

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 09/10/2024

SPECIAL USE PERMIT NO. 505
DEVELOPMENT NAME: WALMART
MONOPOLE

ORDINANCE NUMBER _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 505 PROVIDING FOR A COMMUNICATIONS TOWER, FREESTANDING (EXCLUDING ANTENNAS OR SUPPORT STRUCTURES FOR AMATEUR RADIO COMMUNICATIONS) ON AN APPROXIMATELY 21.08-ACRE TRACT ZONED PD-005 FOR THE (LR-2) LOCAL RETAIL DISTRICT AND LOCATED AT 1213 EAST TRINITY MILLS ROAD; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Twenty-Sixth day of June 2024, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. PLSUP 2024-074); and

WHEREAS, this 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 Tenth day of September 2024, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council has determined the following amendment to the zoning laws to allow the requested use is not detrimental to the surrounding property, and is consistent with the purpose of the zoning district in which the above-described property is located; 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.

Special Use Permit Number 505 is hereby established for a certain tract of land, located at 1213 East Trinity Mills Road, and being more generally depicted on Exhibit A, providing for the following:

I. Permitted Use

Communications Tower, Freestanding (Excluding Antennas Or Support Structures For Amateur Radio Communications)

II. Special Development Standards

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

1. Development shall be in general conformance with the attached conceptual site plan and conceptual elevation plan as depicted in the applicant's attached exhibits;
2. An anti-climb device shall be provided atop the proposed CMU wall.
3. A copy of the filed lease agreement between SBA Towers and Walmart shall be provided to the city.
4. The site plan shall provide the setbacks from property lines.
5. A 2:1 foot horizontal to vertical slope shall be the minimum setback between the height of the communication tower or antenna and any residential use and zoned tract.
6. The communication tower height shall be limited to 150 feet.

Section 3.

The Comprehensive Zoning Ordinance and the Official 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 Tenth day of September 2024.

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

Emily Offer
Senior Planner

EXHIBIT A GENERAL DEPICTION

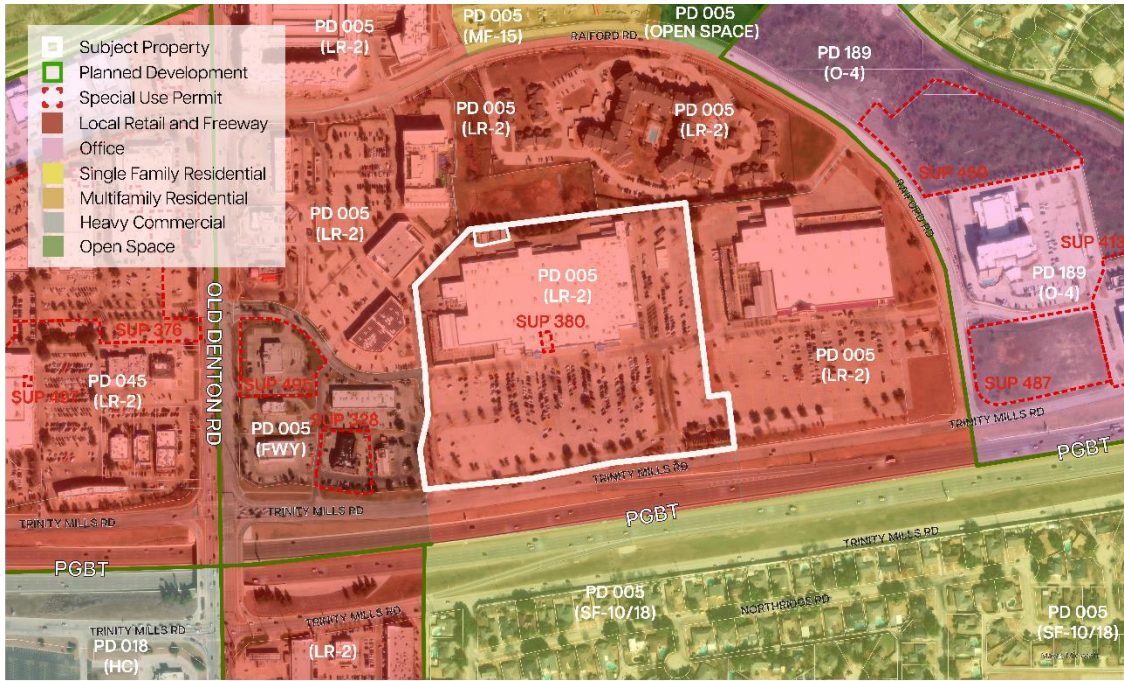
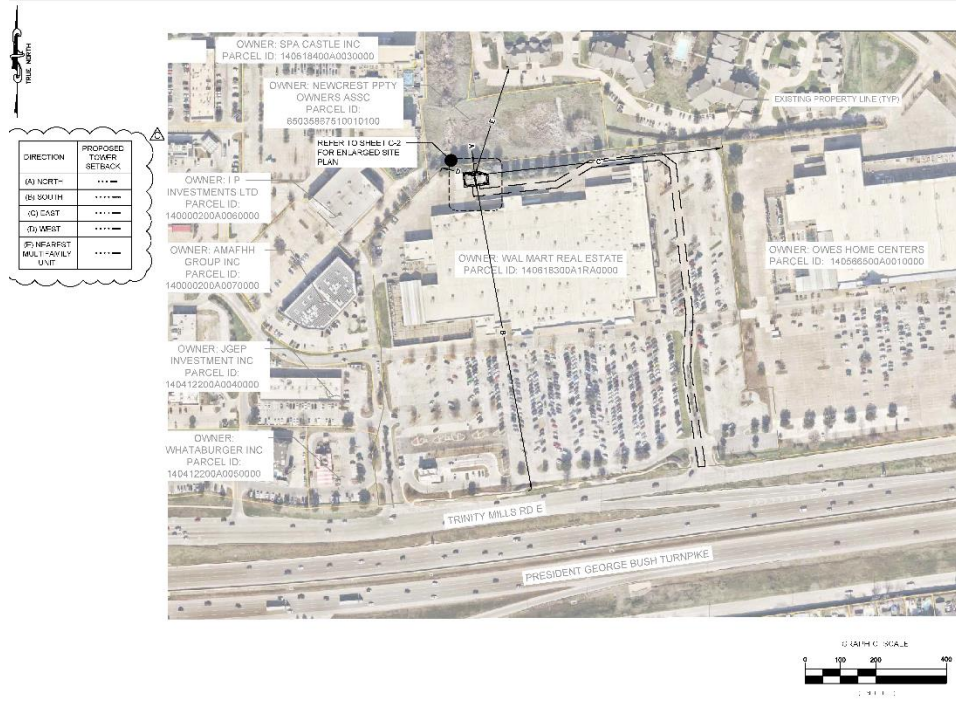


