

ORDINANCE NO. 5049
File No. Z0223-0295

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE COMPREHENSIVE PLAN BY PROVIDING A COMPREHENSIVE PLAN AMENDMENT FROM NEIGHBORHOOD RETAIL TO HIGH DENSITY RESIDENTIAL AND BY AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM GENERAL RETAIL TO PLANNED DEVELOPMENT – MULTIFAMILY TO ALLOW A 76-UNIT, AGE-RESTRICTED MULTIFAMILY DEVELOPMENT WITH MODIFICATIONS TO THE PLANNED DEVELOPMENT STANDARDS ON PROPERTY LOCATED ON 2.549 ACRES (NORTHEAST CORNER OF INDEPENDENCE DRIVE AND POTEET DRIVE) AT 1220 NORTH TOWN EAST BOULEVARD; 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 is described as being a total of approximately 2.549 acres of land, more fully described in the legal description and depiction attached hereto as Exhibit A, and located at 1220 North Town East Boulevard, 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 Neighborhood Retail to High Density Residential.

SECTION 3. The Mesquite Zoning Ordinance is hereby amended by approving a change of zoning from General Retail to Planned Development – Multifamily to allow a 76-unit, age-restricted multifamily development with modifications to the Planned Development Standards and the Concept Plan attached hereto as Exhibits B and C respectively and incorporated herein by reference.

Zoning / File No. Z0223-0295 / Amending Comprehensive Plan from Neighborhood Retail to High Density Residential / Amending MZO from General Retail to PD-Multifamily
August 21, 2023
Page 2 of 2

SECTION 4. 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.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 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 21st day of August 2023.

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 B
Planned Development Standards
Town East Trails Mesquite, Texas
August 21, 2023

This Planned Development – Multifamily (PD-MF) must adhere to all conditions of the Mesquite Code of Ordinances, including but not limited to the Mesquite Zoning Ordinance, as amended, and adopts A 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-MF district. Where these regulations conflict with or overlap another ordinance, this PD ordinance will control.

- A. **Permitted Land Uses.** The permitted uses on the Property include the permitted uses in the Multifamily (“A”) 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 Mesquite Zoning Ordinance (MZO), also require a CUP for the use to be permitted on the Property.
 2. Multifamily developments will remain age restricted, and occupants shall be limited to individuals 55 years of age or older.
- B. **Development Standards.** In addition to the requirements of the A base zoning district, the Planned Development is subject to the following.
1. The site plan shall comply with the Concept Plan as shown in Exhibit C. Deviations from the Concept Plan (such as building placement) may be permitted in order to comply with the Mesquite Engineering Design Manual, adopted Building and Fire Codes, as amended, provided that the development complies with all requirements of this ordinance. Minor modifications to the plan can be submitted and approved by the Planning Office.
 2. Dwelling unit requirements.
 - i. Minimum number of one-bedroom units. Thirty (30) percent of total number of dwelling units in the development.
 - ii. Basic facilities. Each dwelling unit will include the following:
 - a. No exterior patios or balconies will be required.
 - b. Two-bedroom units shall have a minimum of one (1) full bathroom.
 3. Density.
 - i. The maximum gross density allowed shall equal 30 units per acre.

4. Screening and security.
 - i. Security fencing. - Provide six (6) foot tall security fencing around the property perimeter constructed of wrought iron, brick, composite, stone, or vinyl. Fencing along the street frontage shall be non-solid construction. A security gate shall not be required at the driveway entrances. A pedestrian gate shall be installed to access the parking lot from the northern property line.
 - ii. Site security. All parking areas, common hallways, and entrances shall be illuminated and have operational video surveillance.

5. Open space and outdoor amenities.
 - i. Open space requirement shall be 19,022 square feet.
 - ii. Open space requirement – Amenities areas and drainage/detention structures and may be included as open space as depicted in the concept plan.
 - iii. Number of outdoor amenities – Provide a total of four (4) outdoor amenities and two (2) each from the following list:
 - a. Active living – shuffleboard, putting green, bocce ball, or community garden.
 - b. Social interaction – outdoor cooking facilities, picnic areas to include dining tables and permanent shade structures, or hot tub/spa.
 - iv. Amenities will be approved by the Director of Planning and Development Services.

6. Indoor amenities.
 - i. Three (3) indoor amenities shall be provided from the following list:
Fitness room, business center to include at least two (2) computer stations, a printer, scanner, and photocopying device, media room with permanent television/movie viewing equipment and seating for a minimum of ten (10) individuals, a community room, or a reading room.

7. Off-street parking requirements.
 - i. A total off-street parking ratio of one and thirteen hundredths (1.13) shall be provided on the lot for each dwelling unit.
 - ii. No covered spaces shall be required.
 - iii. Parking may be located in an exterior setback as depicted on the concept plan.

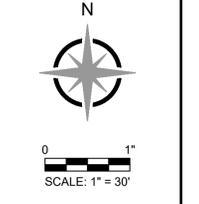
8. Traffic impact analysis. No traffic impact analysis will be required so long as the development remains age restricted and limited to individuals 55 years of age or older.

9. School impact analysis. As a senior housing development will have little impact on schools, no school impact analysis is required.



1113 Fay Street, Columbia, MO 65201
931-449-2646
www.es-inc.com

Texas Registered Engineering Firm #17700



ZONING CONCEPT PLAN
TOWN EAST TRAILS
POTEET DRIVE
MESQUITE, DALLAS COUNTY, TEXAS

SITE DATA SUMMARY TABLE	
PROPOSED USES	INDEPENDENT SENIOR LIVING
EXISTING ZONING DISTRICT	GR - GENERAL RETAIL
PROPOSED BASE ZONING DISTRICT	PD - MF
GROSS SITE AREA	2.55 ACRES, 111,022 SF
LOT BUILDING COVERAGE	17.8% (0.45 AC)
MAXIMUM HEIGHT (FEET, STORIES)	70 FEET, 5 STORIES
PROPOSED HEIGHT (FEET, STORIES)	54 FEET, 4 STORIES
REQUIRED LANDSCAPE AREA	0.26 AC, 10%
PROVIDED LANDSCAPE AREA	1.30 AC, 51.0%
REQUIRED PARKING RATIO BY USE*	2 STALLS/UNIT
PROVIDED PARKING RATIO BY USE	1.13 STALL/UNIT
PARKING SPACES REQUIRED*	152 SPACES
PARKING SPACES PROVIDED	86 SPACES
REQUIRED OPEN SPACE	30,400 SF
PROVIDED OPEN SPACE*	19,022 SF (17.1%)
MAX BUILDING DENSITY	NO MAX DENSITY
PROPOSED DENSITY	30 UNITS /ACRE
USE RESTRICTIONS	MULTIFAMILY RESIDENTIAL
SUBDIVISION NAME	MALL EAST PHASE 2
LAND USE	VACANT
PHASED	SINGLE PHASE

* REDUCTION REQUESTED WITH PD

NOTE: THE THOROUGHFARE ALIGNMENT(S) SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DOES NOT SET THE ALIGNMENT. THE ALIGNMENT IS DETERMINED AT THE TIME OF PLAT.

FENCING NOTE

ALL TREX PERIMETER FENCING CAN BE SUBSTITUTED WITH EITHER VINYL OR WOOD IF DESIRED.

PARCEL # P5209 - 1220 TOWN EAST BOULEVARD
OWNER: INDEPENDENCE PLAZA CENTER, LP
SUBDIVISION NAME: MALL EAST PHASE 2
ZONING: GR - GENERAL RETAIL
LAND USE DESCRIPTION: RETAIL SHOPPING CENTER/MALL

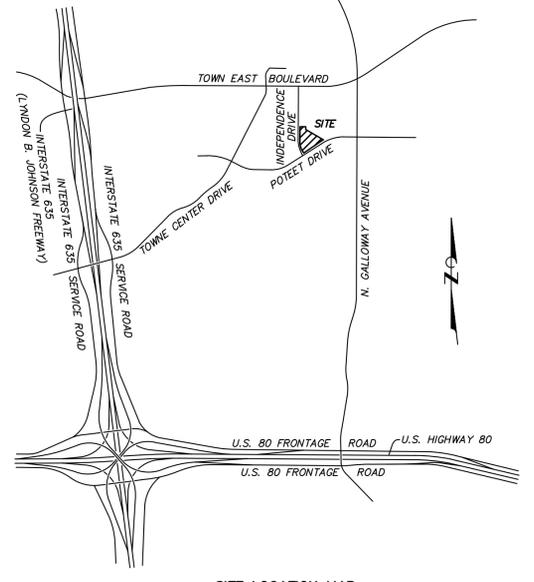
PARCEL # P4946
OWNER: CLEARVIEW HD MESQUITE, LP
SUBDIVISION NAME: TOWN CENTER VILLAGE 4
ZONING: C - COMMERCIAL
LAND USE DESCRIPTION: RETAIL SHOPPING CENTER/MALL

PARCEL # P8784
OWNER: PRIMACARE INC.
SUBDIVISION NAME: JOHN T. HELMS
ZONING: GR - GENERAL RETAIL
LAND USE DESCRIPTION: UNDEVELOPED

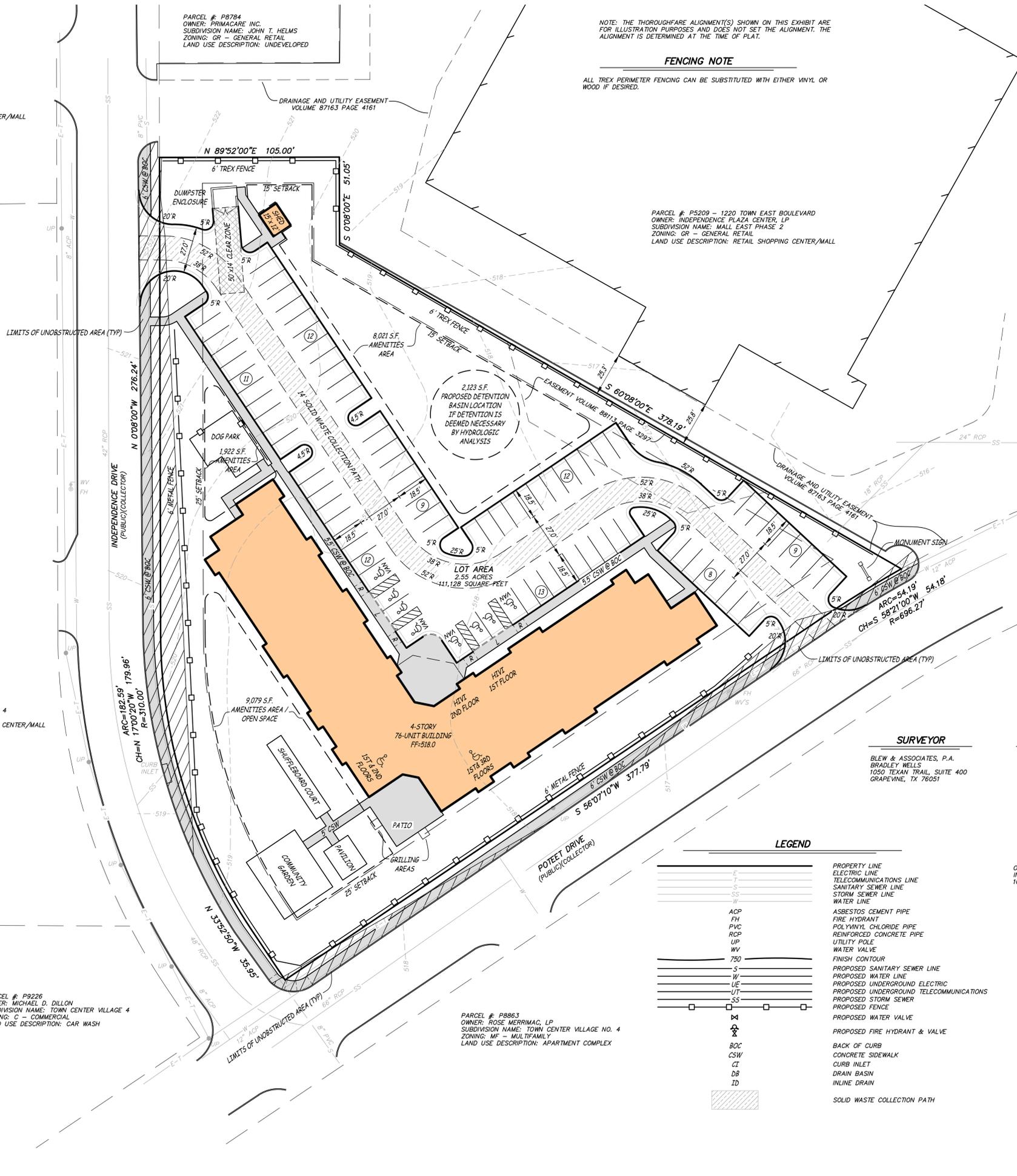
PARCEL # P9007
OWNER: QEH MESQUITE, LLC
SUBDIVISION NAME: TOWN CENTER VILLAGE 4
ZONING: C - COMMERCIAL
LAND USE DESCRIPTION: RETAIL SHOPPING CENTER/MALL

