

ORDINANCE NO. 2372  
File No. 1462-194

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 LIGHT COMMERCIAL WITH CERTAIN STIPULATIONS; THE SUBJECT 1.29 ACRE TRACT IS LOCATED AT THE SOUTHWEST CORNER OF THE US HIGHWAY 80 SERVICE ROAD AND CREST PARK DRIVE; 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 (\$200.00) DOLLARS 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:

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 Light Commercial with the stipulation that outside storage be limited to traffic signal materials and screened according to the requirements in the Commercial District. The subject 1.29 acre tract is located at the southwest corner of the US Highway 80 Service Road and Crest Park Drive; 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.

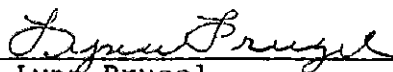
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 5th day of January A.D., 1987.

  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Lynn Prugel  
City Secretary

\_\_\_\_\_  
Elland Archer  
City Attorney

SURVEY PLAT

## TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful survey on the ground of the following described property, to-wit:

Being all that certain tract or parcel of land out of the DANIEL TANNER SURVEY, ABSTRACT NO. 1462, and being situated in the City of Mesquite, Dallas County, Texas, and also being part of a certain 66.53 acre tract conveyed to J. E. Smith by Deed recorded in volume 2799 at Page 147 of the Deed Records of Dallas County, Texas, and a certain 0.689 acre tract conveyed by Emitt Evans by Deed recorded in Volume 3021, Page 298 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod at the intersection of the present South line of Interstate Highway 20 ( U.S. Highway 80) with the West line of Crest Park Drive ( 50 foot R.O.W.), said point being in the East line of said 66.53 acre tract;

THENCE South  $0^{\circ} 45' 50''$  East along the West line of Crest Park Drive, passing the North corner of said 0.689 acre tract at 180.91 feet, in all a distance of 235.06 feet to an iron pipe at the beginning of a curve to the left having a radius of 275 feet and a central angle of  $9^{\circ} 35' 52''$ ;

THENCE along said curve to the left, an arc length of 46.07 feet to an "X" set for corner, said point being the Southeast corner of said 0.689 acre tract;

THENCE South  $89^{\circ} 14' 10''$  West, passing the Southwest corner of said 0.689 acre tract at 103.85 feet, in all a distance of 203.85 feet to an iron rod for corner;

THENCE North  $0^{\circ} 45' 50''$  West, 284.41 feet to an iron rod for corner in the present South line of Interstate Highway 20;

