

ORDINANCE NO. _____
File No. Z0425-0391

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM R-1 SINGLE FAMILY RESIDENTIAL TO PLANNED DEVELOPMENT – GENERAL RETAIL WITH A CONDITIONAL USE PERMIT TO ALLOW A CONTRACTOR SHOP WITH OUTDOOR STORAGE WITH MODIFIED DEVELOPMENT STANDARDS ON PROPERTY LOCATED AT 301 AND 325 NORTH TOWN EAST BOULEVARD; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; 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 1.64 acres described in **EXHIBIT A**, attached hereto and incorporated herein by reference, and located at 301 and 325 North Town East Boulevard 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 R-1 Single Family Residential to Planned Development – General Retail, subject to the modified Development Standards in **EXHIBIT B** and the Concept Plan in **EXHIBIT C**, both of which are attached hereto and incorporated herein by reference.

SECTION 3. The MZO is further amended by approving a Conditional Use Permit (“**CUP**”) to allow a building contractor’s office with outdoor storage as an accessory use on the Property, subject to **EXHIBITS B and C**, and further subject to the following findings and stipulations:

- a. The City Council finds that said use(s) defined and permitted under this CUP are sufficiently unusual in character or operation as to create the potential for variations in function or operation with possible negative impacts upon adjacent properties or on the citizenry as a whole.
- b. The CUP is approved solely for B & B Tellus, LLC, and the CUP is not transferable or assignable to a different owner or business. A different business applicant desiring to continue the use(s) must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the MZO for initial approval of a CUP.
- c. Upon conviction of at least three (3) violations of the City's Code of Ordinances, including but not limited to the MZO which includes this ordinance, during any consecutive twelve (12) month period, then (i) the Building Official shall revoke the Certificate of Occupancy for the Property, and (ii) B & B Tellus, LLC, shall automatically forfeit the CUP granted by this ordinance.

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 described in Section 1 of this ordinance 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 5th day of January 2026.

Daniel Alemán, Jr.
Mayor

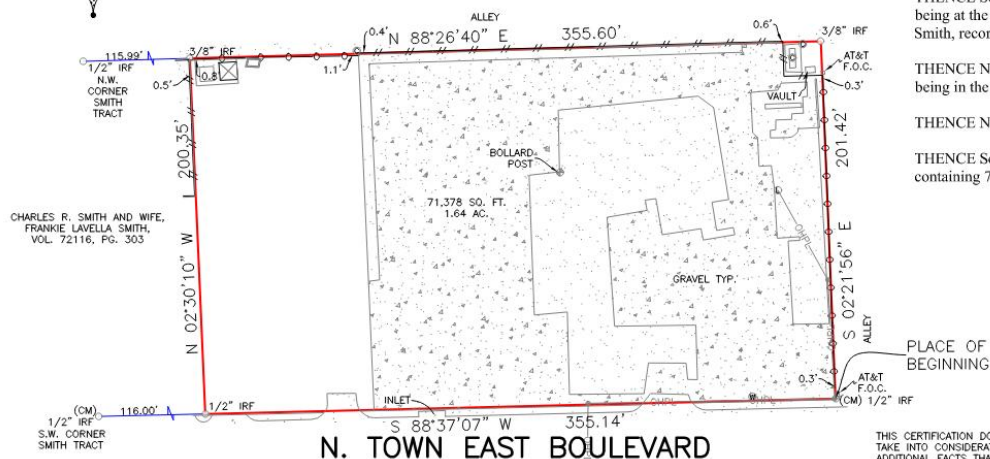
ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary

David L. Paschall
City Attorney

TLTA SURVEY



This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. 301 & 325 N. TOWN EAST BOULEVARD, in the city of MESQUITE Texas.

Being a lot, tract or parcel of land situated in the J.S. Phelps Survey, Abstract No. 1157, City of Mesquite, Dallas County, Texas and being a tract of land described in deed to B&B Tellus LLC, a Texas limited liability company, recorded in Instrument Number 202400213342, Deed Records, Dallas County, Texas, (D.R.D.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for corner being in the intersection of the North line N. Town East Boulevard and the West line of an alley right of way and at the Southeast corner of that tract herein described;

THENCE South 88 deg. 37 min. 07 sec. West, a distance of 355.14 feet to a 1/2 inch iron rod found for corner being at the Southeast corner of a tract of land described in deed to Charles R. Smith and wife, Frankie Lavella Smith, recorded in Volume 72116, Page 303, (D.R.D.C.T.);

THENCE North 02 deg. 30 min. 10 sec. West, a distance of 200.35 feet to a 3/8 inch iron rod found for corner being in the South line of an alley right of way;

THENCE North 88 deg. 26 min. 40 sec. East, a distance of 355.60 feet to a 3/8 inch iron rod found for corner;

THENCE South 02 deg. 21 min. 56 sec. East, a distance of 201.42 feet to the PLACE OF BEGINNING and containing 71,378 square feet or 1.64 acres of land.

THIS CERTIFICATION DOES NOT
TAKE INTO CONSIDERATION
ADDITIONAL FACTS THAT AN
ACCURATE TITLE SEARCH AND OR
EXAMINATION MIGHT DISCLOSE.

Bearings shown hereon are referenced to the Texas Coordinate System of 1983, North Central Zone (4202), and are based upon the North American Datum of 1983 (NAD 83), 2011 Adjustment, Epoch 2010.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apponent easements.

TITLE AND ABSTRACTING WORK FURNISHED BY BRAULIO CAMARILLO



THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 60' USE OF THIS SURVEY FOR ANY OTHER PURPOSE
OR OTHER PARTIES SHALL BE AT THEIR RISK AND
Date: 01/14/25 UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR
ANY LOSS RESULTING THEREFROM.
G. F. No.: N.A. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR
Job no.: 202500250 BRAULIO CAMARILLO

Drawn by: J.M.

LEGEND

WOOD FENCE  IRON FENCE 

CHAIN LINK  WIRE FENCE 

BOUNDARY LINE 

EASEMENT SETBACK 

CM - CONTROLLING MONUMENT
MRD - MONUMENT OF RECORD DIGNITY
● POINT FOR CORNER
① 1/2" YELLOW-CAFFED IRON ROD SET STAMPED "BURNS SURVEYING"
② X-OUT FOUND OR SET (AS NOTED)
③ FENCE POST FOR CORNER
○ MONUMENT FOUND EM - ELECTRIC MET
○ C - CABLE
○ E - ELECTRIC
○ CL - CLEAR
○ EC - POLE EQUIP
○ CLE - CLEAR ELEC
○ FE - FENCE EQUIP
○ P - POWER POLE
○ T - TELEPHONE
○ H - HYDRA
○ W - WATER
○ M - MANHOLE
○ W - WATER
(UNLESS OTHERWISE NOTED)

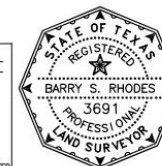


Exhibit B – Development Standards

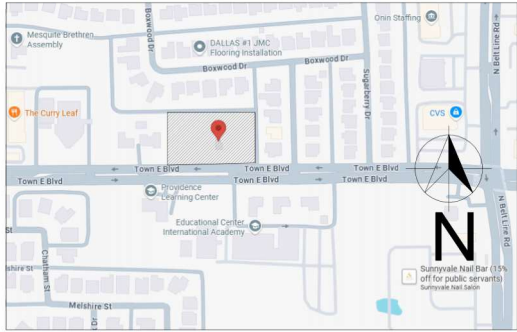
This Planned Development – General Retail (“**PD-GR**”) district must adhere to all conditions of the City of Mesquite, Texas, Mesquite City Code, including but not limited to the Mesquite Zoning Ordinance (“**MZO**”), as amended, and adopts General Retail (“**GR**”) District base standards consistent with the Concept Plan for the PD-GR district property attached hereto and incorporated herein as **EXHIBIT “C”** (“Concept Plan”), and the standards identified below, which apply to this PD-GR district. Where these regulations conflict with or overlap another ordinance, the regulations contained in the standards identified below will control.

1. **Land Uses.** The permitted uses on the PD-GR district property include the permitted uses in the GR District classification as set out in the MZO, and those permitted uses on the PD-GR district property are subject to the same requirements as set out in the MZO. Prohibited uses on the PD-GR district property are identified in subsection 1.b. below.
 - a. Any land use requiring a Conditional Use Permit (“CUP”) in the GR Zoning District, as amended, is only allowed if a CUP is issued for the use unless permitted in subsection 1.c. below.
 - b. Any land use prohibited in the GR Zoning District, as amended, is also prohibited unless permitted in subsection 1.c. below. The following uses are also prohibited:
 - i. SIC Code 40: Railroad Passenger Terminal
 - ii. SIC Code 61: Alternative Financial Institutions
 - iii. SIC Code 593: Used Merchandise
 - iv. SIC Code 593a: Pawnshops
 - v. SIC Code 5947: Gift, Novelty, Souvenir Shops
 - vi. SIC Code 5993: Tobacco Stores
 - vii. SIC Code 5999g: Paraphernalia Shops
 - viii. SIC Code 753 Auto Repair Shops
 - ix. SIC Code 754 Auto Services
 - c. The following uses are permitted on the Property with a CUP.
 - i. SIC Code 15 Building Contractors
 - ii. SIC Code 17 Special Trade Contractors
 - iii. Accessory Outdoor Storage shall be located as shown on the Concept Plan and shall be limited to three-quarter-ton pickups and utility trailers no longer than 20 feet.
2. **Development Standards.** In addition to the requirements of the MZO applicable to the GR Zoning District, the Planned Development is subject to the following:
 - a. **Site Plan.** The site plan shall comply with the Concept Plan in all material respects. Material deviations from the Concept Plan (such as building placement and lot sizes) may be permitted to ensure compliance with the Mesquite Engineering Design Manual, as well as Building and Fire Codes, as amended, provided that the development continues to meet all requirements of this ordinance.

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Exhibit “B” – Development Standards

- b. **Landscaping.** The Property shall comply with landscaping requirements in Section 1A of the MZO. The minimum amount of open space and trees shall be consistent with what is shown on the Concept Plan.

- c. **Screening.** The Property shall comply with the screening requirements in Sections 1A and 3-600 of the MZO. An 8-ft precast concrete screening wall is allowed in the front setback along N. Town East Blvd as shown on the Concept Plan. The screening wall along N. Town East Blvd shall include complementary landscaping or design elements to reduce visual impact and maintain streetscape quality as approved by the Director of Planning and Development Services. Modification to the precast concrete screening requirements may be approved through an Engineering Variance per the Mesquite Engineering Design Manual.



MAP LOCATION NTS

SITE DATA TABLE	
Proposed Use	Office & Outdoor Storage Yard for passenger vehicles
Existing Zoning	Base Zone: R-2A Proposed: PD
Proposed Zoning	PD-Commercial
Business type	Building Contractor
Lot Size	71,378 sq. ft. (1.64 Acs)
Building Area	3,000 sq. ft. 4%
Driveway & Parking	32,500 sq. ft. 46%
Impervious Coverage	35,689 sq. ft. 50%
Building Height	1 Story Building 23' ft.
Landscape required	7,138 sq. ft =14 preserved trees
New Landscape	29 existing trees +25 new trees
Parking required	1 per 1,000 sq. ft.
Parking provided	3 parking slot (inc. 1 ADA)
Additional Parking	19 parking for large vehicles

Plan Notes:

1. The Thoroughfare alignment (s) show on the exhibit are for illustration purposes and does not set the alignment. The alignment is determine at the time of plat.
2. All current Development requirements of the City as amended shall be met unless approved otherwise within this Planned Development Zoning District Development Regulations.
3. This Zoning Concept Plan, along with development regulations, is intended to describe the intend of Planned Development. Significant deviation from this Zoning Concept Plan, as determine by the Director of Planning and Development Services , will require an amendment to the Zoning Concept Plan and, as necessary, development regulations.

