

ORDINANCE NO. 2985
File No. TE8-3

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 APPROVE A ZONING CHANGE FOR LIGHT COMMERCIAL; 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 approve a zoning change for Light Commercial. The subject property is an 0.61 acre tract located at the southwest corner of U.S. Hwy. 67 Frontage Road and Bamboo Street intersection, 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

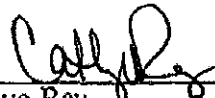
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of August, 1994.



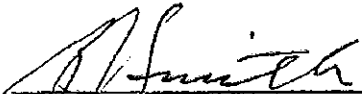
Cathye Ray
Mayor

ATTEST:

APPROVED:



Lynn Prugel
City Secretary



B.J. Smith
City Attorney

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PROPERTY DESCRIPTION

BEING a tract of land situated in the William Crittenton Survey, Abstract No. 333, also being part of Lot 15, Block 1, TOWN EAST ESTATES, NO. 8, FIRST INSTALLMENT, an addition to the City of Mesquite, according to the plat thereof recorded in Volume 614, Page 1518, Map Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1" iron rod found for corner situated at the intersection of the southeasterly line of U.S. 67 / I.H. 30 (300' R.O.W.) and the southwesterly line of Bamboo Street (60' R.O.W.);

THENCE S 30°34'11" E departing the said southeasterly line of U.S. 67 / I.H. 30, and along the said southwesterly line of Bamboo Street a distance of 148.85 feet to a 1/4" iron rod found for corner at the beginning of a curve to the right having a central angle of 1°52'57", a radius of 300.00 feet, a tangent length of 4.93 feet, and a chord which bears S 23°49'13" E a distance of 9.86 feet;

THENCE continuing along the said southwesterly line of Bamboo Street and along said curve to the right an arc distance of 9.86 feet to a 3/4" iron rod found for corner;

THENCE S 59°48'05" W departing the said southwesterly line of Bamboo Street and along the northwesterly line of a tract of land conveyed to Chas. T. Raffino on November 24, 1965, and the northwesterly line of a tract of land conveyed to Jack C. Grice on April 9, 1973, a distance of 174.82 feet to an iron rod found for corner;

THENCE N 30°06'25" W departing the northwesterly line of said Jack C. Grice tract a distance of 159.96 feet to a 1/2" iron rod found for corner situated in the aforementioned southeasterly line of U.S. 67 / I.H. 30;

THENCE N 60°14'00" E along the said southeasterly line of U.S. 67 / I.H. 30 a distance of 174.70 feet to the POINT OF BEGINNING and containing 27.926 square feet or 0.6411 acre of land, more or less.

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