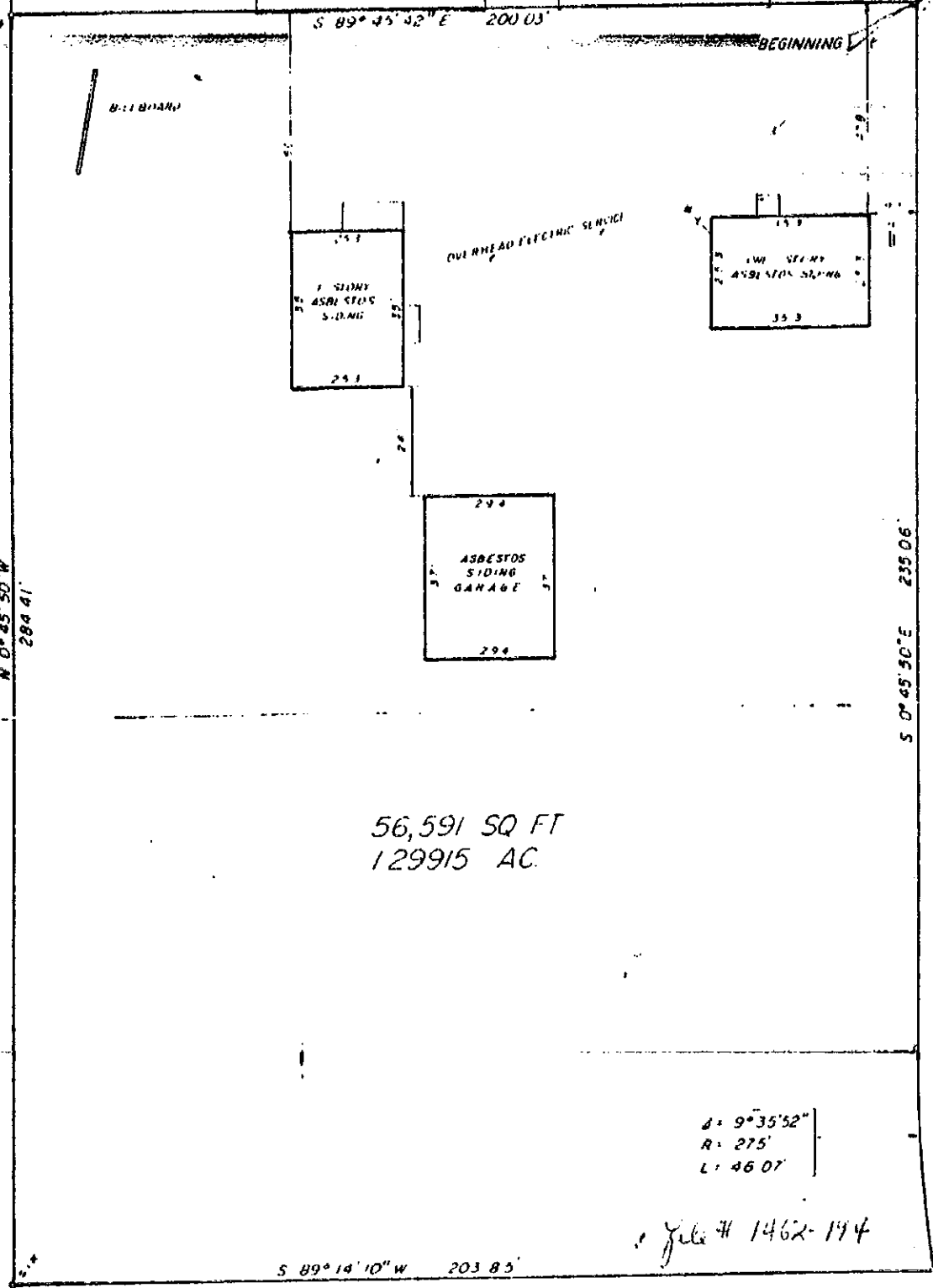
THENCE South  $89^{\circ} 45' 42''$  East along the present South line of Interstate Highway 20, 200.03 feet to the place of BEGINNING and containing 56,591 square feet or 1.29915 acres of land.

NOTE: According to the F.I.R.M. in Community Panel Number 485490-0005-C this property is not located in the 100 year Flood plain.

*file = 1462-174*

00160

14.20 (US HW 20)



56,591 SQ FT  
129915 AC.

