

ORDINANCE NO. 5111  
File No. Z0324-0351

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM NEIGHBORHOOD RETAIL TO HIGH-DENSITY RESIDENTIAL AND AMENDING THE MESQUITE ZONING ORDINANCE BY CHANGING THE ZONING FROM SINGLE FAMILY RESIDENTIAL, R-3 ZONING DISTRICT WITHIN THE SHERWOOD FOREST OVERLAY DISTRICT TO PLANNED DEVELOPMENT – MULTIFAMILY WITHIN THE SHERWOOD FOREST OVERLAY DISTRICT TO ALLOW A MULTIFAMILY DEVELOPMENT WITH 288 DWELLING UNITS WITH MODIFIED PLANNED DEVELOPMENT STANDARDS ON PROPERTY LOCATED AT 2255 WEST BRUTON ROAD; 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 is approximately 9.609 acres described in Exhibit A, attached hereto and incorporated herein by reference, and located at 2255 West Bruton Road, 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 Neighborhood Retail to High-Density Residential.

SECTION 3. The Mesquite Zoning Ordinance is amended by changing the zoning for the Property from Single Family Residential, R-3 Zoning District within the Sherwood Forest Overlay District to Planned Development – Multifamily within the Sherwood Forest Overlay District to allow a multifamily development with 288 dwelling units subject to modified Planned Development Standards and Concept Plan, attached hereto as Exhibits B and C, respectively, and incorporated herein by reference.

Zoning / File No. Z0324-0351 / Amending Mesquite Comprehensive Plan from Neighborhood Retail to High-Density Residential / Amending MZO from SFR, R-3 Zoning District within the Sherwood Forest Overlay District (SFOD) to PD-Multifamily within the SFOD  
June 3, 2024  
Page 2 of 2

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.

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.*  
D999585317D142B...

---

Daniel Alemán, Jr.  
Mayor

ATTEST:

DocuSigned by:  
*Sonja Land*  
C2518095973F46A...

---

Sonja Land  
City Secretary

APPROVED AS TO LEGAL FORM:

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

---

David L. Paschall  
City Attorney

## EXHIBIT A for File No. Z0324-0351

### LEGAL DESCRIPTION

**9.609 Acres  
Abraham Carver Survey,  
Abstract No. 263  
City of Mesquite  
Dallas County, Texas**

**SITUATED** in the City of Mesquite, in the Abraham Carver Survey, Abstract No. 263 of Dallas County, Texas and being all of that certain tract of land (called 9.6249 acres), described in a Warranty Deed to Kathy Henson Parker, dated September 10, 1999 and recorded in Volume 99186, Page 4580, Deed Records, Dallas County, Texas (D.R.D.C.T.) and being more particularly described by metes & bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found on the north right-of-way line of W. Bruton Road (a 70' wide right-of-way at this point) for the southwest corner of the above described Kathy Henson Parker tract and same being the southeast corner of that certain called 4.5 acre tract of land described in a deed to Rene Obregon-Galvan, recorded in Instrument No. 201600210579, D.R.D.C.T.;

**THENCE:** North 02 deg. 00 min. 01 sec. West, departing from said W. Bruton Road, along the common line of said Parker and Obregon-Galvan tracts, a distance of 526.49 feet to a 5/8 inch iron rod, topped with a blue plastic cap, stamped "Tablerock Surveying", found for the northeast corner of said Obregon-Galvan tract and same being the southeast corner of that certain called 5.045 acre tract of land described in a deed to Perez Raza, recorded in Instrument No. 202200149116, D.R.D.C.T.;

**THENCE:** North 02 deg. 06 min. 52 sec. West, continuing on, along the common line of said Parker and Raza tracts, a distance of 410.27 feet to a point for corner on the southwesterly right-of-way line of S. Sam Houston Road (an 80' wide right-of-way at this point) for the north corner of said Parker tract and same being the northeast corner of said Raza tract from which a found 1 inch iron rod bears North 02 deg. 06 min. 52 sec. West - 0.72 feet and said point for corner being on the westerly southwest corner of that certain called 1.34 acre tract of land described in a Right-of-way Deed to the County of Dallas, recorded in Volume 2187, Page 630, D.R.D.C.T.;

**THENCE:** South 45 deg. 09 min. 45 sec. East, along the northeastern line of said Parker tract and the southwesterly right-of-way line of said S. Sam Houston Road and said 1.34 acre tract, a distance of 1,258.66 feet to a 5/8 inch iron rod, topped with a yellow plastic cap, stamped "Pacheco Koch", found for an angle corner in said right-of-way;

## EXHIBIT A for File No. Z0324-0351 continued

**THENCE:** South 15 deg. 15 min. 26 sec. West, continuing along the common line of said Parker tract and S. Sam Houston Road, a distance of 38.97 feet to a 1/2 inch iron rod, topped with a red plastic cap, stamped "RPLS 4701", set at the intersection of the southwesterly right-of-way line of said S. Sam Houston Road and the north right-of-way line of the above mentioned W. Bruton Road for southerly southeast corner of said Parker tract;

**THENCE:** South 89 deg. 15 min. 07 sec. West, along the common line of said Parker tract and said W. Bruton Road, a distance of 848.83 feet to the **POINT OF BEGINNING and containing 418,585 square feet or 9.609 acres of land.**

**NOTE:**

The bearings shown hereon are geodetic and were derived from GPS observations and measurements from City of Mesquite Control Monuments referenced to the Texas State Plane Coordinate System, NAD 83, North Central Zone (4202).

Prepared Under My Hand & Seal,  
This 8<sup>th</sup> Day of May, 2023.



Lawrence H. Ringley, R.P.L.S.  
State of Texas, No. 4701



Prepared By:

RINGLEY & ASSOCIATES, INC.  
Texas Firm Registration No. 10061300  
701 S. Tennessee Street  
McKinney, Texas 75069  
972-542-1266

**EXHIBIT B - PLANNED DEVELOPMENT STANDARDS**  
**File No. Z0324-0351**

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 – PD-MF.** Uses in the PD-MF are limited to those permitted in the A – Multifamily Residential zoning district, as amended, and subject to the following.

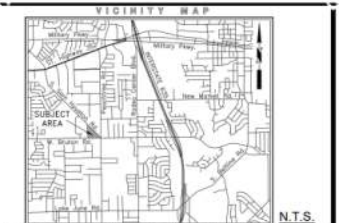
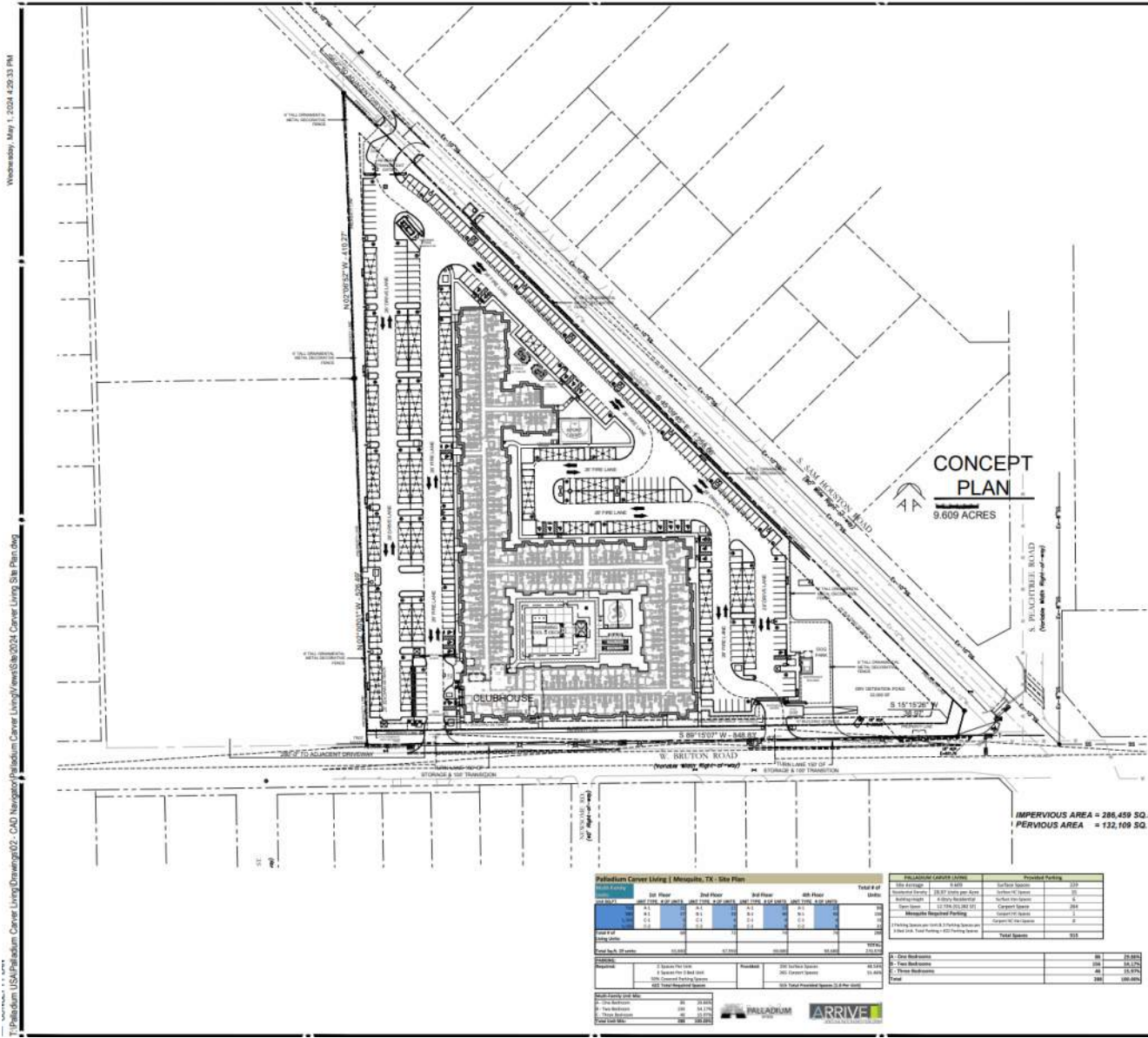
1. Any land use requiring a Conditional Use Permit (CUP) in the A zoning district, as amended, is only allowed if a CUP is issued for the use.
2. Any land use prohibited in the A zoning district, as amended, is also prohibited.

