

**FILE NO.:** Z1018-0069

**P&Z HEARING DATE:**

October 22, 2018

**COUNCIL DATE:**

November 5, 2018

#### GENERAL INFORMATION

**APPLICANT:** Petitt Barraza, LLC on behalf of DR Horton – Texas, Ltd.

**REQUESTED ACTION:** Rezoning from “A”, Agriculture to Planned Development – Single Family Residential to allow a single family subdivision.

**LOCATION:** Generally located south of IH-20, east of FM 741 and north of Heartland Parkway.

#### SITE BACKGROUND

**EXISTING LAND USE AND SIZE:** The 110.971 +/- acres site is undeveloped property.

**SURROUNDING LAND USE AND ZONING (see attached map):** To the east is an undeveloped property outside of Mesquite’s city limits but within the City’s extraterritorial jurisdiction (ETJ). To the north is Interstate Highway 20. To the west is undeveloped property zoned General Retail. To the south is Heartland, a single-family development that is outside of city limits and outside Mesquite’s ETJ.

**ZONING HISTORY:** October 2018: Annexed and zoned Agriculture.

**PLATTING:** The property is currently unplatted. A plat will be required with development.

**GENERAL:** In April of this year, the City of Mesquite entered into a Development Agreement (Resolution No. 20-2018) with CADG Kaufman 146, LLC, and Kaufman County Fresh Water Supply District No. 5, regarding approximately 146.746 acres of land (including the subject property). The property is generally located south of Interstate Highway 20, east of FM 741 and north of Heartland Parkway in Kaufman County commonly referred to at that time as “Heartland Town Center.” A development agreement is a contract between the city and the property owner, detailing the obligations of both parties and specifying the standards and conditions that will govern the development of the property. The agreement will establish a Public Improvement District that will assist with the cost of installing public infrastructure for the development. In exchange, the developer agrees to develop the property under the conditions established in the agreement. The Development Agreement calls for a planned development (PD) district consisting of residential uses and general retail uses.

On October 1, 2018, the City annexed the subject property at the request of the applicant. Per the approved Development Agreement, the developer

## **ZONING RECLASSIFICATION**

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intends to develop the land for a 450-lot single-family subdivision. The remaining 25 acres of the Heartland Town Center property is intended for a general retail development which went through the annexation and rezoning process earlier this year.

### **STAFF COMMENTS**

The Development Agreement included a concept plan and development standards as shown in Attachments 5 and 6, respectively. The proposed concept plan and PD standards submitted with the rezoning application are as shown in Attachments 7 and 8, respectively.

The applicant's proposed concept plan and development standards do not match what is shown in the Development Agreement. The difference between the two versions include modifications to the layout of the development by adding more cul-de-sacs and realigning the street layout of the development. The proposed changes result in reducing the number of open spaces that were originally shown in the Development Agreement. The changes came about as a result of the applicant completing a flood study that increased the size of the floodplain area. The applicant modified the layout of the development to accommodate the larger floodplain area. The applicant is also proposing to reduce the right-of-way width from 65 feet to 50 feet. The street pavement width would remain the same at 31 feet in width. The City Council can approve the proposed changes in the concept plan and development standards by amending the Development Agreement at the time they consider the rezoning.

If the zoning change is approved, then the property will be subject to the Development Agreement and the PD. Those standards that are silent in the Development Agreement and the PD will revert to the standards within the MZO, Mesquite Subdivision Ordinance and Mesquite City Code that apply to residential developments.

### **RECOMMENDATIONS**

Staff recommends rezoning the subject property to Planned Development – Single Family Residential with the stipulation that the Concept Plan and the Development Standards are consistent with Development Agreement.

### **PUBLIC NOTICE**

Staff mailed notices to property owners within 200 feet of the property and have not received any responses to the mailing.

### **ATTACHMENTS**



- 1 – Aerial Map
- 2 – Zoning Map
- 3 – Public Notification Map
- 4 – Site Pictures
- 5 – Development Agreement Concept Plan
- 6 – Development Agreement Development Standards
- 7 – PD Concept Plan
- 8 – PD Development Standards

Attachment 1 – Aerial Map



Request: Rezoning from AG to PD-SF to allow a single family subdivision.  
Applicant: Pettitt Barraza, LLC on behalf of DR Horton - Texas, Ltd.  
Location: SEC of IH-20 and FM 741

Legend

 Subject Property  
 City Limits







Attachment 2 – Zoning Map



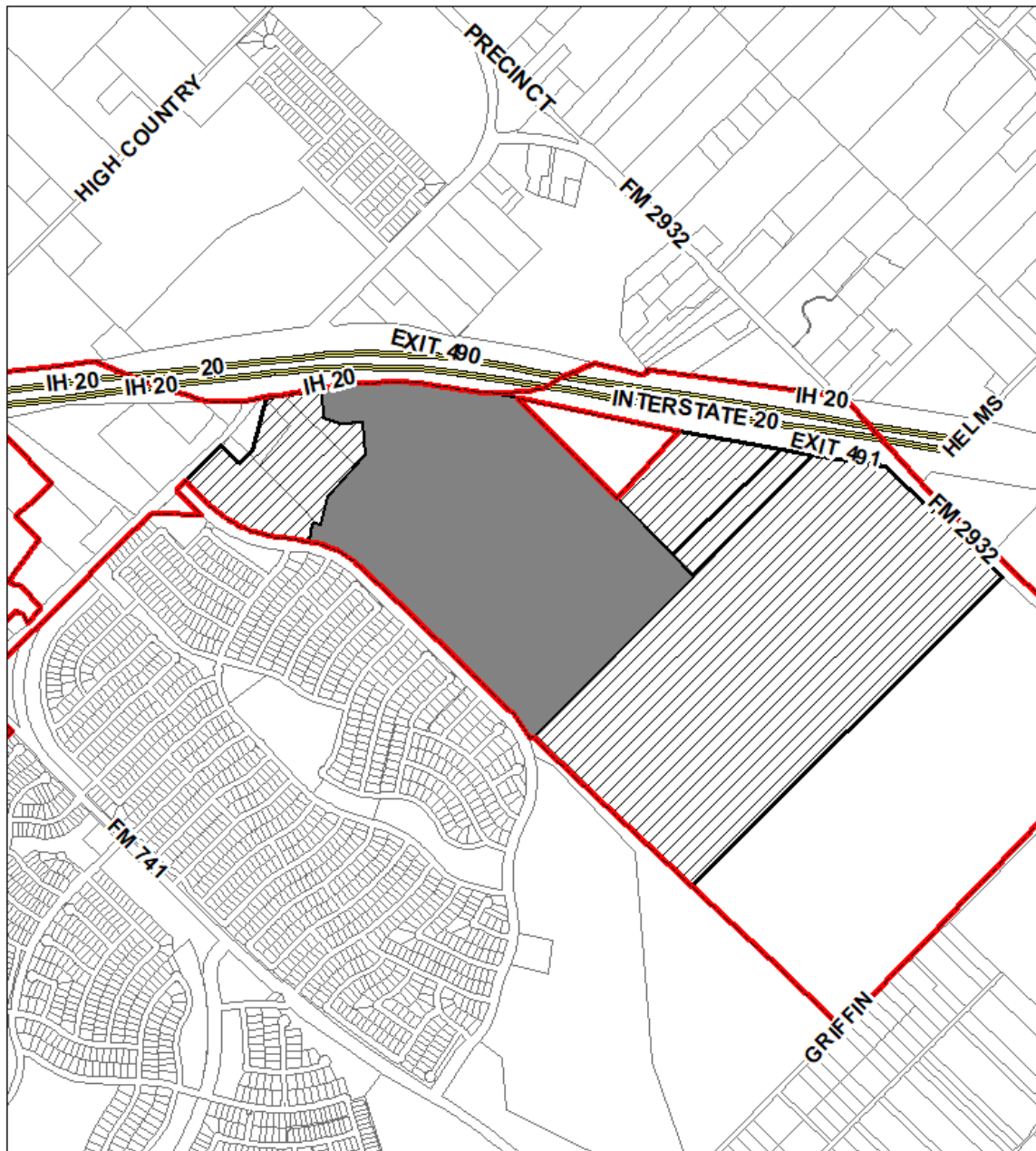
Request: Rezoning from AG to PD-SF to allow a single family subdivision.  
Applicant: Pettitt Barraza, LLC on behalf of DR Horton - Texas, Ltd.  
Location: SEC of IH-20 and FM 741

Legend

-  Subject Property
-  City Limits






Attachment 3 – Notification Map



Request: Rezoning from AG to PD-SF to allow a single family subdivision.  
Applicant: Pettitt Barraza, LLC on behalf of DR Horton - Texas, Ltd.  
Location: SEC of IH-20 and FM 741

Legend

-  City Limits
-  Subject Property
-  Subject Property



Attachment 4 – Site Pictures



Looking south from IH-20



Looking north from Heartland Parkway





Concept Plan 5			
data summary			
Gross Site Area:		146.5	
		Acres	
Retail		25.5	
Residential Lots		80.5	
Major Open Space		11.5	
Floodplain		19.5	
Residual		9.5	
Residential Product Type: Phase 1 Phase 2 Lots			
 40'x 110' Lot	55	160	182
 50'x 110' Lot	127	108	268
Total Lots	182	268	450

F:\2017\11700800\EXHIBIT\11700800 Heartland North Concept Plan 05 July 2017.dwg Sep 11, 2017 - 10:58 am chanceck

EXHIBIT D  
Development Standards

**1.0 General Regulations**

1.1 A property owners association shall be established and shall be the owner and responsible for the maintenance of all open space areas.

1.2 All single-family detached and attached residences may be front-entry and have garage access from a dedicated public street and shall be subject to setbacks outlined in section 3.0 Area Regulations of these Standards.

**2.0 Use Regulations**

2.1 Permitted Uses. Except as otherwise provided herein, the permitted uses within the Property shall be those uses permitted in the R Single-Family Residential district, as established by the City of Mesquite Zoning Ordinance as of the Effective Date (the "Zoning Ordinance"). The following, additional uses shall be permitted:

- Agricultural Uses. Agricultural uses whose products are grown primarily for home consumption, such as domestic gardening, berry or bush crops, tree crops, flower, and gardening.
- Community Facility Uses. The following community facility/civic uses shall be permitted:
  - Amenity centers
  - Public and private parks
  - Recreational and open space including but not limited to playgrounds, parkways, greenbelts, ponds and lakes, botanical gardens, pedestrian paths, bicycle paths, equestrian bridle trails, nature centers, bird and wildlife sanctuaries
  - Schools, pre-k through 12 (public or private)
- Temporary structures. Temporary structures for the storage of building materials and equipment used for initial residential construction, when on the same or adjoining lot, for a period not to exceed the duration of the construction shall be permitted. This shall include temporary trailers for construction and sales activity. Building material storage will be allowed adjacent to temporary trailers or in a lot designated for storage.

2.2 Prohibited Uses. The following uses shall be prohibited within the Property:

- Manufactured and/or modular homes.
- Accessory dwellings.

**3.0 Area Regulations**

3.1 General Area Regulations. Single-family residential lots must comply with the following area standards:

(a) Lot Type A:

Minimum Lot Area: The minimum lot area shall be five-thousand five-hundred (5,500) square feet.



Minimum Lot Width: The minimum lot width shall be fifty (50) feet.

Minimum Lot Depth: The minimum lot depth shall be one-hundred ten (110) feet.

Minimum Front Yard: The minimum depth of the front yard shall be twenty (20) feet. Covered front porches may extend over the front building setback line up to five (5) feet, but the garage door must remain at or behind the front facade in all instances.

Minimum Rear Yard: The minimum depth of the rear yard shall be twenty (20) feet.

Minimum Side Yard: The minimum side yard shall be five (5) feet and the minimum side yard for a corner lot shall be fifteen (15) feet.

Building Coverage: Maximum sixty percent (60%) of the total lot area shall be covered by the main house and accessory structures.

Garage Orientation: May face the street.

(b) Lot Type B:

Minimum Lot Area: The minimum lot area shall be four-thousand four-hundred (4,400) square feet.

Minimum Lot Width: The minimum lot width shall be forty (40) feet.

Minimum Lot Depth: The minimum lot depth shall be one-hundred ten (110) feet.

Minimum Front Yard: The minimum depth of the front yard shall be twenty (20) feet. Covered front porches may extend over the front building setback line up to five (5) feet, but the garage door must remain at or behind the front facade in all instances.

Minimum Rear Yard: The minimum depth of the rear yard shall be twenty (20) feet.

Minimum Side Yard: The minimum side yard shall be five (5) feet and the minimum side yard for a corner lot shall be fifteen (15) feet.

Building Coverage: Maximum sixty percent (60%) of the total lot area shall be covered by the main house and accessory structures.

Garage Orientation: May face the street.

3.2 Special Area Regulations. Lot widths shall be measured along the arc of the primary structure setback line. For cul-de-sacs and eye-brows/elbows, the minimum lot width measured at the building line may be reduced by a maximum of five (5) feet; the minimum lot width measured at the right-of-way line shall be thirty-five (35) feet.

3.3 Lot Mix. The relative lot mix shall be consistent with the Concept Plan.

#### **4.0 Parking Regulations**

- 4.1 Residential. For residential uses, a minimum of two (2) enclosed off-street parking spaces located behind the front building line shall be provided for each dwelling unit.
- 4.2 Other Uses. Required off-street parking for all other permitted uses shall in be accordance with the City of Mesquite Zoning Ordinance, as of the Effective Date.

#### **5.0 Landscape & Irrigation Regulations**

- 5.1 Except as otherwise provided herein, the landscape and irrigation requirements for all uses shall conform to the landscaping regulations described in Section 1A-200, Landscape Requirements, of the City of Mesquite Zoning Ordinance, as of the Effective Date.
- 5.2 For single-family lots, and prior to any occupancy of the dwelling, a minimum of two (2) trees with a minimum caliper of three inches (3”), measured at a point six inches (6”) above ground level shall be required for all lots and shall be located in the front yard on all lots.
- 5.3 Tree species shall comply with Section 1A-500, Tree Schedule, of the City of Mesquite Zoning Ordinance, as of the Effective Date, and the following:

- Tree
  - Caddo Maple
  - Golden Raintree
- Other Shrubs
  - Knockout Rose
  - Purple Pixie Loropetalum
  - Golden Dot Euonymus
  - Red Yucca
  - Smoke Tree
  - Butterfly Bush
  - Coral Drift Rose
  - Pink Skull Cap
- Ground Cover
  - Little Bluestem
  - Weeping Love Grass
  - Mexican Feather Grass

#### **6.0 Open Space Regulations**

- 6.1 Generally. Open Space may consist of any pervious areas, including without limitation, landscape reserves; publically accessible detention/ drainage facilities and easements; and natural open space areas including floodplain, and public or private parks and plazas. Any detention areas counted towards the open space requirement shall be landscaped and amenitized on a minimum of three (3) sides. All proposed (wet) lakes shall be equipped with a water fountain or aerator devices. Open space must be maintained through a property ownership association.

6.2 Open Space Requirements. No less than five percent (5%) of the Property must be set aside as dedicated open space, as general depicted on the Concept Plan.

## 7.0 Screening and Fencing Regulations

7.1 Residential Screening. For any portion of a single-family subdivision adjacent to an arterial street, a minimum three feet (3') landscape strip and a minimum six-foot (6') solid masonry wall shall be provided to screen the residential lots from the arterial street. A minimum eight-foot (8') solid masonry wall shall be provided to screen the residential lots from Interstate Highway 20. The landscaping shall be irrigated, installed on the street side of the wall and located to cover fifty (50) percent of the landscaped area when matured.

7.2 Residential Fencing. Fencing for all other residential lots shall be a minimum of six feet (6') and maximum of eight feet (8'), board-on-board, pre-stained spruce or better fence with steel posts mounted on the inside so as not to be visible from street. All lots adjacent to any greenbelt area, open space, or park shall require a standard height of five feet (5') ornamental metal fencing, other than on the lots demarcated with an X on the exhibit below. Gates in residential fencing to public spaces shall be prohibited.





## **8.0 Building Regulations**

8.1 Building Materials. To meet the standards as set forth in this Agreement, at least two (2) types of masonry and/or masonry accents such as quoins, rowlocks, or keystones shall be required for single-family dwellings.

8.2 Roofs. Roof Pitch for single-family dwellings shall have a minimum slope of 8/12. Shingles shall have a minimum 30-year rating and a minimum weight of 220 pounds per square (100 square feet).

8.3 Elevations. Single-family dwelling units with the same elevation on the same side of the street shall be separated by a minimum of three (3) lots. Dwelling units with the same floor plan and same elevation located on the opposite side of the street shall not be constructed directly or diagonally across from each other.

8.4 Gifts to Street. All single-family dwellings shall contain at least three (3) of any one of the following, gifts to the street:

- (a) Gables
- (b) Divided-light windows
- (c) Minimum three-foot (3') deep recessed entry
- (d) Shutters
- (e) Covered front porch
- (f) Hardware on garage doors
- (g) Two types of masonry and/or masonry accents, such as: Quoins, Rowlocks, or Keystones

The Declaration and its Design Guidelines shall set forth these requirements as part of the Design Guidelines for the Heartland Subdivision.

## **9.0 Entry Monuments**

9.1 The Main Entrance to the Property from Heartland Parkway shall include a Neighborhood Designation monument sign or equivalent and appropriately scaled monuments. Secondary entrances shall have the option to add Neighborhood Designation monuments.

## **10.0 Streets**

10.1 All streets within the development shall in be accordance with the City of Mesquite Subdivision Ordinance, as of the Effective Date

## **11.0 Trails**

11.1 All major trails shall in be a minimum of eight feet (8') wide and complimentary or secondary trails shall in be a minimum of six feet (6') wide. On single loaded streets where a trail is provided on the side of the street that doesn't have houses, the side of the street with houses does not require sidewalks.



## **12.0 Variances**

12.1 The City Manager may authorize a variance from these regulations when undue hardship will result from requiring strict compliance or it may be appealed to the City Council.





Concept Plan 15

data summary			
Gross Site Area:		146.6	
		Acres	
Retail		25.5	
Residential Lots		79.8	
Major Open Space		11.5	
Floodplain		19.5	
Residual		10.3	
Residential Product Type: Phase 1		Phase 2	Lots
 40'x 110' Lot	55	127	182
 50'x 110' Lot	155	113	268
Total Lots	210	240	450



**TRAILWIND PLANNED DEVELOPMENT**  
**Development Standards**

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