

ORDINANCE NO. 4984  
File No. Z0422-0241

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO PLANNED DEVELOPMENT-GENERAL RETAIL TO ALLOW A CARWASH ON PROPERTY LOCATED AT 1415 SOUTH BELT LINE ROAD; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY IN ACCORDANCE WITH MESQUITE ZONING ORDINANCE, PART 5, 5-100, [SECTION 5-103](#) (GENERAL PENALTIES); 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 described as being approximately 3.758 acres of land more fully described in the legal description attached as Exhibit A, located at 1415 South Belt Line Road in the 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 R-1 Single-Family Residential to Planned Development - General Retail to allow for a carwash with modifications and allow certain uses permitted by right in the General Retail Zoning District subject to the Planned Development Standards and the Concept Plan, attached hereto as Exhibits B and C respectively and incorporated herein by reference.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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

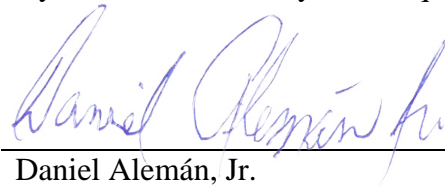
SECTION 5. Should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

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](#).

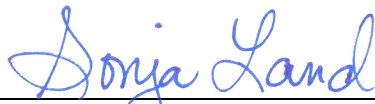
SECTION 8. This Ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 6th day of September 2022.



\_\_\_\_\_  
Daniel Alemán, Jr.  
Mayor

ATTEST:



\_\_\_\_\_  
Sonja Land  
City Secretary

APPROVED AS TO LEGAL FORM:



\_\_\_\_\_  
David L. Paschall  
City Attorney

**EXHIBIT A – LEGAL DESCRIPTION**

**EXHIBIT "A"**  
**File No. Z042-0241**  
**Legal Description**

WHEREAS BLUE WATER R&D, LLC BEING THE OWNER of a 3.758 acre tract of land situated in the W. H. Bennett Survey, Abstract No. 190, and the E.D. Bennett Survey, Abstract No. 163, City of Mesquite, Dallas County, Texas and being part of a called 28.42 acre tract described in a deed to S.H. Whitehurst and S. Huey Whitehurst Jr. recorded in Volume 5503, Page 365, Deed Records of Dallas County, Texas (DRDCT), and also part of the 5.686 acre tract described as Tract 3 in a Grant of Reciprocal Access Easements and Declaration of Use Restriction between Martha R. Whitehurst et al and Guaranty Bank, a federal savings bank, recorded as Instrument No. 20080087128, (DRDCT) and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the west right-of-way line of Beltline Road (a 100' right-of-way) at the most northern corner of said 5.686 acre tract common to the southeast corner of a tract of land described in a Deed to Martin Ingram, recorded in Volume 68070, Page 1604 (DRDCT), said point being in a non-tangent curve to the right having a radius of 2814.96 feet and a chord which bears South 03°35'48" West a distance of 164.93 feet;

THENCE Southwesterly, with an east line of said 5.686 acre tract common to the west right-of-way line of said Beltline Road and with said curve to the right, through a central angle of 03°21'27", an arc distance of 164.96 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the end of said curve;

THENCE South 04°47'49" West, along last mentioned common line, a distance of 153.61 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner thereof at the northeast corner of Lot 1, Block A, of Bruton-Beltline Addition, an Addition to the City of Mesquite, recorded in Volume 86073, Page 2808 of the Plat Records of Dallas County, Texas (PRDCT);

THENCE South 67°06'35" West, along the north line of said Lot 1 and Lot 2 of last mentioned Addition, a distance of 442.10 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the northwest corner of said Lot 2;

THENCE South 10°56'01" West, along the west line of said Lot 2, a distance of 109.08 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the southwest corner thereof, in the north right-of-way line of Cartwright Road (a 100' right-of-way);

THENCE North 78°52'43" West, along the north right-of-way line of said Cartwright Road, a distance of 24.96 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963", set for corner at the southeast corner of Lot 4, Block A, of Bruton-Beltline Retail Addition, Block A, Lot 4, an Addition to the City of Mesquite, recorded as Inst. No. 201100210563 (PRDCT);

THENCE along the common boundary lines of said Lot 4 and said 5.686 acre tract, the following courses:

North 10°58'05" East, a distance of 31.90 feet, to a 5/8" iron rod found for corner;

North 39°06'08" East, a distance of 24.47 feet, to a 1/2" iron rod found at the beginning of a tangent curve to the left having a radius of 105.50 feet whose chord bears North 25°02'06" East a distance of 51.29 feet;

