

00125

ORDINANCE NO. 2024
File No. 340-4

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-1 TO R-1A ON TRACT 1; TO R-2A ON TRACT 2; TO PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM UNIT SIZE OF 1300 SQUARE FEET AND A MINIMUM LOT SIZE OF 5500 SQUARE FEET FOR 46 LOTS ON TRACT 3A; TO PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM UNIT SIZE OF 1100 SQUARE FEET WITH AN AVERAGE OF 1250 SQUARE FEET, AND MINIMUM LOT SIZE OF 4500 SQUARE FEET ON TRACT 3B; AND, TO GENERAL RETAIL ON TRACT 4; THE 5 TRACTS ARE LOCATED NORTH AND EAST OF THE BRUTON ROAD AND I-635 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

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to grant a change of zoning from R-1 to R-1A on Tract 1; to R-2A on Tract 2; to Planned Development Single Family with a minimum unit size of 1300 square feet and a minimum lot size of 5500 square feet for 46 lots on Tract 3A; to Planned Development Single Family with a minimum unit size of 1100 square feet with an average of 1250 square feet, and minimum lot size of 4500 square feet on Tract 3B; and, to General Retail on Tract 4; The tracts are located north and east of the Bruton Road and I-635 intersection; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

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.

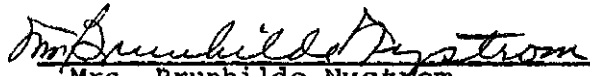
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction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

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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 7th day of May, A.D., 1984.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney

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TRACT 1

R-1A

COMMENCING, at a 5/8-inch iron rod found in the north right-of-way of Bruton Road (100 feet wide) at its intersection with the easterly right-of-way line of Interstate Highway 635 (variable width);

THENCE, S 89 31 09 E a distance of 952.20 feet along the north right-of-way line of Bruton Road to a point for the beginning of a curve to the right;

THENCE, along said curve to the right with a central angle of 20 39 07 feet, a radius of 1195.92 feet, an arc length of 431.06 feet to the point of beginning;

THENCE, N 21 07 58 E, a distance of 113.93 to the beginning of a curve to the right;

THENCE, along said curve to the right with a central angle of 14 05 39, a radius of 367.50 feet, a tangent length of 45.43 feet and an arc length of 90.40 feet to a point of tangency;

THENCE, N 35 13 37 E, a distance of 298.43 to the beginning of a curve to the left;

THENCE, along said curve to the left with a central angle of 61 25 18 a radius of 57.50 feet, a tangent length of 34.16 feet an arc length of 61.64 feet to a point of tangency;

THENCE, N 26 11 40 W, a distance of 809.72 feet to a point for corner;

THENCE, North, a distance of 187.70 feet to a point for corner;

THENCE, S 89 58 19 E, a distance of 874.29 feet to a 1/2-inch iron rod found for corner;

THENCE S 17 37 45 E, a distance of 550.92 feet to a point for corner;

THENCE, S 27 27 25 W, a distance of 437.27 feet to a point for corner;

THENCE, S 16 51 37 W, a distance of 342.00 feet to a 1/2-inch iron rod with cap for a corner;

THENCE, S 35 13 37 W, a distance of 475.40 feet to a 1/2-inch iron rod with cap found in the north line of the north right-of-way line of Bruton Road and the beginning

of a curve to the left;

THENCE, along said curve to the left with a tangent bearing of 20 52 11, a radius of 1195.92 feet, a tangent length of 220.25 feet and an arc length of 435.61 feet to the POINT OF BEGINNING;

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CONTAINING, 1,050,138 square feet or 24.1078 acres of land.

00130

S 89°58'19"E

674.28'

NORTH 187.70'



S 17°37'45"E

550.98'

437.87'

TRACT 1

609.72'

N 26°11'40"W

Δ = 61°25'18"
R = 57.50'
T = 34.16'
L = 61.64'

N 35°13'37"E
298.43'

Δ = 14°05'39"
R = 367.50'
T = 45.43'
L = 90.40'

N 21°07'58"E
113.93'

952.20'

BRUTON

Δ = 20°39'07"
R = 1165.92'
T = 217.90'
L = 431.06'

BEGIN DESCRIPTION

100' R.O.W.

