

PLANNING DEPARTMENT  
CITY OF CARROLLTON  
DATE: 12/05/2023

PLANNED DEVELOPMENT NO. 185  
EL PAISA

ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE TO AMEND, RESTATE AND REPLACE PLANNED DEVELOPMENT 185 AND THEREBY SUPERSEDE ORDINANCE NUMBERS 3349 AND 4024 IN THEIR ENTIRETY TO REVISE PROVISIONS FOR PLANNED DEVELOPMENT 185; TO AMEND AND REESTABLISH PLANNED DEVELOPMENT 185 FOR AN APPROXIMATELY 0.86-ACRE TRACT LOCATED AT THE SOUTHEAST CORNER OF NORTH JOSEY LANE AND PARKER ROAD (FM 544); TO REVISE DEVELOPMENT STANDARDS; AND TO MODIFY CONCEPTUAL PLANS; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, SAVINGS AND REPEALER CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

**WHEREAS**, at a public hearing held on the Second day of November 2023, the Planning & Zoning Commission considered and made recommendation on a certain request for Planned Development District 185 (Case No. PLZPD 2023-102); and

**WHEREAS**, the change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

**WHEREAS**, the City Council conducted a public hearing on the Fifth day of December 2023, at which all persons were given an opportunity to present testimony; and

**WHEREAS**, this change of zoning will distinguish development standards specially applicable to the unique nature of the approximately 3.927-acre tract; and

**WHEREAS**, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS.**

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

## Section 2.

Planned Development Number 185, as established by Ordinance 3349 on January 5, 2010, and amended by Ordinance 4024 on July 13, 2021, are hereby amended, restated, and replaced, thereby superseding Ordinances 3349 and 4024 in their entirety and is described and generally depicted on Exhibit A to provide for the following:

### Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (CC) Corporate Commercial District, in accordance with Article V. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (CC) Corporate Commercial District and the Comprehensive Zoning Ordinance, as amended.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (CC) Corporate Commercial District, in accordance with Article V. of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit(s) shall be subject to the conditions established in Articles XXI. and XXXI. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

### Additional Permitted Use

Tract 1 (Gasoline Station)

## Section 3.

Development shall be in general conformance with the conceptual plans attached as Exhibits B1-2, C1-3, and D1-3, for Tracts 1, 2, and 3, respectively, and shall comply with the following additional special conditions, restrictions, and regulations:

1. Approximately 23 Red Oak trees (or equivalent species as determined by the City Arborist) shall be planted by the owner of Tract 1. Said trees shall be planted in the median of Josey Lane immediately south of Parker Road (FM 544).
2. The planting of trees in the median of Josey Lane immediately south of Parker Road (FM 544) shall be in accordance with the City of Carrollton's General Design Standards.
3. The materials and manner of installation of the irrigation system in the median shall be approved by the City of Carrollton Parks Maintenance Licensed Irrigator.
4. Should any tree die within two years of planting, replacement shall be made by the owner of Tract 1.
5. The selection of the actual trees to be planted shall be approved by the City Arborist prior to planting.
6. The installer shall flag the locations for tree planting prior to bringing the trees to the site.
7. Tree planting shall take place no more than 45 days from the approval of this ordinance by City Council.

8. A 40-foot landscape buffer shall be required along Parker Road (FM 544). A 50-foot landscape buffer shall be required along Josey Lane. The following enhanced landscape requirements shall also be required:
  - a. Shade trees shall be provided in the landscape setback at a minimum ratio of 25 shade trees per acre of landscape setback. For the purposes of this provision, the area of the landscape setback shall include the public right-of-way between the property line and the southern proposed curb line of Parker Road (FM 544).
  - b. All shade trees shall be a minimum of three-inch caliper at the time of planting.
  - c. A minimum of two ornamental trees, 6 – 8 feet in height at the time of planting, shall be planted for each 100 feet of street frontage or fraction thereof.
  - d. A minimum of ten evergreen shrubs, 5 gallons in size, shall be planted for each 50 feet of street frontage or fraction thereof. Said shrubs shall be planted in accordance with the attached conceptual landscape plans.
  - e. The landscape setback area shall be planted in accordance with the attached conceptual landscape plans. A maximum of 25% of the landscape setback area may be planted in grass or turf.
  - f. Parking lot landscape islands for the development shall be required at a rate of one island per 12 spaces. Landscaping in the parking lot landscape islands shall be in accordance with Article XXV. of the Zoning Ordinance.

