

ORDINANCE NO. 4859  
File No. Z0321-0184

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL WITHIN THE MILITARY PARKWAY – SCYENE CORRIDOR OVERLAY DISTRICT TO PLANNED DEVELOPMENT – INDUSTRIAL ON PROPERTY LOCATED AT 1030 WEST SCYENE ROAD TO ALLOW FOR AN OFFICE AND WAREHOUSE / DISTRIBUTION DEVELOPMENT SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the City Council, in compliance with the Charter of the City of Mesquite, state laws and the zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject property; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. The subject property is approximately 1.797 acres of undeveloped land situated in the D. S. Carvey Survey, Tract 32, Abstract Number 342, Page 654, in the City of Mesquite, Dallas County, Texas, more particularly described in Exhibit A attached hereto, and located at 1030 West Scyene Road (the “**Property**”).

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning for the Property from Commercial within the Military Parkway – Scyene Corridor Overlay District to Planned Development – Industrial to allow for an office and warehouse/ distribution development subject to the Development Standards attached hereto as Exhibit B and incorporated herein by reference. The site plan for the Property shall conform substantially to the Concept Plan attached hereto as Exhibit C and incorporated herein by reference.

SECTION 3. 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

SECTION 4. The Property shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 5. 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. Any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed \$2,000.00 for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 7. This ordinance shall take effect and be in force from and after five days after publication.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd day of May 2020.



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Bruce Archer  
Mayor

ATTEST:



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Sonja Land  
City Secretary

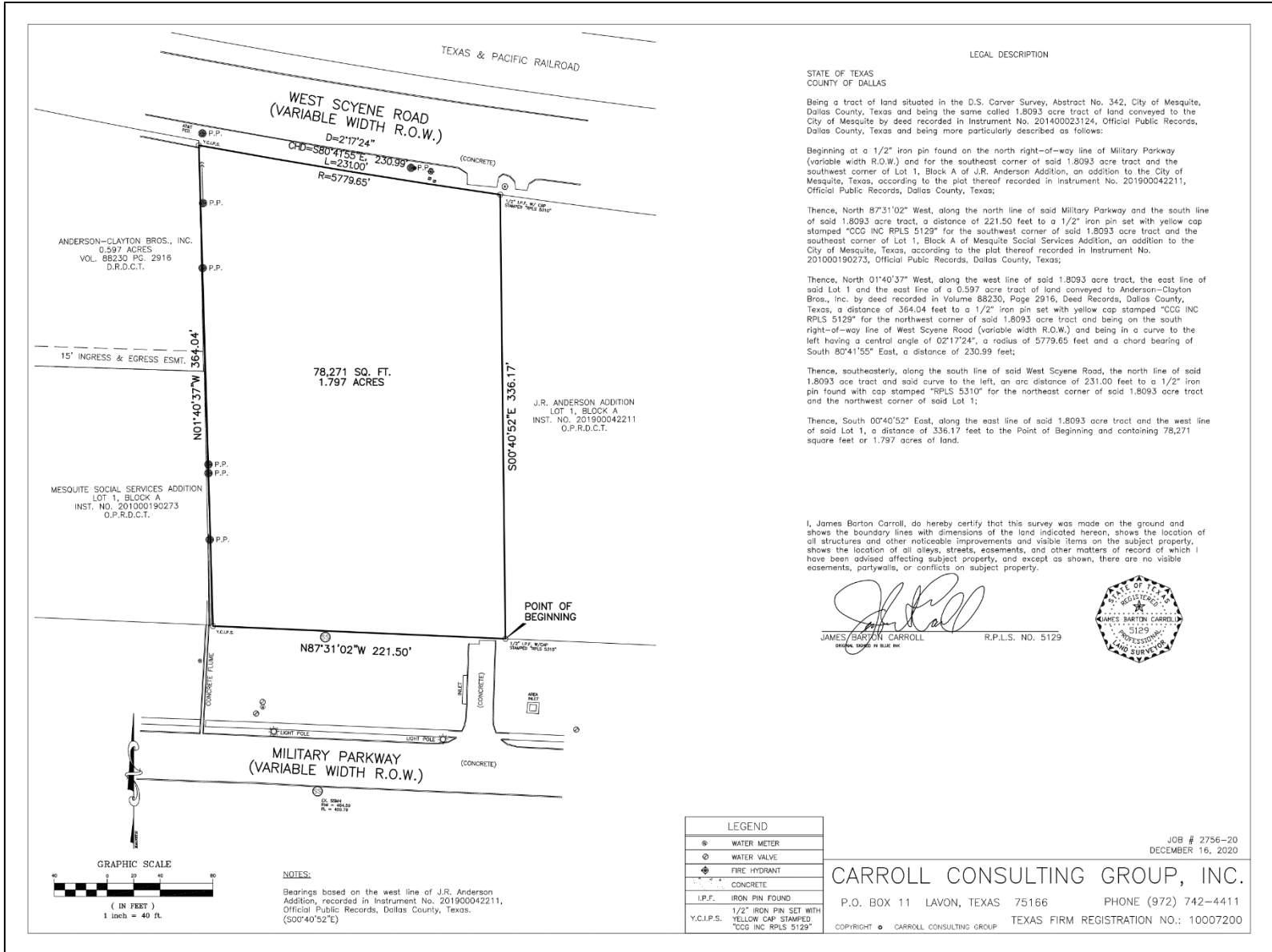
APPROVED AS TO LEGAL FORM:



