



# City of Mesquite Conditional Use Permit Packet

Please print legibly. This application can also be completed online at <https://www.cityofmesquite.com/DocumentCenter/View/17383/Conditional-Use-Permit-Application>

## Application Checklist

- Completed Application       Statement of Intent and Purpose       Zoning Exhibits A & B
- Owner Authorization (page 6)       Application Fee\*

*\*Fee will be assessed at time of application submittal (\$800/\$1,000).*

## Property Information

General Location: \_\_\_\_\_

Physical Address: \_\_\_\_\_ City, State: Mesquite, Texas

Zip Code: \_\_\_\_\_

Platted:       Yes     No    (If yes, fill in information below)

Subdivision: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_

## Applicant Information – The person filling out the application

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Company Name: \_\_\_\_\_

## Property Owner(s) Information – The owner of the property listed as physical address

Same as Applicant:     Yes       No    (If no, fill in information below)

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City, State: \_\_\_\_\_  
(If different from physical address)

Zip Code: \_\_\_\_\_

# Requested Action

**Existing district classification: (Select all that apply)**

### Residential Zoning Districts

- AG – Agricultural
- R-1 – Single Family
- R-1A – Single Family
- R-2 – Single Family
- R-2A – Single Family
- R-3 – Single Family
- D – Duplex
- Multifamily (less than 25 units)
- Traditional Neighborhood Mixed Residential (TNMR)
- Other: \_\_\_\_\_

### Non-Residential Zoning Districts

- O – Office
- GR – General Retail
- LC – Light Commercial
- MU – Mixed Use
- CB – Central Business
- SS – Service Station
- C – Commercial
- I – Industrial
- CV – Civic
- Other: \_\_\_\_\_

Describe the proposed Conditional Use Permit and the purpose of the request using the space below. You may use a separate sheet if necessary. The following should be included:

1. Description of project uses.
2. If the property is currently developed, list all active businesses on the property with a brief description of each.
3. Address how the requested conditional use permit complies with the [Mesquite Comprehensive Plan](#).

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Address how the request meets the approval criteria in [Section 5-303](#) of the Mesquite Zoning Ordinance, outlined below.

1. **Existing Uses:** That 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.
2. **Vacant Properties:** That the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in area.
3. **Services:** That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided. Conditional uses in residential districts shall generally require direct access to an arterial street.
4. **Parking:** That adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed uses.
5. **Performance Standards:** That 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.

You may use a separate sheet if necessary.

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Submission of this completed form is a part of the Conditional Use Permit Application. All items must be checked off prior to submitting for review. If the applicant deems an item to be "Not Applicable" (N/A) to the proposed development, please mark N/A. Using a separate sheet, state why an item is not applicable.

**EXHIBIT A – Legal Description**

Complete     N/A

Digital PDF copy of the Legal Description (metes and bounds) of the area encompassing the zoning request.

**OR**

1

Subdivision description of platted property or properties. Disclaimer: This method may not be used if the requested zoning change is for a portion of a lot, or unplatted property.

**EXHIBIT B – Zoning Concept Plan**

Complete     N/A

2

A title block in the lower right corner that includes project name, case number, subdivision name, lot and block, or survey name, abstract number, Dallas or Kaufman County, submission date, and a log of submittal/revision dates since submitted to the City.

Complete     N/A

3

Names, addresses and phone numbers of owner, applicant and surveyor.

Complete     N/A

4

Written and bar graph scale and north arrow are indicated. (North shall be oriented to the top or left side of the sheet)

Complete     N/A

5

Legend, if abbreviations or symbols are used.

Complete     N/A

6

Location/vicinity map showing the location of the subject property. Indicate scale or not to scale (NTS) and provide north arrow.

Complete     N/A

7

Site boundaries, bearings and dimensions, site acreage and square footage.

Complete     N/A

8

Subdivision name, zoning, future land use plan designation, recording information, and land use description of property adjacent to the subject property.

Complete     N/A

9

Assignment of use to specific areas within the plan.

Complete     N/A

10

Site Data Summary Table, including:

- Proposed Use(s) (with type, number, and acreage)
- Existing Zoning District
- Gross Site Area (ac. & sq. ft.)
- Lot Coverage
- Maximum Height (in ft. & stories)
- Required Landscape Area (ac. & %)
- Provided Landscape Area (ac. & %)
- Parking Spaces Ratio by Use
- Parking Spaces Required
- Parking Spaces Provided
- Percentage of Open Space

Complete     N/A

11

Building sites (including maximum building size density, heights, lot coverage and use restrictions as appropriate).

- |                                   |                              |    |  |
|-----------------------------------|------------------------------|----|--|
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 12 | Area, use and approximate location of existing and proposed structures. Existing structures to remain should be included.  |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 13 | Existing streets and thoroughfares, indicate whether public or private.  |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 14 | Phases of development, including delineation of areas, building sites, land use and other improvements to be constructed in independent phases.  |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 15 | Parking areas and structures, including the number and layout of standard spaces, angle of parking if other than 90 degrees, handicap spaces, drive aisles, loading and unloading areas, the location of ramps, crosswalks, sidewalks, and barrier-free ramps. |

The following items may be applicable for new development or redevelopment of a property. Please confirm with the assigned Case Manager.

- |                                   |                              |    |  |
|-----------------------------------|------------------------------|----|--|
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 16 | Natural features including tree masses, drainage ways, and creeks  |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 17 | Existing and proposed FEMA 100-year floodplain with elevation. Include finished floor elevations of the lot adjacent to floodplain. If the site does not contain a floodplain, note that: "No 100-year floodplain exists on the site." |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 18 | Proposed reclamation of floodplain area(s), if applicable, with acreage.   |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 19 | Proposed dedications and reservations of land for public use including but not limited to: rights-of-way, easements, park land, open space, drainage ways, floodplains and facility sites.   |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 20 | Existing or proposed easements (utility, drainage, visibility and maintenance, etc.).  |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 21 | Proposed detention areas.  |
| <input type="checkbox"/> Complete | <input type="checkbox"/> N/A | 22 | Conceptual detail of landscaping including total open space area in square feet and percentage of total site area.   |

## Procedures for Conditional Use Permits

**Incomplete Application:** If the application is incomplete, the applicant will be notified. Applications that remain incomplete 45 days after the date of submittal shall expire. Incomplete applications will not be reviewed and will not be scheduled for public hearings until the application is considered complete.

**Public Hearings/Notification:** Public hearings are open to all interested parties where such parties may present testimony in favor or in opposition to a requested action. Once an application is accepted and the dates of the public hearings are established, a notice of the action, hearing date, and place will be publicized by the following methods: 1) Publication in the Dallas Commercial Record and Forney Messenger, and 2) Written notice mailed to property owners within 200 feet of the subject property (the statutory notification area). Where appropriate, the notice may be distributed beyond 200 feet to increase public participation. Property owners are also furnished with response forms, which they can return to the Planning Office to indicate their position for a requested change.

**Staff Comments and Recommendations:** The Planning staff will review the proposals and prepare a staff report to the Planning and Zoning Commission (the Commission). The report will include comments regarding the request and a recommendation for action. This report is available to the applicant, public, and the Commission by the Friday before the meeting.

**Planning and Zoning Commission:** The Planning & Zoning Commission holds a public hearing at their regular meeting, and anyone can get up and speak for or against the case. The Commission may recommend approval, denial, or to postpone a conditional use permit request. If the Commission recommends approval, the case is automatically scheduled for a public hearing before the City Council. If the Commission denies a request, the applicant has 10 days to appeal this decision to the City Council. Such appeal shall be in writing and submitted to the City Secretary.

**City Council:** The City Council (the Council) will hold a hearing and may sustain or reverse the Commission's recommendation by a simple majority vote. A  $\frac{3}{4}$  vote of the Council is required if the owners representing 20% of the property within the statutory notification area file written opposition to the proposed change. Council's action is final, and a request that has been denied may not be presented again for one year without extenuating circumstances.

**Presentation/Postponement:** The applicant or a representative is recommended to be present at all hearings to describe the proposed change and answer questions. Hearings may be held, and action may be taken, whether or not the applicant is in attendance.

**Meeting Information:** All public hearings will be held at City Hall, located at 757 North Galloway Avenue. Pre-meetings (if needed) begin at 6:30 p.m. and regular meetings start at 7:00 p.m. in most cases. Should the meeting time change, you will be notified.

Any requests for sign interpretive services must be made 48 hours in advance of the meeting by calling the City Secretary's Office at (972) 216-6244 or TDD 1-800-735-2989.

**Site Plan Submittal:** If Council approves a Conditional Use Permit for new development or redevelopment of a nonresidential project, an approved site plan will be required before building permits are issued. Please review the Site Plan application and contact your Case Manager for more details. If the Conditional Use Permit is for an existing business, then a new Certificate of Occupancy will be required.

# 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: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_ Email Address: \_\_\_\_\_  
Signature: \_\_\_\_\_

[Each property owner must complete a separate authorization form](#)

# CITY OF MESQUITE PLANNING OFFICE

**Mailing Address:** P.O. Box 850137  
Mesquite, TX 75185-0137

**Physical Address:** 1515 N. Galloway Ave.  
Mesquite, TX 75149-2300

**Phone:** (972)-216-6216

**Fax:** (972) 216-8109

**Website:** [www.cityofmesquite.com](http://www.cityofmesquite.com)

**Zoning Submission Calendar:** <https://www.cityofmesquite.com/DocumentCenter/View/14740/Zoning-Submission-Calendar>

**Citizen Self Service (CSS):** <https://energov.cityofmesquite.com>

**Engineering Design Manual:** <https://www.cityofmesquite.com/2065/Engineering-Design-Manual>

**Planning-Related Ordinances:** Municode Code, Appendix C – Mesquite Zoning Ordinance  
[https://library.municode.com/tx/mesquite/codes/code\\_of\\_ordinances](https://library.municode.com/tx/mesquite/codes/code_of_ordinances)

**CSS Manuals:** [How to Register for a CSS Account](#)  
[How to Apply Online](#)  
[Reviewing Comments and Resubmitting Online](#)  
[How to Validate Your CAP Account](#)

**Manuals:** <https://www.cityofmesquite.com/543/Applications-and-Other-Resources>