

ORDINANCE NO. 5038  
File No. Z0323-0299

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL WITHIN THE TERRA OVERLAY DISTRICT TO PLANNED DEVELOPMENT – COMMERCIAL WITHIN THE TERRA OVERLAY DISTRICT ON PROPERTY LOCATED AT 2670 AND 2704 TOWNE CENTRE DRIVE TO ALLOW A CAR WASH (SIC 7542) WITHIN 100 FEET FROM A RESIDENTIAL DISTRICT WITH MODIFICATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING FOR PUBLICATION; 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 a total of approximately 2.1659 acres, more fully described in the legal description attached hereto as Exhibit A, and located at 2670 and 2704 Towne Centre Drive, City of Mesquite, Dallas County, Texas (the **“Property”**).

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning from Commercial within the TERRA Overlay District to Planned Development – Commercial within the TERRA Overlay District to allow a car wash (SIC 7542) within 100 feet from a residential district with modifications 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 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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.

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Commercial w-TERRA Overlay District  
July 17, 2023  
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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 17th day of July 2023.

DocuSigned by:  
*Daniel Aleman Jr.*  
D999585317D142B...

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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:

DocuSigned by:  
*David Paschall*  
666E18891208434...

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David L. Paschall  
City Attorney

**EXHIBIT A – LEGAL DESCRIPTION**  
**FILE NO. Z0323-0299**

EXHIBIT "A"

Legal Description

Being a 2.1659-acre tract of land situated in the John T. Nelms Survey, Abstract No. 1095, Dallas County, Texas, being all of Lots 3R and 4R. Block B of the Towne East Mall Addition, an addition to the City of Mesquite, Dallas County, Texas, according to the plat thereof recorded in Volume 99128, Page 00037, Deed Records, Dallas County.

**EXHIBIT B**

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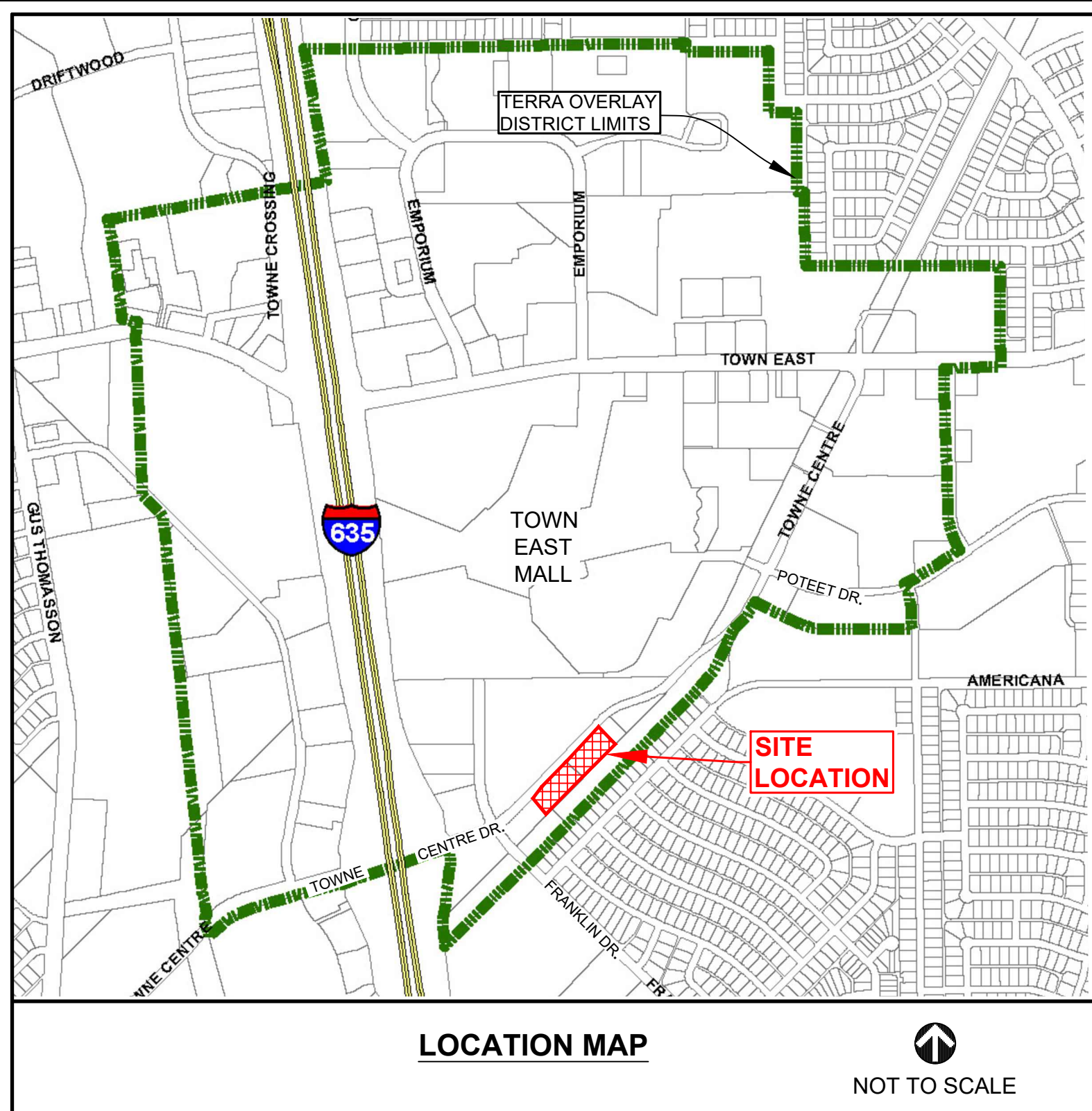
**File Number: Z0323-0299**

**PLANNED DEVELOPMENT STANDARDS**

This Planned Development – Commercial (PD-C) within the TERRA Overlay must adhere to all conditions of the Mesquite Code of Ordinances, including but not limited to the Mesquite Zoning Ordinance, as amended, and adopts Commercial base district standards and the standards identified below. Where these regulations conflict with or overlap another ordinance, the more stringent restriction will control.

The Mesquite Zoning Ordinance is amended to allow a carwash as a permitted use less than 100 feet from a residential zoning district subject to the following stipulations:

1. **Land Use.** Uses shall be limited to those permitted by right in the Commercial Zoning District as provided in the Mesquite Zoning Ordinance with the following additions and exclusions:
  - a. Additional Uses Permitted:
    - i. SIC Code 7542 Car Washes, Including Detail Shops
  - b. Prohibited Uses:
    - i. SIC Code 5947: Gift Novelty, Souvenir Shops
    - ii. SIC Code 5993: Tobacco Stores
  - c. The permitted uses requiring a conditional use permit (“CUP”) as set out in the Mesquite Zoning Ordinance (MZO), also require a CUP for the use to be permitted on the Property.
2. **Development Standards.** In addition to the requirements of the C base zoning district, a car wash, including detail shop, shall conform to the Concept Plan attached hereto and incorporated herein as Exhibit C along with the following:
  - a. A masonry screening wall abutting any residential district.



IF CAR WASH QUEUE LANE IS FILLING UP, CAR WASH MANAGEMENT WILL PUT OUT TEMPORARY CONES AND A SIGN DIRECTING VEHICLES TO ENTER AT THE SOUTH ENTRANCE. THIS WILL REDUCE QUEUING VEHICLES FROM SPILLING INTO THE RIGHT-OF-WAY.

"AT HOME" ENTRY / EXIT

**LOT INFORMATION**  
ZONING: COMMERCIAL, TERRA OVERLAY  
USE: COMMERCIAL

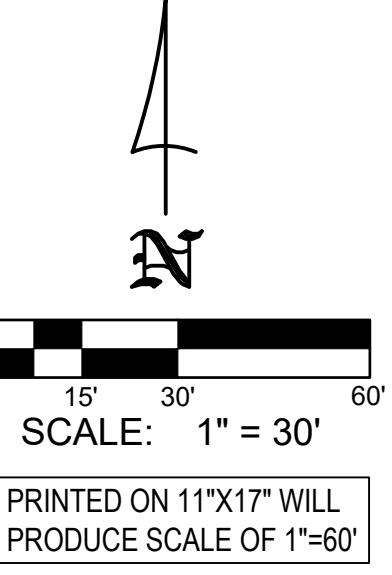
**LOT INFORMATION**  
ZONING: COMMERCIAL, TERRA OVERLAY  
USE: COMMERCIAL

**LOT INFORMATION**  
ZONING: RESIDENTIAL, TERRA OVERLAY  
USE: UTILITY (HIGH POWER ELECTRIC LINES)

**LOT INFORMATION**  
ZONING: COMMERCIAL, TERRA OVERLAY  
USE: COMMERCIAL

**PLAN NOTES:**

- PROPERTY LINES WAS DRAWN PER DATA DOWNLOAD FROM DALLAS COUNTY GIS.
- EXISTING IMPROVEMENTS SHOWN WAS DRAWN FROM GOOGLE AERIALS.



**LOT DATA:**

ADDRESS: 2670 & 2704 TOWNE CENTRE DRIVE MESQUITE, TX 75150

LOT ID: 382143000B04R0000

MUNICIPALITY: MESQUITE

ZONING: COMMERCIAL, TERRA OVERLAY

COUNTY: DALLAS

AREA: ± 2.167 AC (GIS DATA)

**PROJECT SITE PLAN DATA**  
(CITY OF MESQUITE SITE PLAN DATA)

**GENERAL:**

Case Number: Z0323-0299

Name of Project: Towne Centre Drive Car Wash

Proposed Use: CAR WASH

Existing Zoning Dist.: COMMERCIAL

Proposed Zoning Dist.: PLANNED DEVELOPMENT COMMERCIAL\*

Zoning Overlay: TERRA OVERLAY

Appraisal Dist. Account Number: 382143000B04R0000, 382143000B03R0000

Development Agreement Number: N/A

**OVERALL SITE:**

Gross Site Area: ± 2.167 (GIS DATA)

Site Frontage: 632.48± (GIS)

Site Width: 632.48± (GIS)

Site Depth: 150.00± (GIS)

Impervious Surface Area: 1.367 AC.

Pervious Surface Area: 0.800 AC.

Open Space (ac & %): 0.800 AC. & 37%

**LANDSCAPE DATE:**

Required Landscape Area (ac & %) = 0.217 & 10%

Proposed Landscape Area (ac & %) = 0.800 & 37%

**BUILDING:**

Total Gross Intensity (FAR): 0.19

Total Square Footage Commercial (SF): 18,010.8

**PROPERTY DEVELOPMENT REGULATIONS:**

Maximum Building Coverage (Permitted & Proposed): 50% & 18%

Setbacks (Required & Proposed)

Front Setback: 25' & 25'

Side Interior Setback: 0' & 0'

Rear Setback: 25' & 25'

Max Structure Height (Permitted & Proposed): 75' & 25'-5"

Max No. Stories/Floors (Permitted & Proposed): 5 & 2

Appraisal Dist. Account Number: 382143000B04R0000, 382143000B03R0000

Development Agreement Number: N/A

**IMPROVEMENTS:**

# Drive-thru lanes: 3

Drive-thru Stacking: 31 (stacking space 8' x 20')

**PARKING & ACCESS:**

Employee Parking (total # / Required & Provided):

Max. employee at peak hours & 7 stalls

# Disabled Parking: 2 & 2

**CITY NOTES:**

- 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 PLAT.
- STORMWATER DETENTION MAY BE REQUIRED IF EXISTING STORM SYSTEM DOES NOT HAVE EXCESS CAPACITY FOR THIS SITE.
- 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.

**APPLICANT CONTACT INFORMATION:**

MA ENGINEERING AND CONSTRUCTION  
2131 N COLLINS ST. STE 433-148  
ARLINGTON, TX 76011  
817-903-9456  
EDWARD@MAENGINEERING.NET

**PARKING SUMMARY:**

EMPLOYEE STALLS:	7
ADA / VACUUM STALLS:	2
VACUUM STALLS:	45
<b>TOTAL STALLS:</b>	<b>54</b>

**PROPOSED LOT COVERAGE:**

TOTAL AREA	= ± 2.167 AC (GIS DATA)
IMPERVIOUS AREA	= 1.367 AC. (63%)
PERVIOUS AREA	= 0.800 AC. (37%)

**LEGEND**

	PARKING STALLS IN EACH ROW
	PAINTED ACCESSIBILITY PARKING SYMBOL
	PROPOSED CONCRETE CURB
	DIRECTIONAL TRAFFIC ARROW
	PROPOSED BITUMINOUS PAVEMENT
	PROPOSED CONCRETE
	PROPOSED PERVIOUS AREA

**CITY OF MESQUITE "SITE PLAN NOTES":**

- Any revision to this plan will require City approval and may require revisions to any corresponding plans to avoid conflicts between plans.
- Dumpsters and trash compactors shall be screened in accordance with the Mesquite Zoning Ordinance and Engineering Design Manual.
- Outdoor lighting shall comply with the lighting and glare standards contained within the Mesquite Zoning Ordinance.
- Fire lanes shall be designed and constructed per City standards or as directed by the Fire Marshal.
- Speed bumps/humps are not permitted within a fire lane.
- Handicapped parking areas and building accessibility shall conform to the Americans with Disabilities Act (ADA), Texas Accessibility Standards and with the requirements of the current, adopted Building Code.
- Any/all signage is subject to final approval under separate application/permit by the Building Official or designee.
- All fences and retaining walls shall be shown on the site plan and are subject to Building Official approval.
- All exterior building materials are subject to Building Official approval and shall conform to the approved Façade/Building Elevation Plan.
- All new utility lines shall be installed and/or relocated underground.
- All mechanical equipment shall be screened from public view in accordance with the Mesquite Zoning Ordinance and Community Appearance Manual.



**TERRA CONSULTING GROUP, LTD.**  
600 Busse Highway  
Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

**SUBMITTALS AND REVISIONS**

No.	DESCRIPTION	DATE
1	Draft layout	12-06-22
2	Update per Client	12-09-22
3	Update per Client	1-06-23
4	Update per Client, Final Exhibit Set	1-19-23
5	Revised per City Zoning-1	4-24-23
6	Revised per City Zoning-2	5-17-23

**SITE IMPROVEMENTS**

**CAR WASH FACILITY**

2670 & 2704  
TOWNE CENTRE DR  
MESQUITE, TX 75150

**DESIGNED BY:** M.S.E.  
**DRAWN BY:** K.S.B.  
**DATE:** 12/07/2022  
**PROJECT #:** 1619

**ZONING CONCEPT PLAN**

**SHEET NUMBER**  
**1**  
OF 7