

ORDINANCE NO. 4817
File No. Z0720-0143

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM GENERAL RETAIL TO GENERAL RETAIL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 1200 PIONEER ROAD TO ALLOW A CAR WASH WITH MODIFICATION TO SPECIAL CONDITIONS THEREBY ALLOWING A CAR WASH WITHIN 100 FEET OF A RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the City Council, in compliance with the Charter of the City of Mesquite, state laws and the zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject property; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

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

SECTION 1. The subject property is approximately 1.017 acres, more particularly described in the attached Exhibit A, and located at 1200 Pioneer Road, City of Mesquite, Dallas County, Texas (the “**Property**”).

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning for the Property from General Retail to General Retail with a Conditional Use Permit, subject to the Concept Plan and the Conditional Use Permit Development Standards, attached hereto as Exhibits B and C respectively and incorporated herein by reference, to allow for a car wash with a modification to special conditions thereby allowing a car wash within 100 feet of a residential district in addition to other uses allowed in the General Retail Zoning District.

SECTION 3. 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed; otherwise, they shall remain in full force and effect.

SECTION 4. The Property shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 5. 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. Any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed \$2,000.00 for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 7. This ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of October 2020.



Bruce Archer
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:



David L. Paschall
City Attorney

EXHIBIT A – ZONING LEGAL DESCRIPTION
Z0720-0143 Page 1 of 1

BEING a tract of land situated in the W.J. Lewis Survey, Abstract Number 812, in the City of Mesquite, Dallas County, Texas, being a part of that same tract of land as described in warranty deed to SGSL Holdings, LLC and recorded under Instrument Number 201300364665, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and being more particularly described by metes and bounds as follows (Bearings are based on Texas State Plane Coordinate System, North Central Zone (NAD83, U.S. Feet) with a combined scale factor of 1.000136506.):

BEGINNING at a 1/2 inch iron rod found for the southwest corner of the herein described tract of land, same being the northwest corner of Lot 1, Block A, Dollar General, Pioneer Road Addition, an addition to the City of Mesquite, Dallas County, Texas, according to the Plat thereof recorded in Instrument Number 201400244594, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and lying on the east right-of-way line of E. Pioneer Road (an 80-foot right-of-way);

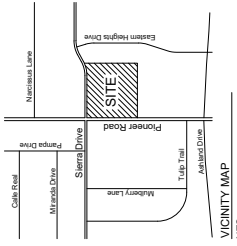
THENCE North 01 degrees 10 minutes 51 seconds West, with the East right-of-way line of said E. Pioneer Road, a distance of 167.00 feet to a 1/2 inch iron rod set with a cap stamped "Windrose" for the Northwest corner of the herein described tract;

THENCE North 88 Degrees 49 Minutes 09 Seconds East, departing the East right-of-way line of said E. Pioneer Road, over, across, and upon said SGSL Holdings, LLC tract, a distance of 307.55 feet to a 1/2 inch iron rod set with a cap stamped "Windrose" for the Northeast corner of the herein described tract, lying on the East line of said SGSL Holdings, LLC tract, and on the West right-of-way line of a 15 foot public alley (as depicted in Volume 43, Page 81, Map Records, Dallas County, Texas);

THENCE South 01 Degrees 09 Minutes 31 Seconds East, with the West right-of-way line of said alley, a distance of 167.00 feet to a 1/2 inch iron rod with yellow cap stamped "Windrose" set for the Southeast corner of the herein described tract;

THENCE South 88 degrees 49 minutes 09 seconds West, passing at a distance of 3.00 feet a 1/2 inch iron rod with a cap stamped "Stovall" found for the northeast corner of said Lot 1, Block A, Dollar General, Pioneer Road Addition, and continuing for a total distance of 307.49 feet to the **POINT OF BEGINNING**, and containing 51,356 square feet or 1.179 acres of land, more or less.

EXHIBIT B - CONCEPT PLAN



SITE DATA SUMMARY CHART (LOT 1)	
CURRENT ZONING:	DR. GENERAL RETAIL
PROPOSED ZONING:	CAF. CAR WASH
PROPOSED USE:	CAR WASH
LOT AREA (LOT 1 ONLY):	11,179 AC. - 51,526 SF
CAR WASH BUILDING:	2,838 SF
AMENITY BUILDING (AND P.R. OFF./STORE):	141 SF. - 1,200 SF
TOTAL BUILDING SQUARE FOOTAGE:	2,979 SF. - 2,400 SF
CAMPUS - VACUUM SPACES:	2,988 SF
BUILDING HEIGHT (FEET + STORES):	24'-9" (2 STORY) Max.
LOT COVERAGE (ROOF + CANOPY AREA):	14%
FLOOR AREA RATIO:	0.16:1
TOTAL PARKING REQ'D: 1 PER EMPLOYEE	6 SPACES
REGULAR 24HR PARKING:	22 SPACES
ACCESSIBLE PARKING:	1 SPACE MM
TOTAL PARKING PROVIDED:	23 SPACES
BIKE SPACES REQ'D (1 BIKE SPACE PER 25 PARKING SPACES OR 30 BIKE SPACES MAX)	1 SPACE
BIKE SPACES SURFACE PROVIDED:	1 SPACE
PERVIOUS AREA:	22,200 S.F. / 43%
IMPERVIOUS AREA:	29,327 S.F. / 57%

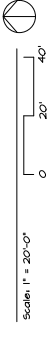
ACCESSIBLE PARKING IS PROVIDED IN ACCORDANCE WITH ADA STANDARDS

- SITE NOTES**
- The proposed buildings will be fire sprinkled.
 - All sidewalks shall maintain a 2% maximum cross slope.
 - ADA signage shall be provided for all entrances to the building.
 - All ADA sidewalks shall include all handrails, markings, etc as required by code.
 - The site is currently vacant.
 - Application will conform to the city's outdoor lighting requirements.
 - Premise identification shall be per the fire department requirements.
 - All dimensions are from face of curb to edge of concrete or face of building unless otherwise noted.
 - Site signage shall be by separate permit.

Owner:
 City of Dallas
 2015 St. Louis
 Dallas, TX 75201
 (214) 233-4881

Applicant:
 2201 Main Street, Suite 1200
 Dallas, TX 75201
 Office: (214) 761-9197 Cell: (214) 470-3972

Surveyor:
 Surveyor
 2015 St. Louis
 Lewisville, TX 75067
 (972) 221-9439
 (214) 223-4881
 (214) 217-2544



City Case #Z0720-0143
 Exhibit B - Zoning Concept Plan

Date: 7/21/20
 Prepared: 8/18/20
 #2: 8/18/20

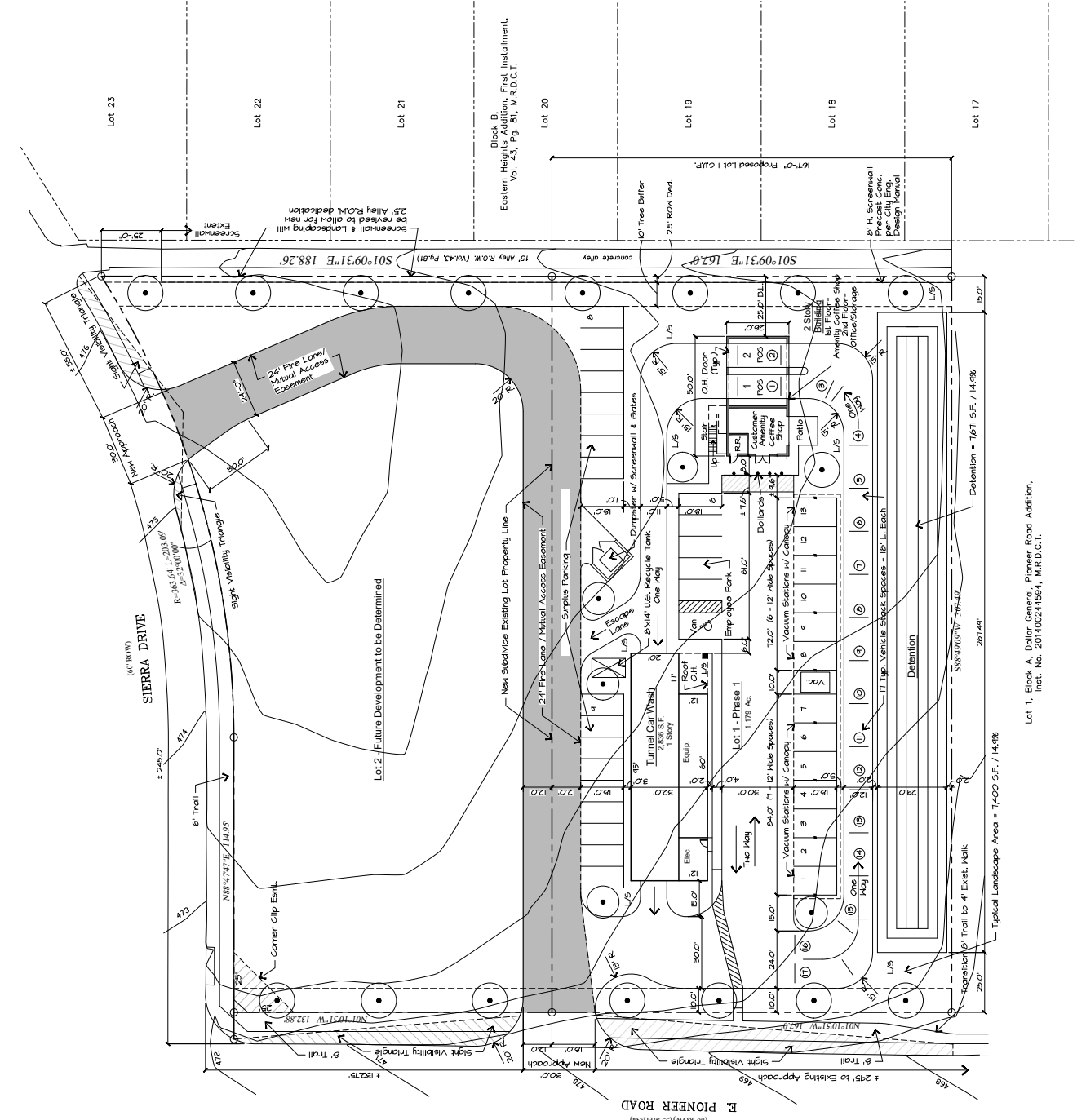
Project: **Mesquite Car Wash**

Location: **1200 E. Pioneer Road
 Mesquite, Texas
 Dallas County**

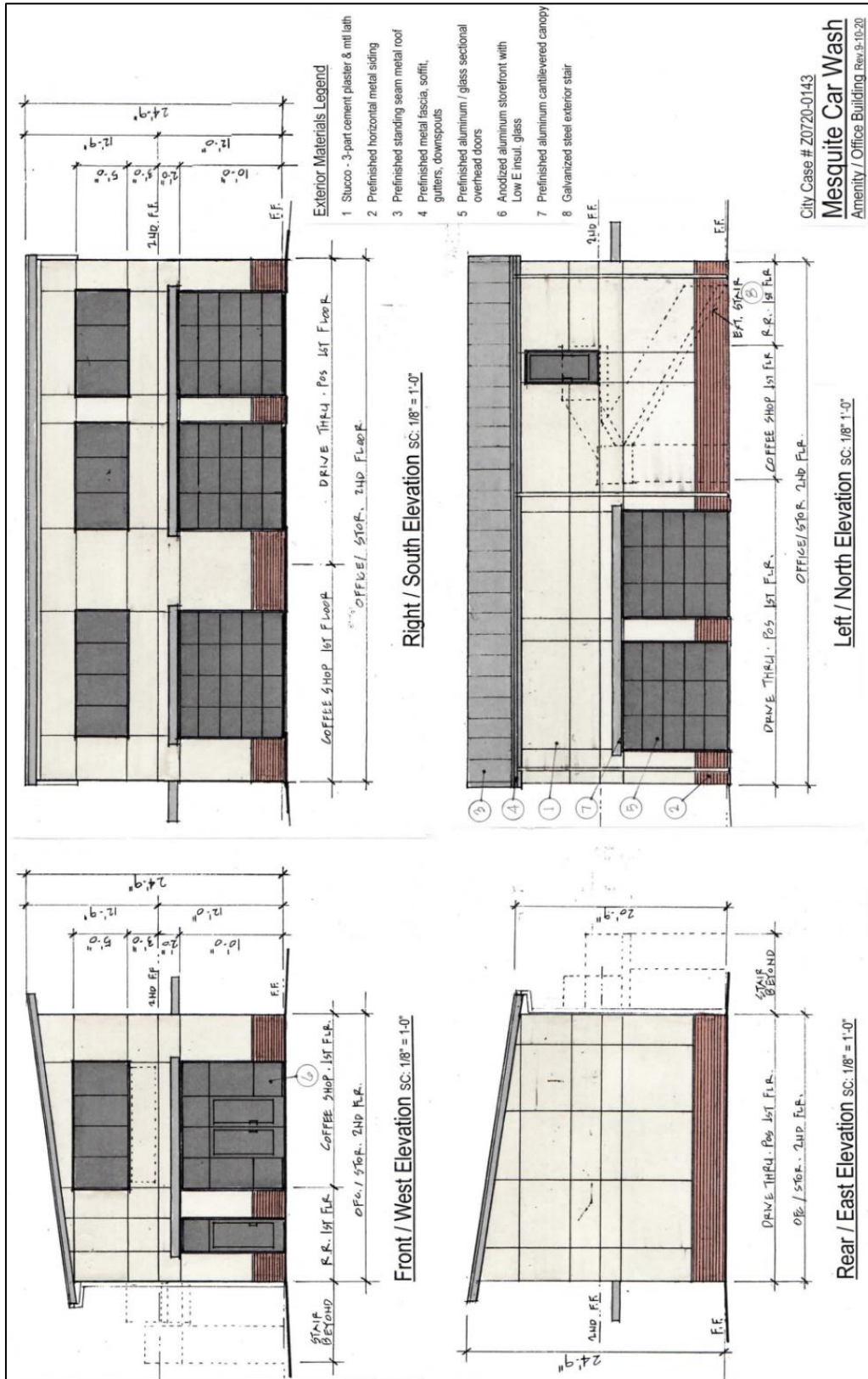
Sheet: **CP**

1101 Westwood Drive, Plano, Texas 75075 (972) 985-3833
 Chris Rador, AIA
 Architect, Inc.
