

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. 91500-A-761**

**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-259-SF-7&9 (PLANNED DEVELOPMENT 259-SINGLE FAMILY-7 & 9) TO PD-259R-SF-7&9 (PLANNED DEVELOPMENT REVISED 259-SINGLE FAMILY-7 & 9), TO REVISE THE DETAIL SITE PLAN AND CONDITIONS, TO PERMIT THE DEVELOPMENT OF 74 SINGLE-FAMILY LOTS AND NINE (9) COMMON AREA LOTS ON 54.8 ACRES OF LAND LOCATED ON THE NORTH SIDE OF SANDY LAKE ROAD, APPROXIMATELY 750 FEET NORTHEAST OF STARLEAF ROAD (EXTENDED), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE DETAIL SITE PLAN, LANDSCAPE PLAN, ENTRY FEATURE AND COMMON AREA LOT 2X, BRIDGE EXHIBIT, AND RETAINING AND SCREENING WALL EXHIBIT; 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 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-259R-SF-7/9 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 , a zoning change request from PD-259-SF-7&9 (Planned Development 259-Single Family-7 & 9) to PD-259R-SF-7&9 (Planned Development Revised 259-Single Family-7 & 9), to revise the Detail Site Plan and Conditions, to permit the development of 74 single-family lots and nine (9) common area lots on 54.8 acres of land

located on the north side of Sandy Lake Road, approximately 750 feet northeast of Starleaf Road (extended), for the property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

**SECTION 2.** That the Property will be used and developed for Single Family purposes as provided in the Code of Ordinances, is hereby approved subject to the following development regulations:

- A. The exterior of a maximum of 18 single family residences in this development shall be permitted to be constructed with stucco exterior finish in lieu of masonry as provided in the Comprehensive Zoning Ordinance. Stucco as used in this ordinance shall be defined as continuous plaster or mortar of seven-eighths (7/8") of an inch thickness over wood frame with metal lath and elastomeric topcoat. All single family residences permitted to be of stucco material or plaster shall be of earth tone color.
- B. Minimum 25-foot front building line shall be provided for all single family lots.
- C. Homes to be built on Lot 1 and Lot 20 in Block D shall have a minimum size of 2,800 square feet.
- D. There will be a minimum side yard setback of 5 feet on Lots 1 through 20, Block D.
- E. Sidewalks will be constructed at time of house construction on all single family lots.
- F. No alley shall be required for any Lots within the development.
- G. Hardscapes consisting of masonry, wood, stucco where home is stucco, and/or decorative metal courtyard wingwalls and screening may be constructed and maintained to a maximum height of eight (8) feet shall be permitted in front yard but must be behind the 25-foot front building setback and shall be an integral architectural component of the primary structure.
- H. The center island in the cul-de-sac at the east end of known as Persimmon Drive shall be constructed of cobblestone patterned concrete and shall be maintained by the Homeowners Association.

- I. No building permits shall be issued for home construction prior to the filing of the Final Plat, Conservation Easement and HOA covenants.
- J. Prior to filing of the Final Plat for Phase 1, permits shall be approved by the U.S. Army Corps of Engineers and the Conservation Easement shall be established.
- K. Prior to issuance of a building permit for the first structure (including the Farm House on Common Lot 2X), proof of the initial payment for the establishment of the Conservation Easement shall be submitted to the City of Coppell, estimated to be \$92,000. Thereafter, at the time of issuance of building permits for the remaining 54 single family homes in Phase 1, verification of payment of the remaining balance of the \$300,000, estimated to be \$3,852 on a per lot shall be submitted to the city of Coppell.
- L. The Homeowners Association shall be responsible to maintain the stabilization along the creek bank of Denton Creek from erosion. Each Lot Owner shall be notified and provide a hold harmless agreement by separate instrument that the City and Developer are not liable for future erosion of the creek bank. The Developer shall dedicate a conservation easement to a third-party land conservancy for the purposes of monitoring and enforcing the integrity of the steam banks. Notice of the provisions shall be noted on the Final Plat. The conservation easement will be executed and filed prior to filing the Final Plat.
- M. The Homeowners Association shall be responsible to maintain the storage basins/ponds being constructed with the development as well as all common lots, Farm House Homeowners Association Covenants Declarations and Restrictions.
- N. The HOA documents shall reflect a minimum 40-year termination clause.
- O. Tree mitigation fees of \$125,000 must be paid prior to issuance of any building permit or construction.
- P. Park fees are required in the amount of \$1,285 per lot shall be paid by the time of issuance of any residential building permit.

- Q. The creek crossing bridge shall be a concrete single arch culvert with a stone pattern and textured concrete or natural stone veneer and a steel rail on a reinforced concrete base as shown on Exhibit E, attached hereto.
- R. This project is not subject to the Erosion Hazard Setback per City Ordinance, Sec. 13-9-1, G20.
- S. [Retaining Walls are to be constructed of stone and maintained by the lot owner, as illustrated on Exhibit F, attached hereto and made a part of this ordinance. If the owner fails to maintain the wall, the Homeowners Association has the right to repair the wall and assess the lot owner. City has no responsibility for the retaining walls on private property]GDLG1].
- T. Detail Site and Landscape Plan for Lot 2X and the screening wall entry feature shall be attached to this PD as Exhibit D and shall govern the development, maintenance and use of said lot subject to:
- a. [The farm house at the subdivision entrance will not be used or occupied as a residence or retail business, except occasional sales of seasonal botanical gardening materials]GDLG2][MPB3][MPB4] which may occur for four (4) times a year for two consecutive weeks (14 days).
  - b. The development of Lot 2X and the entry features shall be constructed prior to the issuance of a building permit for the first home, other than a model home.
- U. The development and maintenance of Lot 2X shall be in accordance with Section 2(T) of this Ordinance.

**SECTION 3.** That the Detail Site Plan, Landscape Plan, Entry Feature and Common Area Lot 2X, Bridge Exhibit, and Retaining and Screening Wall Exhibit attached hereto as Exhibits "B" though "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.

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.

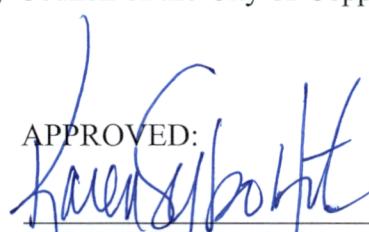
**SECTION 7.** That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided 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 26<sup>th</sup> day of January, 2021.

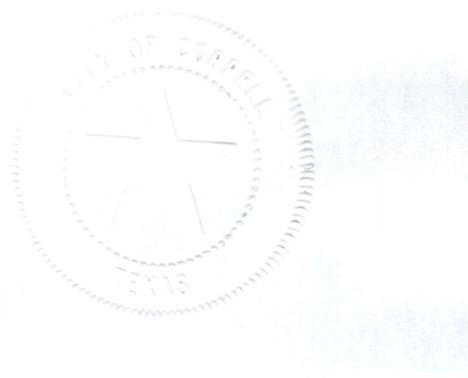
APPROVED:  
  
KAREN SELBO HUNT

ATTEST:

Ashley Owens  
ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM,

Robert E. Hager  
ROBERT E. HAGER, CITY ATTORNEY



**EXHIBIT "A"**  
**LEGAL DESCRIPTION – OVERALL TRACT**  
**54.855 ACRE TRACT OF LAND**  
**EDWARD COOK SURVEY, ABSTRACT NO. 300**  
**JOHN JACKSON SURVEY, ABSTRACT NO. 698 AND**  
**DAVID MYERS SURVEY, ABSTRACT NO. 886**  
**CITY OF COPPELL, DALLAS COUNTY, TEXAS**

