

ORDINANCE NO. 193

AN ORDINANCE AMENDING ORDINANCE NO. 120 ENACTED BY THE CITY COUNCIL ON MAY 3, 1955 BY PERMITTING THE FOLLOWING DESCRIBED PROPERTY WHICH IS PRESENTLY ZONED RESIDENTIAL, TO WIT: BEING A TRACT OF LAND BEGINNING AT THE SOUTHEAST CORNER OF INTERSECTION OF SCYENE ROAD AND LINDSEY STREET, EAST WITH THE SOUTH LINE OF SAID SCYENE ROAD, 97.5 FEET TO A POINT IN THE SOUTH PROPERTY LINE OF SAID SCYENE ROAD; THENCE SOUTH 8 DEGREES 0 FEET WEST 113 FEET TO A POINT FOR CORNER; THENCE SOUTH 81 DEGREES 37 FEET EAST 4.5 FEET TO A POINT; THENCE SOUTH 8 DEGREES 0 FEET WEST 37 FEET TO A POINT; THENCE NORTH 81 DEGREES 37 FEET WEST TO A POINT IN EAST LINE OF LINDSEY STREET; THENCE NORTH 8 DEGREES 0 FEET EAST TO POINT OF BEGINNING; SAID TRACT, BEING OUT OF THE NORTHWEST CORNER OF TRACT NO. 1 CONVEYED TO W. W. LINDSEY BY A. W. LINDSEY AND WIFE ON JULY 14, 1932, RECORDED OCTOBER 2, 1933, AND THE SAID TRACT AS CONVEYED TO W. W. LINDSEY BEING DESCRIBED AS BEING PART OF THE D. S. CARVER SURVEY ABSTRACT NO. 342, BEING LOCATED ON THE WATERS OF SOUTH MESQUITE CREEK, 11 MILES SOUTH 8.6 DEGREES EAST FROM THE CITY OF DALLAS; AND SAID TRACT NO. 1 BEGINNING 846.8 FEET NORTH AND 20 FEET WEST FROM THE SOUTHEAST CORNER OF THE D. S. CARVER SURVEY; THENCE WEST 808 FEET TO A STAKE FOR CORNER; THENCE NORTH 8 DEGREES EAST 947 FEET TO A STAKE FOR CORNER IN THE SOUTH LINE OF STATE HIGHWAY NO. 15-A; THENCE WITH THE SOUTH LINE OF SAID STATE HIGHWAY NO. 15-A, SOUTH 81 DEGREES 37 FEET EAST, 327 FEET; SOUTH 76 DEGREES 25 FEET EAST, 100.8 FEET TO STAKE FOR CORNER; THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO THE CITY OF MESQUITE, BY A. W. LINDSEY ET AL; THENCE SOUTH 0 DEGREES 57 FEET WEST, 392 FEET TO STAKE FOR CORNER IN THE SOUTH LINE OF THE TERRELL INTERURBAN RIGHT-OF-WAY; THENCE WITH THE SOUTH LINE OF SAID INTERURBAN RIGHT-OF-WAY LINE, SOUTH 86 DEGREES EAST, 262 FEET TO STAKE FOR CORNER, THE WEST LINE OF A 20 FOOT ALLEY; THENCE WITH THE WEST LINE OF SAID ALLEY, SOUTH 458 FEET TO THE PLACE OF BEGINNING, CONTAINING 12.87 ACRES OF LAND, LESS 1.07 ACRES CONVEYED TO THE TERRELL INTERURBAN R. R. CO. BY A. W. LINDSEY AND WIFE, TO BE USED UNDER A SPECIAL PERMIT TO ALLOW THE CONSTRUCTION AND OPERATION OF A DRIVE-IN LAUNDRAMAT, SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; 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 PENALTY, AND DECLARING AN EMERGENCY.

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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 Permit 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, which is presently zoned Residential, shall be used under a Special Permit for the construction and operation of a Drive-in Laundramat, subject to the special conditions contained herein;

Being a tract of land beginning at the Southeast corner of intersection of Scyene Road and Lindsey Street, East with the South Line of said Scyene Road, 97.5 feet to a point in the South Property line of said Scyene Road; THENCE South 8 Degrees 0 feet West 113 feet to a point for corner; THENCE South 81 degrees 37 feet East 4.5 feet to a point; THENCE South 8 degrees 0 feet West 37 feet to a point; THENCE North 81 degrees 37 feet West to a point in East line of Lindsey Street; THENCE North 8 degrees 0 feet East to Point of beginning; Said tract, being out of the Northwest corner of Tract No. 1 conveyed to W. W. Lindsey by A. W. Lindsey and wife on July 14, 1932, recorded October 2, 1933, and the said tract as conveyed to W. W. Lindsey being described as being part of the D. S. Carver Survey Abstract No. 342, being located on the waters of South Mesquite Creek, 11 miles South 8.6 degrees East from the City of Dallas; and said Tract No. 1 Beginning 846.8 feet North and 20 feet West from the Southeast corner of the D. S. Carver Survey; THENCE West 808 feet to a stake for corner; THENCE North 8 degrees East 947 feet to a stake for corner in the South line of State Highway No. 15-A; THENCE with the South line of Said State Highway No. 15-A, South 81 degrees 37 feet East, 327 feet; South 76 degrees 25 feet East, 100.8 feet to stake for corner; the Northwest corner of a tract of land conveyed to the City of Mesquite, by A. W. Lindsey et al; THENCE South 0 degrees 57 feet West, 392 feet to stake for corner in the South line of the Terrell Interurban right-of-way; THENCE with the South line of said Interurban right-of-way line, South 86 degrees East, 262 feet to stake for corner, The West line of a 20 foot alley; THENCE

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with the West line of said alley, South 458 feet to the place of beginning, containing 12.87 acres of land, Less 1.07 acres conveyed to the Terrell Interurban R. R. Co. by A. W. Lindsey and wife.

SECTION 2. That this Special Permit for the construction and operation of a Drive-in Laundramat on the hereinabove described property is approved and granted upon the following express conditions and in accordance with Section 4 of the Zoning Ordinance.

- (1) That the site plan for the construction and operation of a Drive-in Laundramat shall be approved by the City Planning and Zoning Commission and 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 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 the 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 for developed portion of the above tract 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:

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signs shall be of the parapet wall, marquee or flat wall type, except that in the event a gasoline filling station is approved for location on the property, a standard pole sign not exceeding thirty-six (36) square feet shall be permitted for the filling station. 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.

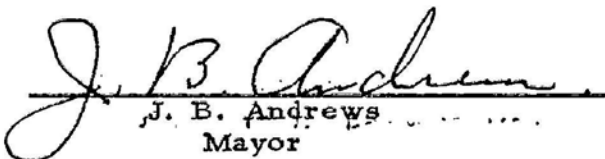
(11) That screening consisting of fencing and/or shrubs shall be as required by the City Planning and Zoning Commission, and shown on approved site plan.

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

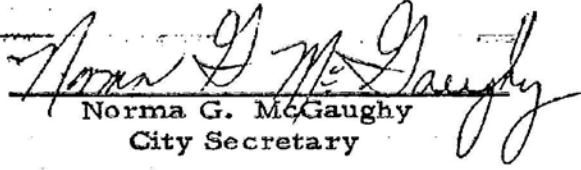
SECTION 3. That any person, firm or corporation violating any of the terms and provisions of this Ordinance shall be subject to the same penalties provided for in Ordinance No. 120.

SECTION 4. WHEREAS, it appears that the subject property of this Ordinance is to be used under a Special Permit for the construction and operation of a Drive-in Laundramat, 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.

PASSED AND APPROVED this 4th day of February, 1958.


J. B. Andrews
Mayor

ATTEST:


Norma G. McGaughy
City Secretary