

**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-250R8-H (PLANNED DEVELOPMENT DISTRICT- 250 REVISION 8 – HISTORIC) TO PD-250R24-H (PLANNED DEVELOPMENT DISTRICT- 250 REVISION 24 – HISTORIC) TO ALLOW THE DEVELOPMENT OF AN APPROXIMATE 32,370 SQUARE-FOOT PERFORMING ARTS CENTER AND THEATER ON 3.044 ACRES OF PROPERTY LOCATED ON THE SOUTH SIDE OF TRAVIS STREET, EAST OF HAMMOND STREET, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE DETAIL SITE PLAN, LANDSCAPE PLAN, BUILDING ELEVATIONS, TYPICAL ELEVATIONS AND OLD TOWN PARKING PLAN, ATTACHED HERETO AS EXHIBITS “B” THOUGH “F”; AND, 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-250R25-H 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 from PD-250R8-H (Planned Development District- 250 Revision 8 – Historic) to PD-250R24-H (Planned Development District- 250 Revision 24 – Historic) to allow the development of an approximate 32,370 square-foot Performing Arts Center and Theater on 3.044 acres of property located on the south side of Travis

Street, east of Hammond Street, for the property described in Exhibit “A” attached hereto and made a part hereof for all purposes.

**SECTION 2.** That the Property will be constructed, maintained and used in accordance with the Code of Ordinances, is hereby approved and 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-615, as amended, which are incorporated herein as set forth in full and hereby republished.
- B. As indicated in Exhibit “B” the Detail Site Plan for the facility, shall meet the following development regulations:
  - a. The maximum height of the building shall be 50 feet.
  - b. The gross square footage of the building shall be approximately 32,500 square feet.
  - c. Maximum driveway width shall be 30'-0" as depicted on said Exhibit.
  - d. The building is supported by a foundation at-grade to provide American with disabilities approved accessible access at all ingress and egress.
  - e. Brick and wood screen walls are provided at the Garden to create an "outdoor room" for uses associated with the Multipurpose space. This shall be permitted to be located in the front yard along adjacent and parallel to Hammond Street.
  - f. The Director of Community Development shall be given the authority to administratively approve the design of the gazebo to be compatible with the materials of the surrounding area and the style of the main structure as set forth in the building elevation at a later date.

**SECTION 3.** That the Detail Site Plan, Landscape Plan, Building Elevations, Typical Elevations and Old Town Parking Plan, attached hereto as Exhibits “B” though “F”; respectively, shall be deemed as development regulations for this 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 \_\_\_\_\_, 2018.

APPROVED:

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY