

RESOLUTION NO. 49-2002

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AMENDING THE *MESQUITE DEVELOPMENT GUIDE: 1994 UPDATE* BY REPLACING RESOLUTION 18-2000 AND ADOPTING NEW GUIDELINES FOR RESIDENTIAL DEVELOPMENT IN SOUTHEAST MESQUITE TO ASSURE ORDERLY AND EFFICIENT QUALITY DEVELOPMENT AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City Council of the City of Mesquite adopted Resolution 18-2000 to set guidelines for residential development in certain areas of Southeast Mesquite while the Planning and Zoning Commission and City Council conducted further evaluation of development objectives;

WHEREAS, the City Council appointed a Southeast Mesquite Task Force to conduct such evaluation and further recommendations; and

WHEREAS, the Southeast Mesquite Task Force has made recommendations regarding development requirements and standards to assure orderly and efficient quality development in Southeast Mesquite; and

WHEREAS, the Planning and Zoning Commission has reviewed the Task Force report and has forwarded it to the City Council for consideration.

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

SECTION 1. That Resolution 18-2000 shall no longer be in effect and that the *Mesquite Development Guide: 1994 Update* shall be hereby amended by adopting the *Residential Development Policy* as set out in Exhibit A attached hereto.

SECTION 2: That the Planning and Zoning Commission, City Council, developers, citizens and homebuilders shall utilize the development objectives, policies and standards set out in Exhibit A as guidelines for the review and evaluation of residential development proposals in Southeast Mesquite, i.e. Planning Areas 9 – 13.

SECTION 3: That this resolution shall take effect upon the date of passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 16th day of September 2002.

*Southeast Mesquite Task Force
Recommendation*

RESIDENTIAL DEVELOPMENT POLICY

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GOALS AND IMPLEMENTATION

Since annexation of the semi-rural areas lying in the southeastern quadrant of Mesquite, policies for the eventual development of the area have envisioned lower-density neighborhoods of higher quality that would fulfill a number of objectives which have thus far been elusive. This policy developed by the Southeast Mesquite Task Force (2001) is unique in the scope and combination of the standards and considerations set forth. However, it is not a new policy at all in that it complies with and reiterates aspects of previous planning and policy efforts: *The Mesquite New Town Plan (1974)*, *The Mesquite Development Guide (1977, 1984 and 1994)*, and the recommendations of the *Executive Housing Task Force (1995)*. *To the extent any of the foregoing plans, guides and recommendations conflict with this report, including but not limited to development of land zoned AG-Agriculture, then the recommendations of this report shall take precedence over the foregoing plans, guides and recommendations.*

General Goals And Objectives

The Southeast Mesquite Task Force has perhaps worked from a more urgent perspective, realizing that development of the remainder of the southeastern quadrant is imminent. The policies, standards and regulations in place in the next couple of years will determine how development occurs, leaving no second chance to fulfill the previously unmet objectives.

Providing a full variety of housing opportunities for residents of the City has long been a planning objective. While ample opportunities exist in stable neighborhoods for small lot/garden homes, entry level homes, first tier move-up homes, multifamily homes, etc., the efforts have not been successful in providing large lot/lower density neighborhoods or in providing second tier move-up homes or executive housing which is now the primary objective for residential development.

Long-term Viability and Value

Underlying the other, more specific objectives is a general goal of providing quality living environments which remain viable over time, maintaining both attractiveness and value.

Large Lot Development

Large lot, lower density neighborhoods offer a special opportunity for a more private lifestyle, avoiding crowding in the land use pattern by providing more green space and maintaining a more rural "feel". There have been few opportunities in Mesquite for potential homeowners desiring such a setting.

"Move-up" and Executive Housing

The objective of upgrading housing standards is to provide another level of move-up housing in appropriate neighborhoods. An additional concern is the ability to move-up to an executive housing level (currently judged to be a home of \$400,000 plus value). Such higher end housing is needed in order to retain community leadership, to attract business and industry, to enhance the residential tax base and to enhance the City's image.

Achieving The Goals And Objectives

The AG-Agricultural district, which is the current zoning classification of the majority of the undeveloped land in the southeastern quadrant, is a residential estate district having residential development rights to one house per one acre. This zoning particularly affords the desired result through the resulting feelings of openness and the general lack of crowding in the land use pattern. It is, however, the conclusion of the Task Force that lot size is not the only means of achieving the stated objectives.

Design Features, Amenities and Design Standards

"Density with design" can be used to retain a feeling of openness and to establish a quality residential environment by assuring design features and amenities which increase quality and mitigate the impacts of increased density, thereby also assuring neighborhood livability and long-term viability.

While design features and amenities can mitigate some of the impact of increasing density, the creation of a less crowded, more open community remains an overriding goal, and recommended densities are therefore generally less than in other areas of the City. Insofar as uniformity is not a goal, variations in density are allowed based on qualifiers which encourage related objectives of preservation, variety, neo-traditional design and executive housing.

Zoning

Zoning cannot assure that any particular type or quality of development actually occurs, but it can be used to reserve land for the desired development by preventing other types of development from occurring. The AG district may be utilized for acceptable development, however, it is suggested that the minimum unit size in AG be increased to 2,500 square feet. On the other hand, any property owner or developer wishing to utilize a higher density than AG allows must request rezoning where the review procedures can be used to evaluate whether a proposal satisfies these stated objectives and criteria. The successful applicant will need to provide a complete picture of the proposed development, its features, its amenities and the quality of design. The Planning and Zoning Commission and City Council, however, retain full discretion in determining whether a proposed development of less than one house per acre should be approved.

Executive Housing

Aside from the upgrading to second tier, move-up housing, there is an objective to assure that the opportunity to attain some executive home neighborhoods is not lost. The City should assume an active role in the process to promote the creation of the needed environment for the developer, homebuilder and consumer to have their investments protected. This may come about through joint efforts in which the City and the development community mutually support each other's roles.

DESIGN FEATURES, AMENITIES AND DENSITY STANDARDS

"Density with design" can be used to retain a feeling of openness and to establish a quality residential environment by assuring design features and amenities which increase quality and mitigate the impacts of increased density, thereby also assuring neighborhood livability and long-term viability.

While design features and amenities can mitigate some of the impact of increasing density, the creation of a less crowded, more open community remains an overriding goal, and recommended densities are therefore generally less than in other areas of the City. Insofar as uniformity is not a goal, variations in density are allowed based on qualifiers which encourage the related objectives of preservation, variety, neo-traditional design and executive housing.

Sensitivity To The Natural Environment Through Preservation

Topography

- Retain natural drainageways/no mass grading
- Street and lot layout compatible with topography

Water Features

- Retention and enhancement of existing water features (ponds)

Trees

- Preservation of significant groves of trees

Flood Plains

- Preservation of flood plains (reclamation may be considered in some situations)
- Street layouts which provide public access along flood plain/greenbelts for both visual and physical access (Generally at least 50% of the flood plain frontage should be fronted by parkway streets)
- Waiver of alleys along all open space areas

Creation Of Distinctive Neighborhoods Through Unique, Coordinated Design

If a development is over 100 acres in size, each neighborhood of 40 – 100 acres should have individual identity tied together by a common theme.

Arterial Screens and Buffering

- Provision of upgraded landscaping, buffering, and screening along arterial streets with 15-foot landscape easement in addition to ROW, including meandering 8-foot trails, buffering trees, and shrubbery/ornamental trees
- Use of berms, wrought iron and landscaping to provide screening by using open ended cul-de-sacs or other layouts which do not place rear of lots adjacent to arterial streets; solid brick screening is required where rears of lots are adjacent to arterial streets
- *Entryway Design and Features*
- Professionally designed entry monument of brick/stone with landscaping, irrigation, pavement treatments and lighting
- Divided entry streets with median landscaping and irrigation
- Pavement treatments at entryway and key intersections/special locations
- Linkage of entryway to central focal space

Uniform, Coordinated Design Elements and Fixtures

- Use of common brick/stone elements in entry monuments, screening walls, retaining walls, mailboxes, etc.
- Distinctive, special lighting fixtures and other fixtures/signage
- Uniform, consistent mailbox design
- Consistent restrictions on fencing along open space

***Enhancement Of
Neighborhood
Livability Through
Visual And
Recreational
Opportunities***

Each neighborhood of 40 – 100 acres should provide visual and recreational opportunities.

Neighborhood Open Space

- A minimum of 5% of the gross area of the development (excluding flood plain, school sites, municipal park sites, and retail zoning), or two acres, whichever is greater, shall be allocated to squares or parks

Neighborhood Visual Focus

- Within each neighborhood, at least one square or park no smaller than one acre shall be provided to create a central focal point, generally within 600 feet of the geographic center of the neighborhood. Linking the entry features and central focal space is encouraged to enhance both.
- Each square or park shall include either a visual feature (fountain, gazebo, pond, statue, etc.) or an activity area (play area, sport court, amenity center, etc.)

***Provisions Of
Pedestrian-Friendly
Environments******Accessibility***

- Overall block lengths and perimeters should generally be limited to assure cross access and connectivity within the neighborhood. Where long block lengths are necessary, a dedicated alley or pathway should be provided through the block for access.
- Internal hike and bike trails to be looped and to provide connection to squares and parks, school sites, retail, adjacent neighborhoods and to existing or proposed Citywide trail systems

Pleasant Walking Conditions

- Two shade trees (minimum 3-inch caliper) shall be planted on each lot to shade the sidewalk and street. Trees must be selected from the Tree Schedule or approved by the City Arborist

Minimized Vehicular Impacts

- Where front drives are approved, garages must be a minimum of ten feet behind the façade of the house
- Street design which "calms" traffic: curvilinear, median and side planting areas, traffic circles at 4-way intersections, etc.

***Assurance Of Long-
Term Viability And
Maintenance******Quality of Construction***

- 100% masonry on front façade/75% on remaining sides
- 100% brick or stone on chimneys or gas vented fireplaces with no chimneys
- Provision of front yard sod and irrigation
- Minimum home size of 2,000 square feet
- Homes "wired" for security and communications (Category-5 wiring/ internet broadband/DSL)

Enforcement Capability and Maintenance

- Deed restrictions (RV, accessory buildings, upkeep). Etc.
- Mandatory HOA – responsible for maintenance of common areas and landscaping (assignment to City in case of default)
- A cash-flow analysis of HOA dues at build-out

Density Standards

If one acre lot development as permitted in the AG-Agriculture district is not desired, alternative densities may be proposed in accordance with the following guidelines and will be evaluated on the basis of how well the proposal contributes to the achievement of the goals and objectives set out earlier in this recommendation, in particular, "long-term viability and value" and "move-up and executive housing" and overall harmony with surrounding development. These options can achieve these objectives through design, quality and amenities which compensate for the increase in density. Although general parameters are suggested for each option, it will be the role of the Planning Commission and the City Council to finally determine whether a proposal meets the City's expectations and objectives, whether details of the proposal justify modifications in the general criteria, and whether zoning can assure that the development will take place as proposed. The Planning and Zoning Commission and City Council retain full discretion in determining whether a proposed development on a property with AG-Agriculture zoning should be approved.

Option 1-- 20,000 Square Foot Lot

- This option may be used on any size tract.
- Minimum lot size of 20,000 square feet with 100-foot width.
- Minimum home size of 2,500 square feet.
- All basic design features and amenities must be satisfactorily addressed; provided that some layouts may not require neighborhood open space, neighborhood visual focus or pedestrian accessibility and walking conditions to be addressed.
- Waiver of alleys may be considered.

Option 2 -- 10,000 Square Foot Lot

- This option is primarily for use on tracts of less than 400 acres.
- Minimum lot size of 10,000 square feet with 85-foot width.
- Requires enhancement of design features and amenities to create a distinctive, unique environment.
- Additional adjustment of the minimum lot size and/or widths may be considered when justified by special design, a coordinated amenity package and/or design/architectural controls assuring a common theme such as neotraditional design or layouts which emphasize preservation of unique physical elements. The latter may include clustering of density provided that zero lot line/townhome products are accommodated in small clusters related to open space and/or scattered throughout the section where clustering is proposed. And, provided that overall density is not increased significantly.
- Waiver of alleys may be considered.

Option 3 – Master Planned Community

- This option is intended for tracts which are a minimum 400 acres in size and which are under master covenants and a master HOA which assures coordinated development and maintenance in terms of design, theme, materials, amenities, etc.
- Requires enhancement of design features and amenities to create a distinctive, unique environment.
- Requires submission of a density distribution plan which sets out the proportion of lot size minimums/densities proposed for various residential sections of the development. The density distribution plan must, at a minimum, address the following issues: (1) Establish minimum areas by acreage and/or minimum numbers of units which will be provided in residential sections with 20,000 square foot and with 10,000 square foot lot minimums, respectively; and (2) Establish maximum areas by acreage and/or maximum numbers of units which will be allowed in residential sections with lot minimums of less than 10,000 square feet. Separate maximums shall be provided for lot minimums under 9,000 square feet; under 7,200 square feet; and under 6,000 square feet, respectively.
- The overall target density for such communities will be 2.5 units per net acre (total land exclusive of unreclaimed flood plain); provided, however, that further adjustment of density may be justified by special design, a coordinated amenity package and/or design/architectural controls assuring a common theme such as neotraditional design or layouts which emphasize preservation of unique physical elements. The latter may include clustering of density provided that zero lot line/townhome products are accommodated in small clusters related to open space and/or scattered throughout the section where clustering is proposed.

ZONING

Zoning cannot assure that any particular type or quality of development actually occurs, but it can be used to reserve land for the desired development by preventing other types of development from occurring. The AG district may be utilized for acceptable development, however, it is suggested that the minimum unit size in AG be increased to 2,500 square feet. On the other hand, any property owner or developer wishing to utilize a higher density than AG allows must request rezoning where the review procedures can be used to evaluate whether a proposal satisfies the stated objectives and criteria. The successful applicant will need to provide a complete picture of the proposed development, its features, its amenities and the quality of design. The Planning and Zoning Commission and City Council retain full discretion in determining whether a proposed development on a property with AG-Agriculture zoning should be approved.

Detailed Application Required

All applicants for rezoning from AG-Agriculture must submit a comprehensive Planned Development district package which details the quality design features and amenities incorporated in the development to mitigate density increases. Applicants will generally find it necessary to assemble a bound-copy document with subheadings, verbal descriptions, concept maps, and drawings/exhibits to illustrate various features, design and amenities. To be considered adequate to enable full evaluation, an application for rezoning in Southeast Mesquite must address the following elements as a minimum.

Submission Requirements

- Application form, including owner's acknowledgment and boundary survey
- General statement outlining the nature and objectives of the project and its design
- Concept plan indicating layout of proposed uses, access, existing natural features and the relationship to adjoining properties and uses
- Description and illustration of design features and amenities:
 - Sensitivity to the natural environment through preservation
 - Creation of distinctive neighborhoods through unique, coordinated design
 - Enhancement of livability through visual and recreational opportunities
 - Provision of pedestrian-friendly environments
 - Assurance of long-term viability and maintenance
- Description and mapping of proposed densities:
 - Compliance with density standard
 - Outline of density qualifiers used and justifying descriptions
- Table of proposed standards, listing of proposed development standards for each use and including at a minimum density, lot size, unit size, setbacks, building height, etc.

EXECUTIVE HOUSING

As a separate consideration from upgrading the majority of the southeast quadrant to second tier move-up housing, there is an objective to assure that the opportunity to attain some executive home neighborhoods is not lost. The City should assume an active role in the process to promote the creation of the environment needed for the developer, homebuilder and consumer to have their investments protected. This may come about through joint efforts in which the City and the development community mutually support each other's roles.

Definition

The Task Force stresses parameters for the establishment of second tier move-up neighborhoods, generally defined as \$250,000 plus in current value. While some qualifiers may allow first tier move-up housing, the target is homes in the second tier. The Task Force recommends reserving at least one area as an executive home neighborhood(s). Executive home will mean, at a minimum, custom builders (individual builders on each lot or series of lots); larger than average sizes, minimum 3,000 square feet; stated quality materials and design including percent brick/stone, ceiling height, roofing materials, flooring material upgrades, cabinetry, etc. indicative of quality and value. This level home is generally defined as \$400,000 plus in current value. Such neighborhoods should be encouraged where surrounding land is also undeveloped, so that the neighborhood can be expanded if successful.

Pro-Active Campaign

As noted previously, the Task Force concluded that regulatory power, i.e., zoning, cannot require that executive home development occur. The City should therefore assume a role of encouraging and enabling the developer, the homebuilder, and the consumer to venture into this area. Pro-active initiatives which seek out contacts and opportunities was one area previously recommended by the Executive Housing Task Force.

Public Relations

Efforts should be continued in educating the media and public to spread word of the quality of life and facilities in the City, thereby attracting the interest of potential residents, businesses, and developers through improved image.

Property Owner Negotiation

Negotiation with the owners of the selected undeveloped tracts, in particular those that are master planned, should be initiated to encourage inclusion of an executive home neighborhood(s) in the planning for the property's development.

Developer Solicitation

The Executive Housing Task Force also recommended that contact be made with "major" developers who could assemble all parcels and master plan a project for the entire area.

Participation In Capital Improvements

The Executive Housing Task Force also concluded that financial participation by the City may be needed in order to convince investors and developers to commit to an executive housing project in a relatively unproven market area. The City's participation in front-end costs, such as the extension of roadways and/or utilities, can create the financial support, reducing the amount of risk taken and thereby overcoming the reluctance to enter an unproven market.

City Infrastructure Participation

In order to support a desired proposal, the City could consider participating in the costs of extending infrastructure to serve the neighborhood. Such participation should generally be limited to portions of Citywide systems such the construction of arterial or major collector streets, extension of major sewer or water lines and/or installation of major drainage systems assist in serving the proposed developments. The preferred participation method would be to provide reimbursement upon the development meeting a set target in regard to executive housing.

City Amenity Participation

In order to support a desired proposal, the City could consider participating in the costs of constructing major amenities which enhance the community's desirability, such as improvements and facilities in the major greenbelt areas. The developer and City may wish to consider establishment of a public improvement district (PID) whereby future residents pay an additional tax to cover the cost of the facilities. Prior to City participation, an agreement should be in place regarding the development/construction of the executive home section.