

**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 AMENDING THE FUTURE LAND USE PLAN OF THE COMPREHENSIVE PLAN FROM “URBAN RESIDENTIAL NEIGHBORHOOD” TO “NEIGHBORHOOD CENTER RETAIL” ON APPROXIMATELY 8 ACRES AS ILLUSTRATED ON EXHIBIT “A” AND GRANTING A CHANGE IN ZONING FROM R (RETAIL) TO PD-286-R (PLANNED DEVELOPMENT-286-RETAIL), TO ALLOW THE DEVELOPMENT OF OFFICE, RETAIL AND RESTAURANT USES ON 2.5 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF S. DENTON TAP ROAD AND THE DART R.O.W., BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “B”, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE DETAIL SITE PLAN, LANDSCAPE PLAN, TREE SURVEY AND ELEVATIONS, ATTACHED HERETO AS EXHIBITS “C” THROUGH “F”; 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-286-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 Future Land Use Plan of the Comprehensive Plan as heretofore amended, be and the same is hereby amended by changing the designation of approximately eight (8) acres of land from “Urban Residential Neighborhood” to “Neighborhood Center Retail” as set forth in Exhibit A; and 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 R (Retail) to PD-286-R (Planned Development-286-Retail), to allow the development of office, retail and restaurant uses on 2.5 acres of property located at the northeast corner of S. Denton Tap Road and the DART R.O.W. for the Property described in Exhibit “B” attached hereto and made a part hereof for all purposes.

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

- A. In lieu of a masonry screening wall along the west property line, where adjacent to single family zoning, the existing tree line shall be preserved as indicated on the Tree Survey and additional trees will be planted as indicated on the Landscape Plan, attached hereto as Exhibits “D” and “E” respectively, to form a natural screening; and, such screening shall be maintained by the property owner.
- B. Building Elevations attached hereto as Exhibit “F” shall be approved, subject to compliance with Building Code regulations, as amended.
- C. This property shall be re-platted to provide fire lanes and mutual access easement for the property abutting to the north and other necessary utilities and access easements required for this development.
- D. A Tree Removal Permit will be required prior to the removal of any trees.
- E. The building signage for the development shall be consistent and compliant with the Sign Provisions of the Comprehensive Zoning Ordinance, as amended.

**SECTION 3.** That the Detail Site Plan, Landscape Plan, Tree Survey and Elevations attached hereto as Exhibits “C” through “F”, respectively are hereby approved as development regulations for such Planned Development.

**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 Coppel, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED:

\_\_\_\_\_  
KAREN SELBO HUNT

ATTEST:

\_\_\_\_\_  
CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY