

ORDINANCE NO. _____
File No. Z0823-0321

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION FROM COMMERCIAL TO LOW-DENSITY RESIDENTIAL AND AMENDING THE MESQUITE ZONING ORDINANCE BY CHANGING THE ZONING FROM AGRICULTURAL TO PLANNED DEVELOPMENT – SINGLE FAMILY RESIDENTIAL ALLOWING A 16-LOT SINGLE-FAMILY DEVELOPMENT WITH MODIFIED PLANNED DEVELOPMENT STANDARDS ON PROPERTY LOCATED AT 10079 SOUTH BELT LINE ROAD; 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 3.5892 acres described in Exhibit A, attached hereto and incorporated herein by reference, and located at 10079 South Belt Line Road, Mesquite, Dallas County, Texas (the “**Property**”).

SECTION 2. The Mesquite Comprehensive Plan, dated October 7, 2019, as amended, is hereby amended by changing the Property’s future land use designation from Commercial to Low-Density Residential.

SECTION 3. The Mesquite Zoning Ordinance is amended by changing the zoning for the Property from Agricultural to Planned Development – Single Family Residential allowing a 16-lot single-family development with modified Planned Development Standards and Concept Plan, attached hereto as Exhibits B and C, respectively, and 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of April 2024.

Daniel Alemán, Jr.
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary

David L. Paschall
City Attorney

EXHIBIT A – LEGAL DESCRIPTION - File No. Z0823-0321

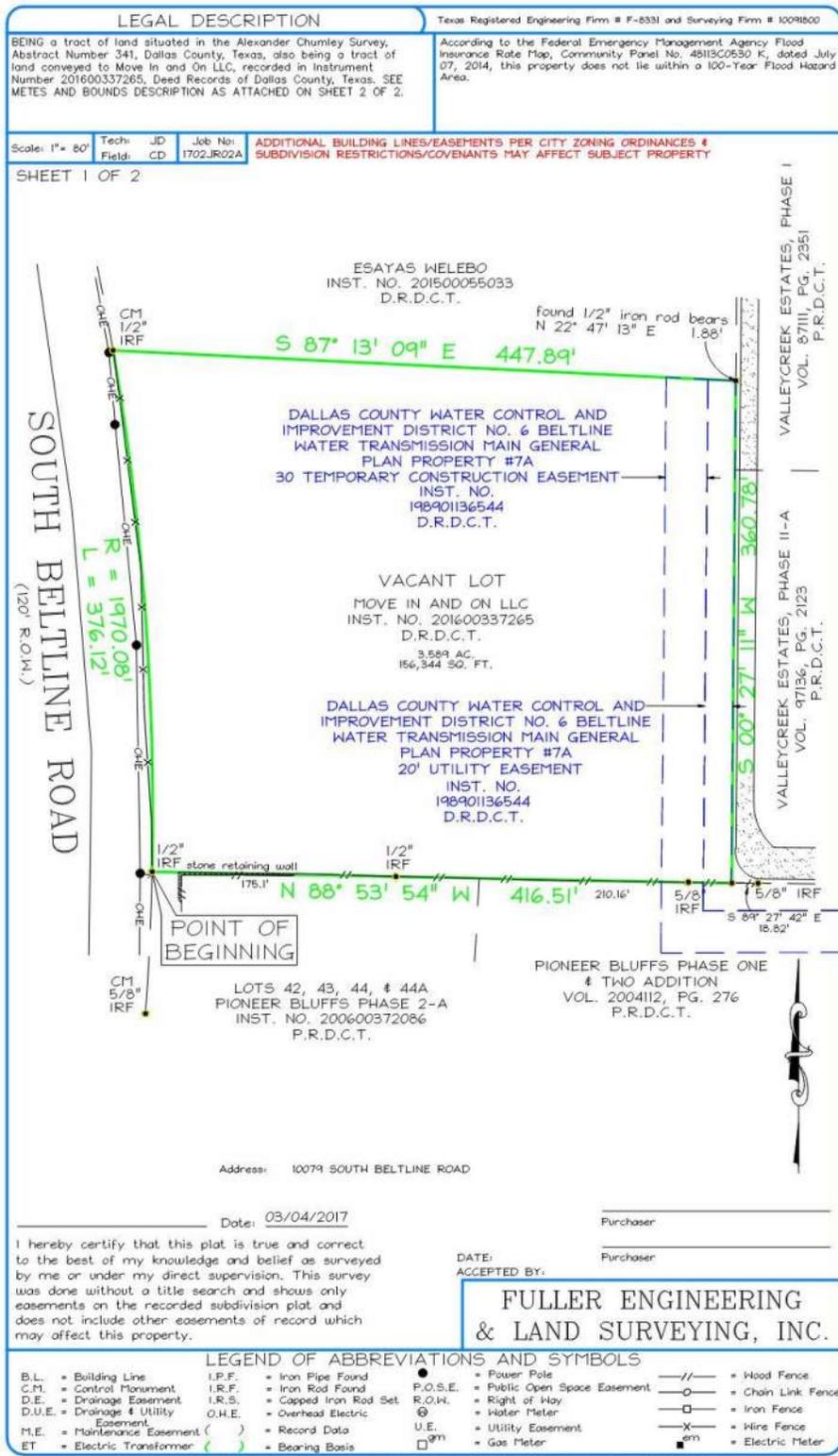


EXHIBIT B – FILE NO. Z0223-0289
PLANNED DEVELOPMENT STANDARDS

This Planned Development Single Family (PD-SF) 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 R-3 Single Family Residential base district standards and the standards identified below along with the Concept Plan attached hereto and incorporated herein as Exhibit C, which apply to this PD-SF district. Where these regulations conflict with or overlap another ordinance, the more stringent restriction will control.

A. **Permitted Land Uses.** The permitted uses on the Property include the permitted uses in the R-3 Single Family District classification 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.

- 1) The permitted uses requiring a conditional use permit (“CUP”) as set out in the MZO, also require a CUP for the use to be permitted on the Property.

B. **Development Standards.** In addition to the requirements of the R-3 base zoning district, the Planned Development is subject to the following.

1. The plat and site plan for the Property shall conform substantially to the Concept Plan included in Exhibit C. The site plan and plat may be altered without requiring an amendment to the Concept Plan to comply with the adopted Building and Fire Codes and Mesquite Engineering Design Manual. Modifications can include the following:
 - a. The minimum home living area shall be 1,500 square feet in accordance with the Single-Family R-3 standards.
 - b. The minimum lot size shall be 5,000 square feet.
 - c. The minimum lot width shall be 55 feet except along cul-de-sacs and “eyebrows”, then the minimum lot width is 30 feet.
 - d. The minimum lot depth shall be 110 feet except along cul-de-sacs and “eyebrows”, the minimum lot width is 90 feet.
 - e. The minimum setbacks shall be:

Front Setback – 20 feet

Exterior Side Setback – key lot 20 feet; non-key lot – 10 feet

Side Yard Setback – 5 feet

Rear Setback – 10 feet

- f. The garage door shall have a minimum setback of 22 feet from the front property line.
- g. The development shall include an open space area of at least 5% of the Property and include a playground, as shown on Exhibit C.
- h. An 8-ft tall, board-on-board cedar wood fence shall be provided along the rear and side property lines that abut S. Belt Line Road.
- i. At the time of home construction, homebuilders shall plant a minimum of one 3” caliper shade tree (selected from Section 1A-500 of the MZO) in the front yard for every lot.
- j. Before the issuance of a building permit, the developer/applicant shall submit to the City for review a proposed master covenant and a master HOA that assures the coordinated development and maintenance of common areas, landscaping, detention ponds, amenities, signage, and themed features, etc. The covenants shall be recorded in Dallas County Records prior to issuance of a building permit.

EXHIBIT C – CONCEPT PLAN - File No. Z0823-0321



Serenity Estates of Mesquite

Planned Development Concept
 Case No: Z0823-0321

10079 Belt Line Rd
 ABST 341 PG 562 TR 7

CONCEPT PLAN

Submitter	
No.	006
D.	04/03/2013

A1.10
 Scale As indicated

1702JR02A