

Legislation Text

File #: 20-4926, **Version:** 1

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.

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, but has also requested the allowance of a 7-Eleven convenience store with fueling stations and a variance to the screening requirements approved in the Development Agreement.

These proposed changes also require an amendment to the Planned Development zoning Ordinance No. 4595 that was approved by the City Council on September 4, 2018. A public hearing and proposed amendment to PD Ordinance No. 4595 (Application No. Z0620-0142) is a concurrent item on this agenda, and if Council approves the amended PD Ordinance, then staff recommends approval of this Third Amendment.

Further, if any stipulations are added in the approval of Application No. Z0620-0142, then staff would recommend adding same stipulations to this Third Amendment by motion. This proposed Third Amendment does not change any other term or condition of the Development Agreement.

Recommended/Desired Action

City 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