

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 CHANGE OF ZONING FROM GENERAL RETAIL TO A CONDITIONAL USE IN GENERAL RETAIL TO ALLOW A CAR WASH ON A TRACT LOCATED 275 FEET SOUTHWEST OF MOTLEY DRIVE FRONTING THE NORTH SIDE OF TOWN EAST BOULEVARD; CITY OF MESQUITE, DALLAS COUNTY, TEXAS; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" 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 REGULATIONS OF THE 1973 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT THE FOREGOING CHANGES ARE 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 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 change under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearing 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 change of zoning may 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 is hereby amended by amending the Zoning Map of the City of Mesquite so as to grant a change of zoning from General Retail to a conditional use in General Retail to allow a car wash on a tract located 275 feet southwest of Motley Drive fronting the north side of Town East Boulevard; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

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SECTION 2. 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. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1973.

SECTION 4. That the foregoing 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. 1249 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 deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above 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 AND APPROVED by the City Council of the City of Mesquite, Texas, on the 3rd of October, A.D., 1983.

Mrs. Brunhilde M. Strom
MRS. BRUNHILDE M. STROM
MAYOR

ATTEST:

APPROVED AS TO FORM:

Norma G. McGaughy
Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

MUNICIPAL ENGINEERING
SUBDIVISIONS
SURVEYING

WILSON C. GIBSON
PRESIDENT

JOHN C. GIBSON COMPANY, INC.
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DALLAS, TEXAS 75227
PHONE 388-3411

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REGISTERED
CIVIL ENGINEER

ROGER L. "BUDDY" BRIDGES
REG. PROF. ENGR.

CAR WASH SITE

BEING a tract of land situated in the Josephus Foreman Survey, Abstract No. 483, Dallas County, Texas, said tract also being a part of the Replat of Tract 6, Town East Estates Addition, an addition to the City of Mesquite, Texas, as filed in Volume 517, page 1643 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point on the Westerly line of Town East Boulevard, a 100' R.O.W., and 290.00 feet South, (along said Town East Boulevard Westerly line), of the Southerly line of Motley Drive, an 80' R.O.W.,

THENCE, S. 44°25'W, along said Town East Boulevard Westerly line a distance of 149.00 feet to the corner of an Existing 150' x 150' service station tract;

THENCE, N. 45°35'W, along said service station tract Northerly line, a distance of 150.00 feet;

THENCE, N. 13°00'E, a distance of 59.39 feet to the centerline of an existing 24 feet wide drainage easement;

THENCE, S. 77°00'E, along said 24 feet wide drainage easement centerline, a distance of 188.61 feet;

THENCE, S. 45°35'E, continuing along said 24 feet wide drainage easement centerline, a distance of 20.00 feet to the Place of Beginning and containing 18,265.4 square feet of land.

*File No.
7-1-11*

00010 KER DRIVE

TOWN EAST

NOTE: DRIVE 75' WIDE SERVICE ONLY

5' SIDE DRIVE (MINIMUM DRIVEWAY - 10' MINIMUM - 10' MINIMUM - 10' MINIMUM)

Summer Street Service Station

Five Star

88' x 31' x 90' 88' x 31' x 90'

BLVD.

PLAZA

24' x 28' x 31' x 31'

MOTLEY DRIVE

PROPOSED CAR WASH	
TOWN EAST HOPEWING CENTER	
MESQUITE TEXAS	
OWNER: GLENN B. BROWN	CONSULTANT: GLENN B. BROWN
DATE: 10/15/78	SCALE: AS SHOWN
PROJECT: CAR WASH	DATE: 10/15/78
BY: GLENN B. BROWN	CHECKED: GLENN B. BROWN
DATE: 10/15/78	DATE: 10/15/78