

**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 PD-108R8-H (PLANNED DEVELOPMENT-108 REVISION 8-HISTORIC) AND PD-108R10-H (PLANNED DEVELOPMENT-108 REVISION 10-HISTORIC), TO PD-108R11-H (PLANNED DEVELOPMENT-108 REVISION 11-HISTORIC), TO ESTABLISH A DETAIL SITE PLAN FOR 64 PATIO-HOME LOTS AND FOUR COMMON AREA LOTS ON 8.05 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF SOUTH COPPELL ROAD SOUTH OF BETHEL AND NORTH OF THE CITY OF COPPELL'S SERVICE CENTER AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE SITE PLAN, LANDSCAPE PLAN, TREE SURVEY, AND TYPICAL ELEVATIONS ATTACHED HERETO AS EXHIBITS "B", "C", "D" AND "E" ; 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-108R11- H 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 PD-108R8-H (Planned Development-108 Revision 8-Historic) and PD-108R10-H (Planned Development-

108 Revision 10-Historic), to PD-108R11-H (Planned Development-108 Revision 11-Historic), to establish a Detail Site Plan for 64 single family patio-home lots and four common area lots on 8.1 acres of property located on the east side of South Coppell Road south of Bethel and north of the City of Coppell's Service Center, as depicted on Site Plan in Exhibit B, on 3.9 acres of property located west of South Coppell Road and north of Burns Street, property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.** That PD-108R11-H (Planned Development-108 Revision 11-Historic), is hereby approved subject to the following development regulations:

- a. Except as amended herein and as provided in this Ordinance, the property shall be developed and used as provided herein in accordance with H, Historic District, as set forth in Ordinance No. 91500-A-564 [codified in Chapter 12, Article 28A], which is incorporated herein as set forth in full and hereby republished.
- b. No parking shall be permitted within the driveways adjacent to the alleys.
- c. A six foot (6') high, board on board cedar fence, with trim cap, as depicted on the Landscape Plan, Exhibit "C", shall be allowed adjacent to the southern property line in lieu of a six foot (6') masonry wall.
- d. The homeowner's association shall be responsible for the maintenance of the common areas and screening walls and screening fences, as shown on the site plan, Exhibit "B".
- e. Park fees in the amount of one thousand two hundred eighty five dollars (\$1,285) per unit shall be assessed.

- f. A Tree Removal Permit and payment of a thirteen thousand dollars (\$13,000) Tree Mitigation fee are assessed and shall be paid prior to the removal of any trees.

**SECTION 3.** That the Site Plan, Landscape Plan, Tree Survey, and Elevations attached hereto as Exhibits “B”, “C”, “D”, and “E” and made a part hereof for all purposes, as developed regulations, are hereby approved.

**SECTION 4.** That the property shall be used only in the manner and for the purpose provided for by the Comprehensive Zoning Ordinance of the City of Coppell, 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 \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
KAREN SELBO HUNT, MAYOR

ATTEST:

\_\_\_\_\_  
CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

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ROBERT E. HAGER, CITY ATTORNEY  
(REH/mpm)