

ORDINANCE NO. 1799  
File No. 1462-136

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, DULY PASSED BY THE CITY COUNCIL ON SEPTEMBER 4, 1973, SO AS TO GRANT A CHANGE OF ZONING FROM R-3 SINGLE FAMILY TO OFFICE ON TRACT 1 (16 ACRES); FROM R-3 SINGLE FAMILY TO INDUSTRIAL ON TRACT 2 (39 ACRES) AND FROM COMMERCIAL AND GENERAL RETAIL TO PLANNED DEVELOPMENT MULTIFAMILY AT 24 UNITS PER ACRE ON TRACT 3 (22.3 ACRES). TRACTS 1 AND 2 ARE LOCATED EAST OF THE PEACHTREE ROAD AND SKYLINE DRIVE INTERSECTION FRONTING PEACHTREE ROAD. TRACT 3 IS LOCATED SOUTHWEST OF THE GROSS ROAD AND HILLCREST STREET INTERSECTION, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE; BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE AND RETAINING IN FULL FORCE AND EFFECT ALL REGULATIONS OF THE 1973 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT THE FOREGOING CHANGES ARE GRANTED SUBJECT TO ANY DEVELOPMENT OF THE LAND BEING DEVELOPED IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning Commission of the City of Mesquite and the governing body of the City of Mesquite in compliance with the Charter of the City of Mesquite and State Laws with reference to granting of zoning change under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of 1973, duly passed by the City Council of the City of Mesquite, Texas,

on the 4th day of September, 1973, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to grant a change of zoning from R-3 Single Family to Office on Tract 1 (16 Acres); From R-3 Single Family to Industrial on Tract 2 (39 Acres) and from Commercial and General Retail to Planned Development Multifamily at 24 Units per acre on Tract 3 (22.3 Acres). Tracts 1 and 2 are located East of the Peachtree Road and Skyline Drive Intersection fronting Peachtree Road. Tract 3 is located Southwest of the Gross Road and Hillcrest Street Intersection, City of Mesquite, Dallas County, Texas.

SECTION 2. 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. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1973.

SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

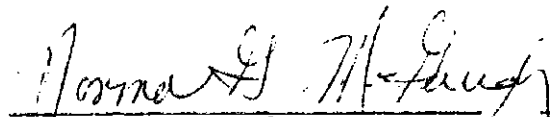
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of August, A.D., 1982.

  
LEN GIBBENS  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughy  
City Secretary

Elland Archer  
City Attorney

REGISTERED  
CIVIL ENGINEER  
00202

DON A. TIPTON, P.E.  
PRESIDENT

DON A. TIPTON, INC.

CONSULTING ENGINEERS  
13600 IBJ FREEWAY, SUITE 301  
GARLAND, TEXAS 75041

SUBDIVISIONS  
SURVEYING

1247 (30)  
PHONE  
(214) 270-4

*Tract 1*

ZONING FIELD NOTES

OFFICE ZONING

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being located South of the Southeast corner of the intersection of Gross Road and Peachtree Road and being more particularly described as follows:

COMMENCING at the above-mentioned intersection of Gross Road and Peachtree Road, a point for corner;

THENCE S 47° 02' 35" W, along the East line of the above-mentioned Peachtree Road, a distance of 740.98 feet to the beginning of a curve to the left having a central angle of 0° 23' 36" and a radius of 1269.76 feet, a point for corner;

THENCE around said curve and along said Peachtree Road, a distance of 8.0 feet to the PLACE OF BEGINNING, a point for corner;

THENCE S 64° 00' E, leaving said Peachtree Road, a distance of 260.0 feet to a point for corner;

THENCE S 8° 43' 54" E, a distance of 513.73 feet to a point for corner;

