

ORDINANCE NO. \_\_\_\_\_  
Case No. 11-15SUP1 Five Star Chevrolet

PLANNING  
City of Carrollton  
Date: 12/01/15

SPECIAL USE PERMIT NO. 429

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

ORDINANCE NO. \_\_\_\_\_ OF THE CITY OF CARROLLTON  
AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY  
ESTABLISHING SPECIAL USE PERMIT NUMBER 429 PROVIDING  
FOR A NEW CAR AND USED CAR DEALER UPON PROPERTY  
LOCATED AT 1735 SOUTH IH-35E; AMENDING THE OFFICIAL  
ZONING MAP; PROVIDING FOR PENALTY, REPEALER,  
SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING FOR  
AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND  
PUBLICATION.

WHEREAS, at a public hearing held on the Fifth day of November, 2015, the Planning & Zoning Commission considered and made recommendation on a request regarding a Special Use Permit (Case No. 11-15SUP1), 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, 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 429 is hereby established for a certain approximately 4.3-acre tract of land located at 1735 South IH-35E as more specifically described on the attached Exhibit A and generally located on the location map attached hereto as Exhibit B, providing for a change in zoning to the following use:

New Car Dealer & Used Car Dealer

Section 3.

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

1. Development shall be in accordance with the attached Conceptual Site Plan (Exhibit C) and Conceptual Landscape Plans (Exhibit D), with the following additional stipulations:
  - a. Landscaping in the fifteen foot (15') landscape buffer along IH-35E shall comply with the current requirements of Article XXV Landscaping and Buffering.
  - b. Landscaping in the large triangular landscape island in front of the proposed building shall comply with the current buffer requirements of Article XXV Landscaping and Buffering.
  - c. In order to meet the requirements of Article XXV, Landscaping and Buffering, a minimum of two internal landscape islands shall be added to the rows of parking abutting the large triangular landscape island in front of the proposed building.
  - d. Minimum plant sizes for the Red Yucca, Gulf Coast Muhly Grass, Heavenly Bamboo and Rosemary shall be five (5) gallons.
2. The large triangular landscape island in front of the proposed building shall be accepted as "relocated" internal parking lot landscape islands otherwise required for the inventory storage, employee parking and service parking areas.
3. Building facades may be in accordance with the attached Conceptual Building Elevations (Exhibit E) and Artists Concepts (Exhibit F).

Section 4.

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

Section 5.

Any person, firm or corporation 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.

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.

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

Section 8.

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

ORDINANCE NO. \_\_\_\_\_  
Case No. 11-15SUP1 Five Star Chevrolet

Section 9.

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

PASSED AND APPROVED this the First day of December, 2015.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Matthew Marchant, Mayor

ATTEST:

\_\_\_\_\_  
Krystle Nelinson  
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Susan Keller  
Assistant City Attorney

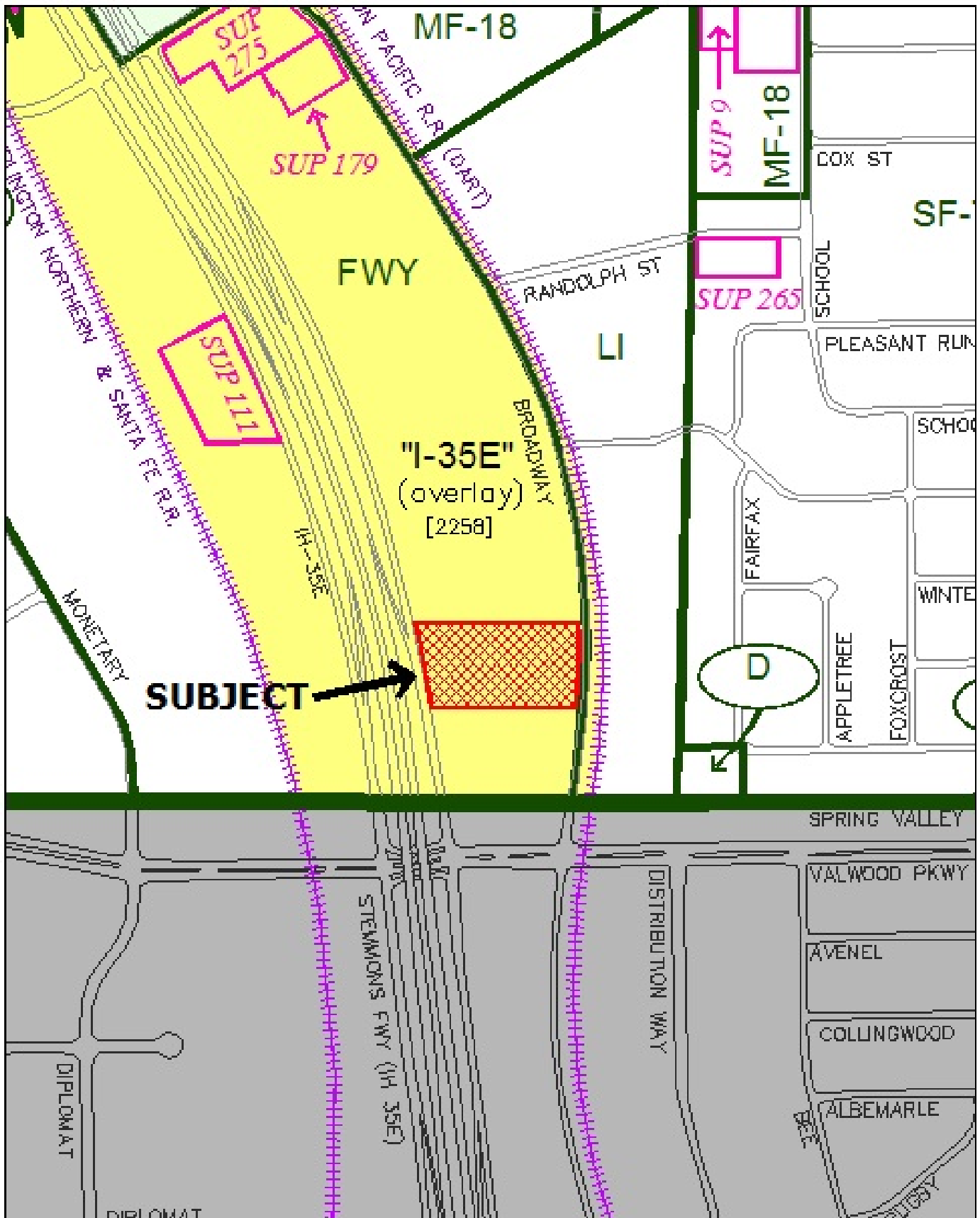
\_\_\_\_\_  
Christopher Barton  
Chief Planner

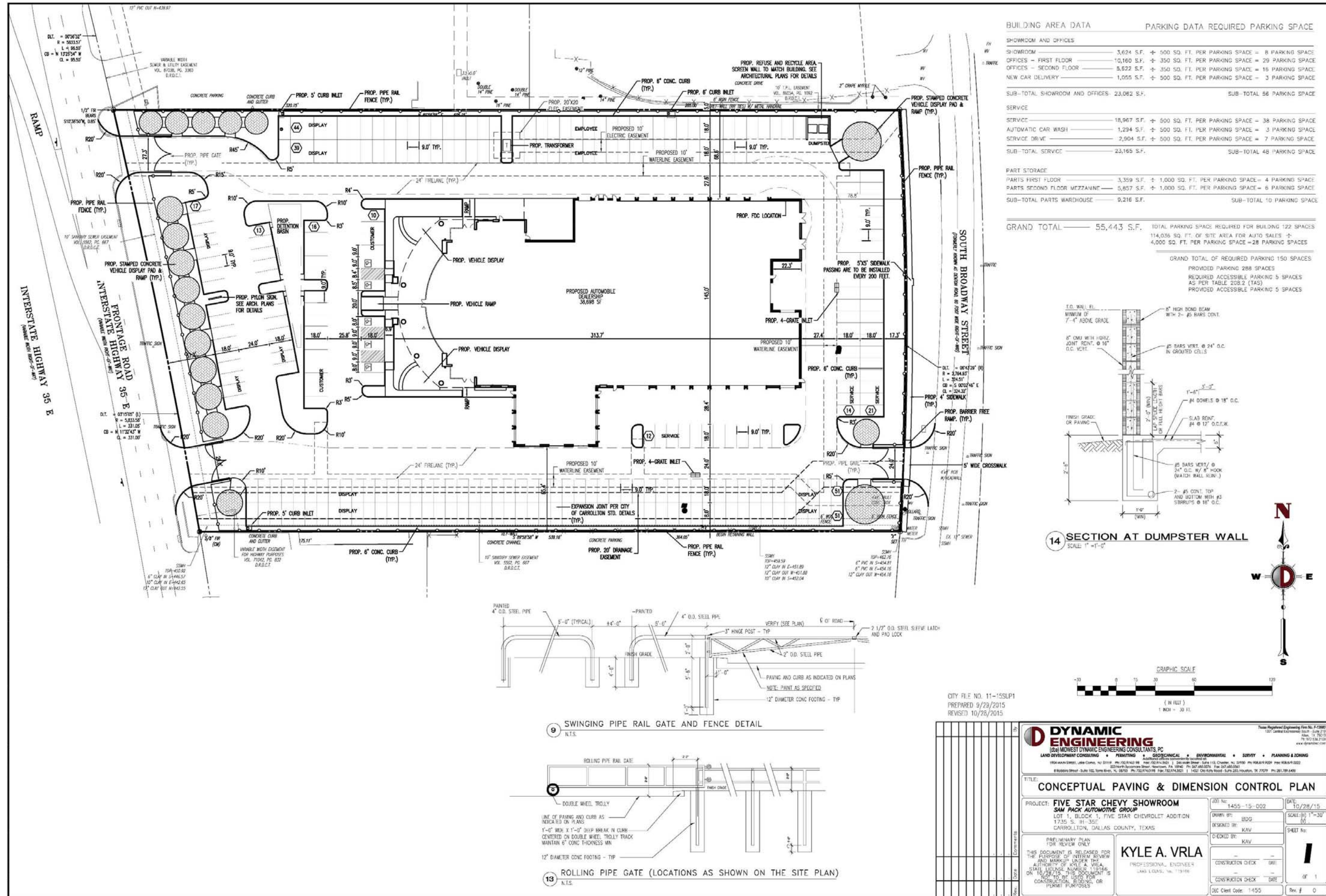
ORDINANCE NO. \_\_\_\_\_  
Case No. 11-15SUP1 Five Star Chevrolet