Δ = 20°52'11"
R = 1195.92'
T = 220.25'
L = 435.61'

ROAD

S 16°31'37"W
842.00'

475.40'

S 55°13'37"W

NATHAN D. MAIER
Consulting Engineers, Inc.

12750 Merit Dr. | 3rd Floor, LB
Dallas, Texas 75251 |

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00131

TRACT 2

R-2A

COMMENCING, at a 5/8-inch iron rod found in the north right-of-way line of Bruton Road (100 foot wide) at its intersection with the easterly right-of-way line of Interstate Highway 635 (variable width);

THENCE S 89 31 09 E a distance of 952.20 feet along the north right-of-way line of Bruton Road to a point for the beginning of a curve to the right;

THENCE along said curve to the right with a central angle of 06 59 52, a radius of 1195.92 feet a tangent length of 73.12 feet and an arc length of 146.06 feet to a point of beginning;

THENCE N 07 28 43 E, a distance of 99.78 feet to the beginning of a curve to the right;

THENCE, along said curve to the right with a central angle of 27 44 54 a radius of 157.50 feet, a tangent length of 38.90 feet and an arc length of 76.28 feet to a point of tangency;

THENCE, N 35 13 37 E a distance of 173.99 feet to the beginning of a curve to the left;

THENCE, along said curve to the left with a central angle of 61 25 41, a radius of 223.25 feet, a tangent length of 132.63 feet and an arc length of 239.35 feet to a point of tangency;

THENCE, N 26 12 01 W, a distance of 593.48 feet to the beginning of a curve to the right;

THENCE, along said curve to the right with a central angle of 26 13 42, a radius of 125.00 feet, a tangent length of 57.22 feet and an arc length of 29.12 feet to a point of tangency;

THENCE, N 00 01 41 E, a distance of 55.73 feet to a point for corner;

THENCE, S 89 58 19 E, a distance of 9.48 feet to a point for corner;

THENCE N 00 01 41 E, a distance of 150.00 feet to a point for corner;

THENCE, S 89 58 19 E, a distance of 285.00 feet to a point for corner;

00132

THENCE, South, a distance of 187.70 feet to a point for
CORNER.

THENCE S 26 12 01 E, a distance of 809.72 feet to the
beginning of a curve to the right;

THENCE, along said curve to the right with a central
angle of 61 25 18, a radius of 57.5 feet, a tangent
length of 34.16 feet and an arc length of 61.64 feet to
a point of tangency;

THENCE, S 35 13 37 W, a distance of 298.43 feet to the
beginning of a curve to the left;

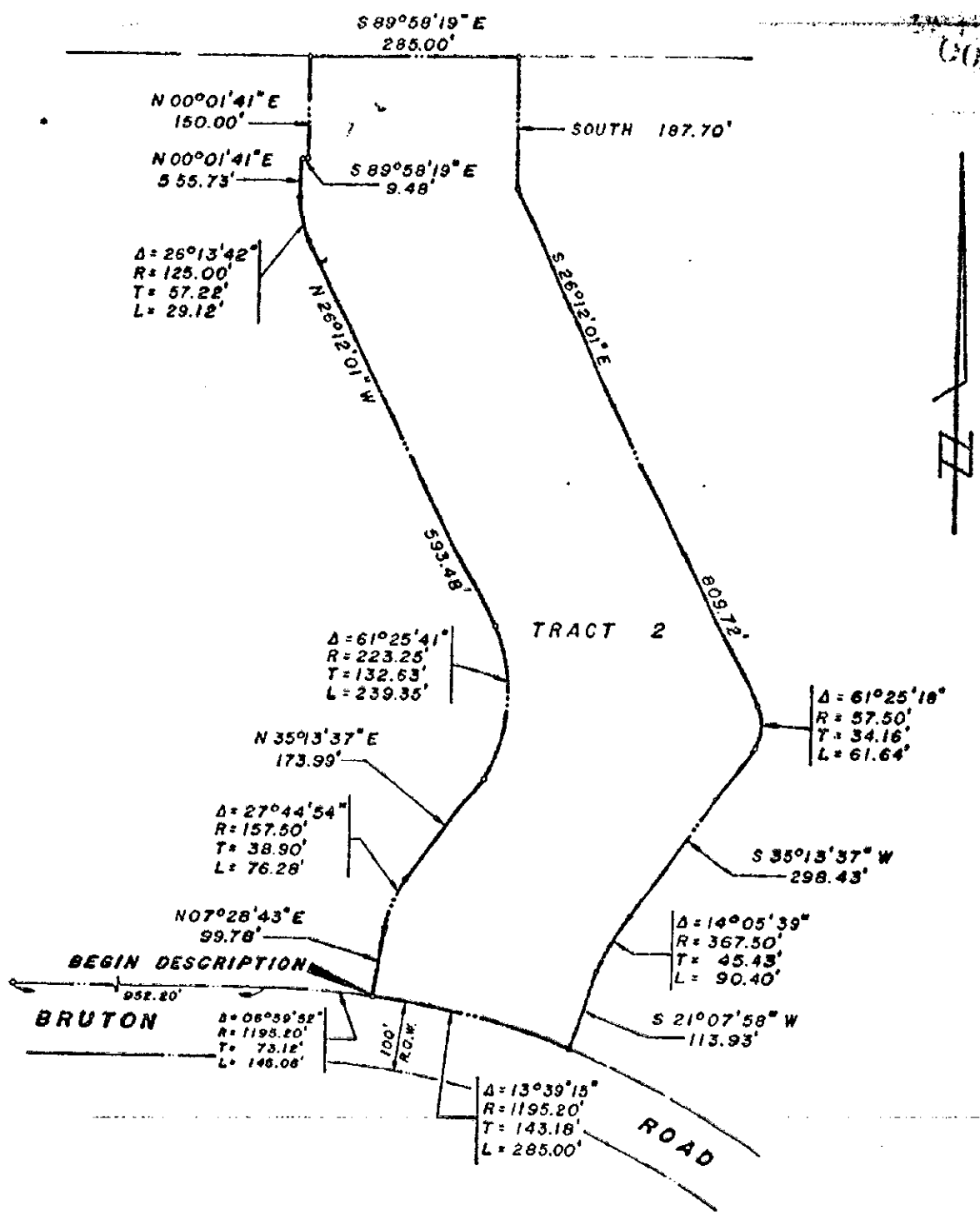
THENCE, along said curve to the left with a central
angle of 14 05 39, a radius of 367.5 feet, a tangent
length of 45.43 feet and an arc length of 90.40 feet to
a point of tangency;

THENCE S 21 07 58 W a distance of 113.93 feet to a point
in a left curve in the north line of Bruton Road right-
of-way;

THENCE along said left curve along the north line of
Bruton Road right-of-way with a central angle of 13 39
15, a radius of 1195.20 feet, a tangent length of
143.18 feet and an arc length of 285.00 feet to the
POINT OF BEGINNING;

CONTAINING, 439,144 square feet or 10.0814 acres of
land.

00133



N 00°01'41\" E
150.00'
N 00°01'41\" E
555.73'
 $\Delta = 26^\circ 13' 42''$
R = 125.00'
T = 57.22'
L = 29.12'

S 89°58'19\" E
285.00'

SOUTH 187.70'

S 89°58'19\" E
9.48'

N 26°12'01\" W
593.48'

TRACT 2

$\Delta = 61^\circ 25' 41''$
R = 223.25'
T = 132.63'
L = 239.35'

$\Delta = 61^\circ 25' 18''$
R = 57.50'
T = 34.16'
L = 61.64'

N 35°13'37\" E
173.99'

$\Delta = 27^\circ 44' 54''$
R = 157.50'
T = 38.90'
L = 76.28'

S 35°13'37\" W
298.43'

N 07°28'43\" E
99.78'

BEGIN DESCRIPTION

952.20'

BRUTON

$\Delta = 06^\circ 59' 52''$
R = 1195.20'
T = 73.12'
L = 146.06'

100'
ROW

$\Delta = 14^\circ 05' 39''$
R = 367.50'
T = 45.43'
L = 90.40'

S 21°07'58\" W
113.93'

$\Delta = 13^\circ 39' 15''$
R = 1195.20'
T = 143.18'
L = 285.00'

ROAD

00134

TRACT 3A
PLANNED DEVELOPMENT
S.F. #1

COMMENCING, at a 5/8-inch iron rod found in the north right-of-way line of Bruton Road (100 feet wide) at its intersection with the easterly right-of-way line of Interstate Highway 635 (variable width);

THENCE; S 89 31 09 E a distance of 945.67 feet along the north right-of-way line of Bruton Road to a point for the beginning of a curve to the right;

THENCE N 00 28 51 E, a distance of 172.88 feet to the beginning of a curve to the left;

THENCE, along said curve to the left with a central angle of 19 56 26, a tangent length of 44.83 feet, a radius of 255.00 feet and an arc length of 88.75 feet to a point for corner;

THENCE, N 70 32 25 E, a distance of 99.85 feet to the beginning of a curve to the left;

THENCE, along said curve to the left with a central angle of 13 22 09, a radius of 100.00 feet, a tangent length of 17.58 feet and an arc length of 35.00 feet to a point for corner;

THENCE, N 32 49 43 W, a distance of 57.46 feet to the beginning of a curve to the left;

THENCE, along said curve to the left with a central angle of 11 12 04, a radius of 167.03 feet, a tangent length of 16.38 feet, and an arc length of 32.65 feet to a point of tangency;

THENCE, N 26 12 01 W a distance of 710.00 feet to the beginning of a curve to the right;

THENCE, along said curve to the right with a central angle of 26 13 42, a radius of 167.03 feet, a tangent length of 38.91 feet and an arc length of 76.46 feet to a point of tangency;

THENCE, N 00 01 41 W, a distance of 76.71 feet to a point for corner;

THENCE, N 89 58 19 W, a distance of 2.97 feet to a point for corner;

THENCE, N 00 01 41 W, a distance of 150.00 feet to a

point for corner;

THENCE, S 89 58 19 E, a distance of 315.00 feet to a point for corner;

THENCE, S 00 01 41 E, a distance of 150.00 feet to a point for corner;

THENCE, 89 58 19 W, a distance of 9.48 feet to a point for corner;

THENCE, S 00 01 41 E, a distance of 55.73 feet to the beginning of a curve to the left;

THENCE, along a curve to the left with a central angle of 26 13 42, a radius of 125.00 feet, a tangent length of 29.12 feet and an arc length of 57.22 feet to a point of tangency;

THENCE, S 26 12 01 E, a distance of 593.48 feet to the beginning of a curve to the right;

THENCE, along said curve to the right with a central angle of 61 25 41, a radius of 223.25 feet a tangent length of 132.63 feet, and an arc length of 239.35 feet to a point of tangency;

THENCE, S 35 13 37 W, a distance of 173.99 feet to the beginning of a curve to the left;

THENCE, along a curve to the left with a central angle of 27 44 54, a radius of 157.50 feet, a tangent length of 38.90 feet and an arc length of 76.28 feet to a point of tangency;

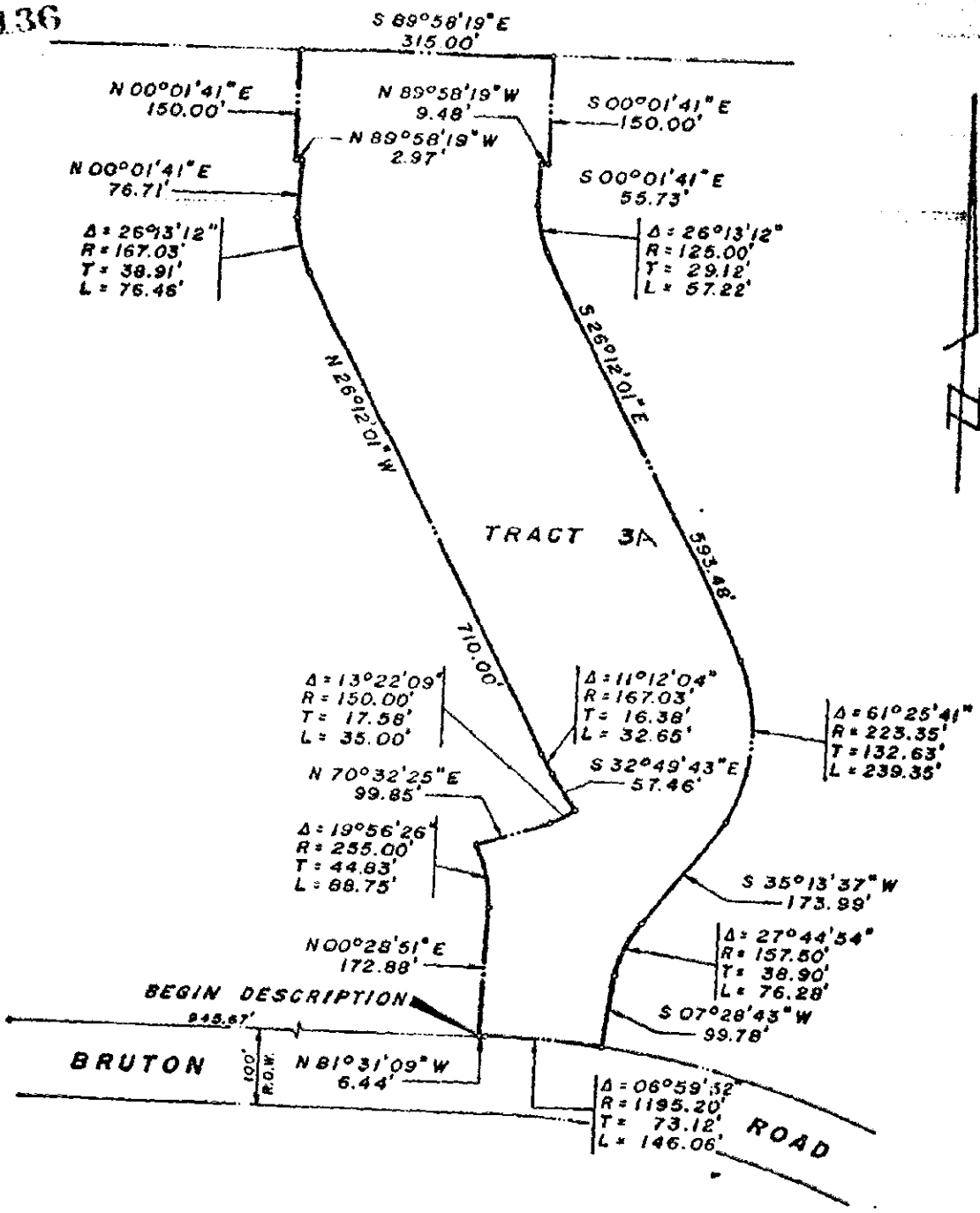
THENCE, S 07 28 43 W, a distance of 99.78 feet to a point in the north line of Bruton Road right-of-way and a curve to the left;

THENCE, along said left curve with a chord bearing of N 86 01 09 W a central angle of 06 59 52, a radius of 1195.20 feet, a tangent length of 73.12 feet and an arc length of 146.06 feet to a point for corner;

THENCE, N 81 31 09 W a distance of 6.44 feet to the POINT OF BEGINNING;

CONTAINING, 371,799 square feet or 8.5353 acres of land.

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00137

TRACT 3B

P.D. S.F.#2

COMMENCING, at a 5/8-inch iron rod found in the north right-of-way line of Bruton Road (100 feet wide) at its intersection with the easterly right-of-way line of Interstate Highway 635 (variable width);

THENCE, S 89 31 09 E a distance of 815.76 feet along the north right-of-way line of Bruton Road to the point of beginning;

THENCE N 00 28 51 E a distance of 202.52 feet to a point for corner;

THENCE, N 26 12 01 W a distance of 435.19 feet to a point for corner;

THENCE, S 63 47 59 W, a distance of 49.47 feet to a point for corner;

THENCE, N 89 58 19 W, a distance of 856.23 feet to a point in the easterly right-of-way line of Interstate Highway 635 for corner;

THENCE, N 21 41 59 W, along the easterly right-of-way line of Interstate Highway 635 for a distance of 807.36 feet to a point for corner;

THENCE, S 89 58 19 E, a distance of 1259.15 feet to a point for corner;

THENCE, S 00 01 41 W, a distance of 150.00 feet to a point for corner;

THENCE, S 89 58 19 E, a distance of 2.97 feet to a point for corner;

THENCE, S 00 01 41 W, a distance of 76.71 feet to the beginning of a curve to the left;

THENCE, along said curve to the left with a central angle of 26 13 42, a radius of 167.03 feet a tangent length of 38.91 feet and an arc length of 76.46 feet to a point of tangency;

THENCE, S 26 12 01 E, a distance of 710.00 feet to the beginning of a curve to the left;

THENCE, along said curve to the left with a chord bearing of S 31 48 03 E, a central angle of 11 12 04, a

345.3

00138

radius of 167.03 feet, a tangent length of 16.38 feet and an arc length of 32.65 feet to a point of tangency;

THENCE, S 32 49 43 E a distance of 57.46 feet to a point in a curve to the right;

THENCE, along said curve to the right with a central angle of 13 22 09 feet, a radius of 150.00 feet, a tangent length of 17.58 feet and an arc length of 35.00 feet to a point of tangency;

THENCE, S 70 32 25 W, a distance of 99.85 feet to a point in a curve to the right;

THENCE, along said curve to the right with a central angle of 19 56 26 feet, a radius of 255.00 feet, a tangent length of 44.83 feet and an arc length of 88.75 feet to a point of tangency;

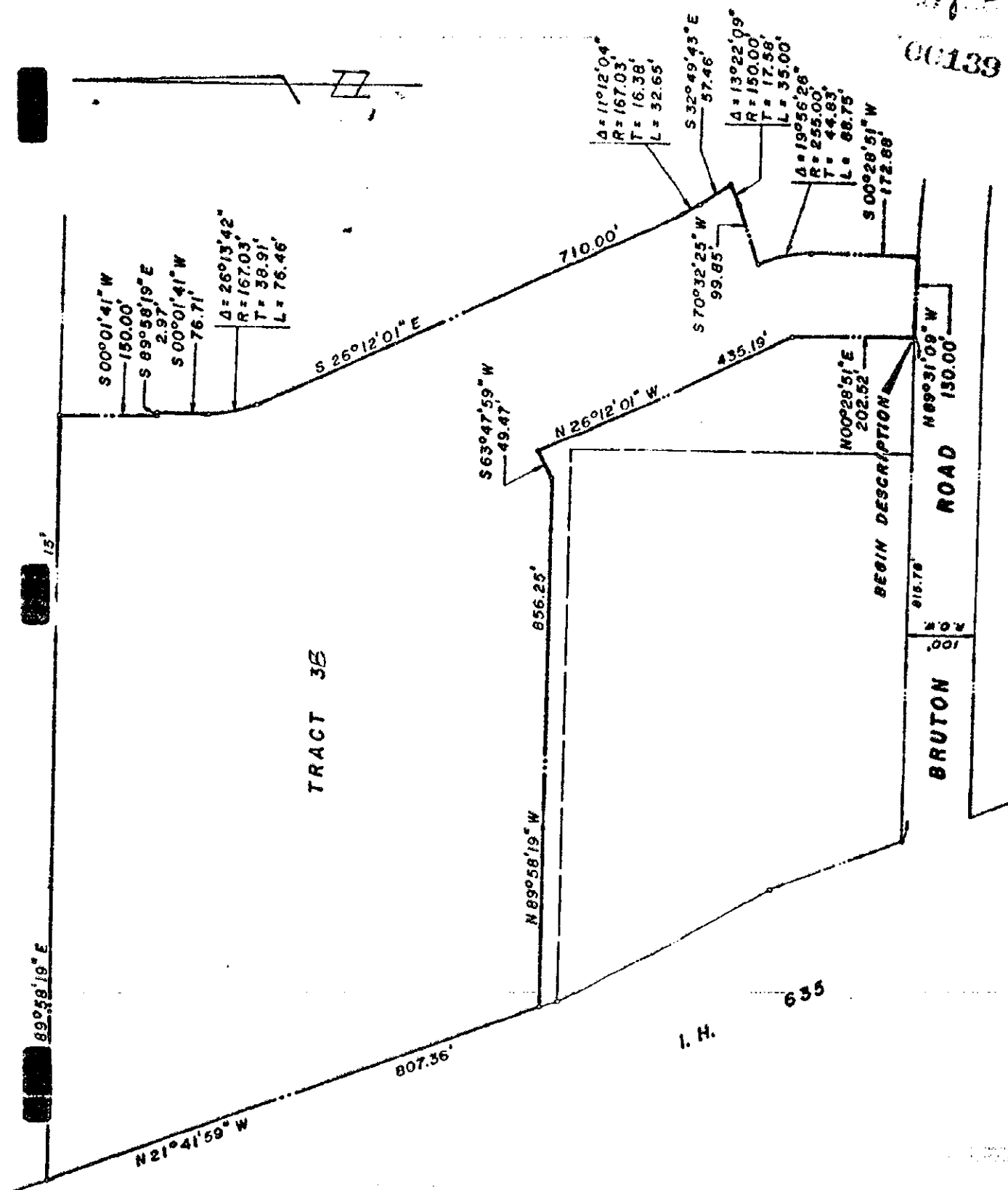
THENCE, S 00 28 51 W, a distance of 172.88 feet to a point in the north line of Bruton Road right-of-way and in a curve to the left;

THENCE, N 89 31 09 W, along the north line of Bruton Road right-of-way a distance of 130.00 feet to the PLACE OF BEGINNING;

CONTAINING, 1,004,060 square feet or 23.0501 acres of land.

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TRACT 4

GENERAL RETAIL

00110

COMMENCING, at a 5/8-inch iron rod found in the north right-of-way line of Bruton Road (100 feet wide) and its intersection with the easterly right-of-way line of Interstate Highway 635 (variable width);

THENCE, N 20 14 50 W, with said line of Interstate 635, a distance of 220.98 feet to a 1/2-inch iron rod with cap found at angle point;

THENCE, N 29 33 25 W, continuing with said line of Interstate Highway 635, a distance of 369.76 feet to the point of beginning;

THENCE, N 29 33 25 W, continuing with said line of Interstate Highway 635, a distance of 15.24 feet to a point for corner;

THENCE, N 21 41 59 W with said line of Interstate Highway 635, a distance of 24.22 feet to a point for corner;

THENCE, S 89 58 19 E, a distance of 856.25 feet to a point for corner;

THENCE, S 26 12 01 E a distance of 435.19 feet to a point for corner;

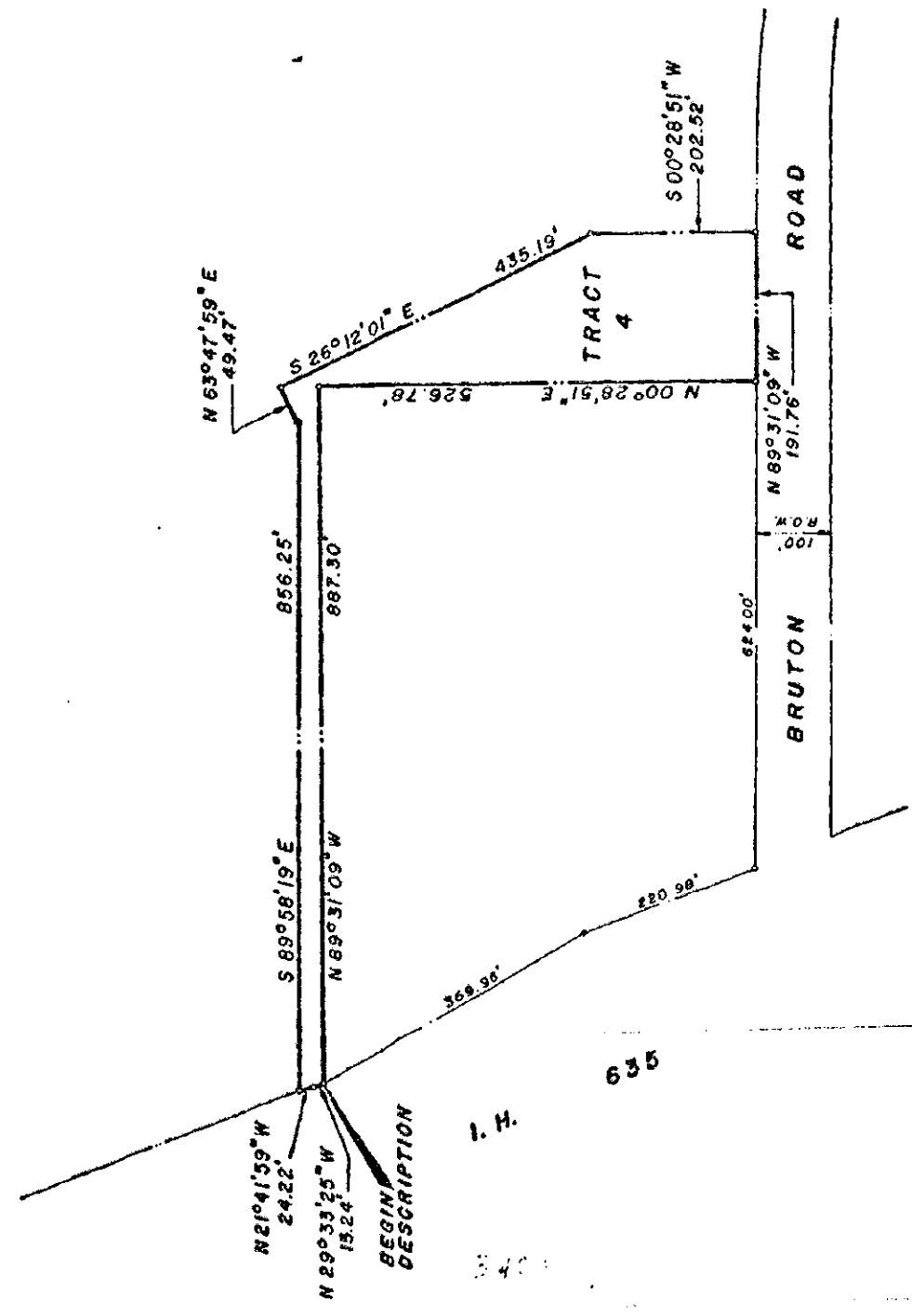
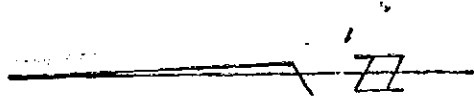
THENCE, S 00 28 51 W, a distance of 202.52 feet to a point for corner;

THENCE, N 89 31 09 W along the north right-of-way line of Bruton Road a distance of 191.76 feet to a point for corner;

THENCE, N 00 28 51 E, a distance of 526.78 feet to a point;

THENCE, N 89 31 09 W a distance of 887.30 feet to the POINT OF BEGINNING;

CONTAINING, 111,134 square feet or 2.5512 acre of land.



00142