

N 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-301R2-HC (PLANNED DEVELOPMENT 301 REVISION 2- HIGHWAY COMMERCIAL) TO PD-301R3-HC (PLANNED DEVELOPMENT 301-REVISION 3- HIGHWAY COMMERCIAL) TO REVISE THE CONCEPT PLAN FOR THE OVERALL DEVELOPMENT OF THE SITE AND ALLOW FOR A COMBINATION OF RETAIL, RESTAURANT, OFFICES, MEDICAL OFFICE, AND DAYCARE ON 10 LOTS TOTALING APPROXIMATELY 16.77 ACRES OF PROPERTY; WHICH INCORPORATES A DETAIL SITE PLAN TO ALLOW A 12,510-SF MULTI-TENANT BUILDING WITH RESTAURANT AND RETAIL USES ON LOT 3, BLOCK A, ON APPROXIMATELY 1.89 ACRES; A DETAIL SITE PLAN FOR A 10,990-SF MULTI-TENANT BUILDING WITH RESTAURANT AND RETAIL USES ON LOT 4, BLOCK A, ON APPROXIMATELY 1.72 ACRES; A DETAIL SITE PLAN FOR A 7,530-SF BUILDING WITH MEDICAL AND RETAIL USES ON LOT 9, BLOCK A, ON APPROXIMATELY 0.97 ACRES; AND A DETAIL SITE PLAN FOR A 4,900-SF MULTI-TENANT BUILDING WITH RESTAURANT AND RETAIL USES ON LOT 10, BLOCK A, ON APPROXIMATELY 1.18 ACRES LOCATED AT THE SOUTHEAST QUADRANT OF S. BELT LINE ROAD AND DIVIDEND DRIVE, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE REVISED OVERALL CONCEPT PLAN AND OVERALL CONCEPT LANDSCAPE PLAN, PHASE 1 PAVING PLAN, DETAIL SITE PLANS, DETAIL LANDSCAPE PLANS AND ELEVATIONS FOR LOTS 3, 4, 9 AND 10, ATTACHED HERETO AS EXHIBITS "B", "C", "D", "E", "F", "G", AND "H" 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-301R3-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 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-301R2-HC (Planned Development-301 Revision 2- Highway Commercial) to PD-301R3-HC (Planned Development-301 Revision 3- Highway Commercial), to provide for those uses allowed in highway commercial except as provided herein; and, to amend said concept by adopting a new Conceptual Site Plan for 10 buildings on 16.766 acres of land; and, approve Concept Landscape Plan, Phase 1 Paving Plan, Detail Site Plans, Detail Landscape Plans and Elevations for Lots 3, 4, 9 and 10 of said development, 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 as amended and 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. Except as amended herein, the property shall be developed in accordance with the Ordinance 91500-A-784 which is incorporated herein as set forth in full and hereby republished, except as amended herein.
- B. Deceleration lanes, sidewalk and a right turn lane shall be constructed on S. Belt Line Road as described and depicted with amended and new Concept Site Plan and provided for in the Developers Agreement.

- C. Construction of a traffic control device to provide for traffic control for left turn onto southbound S. Belt Line Road at the Hackberry Road intersection as provided in said Developers Agreement; and, install 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 amended and new Conceptual Site Plan; Conceptual Landscape Plan; Phase 1 Paving Plan; and notes or provisions included therein which are deemed to be development regulations, attached hereto and made part of the ordinance as Exhibit B through D.
- E. The development and maintenance of the property shall also be in accordance with the Detail Site Plan; Detail Landscape Plans; and Elevations and notes or provisions included therein for Lots 3, 4, 9 and 10, which are deemed to be development regulations, attached hereto and made part of the ordinance, being Exhibits E through H.
- F. The façade and overall architectural style of the buildings shall have a consistent Architectural and building components as provided in Exhibits referred in Section 2(E) of this Ordinance.
- G. PD Conditions:
1. All wall signage shall comply with City regulations.
 2. Plans for the linear park shall require staff approval and shall be constructed with Phase 1.
 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 use and maintenance of all common use elements of the development.

5. A Detailed Site Plan shall be required for the development of all lots within the Planned Development.
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 previously approved in Ordinance 91500-A-784.

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 under the amended and new Concept Plan, which if there are no substantial changes may be approved by City Council.

SECTION 3. That the new Concept Plan, Concept Landscape Plan, Phase 1 Paving Plan, Detail Site Plans, Detail Landscape Plans, and Elevations, and all comments and notes set forth therein, attached hereto as Exhibits “B” through “H” 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 Coppell, Texas, this the _____ day of _____, 2023.

APPROVED:

WES MAYS, MAYOR

ATTEST:

ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

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