

ORDINANCE NO. _____
File No. Z0722-0247

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT TO ALLOW THE OUTDOOR DISPLAY OF USED VEHICLES FOR SALE ON THE PROPERTY LOCATED AT 2828 INTERSTATE HIGHWAY 30, SUITE 101 SUBJECT TO CERTAIN STIPULATIONS; 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; 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 3.45 acres of land, platted as Castle Ridge Heights 1, Block D, Lot 6, and located at 2828 Interstate Highway 30, Suite 101 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 for the Property from Commercial to Commercial with a Conditional Use Permit to allow the outdoor display of used vehicles for sale subject to the following stipulations:

1. Display of vehicles shall be limited to the number of display spaces and display areas as noted on the Concept Plan attached hereto as Exhibit A. Display spaces and customer parking shall comply with the parking and access standards in Section 3-400 of the MZO.
2. Any vehicle for sale shall be operable and maintained in good condition.
3. No vehicle for sale shall have body damage greater than four inches in diameter.
4. Painted repairs shall match the paint on the rest of the vehicle.
5. Any vehicle for sale shall not have broken or cracked windows.

6. All parking and display surfaces shall be paved except for display surfaces in showroom areas.
7. Any vehicle not ready for sale and in need of repair or detailing shall be kept in the secured area behind the building on a paved surface as shown in Exhibit A or inside of a structure.
8. Prices shall not be painted or drawn in any way on the vehicles including the windows.

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 3rd day of October 2022.

Daniel Alemán, Jr.
Mayor

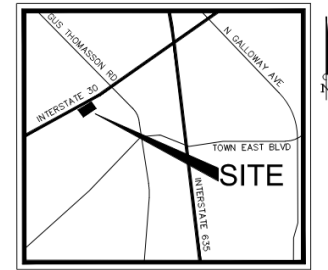
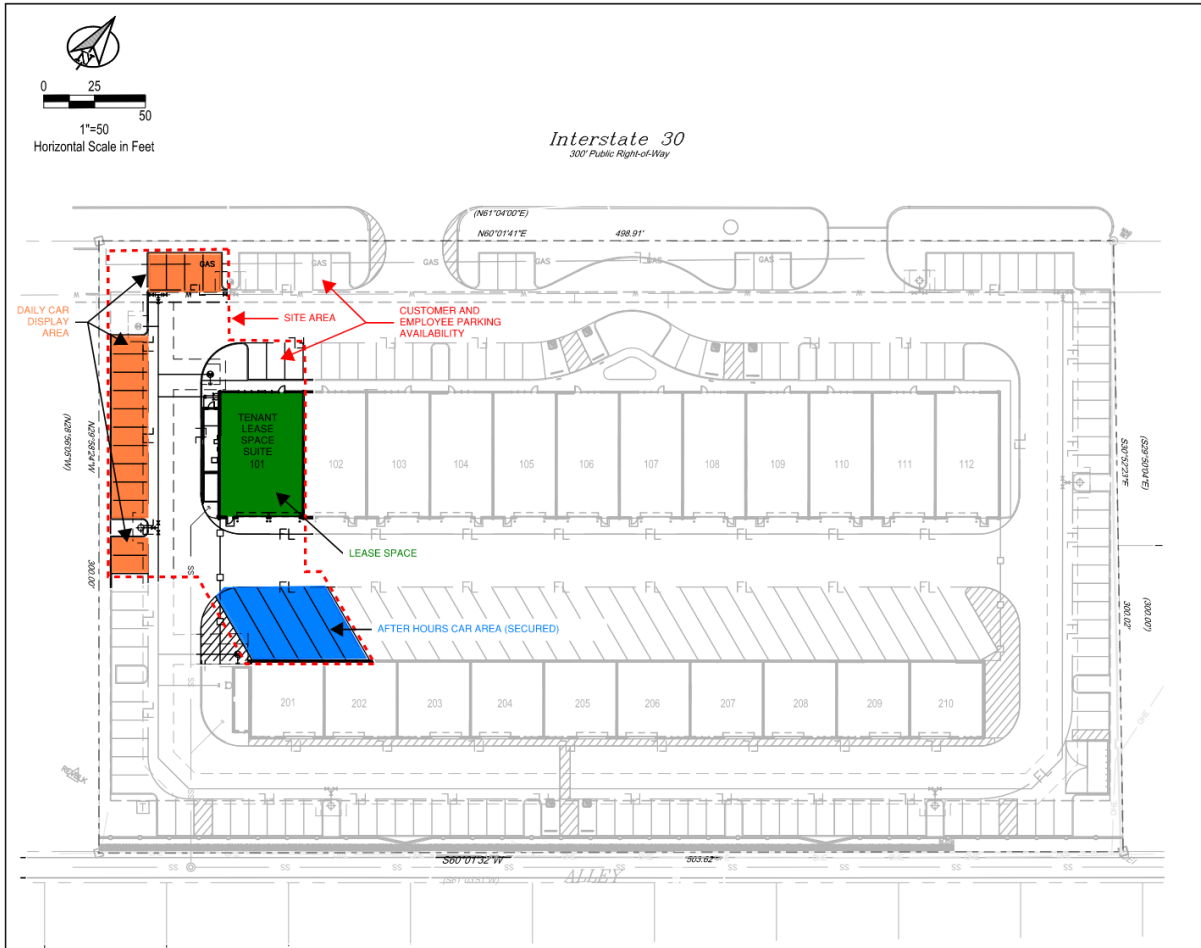
ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary

David L. Paschall
City Attorney

EXHIBIT A – CONCEPT PLAN



VICINITY MAP
 N.T.S.
 MAPSCO GRID: 49A-H

Site Data Summary Table

General Site Data	TRACT 6, BLOCK D
Zoning (from zoning map)	EXISTING ZONING: COMMERCIAL
Land Use (from zoning ordinance)	FLEX OFFICE PARK
Lot Area (square feet)	150,374
Lot Area (acres)	3.45
Building Footprint Area (square feet) Suite 101	3,420
Total Building Area (square feet)	50,433
Building Height (# stories)	2
Building Height (in feet - distance to tallest building element)	24'3"
Lot Coverage (percent - a.xx%) Suite 101	2.30%
Floor Area Ratio (ratio - a.xx:1) Suite 101	0.823
Parking	
Auto sales: 1,800 SF ; Vehicle services: 1,650 SF; Site area per dashed line: 15,430 SF	
Parking Ratio (Auto sales) 1:110,000 SF site area (Vehicle services) 1:500 SF floor area	
Required Parking (Auto sales)	2
Required Parking (Vehicle services)	4
Total Parking Required (if spaces)	6
Provided Parking (if spaces)	21

Landscape Area and Impervious Area for Entire Site	
Total Landscape Area (square feet)	36,438
Impervious Area	
Building Footprint Area (square feet)	37,588
Area of Sidewalks, Pavement & Other Impervious Flatwork (square feet)	96,368
Other Impervious Area	0
Total Impervious Area (square feet)	133,956
Sum of Total Landscape Area + Total Permeable Area + Total Impervious Area (square feet) NOTE: Sum must equal Lot Area	150,374
Percent Open Space (Area of Pervious Cover)	11%

2828 IH 30 SUITE 101 - Z0722-0247

**ZONING CONCEPT PLAN
 CONDITIONAL USE PERMIT**

PROPERTY OWNER

AIP MESQUITE, LLC
 1504 EAGLE COURT, SUITE 9
 LEWISVILLE, TX 75057
 TED REA - 855-255-8723

APPLICANT / TENANT

SCOTT HARVEL
 972-785-8058
 SCOTT.HARVEL@AOL.COM

SURVEYOR

CEI ENGINEERING ASSOCIATES, INC
 3030 LBJ FREEWAY
 DALLAS, TX 75234
 972-488-3737

LEGAL DESCRIPTION

TRACT 6, BLOCK D, CASA RIDGE HEIGHTS NO. 1
 GROSS: 3.45 ACRES (150,374 SF)