

ORDINANCE NO. 5175  
File No. Z0325-0389

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT – COMMERCIAL (ORDINANCE NO. 1643) TO PLANNED DEVELOPMENT – COMMERCIAL TO ALLOW LIMITED FUEL SALES WITH MODIFICATIONS TO THE MAXIMUM NUMBER OF VEHICLE FUELING POSITIONS AND TO THE 500-FOOT SEPARATION REQUIREMENT FROM A RESIDENTIAL DISTRICT ON PROPERTY LOCATED AT 4444 NORTH GALLOWAY AVENUE; PROVIDING A REPEALER CLAUSE; 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. The subject property is approximately one acre described in **EXHIBIT A**, attached hereto and incorporated herein by reference, and located at 4444 North Galloway Avenue in the City of Mesquite, Dallas County, Texas (the “**Property**”).

SECTION 2. The Mesquite Zoning Ordinance (“**MZO**”) is amended by approving a change of zoning from Planned Development – Commercial (Ordinance No. 1643) to Planned Development – Commercial to allow limited fuel sales with modifications to the maximum number of vehicle fueling positions and to the 500-foot separation requirement from a residential district subject to modified Planned Development Standards (**EXHIBIT B**) and the Concept Plan (**EXHIBIT C**), and said exhibits are attached hereto and incorporated herein by reference.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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

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July 7, 2025

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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 7th day of July 2025.

Signed by:  
*Daniel Alemán, Jr.*  
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Daniel Alemán, Jr.  
Mayor

ATTEST:

DocuSigned by:  
*Sonja Land*  
C2518095973F46A...

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Sonja Land  
City Secretary

APPROVED AS TO LEGAL FORM:

Signed by:  
*David L. Paschall*  
666E18891208434...

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David L. Paschall  
City Attorney

**ZONING DESCRIPTION**

**BEING** a tract of land situated in the Theophalus Thomas Survey, Abstract No. 1461, City of Mesquite, Dallas County, Texas and being part of Lot 1, Block 2, Meadowview Farms Retail, an addition to the City of Mesquite recorded in Volume 97144, Page 6026, Official Public Records, Dallas County, Texas, and being part of a called 17.7018 acre tract of land described in Special Warranty Deed to Lowe's Home Centers, Inc. recorded in Volume 97008, Page 519 of said Official Public Records, and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with plastic cap stamped "KHA" set for the south corner of said Lot 1, at the intersection of the northwest right-of-way line of Barnes Bridge Road (a variable width right-of-way) and the northeast right-of-way line of Galloway Avenue (a 100 foot right-of-way);

**THENCE** with said northeast right-of-way line of Galloway Avenue and with the southwest line of said Lot 1, North 45°57'10" West, a distance of 231.43 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

**THENCE** departing said northeast right-of-way line of Galloway Avenue and said southwest line of Lot 1, over and across said Lot 1, the following courses and distances:

North 42°44'18" East, a distance of 77.08 feet to an "X" cut in concrete set for corner;  
 North 47°15'42" West, a distance of 40.54 feet to an "X" cut in concrete set for corner;  
 North 44°03'11" East, a distance of 109.92 feet to an "X" cut in concrete set for corner;  
 South 34°28'50" East, a distance of 35.67 feet to an "X" cut in concrete set for corner;  
 North 55°31'10" East, a distance of 17.50 feet to an "X" cut in concrete set for corner;  
 South 34°28'50" East, a distance of 38.00 feet to an "X" cut in concrete set for corner;  
 South 55°31'10" West, a distance of 19.50 feet to an "X" cut in concrete set for corner;  
 South 34°28'50" East, a distance of 139.26 feet to an "X" cut in concrete set for corner;  
 North 55°31'10" East, a distance of 16.52 feet to an "X" cut in concrete set for corner;  
 South 34°28'50" East, a distance of 98.53 feet to a 5/8" iron rod with plastic cap stamped "KHA" set in said northwest right-of-way line of Barnes Bridge Road and the southeast line of said Lot 1, and being the beginning of a non-tangent curve to the left with a radius of 733.78 feet, a central angle of 06°27'52", and a chord bearing and distance of South 59°22'38" West, 82.75 feet;

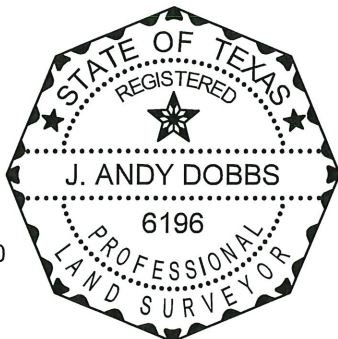
**THENCE** with said northwest right-of-way line of Barnes Bridge Road, the following courses and distances:

In a southwesterly direction, with said non-tangent curve to the left, an arc distance of 82.79 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;  
 South 56°08'42" West, a distance of 59.86 feet to the **POINT OF BEGINNING** and containing 43,776 square feet or 1.0050 acres of land.

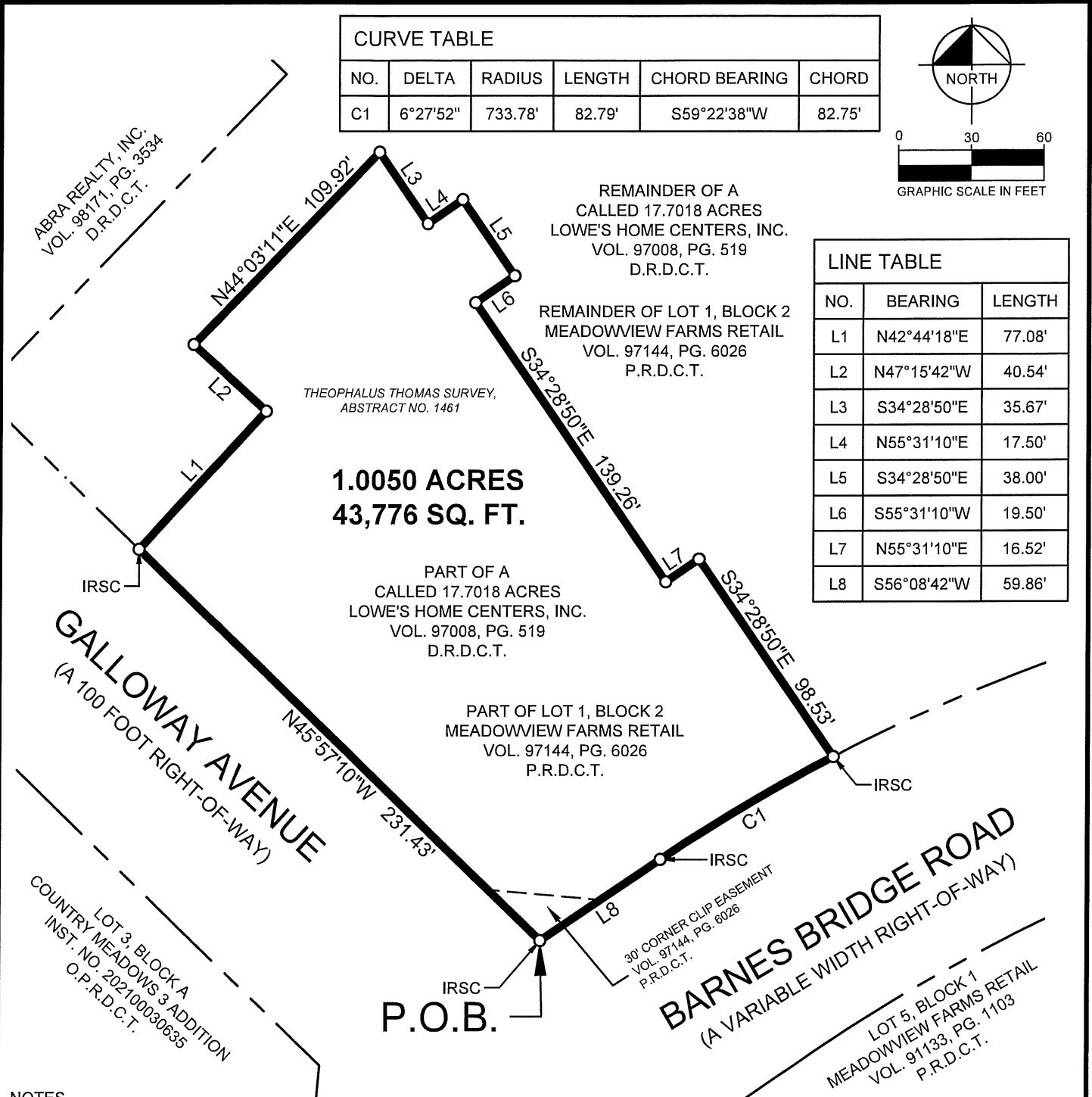
Bearing system based on the State Plane Coordinate System of 1983, Texas North Central Zone (4202), North American Datum of 1983 (2011).

