

**REQUEST FOR ZONING
RECLASSIFICATION**



**PLANNING AND
DEVELOPMENT SERVICES**

FILE NO.: Z0818-0063

P&Z HEARING DATE: September 24, 2018

COUNCIL DATE: October 15, 2018

GENERAL INFORMATION

APPLICANT: Luis Tovar

REQUESTED ACTION: Rezone from Truman Heights Neighborhood – Mandatory Office-Shopfront to Truman Heights Neighborhood – Single-Family Residential.

LOCATION: 2026 Stephenson Drive

SITE BACKGROUND

EXISTING LAND USE AND SIZE: The subject property is an approximately 14,000 square foot, undeveloped lot within the Truman Heights Neighborhood.

SURROUNDING LAND USE AND ZONING (see attached map):

	Zoning	Existing Land Use
North	THN – Mandatory Retail	Temple Electric Supply
South	THN	Single-Family Home
West	THN – Mandatory Retail / SF- Residential	Blake Witt & Associates, Single-Family Home
East	THN – Mandatory Retail / SF-Residential	Commercial Use, Single-Family Home

ZONING HISTORY
1951: Annexed and zoned R-3 Residential
2007: THN Mandatory Retail Designation

PLATTING: Truman Heights, Block 2, PT Lots 17-18

GENERAL: The applicant is requesting a Zoning Change to accommodate future development for a single-family home on the subject property. Current zoning restrictions do not allow for single-family use at this location. The applicant is proposing to construct one, single-family home on the subject property with the approval of the zoning change.

STAFF COMMENTS

Mesquite Comprehensive Plan

The Mesquite Comprehensive Plan designates the subject property within a Neighborhood Sustainability Zone. The Plan describes the intent of the Neighborhood Sustainability Zone designation in the Development Areas as follows:

This designation is intended to identify areas where residential and business uses are compatible and also essential to the revitalization of the neighborhood. Development within this area should focus on pedestrian-

friendly use and accessibility. This designation focuses on not only creating pedestrian oriented neighborhoods, but encouraging the infill of neighborhoods with residential and business uses, along with the effort to recreate the public realm through extensive use of building enclosure, landscaping, sidewalks and civic spaces.

Truman Heights Revitalization Code: Ordinance No. 3911:

1. Truman Heights Revitalization Code Intent

The subject property is located within the Truman Heights Neighborhood, and currently designated within a mandatory main level retail zone. The Truman Heights Revitalization Code was adopted in 2007 as an effort to help revitalize the neighborhood through infill development and creation of a pedestrian-oriented community. This development is intended to be single-use or limited-use, and encourage residents' daily activities to be accessible through connecting streets and enhanced walkability.

2. THN Mandatory Retail Zones



Analysis

The proposed change in zoning is consistent with the future land use designation of the Comprehensive Plan as well as the overall intent of the Truman Heights Revitalization Code.

The proposed rezone will allow for a single-family use to infill the neighborhood and will be compatible with the adjacent to existing single-family homes. The rezoning will not negatively affect the commercial use located to the east of the subject property. The subject property will still be required to follow the Truman Heights Revitalization Code for future development and comply with all requirements including setbacks, construction material, and visual appearance for a single-family home at this location.

RECOMMENDATIONS

Staff recommends approval of the requested Zoning Change from Truman Heights Neighborhood – Mandatory Retail-Shopfront to Truman Heights Neighborhood – Single-Family Residential.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property. As of the date of this writing, Staff has received five returned notices from property owners within 200 feet of the subject property. Four notices are in opposition and one notice is in support of approval.

ATTACHMENTS

- 1 – Aerial Map
- 2 – Public Notification Map
- 3 – Zoning Map
- 4 – Application
- 5 – Site Pictures
- 6 – Returned Notices

ATTACHMENT 1 – AERIAL MAP



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP



Notification Map



Request: Rezoning change from Truman Heights
Neighborhood- Mandatory Office-Shopfront
to Truman Heights Neighborhood-"SF"
Single Family Residential

