

**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-214R2-C (PLANNED DEVELOPMENT 214-REVISION 2-COMMERCIAL) TO PD-214R8-C (PLANNED DEVELOPMENT-214 REVISION 8-COMMERCIAL) TO ATTACH A DETAIL SITE PLAN FOR A 3,035-SQUARE FOOT BUILDING ON 0.701 ACRES OF LAND, FURTHER IDENTIFIED AS 131 S. DENTON TAP, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE DETAIL SITE PLAN, LANDSCAPE PLAN AND ELEVATIONS; ATTACHED HERETO AS EXHIBITS “B” THROUGH “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-214R8-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 PD-214R2-C (Planned Development 214-Revision 2-Commercial) to PD-214R8-C (Planned Development 214-Revision 8-Commercial) to attach a Detail Site Plan for a 3,035-square foot building on 0.701 acres of land, located on Denton Tap Road, approximately 400 feet south of W. Sandy Lake Road. 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 Commercial purposes as provided in the Code of Ordinances, 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 use in accordance with “C” Commercial District Regulations as set forth in Ordinance 91500-A-474 which is incorporated herein as set forth in full and hereby republished
- B. Photometric (Lighting) of the site shall comply with City requirements for residential adjacency.
- C. Landscaping shall be in conformity with the Landscape Plan as provided in Exhibit C and comply with the following:
  - 1. Allow the landscape calculation to be based on the developable area of the lot;
  - 2. Allow the existing parking tree islands along Denton Tap Road to remain as currently configured and maintained.
  - 3. Allow the existing perimeter landscape strip along Denton Tap Road to remain as currently configured and maintained.
  - 4. Allow a variable landscape width from 6 to 10 feet along a portion at the rear of the property as depicted on Landscape Plan.
- D. To allow a 10-foot setback in lieu of the required 30-foot setback on the southern portion of the lot as reflected in this Site Plan.
- E. All signage must meet ordinance requirements in accordance with Article 29 of the Code of Ordinances Chapter 12 - Zoning.
- F. All mechanical equipment to be screened in accordance with Article 33 of the Code of Ordinances Chapter 12 - Zoning.

G. Replat of Lot 3 to add easements and to remove the existing access easement that currently runs through a portion of the proposed building; such replat must be approved and filed with Dallas County prior to the issuance of a building permit.

**SECTION 3.** That the Detail Site Plan, Landscape Plan, and 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 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 \_\_\_\_\_, 2018.

APPROVED:

\_\_\_\_\_  
KAREN SELBO HUNT

ATTEST:

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

APPROVED AS TO FORM:

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CITY ATTORNEY