

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-261-RBN (PLANNED DEVELOPMENT 261-RESIDENTIAL URBAN NEIGHBORHOOD), FOR THE DEVELOPMENT OF 55 SINGLE-FAMILY RESIDENCES AND THREE (3) COMMON AREA LOTS ON 15.18 ACRES OF PROPERTY LOCATED ON THE SOUTH SIDE OF EAST BELT LINE ROAD, APPROXIMATELY 450 FEET WEST OF SOUTH MACARTHUR BOULEVARD AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE DETAIL SITE PLAN, AND LANDSCAPE PLAN WITH WALL ELEVATIONS ATTACHED HERETO AS EXHIBITS "B" AND "C" 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-261-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 by granting a change in zoning from C (Commercial) to PD-261-RBN (Planned Development 261-Residential Urban Neighborhood), for the development of 55 single-family residences and three (3) common area lots on 15.18 acres of property

located on the south side of East Belt Line Road, approximately 450 feet west of South MacArthur Boulevard as described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That PD-261-RBN (Planned Development-261-Residential Urban Neighborhood) is hereby approved subject to the following development regulations:

A. Use regulations

1. A building or premise shall be used only for the following purposes:

- i. Any use permitted in the "RBN" district, as provided in the Coppel Code of Ordinances, except as amended herein.
- ii. Home occupation, as defined in the Coppel Code of Ordinances, as amended.

B. Maximum height regulations - The maximum height shall be 35 feet nor more than two and one-half stories high, whichever is less.

C. Area regulations, exclusive of the common area lots (Lots 1X, 2X and 3X).

1. Minimum size of yards as shown on the Detail Site Plan, Exhibit "B" of this Ordinance, and as provided herein:

- i. Front porches may encroach into the front yard five (5) feet, but shall not be closer than ten (10) feet to the right-of-way line, and shall have a minimum depth of six (6) feet.
- ii. All garages doors shall be setback a minimum of 22 feet from the property line.
 - a) No more than two (2) garage doors shall face the street.
 - b) Each garage door shall be a stained wood door or a metal door simulated to appear as a stained wooden door.
- iii. Side yard setbacks shall be a minimum of five (5) feet, except such side yard shall have a minimum of ten (10) feet adjacent to a street.
- iv. Rear yard setbacks shall be a minimum of 15 feet, except lots 13-29, Block A as shown on Detail Site Plan, Exhibit "B" of this Ordinance.

2. Lot areas shall be as shown on the Detail Site Plan, Exhibit "B" of this Ordinance and are required with the following:

- i. Lot width shall be a minimum of 55 feet.
- ii. Lot depth shall be a minimum of 100 feet.

- D. Minimum dwelling size: 1,800 square feet, exclusive of garages, breezeways and porches.
- E. Maximum lot coverage: no more than 60 percent of the total lot area may be covered by the combined area of the main buildings and accessory buildings.
- F. Type of exterior construction.
1. At least 80 percent of the exterior walls of the first floor of all structures shall be of masonry construction exclusive of doors, windows, and the area above the top plate line. Each story above the first floor of a straight wall structure shall be at least 80 percent masonry exclusive of doors, windows and the area above the top plate line except:
 - i. The predominate building elevation facing Belt Line Road shall be 95% masonry, being lots 1 and 2; Block A and Lot 1 and 2, Block B.
 2. Each single family dwelling shall contain at least three of the following architectural elements: dormers, gables, recessed entries, covered porches, cupolas or towers, pillars or post, eaves, bay windows, or decorative patterns on exterior finishes.
- G. Homeowners Association
1. The Homeowners Association shall maintain all common areas, walls and fencing within the Common Area Lots (Lots 1X, 2X and 3X) and along the rear lines of the lots when adjacent to a common area.
 2. Fencing and walls shall be provided by the builder as shown on the Detail Site Plan, attached hereto as Exhibit "B".
 3. The emergency access drive within common area Lot 1X shall be constructed of enhanced paving such as stamped concrete with mountable curb and continuous sidewalk, and shall be maintained by the HOA.
 4. Common Area Lots (Lot 1X, 2X and 3X) shall be landscaped in accordance with the Landscape Plan attached hereto as Exhibit "C" .
 - i. Lot 1X and 2X shall be irrigated by a fully automatic irrigation system.
 - ii. Lot 3X shall be temporarily be irrigated until the tree established and in a healthy growing condition.

5. Homeowners Association documents shall be submitted, reviewed and approved by the City in accordance with the Code of Ordinances.
- H. Curbs – mountable or roll curbs shall be permitted, with a minimum 30 foot back-to-back within the 50 foot of right-of-way.
- I. Alleys shall not be constructed within this development
- J. Each lot shall have a minimum of plant and maintain at least one shade or overstory tree within the front yard.
- K. Park Development Fees in the amount of \$1,285 per lot shall be assessed and paid prior to the filing of the Final Plat.
- L. Sidewalks along Belt Line Road shall be extended to connect to the commercial development east of the site.
- M. A deceleration lane shall be constructed by the developer from eastbound on E. Belt Line Road to accommodate the eastbound traffic into this subdivision.
- N. A median opening in Belt Line Road shall be constructed by the developer to serve Preakness Lane by the developer.
- O. License Agreement approved by City Council after approval by the Planning Director and the City Engineer shall be entered into with the city for the maintenance of the on-street parking areas. All on street parking for areas designated on the detailed site plan shall be designed, constructed and maintained in accordance with the RBN district regulations based on generally accepted Planning and Engineering design principles.

SECTION 3. That the property shall be developed and used in accordance with the RBN (Residential Urban Neighborhood) development standards under the Coppell Zoning Ordinance, except as amended in the development regulations provided herein and as indicated on the Detail Site Plan and Landscape Plan with Wall Elevations attached hereto as Exhibits “B” and “C”; and made a part hereof for all purposes, are hereby approved.

SECTION 4. That the 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 _____, 2013.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

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