

ORDINANCE NO. 215

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 TWO(2) TRACTS OF LAND SITUATED IN THE DANIEL TANNER SURVEY, ABSTRACT NO. 1462, DALLAS COUNTY, TEXAS AND BEING A PART OF THE NORTHRIDGE DEVELOPMENT CO. 142.285 ACRE TRACT AS RECORDED IN VOLUME 4593, PAGE 604, DALLAS COUNTY DEED RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TRACT NO. 1- BEGINNING AT A POINT ON THE SOUTH LINE OF U.S. HIGHWAY NO. 80 (A 300 FOOT RIGHT-OF-WAY) AND A WESTERLY LINE OF OLD GROSS ROAD, SAID POINT BEING THE NORTHEAST CORNER OF SAID 142.285 ACRE TRACT, FOR CORNER; THENCE SOUTH 45 DEGREES 53 MINUTES EAST, 71.82 FEET TO A POINT ON THE WEST LINE OF OLD GROSS ROAD (A 40 FOOT RIGHT-OF-WAY), A POINT FOR CORNER; THENCE SOUTH 1 DEGREE 47 MINUTES EAST, AND ALONG SAID WEST LINE OF OLD GROSS ROAD, 220 FEET, A POINT FOR CORNER; THENCE SOUTH 86 DEGREES 39 MINUTES WEST, 1208 FEET, TO A POINT ON THE EAST LINE OF NEW GROSS ROAD (A 120 FOOT RIGHT-OF-WAY), SAID POINT ALSO BEING ON A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 2 DEGREES 25 MINUTES AND A RADIUS OF 1372.40 FEET, A POINT FOR CORNER; THENCE IN A NORTHERLY DIRECTION AND ALONG SAID CURVE 58 FEET TO THE END OF SAID CURVE, A POINT FOR CORNER; THENCE NORTH 1 DEGREE 31 MINUTES WEST, AND ALONG SAID EAST LINE OF NEW GROSS ROAD, 236.41 FEET, A POINT FOR CORNER; THENCE NORTH 44 DEGREES 14 MINUTES 30 SECONDS EAST, 69.77 FEET TO A POINT ON THE SOUTH LINE OF SAID U.S. HIGHWAY NO. 80, A POINT FOR CORNER; THENCE EAST AND ALONG SAID SOUTH LINE OF U.S. HIGHWAY NO. 80, 1110.81 FEET TO THE PLACE OF BEGINNING AND CONTAINING 8.4 ACRES OF LAND; TRACT NO. 2- BEGINNING AT A POINT ON THE SOUTH LINE OF U.S. HIGHWAY NO. 80 (A 300 FOOT TO 360 FOOT VARIABLE RIGHT-OF-WAY) AND ON THE NORTH LINE OF SAID 142.285 ACRE TRACT AT ITS INTERSECTION WITH THE WEST LINE OF NEW GROSS ROAD (A 120 FOOT RIGHT-OF-WAY), A POINT FOR CORNER; THENCE SOUTH 1 DEGREE 31 MINUTES EAST, AND ALONG SAID WEST LINE OF NEW GROSS ROAD, 335 FEET, A POINT FOR CORNER; THENCE SOUTH 86 DEGREES 39 MINUTES WEST, 640 FEET, A POINT FOR CORNER; THENCE NORTH 46 DEGREES 14 MINUTES EAST, 125 FEET, A POINT FOR CORNER; THENCE NORTH 44 DEGREES 28 MINUTES WEST, 353.07 FEET, TO A POINT ON THE SOUTH LINE OF SAID U.S. HIGHWAY 80, A POINT FOR CORNER; THENCE IN AN EASTERLY DIRECTION AND ALONG SAID SOUTH LINE OF U.S. HIGHWAY NO. 80, THE FOLLOWING: SOUTH 89 DEGREES 57 MINUTES EAST, 345.47 FEET, A POINT FOR CORNER; NORTH 85 DEGREES 40 MINUTES EAST, 401.29 FEET, A POINT FOR CORNER; EAST 36.93 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.9 ACRES OF LAND, TO BE USED UNDER A SPECIAL PERMIT TO ALLOW COMMERCIAL USES, SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO SITE PLAN AND THE PLANS AND SPECIFICATIONS TO BE SUBMITTED THEREFOR AND APPROVED BY THE CITY PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL; PROVIDING FOR PENALTY; 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 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, AS FOLLOWS:

