

ORDINANCE NO. 2513
File No. CV16-20

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING FROM GENERAL RETAIL TO A PLANNED DEVELOPMENT DISTRICT WITH CERTAIN CONDITIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; 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 a Planned Development District with the following conditions:

1. All provisions of the General Retail District shall apply except as herein modified.
2. Indoor commercial recreation, specifically an electric race car track, shall be permitted subject to the following stipulations:
 - a) adult supervision shall be required at all times;
 - b) an alarm shall be installed on the rear door to prevent its use except in emergencies; and
 - c) the rear alley shall be maintained in a reasonable manner;

The subject tract is a 4600 square foot lease space located in the Mesquite Village Shopping Center south of the Oates Drive and Gus Thomasson Road intersection as shown on the filed plat of the Casa View Heights #16 Addition, Block A, Tract 4.1, recorded in the Dallas County Records, January 19, 1960; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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

Page 2


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.

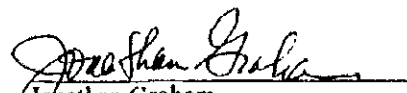
DULY PASSED AND APPROVED by the City of Mesquite, Texas on the 18th day of April A.D., 1988.


George A. Venner, Sr.
Mayor

ATTEST:

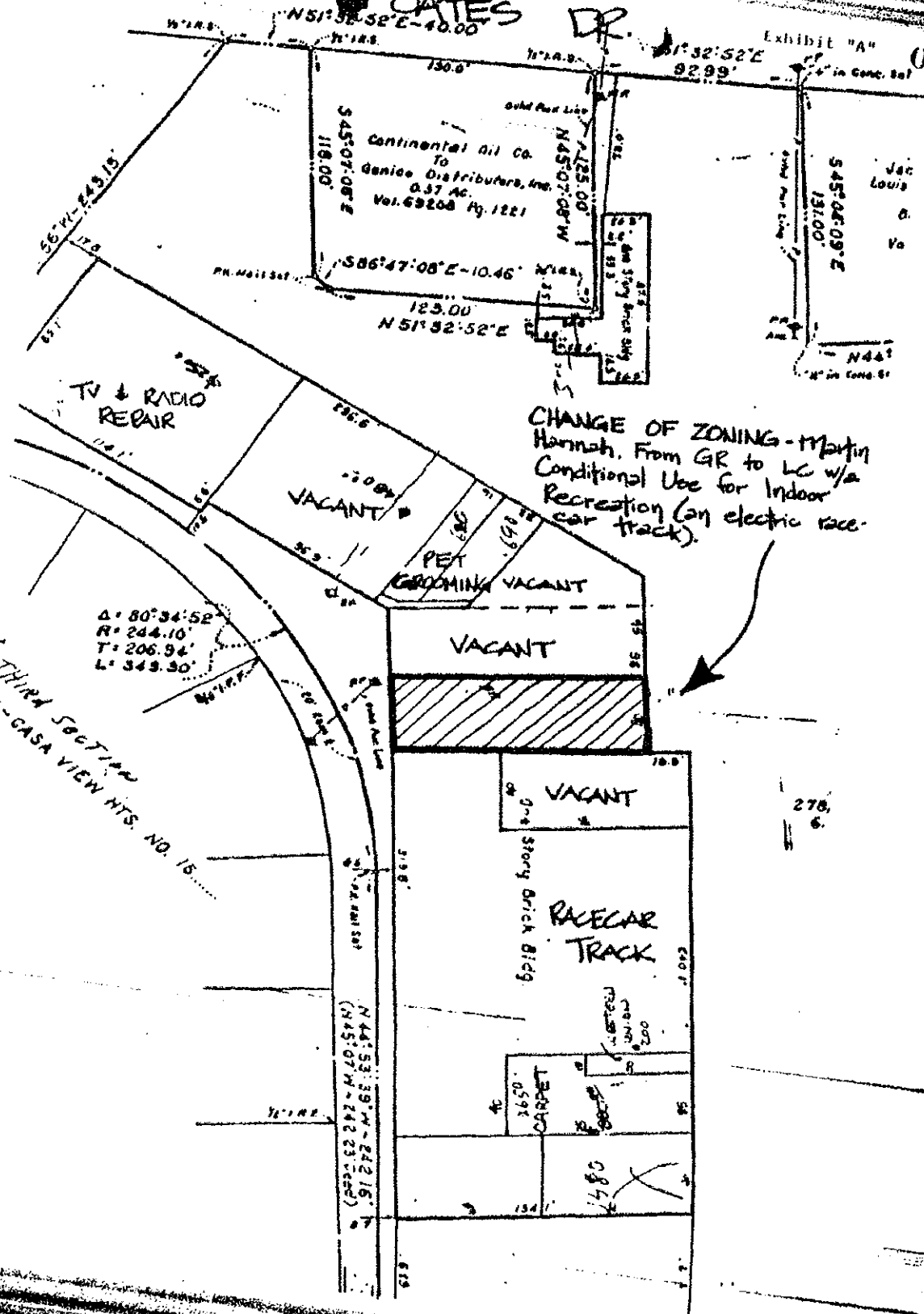
APPROVED:


Lynn Prugel
City Secretary


Jonathan Graham
City Attorney

OATES DR.

Exhibit "A"
000265



Continental Oil Co.
To
Genico Distributors, Inc.
0.37 Ac.
Vol. 69268 Pg. 1221

TV & RADIO
REPAIR

JACANT

PET
GROOMING

VACANT

VACANT

RACECAR
TRACK

One-Story Brick Bldg

CARPET

1480

200

$\Delta = 80^{\circ}34'52''$
 $R = 244.10'$
 $T = 206.94'$
 $L = 349.30'$

THIRD SECTION
ON CASA VIEW HTS. NO. 15

CHANGE OF ZONING - Myrtin
Hammah, From GR to LC w/a
Conditional Use for Indoor
Recreation (an electric race-
car track).

278
6.

000266

