

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 PD-221R3-HC (PLANNED DEVELOPMENT-221 REVISION 3-HIGHWAY COMMERCIAL) TO PD-221R3R-HC (PLANNED DEVELOPMENT-221 REVISION 3 REVISED-HIGHWAY COMMERCIAL), TO AMEND THE CONCEPT PLAN ON 17.14 ACRES TO ALLOW REVISED PERMITTED USES, CIRCULATION, SIGNAGE AND ATTACH A DETAIL SITE PLAN FOR TWO RETAIL/RESTAURANT BUILDINGS TOTALING APPROXIMATELY 17,000 SQUARE FEET ON 3.9 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF IH 635 AND S. BELT LINE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE CONCEPT SITE PLAN, CONCEPT PLAN SITE PLAN BUILDINGS, CONCEPT LANDSCAPE PLAN BUILDINGS, DETAIL SITE PLAN, DETAIL LANDSCAPE PLANS, ELEVATIONS, AND PERSPECTIVE VIEWS, ATTACHED HERETO AS EXHIBITS "A" THROUGH "H"; PROVIDING FOR 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-221R3R-HC 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 by granting a change in zoning PD-221R3-HC (Planned

Development-221 Revision 3-Highway Commercial) to PD-221R3R-HC (Planned Development-221 Revision 3 Revised-Highway Commercial), to amend the Concept Plan on 17.14 acres to allow revised permitted uses, lotting patterns, circulation, signage and attach a Detail Site Plan for two retail/restaurant buildings totaling approximately 17,000 square feet on 3.9 acres of property located at the northwest corner of IH 635 and S. Belt Line Road for the Property described in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property will be used and developed in accordance with Highway Commercial zoning regulations as provided in the Code of Ordinances, is hereby approved subject to the following development regulations:

- A. The Concept Plan for Lots 1 – 8, and common areas as attached hereto is hereby approved subject to the development regulations as set forth and provided in this Ordinance.
- B. A Detail Site Plan for Lots 2 and 3 is hereby approved as provided herein; Development on Lots 1, 4, 5, 6, 7 and 8 within the PD shall require a Detail Site Plan approved by City Council. Detail Site Plans shall meet all development code requirements, unless except provided as herein. Detail Site Plans with elevation facades will be required and all buildings and structures within the Planned Development and the buildings shall be architecturally compatible with the elevations as depicted in Exhibit “G”.
- C. This property will be replatted to provide building sites, easements and fire lanes prior to issuance of any permits and any development.
- D. A 35-foot tall monument sign shall be permitted on Lot 5 and shall substantially conform to the Concept Plan Exhibit “C”.

- E. All lots within the Development shall have 60-foot front yards, 30-foot side yards and 20-foot rear yard setbacks, except the side yards of Lots 2, 3, 5 & 6 which shall be 10 (ten) feet where there is a dedicated patio area.
- F. Prior to issuance of a Building Permit for buildings on Lots 2 or 3, Private Drive A, between Belt Line Road and Point West Blvd shall be constructed to full width and Private Drive C, shall be constructed to full width between Belt Line Road and the driveway to Lot 2, as depicted on the Concept Plan.
- G. Private Drive B and the remainder of Private Drive C, as depicted on the Concept Plan, shall be constructed to full width prior to the issuance of building permits for either developments on Lots 1 or 8.
- H. The building signage for the development shall be consistent and compliant with the Sign Provisions of the Zoning Ordinance, as amended.
- I. Detail Site Plan for the pedestrian/art/plaza (commons) shall be submitted and approved for Administrative approval and such commons shall be in substantial compliance to the Concept Plan.
- J. Business Property Owners Association shall form and maintain all common areas, including the pedestrian/art/plaza area, private driveways and any and all enhanced paving surfaces or common landscapes. Property Owners Association documents areas shall be submitted for administrative review and approval prior to the filing of the Final Plat.
- K. The median opening at Belt Line Road between Private Drive A and Hackberry Road will be redesigned, and shall be approved by Engineering review for safety and traffic movements.

SECTION 3. That the Concept Plan, Site Plan, Concept Plan Site Plan Buildings, Concept Landscape Plan, Detail Site Plan for Lots 2 and 3, Detail Landscape Plans, Elevations, and Perspective Views, attached hereto as Exhibits “A” through “H” .

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 _____, 2016.

APPROVED:

KAREN SELBO HUNT

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY