

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-260R-R (PLANNED DEVELOPMENT-260-REVISED-RETAIL) TO PD-260R2-R (PLANNED DEVELOPMENT-260-REVISION 2 -RETAIL) TO AMEND THE SITE PLAN TO ALLOW FOR A CANOPY AND STORAGE BUILDING, AN ADDITIONAL ACCESSORY STRUCTURE AND TO USE THE EXISTING BUILDING AS A LIVE/WORK RESIDENCE ON 1.49 ACRES OF PROPERTY LOCATED 1601 E. SANDY LAKE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE REVISED SITE PLAN, REVISED BUILDING ELEVATION SUPPLEMENT (FLOOR PLAN, STORAGE BUILDING ELEVATIONS, PICTURES), SIGN PLAN, REVISED LANDSCAPE PLAN, EXISTING STORAGE BUILDING, ATTACHED HERETO AS EXHIBITS “B” THROUGH “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 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-260R2-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 by granting a change in zoning from PD-260R-R (Planned Development – 260 Revised - Retail) to PD-260R2-R, (Planned Development-260 Revision Two-

Retail) to amend the site plan to allow for a free standing or detached canopy and storage building, an additional accessory structure and to use the existing building as a live/work residence on 1.49 acres of property located 1601 E. Sandy Lake Road), for the property described in Exhibit “A” attached hereto and made a part hereof for all purposes, subject to the development regulations provided herein.

SECTION 2. That the Property will be used, developed and maintained for live/work use within a Retail District as defined and provided in the Code of Ordinances, is hereby approved subject to the following development regulations:

- A. Except as amended herein, the property shall be developed in accordance with the Ordinance 91500-A-697 which is incorporated herein as set forth in full and hereby republished.
- B. Approval of the live/work use in the main structure is permitted provided that:
 - i. Fire sprinklers and alarms are installed, maintained and approved in accordance with ordinances governing such system in a live/work unit.
 - ii. The building code requirements for both the commercial and residential components and space allocation (50% residential & 50% commercial) are met.
- C. Construct a free standing open 24’ x 54’ storage canopy on the westside of main structure behind the front building line, as set forth in the Revised Site Plan, Exhibit B.
- D. Locate the personal property stored in the front yard parking lot to the carport/canopy on the west side of main structure behind the front building line as set forth in the approved Revised Site Plan, Exhibit B.
- E. Remove from the real property the non-compliance shipping container.

- F. Construct an accessory structure less than 150 square feet setback from rear property line by a minimum of three (3) feet as set forth in the Revised Site Plan, Exhibit B and depicted in Storage Building Elevations, Exhibit F.
- G. The property must be brought into compliance with all applicable building codes, and the building/development regulations in this ordinance; and, owner shall be required to obtain any and all applicable building permits from the city for all improvement set forth herein; and, remit the appropriate fees, including any late fees.
- H. Removal of non-compliance structures, storage and improvements must be completed within 60 days of the effective date of this ordinance.
- I. Plant and maintain in good growing condition six additional 3” cal. Live Oak trees on the southern boundary. This landscape and feature shall require installation and maintenance in good working condition tree irrigation system in accordance with the attached Landscape Plan.

SECTION 3. That the Revised Site Plan, Revised Building Elevation Supplement (Floor Plan, Storage Building Elevations, Pictures), Sign Plan, Revised Landscape Plan, Existing Storage Building, attached hereto as Exhibits “B” through “F”; respectively, shall be deemed as development regulations to 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 Coppell, Texas, this the _____ day of _____, 2019.

APPROVED:

KAREN SELBO HUNT

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY

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