

ORDINANCE NO. 5019
File No. Z0223-0292

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING TO AMEND PLANNED DEVELOPMENT ORDINANCE NOS. 4595 AND 4799 TO REMOVE THE REQUIREMENT FOR SENIOR LIVING RESIDENTIAL DEDICATED TO ADULTS 55 AND OVER IN TRACT 2A, WITHIN THE IRON HORSE VILLAGE PLANNED DEVELOPMENT GENERALLY LOCATED SOUTHWEST OF RODEO CENTER BOULEVARD AND WEST SCYENE ROAD; REPEALING ALL PORTIONS OF 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 (“**Property**”) includes approximately 56 acres within the Iron Horse Village Planned Development, generally located south of West Scyene Road and west of Rodeo Center Boulevard in Mesquite, Dallas County, Texas and more specifically located at 1900 and 2000 West Scyene Road, 21713 and 21717 IH-635, 1703 and 1705 Rodeo Drive, and 417 Rodeo Center Boulevard, as more particularly described in Exhibit “A” to Ordinance No. 4595.

SECTION 2. The Mesquite Zoning Ordinance is amended by approving a change of zoning to amend Planned Development Ordinance Nos. 4595 and 4799, both incorporated herein by reference, to remove the requirement for senior living residential dedicated to adults 55 and over, also previously labeled as Senior Targeted Area, in Tract 2A of the Property as shown on the Concept Plan attached as Exhibit B to Ordinance No. 4595, subject to the following stipulations:

- A. Section 1.6 of Ordinance No. 4595 concerning senior living residential uses is hereby repealed.
- B. Exhibit B to Ordinance No. 4595 and Exhibit F to Ordinance No. 4799 are hereby amended to delete the label “SENIOR TARGETED AREA” from Tract 2A.

Zoning / File No. Z0223-0292 / Amend PD Ordinances No. 4595 and No. 4799

April 17, 2023

Page 2 of 2

SECTION 3. All ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, but only 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 17th day of April 2023.

DocuSigned by:
Daniel Aleman Jr.
D999585317D142B...

Daniel Alemán, Jr.
Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

DocuSigned by:
Sonja Land
C2518095973F46A...

Sonja Land
City Secretary

DocuSigned by:
David Paschall
666E18891208434...

David L. Paschall
City Attorney