

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PD-301R-HC (PLANNED DEVELOPMENT -301 REVISED-HIGHWAY COMMERCIAL) TO PD-301R2-HC (PLANNED DEVELOPMENT -301 REVISION 2-HIGHWAY COMMERCIAL), TO APPROVE A NEW CONCEPTUAL SITE PLAN FOR 10 BUILDINGS ON APPROXIMATELY 16.766 ACRES OF PROPERTY LOCATED ON THE SOUTHEAST CORNER OF DIVIDEND DRIVE AND SOUTH BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE CONCEPT PLAN, CONCEPT LANDSCAPE PLAN, ELEVATIONS & BUILDING PERSPECTIVES, FOCAL POINT AND SIGNAGE, 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 Coppell, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppell, 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-301R2-HC should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Zoning 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 Zoning Map of the City of Coppell, Texas, duly passed by the governing body of the City of Coppell, Texas, as heretofore amended, be and the same is hereby amended to grant a change in zoning from PD-301R-HC

(Planned Development-301 Revised- Highway Commercial) to PD-301R2-HC (Planned Development-301 Revision 2- Highway Commercial), to provide for those uses allowed in highway commercial except as provided herein and to establish a New Conceptual Site Plan for 10 buildings on 16.766 acres of land and approve Concept Landscape Plan, Elevations and Building Perspectives, Focal Point and Signage, located at the southeast corner of Dividend Drive and S. Belt Line Road, and, being more particularly described in Exhibit “A” attached hereto and made part hereof for all purposes, subject to the detailed Site Plan and development regulations provided in this ordinance.

SECTION 2. That the Property will be used, developed and maintained for Highway Commercial uses and purposes as provided in the Code of Ordinances, and provided herein subject to the following development regulations:

- A. That the property be platted in accordance with the subdivision ordinance and regulations.
- B. Deceleration lanes, sidewalk and a right turn lane shall be constructed on S. Belt Line Road as described and depicted with the Concept Site Plan and as discussed in the Developers Agreement.
- C. Construction of a traffic control device to provide for traffic control for left turn on southbound at the S. Belt Line Road at Hackberry Road intersection; and, shall install for any additional traffic control or calming devices and any other improvements required by the Traffic Impact Analysis.
- D. The development and maintenance of the property shall be in accordance with the Conceptual Site Plan; Conceptual Landscape Plan; Elevations and Building Perspectives, Focal Point and Signage, and notes or provisions included therein,

which are deemed to be development regulations, attached hereto and made part of the ordinance.

E. The façade and overall architectural style of the buildings shall have a consistent theme throughout the Planned Development.

F. PD Conditions:

1. All signage shall comply with City regulations.
2. Plans for the linear park shall require staff approval.
3. The focal point artwork shall require staff approval and shall be in place prior to the issuance of a CO for the buildings at the rear of the property.
4. A Property Owners Association shall be required prior to the filing of the final plat which shall provide to fuse and maintenance of all common use elements of the development.
5. A Detailed Site Plan shall be required for the development of any of the lots.
6. A Tree Survey and tree mitigation, if any, shall be required at the time of Detail Planned Development.
7. Daycare shall be allowed on the interior eastside of the development Pad Site 8 and shall not require a circular drive.
8. Parking shall be allowed in the front yard as shown of this site generally as provided in Exhibit B.
9. Restaurants with drive throughs shall be allowed as shown on the concept plan for Pad Sites 1, 2, 3, 4, 5 and 10.
10. To allow the monument signs as located on Concept Plan and Sign Plan, Exhibits B and F, respectively.
11. To allow a banquet multi use special event.

G. A Detailed Site Plan shall be required prior to the issuance of any building permits for the development use and maintenance of the remainder of the Planned Development.

SECTION 3. That the Concept Plan, Detail Site Plan, Overall and Detail Landscape Plan, Tree Survey, Elevations & Building Perspectives and Dumpster and Signage Plan, and all comments and notes set forth therein, attached hereto as Exhibits “B”, “C”, “D”, “E”, and “F” are made a part hereof for all purposes, and hereby approved as development regulations.

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 Coppel, Texas, this the _____ day of _____, 2022.

APPROVED:

WES MAYS, MAYOR

ATTEST:

ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY