

ORDINANCE NO. 425

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ORDINANCE NO. 153, DULY PASSED BY THE CITY COUNCIL ON MAY 5, 1956, SO AS TO ALLOW THE FOLLOWING DESCRIBED PROPERTY TO BE USED UNDER A SPECIAL PERMIT TO ALLOW THE OPERATION OF A COMMERCIAL HELIPORT, SAID TRACT BEING DESCRIBED AS FOLLOWS, TO-WIT: BEING A TRACT OF LAND SITUATED IN MESQUITE, DALLAS COUNTY, TEXAS, AND BEING A 60' x 60' TRACT OF LAND SITUATED BETWEEN U. S. HIGHWAY 80 AND SAMUELL BOULEVARD, 15' EAST OF THE WEST PROPERTY LINE OF BIG TOWN SHOPPING CENTER; 445' SOUTH OF THE SOUTHWEST LINE OF U. S. HIGHWAY 80 AND 665' NORTH OF THE NORTH LINE OF SAMUELL BOULEVARD; THAT SUCH PROPERTY IS TO BE USED UNDER A SPECIAL PERMIT TO ALLOW THE OPERATION OF A COMMERCIAL HELI-PORT, SUBJECT, HOWEVER, TO SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO PLANS AND SPECIFICATIONS SUBMITTED THEREFOR WHICH SHALL BE APPROVED BY THE CITY PLANNING COMMISSION, PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE AND DECLARING AN EMERGENCY.

WHEREAS the City Planning 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 the granting of Special Permits 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 said Special Permit should be granted herein,
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. 153 of the City of Mesquite,
Texas, duly passed by the governing body on the 5th day of May,
1956, be, and the same is hereby amended by amending the Zoning Map
of the City of Mesquite so as to allow the operation of a Commercial
Heliport under a Special Permit on the following described property,
as provided for under the provisions of Section IV of Ordinance
No. 120 as heretofore amended subject to the special conditions
contained herein:

BEING a tract of land situated in Mesquite, Texas,
and being a 60' x 60' tract of land situated between
U. S. Highway 80 and Samuell Boulevard, 15' East of the
West property line of Big Towh Shopping Center; 445' south
of the southwest line of U. S. Highway 80 and 665' north
of the north line of Samuell Boulevard.

SECTION 2. That the Special Permit for a commercial
Heliport is approved and granted on the following expressed
conditions and in accordance with Section IV of Ordinance No. 120
of the City of Mesquite.

(1) That prior to any construction or change in
use a site plan shall be submitted and shall be approved by
the City Planning 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 City Planning 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 the approved site plan.

(5) The Heliport landing area shall be paved in accordance with the City of Mesquite standard paving conditions as indicated on the approved site plan and that the developer shall bear the total cost of all such paving.

(6) That screening, consisting of a 3' high protective fence shall be placed around the Heliport area and shown on the approved site plan.

(7) The operation of the Heliport shall comply with all the conditions of the general Heliport and Helicopter Ordinance of the City of Mesquite.

SECTION 3. That the site plan for the above described tract of land, when approved by the City Planning Commission, shall become a part of this Ordinance for all purposes. A true copy of the site plan shall be retained in the Office of the City Secretary and in the Office of the Director of Public Works, on the above described tract of land, for observance in connection with these

improvements. That all paved areas shall be constructed in accordance with standard City of Mesquite specifications adopted for such purpose and shall be done to the satisfaction of the City Engineers; that the entire cost of all such paved areas, if any, shall be paid for by the developers.

SECTION 4. That all Ordinances of the City of Mesquite in conflict with the provisions of this Ordinance, be, and the same are hereby repealed and all other Ordinances of the City of Mesquite, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. That the above described tract of land shall be used only in the manner and for the purposes provided for by Ordinance No. 120 of the City of Mesquite as heretofore amended and as amended herein by the granting of this Special Permit.

SECTION 6. That should any paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not effect the validity of this Ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional and shall not effect the validity of the comprehensive Zoning Ordinance as a whole.

SECTION 7. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance No. of the City of Mesquite as heretofore amended and upon conviction

shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 8. WHEREAS, that the above described property requires that it be given the above zoning 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 and creates an urgency and emergency for the preservation of public health, safety and welfare and requires that this Ordinance shall take effect immediately from and after its passage and publication of the caption of said Ordinance as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL of the City of Mesquite, Texas on the 4 day of June, 1962.

APPROVED:

B. W. C... J
Mayor

DULY ENROLLED:

Ann... G... Laughy
City Secretary

APPROVED AS TO FORM:

Attorney