

ORDINANCE NO. 5027  
File No. Z0223-0291

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY PROVIDING A COMPREHENSIVE PLAN AMENDMENT FROM MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND BY AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM TRADITIONAL MIXED RESIDENTIAL AND R-3 SINGLE FAMILY ZONING TO PLANNED DEVELOPMENT – MULTIFAMILY TO ALLOW A 240-UNIT MULTIFAMILY DEVELOPMENT WITH MODIFICATIONS TO THE DEVELOPMENT STANDARDS ON PROPERTY LOCATED AT 1400 AND 1609 RANGE DRIVE; 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 properties are described as being a total of approximately 10.92 acres of land that must be replatted together as one property, each more fully described in the legal descriptions and depiction attached hereto as Exhibit A, and located at 1400 and 1609 Range Drive, Mesquite, Dallas County, Texas (collectively, the “**Property**”).

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

SECTION 3. The Mesquite Zoning Ordinance is hereby amended by approving a change of zoning from Traditional Mixed Residential and R-3 Single Family Zoning to Planned Development – Multifamily to allow a 240-unit multifamily development with modifications to the Planned Development Standards and the Concept Plan attached hereto as Exhibits B and C respectively and incorporated herein by reference.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

Zoning / File No. Z0223-0291 / Amending Comprehensive Plan from Medium Density Residential to High Density Residential / Amending MZO from Traditional Mixed Residential and R-3 Single Family Zoning to PD-Multifamily  
June 5, 2023  
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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 June 2023.

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

ATTEST:

APPROVED AS TO LEGAL FORM:

DocuSigned by:  
*Sonja Land*  
C2518095973F46A...

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Sonja Land  
City Secretary

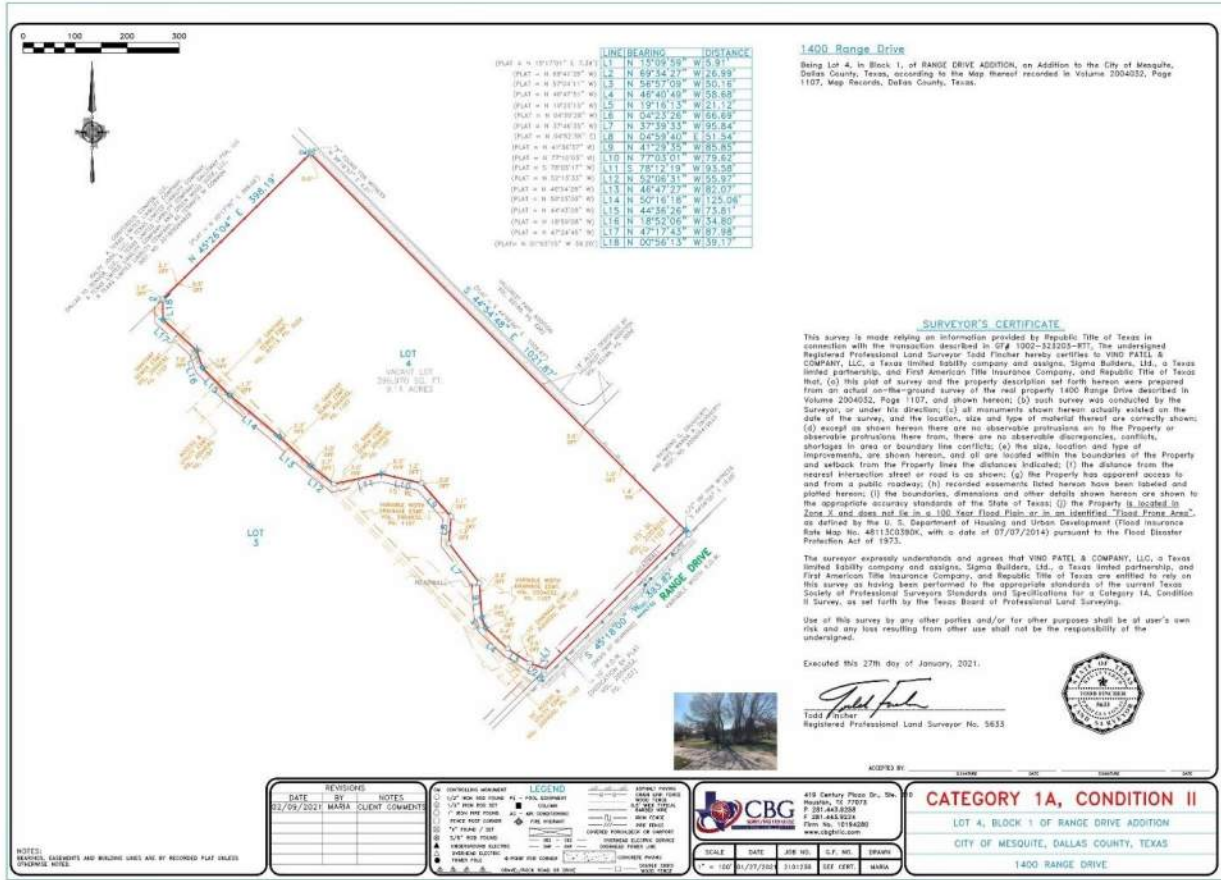
DocuSigned by:  
*David Paschall*  
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David L. Paschall  
City Attorney

# EXHIBIT A for File No. Z0223-0291- LEGAL DESCRIPTION

## Exhibit A – 1400 Range Drive



## Exhibit A – 1609 Range Drive

### EXHIBIT "A"

BEING a 1.814 acre tract of land situated in the McKinney & Williams Survey, Abstract No. 1028, Dallas County, Texas, and being all that certain tract of land conveyed to the O.C. Handy, Jr. 1991 Revocable Management Trust by deed recorded in Volume 91220, Page 0010, Deed Records, Dallas County, Texas (D.R.D.C.T.):

BEGINNING at a 1/2 inch iron rod found in the northwest right-of-way line of Range Drive (a 60' wide right-of-way), said iron rod being the eastern most corner of a tract of land conveyed to Sigma Builders, Ltd. by deed recorded in Volume 97247, Page 4391 (D.R.D.C.T.);

THENCE North 44°53'38" West, along the northeast line of said Sigma Builders tract, a distance of 291.97 feet to a point in the southeast line of an 18-foot alley;

THENCE South 45°00'00" West, along said southeast alley line, a distance of 231.41 feet to the beginning of a curve to the right having a radius of 40.00 feet and a central angle of 89°56'29";

THENCE along said curve to the right a distance of 62.79 feet to a point in the southwest line of an 18-foot alley;

THENCE South 45°09'43" East, along said southwest alley line, a distance of 252.12 feet to a point in the said northeast line of Range Drive;

THENCE South 45°00'00" West, along the said northeast line of Range Drive, a distance of 272.31 feet to the POINT OF BEGINNING and containing 79,031 square feet or 1.814 acres of land more or less.

**PLANNED DEVELOPMENT STANDARDS Z0223-0291**

This Planned Development Multifamily (PD-MF) 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 A-3 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.

1. **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.
  - a. The permitted uses requiring a conditional use permit ("CUP") as set out in the Mesquite Zoning Ordinance (MZO), also require a CUP for the use to be permitted on the Property.
2. **Development Standards.** In addition to the requirements of the A base zoning district, this Planned Development is subject to the following.
  - a. 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 in order to comply with the Mesquite Engineering Design Manual, adopted Building and Fire Codes, as amended, provided that the development complies with all requirements of this ordinance.
  - b. Dwelling Unit Number and Type
    - i. 240 dwelling units are permitted, consisting of the following:
      1. 144 one-bedroom units
      2. 96 two-bedroom units
    - ii. Each dwelling shall provide the Basic facilities as listed in Section 2-501.E.5 of the MZO.
  - c. Parking
    - i. Off-street parking may be located between the building and a public street, as shown on Exhibit C.
    - ii. Off-street parking shall be provided at a ratio of 2 parking spaces per dwelling unit.

d. Open Space

- i. Open space shall be provided as shown on Exhibit C. The trail shown on the concept plan shall include at least two doggie waste stations and two benches.

e. Outdoor Amenities

- i. The outdoor amenities shall be provided as shown in Exhibit C; however, the Director of Planning and Development Services may approve other amenities in lieu of what is shown on the Concept Plan.

