

ORDINANCE NO. 2646

File No. 1462-206

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING FROM R-3 SINGLE FAMILY TO LIGHT COMMERCIAL WITH CERTAIN STIPULATIONS; 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 R-3 Single Family to Light Commercial with the following stipulations:

- 1) The northern end of the tract adjacent to the existing service road may develop prior to the extension of the entire service road to Gross Road;
- 2) The balance of the property may not develop until the frontage road extension is complete; and
- 3) No access from this tract to Diane Street be permitted, including extension of the masonry screening wall across the stub of Diane Street.

The subject 7.466 acre tract is located east of I.H. 635 between U.S. Hwy. 80 and Gross Road, fronting the east side of I.H. 635; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

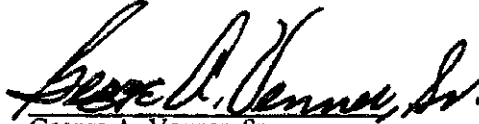
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided 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 as amended, 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 AND APPROVED by the City Council of the City of Mesquite, Texas, on the 18th day of December, 1989.



George A. Venner, Sr.
Mayor

ATTEST:

APPROVED:



Lynn Prugel
City Secretary



B.J. Smith
City Attorney

File No. 1462-206

7.466 Acre Tract

BEING a tract of land out of the Daniel Tanner Survey, Abstract No. 1462, situated in the City of Mesquite, Dallas County, Texas and being more particularly described as follows:

COMMENCING at a point on the Northeast Right-of-Way line of New Gross Road, said point being Engineers Station 100+96;

THENCE North $51^{\circ} 56' 32''$ East, 444.26 feet to a point on the West side of Interstate Highway 635 (L.B.J. Freeway);

THENCE North $49^{\circ} 22' 54''$ East, 424.57 feet to a point on the East side of L.B.J. Freeway to the PLACE OF BEGINNING;

THENCE North $14^{\circ} 52' 19''$ East, along the said East line of L.B.J. Freeway, 238.58 feet;

THENCE Northwesterly and Northeasterly along the said East line of L.B.J. Freeway as follows:

Thence North $13^{\circ} 37' 41''$ West, 325.91 feet;

Thence North $1^{\circ} 37' 41''$ West, 310 feet;

Thence North $78^{\circ} 10' 04''$ East, 92.86 feet;

Thence North $8^{\circ} 19' 56''$ West, 419.91 feet to a point for corner on the East line of L.B.J. Freeway;

THENCE South $45^{\circ} 07'$ East, 557.94 feet;

THENCE South $7^{\circ} 18'$ West, 624.5 feet to a point for corner on the North line of Northridge Estates No. 5;

THENCE South $49^{\circ} 05'$ West, 206.2 feet to the most Northwesterly corner of Northridge Estates No. 5, continuing in all a distance of 429.0 feet to the PLACE OF BEGINNING and containing 7.466 acres of land.

U.S. HWY 80

PD 2174
(LC,0)

PD 1889
(MF-22)

ZONING
1462-205

CU
262f

ZONING
1462-206

A-1

I.H. 635

ZONING
1462-204

NORTH BRIDGE
SECTION 5

R-3

PD 1854 (D)

