

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 COMMERCIAL TO COMMERCIAL WITH A CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT 901 US HIGHWAY 80 EAST THEREBY ALLOWING A LIMITED SERVICE HOTEL 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 (\$2,000.00) DOLLARS 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 the 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 Commercial to Commercial with a Conditional Use Permit on property located at 901 US Highway 80 East to allow a limited service hotel subject to the following stipulations:

1. The limited service hotel shall be developed in accordance with the Concept Plan attached hereto as Exhibit "B."
2. A minimum of 80 guest rooms shall be provided.
3. All guest rooms shall be accessed via internal hallways.
4. Breakfast shall be made available to guests daily.
5. Fitness facilities shall be provided and maintained in good working order to include fitness equipment such as cardio and/or weight training equipment and a pool.
6. A meeting room of at least 1,000 square feet in size shall be available.
7. The property shall be maintained to the quality and standards set out in the franchise agreement with Marriott Corporation, including but not limited to those addressing renovation, management and operations.

That the subject property is located at 901 US Highway 80 East and is more fully described in the approved field notes attached hereto as Exhibit "A."

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 5th day of June, 2017.

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Stan Pickett  
Mayor

ATTEST:

APPROVED:



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Sonja Land  
City Secretary

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B. J. Smith  
City Attorney





This drawing is preliminary without the handwritten signature and date on the Architect's or Engineer's Seal.

**TERRY F. BREWER & ASSOCIATES**  
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**SPRINGHILL SUITES®**  
901 E. U.S. Hwy 80  
Mesquite, TX  
MARRIOTT

Job # 9017-I  
Date: 3/4/07  
File: A10-Site-477.dwg  
Drawn By: Mike  
Revisions:

Sheet No.  
**A10.0**

87,170 SF TOTAL SITE AREA  
8717 (10%) LANDSCAPING REQ'D  
9250 (10%) PROVIDED

1 SHADE, EVERGREEN, CF  
3 ORNAMENTAL TREES  
PER 500 SF REQUIRED  
LANDSCAPE AREA

1 TREE PER 15  
PARKING SPACES

11 SHADE and 42  
ORNAMENTAL  
TREES SHOWN

**LANDSCAPE MAINTENANCE NOTE:**

Landscape Maintenance: The property owner, tenant and the agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping and irrigation. All required landscaping shall be maintained in a healthy, neat, live-growing and orderly condition at all times. This shall include mowing, edging, pruning, fertilizing, watering, irrigation, weeding, and other such activities common to the maintenance of landscaping. Landscaped areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant materials shall be maintained in a healthy and growing condition as is appropriate for the season of the year. Plant materials which die shall be replaced with plant material of similar variety and size. All irrigation heads or lines which are broken and low water shall be replaced or repaired immediately to prevent the waste of water.

PROVIDE BUFFALO GRASS  
ALL UNPAVED AREA

Transformer pad  
E301

Echelon at  
Mission Ranch  
(Apartments)

Zoning  
A-MFR

BUFFER TREE LINE  
- 1 ORNAMENTAL  
TREE PER 15'

Echelon at  
Mission Ranch  
(Apartments)

Zoning  
A-MFR

BUFFER TREE LINE  
- 1 ORNAMENTAL  
TREE PER 15'

Zoning  
A-MFR

BUFFER TREE LINE  
- 1 ORNAMENTAL  
TREE PER 15'

5' CONTINUOUS  
LANDSCAPE STRIP  
PLUS 2' WIDE  
SCREEN WALL

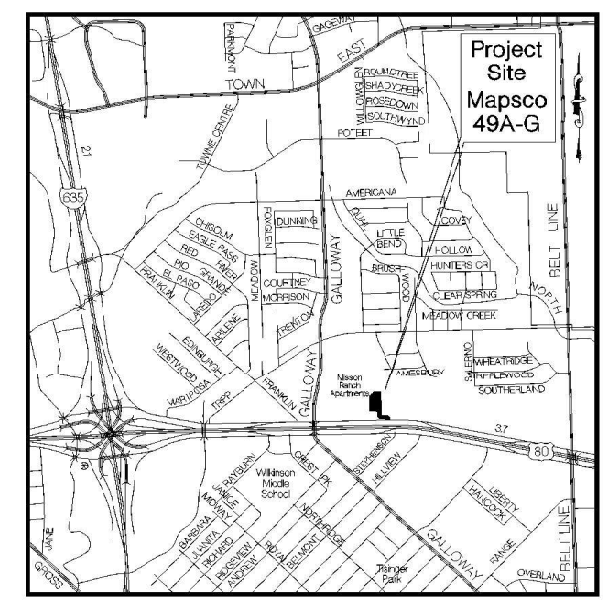
59,500 sf total  
including canopy.  
14,800 sf 1st Floor  
Maximum Height 65'  
top of parapet

87 parking spaces, 5 of which are TAS, and 3  
of which are Electric Vehicle Only. Another 3  
Loading Zone Spaces are provided

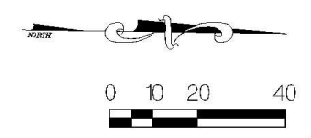
Construction Type V-A  
Occupancy Group R-1 Hotel  
NFPA 13R Sprinkler

80 rooms  
4 Story  
31 Kings (39%)  
49 QQ (61%)  
1080 sq ft meeting

The development of the site will be in accordance with City of Mesquite development standards. This Zoning Concept Plan is for illustrative purposes only and subject to change. This Zoning Concept Plan is intended to describe the intent of the Development. Significant deviations from this Zoning Concept Plan, as determined by the Director of Planning, will require an amendment to the Conditional Use Permit.



**1 SITE PLAN**



TAS/ADA GENERAL SITE NOTES	
Texas Accessibility Standards / (ADA) Americans with Disabilities Act, article number	
1) These notes shall supersede any grades shown on any plans. Bring to the attention of the Architect and Civil Engineer any discrepancies.	
2) Cross slope on any sidewalk shall not exceed 2 per cent. *403(3)	
3) Slope in any direction in mobility impaired parking spaces shall not exceed 2 percent. *502(4)	
4) Slope in any direction in set out areas shall not exceed 2 per cent. *503(4)	
5) Maximum slope along any sidewalk or mobility impaired route shall not exceed 5 per cent. Cross slope on any route shall not exceed 2 per cent. *403(3)	
6) Ramps exceeding 5 per cent shall have hand rails on both sides. Ramps can not rise more than 30" without landings. *405(1) Ramps can not rise more than 1/2" *405(1) Landings to meet ADA requirements. *405(8)	
7) All outside doors shall have ADA landings. Landing slopes shall not exceed 2 per cent in any direction. All exterior door shall have no more than 1/4" to 1/2" ADA level change, this shall include the threshold. *404(2)	
8) Curb ramp can not exceed 1/2" and can not rise more than 5". Curb ramp side flare can not exceed 1/10 and can not rise more than 6". Ramps can not extend into a parking lot or area. *406(1)	
9) Slope in any direction at swimming pool deck or under ramps shall be less than 1/12 per cent.	
10) One space of each type of electric vehicle charging station must conform to requirements for mobility impaired parking spaces and shall not exceed 2 percent slope in any direction. An 36" accessible route must be provided on both sides of these spaces. It also must conform to ADA parking slope requirements.	

E. U.S. Hwy 80 Service Road  
Variable R.O.W