

ORDINANCE NO. 5094
File No. Z1123-0336

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION FROM OFFICE TO HIGH-DENSITY RESIDENTIAL ON TRACT 1 AT 5201 NORTHWEST DRIVE; AND AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT – RETIREMENT HOUSING ORDINANCE NO. 3821 AND PLANNED DEVELOPMENT – LIGHT COMMERCIAL ORDINANCE NO. 2124 TO PLANNED DEVELOPMENT – MULTIFAMILY AND LIGHT COMMERCIAL TO ALLOW AN APPROXIMATE 300-UNIT MULTIFAMILY DEVELOPMENT ON TRACT 1 WITH MODIFICATIONS AND SUBJECT TO THE PLANNED DEVELOPMENT STANDARDS, AND A NONSPECIFIC LIGHT COMMERCIAL DEVELOPMENT ON TRACT 2, BOTH TRACTS ARE ON PROPERTY LOCATED AT 5201 NORTHWEST DRIVE, AND BOTH TRACTS BEING SUBJECT TO EXHIBIT A (LEGAL DESCRIPTION), EXHIBIT B (PLANNED DEVELOPMENT STANDARDS), AND EXHIBIT C (CONCEPT PLAN); 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 (TRACT 1 and TRACT 2) is approximately 22.869 acres and described in EXHIBIT A, attached hereto and incorporated herein by reference, and located at 5201 Northwest Drive, Mesquite, Dallas County, Texas (the “**Property**”).

Zoning / File No. Z1123-0336 / Amending Mesquite Comprehensive Plan from Office to High-Density Residential on Tract 1 | Amending MZO from PD-Retirement Housing Ordinance No. 3821 and PD-LC Ord. No. 2124 to PD – A-3 Multifamily on Tract 1, and LC on Tract 2 | 5201 Northwest Drive, Mesquite, Dallas County, Texas
February 5, 2024
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SECTION 2. The Mesquite Comprehensive Plan, dated October 7, 2019, as amended, is hereby amended by changing the future land use designation for TRACT 1 of the Property from Office to High-Density Residential.

SECTION 3. The Mesquite Zoning Ordinance is amended by approving a change of zoning for the Property from Planned Development – Retirement Housing Ordinance No. 3821 and Planned Development – Light Commercial Ordinance No. 2124 to Planned Development – Multifamily to allow an approximate 300-unit multifamily development on TRACT 1 with modifications and subject to the Planned Development Standards and the Concept Plan, and Light Commercial to allow a nonspecific Light Commercial Development on TRACT 2, with both Tracts being subject to EXHIBIT A (Legal Description), EXHIBIT B (Planned Development Standards), and EXHIBIT C (Concept Plan) 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.

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.

Zoning / File No. Z1123-0336 / Amending Mesquite Comprehensive Plan from Office to High-Density Residential on Tract 1 | Amending MZO from PD-Retirement Housing Ordinance No. 3821 and PD-LC Ord. No. 2124 to PD – A-3 Multifamily on Tract 1, and LC on Tract 2 | 5201 Northwest Drive, Mesquite, Dallas County, Texas
February 5, 2024
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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 5th day of February 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 Paschall
666E18891208434...

David L. Paschall
City Attorney

EXHIBIT A - File No. Z1123-0336 - LEGAL DESCRIPTION

LEGAL DESCRIPTION:

DESCRIPTION of a 22.869 acre tract situated in the Theophalus Thomas Survey, Abstract No. 1461, in the City of Mesquite, Dallas County, Texas; said tract being part of "Tract 3-- described in Special Warranty Deed to Audubon Partners, Ltd, as recorded in Volume 94033, Page 2414, Deed Records, Dallas County, Texas; said 22.869 acre tract being more particularly described as follows:

COMMENCING, at the intersection of the Southerly line of Northwest Drive (a 100-foot wide right-of-way) and the Northwest line of Interstate Highway No. 30 (a variable width right-of-way); said point being the East corner of Lot 1, Block 1, Prairie Hills Retail Addition, an addition to the City of Mesquite, according to the plat recorded in Volume 88121, Page 1483 of the said Deed Records;

THENCE, along the said Southerly line of Northwest Drive, the following two (2) calls:

North 30 degrees, 44 minutes, 03 seconds West, a distance of 198.65 to a 1/2-inch iron rod with "ESPY-HUSTON" cap found for the North corner of said Lot 1; said point being the beginning of a tangent curve to the left;

In a Northwesterly direction, along said curve to the left, through a central angle of 01 degrees, 22 minutes, 20 seconds, a radius of 880.21 feet, an arc distance of 21.08 feet, on a chord and distance of North 31 degrees 25 minutes, 14 seconds West, 21.08 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for the POINT OF BEGINNING;

THENCE, South 59 degrees, 15 minutes, 57 seconds West, departing the said Southerly line of Northwest Drive, a distance of 26.75 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for corner;
THENCE, South 30 degrees, 44 minutes, 03 seconds East, a distance of 23.00 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for corner;

THENCE, South 59 degrees, 15 minutes, 57 seconds West, a distance of 173.00 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for corner;

THENCE, South 30 degrees, 44 minutes, 03 seconds East, passing at a distance of 50.00 feet a 1/2-inch iron rod found for the West corner of said Lot 1, in all a distance of 252.31 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for the beginning of a non-tangent curve to the left in the said Northwest line of Interstate Highway No. 30;

THENCE, in a Southwesterly direction, along said curve to the left, through a central angle of 00 degrees, 31 minutes, 19 seconds, a radius of 11,773.93 feet, an arc distance of 107.24 feet, on a chord and distance of South 57 degrees 36 minutes, 28 seconds West, 107.24 feet to an iron pipe found for the end of said curve; said point being the most Easterly corner of a tract of land described to Dallas Power a Light recorded in Volume 5458, Page 216 of the said Deed Records;

THENCE, North 62 degrees, 50 minutes, 01 seconds West, along the North line of said Dallas Power & Light tract, a distance of 2,143.74 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for the Southeast corner of Lot 1, Block A, Mesquite Senior's Addition, an addition to the City of Mesquite, according to the plat recorded in Volume 2004209, Page 4 of the said Deed Records; said point being in the North line of a tract of land described to Dallas Power a Light recorded in Volume 5458, Page 218 of the said Deed Records;

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THENCE, North 34 degrees, 09 minutes, 22 seconds East, along the East line of said Lot 1, Block A, a distance of 511.68 feet to a 5/8-inch iron rod with "BURY+ PARTNERS" cap found for corner in the said South line of Northwest Drive;

THENCE, along the said Southerly line of Northwest Drive, the following six (6) calls:

South 55 degrees, 52 minutes, 03 seconds East, a distance of 572.27 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for the beginning of a tangent curve to the left;

In a Southeasterly direction, along said curve to the left, through a central angle of 19 degrees, 37 minutes, 00 seconds, a radius of 628.44 feet, an arc distance of 215.16 feet, on a chord and distance of South 65 degrees, 40 minutes, 33 seconds East, 214.11 feet to a 1/2-inch iron rod found for the end of said curve;

South 75 degrees, 29 minutes, 03 seconds East, a distance of 125.00 feet to a 1/2-inch iron rod with "Pacheco Koch" cap set for the beginning of a tangent curve to the right;

In a Southeasterly direction, along said curve to the right, through a central angle of 09 degrees, 00 minutes, 00 seconds, a radius of 1,220.62 feet, an arc distance of 191.73 feet, on a chord and distance of South 70 degrees, 59 minutes, 03 seconds East, 191.54 feet to a cut in a concrete headwall found for the end of said curve;

South 66 degrees, 29 minutes, 03 seconds East, a distance of 410.30 feet to a 1/2-inch iron rod found for the beginning of a tangent curve to the right;

In a Southeasterly direction, along said curve to the right, through a central angle of 34 degrees, 22 minutes, 40 seconds, a radius of 880.21 feet, an arc distance of 528.13 feet, on a chord and distance of South 49 degrees, 17 minutes, 44 seconds East, 520.24 feet to the POINT OF BEGINNING;

CONTAINING, 996,187 square feet or 22.869 acres of land, more or less.

Being the same tract of land described in a Title Report prepared by First American Title Insurance Company, Commitment No. NCS-1A8A7TX03-PHL, dated May 5, 2022.

**EXHIBIT B – FILE NO. Z1123-0336
PLANNED DEVELOPMENT STANDARDS**

I. Tract I

Except as provided herein, the portion of this Planned Development for Multifamily (PD-MF) District A-3 (17.86 acres) must adhere to all conditions of the Mesquite Code of Ordinances, as amended, and adopted base district standards corresponding with the Concept Plan attached hereto and incorporated herein as Exhibit C.

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) All mechanical units on the ground floor shall be screened with shrubs, ornamental grasses, ornamental trees, or evergreen trees.
- 2) All fencing shall be maintained in a like-new manner meaning, any portion of fencing showing signs of deterioration, broken or missing panels, or creating a safety hazard, shall be replaced.
- 3) The permitted outdoor and indoor amenities are listed on the concept plan (Exhibit C).
- 4) The minimum percentage of one-bedroom units allowed is 49% (148 units).

II. TRACT II

Except as provided herein, the portion of this Planned Development for Light Commercial (LC) (5 acres) must adhere to all conditions of the Mesquite Code of Ordinances, as amended.

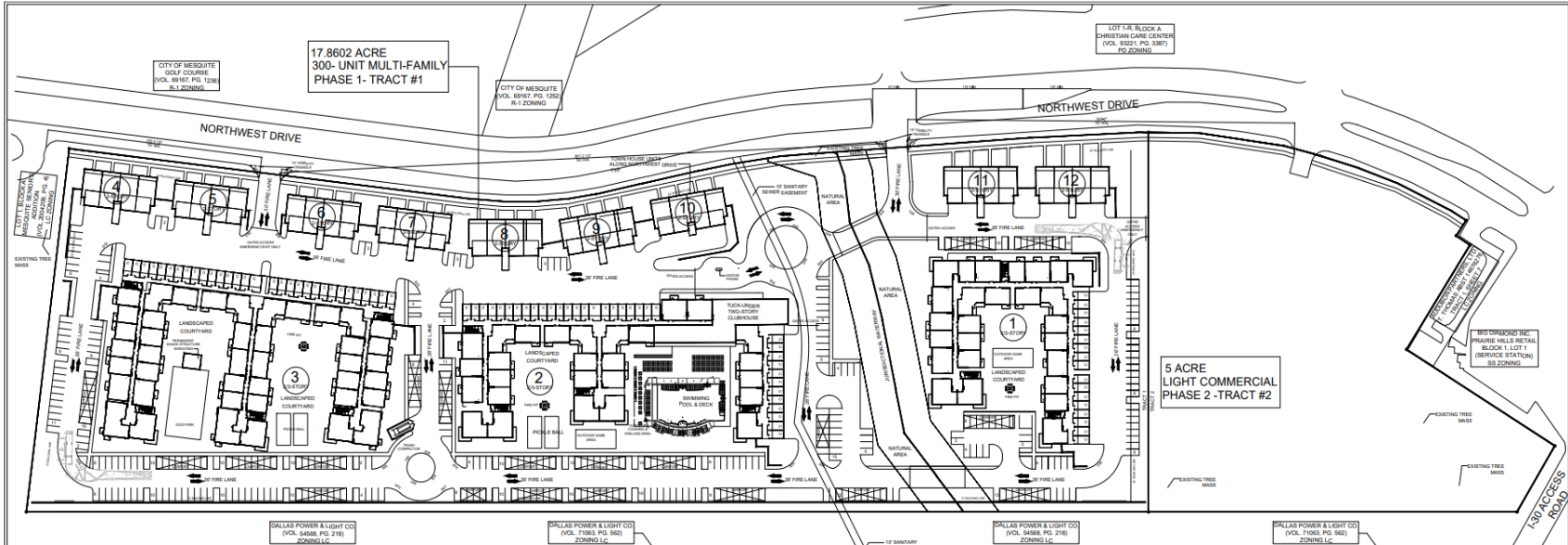
A. **Permitted Land Uses – LC.** Uses in the PD-LC are limited to those permitted in the LC – Light Commercial zoning district, as amended, and are subject to the following.

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

B. Development Standards. In addition to the requirements of the LC zoning district, this Planned Development is subject to the following:

- 1) All mechanical units on the ground floor shall be screened with shrubs, ornamental grasses, ornamental trees, or evergreen trees.
- 2) 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 – FILE NO. Z1123-0336 CONCEPT PLAN



OUTDOOR AMENITIES REQUIRED:
TOTAL NUMBER OF UNITS: 300
AMENITIES FOR FIRST 50 UNITS: 2
(1) AMENITY PER 75 ADDITIONAL UNITS :
250 ADDITIONAL UNITS/75 = 4 AMENITIES
TOTAL REQUIRED AMENITIES: 6
TOTAL PROVIDED OUTDOOR AMENITIES:
SWIMMING POOL
OUTDOOR COOKING FACILITIES (GRILLS)
FIRE PITS - 3
DOG PARK
PICKLE COURTS - 4
OUTDOOR GAME AREA - 2
PERMANENT SHADE STRUCTURE WITH SEATING
TOTAL PROVIDED AMENITIES: 13

INDOOR AMENITIES REQUIRED:
TOTAL NUMBER OF UNITS: 300
AMENITIES FOR FIRST 50 UNITS: 2
(1) AMENITY PER 50 ADDITIONAL UNITS :
250 ADDITIONAL UNITS/75 = 5 AMENITIES
TOTAL REQUIRED AMENITIES: 7
TOTAL PROVIDED INDOOR AMENITIES:
CLUB ROOM: 1,800 SF
FITNESS CENTER: 1000 SF
YOGA ROOM: 500 SF
GAME ROOM/LOUNGE
BUSINESS/WORK FROM HOME STUDIO
MEDIA ROOM/LOUNGE
COMMUNITY MEETING ROOM
TOTAL PROVIDED AMENITIES: 7

MINIMUM LANDSCAPE REQUIREMENTS PER PART 1A OF THE MESQUITE ZONING ORDINANCE SHALL BE FOLLOWED. THESE INCLUDE:
-LANDSCAPE AREA: MINIMUM 10% OF THE SITE AREA WILL BE PROVIDED FOR OPEN SPACE [99,580 SF REQ.]
-1 SHADE TREE, OR 1 EVERGREEN OR 3 ORNAMENTAL TREES PROVIDED FOR EVERY 500 SQUARE FEET OF REQUIRED LANDSCAPE AREA. [200 TREES REQUIRED]
-INTERIOR AREA OF PARKING SHALL BE LANDSCAPED BY PROVIDING A MINIMUM OF 1 TREE FOR EVERY 15 PARKING SPACES [41 PARKING TREES REQUIRED]
- ALL TREES/LANDSCAPING COUNTED TOWARDS REQUIREMENTS MUST COME FROM THE RECOMMENDED SPECIES LIST IN PART 1A.
-ADDITIONALLY, ALL MECHANICAL UNITS AT THE GROUND FLOOR WILL BE SCREENED WITH SHRUBS AND ORNAMENTAL GRASSES.

SECURITY FENCING NOTE:
MULTIFAMILY DEVELOPMENTS SHALL BE REQUIRED TO PROVIDE SECURITY FENCING AND GATES ADEQUATE TO REGULATE AND CONTROL ACCESS TO THE COMPLEX. IN ORDER TO ASSURE EMERGENCY ACCESS, ALL GATE INSTALLATIONS SHALL BE IN ACCORDANCE WITH ESTABLISHED RULES AND REGULATIONS OF THE MESQUITE FIRE DEPARTMENT. FENCING ERRECTED PURSUANT TO THIS REQUIREMENT SHALL BE SIX (6) TO EIGHT (8) FEET IN HEIGHT AND SHALL BE CONSTRUCTED OF WROUGHT IRON WITH A MAXIMUM PICKET SPACING OF SIX (6) INCHES, OR A LONG-SPAN PRECAST CONCRETE DECORATIVE SCREENING WALL. BRICK, STONE, VINYL OR FENCING OF NON-SOLID CONSTRUCTION IS PERMITTED WITHIN THE FRONT AND EXTERIOR SIDE YARD SETBACKS, PROVIDED THAT ALL GATES MUST BE SET BACK FROM THE STREET RIGHT-OF-WAY A MINIMUM OF TWENTY-FIVE (25) FEET.

BUILDING DATA SUMMARY TABLE MULTI-FAMILY:

TOTAL UNITS:	300
SITE/PROJECT DENSITY:	16.8 DWELLING UNITS PER ACRE
MINIMUM UNIT SIZE:	750 SF
UNIT MIX:	148 ONE BEDROOM UNITS 137 TWO BEDROOM UNITS 15 THREE BEDROOM UNITS
BUILDING GROSS SF:	425,000 SF TOTAL
MAXIMUM HEIGHT:	50 FEET - 3 STORIES

PARKING DATA SUMMARY TABLE:

PARKING SPACES REQUIRED:	615 OFF-STREET SPACES
PARKING SPACES PROVIDED:	155 GARAGES SPACES 153 CARPORT SPACES [308 -50% COVERED] 83 TANDEM SPACES 224 SURFACES SPACES = 615 TOTAL OFF-STREET SPACES

SITE DATA SUMMARY TABLE:

GROSS SITE ACREAGE: 22.8602 ACRES [995,790 SF]

PROPOSED USE:
* PLANNED DEVELOPMENT:
TRACT ONE - R-3 MULTI-FAMILY - 17.8602 AC.
TRACT TWO - LIGHT COMMERCIAL - 5 ACRES

EXISTING ZONING DISTRICT:
SPLIT ZONING:
* PLANNED DEVELOPMENT LIGHT COMMERCIAL - 3.4702 ACRES
* PLANNED DEVELOPMENT - RETIREMENT HOUSING - 19.39 ACRES

LOT COVERAGE: TRACT 1 - BUILDINGS 199,000 SF + DRIVES & PARKING 237,517 SF = 436,517 SF OR 56.1%

REQUIRED LANDSCAPE AREA:
TRACT ONE - 77,800 SF
TRACT TWO - 21,780 SF
PROVIDED LANDSCAPE AREA:
TRACT 1 - 341,473 SF OR 43.9%
TRACT 2 - 21,780 SF MINIMUM

PERCENTAGE OF OPEN SPACE:
REQUIRED TRACT ONE - 778,000X.10=77,800 SF
PROVIDED TRACT ONE - 268,773 SF



NO FLOOD PLAIN ON SITE.

CONTOURS ARE 5' ELEVATION BETWEEN EACH.

THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATIVE 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 THE DEVELOPMENT REGULATIONS IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATION FROM THIS ZONING CONCEPT PLAN, AS DETERMINED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT SERVICE, WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.

SCALE: 1" = 20' 0" 10' 0" 0' 0" 30'

EXHIBIT C - ZONING CONCEPT PLAN

NOTES:
1. ALL PARKING AREAS, COMMON HALLWAYS AND ENTRANCE SHALL BE ILLUMINATED AND HAVE OPERATIONAL VIDEO SURVEILLANCE.
2. TxDOT DRIVEWAY PERMITS WILL BE REQUIRED TO MEET TxDOT AND CITY OF MESQUITE REQUIREMENTS.

SURVEYOR:
UNDERWOOD DRAFTING & SURVEYING
3404 INTERURBAN ROAD
DENISON, TEXAS 75021
903-466-2151

OWNER/APPLICANT:
MESQUITE COMMUNITY DEVELOPMENT, LLC
5307 MOCKINGBIRD LANE
SUITE 575
DALLAS, TEXAS 75206
214-354-2665

ARCHITECT/PREPARER:
ARRIVE ARCHITECTURE GROUP
2344 HIGHWAY 121
BECKFORD, TEXAS 76021
817-514-0584

SUBMISSION DATE:
REVISION DATES:

MESQUITE MIXED-USE CAMPUS
CASE NUMBER: ZONING CASE - Z1123-0336
LOT, BLOCK, ABSTRACT #, DALLAS COUNTY