**B. Development Standards.** In addition to the requirements of the PD-MF zoning district, this Planned Development is subject to the following:

1. The maximum number of stories is four. Section 2-501 B.4 and C.
2. The minimum building setback from Bruton Road is 10 feet. Section 2-501 A.2.
3. Carports are permitted to encroach into the building setback along the western property line. Section 2-501 B.4.A.
4. The minimum required building setback (excluding accessory structures) from the nearest property zoned residential across S. Houston Road is 120 feet. The minimum required building setback (except for accessory structures) from the western property line is 90 feet. Section 2- 501 C.3
5. The minimum amount of accessible open space is 55,000 square feet.
6. A minimum of 5% of the required trees are required to be placed between the building and the front or exterior side property lines. Section 1A-202 A.2.

7. The maximum number of residential units allowed is 288. The minimum percentage of one-bedroom units allowed is 30%. The maximum percentage of three-bedroom units allowed is 17%. Section 2-501 E.
8. The building is permitted to serve as perimeter screening along Bruton Road. Section 2-501 G.2.
9. The minimum parking requirement is 1.78 spaces per unit. Section 2-501 K.1.
10. A 6-foot tall ornamental metal decorative fence and vegetation as outlined below satisfy the screening requirements along the western property line. Section 1A-304 A.
  - i. Evergreen shrubs or ornamental trees are an acceptable alternative to the required buffer tree line for the most southern 300 feet of the western perimeter yard. If evergreen shrubs are chosen, they shall be planted to create a solid hedge with a minimum height of 6 feet at maturity. If ornamental trees are chosen, one tree is required for each 15 feet of perimeter yard. The balance of the western perimeter shall contain the standard tree line per Section 1A-304 A.
11. An 8-foot wide landscape strip is required along Sam Houston Road. A buffer tree line per code shall be provided. Section 1A-3043 B.
12. A public sidewalk is not required along Sam Houston Road.
13. A public sidewalk is required along Bruton Road except for the most eastern section located within 200 feet of Sam Houston Road.
14. All mechanical units on the ground floor shall be screened with shrubs, ornamental grasses, ornamental trees, or evergreen trees.
15. All fencing shall be maintained in a like-new manner meaning, any portion of fencing showing signs of deterioration, broken or missing panels, or creates a safety hazard, shall be replaced.

# EXHIBIT C – CONCEPT PLAN - File No. Z0324-0351



**CONCEPT PLAN**  
9.609 ACRES

**OUTDOOR AMENITIES REQUIRED:**

TOTAL NUMBER OF UNITS: 288  
 AMENITIES FOR FIRST 50 UNITS: 4  
 1) AMENITY PER 15 ADDITIONAL UNITS  
 2) ADDITIONAL UNITS: 6 AMENITIES  
**TOTAL REQUIRED AMENITIES: 16**

**TOTAL PROVIDED OUTDOOR AMENITIES:**

PERGOLAS  
 DOG PARK  
 SWIMMING POOL  
 CORN HOLE (2)  
 PAULSON WHEELS (2)  
 SPORT COURT  
 PROPOSED UNITS (2)  
**TOTAL PROVIDED AMENITIES: 16**

**INDOOR AMENITIES REQUIRED:**

TOTAL NUMBER OF UNITS: 288  
 AMENITIES FOR FIRST 50 UNITS: 2  
 1) AMENITY PER 15 ADDITIONAL UNITS  
 2) ADDITIONAL UNITS: 3 AMENITIES  
**TOTAL REQUIRED AMENITIES: 7**

**TOTAL PROVIDED INDOOR AMENITIES:**

COMMUNITY ROOM  
 COMMUNITY ROOM  
 FITNESS CENTER  
 BUSINESS CENTER  
 CHILDREN'S PLAY ROOM  
 RESIDENT LOUNGE/SHARED APP  
 WAITING AREA  
 COFFEE BAR  
 RESIDENT LIBRARY  
**TOTAL PROVIDED AMENITIES: 7**

**MINI-REQUIREMENTS:**

MINI-REQUIREMENTS REQUIREMENTS PART 1A OF THE RESOLUTE ZONING ORDINANCE SHALL BE FOLLOWED. THESE INCLUDE:  
 1) SHADE TREES, OR 1 EVERGREEN, OR 1 ORNAMENTAL TREE PROVIDED FOR EVERY 500 SQUARE FEET OF REQUIRED LANDSCAPE AREA. (24 SHADE TREES REQUIRED).  
 INTERIOR AREA OF PARKING SHALL BE LANDSCAPED BY PROVIDING A MINIMUM OF 1 TREE FOR EVERY 15 PARKING SPACES OR TREES REQUIRED.  
 ALL TREES/LANDSCAPING COUNTED TOWARDS THESE REQUIREMENTS MUST COME FROM THE RECOMMENDED SPECIES LISTED IN PART 1A.  
 ADDITIONALLY, ALL MECHANICAL UNITS AT THE GROUND FLOOR WILL BE SCREENED WITH SHRUBS AND ORNAMENTAL PLANTS.

**THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT THE TIME OF PLAT.**

**ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS APPROVED OTHERWISE WITHIN THESE PLANNED DEVELOPMENT ZONING DISTRICT DEVELOPMENT REGULATIONS.**

**THIS ZONING CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS, IS INTENDED TO DISCLOSE 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.**

**PARKING DATA - MULTI-FAMILY**

<b>TOTAL PARKING REQUIRED:</b>	<b>TOTAL PARKING PROVIDED:</b>
2 SPACES PER UNIT & 3 SPACES PER 3-BED UNIT W/ 50% COVERED PARKING = 622 TOTAL PARKING SPACES (311 CARPORT SPACES)	1.75 SPACES PER UNIT = 515 TOTAL PARKING SPACES (265 CARPORT SPACES)

**ENGINEERING FIRM:**  
 PALLADIUM CARVER LIVING  
 1948 NICOL ROAD, SUITE 400, DALLAS, TX 75240  
 P: 972.774.4638

**ARCHITECTURE FIRM:**  
 CROSS ARCHITECTURE CONSULTANTS, INC.  
 1720 W VIRGINIA ST, MCKINNEY, TX 75069  
 P: 972.560.4408

**PALLADIUM CARVER LIVING**  
 CONCEPT PLAN  
 ABSTRACT NO. 263

**Palladium Carver Living | Mesquite, TX - Site Plan**

UNIT TYPE	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor	Total # of Units
1-Bed	10	10	10	10	10	50
2-Bed	10	10	10	10	10	50
3-Bed	10	10	10	10	10	50
4-Bed	10	10	10	10	10	50
5-Bed	10	10	10	10	10	50
<b>TOTAL</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>50</b>	<b>250</b>

**PERVIOUS AREA = 286,459 SQ. FT.**  
**IMPERVIOUS AREA = 132,109 SQ. FT.**

**PALLADIUM CARVER LIVING**  
 Mesquite, Texas

**ARRIVE**  
 ARCHITECTURE  
 2048 Highway 377, Suite 100, Bedford, Texas 76022  
 P: 817.274.4638

**ANG**  
 ARCHITECTURE  
 05/01/24

**WCF**  
 ARCHITECTURE  
 05/01/24

AS NOTED

Wednesday, May 1, 2024 4:29:33 PM

T:\Palladium Carver Living\Drawings\02-CAD\Navigator\Palladium Carver Living\Site Plan.dwg