

ORDINANCE NO. 2501
File No. 1157-19

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING ON THREE (3) SEPARATE TRACTS FROM COMMERCIAL AND PLANNED DEVELOPMENT MULTIFAMILY TO (1) TRACT 1: PLANNED DEVELOPMENT/LIGHT COMMERCIAL ALLOWING A THREE (3) ACRE MAXIMUM PLANNED DEVELOPMENT COMMERCIAL; (2) TRACT 2: PLANNED DEVELOPMENT/MULTIFAMILY WITH A MAXIMUM DENSITY OF 22 UNITS PER ACRE AND, (3) TRACT 3: PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM LOT SIZE OF 4,500 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1,100 SQUARE FEET; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; 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 on three (3) separate tracts from Commercial and Planned Development Multifamily to (1) Tract 1: Planned Development/Light Commercial allowing a three (3) acre maximum Planned Development Commercial use floating within the ten (10) acre tract and to be located at the time of Planned Development site plan approval; (2) Tract 2: Planned Development/Multifamily with a maximum density of 22 units per acre with a maximum building height of three (3) stories, provided however, that no more than 50% of the units may be in three (3) story buildings and that no three (3) story buildings may abut the single family district; and, (3) Tract 3: Planned Development Single Family with a minimum lot size of 4,500 square feet and a minimum unit size of 1,100 square feet, provided however, those lots abutting Via Ventura and Barnes Bridge shall have a minimum lot size of 5,500 square feet and a minimum unit size of 1,500 square feet and provided that all lots shall have rear entry access; and to assure that easements shall be provided for future sanitary sewer mains in Belt Line Road abutting Tracts 1 and 2. The subject 71.83 acre tract consists of Tracts 2, 2.3, 22 and 24, Sheet 598, of Abstract 1157, and is located south and west of Northwest Drive and Belt Line 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.

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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 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.

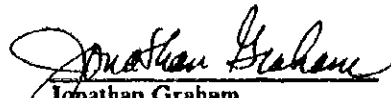
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 4th day of January A.D., 1988.


George A. Venner, Sr.
Mayor

ATTEST:


Lynn Prugel
City Secretary

APPROVED:


Jonathan Graham
City Attorney

TRACT ONE
PD LIGHT - COMMERCIAL
10.0 AC.

000213

12/10/87

W/ 3 AC. PD-COMMERCIAL TO BE LOCATED AT
TIME OF PD-SITE PLAN.

BEING a 10.000 acre tract of land situated in the Josiah Phelps Survey, Abstract No. 1157, in the City of Mesquite, Dallas County, Texas, and being part of the land described in Deed as Tract 10 and 11 as recorded in Volume 82100 at Page 567 of the Deed Records of Dallas County, Texas, and described more particularly by metes and bounds as follows:

BEGINNING at an iron at the intersection of Northwest Drive (100.0 foot R.O.W.) with the West line of Belt Line Road (a variable width R.O.W.);

THENCE South $1^{\circ} 32' 22''$ East along the West line of Belt Line Road a distance of 75.20 feet to the beginning of a curve to the right having a central angle of $11^{\circ} 49' 37''$ and a radius of 2363.36 feet;

THENCE Southerly along said curve to the right an arc distance of 487.84 feet to an iron rod for corner and the beginning of a curve to the left having a central angle of $6^{\circ} 36' 39''$ and a radius of 2045.60 feet;

THENCE Southerly along said curve to the left an arc distance of 236.03 feet to the beginning of a curve to the right having a central angle of $14^{\circ} 30' 50''$ and a radius of 800.00 feet;

THENCE Westerly along said curve to the right an arc distance of 202.65 feet to the beginning of a curve to the left having a central angle of $22^{\circ} 01' 34''$ and a radius of 860.00 feet;

THENCE Westerly along said curve to the right an arc distance of 330.61 feet to a point for corner;

THENCE North a distance of 693.25 feet to a point for corner;

THENCE North $32^{\circ} 15' 11''$ East a distance of 136.00 feet to a point in the South line of Northwest Drive (100.0 foot R.O.W.) and in a curve to the left having a central angle of $32^{\circ} 12' 35''$ and a radius of 560.0 feet;

THENCE Easterly along said curve to the left an arc distance of 314.81 feet to an iron rod for corner;

THENCE South $89^{\circ} 57' 23''$ East along the South line of Northwest Drive a distance of 210.42 feet to the Place of Beginning and Containing 10.000 Acres of Land, more or less.

12/10/87

12-25-87

TRACT TWO
PD-MF ZONE

BEING a 33.0000 acre tract of land situated in the Josiah Phelps Survey, Abstract No. 1157, in the City of Mesquite, Dallas County, Texas; and being part of the land described in Deed as Tract 10 and 11 as recorded in Volume 82100 at Page 567 of the Deed Records of Dallas County, Texas and described more particularly by metes and bounds as follows;

BEGINNING at the Southeast corner of Lot 1 in Block A of Palos Verdes Estates No. 10, an addition to the City of Mesquite, Texas according to the plat thereof as recorded in Volume 83168 at Page 2330 of the Map Records of Dallas County, Texas; said point being in the center of a creek;

THENCE along the East line of said Lot 1 and the center of said creek as follows:

- (1) North 18° 58' 38" East - 4.93 feet;
- (2) North 3° 42' 08" East - 73.99 feet;
- (3) North 76° 15' 58" East - 49.73 feet;
- (4) North 44° 40' 18" East - 79.98 feet;
- (5) North 28° 20' 07" West - 68.15 feet;
- (6) North 4° 36' 23" East - 91.42 feet;
- (7) North 65° 43' 38" East - 50.09 feet;
- (8) North 8° 41' 43" East - 50.75 feet;
- (9) North 40° 58' 29" East - 69.89 feet;
- (10) North 31° 56' 14" West - 79.41 feet;
- (11) North 13° 04' 35" West - 109.36 feet;
- (12) North 26° 15' 54" East a distance of 217.74 feet to an iron rod for

corner in the South line of Northwest Drive (100.0 foot R.O.W.); said point being in a curve to the right having a central angle of 34° 33' 02" and a radius of 750.0 feet;

THENCE Easterly along the South line of Northwest Drive and said curve to the right an arc distance of 452.27 feet to an iron rod for corner;

THENCE South 26° 01' 38" East a distance of 131.77 feet to the beginning of a curve to the left having a central angle of 31° 43' 11" and a radius of 560.0 feet to an iron rod for corner;

THENCE Easterly along said curve to the left and continuing along the South line of Northwest Drive an arc distance of 310.02 feet to an iron rod for corner;

THENCE South 32° 15' 11" West a distance of 136.0 feet to a point for corner;

THENCE South a distance of 693.25 feet to a point for corner; said point being the beginning of a curve to the right having a central angle of 22° 01' 34" and a radius of 860.00 feet;

THENCE Easterly along said curve to the right an arc distance of 330.61 feet to a point for corner, and the beginning of a curve to the left having a central angle of 14° 30' 50" and a radius of 800.00 feet;

THENCE Easterly along said curve to the left an arc distance of 202.65 feet to a point for corner in the West R.O.W. line of Belt Line Road; said point being the beginning of a curve to the left having a central angle of 7° 40' 13" and a radius of 2045.60 feet;

TRACT TWO

PD-MF ZONE

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THENCE Southerly along said curve to the left an arc distance of 273.85 feet to an iron rod for corner;

THENCE South $4^{\circ} 36' 00''$ East along the West R.O.W. line of Belt Line Road, a distance of 240.31 feet to an iron rod for corner and the beginning of a curve to the right having a central angle of $2^{\circ} 30' 41''$ and a radius of 4512.05 feet;

THENCE Southerly along said West R.O.W. line of Belt Line Road, an arc distance of 197.77 feet to an iron rod for corner;

THENCE South $2^{\circ} 05' 19''$ East and continuing along the West line of Belt Line Road a distance of 19.45 feet to an iron rod for corner;

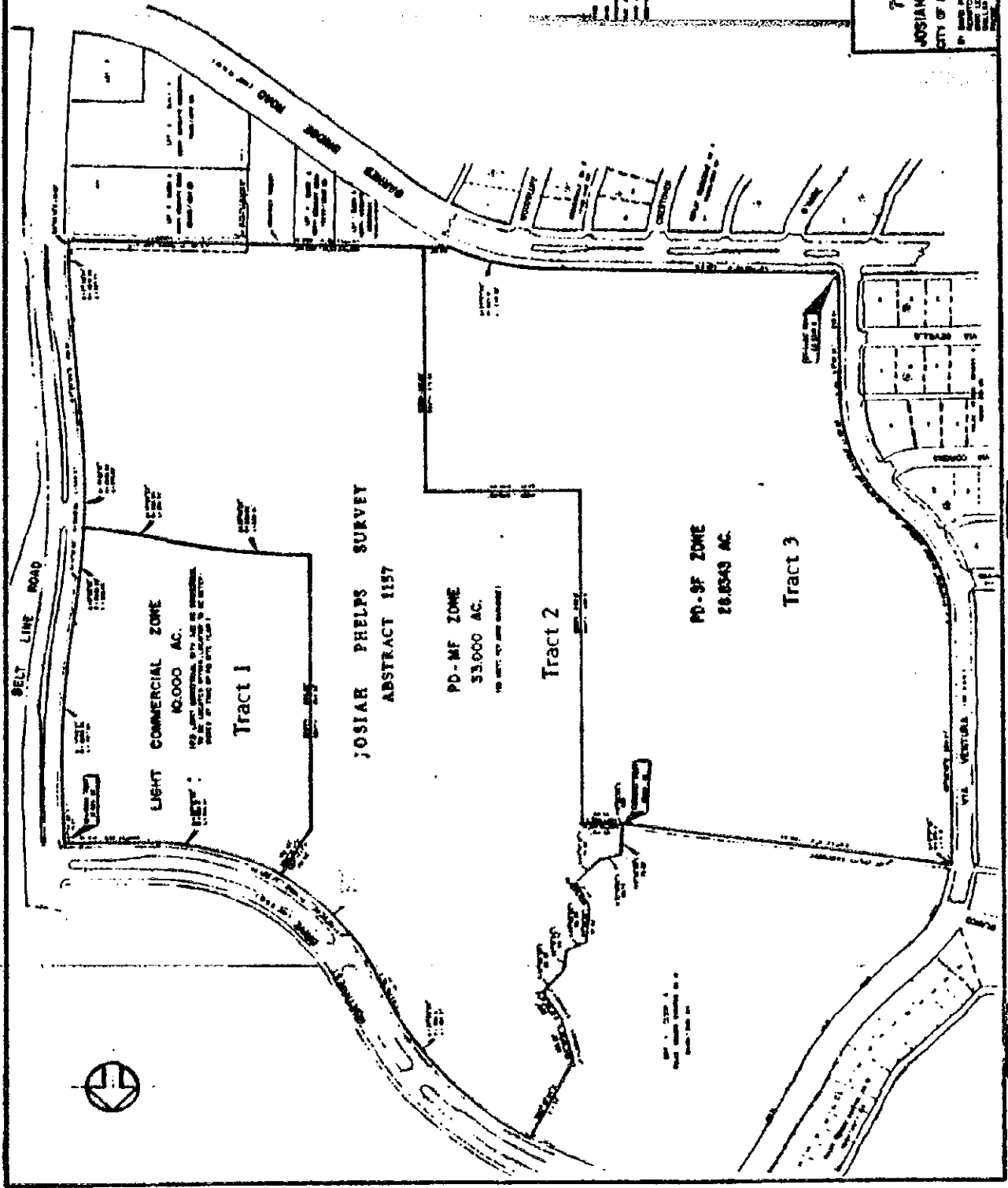
THENCE North $87^{\circ} 53' 55''$ West along the North line of Lot 5 in Block "A" of North Mesquite Commercial Addition, an addition to the City of Mesquite according to the plat thereof recorded in Volume 82009 at Page 1067 of the Map Records of Dallas County, Texas; and passing an iron rod for the Northwest corner of same at 420.02 feet, and continuing in all a distance of 827.92 feet to a point for corner;

THENCE North a distance of 619.98 feet to a point for corner;

THENCE West a distance of 349.40 feet to a point for corner;

THENCE North a distance of 840.0 feet to a point for corner;

THENCE North $89^{\circ} 15' 05''$ West a distance of 93.46 feet to the Place of Beginning and Containing 33.0000 Acres of Land, more or less.



ZONING PLAT
 71,8343 AC. TRACT
 JOSIAR PHELPS SURVEY A. 1157
 CITY OF MESQUITE DALLAS COUNTY TEXAS



TRACT THREE

11/25/87

PD-SF ZONE

BEING a 28.8343 acre tract of land situated in the Josiah Phelps Survey, Abstract No. 1157 in the City of Mesquite, Dallas County, Texas, and being part of the land described in Deed as Tract 10 and 11 as recorded in Volume 82100 at Page 567 of the Deed Records of Dallas County, Texas, and described more particularly by metes and bounds as follows;

BEGINNING at a point of intersection of the East line of Via Ventura (60.0 foot R.O.W.) with the North line of Barnes Bridge Road (100.0 foot R.O.W.); an iron rod for corner;

THENCE North $0^{\circ} 06' 20''$ East along the East line of Via Ventura a distance of 295.64 feet to an iron rod for corner and the beginning of a curve to the left having a central angle of $46^{\circ} 50' 00''$ and a radius of 430.0 feet;

THENCE Northwesterly along said curve to the left an arc distance of 351.48 feet to the beginning of a curve to the right having a central angle of $46^{\circ} 50' 00''$ and a radius of 370.0 feet;

THENCE Northerly along said curve to the right an arc distance of 302.44 feet;

THENCE North $0^{\circ} 06' 20''$ East and continuing along the East line of Via Ventura, a distance of 600.21 feet to an iron rod for corner and the beginning of a curve to the right having a central angle of $2^{\circ} 21' 35''$ and a radius of 270.0 feet;

THENCE Northerly along said curve to the right an arc distance of 11.12 feet to the Southwest corner of Lot 1 in Block A of Palos Verdes Estates No. 10, an addition to the City of Mesquite as recorded in Volume 83168 at Page 2330 of the Map Records of Dallas County, Texas;

THENCE South $81^{\circ} 22' 15''$ East along the South line of said Lot 1, a distance of 750.94 feet to the Southeast corner of same; in the center of a creek;

THENCE South $89^{\circ} 15' 05''$ East, a distance of 93.46 feet to a point for corner;

THENCE South a distance of 840.0 feet to a point for corner;

THENCE East a distance of 349.40 feet to a point for corner;

THENCE South a distance of 619.98 feet to a point for corner;

THENCE North $87^{\circ} 53' 55''$ West a distance of 64.70 feet to an iron rod for corner in the North line of Barnes Bridge Road (100.0 foot R.O.W.); said point being in a curve to the left having a central angle of $22^{\circ} 57' 05''$ and a radius of 623.10 feet;

THENCE North $87^{\circ} 56' 48''$ West, along the North line of Barnes Bridge Road, a distance of 630.26 feet to the Place of Beginning and Containing 28.8343 Acres of Land, more or less.

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