

ORDINANCE NO. _____
File No. Z0125-0380

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM AGRICULTURAL TO PLANNED DEVELOPMENT - COMMERCIAL WITH MODIFIED DEVELOPMENT STANDARDS TO ALLOW A FLEX OFFICE DEVELOPMENT WITH USES PERMITTED IN THE COMMERCIAL ZONING DISTRICT WITH NO OUTDOOR STORAGE ON PROPERTY LOCATED AT 5801 SHANNON ROAD (DCAD ADDRESS – 5800 SHANNON 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 FOR PUBLICATION; 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 properties; 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 on approximately 11.415 acres located at 5801 Shannon Road (DCAD address – 5800 Shannon Road) in Mesquite, Dallas County, Texas, and more fully described in Exhibit A, attached hereto and incorporated herein by reference (the “Property”).

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning from Agricultural to Planned Development – Commercial to allow a flex office development with uses permitted in the Commercial Zoning District with no outdoor storage subject to the Planned Development Standards and Concept Plan, attached hereto as Exhibits B and C, respectively, and incorporated herein by reference and made a part hereof.

SECTION 3. That 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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. That 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 19th day of May 2025.

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. Z0125-0380

LEGAL DESCRIPTION

BEING a 11.415 acres tract of land situated in the City of Mesquite, Dallas County, Texas, being a part of the Samuel A. Haught Survey, Abstract No. 567 described in the Deed to CSN Family Limited L.L.P., recorded in Instrument Number 201100233471, Official Public Records, Dallas County Texas (O.P.R.D.C.T.) and being more particularly described as follows;

BEGINNING at a concrete monument found at the north east corner of said 11.415 acre tract, the south right-of-way line of Interstate 20 Frontage Road (a variable width right-of-way) and the west right-of-way line of Shannon Road (a variable width right-of-way) and the beginning of a non-tangent curve to the right;

THENCE along the east line of said 11.415 acre tract of land and the west right-of-way of Shannon Road the following bearings and distances;

In a southeasterly direction a distance of 263.62 feet, having a central angle of 02 degrees 39 minutes 17 seconds, a radius of 5,689.58 feet, a tangent of 131.84 feet, and whose chord bears South 16 degrees 56 minutes 24 seconds East a distance of 263.60 feet to a capped iron rod found;

South 15 degrees 07 minutes 22 seconds East, a distance of 213.41 to a capped iron rod found;

South 9 degrees 24 minutes 54 seconds East, a distance of 100.50 to a capped iron rod found stamped "NMD 2609";

South 15 degrees 07 minutes 32 seconds East, a distance of 112.91 to a capped iron rod set stamped "Bohler Eng" (herein after called "capped iron rod set") at the southeast corner of said 11.415 acre tract and the northeast corner of a called 2.89846 acre tract of land described in a General Warranty Deed to Johnny and Elizabeth Nozka recorded in Instrument Number 200302548376 O.P.R.D.C.T.;

THENCE along the south line of said 11.415 acre tract and in or near the centerline of a creek, the following bearings and distances;

South 89 degrees 37 minutes 36 seconds West, a distance of 125.63 feet to a point;

South 51 degrees 04 minutes 26 seconds West, a distance of 42.00 feet to a point;

South 10 degrees 52 minutes 26 seconds West, a distance of 33.00 feet to a point;

South 35 degrees 15 minutes 26 seconds West, a distance of 80.00 feet to a point;

South 63 degrees 36 minutes 26 seconds West, a distance of 20.00 feet to a point;

North 66 degrees 43 minutes 34 seconds West, a distance of 29.00 feet to a point;

North 43 degrees 53 minutes 34 seconds West, a distance of 47.00 feet to a point;

South 62 degrees 15 minutes 26 seconds West, a distance of 36.00 feet to a point;

South 27 degrees 07 minutes 26 seconds West, a distance of 71.94 feet to a point;

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South 00 degrees 13 minutes 52 seconds East, a distance of 28.05 feet to a point;

South 29 degrees 52 minutes 34 seconds East, a distance of 70.00 feet to a point;

