



MEMORANDUM

To: Mayor and City Council

From: Clay Phillips, City Manager

Date: August 13, 2013

Reference: Consider a Resolution approving the Second Amendment to the Declaration of Covenants, Conditions, and Restrictions for Main Street Coppell relating to their application to the property to be located in Old Town (Main Street) Phase II and authorizing the Mayor and City Manager to sign all related documents.

2030: Business Prosperity and Special Place to Live

Introduction:

Main Street Coppell, Ltd. has commenced construction on a mixed-use development known as Main Street at Coppell on approximately 9 acres of land on the west side of S. Coppell Road in Old Town Coppell. City Council approved a Declaration of Covenants, Conditions and Restrictions (DCC&Rs) for the property contained in Main Street at Coppell on May 3, 2012.

Due to the success of the current development, Main Street Coppell, Ltd. decided to purchase additional land in Old Town Coppell for Main Street at Coppell Phase II. On April 23, 2013, City Council approved a contract that allowed Main Street Coppell, Ltd. to purchase approximately 7.9 acres of land on the east side of S. Coppell Road for the development of approximately 64 single family homes.

In order for the land in Main Street at Coppell Phase II to be included in the Declaration of Covenants, Conditions and Restrictions established for Phase I, the current DCC&Rs must be amended.

Analysis:

This is the Second Amendment to the Declaration of Covenants, Conditions and Restrictions that were originally approved by City Council on May 3, 2012. The original DCC&Rs were amended

on November 1, 2012 to modify and detail the landscape requirements applicable to the property, amend certain assessment procedures under the Declaration, and correct the legal description of one of the Lots included within the property. As previously mentioned, this amendment will modify the existing boundaries to allow the approximate 7.9 acres of additional land to be included under the DCC&Rs that are already in place for Phase I.

Legal Review:

Agenda item was reviewed by Kevin Laughlin.

Fiscal Impact:

N/A

Recommendation:

Economic Development recommends approval.