

ORDINANCE NO. 4582
File No. Z0518-0037

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 COMMERCIAL TO COMMERCIAL WITH A
CONDITIONAL USE PERMIT ON PROPERTY LOCATED AT
917 MILITARY PARKWAY THEREBY ALLOWING A BANK
WITH A DRIVE-THROUGH FACILITY AND SUBJECT TO ONE
STIPULATION; 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 Commercial to Commercial with a Conditional Use Permit ("CUP") thereby allowing a bank with a drive-through facility with the stipulation that the existing drive-through facility shall be removed within 60 days of the new drive-through facility being completed and operational.

That the subject property is located at 917 Military Parkway, described as approximately five acres in the Daniel S. Carver Survey, Abstract No. 342 and shown in the map attached as 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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 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 5. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate offense.

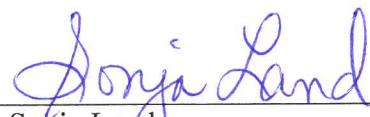
SECTION 6. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the preservation of the public health, safety and welfare, and requires that this ordinance shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 16th day of July, 2018.



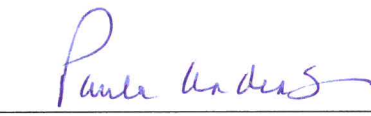
Stan Pickett
Mayor

ATTEST:

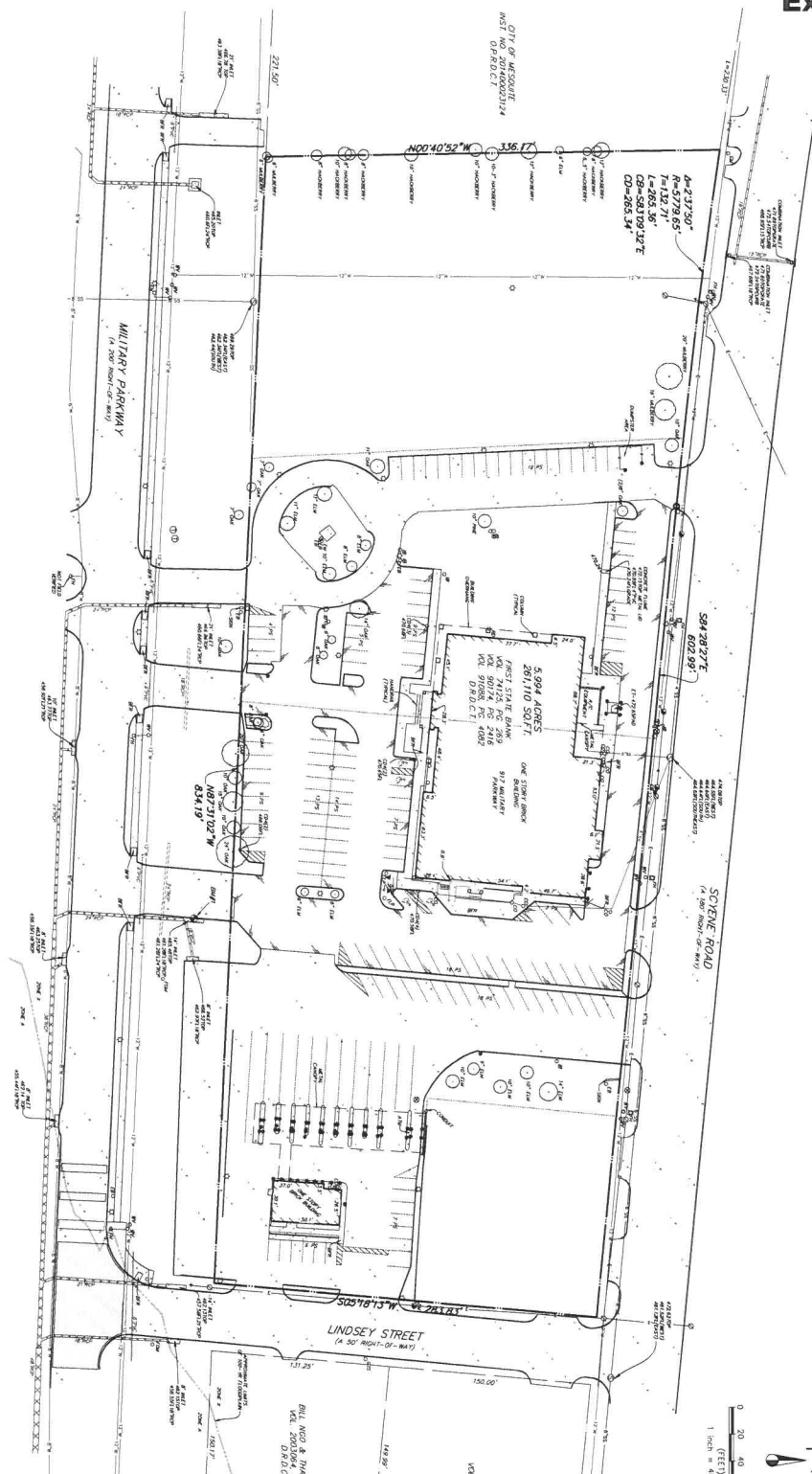


Sonja Land
City Secretary

APPROVED:



Paula Anderson
Interim City Attorney



PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

THE BOUNDARY SHOWN HEREON HAS NOT BEEN FINALIZED.

RLG

RAYMOND L. GOODSON JR., INC.
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7895 S. REG. #002041-00
rjg@raygood.com

AMERICAN NATIONAL BANK
DANIEL S. CARVER SURVEY, ABSTRACT NO. 3442
IN THE
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

SCALE: 1" = 40'
JOB NO. 1811.039
DATE: 06/14/2018
E-FILE
SHEET 1 OF 1
1811.039
DWG NO. -

Underpinning: utilities are shown on the survey. If they are located on the site, they will be protected. Underpinning utilities may not be required. The contractor will be responsible for obtaining all permits. **176345** (1-800-344-8217) before excavation or digging.

Benches:

City of Reservoir Station 075 11: Brass cap stamped "075 11" with "CITY OF DENVER" on the cap. Located on the east side of the bridge. **44231** (Pulsified)

BNF: Square cut on the east curb line of a driveway, centered on the lot. Located north of the centerline of Mulvey Parkway on lot 292, near west of the centerline of Lashby Drive. **46347** (R10)

