



MEMORANDUM

To: Mayor and City Council

From: Clay Phillips, City Manager

Date: March 24, 2015

Reference: Consider approval of the Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Main Street Coppell, and authorize the Mayor to execute a Correction Special Warranty Deed and other necessary documents.

2030: Business Prosperity, Sense of Community, Special Place to Live

Introduction:

Main Street Coppell, Ltd. executed the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for Main Street Coppell on May 3, 2012. This document was executed to impose certain covenants, conditions and restrictions on the private property located within the Main Street at Coppell development. The CC&Rs were amended once on November 1, 2012 and a second time on September 16, 2013. Main Street Coppell, Ltd. is bringing before you their third amendment. This current amendment makes the following changes: (i) prevents any holiday, religious or similar lighting on residential lots without approval from the Committee, (ii) prevents the use of any window or wall air conditioners, fans, water coolers or similar type equipment on the exterior of any building or on any property and (iii) limits what is allowed on porches, balconies, front yards and side yards without consent from the committee. More specifically, the CC&Rs will now state that without prior consent from the committee, the following is prohibited (a) no swings, furniture, decorations or other items visible from the exterior shall be permitted to be used, erected, placed or maintained on any porch, balcony, front or side yard of a Lot, (b) no item shall be placed on a porch which exceeds the height of the normal porch railing for residences within the Property and (c) no item shall be placed in a side yard which exceeds the height of the side yard fencing.

Analysis:

While the City does not have any signing authority on the Third Amendment to the Declaration of Covenants, Conditions and Restrictions, Main Street Coppell, Ltd. is required to seek City approval on any amendments to the Declaration.

Legal Review:

The Amendment was reviewed by Kevin Laughlin.

Fiscal Impact:

N/A

Recommendation:

Economic Development recommends approval.