

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 C (COMMERCIAL) TO PD-270-RBN (PLANNED DEVELOPMENT-270-RESIDENTIAL URBAN NEIGHBORHOOD), TO ALLOW 29 MULTIFAMILY UNITS AND 8,575 SQUARE FEET OF OFFICE/RETAIL USES ON 1.77 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF SOUTHWESTERN BOULEVARD AND SOUTH DENTON TAP ROAD AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES; PROVIDING FOR THE APPROVAL OF THE SITE PLAN, LANDSCAPE PLAN, ELEVATIONS, FLOOR PLAN, SITE SECTION & GATE DETAIL AND RENDERINGS ATTACHED HERETO AS EXHIBITS "B", "C", "D", "E", "F" AND "G" RESPECTIVELY; 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 PD-270-RBN 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 from C (Commercial) to PD-270-RBN (Planned Development-270-Residential Urban Neighborhood), to allow 29 multifamily units and 8,575 square feet of office/retail uses on 1.77 acres of property located at the northwest corner of

Southwestern Boulevard and South Denton Tap Road and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes.

SECTION 2. That the property shall be developed and used as provided in the base RBN district of the Comprehensive Zoning Ordinance except as amended herein, and in accordance with following development regulations as set forth herein below;

1. The building height shall be consistent with that shown on the Elevation Plan and shall not exceed 26’ 4” in height (measured at the midpoint of the hip roof) at the northwest corner and shall not exceed 36 feet in height (measured at the midpoint of the gable or hip roof structure) on all other areas of the building.
2. Setbacks, parking, loading area and drive locations shall be required as indicated on the Site Plan.
3. Blade signs shall be permitted as conceptually depicted on the Elevation Plan, Exhibit C. Details of each blade sign shall be administratively approved by the Director of Planning prior to obtaining a sign permit in conformance.
4. Final Plat approval in compliance with the Code of Ordinances and the regulations adopted herein is required prior to application and issuance of a building permit.
5. Park dedication fees of \$1,285 per unit shall be assessed and paid prior to application and issuance of a building permit.
6. There shall be a property owner’s association, which will be required to provide for maintenance and improvement of all common areas and amenities; and, such documents shall be submitted to the City Attorney for approval and shall be and filed of record with plat recordation.

7. The Future Community Center Site Plan, Landscape Plan and Elevations shall be submitted to the Director of Planning for administrative review and approval, prior to application and issuance of a building permit. [If the proposal is consistent with the building footprint as shown on the Site Plan, the landscape area is consistent with the area depicted on the Landscape Plan and the building materials and colors are compatible with that of the main structure, then the director may approve the plans administratively.]
8. Evergreen landscaping shall be allowed on the City of Coppell property to the northwest of this site as depicted on the Landscape Plan through a License Agreement between the Property Owner and the City of Coppell, Texas.
9. An electronically controlled access gate with an opticom system, as provided on the Site Section & Gate Detail shall be installed at the ingress/egress point on Bullock Street.
10. Maximum of twenty-nine (29) residential units, community rooms and a minimum of eight thousand five hundred seventy five (8,575) square feet of retail space shall be consistent with Exhibits B-G.
11. Solid Waste Disposal Receptacles shall be enclosed with a gate and shall remain closed except during service by a solid waste collection provider.

SECTION 3. That Site Plan, Landscape Plan, Elevations, Floor Plan, Site Section & Gate Detail and Renderings attached here to as Exhibits “B”, “C”, “D”, “E”, “F” and “G” in their entirety, and made a part hereof for all purposes as special regulations, are hereby approved.

SECTION 4. That the above property shall be developed and 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 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 6. 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 7. 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 8. 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 9. 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 _____, 2014

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

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