

ORDINANCE NO. 3518

File No. 1410-1

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 PLANNED DEVELOPMENT MULTIFAMILY TO PLANNED DEVELOPMENT GENERAL RETAIL ALLOWING MINIWAREHOUSES SUBJECT TO 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 changes 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 Planned Development Multifamily to Planned Development General Retail allowing the following:

- A. All uses permitted in the General Retail District as indicated in the Schedule of Permitted Uses shall be permitted in the district.
- B. Miniwarehouses shall be permitted in accordance with the site plan submitted and subject to the following design, conditions and stipulations:
  - 1. The project shall be designed as a "fortress" with no doors or windows on the rear of the building or facing outward; outside walls of the buildings shall be connected by masonry walls designed to match the building exterior except at the entrance area and exit gate where wrought iron fencing may be utilized.
  - 2. All building exteriors shall be 100 percent masonry utilizing a brown/red brick.
  - 3. The office structure shall be designed in a residential style.

4. Roofing shall be limited to earthtones with all roofs of one color utilizing a rust or similar earthtone color.
5. Professionally designed landscaping, fully irrigated, shall be provided on all public sides of the property in accordance with the revised landscape drawings presented at the August 5, 2002, meeting and is more fully described in Exhibits "C" and "D" attached hereto.
6. No parking/storage of recreational vehicles or boats shall be allowed.
7. All provisions of Section 3-502 of the Mesquite Zoning Ordinance shall apply.
8. Each building corner shall include decorative cornerstones.

That the subject property is a 3.97-acre tract located at the southeast corner of the U. S. Highway 67 and Northwest Drive intersection and is more fully described in the approved field notes in Exhibits "A" and "B" 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 Mesquite Zoning Ordinance.

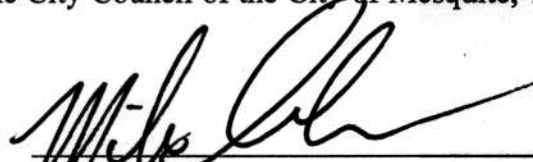
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of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

SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance 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. That 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 16th day of September, 2002.

  
\_\_\_\_\_  
Mike Anderson  
Mayor

ATTEST:

  
\_\_\_\_\_  
Ellen Williams  
City Secretary

APPROVED:

  
\_\_\_\_\_  
B. J. Smith  
City Attorney

**LEGAL DESCRIPTION**

Being 3.97 acres of land situated in the S. A. & M.G.R.R. Survey, Abstract No. 1410 and the T. Thomas Survey, Abstract No. 1461, in the City of Mesquite, Dallas County, Texas and being part of that same tract of land as conveyed to I.H. 30 Associates, Ltd. and recorded in Volume 93076, Page 2541, Deed Records, Dallas County, Texas, and being more particularly described as follows;

**BEGINNING** at a ½-inch iron rod found at the intersection of the easterly right-of-way line of Northwest Drive (a 100 foot right-of-way) with the southerly right-of-way line of Interstate Highway No. 30 (a variable width right-of-way), said point being the northwest corner of said I.H. 30 tract:

**THENCE** North 49° 21'41" East, along the southerly right -of-way line of said Interstate Highway No. 30 and the north line of said I.H. 30 tract a distance of 190.26 feet to a 5/8-inch iron rod with a cap (stamped PETITT-RPLS 4087) set for corner, said point being the southwest corner of a 0.2311 acre tract conveyed to the State of Texas as recorded in Volume 93167, Page 5614 of said deed records;

**THENCE** North 62° 30'48" east, along the new common line of said Interstate Highway No. 30 and said I.H. 30 tract a distance of 399.99 feet to a 5/8-inch iron rod set with cap (stamped PETITT-RPLS 4087) set for corner;

**THENCE** North 49°15'59" East, continuing along the new common line of said Interstate Highway No. 30 and said I.H. 30 tract a distance of 105.38 feet to a 5/8-inch iron rod set with cap (stamped PETITT-RPLS 4087) set for corner in the southerly right-of-way line of said Interstate Highway 30, the north line of said I.H. 30 tract, said being in a non-tangent curve to the right having a radius of 11,269.16 feet and a chord that bears North 64°44'46" East a distance of 39.13 feet;

**THENCE** in a northwesterly direction continuing along the southerly right-of-way line of said Interstate Highway No. 30 and the north line of said I.H. 30 tract through a central angle of 00°11'56" an arc distance of 39.13 feet to a 5/8-inch iron rod set with cap (stamped PETITT-RPLS 4087) set for corner;

**THENCE** South 46°06'51" East, leaving the southerly right-of-way line of said Interstate Highway No. 30 and along a line that is 10 foot from and parallel to the City Limits line of Mesquite and Dallas for a distance of 396.31 feet to a 5/8-inch iron rod set with cap (stamped PETITT-RPLS 4087) set for corner; said point being in the north line of a 175-foot D.P. & L. Co. right-of-way;

**THENCE** South 78°37'00 West, along the north line of a 175-foot D.P. & L. Co. right-of-way a distance of 885.66 feet to a ½ inch iron rod found for the southwest corner of said I.H. 30 tract, said point being in the easterly right-of-way line of said Northwest Drive;

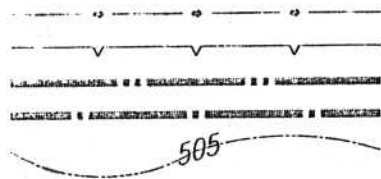
**THENCE** North 29°52'07" West, along the easterly right-of-way line of said Northwest Drive a distance of 63.35 feet to the **POINT OF BEGINNING** and containing 3.97 acres of land more or less.

Basis of Bearings is the south line (South 78°37'00" West) of said I.H. 30 Associates tract as recorded in volume 93076, Page 2541, Deed Records, Dallas County, Texas.



**LEGEND**

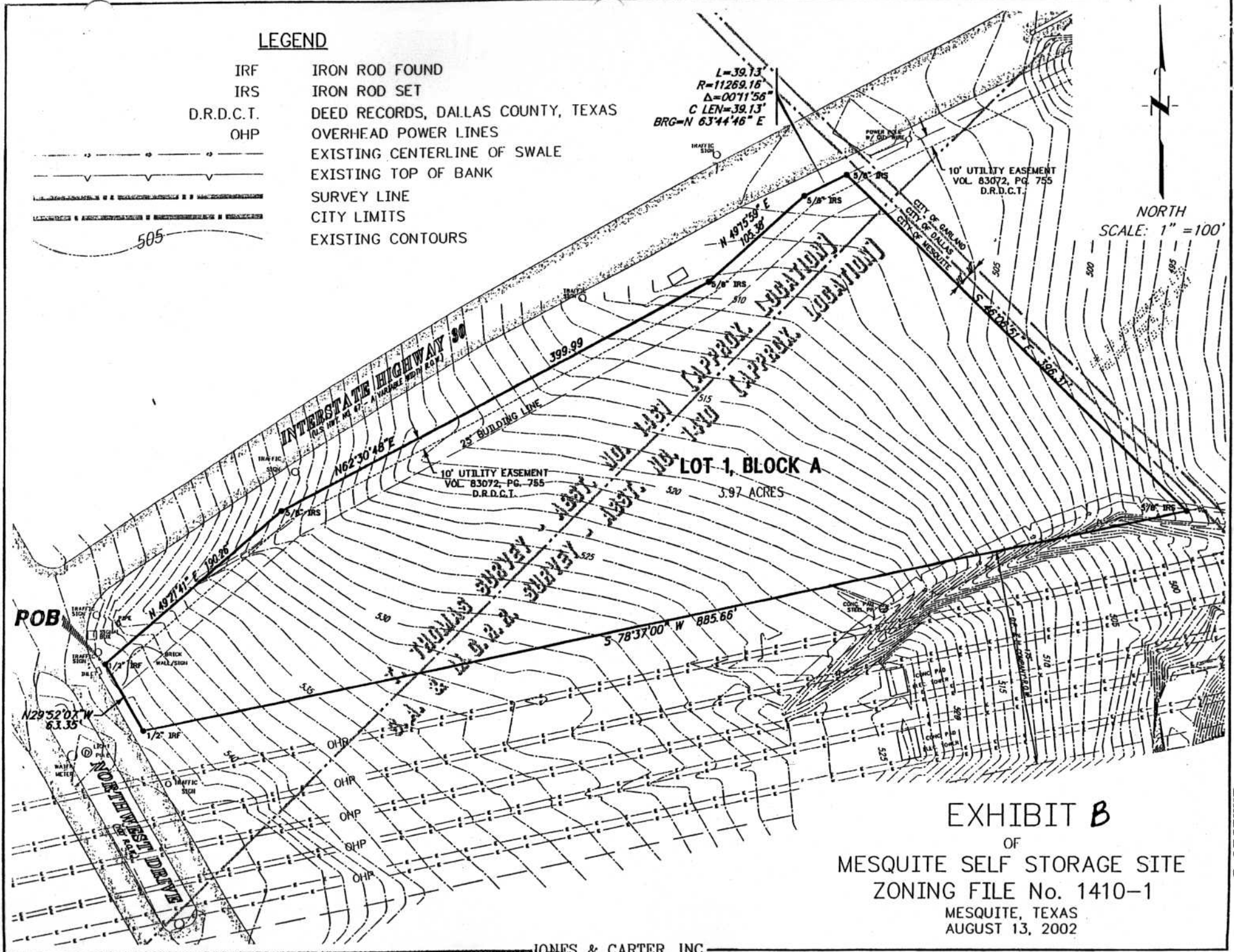
- IRF IRON ROD FOUND
- IRS IRON ROD SET
- D.R.D.C.T. DEED RECORDS, DALLAS COUNTY, TEXAS
- OHP OVERHEAD POWER LINES
- EXISTING CENTERLINE OF SWALE
- EXISTING TOP OF BANK
- SURVEY LINE
- CITY LIMITS
- EXISTING CONTOURS



$L=39.13'$   
 $R=11269.16'$   
 $\Delta=00'11'56''$   
 $C\text{ LEN}=39.13'$   
 $BRG=N\ 63'44'46''\ E$

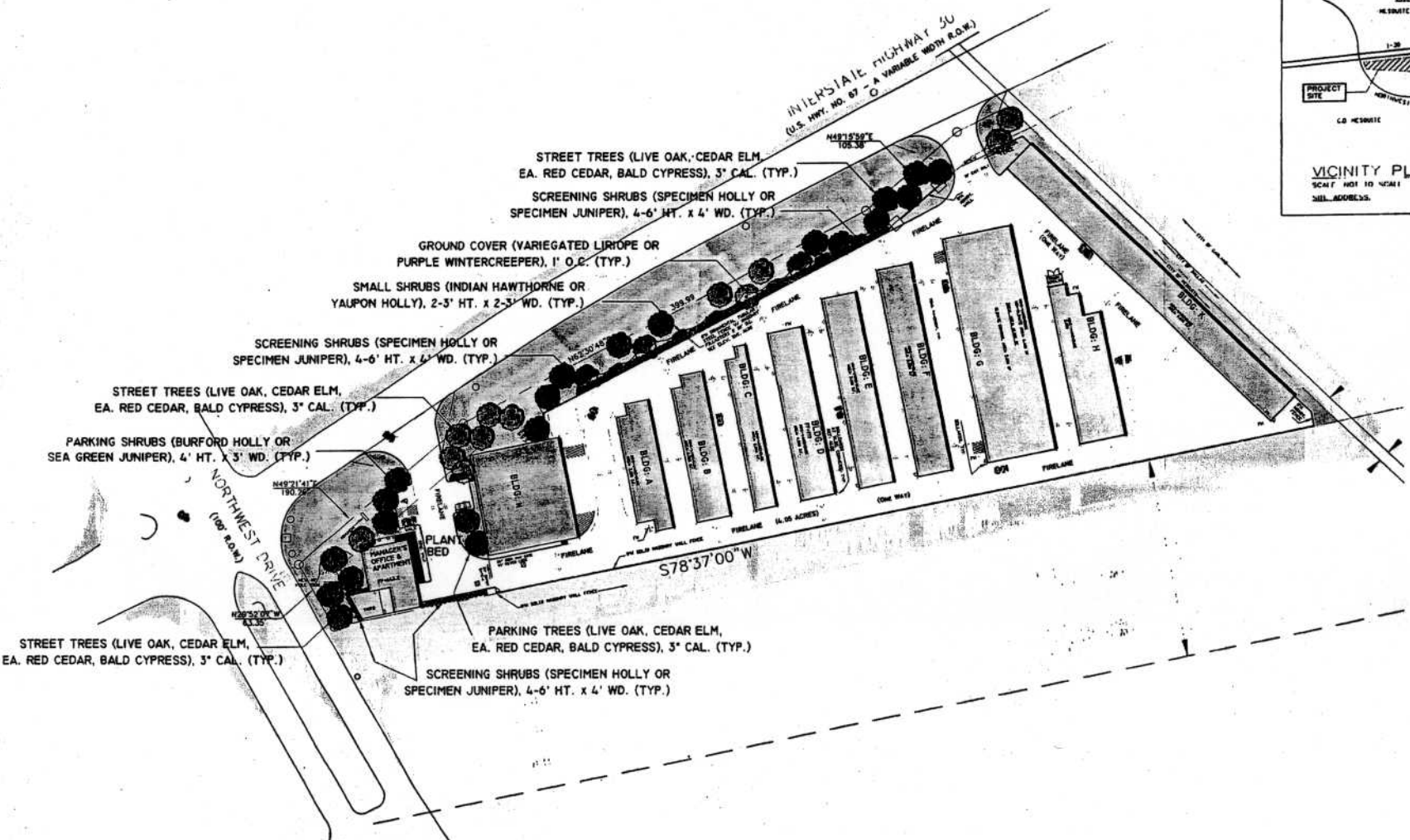
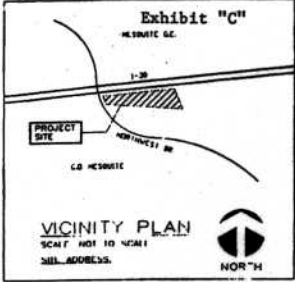


NORTH  
 SCALE: 1" = 100'



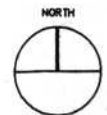
**EXHIBIT B**  
 OF  
**MESQUITE SELF STORAGE SITE**  
 ZONING FILE No. 1410-1  
 MESQUITE, TEXAS  
 AUGUST 13, 2002

Exhibit B



**LANDSCAPE CONSULTANTS** THE SCULLIN GROUP, INC.

1919 OLD DENTON ROAD, SUITE 104 / CARROLLTON, TEXAS 75006  
 972-245-0444 FAX 972-245-0445



**CONCEPTUAL LANDSCAPE PLAN**

SCALE: 1" = 40'-0"

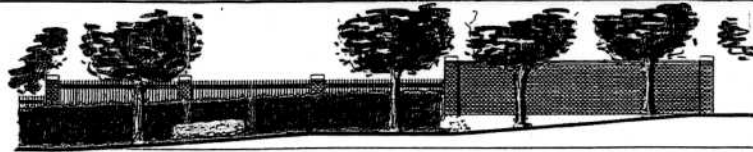
SITE ACREAGE: 4.05 ACRES  
**OWNER / DEVELOPER:**  
 LEIN BACKES / PROVIDENT REALTY ADVISORS, INC.  
 17445 N. DALLAS PARKWAY / SUITE 230  
 DALLAS, TX 75287  
 972-732-3399 OFFICE  
 972-931-9269 FAX

DATE: 7-30-02  
 JOB NO. 02-587

SHEET NO.

**L1**

Exhibit D



### 02 ENLARGED NORTH WALL-FENCE PARTIAL ELEVATION

SCALE: 1/8" = 1'-0"

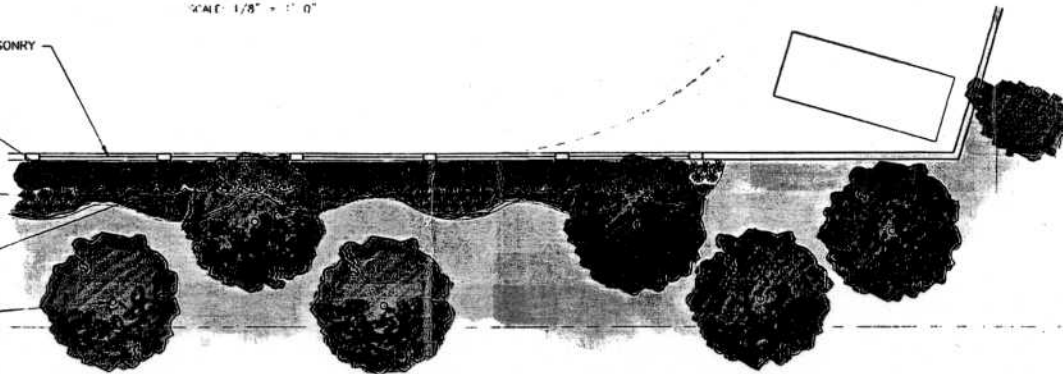
8'H ORNAMENTAL TUBULAR STEEL FENCE W/ MASONRY PILLASTERS @ 20' O.C. SEE ELEV. SHT. A1.02

SCREENING SHRUBS (SPECIMEN HOLLY OR SPECIMEN JUNIPER), 4-6' HT. x 4' WD. (TYP.)

SMALL SHRUBS (INDIAN HAWTHORNE OR YAUPON HOLLY), 2-3' HT. x 2-3' WD. (TYP.)

GROUND COVER (VARIEGATED LIRIOPE OR PURPLE WINTERCREEPER), 1' O.C. (TYP.)

STREET TREES (LIVE OAK, CEDAR ELM, EA. RED CEDAR, BALD CYPRESS), 3' CAL. (TYP.)



### 02 ENLARGED NORTH WALL-FENCE PARTIAL ELEVATION

SCALE: 1/8" = 1'-0"



### 01B NORTH WALL-FENCE ELEVATION

SCALE: 1/16" = 1'-0"

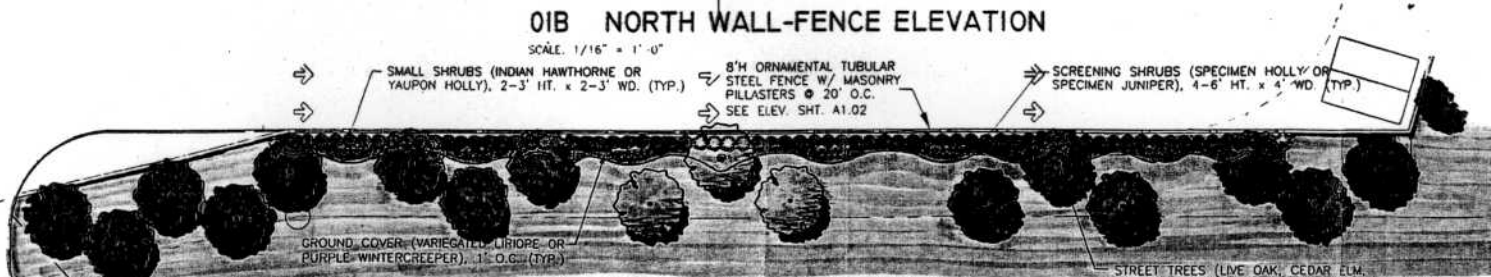
SMALL SHRUBS (INDIAN HAWTHORNE OR YAUPON HOLLY), 2-3' HT. x 2-3' WD. (TYP.)

8'H ORNAMENTAL TUBULAR STEEL FENCE W/ MASONRY PILLASTERS @ 20' O.C. SEE ELEV. SHT. A1.02

SCREENING SHRUBS (SPECIMEN HOLLY OR SPECIMEN JUNIPER), 4-6' HT. x 4' WD. (TYP.)

GROUND COVER (VARIEGATED LIRIOPE OR PURPLE WINTERCREEPER), 1' O.C. (TYP.)

STREET TREES (LIVE OAK, CEDAR ELM, EA. RED CEDAR, BALD CYPRESS), 3' CAL. (TYP.)



### 01A NORTH WALL-FENCE PLAN

SCALE: 1/16" = 1'-0"

LANDSCAPE CONSULTANTS THE SULLIVAN GROUP, INC.  
1815 OLD DORTON ROAD, SUITE 104 / CARROLLTON, TEXAS 75006  
972-668-8444 FAX 972-668-9444

**SULLIVAN Architecture**  
Landscape / Planning / Interiors  
1815 OLD DORTON ROAD, SUITE 104 / CARROLLTON, TEXAS 75006  
972-668-8444 FAX 972-668-9444  
COPYRIGHT © 2004

NOTICE  
THIS DOCUMENT IS THE PROPERTY OF SULLIVAN ARCHITECTURE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SULLIVAN ARCHITECTURE. ANY UNAUTHORIZED USE OF THIS DOCUMENT IS PROHIBITED.

PROJECT TITLE  
**MESQUITE SELF STORAGE**  
Provident Realty Advisors, Developer  
S.E. Corner I-30 & Northwest Dr.  
Mesquite, Texas

CONSULTANT  
JOB NO. 0204 Date: 7-10-02  
Drawn By: S.S. Scale:  
Checked By: S.S.  
Project Mgr.: S.S.  
Sheet Title

WALL-FENCE ELEVATIONS

Sheet No. **L2**