

ORDINANCE NO. 5110  
File No. Z0224-0344

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM COMMERCIAL TO HIGH-DENSITY RESIDENTIAL AND AMENDING THE MESQUITE ZONING ORDINANCE BY CHANGING THE ZONING FROM PLANNED DEVELOPMENT – LIGHT COMMERCIAL ORDINANCE NO. 2102 TO PLANNED DEVELOPMENT – MULTIFAMILY TO ALLOW A MULTIFAMILY DEVELOPMENT WITH 280 DWELLING UNITS WITH MODIFIED PLANNED DEVELOPMENT STANDARDS ON PROPERTY LOCATED AT 900 AND 1000 WINDBELL CIRCLE; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING PUBLICATION OF THE CAPTION HEREOF; 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 consists of two tracts totaling approximately 12.352 acres described in Exhibit A, attached hereto and incorporated herein by reference, and located at 900 and 1000 Windbell Circle, Mesquite, Dallas County, Texas (the “**Property**”).

SECTION 2. The Mesquite Comprehensive Plan, dated October 7, 2019, as amended, is hereby amended by changing the Property’s future land use designation from Commercial to High-Density Residential.

SECTION 3. The Mesquite Zoning Ordinance is amended by changing the zoning for the Property from Planned Development – Light Commercial Ordinance No. 2102 to Planned Development – Multifamily allowing a multifamily development with 280 dwelling units subject to modified Planned Development Standards and Concept Plan, attached hereto as Exhibits B and C, respectively, and incorporated herein by reference.

SECTION 4. All other 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

Zoning / File No. Z0224-0344 / Amending Mesquite Comprehensive Plan from Commercial to High-Density Residential / Amending MZO from PD-LC Ord. No. 2102 to PD - Multifamily  
June 3, 2024  
Page 2 of 2

SECTION 5. The Property shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 6. 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 7. Any violation of the provisions or terms of this Ordinance by any “person,” as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite Zoning Ordinance, Part 5, 5-100, [Section 5-103](#) (General Penalties), or successor and as amended.

SECTION 8. This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 9. 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 June 2024.

DocuSigned by:  
*Daniel Aleman Jr.*  
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Daniel Alemán, Jr.  
Mayor

ATTEST:

DocuSigned by:  
*Sonja Land*  
C2518095973F46A...

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Sonja Land  
City Secretary

APPROVED AS TO LEGAL FORM:

DocuSigned by:  
*David L. Paschall*  
666E18891208434...

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David L. Paschall  
City Attorney

File No.: Z0224-0344

## Exhibit A – Legal Description

### 3.937 ACRES TRACT

All of Lot 3, Block A  
Skyline Village No. 37 Phase III  
Daniel Tanner Survey, Abstract No. 1462  
City of Mesquite, Dallas County, Texas

**DESCRIPTION**, a 3.937 acre (171,494 square feet) tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, Dallas County, Texas; said 3.937 acre tract being all of Lot 3, Block A, Skyline Village No. 37 Phase III, an addition to the City of Mesquite Texas according to the plat recorded in Volume 85094, Page 1333 of the Deed Records of Dallas County, Texas, said tract also being part of that certain tract of land described in Special Warranty Deed to PRS Gross 1, LP recorded in Volume 94073, Page 3131 of the said Deed records; said 3.937 acre (171,494 square feet) tract of land being more particularly described as follows;

**BEGINNING**, at a point for corner in the northwest right-of-way line of Windbell Circle (60-foot wide right-of-way), said point being the east corner of the said Lot 3 and the southernmost southwest corner of Lot 2F, Block A Skyline Village No. 37 Phase II according to the plat recorded in Volume 86140, Page 3641 of the said Deed Records;

**THENCE**, South 62 degrees, 11 minutes, 43 seconds West, along the said northwest line of Windbell Circle and the southeast line of said Lot 3, a distance of 486.81 feet to a point for corner at the intersection of said northwest line of Windbell Circle and the East right-of-way line of said Windbell Circle; said point also being the south corner of said Lot 3;

**THENCE**, along the east line of said Windbell Circle and the west line of said Lot 3, the following four (4) calls:

North 27 degrees, 48 minutes, 17 seconds West, a distance of 51.30 feet to a point for corner; said point being the beginning of a curve to the right; from said point a 1/2-inch iron rod bears South 44 degrees, 33 minutes, East, a distance of 0.4 feet;

In a northwesterly direction along said curve to the right, having a central angle of 27 degrees, 00 minutes, 00 seconds, a radius of 220.00 feet, a chord bearing and distance of North 14 degrees, 18 minutes, 17 seconds West, 102.72 feet, an arc distance of 103.67 feet to a point at the end of said curve; from said point a 1/2-inch iron rod bears North 63 degrees, 08 minutes, West, a distance of 0.3 feet;

North 00 degrees, 48 minutes, 17 seconds West, a distance of 524.05 feet to a point for corner: said point being the beginning of a curve to the left;

In a northwesterly direction along said curve to the left, having a central angle of 06 degrees, 54 minutes, 05 seconds, a radius of 280.00 feet, a chord bearing and distance of North 04 degrees, 15 minutes, 21 seconds West, 33.71 feet, an arc distance of 33.73 feet to a point at the end of said curve; said point being the north corner of said Lot 3 and the southwest corner of said Lot 2F;

**THENCE**, South 45 degrees, 51 minutes, 02 seconds East, departing the said east line of Windbell Circle, along the northeast line of said Lot 3 and the southwest line of said Lot 2F, a distance of 682.59 feet to the **POINT OF BEGINNING**;

**CONTAINING**, 3.937 acres or 171,494 square feet of land, more or less.

**EXHIBIT A - continued**  
**File No.: Z0224-0344**

**8.415 ACRES TRACT**  
Part of Lot 1, Block B  
Skyline Village No. 37 Phase III  
Daniel Tanner Survey, Abstract No. 1462  
*City of Mesquite, Dallas County, Texas*

**DESCRIPTION**, a 8.415 acre (366,554 square feet) tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, Dallas County, Texas; said 8.415 acre tract being part of Lot 1, Block B, Skyline Village No. 37 Phase III, an addition to the City of Mesquite Texas according to the plat recorded in Volume 85094, Page 1333 of the Deed Records of Dallas County, Texas, said tract also being part of that certain tract of land described in Special Warranty Deed to PRS Gross 1, LP recorded in Volume 94073, Page 3131 of the said Deed records; said 8.415 acre (366,554 square feet) tract of land being more particularly described as follows;

**BEGINNING**, at 1/2-inch iron rod found in the west right-of-way line of Windbell Circle (60-foot wide right-of-way), said point being in the southeast corner of Lot 1R-B, Block B, of Skyline Village No. 37, Phase III, Block B, Lot 1R-B, a Replat of a Portion of Lot 1, Block B, an addition to the City of Mesquite, Texas according to the Plat recorded in Volume 97042, Page 4776 of the said Deed Records;

**THENCE**, along the said west line of Windbell Circle and the east line of said Lot 1, the following three (3) calls:

South 00 degrees, 48 minutes, 17 seconds East, at a distance of 420.23 feet to a 1/2-inch iron rod found for corner; said point being the beginning of a tangent curve to the left;

In a southeasterly direction along said curve to the left, having a central angle of 27 degrees, 00 minutes, 00 seconds, a radius of 280.00 feet, a chord bearing and distance of South 14 degrees, 18 minutes, 17 seconds East, 130.73 feet, an arc distance of 131.95 feet to a point for corner at the end of said curve; from said point a 1/2-inch iron rod bears South 82 degrees, 08 minutes, West, a distance of 0.2 feet;

South 27 degrees, 48 minutes, 17 seconds East, a distance of 111.30 feet to a point for corner at the intersection of the said west line of Windbell Circle and the southeast right-of-way line of said Windbell Circle; said point being the west corner of Lot 3, Block B Skyline Village No. 37 Phase III, an addition to the City of Mesquite, Texas according to the plat recorded in Volume 97194, Page 2658 of said Deed Records; from said point a 1/2-inch iron rod bears South 38 degrees, 32 minutes, East, a distance of 0.4 feet;

**THENCE**, departing said south line of Windbell Circle, along the southwest line of said Lot 3, into and across said Lot 1, LP tract the following four (4) calls:

South 27 degrees, 48 minutes, 17 seconds East, a distance of 60.00 feet to a point for corner; said point being the beginning of a tangent curve to the left; from said point a 1/2-inch iron rod bears South 20 degrees, 23 minutes, West, a distance of 0.4 feet;

In a southeasterly direction along said curve to the left, having a central angle of 11 degrees, 29 minutes, 33 seconds, a radius of 280.17 feet, a chord bearing and distance of South 33 degrees, 33 minutes, 10 seconds East, 56.10 feet, an arc distance of 56.20 feet to a 1/2-inch iron rod found for corner at the end of said curve; said point being the beginning of a reverse curve to the right;

In a southeasterly direction along said curve to the right, having a central angle of 11 degrees, 29 minutes, 28 seconds, a radius of 220.17 feet, a chord bearing and distance of South 33 degrees, 33 minutes, 10 seconds East, 44.08 feet, an arc distance of 44.16 feet to a point for corner at the end of said curve;

South 27 degrees, 48 minutes, 17 seconds East, a distance of 62.01 feet to a point for corner; said point being the south corner of said Lot 3; from said point a 1/2-inch iron rod bears South 71 degrees, 27 minutes, East, a distance of 0.5 feet;

**EXHIBIT A - continued**  
**File No.: Z0224-0344**

**8.415 ACRES TRACT**

(Continued)

**THENCE**, Continuing into and across the said Lot 1, the following three (3) calls:

South 74 degrees, 21 minutes, 48 seconds West, a distance of 295.67 feet to a point for corner;

North 26 degrees, 26 minutes, 08 seconds West, a distance of 354.41 feet to a point for corner; said point being the beginning of a non-tangent curve to the left;

In a northwesterly direction along said curve to the left, having a central angle of 52 degrees, 20 minutes, 19 seconds, a radius of 395.00 feet, a chord bearing and distance of North 50 degrees, 50 minutes, 32 seconds West, 348.41 feet, an arc distance of 360.83 feet to a point for corner at the end of said curve; said point being on a non-tangent curve to the left; said point being in the east right-of-way line of Interstate Highway No. 635 (a variable width right-of-way) and the west line of said Lot 1;

**THENCE**, along the said east line of Interstate Highway No. 635, the said west line of Lot 3 the following two (2) calls:

In a northwesterly direction along said curve to the left, having a central angle of 03 degrees, 08 minutes, 44 seconds, a radius of 5,564.58 feet, a chord bearing and distance of North 03 degrees, 50 minutes, 55 seconds West, 305.45 feet, an arc distance of 305.49 feet to a point for corner at the end of said curve; from said point a 3-inch aluminum disk with "TEXAS HIGHWAY DEPARTMENT R.O.W.-NO." bears North 38 degrees, 32 minutes, East, a distance of 1.1 feet;

North 02 degrees, 16 minutes, 33 seconds West, a distance of 82.44 feet to a point for corner at the southwest corner of said Lot 1R-B,

**THENCE**, South 89 degrees, 08 minutes, 02 seconds East, departing the said west line of Interstate Highway No. 635 and along the south line of the said Lot 1R-B, a distance of 534.11 feet to the **POINT OF BEGINNING**;

**CONTAINING**, 8.415 acres or 366,554 square feet of land, more or less.

**EXHIBIT B - PLANNED DEVELOPMENT STANDARDS**  
**File No. Z0224-0344**

This Planned Development Multifamily district (PD-MF) must adhere to all conditions of the Mesquite Code of Ordinances, including but not limited to the Mesquite Zoning Ordinance, as amended, and adopts A-3 zoning district as the base district standards consistent with the Concept Plan attached hereto and incorporated herein as Exhibit C and the standards identified below, which apply to this PD-MF district. Where these regulations conflict with or overlap another ordinance, this PD ordinance will control.

A. **Permitted Land Uses.** The permitted uses on the Property include the permitted uses in the Multifamily (“A”) district as set out in the Mesquite Zoning Ordinance (MZO), and those permitted uses on the Property are subject to the same requirements as set out in the MZO.

1. The permitted uses requiring a conditional use permit (“CUP”), as set out in the MZO, also require a CUP for the use to be permitted on the Property.

B. **Development Standards.** In addition to the requirements of the “A” base zoning district, the PD-MF is subject to the following.

1. The site plan shall comply with the Concept Plan as shown in Exhibit C. Deviations from the Concept Plan (such as building placement) may be permitted to comply with the Mesquite Engineering Design Manual, Building and Fire Codes, as amended, provided that the development complies with all requirements of this ordinance. Modifications can include the following:

- i. The placement of the buildings may be adjusted if they meet the required setbacks.
- ii. The number and size of buildings may be reduced in height and square feet. An increase in the number or size of buildings is not permitted without amending the Concept Plan Exhibit C.

2. **Setbacks and Building Height**

- i. The minimum front setback is 25 feet.
- ii. The minimum exterior or interior side yard setback is 15 feet.
- iii. The minimum rear yard setback is 15 feet.
- iv. The maximum height for the apartment buildings is 4 stories.

3. Density, Dwelling Size, Unit Number, and Type shall comply with the following:
  - i. The maximum gross density is 25 units per acre.
  - ii. 280 dwelling units are permitted, consisting of the following:
    1. Maximum number of efficiency units: Five (5) percent of the total number of dwelling units in the development.
    2. Minimum number of one-bedroom units: Sixty (60) percent of the total number of dwelling units in the development.
    3. Maximum number of units with two (2) bedrooms: Thirty-five (35) percent of the total number of dwelling units.
    4. Three or more bedrooms are not permitted.
  - iii. Each dwelling shall provide the Basic facilities as listed in Section 2-501.E.5 of the MZO. Additionally, the interior hallway shall be accessed through a secure door or gate. The minimum size units are as follows:
    1. 500 square feet for efficiency units
    2. 600 square feet for one or more bedrooms
4. Parking and Stacking
  - i. Multifamily. The off-street parking requirements for the multifamily development within the PD-MF shall comply with the following.
    1. The minimum required parking ratio is 1.7 spaces per unit.
    2. Twenty-five (25) percent of the provided parking shall be covered.
    3. The minimum number of bicycle parking spaces shall be equal to 10% of the required auto spaces.
  - ii. On-street parallel parking shall be allowed.
5. Open Space, Landscaping, and Screening
  - i. Open Space. The amount of open space for the PD-MF shall be provided as shown on the Concept Plan.

ii. Landscape.

1. Multifamily. Landscaping shall comply with Section 1A-203.B. of the MZO except that the minimum width is 15'.

6. Indoor and Outdoor Amenities (Multifamily)

- i. Indoor Amenities. The minimum number of indoor amenities required is five. The types of indoor amenities provided will be in accordance with Section 2-501 of the MZO.
  - ii. Outdoor Amenities. The minimum number of outdoor amenities required is six, three from Group A and three from Group B. The types of outdoor amenities provided will be in accordance with Section 2-501 of the MZO.
7. Multifamily Ownership and Management. The apartment buildings shown on the Concept Plan shall be owned and managed as a single development.



# EXHIBIT C - CONCEPT PLAN - FILE NO. 2024-0344

