

ORDINANCE NO. 2544
File No. 34-27

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING FROM COMMERCIAL AND PLANNED DEVELOPMENT NO. 1183 TO PLANNED DEVELOPMENT COMMERCIAL WITH A CONDITIONAL USE FOR OUTDOOR COMMERCIAL RECREATION (A GOLFING RANGE) SUBJECT TO SUBMISSION OF A DETAILED SITE PLAN AND LANDSCAPE PLAN TO STAFF FOR REVIEW IN ACCORDANCE WITH THOSE PLANS PRESENTED TO THE CITY COUNCIL; 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 Commercial and Planned Development No. 1183 to Planned Development Commercial with a Conditional Use for Outdoor Commercial Recreation (a golfing range) subject to submission of a detailed site plan and landscape plan to Staff for review in accordance with those plans presented to the City Council. If the site plan given to Staff does not conform with those presented to City Council, the site plan will be scheduled for normal site plan review by Planning and Zoning and Council. The subject 15.4346 acre tract is located southwest of the IH-30 service road and East Meadows Boulevard; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

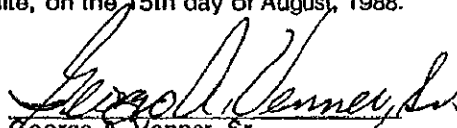
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 Thousand (\$2000.00) 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 by the City Council of the City of Mesquite, on the 15th day of August, 1988.


George A. Venner, Sr.
Mayor

ATTEST:

APPROVED:


Lynn Rygel
City Secretary


Jonathan Graham
City Attorney

LEGAL DESCRIPTION - TRACT 1

Being a tract of land situated in the W. O. Abbott Survey Abstract No. 34, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the intersection of the Southerly R.O.W. line of Interstate Highway 30 (a 300.0 foot R.O.W.) and the Westerly R.O.W. line of Abston Drive (a 50.0 foot R.O.W.);

THENCE, S 60°48'20"W, along said Southerly R.O.W. line of Interstate Highway 30, a distance of 646.59 feet to a POINT OF BEGINNING, said point lying in the Westerly R.O.W. line of East Meadows Boulevard (an 80.0 foot R.O.W.);

THENCE, S 29°11'40"E, along said Westerly R.O.W. line of East Meadows Boulevard, a distance of 349.77 feet to the beginning of a curve to the right along the Westerly R.O.W. line of East Meadows Boulevard;

THENCE, along said curve to the right along the Westerly R.O.W. line of East Meadows Boulevard, having a central angle of 29°04'00", a radius of 820.00 feet and a tangent of 212.58 feet, a distance of 416.0 feet to a point for corner in the Westerly R.O.W. line of East Meadows Boulevard;

THENCE, S 00°07'40"E, along said Westerly R.O.W. line of East Meadows Boulevard, a distance of 315.68 feet to a point for corner;

THENCE, S 89°52'20"W, a distance of 806.24 feet to a point for corner;

THENCE, N 00°07'40"W, a distance of 723.51 feet to a point for corner;

THENCE, N 60°48'20"E, a distance of 609.84 feet to the POINT OF BEGINNING and containing 672,331 square feet or 15.4346 acres of land more or less.

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