

ORDINANCE NO. _____
File No. Z1018-0071

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM GENERAL RETAIL TO PLANNED DEVELOPMENT – GENERAL RETAIL ON PROPERTY LOCATED AT 23300 IH-635; ALLOWING USES PERMITTED IN THE GENERAL RETAIL DISTRICT AND A MINIWAREHOUSING USE, AN ACCESSORY RESIDENTIAL DWELLING, AND ACCESSORY INDOOR RECREATIONAL VEHICLE STORAGE, SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL 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. That the Mesquite Zoning Ordinance is amended by approving a change of zoning from General Retail (“GR”) to Planned Development – GR to allow the main uses permitted in the GR District, a miniwarehousing use, an accessory residential dwelling unit and accessory indoor recreational vehicle storage subject to the following stipulations. The uses permitted in the GR district are subject to the same requirements applicable to the uses in the GR District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the GR District only by conditional use permit (“CUP”) is permitted in this district only by CUP.

- (1) Compliance is required with the Planned Development Conditions attached as Exhibit “A,” Concept Plans attached as Exhibit “B,” and Landscape Plans attached as Exhibit “C.” In the event of a conflict between the text of this ordinance and the attached exhibits, the text of this ordinance prevails.
- (2) All openings to storage buildings must be oriented away from any residential use.
- (3) Businesses shall not be allowed to conduct business in individual storage units.
- (4) Compliance with the Community Appearance Manual (“CAM”) is required for all uses on the subject property, including but not limited to the miniwarehousing use.
- (5) Maintenance of the existing six-foot masonry wall separating the subject property and the residential subdivision to the north and east shall be the responsibility of the owner of the subject property.

- (6) Compliance with local, state and federal laws is required, including but not limited to the rules and regulations of the Texas Commission on Environmental Quality ("TCEQ").

SECTION 2. That the subject property is described as being approximately 15.177 acres within the Alexander Chumley Survey, Abstract No. 340 and L. J. Sweet Survey, Abstract No. 1367, City of Mesquite, Dallas County, Texas, and located at 23300 IH-635, and is more fully described in the attached Exhibit "D."

SECTION 3. That 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. That the property described in Section 2 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. That 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. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 7. That this ordinance shall take effect and be in force from and after five days after publication.

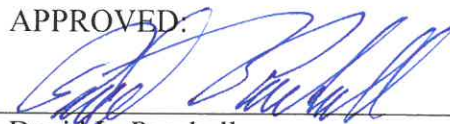
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 4th day of March 2019.

Stan Pickett
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED:



David L. Paschall
City Attorney

Planned Development Conditions

1st Choice Storage – IH635 & W. Cartwright Road

Purpose: The purpose of this Planned Development is to provide enhanced site development and building standards and to accommodate a miniwarehousing use in Subarea A and future General Retail uses in Subarea B.

Subareas: This PD District is divided into two subareas: A and B as shown on the concept plan.

Concept plan: Development and use of the property must comply with the concept plan (Exhibit B,). If there is a conflict between the concept plan and the text of this Exhibit A, the text of this Exhibit A controls.

Development and use of Subarea A must generally comply with the concept plan, Exhibit B. With exception of proposed improvements located in Subarea B as shown on Exhibit B, a site development plan is required prior to future development on Subarea B. If there is a conflict between the site development plan and the text of this Exhibit A, the text of this Exhibit A controls.

Main Uses Permitted: Except as otherwise provided in this stipulation, the only main uses permitted are those main uses permitted in the General Retail (GR) District.

The following uses are allowed by right in Subarea A only:

- Miniwarehousing
- Accessory Indoor Recreational Vehicle storage is permitted in Building A only. No outdoor storage is permitted on the property.
- One residential dwelling as an accessory to the miniwarehousing use

Development Regulations, Subarea A:

The miniwarehousing use is subject to the following regulations:

Building Layout and Design:

The building layout shall be a "fortress style" as generally shown on Exhibit B.

Liner building requirement shall not be required for Building E, shown on Exhibit B, provided the building façade facing LBJ Freeway is designed to appear as a retail front.

The maximum allowable height of Building A is 15 feet.

The maximum allowable height of all storage buildings except for Building A is 13 feet.

The maximum allowable height of the residential building is 28 feet.

The maximum allowable height of the office building is 18 feet.

The maximum number of stories for a storage building is one.

The maximum number of stories for the residential building is two.

Overhead doors facing LBJ Freeway or W. Cartwright Road are prohibited.

A solid perimeter masonry wall is not required along the northern and eastern property lines adjacent to the residential district. The storage buildings shall serve as the perimeter screening wall. Dumpsters shall be screened with masonry materials consistent with the exterior materials of storage buildings. Dumpster pad and screen must comply with City Standards.

Separation between buildings shall be no less than 15 feet.

A minimum 8-foot tall masonry wall with pedestrian access gate shall span between the ends of Storage Buildings B and C, C and D, D and E, E and F, and F and G, as noted on Exhibit B. A wrought fence shall extend between Buildings A and B, and G and the residential dwelling.

Parking:

A minimum of eight parking spaces are required for the miniwarehousing use, and the accessory office and residence (on-site staff residence) combined.

Operational Characteristics:

The storage facility will be accessible to customers between the hours of 6 a.m. and 10 p.m. seven days a week.

All storage items shall be contained within an enclosed building.

A maximum of one residential dwelling is permitted as an accessory to the miniwarehousing use.

The main resident shall be employed by the owner of the self-storage facility. The employee and his or her family may reside in the dwelling as is customarily allowed in a single family residential household.

A minimum 6-foot wide sidewalk is required along W. Cartwright Road. The construction of the sidewalk may be phased with development of Subareas A and B separately.

Landscaping: Landscaping for Subarea A shall be provided as generally shown on Exhibit C, and as provided below. If there is a conflict between the landscape plan and the text below, the text below controls.

A row of trees placed at 30-foot intervals is required along the northern and eastern property lines.

Enhanced landscaping in the form of shrubs, ornamental grasses and other ground cover shall be provided as generally shown on Exhibit C.

A minimum of 76 site trees are required on the property.

A minimum of 15 percent of Subarea A shall be devoted to landscaped area in the form of turf grass or other vegetative ground material.

Hardscape: A minimum 800-square feet of surface area of enhanced paving is required at the vehicular access point on Cartwright Road. Enhanced paving may be in the form of brick pavers or stamped and stained/colored concrete with the appearance of hand laid units.

Trees are prohibited from piercing or disrupting landfill cells as required by State and Federal regulations.

Landscaping for Subarea B shall comply with the Mesquite Zoning Ordinance.

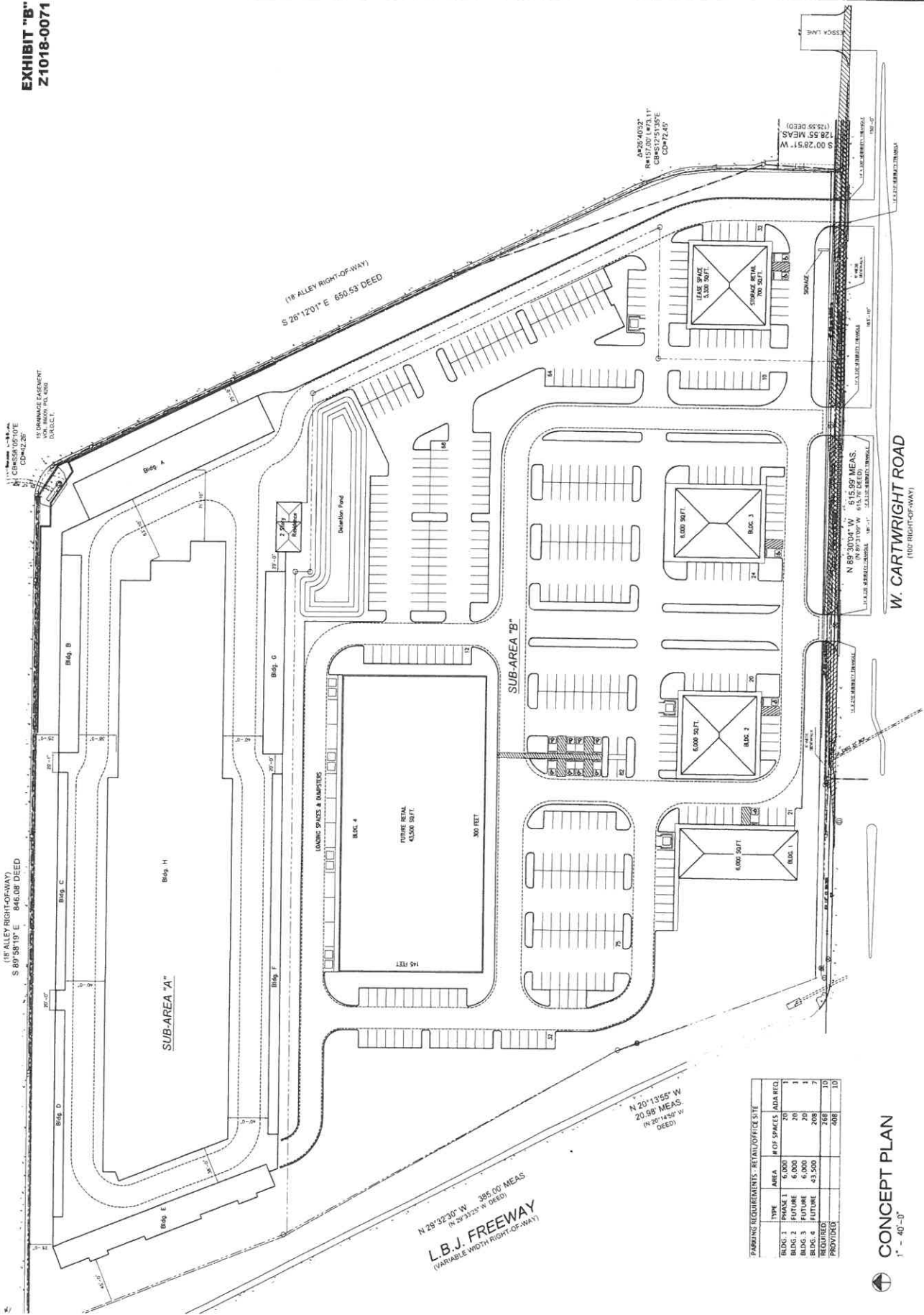
Development Regulations, Subarea B:

Front and side elevations shall have a minimum of 80 percent combination of brick, cast stone, stone, granite, glass block, or other high quality, architectural faced, unitized, long-lasting masonry material (excluding windows, doors and curtain walls).

Horizontal articulation of the front façade is required for all retail and office buildings. A minimum of 25 percent of the length of the façade must be off-set a minimum of 3 feet.

A minimum of four architectural features are required on any façade that faces a public street. Qualifying architectural features may include awnings, display windows, transoms, shutters, recessed entries, alcoves, distinctive lighting features, planters and fountains, benches for outdoor seating, dormers, varied roof heights, ornamental trims or bands, and bay or gable windows.

Any future direct access points to Cartwright must have a minimum of 800-square feet of enhanced paving. Enhanced paving may be in the form of brick pavers or stamped and stained/colored concrete with the appearance of hand laid units.



PARKING REQUIREMENTS - RETAIL/OFFICE SITE				
	TYPE	AREA	# OF SPACES	ADA REQ.
BLDG. 1	PHASE 1	6,000	20	1
BLDG. 2	FUTURE	6,000	20	1
BLDG. 3	FUTURE	6,000	20	1
BLDG. 4	FUTURE	43,500	208	7
REQUIRED			268	10
PROVIDED			268	10

CONCEPT PLAN
1" = 40'-0"