**ZONING EXHIBIT**  
**1.0050 ACRES**  
**PART OF LOT 1, BLOCK 2**  
**MEADOWVIEW FARMS RETAIL ADDITION**  
**THEOPHALUS THOMAS SURVEY,**  
**ABSTRACT NO. 1461**  
**CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

  
 J. ANDY DOBBS DATE 6.3.25  
 REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 6196  
 2500 PACIFIC AVENUE, SUITE 1100  
 DALLAS, TEXAS 75226  
 PH. (469) 718-8849  
 andy.dobbs@kimley-horn.com



<b>Kimley»Horn</b>					
2500 Pacific Avenue, Suite 1100 Dallas, Texas 75226					
FIRM # 10115500			Tel. No. (469) 718-8849		
Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	ECB	JAD	Jun. 2025	06431105-	1 OF 2



NOTES

- Bearing system based on the State Plane Coordinate System of 1983, Texas North Central Zone (4202), North American Datum of 1983 (2011).
- All corners are an "X" cut in concrete set, unless otherwise noted.

LEGEND

P.O.B. = POINT OF BEGINNING  
IRSC = 5/8" IRON ROD WITH PLASTIC CAP STAMPED "KHA" SET  
SQ. FT. = SQUARE FEET  
VOL. PG. = VOLUME, PAGE  
INST. NO. = INSTRUMENT NUMBER  
D.R.D.C.T. = DEED RECORDS, DALLAS COUNTY, TEXAS  
P.R.D.C.T. = PLAT RECORDS, DALLAS COUNTY, TEXAS  
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

**ZONING EXHIBIT**  
**1.0050 ACRES**  
**PART OF LOT 1, BLOCK 2**  
**MEADOWVIEW FARMS RETAIL ADDITION**  
**THEOPHALUS THOMAS SURVEY,**  
**ABSTRACT NO. 1461**  
**CITY OF MESQUITE, DALLAS COUNTY, TEXAS**

**Kimley»Horn**

2500 Pacific Avenue, Suite 1100  
Dallas, Texas 75226

FIRM # 10115500 Tel. No. (469) 718-8849

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	ECB	JAD	Jun. 2025	06431105-	2 OF 2

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**Exhibit "B"**

**EXHIBIT B - PLANNED DEVELOPMENT STANDARDS**

This Planned Development - Commercial district ("PD-C") must adhere to all conditions of the Mesquite Code of Ordinances, including but not limited to the Mesquite Zoning Ordinance ("MZO"), as amended, and adopts the Commercial ("C") zoning district as the base district standards consistent with the Concept Plan attached hereto and incorporated herein as Exhibit C and the standards identified below, which apply to this PD-C district. Where these regulations conflict with or overlap another ordinance, this PD-C ordinance will control.

1. **Permitted Land Uses.** The permitted uses on the Property include the permitted uses in the C District classification as set out in the MZO, and those permitted uses on the Property are subject to the same requirements as set out in the MZO.
  - a. The permitted uses requiring a conditional use permit ("CUP") as set out in the MZO also require a CUP for the use to be permitted on the Property unless permitted in subsection B. below.
  - b. The following uses are permitted on the Property in addition to those outlined under the C District classification:
    - i. SIC Code 554 Refueling Station with the following stipulations:
      1. Up to 16 fueling positions
      2. Heavy load vehicle refueling is not permitted
  - c. The following uses are prohibited on the Property:
    - i. SIC Code 5947: Gift Novelty, Souvenir Shops
    - ii. SIC Code 5993: Tobacco Stores
    - iii. SIC Code 5999g: Paraphernalia Shop
    - iv. SIC Code 61: Alternative Financial Institutions
    - v. SIC Code 7215: Coin-Operated Laundries
    - vi. SIC Code 7299a: Massage Parlors, Turkish and Steam Bath
    - vii. SIC Code 7549b: Towing/Wrecker Service
    - viii. Outdoor Storage as Principal or Accessory Use
    - ix. Heavy Load Vehicle Parking
2. **Development Standards.** In addition to the requirements of the C zoning district, the Planned Development is subject to the following.
  - a. **Site Plan.** The site plan for the Property shall be consistent with Exhibit C. The site plan may differ from the Concept Plan without requiring a PD

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**Exhibit "B"**

amendment to comply with the adopted Building and Fire Codes and the Mesquite Engineering Design Manual.

b. Landscaping.

- i. A parking screen shall be provided in accordance with Section IA-301.C.3 of the Mesquite Zoning Ordinance.
- ii. The minimum required amount of landscaping shall be 20% of the lot.





<p><b>ZONING CONCEPT PLAN</b></p>	<p><b>WHOLESALE MEMBERSHIP CLUB</b></p>			
	<p>CITY OF MESQUITE DALLAS COUNTY, TEXAS</p>			
<p>SHEET NUMBER <b>EXH-B</b></p>	<p>KMA PROJECT 06481105</p>	<p>DATE 6/26/2025</p>	<p>SCALE AS SHOWN BLB</p>	<p>DESIGNED BY SLC</p>
			<p>DRAWN BY SLC</p>	<p>CHECKED BY SLC</p>

[illegible]