

ORDINANCE NO. 335

AN ORDINANCE AMENDING ORDINANCE NO. 120 ENACTED BY THE CITY COUNCIL ON MAY 3, 1955, BY PERMITTING THE HEREINAFTER DESCRIBED PROPERTY TO BE USED FOR COMMERCIAL "C" USES UNDER A SPECIAL PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A MEAT PREPARATION BUSINESS, FOR WHOLESALE, RETAIL SALE AND FOR THE COMMERCIAL PREPARATION OF COOKED MEATS, AS DESIGNATED AND APPROVED BY THE CITY PLANNING AND ZONING COMMISSION, SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREAFTER MORE FULLY EXPRESSED; AND THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE PLANS AND SPECIFICATIONS SUBMITTED THEREFOR AND APPROVED BY THE CITY PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS; AND DECLARING AN EMERGENCY.

WHEREAS, the City 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 the State Law with reference to the granting of Special Permits under the Zoning Ordinance regulations and zoning map have given the requisite notices by publications and otherwise and after holding due hearing and affording a full and fair hearing to all property owners, generally, and to the persons interested situated in the affected area and in the vicinity thereof, the Governing Body of the City of Mesquite is of the opinion that said Special Permit should be granted, subject to the conditions set out herein.

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

Section 1. That Ordinance No. 120 enacted by the City Council on May 3, 1955, be and is hereby amended insofar as the hereinafter described property is concerned and said property shall be used for Commercial "C" uses under a Special Permit to allow the construction and operation of a meat preparation business, for wholesale, retail sale and for the commercial preparation of cooked meats, as designated and approved by the City Planning and Zoning Commission, subject to the special conditions contained herein:

Being a tract of land out of the Daniel Tanner League, Abstract No. 1462, in Dallas County, Texas, a part of Block 12 of the Partition of said League according to map recorded in Volume 51 at Page 283 of the Deed Records of Dallas County, Texas, and being a part of the land conveyed by Hiram Range, et al, to Thos. Davis by deed dated Nov. 15, 1915 and recorded in the Deed Records of Dallas County, Texas, said tract surveyed being described by metes and bounds as follows:

BEGINNING at a point in the present North right-of-way line of U. S. Highway 80, 380.2 ft. East from its intersection with the Southwest line of said Thos. Davis 116.25 acre tract, said beginning point being in the Northeast line of that certain tract of land conveyed by Arnold J. Vrocher, et ux, Bessie B., to Sam Kickirillo by deed dated Feb. 18, 1954 and filed for record Feb. 25, 1954 in the Deed Records of Dallas County, Texas; THENCE E. along said hiway ROW line 398.06 to point for THENCE N. 24 deg. 50' W. with an old fence line, to a point for corner corner;

THENCE West along a line 305 feet from and parallel to the North right-of-way line of Highway 80 to a point for corner; THENCE S. 25 deg. 26' 20" E. with the Northeast line of said Kickirillo tract to the place of beginning.

Section 2. That this Special Permit allowing Commercial "C" uses to allow the construction and operation of a meat preparation business, for wholesale, retail sale and for the commercial preparation of cooked meats, as designated and approved by the City Planning and Zoning Commission on the herein above described property, is approved and granted upon the following express conditions and in accordance with Section 4 of the Zoning Ordinance.

(1) That prior to any construction or change in use a site plan shall be submitted and shall be approved by the City Planning and Zoning Commission and development shall be generally in conformance therewith. Such approved site plan may be revised or amended if such revision or amendment thereof is first approved by the Planning and Zoning Commission.

(2) That all on-site improvements shall be specified on approved site plan.

(3) That all adjacent uses of property shall be indicated on approved site plan.

(4) That all means of ingress and egress shall be as indicated on approved site plan.

(5) That all streets, service drives, parking areas and alleys shall be paved and drainage structures and curbs and gutters installed in accordance with the City of Mesquite requirements and as indicated on the approved site plan; and that the developer shall bear the total cost of all such improvements.

(6) That off-street parking facilities shall be provided as indicated on the approved site plan, and shall not be less than the requirement of Ordinance No. 120 for each use and occupancy.

(7) That the width of all streets and rights-of-way shall be in conformance with the City of Mesquite thoroughfare and street plan and shall be indicated on the approved site plan, dedicated and improved to the minimum requirements of the City.

(8) That all utility services shall be shown on site plan and shall conform to the City's specifications and be as approved by the City's Engineer.

(9) The City of Mesquite water and sanitary sewer lines shall be extended to and service shall be made available at the cost of the owner and developer and shall be in accordance with the City's specifications and regulations.

(10) That no signs or billboards other than those pertaining to the occupancy of the premises or commodities sold thereon shall be permitted, and such allowable signs shall be of the parapet wall, marquee or flat wall type. No sign or billboard shall be permitted of a flashing or intermittently lighted type. That the location of any sign other than as stated above shall be first approved by the City Planning and Zoning Commission.

(11) That standard approved screening consisting of fencing and/or shrubs shall be provided on the site as approved by the City Planning and Zoning Commission.

(12) That all storage facilities, whether inside or outside, shall be designated on approved site plan.

Section 3. That any person, firm or corporation violating any of the terms and provisions of this ordinance shall be subject to a fine not to exceed Two Hundred (\$200.00) Dollars, and each violation shall constitute a separate offense.

Section 4. WHEREAS, it appears that the subject property of this ordinance is to be used under a Special Permit allowing Commercial "C" uses to allow the construction and operation of a meat preparation business, for wholesale, retail sale and for the commercial preparation of cooked meats, as designated and approved by the City Planning and Zoning Commission, subject to certain conditions and will serve the public interest, comfort, and general welfare and requires that this ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

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PASSED AND ADOPTED this the 24th day of October, 1960.

ATTEST:

Norma G. McGaughy
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City Secretary

James Fontenot
James Fontenot
Mayor