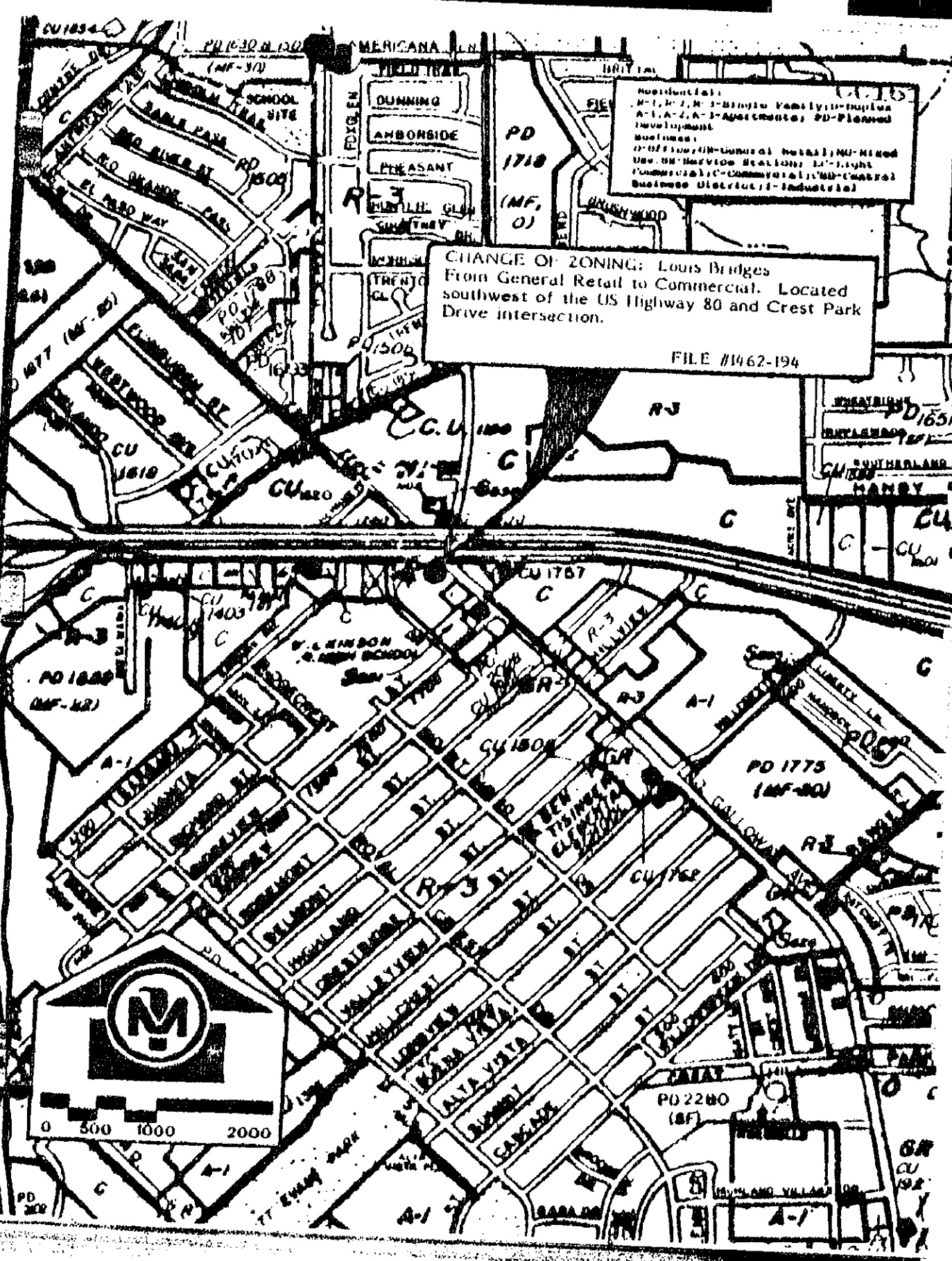
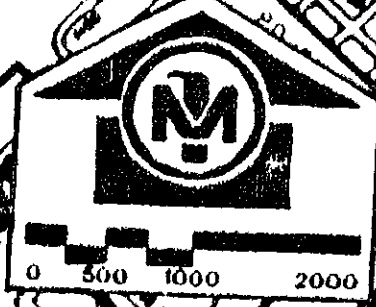
$\Delta = 9^{\circ}35'52''$
R = 275'
L = 46.07'

July 7 1462-194

CREST PARK DRIVE

Residential:  
 R-1, R-2, R-3-Single Family-Duplex  
 A-1, A-2, A-3-Apartments; PD-Planned  
 Development  
 Business:  
 B-1-Office; B-2-General Retail; B-3-Mixed  
 Use; B-4-Service Station; B-5-Flight  
 Commercial; C-Community; C-2-Central  
 Business District; I-Industrial

**CHANGE OF ZONING: Louis Bridges**  
 From General Retail to Commercial. Located  
 southwest of the US Highway 80 and Crest Park  
 Drive intersection.  
 FILE #1462-194



CG162