

ORDINANCE NO. 4168
File No. 34-42-2010

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 FROM PLANNED DEVELOPMENT - MULTIFAMILY TO TRADITIONAL NEIGHBORHOOD MIXED RESIDENTIAL ON PROPERTY LOCATED AT 2400 AND 2500 EAST MEADOWS BOULEVARD; 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 Traditional Neighborhood Mixed Residential (TNMR).

That the subject property is an undeveloped 14-acre lot located at 2400 and 2500 East Meadows Boulevard, further described as W. O. Abbot Abst 34 PG 240, 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 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.

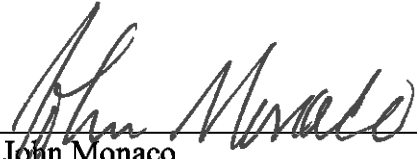
To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

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.

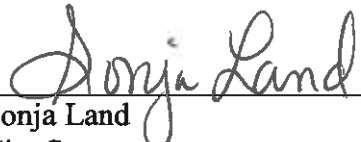
SECTION 7. That the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for the 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 19th day of September, 2011.




John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney

LEGAL DESCRIPTION

East Meadows Development
Mesquite, Texas

Being a tract of land situated in the W.O. Abbott Survey Abstract No. 34, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

Commencing at the intersection of the Northerly R.O.W. line of Interstate 20 (a 300.0 feet R.O.W.) and the Westerly R.O.W. line of East Meadows Boulevard (a 80.0 feet R.O.W.);

THENCE, N 20° 13' 50" E, along said Westerly R.O.W. line of East Meadows Boulevard, a distance of 260.00 feet to the POINT OF BEGINNING;

THENCE, N 69° 46' 10" W, a distance of 545.82 feet to a point for corner;

THENCE, North, a distance of 606.21 feet to a point for corner;

THENCE, North, a distance of 80.00 feet to a point for corner;

THENCE, N 89° 31' 10" E, a distance of 696.66 feet to a point for corner;

THENCE, N 89° 31' 10" E, a distance of 306.25 feet to a point for corner;

THENCE, S 56° 16' 10" E, a distance of 60.05 feet to a point for corner; said point lying on the Westerly R.O.W. line of East Meadows Boulevard;

THENCE, S 33° 43' 50" W, along said Westerly R.O.W. line of East Meadows Boulevard, a distance of 86.77 feet to a point for corner;

THENCE, S 31° 50' 00" W, along said Westerly R.O.W. line of East Meadows Boulevard, a distance of 5.29 feet to the beginning of a curve to the right along the Westerly R.O.W. line of East Meadows Boulevard; said curve to the right having an initial tangent bearing of S 29° 56' 20" W:

THENCE, along said curve to the right along the Westerly R.O.W. line of East Meadows Boulevard, having a central angle of 3° 47' 30", a radius of 470.00 feet and a tangent of 15.56 feet, a distance of 31.10 feet to a point for corner in the Westerly R.O.W. line of East Meadows Boulevard;

THENCE, S 33° 43' 50" W, along said Westerly R.O.W. line of East Meadows Boulevard, a distance of 705.40 feet to the beginning of a curve to the left along the Westerly R.O.W. line of East Meadows Boulevard;

THENCE, along said curve to the left along the Westerly R.O.W. line of East Meadows Boulevard, having a central angle of 13° 30' 00", a radius of 765.12 feet and a tangent of 90.56 feet, a distance of 180.27 feet to the POINT OF BEGINNING and containing 637,937 square feet or 14.6450 acres of land.