#### Tract 1

1. A minimum 4-foot-high masonry screening wall shall be required to screen the air-conditioning units in the rear of the gasoline station as shown on the site plan.
2. Canopy lighting for the gasoline station shall be recessed in the canopy.
3. The parking requirements shall be at a ratio of 1:250 sq. ft.

#### Tract 2

1. Retail uses shall be regulated by Article V. of the Comprehensive Zoning Ordinance.
2. All signage shall be reviewed under a separate application.
3. The drive-through window shown shall not require a Technical Site Plan application for the limited-service restaurant.

#### Tract 3

1. Retail uses shall be regulated by Article V. of the Comprehensive Zoning Ordinance.
2. The parking requirements for a retail/restaurant use shall be at a ratio of 1:250 square feet.
3. All signage shall be reviewed under a separate application.
4. The drive-through window shall require a Technical Site Plan application.
5. An approved median variance is required for a cut along Parker Road for an opening matching the concept plans. Otherwise, the location of a median opening shall meet the General Design Guidelines.

Section 4.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

Section 5.

Any person violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 6.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 7.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, and the Official Zoning Map, as amended, shall remain in full force and effect.

Section 8.

This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 9.

This ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Fifth day of December 2023.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Steve Babick, Mayor

ATTEST:

\_\_\_\_\_  
Chloe Sawatzky  
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Albert Thomas  
Assistant City Attorney

\_\_\_\_\_  
Michael McCauley  
Senior Planner

**EXHIBIT A**

LEGAL DESCRIPTION

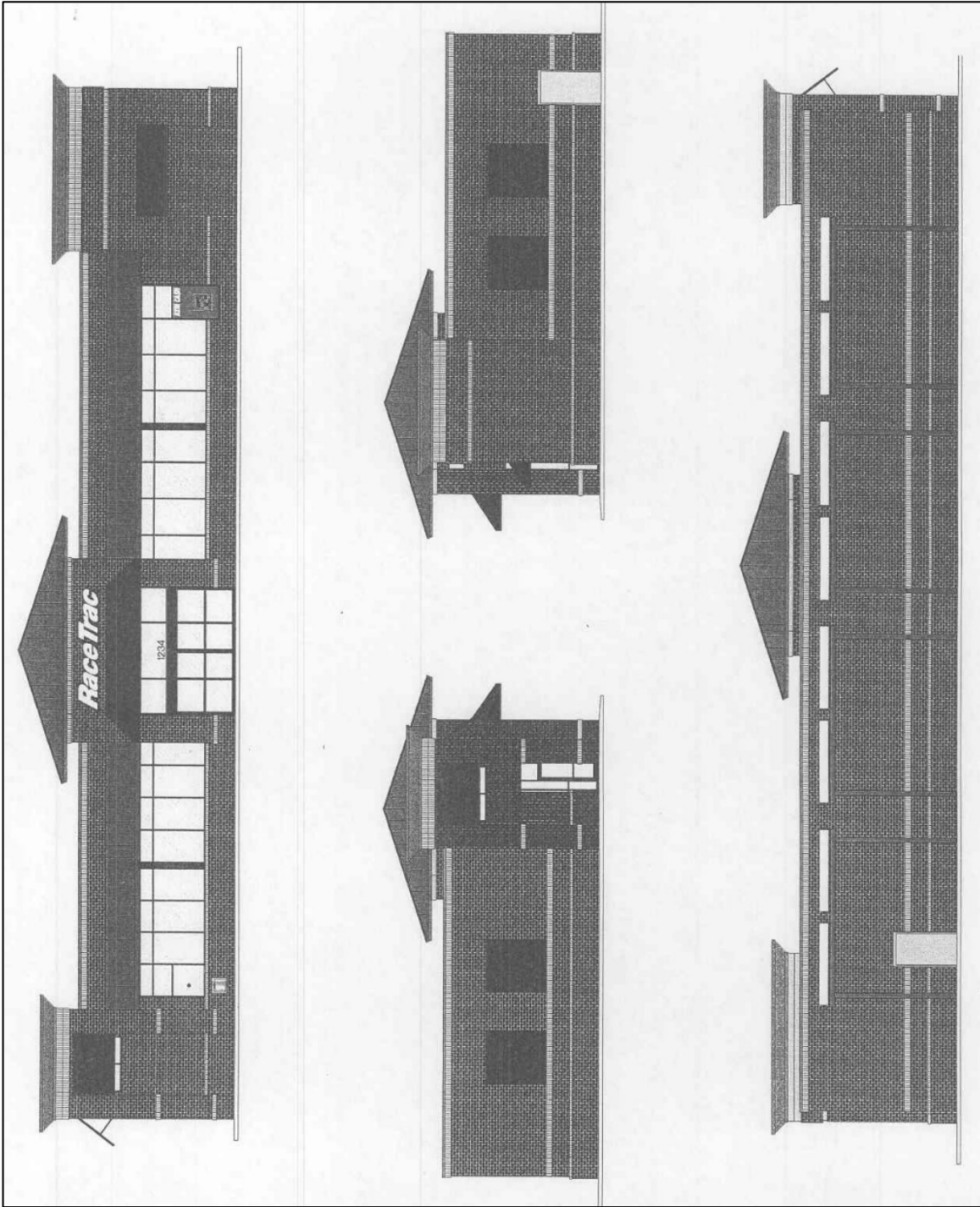
Parker Road, Phase 2  
Lots 1, 2R, 3R, Block 1 and  
including the adjacent south ½ right-of-way of Parker Road and  
east ½ right-of-way of Josey Lane.

