

## Legislation Details (With Text)

**File #:** 20-4953      **Version:** 1      **Name:** Res - Iron Horse Dev Agmt, 3rd Amdt  
**Type:** Agenda Item      **Status:** Passed  
**File created:** 8/4/2020      **In control:** City Council  
**On agenda:** 8/17/2020      **Final action:** 8/17/2020

**Title:** A resolution authorizing the City Manager to finalize and execute a Third Amendment to the Iron Horse Development Agreement to (i) amend certain definitions; (ii) amend Section 2.02(a) "Project Overview - Iron Horse Development"; (iii) amend Section 6.04(a) "Zoning of the Property"; and (iv) amend and replace Exhibit C, "Concept Plan", Exhibit I, "Development Standards", and Exhibit K, "Fencing Plan", to allow an amenity center and a convenience store with fuel sales, to modify the screening wall requirements, and to provide that the development of the property commonly referred to as "Iron Horse Village" and being generally located north of Rodeo Drive, south of Scyene Road (also known as State Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard within the corporate limits of the City of Mesquite in Dallas County, Texas, shall be in compliance with the Concept Plan and Development Standards, as amended.  
(This item was postponed at the August 3, 2020, City Council meeting).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution, 2. Iron Horse Development Agreement, 3. First Amendment to Iron Horse Development Agreement, 4. Second Amendment to Iron Horse Development Agreement

Date	Ver.	Action By	Action	Result
8/17/2020	1	City Council	Approved	Pass

A resolution authorizing the City Manager to finalize and execute a Third Amendment to the Iron Horse Development Agreement to (i) amend certain definitions; (ii) amend Section 2.02(a) "Project Overview - Iron Horse Development"; (iii) amend Section 6.04(a) "Zoning of the Property"; and (iv) amend and replace Exhibit C, "Concept Plan", Exhibit I, "Development Standards", and Exhibit K, "Fencing Plan", to allow an amenity center and a convenience store with fuel sales, to modify the screening wall requirements, and to provide that the development of the property commonly referred to as "Iron Horse Village" and being generally located north of Rodeo Drive, south of Scyene Road (also known as State Highway 352), east of Stadium Drive and west of Rodeo Center Boulevard within the corporate limits of the City of Mesquite in Dallas County, Texas, shall be in compliance with the Concept Plan and Development Standards, as amended.  
(This item was postponed at the August 3, 2020, City Council meeting).

As directed at the August 3, 2020, City Council meeting, language has been added to the proposed Third Amendment to the Iron Horse Development Agreement to require the convenience store to be a nationally recognized and branded convenience store and national provider of motor fuels having no more than six fueling pumps.

The proposed amendment also requires a separate building for a proposed fast casual restaurant with a national brand operating in the United States and requires a certificate of occupancy to be issued for the restaurant before a certificate of occupancy can be issued for the convenience store.

The Iron Horse Development Agreement, approved by the City Council on November 19, 2018, establishes the

development standards and financing mechanisms to reimburse the developer for authorized public improvements. A First Amendment was approved by Resolution No. 26-2019, on March 18, 2019, to extend the bond sale date an additional 90 days, from April 1, 2019, to July 1, 2019, and on June 3, 2019, the City Council approved a Second Amendment by Resolution No. 45-2019 to expedite construction by allowing the Developer to seek reimbursement for authorized improvements prior to completion of site grubbing and grading.

The Developer has requested that an amenity center be added to the Concept Plan as a permitted use under current zoning, and has also requested the allowance of a convenience store with fueling stations and a variance to the screening requirements approved in the Development Agreement.

**Recommended/Desired Action**

Staff recommends approval of the resolution.

**Attachment(s)**

Resolution  
Iron Horse Development Agreement  
First Amendment to Iron Horse Development Agreement  
Second Amendment to Iron Horse Development Agreement

**Drafter**

Ted Chinn

**Head of Department**

Ted Chinn