

ORDINANCE NO. 3160

File No. 1631-2

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM GENERAL RETAIL, OFFICE AND LIGHT COMMERCIAL TO: TRACT A, PLANNED DEVELOPMENT R-2A SINGLE FAMILY RESIDENTIAL WITH A MINIMUM LOT SIZE OF 7,200 SQUARE FEET AND A MINIMUM UNIT SIZE OF 1,850 SQUARE FEET; AND TRACT B, PLANNED DEVELOPMENT R-1 SINGLE FAMILY RESIDENTIAL WITH A MINIMUM LOT SIZE OF 13,000 SQUARE FEET AND A MINIMUM UNIT SIZE OF 2,000 SQUARE FEET; WITH CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning 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 Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite so as to approve a change of zoning from General Retail, Office, and Light Commercial:

1. **Tract A:** To Planned Development R-2A Single Family Residential with a minimum lot size of 7,200 square feet and a minimum unit size of 1,850 square feet; and
2. **Tract B:** To Planned Development R-1 Single Family Residential with a minimum lot size of 13,000 square feet and a minimum unit size of 2,000 square feet;

**Provided that** approval of the Planned Development site plans shall be delegated to the Planning and Zoning Commission.

The subject tracts are located at the southwest corner of Newsom Road and Faithon P. Lucas, Sr. Boulevard intersection, City of Mesquite, Dallas County, Texas, as shown in the attached Exhibit "A".

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 Mesquite Zoning Ordinance.

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. 3042 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 Mesquite 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 Mesquite Zoning Ordinance, as amended, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) 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 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 19th day of May, 1997.



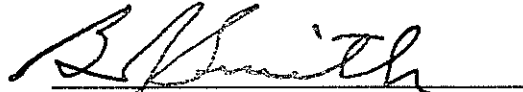
Mike Anderson  
Mayor

ATTEST:

APPROVED:



Ellen Williams  
City Secretary



B.J. Smith  
City Attorney

EXHIBIT "A"  
TRACT "A"  
LEGAL DESCRIPTION  
EXISTING ZONING  
SHOPPING / GARDEN OFFICE / LIGHT COMMERCIAL  
PROPOSED ZONING  
SINGLE FAMILY R-2A

4324EX.A2

BEING a tract of land situated in the R.W. Rowe Survey, Abstract No. 1631, City of Mesquite, Dallas County, Texas, subject tract being part of a 34.912 acre tract of land, being more particularly described as follows;

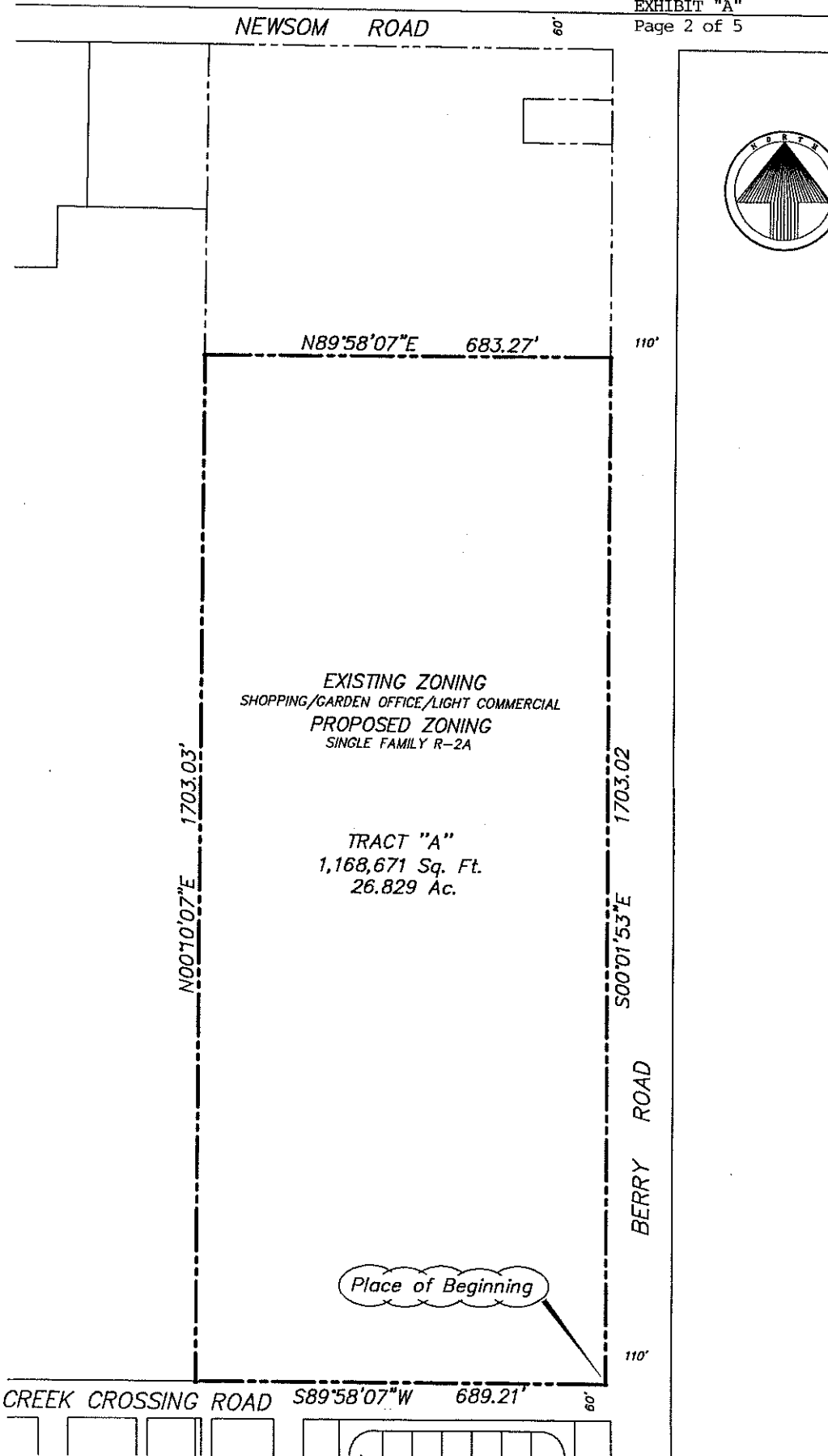
BEGINNING at the point of intersection of the West line of Berry Road (a 110' ROW) and the North line of Creek Crossing Road (a 60' ROW);

THENCE, S 89° 58' 07" W, along said Creek Crossing Road North line a distance of 689.21 feet;

THENCE, N 00° 10' 07" E, leaving said North line a distance of 1703.03 feet;

THENCE, N 89° 58' 07" E, a distance of 683.27 feet to a point on the above-mentioned Berry Road West line;

THENCE, S 00° 01' 53" E, along said Berry Road West line, a distance of 1703.02 feet to the PLACE OF BEGINNING containing 1,168,671 square feet or 26.829 acres of land.



**TIPTON ENGINEERING, INC.**  
 6330 Belt Line Road ~ Suite C  
 Garland, Texas 75043, Ph. No. 226-2967

DRAWN	CHECKED	DATE	SCALE	JOB NO.

**ZONING SKETCH**  
**CREEK CROSSING PHASE 21**  
**MESQUITE, TEXAS**

EXHIBIT "A"  
TRACT "B"  
LEGAL DESCRIPTION  
EXISTING ZONING  
SHOPPING / GARDEN OFFICE / LIGHT COMMERCIAL  
PROPOSED ZONING  
SINGLE FAMILY R-1

4324ex.a

BEING a tract of land situated in the R.W. Rowe Survey, Abstract No. 1631, City of Mesquite, Dallas County, Texas, subject tract being part of a 34.912 acre tract of land being more particularly described as follows;

BEGINNING at the point of intersection of the West line of Berry Road (a 110' ROW) and the South line of Newsom Road (a 60' ROW);

THENCE, S 00° 01' 53" E, along said Berry Road West line a distance of 514.01 feet;

THENCE, S 89° 58' 07" W, leaving said South line a distance of 683.27 feet;

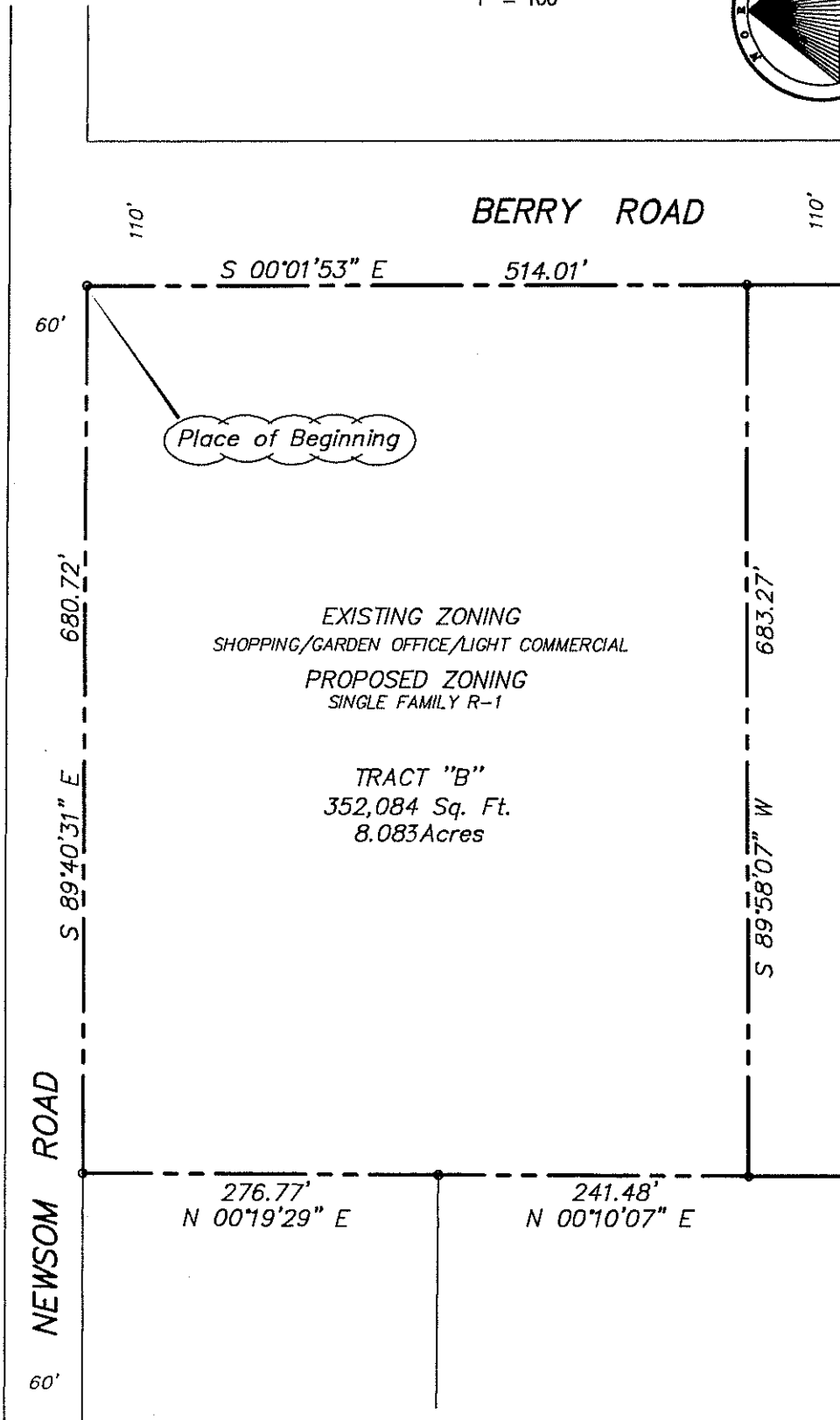
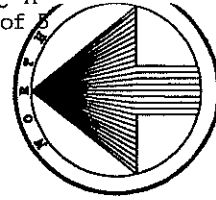
THENCE, N 00° 10' 07" E, a distance of 241.48 feet;

THENCE, N 00° 19' 29" E, a distance of 276.77 feet to a point on the above mentioned Newsom Road South line;

THENCE, S 89° 40' 31" E, a distance of 680.72 feet to the PLACE OF BEGINNING containing 352,084 square feet or 8.083 acres of land.



1" = 100'



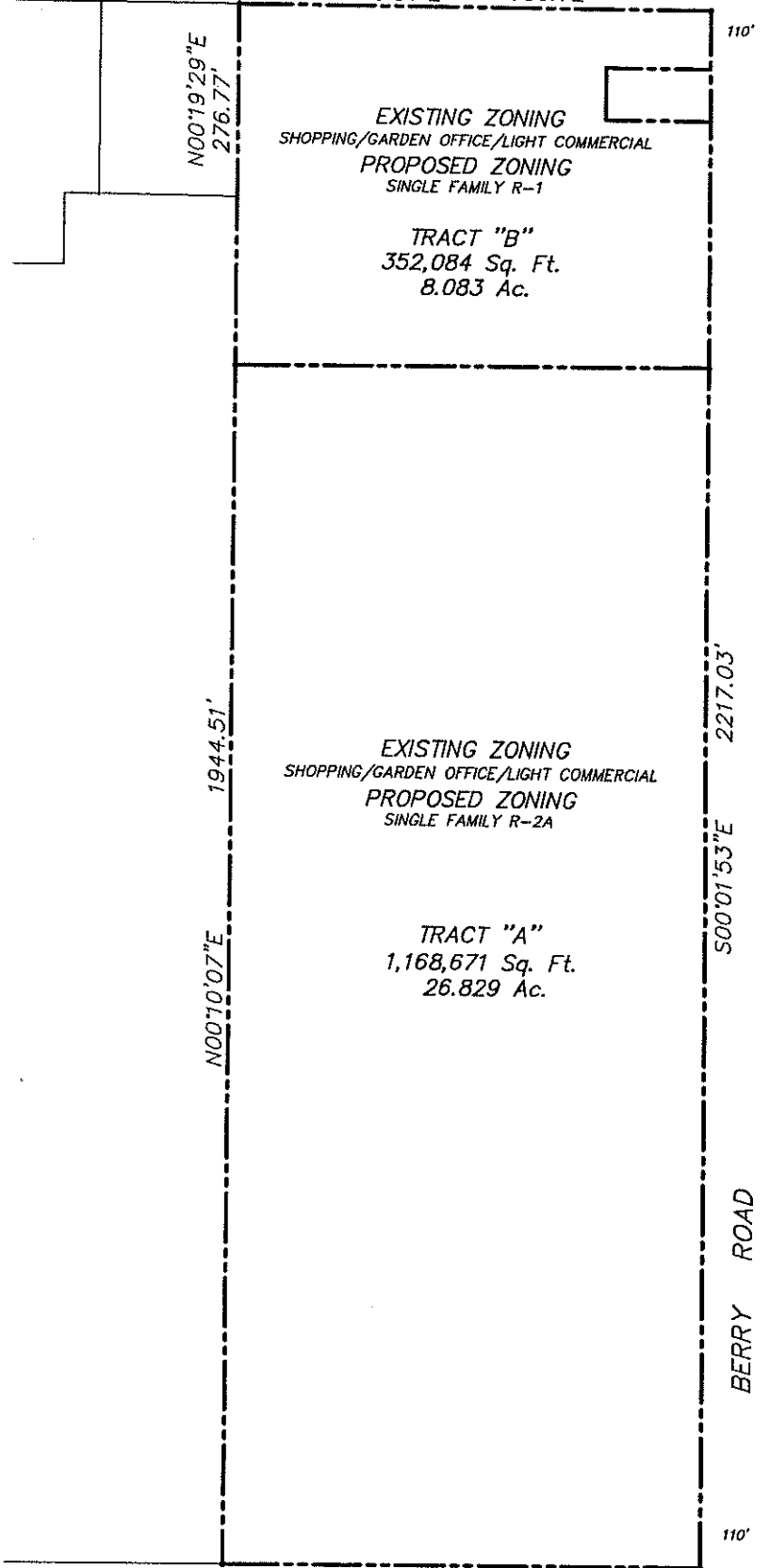
**TIPTON ENGINEERING, INC.**


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# ZONING SKETCH

## CREEK CROSSING PHASE 21

00062



 <b>TIPTON ENGINEERING, INC.</b> 6330 Belt Line Road ~ Suite C Garland, Texas 75043, Ph. No. 226-2967					<h2>ZONING SKETCH</h2>	
					<h3>CREEK CROSSING PHASE 21</h3>	
					<h3>MESQUITE, TEXAS</h3>	
DRAWN	CHECKED	DATE	SCALE	JOB NO.		
gd		4/97	1"=100'	4324		