EXHIBIT B CONCEPTUAL SITE PLAN (1 OF 2)



CONCEPTUAL SITE PLAN (2 OF 2)

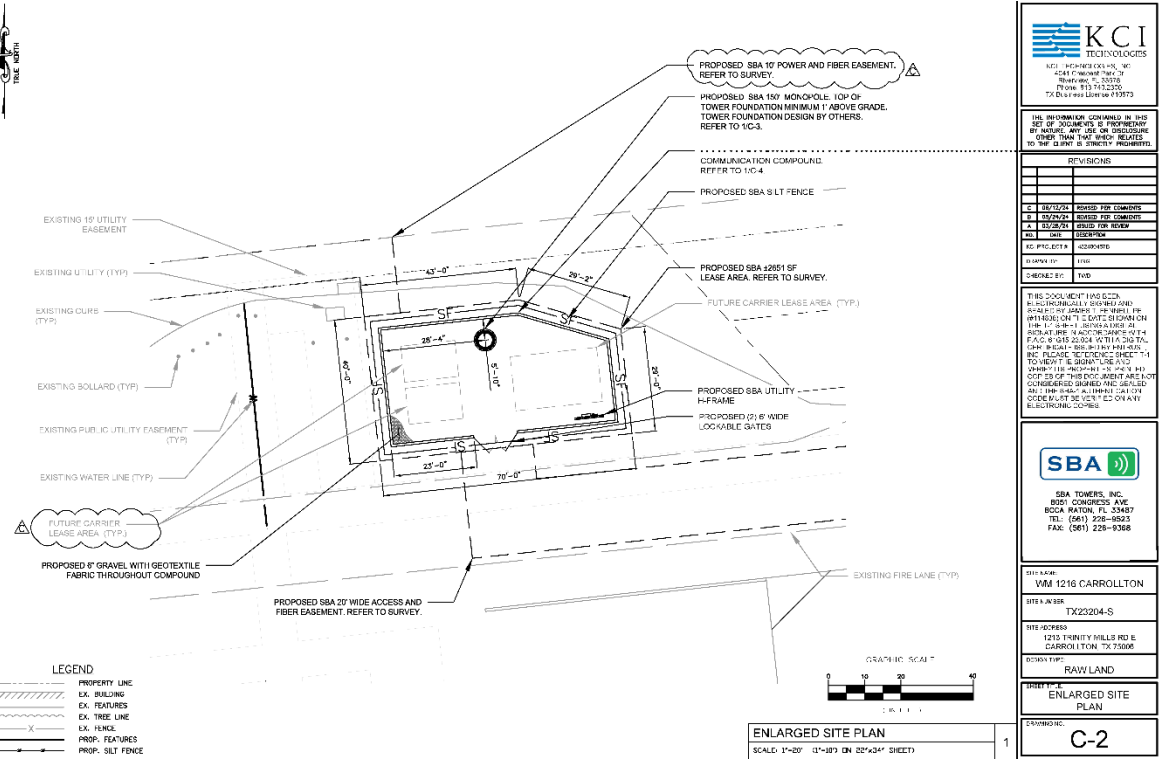


EXHIBIT C

CONCEPTUAL ELEVATION PLAN

