

RESOLUTION NO. 33-2005

A RESOLUTION OF THE CITY OF MESQUITE, TEXAS, PROVIDING FOR THE TEMPORARY SUSPENSION OF THE ACCEPTANCE AND FILING OF APPLICATIONS FOR ZONING, PLATS, SITE PLANS, BUILDING PERMITS AND OTHER DEVELOPMENT APPLICATIONS FOR NONRESIDENTIAL DEVELOPMENT ALONG THE MILITARY PARKWAY CORRIDOR FOR A PERIOD OF TIME EXTENDING THROUGH DECEMBER 31, 2005; PROVIDING FOR DISCRETIONARY EXEMPTION AUTHORITY; PROVIDING FOR AN EXTENSION OF THE TEMPORARY SUSPENSION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Military Parkway corridor from IH 635 east to the downtown area is the primary entrance to the City's downtown area and, due to the close proximity of railroad tracks, is an area identified by North Central Texas Council of Governments with potential for transportation-oriented development; and

WHEREAS, the City Council finds that, as a corridor into the City's downtown and with its potential for transportation-oriented development, it is in the best interest of the citizens of Mesquite that the area be reviewed by City staff and the Planning and Zoning Commission for development of an overlay district establishing use and design guidelines for the area; and

WHEREAS, the City Council has determined that it is in the best interest of the public to temporarily suspend the acceptance and filing of zoning applications, plat applications, site plans, applications for nonresidential building permits and any and all other nonresidential development applications for all properties along the Military Parkway corridor pending review of the area; and

WHEREAS, the temporary suspension is for the purpose of allowing the City Council to study, in conjunction with the City's planning and administrative officials, the zoning, and use and design related issues and concerns presented by the development of the Military Parkway corridor and provide for conformity with the needs of the citizenry and the City's Development Guide, and, where the study deems appropriate, to implement comprehensive plan amendments and/or zoning changes to address the results of such study.

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

SECTION 1. That all of the above premises are hereby found to be true and correct legislative and factual findings of the City of Mesquite City Council and they are hereby approved and incorporated into the body of this resolution as if copied in their entirety.

SECTION 2. That the acceptance and filing of applications for zoning, plats, site plans applications for nonresidential building permits and any and all other nonresidential development applications along the Military Parkway corridor, an area further described in

Exhibit "A" attached hereto and made a part of this resolution for all purposes, are hereby temporarily suspended for a period of time beginning from the effective date of this resolution and extending through December 31, 2005. Although it presently is anticipated that the review and actions contemplated by this resolution will be completed by December 31, 2005, in the event that such review and/or actions have not been fully completed and implemented by said date the City Council may extend that period in 30-day increments by further resolution extending the effect of this resolution.

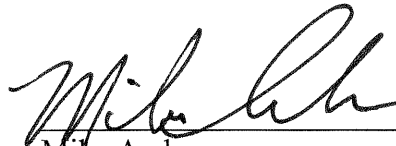
SECTION 3. That the conditions necessitating the temporary suspension of accepting and filing zoning, plat, site plans and all other development applications include the following:

1. The temporary suspension will allow the City Council the opportunity to continue to review, study and consider, in conjunction with planning professionals, the City Attorney and other City staff and officials, the zoning, design and development related issues and concerns of the City Council regarding the Military Parkway corridor in as expeditious a manner as possible, which will ultimately benefit the citizens and development community.
2. The temporary suspension will provide the City staff with additional time necessary to study, review and analyze the zoning and design standards currently in place in the Military Parkway corridor, identify all affected undeveloped land, and determine whether such zoning is in compliance with the City's Development Guide and/or whether such zoning is in the best interest of the citizens and development community.
3. The temporary suspension will allow City staff to devote adequate time and attention to the zoning, design and development related issues and concerns of the City Council regarding the Military Parkway corridor.
4. The temporary suspension will allow the City Council, if it desires, to amend the City's comprehensive plan and/or zoning ordinances and development policies and the City's official zoning district map to effectuate any City-initiated comprehensive plan amendments and/or rezoning of properties.
5. The temporary suspension will permit the posting of adequate, legally mandated public notices regarding the Planning and Zoning Commission's and City Council's consideration of any comprehensive plan amendments and/or City-initiated rezonings.
6. The temporary suspension will allow the City Council, City staff and the public to become familiar with the zoning, design and development related issues and concerns that may necessitate City-initiated comprehensive plan, amendment and/or the rezonings of the Military Parkway corridor.

SECTION 4. That the City Council may consider and grant an exception or waiver from the terms of this resolution in such cases where the City Council determines that a proposed project or development may be permitted without significant impact on the Military Parkway corridor, surrounding properties, the general welfare of the City of Mesquite, and the goals and purpose of this resolution.


SECTION 5. That this resolution shall take effect immediately from and after the date of passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 15th day of August, 2005.




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Mike Anderson  
Mayor

ATTEST:

  
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Judy Womack  
City Secretary

APPROVED:

  
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B. J. Smith  
City Attorney