

ORDINANCE NO. 5105
File No. Z0324-0355

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL WITHIN TOWN EAST RETAIL AND RESTAURANT AREA (“TERRA”) OVERLAY DISTRICT TO COMMERCIAL WITHIN TERRA OVERLAY DISTRICT WITH A CONDITIONAL USE PERMIT (“CUP”) ON PROPERTY LOCATED AT 3795 WEST EMPORIUM CIRCLE TO ALLOW OUTDOOR STORAGE AND MODIFY THE OUTDOOR STORAGE SCREENING REQUIREMENTS BY ALLOWING A METAL FENCE AS OUTLINED IN THE CONCEPT PLAN; REPEALING ALL OTHER ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED \$2,000.00; 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. The subject property is approximately 2.1839 acres, platted as Emporium, Block B, Lot 14, and located at 3795 West Emporium Circle (the “**Property**”).

SECTION 2. The Mesquite Zoning Ordinance (“**MZO**”) is amended by approving a change of zoning from Commercial within Town East Retail and Restaurant Area (“**TERRA**”) Overlay District to Commercial within TERRA Overlay District with a Conditional Use Permit (“**CUP**”) for the Property to (a) allow outdoor storage only at the location identified as “Location of new enclosure” in the Concept Plan, attached hereto as Exhibit A and incorporated herein by reference, and (b) modify the outdoor storage screening requirements by allowing a metal fence as outlined in the Concept Plan attached as Exhibit A. The CUP is approved solely for Sharing Life Community Outreach, and the CUP shall not be transferable or assignable to a different owner or business. A different business applicant desiring to continue this use must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the MZO for initial approval of a CUP.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed; otherwise, they shall remain in full force and effect.

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SECTION 4. 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, 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 6th day of May 2024.

DocuSigned by:
Daniel Aleman Jr.
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Daniel Alemán, Jr.
Mayor

ATTEST:

DocuSigned by:
Sonja Land
C2518095973F46A...

Sonja Land
City Secretary

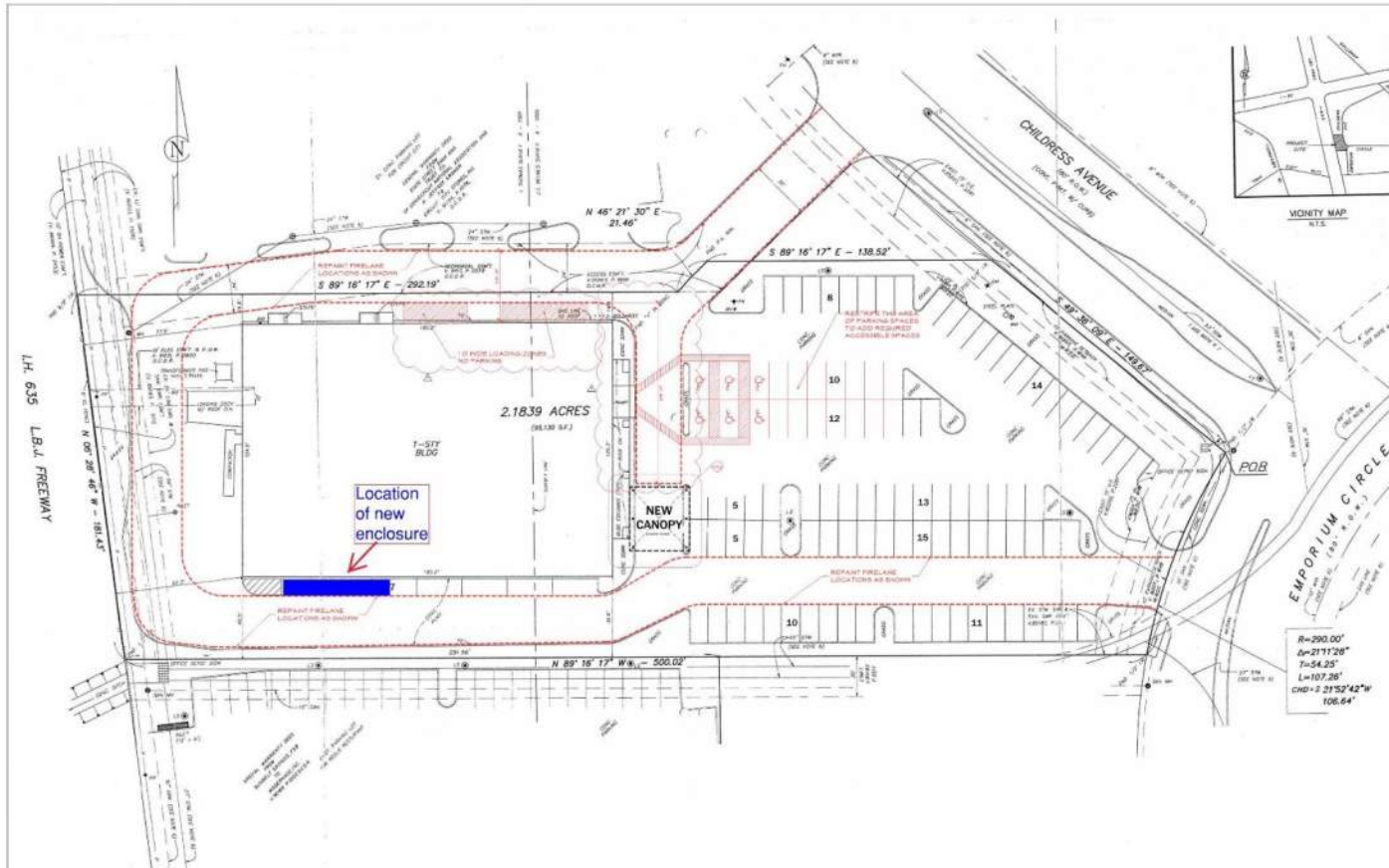
APPROVED AS TO LEGAL FORM:

DocuSigned by:
David L. Paschall
666E18891208434...

David L. Paschall
City Attorney

File No.: Z0324-0355
 Conditional Use Permit

EXHIBIT A – CONCEPT PLAN



Parking Requirements		
Use	Area	Required
M-Mercantile - 1/1000 SF	5,276	5
S-1 Warehouse - 1/1000 SF	17,224	18
B-Business - 1/300 SF	7,908	27
E-Classroom - 1/110 SF	480	48
Total Required		99
Total Provided		110
Accessible Required		5
Accessible Provided		6

1 SITE PLAN
 Scale: 1" = 20' 0"



REV.	DESCRIPTION

SHARING LIFE
 3795 EMPORIUM CIRCLE
 MESQUITE, TEXAS



SITE PLAN

READY FOR CONSTRUCTION

A1.01

DATE: 01/20/2024