

ORDINANCE NO. 2344  
File No. 1-14

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 PLANNED DEVELOPMENT SINGLE FAMILY AND GENERAL RETAIL TO TRACT 1: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM UNIT SIZE OF 1500 SQUARE FEET A MINIMUM LOT SIZE OF 8250 SQUARE FEET AND MINIMUM LOT WIDTH OF 70 FEET; TRACT 2 AND 4: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM UNIT SIZE OF 1100 SQUARE FEET AND A MINIMUM LOT SIZE OF 5500 SQUARE FEET; TRACT 3: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM UNIT SIZE OF 1300 SQUARE FEET, A MINIMUM LOT SIZE OF 7200 SQUARE FEET AND A FRONT YARD SETBACK OF 25 FEET; STIPULATED THAT THE PRE-PLAT APPROVAL BY THE PLANNING AND ZONING COMMISSION SHALL FULFILL THE PLANNED DEVELOPMENT SITE PLAN REQUIREMENTS; AND PROVIDED THAT THE MAXIMUM NUMBER OF LOTS MAY NOT EXCEED 684; THE SUBJECT 166.3 ACRES ARE NORTH AND SOUTH OF MERCURY ROAD AT MCKENZIE DRIVE; 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 Planned Development Single Family and General Retail to Tract 1: Planned Development-Single Family with a minimum unit size of 1500 square feet, a minimum lot size of 8250 square feet and a minimum lot width of 70 feet; Tract 2 and 4; Planned Development-Single Family with a minimum unit size of 1100 square feet and minimum lot size of 5500 square feet; Tract 3: Planned Development-Single Family with a minimum unit size of 1300 square feet, a minimum lot size of 7200 square feet; and a front yard setback of 25 feet; stipulated that the pre-plat approval by the Planning and Zoning Commission shall fulfill the Planned Development site plan requirements; and provided that the maximum number of lots may not exceed 684. The subject 166.3 acres are north and south of Mercury Road at McKenzie Drive; 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

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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 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 6th day of October A.D., 1986.

*Mrs. Brunhilde Nystrom*  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

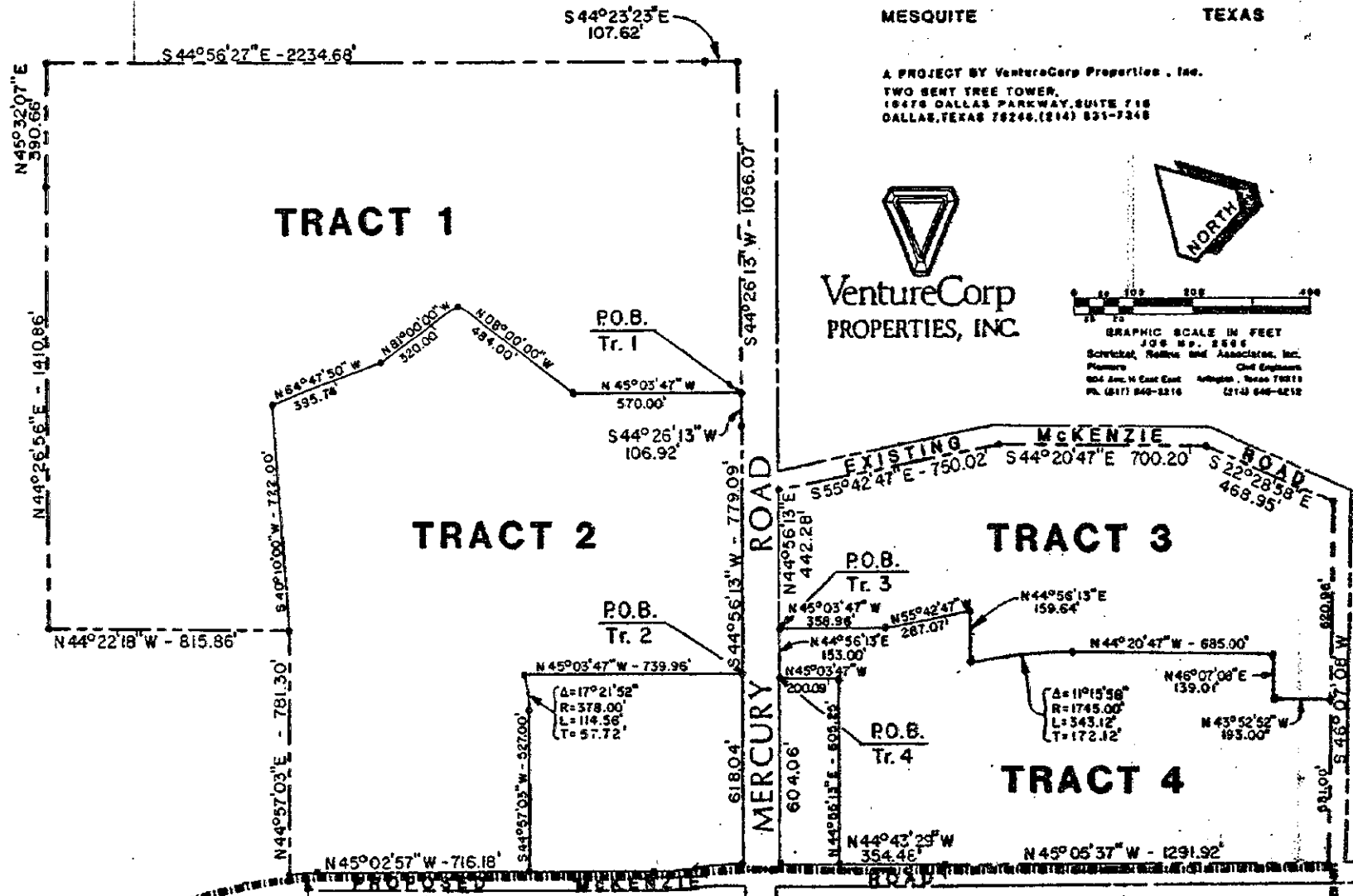
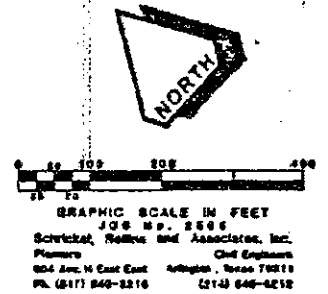
APPROVED AS TO FORM:

*Lynn Prugel*  
Lynn Prugel  
City Secretary

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Elland Archer  
City Attorney

**SOUTHCREEK DEVELOPMENT**  
**MESQUITE TEXAS**

A PROJECT BY **VentureCorp Properties, Inc.**  
 TWO BENT TREE TOWER,  
 19476 DALLAS PARKWAY, SUITE 718  
 DALLAS, TEXAS 75246, (214) 831-7348



00310  
 MESQUITE CITY LIMITS  
 SALCH SPRINGS CITY LIMITS

PROPOSED  
 McKenzie  
 ROAD  
 Δ=06°15'07"  
 R=824.74'  
 L=89.99'  
 T=45.04'

# 1-14

## LEGAL DESCRIPTION

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1, in Mesquite, Dallas, County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the northeast right-of-way line of McKenzie Road (60 foot R.O.W.) with the northwest right-of-way line of Mercury Road (120 foot R.O.W.);

THENCE North 44 degrees 56 minutes 13 seconds East, with said Mercury Road right-of-way line, 1397.13 feet to a point of angle;

THENCE North 44 degrees 26 minutes 13 seconds East, continuing with said right-of-way line, 106.92 feet to the POINT OF BEGINNING;

THENCE North 45 degrees 03 minutes 47 seconds West, 570.00 feet to a point for a corner;

THENCE North 08 degrees 00 minutes 00 seconds West, 484.00 feet to a point for a corner;

THENCE North 81 degrees 00 minutes 00 seconds West, 320.00 feet to a point for a corner;

THENCE North 64 degrees 47 minutes 50 seconds West, 395.74 feet to a point for a corner;

THENCE South 40 degrees 10 minutes 00 seconds West, 722.00 feet to a point for a corner;

THENCE North 44 degrees 22 minutes 18 seconds West, 815.86 feet to a point for a corner;

THENCE North 44 degrees 26 minutes 56 seconds East, 1410.86 feet to a point of angle;

THENCE North 45 degrees 32 minutes 07 minutes East, 390.66 feet to a point for a corner;

THENCE South 44 degrees 56 minutes 27 seconds East, 2234.68 feet to a point of angle;

THENCE South 44 degrees 23 minutes 23 seconds East, 107.62 feet to a point for a corner on the northwest right-of-way of Mercury Road;

THENCE South 44 degrees 26 minutes 13 seconds West, with said right-of-way line, 1056.07 feet to the POINT OF BEGINNING and containing 67.8 acres of land, more or less.

00312

Tract 2

DESCRIPTION

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1, in Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the northeast right-of-way line of McKenzie Road (60 foot R.O.W.) with the northwest right-of-way line of Mercury Road (120 foot R.O.W.);

THENCE North 44 degrees 56 minutes 13 seconds East, with said Mercury Road right-of-way line, 618.04 feet to the POINT OF BEGINNING;

THENCE North 45 degrees 03 minutes 47 seconds West, leaving said right-of-way, 739.96 feet to a point for a corner on a curve to the right whose chord bearing is South 36 degrees 16 minutes 07 seconds West;

THENCE Southwesterly with said curve, having a central angle of 17 degrees 21 minutes 52 seconds, a radius of 378.00 feet, an arc length of 114.56 feet to the point of tangency;

THENCE South 44 degrees 57 minutes 03 seconds West, 527.00 feet to a point for a corner on the northeast right-of-way line of McKenzie Road;

THENCE North 45 degrees 02 minutes 57 seconds West, with said right-of-way line, 716.18 feet to a point of curvature on a curve to the left whose chord bearing is North 48 degrees 10 minutes 30 seconds West;

THENCE Northwesterly with said right-of-way line and curve having a central angle of 06 degrees 15 minutes 07 seconds a radius of 824.74 feet, an arc length of 89.99 feet to a point for a corner;

THENCE North 44 degrees 57 minutes 03 seconds East, leaving said right-of-way, 781.30 feet to a point for a corner;

THENCE North 40 degrees 10 minutes 00 seconds East, 722.00 feet to a point for a corner;

THENCE South 64 degrees 47 minutes 50 seconds East, 395.74 feet to a point for a corner;

THENCE South 81 degrees 00 minutes 00 seconds East, 320.00 feet to a point for corner;

THENCE South 08 degrees 00 minutes 00 seconds East, 484.00 feet to a point for corner;

THENCE South 45 degrees 03 minutes 47 seconds East, 570.00 feet to a point for a corner on the northwest right-of-way line of Mercury Road;

THENCE South 44 degrees 26 minutes 13 seconds West, with said right-of-way line, 106.92 feet to a point of angle;

THENCE South 44 degrees 56 minutes 13 seconds West, continuing with said right-of-way line, 779.09 feet to the POINT OF BEGINNING and containing 46.2 acres of land, more or less.

## DESCRIPTION

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1, in Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the northeast right-of-way line of McKenzie Road (60 foot R.O.W.) with the southeast right-of-way line of Mercury Road (120 foot R.O.W.);

THENCE North 44 degrees 56 minutes 13 seconds East, with said Mercury Road right-of-way line, 757.06 feet to the POINT OF BEGINNING;

THENCE North 44 degrees 56 minutes 13 seconds East, continuing with said right-of-way line, 442.28 feet to a point for a corner;

THENCE South 55 degrees 42 minutes 47 seconds East, leaving said right-of-way line, 750.02 feet to a point for a corner;

THENCE South 44 degrees 20 minutes 47 seconds East, 700.20 feet to a point for a corner;

THENCE South 22 degrees 28 minutes 58 seconds East, 468.95 feet to a point for a corner;

THENCE South 46 degrees 07 minutes 08 seconds West, 620.96 feet to a point for a corner;

THENCE North 43 degrees 52 minutes 52 seconds West, 193.00 feet to a point for a corner;

THENCE North 46 degrees 07 minutes 08 seconds East, 139.01 feet to a point for a corner;

THENCE North 44 degrees 20 minutes 47 seconds West, 685.00 feet to a point of curvature on a curve to the left whose chord bearing is North 49 degrees 58 minutes 46 seconds West;

THENCE Northwesterly with said curve having a central angle of 11 degrees 15 minutes 58 seconds, a radius of 1745.00 feet, an arc length of 343.12 feet to a point for a corner;

THENCE North 44 degrees 56 minutes 13 East, 159.64 feet to a point for corner;

THENCE North 55 degrees 42 minutes 47 seconds West, 287.07 feet to a point for a corner;

THENCE North 45 degrees 03 minutes 47 seconds West, 358.96 feet to the POINT OF BEGINNING and containing 25.5 acres of land, more or less.

## Tract 4

## DESCRIPTION

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1, in Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the northeast right-of-way line of McKenzie Road (60 foot R.O.W.) with the southeast right-of-way line of Mercury Road (120 foot R.O.W.);

THENCE North 44 degrees 56 minutes 13 seconds East, with said Mercury Road right of way line, 604.06 feet to the POINT OF BEGINNING;

THENCE North 44 degrees 56 minutes 13 seconds East, continuing with said right-of-way line, 153.00 feet to a point for a corner;

THENCE South 45 degrees 03 minutes 47 seconds East, leaving said right-of-way, 358.96 feet to a point for corner;

THENCE South 55 degrees 42 minutes 47 seconds East, 287.07 feet to a point for a corner;

THENCE South 44 degrees 56 minutes 13 seconds West, 159.64 feet to a point for corner, being on a curve to the right whose chord bearing is South 49 degrees 58 minutes 46 seconds East;

THENCE Southeasterly, with said curve having a central angle of 11 degrees 15 minutes 58 seconds, a radius of 1745.00 feet, an arc length of 343.12 feet to the point of tangency;

THENCE South 44 degrees 20 minutes 47 seconds East, 685.00 feet to a point for a corner;

THENCE South 46 degrees 07 minutes 08 seconds West, 139.01 feet to a point for a corner;

THENCE South 43 degrees 52 minutes 52 seconds East, 193.00 feet to a point for a corner;

THENCE South 46 degrees 07 minutes 08 seconds West, 531.00 feet to a point for a corner on the northeast right of way line of McKenzie Road;

THENCE North 45 degrees 05 minutes 37 seconds West, with said right-of-way, 1291.92 feet to a point of angle;

THENCE North 44 degrees 43 minutes 29 seconds West, continuing with said right-of-way line, 354.48 feet to a point for corner;

THENCE North 44 degrees 56 minutes 13 seconds East, leaving said right-of-way, 605.25 feet to a point for a corner;

THENCE North 45 degrees 03 minutes 47 seconds West, 200.09 feet to the POINT OF BEGINNING and containing 26.8 acres of land, more or less.