## EXHIBIT A – LEGAL DESCRIPTION

Northeasterly, along said curve to the left, through a central angle of 28°08'03", an arc distance of 51.80 feet, to a 5/8" iron rod found for corner;

North 10°58'05" East, a distance of 112.84 feet, to a 5/8" iron rod found for corner;

North 79°01'55" West, a distance of 173.36 feet, to a 1/2" iron rod found for corner;

South 63°33'13" West, a distance of 23.78 feet, to a 1/2" iron rod found for corner at the most western northwest corner of said Lot 4 in the east line of Lot 1, Block A of the Mesquite GC Addition, an Addition to the City of Mesquite, recorded as Instrument No. 202100174172 (PRDCT);

THENCE North 10°58'05" East, along the common line of last mentioned Addition and said 5.686 acre tract, a distance of 142.11 feet, to a 5/8" iron rod with a yellow cap, stamped "RPLS 3963" set for corner at the northeast corner of last mentioned Addition, and also being in the northwest line of said 5.686 acre tract and the southeast line of Lot 17B, Block A, a Replat of Lot 17, Block A, Lake Park East Estates, an Addition of the City of Mesquite, recorded in Volume 81151, Page 2281, (PRDCT);

THENCE North 63°32'22" East, along the common line of said Addition and 5.686 acre tract, a distance of 137.07 feet, to a 1/2" iron rod found for corner at the most eastern corner of Lot 17A thereof, common to the most southern corner of said Martin Ingram tract;

THENCE North 70°22'45" East, along the northwest line of said 5.686 acre tract common to the southeast line of said Ingram tract, a distance of 480.62 feet, to the POINT OF BEGINNING and containing 163,697 square feet, or 3.758 acres of land.

**EXHIBIT "B"**  
**File No. Z0422-0241**  
**Planned Development Standards**

**A. PLANNED DEVELOPMENT STANDARDS**

This Planned Development General Retail (PD-GR) must adhere to all conditions of the Mesquite Code of Ordinances, including but not limited to the Mesquite Zoning Ordinance, as amended, and adopts General Retail 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-GR district. Where these regulations conflict with or overlap another ordinance, the more stringent restriction will control.

**B. SCREENING**

A pre-cast concrete screening wall of eight (8) feet in height, shall be erected and maintained along the northern boundary of the PD. The screening wall shall be erected outside the dripline of the existing trees and must align with the existing screening wall located along the rear of the adjacent property located at 215 West Cartwright Road.

**C. DEVELOPMENT STANDARDS**

In addition to the requirements of the GR base zoning district, the Planned Development is subject to the following:

1. Landscape area, as defined by the Mesquite Zoning Ordinance, must be a minimum of 20% of the lot.
2. One (1) shade tree, or one (1) evergreen tree, or three (3) ornamental trees, or combination thereof for each 500 square feet of required landscape according to the underlying zoning (GR), plus 25 additional ornamental trees and 250 shrubs.
3. At least 50% of the required trees are to be located between the main building and the front and/or exterior side property lines.
4. Parking area landscape shall require one tree per every 15 parking spaces. Parking island trees shall be permitted to satisfy this requirement.
5. Landscaping and open space shall in accordance with the Concept Plan.



# EXHIBIT C - CONCEPT PLAN

**CAUTION NOTICE TO CONTRACTOR**  
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 7 DAYS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES HORIZONTALLY AND VERTICALLY WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

**FLOODNOTE**  
ACCORDING TO THE F.I.R.M. NO. 4813005306, THE SUBJECT PROPERTY LIES IN ZONE X AND DOES NOT LIE WITHIN A FLOOD PRONE HAZARD AREA, PER MAP REVISION DATED JULY 7, 2014.

**NOTE:**

- THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT THE TIME OF THE PLAN.
- ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS APPROVED OTHERWISE WITHIN THESE PLANNED DEVELOPMENT ZONING DISTRICT DEVELOPMENT REGULATIONS.
- THIS ZONING CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THIS ZONING CONCEPT PLAN, AS DETERMINED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES, WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.
- SPEED LIMIT ON BELT LINE: 40 MPH

**LANDSCAPE CALCULATIONS:**

**SITE PARAMETERS**  
(PER CITY OF MESQUITE ORDINANCE DATED DEC 30, 2019)  
AREA OF PARCEL (TO DEFINE L5 AREA REQ'D) : 20% OF TOTAL SITE AREA TO BE LANDSCAPED PER PD  
LANDSCAPE REQUIRED = 32,239.4 S.F. (163,697 SQ.FT.(SITE) X 0.20)  
LANDSCAPE PROVIDED = 99,073.72 S.F. (60.5 % OF SITE LANDSCAPED)

