

ORDINANCE NO. _____
File No. Z0519-0093

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM AGRICULTURE TO PLANNED DEVELOPMENT – SINGLE FAMILY RESIDENTIAL WITH AN UNDERLYING ZONING DISTRICT OF R3 ON PROPERTY LOCATED AT 2781 LAWSON ROAD TO ALLOW FOR THE DEVELOPMENT OF A SINGLE-FAMILY SUBDIVISION 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; 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 (“**Property**”) is described as being a 5.135-acre tract of land in the JP Anderson Survey Abstract No. 1, City of Mesquite, Dallas County, Texas, more fully described in the legal description and depiction attached as Exhibit “1,” and located at 2781 Lawson Road.

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning for the Property from Agriculture to Planned Development – Single Family Residential, with an underlying zoning district of R3 so any standards which are silent in the Planned Development will revert to the R3 standards, to allow for the development of a single-family subdivision subject to the following stipulations:

1. Except as provided herein, the plat, site plan and development for the Property shall conform substantially to the Concept Plan, attached hereto as Exhibit “2,” and all other exhibits and regulations listed within the Planned Development document, attached hereto as Exhibit “3,” except as modified below.
2. Common areas, parks and screening walls within the development shall be maintained by a mandatory Homeowner’s Association. The Homeowner’s Association shall be established and filed for record prior to the issuance of building permits.
3. Trees on individual lots must be setback at least 10 feet from utility easements.

4. The front yard setback shall be 20 feet from the front property line, inclusive of porches, etc.
5. Sidewalks are required along both sides of all internal streets.
6. Landscape irrigation is required for all landscaped areas, including individual lots.
7. Boulders or some other approved protective barrier shall be provided in Park #2 in the area perpendicular to the entrance of the development to protect the Park #2 area from vehicular impacts.

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 person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed \$2,000.00 for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

SECTION 7. 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 7th day of October 2019.

Stan Pickett
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

Sonja Land
City Secretary



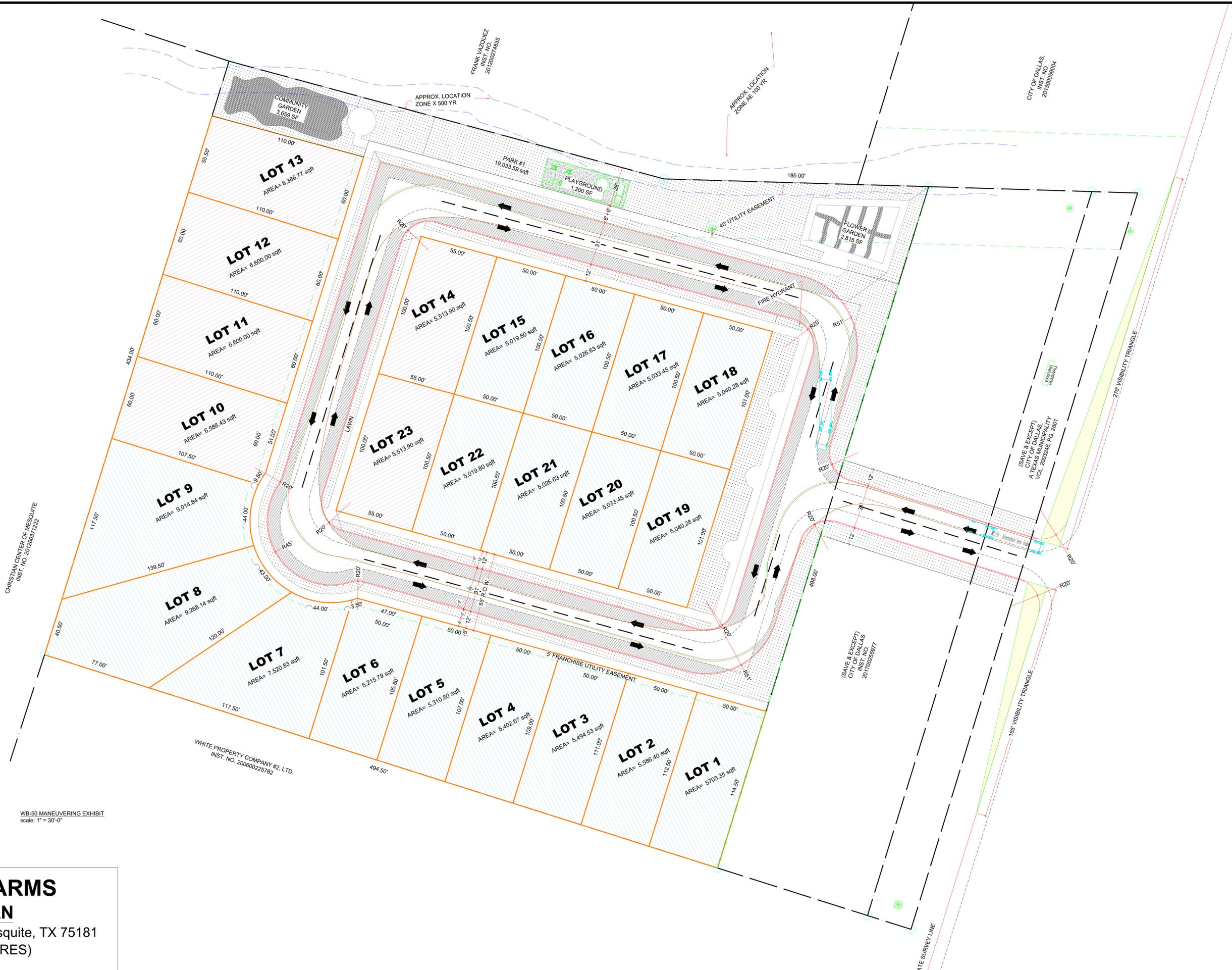
David L. Paschall
City Attorney

EXHIBIT “1”

Legal Description and Depiction

EXHIBIT “2”

Concept Plan



LAWSON FARMS
CONCEPT PLAN
 2781 Lawson Rd Mesquite, TX 75181
 223,598 SF (5.13 ACRES)

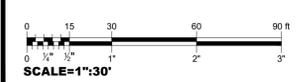


EXHIBIT “3”

Planned Development



Eminence Realty Developers
Presents

LAWSON FARMS 

a Creekside Collection of Unique residences in Mesquite, Tx



LAWSON FARMS

Community Intent and Purpose

Lawson Farms is envisioned to be a unique neighborhood with a collection of exclusive Creekside homes within the Mesquite community. Created with European Inspired design elements such as large arched designs, open porches, and modern finishes, each home is designed to have a unique style of its' own (See Exhibit D). The community vision is to create a unique neighborhood while embracing time trusted design principles. These include amongst others a central connecting street with a common entry point creating a shared network for all homeowners for a fostered sense of community, a shared community pocket park/open space element, community garden and orchard, which will all be easily accessible to every home in the neighborhood, buildings in the neighborhood being placed relatively close to the street to promote social interaction between home owners, open faced covered front porches which create well-defined outdoor spaces to promote healthy resident interaction, and having immediate access to neighborhood schools so that most children can walk to and from school.

Community Amenities

The Community amenities will consist of a shared Creekside open space/pocket park feature a community play area, community orchard, a community vegetable garden, and a community screening wall cladded in natural stone for enhanced neighborhood aesthetic, and privacy. All green spaces, common areas, and other comment elements such as screening walls shall be maintained by a Mandatory Owner's Association (Lawson Farms Owner's Association) to be established by the developer.



Neighborhood Street



View of Community Creekside Pavilion and Garden

LAWSON FARMS

Project Design and Scope

This project proposes to use the City of Mesquite zoning classification of R-3 as a base zoning for development of this project. Variances to the standard are outlined in Exhibit B, entitled “Community Development Standards.” Unless otherwise specified, all other aspects of the development will conform to the base zoning district R-3. regulations

City of Mesquite and Comprehensive Plan Alignment

Located within the city of Mesquite directly on Clay Mathis Rd, the neighborhood is easily accessible and will provide its’ homeowners with easy access to several local comforts such as:

Grocery Stores: Kroger (1919 Fathon P. Lucas Blvd.) - 5 minutes

Neighborhood Schools: Thompson Elementary School - 5 min.

Terry Middle School – 1 min.

Horn High School – 5 min.

Local Major thoroughfares - US Highway 80 - 10 min.

Interstate Highway 635 – 12 min.

The City of Mesquite’s current comprehensive plan (Adopted in 2013 – section I-8) states the 5th goal within its’ strategic framework plan is to provide a “community of quality neighborhoods.” Lawson Farms seeks to satisfy several of the objectives of this goal through its’ development. For example, the community will provide a several shared community amenities to include packet parks which is in line with the city objective to provide “convenient and easy access to parks, trails, and amenities.” Lawson Farms also seeks to meet the city’s objective to promote a “reputation as a family friendly community” by its community design elements that allow for easy social interaction among its’ homeowners.



View of Community Vegetable Garden





LAWSON FARMS

Neighborhood Standards

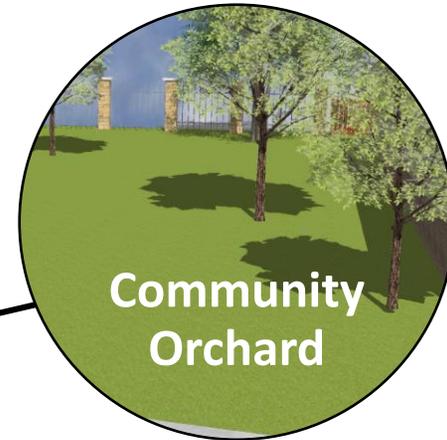
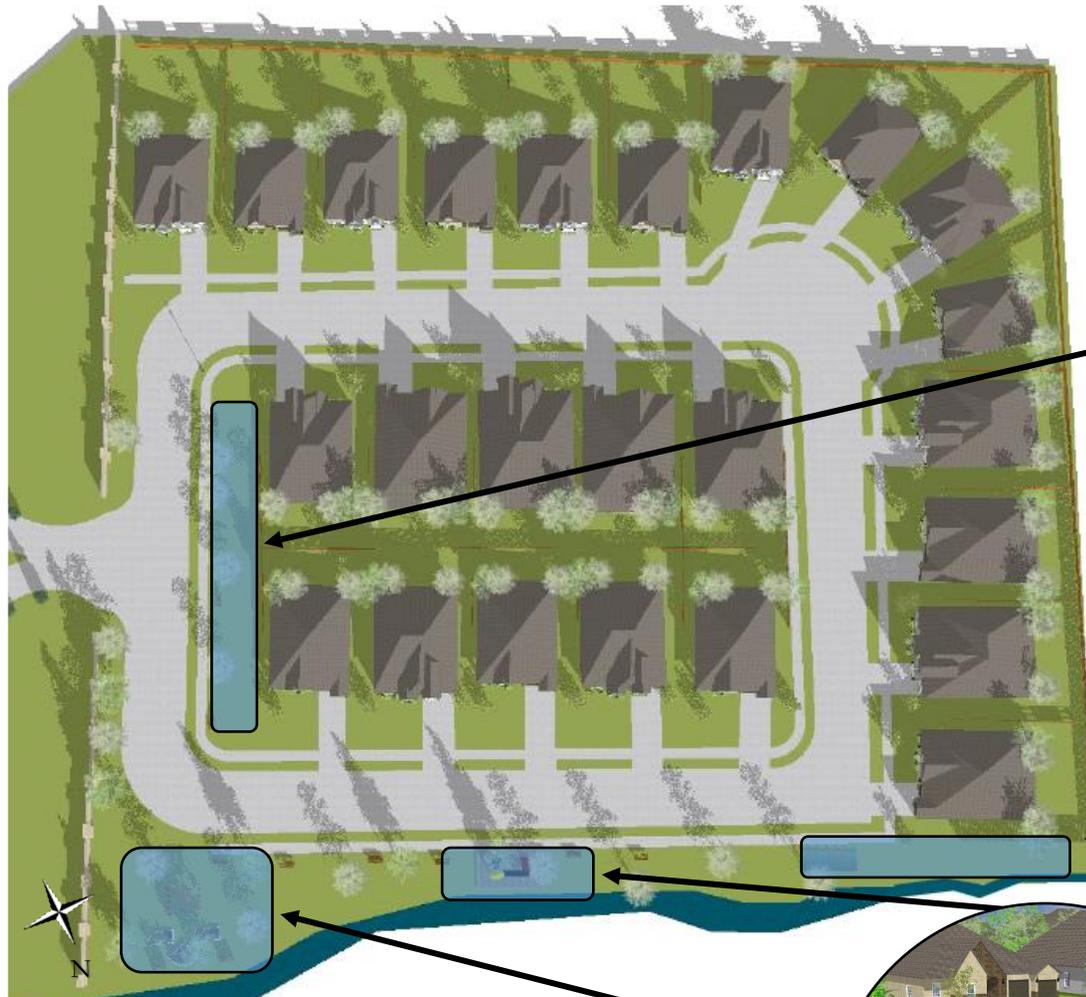
Development shall take place according to the concept plan.
All green space/common area noted to be maintained by a HOA to be established by the developer. (Lawson Farms Ownership Assoc.)
Neighborhood screening along Lawson Rd. shall comply with the City of Mesquite Screening and Buffering Requirements Section IA-300 as applicable for residential development. Special Note: The Screening wall fronting Lawson Rd. shall be 8 ft in height and made of a Pre-Cast concrete material with a natural stone appearance/finish and will be supplied by a city approved vendor.
Proposed Street Right of Way: 55' Special Note: The development proposes a variance of the standard street ROW from 65' to 55'.

