

PLANNING DEPARTMENT
City of Carrollton

SPECIAL USE PERMIT NO. 437
DEVELOPMENT NAME: Texas Hot Rides

ORDINANCE NUMBER _____

ORDINANCE NO. _____ OF THE CITY OF CARROLLTON AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 437 TO PROVIDE FOR A USED CAR DEALER UPON PROPERTY LOCATED AT 1833 N. IH-35E; AMENDING THE OFFICIAL ZONING MAP; AND PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Eighteenth day of August, 2016, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. 08-16SUP3); 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 437 is hereby established for a certain approximately 2-acre tract located at 1833 N. IH-35E and being more specifically described on Exhibit A and generally depicted on Exhibit B, providing for the following:

I. Permitted Use

Used Car Dealer (Indoors Only)

II. Special Development Standards

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

1. Development shall be in conformance with Exhibits C and D with the following exceptions:
 - a. No outdoor display of used vehicles for sale shall be permitted.
 - b. No banners, frame car top signs, inflatable moving advertising products, balloon pennants, or other similar type of advertising products shall be permitted outdoors.
 - c. All exterior lighting, including building, parking lot and storage, shall be brought into compliance with the current code as it relates to glare.
 - d. Rooftop equipment shall be screened from view in accordance with current city standards.
 - e. The existing outdoor storage yard located at the northwestern portion of the property, shall be removed.
 - f. The existing fencing along the northern and eastern sector of the storage yard shall be removed or replaced with fencing that meets the standards established in the City's Fence Regulations Ordinance.
 - g. No Certificate of Occupancy will be issued until the development is in compliance with items c, d, e and f of this section.

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

PASSED AND APPROVED this the Sixth day of September, 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

Michael McCauley
Senior Planner

EXHIBIT A
LEGAL DESCRIPTION

BEGINNING at a JBH capped iron rod found in the southwest right-of-way line of North Stemmons Freeway (Interstate Highway 35E) marking the northeast corner of said 2.008 acre tract, and the southeast corner of Lot 1R, Block 1 of Harley Davidson of North Texas, an addition to the City of Carrollton as recorded under Document No. 20070167569 of the Deed Records of Dallas County, Texas;

THENCE with the southwest right-of-way line of North Stemmons Freeway (Interstate Highway 35E), and the northeast line of said 2.008 acre tract, South 25°05'47" East, 174.45 feet to a ½" iron rod found marking the southeast corner of said 2.008 acre tract, and a northeast corner of a City of Carrollton 17.4322 acre tract as recorded in Volume 2000247, Page 2332 of the Deed Records of Dallas County, Texas;

THENCE departing said road, along the south line of said 2.008 acre tract, and a north line of said 17.4322 acre tract, North 89°47'10" West, 590.80 feet to a 1674 capped iron rod found marking the southwest corner of said 2.008 acre tract, and an interior ell corner of said 17.4322 acre tract;

THENCE with the west line of said 2.008 acre tract and an east line of said 17.4322 acre tract, North 00°06'46" West, 157.24 feet to a point marking the northwest corner of said 2.008 acre tract, and being in the south line of the aforementioned Lot 1R, Block 1 of Harley Davidson of North Texas Addition;

THENCE with the north line of said 2.008 acre tract and the south line of said Addition, South 89°50'16" East, 517.12 feet to the place of beginning and containing 87,241 square feet or 2.003 acres of land.

EXHIBIT B
AERIAL SITE PHOTO



EXHIBIT C
Conceptual Building Elevations



EXHIBIT D
Conceptual Site/Landscape Plan

