

ORDINANCE NO. 3876  
File No. NR4-13

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM SERVICE STATION TO PLANNED DEVELOPMENT-GENERAL RETAIL SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to approve a change of zoning on property zoned Service Station to Planned Development-General Retail subject to the following stipulations:

1. The façade will be improved to match the submitted elevations dated May 15, 2007, attached hereto as Exhibit "A."
2. The landscaping will be enhanced to match the submitted site plan dated May 19, 2007, attached hereto as Exhibit "B."
3. Use of the site is limited to SIC 753(a) Minor Automobile Repair Services only. Selling of auto parts, prepared food items and videos is prohibited. Limited indoor sale of candy and soda is permitted.
4. Outdoor storage or display shall be prohibited.
5. Refurbishing or repairing cars outside of the building is prohibited. The paved working area behind the building shall be removed.

6. Selling of cars on the premises is prohibited.
7. The building expansion shall not obstruct or interfere with signs on adjacent properties.
8. The existing canopy shall be removed.
9. The existing pole sign shall be removed.
10. The existing fluorescent light post on the south corner of the property shall be removed.

That the subject property is located at 2003 North Galloway Avenue, and is more fully described in the approved field notes in Exhibit "C" attached hereto.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance.

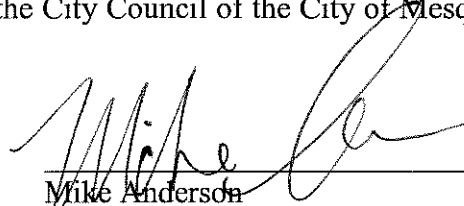
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of the Code of the City of Mesquite.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court, shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 7. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,  
on the 16th day of July, 2007.



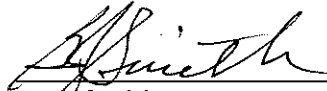
Mike Anderson  
Mayor

ATTEST:

APPROVED:

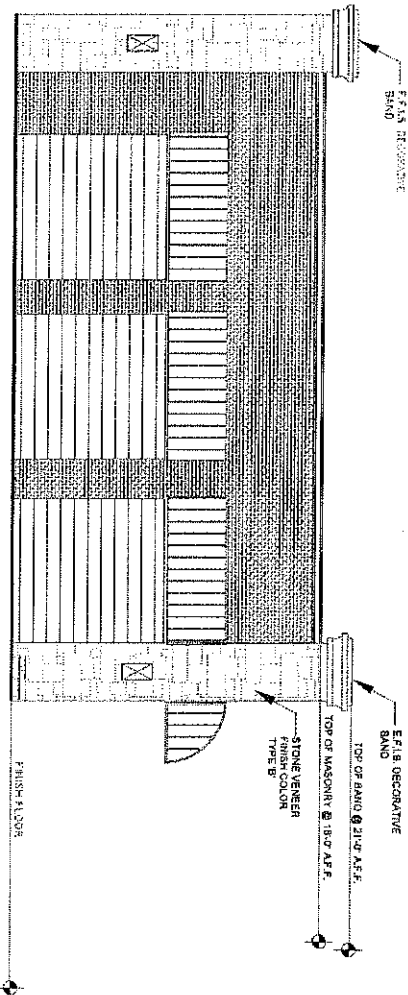


Judy Womack  
City Secretary

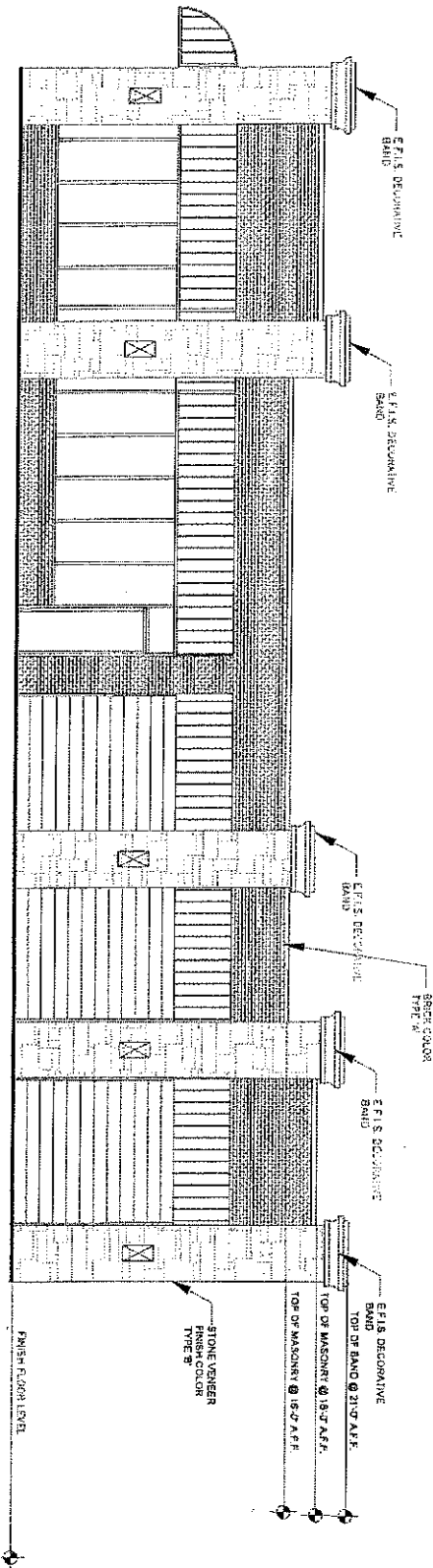


B. J. Smith  
City Attorney

EAST ELEVATION



FRONT ELEVATION

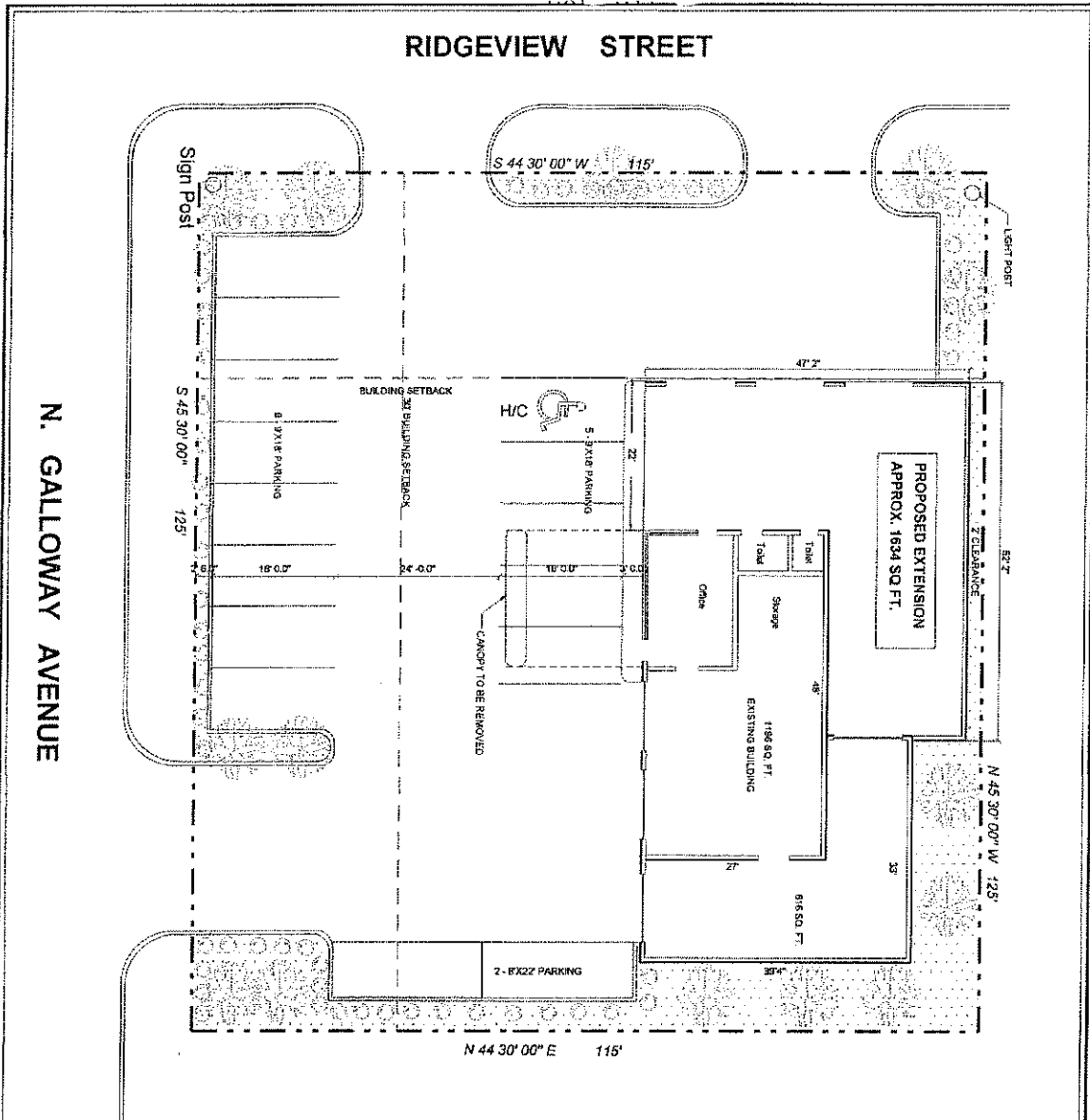


ELEVATIONS

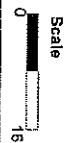
PROPOSED EXTENSION  
 M. G. CAR CARE  
 2003 Galloway Avenue  
 Mesquite, Texas

Engineer: Mohammed Kamal, PE  
 MJR Engineering, Inc.  
 7953 Pinkerton Court, Plano, TX  
 Phone: (469)544-8150

Date: 09/16/07  
 Scale:  
 Figure:



|  |  |
|--|--|
| <p><b>SITE SYNOPSIS</b><br/>                 TOTAL LAND AREA - 14375 SQ FT<br/>                 EXISTING BUILDING AREA - 2131.5 SQ FT<br/>                 PROPOSED EXTENSION - 1634 SQ FT<br/>                 TOTAL FINISHED AREA - 3765.5 SQ FT<br/>                 TOTAL PARKING - 15</p> | <p><b>LANDSCAPE SUMMARY</b><br/>                 TOTAL LANDSCAPE PROVIDED - 2250 SQ FT<br/>                 TOTAL TREE PROVIDED - 14</p> |
|--|--|



Date: 05/19/07  
 Scale: 1:16  
 Figure:

Engineer: Mohammed Kamal, PE  
 MJR Engineering, Inc.  
 7953 Pinkerton Court, Plano, TX  
 Phone: (469)544-8150

**SITE PLAN**

**PROPOSED EXTENSION**  
**M. G. CAR CARE**  
 2003 Galloway Avenue  
 Mesquite, Texas

**LEGAL DESCRIPTION OF 2003 N GALLOWAY AVENUE, MESQUITE, TEXAS**

PART OF BLOCK 53

NORTHRIDGE ESTATE NO 4 ADDITION

CITY OF MESQUITE, DALLAS COUNTY, TEXAS

**PROPERTY DESCRIPTION**

Being a tract of land situated in Block 53, of Northridge Estate No 4, an addition to the City of Mesquite, Dallas County, Texas according to the plat thereof recorded in Volume 29, Page 161, Map Records, Dallas County, Texas and being more particularly described as follows:

Beginning at a 5/8 inch iron rod set for corner at the intersection of the southwest right of way line of N Galloway avenue, (80' Public ROW, formerly Gus Thomason Road) with the northwest right-of-way line of Ridgeview street (50' Public ROW);

Thence South 44 degrees 30 minutes 00 seconds West along the northwest right of way line of Ridgeview Street, a distance of 115.00 feet to a 5/8 inch iron rod set for corner;

Thence North 45 degrees 30 minutes 00 seconds West departing the northwest right-of-way line of Ridgeview Street, a distance of 125.00 feet to a 5/8 inch iron rod set for corner;

Thence North 44 degrees 30 minutes 00 seconds East, a distance of 115 feet to a cut "X" found corner in the southwest right of way line of N Galloway Avenue;

Thence South 45 degrees 30 minutes 00 seconds East along the Southwest right of way line of N Galloway Avenue, a distance of 125 feet to the point of beginning and containing 14,375 square feet or 0.330 acres of land.