

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 R-1 TO PLANNED DEVELOPMENT COMMERCIAL WITH THE FOLLOWING STIPULATIONS:

- (1) CONFORMANCE WITH THE CONCEPT PLAN PROPOSED AT THE PUBLIC HEARING PROVIDING RETAIL, OFFICE, LIGHT COMMERCIAL AND COMMERCIAL USES;
- (2) EXCLUSION OF THE 14 USES PRESENTED AT THE PUBLIC HEARING (A COPY IS ATTACHED); AND (3) THE DEVELOPER MUST RELOCATE THE RAMPS ON I-30 BETWEEN NORTHWEST DRIVE AND NORTH GALLOWAY AVENUE AND TAKE RESPONSIBILITY FOR THE CONSTRUCTION; THE RELOCATION MUST BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMIT; THE TRACT IS LOCATED NORTH AND EAST OF THE I.H. 30 AND NORTH GALLOWAY AVENUE INTERSECTION, FRONTING THE NORTH SIDE OF THE I.H. 30 SERVICE ROAD; 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 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 change of zoning may be granted herein:

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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 R-1 to Planned Development Commercial with the following stipulations: (1) conformance with the concept plan proposed at the public hearing providing Retail, Office, Light Commercial and Commercial uses; (2) Exclusion of the 14 uses presented at the public hearing (a copy is attached); and (3) the developer must relocate the ramps on I.H. 30 between Northwest Drive and North Galloway Avenue and take responsibility for the construction; the relocation must be completed prior to the issuance of building permit; the tract is located north and east of the I.H. 30 and north Galloway Avenue Intersection, fronting the north side of the I.H. 30 Service Road; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

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.

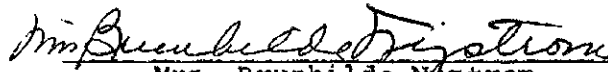
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 (\$200.00) Dollars 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 10th day of September, A.D., 1984.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney

00128

CITY OF MESQUITE
APPLICATION NO. TWH-3A

AMENDMENT TO THE ZONING ORDINANCE FROM R-1
SINGLE FAMILY TO PLANNED DEVELOPMENT COMMERCIAL
ON 73.312 ACRE TRACT LOCATED NORTH AND EAST
OF THE I-30 AND NORTH GALLOWAY INTERSECTION

All uses permitted under the various zoning ordinances will be allowed, except:

1. (41.004) Commercial storage garages;
Commercial parking lots
2. (41.016) Sale of used merchandise
3. (43.011) Indoor and outdoor Commercial
Recreation
4. (43A.002) Automotive services, Farm
Implements.
5. (43A.004) Parking Structures and Lots
6. (43A.006) Commercial Laundry Plant
7. (43A.007) Bottling Works
8. (43A.009) Contractors Yards and Related
Establishments
9. (43A.012) Mobil Home Parks
10. (43A.014) Massage Parlors
11. (43A.016) Contractors Equipment and
Storage Yards
12. (43A.017) Miscellaneous
13. (43A.018) Heavy Millwork, Casting, Express
and Hauling Establishments.
14. (43A.019) Used Car Lots

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BEING a tract of 72.314 Acres of land in the Theophalus Thomas League Abst. No. 1461, Dallas County, Texas; and including part of Twin Hills Estates Addition, an addition to the Town of Mesquite, Texas as per vol. 17, page 351 of the Map Records of Dallas County, Texas; and being more particularly described as follows:

BEGINNING at the point of intersection of the Northwestern line of Interstate Highway No. 30 with the Northeastly line of Galloway St. (old Barnes Bridge Road);

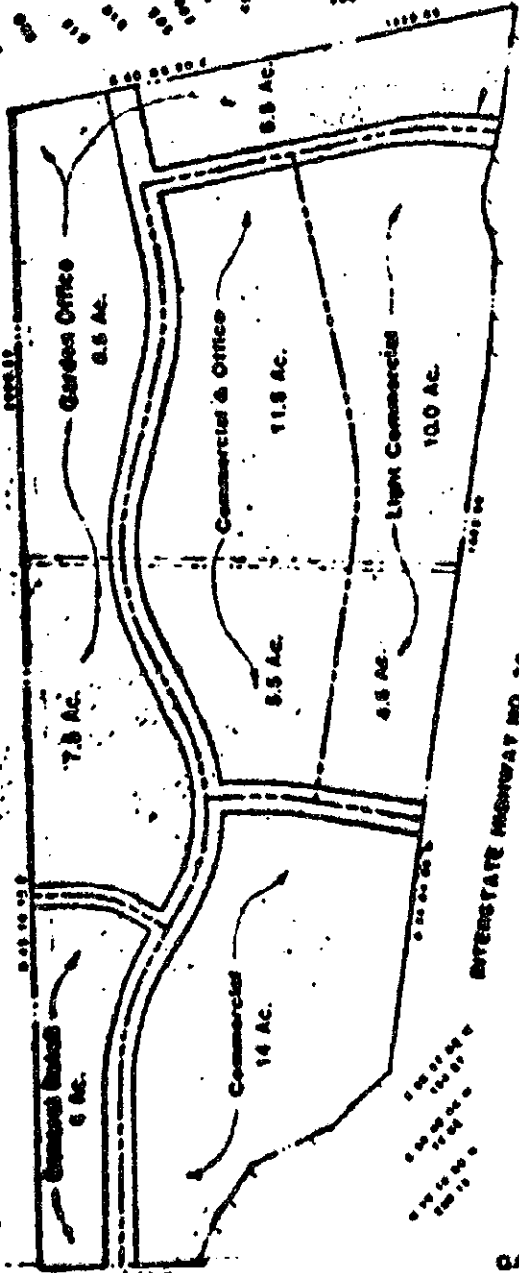
THENCE N $44^{\circ}46'00''$ W, along the Northeastly line of Galloway St., 385.0 ft. to the West corner of said Addition;

THENCE N $45^{\circ}14'13''$ E, along the Northwest line of said Addition, 2999.57 ft. to the North corner of same;

THENCE S $55^{\circ}03'20''$ E, along the Northeast line of said Addition, 1329.45 ft. to its intersection with the Northwestern line of said Highway No. 30;

THENCE Westerly, along the Northwestern lines of said Interstate Highway No. 30, as follows: 1st. S $55^{\circ}04'00''$ W, 260.84 ft. to the beginning of a curve to the right that has a Central Angle of $27^{\circ}49'00''$, a Radius of 877.8 ft. and a Tangent of 54.59 ft.; 2nd. Around said curve, 109.03 ft.; 3rd. S $62^{\circ}11'00''$ W, 110.31 ft. to the beginning of a curve to the left that has a Central Angle of $28^{\circ}55'00''$, a Radius of 180.13 ft. and a Tangent of 46.44 ft.; 4th. Around said curve, 90.91 ft.; 5th. S $33^{\circ}16'00''$ W, 20.4 ft. to the beginning of a curve to the right that has a Central Angle of $17^{\circ}02'00''$, a Radius of 308.89 ft. and a Tangent of 46.26 ft.; 6th. Around said curve, 91.83 ft.; 7th. S $50^{\circ}18'00''$ W, 196.26 ft. to the beginning of a curve to the right that has a Central Angle of $04^{\circ}46'00''$, a Radius of 1176.3 ft. and a Tangent of 49.96 ft.; 8th. Around said curve, 97.86 ft.; 9th. S $55^{\circ}04'00''$ W, 1802.96 ft.; 10th. S $88^{\circ}47'43''$ W, 134.57 ft.; 11th. S $88^{\circ}40'44''$ W, 76.93 ft.; 12th. N $70^{\circ}14'59''$ W, 220.12 ft.; 13th. S $85^{\circ}04'00''$ W, 28.97 ft.; 14th. S $82^{\circ}24'33''$ W, 125.5 ft.; 15th. S $68^{\circ}22'50''$ W, 128.4 ft.; 16th. S $49^{\circ}14'00''$ W, 10.0 ft. to the POINT OF BEGINNING and containing 72.314 Acres (3,150,006 Sq. Ft.) of land.

HTWH-3A



INTERSTATE HIGHWAY NO. 30

GALLOWAY
MAKING BRIDGE ROAD

zoning District	Acreage
General Retail	6.0
Light Commercial	14.5
Commercial	14.0
Commercial/Office	17.0
Garden Office	22.5
Total	72.0



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