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CG233

ORDINANCE NO. 1144

CASE 1462-93

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964, DULY PASSED BY THE CITY COUNCIL ON AUGUST 17, 1964, SO AS TO GRANT A "SP" SPECIAL PERMIT TO ALLOW DANCING AT THE HOLIDAY INN, SAID PROPERTY BEING ON TRACT 2, SHEET 14C, ABSTRACT 1462 OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND FURTHER DESCRIBED IN EXHIBIT "A" AS ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE; BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE AND RETAINING IN FULL FORCE AND EFFECT ALL PROVISIONS OF THE 1964 ZONING ORDINANCE NOT IN CONFLICT HEREWITH; BY MAKING APPLICABLE ALL REGULATIONS OF THE 1964 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT THE FOREGOING ZONING CHANGE IS GRANTED SUBJECT TO ANY DEVELOPMENT OF THE LAND BEING DEVELOPED IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning 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 said change of zoning should be granted herein:

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

SECTION 1. That the Comprehensive Zoning Ordinance of 1964, duly passed by the City Council of the City of Mesquite, Texas, on the 17th day of August, 1964, be, and the same is, hereby amended by amending the Zoning Map of the City of Mesquite so as to grant a "SP" Special Permit to allow dancing at the Holiday Inn, said

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property being on Tract 2, Sheet 14C, Abstract 1462 of the City of Mesquite, Dallas County, Texas, and further described in Exhibit "A" as attached hereto and made a part of this ordinance.

SECTION 2. That all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed, and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That the property described in Exhibit "A" and attached hereto as a part of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1964.

SECTION 4. That the foregoing zoning 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. 858 of the Mesquite City Code.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

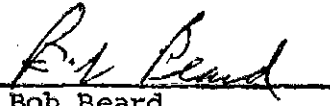
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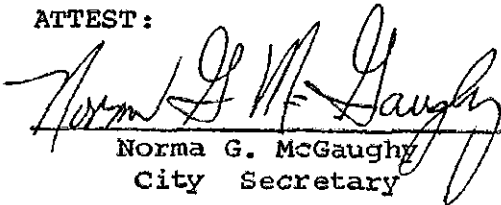
SECTION 7. Whereas, the property described in Exhibit "A", as attached hereto and made a part of this ordinance, requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an urgency and an 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 by the City Council of the City of Mesquite, Texas, on the 17 day of September, A.D., 1973.



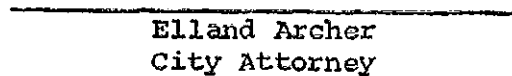
Bob Beard
Mayor

ATTEST:



Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:



Elland Archer
City Attorney

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EXHIBIT "A"

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Commencing at the Northeast corner of the intersection of U. S. Highway No. 80 (Interstate Highway 20), and Town East Boulevard, a concrete Right-of-Way marker for corner;

THENCE South $58^{\circ} 19'$ East, along said Highway 80 North line, a distance of 281.29 feet to an iron pipe found for corner;

THENCE South $73^{\circ} 23'$ East, along said Highway 80 North line, a distance of 36.00 feet to an iron stake set for corner and the Place of Beginning of the herein described tract;

THENCE North $16^{\circ} 37'$ East, leaving said Highway 80 North line, a distance of 150.00 feet to an iron stake set for corner;

THENCE North $28^{\circ} 30'$ East, a distance of 454.24 feet to an iron stake set for corner;

THENCE South $77^{\circ} 35'$ East, a distance of 201.04 feet to a point on the West line of Anthony Drive (a 50 foot Right-of-way), an iron stake set for corner;

THENCE in a Southerly direction and along the said Anthony Drive West line, South $3^{\circ} 59'$ West, a distance of 470.62 feet to an iron stake set for corner in the West line of Anthony Drive;

THENCE North $73^{\circ} 23'$ West, a distance of 126.97 feet to an iron stake set for corner;

THENCE South $16^{\circ} 37'$ West, a distance of 150.00 feet to an iron stake set for corner in the North line of Highway No. 80;

THENCE North $73^{\circ} 23'$ West and proceeding along the said Highway 80 North line, a distance of 270.00 feet to the Place of Beginning and containing 4.03 acres of land.