Landscape

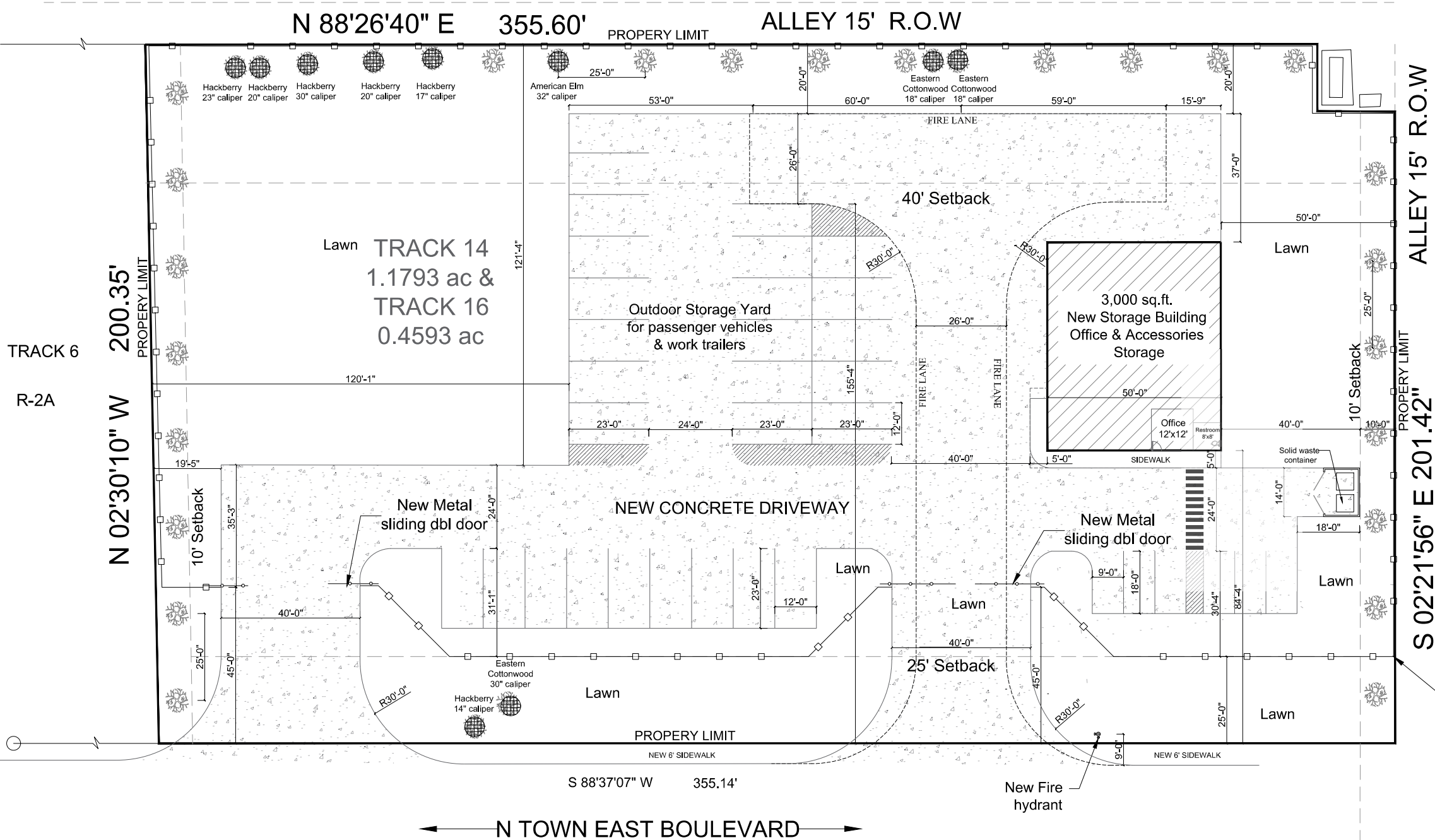
Lot Area: 71,378 sq ft
Required landscape: 7,138 sq ft (10%)

Trees:

- Required 1 per each 500 sq.ft: 15 trees
- Preserved Tree: 10 trees
- Preservation Credit (x2): 20 Trees
- Buffer Provided: 22 New Trees
- Grass/Groundcover provided: 29,000 sq ft
- Total 32 Trees provided.

SYMBOLS

- Preserved tree
- New tree native plants



COMPLETE HOMES

Building Design & Consulting
682.238.0351

General Notes

This plan shows information of preliminary building layout for zoning change purpose only. Final Blueprint must be provided for Building permit after zoning approval. Site information provided by Burns Surveying Job # 202500250

Address
301 N. TOWN EAST BVD.
MESQUITE TX 75150

Legal Description
JOSHIAH PHELPS SURVEY
ABSTRACT 1157 PG 595
TRACKS 14 & 16 ACS 1.64

Owner
B & B TELLUS LLC
2110 Country Dell Dr Garland TX75040
972.768.9261

Applicant
Braulio Camarillo
2110 Country Dell Dr Garland TX75040
972.922.8288

Drafter
Michell Lintonp
9330 Lyndon B Johnson Freeway Suite 900
Dallas TX 75243
214.918.0981

Case Number

Z0425-0391

Project Title

Zoning Change

Sheet Title

Proposed Site Plan

Date

03-12-2025

Paper Size

24"x36"

Scale

1/16"=1'

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