

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 R (RETAIL) TO PD-278-R (PLANNED DEVELOPMENT-278-RETAIL), TO ALLOW THE SUBDIVISION OF THE EXISTING PROPERTY INTO TWO LOTS (ONE BUILDING PER LOT) AND PROVIDE FOR SHARED PARKING, DUMPSTERS, ACCESS AND PRIVATE UTILITIES ON 2.6 ACRES OF PROPERTY LOCATED SOUTH AND EAST OF THE INTERSECTION OF S. BELT LINE ROAD AND E. BELT LINE ROAD AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES; PROVIDING FOR THE APPROVAL OF DEVELOPMENT REGULATIONS THROUGH ADOPTION OF A DETAIL SITE PLAN, TREE SURVEY, LANDSCAPE PLAN AND BUILDING ELEVATIONS AND RENDERINGS, ATTACHED HERETO AS EXHIBITS "B", "C", "D" AND "E", RESPECTIVELY; 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-278-R 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 to grant a change in zoning from R (Retail) to PD-278-R (Planned Development-278-Retail), to allow the subdivision of the existing property into two lots (one

building per lot) and provide for shared parking, dumpsters, access and private utilities on 2.6 acres of property located south and east of the intersection of S. Belt Line Road and E. Belt Line Road and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes.

SECTION 2. That the property shall be developed and used only in accordance with the provisions of Historic District, except as amended herein with the following development regulations as set forth herein below;

A) The property shall be developed and used in accordance with the regulations as provided in Section 3 of this Ordinance, and in accordance with applicable regulation contained in the Code of Ordinances.

B) Shared Use Agreement to include, but not limited to: driveways, utilities, easements, parking spaces, garbage collection facilities, and the irrigation system shall be verified by the property owners as covenants running with the land and filed for record. Such Agreement shall be noted on the Replat of Lots 9C1 and 9C2 of the Coppell Heights Addition, and shall require approval under the platting requirements for the Property.

C) The 10-foot wide perimeter landscape buffer requirement is waived and not required along the mutual property line between Lots 9C1 and 9C2 of the Coppell Heights Addition.

D) The side yard setbacks abutting the mutual property line between Lots 9C1 and 9C2 of the Coppell Heights Addition may be less than 30 feet, as measured and shown on the Detail Site Plan, attached hereto as Exhibit “B”, which is incorporated herein.

E) The paving setback at west side of the Lot is permitted to be less than 10 feet, as shown on the Detail Site Plan, attached hereto as Exhibit “B”.

F) Total landscaped area is permitted to be approximately twenty-one percent (21%) on Lot 9C1 and approximately thirty-four percent (34%) on lot 9C2 as provided in the Landscape Plan, attached hereto as Exhibit “C”.

SECTION 3. That Detail Site Plan, Tree Survey, Landscape Plan, and Building Elevations, attached hereto as Exhibits “B”, “C”, “D”, and “E” respectively, and made a part hereof for all purposes as development regulations, are hereby approved.

SECTION 4. That the above property shall be developed and used only in the manner and for the purpose provided for by the R (Retail) District regulations, Comprehensive Zoning Ordinance of the City of Coppel, as heretofore amended and as amended herein.

SECTION 5. That all provisions of the Ordinances of the City of Coppel, 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 6. 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 7. 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 8. 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 Coppel, 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 9. 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 _____, 2015

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY