

**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-260R2-R (PLANNED DEVELOPMENT-260-REVISION 2-RETAIL) TO PD-260R3-R (PLANNED DEVELOPMENT-260-REVISION 3 -RETAIL) TO AMEND THE SITE PLAN TO ALLOW FOR THE DEMOLITION OF AN EXISTING STORAGE BUILDING AND CONSTRUCTION OF A NEW STRUCTURE CONTAINING A GARAGE, ENCLOSED STORAGE AREA AND COVERED PAVILION AREA; 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, LANDSCAPE PLAN, ATTACHED HERETO AS EXHIBITS “B” THROUGH “D”; 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-260R3-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 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-260R2-R (Planned Development – 260 Revision Two - Retail) to PD-260R3-R, (Planned Development-260 Revision Three-Retail) to amend the site plan to allow for the demolition and removal of an existing storage

building; and, to provide construction and maintenance of a new structure containing a six hundred twenty five square foot (625 sq. ft) garage, six hundred twenty five square foot (625 sq. ft) enclosed storage area and one thousand two hundred fifty square foot (1250 sq. ft) covered pavilion area; 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 and Plan Development ordinance; and, 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-748 which is incorporated herein as set forth in full and hereby republished.
- B. Approval of the new 2,500 sf structure containing a garage, enclosed storage area and covered pavilion area is permitted and shall have a maximum height, as measured from grade, of sixteen feet (16’) at the roof peak, as set forth in the Revised Site Plan; all construction of any of structure provided herein shall meet or exceed the applicable building codes and ordinances of the City.
- C. A Demolition Permit is required to demolish and remove the existing structure.
- D. Any additional structure(s) or improvement to the Property shall require the appropriate amendment to the Planned Development zoning ordinance for this Property.

**SECTION 3.** That the Revised Site Plan, Revised Building Elevation, and Landscape Plan, attached hereto as Exhibits “B” through “D”; 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 Coppel, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

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

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