PARCEL # P9226
OWNER: MICHAEL D. DILLON
SUBDIVISION NAME: TOWN CENTER VILLAGE 4
ZONING: C - COMMERCIAL
LAND USE DESCRIPTION: CAR WASH

PARCEL # P8863
OWNER: ROSE MERRIMAC, LP
SUBDIVISION NAME: TOWN CENTER VILLAGE NO. 4
ZONING: MF - MULTIFAMILY
LAND USE DESCRIPTION: APARTMENT COMPLEX



SITE LOCATION MAP
NOT TO SCALE



SURVEYOR

BLEW & ASSOCIATES, P.A.
BRADLEY WELLS
1050 TEXAN TRAIL, SUITE 400
DALLAS, TX 75219

APPLICANT

TOWN EAST TRAILS, LP
ALAN NAUL
3899 MAPLE AVENUE, SUITE 300
DALLAS, TX 75219
(214) 215-8989

PROPERTY OWNER

INDEPENDENCE PLAZA CENTER, LP
3201 CHERRY RIDGE
SUITE B209
SAN ANTONIO, TX 78230

LEGEND

	PROPERTY LINE
	ELECTRIC LINE
	TELECOMMUNICATIONS LINE
	SANITARY SEWER LINE
	STORM SEWER LINE
	WATER LINE
	ASBESTOS CEMENT PIPE
	FIRE HYDRANT
	POLYVINYL CHLORIDE PIPE
	REINFORCED CONCRETE PIPE
	UTILITY POLE
	WATER VALVE
	FINISH CONTOUR
	PROPOSED SANITARY SEWER LINE
	PROPOSED WATER LINE
	PROPOSED UNDERGROUND ELECTRIC
	PROPOSED UNDERGROUND TELECOMMUNICATIONS
	PROPOSED STORM SEWER
	PROPOSED FENCE
	PROPOSED WATER VALVE
	PROPOSED FIRE HYDRANT & VALVE
	BACK OF CURB
	CONCRETE SIDEWALK
	CURB INLET
	DRAIN BASIN
	IN-LINE DRAIN
	SOLID WASTE COLLECTION PATH

FLOODPLAIN NOTE

THIS PROPERTY IS LOCATED IN ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN BY FLOOD INSURANCE RATE MAP NUMBER 48113C0390K, DATED JULY 7, 2014. NO 100-YEAR FLOODPLAIN EXISTS ON THE SITE.

NOTES

- 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 THIS 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.
- NO EXISTING TREES, DRAINAGE WAYS, OR CREEKS ARE LOCATED ON SITE.

SHEET INDEX

SHEET 1	ZONING PLAN
SHEET 2	SIGHT DISTANCE PLAN
SHEET 3	SOLID WASTE COLLECTION AUTO-TURN PLAN

7/31/2023



MATTHEW A. KRIETE
LICENSED PROFESSIONAL ENGINEER 126148

IF ORIGINAL SIGNATURE OR DIGITAL AUTHENTICATION IS NOT PRESENT THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT.

Design: MK Drawn: CGH

ES&S PROJECT NO. 15944

PROJECT NAME: TOWN EAST TRAILS
CASE NUMBER: Z0223-0295
SUBDIVISION NAME: MALL EAST PHASE 2
LOT (BLOCK) 3R1 / 1
ABSTRACT NUMBER:
COUNTY: DALLAS COUNTY

Date
FEBRUARY 24, 2023

Revised	
	MAY 9, 2023
	JUNE 22, 2023
	JUNE 30, 2023
	JULY 13, 2023
	JULY 31, 2023