 Architecture / Planning

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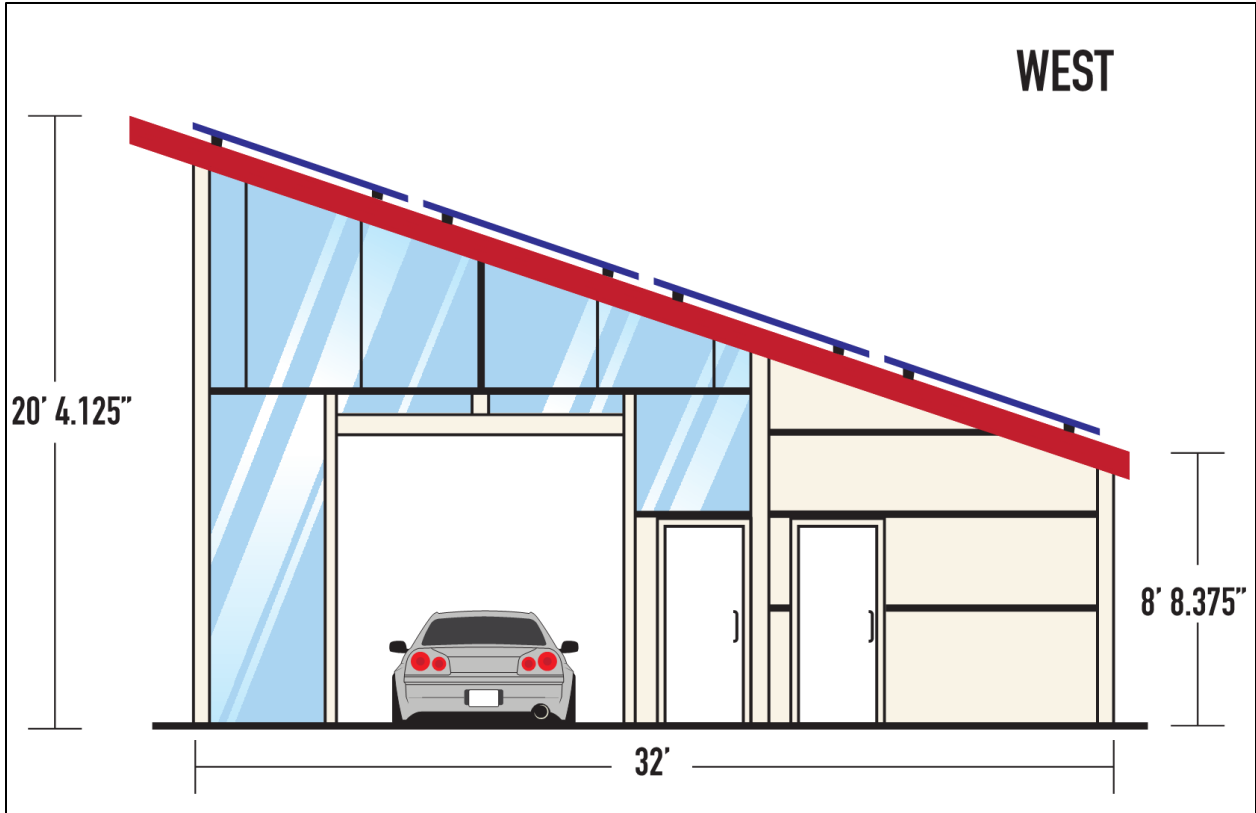


Lot 1, Block A, Dallas General, Pioneer Road Addition,
 Inst. No. 201400244594, M.R.D.C.T.

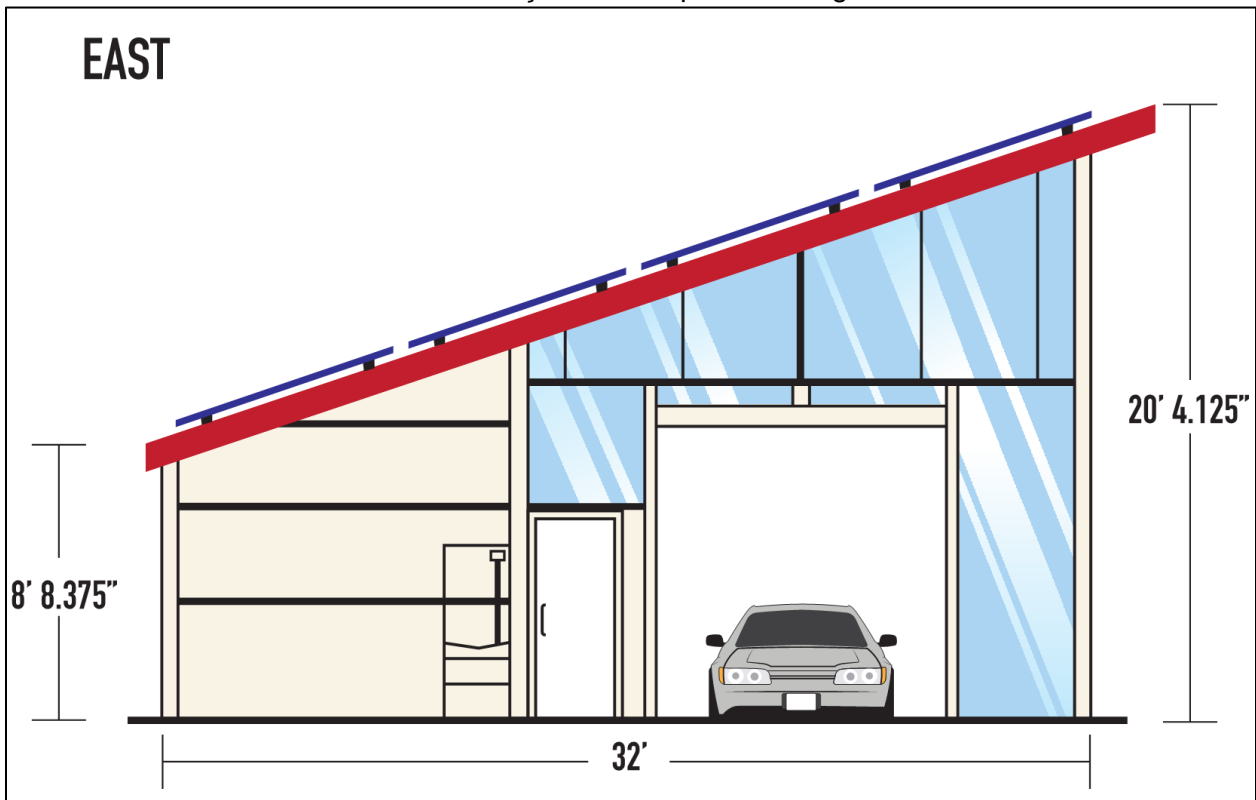


City Case # Z0720-0143
Mesquite Car Wash
 Amenity / Office Building Rev. 9.10.20

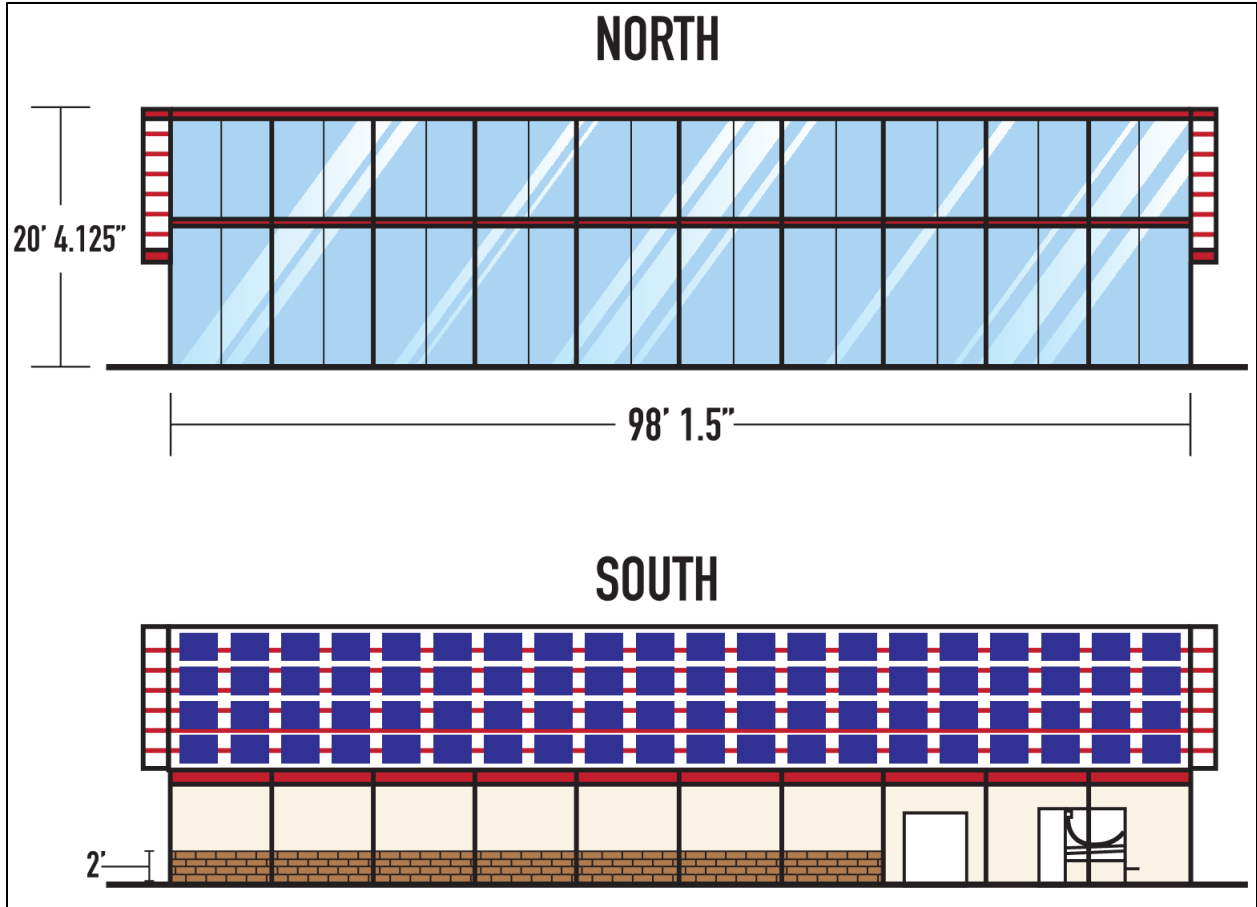
Amenity Building: Customer Coffee Shop/Point of Sale Pull-Through



West Façade Concept Rendering



East Façade Concept Rendering



North and South Façade Concept Rendering

EXHIBIT C - CUP DEVELOPMENT STANDARDS
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This Conditional Use Permit (CUP) must adhere to all conditions of the Mesquite Code of Ordinances, as amended, and adopt base district standards corresponding with the Concept Plan attached hereto and incorporated herein as **Exhibit B** and as identified below. The following regulations apply to this General Retail with CUP District. Where these regulations conflict with or overlap another ordinance, easement, covenant or deed restrictions, the more stringent restriction will prevail and apply.

A. ***Development Standards.*** In addition to the requirements of the GR base zoning district, the CUP is subject to the following.

1. A minimum 8-foot wide sidewalk is required along Pioneer Road as generally shown on Exhibit B.
2. The vacuums and vacuum system equipment shall be located a minimum of 60 feet from the eastern property line.
3. The vacuum system shall be enclosed by a screening wall.
4. The vacuum system shall use noise reduction technology and equipment on blowers and vacuums to reduce noise levels.
5. All fencing shall be maintained in a like-new manner, meaning any portion of fencing showing signs of deterioration, broken or missing panels, or creating a safety hazard, shall be replaced.
6. The screening wall next to the residences on the east side of the Property shall match the screening wall on the adjacent property to the south of the Property in color, materials and construction.
7. Means of barricading after-hour access for vehicular traffic to the property be installed and maintained at the time of construction.

B. ***Operational Standards***

1. The hours of operation will be Monday to Sunday, 8 AM to 9 PM, however, in the winter months, operations will cease at 7 PM.