

**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-213R6-H (PLANNED DEVELOPMENT DISTRICT-213 REVISION 6-HISTORIC) TO PD-213R7-H (PLANNED DEVELOPMENT 213 REVISION 7-HISTORIC) TO REVISE THE DETAIL SITE PLAN FOR THE FIVE, TWO-STORY LIVE/WORK BUILDINGS BY ENCLOSING THE OUTDOOR ALCOVE AREA (70-SF); ALLOWING UP TO 800-SF OF RETAIL USE FOR EACH BUILDING; AND ALLOWING THE WEST PORCHES FOR BUILDINGS A, C, AND E TO HAVE A COVERED GABLED ROOF ON 0.71 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF SOUTH COPPELL ROAD AND MCNEAR DRIVE, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE DETAIL SITE PLAN, AND REVISED ELEVATIONS, ATTACHED HERETO AS EXHIBITS "B" AND "C" 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-213R7-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 to grant a change in zoning from PD-213R6-H (Planned Development 213 Revision 6-Historic) to PD-213R7-H (Planned Development 213 Revision 7-Historic) to

enclose the outdoor alcove area (70-sf); allow up to 800-sf of retail use for each building on the first floor; and allow the west porches for Buildings “A”, “C” and “E” to have a covered gabled roof by amending the Detail Site Plan on 0.71 acres of real property located at the northeast corner of South Coppel Road and Heath Lane 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 the subject property shall be developed and used only in accordance with the following amended development regulations, which are hereby approved:

- A. Except as amended herein and as provided in this Ordinance, the property shall be developed in accordance with Ordinance 91500-A-471, and Ordinance 91500-A-771, that is incorporated herein as set forth in full and hereby republished; and, the regulations adopted therein; for live/work units, a minimum of 50% of the occupied floor area of the first floor must be a work use, but no more than 50% of the total floor area of the unit may be a work use. The work use is limited to the first floor. Total occupied, conditioned space cannot exceed 3000 square feet.
- B. No more than one unit shall be a “work” use which would generate (1 space per 175 square feet), a need for parking spaces of one (1) to (175 square feet), as defined in the Code of Ordinances. This would include uses such as medical & dental office, veterinary clinic, chiropractor and or high volume customer services as defined herein.
- C. All five units may be allowed to have up to 800-sf of retail /service use on the first floor.
- D. All buildings may be used for professional office use.

E. Second floor west porches for buildings “A”, “C” and “E” may be covered via extending the gabled roof line and extending the first-floor columns up to support the roof.

F. To allow the elevation change to enclose the 70-sf alcove area.

**SECTION 3.** That Detailed Site Plan and Revised Elevations attached hereto as Exhibit “B” and “C” are made a part hereof for all purposes, and hereby approved as development regulations for 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 \_\_\_\_\_, 2023.

APPROVED:

\_\_\_\_\_  
WES MAYS, MAYOR

ATTEST:

\_\_\_\_\_  
ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

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ROBERT E. HAGER, CITY ATTORNEY