

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 AMENDMENTS TO THE PLANNED DEVELOPMENT DISTRICT KNOWN AS FALCON'S LAIR AND APPROVED BY ORDINANCE NO. 3287 THEREBY ADDING SINGLE FAMILY RESIDENTIAL AS A PERMITTED USE ON PARCEL 4; 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 zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given all 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 grant a change of zoning approving amendments to the Planned Development District known as Falcon's Lair and approved by Ordinance No. 3287 thereby adding single family residential as a permitted use on Parcel 4.

That the subject property is located southeast of Lawson Road and west of the East Fork of the Trinity River, City of Mesquite, Dallas County, Texas.

That the following described amendments to Ordinance No. 3287, applicable to the north tract only of the Planned Development District known as Falcon's Lair, are hereby adopted:

1. Amend Section D by adding a Section D.3 to read as follows:

D. Airport Protection

3. *Single Family Residential on Parcel 4:* All single family development on Parcel 4 shall be burdened by a recorded "avigation easement" that gives notice of the airport and its related noise potential and that releases the City from claims based on airport noise.

2. Amend Exhibits "B", "C", "D" and "G" by deleting them in their entirety and adding new Exhibits "B", "C", "D" and "G", dated May 2, 2001, all of which are attached hereto and made a part hereof for all purposes.

SECTION 2. That all ordinances or portions thereof 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 are 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.

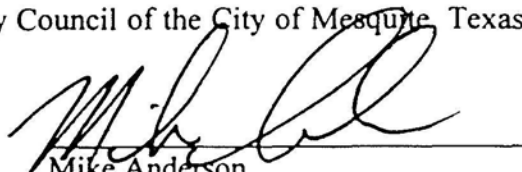
SECTION 4. That the foregoing change shall be and is granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of the Mesquite City Code.

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.


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 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 18th day of June, 2001.


Mike Anderson
Mayor

ATTEST:


Ellen Williams
City Secretary

APPROVED:

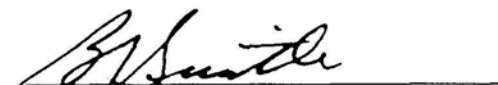
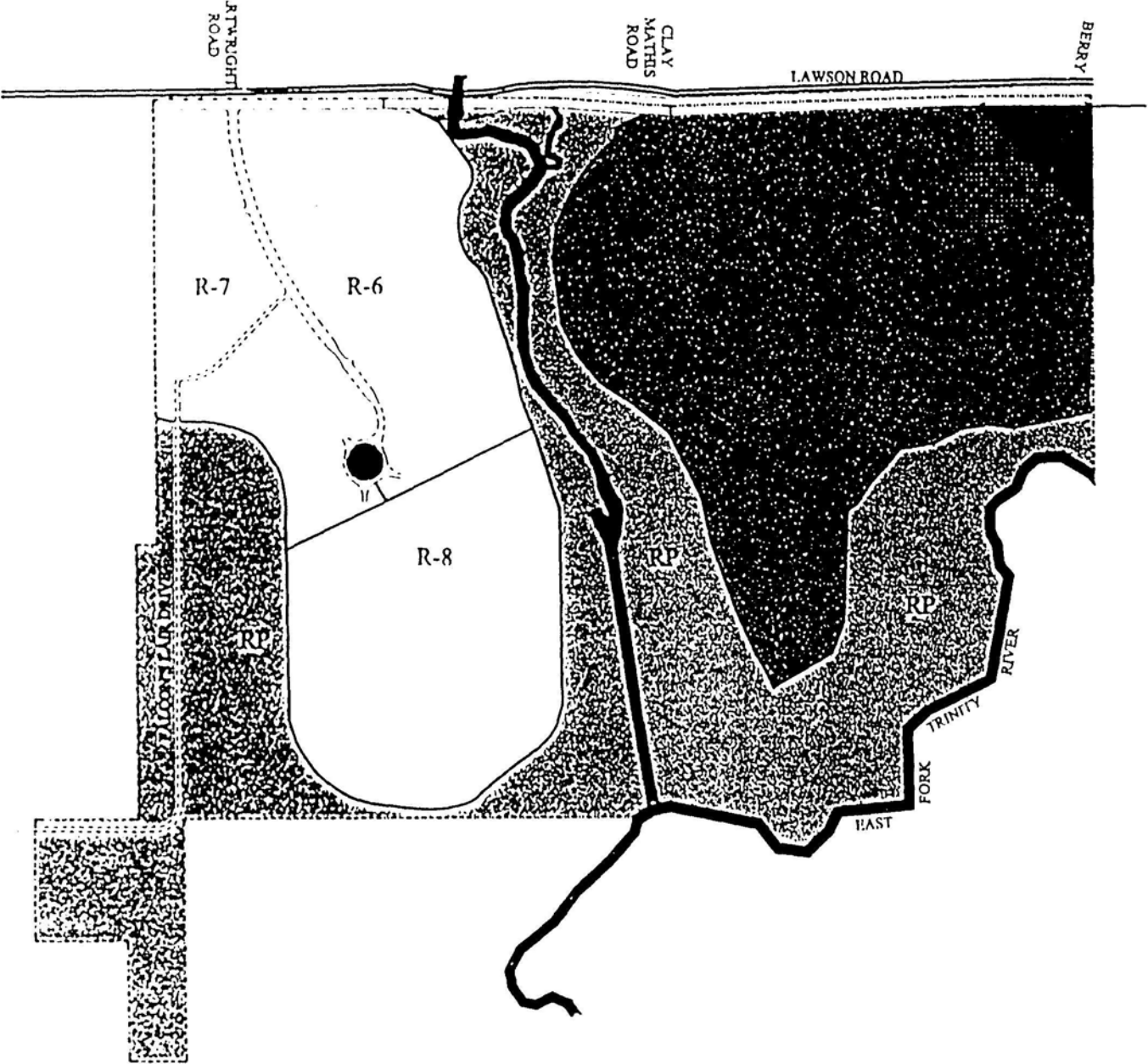








B. J. Smith
City Attorney

EXHIBIT "B"

MAY 2, 2001



LEGEND

-  SINGLE FAMILY 8,000 SQ. FT.
-  SINGLE FAMILY 7,000 SQ. FT.
-  SINGLE FAMILY 6,000 SQ. FT.
-  MIXED USE - RESIDENTIAL AND LIGHT COMMERCIAL.
1518 Dwelling Units Maximum
-918 Multi-Family Units Maximum
-600 Townhouse Units Maximum
-618 Single Family Units Maximum
-  65 Ldn Area Based On the Assumed 7,000 Ft. Runway
6.388 acres
-  Runway Protection Zone Based on the Assumed 7,000 Ft. Runway
5.709 acres
-  REGIONAL PARK



FALCON'S LAIR
MESQUITE TEXAS

Concept Plan
Land Use
May 2, 2001



Exhibit "C" - Proposed Development Standards
 North Tract, Falcon's Lair, Mesquite, TX

EXHIBIT "C"
 MAY 2, 2001

Parcel	Acreage			Zoning Data											Reference Data			
	Gross Acreage	Acres In ROW	Net Acreage	Zoning Category	Primary Land Use	Max. No. of Dwelling Units	Maximum Lot Coverage	Min. Lot Size (sf)	Min. Dwelling Area (sf)	Max. Bldg. Height (ft)	Front Yard Setback (a)	Rear Yard Setback	Side Yard Setback		F. A. R.	Density (du/ac)	Maximum Number of Floors	
1	54.5	4.3	50.2	R-6	SF Residential	245	N/A	6,000	1,600	35	25	20	10	5	N/A	4.5	2.5	
2	45.0	2.9	42.1	R-7	SF Residential	175	N/A	7,000	1,800	35	25	20	10	5	N/A	3.9	2.5	
3	74.9	0.5	74.4	R-8	SF Residential	269	N/A	8,000	2,000	35	25	25	10	5	N/A	3.6	2.5	
6	245.8	2.1	243.7	AG	Regional Park	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
4	146.8	2.2	144.6	MI	Commercial	N/A	50%	N/A	N/A	75	25	(c)	(c)	(c)	0.5:1.0	N/A	N/A	
	586.8	12.1	554.7	MI	Multi-family	918 (f)	30%	10,000	550	52	25	(d)	25	(d)		N/A	25	N/A
				MI	Townhouse	600 (f)	60%	2,000	850	35	20	10	5	(e)		N/A	15	2.5
				MI	SF Residential	618 (f)	N/A	5,000	1,200	35	20	20	10	5		N/A	4.65	2.5

Footnotes:

- (a) Front yard setback in R and SF districts may be reduced to 15 feet for J-shaped driveway with garage door oriented perpendicular to the primary front orientation of the dwelling.
 Front yard setback in the MI district may be reduced to 0 feet.
- (b) Not on key lot. Setback on side yard of key lot same as front yard setback.
- (c) Adjacent to Nonresidential Uses - 0 ft. Adjacent to Multi-family Uses - 15 ft.
 Adjacent to an AG District - 25 ft or 2 times the height of the building above the grade at the nearest AG district boundary, whichever is greater.
- (d) Adjacent to Nonresidential or Multi-family uses - 15 ft.
 Adjacent to an AG district - 25 ft or 2 times the height of the building above the grade at the nearest AG district boundary, whichever is greater.
- (e) 5 ft. minimum with 10 ft. minimum building separation.
- (f) Total units of multi-family, townhouse and sf residential for Parcel 4 shall not exceed 1,518.

Total Single Family Residential Units In Parcels 1, 2 and 3	689
Total Multifamily, Townhouse and Single Family Residential Units In Parcel 4	<u>1,518</u>
Total Dwelling Units	2,207

ADDITIONAL NOTES:

1. See Exhibit E, attached, for standards corresponding to mixed-use community development.
2. Future Falcon's Lair Drive (a park roadway) is located partially in the floodplain of the East Fork of the Trinity River.

Minimum Dwelling Sizes For Residential Parcels

North Tract, Falcon's Lair

<i>Zoning</i>	<i>Parcel</i>	<i>Minimum Percentage</i>	<i>Minimum Dwelling size</i>
R-8	3	10% 25% 50% 100%	3,000 SF or larger 2,500 SF or larger 2,250 SF or larger 2,000 SF or larger
R-7	2	25% 50% 100%	2,000 SF or larger 1,900 SF or larger 1,800 SF or larger
R-6	1	50% 100%	1,800 SF or larger 1,600 SF or larger
R-5	4	50% 80% 100%	1,800 SF or larger 1,500 SF or larger 1,200 SF or larger
SF-25 (Townhomes)	4	20% 50% 100%	1,100 SF or larger 1,000 SF or larger 850 SF or larger
MF-25 (Multifamily)	4	N/A	1 BR – 550 SF minimum 2 BR – 700 SF minimum 3 BR – 1,000 SF minimum

Landscape and Screening Standards

1. General Requirements. All provisions of the City's Landscape Ordinance will apply. Landscaped area will include turf, shrubs, ground covers, trees and forests, and hardscape elements including masonry and cast features, sidewalks, and drives. Open space is any space not covered by buildings.
2. Community Center. At least 25% of the gross site area of any community center must be landscaped area (including landscaping in parking areas and including hardscape elements such as walls, columns, walks, monuments, etc.). At least 50% of the required landscaped area must be located in the front and side yards of the lot. In addition, one nursery grown shade tree, one evergreen tree, or two ornamental trees must be provided for each 500 square feet of required landscaped area (with credit given for any trees planted in parking areas).
3. Parking Lots. When a parking area contains 20 or more parking spaces, the interior of the parking area must be landscaped with a minimum of one tree for every 15 parking spaces (with such trees placed anywhere within the parking area) and the perimeter of the parking area (excluding points of vehicular and pedestrian ingress and egress) must be screened by a berm, wall, or vegetative planting (or any combination of the foregoing) that is at least 30 inches high. Trees must be planted in a landscaped area no smaller than 6x6 feet and must be protected from vehicles through the use of concrete curbs, wheel stops, or other barriers. Landscaping and screening materials cannot create a visibility obstruction for either vehicles or pedestrians. Landscaped materials in islands located at an intersection of maneuvering aisles may not exceed 30 inches in height. Trees must be trimmed so that no branch or growth is less than seven feet above grade. These requirements do not apply to parking areas that do not provide required "code parking" and are not visible from any public street.
4. Median Trees. All collector streets with medians must have a minimum of one tree (minimum 3-inch caliper) for each 60 feet of median length or two ornamental trees for each 40 feet of median length. Trees may be grouped for design effect. A minimum of 20% of all trees shall be evergreen. The minimum median width shall be 4 feet, and minimum length 40 feet.
5. Street Trees. All single family residential lots shall be required to have one tree (minimum 3-inch caliper) located within the front yard (or, alternately, two ornamental trees within the front yard); provided, however, any single family residential lot in Parcel 4 shall be required to have (a) two trees (minimum 3-inch caliper) located within the front yard for interior lots; and (b) three trees (minimum 3-inch caliper) located within the front yard for corner lots. The distance of such tree(s) from the street right-of-way shall not exceed one-half of the required front yard setback for the lot.
6. Perimeter Screening. Townhome and multi-family development in Parcel 4 (other than development in accordance with neo-traditional mixed use standards) shall include screening by a six-foot high masonry wall or continuous screening hedge. Stone or brick columns (or a combination thereof) shall be a required element of such screening (with a minimum column width of two feet and a maximum spacing of 60 feet).