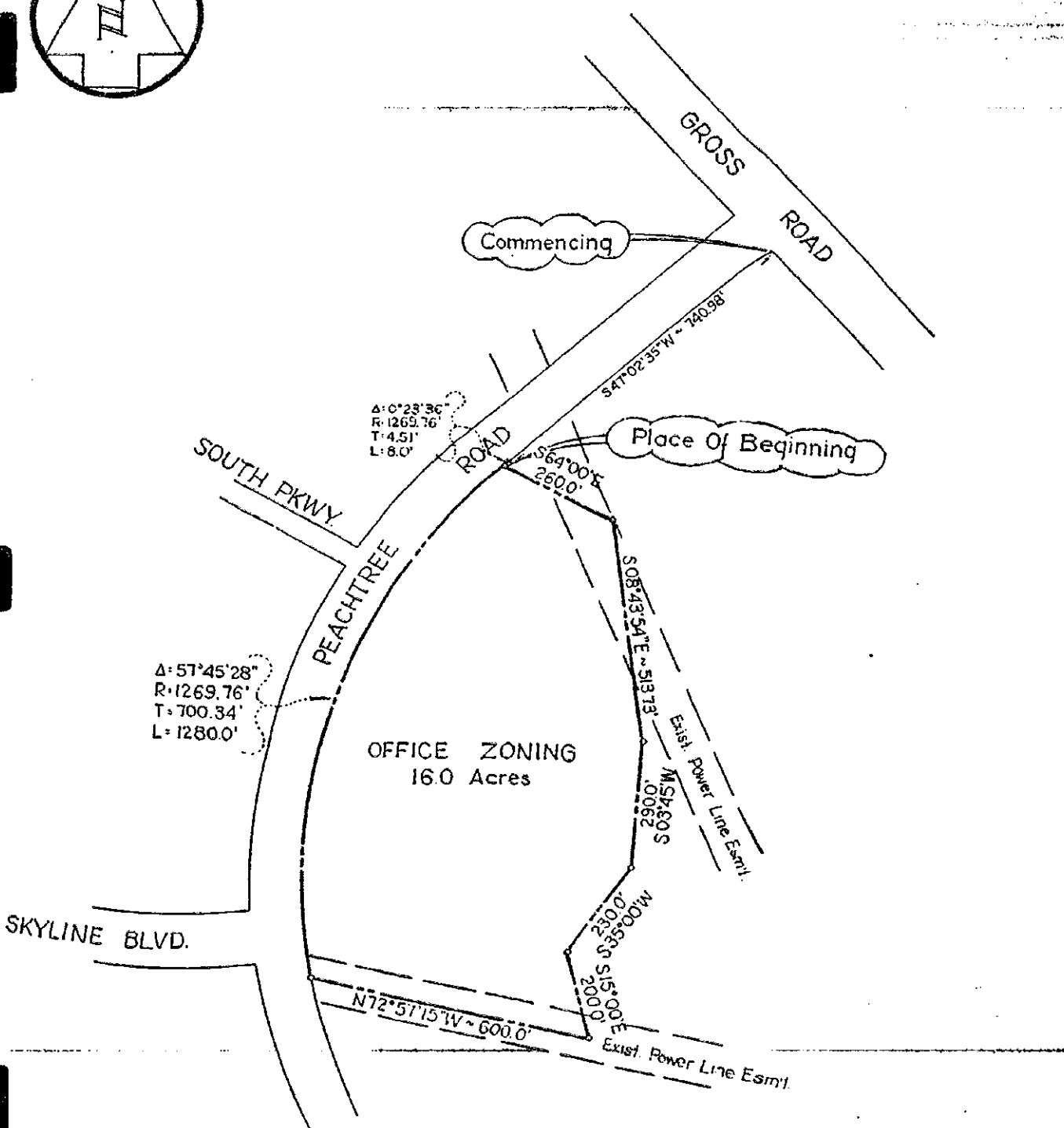
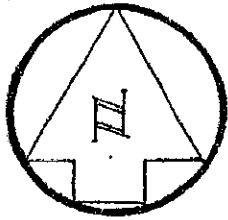
THENCE S 3° 45' W, a distance of 290.0 feet to a point for corner;

THENCE S 35° 00' W, a distance of 230.0 feet to a point for corner;

THENCE S 15° 00' E, a distance of 200.0 feet to a point for corner;

THENCE N 72° 57' 15" W, a distance of 600.0 feet to a point on the said East line of Peachtree Road and the beginning of a curve to the right having a central angle of 57° 45' 28" and a radius of 1269.76 feet with a back tangent bearing N 11° 06' 29" W, a point for corner;

THENCE around said curve, and along said Peachtree Road, a distance of 1280.0 feet to the PLACE OF BEGINNING and containing 16.0 acres of land.



**DON A. TIPTON, INC.**  
 CONSULTING ENGINEERS  
 13600 L.B.J. Frwy. Garland, Texas 75041

**ZONING SKETCH**  
 SKYLINE VILLAGE ~ TRACT 30.  
 OFFICE ZONING  
 MESQUITE, DALLAS COUNTY TEXAS

Drawn	Checked	Date	Scale	No.
q.d.		7-8-82	1" = 300'	12-47-30

REGISTERED  
CIVIL ENGINEER

00204

DON A. TIPTON, P.E.  
PRESIDENT

DON A. TIPTON, INC.

CONSULTING ENGINEERS  
13600 LBJ FREEWAY, SUITE 301  
GARLAND, TEXAS 75041

SUBDIVISIONS  
SURVEYING

1247(30)

PHONE  
(214) 276

*Tract 2*

ZONING FIELD NOTES

INDUSTRIAL ZONING

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being located Northeast of the Northeast corner of the intersection of Peachtree Road and the Texas and Pacific Railroad, and also being Northwest of the Northwest corner of the intersection of L.B.J. Freeway (I.H. 635) and the Texas and Pacific Railroad, and being more particularly described as follows:

BEGINNING at the above-mentioned intersection of Peachtree Road and the Texas and Pacific Railroad, a point for corner;

THENCE along the East line of said Peachtree Road the following:

N 17° 02' 45" E, a distance of 334.69 feet to the beginning of a curve to the left having a central angle of 52° 29' 10" and a radius of 759.73 feet, a point for corner;

Around said curve a distance of 695.96 feet to a point for corner;

N 35° 26' 25" W, a distance of 249.42 feet to the beginning of a curve to the right having a central angle of 24° 19' 56" and a radius of 1269.76 feet, a point for corner;

Around said curve, a distance of 539.24 feet to a point for corner;

THENCE S 72° 57' 15" E, leaving said Peachtree Road a distance of 600.0 feet to a point for corner;

THENCE S 15° 00' E, a distance of 10.0 feet to a point for corner;

THENCE S 73° 18' 50" E, a distance of 243.96 feet to a point for corner;

THENCE S 32° 00' E, a distance of 480.0 feet to a point for corner;

THENCE S 28° 00' E, a distance of 210.0 feet to a point for corner;

THENCE S 44° 00' E, a distance of 290.0 feet to a point for corner;

THENCE S 72° 00' E, a distance of 210.0 feet to a point on the West line of the above-mentioned L.B.J. Freeway (I.H. 635), a point for corner;

ZONING FIELD NOTES  
INDUSTRIAL ZONING

PAGE TWO

THENCE S 5° 38' 33" E, along said West line of L.B.J. Freeway, a distance of 1000.0 feet to the above-mentioned Northwest corner of the intersection of L.B.J. Freeway (I.H. 635), and the Texas and Pacific Railroad, said point also being the beginning of a curve to the left, having a central angle of 6° 37' 08" and a radius of 5829.58 feet, with a back tangent bearing of N 66° 20' 07" W, a point for corner;

THENCE around said curve and proceeding along the Northeast line of said Texas and Pacific Railroad, a distance of 673.44 feet to a point for corner;

THENCE N 72° 57' 15" W, continuing along said line of Texas and Pacific Railroad a distance of 701.64 feet to the PLACE OF BEGINNING and containing 38.4 acres of land.

00206



PEACHTREE ROAD

S 15° 00' E ~ 10.0'  
S 72° 57' 15" E ~ 600.0'  
S 73° 18' 50" E 248.96'

∠ 24° 19' 56"  
R: 1269.76'  
T: 273.75'  
L: 539.24'

N 35° 26' 25" W  
249.42'

∠ 52° 29' 10"  
R: 759.73'  
T: 374.54'  
L: 695.96'

INDUSTRIAL ZONING  
38.4 Acres

S 32° 00' E ~ 480.0'  
S 28° 00' E 210.0'  
S 44° 00' E 290.0'  
S 72° 00' E 210.0'

L.B.J. FREEWAY

S 5° 38' 33" E ~ 1000.0'

Place Of Beginning

N 1° 02' 45" E  
334.69'

N 72° 57' 15" W ~ 701.64'  
TEXAS & PACIFIC

RAILROAD

∠ 6° 37' 08"  
R: 5829.58'  
T: 337.10'  
L: 673.44'

DON A. TIPTON, INC.  
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3600 L.B.J. Frwy. Garland, Texas 75041

### ZONING SKETCH

Drawn	Checked	Date	Scale	No.
q d.		7-8-82	1" = 30'	247-50

SKYLINE VILLAGE ~ TRACT 30  
INDUSTRIAL  
MISQUITE FALLS COUNTY TEXAS



REGISTERED  
CIVIL ENGINEER

**DON A. TIPTON, INC.**

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SURVEYING

1247(37)

PHONE  
(214) 270-4485

DON A. TIPTON, P.E.  
PRESIDENT

**Tract 3**

ZONING FIELD NOTES

PD - MF - 24 UNITS / AC

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas and being located at the Northeast corner of the intersection of L.B.J. Freeway (I.H. 635) and Texas and Pacific Railroad said Tract being South of the Southeast corner of the intersection of Gross Road and L.B.J. Freeway (I.H. 635) and being more particularly described as follows:

BEGINNING at the above-mentioned corner of L.B.J. Freeway (I.H. 635) and Texas and Pacific Railroad, a point for corner;

THENCE along the East line of L.B.J. Freeway (I.H. 635), the following:

- N 14° 29' 49" W, a distance of 605.59 feet to a point for corner;
- N 15° 49' 12" W, a distance of 594.71 feet to a point for corner;
- N 13° 05' 51" W, a distance of 193.16 feet to the beginning of a curve to the right having a central angle of 1° 01' 47" and a radius of 5564.58 feet, with a back tangent bearing N 5° 38' 06" W, a point for corner;
- Around said curve a distance of 100.0 feet to the beginning of a curve to the right having a central angle of 56° 45' 21" and a radius of 450.0 feet with a back tangent bearing of S 73° 39' 09" E, a point for corner;

THENCE around said curve and leaving said East line of L.B.J. Freeway (I.H. 635) a distance of 445.76 feet to a point for corner;

THENCE N 75° 30' E, a distance of 610.0 feet, to the beginning of a curve to the left having a central angle of 28° 38' 52" and a radius of 450.0 feet to a point for corner;

THENCE around said curve a distance of 225.0 feet to a point for corner;

THENCE N 46° 51' 08" E, a distance of 170.0 feet to a point for corner;

THENCE S 45° 09' 25" E, a distance of 345.0 feet to a point for corner;

THENCE S 28° 42' 45" W, a distance of 1626.05 feet to a point on the North line of above-mentioned Texas and Pacific Railroad a point for corner;

THENCE N 64° 32' 45" W, along said North line of the Texas and Pacific Railroad a distance of 344.0 feet to the PLACE OF BEGINNING and containing 27.4 acres of land.



00208

GROSS ROAD

$\Delta: 1^{\circ}01'41''$   
 $R: 5564.58'$   
 $T: 50.0'$   
 $L: 100.0'$

$\Delta: 56^{\circ}45'21''$   
 $R: 450.0'$   
 $T: 243.09'$   
 $L: 445.76'$

$\Delta: 28^{\circ}38'52''$   
 $R: 450.0'$   
 $T: 114.90'$   
 $L: 225.0'$

193.16'  
N13<sup>05</sup>51"W

193.16'  
N15<sup>49</sup>12"W ~ 594.11'

N75<sup>30</sup>E ~ 610.0'

N46<sup>51</sup>08"E  
170.0'

S45<sup>09</sup>25"E  
345.0'

L.B.J.  
FREEMAN

P.D. ZONING for MULTI-FAMILY  
(24 UNITS PER/ACRE)  
27.4 Acres

S28<sup>42</sup>45"W ~ 1626.05'

TEXAS

N14<sup>29</sup>49"W ~ 605.59'

Place Of Beginning

344.0'  
N64<sup>32</sup>45"W

PACIFIC RAILROAD

DON A. TIPTON, INC.  
CONSULTING ENGINEERS

3600 L.B.J. Frwy. Garland, Texas 75041

ZONING SKETCH

SKYLINE VILLAGE ~ TRACT 37

PD ZONING for MULTI-FAMILY (24 UNITS PER/ACRE)

MESQUITE, DALLAS TEXAS

Drawn	Checked	Date	Scale
gd		7-8-82	1" = 300'