Dimensional and Architectural Standards

General note: The community proposes to use the City of Mesquite zoning classification of R-3 with the following proposed variances	
Minimum lot Area	5,000 square feet
Minimum Lot Depth	100 feet
Minimum Lot Width	50 feet. Note: The required minimum lot width may be reduced when a lot fronts on a curvilinear street and cul-de-sac, provided that the average width of the lot is equal to or greater than the required minimum lot width and that a functional lot is provided.
Minimum Front Yard(Setback)	20 feet Front Entry.
Minimum Exterior Side Yard (Setback)	10 feet (when facing a public or private, street drive, or alley)
Minimum Interior Side Yard(Setback)	5 feet
Minimum Rear Yard(Setback)	10 feet
Minimum Living Square feet per dwelling	1700 sqft
Parking	A minimum 2 car attached garage is required. All garage structures will be front loading.
Landscaping	Landscaping will comply with applicable section IA-200 guidelines within the City of Mesquite Landscaping Requirements. Special Note: The developer shall provide a minimum of 1 trees per individual lot from the approved list of tree species in section IA-500.
Other Specific Community Design Criteria	The developer will limit any one design elevation to be duplicated on a lot for a maximum of 5 times within the development. In addition, an elevation will not be permitted to be duplicated within 2 lots from one another.

LAWSON FARMS

Community Layout & Design Features



Open Space	Amenities	Area
Park 1	Community Orchard	4,351.59
Park 2	Community Garden, Play area, Pavilion	19,033.59

LAWSON FARMS

Exhibit D

Community Layout & Sample Elevation



Elevation Features



Two Story Elevations

LAWSON FARMS

Development Team



Eminence Realty Developers (E.R.G.) is a full service real estate development firm. Based in the Dallas/Fort Worth metroplex, Eminence Realty Developers provides real estate design consultation, residential and commercial construction management, Real Estate Project development, investor project placement, and a host of other real estate development services. Over the past two fiscal years E.R.G. has coordinated the development of multiple million dollars in residential and commercial real estate. It's current projects range from multi-million dollar single family residential real estate to multi-family/commercial properties within the Dallas/Fort Worth metroplex. It's principal managers consist of Jason Shaw, an active Texas Real Estate broker with over a decade of experience in the Dallas/Ft Worth real estate market and Malcolm Milam, an active Texas real estate agent with over 20years experience in marketing and strategic communications systems.



ARTEC Integrated Solutions, LLC (ARTEC) is a professional engineering and architectural firm offering land development, architecture, engineering, program management and construction management services. Professional services have been provided since ARTEC was founded in 1988. With project experience across the United States and North America, we bring specialized knowledge and international experience to your needs. ARTEC's success grows from an interdisciplinary approach to creativity and problem solving that enables the ARTEC team to realize the full potential of every project. ARTEC is centrally located to represent its clients throughout the United States and internationally. Dallas/Fort Worth Airport provides ready access to cities throughout the United States and all global destinations. ARTEC management consists of Jordan Rey, PE and David Rey, AIA, NCRAB.



Innova Construction & Design is an integrated design firm that unites a dynamic team of architects, designers, planners, builders driven by a singular goal — to create great spaces through innovation and design ingenuity. A Dallas based design firm, Innova Construction & Designs specializes in creating modern spaces with urban design elements.