**EXHIBIT A**  
Legal Description

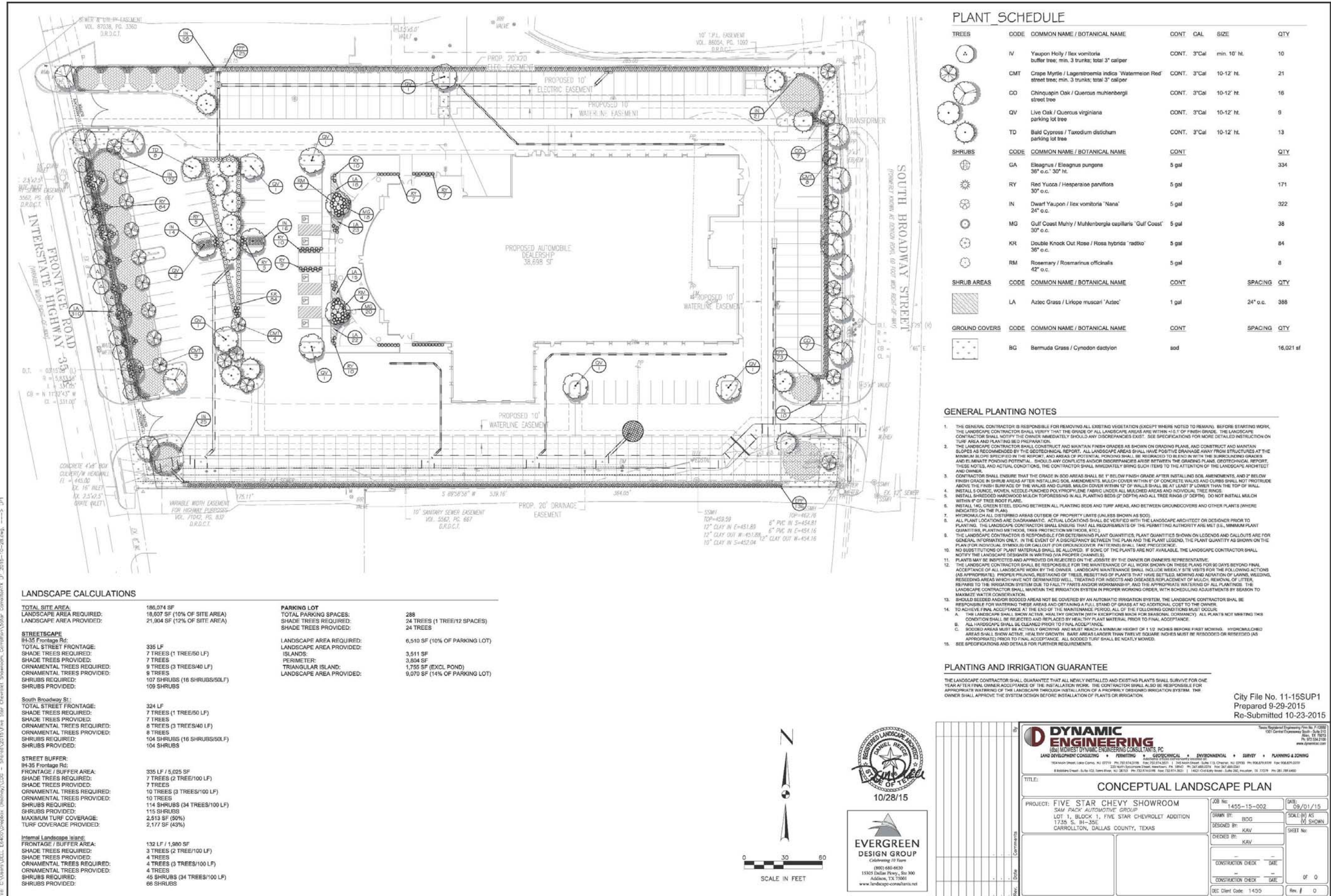
Tract 39  
Being Approximately 4.2759 Acres Out Of  
The William Larner Survey  
Abstract 799 Page 508

**EXHIBIT B**  
Location Map



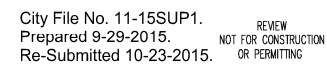












**EXHIBIT F**  
Artists Concept