South 44 degrees 6 minutes 26 seconds West, a distance of 51.00 feet to a point;

South 00 degrees 16 minutes 34 seconds East, a distance of 28.00 feet to a point;

South 29 degrees 52 minutes 34 seconds East, a distance of 70.00 feet to a point;

South 44 degrees 06 minutes 26 seconds West, a distance of 51.00 feet to a point;

South 61 degrees 06 minutes 26 seconds West, a distance of 19.58 feet to a point;

North 23 degrees 25 minutes 21 seconds West, a distance of 89.99 feet to a point;

THENCE North 23 degrees 25 minutes 21 seconds West a distance of 1236.33 feet to a one-half inch capped iron rod found stamped "NDM 2609" found at the northwest corner of said 11.415 acre tract of land;

THENCE South 86 degrees 45 minutes 40 seconds East, along the south right-of-way line of said Interstate 20 Frontage Road a distance of 684.82 feet to the **POINT OF BEGINNING** containing 497,227 square feet or 11.415 acres.

Planned Development Standards

This Planned Development - Commercial district (“**PD-C**”) 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 Commercial (“**C**”) zoning district as the 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, this PD-C ordinance will control.

1. **Permitted Land Uses.** All uses permitted in the Commercial District are allowed on the Property except as modified in Subsections “a” and “b” of this paragraph. The uses permitted in the PD-C district are subject to the same requirements applicable to the uses in the C zoning district, as set out in the Mesquite Zoning Ordinance. For example, a use permitted in the C zoning district only by conditional use permit (“CUP”) is permitted in this district only by CUP.
 - a. The following uses are permitted by a Conditional Use Permit:
 - i. SIC Code 753b: Major Auto Repair
 - ii. SIC Code 753c: Collision Services
 - b. The following uses are prohibited on the Property:
 - i. SIC Code 5947: Gift Novelty, Souvenir Shops
 - ii. SIC Code 5993: Tobacco Stores
 - iii. SIC Code 5999g: Paraphernalia Shop
 - iv. SIC Code 61: Alternative Financial Institutions
 - v. SIC Code 7215: Coin-Operated Laundries
 - vi. SIC Code 7299a: Massage Parlors, Turkish and Steam Bath
 - vii. SIC Code 7549b: Towing/Wrecker Service
 - viii. Outdoor Storage as Principal or Accessory Use
 - ix. Heavy Load Vehicle Parking
2. **Development Standards.** In addition to the requirements of the C base zoning district, the PD-C is subject to the following.
 - a. **Site Plan.** A site plan for the property shall be consistent with the Concept Plan in Exhibit C. The site plan may be altered without requiring an amendment to the Concept Plan to comply with the adopted Building and Fire Codes, Mesquite Engineering Design Manual, and TxDOT driveway standards. Modifications can include the following:
 - i. Placement of the buildings may be adjusted if they meet the required setbacks.
 - ii. The number and size of buildings may be reduced in height and square feet. Increases in the number or size of the buildings are not permitted without amending the Concept Plan Exhibit C.

EXHIBIT B - DEVELOPMENT STANDARDS - File No. 20125-0380

- iii. The number and placement of driveways may be adjusted.

3. Screening:

- a. The Property shall be developed in accordance with the district (Section 1A-300) screening and fencing requirements, subject to the following conditions:
 - i. The proposed fence and associated gates that wrap around the Property shall be allowed within the side, rear, and front yard building setbacks and the required landscape buffers.
 - ii. The maximum fence or wall height is 8 feet.
 - iii. Chain-link fencing is prohibited.
 - iv. Barbwire fencing is prohibited.
 - v. Overhead/roll-up service bay doors shall not face any public street.

4. Tree Mitigation:

- a. The Property shall be developed in accordance with the MZO tree preservation section, subject to the following conditions:
 - i. Code required planting may count toward tree preservation mitigation, including plantings within required landscape buffer or required parking landscaping.
 - ii. Tree Mitigation shall equal to the total diameter of protected trees being removed, provided that the number of replacement trees shall not exceed one (1) tree for each 500 square feet of unpaved site area.

[illegible]