

ORDINANCE NO. 5155
File No. Z1024-0372

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT – LIGHT COMMERCIAL AND MULTIFAMILY ORDINANCE NO. 2434 TO PLANNED DEVELOPMENT – MULTIFAMILY (“PD-MF”) A-3 DISTRICT (TRACT B), TO ALLOW RESIDENTIAL USES WITH MODIFIED PLANNED DEVELOPMENT STANDARDS FOR THE PROPERTY LOCATED AT 23701 IH-635 (NORTH OF DEAN STREET AND WEST OF IH-635); PROVIDING A REPEALER CLAUSE; 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 14.84 acres described in **EXHIBIT 1**, attached hereto and incorporated herein by reference, and located at 23701 IH-635 (north of Dean Street and west of IH-635), in the City of Mesquite, Dallas County, Texas (the “Property”).

SECTION 2. The Mesquite Zoning Ordinance (“**MZO**”) is amended by approving a change of zoning from Planned Development – Light Commercial and Multifamily Ordinance No. 2434 to Planned Development – Multifamily (“PD-MF”) A-3 District (Tract B) to allow residential uses subject to modified Planned Development Standards (**EXHIBIT 2**), and the Concept Plan for Tract B (**EXHIBIT 3**), and said exhibits are attached hereto 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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.

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Zoning Change from PD-LC and MF Ord. No. 2434 to PD-MF A-3 District (Tract B), 23701 IH-635.

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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 17th day of February 2025.

Signed by:

Daniel Alemán, Jr.

D999585317D142B...

Daniel Alemán, Jr.
Mayor

ATTEST:

DocuSigned by:

Sonja Land

C2518095973F46A...

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

Signed by:

David L. Paschall

666E18891208434...

David L. Paschall
City Attorney

EXHIBIT 1 TO ORDINANCE NO. 5155
Zoning File No. Z1024-0372
TRACT B – Legal Description

EXHIBIT 1 - LEGAL DESCRIPTION FOR TRACT B

BEING a 14.848 acre tract of land situated in the S. H. Miller Survey, Abstract No. 969 and W. H. Bennett, City of Mesquite, Dallas County, Texas, and being all of a tract of land conveyed to Wave Properties, LLC by deed of record in Instrument No. 200600159654, of the Official Public Records of Dallas County, Texas; said 14.848 acre tract being more particularly described as follows:

COMMENCING at a concrete monument found in the west right-of-way line of LBJ Freeway (Highway No. 635), a variable width right-of-way and being at the northeast corner of said Wave Properties, LLC tract;

THENCE along the said west right-of-way line and the east line of said Wave Properties, LLC tract the following courses of distances:

South 19 degrees 43 minutes 26 seconds East, along said west right-of-way line and the east line of said Wave Properties, LLC tract, a distance of 426.59 feet to a 5/8" iron rod found for an angle point;

South 11 degrees 44 minutes 24 seconds East, a distance of 309.66 feet to a concrete monument found for the **POINT OF BEGINNING**;

South 08 degrees 43 minutes 22 seconds East, a distance of 330.34 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

South 03 degrees 25 minutes 31 seconds East, a distance of 667.12 feet to a concrete monument found at an angle point;

South 00 degrees 35 minutes 24 seconds East, a distance of 868.85 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for corner;

THENCE, departing the said west right-of-way line and the east line of said Wave Properties, LLC tract, over and across said Wave Properties, LLC tract the following courses and distances:

South 88 degrees 54 minutes 30 seconds West, a distance of 517.95 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for corner;

North 5 degrees 30 minutes 28 seconds East, a distance of 83.74 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

North 9 degrees 46 minutes 15 seconds East, a distance of 415.65 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

North 24 degrees 31 minutes 9 seconds East, a distance of 152.92 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

North 0 degrees 0 minutes 0 seconds East, a distance of 363.49 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

North 25 degrees 24 minutes 8 seconds West, a distance of 100.86 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

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TRACT B – Legal Description

North 2 degrees 58 minutes 57 seconds West, a distance of 52.73 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

North 21 degrees 20 minutes 36 seconds East, a distance of 359.33 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

North 6 degrees 47 minutes 23 seconds East, a distance of 152.78 feet to a 5/8" inch capped iron rod stamped "WESTWOOD" set for an angle point;

North 35 degrees 21 **minutes** 18 seconds East, a distance of 300.85 feet to the **POINT-OF-BEGINNING**, containing **646,794 square feet or 14.848 acres of land**.

EXHIBIT 2 - PLANNED DEVELOPMENT STANDARDS FOR TRACT B Z1024-0372

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 (“**MZO**”), as amended, and adopts the A-3 Multifamily (“**A-3**”) District as the base district standards consistent with the Concept Plan attached hereto and incorporated herein as **EXHIBIT 3** and the standards identified below, which apply to this PD-MF District. Where these regulations conflict with or overlap another ordinance, this PD-MF ordinance will control.

TRACT B

- A. **Permitted Land Uses.** The permitted uses on Tract B include the permitted uses in the A-zoning district as set out in MZO, Section 2-203 (Residential Districts: Schedule of permitted uses) and those permitted uses on the Property are subject to the same requirements as set out in the MZO.
 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 MZO, Section 2-501 (Multifamily residential development standards), the Planned Development is subject to the following:
 1. Site Plan. The site plan shall comply with the Concept Plan as shown in **EXHIBIT 3**. Deviations from the Concept Plan (such as building placement) may be permitted to ensure compliance with the Mesquite Engineering Design Manual, as well as Building and Fire Codes, as amended, provided that the development continues to meet all requirements of this ordinance. Modifications may include the following:
 - i. The placement of the buildings may be adjusted if they meet the required setbacks.
 - ii. An increase in the number of dwelling units, number of buildings, or height of buildings is not permitted without amending the Concept Plan (**EXHIBIT 3**).

EXHIBIT 2 TO ORDINANCE NO. 5155
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TRACT B – PD-MF District Standards

2. Setbacks and Building Height.

- i. The maximum number of stories is four.
- ii. The following is the minimum building setback from the nearest R-3 Single Family residential zoning district.
 1. Building A – 200 feet
 2. Building B – 400 feet
 3. Building C – 400 feet
 4. Building D – 400 feet

3. Density, Dwelling Size, Unit Number, and Type.

- i. 313 dwelling units are permitted, consisting of the following:
 1. Minimum number of one-bedroom units: Ten percent (10%) of the total number of dwelling units in the development.
 2. Maximum number of three-bedroom units: Thirty-five percent (35%) of the total number of dwelling units.
 3. Maximum number of four-bedroom units: Five percent (5%) of the total number of dwelling units.
- ii. Each dwelling unit shall provide the Basic facilities as listed in Section 2-501.E.5 of the MZO.
- iii. The minimum floor area for one-bedroom units is 660 square feet.

4. Open Space, Landscaping, Fencing, and Screening.

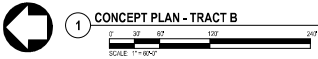
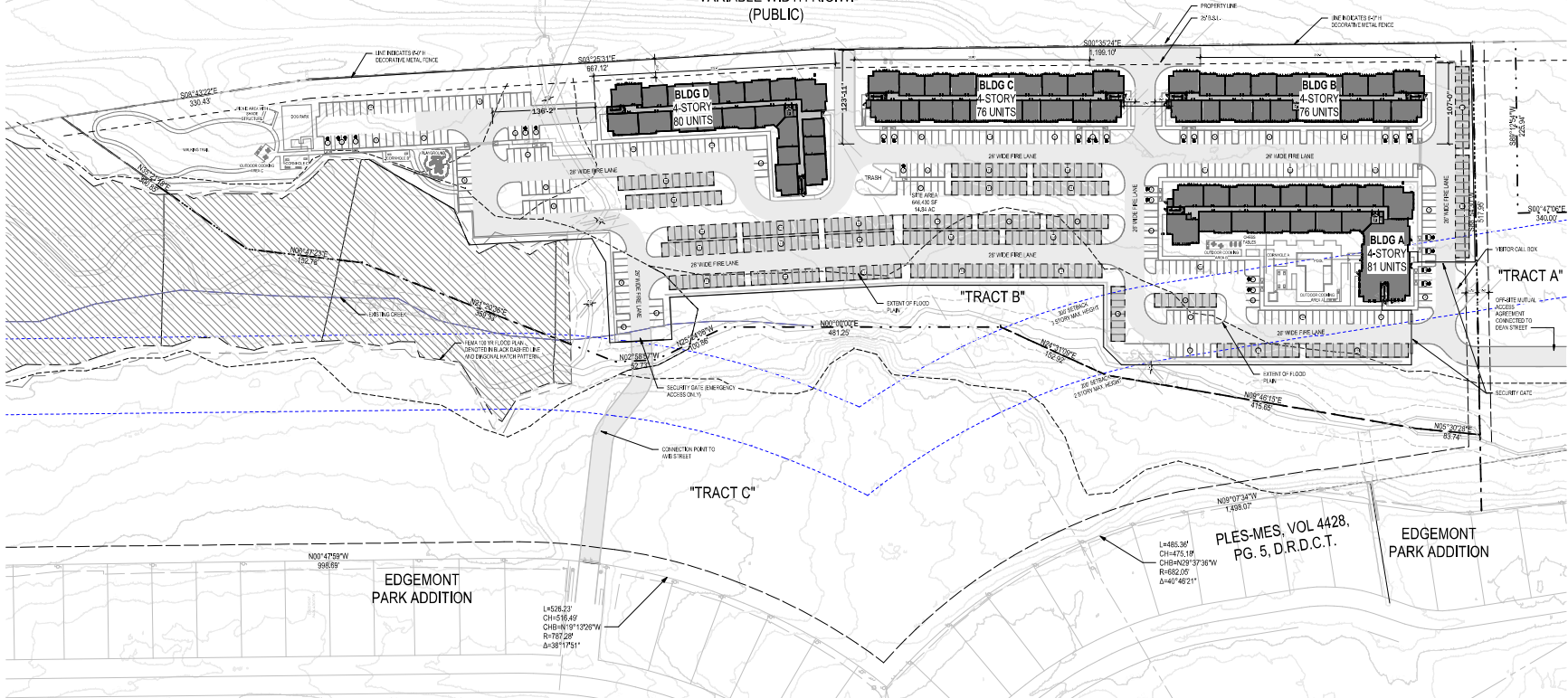
- i. Open Space. Open Space. A maximum of 60% of the minimum amount of on-site open space required may be located in the front setback and the floodplain areas. Preserved trees of quality may contribute toward the site tree requirement upon approval from the Director of Planning.
- ii. Landscaping. A minimum of 15% of the required trees are required to be placed between the building and the front or exterior side property lines.

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TRACT B – PD-MF District Standards

- iii. All mechanical units at the ground floor shall be screened with shrubs, ornamental grasses, ornamental trees, or evergreen trees, unless located in a private fenced backyard.
 - iv. All fencing shall be maintained in a like-new manner meaning, any portion of fencing that shows signs of deterioration, has broken or missing panels, or creates a safety hazard, shall be replaced.
5. Sidewalks. A public sidewalk is not required along IH-635 where a service/frontage road is not present.
6. Carports. Masonry cladding is not required on carport support columns.
7. Access.
- a. Traffic Impact Analysis (“**TIA**”) is required at Site Plan application.
 - b. A shared access easement connected to Dean Street is permitted for the multifamily development. The Director of Public Works may approve additional access points.
 - c. The vehicular access point located at the northwest corner of Tract B is for emergency vehicle access only. The driveway terminus shall remain gated and locked except for emergencies.

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Exhibit "3"

LBJ FREEWAY/
HIGHWAY NO. 635
VARIABLE WIDTH R.O.W.
(PUBLIC)



SITE LEGEND

	PROPERTY LINE
	RETRACT LINE
	BUILDING FOOTPRINT
	20' WIDE FIRE LANE
	PREFAB COVERED RAMP
	HC PARKING SPACE
	DECORATIVE METAL FENCE

CITY OF MESQUITE, TX SITE DATA SUMMARY - GENERAL SITE DATA	
PROPOSED USE...	MULTI-FAMILY
PROPOSED TOTAL UNIT COUNT...	313 UNITS
EXISTING ZONING...	PD-93-3 MULTIFAMILY - ORDINANCE 2434
PROPOSED BASE ZONING...	AMEND PD FOR MULTIFAMILY
GROSS SITE AREA (ACRES // SF)...	14.84 AC // 646,430 SF
TOTAL LOT COVERAGE (SQUARE FEET // PERCENTAGE)...	148,954 SF // 22.9%
PROPOSED MAX BUILDING HEIGHT (FT // STORIES)...	65' // 4 STORIES
MINIMUM REQUIRED LANDSCAPE AREA (SQUARE FEET)...	125,200 SF
PROVIDED LANDSCAPE AREA (SQUARE FEET)...	214,929 SF
REQUIRED OPEN SPACE (SQUARE FEET)...	125,200 SF
PROVIDED OPEN SPACE (SQUARE FEET)...	61,410 SF
MAX DENSITY PERMITTED (UNITS PER ACRE)...	24 UAC
PROPOSED DENSITY (UNITS PER ACRE)...	21 UAC

AMENITY REQUIREMENTS		
60+ UNITS SHALL PROVIDE A MINIMUM OF 2 ITEMS *OR GROUP A AND 2 FOR GROUP B.		
1 GROUP A AND 1 GROUP B AMENITY PER ADDITIONAL 75 UNITS (265 REMAININGS * 3.5)		
TOTAL AMENITIES REQUIRED		
TOTAL AMENITIES PROVIDED		
GROUP A AMENITIES		
GROUP B AMENITIES		

PARKING CALCULATIONS		
CATEGORY	REQUIRED (PER ZONING)	PROVIDED
SURFACE (HC)	1'	277
SURFACE (HC VAN)	2	5
SURFACE (COVERED)	303	320
TOTAL PARKING	605	623
UNIT TABULATIONS		
BEDS	AREA	QUANTITY
1	660	43
2	875	152
3	1100	106
4	1350	12
TOTAL		313
REQUIREMENT CALCULATIONS		
ONE BEDROOM	43 X 1.5	65
TWO BEDROOM	152 X 2	304
THREE BEDROOM	106 X 2	212
FOUR BEDROOM	12 X 2	24
TOTAL		605

VICINITY MAP (NTS):



- NOTES:**
- THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT 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 DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THE 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.
 - FEMA 100-YEAR FLOODPLAIN EXISTING ON THE SITE. THE FEMA 100-YEAR IS NOT DISTURBED WITH PROPOSED SITE IMPROVEMENTS. REFER TO DIAGONAL HATCHED AREA ON DRAWINGS.

PRESTON

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SEAL
[Professional Engineer Seal]

PROJECT
TORRINGTON BRIARWOOD
MESQUITE, TEXAS
FOR JPI

SHEET HISTORY

DATE	REVISION
01/13/2025 <td>CONCEPT PLAN SUBMITTAL</td>	CONCEPT PLAN SUBMITTAL

DATE 01/13/2025

JOB NUMBER 2420808

SHEET TITLE CONCEPT PLAN - TRACT B

SHEET NUMBER A100

COMMENTS

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