

ORDINANCE NO. 3200  
File No. TC-12

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 CONDITIONAL USE PERMIT FOR A LIMITED SERVICES HOTEL, WITH CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; 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 zoning for a Conditional Use Permit for a Limited Services Hotel, with the following stipulations:

1. enhanced architectural design and landscaping as presented;
2. provision of an exercise room; and
3. prohibiting parking of truck tractors and/or trailers.

The subject 2.807 acre tract is located southeast of the Gus Thomasson Road and I-30 Frontage Road intersection, City of Mesquite, Dallas County, Texas, as shown in the attached Exhibit "A".

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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. 3042 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, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) 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 5th day of January, 1998.

  
Mike Anderson  
Mayor

ATTEST:

APPROVED:

  
Ellen Williams  
City Secretary

  
B.J. Smith  
City Attorney

METES AND BOUNDS DESCRIPTION

BEING a 2.807 acre tract of land situated in the Theophilus Thomas Survey, Abstract No. 1461, City of Mesquite, Dallas County, Texas, being part of LOT 1, BLOCK A of TOWNE CROSSING, an addition to the City of Mesquite, as described by plat recorded in Volume 83086, Page 0844, Deed Records of Dallas County, Texas (DRDCT), said 2.807 acre tract of land being more particularly described as follows:

COMMENCING at a 1/2-inch Iron rod found for the north end of a corner clip at the intersection of the northeast right-of-way line of Gus Thomasson Road (a variable width right-of-way) and the southeast right-of-way line of Interstate Highway 30 (U.S. Highway 67, a variable width right-of-way);

THENCE North 55°07'40" East along said southeast right-of-way line, a distance of 379.10 feet to a 5/8-inch Iron rod set for the POINT OF BEGINNING;

THENCE North 55°07'40" East continuing along said southeast right-of-way line, a distance of 156.00 feet to a chiseled "X" set in concrete for the west corner of LOT 2, BLOCK A of said TOWNE CROSSING, said lot being LOT 2, BLOCK A of THE LANE AT TOWNE CROSSING, an addition to the City of Mesquite, as described by plat recorded in Volume 84017, Page 1433, DRDCT;

THENCE along the southwest lines of said LOT 2 the following:

South 34°52'20" East, a distance of 160.54 feet to a 5/8-Inch Iron rod set for corner;

South 70°43'42" East, a distance of 228.65 feet to a 1/2-Inch Iron rod found for corner;

South 38°06'20" East, a distance of 162.82 feet to a 1/2-Inch Iron rod found for the southwest corner of said LOT 2, said corner being in the northwest line LOT 4 of said TOWNE CROSSING, said lot being LOT 4, BLOCK A of A REPLAT OF LOT 4, BLOCK A, TOWNE CROSSING ADDITION, an addition to the City of Mesquite, as described by plat recorded in Volume 84234, Page 1833, DRDCT;

THENCE South 44°56'41" West along said northwest line, a distance of 303.90 feet to a 5/8-inch Iron rod set for corner;

THENCE North 34°52'20" West, a distance of 562.15 feet to the POINT OF BEGINNING;

CONTAINING a computed area of 122,278 square feet or 2.807 acres of land.

