

ORDINANCE NO. \_\_\_\_\_  
File No. Z1218-0080

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CHANGE OF ZONING FROM COMMERCIAL WITHIN THE TERRA OVERLAY DISTRICT TO PLANNED DEVELOPMENT – COMMERCIAL WITHIN THE TERRA OVERLAY DISTRICT ON PROPERTY LOCATED AT 1505, 1515, 1519, 1601, 1645, 1649 AND 1705 NORTH TOWN EAST BOULEVARD; ALLOWING REVISED SIGN REGULATIONS 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; 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 Mesquite Zoning Ordinance is amended by approving a change of zoning from Commercial within the TERRA Overlay District to Planned Development – Commercial within the TERRA Overlay District to allow revised sign regulations subject to the following stipulations:

- (1) The boundary of the Planned Development (“PD”) shall be limited to those lots identified on attached Exhibit “A.”
- (2) The tower-type ground sign shown on Exhibit “B” shall be allowed to have up to 450 square feet of signage on each of the four sides of the tower.
- (3) An oversized multi-tenant monument sign shall be permitted as shown in Exhibit “C” and located as shown on Exhibit “D,” provided that the sign complies with the City’s traffic visibility requirements.
- (4) Freestanding signs permitted by this ordinance may advertise any business located within the PD, regardless of individual lot lines, without being considered off-premises (billboard) signage.

SECTION 2. That the subject properties are described as being The Emporium Phase 1, Block A, Lots 1AR, 1BR, 1CR and 5, and The Emporium Phase II, Block C, Lots 1R, 2

and 4, City of Mesquite, Dallas County, Texas, and located at 1505, 1515, 1519, 1601, 1645, 1649 and 1705 North Town East Boulevard.

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

SECTION 4. That the property described in Section 2 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. 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 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 18th day of February 2019.

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Stan Pickett  
Mayor


ATTEST:

APPROVED:

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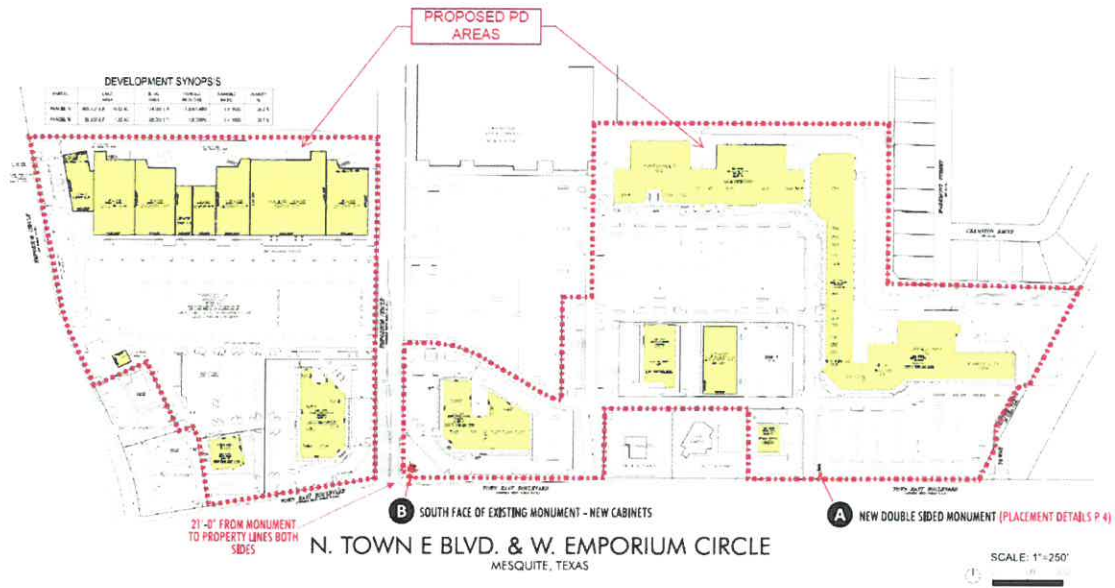
Sonja Land  
City Secretary

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David L. Paschall  
City Attorney

Planned Development Boundary

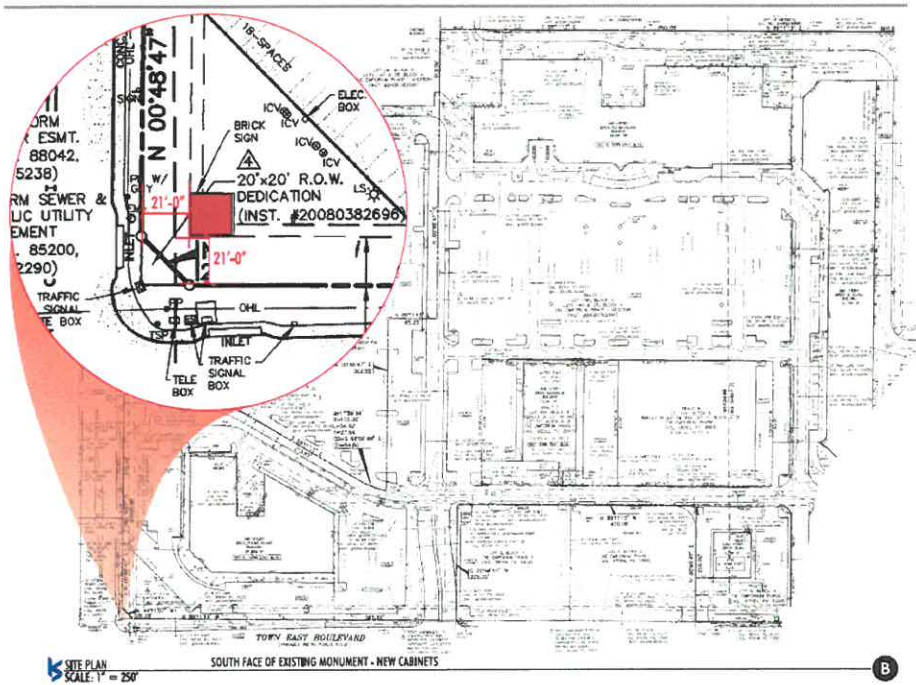
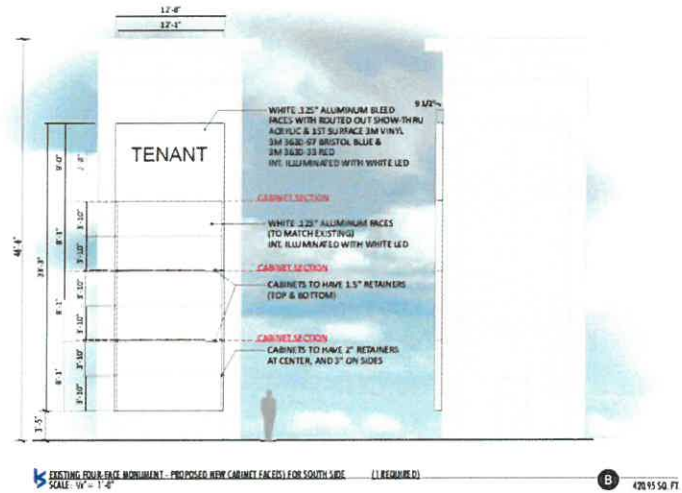




**SOUTH FACE OF EXISTING 4-SIDED MONUMENT - PROPOSED**

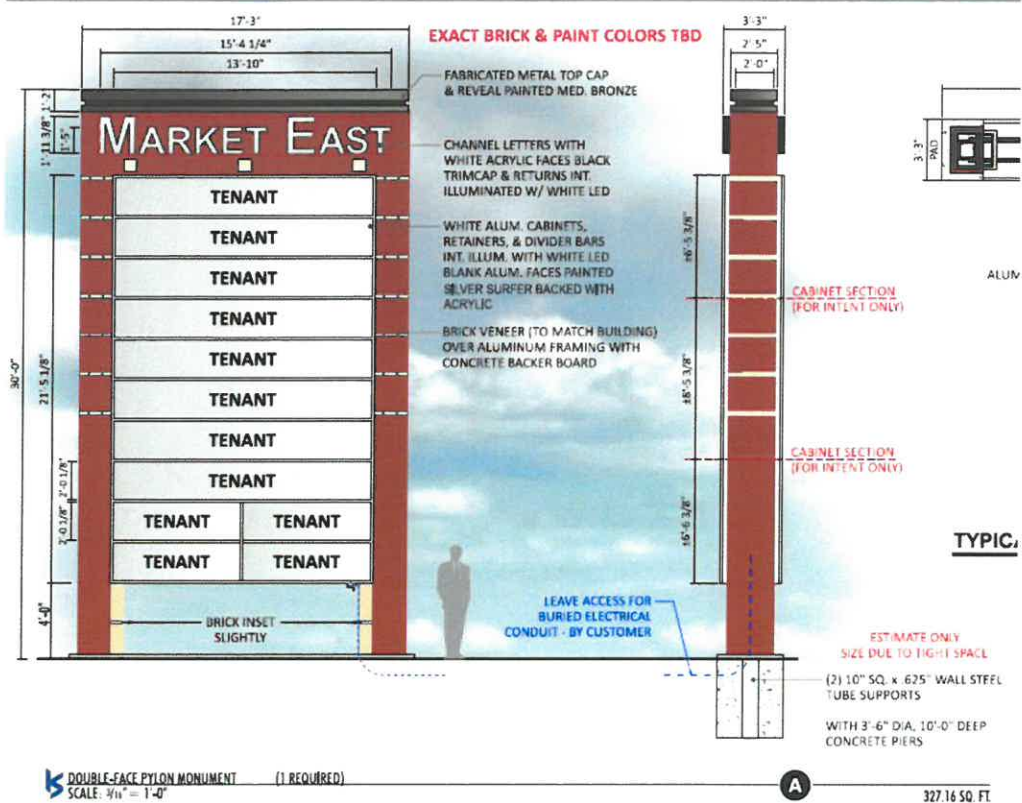


**SOUTH FACE OF EXISTING 4-SIDED MONUMENT - CURRENT CONDITION**  
**NOTES:**



**MESQUITE TEXAS**  
*SITE PLAN*





**MESQUITE TEXAS**  
*SITE PLAN*

