

ORDINANCE NO. 5119
File No. Z0324-0354

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM OFFICE TO LIGHT INDUSTRIAL AND AMENDING THE MESQUITE ZONING ORDINANCE BY CHANGING THE ZONING FROM PLANNED DEVELOPMENT – LIGHT COMMERCIAL ORDINANCE NO. 2124 TO PLANNED DEVELOPMENT – INDUSTRIAL TO ALLOW A FLEX OFFICE AND WAREHOUSE DEVELOPMENT ON PROPERTY LOCATED AT 1202 IH-30; 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 approximately 2.5248 acres described in Exhibit A, attached hereto and incorporated herein by reference, and located at 1202 IH-30, Mesquite, Dallas County, Texas (the “**Property**”).

SECTION 2. The Mesquite Comprehensive Plan, dated October 7, 2019, as amended, is amended by changing the Property’s future land use designation from Office to Light Industrial.

SECTION 3. The Mesquite Zoning Ordinance is amended by changing the zoning for the Property from Planned Development – Light Commercial Ordinance No. 2124 to Planned Development – Industrial to allow a flex office and warehouse development subject to 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

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August 5, 2024
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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 5th day of August 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 - LEGAL DESCRIPTION - FILE NO. Z0324-0354

Exhibit "A"

Property Legal Description

Being a tract of land situated in the Theophalus Thomas Survey, Abstract No. 1461, in Dallas County, Texas, being the same tract of land conveyed to Bess Bieler, Mike Bieler and Thomas M. Smith by deed recorded in Volume 2005125, Page 4694 of the Deed Records of Dallas County, Texas, Save and Except a portion of said tract conveyed to City of Mesquite, Dallas County, Texas, by deed recorded in Volume 88248, Page 3828 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod found for corner with a yellow cap stamped (DC&A INC) at the intersection of the Northwest right-of-way line of U.S, Highway 1-30 (variable width R.O.W.) and the Northeast right-of-way line of Columbia Drive (variable width R.O.W.), said point being the South corner of herein described tract;

Thence North 55 Degrees 17 Minutes 28 Seconds West, along the Northeast right-of-way line of said Columbia Drive, a distance of 328.00 feet to a 1/2 inch iron rod found for corner, said point being the most westerly South corner of a tract of land conveyed to Columbia Mesquite Health System, L.P., by deed recorded in Volume 97115, Page 3782 of the Deed Records of Dallas County, Texas, same being the West corner of herein described tract;

Thence North 34 Degrees 34 Minutes 12 Seconds East, departing the Northeast right-of-way line of said Columbia Drive, along the most westerly Southeast line of said Columbia Mesquite Health System, L.P. tract, a distance of 261.19 feet to a 1/2 inch iron rod found for corner, said point being the North corner of herein described tract;

Thence South 58 Degrees 53 Minutes 17 Seconds East, along the most easterly Southwest line of said Columbia Mesquite Health System, L.P. tract, a distance of 473.93 feet to a 1/2 inch iron rod found for corner in the Northwest right-of-way line of said U.S. Highway I-30, said point being the most easterly South corner of said Columbia Mesquite Health System, L.P. tract, same being the East corner of herein described tract;

Thence South 56 Degrees 25 Minutes 35 Seconds West, along the Northwest right-of-way line of said U.S. Highway I-30, a distance of 115.99 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped (DC&A INC);

Thence South 67 Degrees 38 Minutes 06 Seconds West, along the Northwest right-of-way line of said U.S. Highway I-30, a distance of 145.04 feet to a 1/2 inch iron rod found for corner with a yellow cap stamped (DC&A INC);

Thence South 54 Degrees 54, Minutes 51 Seconds West, along the Northwest right-of-way line of said U.S. Highway I-30, a distance of 65.45 feet to the Point of Beginning and containing 109,981.26 square feet or 2.5248 acres of land.

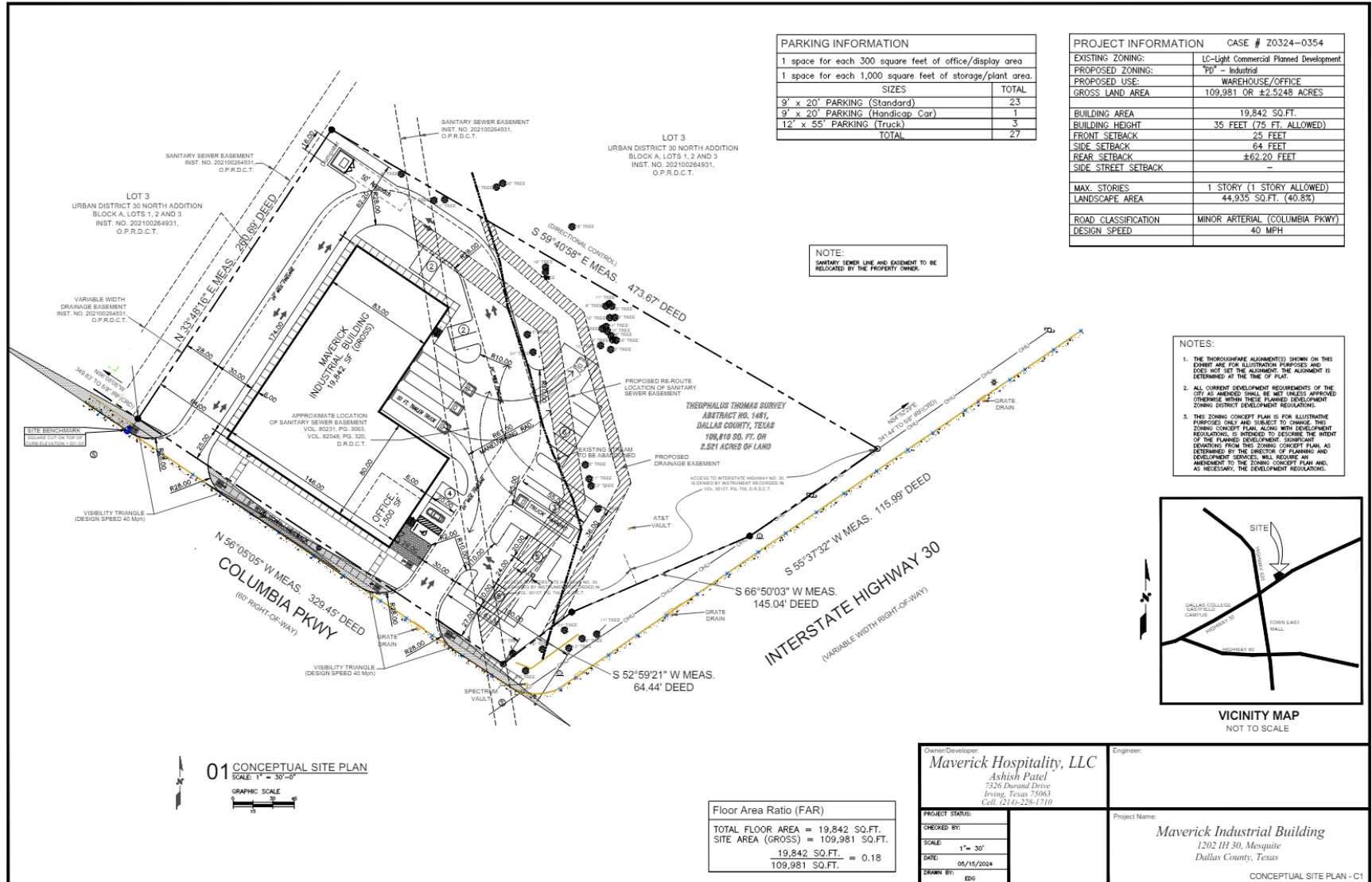
PLANNED DEVELOPMENT STANDARDS

This Planned Development Industrial (PD-I) district must adhere to all conditions of the Mesquite Code of Ordinances, including but not limited to the Mesquite Zoning Ordinance, as amended, and adopts the Industrial 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-I district. Where these regulations conflict with or overlap another ordinance, this PD ordinance will control.

1. All uses permitted in the Industrial District are allowed on the Property except as modified in Subsections "a" and "b" of this paragraph. The uses permitted in the PD-I district 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 PD-I district only by CUP.
 - a. The following uses are prohibited on the Property:
 - i. 177 – Concrete Work
 - ii. 178 – Well Water Drilling
 - iii. 1794 – Excavation, Foundation Work
 - iv. 1795 – Wrecking, Demolition Work
 - v. 40 – Railroad Passenger Terminal
 - vi. 5194 – Tobacco, Tobacco Products
 - vii. 551&552 – Motor Vehicle Dealers
 - viii. 554 – Limited Fuel Sales
 - ix. 593 – Used Merchandise
 - x. 5947 – Gift, Novelty Stores
 - xi. 5993 – Tobacco Stores
 - xii. 5999g – Paraphernalia Shop
 - xiii. 61 – Nondepository Institutions, including Alternative Financial Institutions
 - xiv. 72 – Personal Services
 - xv. 738c – Bail Bond Services
 - xvi. 7992 – Golf Course
 - xvii. 7997b – Country Clubs
 - xviii. 842 – Arboreta, Botanical Gardens
 - b. The following may be permitted on the Property by CUP:
 - i. 75 – Automotive Repair Services by CUP
 - ii. Outdoor storage (outdoor storage/parking of truck and trailer parking as shown on the Concept Plan is permitted without a CUP)

2. 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.
3. The truck court (including truck parking, overhead doors, or loading docks) shall not face a public right-of-way without screening. Where not screened by a building, the truck court shall be screened with an 8-ft masonry wall or a living screen with an 8-ft wrought iron (ornamental) fence. The living screen shall consist of two offsetting rows of evergreen trees planted at a minimum height of 8 feet, planted 8-foot on center within a 10-ft landscape buffer. Wood or chain link screening is prohibited. Said screening shall be provided prior to the issuance of a Certificate of Occupancy.
4. No owner of a premises, or operator or manager-on-duty of any use within the district, shall allow any unmounted trailer to be parked or stored on the premises, or suffer or permit the owner or driver of a heavy load vehicle to park or store an unmounted trailer on the premises, unless the parking storage of unmounted vehicles is expressly authorized on the certificate of occupancy and the parking or storage is in compliance with any conditions therein, or unless the parking or storage is incidental to a use authorized on the certificate of occupancy.
5. Underbrush shall be cleared and regularly maintained in all areas left in a natural vegetative state.

EXHIBIT C - CONCEPT PLAN - FILE NO. Z0324-0354



| PARKING INFORMATION | |
|---|-----------|
| 1 space for each 300 square feet of office/display area | |
| 1 space for each 1,000 square feet of storage/plant area. | |
| SIZES | TOTAL |
| 9' x 20' PARKING (Standard) | 23 |
| 9' x 20' PARKING (Handicap Car) | 1 |
| 12' x 55' PARKING (Truck) | 3 |
| TOTAL | 27 |

| PROJECT INFORMATION CASE # Z0324-0354 | |
|---------------------------------------|---|
| EXISTING ZONING: | IC-Light Commercial Planned Development |
| PROPOSED ZONING: | FD - Industrial |
| PROPOSED USE: | WAREHOUSE/OFFICE |
| GROSS LAND AREA: | 109,981 OR ±2.5248 ACRES |
| BUILDING AREA: | 19,842 SQ.FT. |
| BUILDING HEIGHT: | 35 FEET (75 FT. ALLOWED) |
| FRONT SETBACK: | 25 FEET |
| SIDE SETBACK: | 64 FEET |
| REAR SETBACK: | ±62.20 FEET |
| SIDE STREET SETBACK: | - |
| MAX. STORIES: | 1 STORY (1 STORY ALLOWED) |
| LANDSCAPE AREA: | 44,935 SQ.FT. (40.8%) |
| ROAD CLASSIFICATION: | MINOR ARTERIAL (COLUMBIA PKWY) |
| DESIGN SPEED: | 40 MPH |

NOTE: SANITARY SEWER LINE AND EASEMENT TO BE RELOCATED BY THE PROPERTY OWNER.

- NOTES:
1. THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT THE TIME OF PLAN.
 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 IS SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THIS ZONING CONCEPT PLAN AS DETERMINED BY THE ZONING OFFICER OF PLANNING AND DEVELOPMENT SERVICES, WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.



VICINITY MAP
NOT TO SCALE

01 CONCEPTUAL SITE PLAN
SCALE 1" = 30'-0"
GRAPHIC SCALE

| Floor Area Ratio (FAR) | |
|------------------------|----------------------|
| TOTAL FLOOR AREA = | 19,842 SQ.FT. |
| SITE AREA (GROSS) = | 109,981 SQ.FT. |
| | 19,842 SQ.FT. = 0.18 |
| | 109,981 SQ.FT. |

Owner/Developer:
Maverick Hospitality, LLC
Ashish Patel
7326 Durand Drive
Irving, Texas 75063
Cell: (214)-238-1710

Engineer:

Project Name:
Maverick Industrial Building
1202 IH 30, Mesquite
Dallas County, Texas

| | |
|-----------------|------------|
| PROJECT STATUS: | |
| CHECKED BY: | |
| SCALE: | 1" = 30' |
| DATE: | 06/16/2024 |
| DRAWN BY: | EDG |

CONCEPTUAL SITE PLAN - C1