

60021

ORDINANCE NO. 1218

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, DULY PASSED BY THE CITY COUNCIL ON SEPTEMBER 4, 1973, SO AS TO GRANT A CONDITIONAL USE DESIGNATION FOR AIRPORT USE FOR THAT LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE; BY PROVIDING THE PURPOSE AND SCOPE THEREOF; BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE AND RETAINING IN FULL FORCE AND EFFECT ALL PROVISIONS OF THE 1973 COMPREHENSIVE ZONING ORDINANCE NOT IN CONFLICT HEREWITH; BY PROVIDING THAT THE FOREGOING ZONING CHANGE IS GRANTED SUBJECT TO THE PROVISIONS OF CURRENT AND FUTURE DRAINAGE IMPROVEMENT ORDINANCES; BY PROVIDING 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 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 notice 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 1973 duly passed by the City Council of the City of Mesquite, Texas on the 4th day of September 1973, be, and the same

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is hereby amended by amending the Zoning Map of the City of Mesquite so as to grant a change of zoning on the property described in Exhibit "A", as attached hereto and made a part of this ordinance, by granting a conditional use designation as an airport with the following stipulations:

- (1) That plans and specifications for all runways, taxiways, aprons and other paved surfaces and all buildings or structures have prior approval by the City of Mesquite.
- (2) That at such time as City water and sanitary sewer is available all facilities shall be connected to such utility systems according to the City of Mesquite Water and Sewer Policy as may be in effect at such time.

SECTION 2. PURPOSE AND SCOPE

The purpose and scope of this ordinance is to effect the first step toward provision for airport zoning to be included in the comprehensive plan and zoning ordinance for the newly annexed area currently in progress, looking toward the development of a general utility airport, initially, with provision for expansion to a basic transport facility comprising 485 to 500 acres as recommended by the Regional Airport System Plan prepared for the North Texas Council of Governments and Texoma State Planning Region dated May, 1974, with land planning in the vicinity thereof to provide clear zones, height regulations and use regulations compatible with airport requirements, taking into consideration flight patterns, noise levels and other planning concerns including the future planning for Scyene Road and use of the existing Interurban right-of-way as well as possible annexation to the south to provide additional control area.

SECTION 3. 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 4. That the property described in Exhibit "A" shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of 1973.

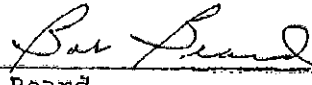
SECTION 5. That the foregoing zoning change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 858 of the Mesquite City Code.

SECTION 6. 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 as decided to be invalid, illegal, or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

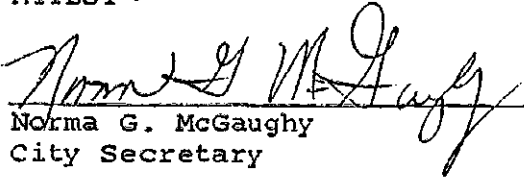
SECTION 7. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00), for each offense.

SECTION 8. Whereas, the property described in Exhibit "A" 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, 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.

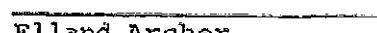
DULY PASSED by the City Council of the City of Mesquite, Texas, on the 4 day of November, A.D., 1974.


Bob Beard
Mayor

ATTEST :


Norma G. McGaughey
City Secretary

APPROVED AS TO FORM:


Elland Archer
City Attorney

ZONING
PHIL L. HUDSON FIELD
MESQUITE, TEXAS

BEING a tract of land out of a 211.43 Acre tract conveyed to Phil L. Hudson by the Franklin Life Insurance Company by deed dated April 20, 1936, said tract situated in the McKinney and Williams Survey Abstract No. 1026, and the W. S. Robinson Survey Abstract No. 1262, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the Northeast corner of the Phil L. Hudson tract, said point being on the Southerly line of Scyene Road, a point for corner.

THENCE, S.0°20'W, along the East line of the Phil L. Hudson tract, a distance of 4181.39 feet to a point for corner;

THENCE, S.89°58'W, along the South line of the Phil L. Hudson tract a distance of 813.85 feet to a point for corner;

THENCE, N.0°20'E, leaving the South line of the Phil L. Hudson tract, a distance of 1944.75 feet to a point for corner;

THENCE, N.89°40'W, a distance of 446.88 feet to a point for corner;

THENCE, N.0°20'E, a distance of 2125.00 feet to a point for corner;

THENCE, S.89°40'E, a distance of 575.00 feet to a point for corner;

THENCE, N.18°31'E, a distance of 325.00 feet to a point on the Southerly line of Scyene Road, a point for corner;

THENCE, S.71°29'E, along the Southerly line of Scyene Road a distance of 615.00 feet to the PLACE OF BEGINNING and containing 101.00 acres of land.