

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM C (COMMERCIAL) TO PD-309-SF-12 & C (PLANNED DEVELOPMENT-309 – SINGLE-FAMILY 12 & COMMERCIAL) TO ALLOW THE DEVELOPMENT OF A RESIDENCE AND PROFESSIONAL OFFICE ON TWO LOTS TOTALING 2.05 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF SOUTH DENTON TAP ROAD APPROXIMATELY 450 NORTH OF WEST BETHEL ROAD, AS PROVIDED HEREIN IN A DETAIL SITE PLAN, FOR THE PROPERTY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL THE DETAIL SITE PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS; ATTACHED HERETO AS EXHIBITS “B” THOUGH “D”; AND PROVIDING FOR DEVELOPMENT REGULATIONS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Commission and the governing body of the City of Coppel, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppel, have given requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to all persons interested and situated in the affected area and in the vicinity thereof, the said governing body is of the opinion that Zoning Application No. PD-309-SF-12 & C should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Map should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Coppel, Texas, duly passed by the governing body of the City of Coppel, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from C (Commercial) to PD-309-SF-12 & C (Planned Development- 309- Single-Family 12 & Commercial) to approve the development of a residence and professional office building on two lots totaling 2.05 acres of property located on the west side of S. Denton Tap Road approximately 450 feet north of W Bethel Road; for the property described in Exhibit “A” attached hereto and made a part hereof for all purposes; to provide

for those uses of said buildings to allow in Single-Family 12 and Commercial District zoning except as provided herein; and, to approve the Detail Site Plan, Landscape Plan and Building Elevations for said development, and made part hereof for all purposes, subject to the detailed Site Plan and development regulations as amended and provided in this ordinance.

SECTION 2. That the Property will be used and developed for a Residence and Office as provided in PD-309-SF-12 & C and Code of Ordinances, is hereby approved subject to the following development regulations:

1. Tree mitigation fees shall be paid at the time of tree removal permit.
2. The plat cannot be filed prior to zoning being approved.
3. Park fees shall be assessed and collected as required for the residential lot prior to issuance of a building permit.
4. PD Conditions:
 - A. To allow for no alley for the residential portion.
 - B. To allow a front yard of 25-ft of 30-ft for Lot 1, Block A.
 - C. To waive the screening wall requirement between Lot 1 and Lot 2, Block A.
 - D. To allow the existing trees to act as a living screen between Lot 2 and the adjacent residential lots.
 - E. To allow a screening wall in the front yard on lots 1 and 2 of Block A, as depicted on the site plan.
 - F. To allow for a minimum lot depth of 57.93-ft on the north side of Lot 1.
 - G. To allow for a privacy and noise barrier wall within the sewer easement via a license agreement.
 - H. To allow for residential driveway access on S. Denton Tap Rd.
 - I. The applicant is responsible for any median modification costs for installing the left turn lane from Denton Tap Road.
 - J. The office building will be required to have a fire mitigation sprinkler system.
 - K. Provide a tree conservation easement on the residential lot to conserve trees that fall outside of the developable area, providing for exceptions for diseased trees and fallen trees and allowing for maintenance of the trees prior to obtaining any building permits. The owner shall execute and file the tree conservation easement.

SECTION 3. That the Detail Site Plan, Landscape Plan and Building Elevations attached hereto as Exhibits “B” though “D”; respectively shall be deemed as development regulations to this development.

SECTION 4. That the above property shall be used and maintained only in the manner and for the purpose provided in this ordinance, as heretofore amended, and as amended herein.

SECTION 5. That the development of the property herein shall be in accordance with building regulations, zoning ordinances, and any applicable ordinances except as may be specifically altered or amended herein.

SECTION 6. That all provisions of the Ordinances of the City of Coppell, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 7. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 8. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 9. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Coppell, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 10. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Coppell, Texas, this the _____ day of _____, 2023.

APPROVED:

WES MAYS, MAYOR

ATTEST:

ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT HAGER, CITY ATTORNEY