

ORDINANCE NO. 4183
File No. 1157-30-2011

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 PLANNED DEVELOPMENT - MULTI-FAMILY TO PLANNED DEVELOPMENT - OFFICE ON PROPERTY LOCATED AT 850 IH-30; THEREBY ALLOWING USES PERMITTED IN THE OFFICE ZONING DISTRICT SUBJECT TO CERTAIN STIPULATIONS; 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 from Planned Development - Multifamily to Planned Development - Office subject to the following stipulations:

1. Uses permitted by right in the Office Zoning District as provided by the Mesquite Zoning Ordinance shall be permitted.
2. Office buildings shall be developed in accordance with Section 11.0 of the Community Appearance Manual as an "Office Park."

That the subject property is described as being a vacant 7.82-acre tract out of J.S. Phelps Survey, Abstract No. 1157, located at 850 IH-30, and is more fully described in the approved field notes in the attached Exhibit "A."

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

PD A-3, TRACT 2

BEING A 7.82 ACRE TRACT OF LAND IN THE J.S. PHELPS SURVEY, ABSTRACT NO. 1157 IN THE CITY OF DALLAS AND CITY OF MESQUITE, DALLAS COUNTY, TEXAS AND BEING PART OF CALLED 5.6410 ACRES TRACT OF LAND RECORDED IN VOLUME 2004106, PAGE 07086, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS AND A CALLED 9.339 ACRES TRACT OF LAND RECORDED IN VOLUME 204118, PAGE 08977, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS AND BEING PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT AN ALUMINUM MONUMENT FOUND AT THE NORWEST CORNER OF SAID 5.6410 ACRES AND SAME BEING THE NORTHEAST CORNER OF LOT 3, BLOCK A, PALO VERDES LANDING ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 82240, PAGE 4166, DEED RECORDS OF DALLAS COUNTY, TEXAS AND IN THE SOUTH RIGHT OF WAY LINE IN INTERSTATE HIGHWAY 30 (VARIABLE WIDTH RIGHT OF WAY),

THENCE NORTH 65 DEGREES 08 MINUTES 40 SECONDS EAST (REFERENCE BEARING IN GEODETIC) WITH SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 266.83 FEET TO AN IRON ROD;

THENCE NORTH 70 DEGREES 51 MINUTES 23 SECONDS EAST WITH SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 201.00 FEET TO AN IRON ROD;

THENCE NORTH 65 DEGREES 14 MINUTES 55 SECONDS EAST WITH SAID SOUTH RIGHT OF WAY LINE FOR A DISTANCE OF 14.64 FEET TO AN IRON ROD;

THENCE SOUTH 60 DEGREES 14 MINUTES 59 SECONDS EAST DEPARTING SAID SOUTH RIGHT OF WAY LINE AND WITH THE EAST LINE OF SAID 9.6262 ACRES FOR A DISTANCE OF 492.49 FEET TO AN IRON ROD;

THENCE SOUTH 66 DEGREES 40 MINUTES 05 SECONDS EAST WITH THE EAST LINE OF SAID 9.6262 ACRES FOR A DISTANCE OF 319.67 FEET TO AN IRON ROD FOUND FOR CORNER AND BEING THE PLACE OF BEGINNING;

THENCE SOUTH 48 DEGREES 51 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 318.59 FEET TO AN IRON ROD SET FOR CORNER;

THENCE SOUTH 21 DEGREES 10 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 75.47 FEET TO AN IRON ROD SET FOR CORNER;

THENCE NORTH 89 DEGREES 52 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 329.02 FEET TO AN IRON ROD SET FOR CORNER;

THENCE SOUTH 78 DEGREES 43 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 434.19 FEET TO AN IRON ROD SET FOR CORNER;

THENCE SOUTH 78 DEGREES 43 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 418.28 FEET TO AN IRON ROD SET FOR CORNER;

THENCE NORTH 23 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 198.12 FEET TO AN IRON ROD SET FOR CORNER;

THENCE NORTH 64 DEGREES 03 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 829.26 FEET TO AN IRON ROD SET FOR CORNER;

THENCE SOUTH 66 DEGREES 40 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 249.87 FEET TO THE PLACE OF BEGINNING AND CONTAINING 340,826 SQUARE FEET OR 7.82 ACRES OF LAND.

BEST EDITION

CITY OF MESQUITE, TEXAS

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.

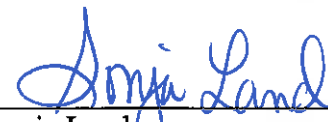
SECTION 7. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the 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 17th day of October, 2011.




John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney