

ORDINANCE NO. _____
File No. Z0718-0055

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO APPROVE A CHANGE OF ZONING FROM K-20 FLOATING ZONE TO SINGLE FAMILY - PLANNED DEVELOPMENT WITH AN UNDERLYING ZONING DISTRICT OF R-2A ON PROPERTY GENERALLY LOCATED SOUTH OF IH-20, WEST SIDE OF HIGH COUNTRY LANE AND WEST OF THE INTERSECTION OF HIGH COUNTRY LANE AND DOZIER CIRCLE THEREBY ALLOWING A SINGLE FAMILY SUBDIVISION SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the Planning and Zoning Commission of the City of Mesquite and the governing body of the City of Mesquite, in compliance with the Charter of the City of Mesquite and State laws with reference to granting of zoning changes under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the change of zoning may be granted herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, be and the same is hereby amended by amending the Zoning Map of the City of Mesquite to approve a change of zoning on property zoned K-20 Floating Zoning to Single Family - Planned Development (SF-PD) subject to the following stipulations:

1. Except as provided herein, the plat and site plan for the property shall conform substantially to the Concept Plan attached as Exhibit "A."
2. The maximum number of lots shall be 540.
3. The floodplain area shall serve as an amenity/usable open space for the development with outdoor seating, playground equipment and similar public amenities. Neighborhood walking/biking trails shall be provided throughout floodplain area.

4. A detailed landscape plan is required with submittal of the site plan in compliance with Section 1A of the Mesquite Zoning Ordinance and this Planned Development Ordinance that clearly shows all proposed landscaping, including the perimeter landscape buffer, public amenities, parks and all open space areas, including those located in the floodplain.
5. No front elevation, including its mirror image, shall be repeated more than once per eight lots, and in no case more than twice in one blockface.
6. A long-span precast concrete decorative screening wall, eight feet in height, in earth-tone colors, shall be erected on the street right-of-way line along arterial streets. Color, texture and materials shall be uniform on both sides along High Country Lane. As an alternative, a wrought iron fence, six to eight feet in height, with evergreen trees selected from Section 1A-500 of the Mesquite Zoning Ordinance shall be installed at intervals to effectively create a visual screen. At the time of planting, the trees must, at a minimum, be the height of the wrought iron fence.
7. All fences abutting public open space shall be constructed of wrought iron.
8. A Traffic Impact Analysis ("TIA") is required. As part of the TIA, measures shall be recommended to minimize and mitigate the anticipated impacts of the development and to determine the adequacy of the development's planned access points. Mitigation measures shall be subject to approval by the City Engineer and may include, but are not limited to, the following: an access management plan; transportation demand management measures; street improvements on or off the site; placement of pedestrian, bicycle or transit facilities on or off the site; or other capital improvement projects such as traffic calming infrastructure or capacity improvements. The owner shall make the improvements recommended by the TIA and approved by the City that are necessitated by and proportional to the development.
9. A flood study is required pursuant to the City's Drainage Ordinance. The flood study shall determine limits of the flood plain based on fully developed conditions. Drainage improvements recommended by the flood study are subject to approval by the City Engineer. The owner shall make the improvements recommended by the Flood Study and approved by the City Engineer.
10. A dam breach analysis for the existing pond adjacent to the site is required. The breach analysis shall include measures to ensure stability of the pond. Mitigation measures shall be subject to approval by the City Engineer. The owner is responsible for making the improvements recommended by the analysis and approved by the City Engineer.
11. Verification of whether the pond is a wetland is required.
12. Residential structures shall be constructed with offset front entry. The garage door shall be set back at least five feet behind the front building face.

13. A minimum of three of the following elements must be incorporated into the design of each dwelling unit:
 - a. Multiple pane windows featuring either divided light or simulated divided light;
 - b. A front porch area enclosed by a railing at least 30 inches in height and containing decorative columns at least six inches in diameter;
 - c. Gable(s) with window(s);
 - d. Dormer(s);
 - e. Bay windows with a minimum projection of 24 inches;
 - f. Roofs with a minimum 8:12 roof pitch;
 - g. Split garage doors with a separate door for each vehicle bay; or
 - h. Front-covered porch with at least 40-square feet of useable space and a minimum depth of five feet.
14. Prior to the final inspection of a house, the builder shall plant two canopy trees in the front yard of each lot. Trees to be planted shall be selected from the approved plant list in Section 1A-500 of the Mesquite Zoning Ordinance.
15. All single family lots, landscape areas and open space shall be provided with an adequate, inconspicuous and complete-coverage automatic irrigation system that complies with the following standards:
 - a. All planted areas shall be irrigated.
 - b. Irrigation systems shall be calibrated and designed to provide the appropriate amount of water for the plant species to be watered and shall not overwater.
 - c. All irrigation systems shall be equipped with functioning rain and freeze sensors and shall comply with backflow and cross-connection regulations.
 - d. Drip or soaker irrigation shall be used in all vegetated areas exclusive of turf grass areas.

That the subject property is approximately 179.407 acres of undeveloped land in the M. Musick Abstract, Volume 5557, Page 327, City of Mesquite, Kaufman County, Texas, generally located south of IH-20, west side of High Country Lane and west of the intersection of High Country Lane and Dozier Circle and is more fully described in the legal description and shown in the map attached hereto as Exhibit "B."

SECTION 2. 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.

To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance.

SECTION 4. That 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 5. That 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 Two Thousand (\$2,000.00) Dollars 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 6. That 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 15th day of October, 2018.

Stan Pickett
Mayor

ATTEST:

APPROVED:

Sonja Land
City Secretary


Paula Anderson
Interim City Attorney

Project Summary

540 Total Lots	
50' x 110'	272 Lots (50%)
60' x 115'	268 Lots (50%)
Green Space <small>*does not include 'lowlands' area*</small>	19.27 Ac.
Trails	6,500 Lf.
Undevelopable	51.52 Ac.



Trinity Point Village Conceptual Plan

A 179.40 Acre Community located in Kaufman County, Texas.
Skymark Development Corporation
EHRA JOB NO. 181-033-00

P:\181-033-00\LandPlan\Mesquite Tract_50_50 split_091018 50' ROW.dwg Sep 12, 2018-11:00am Edited by: hschmitt

September 12, 2018



No warranty or representation of intended use, design or proposed improvements are made herein. All Plans for land or facilities are subject to change without notice.



ENGINEERING THE FUTURE
SINCE 1936
10555 WESTOFFICE DRIVE
HOUSTON, TEXAS 77042
713.784.4500
WWW.EHRAINCCOM
TBPE No. F-726
TBPLS No. 10092300

IV. Legal Description

The proposed Trinity Point Village Planned Development is entirely within a 179.40-Acre tract as follows:

DESCRIPTION OF A 179.40 ACRE TRACT
In Kaufman County, Texas

BEGINNING at the northernmost point of the 179.40 acre tract, also being a point within the right-of-way of High Country Lane;

THENCE, continuing along said right-of-way with a line that bears South 43° 46' 34" East with a distance of 1,418.68' to a point for curve;

THENCE, along said curve to the right having a radius of 89.70', an arch length of 81.32', and a chord of 78.57' bearing South 17°52'48" East, set for the point of tangency of;

THENCE, a line bearing South 43°51'09" East with a distance of 469.04' to a point for corner;

THENCE, a line bearing South 45°24'12" West with a distance of 694.60' to a point for corner;

THENCE, a line bearing South 29°15'15" West with a distance of 712.32' to a point for corner;

THENCE, a line bearing South 26°38'35" West with a distance of 918.27' to a point for corner;

THENCE, a line bearing South 26°07'54" West with a distance of 482.87' to a point for corner;

THENCE, a line bearing North 70°07'41" West with a distance of 2,017.69' to a point for corner;

THENCE, a line bearing North 65°35'21" West with a distance of 177.63' to a point for corner;

THENCE, a line bearing North 9°56'45" West with a distance of 1,735.54' to a point for corner;

THENCE, a line bearing North 44°15'51" East with a distance of 652.06' to a point for corner;

THENCE, a line bearing North 77°19'30" East with a distance of 63.89' to a point for corner;

THENCE, a line bearing North 82°20'12" East with a distance of 34.72' to a point for corner;

THENCE, a line bearing South 5°54'48" East with a distance of 513.89' to a point for corner;

THENCE, a line bearing North 73°27'00" East with a distance of 430.87' to a point for corner;

THENCE, a line bearing North 79°55'57" East with a distance of 49.45' to a point for corner;

THENCE, a line bearing South 76°51'01" East with a distance of 478.70' to a point for corner;

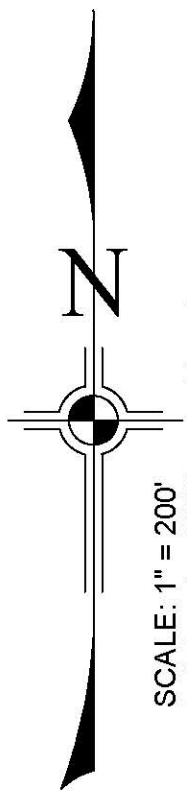
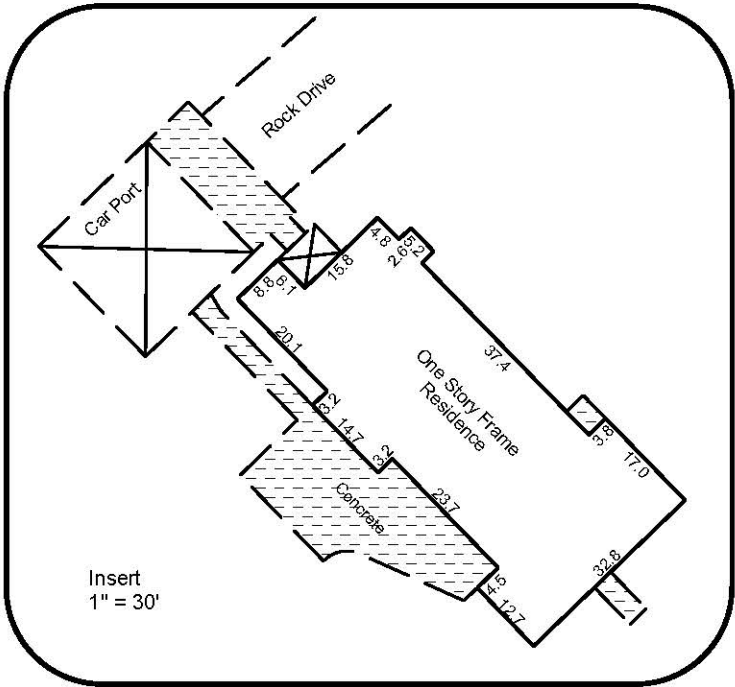
THENCE, a line bearing South 72°29'49" East with a distance of 147.55' to a point for corner;

THENCE, a line bearing North 52°31'33" East with a distance of 90.58' to a point for corner;

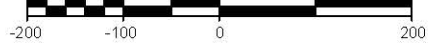
THENCE, a line bearing North 51°32'28" East with a distance of 480.00' to a point for corner;

THENCE, a line bearing North 24°21'22" West with a distance of 540.40' to a point for corner;

THENCE, a line bearing North 48°14'19" East with a distance of 801.41' to the PLACE OF BEGINNING of the herein described tract and containing within these calls 7,814,664 square feet or 179.40 acres of land.



SCALE: 1" = 200'
"X" Denotes 3/8" iron rod found
unless otherwise noted.



Note: The location of the easements
in the following instruments of record
are undefined.

1. Vol. 408 pg. 580
2. Vol. 450 pg. 574
3. Vol. 453 pg. 75

Line	Bearing	Distance
1	N85°35'21"W	177.63'
2	N77°15'30"E	63.89'
3	N62°20'15"E	34.72'
4	N79°55'57"E	49.45'
5	S72°29'49"E	147.55'
6	N52°31'33"E	90.58'
7	S43°46'34"E	100.06'

Curve	Delta Angle	Radius	Arc
1	51°56'42"	89.70'	81.32'
	Tangent	Chord	Chord Bearing
	43.70'	78.57'	S 17°52'48" E

**PLAT OF
LAND TITLE SURVEY
SHOWING
PART OF THE
MARTHA MUSICK SUR. A - 312
KAUFMAN COUNTY, TEXAS**

To: Michael A. McFerrin
Stratford Realty Capital, L.P.
and LandAmerica American Title Company (GF No. 1928000679)
as agent for Lawyers Title Insurance Corporation

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that in the month
of September, 2008:

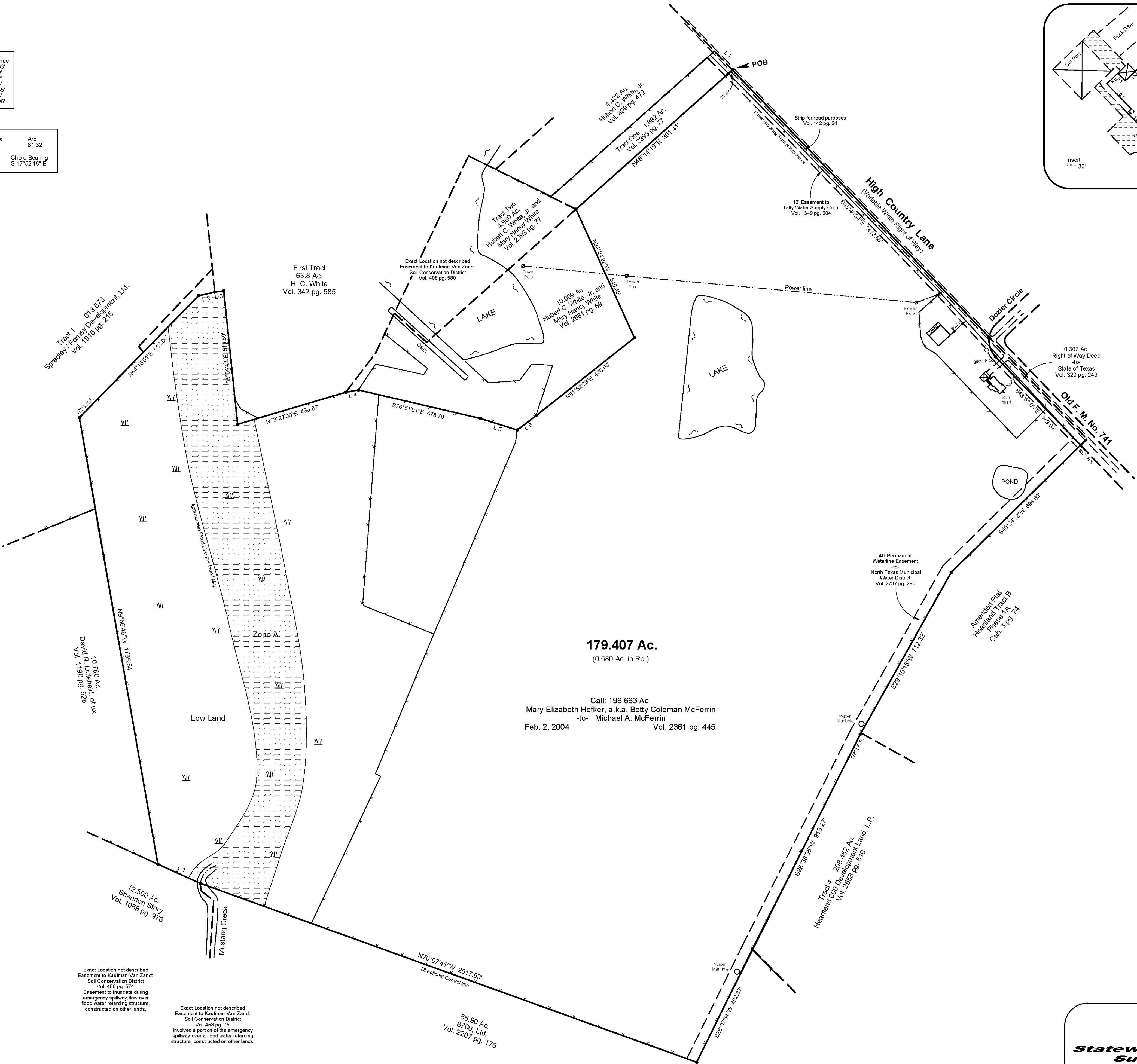
- This plat and companion field notes were prepared from an actual on the ground survey made under my direction and supervision and said plat accurately shows (i) the boundaries and areas of the subject property and the location and type of buildings and improvements thereon and the distance therefrom to the nearest facing exterior property lines of the subject property; (ii) the location of all rights-of-way and easements (of which I have personal knowledge or have been advised) affecting the subject property; (iii) all abutting dedicated public streets appearing to provide access to the subject property, together with the width and name thereof; (iv) the location and size of all visible gas, electrical, water, and sewer lines, wires and cable crossings, and anchors or guy wires apparent on the subject property; (v) the location of all building set back lines (of which I have personal knowledge or have been advised); and (vi) the location of all visible sidewalks, curbs, and driveways located on or in front of the subject property;
- Except as shown, there are no (i) visible encroachments upon the subject property by improvements on adjacent property; (ii) visible encroachments on adjacent property, streets or alleys by any improvements on the subject property; (iii) or visible conflicts or protrusions affecting the subject property, apparent on the ground.
- The subject property adjoins High Country Lane, a Kaufman County maintained road.
- The flood hazard area shown is as indicated by Flood Insurance Rate Map, Community Panel No. 480411 0100 B, Zone A, as prepared by The Federal Emergency Management Agency, Effective Date: Sept. 4, 1991.
- This survey conforms to the Texas Society of Professional Land Surveyors accuracy standards for a Category 1A, Condition II Survey and meets the requirements of the General Rules of Procedures and Practices as defined by the Texas Board of Professional Land Surveying.

GIVEN UNDER MY HAND AND SEAL
this the 19th day of September, 2008.

NOTE: PLAT VOID IF NOT SIGNED IN BLUE

File Copy

GREG SJERVEN, R. P. L. S. NO. 5244
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Statewide Surveying Service



208 N. Washington St.
Kaufman, Tx. 75142
972-962-6481