

ORDINANCE NO. 4320
File No. 170-29-2014

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 PLANNED DEVELOPMENT - R-3 RESIDENTIAL TO PLANNED DEVELOPMENT - COMMERCIAL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 1350 NORTH BELTLINE ROAD THEREBY ALLOWING MINIWAREHOUSES 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 DOLLARS (\$2,000.00) 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 all 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 Planned Development - R-3 Residential to Planned Development - Commercial with a Conditional Use Permit to allow miniwarehouses subject to the following stipulations:

1. As part of this planned development, a Conditional Use Permit is hereby granted for miniwarehousing.
2. All storage shall be contained within an enclosed building.
3. Overhead doors shall be prohibited facing Belt Line Road in Buildings A and B.
4. All buildings and walls shall comply with the Community Appearance Manual and shall be built to match Exhibit "A," to include 360 degree full unitized masonry, full unitized stone base and massing elements, with EFIS cap. In addition:
 - a. There shall be no faux windows.

- b. All ground level windows shall provide unobstructed views to the building's interior or to a lit display area extending a minimum of three feet behind the window. Any items being stored within the buildings or individual storage units shall not be visible to the general public.
- c. The eave or cap of the front façade shall be a minimum of 13 feet in height.
5. Landscaping shall be equal to 12.5 percent of the site with 50 percent being between the front façade of Buildings A and B and the right of way line.
6. If located outside the entry gate, dumpsters shall be screened with a façade that is consistent with the aesthetics of the main buildings.
7. The liner building requirement of Section 13-502(C)(3) shall not be required for Buildings A and B. Buildings A and B may be converted to liners at a future date to be occupied by uses permitted-by-right in the General Retail district; provided that no minimum ceiling height shall be required for those portions of Buildings A or B used as miniwarehouse space.
8. Minimum of nine parking spaces required behind the front facades of Buildings A and B.
9. A sidewalk shall be required along the Belt Line Road frontage.
10. Development shall comply with all other provisions of the Zoning Ordinance and other ordinances of the City.

That the subject property is currently an undeveloped 3.78-acre tract located at 1350 North Belt Line Road and is more fully described in Exhibit "B" attached hereto.

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 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 Code of the City of Mesquite.

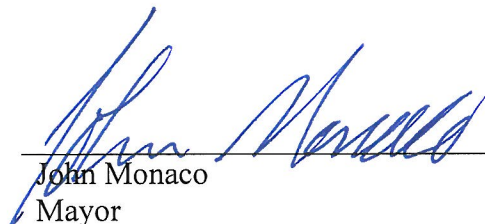
SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 6. That any person (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.

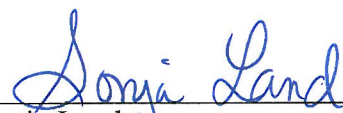
SECTION 7. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the 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 7th day of July, 2014.



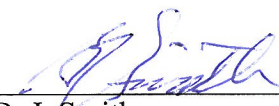
John Monaco
Mayor

ATTEST:

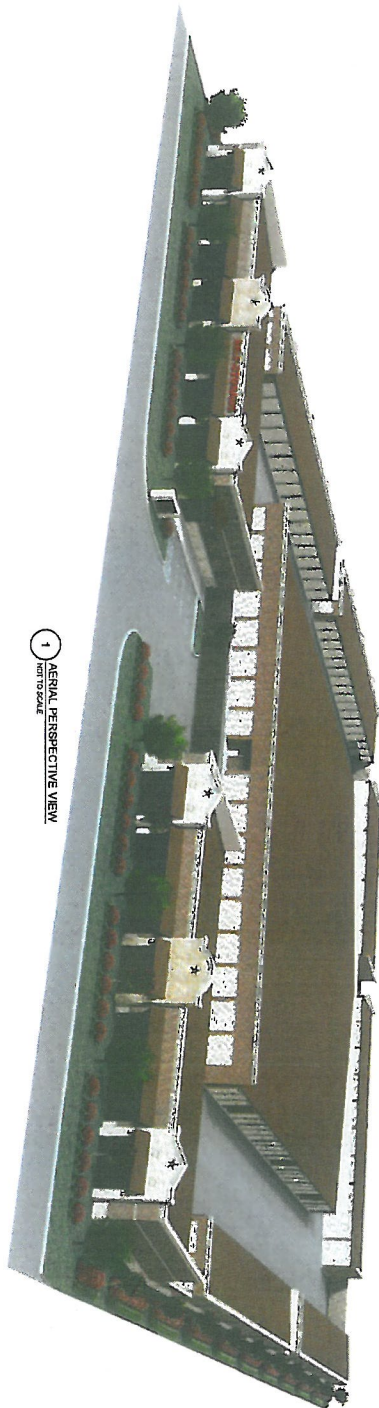


Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney



1 AERIAL PERSPECTIVE VIEW
NOT TO SCALE

PRELIMINARY - NOT FOR CONSTRUCTION

<p>4700 KENNEL BL. FORT WORTH, TX 76103 PH: 817-524-4877 FAX: 817-524-1248 WWW.BUILDSTYS.COM</p>	<p>JTB BUILDING SYSTEMS, LLC</p>	<p>DATE: 03/24/2014</p>	<p>PROJECT: AERIAL VIEW</p>	<p>PROPOSED NEW FACILITY: SELF-STORAGE 1350 N BELT LINE RD. MESQUITE, TEXAS 75149</p>	<p>NO. 1</p>	<p>REVISION</p>
		<p>DATE: 03/24/2014</p>	<p>DESIGNER: JTB</p>		<p>NO. 1</p>	<p>NO. 1</p>

Exhibit A

A2

