

ORDINANCE NO. 4458

File No. 312-3-2016

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 NEW COMMUNITY PLAN CONSISTING OF TWO CLUSTERED LAND DEVELOPMENTS WITH REGULATING PLANS AND A CHANGE OF ZONING FROM AGRICULTURAL DISTRICT TO KAUFMAN-INTERSTATE 20 (K20) ON THREE PARCELS OF LAND COMPRISING 179.407 ACRES LOCATED AT 9101 HIGH COUNTRY LANE SUBJECT TO A CERTAIN STIPULATION; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS 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 approving the New Community Plan in Exhibit "A" attached hereto, and by amending the Zoning Map of the City of Mesquite so as to approve a change of zoning from Agricultural District to Kaufman-Interstate 20 (K20) with the stipulation that platting shall be phased to include a distribution of lots from all transects at approximately the same ratio of all lots in the development.

That the subject property includes three parcels of land comprising 179.407 acres located at 9101 High Country Lane and is more fully described in the approved field notes in Exhibit "B" attached hereto.

SECTION 2. That the parcels affected by the New Community Plan shall be mapped as the K20 District with appropriate sub-districts for the various transect zones on the Official Zoning Map of the City of Mesquite.

SECTION 3. 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 4. 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.

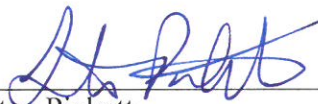
SECTION 5. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of Section 3.9 of the Kaufman-Interstate 20 Development Code, Ordinance No. 4216, codified in Chapter 11 of the Code of the City of Mesquite, and administered consistent with strategic policy ETJ #3.4 of the Comprehensive Plan Element for the Extraterritorial Jurisdiction adopted August 4, 2008.

SECTION 6. 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 7. That 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 Two Thousand (\$2,000.00) Dollars 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.

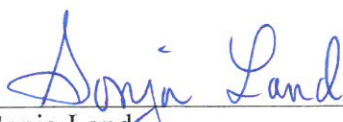
SECTION 8. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the 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 17th day of October, 2016.



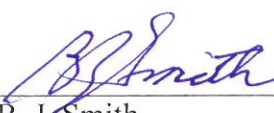
Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney

HIGH COUNTRY
ESTATES

Regional Context

Development Team

Location



4 May 2016

The information shown is based on the best information available and is subject to change without notice.



HIGH COUNTRY ESTATES

EXHIBIT D-2

Site Context

Regulating Plan for ZH 312-3-2016

Development Team

Owner

Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Contact: Barry Huss
Phone: 713-334-7166

Applicant

Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Contact: Barry Huss
Phone: 713-334-7166

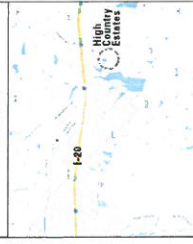
Planner / Landscape Architect

180 Partners
2001 Ross Street, Ste. 1450
Dallas, TX 75201
Contact: Mark Meyer, Sherril Collison
Phone: 214-744-0757

Engineer / Surveyor

Statewide Surveying Service
208 N. Washington St.
Kearney, NE 68142
Contact: Dan Smith
Phone: 978-962-6481

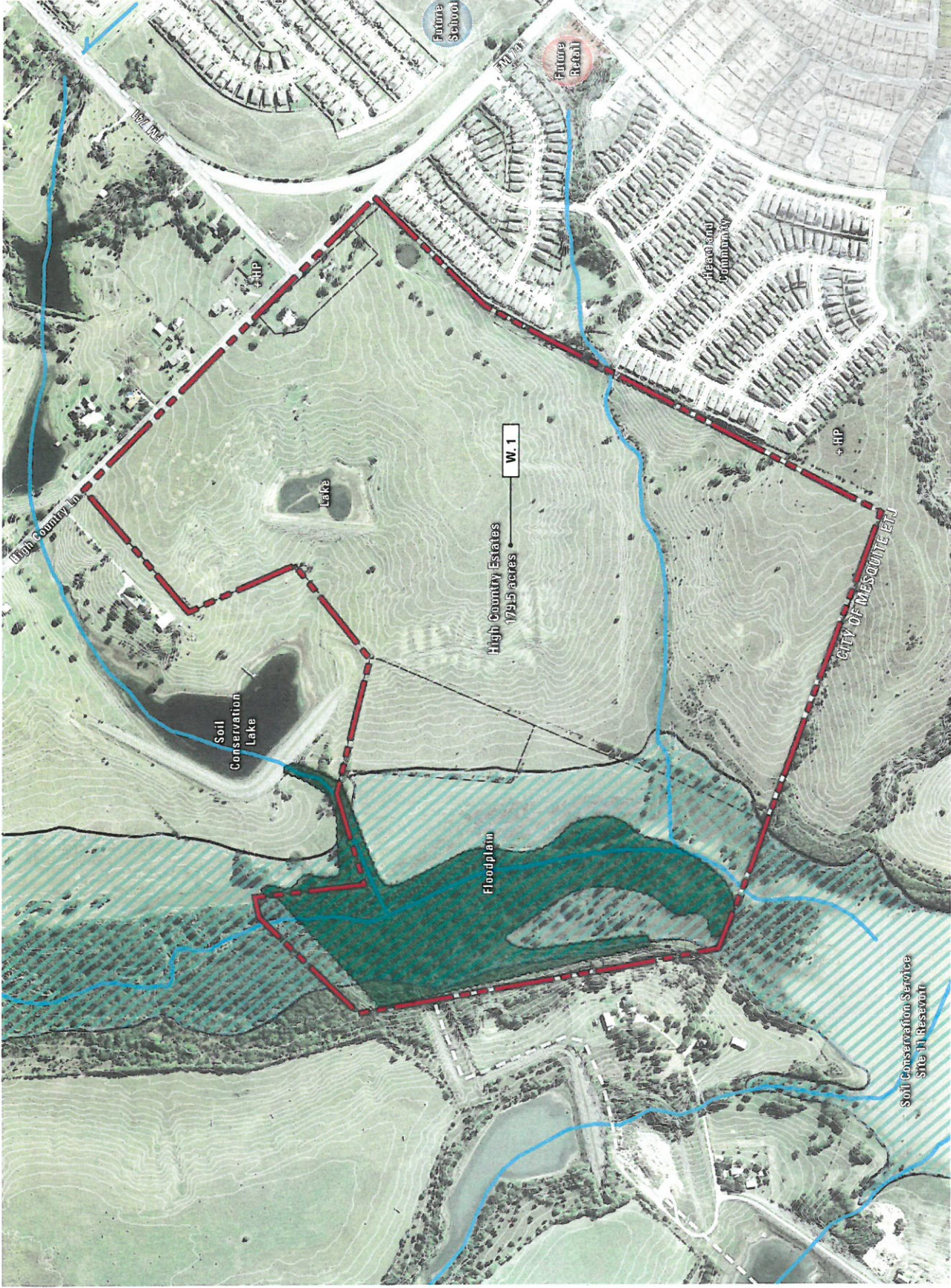
Location



T B G

4 May 2016

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HIGH COUNTRY ESTATES

EXHIBIT D-3

Illustrative Master Plan
Regulating Plan for ZH 312-3-2016

Development Team

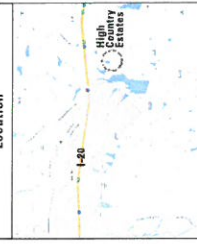
Owner
Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Contact: Barry Huss
Phone: 713-334-7166

Applicant
Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Contact: Barry Huss
Phone: 713-334-7166

Planner / Landscape Architect
1807 Farmer Street, Ste. 1450
Dallas, TX 75201
Contact: Mark Meyer, Sherri Collison
Phone: 214-244-0757

Engineer / Surveyor
Statewide Surveying Service
208 N. Washington St.
Dallas, TX 75201
Contact: Mark Meyer
Phone: 972-392-6481

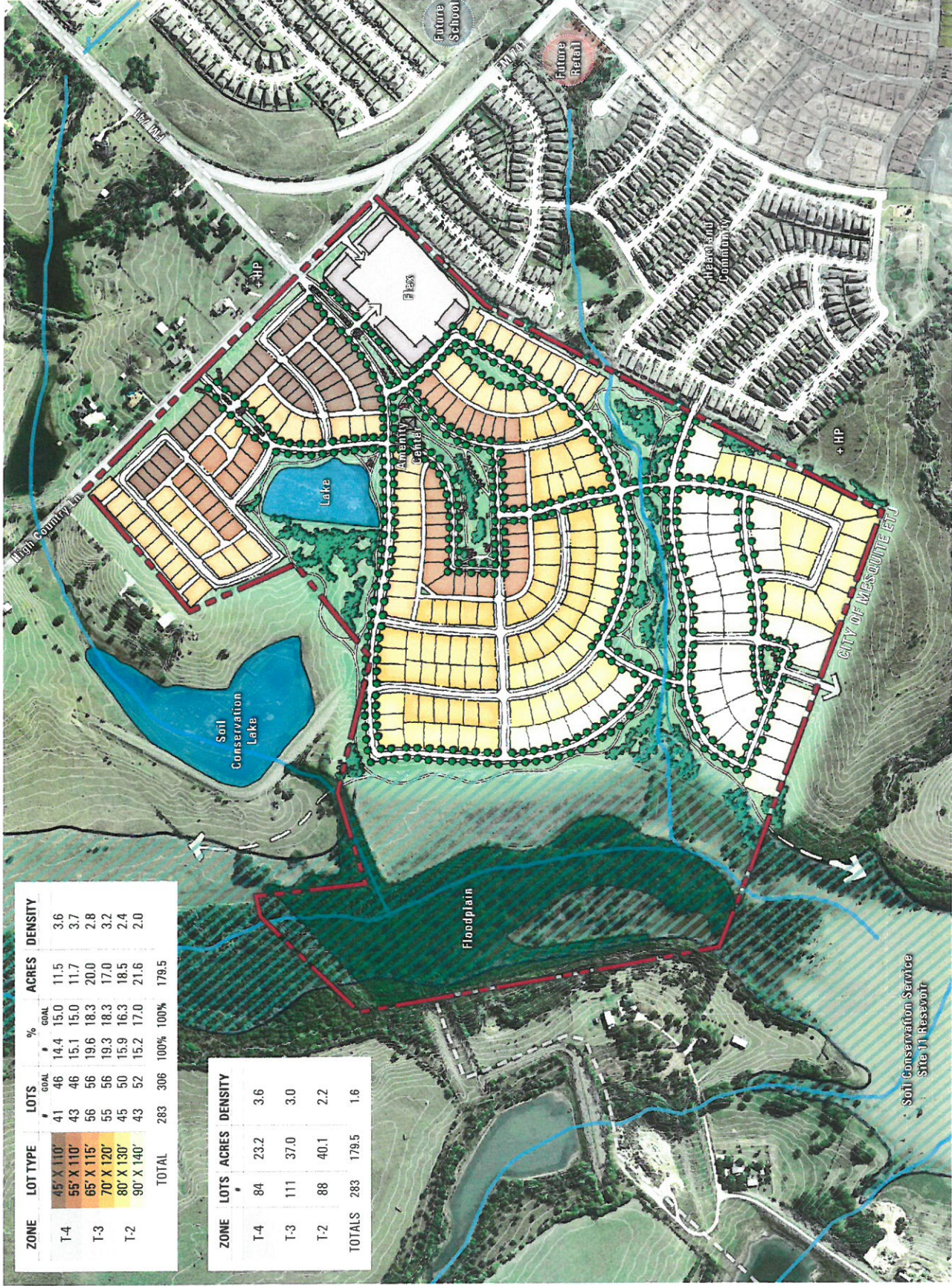
Location



Scale: 1" = 100'
1" = 200'
1" = 400'

TBC
4 May 2016

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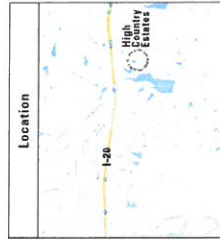


HIGH COUNTRY ESTATES

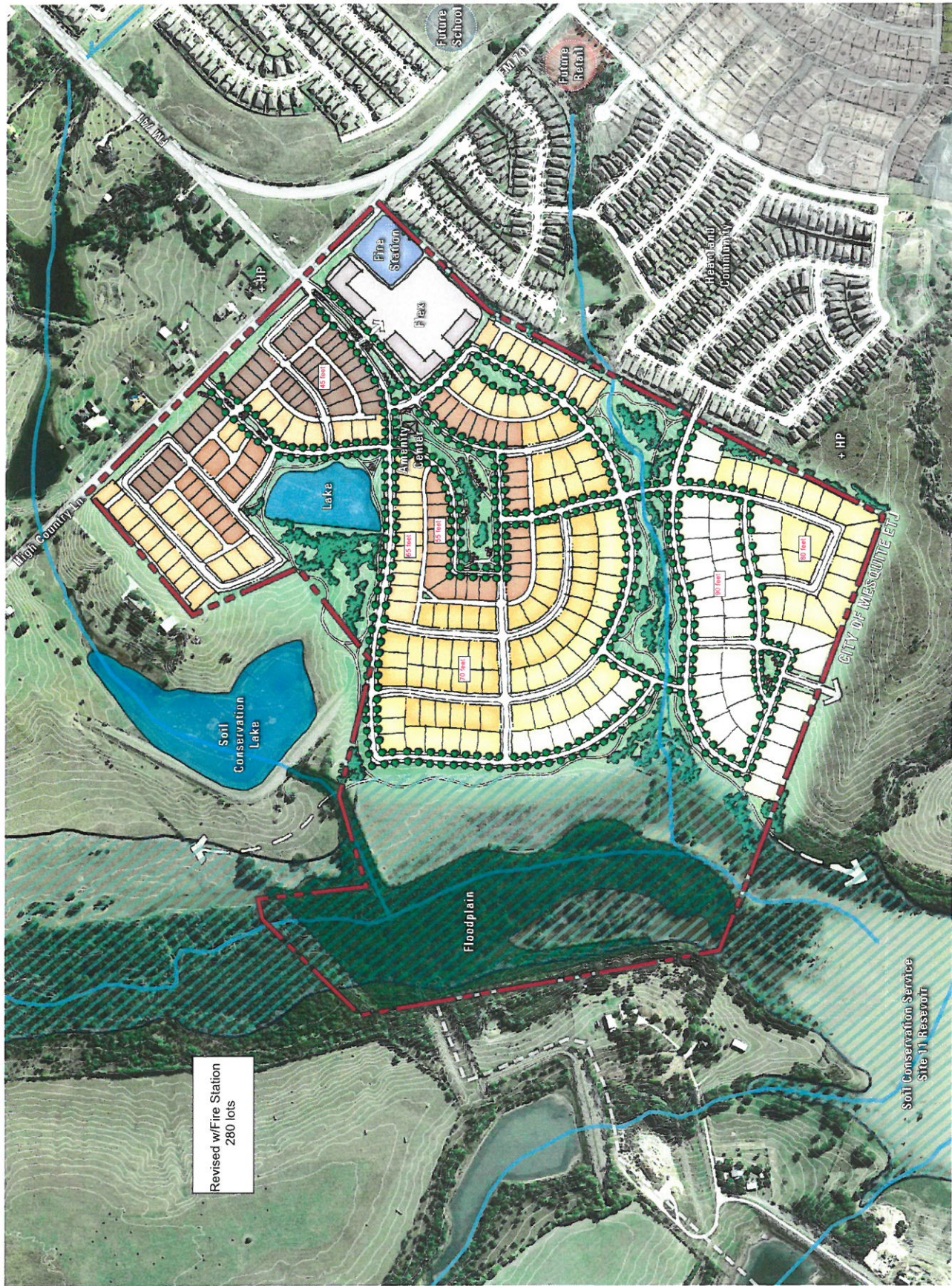
Master Plan

Regulating Plan for ZH 312-3-2016

Development Team	
Owner	Ellis Equity 2825 Wilcrest Dr., Suite 300 Houston, TX 77042 Contact: Barry Huss Phone: 713-334-7166
Applicant	Ellis Equity 2825 Wilcrest Dr., Suite 300 Houston, TX 77042 Contact: Barry Huss Phone: 713-334-7166
Planner / Landscape Architect	TBC Partners 11011 Briarcliff Lane, Suite 1450 Dallas, TX 75201 Contact: Mark Meyer, Sherri Collison Phone: 214-744-0757
Engineer / Surveyor	Statewide Surveying Service 208 N. Washington St. Kaufman, TX 75142 Contact: Greg Stevens Phone: 972-862-5061



October 10, 2016
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HIGH COUNTRY ESTATES

EXHIBIT D-4

Form Based District Plan
Regulating Plan for ZH 312-3-2016

Development Team

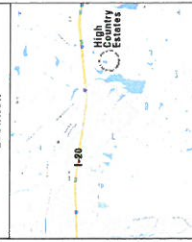
Owner
Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Phone: 713-334-7165

Applicant
Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Contact: Barry Huss
Phone: 713-334-7165

Planner / Landscape Architect
TBC Partners
2001 Bryan Street, Ste. 1450
Houston, TX 77002
Contact: Mark Meyer, Sherri Collison
Phone: 214-744-0757

Engineer / Surveyor
Statewide Surveying Service
208 N. Washington St.
Kaufman, TX 75142
Contact: Greg Sivonen
Phone: 372-962-6481

Location



T B G
4 May 2016
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ZONE	LOT TYPE	LOTS	%	ACRES	DENSITY	GOAL
T-4	FLEX	(195)	-	(6.5)	(30.0)	12
	45' X 110'	41	14.5	15.0	3.6	9.4
	55' X 110'	43	15.2	15.0	3.7	
T-3	FLEX	56	19.8	18.3	2.8	3.0
	65' X 115'	55	19.4	18.3	3.2	
	70' X 120'	45	15.9	16.3	2.4	1.7
T-2	90' X 140'	43	15.2	17.0	2.0	1.7
T-1	OPEN SPACE	-	-	11.7	-	-
TOTAL		283	100%	179.5	1.6	

ZONE	LOT TYPE	ACTUAL	%	GOAL
T-4	FLEX	27.0	20-30%	
	45' X 110'	36.2	70-80%	
	55' X 110'	36.8		
T-3	FLEX	0	10-20	
	65' X 115'	54.1	80-90%	
	70' X 120'	45.9		
	80' X 130'	35.7		
T-2	90' X 140'	41.7		
T-1	OPEN SPACE	22.6	100.0%	
TOTAL		283	306	

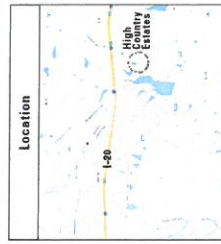
ZONE	ACRES	% OF SITE	GOAL
T-4	31.8	17.7%	20.0%
T-3	37.0	20.6%	20.0%
T-2	51.7	61.7%	60.0%
T-1	59.0		
TOTALS	179.5	100%	100%

HIGH COUNTRY ESTATES

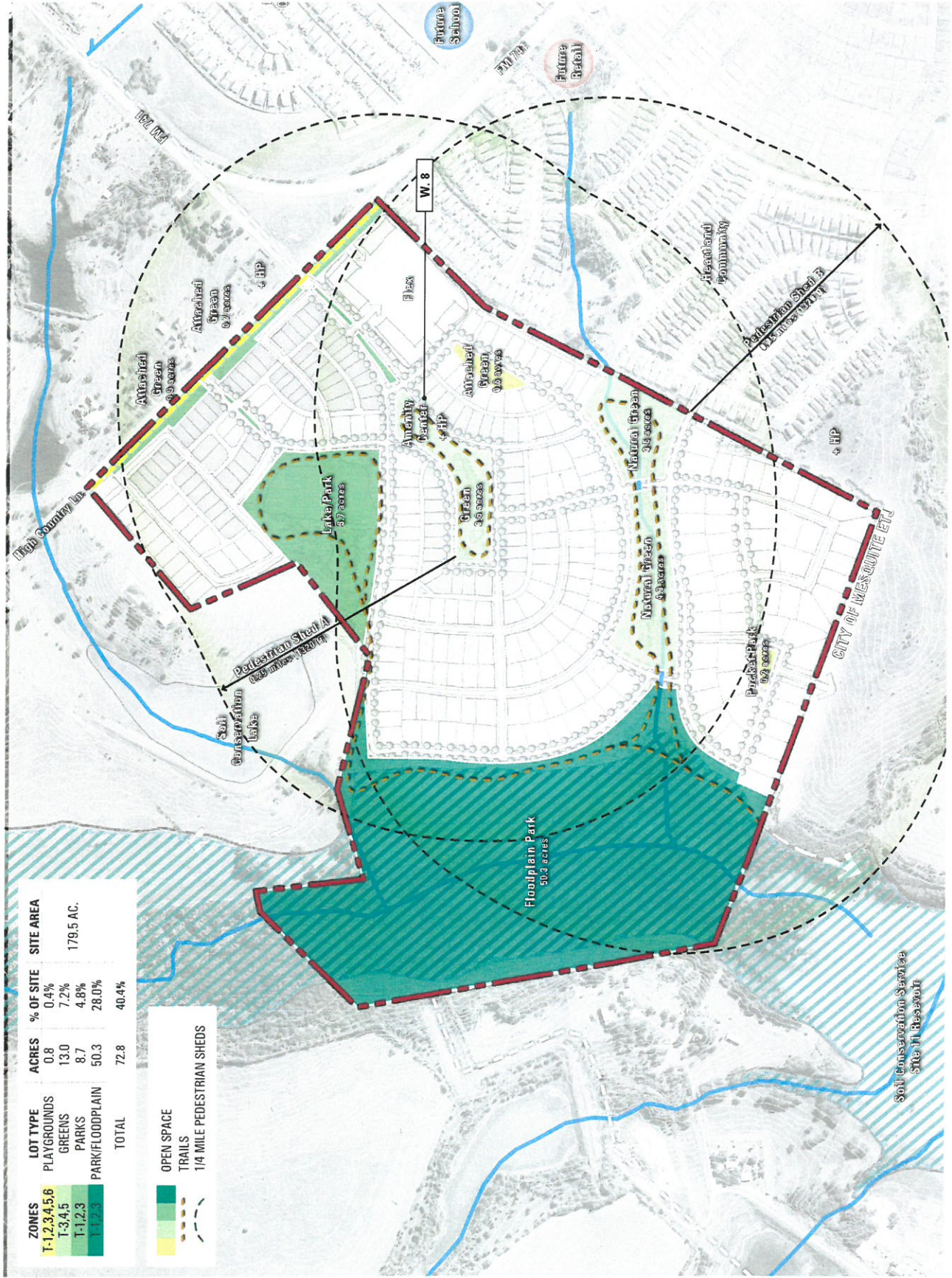
EXHIBIT D-5 OPEN SPACE PLAN

Regulating Plan for ZH312-3-2016

Development Team	
Owner	Ellis Equity 2825 Wilcrest Dr. Suite 300 Houston, TX 77042 Phone: 713-334-7165
Applicant	Ellis Equity 2825 Wilcrest Dr. Suite 300 Houston, TX 77042 Contact: Barney Huss Phone: 713-334-7166
Planner / Landscape Architect	TBG Partners 2001 Bryan Street, Ste. 1450 Houston, TX 77002 Contact: Mark Meyer, Sherril Collison Phone: 214-744-0757
Engineer / Surveyor	Statewide Surveying Service 208 N. Washington St. Kaukaun, TX 75142 Contact: Greg Sjerven Phone: 372-962-5461



TBG
4 May 2016
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ZONES	LOT TYPE	ACRES	% OF SITE	SITE AREA
T-1,2,3,4,5,6	PLAYGROUNDS	0.8	0.4%	179.5 AC.
T-3,4,5	GREENS	13.0	7.2%	
T-1,2,3	PARKS	8.7	4.8%	
T-1,2,3	PARK/FLOODPLAIN	50.3	28.0%	
	TOTAL	72.8	40.4%	

OPEN SPACE

- TRAILS
- 1/4 MILE PEDESTRIAN SHEDS

HIGH COUNTRY ESTATES

EXHIBIT D-6

Landmarks and Views

Regulating Plan for ZH 312-3-2016

Development Team

Owner

Ellis Equity
2825 Wilcrest Dr. Suite 300
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Contact: Barry Huss
Phone: 713-334-7166

Applicant

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Contact: Barry Huss
Phone: 713-334-7166

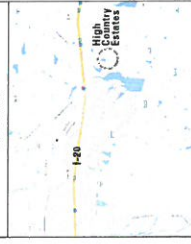
Planner / Landscape Architect

1807 Palmer Street, Ste. 1450
Dallas, TX 75201
Contact: Mark Mayer, Sherri Collison
Phone: 214-744-0757

Engineer / Surveyor

Statewide Surveying Service
208 N. Washington St.
Kaukaun, WI 53142
Contact: Tom Schmitt
Phone: 972-962-6481

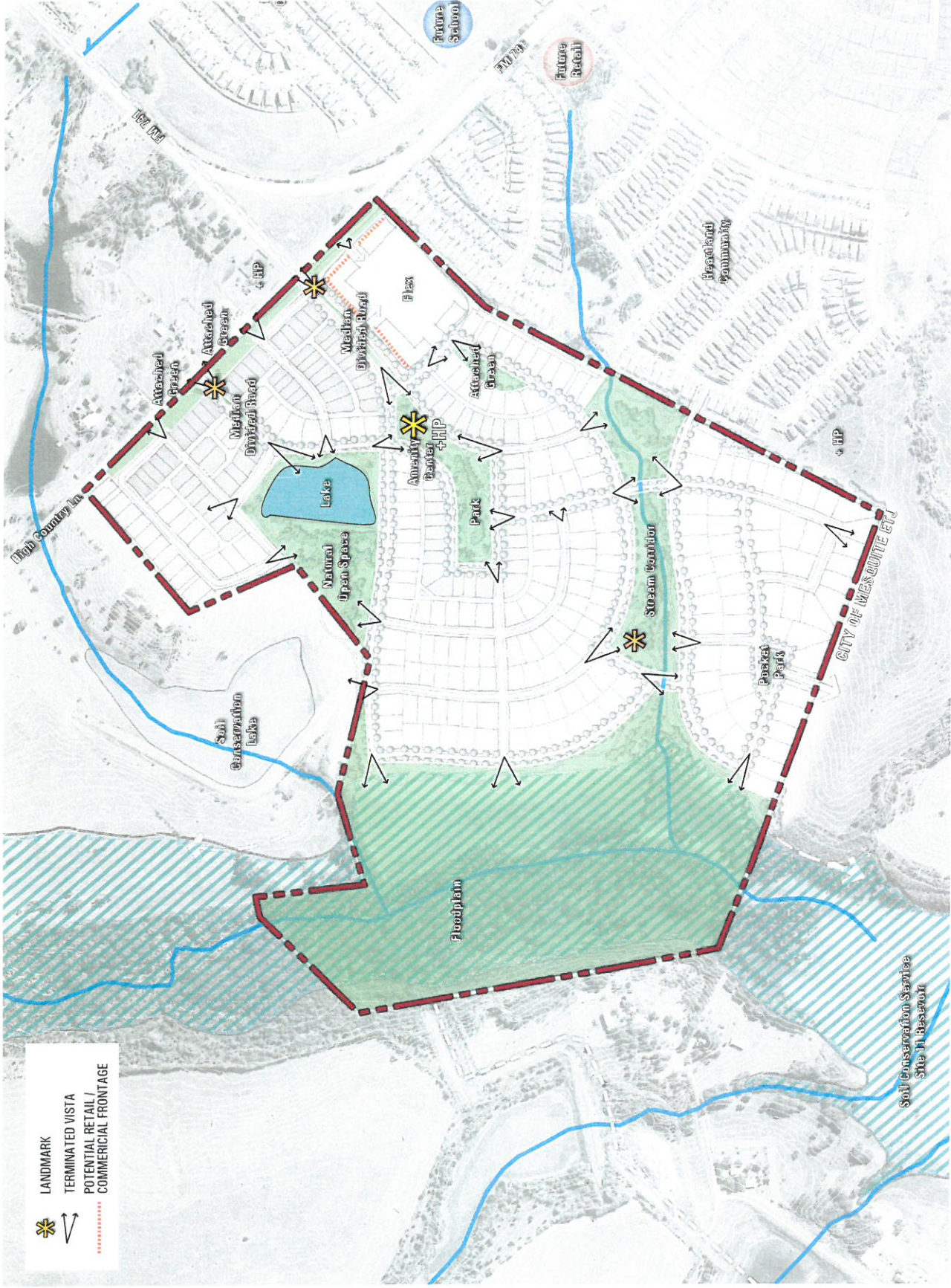
Location



T B G

4 May 2016

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HIGH COUNTRY ESTATES

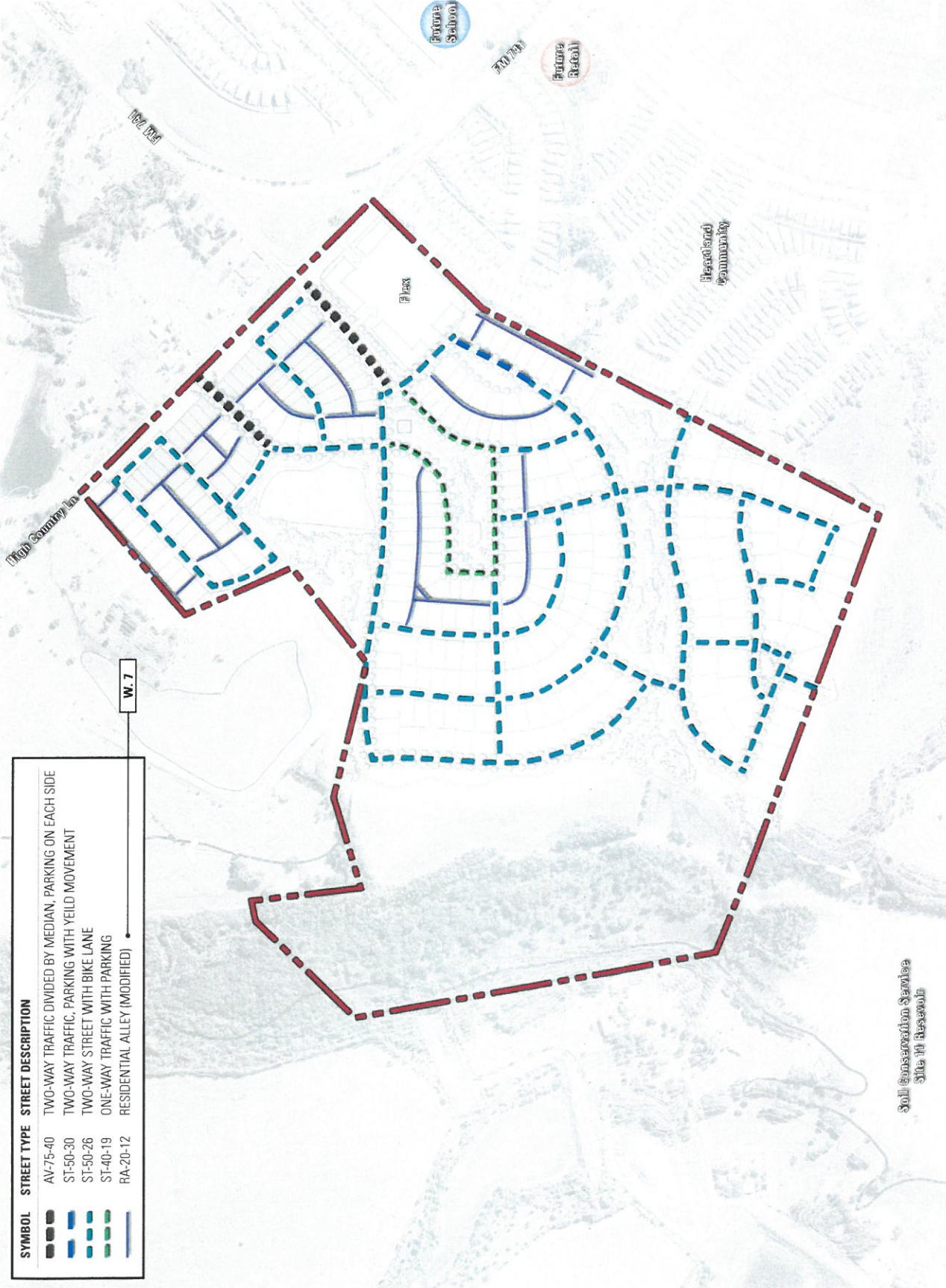
EXHIBIT D-7

Thoroughfare Plan

Regulating Plan for Z#312-3-2016

SYMBOL	STREET TYPE	STREET DESCRIPTION
	AV-75-40	TWO-WAY TRAFFIC DIVIDED BY MEDIAN, PARKING ON EACH SIDE
	ST-50-30	TWO-WAY TRAFFIC, PARKING WITH YIELD MOVEMENT
	ST-50-26	TWO-WAY STREET WITH BIKE LANE
	ST-40-19	ONE-WAY TRAFFIC WITH PARKING
	RA-20-12	RESIDENTIAL ALLEY (MODIFIED)

W. 7



Development Team

Owner
 Ellis Equity
 2825 Wilcrest Dr. Suite 300
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 Contact: Bernay Huss
 Phone: 713-334-7166

Applicant
 Ellis Equity
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 Houston, TX 77042
 Contact: Bernay Huss
 Phone: 713-334-7166

Planner / Landscape Architect
 TBC
 2801 Armes Street, Ste. 1450
 Dallas, TX 75201
 Contact: Mark Meyer, Sherril Collison
 Phone: 214-744-0757

Engineer / Surveyor
 Statewide Surveying Service
 208 N. Washington St.
 Kaufman, TX 75142
 Contact: David Smith
 Phone: 972-862-6481

Location

TBC

4 May 2016

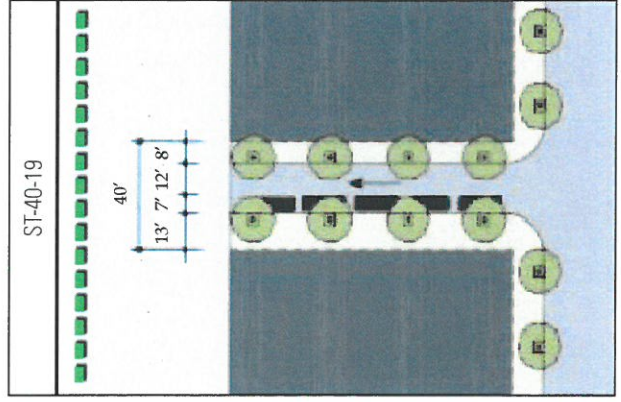
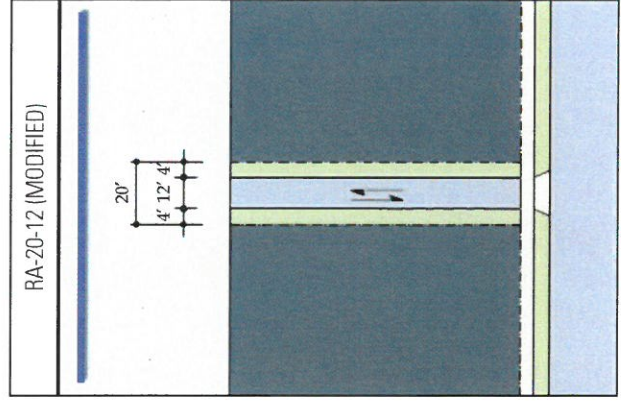
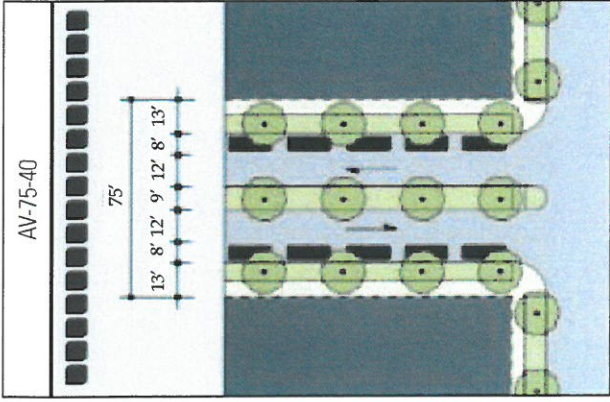
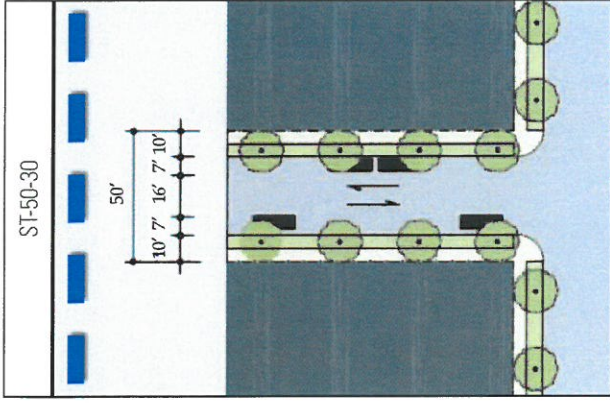
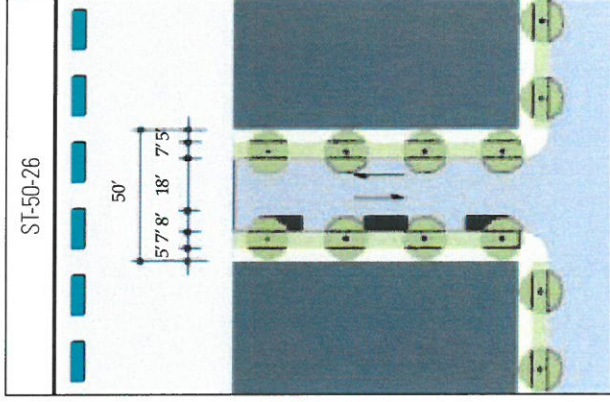
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Soil Conservation Service
 Site # R55047

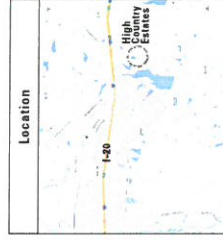
HIGH COUNTRY ESTATES

EXHIBIT D-8

Thoroughfare Typologies
Regulating Plan for Z# 312-3-2016



Development Team	
Owner	Ellis Equity 2825 Wilcrest Dr. Suite 300 Houston, TX 77042 Contact: Barry Huts Phone: 713-334-7166
Applicant	Ellis Equity 2825 Wilcrest Dr. Suite 300 Houston, TX 77042 Contact: Barry Huts Phone: 713-334-7166
Planner / Landscape Architect	TBG Partners 5501 Byrd Street, Ste. 1450 Dallas, TX 75201 Contact: Mark Meyer, Sharrin Collision Phone: 214-744-0757
Engineer / Surveyor	Satewide Surveying Service 208 N. Washington St. Kaufman, TX 75142 Contact: Greg Spreen Phone: 972-962-0481



4 May 2016

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HIGH COUNTRY ESTATES

EXHIBIT D-9

Block Face & Perimeter Plan
Regulating Plan for ZH 312-3-2016

Development Team

Owner

Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Phone: 713-334-7165

Applicant

Ellis Equity
2825 Wilcrest Dr. Suite 300
Houston, TX 77042
Contact: Barney Huss
Phone: 713-334-7165

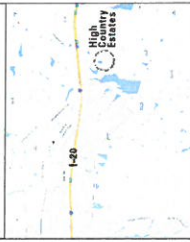
Planner / Landscape Architect

TBC Partners
2001 Bryan Street, Ste. 1450
Houston, TX 77002
Contact: Mark Meyer, Sherri Collison
Phone: 214-744-0357

Engineer / Surveyor

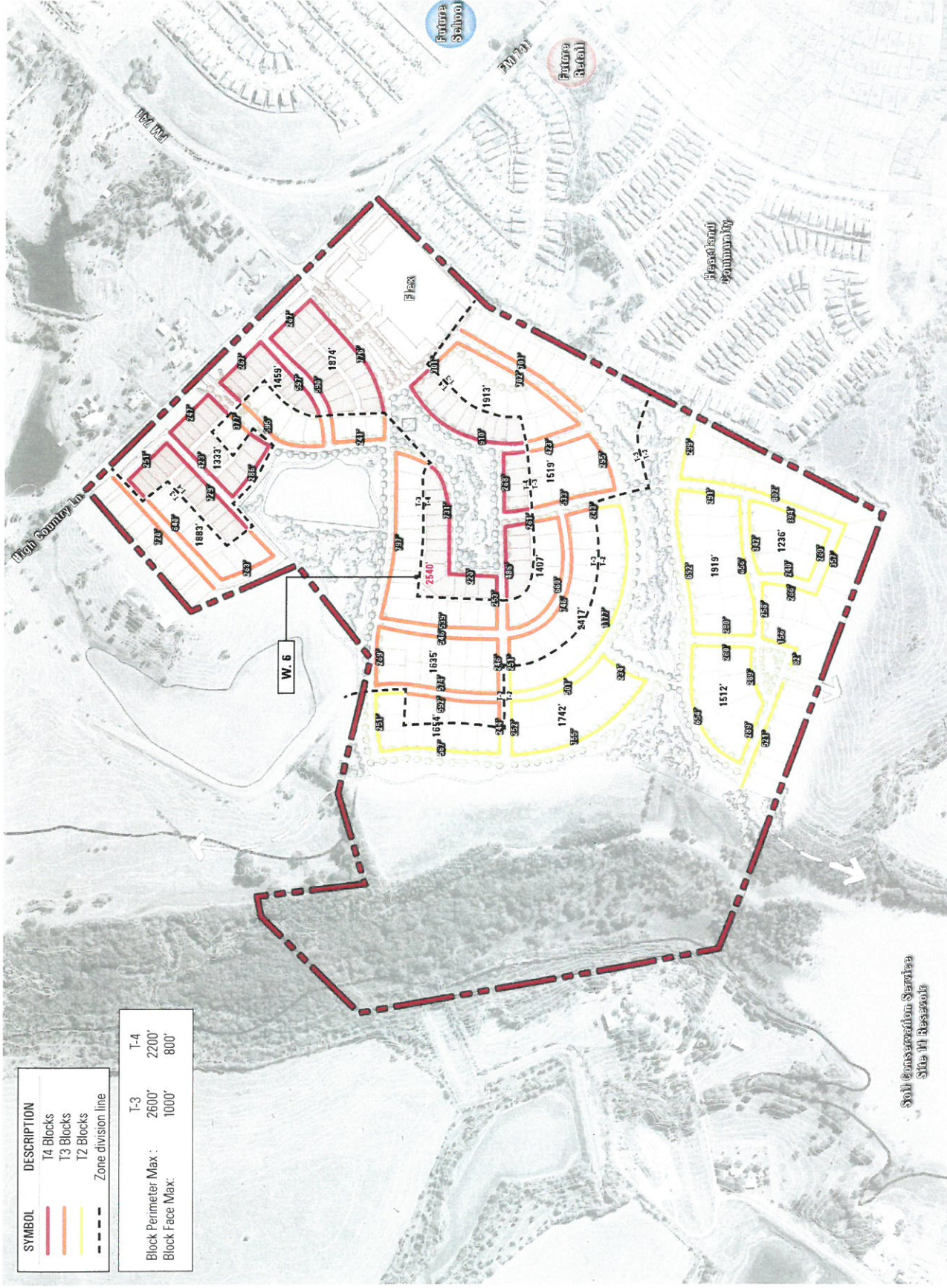
Statewide Surveying Service
208 N. Washington St.
Kaufman, TX 75142
Contact: Greg Steven
Phone: 372-962-8481

Location



4 May 2016

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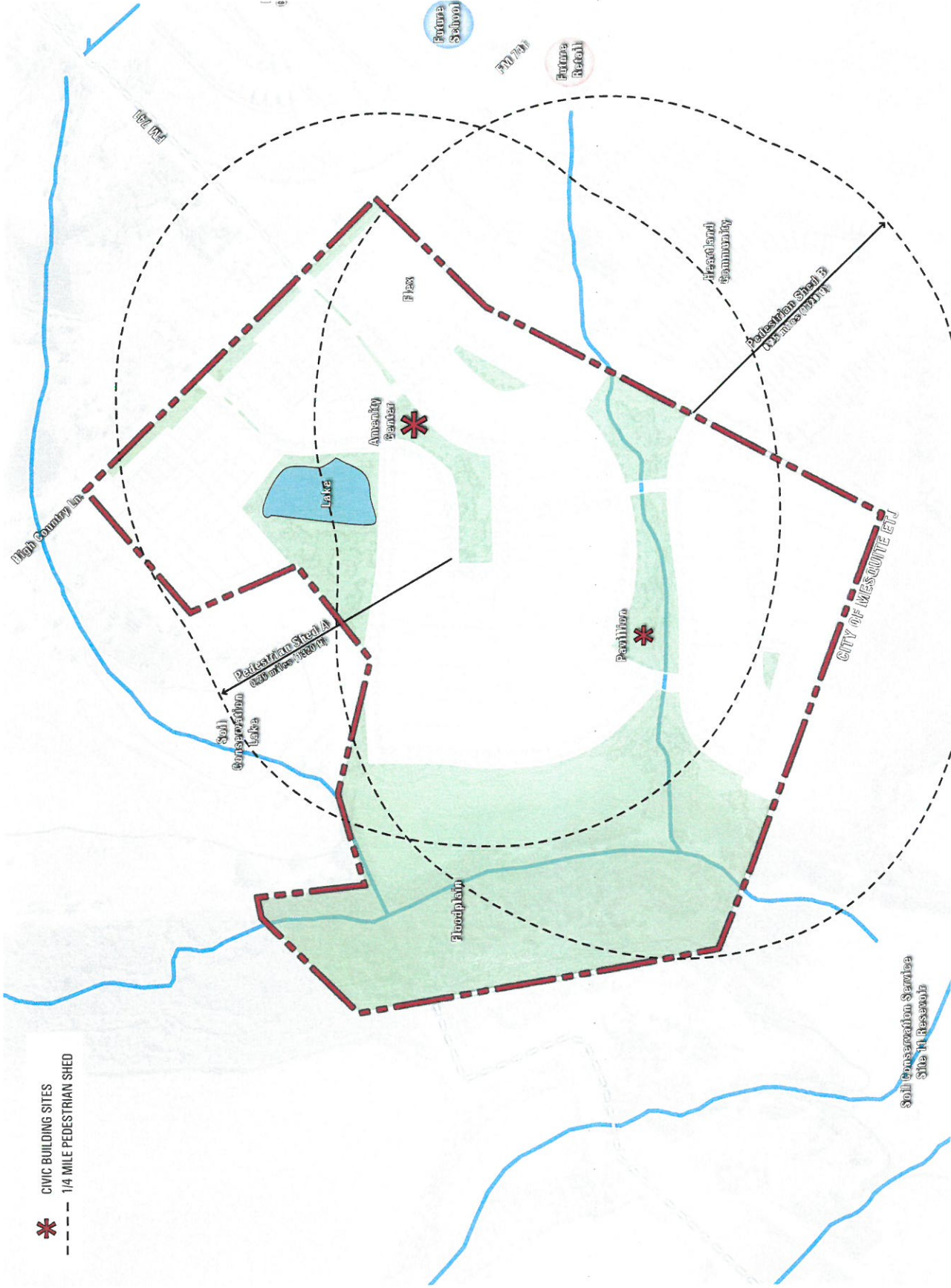


SYMBOL	DESCRIPTION
—	T-4 Blocks
—	T-3 Blocks
—	T-2 Blocks
—	T-1 Blocks
---	Zone division line

T-3	2600'
T-4	2200'
Block Perimeter Max:	1000'
Block Face Max:	800'

Soil Conservation Service
Site 11 Reserve

* CIVIC BUILDING SITES
 --- 1/4 MILE PEDESTRIAN SHED



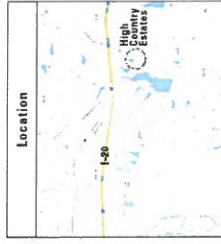
HIGH COUNTRY ESTATES

EXHIBIT D-10

Civic Sites

Regulating Plan for ZH 312-3-2016

Development Team	
Owner	Ellis Equity 2825 Wilcrest Dr. Suite 300 Houston, TX 77042 Contact: Barry Huss Phone: 713-334-7166
Applicant	Ellis Equity 2825 Wilcrest Dr. Suite 300 Houston, TX 77042 Contact: Barry Huss Phone: 713-334-7166
Planner / Landscape Architect	TBC Partners 2825 Wilcrest Dr. Ste. 1450 Dallas, TX 75201 Contact: Mark Meyer, Sherri Callison Phone: 214-744-0757
Engineer / Surveyor	Statewide Surveying Service 208 N. Washington St. Kaufman, TX 75142 Contact: Greg Slevin Phone: 972-902-9481



4 May 2016

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Exhibit B

STATEWIDE SURVEYING SERVICES
REGISTERED PROFESSIONAL LAND SURVEYORS

GREG SJERVEN, R. P. L. S.
208 N. WASHINGTON

KAUFMAN, TEXAS 75142

METRO PHONE: (972) 962-6481
FAX: (972) 962-6480

FIELD NOTES FOR MICHAEL A. MC FERRIN
MARTHA MUSICK SURVEY, ABSTRACT NO. 312
KAUFMAN COUNTY, TEXAS

All that certain lot, tract or parcel of land, part of the Martha Musick Survey, Abstract No. 312, Kaufman County, Texas, part of that certain called 196.663 acre tract conveyed to Michael A. McFerrin by Mary Elizabeth Hofker, a.k.a. Betty Coleman McFerrin on February 2, 2004, recorded in Vol. 2361 page 445 of the Deed Records of Kaufman County, Texas and being more completely described as follows, to-wit:

BEGINNING at a point in the Northeast line of the above mentioned 196.663 acre tract, being S 43 deg. 46 min. 34 sec. E-100.06 ft. from the North corner of same, at the East corner of the Hubert C. White, Jr. And Mary Nancy White 1.882 acre Tract One, recorded in Vol. 2393 page 77 of the Deed Records of Kaufman County, Texas and being in the centerline of High Country Lane, from which a 3/8" Iron rod found in the Southwest line of said High Country Lane bears S 48 deg. 14 min. 19 sec. W-22.40 ft.

THENCE S 43 deg. 46 min. 34 sec. E, with the centerline of High Country Lane, a distance of 1418.68 ft. to a point at the intersection of same with the Southwest Right of Way line of Old Farm to Market Road No. 741, in the Southwest line of a certain 0.367 acre tract described in a Right of Way Deed to the State of Texas, recorded in Vol. 320 page 249 of the Deed Records of Kaufman County, Texas and being in a curve to the left, the radius point of which bears S 81 deg. 54 min. 27 sec. E-89.70 ft.

THENCE, in a Southerly direction with said Right of Way line and with said curve to the left, the angle of which is 51 deg. 56 min. 42 sec., the radius is 89.70 ft. and the tangent is 43.70 ft., a distance of 81.32 ft. to a 3/8" Iron rod set at the P.T. of said curve to the left.

THENCE S 43 deg. 51 min. 09 sec. E, continuing with the Southwest Right of Way line of Old Farm to Market Road No. 741, now known as High Country Lane, a distance of 469.04 ft. to a 3/8" Iron rod set at the North corner of the Heartland Tract B Phase 1A, as shown by the Amended Plat of same, recorded in cabinet 3 page 74 of the Plat Records of Kaufman County, Texas.

THENCE S 45 deg. 24 min. 12 sec. W, with the Northwest line of said Heartland Tract B Phase 1A, distance of 694.60 ft. to a 3/8" Iron rod found for corner.

THENCE S 29 deg. 15 min. 15 sec. W, continuing with the Northwest line of said Heartland Tract B Phase 1A, passing the West corner of same, continuing a total distance of 712.32 ft. to a 5/8" Iron rod found for corner.

THENCE S 26 deg. 38 min. 35 sec. W, with the Northwest line of the Heartland 600 Development Land, L.P. 208.452 acre Tract 4, recorded in Vol. 2658 page 510 of the Deed Records of Kaufman County, Texas, a distance of 918.27 ft. to a 3/8" Iron rod found at the West corner of same and being at the Easterly North corner of the 8700, Ltd. 56.90 acre tract, recorded in Vol. 2207 page 178 of the Deed Records of Kaufman County, Texas.

THENCE N 9 deg. 56 min. 45 sec. W, with the East line of said 10.780 acre tract, passing the Northeast corner of same, continuing a total distance of 1735.54 ft. to a 1/2" Iron rod found at an angle corner of the Spradley / Forney Development, Ltd. 613.573 acre Tract 1, recorded in Vol. 1915 page 215 of the Deed Records of Kaufman County, Texas.

THENCE N 44 deg. 15 min. 51 sec. E, with a line of said 613.573 acre tract, passing a corner of same, continuing a total distance of 652.06 ft. to a 3/8" Iron rod found for corner.

THENCE N 77 deg. 19 min. 30 sec. E, a distance of 63.89 ft. to a 3/8" Iron rod found at a corner of the H. C. White 63.8 acre First Tract, recorded in Vol. 342 page 585 of the Deed Records of Kaufman County, Texas.

THENCE N 82 deg. 20 min. 12 sec. E, with a line of said 63.8 acre tract, a distance of 34.72 ft. to a 3/8" Iron rod found at an ell corner of same.

THENCE S 5 deg. 54 min. 48 sec. E, with the Southerly West line of said 63.8 acre tract, a distance of 513.89 ft. to a 3/8" Iron rod found at the Southwest corner of same.

THENCE N 73 deg. 27 min. 00 sec. E, with the Westerly South line of said 63.8 acre tract, a distance of 430.87 ft. to a 3/8" Iron rod found at the Southwest corner of the Hubert C. White, Jr. And Mary Nancy White 10.009 acre tract, recorded in Vol. 2681 page 69 of the Deed Records of Kaufman County, Texas.

THENCE N 79 deg. 55 min. 57 sec. E, with the South line of said 10.009 acre tract, a distance of 49.45 ft. to a 3/8" Iron rod found for corner.

THENCE S 76 deg. 51 min. 01 sec. E, continuing with the South line of said 10.009 acre tract, a distance of 478.70 ft. to a 3/8" Iron rod found for corner.

THENCE S 72 deg. 29 min. 49 sec. E, continuing with the South line of said 10.009 acre tract, a distance of 147.55 ft. to a 3/8" Iron rod found at the Southeast corner of same.

THENCE N 52 deg. 31 min. 33 sec. E, with the Southeast line of said 10.009 acre tract, a distance of 90.58 ft. to a 3/8" Iron rod found for corner.

THENCE N 51 deg. 32 min. 28 sec. E, continuing with the Southeast line of said 10.009 acre tract, a distance of 480.00 ft. to a 3/8" Iron rod found at the East corner of same.

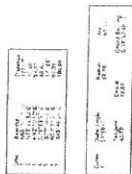
THENCE N 24 deg. 24 min. 22 sec. W, with the Northeast line of said 10.009 acre tract, a distance of 540.40 ft. to a 3/8" Iron rod found at the North corner of same, at the East corner of the Hubert C. White, Jr. And Mary Nancy White 4.960 acre Tract Two, recorded in Vol. 2393 page 77 of the Deed Records of Kaufman County, Texas and being at the South corner of the above mentioned 1.882 acre tract.

THENCE N 48 deg. 14 min. 19 sec. E, with the Southeast line of said 1.882 acre tract, a distance of 801.41 ft. to the point of beginning, containing 179.407 acres of land, of which 0.580 of an acre is within the above mentioned High Country Lane.

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that the above field notes and companion plat were prepared from an actual survey made under my direction and supervision on the ground during the month of September, 2008.

GIVEN UNDER MY HAND AND SEAL this the 19th day of September, 2008.

NOTE: FIELD NOTES VOID IF NOT SIGNED IN BLUE.

[illegible]

Doc. 1241 (1941) - 1002 1/2 - 1003 1/2
P.O. 1241 - 1002 1/2 - 1003 1/2