

ORDINANCE NO. _____
File No. Z0119-0085

AN ORDINANCE AMENDING THE MESQUITE ZONING ORDINANCE BY APPROVING A CONDITIONAL USE PERMIT FOR A NEW HIGH SCHOOL ON PROPERTY ZONED PLANNED DEVELOPMENT - SINGLE-FAMILY #2344 AND LOCATED AT 4200 FAITHON P. LUCAS SR. BOULEVARD 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 EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the City Council, in compliance with the Charter of the City of Mesquite, state laws and the zoning ordinance, have given the required notices and held the required public hearings regarding the rezoning of the subject property; and

WHEREAS, the City Council finds that it is in the public interest to grant this change in zoning.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance is hereby amended by approving a Conditional Use Permit on property zoned Planned Development - Single-Family #2344 thereby allowing a new high school subject to the following stipulations:

- (1) The Traffic Impact Analysis shall be reviewed and verified prior to the final approval of the site plan.
- (2) The Traffic Management Plan shall be evaluated after implementation to determine if additional measures are necessary.

SECTION 2. That the subject property is approximately 44.097 acres in the JP Anderson Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas, and located at 4200 Faithon P. Lucas Sr. Boulevard, and is more fully described in the legal description attached hereto as Exhibit "A."

SECTION 3. 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 4. That the property described in Section 2 of this ordinance shall be used only in the manner and for the purposes provided for by the Mesquite Zoning Ordinance.

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 (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 7. That this ordinance shall take effect and be in force from and after five days after publication.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of April 2019.

Stan Pickett
Mayor

ATTEST:

APPROVED:

Sonja Land
City Secretary



David L. Paschall
City Attorney

Exhibit "A"

Z0119-0085

NOTES:

1. The original copy will have original signatures, stamp and an impression seal.
2. Copyright 2018, Surburan Surveying, Inc.
3. This survey is being provided solely for the use of the current parties.
4. This survey is subject to all easements of record.
5. The basis of bearings, horizontal and vertical position are derived from Texas 8601 ETS Network, Texas State Plane Coordinate System, NAD83, North Central Zone, NAD 83 (CONUS83) Epoch 2002.0. Vertical position are referenced to NAVD83 using (GEOID03).

CITY OF MESQUITE
VOLUME 84131, PAGE 491
L.R.D.C.T.

S 45°38'17" E 1742.97'

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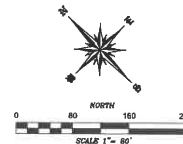
N 44°21'43" E 1099.89'

44.097 ACRES
CALLED 44.097 ACRES
MESQUITE INDEPENDENT SCHOOL DISTRICT
C.C. NO. 201800334777
L.R.D.C.T.

4200 FAITHON P. LUCAS SR. BLVD.
VACANT

N 45°38'17" W 1747.35'

CITY OF MESQUITE
SPORTS COMPLEX
CITY OF MESQUITE
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LEGEND

- C.M. = CONTROLLING MONUMENT
C.M. = CORNER 1/2" IRON ROD SET STAMPED (NAD 83)
W.P. = WOOD POST FOUND
P.F. = POWER POLE
C. = CURB
S. = SIGN
L.P. = LIGHT POLE
W.A. = WOOD ARCH
S.A. = SANDWICH SIGN
W. = WALK
S.M. = SIGN MARK
S.M. = SIGN MARK
W.V. = WOOD VALVE
P.O. = POWER POLE
S.D. = SIGN
W.P. = WOOD POST

LEGAL DESCRIPTION

BEING a tract of land situated in the John P. Anderson Survey, Abstract No. 1, City of Mesquite, Dallas County, Texas, and being all of a called 44.097 acre tract conveyed to the Mesquite Independent School District as recorded in County Clerk No. 201800334777, Land Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "3310" found for corner in the northwest Right Of /Way line of Faithon P. Lucas Sr. Blvd. (120' ROW), said iron rod being at the south corner of said call 44.097 acre tract;

THENCE N 45°38'17" W a distance of 1747.35' to a 1/2" iron rod with yellow plastic cap stamped "3310" found for corner;

THENCE N 44°21'43" E a distance of 1099.89' to a 1/2" iron rod with yellow plastic cap stamped "3310" found for corner;

THENCE S 45°38'17" E a distance of 1742.97' to a 1/2" iron rod with yellow plastic cap stamped "3310" found for corner;

THENCE S 43°52'37" W a distance of 474.42' to a 5/8" iron rod with yellow plastic cap stamped "HALF" found for corner;

THENCE S 44°21'43" W a distance of 277.49' to the POINT OF BEGINNING and containing 1,920,877 Square Feet or 44.097 Acres of land.

BOUNDARY SURVEY
44.097 ACRES
MESQUITE ISD
JOHN P. ANDERSON SURVEY
ABSTRACT NO. 1
CITY OF MESQUITE
DALLAS COUNTY, TEXAS

SURBURAN SURVEYING, INC.
P.O. BOX 126
ARVIN, TEXAS 75601
(972) 524-8200
FAX NO. 10089300

SCALE 1" = 80'

DATE: MARCH 1, 2019

JOB No. 2019-09