

ORDINANCE NO. 4180
File No. 1031-19-2011

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 COMMERCIAL WITH THE MESQUITE ARENA/RODEO ENTERTAINMENT (MA/RE) OVERLAY TO PLANNED DEVELOPMENT – COMMERCIAL-GATEWAY WITH THE MA/RE OVERLAY ON PROPERTY LOCATED AT 410 RODEO CENTER BOULEVARD; THEREBY ALLOWING A GATEWAY SIGN SUBJECT TO CERTAIN STIPULATIONS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR 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 so as to approve a change of zoning from Commercial with the Mesquite Arena/Rodeo Entertainment (MA/RE) Overlay to Planned Development – Commercial-Gateway with the MA/RE Overlay subject to the following stipulations:

1. In addition to any signage permitted through the Mesquite Sign Ordinance, one gateway sign may be permitted.
2. The uses permitted in the PD shall be the uses permitted in the Commercial zoning district as modified by the Mesquite Arena / Rodeo Entertainment Overlay district, as amended.
3. Thirty-six months from the date of this ordinance, if no application has been made for a building permit for a gateway sign, the Director of Community Development shall initiate rezoning of the Planned Development to a zoning classification consistent with the Mesquite Comprehensive Plan.

That the subject property is an undeveloped 6.53-acre tract located at 410 Rodeo Center Boulevard and further described as McKinney and Williams Abstract 1031, Page 550, Tract 13, as shown in Exhibit "A."

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Exhibit "A"



SECTION 2. 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 3. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite including Ordinance No. 3042 codified in Chapter 11 of the Mesquite City Code.

SECTION 4. 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 5. 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 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

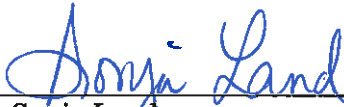
SECTION 7. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 17th day of October, 2011.




John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney