

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 PD-260-R (PLANNED DEVELOPMENT-260-RETAIL) TO PD-260R-R (PLANNED DEVELOPMENT-260 REVISED-RETAIL), TO ATTACH A REVISED DETAIL SITE PLAN TO ALLOW RETAIL USES IN ADDITION TO THE CANOE, KAYAK, PADDLEBOARD STORAGE, RENTALS AND SALES AND TO PERMIT REVISED SIGNAGE ON 1.5 ACRES OF PROPERTY LOCATED AT 1601 E. SANDY LAKE ROAD AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE SIGNAGE PLAN AND REVISED REAR ELEVATIONS, ATTACHED HERETO AS EXHIBITS "B" AND "C" , 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 Coppell, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppell, 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-260R-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 Coppell, Texas, duly passed by the governing body of the City of Coppell, Texas, as heretofore amended, be and the same is hereby amended to grant a change in zoning request from PD-260-R (Planned Development-260-Retail) to PD-260R-R (Planned Development Revised-

260-Retail), to attach a revised Detail Site Plan to allow retail uses in addition to the canoe, kayak, paddleboard storage, rentals and sales and to permit revised signage on 1.5 acres of property located at 1601 E. Sandy Lake Road being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes, subject to the development regulations.

SECTION 2. That PD-260R-R is hereby approved subject to the following development regulations:

A. Except as amended herein, the property shall be developed in accordance with the Planned Development Ordinance, No. 91500-A-612 which is incorporated herein as set forth in full and hereby republished.

B. Uses permitted to occupy the existing 2,500-sq. ft. square foot structure shall be limited to:

1. Professional and administrative offices where services are provided only and no chattels or goods are offered for sale on the premises, including but not limited to doctors, dentists, attorneys, architects, engineers, urban planners, insurance, real estate, banks and similar offices.
2. Business or trade school
3. Business support services
4. Convenience Store
5. Communication services
6. Financial services
7. Personal improvement services
8. Day nursery or day care center
9. Florist (no outside storage)
10. Barber and beauty shop
11. Drug store or pharmacy
12. Fraternal club or lodge
13. Consumer repair services.
14. Personal services.

15. Pet services.
16. Dry cleaning and laundry.
17. Other general retail sales of similar nature and character provided that the business establishment is subject to the following conditions:
 - a. That it be conducted wholly within an enclosed building.
 - b. that required yards not be used for display, sale or storage or merchandise, or for the storage of vehicles, equipment, containers or waste material.
 - c. That all merchandise be first-hand and be sold at retail on the premises.
 - d. That such use not be objectionable because of odor, excessive light, smoke, dust, noise, vibration or similar nuisance.
18. Film developing and printing.
19. Fix-it shops for such items as bicycles and lawn mowers but without outside storage.
20. Furniture stores.
21. Hardware store.
22. Printing shop or company (retail only).
23. Meat market (retail only).
24. Moving picture theater (indoor).
25. Veterinarian or animal hospital (no outside kennels).
26. Auto parts sales (new).
27. Community centers (public or private).
28. Uses permitted by special use permit according to [section 12-30-8](#).

C. Signage on this property shall be limited and be in compliance with Exhibit

B as follows:

1. One 30-square-foot monument sign, setback a minimum of ten feet from the ROW, shall be permitted on the west side of the driveway.
2. The existing 9.6-square-foot wall sign located in the eastern side of the driveway may be retained as depicted in Exhibit B.
3. The existing 26.4-square-foot attached sign may be relocated to the building structure (hut) located adjacent to the parking lot.

4. Attached signage shall be permitted on the retail building in compliance with the *Sign Ordinance*, except that one 3' x 12' sign shall be permitted on the eave, as indicated on the Exhibit B.

D. Public building access shall be provided in the south façade of the retail building to allow accessibility to the restroom facilities for the patrons of the kayak operation.

SECTION 3. That Signage Plan and Revised Rear Elevations attached hereto as Exhibits “B” and “C” and made a part hereof for all purposes, are hereby approved.

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, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY