

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 C (COMMERCIAL) TO PD-285-C (PLANNED DEVELOPMENT-285-COMMERCIAL), TO ALLOW RETENTION OF THE EXISTING RETAIL BUILDING WITH ADDITIONAL PARKING ON LOT 1 (5.8 ACRES) AND DEVELOPMENT OF A TWO-BUILDING, 30,800-SQUARE-FOOT, RETAIL EXPANSION ON A PORTION OF LOT 3 (3.6 ACRES), CONTAINING A TOTAL OF 9.4 ACRES OF PROPERTY LOCATED AT 110 & 214 W. SANDY LAKE ROAD AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE DETAIL SITE PLAN, LANDSCAPE PLAN/TREE SURVEY, ELEVATIONS AND COLOR PERSPECTIVES, ATTACHED HERETO AS EXHIBITS "B", "C", "D" AND "E"; 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 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-285-C 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 by granting a change in zoning from C (Commercial) to PD-285-C (Planned Development-285-Commercial), to allow retention of the existing retail building with additional parking on Lot 1 as set forth in Exhibit A (5.8 acres)

and development of a two-building, 30,800-square-foot, retail expansion on a portion of Lot 3 of Exhibit A (3.6 acres), containing a total of 9.4 acres of property located at 110 & 214 W. Sandy Lake Road, property described in Exhibit “A” attached hereto and made a part hereof for all purposes (hereinafter the Property).

SECTION 2. That PD-285-C (Planned Development-285-Commercial), is hereby approved subject to the following development regulations:

- A. This property shall be replatted to amend the open space easement and to include the dedication of a mutual access easement along the existing and proposed fire lane easements as reflected in the attached Site Plan. Exhibit B.
- B. A tree removal permit will be required prior to the removal of any trees on the Property.
- C. The property owner of PD-285-C Connell Skaggs Addition, Lot 1 & Lot 3, will extend the proposed 8' masonry wall the full length of the western boundary of the Planned Development; and, shall obtain a construction and maintenance agreement to extend to the southern boundary of screen wall on Tract 6, Block C Shadydale Acres also known as, 112 Shadydale Lane. A 10', and, said wall maintenance easement shall be reflected and dedicated on the replat as provided in Section 2(A).
- D. Employee parking of the businesses on Lot 3, shall be required to be designated on the north side of the buildings on Lot 3.
- E. Parking space dimensions shall be eighteen feet (18') deep as depicted in the double parking rows depicted to the north of the proposed buildings on Lot 3 of the Property.
- F. A front yard landscaping deficiency and overall landscape area deficiency of 4,023 sq. ft. is allowed as depicted on the Landscape Plan.

G. Parking for the entire Woodside Village Shopping Center Lots 1-3 of the Connell Skaggs Addition, is required to maintain as minimum of 344 parking spaces in Lot 1 and 225 parking spaces in Lot 3.

H. Off-premise signage is allowed as depicted on the Site Plan for Lot 1 and Lot 3, advertising other tenant spaces within the shopping center and the future tenant of the remaining tract that is currently located on the southwest corner of Lot 3.

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

SECTION 4. That the 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 _____, 2017.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(REH/mpm)