

PLANNING DEPARTMENT  
City of Carrollton  
Date: 01/08/2019

SPECIAL USE PERMIT NO. 450  
DEVELOPMENT NAME: North Dallas Family Church

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 450 PROVIDING FOR A CHILD DAY CARE CENTER UPON PROPERTY LOCATED ON AT 1700 SOUTH JOSEY LANE AND SOUTH ONE-HALF OF COX STREET RIGHT OF WAY; 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 Sixth day of December, 2018, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. 12-18SUP2);

**WHEREAS**, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended, and is consistent with the current and longstanding use of the subject property; 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 450 is hereby established for a certain 3.27-acre tract and the adjacent south one-half of Cox Street right-of-way, described in Exhibit A, and depicted on the attached Exhibit B, located at 1700 South Josey Lane at the southwest corner of Josey Lane and Cox Street rezoning said tracts from (SF-7/14) Single-Family Residential District to (O-2) Office District as more specifically described on the attached Exhibit A and generally located on the location map attached hereto as Exhibit B, providing for the following:

I. Permitted Use  
Child Day Care Center

II. Special Development Standards

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

1. If developed as a child day care center, development shall be in general conformance with the Conceptual Site and Landscape Plan, depicted on Exhibit C.
2. The maximum capacity of the child day care center shall be 84 children.
3. The hours of operation for the child day care center:
  - a) Shall be from 6:00 a.m. to 6:00 p.m. Monday through Friday; and
  - b) The child day care center hours of operation shall not interfere with the arrival and dismissal times of R.L. Turner High School or service hours for the church.
4. The driveway accessed from Josey Lane shall be closed for arrivals and dismissal of children for the day care center.

SECTION 3.

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

SECTION 4.

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 5.

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 6.

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

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.

PASSED AND APPROVED this 8<sup>th</sup> day of January, 2019.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Kevin W. Falconer  
Mayor

ATTEST:

\_\_\_\_\_  
Laurie Garber  
City Secretary

APPROVED AS TO FORM:

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

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Loren Shapiro, AICP  
Chief Planner

## **EXHIBIT A**

WILLIAM LARNER ABST 799 PG 512 TR 32 consisting of a 3.2616-acre Tract and the south one-half right-of-way of Cox Street located at 1700 South Josey Lane and on the southwest corner of Josey Lane and Cox Street, and as depicted on Exhibit B.

## EXHIBIT B



