

ORDINANCE NO. 3228  
File No. 1462-225

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 PRIVATE CLUB, SUBJECT TO COMPLIANCE WITH THE REQUIRED CONDITIONS FOR RESTAURANT PRIVATE CLUB USE AS SET OUT IN SECTION 4-503; 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 a Conditional Use Permit for a Private Club, subject to compliance with the required conditions for Restaurant Private Club Use as set out in Section 4-503. The subject property is a 1.693 acre tract located at the north corner of the Gross Road and Peachtree Road intersection, 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

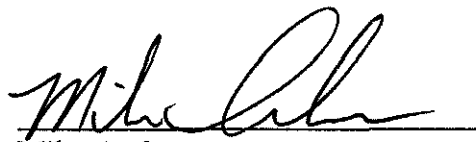
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042 of the Mesquite City Code.

SECTION 5. That should any word, sentence, clause, paragraph, phrase, or provision of this ordinance be 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.

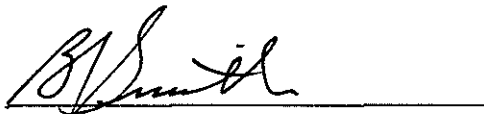
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of June, 1998.

  
Mike Anderson  
Mayor

ATTEST:

APPROVED:

  
Ellen Williams  
City Secretary

  
B.J. Smith  
City Attorney

FIELD NOTES

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEING a tract or parcel of land said tract being a portion of Lot 3, Block B, Oakbrook Addition, an addition to the City of Mesquite, Dallas County, Texas, as recorded in Volume 98071, Page 1, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a corner clip in the west right-of-way line of Peachtree Road (R.O.W. varies), at the intersection of said west right-of-way line of Peachtree Road and the northeast right-of-way line of Gross Road, a 1/2" yellow capped iron pin found for corner;

THENCE, North 88° 34' 30" West, along said corner clip, a distance of 14.14 feet to a 1/2" yellow capped iron pin found for corner in the northeast right-of-way line of Gross Road;

THENCE, North 43° 34' 30" West, along said northeast right-of-way line of Gross Road, a distance of 305.30 feet to a 1/2" yellow capped iron pin found for corner at the beginning of a non-tangent curve to the left, having a central angle of 19° 18' 22", a radius of 375.00 feet and a chord bearing North 44° 19' 26" East, 125.76 feet;

THENCE, along said curve to the right, an arc distance of 126.36 feet to a 1/2" yellow capped iron pin found for corner in said northeast right-of-way line of Gross Road;

THENCE, North 34° 40' 15" East, a distance of 109.60 feet to a 1/2" yellow capped iron pin found for corner;

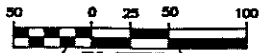
THENCE, South 43° 34' 30" East, a distance of 317.19 feet to a 1/2" yellow capped iron pin found for corner at the beginning of a non-tangent curve to the right, having a central angle of 19° 38' 59", a radius of 430.00 feet, and a chord bearing South 36° 36' 01" West, 146.75 feet;

THENCE, along said curve to the right and along the west right-of-way line of Peachtree Road, an arc distance of 147.47 feet to a 1/2" yellow capped iron pin found for corner;

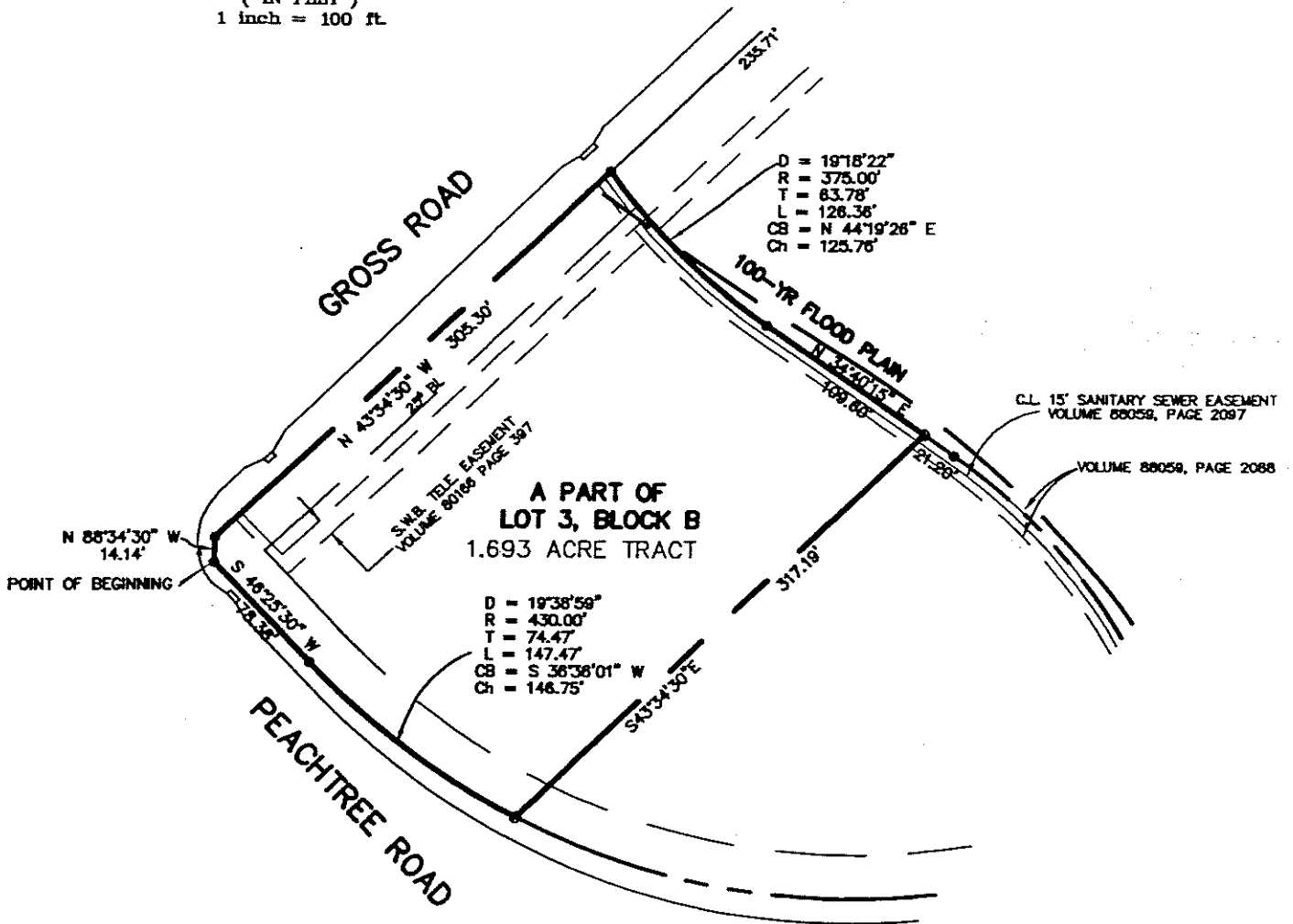
THENCE, South 46° 25' 30" West, along said west right-of-way line of Peachtree Road, a distance of 78.38 feet to the Point of Beginning and containing 1.693 acres of land, more or less. (73,747 sq. ft.)



GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.



1.693 ACRE TRACT  
CITY OF MESQUITE  
DALLAS COUNTY, TEXAS