BEING a 2,389,463 square feet or a 54.855 acre tract of land situated in the Edward Cook Survey, Abstract No. 300, the John Jackson Survey, Abstract No. 698 and the David Myers Survey, Abstract No. 886, City of Coppell, Dallas County, Texas and part of a called 46.071 acre tract and a called 0.508 acre tract conveyed to Denton Creek Land Company, Ltd. by Special Warranty Deed recorded in Volume 2003133, Page 1569, Deed Records of Dallas County, Texas and a called 0.2554 acre tract of land conveyed to The Holmes Builders, Inc. by Warranty Deed recorded in Volume 2000158, Page 6828, Deed Records of Dallas County, Texas, and all of a 8.05 acre tract of land conveyed to Alfred B. Pittman, Jr. by deed recorded in Volume 95161, Page 3865, Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows (The bearing basis for this description is a bearing of N 02°17'45" W for the east line of Lakewood Estates Addition as recorded in Volume 95057, Page 605, Deed Records of Dallas County, Texas):

BEGINNING at a point for a corner at the southeast corner of the said Cook Survey, also being the southwest corner of the said Jackson Survey, the common north corner of the W. Perry Survey, Abstract No. 1152 and the David Myers Survey, Abstract No. 886 and said point being a corner in the west line of a called 23.6163 acre tract of land conveyed to the City of Carrollton, Texas by deed recorded in Volume 91226, Page 332, Deed Records of Dallas County, Texas;

THENCE, N 89°14'32" W, with the common line of the said Cook and Myers Survey and the north line of the said 23.6163 acre tract, a distance of 763.58 feet to a point for a corner in Denton Creek, said point being in the northeast line of a called 0.5979 acre tract of land conveyed to Henry Tate by deed recorded in County Clerk Instrument No. 20070387504, Official Public Records of Dallas County, Texas;

THENCE, the following courses and distances with the meanders of Denton Creek:

- N 13°08'25" W, with the northeast line of the said 0.5979 acre tract, passing the common east corner of the said 0.5979 acre tract and a called 1.7760 acre tract of land conveyed to Dheeraj and Kavita Akula by deed recorded in County Clerk Instrument No. 20070087752, Official Public Records of Dallas County, Texas, continuing in all a distance of 76.45 feet to a point for a corner;
- N 00°38'25" W, continuing with the east line of the said 1.7760 acre tract, a distance of 91.00 feet to a point for a corner;

**EXHIBIT "A"**  
**LEGAL DESCRIPTION – OVERALL TRACT (continued)**  
**54.855 ACRE TRACT OF LAND**  
**EDWARD COOK SURVEY, ABSTRACT NO. 300**  
**JOHN JACKSON SURVEY, ABSTRACT NO. 698 AND**  
**DAVID MYERS SURVEY, ABSTRACT NO. 886**  
**CITY OF COPPELL, DALLAS COUNTY, TEXAS**

- N 19°21'15" E, continuing with the east line of the said 1.7760 acre tract, a distance of 136.06 feet to a point for a corner, said point being the most westerly southeast corner of the said Denton Creek Land Company, Ltd. tract;

THENCE, the following courses and distances with the common line of the said Akula tract and the said Denton Creek Land Company tract:

- S89°46'35" W, departing Denton Creek, a distance of 240.15 feet to a found 5/8 inch iron rod for a corner;
- S 01°03'42" W, a distance of 1.35 feet to a point for a corner to a found 5/8 inch iron rod for a corner;
- S 50°22'36" w, a distance of 332.21 feet to a set 5/8 inch iron rod for a corner in the northeast line of Sandy Lake Road (a variable width right of way), said point being the common south corner of the said Akula tract and the said Denton Creek Land Company tract;

THENCE, the following courses and distances with the northeast line of Sandy Lake Road:

- N 52°55'36" W, a distance of 116.04 feet to a set 5/8 inch iron rod for a corner;
- N 52°41'54" W, a distance of 27.59 feet to a set 5/8 inch iron rod at the beginning of a non-tangent curve to the left with a central angle of 06°00'12", a radius of 905.00 feet, a chord bearing of N 55°39'49" W and a chord distance of 94.78 feet;
- Northwesterly, along said curve, an arc distance of 94.82 feet to a set "x" cut on concrete pavement at the beginning of a non-tangent compound curve to the left with a central angle of 12°53'55", a radius of 610.29 feet, a chord bearing of N 58°19'39" W and a chord distance of 137.10 feet;
- Northwesterly, along said curve, an arc distance of 137.39 feet to a set 5/8 inch iron rod for a corner;
- N 89°21'23" W, a distance of 23.24 feet to a set 5/8 inch iron rod at the beginning of a non-tangent curve to the left with a central angle of 14°51'47", a radius of 775.00 feet, a chord bearing of N 74°55'33" W and a chord distance of 200.48 feet; for a corner;

EXHIBIT "A"  
LEGAL DESCRIPTION – OVERALL TRACT (continued)  
54.855 ACRE TRACT OF LAND  
EDWARD COOK SURVEY, ABSTRACT NO. 300  
JOHN JACKSON SURVEY, ABSTRACT NO. 698 AND  
DAVID MYERS SURVEY, ABSTRACT NO. 886  
CITY OF COPPELL, DALLAS COUNTY, TEXAS

- Northwesterly along said curve, an arc distance of 201.04 feet to a set 5/8 inch iron rod for a corner in the south line of Lot 31 of Kimbel Court Addition as recorded in Volume 77213, Page 999, Deed Records of Dallas County, Texas;

THENCE, S 89°21'23" E, departing the northeast line of Sandy Lake Road and with the south line of said Lot 31, a distance of 335.51 feet to a set 5/8 inch iron rod for a corner, said point being the southeast corner of said Lot 31 and the west lien of the said Denton Creek Land Company tract;

THENCE, N 02°17'45" E, with the east line of said Lot 31 and the west line of the said Denton Creek Land Company tract, passing at a distance of 239.72 feet the southeast corner of Lakewood Estates Addition as recorded in Volume 94057, Page 602, Deed Records of Dallas County, Texas, continuing with the east line of said Lakewood Estates, in all a distance of 1,173.88 feet to a set 5/8 inch iron rod for a corner;

THENCE, S 88°46'02" E, continuing with the common line of the said Denton Creek Land Company tract and the said Lakewood Estates, a distance of 389.30 feet to a point for a corner in Denton Creek;

THENCE, N 25°37'12" W, with Denton Creek, a distance of 202.03 feet to a point for a corner, said point being the northwest corner of the said Denton Creek Land Company tract and a called 328.7 acre tract of land conveyed to Dallas Gun Club by deed recorded in Volume 79215, Page 1409, Deed Records of Dallas County, Texas;

