

ORDINANCE NO. 2821  
File No. CC2-2

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO ALLOW A CONDITIONAL USE PERMIT IN A GR-GENERAL RETAIL DISTRICT FOR THE SALE OF ANTIQUES 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 Planning and Zoning 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 adopted on 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 allow a Conditional Use Permit in a GR-General Retail District for the Sale of Antiques, subject to the following conditions:

1. The sale of antiques shall be permitted only in conjunction with the sales of arts and crafts. The maximum percentage of antiques shall not exceed fifty percent.
2. The antiques sales area shall not exceed fifty percent of the total floor area.
3. No outdoor display or "sidewalk sales" shall be permitted.
4. No repair or rehabilitation of used items shall be permitted on the premises.
5. All display merchandise shall be clean, untorn and or operational. The display of severely damaged items is prohibited.

The subject 19,000 square foot lease space is located in the Broadway Square Shopping Center (#1 Broadway Square), east of the Karla Drive and Gus Thomason Road intersection, as shown on the filed plat of the Country Club Estates #2 Addition, Block 25,

Page 2

Tract B; 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 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.

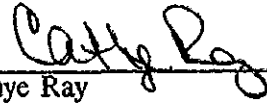
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided 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 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 (\$2,000.00) 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 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.

Page 3

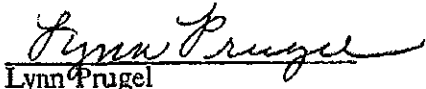
DULY PASSED AND APPROVED by the City Council of the City of Mesquite,  
Texas, on the 20th day of July, 1992.



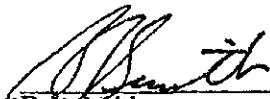
Cathye Ray  
Mayor

ATTEST:

APPROVED:



Lynn Prugel  
City Secretary



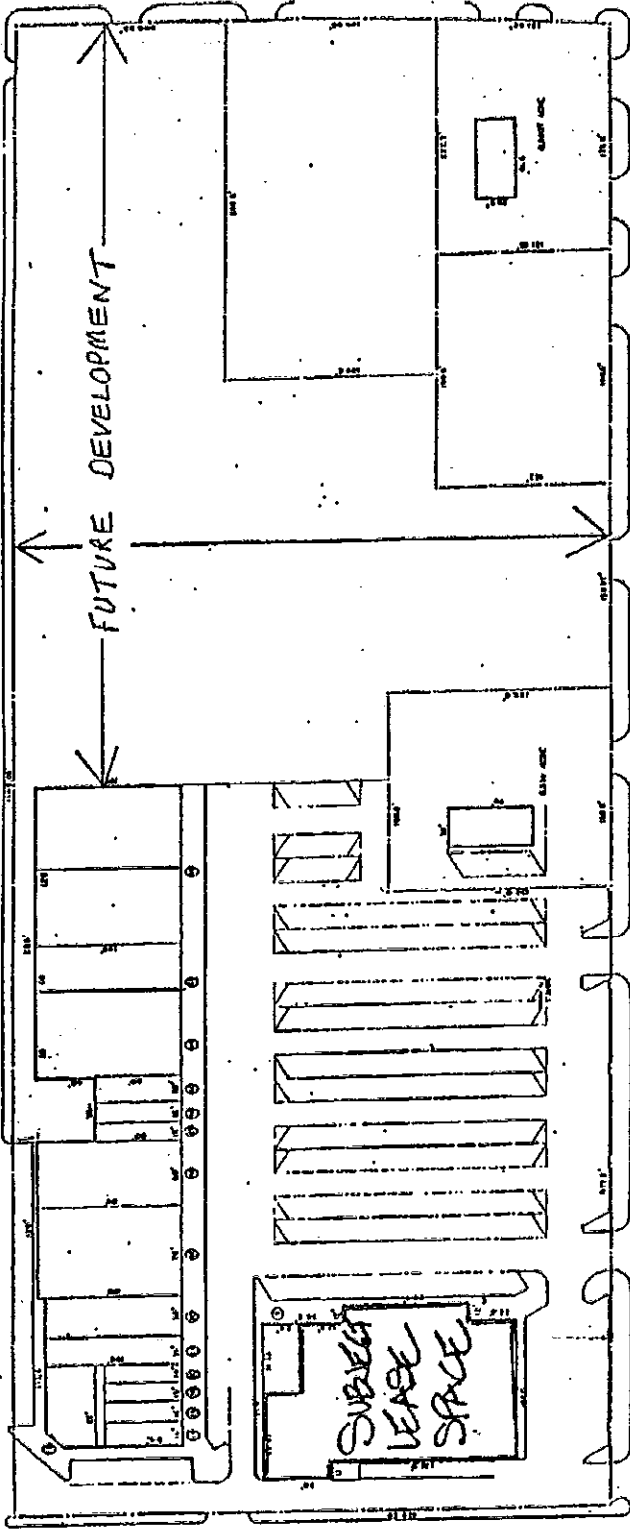
B.J. Smith  
City Attorney

2002  
K32  
K34  
PLANS

# BROADWAY SQUARE SHOPPING CENTER

OWNER: BROADWAY SQUARE, INC.

FORREST DRIVE



OATES ROAD

FUTURE DEVELOPMENT

This site plan is presented solely for the purpose of identifying the approximate location and size of the buildings presently contemplated by the owner. Building sizes, site dimensions, access and parking areas, existing tenant locations and identification, are subject to change at the owner's discretion.

GUS THOMASSON ROAD

KARLA DRIVE



A.D. ANDERSON AIA, ARCHITECT