

ORDINANCE NO. 5056  
File No. Z0523-0305

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT ORDINANCE NO. 1110 TO PLANNED DEVELOPMENT - COMMERCIAL ON PROPERTY LOCATED AT 3020 AND 3200 EAST US HIGHWAY 80 TO ALLOW SIC 42 “MOTOR FREIGHT TRANSPORTATION, WAREHOUSING” USE IN ADDITION TO OTHER USES ALLOWED IN THE COMMERCIAL ZONING DISTRICT SUBJECT TO CERTAIN STIPULATIONS; 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 31 acres and described and depicted in Exhibit A, attached hereto and incorporated herein by reference, and located at 3020 and 3200 East US Highway 80, City of Mesquite, Dallas County, Texas (collectively the “**Property**”).

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning for the Property from Planned Development Ordinance No. 1110 to Planned Development – Commercial to allow SIC 42 “Motor Freight Transportation, Warehousing” use in addition to other uses allowed in the Commercial Zoning District subject to the Development Standards and the Concept Plan, attached hereto as Exhibits B and C, respectively, and incorporated herein by reference.

SECTION 3. 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

SECTION 4. The Property shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 5. 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 6. 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 7. This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 8. 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 September 2023.

DocuSigned by:  
*Daniel Aleman Jr.*  
D999585317D142B...

---

Daniel Alemán, Jr.  
Mayor

ATTEST:

DocuSigned by:  
*Sonja Land*  
C2518095973F46A...

---

Sonja Land  
City Secretary

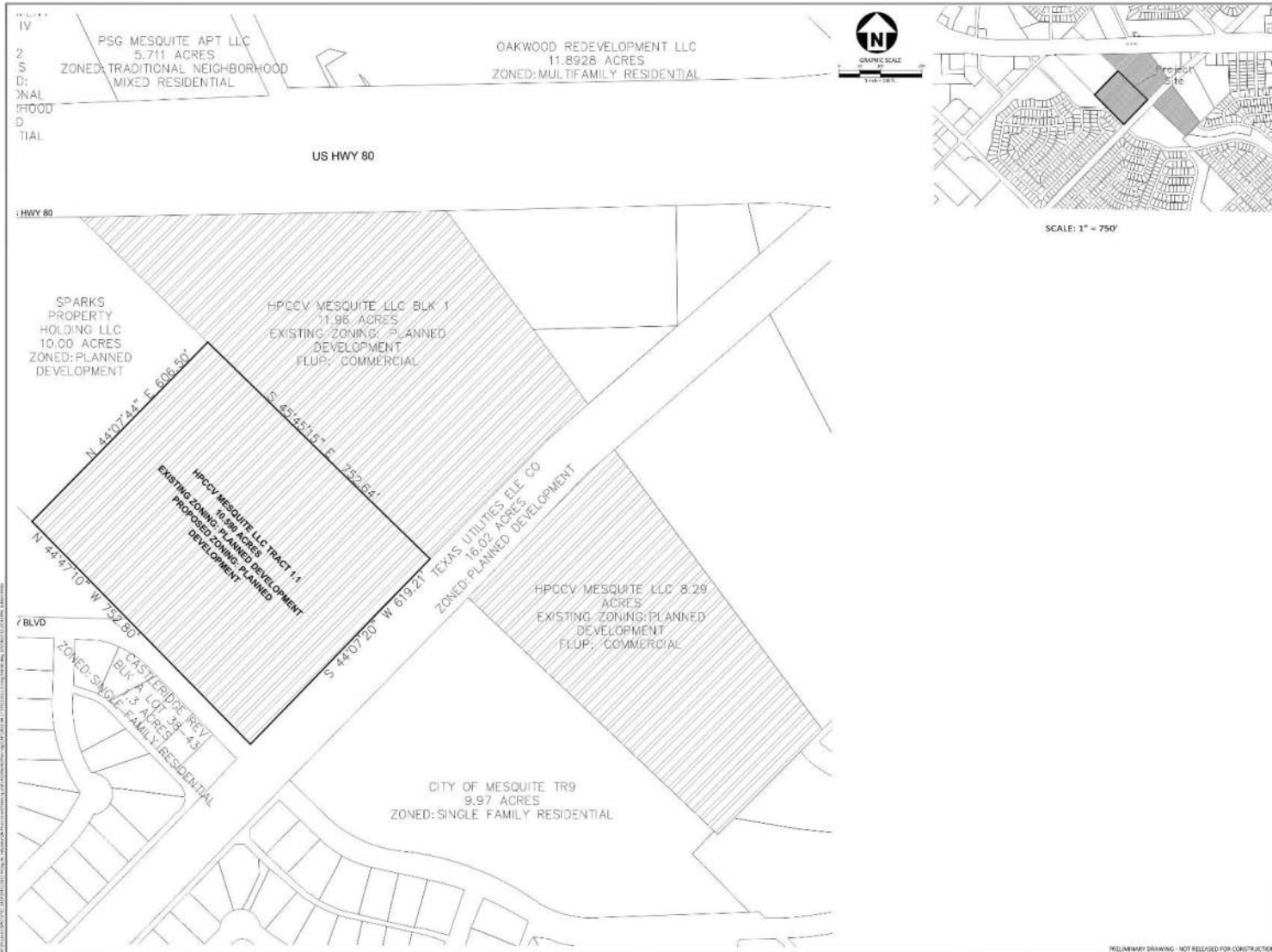
APPROVED AS TO LEGAL FORM:

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

---

David L. Paschall  
City Attorney

# EXHIBIT A - FILE NO. Z0523-0305 - LEGAL DESCRIPTION



**MCADAMS**  
The John R. McAdams Company, Inc.  
111 Hillside Drive  
Lubbock, Texas 79407  
Phone 807.456.9722  
Fax 807.456.9715  
Email: info@mcadams.com  
www.mcadams.com

**CLIENT**  
HAMPTON PARTNERS  
1300 CROWN CREEK SOUTH-26, SUITE 430  
DENVER, COLORADO 80202  
303.454.3098  
Tucker Redburn

**MESQUITE INDUSTRIAL**  
ZONING EXHIBIT  
3200 US HWY 80  
CITY OF MESQUITE,  
TEXAS, 75148

**REVISIONS**  
NO. DATE DESCRIPTION

**PLAN INFORMATION**  
PROJECT NO. SPEC2023  
FILE NAME: Z0523-0305-01.dwg  
CHECKED BY: ER  
DRAWN BY: MFB  
SCALE: 1/8" = 1' SCALE  
DATE: 04/26/2023

**SHEET**

**ZONING EXHIBIT**  
**01**

# EXHIBIT A - FILE NO. Z0523-0305 - LEGAL DESCRIPTION

Legal Description - Tract 1  
11.96 acres

Being a 11.9613 acre tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, in the City of Mesquite, Dallas County, Texas, and being a portion of Lot 1R, Block 1, Stevens Subdivision Block 1, Lots 1R and 2 recorded in Volume 89210, Page 2176, Map Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 3/4 inch iron pipe found for the northwest corner of said Lot 1R, same being the northeast corner of a called 10.00 acre tract of land as described in a deed to H E L P Properties LLC recorded in Instrument Number 2008095098, Deed Records, Dallas County, Texas, said point also being in the south right-of-way line of U.S. Highway 80 (a 300 foot right-of-way);

**THENCE** South S 89°49'45" E, along the north line of said Lot 1R, and said South right-of-way line of U.S. Highway 80, a distance of 710.51 feet to a capped 5/8 inch iron rod found with Txdot aluminum cap at the northwest corner of a tract of land described in a deed to the State of Texas recorded in County Clerk's File No. 20080014750, Real Property Records, Dallas County, Texas;

**THENCE** along the common line of said State of Texas tract and crossing said Lot 1R, Block 1, the following calls:

S 00°21'55" W, a distance of 61.80 feet to a capped 5/8 inch iron rod found with Txdot aluminum cap for corner;

S 39°05'59" E, a distance of 76.97 feet to a capped 5/8 inch iron rod found with Txdot aluminum cap for corner;

N 37°45'25" E, a distance of 88.79 feet to a capped 1/2 inch iron rod set for corner;

N 33°15'34" W, a distance of 15.71 feet to a capped 1/2 inch iron rod set for corner;

N 00°09'07" E, a distance of 37.91 feet to an "X" cut in concrete set for the northeast corner of said State of Texas tract, and being in the north line of said Lot 1R, Block 1, same being in the south right-of-way line of said U.S. Highway 80;

**THENCE** S 89°49'45" E, along the north line of said Lot 1R, and said south right-of-way line of U.S. Highway 80, a distance of 89.32 feet (deed called 93.55 feet) to a capped 1/2 inch iron rod found for the northeast corner of said Lot 1R, Block 1, same being the northwest corner of a called 3.03 acre tract of land described in a deed to Lincoln Trust Company Cust. FBO, Kiha Kim recorded in Volume 96035, Page 04B, Deed Records, Dallas County, Texas;

**THENCE** S 34°25'06" E, along the common line of said Lot 1R, Block 1, and said called 3.03 acre tract, passing the common corner of said called 3.03 acre tract and a called 0.7682 acre tract of land described in a deed to Steven L. Aaron recorded in Volume 97013, Page 3850, Deed Records, Dallas County, Texas, and continuing a total distance of 579.01 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 1R, Block 1, same being the southwest corner of said called 0.7682 acre tract, and being in the north line of a called 15.0649 acre tract of land described in a deed to Texas Utilities Electric Company recorded in Volume 5563, Page 577, Deed Records, Dallas County, Texas;

**THENCE** S 50°38'15" W, along the common line of said Lot 1R, Block 1, and said called 15.0649 acre tract, a distance of 124.68 feet to a 1/2 inch iron rod found for corner;

**THENCE** S 45°35'15" W, along the common line of said Lot 1R, Block 1, and said called 15.0649 acre tract, a distance of 413.45 feet to a right-of-way marker found for the southwest corner of said Lot 1R, Block 1, same being the easterly southeast corner of a called 10.602 acre tract of land described in a deed to JRP Properties LLC recorded in Instrument Number 201000112745, Deed Records, Dallas County, Texas;

**THENCE** N 44°20'20" W, along the common line of said Lot 1R, Block 1, and said called 10.602 acre tract, passing the common corner of said called 10.602 acre tract and said called 10.00 acre tract, and continuing a total distance of 1186.67 feet to the POINT OF BEGINNING and containing 521,033 square feet or 11.9613 acres of land more or less.

Legal Description - Tract 2  
8.29 acres

BEING Lot 2 in Block 1 of STEVENS SUBDIVISION BLOCK 1, LOTS 1R AND 2, an Addition to the City of Mesquite, Texas, according to the Plat there of recorded in Volume 89210, Page 2176, Map Records of Dallas County, Texas.

Legal Description - Tract 3  
10.590 acres

BEING all that certain lot, tract, or parcel of land, situated in the Daniel Tanner Survey, Abstract Number 1462, in the City of Mesquite, Dallas County, Texas, and being all of Tract 3 in deed to HP-CCV Mesquite, LLC, recorded in 202000036821, Official Public Records, Dallas County, Texas, and being more particularly described as follows:

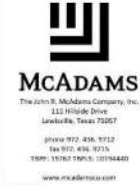
**BEGINNING** at a 1/2" rebar found at the southwest corner of the herein described tract of land, and being on the northeast line of South Parkway Blvd, a called 50' Right-of-way;

**THENCE** N 44°47'10" W, with the southwest line of said Tract 3, and the northeast line of said South Parkway Blvd, passing at a distance of 309.43 feet a point of curvature of said South Parkway Blvd, being the southeast corner of that certain tract of land, described in deed to the City of Mesquite, recorded in Volume 80231, Page 3180, continuing with the northeast line thereof, a total distance of 752.80 feet to a 1/2" yellow capped rebar found the northwest corner of said Tract 3, and being the southwest corner of that certain called 9.995 acre tract of land, described in deed to Sparks Property Holding, LLC, recorded in Instrument Number 202200081559, Official Public Records, Dallas County, Texas, from which a 5/8" rebar found at the northwest corner thereof bears N 4°47'10" W, a distance of 1014.70 feet;

**THENCE** N 44°07'44" E, with the northwest line of said Tract 3, and the southeast line of said 9.995 acre tract, a distance of 606.50 feet to the common corner thereof, being on the southwest line of Lot 1R, Block 1, Stevens Subdivision, recorded in Volume 89210, Page 2176, Plat Records, Dallas County, Texas, from which a 1/2" yellow capped rebar found bears N 06°02'55" W, a distance of 0.4', and from which a, Iron Pipe Found at the northeast corner of said 9.995 acre tract, and the northwest corner of said Lot 1R, bears N 45°45'15" W, a distance of 433.85 feet;

**THENCE** S 45°45'15" E, with the northeast line of said Tract 3, and the southwest line of said Lot 1R, a distance of 752.64 feet to a 1/2" capped rebar found stamped "RPLS 3903"

**THENCE** S 44°07'20" W, with the southeast line of said Tract 3, a distance of 619.21 feet to the POINT OF BEGINNING and containing approximately 10.590 acres of land.



**CLIENT**  
HARTFORD FINTECH  
1300 NEW CREEK SOUTH-28, SUITE 630  
DENVER, COLORADO 80202  
303-694-1000  
Tucker Robinson

**MESQUITE INDUSTRIAL  
ZONING EXHIBIT  
3200 US HWY 80  
CITY OF MESQUITE,  
TEXAS 75149**

**REVISIONS**  
NO. DATE DESCRIPTION

**PLAN INFORMATION**  
PROJECT NO. SPEC23112  
PLAN NAME 444-A-1710101-DRAWING-001  
CHECKED BY EW  
DRAWN BY MPB  
SCALE 1/8"=1'-0"  
DATE 04/09/2023  
**SHEET**

**ZONING EXHIBIT**

**02**

PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

**EXHIBIT B - Z0523-0305  
PLANNED DEVELOPMENT STANDARDS**

This Planned Development Commercial (PD-C) 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 Commercial 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-C district. Where these regulations conflict with or overlap another ordinance, the more stringent restriction will control.

1. **Permitted Land Uses.** The permitted uses on the Property include the permitted uses in the Commercial District classification (“C”) 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. Prohibited uses on the Property are identified in subsection 2 below.
  - 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 unless listed below.
    - i. SIC Code 42: Motor Freight Transportation and Warehousing
2. **Prohibited Land Use.** The following uses are prohibited on the Property:
  - a. SIC Code 549a: Convenience Stores
  - b. SIC Code 5947: Gift Novelty, Souvenir Shops
  - c. SIC Code 5993: Tobacco Stores
  - d. SIC Code 5999g: Paraphernalia Shop
  - e. SIC Code 61: Alternative Financial Institutions
  - f. SIC Code 7215: Coin-Operated Laundries
  - g. SIC Code 7299a: Massage Parlors, Turkish and Steam Bath
3. **Development Standards.** In addition to the requirements of the “C” base zoning district, the Planned Development is subject to the following.
  - a. Landscaping and Screening:
    - i. The western portion of the site (the approximately 3.5-acre area along South Mesquite Creek) shall remain natural, containing native plant species and not require an irrigation system. The 3.5 acres shall not count towards meeting the landscaping requirements in Section 1A-202 of the MZO. A maintenance plan for the 3.5-acre area shall be provided with the site plan identifying the preserved areas and maintenance (includes mowing, underbrush removal, etc.) schedule subject to City staff approval.
    - ii. Screening along the northern property line and along the east side of the 3.5-acre area, as shown on the Concept Plan, shall consist of the following:
      1. A 10-foot wide landscape strip shall be created along the northern property line and shall consist of an 8-ft tall board-on-board cedar

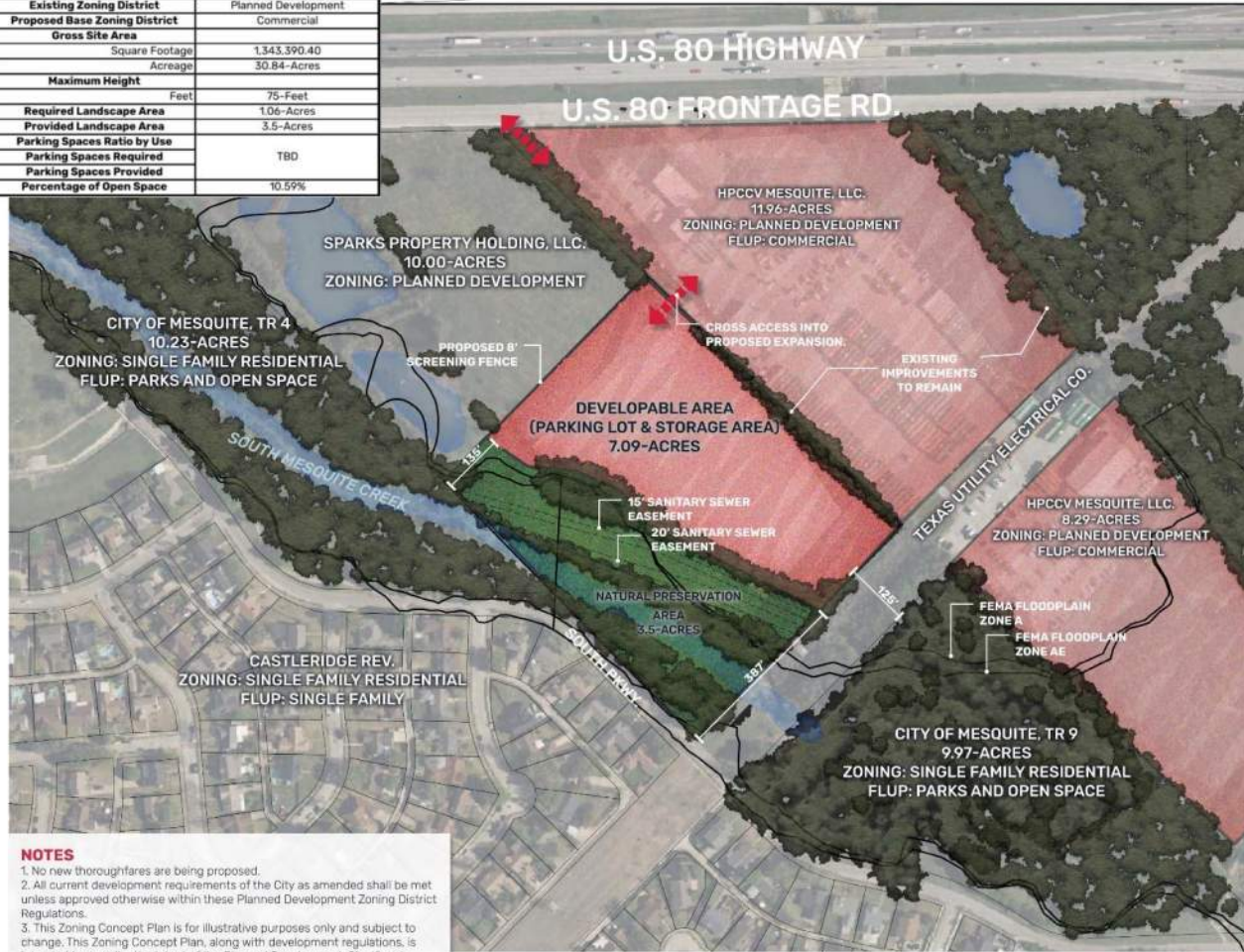
wood fence located along the inside line of the landscape strip with shrubs and trees planted in front of the fence on the street side.

2. Screening along the east side of the 3.5-acre area shall consist of an 8-ft tall board-on-board cedar wood fence.
  - b. Driveways. No driveways/vehicular access shall be permitted on South Parkway.
  - c. Noise. Prior to the issuance of any building permits or certificate of occupancy, a noise abatement study shall be submitted to the City in accordance with Section 10-77 of the Mesquite City Code.



# EXHIBIT C - FILE NO. Z0523-0305 - CONCEPT PLAN

Site Data Summary Table	
Proposed Use	Parking Lot
Existing Zoning District	Planned Development
Proposed Base Zoning District	Commercial
<b>Gross Site Area</b>	
Square Footage	1,343,390.40
Acreage	30.84-Acres
<b>Maximum Height</b>	
Feet	75-Feet
<b>Required Landscape Area</b>	
Provided Landscape Area	1.06-Acres
Required Landscape Area	3.5-Acres
<b>Parking Spaces Ratio by Use</b>	
Parking Spaces Required	TBD
Parking Spaces Provided	
Percentage of Open Space	10.59%



**NOTES**

1. No new thoroughfares are being proposed.
2. All current development requirements of the City as amended shall be met unless approved otherwise within these Planned Development Zoning District Regulations.
3. This Zoning Concept Plan is for illustrative purposes only and 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 Director of Planning and Development Services, will require an amendment to the Zoning Concept Plan and, as necessary, the development regulations.



Mesquite Industrial Concept Plan  
Mesquite, Texas



08.09.2023

01

**OWNER**  
HAMPTON PARTNERS  
3200 CHERRY CREEK SOUTH DR.  
SUITE 430  
DENVER, CO 80209  
TUCKER ROBINSON  
303-694-9245

**APPLICANT**  
MCADAMS  
111 HILLSIDE DRIVE,  
LEWISVILLE, TX 75057  
ASHTON MILLER, CNU-4  
214-950-8054

**CONCEPT PLAN**  
**MESQUITE INDUSTRIAL**  
CASE NUMBER: Z0523-0305  
DANIEL TANNER ABST. 1462, TRACT 11  
22.56-ACRES  
3200 US 80 HIGHWAY  
CITY OF MESQUITE, TX 75149, DALLAS COUNTY