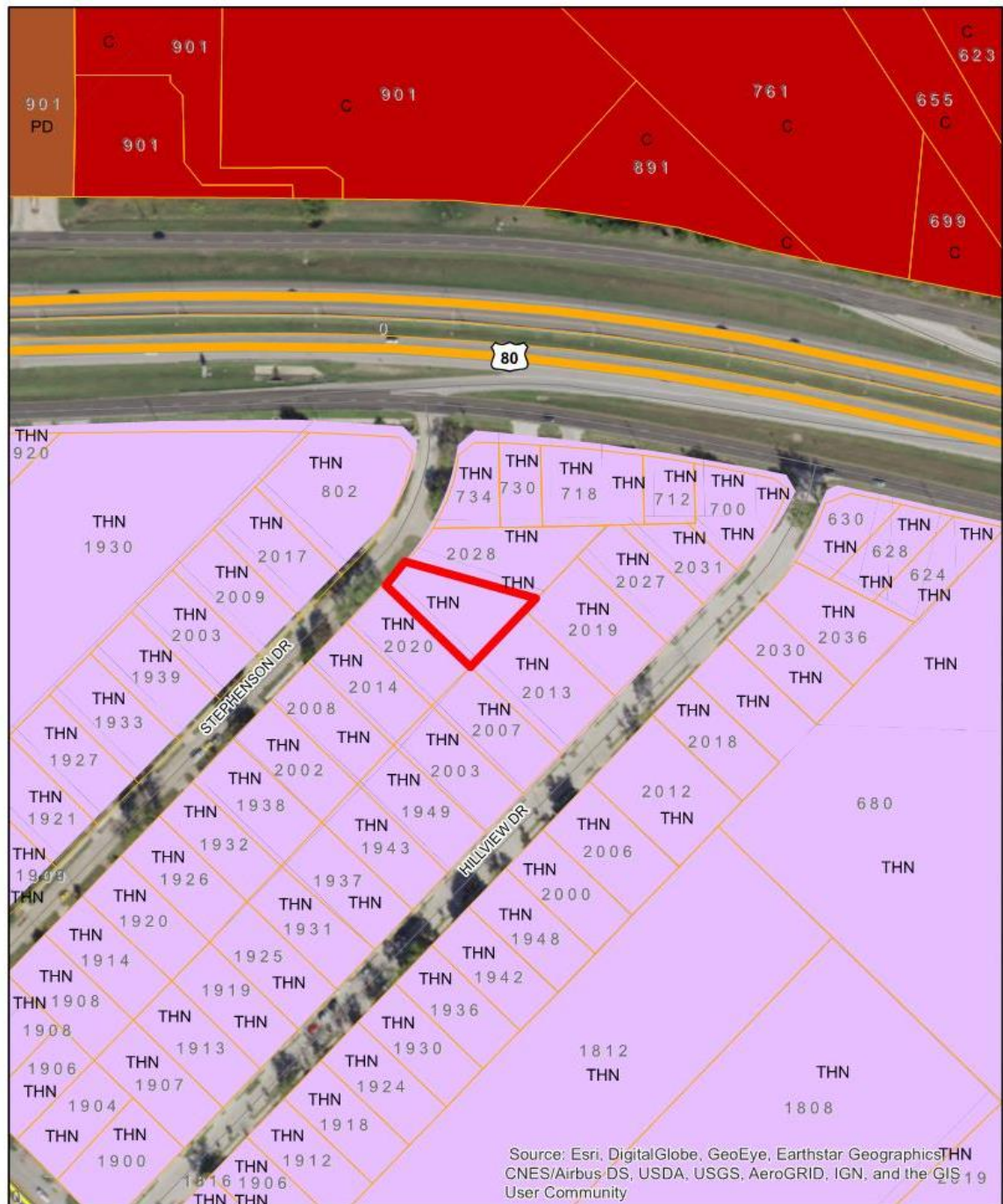
Applicant: Luis Tovar
Location: 2026 Stephenson Drive

Legend

-  Subject Property
-  Notified Properties



ATTACHMENT 3 – ZONING MAP



ATTACHMENT 4 – APPLICATION

Z0818-0063

CITY OF MESQUITE ZONING APPLICATION	Receipt No.	051229	Date Stamp: 8/27/18
	Fee:	800.00	
	Case Manager:		

REQUESTED ACTION:

Change District Classification to: <u>Residential</u>	Conditional Use Permit for: _____	Amend Special Conditions of Ordinance # _____ <small>(Explain Below)</small>
Additional explanation of requested action: <u>Change From mandatory office use to Residential</u>		

SITE INFORMATION/GENERAL LOCATION:

LOCATION/LEGAL DESCRIPTION:

Current Zoning Classification: <u>THN</u>	Complete one of the following:
Site Size: <u>14 186 sq</u> (Acres or Square Feet)	1. Platted Property
Address (if available): <u>2026 Stephen St Dr</u>	Addition: <u>Truman Heights</u>
General Location Description: _____	Block: <u>2PT</u> Lot: <u>17-18</u>
_____	2. Unplatted Property:
_____	Abstract: _____ Tract: _____

APPLICANT INFORMATION:

Contact: <u>LOUIS AL TOVAR</u>	Phone: <u>(214) 938-4890</u>
Company: _____	Fax: (____) _____
Address: <u>2946 Victorian Forest Dr</u>	E-mail: <u>tovarlois@gmail.com</u> <small>(Required)</small>
<u>Dallas TX 75227</u>	
Signature: <u>[Signature]</u>	Owner <input checked="" type="checkbox"/> Representative <input type="checkbox"/> Tenant <input type="checkbox"/> Buyer <input type="checkbox"/>

OWNER AUTHORIZATION AND ACKNOWLEDGEMENTS:

1. 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.	
2. 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.	
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 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: <u>LOUIS AL TOVAR</u>	Phone: <u>(214) 938-4890</u>
Address: <u>2946 Victorian Forest Dr</u>	Fax: (____) _____
_____	E-mail: <u>tovarlois@gmail.com</u>
Signature: <u>[Signature]</u>	

ATTACHMENT 5 – SITE PICTURES



Front view of the subject property from Stephenson Drive



Front view of subject property from Stephenson Drive looking northeast

ATTACHMENT 6 – RETURNED NOTICES



CITY OF MESQUITE
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLIC HEARING

LOCATION: 2026 Stephenson Drive
(a map is attached for reference)

FILE NUMBER: Z0818-0063

APPLICANT: Luis Tovar

REQUEST: From: Truman Heights Neighborhood-Mandatory Office-Shopfront
To: Truman Heights Neighborhood-"SF" Single Family Residential

LEGAL DESCRIPTION
Truman Heights, Block 2, PT Lots 17-18

PUBLIC HEARINGS
The Planning and Zoning Commission will hold a public hearing on this request at 7:00 p.m. on Monday, September 24, 2018, 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, October 15, 2018, 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) 216-6344 or bcallahan@cityofmesquite.com

REPLY FORM

As a property owner within 200 feet of the property, you are urged to attend the public hearing to give your opinion on the zoning request. Any owner of property subject to a proposed rezoning or affected by the proposed rezoning may protest the rezoning by filing a written protest with Planning and Development Services. The protest must be received by 5 pm on September 19th to be included in the Planning and Zoning Commission packet and by 5 pm on October 10th to be included in the City Council packet. The protest shall object to the zoning map amendment and be signed by the owner of the property. 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. This form should be returned to the Planning Division.

(Complete and return)
Do not write on the reverse side of this form.

Zoning Case: Z0818-0063

I am in favor of this request

I am opposed to this request

Reasons (optional):

Name: (required)
Address: (required)

Mary K. Cornelius
2026 Stephenson Drive

I bought the property with
direct respect to it being next
to commercial zone.

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

RECEIVED
SEP 20 2018
PLANNING AND ZONING

RECEIVED
SEP 20 2018
PLANNING AND ZONING



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

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I am in favor of this request

Name (required)

Address (required)

I am opposed to this request ☒

Reasons (optional):

I will object my opinion is

Please respond by returning to: PLANNING DIVISION
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I am in favor of this request

I am opposed to this request

Reasons (optional):

Name (required)

Address (required)

ROCIO CUEVAS
2031 Hillview
MESQUITE TX 75149

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



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PLANNING AND ZONING COMMISSION
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Zoning Case: Z0818-0063 I am <u>in favor</u> of this request I am <u>opposed</u> to this request Reasons (optional): _____ _____ _____	<div style="border: 1px solid black; padding: 5px; display: inline-block;">Name (required) Address (required)</div> <div style="margin-top: 10px; font-family: cursive; font-size: 1.2em;">ROCIO CUEVAS 700 U.S HWY 80E MESQUITE TX 75149</div>
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PO BOX 850137
MESQUITE TX 75185-0137

RECEIVED
SEP 20 2018
PLANNING AND ZONING