**TREES REQUIRED:** (1) SHADE TREE OR (1) EVERGREEN TREE OR (3) ORNAMENTAL TREES, OR COMBINATION THEREOF FOR EACH 500 SQUARE FEET (S.F.) OF REQUIRED LANDSCAPE, ACCORDING TO THE UNDERLYING ZONING (SR):  
163,697 S.F./500 S.F. = 32.7 = 33 SHADE TREES  
AT LEAST 50% OF THE REQUIRED TREES ARE TO BE LOCATED BETWEEN THE MAIN BUILDING AND THE FRONT AND/OR EXTERIOR SIDE PROPERTY LINES.

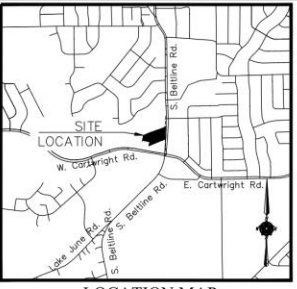
**PARKING AREA LANDSCAPING:**  
(1) TREE REQUIRED FOR EVERY 15 SPACES  
45 SPACES/15 = 3  
(AS ALLOWED PER CODE, PARKING ISLAND TREES ARE USED TO SATISFY OVERALL TREE REQUIREMENT)

**TREE MITIGATION:** NO TREES ARE BEING REMOVED

QUANTITY OF PLAN MATERIAL	REQUIRED	PROVIDED
QTY. OF SHADE OR EVERGREEN TREES (S):	33	34
QTY. OF ORNAMENTAL TREE(S): (BASED ON 3:1 RATIO OF REQUIRED SHADE TREES)	NA	25
TREES BETWEEN THE MAIN BUILDING AND FRONT OR EXTERIOR SIDE PROPERTY LINE:	17	9 (SHADE) 5 (ORNAMENTAL)
QTY. OF SHRUBS (NO QUANTITY REQUIRED) PROVIDED FOR SCREENING OF TRASH ENCLOSURE AND VENT PIPES.	NA	256

**LEGEND:**

- PROPERTY LINE
- PROPOSED CURB & GUTTER
- LIMITS OF FULL DEPTH SAWMUT
- SCREEN WALL
- LIGHT POLE
- BUILDING LIGHTS
- GREASE TRAP
- FIRE LANE
- PARKING SPACES
- STOP BAR STRIPING
- ACCESSIBLE SPACES
- FIRE HYDRANT
- ADA RAMP
- SIGN



**LOCATION MAP**  
1" = 1/4 mi

**SITE DATA TABLE**

LOCATION:	W. CARTWRIGHT & BELLINE RD., MESQUITE, TX 75149
LOT AREA:	3.76 AC. (163,697 S.F.)
EXISTING ZONING:	R-1, RESIDENTIAL
PROPOSED ZONING:	PD (OR UNDERLYING)
CURRENT USE:	VACANT
PROPOSED USE:	CAR WASH
<b>BUILDING DATA:</b>	
BUILDING AREA:	5,178 S.F.
BUILDING HEIGHT:	(1) STORY
BUILDING COVERAGE:	3.16%
F.A.R.:	0.032:1
<b>PARKING SUMMARY:</b>	
1 SP PER 500 S.F.	REQUIRED PROVIDED
PARKING SPACES (N x 18')	10 9
ACCESSIBLE SPACES (PART OF REQ. PARKING)	1 2
TOTAL SPACES	10 11
VACUUM SPACES	34
<b>LANDSCAPE:</b>	
PERVIOUS:	99,073.72 S.F.
IMPERVIOUS:	64,623.28 S.F.

