

ORDINANCE NO. 4023
File Nos. 545-22, 705-7, 706-4 and 1461-144

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 IN THE NORTH GUS THOMASSON ROAD COMMERCIAL CORRIDOR SITUATED NORTH OF INTERSTATE HIGHWAY 30 AND GENERALLY ADJACENT TO THE CASA VIEW HEIGHTS NEIGHBORHOOD FROM THEIR PRESENT ZONING CLASSIFICATIONS TO THE NEW NORTH GUS THOMASSON CORRIDOR DISTRICT; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR 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 for properties within the North Gus Thomasson Corridor commercial area, as described herein, from their present zoning classifications to the new North Gus Thomasson Corridor District (NGTC).

That the subject properties shall consist of all properties with frontage on Gus Thomasson Road from Interstate Highway 30 north to the City limit line, and in addition all properties lying within 1,500 feet of Gus Thomasson Road except for such properties that are currently zoned R-1, R-2 or R-3 Single-Family Residential, all as shown in Exhibit "A" attached hereto.

SECTION 2. 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 3. 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 Mesquite City Code.

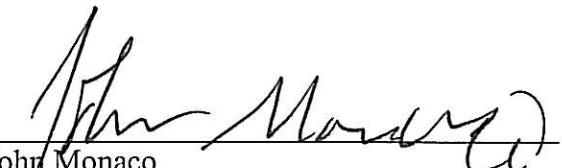
SECTION 4. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 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.

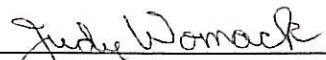
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of December, 2008.



John Monaco
Mayor

ATTEST:

APPROVED:



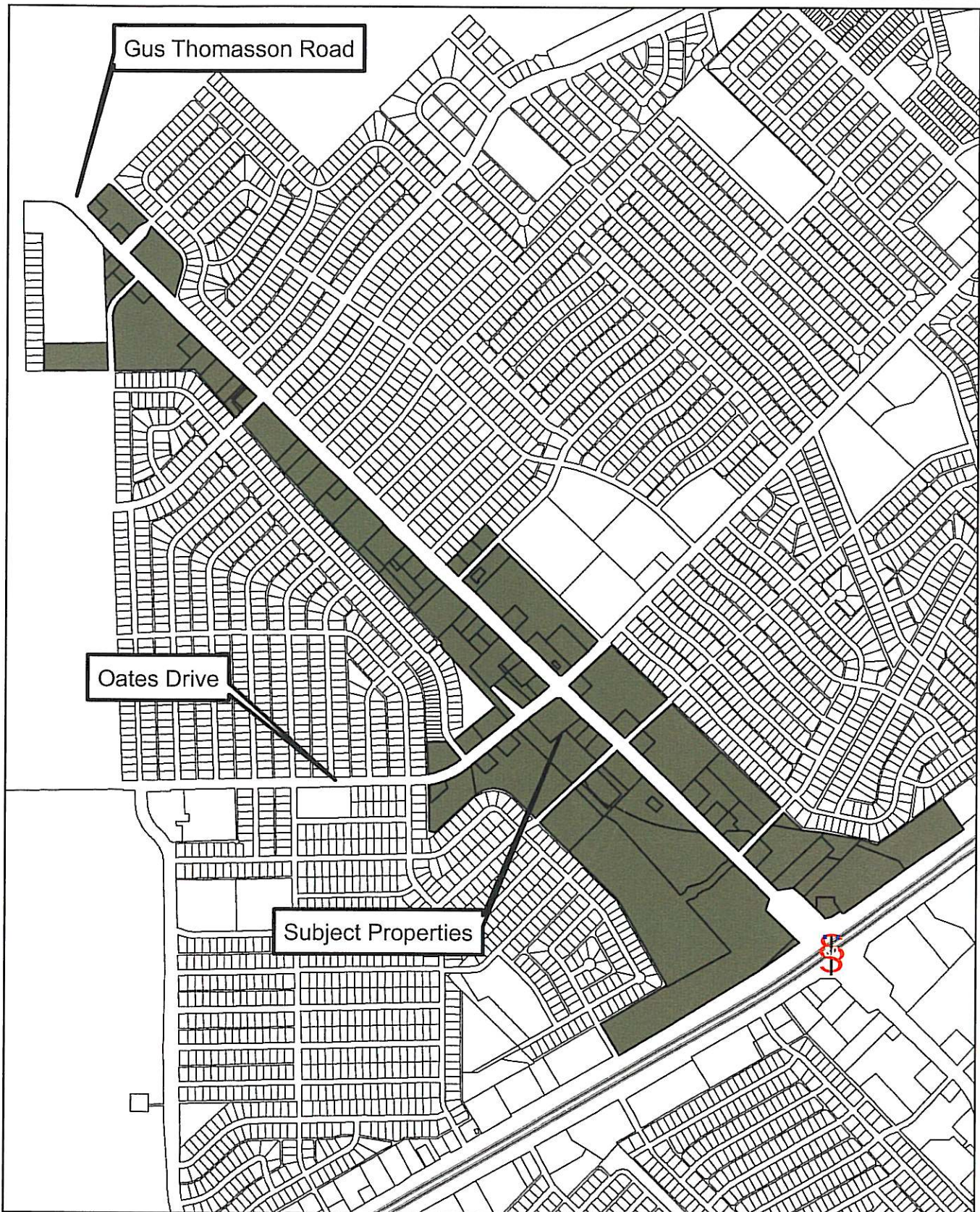
Judy Womack
City Secretary



B. J. Smith
City Attorney

North Gus Thomasson Corridor District

Exhibit "A"



File No. 2008-8
Request: From: Current Zoning
To: North Gus Thomasson Corridor District
Location: All properties with frontage on Gus Thomasson Road from Interstate Highway 30 north to the City Limit line, and in addition all properties lying within 1,500 feet of Gus Thomasson Road except for such properties that are currently zoned R-1, R-2 or R-3 single-family residential, all as shown in Exhibit A.
Applicant: City of Mesquite