

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-240R4R-HC (PLANNED DEVELOPMENT-240 REVISION 4 REVISED-HIGHWAY COMMERCIAL) TO PD-240R4R2-HC (PLANNED DEVELOPMENT-240 REVISION 2-HIGHWAY COMMERCIAL), TO REVISE THE CONCEPT PLAN FOR AN APPROXIMATE 41,000 SQUARE FOOT COMMERCIAL DEVELOPMENT (A FITNESS CENTER) ON 5.3 ACRES OF PROPERTY LOCATED NORTH OF S.H. 121, APPROXIMATELY 420 FEET WEST OF N. DENTON TAP ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE CONCEPTUAL SITE PLAN, CONCEPTUAL LANDSCAPE PLAN, TREE SURVEY, CONCEPTUAL ELEVATIONS AND EXTERIOR ELEVATION MATERIALS, ATTACHED HERETO AS EXHIBITS "B", "C", "D", "E", AND "F", RESPECTIVELY; PROVIDING 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-240R4R2-HC 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 to grant a change in zoning from PD-240R4R-HC (Planned

Development-240 Revision 4 Revised-Highway Commercial) to PD-240R4R2-HC (Planned Development-240 Revision 4 Revision 2-Highway Commercial), to revise the Concept Plan for an approximate 41,000 square foot commercial development and use (a fitness center) on 5.3 acres of property located north to allow a fitness center located north of S.H. 121, approximately 420 feet west of N. Denton Tap Road and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes, subject to the development regulations.

SECTION 2. That PD-240 Revision 4-Revision 2-HC 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 in accordance with highway commercial zoned property as set forth in Ordinance 91500-A-699 which is incorporated herein as set forth in full and hereby republished.
- B) The Detail Plan shall be approved in accordance with the Planned Development Regulations and exhibits established herein.
- C) A Final Plat providing for all required easements and fire lanes shall be required prior to obtaining building permits.
- D) A Detail Tree Survey is required with submittal of a Detail Site Plan for development of Lot 1. A tree removal permit is required prior to the removal of any trees.
- E) A deceleration lane shall be installed along Denton Tap Road, as may be required by the City Engineer based on acceptable engineering and traffic standards prior to the issuance of a Certificate of Occupancy.
- F) Signage shall be in accordance with the Sign Ordinance. Signage for the fitness center may be included on the multi-tenant monument sign as approved on Lot 4.

G) The brick screening wall shall be in place prior to vertical construction on-site

H) The building erected on this lot shall substantially conform to the Conceptual Elevations and materials as set forth in Exhibit E.

SECTION 3. That Conceptual Site Plan, Conceptual Landscape Plan, Tree Survey, Conceptual Elevations and Exterior Elevation Materials attached hereto as Exhibits “B”, “C”, “D”, “E” and “F” made a part hereof for all purposes, are hereby approved.

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 _____, 2017.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY