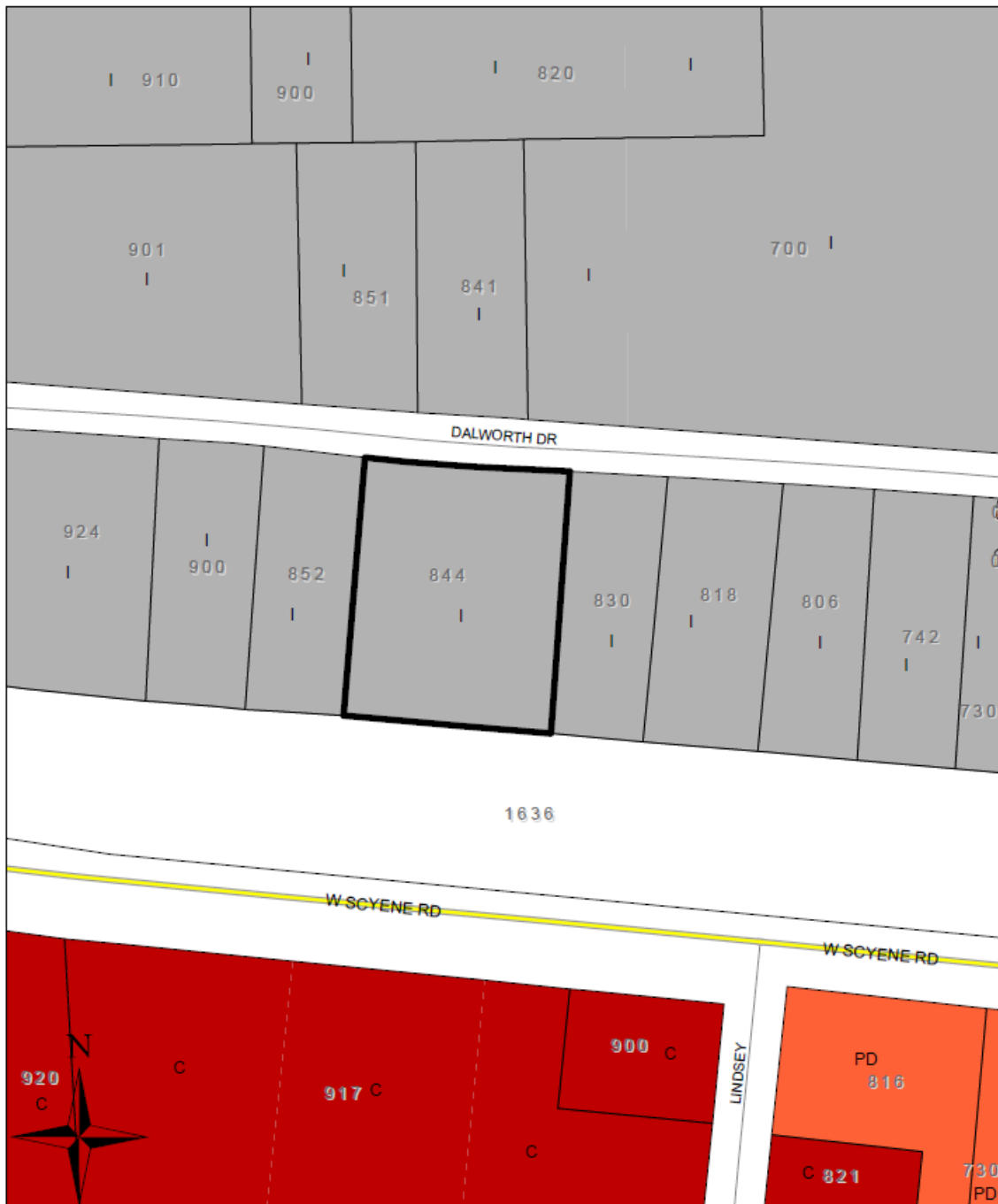
**Applicant:** Dick Demien, HHW Solutions

**Location:** 844 Dalworth Dr., Suite 7

**Legend**



**ATTACHMENT 3 – ZONING MAP**




**Request:** Conditional Use Permit to allow for storage and aggregation of household chemicals. See reverse side of this notice for more information.

**Applicant:** Dick Demien, HHW Solutions

**Location:** 844 Dalworth Dr., Suite 7

**Legend**

 Subject Property



20718-0053

# CITY OF MESQUITE ZONING APPLICATION

Receipt No.

Fee:

Case Manager:

Date Stamp:

## REQUESTED ACTION:

Change District Classification to:

Conditional Use Permit for:

Amend Special Conditions of

Ordinance #

(Explain Below)

Additional explanation of requested action:

STORAGE AND AGGREGATION OF HHW ITEMS TO INCLUDE MOTOR OIL, WAXING OIL, BATTERIES, PAINTS, CLEANERS, PERSONAL CARE, AUTOMOTIVE FLUIDS AND FUELS, CHAIN & GARDEN ITEMS, PAINT CHEMICALS, ETC.

## SITE INFORMATION/GENERAL LOCATION:

## LOCATION/LEGAL DESCRIPTION:

Current Zoning Classification: INDUSTRIAL

Complete one of the following:

Site Size: 47,480 (Acres or Square Feet)

1. Platted Property

Address (if available): 544 CALVERT DR

Addition: DALLAS INDUSTRIAL DIST

General Location Description:

Block: B Lot: 4

OFFICE WAREHOUSE

2. Unplatted Property:

SUITE # 7 800 sq ft

Abstract: \_\_\_\_\_ Tract: \_\_\_\_\_

## APPLICANT INFORMATION:

Contact: DICK DEMIEN

Phone: (214) 226-5693

Company: HHW SOLUTIONS

Fax: ( )

Address: 1246 BOSTAL DR

E-mail: ddemi@hhsolutions.com  
(Required)

ROCKWALL TX 75087

Signature: [Signature]

Owner ☐ Representative ☐ Tenant ☒ Buyer ☐

## OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:

- I hereby certify that I am the owner or duly authorized agent of the owner, of the subject property for the purposes of this application.
- I hereby designate the person named above as applicant, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite in the processing of this application.
- I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of 1) Erecting, maintaining, or removing "Change of Zoning" signs, which indicate that a zoning amendment is under consideration and which indicate how further information may be obtained, and 2) 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 the erecting, maintaining, or removal of said signs or the taking of said photographs.

Owner:

[Signature] Steve Dutton Manager

Phone: (972) 248-1091

Address:

Dutton 'Sickler Properties' LLC  
as General Partner

Fax: ( )

6825 Lecolland Dr. #3A

Dallas TX 75252

E-mail: \_\_\_\_\_

Signature: [Signature]



**ATTACHMENT 5 – DESCRIPTION OF CHEMICALS & STORAGE QUANTITY**

Combustible Liquid	Class	Material Example	2015 IFC Max Volume	Our Est. Max Volume
	II	DIESEL	120 Gal.	5 Gal.
	IIIA	Oil Based paint	330 Gal.	25 Gal.
	IIIB	Oil Based paint	13200 Gal.	25 Gal.
Flammable Liquid	Class	Material Example	2015 IFC Max Volume	Our Est. Max Volume
	IA	Pentane	30 Gal.	5 Gal.
	IB	Gasoline	120 Gal.	5 Gal.
	IC	Turpentine	120 Gal.	5 Gal.
Flammable Gas	Class	Material Example	2015 IFC Max Volume	Our Est. Max Volume
		Propane	1000ft <sup>3</sup>	500ft <sup>3</sup>
Organic Peroxide	Class	Material Example	2015 IFC Max Volume	Our Est. Max Volume
	UD		1 LB	0
	I		5 LB	0
	II		50 LB	5LB
	III		150 LB	25LB
	IV		NO LIMIT	25LB
	V		NO LIMIT	25LB
Corrosive	Class	Material Example	2015 IFC Max Volume	Our Est. Max Volume
	UD	Acid/Bases	500 Gal.	100 Gal.

**Proposed Storage Drum Use for Chemical Storage**

**4 Drum Spill Containment Pallet with Drain**

FOR FORKLIFT USE



Contain leaks and spills from 55-gallon drums.

- Outstanding corrosion resistance.
- Easy to handle with forklift.
- Non-skid, easy-to-clean removable grates.
- Chemical-resistant polyethylene.
- Meets EPA, SPCC and NPDES regulations.

[More Images & Video](#)

MODEL NO.	DESCRIPTION	DIMENSIONS L x W x H	LOAD CAP. (LBS.)	SUMP CAP.	WT. (LBS.)	PRICE EACH		ADD TO CART	
						1	3+		
H-4035	4 Drum w/ Drain	49 x 49 x 11"	6,000	73 Gal.	77	\$329	\$319	<input type="text" value="1"/>	<input type="button" value="ADD"/>

SHIPS VIA MOTOR FREIGHT

[Additional Info](#)
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**ATTACHMENT 6 – SITE PICTURES**



**Front view of Suite 7 within the Dalworth Industrial Park**



**View of Dalworth Industrial Park from Dalworth Drive**

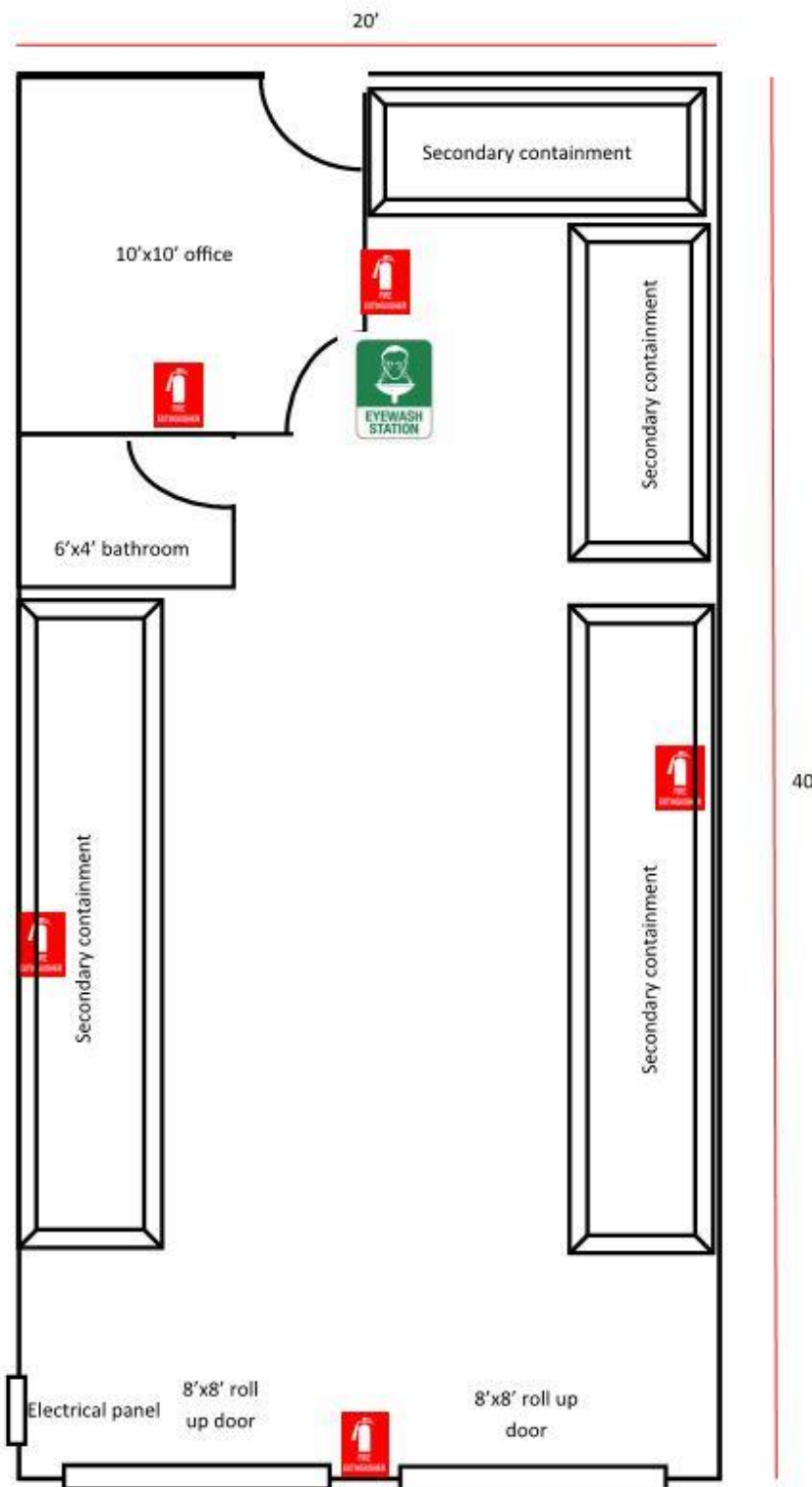


**View from the south side of the property facing Dalworth Drive**



**Rear view of structure looking north towards Dalworth Drive**

**ATTACHMENT 7 – Additional Information**



844 Dalworth Suite 7

Mesquite, Texas

800 square feet total

40'



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Organic Peroxide	Class	Material Example	2015 IFC Max Volume	Our Est. Max Volume
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	I		5 LB	0
	II		50 LB	5LB
	III		150 LB	25LB
	IV		NO LIMIT	25LB
	V		NO LIMIT	25LB
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