

ORDINANCE NO. 5071
File No. Z0723-0313

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM PLANNED DEVELOPMENT – LIGHT COMMERCIAL (ORDINANCE NO. 4510), COMMERCIAL, AND LIGHT COMMERCIAL TO PLANNED DEVELOPMENT – LIGHT COMMERCIAL (ORDINANCE NO. 4510), COMMERCIAL, AND LIGHT COMMERCIAL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 16160, 16190, AND 16200 INTERSTATE HIGHWAY 635 TO ALLOW NEW AND USED VEHICLE SALES SUBJECT TO CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the City Council, in compliance with the Charter of the City of Mesquite, state laws and the zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject property; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

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

SECTION 1. That the subject property is approximately 13.187 acres, platted as Oates Corners Retail, Block A, Lot 2B, Part of 1R, 4R, 5R1, 5R2, in the City of Mesquite, Dallas County, Texas, and is located at 16160, 16190, and 16200 Interstate Highway 635 (the “**Property**”).

SECTION 2. That the Mesquite Zoning Ordinance (“**MZO**”) is amended by approving a change of zoning from Planned Development – Light Commercial (Ordinance No. 4510), Commercial, and Light Commercial to Planned Development – Light Commercial (Ordinance No. 4510), Commercial, and Light Commercial with a Conditional Use Permit (“**CUP**”) to allow new and used vehicle sales with an outdoor display lot with the following stipulations:

1. Each vehicle on display must be parked/displayed fully within a striped parking space or inside of a building.
2. Vehicles for sale may be displayed on ramps.

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3. Before the issuance of a Certificate of Occupancy, the Property shall be brought into full compliance with the City Code, including but not limited to the Mesquite Zoning Ordinance regarding landscaping, parking, fencing, screening and all other requirements applicable to the uses on the Property.

SECTION 3. 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; otherwise, they shall remain in full force and effect.

SECTION 4. The Property shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance, as amended.

SECTION 5. 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. Any violation of the provisions or terms of this Ordinance by any "person," as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite Zoning Ordinance, Part 5, 5-100, [Section 5-103](#) (General Penalties), or successor and as amended.

SECTION 7. This Ordinance shall be published in the City's official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 8. 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 2nd day of October 2023.

DocuSigned by:

Daniel Aleman Jr.

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Daniel Alemán, Jr .
Mayor

ATTEST:

DocuSigned by:

Sonja Land

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Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

DocuSigned by:

David Paschall

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David L. Paschall
City Attorney