

ORDINANCE NO. 3787
File No. 1462-249

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 CHANGE OF ZONING FROM OFFICE TO PLANNED DEVELOPMENT-GENERAL RETAIL 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 (\$2,000.00) DOLLARS 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 change of zoning on property zoned Office to Planned Development-General Retail subject to the following stipulations:

Only uses that are classified under the following SIC codes are permitted:

- 48.b Communications Business Office
- 49.d Utility Company Business Office
- 59 Miscellaneous Retail
 - Hobby, Toy, Game Shop
 - Camera, Photo Supply Shop
 - Florists
- 62 Security, Commodity Services
- 64 Insurance Agents, Brokers
- 65 Real Estate
- 7291 Tax Preparation Services
- 7299 Miscellaneous Personal Services
- 73 Business Services
 - Advertising Agencies
 - Outdoor Advertising Services
 - Media Advertising Representatives
 - Secretarial, Court Reporting Services
 - Computer Equipment Repair
 - Computer Sales/Rental

76	Miscellaneous Repair Services Watch, Clock, Jewelry Repair Camera Repair Key Duplicating, Locksmiths Office Equipment, Typewriter Repair
7991	Physical Fitness Facilities
80	Health Services Offices of Doctors of Medicine Offices of Dentists Offices of Doctors of Osteopathy Offices of Other Health Practitioners
81	Legal Services
824	Vocational Schools
829	Schools, Educational Services, NEC
832	Individual, Family Social Services
861	Business Associations
862	Professional Membership Organizations
863	Labor Organizations
866	Religious Organizations
871	Engineering, Architectural, Surveying Services
872	Accounting, Auditing, Bookkeeping
873	Research, Development, Testing
874	Management, Public Relations

That the subject property is located at 2425 Gus Thomasson Road. The property is platted as East Ridge Park Commercial No. 1 Addition, Block A, Lot 3.

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 are 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.

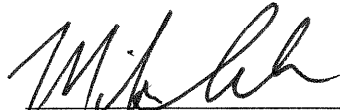
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of 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 (\$2,000.00) Dollars 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 20th day of February, 2006.



Mike Anderson
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney