

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-259R2-SF-7&9 (PLANNED DEVELOPMENT 259 REVISION 2 -SINGLE FAMILY-7 & 9) TO PD-259R3-SF-7&9 (PLANNED DEVELOPMENT 259 REVISION 3-SINGLE FAMILY-7 & 9), TO PROVIDE A NEW SITE PLAN ALLOWING FOR THE CONVERSION OF THE EXISTING DEVELOPMENT INTO A GATED RESIDENTIAL COMMUNITY WITH PRIVATE STREETS OVER TWO PHASES; TO PERMIT THE DEVELOPMENT OF 63 SINGLE-FAMILY LOTS AND NINE (9) COMMON AREA LOTS ON 54.8 ACRES OF LAND LOCATED ON THE NORTH SIDE OF SANDY LAKE ROAD, APPROXIMATELY 750 FEET NORTHWEST OF STARLEAF ROAD (EXTENDED), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; AND PROVIDING FOR A NEW SITE PLAN, COMMUNITY ENTRY SITE PLAN, ENTRY GATES & SUBDIVISION SIGN ENTRY FEATURE, STONE WALL ELEVATIONS, AND COMMUNITY ENTRY PLANTING PLAN, ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBITS “B” THROUGH “E”; 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 Coppell, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppell, 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-259R3-SF-7/9 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 Coppell, Texas, duly passed by the governing body of the City of Coppell, Texas, as heretofore amended, be

and the same is hereby amended by granting a change in zoning from PD-259R2-SF-7&9 (Planned Development 259 Revision 2-Single Family-7 & 9) to PD-259R3-SF-7&9 (Planned Development 259 Revision 3 -Single Family-7 & 9), to provide a new site plan that would allow for a gated community and private streets, over two phases with nine (9) common area lots on 54.8 acres of land as set forth herein located on the north side of Sandy Lake Road, approximately 750 feet northeast of Starleaf Road (extended), for the property described in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property will be used and developed for Single Family purposes as provided in the Code of Ordinances, and previous ordinances for PD-259R and PD-259R2 and this Ordinance is hereby approved subject to the following development regulations:

- A. Except as amended herein, the property shall be developed in accordance with the previous Ordinances 91500-A-761 and 91500-A-782 which is incorporated herein as set forth in full and hereby republished.
- B. To allow for a gated community with private streets that must be maintained by the HOA through covenants that run with the land to include the maintenance of the streets, bridge, sidewalks and street signs elements.
- C. The CCR’s must be amended to include the maintenance of the streets, bridge, sidewalks, street signs, wall maintenance and entry feature maintenance and assessment.
- D. The existing plats must be vacated, and new plats must be filed that show the sidewalk and street lots as private and part of a Common Area, to be maintained by the HOA.
- E. That the entry feature and street sign shall conform in accordance with the attached Exhibit C.

F. To amend existing condition T (2) to read of what to herein read as follows: “2. The development of Lot 2X and the entry gates and entry features shall be constructed prior to the issuance of any certificate of occupancy for the first home, other than a model home.”

SECTION 3. That the Revised Site Plan attached hereto as Exhibits “B”; respectively shall be deemed as development regulations for the development use and maintenance to this development.

SECTION 4. That the above 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; and, any conflict with any of the provisions of PD 259, as amended, this ordinance shall be given 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 E. HAGER, CITY ATTORNEY

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ORDINANCE NO. _____

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