

00227

ORDINANCE NO. 2281
File No. 1-10

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 AGRICULTURE TO GENERAL RETAIL, PLANNED DEVELOPMENT/SINGLE FAMILY WITH A SPECIAL PROVISION TO ALLOW A DAY CARE, AND PLANNED DEVELOPMENT/SINGLE FAMILY WITH CERTAIN STIPULATIONS ON A TRACT LOCATED NORTH OF MCKENZIE ROAD AND PIONEER ROAD; 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 (\$200.00) DOLLARS 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 Agriculture to General Retail, Planned Development/Single Family with a special provision to allow a day care, and Planned Development/Single Family with the following stipulations:

- (A) Tract 1 to Planned Development/Single Family (198.55 acres) subject to the following stipulations:
- (a) Total units 840 lots;
 - (b) Minimum lot sizes: Large lots (8000 sq. ft. minimum) 193 lots, Conventional lots (7200 sq. ft. minimum) 286 lots, Small lots (6000 sq. ft. minimum) 252 lots, and Small lots (5000 sq. ft. minimum) 109 lots;
 - (c) Minimum Unit Size: 1800 sq. ft. 15%, 1600 sq. ft. 23%, 1500 sq. ft. 22%, 1400 sq. ft. 20% and 1250 sq. ft. 20%;
 - (d) Side Loaded garages on all lots without alley access;
- (B) Tract 2 to General Retail (7.54 acres)
- (C) Tract 3 to Planned Development/Single Family (2.7 acres)
- (D) Tract 4 to Planned Development/Single Family with a special provision to allow a day care center (1.2 acres)
- (E) Right of way requirements for McKenzie Road will be addressed on the Planned Development Site Plan.

The tract is located north and east of McKenzie Road and Pioneer Road; 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

002618

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 the 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 17th day of February A.D., 1986.

Mrs. Brunhilde Nystrom

Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel

Lynn Prugel
City Secretary

Elland Archer
City Attorney

00230

PD Single Family

TRACT I
PROPERTY DESCRIPTION

Being part of the John P. Anderson Survey, Abstract No. 1, Dallas County, Texas and part of a 370 acre tract conveyed to J. A. Irwin, Inc. by deed recorded in Volume 3565, Page 507, Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod for a corner on the Southeast Right-of-Way line of Pioneer Road (a 60' R.O.W.), North 45 deg 02 min 15 sec East a distance of 2,790.26 feet from the intersection of said Southeast Right-of-Way line extended with the Northeast Right-of-Way line of Belt Line Road (a 100' R.O.W.) extended;

THENCE South 67 deg 49 min 03 sec East a distance of 5,212.02 feet to an iron rod for a corner;

THENCE South 44 deg 02 min 35 sec West a distance of 1,410.71 feet to an iron rod for a corner;

THENCE South 79 deg 04 min 19 sec West a distance of 285.00 feet to an iron rod for corner in the centerline of Lakeside Drive (60' R.O.W.);

THENCE South 09 deg 01 min 52 sec West with centerline of said Lakeside Drive a distance of 40.01 feet to an iron rod for corner in a curve to the right having a central angle of 58 deg 48 min 21 sec and a radius of 216.50 feet;

THENCE with said curve to the right an arc distance of 222.21 feet to an iron rod for corner;

THENCE South 67 deg 50 min 12 sec West a distance of 114.45 feet to an iron rod for corner found in a curve to the right having a central angle 54 deg 35 min 24 sec and a radius of 115.34 feet;

THENCE with said curve to the right, an arc distance of 109.89 feet to an iron rod for corner;

THENCE North 57 deg 34 min 24 sec West a distance of 100.66 feet to an iron rod found in a curve to the left having a central angle of 77 deg 57 min 01 sec a radius of 92.60 feet;

THENCE with said curve to the left an arc distance of 125.98 feet to an iron rod for corner;

THENCE South 44 deg 28 min 38 sec West a distance of 236.88 feet to an iron rod in the North R.O.W. of McKenzie Road (60' R.O.W.) and said centerline of Lakeside Drive;

THENCE North 47 deg 58 min 10 sec West with said North R.O.W. McKenzie Road a distance of 29.86 feet to an iron rod for corner;

THENCE North 45 deg 53 min 28 sec West a distance of 580.67 feet to a point at the beginning of a curve to the left, said curve having a radius of 364.49 feet, a central angle of 60 deg 28 min 57 sec, and a tangent length of 212.49 feet;

THENCE South 73 deg 37 min 35 sec West a distance of 72.48 feet to a point at the beginning of a curve to the right, said curve having a radius of 269.90 feet, a central angle of 36 deg 52 min 53 sec, and a tangent length of 90.00 feet;

THENCE Northwesterly along said curve to the right a distance of 173.73 feet to a point;

THENCE North 69 deg 29 min 33 sec West a distance of 109.98 feet to a point at the beginning of a curve to the left said curve having a radius of 1,231.52 feet, a central angle of 07 deg 54 min 12 sec and a tangent length of 85.07 feet;

THENCE Northwesterly along said curve to the left a distance of 169.87 feet to a point;

THENCE North 77 deg 23 min 44 sec West a distance of 95.72 feet to a point at the beginning of a curve to the right, said curve having a radius of 1,169.66 feet, a central angle of 08 deg 05 min 16 sec, and a tangent length of 82.69 feet;

THENCE Northwesterly along said curve to the right a distance of 165.11 feet to a point, and said point being the Southeast corner of Lot 16, Block 1, Meadow lake Addition, as recorded in Volume 3565, Page 507, Deed Records, Dallas County, Texas;

THENCE North 00 deg 43 min 50 sec East, leaving the Northeast Right-of-Way line of McKenzie Road a distance of 356.51 feet along the East line of Lot 16, Block 1, and the East line of Lot 17, Block 1, as recorded in Volume 3565, Page 507, Deed Records of Dallas County, Texas, to a point for a corner, said point being the Northeast corner of Lot 17, Block 1;

THENCE North 87 deg 19 min 39 sec West, along the North line of Lot 17, Block 1, a distance of 216.50 feet to a point for a corner, said point being the Northwest corner of Lot 17, Block 1;

THENCE North 72 deg 52 min 28 sec West a distance of 190.57 feet to a point for corner;

THENCE North 44 deg 11 min 02 sec West a distance of 422.58 feet to a point for corner;

THENCE South 35 deg 21 min 02 sec West a distance of 141.47 feet to a point for corner;

THENCE South 78 deg 00 min 00 sec West a distance of 206.42 feet to a point for corner, said point also being in the Northeast R.O.W. line of McKenzie Road;

00288
00232

THENCE North 54 deg 38 min 58 sec West with said Northeast R.O.W. a distance of 30.00 feet to a point at the beginning of a curve to the right having a central angle of 07 deg 26 min 02 sec and a radius of 2,940.87 feet;

THENCE Northwesterly along said curve to the right a distance 381.57 feet to a point;

THENCE North 47 deg 12 min 55 sec West a distance of 257.60 feet to a point at the beginning of a curve to the right, said curve having a radius of 3,116.25 feet, a central angle of 03 deg 24 min 24 min, and a tangent length of 92.67 feet;

THENCE Northwesterly along said curve to the right a distance of 185.28 feet to a point, said point being the Southeast corner of a tract of land, part of Lot 3 and part of Lot 11, Block G, Meadow Lake Addition, as recorded in Volume 3889, Page 484, Deed Records, Dallas, County, Texas;

THENCE North 46 deg 30 min 45 sec East, leaving the Northeast Right-of-Way line of McKenzie Road, a distance of 526.01 feet, along the Southwest line of said tract of land to a point for corner;

THENCE North 62 deg 21 min 48 sec West a distance of 151.11 feet to a point for corner;

THENCE North 45 deg 20 min 45 sec West a distance of 435.00 feet to a point for corner;

THENCE North 44 deg 54 min 51 sec East a distance of 400.00 feet to point for corner;

THENCE North 45 deg 20 min 43 sec West a distance of 358.86 feet to a point for a corner on the Southeast Right-of-Way line of Pioneer Road;

THENCE North 45 deg 20 min 18 sec East, along said Southeast Right-of-Way line of Pioneer Road a distance of 494.89 feet to the PLACE OF BEGINNING and containing 198.55 acres of land more or less.

TRACT 2

'PD' GENERAL RETAIL
PROPERTY DESCRIPTION

BEING a tract of land in the John P. Anderson Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas, and being part of a 370 acre tract of land conveyed to J. A. Irwin, Inc. by deed recorded in Volume 3565, Page 507, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the southeast line of Pioneer Road (60' ROW), said point being North 45 deg 03 min 45 sec East, 98.7 feet from the intersection of the southeast line of Pioneer Road with the northeast line of McKenzie Road;

THENCE North 45 deg 03 min 45 sec East, 355.40 feet with the southeast line of Pioneer Road to a point;

THENCE South 45 deg 20 min 45 sec East, 791.30 feet to a point;

THENCE South 62 deg 21 min 48 sec East, 151.11 feet to a point;

THENCE South 46 deg 30 min 45 sec West, 78.10 feet to a point;

THENCE North 73 deg 29 min 15 sec West, 181.62 feet to a point;

THENCE South 46 deg 30 min 45 sec West, 229.90 feet to a point;

THENCE North 53 deg 29 min 15 sec West, 52.20 feet to a point;

THENCE South 46 deg 30 min 45 sec West, 113.89 feet to a point on the northeast line of McKenzie Road;

THENCE North 41 deg 47 min 34 sec West, 192.13 feet with the northeast line of McKenzie Road to a point at the beginning of a curve to the right;

THENCE with said northeast line and curve having a central angle of 02 deg 37 min 46 sec, a radius of 1,467.89 feet, and an arc length of 67.37 feet to a point at the end of said curve;

THENCE North 44 deg 25 min 20 sec West, 110.01 feet with said northeast line to a point;

THENCE North 46 deg 53 min 07 sec East, 98.74 feet to a point

THENCE North 45 deg 19 min 27 sec West, 347.60 feet to the Point of Beginning;

and CONTAINING 7.54 acres of land more or less.

00231

TRACT 3

'PD' RESIDENTIAL
PROPERTY DESCRIPTION

BEING a tract of land in the John P. Anderson Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas, and being part of a 370 acre tract of land conveyed to J. A. Irwin, Inc. by deed recorded in Volume 3565, Page 507, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the northeast line of McKenzie Road, said point being North 61 deg 43 sec 59 min West, 306.67 feet from the southwest corner of Lot 16, Block 1, Meadow Lake Addition, as recorded in Volume 3565, Page 507, Deed Records, Dallas County, Texas;

THENCE North 61 deg 43 min 59 sec West, 47.02 feet with said northeast line to a point at the beginning of a curve to the right;

THENCE with said northeast line and curve having a central angle of 07 deg 05 min 02 sec, a radius of 2070.25 feet, and an arc length of 255.96 feet to a point at the end of said curve;

THENCE North 54 deg 38 min 58 sec West, 273.98 feet with said northeast line to a point;

THENCE North 78 deg 00 min 00 sec East, 206.42 feet to a point;

THENCE North 35 deg 21 min 02 sec East, 141.47 feet to a point;

THENCE South 44 deg 11 min 02 sec East, 422.58 feet to a point;

THENCE South 18 deg 16 min 01 sec West, 89.00 feet to a point

THENCE South 38 deg 16 min 01 sec West, 110.00 feet to the Point of Beginning;

and CONTAINING 2.7 acres of land more or less.

TRACT 4

'PD' SF/CONDITIONAL USE - DAY CARE CENTER
PROPERTY DESCRIPTION

BEING a tract of land in the John P. Anderson Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas, and being part of a 370 acre tract of land conveyed to J. A. Irwin, Inc. by deed recorded in Volume 3565, Page 507, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the northeast line of McKenzie Road, said point being the southwest corner of Lot 16, Block 1, Meadow Lake Addition, as recorded in Volume 3565, Page 507, Deed Records, Dallas County, Texas;

THENCE North 61 deg 43 min 59 sec West, 306.67 feet with said northeast line to a point;

THENCE North 38 deg 16 min 01 sec East, 110.00 feet to a point;

THENCE North 18 deg 16 min 01 sec East, 89.00 feet to a point;

THENCE South 72 deg 52 min 28 sec East, 190.57 feet to a point at the northwest corner of Lot 17, said Block 1;

THENCE South 01 deg 46 min 21 sec West, 260.12 feet with the west line of Lots 17 and 16, said Block 1 to the Point of Beginning;

and CONTAINING 1.2 acres of land more or less.

00236

PO-GENERAL
POSTAL TRACT
(7.54 ACRES)

PIONEER ROAD

Tract 2

PO- SINGLE FAMILY
TRACT (142.95 ACRES)

Tract 1

McKENZIE ROAD

Tract 3

PO-RESIDENTIAL
TRACT (27 ACRES)

Tract

PO- "SF"
CONDITIONAL USE DAY CARE
TRACT (1.20 ACRES)

NORTH
SCALE 1"=600'

VESELKA ENGINEERING
CONSULTANTS, INC.
202 E. BORDER ST., SUITE 800
ARLINGTON, TEXAS 76010
817-274-8756 METRO 488-1871

JOB NO. 00236
SCALE 1"=600'
DATE 2-7-86
DRAWN BY E.G.C.

ZONING SKETCH
TEALWOOD ADDITION