

PLANNING DEPARTMENT
CITY OF CARROLLTON
DATE: 06/06/23

CASE NO. PLZPD 2023-026
REPEAL PD-159

ORDINANCE NUMBER 4107

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ITS COMPREHENSIVE ZONING ORDINANCE TO REPEAL PLANNED DEVELOPMENT NUMBER 159 (ORDINANCE NUMBER 2665) FOR AN APPROXIMATELY 0.63-ACRE TRACT LOCATED AT 2775 EAST TRINITY MILLS ROAD AND AT THE NORTHWEST CORNER OF MARSH LANE AND EAST TRINITY MILLS ROAD; AMENDING THE OFFICIAL ZONING MAP; 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 Fourth day of May 2023, the Planning and Zoning Commission considered and made recommendation on a certain request to consider the rezoning of Planned Development Number 159; 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 Sixth day of June 2023, at which all persons were given an opportunity to present testimony; 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.

That Planned Development Number 159 is hereby repealed and rezoned to the (LR-2) Local Retail District for a certain approximately 0.63-acre tract of land located at 2775 East Trinity Mills Road and at the northwest corner of Marsh Lane and East Trinity Mills Road, and more specifically described and generally depicted on Exhibit A, allowing for the following 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.

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 shall be subject to the conditions established in Article XXI. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

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.

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 7.

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 8.

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

PASSED AND APPROVED this the Sixth day of June 2023.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

Albert Thomas
Assistant City Attorney

APPROVED AS TO CONTENT:

Michael McCauley
Senior Planner

EXHIBIT A
LEGAL DESCRIPTION AND GENERAL DEPICTION

LOT 1, BLOCK 1
MOBIL OIL No. 2
AND THE ADJACENT NORTH ONE-HALF RIGHT-OF-WAY OF EAST TRINITY MILLS
ROAD AND THE ADJACENT WEST ONE-HALF RIGHT-OF-WAY OF MARSH LANE