**ZONING CONCEPT PLAN**

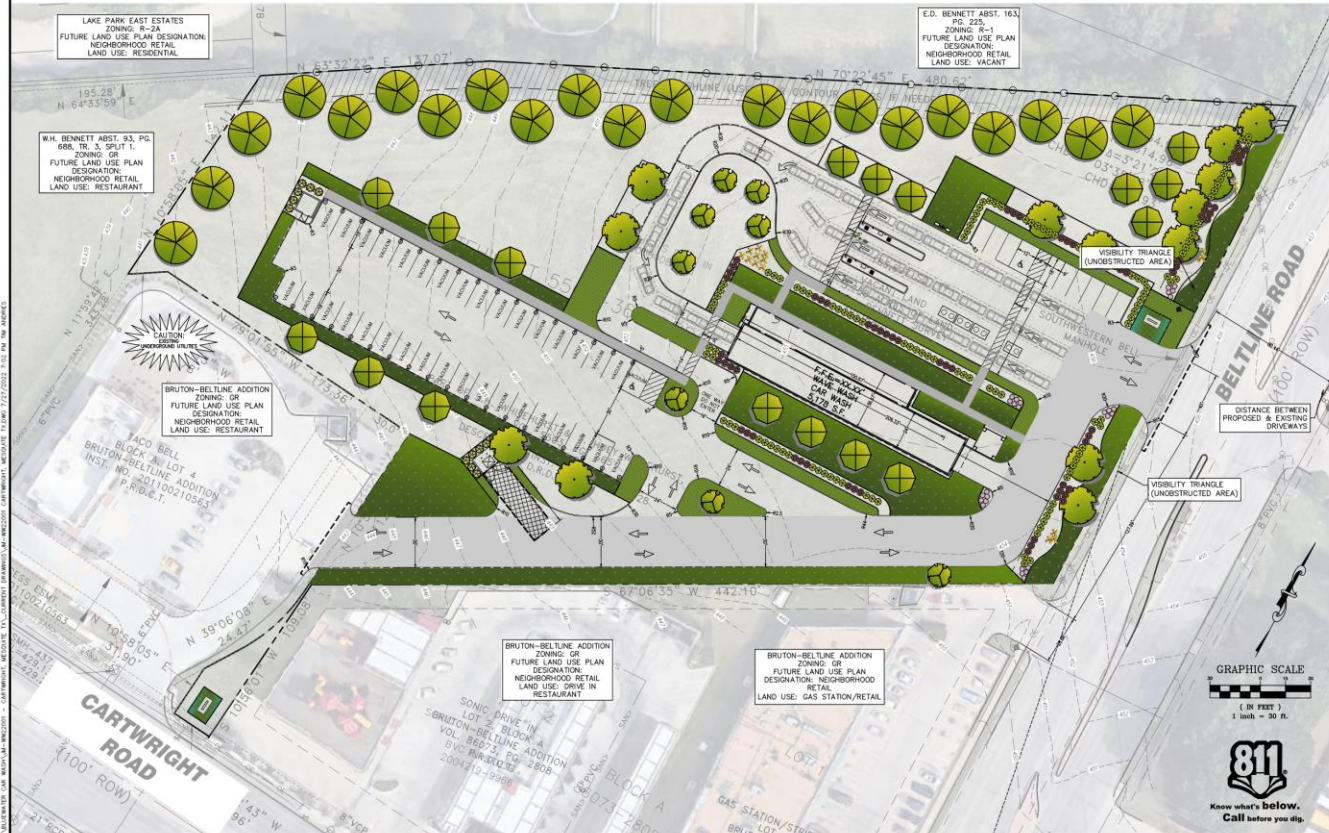
OWNER:	WILLIAM J. WHITEHURST 529 LARKIN RD SUNNYVALE, TX 75182 214-563-4431
APPLICANT:	BLUEWATER ROAD LLC 2115 FALLING WATER CT CUMMING, GA 30041 980-939-5708
SURVEYOR:	CALVIN MYERS, R.C. MYERS SURVEYING 488 ARROYO COURT SUNNYVALE, TX 75182 214-532-0636 RCMSURVEYING@GMAIL.COM

**WAVE WASH XII  
VACANT LAND**

3.76 ACRES  
WELL BENNETT SURVEY, ABSTRACT NO. 190  
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

811  
Know what's below.  
Call before you dig.

07/27/22



1101 Central Expressway South  
Suite 215  
Allen, TX 75013  
Ph. 214-491-1830  
John Meisels, PE  
CIVIL ENGINEER

WAVE WASH XII  
WAVE WASH XII ADDITION, LOT 1, BLOCK A  
W.H. BENNETT SURVEY, ABST. NO. 190 &  
E.D. BENNETT SURVEY, ABST. NO. 163  
CITY OF MESQUITE, DALLAS COUNTY, TX 75149  
ZONING CONCEPT PLAN

DATE	07/27/22
BY	JMM
FOR	WAVE WASH XII
PROJECT NO.	2022-0241
SCALE	AS SHOWN
DATE	07/27/22
BY	JMM
FOR	WAVE WASH XII
PROJECT NO.	2022-0241
SCALE	AS SHOWN