

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 H (HISTORIC) TO PD-250R28-H (PLANNED DEVELOPMENT 250-REVISION 28- HISTORIC) TO ADD THIS PROPERTY TO THE CONCEPTUAL PLANNED DEVELOPMENT FOR THE MAIN STREET OLD TOWN PROJECT; CREATING SEVEN LOTS WITH DETAIL SITE PLANS FOR SIX (6) PROPOSED TWO-STORY BUILDINGS (TWO MIXED-USE PROFESSIONAL OFFICES AND RESIDENTIAL, ONE MIXED-USE MEDICAL OFFICE/RETAIL/RESTAURANT AND RESIDENTIAL, TWO MIXED-USE RETAIL/RESTAURANT AND RESIDENTIAL, ONE RETAIL/RESTAURANT), AND A COMMON PARKING LOT ON 0.946 ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF MAIN STREET AND WEST BETHEL ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE OVERALL DETAIL SITE PLAN, OVERALL DETAIL LANDSCAPE PLAN, AND ELEVATIONS AND RENDERINGS FOR LOTS 1-6, ATTACHED HERETO AS EXHIBITS "B", "C", AND "D" 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-250R28-H 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 H (Historic) to PD-

250R28-H (Planned Development-250 Revision 28- Historic), to add this property to the conceptual Planned Development for the Main Street Old Town Project; creating seven lots with six (6) proposed two-story buildings (two (2) mixed-use professional office & residential, one (1) mixed-use medical office/retail/restaurant & residential, two (2) mixed-use retail/restaurant & residential, one (1) retail/restaurant), and a common parking lot on 0.946 acres of land located the southwest corner of Main Street and W. Bethel 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 Planned Development-250R28-Historic shall be used and developed in accordance with the Historic District regulations except as provided herein and subject to the following development regulations:

- A. Except as amended herein and as provided in this Ordinance, the property shall be developed and used as provided herein in accordance with H, Historic District, as codified in Chapter 12, Article 28A of the Coppel Code of Ordinances.
- B. Except as amended herein and as provided in this Ordinance, the property shall be developed and used as provided herein in accordance as set forth in PD-250R8-H, Ordinance No. 91500-A-615, which are incorporated herein as set forth in full and hereby republished and the exhibits attached hereto.
- C. The Director of Community Development shall have the authority to administratively approve the proposed signage for this development in accordance with planned development regulations for PD-250R8-H and the Historic District.
- D. Buildings 1 and 2 shall have office uses on the first floor and the second-floor shall be used for residential purposes only; building 3 shall have retail or restaurant uses on the

first floor and retail uses on the second floor; buildings 4 and 5 shall have retail or restaurant uses on the ground floor and the second floor shall be used for residential purposes only; building 6 shall have medical office, retail or restaurant uses on the first floor and the second floor shall be used for residential purposes only, and Lot 7X shall be used only as a parking lot and all buildings shall be developed, constructed and maintained in accordance with local ordinance and building codes; as provided in Exhibits “B” through “D” as incorporated herein.

- E. Lot 7X, parking lot, will require an access easement from the City of Coppell and coordination with the City to remove off-site trees and relocate irrigation.
- F. Building 3 will not have any residential uses but may have a commercial occupancy on the second floor.
- G. Maximum building height shall not exceed 35-ft above finished floor.
- H. Existing 15 on-street parking spaces on Main Street in front of this development shall be counted for the uses in this development; and, existing common public parking spaces in the Old Town Main Street development shall be counted towards the use in this development if this development becomes part of the Old Town Main Street Property Owners Association.
- I. Approve the Building Elevations as depicted in the Elevation Plan, Exhibit “D”.
- J. PD Regulations prior to issuance of any certificate of occupancy:
 - 1. Final Plat in conformance with the detailed site shall be filed prior to issuance of building permits; and such plat cannot be filed until any existing buildings have been removed from the site and the development becomes part of the POA.

2. All wall signage plans for any use shall be submitted and administratively approved in compliance with H District regulations.
3. The Old Town Main Street Property Owners Association (POA) shall be responsible for maintenance of the common areas, proposed Lot 7X Block A, Main Street Old Town Addition.
4. Submit a development agreement and deed restrictions to the City that the POA shall maintain all common area amenities including benches, dumpster, trash receptacles, bicycle racks, sidewalk easements between buildings, private drainage easement and all landscaping.

SECTION 3. That the Detail Site Plan, Overall Landscape Plan, and Elevations, and all comments and notes set forth therein, attached hereto as Exhibits “B” through “D” 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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