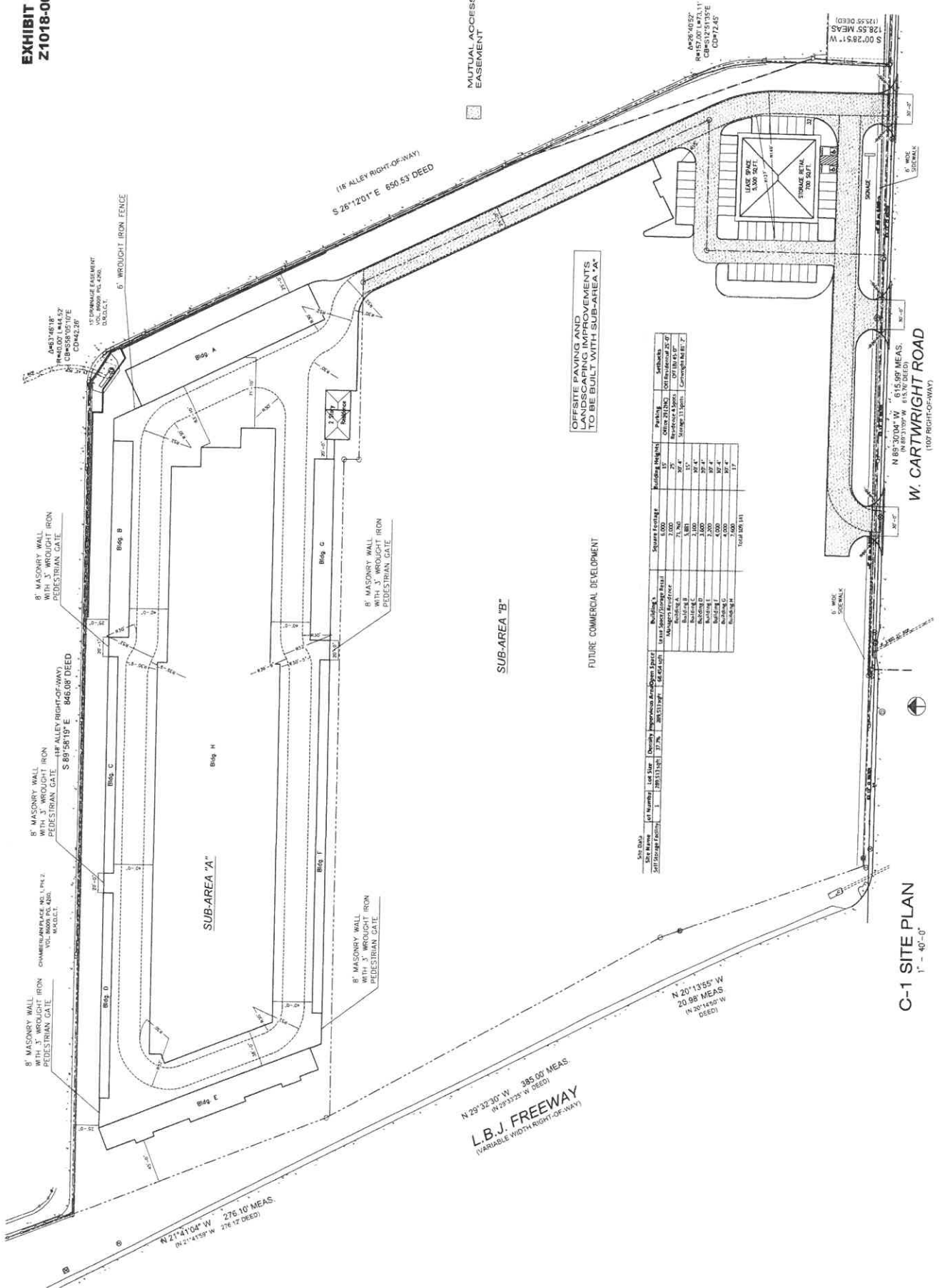
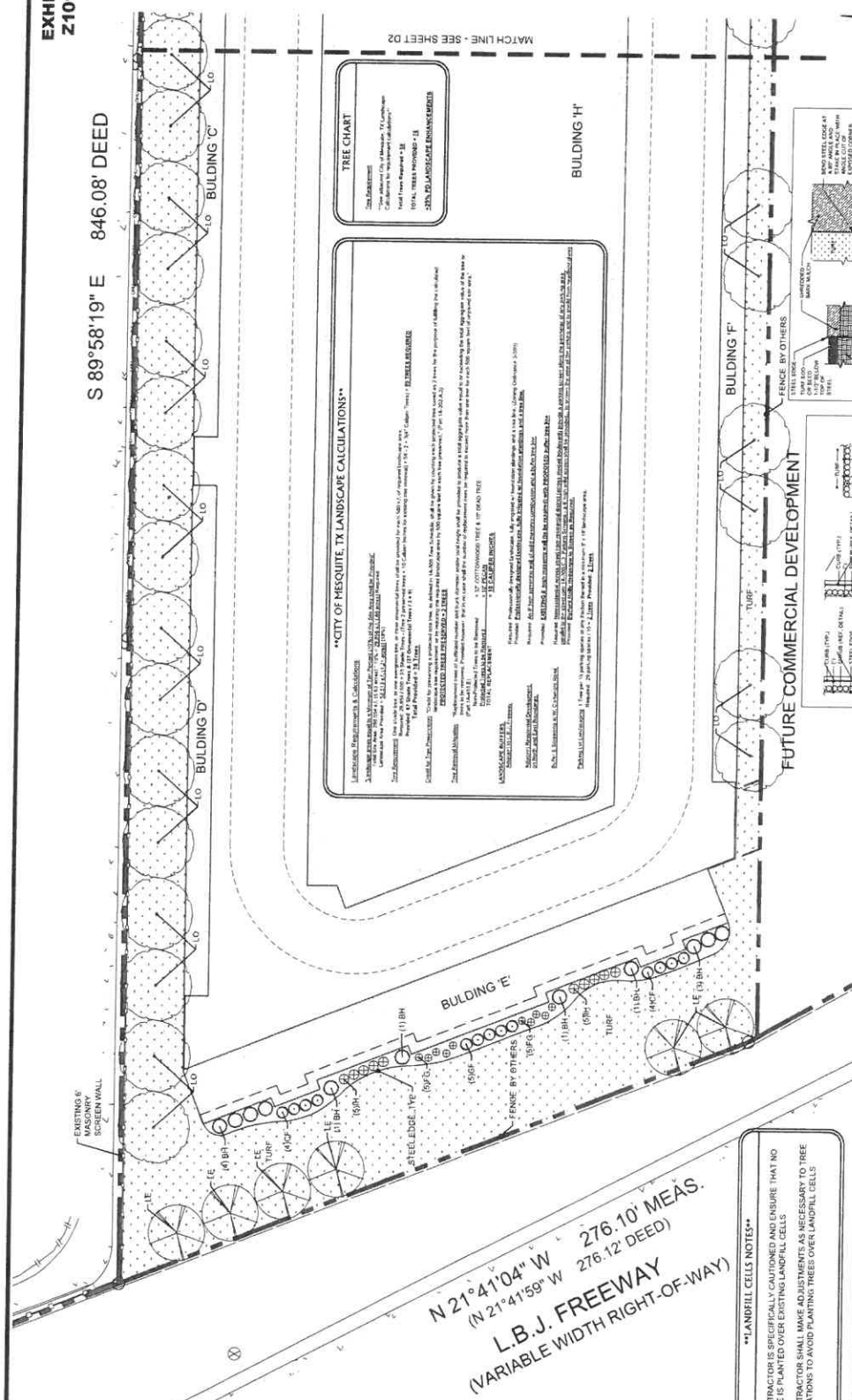


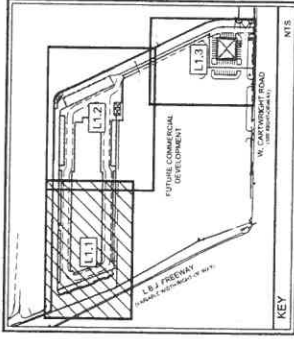
EXHIBIT "C"
Z1018-0071

S 89°58'19" E 846.08' DEED

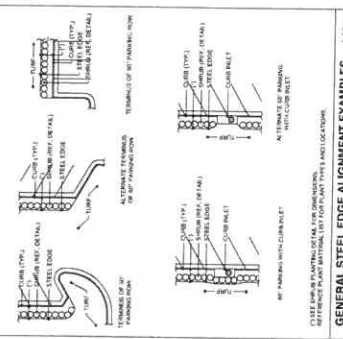
CITY SUBMITTAL
FOR REVIEW PURPOSES ONLY



CONTRACTOR IS SPECIFICALLY CAUTIONED AND EXPECTED TO PROTECT ALL EXISTING TREES AND LANDFILL CELLS. ANY TREE IS PLANTED OVER EXISTING LANDFILL CELLS. CONTRACTOR SHALL MAKE ADJUSTMENTS AS NECESSARY TO AVOID PLANTING TREES OVER LANDFILL CELLS.

