

ORDINANCE NO. 5068  
File No. Z0723-0312

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 2532 EAST HIGHWAY 80 TO ALLOW THE APPLICANT TO PARK TEN (10) FLEET VEHICLES IN FRONT WITH NO SCREENING SUBJECT TO CERTAIN STIPULATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; 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. That the subject property is platted as Big Town Estates Block 3, Part of Lot 20, and located at 2532 East US Highway 80 in the City of Mesquite, Dallas County, Texas (the “**Property**”).

SECTION 2. That the Mesquite Zoning Ordinance is amended by approving a change of zoning from Commercial to Commercial with a Conditional Use Permit (“**CUP**”) to allow the applicant to park ten (10) fleet vehicles in the front portion of the Property facing US Highway 80 as depicted in the Concept Plan, attached hereto as Exhibit A and incorporated herein by reference, and subject to the following stipulations:

1. The CUP is approved solely for the business owned by Kamal Alkak. It shall not be transferable to a different owner or business.
2. The CUP is approved for a period of two years from September 18, 2023. Should Mr. Alkak wish to continue the use after the two-year period, he may submit a new CUP application requesting to continue the CUP. Such application shall require the same procedures outlined in the Mesquite Zoning Ordinance for initial approval of a CUP, and City Staff shall present a report on property conditions during the two-year period.

3. Storage of ten (10) fleet vehicles shall be allowed in the area designated by red boxes on the Concept Plan (Exhibit A) without requirement for screening of the outdoor storage from public view.

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 violation of the provisions or terms of this Ordinance by any "person," as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite Zoning Ordinance, Part 5, 5-100, [Section 5-103](#) (General Penalties), or successor and as amended.

SECTION 7. This Ordinance shall be published in the City's official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 8. This Ordinance shall take effect and be in force from and after five days after publication.

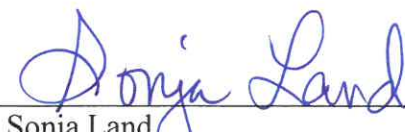

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 18th day of September 2023.



Tandy Boroughs  
Mayor Pro Tem

ATTEST:

APPROVED AS TO LEGAL FORM:

  
\_\_\_\_\_  
Sonja Land  
City Secretary  
\_\_\_\_\_  
David L. Paschall  
City Attorney

