

PLANNING DEPARTMENT
City of Carrollton
Date: 02/02/16

PLANNED DEVELOPMENT NO. 63

DEVELOPMENT NAME: Ace Hardware Northcrest

ORDINANCE NUMBER _____

ORDINANCE NO. _____ OF THE CITY OF CARROLLTON AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY AMENDING PLANNED DEVELOPMENT NUMBER 63 PROVIDING FOR ADDITIONAL OUTDOOR DISPLAY WITH MODIFIED DEVELOPMENT STANDARDS; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at its regular meeting held on the Seventh day of January, 2016, the Planning and Zoning Commission considered and made recommendations on a certain request for a Planned Development District (Case No. 11-15Z4);

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

WHEREAS, this change of zoning will distinguish development standards specially applicable to the unique nature of the approximately 10.9-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, THAT:

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 63 is hereby amended in its entirety for a certain approximately 10.9-acre tract of land located at the southeast corner of Old Denton Road and Frankford Road, and more specifically described on the attached Exhibit A, and depicted on Exhibit B, providing for the following:

I. Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (LR-2) Local Retail 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 (LR-2) Local Retail District and the Comprehensive Zoning Ordinance, as amended, except as otherwise provided in Section II below.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LR-2) Local Retail 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.

II. Special Development Standards

Development shall be in accordance with the following special conditions, restrictions, and regulations:

A. Front Display Area

1. An additional outdoor display area ("Front Display Area") in the front parking lot shall be allowed for Lot 1, Frankford/Old Denton Addition.
2. The Front Display Area shall have a minimum setback from any public street of one hundred and fifty (150) feet and shall not exceed four thousand (4,000) square feet in area.
3. Pedestrian entry gates shall be allowed only on the east and west sides of the Front Display Area (i.e. not opening directly onto a driving aisle), and shall be protected by bollards or similar physical protective devices outlining "whole" parking spaces. No "partially remaining" parking spaces shall be allowed.
4. The Front Display Area shall be fenced with an ornamental steel fence.
5. All items on display shall be kept within the fenced area.
6. Any existing parking lot lights which are missing or not functional shall be replaced or repaired.

B. Rear Display Area

1. An additional outdoor display area (“Rear Display Area”) in the service area behind the main shopping center building shall be allowed in the approximate area shown on Exhibit C.
2. The Rear Display Area shall not exceed two thousand (2,000) square feet in area.
3. The Rear Display Area shall encompass only whole parking spaces and shall not encroach into driving aisles.
4. The Rear Display Area shall be screened on the southwest, southeast and northeast sides with an opaque fence not less than six (6) feet in height.

SECTION 3.

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

SECTION 4.

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 5.

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

SECTION 6.

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 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 become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Second day of February, 2016

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Laurie Garber
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Christopher Barton, AICP
Chief Planner

EXHIBIT A
Legal Description

Lot 1, Frankford/Old Denton Addition

Lot 2, Frankford/Old Denton Addition

Lot 3, Frankford/Old Denton Addition

Lot 4, Frankford/Old Denton Addition

Lot 1, Block A, Frankford/Old Denton Addition Part 2

Lot 2, Block A, Frankford/Old Denton Addition Part 2

EXHIBIT C
Rear Display Area

