

ORDINANCE NO. 3531

File No. 1461-132

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 ON PROPERTY ZONED COMMERCIAL ALLOWING MINIWAREHOUSES SUBJECT TO 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 changes 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 on property zoned Commercial, being a 2.0-acre tract located approximately 900 feet east of the U. S. Highway 67 and Gus Thomasson Road intersection and is more fully described in the approved field notes in Exhibits "A" and "B" attached hereto allowing the following:

- A. Miniwarehouses shall be permitted in accordance with the site plan submitted and subject to the following design, conditions and stipulations:
1. The project shall be designed as a "fortress" with no doors or windows on the rear of the building or facing outward; outside walls of the buildings shall be connected by masonry walls designed to match the building exterior except at the entrance area where wrought iron fencing may be utilized.
 2. The building exteriors shall be 100 percent masonry and shall include brickwork, trim, columns or other design features to add distinction and break up the long facades. Simulated garage doors will not be permitted.

3. Maximum building height adjacent to a residential district shall be one story and limited to a maximum height of 11 feet.
4. Professionally designed landscaping, fully irrigated, shall be provided on all public sides of the property.
5. No roof-mounted equipment shall be allowed.
6. No parking/storage of recreational vehicles or boats shall be allowed.
7. Lighting shall be installed with no fixtures extending above the rooflines and/or shining toward the residential districts.
8. Signage shall be limited in the new phase (east of the creek) to two additional wall signs as shown on Exhibits "C" and "D" attached hereto. No additional signs shall be permitted in this phase or the first phase including flags and/or banners.
9. All provisions of Section 3-502 of the Mesquite Zoning Ordinance shall apply.

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, codified in Chapter 11 of the Code of the City of Mesquite.

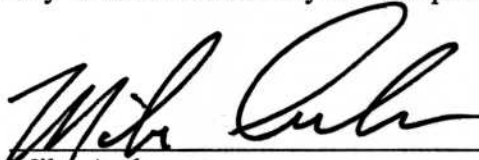
SECTION 5. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

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 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. That 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

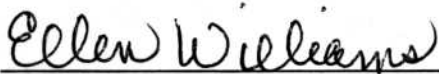
that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 7th day of October, 2002.



Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B. J. Smith
City Attorney

PROPERTY DESCRIPTION

BEING a tract or parcel of land situated in Theophalus Thomas Survey, Abstract No. 1461 and located in the City of Mesquite, Dallas County, Texas, being all of that parcel of land conveyed to GUS THOMASSON ROAD, LLC. by Deed being recorded in Volume 2002068, Page 3193, Deed Records of Dallas County, Texas, (D.R.D.C.T.) and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found being the most easterly corner of Lot 2, Block 1, Casa View Heights Commerical Addition as recorded in Volume 2001104, Page 1364, D.R.D.C.T., said point being in the Northerly line of I.H.30;

THENCE : N 35° 28' 59" W a distance of 302.63 feet with the northeast line of said Lot 2 to a 5/8 inch iron rod found for a corner, said point being in the southerly line of a 15' Alley decated with Casa View Hights Addition No. 20, an addition to the City of Mesquite, according to the map recorded in Volume 42, Page 1 Map Records, Dallas County, Texas;

THENCE : N 54° 31' 01" E with the said Alley line a distance of 283.82' to a 5/8" iron rod found for a corner;

THENCE : S 35° 28' 59" E a distance of 310.64 feet to a 1/2" iron rod found for a corner said point being in the northerly right-of-way line of Interstate Highway No. 30 also being know as U.S. Highway 67;

THENCE : S 54° 27' 25" W along the said line of I.H.30 a distance of 34.30 feet to a 5/8 inch iron rod found for an angle point;

THENCE : S 56°21'57" W, continuing with said ROW a distance of 249.65 feet to the Place of BEGINNING and containing 87,172 SF or 2.0012 acres of land.

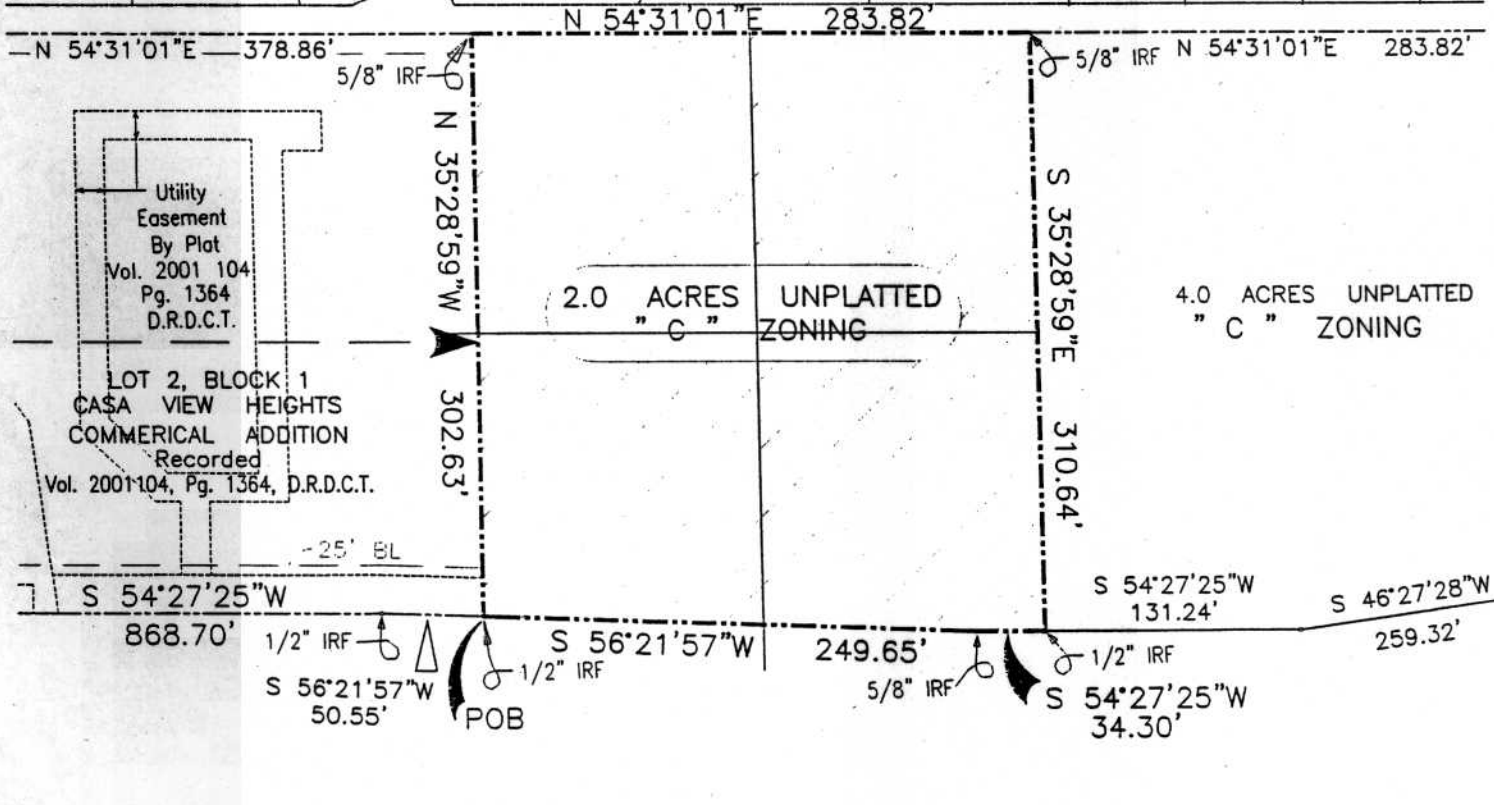
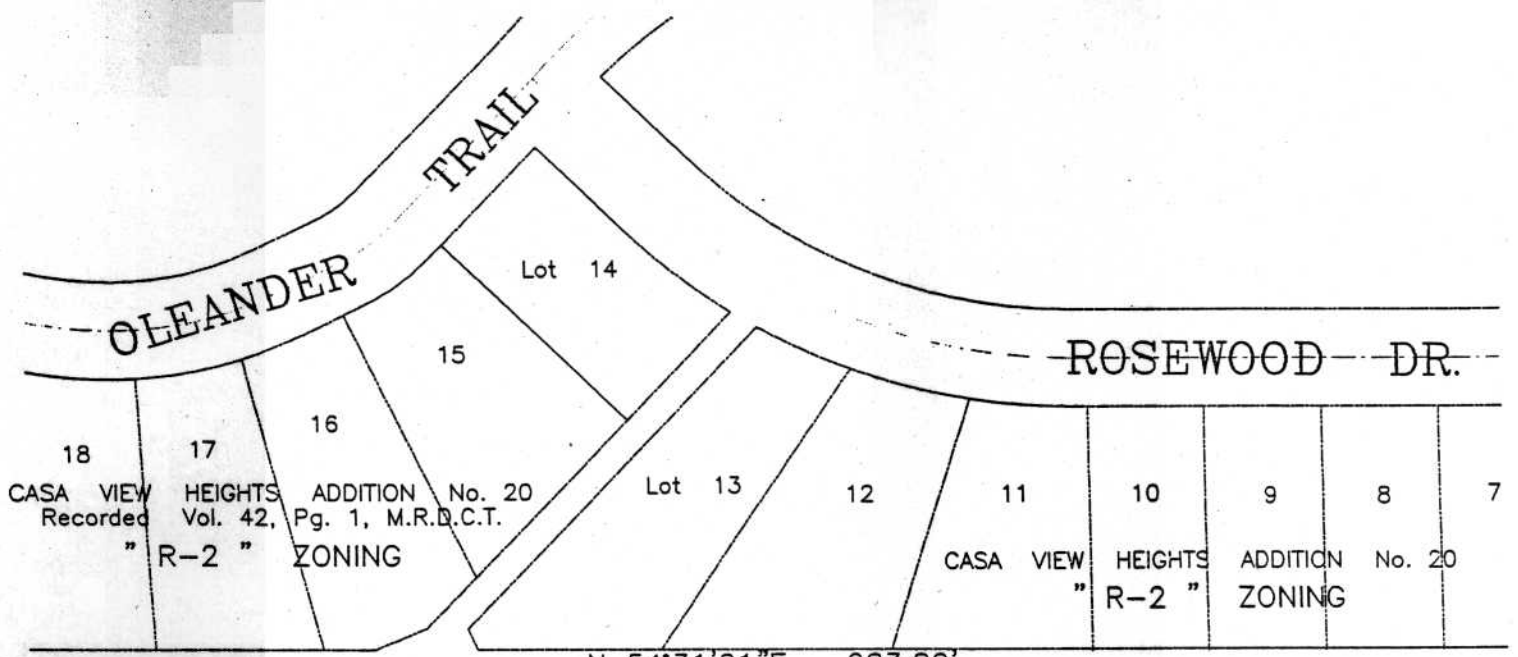
SURVEYOR'S NOTES

- 1. Basis of Bearings: The South line of Lot 2, Block 1 CASA VIEW HEIGHTS COMMERCIAL ADDITION (S 54°27'25" W , monuments found)

Charles L. Crouch 7/16/02

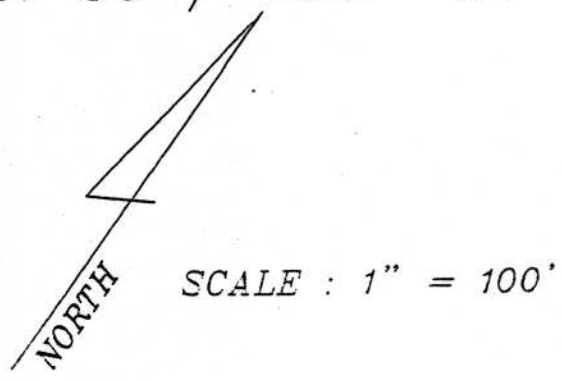
Charles L. Crouch, R.P.L.S.
Texas No. 2574





Interstate Highway No. 30 / U.S. 67
(VARIABLE ROW)

Charles J. Cheney
7/10/02



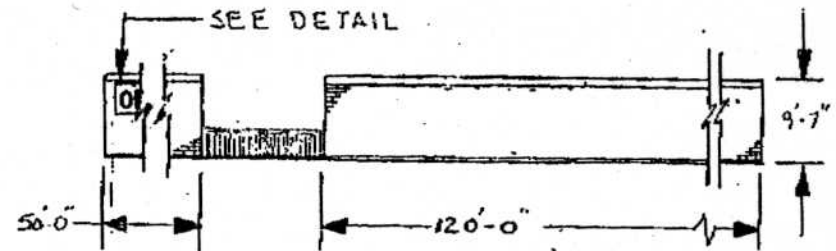
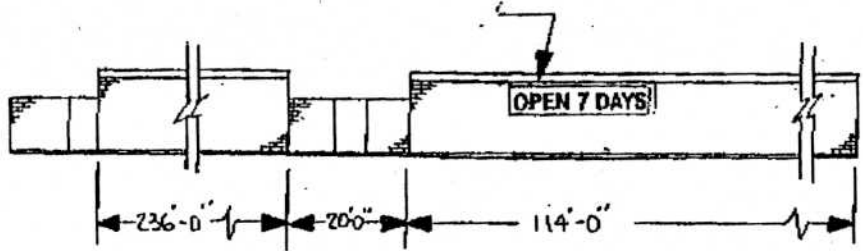
DETAIL
(SCALE: 3/8" = 1'-0")

OFFICE-OPEN

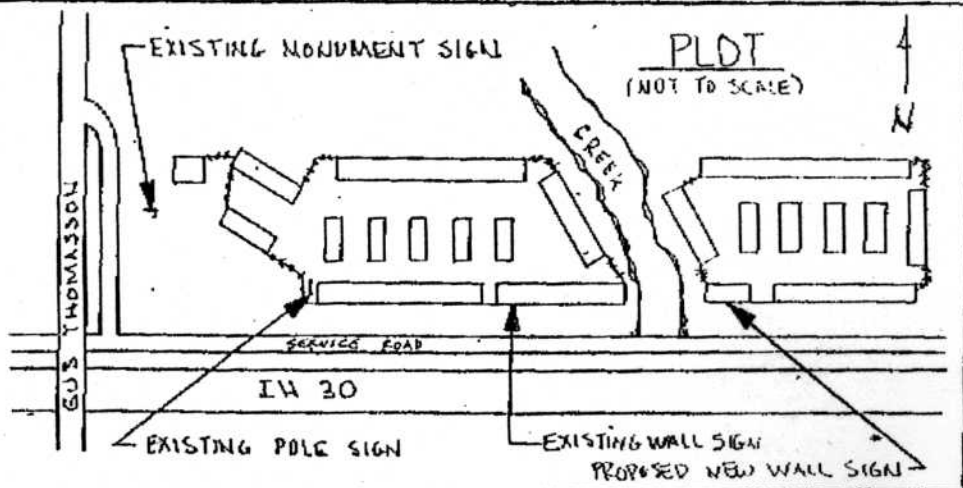
3'-0"

16'-0"

WHITE ALUMINUM PAN SIGN WITH BEAD ADHESIVE BACKED VINYL COPY.
ATTACHED TO BUILDING FACE WITH ALUMINUM CLIP ANGLES & PLATED MASONRY ANCHORS.



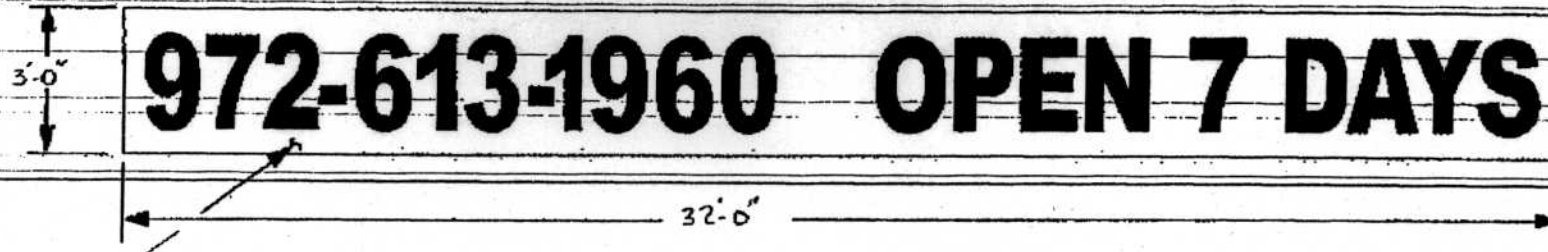
SOUTH ELEVATION
(NOT TO SCALE)



Project: ASSURED SELF STORAGE
3950 GUS THOMASSON

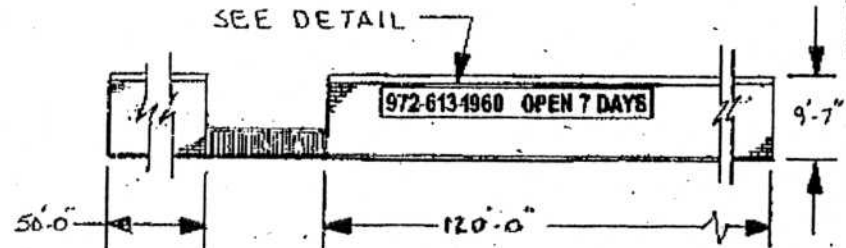
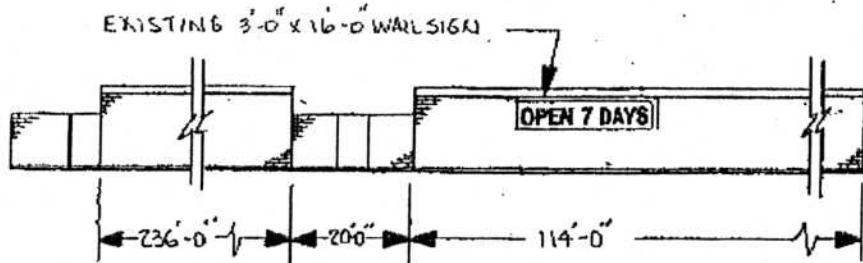
HIGHTECH SIGNS
2232 N. Towneast Blvd.
Mesquite, Texas 75150
(972)270-7111 Fax (972)270-4488

Designed & Drawn By: D. PERRY Date: 6-25-02

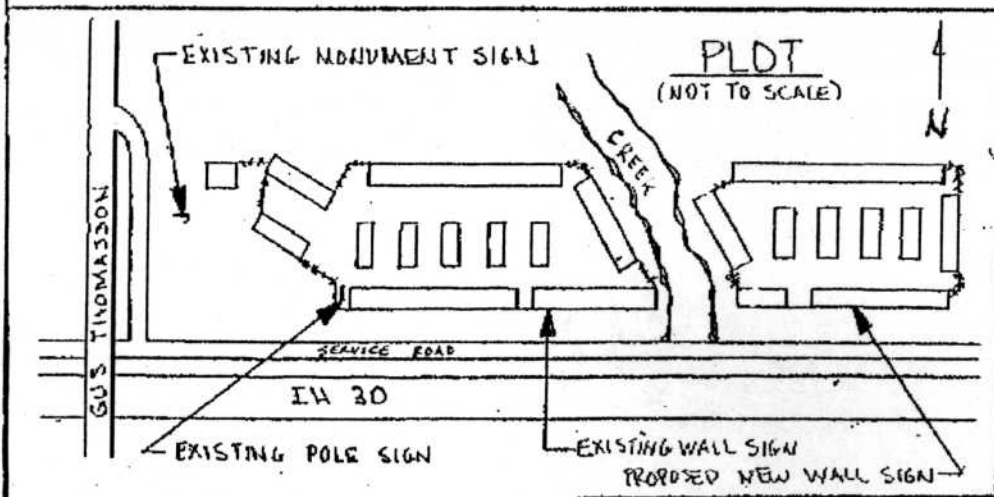


WHITE ALUMINUM PAN SIGN WITH RED ADHESIVE BACKED VINYL COPY, ATTACHED TO BUILDING FACE WITH ALUMINUM CLIP ANGLES & PLATED MASONRY ANCHORS.

DETAIL
(SCALE: 1/8" = 1'-0")



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