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David L. Paschall  
City Attorney

# EXHIBIT A - Legal Description and Depiction for File No. Z0321-0184



**LEGAL DESCRIPTION**

STATE OF TEXAS  
 COUNTY OF DALLAS

Being a tract of land situated in the D.S. Carver Survey, Abstract No. 342, City of Mesquite, Dallas County, Texas and being the same called 1.8093 acre tract of land conveyed to the City of Mesquite by deed recorded in Instrument No. 201400023124, Official Public Records, Dallas County, Texas and being more particularly described as follows:

Beginning at a 1/2" iron pin found on the north right-of-way line of Military Parkway (variable width R.O.W.) and for the southeast corner of said 1.8093 acre tract and the southwest corner of Lot 1, Block A of Mesquite Social Services Addition, an addition to the City of Mesquite, Texas, according to the plat thereof recorded in Instrument No. 201900042211, Official Public Records, Dallas County, Texas;

Thence, North 87°31'02" West, along the north line of said Military Parkway and the south line of said 1.8093 acre tract, a distance of 221.50 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for the southwest corner of said 1.8093 acre tract and the southeast corner of Lot 1, Block A of Mesquite Social Services Addition, an addition to the City of Mesquite, Texas, according to the plat thereof recorded in Instrument No. 201900042211, Official Public Records, Dallas County, Texas;

Thence, North 01°40'37" West, along the west line of said 1.8093 acre tract, the east line of said Lot 1 and the east line of a 0.597 acre tract of land conveyed to Anderson-Clayton Bros., Inc. by deed recorded in Volume 88230, Page 2916, Deed Records, Dallas County, Texas, a distance of 364.04 feet to a 1/2" iron pin set with yellow cap stamped "CCG INC RPLS 5129" for the northwest corner of said 1.8093 acre tract and being on the south right-of-way line of West Scyene Road (variable width R.O.W.) and being in a curve to the left having a central angle of 02°17'24", a radius of 5779.65 feet and a chord bearing of South 80°41'55" East, a distance of 230.99 feet;

Thence, southeasterly, along the south line of said West Scyene Road, the north line of said 1.8093 acre tract and said curve to the left, an arc distance of 231.00 feet to a 1/2" iron pin found with cap stamped "RPLS 5310" for the northeast corner of said 1.8093 acre tract and the northwest corner of said Lot 1;

Thence, South 00°40'52" East, along the east line of said 1.8093 acre tract and the west line of said Lot 1, a distance of 336.17 feet to the Point of Beginning and containing 78,271 square feet or 1.797 acres of land.

I, James Barton Carroll, do hereby certify that this survey was made on the ground and shows the boundary lines with dimensions of the land indicated hereon, shows the location of all structures and other noticeable improvements and visible items on the subject property, shows the location of all alleys, streets, easements, and other matters of record of which I have been advised affecting subject property, and except as shown, there are no visible easements, partywalls, or conflicts on subject property.

*James Barton Carroll*  
 JAMES BARTON CARROLL  
 R.P.L.S. NO. 5129  
 PROFESSIONAL LAND SURVEYOR



JOB # 2756-20  
 DECEMBER 16, 2020

**CARROLL CONSULTING GROUP, INC.**

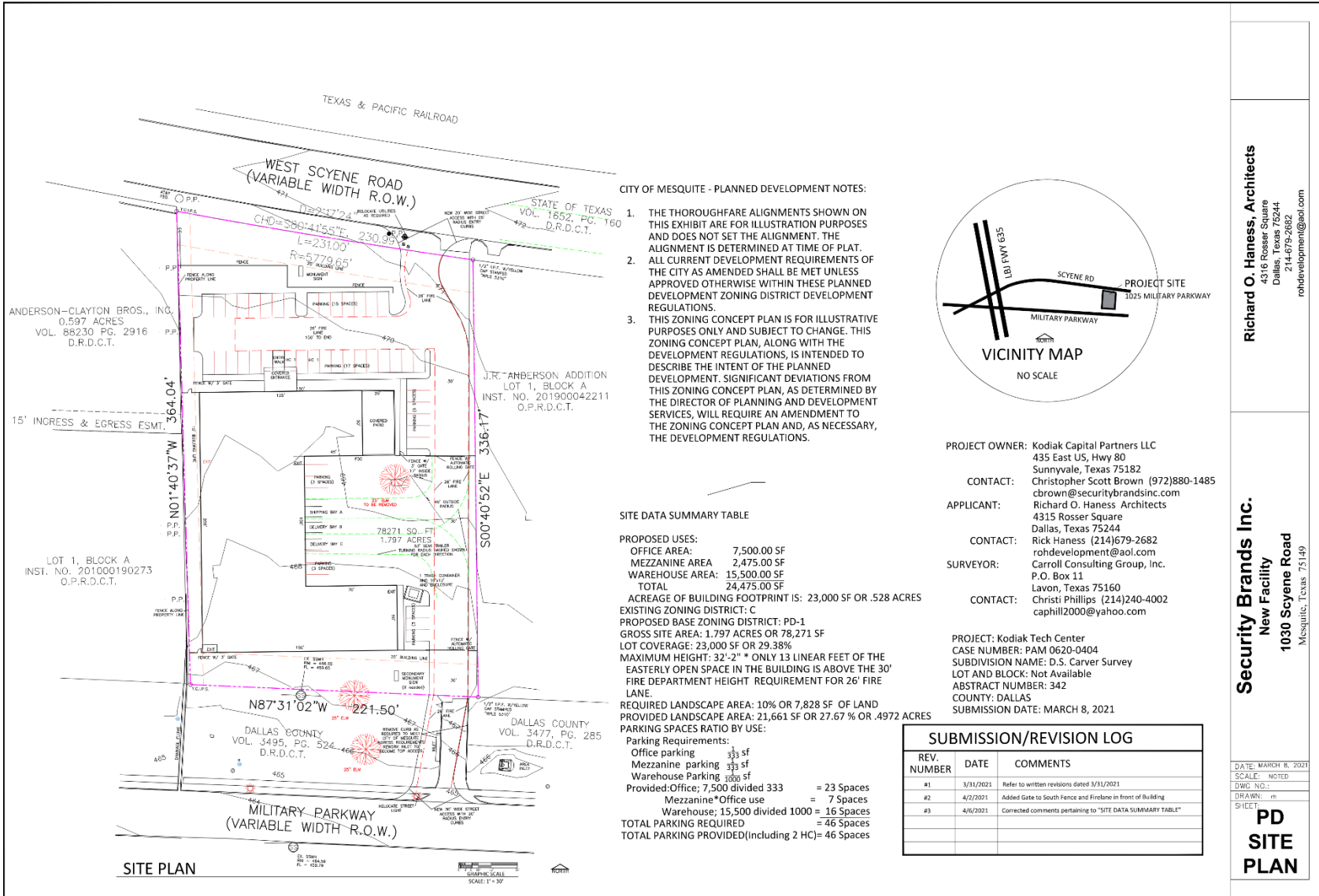
P.O. BOX 11 LAVON, TEXAS 75166 PHONE (972) 742-4411  
 COPYRIGHT © CARROLL CONSULTING GROUP TEXAS FIRM REGISTRATION NO.: 10007200

## EXHIBIT B - DEVELOPMENT STANDARDS for File No. Z0321-0184

### Development Standards File No. Z0321-0184

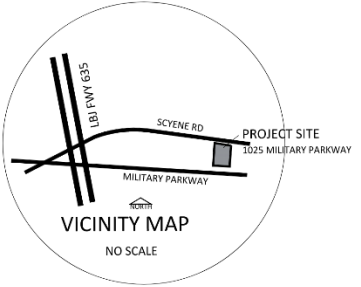
1. Except as provided herein, the site plan for the Property shall conform substantially to the Concept Plan, attached hereto as Exhibit C. The orientation and location of structures, driveways and parking areas shown on Exhibit C may be modified to avoid conflict with utilities, floodplain and/or wetlands provided that parking and other development standards are met.
2. All uses permitted in the Industrial District are allowed on the Property except as modified in Subsections "a" of this paragraph. The uses permitted in the Planned Development – Industrial ("PD-I") are subject to the same requirements applicable to the uses in the Industrial District, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the Industrial District only by Conditional Use Permit ("CUP") is permitted in this District only by CUP.
  - a. The following uses are prohibited on the property:
    - SIC Code 32a: Concrete Batch Plants
    - SIC Code 40: Railroad Passenger Terminal
    - SIC Code 61: Alternative Financial Institutions
    - SIC Code 593: Used Merchandise
    - SIC Code 593a: Pawnshops
    - SIC Code 5993: Tobacco Stores
    - SIC Code 7299a: Massage Parlors, Turkish and Steam Baths
3. Parking Standards to one (1) space for every 333 square feet of gross floor area for office.

# EXHIBIT C - CONCEPT PLAN for File No. Z0321-0184



### CITY OF MESQUITE - PLANNED DEVELOPMENT NOTES:

1. THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT TIME OF PLAT.
2. ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS APPROVED OTHERWISE WITHIN THESE PLANNED DEVELOPMENT ZONING DISTRICT DEVELOPMENT REGULATIONS.
3. THIS ZONING CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH THE DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THIS ZONING CONCEPT PLAN, AS DETERMINED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICES, WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.



### SITE DATA SUMMARY TABLE

PROPOSED USES:  
 OFFICE AREA: 7,500.00 SF  
 MEZZANINE AREA: 2,475.00 SF  
 WAREHOUSE AREA: 15,500.00 SF  
 TOTAL: 24,475.00 SF  
 ACREAGE OF BUILDING FOOTPRINT IS: 23,000 SF OR .528 ACRES  
 EXISTING ZONING DISTRICT: C  
 PROPOSED BASE ZONING DISTRICT: PD-1  
 GROSS SITE AREA: 1,797 ACRES OR 78,271 SF  
 LOT COVERAGE: 23,000 SF OR 29.38%  
 MAXIMUM HEIGHT: 32'-2" \* ONLY 13 LINEAR FEET OF THE EASTERLY OPEN SPACE IN THE BUILDING IS ABOVE THE 30' FIRE DEPARTMENT HEIGHT REQUIREMENT FOR 26' FIRE LANE.  
 REQUIRED LANDSCAPE AREA: 10% OR 7,828 SF OF LAND  
 PROVIDED LANDSCAPE AREA: 21,661 SF OR 27.67 % OR .4972 ACRES  
 PARKING SPACES RATIO BY USE:  
 Parking Requirements:  
 Office parking: 333 sf  
 Mezzanine parking: 333 sf  
 Warehouse Parking: 1000 sf  
 Provided: Office; 7,500 divided 333 = 23 Spaces  
 Mezzanine\*Office use = 7 Spaces  
 Warehouse; 15,500 divided 1000 = 16 Spaces  
 TOTAL PARKING REQUIRED = 46 Spaces  
 TOTAL PARKING PROVIDED(including 2 HC)= 46 Spaces

PROJECT OWNER: Kodiak Capital Partners LLC  
 435 East US, Hwy 80  
 Sunnyvale, Texas 75182  
 CONTACT: Christopher Scott Brown (972)880-1485  
 cbrown@securitybrandsinc.com  
 APPLICANT: Richard O. Hanes Architects  
 4315 Rosser Square  
 Dallas, Texas 75244  
 CONTACT: Rick Hanes (214)679-2682  
 rohdevelopment@aol.com  
 SURVEYOR: Carroll Consulting Group, Inc.  
 P.O. Box 11  
 Lavon, Texas 75160  
 CONTACT: Christi Phillips (214)240-4002  
 caphill2000@yahoo.com

PROJECT: Kodiak Tech Center  
 CASE NUMBER: PAM 0620-0404  
 SUBDIVISION NAME: D.S. Carver Survey  
 LOT AND BLOCK: Not Available  
 ABSTRACT NUMBER: 342  
 COUNTY: DALLAS  
 SUBMISSION DATE: MARCH 8, 2021

SUBMISSION/REVISION LOG		
REV. NUMBER	DATE	COMMENTS
#1	3/31/2021	Refer to written revisions dated 3/31/2021
#2	4/2/2021	Added Gate to South Fence and Fireline in front of Building
#3	4/6/2021	Corrected comments pertaining to "SITE DATA SUMMARY TABLE"

**Richard O. Hanes, Architects**  
 4315 Rosser Square  
 Dallas, Texas 75244  
 214-679-2682  
 rohdevelopment@aol.com

**Security Brands Inc.**  
 New Facility  
 1030 Scyene Road  
 Mesquite, Texas 75149

DATE: MARCH 8, 2021  
 SCALE: NOTED  
 DWG. NO.:  
 DRAWN: m  
 SHEET:  
**PD SITE PLAN**