GENERAL DEPICTION



**EXHIBIT B-1**

**TRACT 1 CONCEPTUAL ELEVATIONS (1 OF 4)**

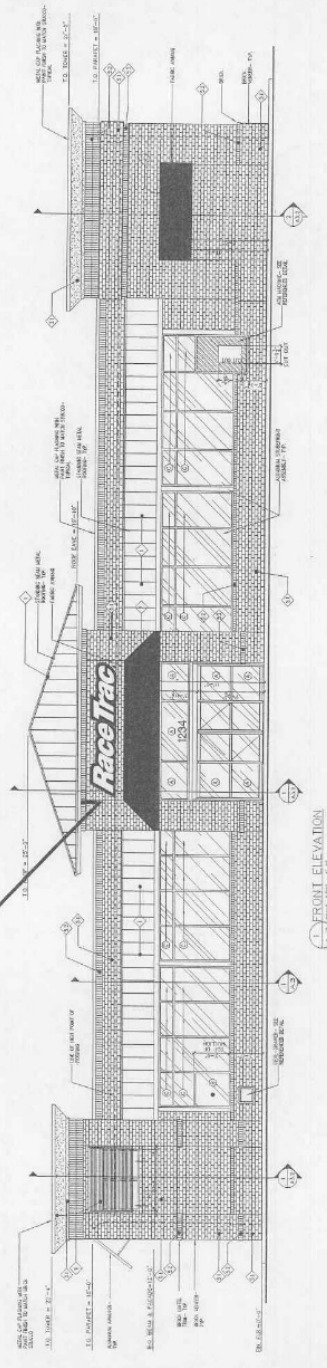


**EXHIBIT B-1**

**TRACT 1 CONCEPTUAL ELEVATIONS (2 OF 4)**

30" x 162" channel letter sign, internally lighted, 33.75 square feet

# RaceTrac®



**File:** RaceTrac Carrollton **Date:** 5/21/08

**Customer:** RaceTrac Petroleum

**Location:** Carrollton, TX

**Customer Approval**  Change As Noted

[whitesign.com](http://whitesign.com) (877) 766-1588 (870) 779-1504 fax (870) 772-3286

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# WHITE SIGN COMPANY

6420 East Street Texarkana, AR 71854



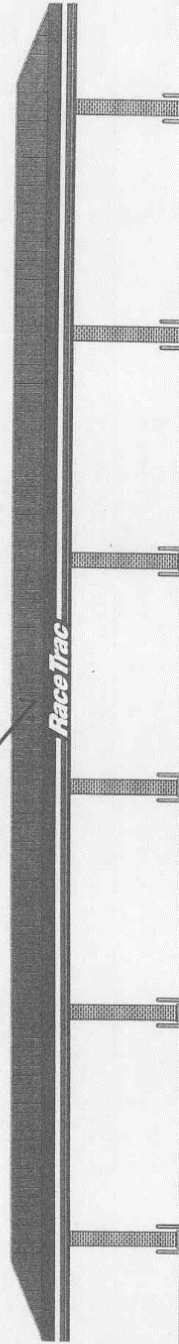
**EXHIBIT B-1**

**TRACT 1 CONCEPTUAL ELEVATIONS (3 OF 4)**

36" x 204" channel letter sign, internally lighted, 51 square feet, front side of canopy

# RaceTrac

Sign shown on 192' X 4' canopy fascia



CANOPY FRONT ELEVATION

File: RaceTrac Carrollton Date: 5/21/08

Customer: RaceTrac Petroleum

Location: Carrollton, TX

Customer Approval  Change As Noted

whitesign.com (877) 766-1588

(870) 779-1504

fax (870) 772-3286

6420 East Street

Texarkana, AR 71854

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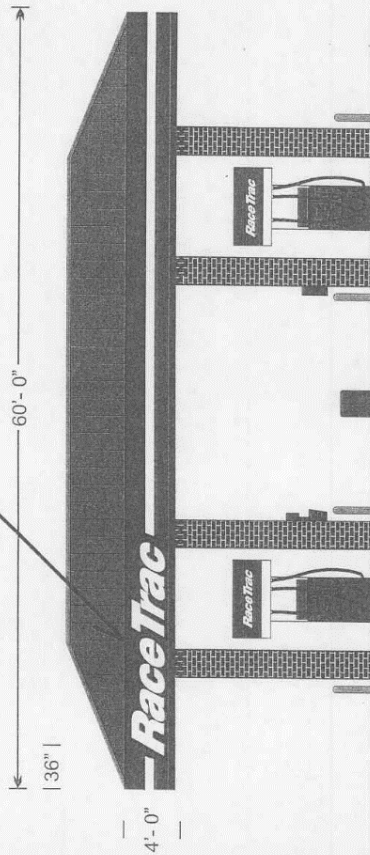
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# WHITE SIGN COMPANY

**EXHIBIT B-1**  
TRACT 1 CONCEPTUAL ELEVATIONS (4 OF 4)

36" x 204" channel letter sign, internally lighted, 51 square feet, both ends of canopy

# RaceTrac



SIDE ELEVATION

File: RaceTrac Carrollton Date: 5/21/08  
 Customer: RaceTrac Petroleum  
 Location: Carrollton, TX  
 Customer Approval  Change As Noted

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**EXHIBIT C-1**  
**TRACT 2 CONCEPTUAL ELEVATIONS (4 OF 4)**



**STUDIO HMA**  
Studio HMA LLC  
10000 N. 10th Ave  
Suite 1000  
Denver, CO 80231  
www.studiohma.com  
City & State No. 10-2022-122

**EL PAISA BUILDING**  
PREPARED BY:  
**EL PAISA**  
THE ORIGINAL TACO TRAIL

**EXTERIOR CONCEPT RENDERINGS**  
D-4

NOTE: ALL DIMENSIONS SHALL BE VERIFIED ON-SITE AND SHALL BE SUBJECT TO CHANGE WITHOUT NOTICE.









**EXHIBIT D-1**

**TRACT 3 CONCEPTUAL BUILDING ELEVATIONS (1 OF 2)**



### EXHIBIT D-1

### TRACT 3 CONCEPTUAL BUILDING ELEVATIONS (2 OF 2)