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 to allow commercial uses, subject to the special conditions contained herein:

Being two (2) tracts of land situated in the Daniel Tanner Survey, Abstract No. 1462, Dallas County, Texas and being a part of the Northridge Development Co. 142.285 acre tract as recorded in Volume 4593, Page 604, Dallas County Deed Records and being more particularly described as follows: Tract No. 1 - BEGINNING at a point on the south line of U.S. Highway No. 80 (a 300 foot right-of-way) and a westerly line of Old Gross Road, said point being the northeast corner of said 142.285 acre tract, for corner; THENCE South 45 Degrees 53 Minutes East, 71.82 Feet to a point on the West line of Old Gross Road (a 40 Foot right-of-way), a point for corner; THENCE South 1 Degree 47 Minutes East, and along said West line of Old Gross Road, 220 Feet, a point for corner; THENCE South 86 Degrees 39 Minutes West, 1208 Feet, to a point on the East line of New Gross Road (a 120 Foot right-of-way), said point also being on a curve to the right having a central angle of 2 Degrees 25 Minutes and a radius of 1372.40 Feet, a point for corner; THENCE in a northerly direction and along said curve 58 Feet to the end of said curve, a point for corner; THENCE North 1 Degree 31 Minutes West, and along said East line of New Gross Road, 236.41 Feet, a point for corner; THENCE North 44 Degrees 14 Minutes 30 Seconds East, 69.77 Feet to a point on the South Line of said U.S. Highway No. 80, a point for corner; THENCE East and along said South line of U.S. Highway No. 80, 1110.81 Feet to the place of beginning and containing 8.4 acres of land; Tract No. 2 - BEGINNING at a point on the South line of U.S. Highway No. 80 (a 300 Foot to 360Foot variable right-of-way) and on the North line of said 142.285 acre tract at its intersection with the West line of New Gross Road (a 120 Foot right-of-way), a point for corner; THENCE South 1 Degree 31 Minutes East, and along said West line of New Gross Road, 335 Feet, a point for corner; THENCE South 86 Degrees 39 Minutes West, 640 Feet, a point for corner; THENCE North 46 Degrees 14 Minutes East, 125 Feet, a point for corner; THENCE North 44 Degrees 28 Minutes West, 353.07 Feet, to a point on the South line of said U.S. Highway No. 80, a point for corner; THENCE in an Easterly direction and along said South line of U.S. Highway No. 80, the following: South 89 Degrees 57 Minutes, East, 345.47 Feet, a point for corner; North 85 Degrees 40 Minutes East, 401.29 Feet, a point for corner; East 36.93 Feet to the place of beginning and containing 4.9 acres of land.

SECTION 2. That this Special Permit for the Commercial uses and other higher classifications uses on the hereinabove described property be granted

upon the following express conditions and in accordance with Section 4 of the Zoning Ordinance.

(1) That prior to any construction site plan for the foregoing described tract of land to have Commercial uses shall be approved by the City Planning and Zoning Commission and that the 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 and Zoning Commission.

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

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

(4) 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.

(5) That off-street parking facilities shall be provided if and when buildings are constructed, and shall not be less than the requirement of Ordinance No. 120 for each/^{use}and occupancy.

(6) 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.

(7) All necessary right-of-way for highways, highway service roads, and grade separations shall be dedicated and shown on site plan.

(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) 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, 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.

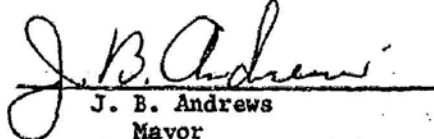
(10) That the City of Mesquite water and sanitary sewer lines shall be extended to and through the above tract at the cost of the owner and developer and shall be in accordance with the City's specifications.

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.

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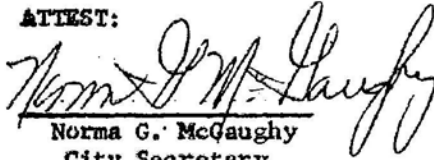
SECTION 4. WHEREAS, it appears that the subject property of this Ordinance is to be used under a Special Permit to allow Commercial uses, subject to certain conditions and will serve the public interest, comfort and general welfare and requires that this Ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND APPROVED this 19th day of August, 1958.



J. B. Andrews
Mayor

ATTEST:



Norma G. McCaughy
City Secretary