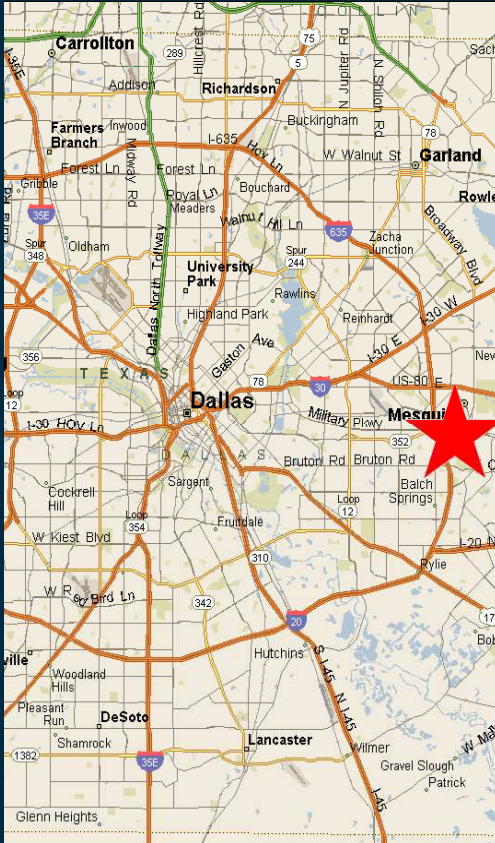


# 816 West Scyene Road Mesquite, Texas 75149

## FOR SALE Development Site



### FEATURES

<b>Location:</b>	Central Mesquite, several blocks west of North Galloway Avenue and one mile east of 635/LBJ Freeway
<b>Land Area:</b>	36,786 SF (+/-) or .84 Acres (+/-)
<b>Frontages:</b>	See attached survey
<b>Utilities:</b>	Available
<b>Zoning:</b>	MP-SC - Military Parkway Scyene Corridor Overlay (see attached for a list of acceptable uses)
<b>Comments:</b>	1.) Artery exposure 2.) Convenient freeway access to several major thoroughfares
<b>Sales Price:</b>	<del>\$195,000 (\$5.30 PSF)</del> <b>\$165,000 (\$4.49)</b>

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All information furnished is from sources deemed reliable and is submitted subject to errors, omissions, change of price or other conditions, prior sale, lease or withdrawal.

## 4-900 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT

### **4-901 PURPOSE AND SCOPE**

**Ord. 3846/12-18-06**

The Military Parkway–Scyene Corridor is positioned centrally between the Mesquite Arena and Rodeo Entertainment District, the downtown and historic Square area, and IH-635 and the rail line north of Scyene. The purpose of the MP-SC Overlay District is to create an attractive and effective gateway into downtown and link these important assets and land uses. To this end, the MP-SC Overlay District is intended to:

- Provide for a selective palette of retail/entertainment uses while accommodating a limited mix of residential and service uses that compliment the retail development or that support pedestrian- and transit-oriented design.
- Avoid familiar “strip” patterns of development by encouraging multi-use development on large or unified parcels that minimize access points, allow for 360° design and reduce auto-dominated frontage.
- Establish non-traditional setback, parking standards, lighting, signage and other site planning features that create a distinct and cognizable “sense of place” on Military Parkway and Scyene Road.
- Encourage pedestrian activity on the street frontage, between major uses and with links to the Parks and Recreation trail system.
- Preserve long-term opportunities for incorporating transit-oriented development.

### **4-902 MILITARY PARKWAY-SCYENE CORRIDOR OVERLAY DISTRICT PREFIX** Ord. 3846/12-18-06

The MP-SC prefix designation is a zoning overlay district. After the effective date of this ordinance, the addition or removal of the MP-SC prefix constitutes zoning action requiring due process required under State law. No land within the City except the following described area shall be designated MP-SC without the requisite notice and public hearing provided by State law. The City shall have only one contiguous Military Parkway–Scyene Corridor District.

#### **Land Zoned MP-SC Military Parkway–Scyene Corridor**

All land, regardless of zoning on the effective date of this ordinance, which is located between IH-635 and Carmack Street, and which is situated:

- A. Between Military Parkway and Scyene Road; or
- B. With frontage on the south right-of-way line of Military Parkway or surrounded by land with such frontage.

### **4-903 PERMITTED USES**

**Ord. 3846/12-18-06**

In this district no land shall be used except for one or more of the following uses to the extent that they are not prohibited by other regulations or ordinances.

- A. **Standard District**  
All land in the overlay district shall retain its existing zoning designation and all characteristics of such zoning, except as modified herein.
- B. **Private Club**  
As hereinafter regulated.
- C. **Restricted Uses**
  1. Except for the uses listed in paragraphs 3 and 4 of this subsection, all uses within the MP-SC Overlay District shall require approval of a Conditional Use Permit in accordance with §5-300 and the supplemental criteria established herein. When a use is allowed in the underlying existing zoning district by the Schedule of Permitted Uses (§3-203) as a Permitted Use or Conditional Use Permit, application may be made in the MP-SC Overlay District for approval as a Conditional Use Permit.

2. In addition to the review criteria for a Conditional Use Permit enumerated in §5-303, the Planning Commission and City Council shall consider the following:

(a) ***Conformance to Planning Principles***

That the proposed use conforms to the Comprehensive Plan and the purposes of the MP-SC Overlay District.

(b) ***Support for Residents or Customers***

That the proposed use will support the retail and service needs of the residents of the overlay district or the customers of the uses that are permitted-by-right within the overlay district. Support may be evidenced, among other ways, by a public pedestrian connection to the residents or the customer-based uses that will benefit from the proposed use.

3. The uses permitted-by-right in the MP-SC Overlay District include, and are expressly limited to, the following:

***Residential Uses***

- (a) Multi-family dwellings not exceeding 75 percent of the floor-area of a building in a vertical mixed-use development. No multi-family use is permitted at ground level. Multi-family use exceeding the vertical development ratio shall require a Conditional Use Permit.

***Retail Trade (Ord. 4285/09-16-2013)***

- (b) SIC 525 Hardware Stores  
(c) SIC 53 General Merchandise Stores  
(d) SIC 54 Food Stores  
(e) SIC 554a Limited Gasoline Sales (incidental to Convenience Stores only)  
(f) SIC 56 Apparel, Accessory Stores  
(g) SIC 57 Furniture, Home Furnishings  
(h) SIC 5812 Eating Places, except Drive-In Restaurants or Restaurants with Drive-Through Facilities  
(i) SIC 591 Drug, Proprietary Stores  
(j) SIC 594 Miscellaneous Shopping Goods Stores  
(k) SIC 599 Retail Stores NEC, except SIC 5999 Miscellaneous Retail NEC

***Services***

- (l) SIC 701a General Service Hotel/Motel  
(m) SIC 7011 Bed and Breakfast Inns  
(n) SIC 7219 Laundry, Garment Services NEC  
(o) SIC 724 Barber Shops  
(p) SIC 725 Beauty Shops  
(q) SIC 725 Shoe Shine and Repair  
(r) SIC 7334 Photocopying, Duplicating Services  
(s) SIC 7336 Commercial Art, Graphics Design  
(t) SIC 763 Watch, Clock, Jewelry Repair  
(u) SIC 7991 Physical Fitness Facilities  
(v) SIC 7999c Commercial Art Galleries, Museums  
(w) SIC 81 Legal Services  
(x) SIC 835 Child Day Care Services  
(y) SIC 84 Museums, Art Galleries, Arboreta, Zoos  
(z) SIC 87 Engineering, Accounting, Research, Management Services

***Accessory Uses and Structures***

- (aa) Parking

4. The following uses are expressly prohibited within the MP-SC Overlay District, provided that any such use that exists as of December 18, 2006, and which is lawfully operating as of said date, shall not be classified as nonconforming under Section 1-301 A. The right to operate any such use shall terminate if the use is discontinued for one year or more.

**Construction**

- (a) SIC 15 Building Contractors
- (b) SIC 16 Heavy Construction Contractors
- (c) SIC 17 Special Trade Contractors

**Manufacturing**

- (d) SIC 20-39 (All manufacturing uses)

**Transportation and Utilities**

- (e) SIC 42 Motor Freight Transportation and Warehousing
- (f) SIC 44 Water Transportation
- (g) SIC 45 Air Transportation
- (h) SIC 46 Pipelines
- (i) SIC 49 Electric, Gas, Sanitary Sewer, except SIC 49b Business Office

**Wholesale Trade**

- (j) SIC 50-51 (All wholesale trade use, durable and non-durable)

**Retail Trade (Ord. 4285/09-16-2013)**

- (k) SIC 55 Automobile Dealers, Service Stations except as provided for in Subsection 3, above

**Services**

- (l) SIC 735 Miscellaneous Equipment Rental, Leasing
- (m) SIC 75 Automotive Repair and Services
- (n) SIC 836c Residential Care Institutions
- (o) SIC 86 Membership Organizations as the primary use of tracts greater than one acre

**4-904 REQUIRED CONDITIONS**

**Ord. 3846/12-18-06; Ord. 4284 & 4285/09-16-2013**

All establishments in the MP-SC Overlay District shall meet the following conditions, in addition to any stipulations or conditions of approval under the Conditional Use Permit provisions of this ordinance.

**A. Site/Floor Plan**

A site/floor plan of any proposed establishment shall be submitted and approved by the Director prior to the issuance of a building permit or certificate-of-occupancy. The site plan approval shall identify (a) the specific activities approved and (b) any added stipulations or conditions for development or operation.

**B. Private Clubs (in conjunction with Full-Service Hotel only) (Ord. 3922/12-17-07)**

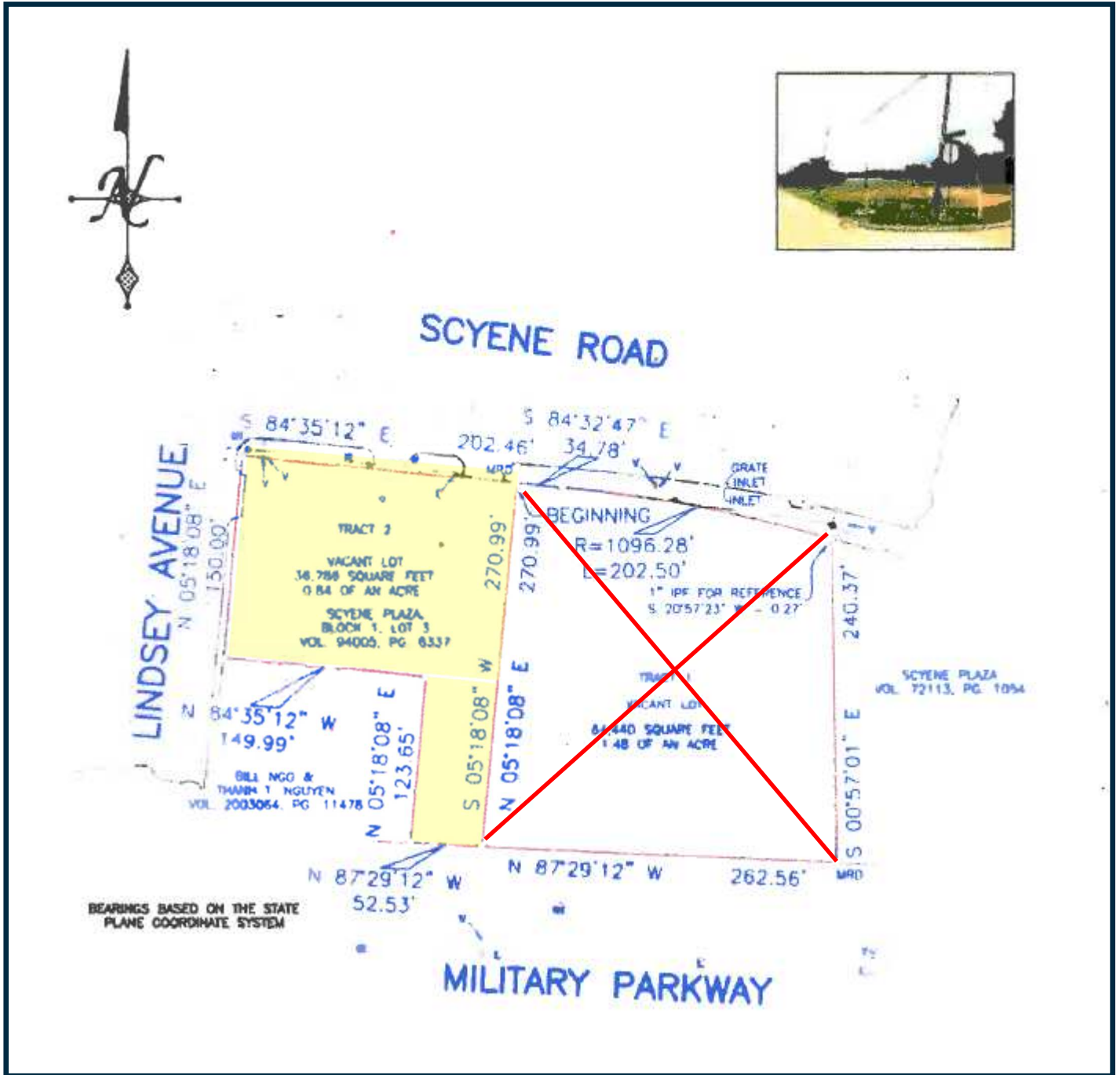
A private club may be housed within a full-service hotel on land zoned either LC or C and shall comply with the following:

1. **Location:** The premises shall not be located less than 300 feet from any school. Other separation requirements of City Code §8-840 shall not apply.
2. **Minimum capacity:** The hotel shall contain a minimum of 100 rooms, all with access from internal hallways, and shall contain an internal restaurant.
3. **Primary use:** The hotel shall constitute not less than 60 percent of the gross floor area of the structure.
4. **Access:** The bar area shall have no exterior entrance.
5. **Signs:** No signs advertising the sale of alcoholic beverages shall be permitted; however, this shall not prohibit use of established trade names of establishments.
6. **Drink promotions:** Drinks shall not be offered for sale at a price reduced from the customary price during a specific period for promotional purposes (sometimes called "Happy Hour" or similar promotional activities designed to stimulate the sale of alcohol).

**C. Site Design and Maintenance**

The site of any proposed establishment within the MP-SC Overlay District shall be designed and developed in accordance with this Section in addition to all other requirements of the City's ordinances and in accordance

# SURVEY



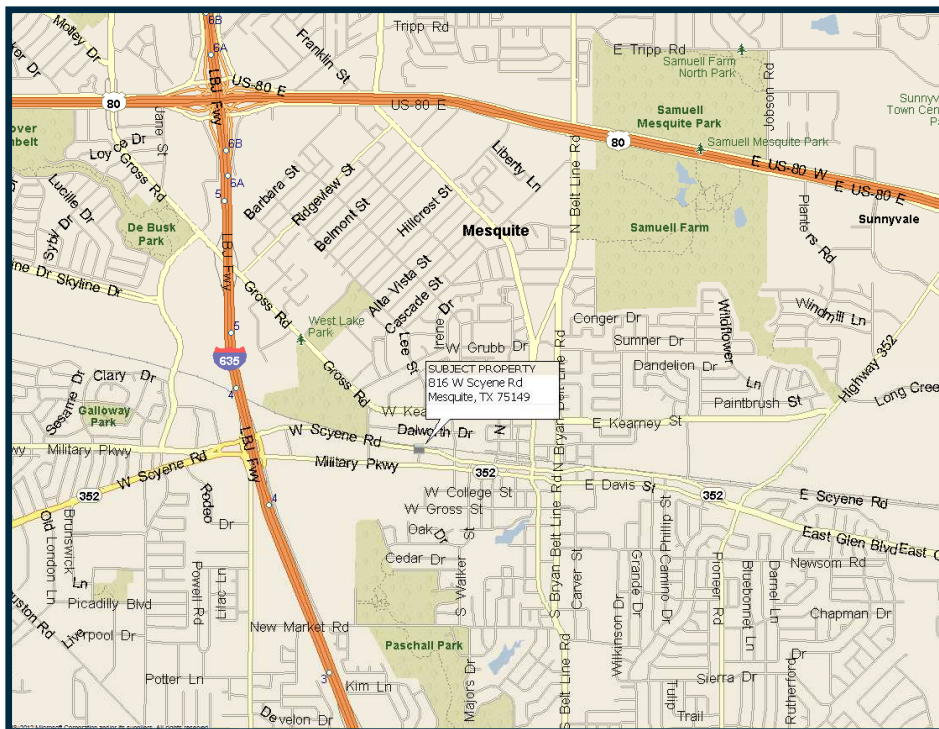
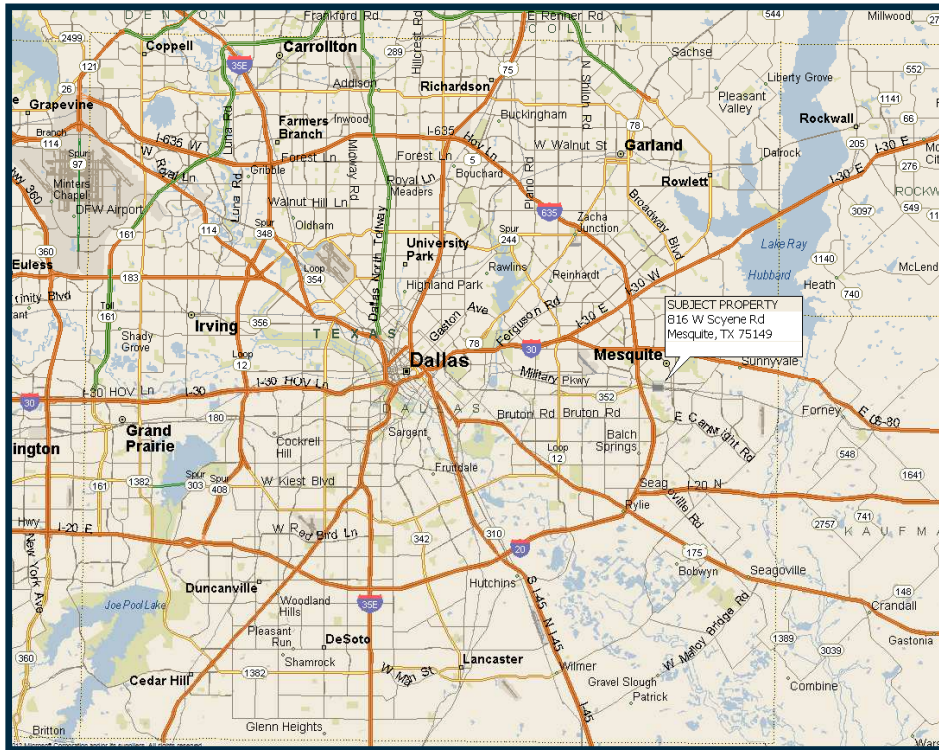
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# LOCATION MAPS



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# Property Information and Condition Statement

## Property Information and Condition Statement

This offering has been prepared solely for informational purposes. It is designed to assist a potential Buyer or Tenant in determining whether it wishes to proceed with an in-depth investigation of the subject property. While the information contained herein is from sources deemed reliable, it has not been independently verified by the Vasseur Commercial Real Estate, Inc., its' affiliate, Seller or Landlord. This document's information is provided subject to errors, omissions and changes in the price or other conditions, prior sale or lease, and is subject to modification or withdrawal from the market.

Any projections and pro forma budgets or any other data contained herein represent best estimates on assumptions considered reasonable under the circumstances. No representations or warranties, expressed or implied, are made that actual results will conform to such projections.

Interested Buyers should be aware that the Seller is selling the Property in "AS IS" CONDITION WITH ALL FAULTS, WITHOUT REPRESENTATIONS OR WARRANTIES OF ANY KIND OR NATURE. Prior to and/or after contracting to purchase, as appropriate, Buyer will be given a reasonable opportunity to inspect and investigate the Property and all improvements thereon, either independently or through agents of the Buyer's choosing.

The Seller reserves the right to withdraw the Property being marketed at any time without notice, to reject all offers, and to accept any offer without regard to the relative price and terms of any other offer. Any offer to buy must be: (i) presented in the form of a non-binding letter of intent; (ii) incorporated in a formal written contract to purchase and sale to be prepared by the Seller and executed by both parties; and (iii) approved by Seller and such other parties who may be an interest in the Property. Neither the prospective Buyer nor Seller shall be bound until the execution of the contract of purchase and sale, which contract shall supersede prior discussions and writings and shall constitute the sole agreement of the parties.

Prospective Buyers and Tenants shall be responsible for their costs and expenses of investigating the Property and all other expenses, professional or otherwise, incurred by them.

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# Information About Brokerage Services

Texas law requires all real estate license holders to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

11-2-2015



### TYPES OF REAL ESTATE LICENSE HOLDERS:

- A **BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- A **SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

### A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

### A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

**AS AGENT FOR OWNER (SELLER/LANDLORD):** The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

**AS AGENT FOR BUYER/TENANT:** The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

**AS AGENT FOR BOTH - INTERMEDIARY:** To act as an intermediary between the parties the broker must first obtain the written agreement of *each party* to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
  - that the owner will accept a price less than the written asking price;
  - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
  - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

**AS SUBAGENT:** A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

### TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

**LICENSE HOLDER CONTACT INFORMATION:** This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
<b>Gary Vasseur</b>	<b>158025</b>	<b>gvasseur@vasseurcre.com</b>	<b>817-335-7575</b>
Designated Broker of Firm	License No.	Email	Phone
<b>Gary Vasseur</b>	<b>158025</b>	<b>gvasseur@vasseurcre.com</b>	<b>817-335-7575</b>
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
<b>Nathan Vasseur</b>	<b>588136</b>	<b>nvasseur@vasseurcre.com</b>	<b>817-335-7575</b>
Sales Agent/Associate's Name	License No.	Email	Phone

\_\_\_\_\_  
Buyer/Tenant/Seller/Landlord Initials

\_\_\_\_\_  
Date



## SALE/LEASE AMERICANS WITH DISABILITIES ACT AND HAZARDOUS MATERIALS DISCLOSURE

The United States Congress has enacted the Americans With Disabilities Act. Among other things, this act is intended to make business establishments equally accessible to persons with a variety of disabilities; modifications to real property may be required. State and local laws also may mandate changes. The real estate brokers in this transaction are not qualified to advise you as to what, if any, changes may be required now, or in the future. Owners and tenants should consult the attorneys and qualified design professionals of their choice for information regarding these matters. Real estate brokers cannot determine which attorneys or design professionals have the appropriate expertise in this area.

Various construction materials may contain items that have been or may be in the future be determined to be hazardous (toxic) or undesirable and may need to be specifically treated/handled or removed. For example, some transformers and other electrical components contain PCB's and asbestos has been used in components such as fire-proofing, heating and cooling systems, air duct insulation, spray-on and tile acoustical materials, linoleum, floor tiles, roofing, dry wall and plaster. Due to prior or current uses of the Property or in the area, the Property may have hazardous or undesirable metals, minerals, chemicals, hydrocarbons, or biological or radioactive items (including electric and magnetic fields) in soils, water, building components, above or below-ground containers or elsewhere in areas that may or may not be accessible or noticeable. Such items may leak or otherwise be released. Real estate agents have no expertise in the detection or correction of hazardous or undesirable items. Expert inspections are necessary. Current or future laws may require clean up by past, present and or/future owners and or/operators. It is the responsibility of the Seller/Lessor and Buyer/Tenant to retain qualified experts to detect and correct such matters and to consult with legal counsel of their choice to determine what provisions, if any, they may wish to include in transaction documents regarding the Property.

SELLER/LESSOR

BUYER/TENANT

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_