

ORDINANCE NO. \_\_\_\_\_  
File No. Z0318-0026

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 – SINGLE FAMILY TO PLANNED DEVELOPMENT - OFFICE SUBJECT TO CERTAIN STIPULATIONS THEREBY ALLOWING A NEW OFFICE BUILDING ON THE SUBJECT PROPERTY LOCATED AT 819 NORTH TOWN EAST BOULEVARD; 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 to approve a change of zoning on property zoned Planned Development - Single Family to Planned Development - Office subject to the following stipulations:

1. Development of the office building shall conform generally to the concept plan, attached hereto as Exhibit “A,” and subject to the City’s environmental and site development regulations applicable to the Office Zoning District.
2. Uses shall be limited to those uses permitted by right in the Office Zoning District as prescribed in the City of Mesquite Zoning Ordinance.
3. In lieu of installing a masonry screening wall along the north property line, a six-foot wrought-iron fence with masonry columns placed 35 feet on center and with a tree line consisting of large shade trees shall be installed as noted on the Exhibit “A.” One tree shall be provided for each 35 linear feet and trees shall be planted no more than 35 feet apart (on center).

That the subject property is located at 819 North Town East Boulevard and is more fully described as being Lot 22, Block 4, Green Canyon Estates.

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 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 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 16th day of April, 2018.

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Stan Pickett  
Mayor

ATTEST:

APPROVED:

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Sonja Land  
City Secretary

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Interim City Attorney

Concept Plan (Exhibit "A")

