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50105

ORDINANCE NO. 2670
File No. 545-19

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING THE MESQUITE ZONING ORDINANCE DULY ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO GRANT A CHANGE OF ZONING FROM GENERAL RETAIL TO PLANNED DEVELOPMENT/GENERAL RETAIL, ALLOWING CERTAIN USES, SUBJECT TO APPROVAL OF A SITE PLAN BY 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 Mesquite Zoning Ordinance, duly adopted September 4, 1973 and recodified on November 21, 1988, 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 Planned Development/General Retail, allowing uses permitted in the General Retail District plus major automotive repair, including body work, subject to approval of a site plan by City Council. The subject 0.4 acre tract is located at 4407 Gus Thomasson Road; City of Mesquite, Dallas County, Texas.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 Mesquite Zoning Ordinance.

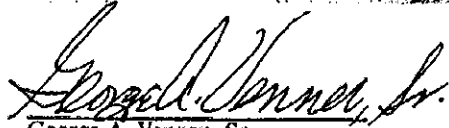
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 Mesquite 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 Mesquite Zoning Ordinance of 1973, as amended, 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.

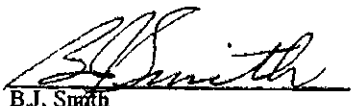
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of April, 1990.


George A. Venner, Sr.
Mayor

ATTEST:

APPROVED:


Lynn Frugel
City Secretary


B.J. Smith
City Attorney

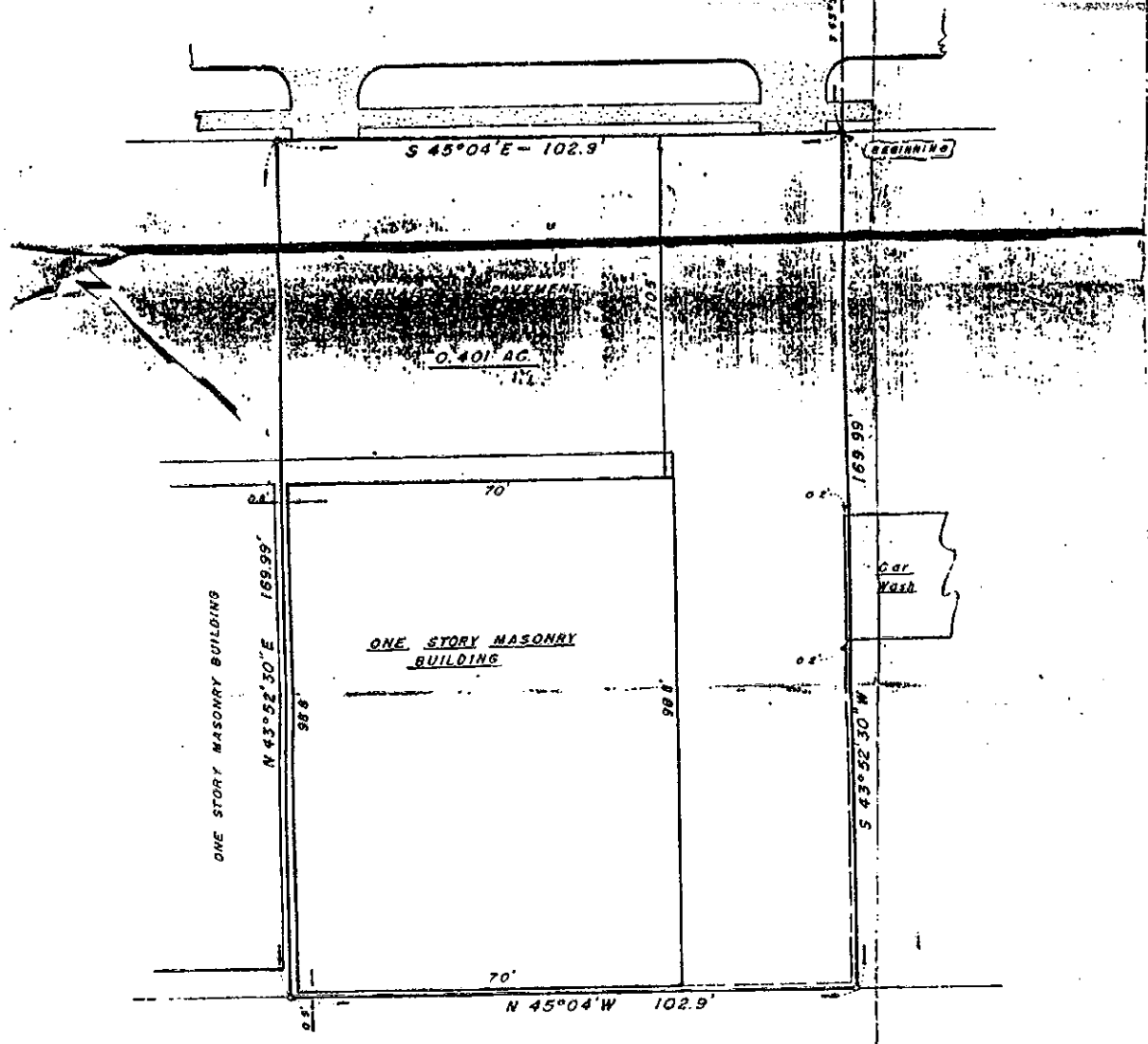
S 45°04'E - 607.89 From
the centerline of Oates
Drive

EXHIBIT "A"

'00171

GUS THOMASSON

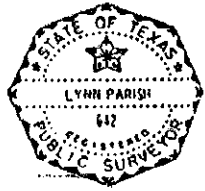
ROAD



The plat herein is a true, correct and accurate representation of the property as determined by survey, subject to any and all easements, reservations and restrictions that may be of record, the lines and dimensions of said property being as indicated by the plat, the area, location and type of buildings and improvements are as shown. All improvements being within the boundaries of the property, set back from property lines the distances indicated, and that the distance from the nearest intersecting street or road is as shown on said plat. There are no encroachments, easements or projections except as shown.

Scale: 1" = 20'	W.G. No. 11838
Date: 10-15-73	Rev. No. 12216

Lynn Parish
 Registered Public Surveyor (V) 3325
 7800 Military Parkway, Colleyville, Texas 75227



00172.
25100

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful and accurate survey on the ground of property described as follows;

BEING a tract of land, situated in Dallas County, Texas, in the JOHN HARDIN SURVEY, ABSTRACT NO. 545, and being more fully described by metes and bounds as follows;

BEGINNING at a point in the Southwest line of Gus Thomasson Road, the following courses and distances from the intersection of the centerline of Gus Thomasson Road with the centerline of Oates Drive; South 45 deg. 04 min. East with the centerline of Gus Thomasson Road, 507.59 feet; South 43 deg. 52 min. 30 sec. West, 60.02 feet;

THENCE South 43 deg. 52 min. 30 sec. West, 169.99 feet to a point for corner;

THENCE North 45 deg. 04 min. West, parallel with Gus Thomasson Road, 102.9 feet to a point for corner;

THENCE North 43 deg. 52 min. 30 sec. East, 169.99 feet to a point for corner in the Southwest line of Gus Thomasson Road, said point being 60 feet measured perpendicularly from the centerline of Gus Thomasson Road;

THENCE South 45 deg. 04 min. East, with the Southwest line of Gus Thomasson Road, 102.9 feet to the place of Beginning.