[illegible]

FUTURE COMMERCIAL DEVELOPMENT



STEEL EDGE TERMINATION



Know what's below.
Call before you dig.

THESE PLANS ARE SUBJECT TO REVIEW & APPROVAL BY JURISDICTIONAL ENTITIES.



NOTES:

1. INSTALL STEEL EDGING TO YOUR FULL SECTION LINE AS CONTROLLED TO TERMINATE WITH PLAIN SHEET DIMENSIONS.
2. CUT DIMENSIONS TO ANGLE TO ACHIEVE A FINISHED STEEL EDGE REPORT OF 1/2" BELOW THE TOP OF ADJACENT MATERIALS.
3. DIMENSIONS NOT APPLICABLE IF THE ENDING TERMINATION IS A 1/4" BENDING.
4. THE END OF THE TERMINATING EDGE AS SHOWN WITH OTHERS.
5. WHERE POSSIBLE, EDGE TERMINATION SHALL BE INSTALLED AS SHOWN IN TERMINUS OPTION A.

N.T.S.

DATE	12-03-2018
BY	74
FOR CITY COMMENTS - SWIFT OR MISSOURI BLDG.	
REVISIONS	

Adams

4875 Cypress Mountain Blvd. Suite 100 • Dallas, Texas 75244 • (817) 338-1300

LANDSCAPE PLAN

MESSQUIE SELF STORAGE FACILITY
W. CARTWRIGHT RD. & LBJ FREEWAY MESQUITE, TX 75149
ALEXANDER CHUMLEY SURVEY, ABSTRACT NO. 340

THE EXISTING REGULATION...
...TO BE USED FOR...
...CONTRACT NO. 011020113

NO. 000000	01/10/2018
REVISION NO.	01/10/2018
DATE	01/10/2018
BY	74
FOR CITY COMMENTS - SWIFT OR MISSOURI BLDG.	

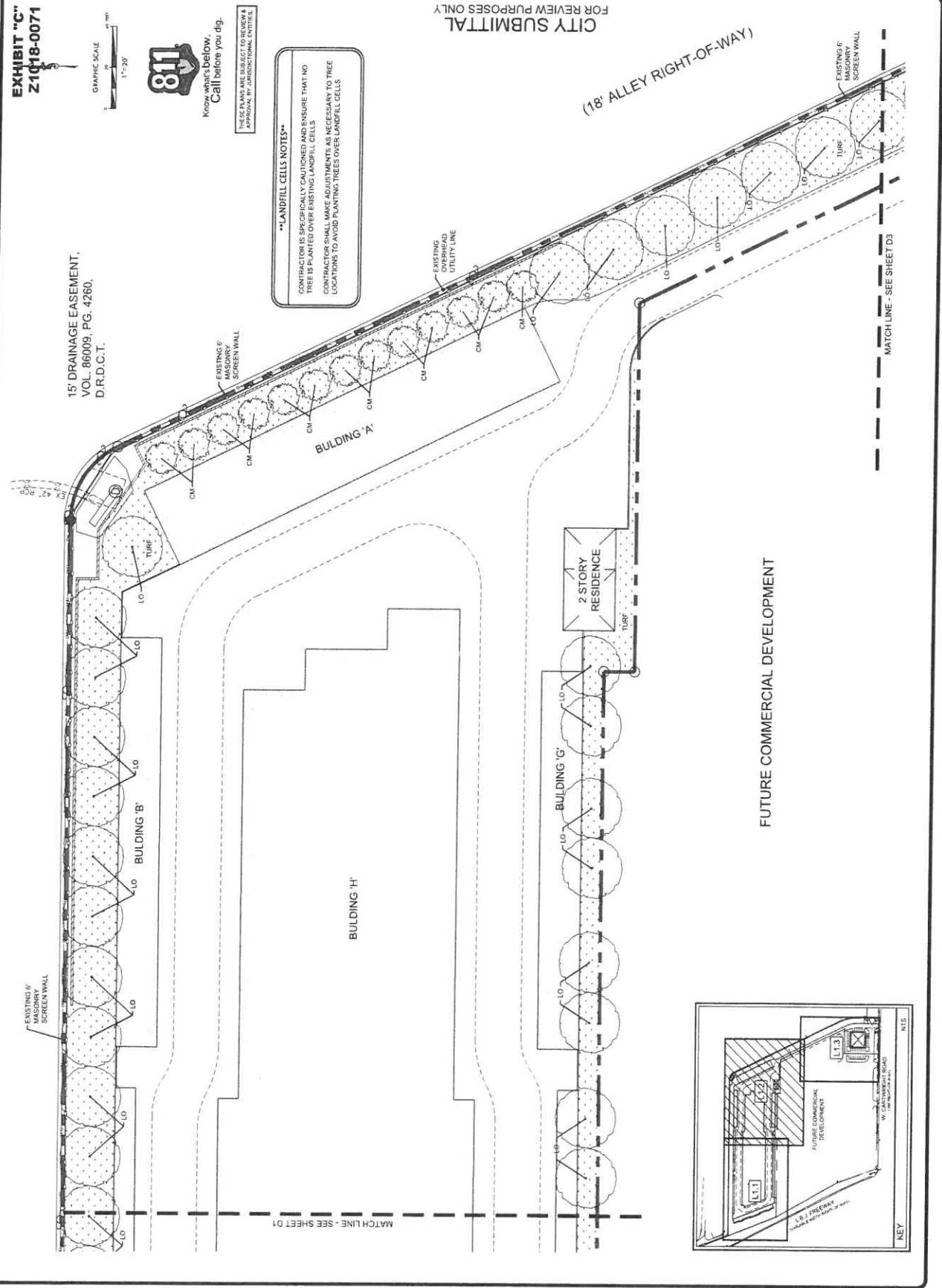


EXHIBIT "C"
Z1018-0071

GRAPHIC SCALE
1" = 20'

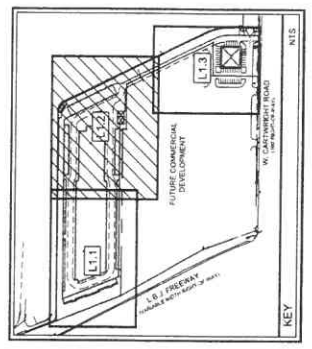
811

Know what's below.
Call before you dig.

****LANDFILL CELLS NOTES****

CONTRACTOR IS SPECIFICALLY CAUTIONED AND ENSURE THAT NO TREE IS PLANTED OVER EXISTING LANDFILL CELLS
CONTRACTOR SHALL MAKE ADJUSTMENTS AS NECESSARY TO TREE LOCATIONS TO AVOID PLANTING TREES OVER LANDFILL CELLS

CITY SUBMITTAL
FOR REVIEW PURPOSES ONLY



DATE	07/16/2019
SHEET	
CHECKED BY	JGC
DRAWN BY	NAN
DATE	
NO.	2018-018
JOB NAME	

1.1

1.2

1.3

FUTURE COMMERCIAL DEVELOPMENT

S.B. FREEWAY

W. CARTWRIGHT ROAD

NTS

EXHIBIT "D"
Z1018-0071

[illegible]

items corresponding to the Corporation for the 1993 calendar year. The Corporation has not received any such information from the IRS. The Corporation has not received any such information from the IRS. The Corporation has not received any such information from the IRS.

1. John B. Jones, Registered Professional Engineer and Licensed Professional Surveyor, is the author of "The Surveyor's Handbook," published by McGraw-Hill, 1221 Ave. of the Americas, New York, NY 10020. The book is 128 pages, 10 1/2" x 7 1/2", and contains 100 illustrations. It is available for \$12.95. ISBN 0-07-054881-8. Mr. Jones is also the author of "The Surveyor's Handbook," published by McGraw-Hill, 1221 Ave. of the Americas, New York, NY 10020. The book is 128 pages, 10 1/2" x 7 1/2", and contains 100 illustrations. It is available for \$12.95. ISBN 0-07-054881-8.

NOTE: A 1000 Hz tone, 70 dB SPL, was used with each group of subjects.

STATION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
STATION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

23300 L.B.J. FREEWAY
(INTERSTATE HIGHWAY NO. 635)
MESQUITE, TEXAS

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Professional and Analytical
 REGISTRATION NO. 0017140
 1101 BAY EAGLE DRIVE, SUITE 200
 PHOENIX, ARIZONA 85014-1054
 602/998-0236