

ORDINANCE NO. 4167  
File No. 1462-266-2010

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 ON THREE SEPARATE TRACTS OF LAND FROM A-1 MULTIFAMILY TO TRADITIONAL NEIGHBORHOOD MIXED RESIDENTIAL (TNMR) ON TRACTS "A" AND "B" LOCATED AT 1144 REDMAN AVENUE AND 1000 GROSS ROAD, RESPECTIVELY, AND PLANNED DEVELOPMENT - DUPLEX TO TNMR ON TRACT "C" LOCATED AT 2100 DIANE DRIVE; 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 A-1 Multifamily to Traditional Neighborhood Mixed Residential (TNMR) on Tracts "A" and "B," and from Planned Development - Duplex to TNMR on Tract "C."

That the subject properties are shown in the attached Exhibit "A" and are more fully described as being:

- (1) Tract "A" is on an undeveloped 9.3-acre lot located at 1144 Redman Avenue and platted as Redman Square Apartments; and
- (2) Tract "B" is on an undeveloped 4.005-acre tract located at 1000 Gross Road and further described as Daniel Tanner Abst 1462 Pg 624, Part of Tract 22; and
- (3) Tract "C" is on an undeveloped 5.44-acre tract located at 2100 Diane Drive and further described as Daniel Tanner Abst 1462 Pg 624, Tract 14.

SECTION 2. That the properties 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, all of which shall be administered consistent with the requirements of the TNMR District, the Zoning Ordinance and successor ordinances.

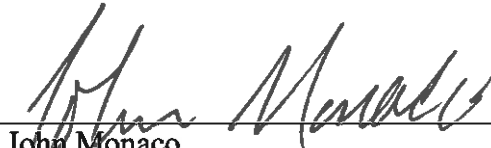
SECTION 4. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and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

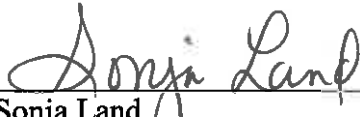
SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 7. That the properties described in Section 1 of this ordinance require that they be given the above classification in order to permit their proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, create an urgency and emergency for the preservation of the public health, safety and welfare, and require that this ordinance shall take effect immediately from and after its passage and publication of said ordinance as the law in such cases provides.

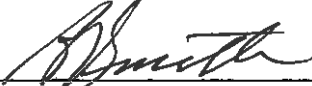
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 19th day of September, 2011.

  
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John Monaco  
Mayor

ATTEST:

  
\_\_\_\_\_  
Sonja Land  
City Secretary

APPROVED:

  
\_\_\_\_\_  
B. J. Smith  
City Attorney

# Zoning Case #1462-266-2010

## Exhibit "A"