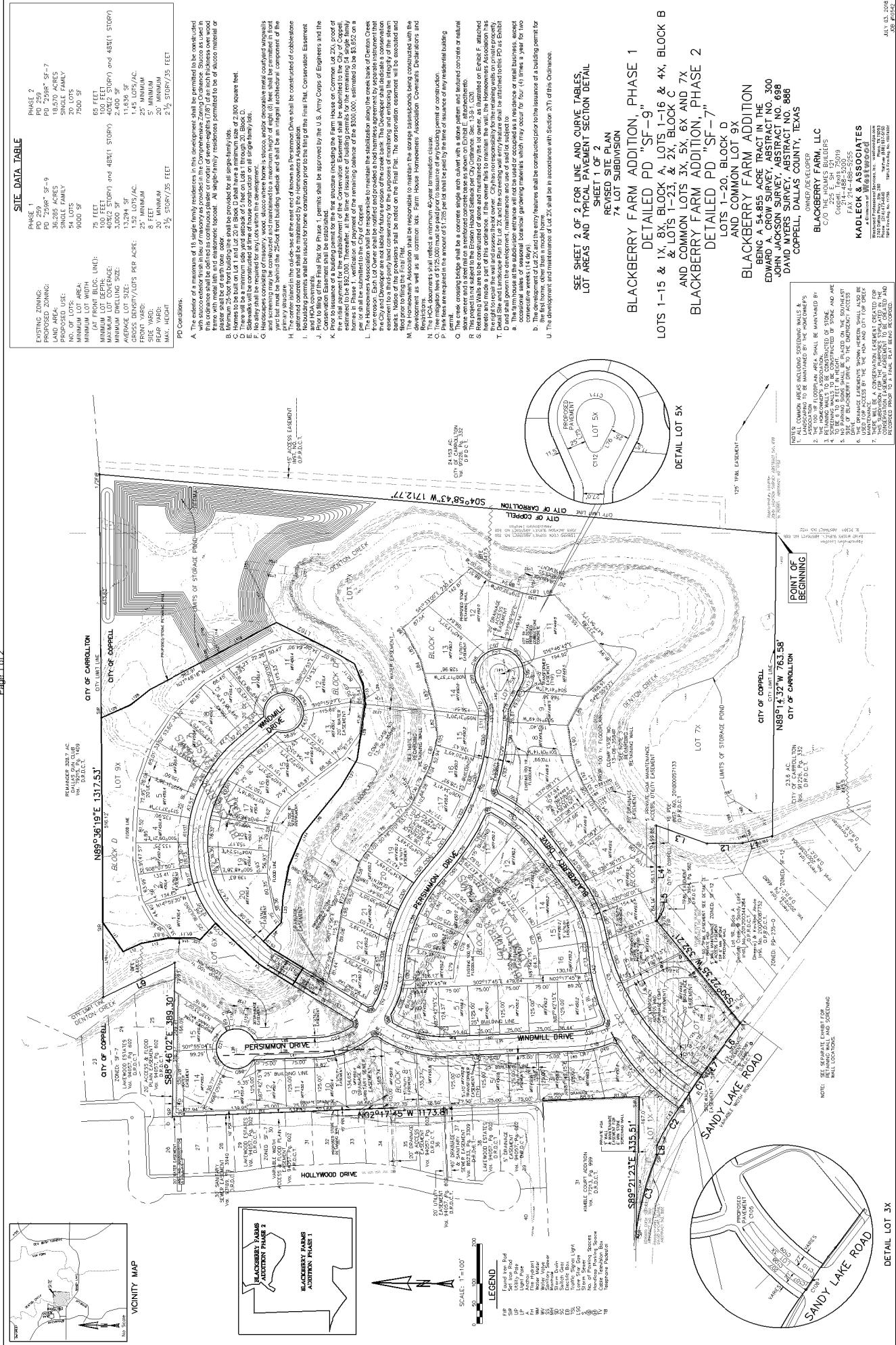
THENCE, N 89°36'19" E, with the common line of the said Denton Creek Land Company tract and the said Dallas Gun Club tract, a distance of 1,317.53 feet to a point for a corner, said point being the northeast corner of the said Denton Creek Land Company tract and the northwest corner of the said City of Carrollton 23.6 acre tract;

THENCE, S 04°58'43" W, with the common line of the said Denton Creek Land Company tract and the said City of Carrollton 23.6 acre tract, a distance of 1,712.77 feet to the Point of Beginning and Containing 2,389,463 square feet or 54.855 acres of land.

(The bearing basis for this description is a bearing of N 02°17'45" W for the east line of Lakewood Estates Addition as recorded in Volume 95057, Page 605, Deed Records of Dallas County, Texas)

Exhibit B  
Page 1 of

Page 10

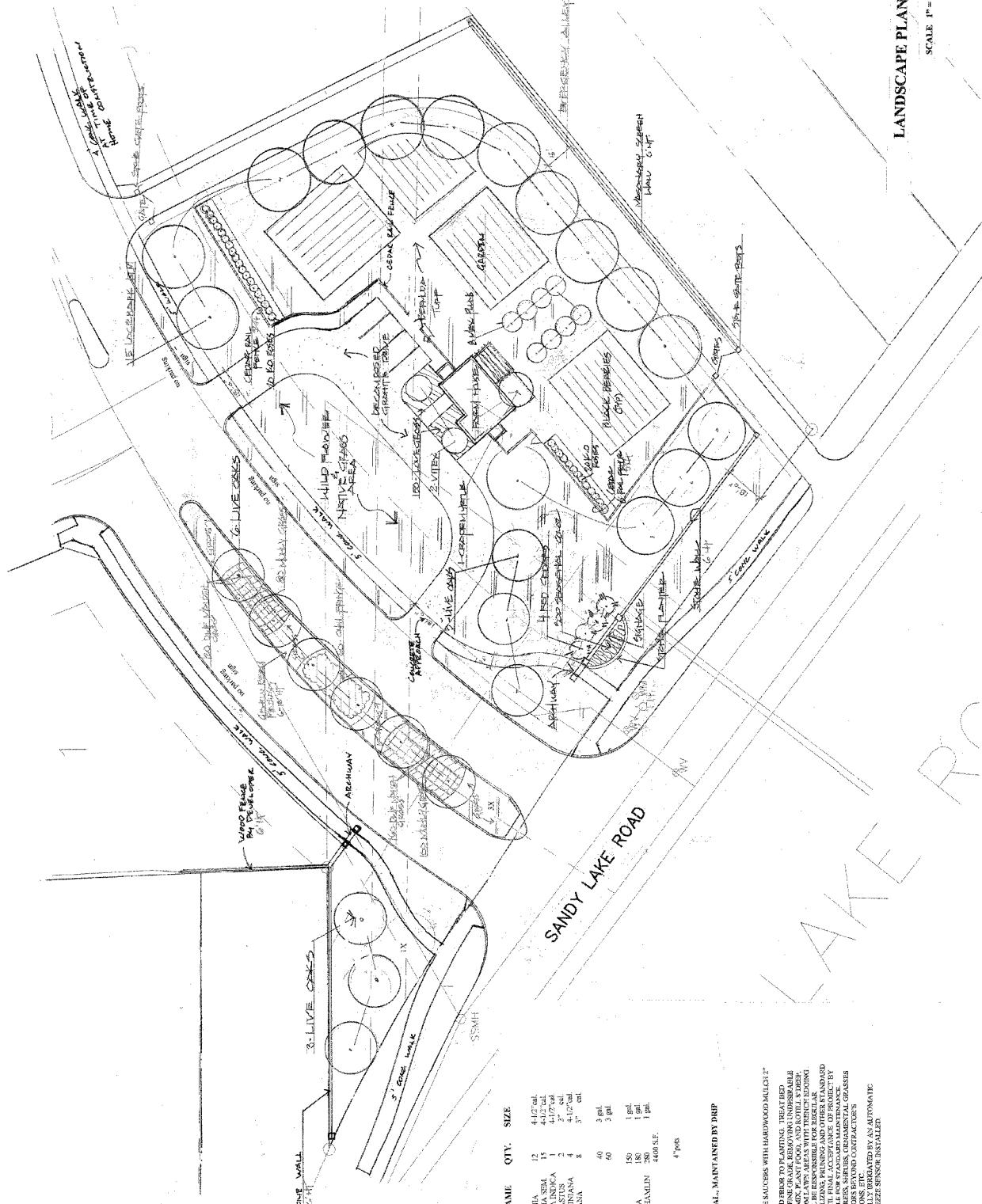




<b>HOLMES COMMERCIAL</b> 2839 DICKERSON PKWY SUITE 110 CARROLLTON, TX 75007 972.242.1776 TEL 972.242.2931 FAX	<b>LANDSCAPE ARCHITECT</b> STATE OF TEXAS SANDY LAKE ROAD COPPERAS COVE, TEXAS Project No. 87-07-4011 Model No. 117-003-331 1293 Sandy Lake Rd., Copperas Cove, TX 76548 Landscape Architects Kenneth A. Rogers Landscaping Architect Terry L. Rogers Project Manager, T.L. Rogers	<b>BLACKBERRY FARM</b> LANDSCAPE ARCHITECTS SANDY LAKE ROAD COPPERAS COVE, TEXAS Project No. 87-07-4011 Model No. 117-003-331 1293 Sandy Lake Rd., Copperas Cove, TX 76548 Landscape Architects Kenneth A. Rogers Landscaping Architect Terry L. Rogers Project Manager, T.L. Rogers
SHEET NUMBER <b>L-2</b>	PROJECT NUMBER <b>000000</b>	



 <p><b>HOLMES COMMERCIAL</b> 2629 DICKERSON PKWY SUITE 110 CARROLLTON, TX 75007 972.242.1770 TEL 972.242.5935 FAX</p>		<p>STATE OF TEXAS SANDY LAKE ROAD COPPIEL, TEXAS LANDSCAPE ARCHITECTURE 1205 Valley Ridge Dr., Suite 100 Mesquite, TX 75149-3031 Phone/Fax: 972-373-4111</p>	<p>Project Number: 00000000 Sheet Number: L-1 Scale: 1" = 20'</p>
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PLANT LIST: ENTRY AREA

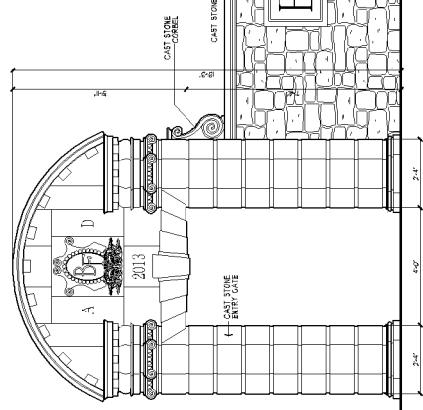
DESCRIPTION	BOTANICAL NAME	QTY.	SIZE
TREES-			
LIVE OAK	QUEUCUS VIRGINIA	12	4-6' cal.
LAWNTIME	UNDS PARVIFLORA SEM	15	4-6' cal.
CRAVENVILLE	LAGISTERIORA CALIFORNICA	1	4-6' cal.
RED CEDAR	THUJA OCCIDENTALIS	2	3'-6' cal.
HIMBOLDT VIRGINIANA	THUJA HUMBERTI	4	4-6' cal.
MEXICAN PLUM	PRUNUS MEXICANA	8	3'-6' cal.
SHRUBS-			
KNOCKOUT ROSE ROSA	ROSE KNOCKOUT	40	3 gal.
CHIN FRINGE LOROPETALUM	LOROPETALUM CHINENSIS	60	3 gal.
ORNAMENTAL GRASSES-			
LOVE GRASS ELEONEGRAMMA	ELEONEGRAMMA	160	1 gal.
MUHLY GRASS MISCANTHUS SINensis	MISCANTHUS SINENSIS	180	1 gal.
Dwarf Maiden Grass MISCANTHUS SINensis	MISCANTHUS SINENSIS	440.0 S.F.	1 gal.
WILDFLOWER PLANTS ONE GALLON, MAINTAINED BY DRIP			
ASSORTED VARIETIES		4 *yes	
LAWNS-			
BERMUDA GRASS			
ALL BLACKBERRY PLANTS ONE GALLON, MAINTAINED BY DRIP IRIGATION.			

LANDSCAPE NOTES:

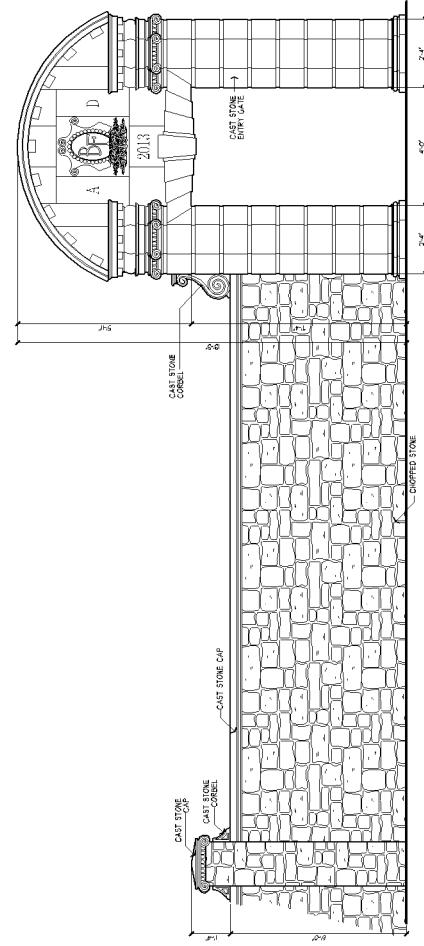
1. TOPDRESS ALL PLANTS AND TREES WITH HARDWOOD MULCH 2"
2. ALL PLANTINGS SHALL BE PREPARED PRIOR TO PLANTING, TREATED AREAS WITH ROUND UP APPLICATION, EN GRADE, REMOVING UNDESIRABLE BURRS AND ALL OTHER INVASIVE PLANTS, AND PLANTED IN THE PROPER SOIL.
3. ALL PLANTINGS SHALL BE PLANTED IN THE PROPER SOIL.
4. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR RELOCATING, MOVING, WEEDING, IRRIGATION, FERTILIZING, PRUNING AND OTHER STANDARD LANDSCAPE CARE. THE CONTRACTOR SHALL NOT USE ANY HERBICIDE OR FERTILIZER WHICH IS HARMFUL TO THE PLANTS OR THE SOIL.
5. PROVIDE ONE-YEAR WARRANTY ON TREES, SHRUBS, ORNAMENTAL GRASSES AND GROUND COVERS, EXCLUDING ACTORS BOND CONTRACTORS.
6. ALL LANDSCAPE AREAS SHALL BE FULLY IRRIGATED BY AN AUTOMATIC SPRINKLER SYSTEM WITH RAIN AND FREEZE SENSOR INSTALLED.

LANDSCAPE PLAN

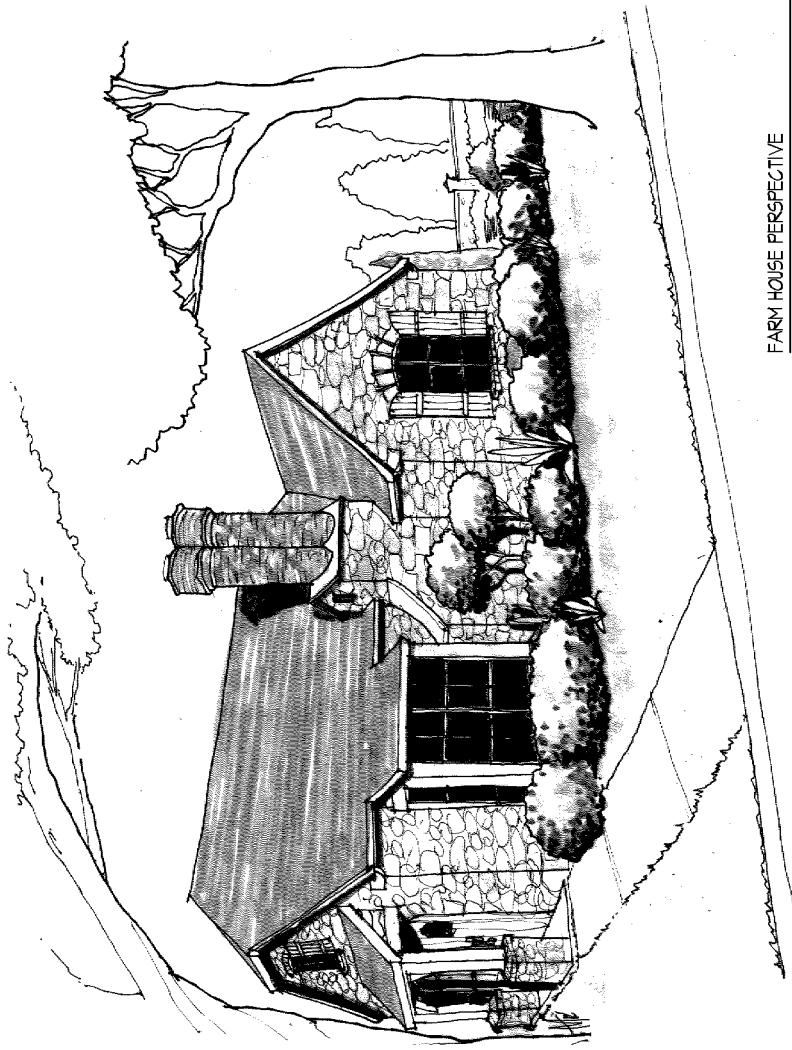
SCALE: 1" = 20'



BLACKBERRY FARM EAST ENTRY GATE



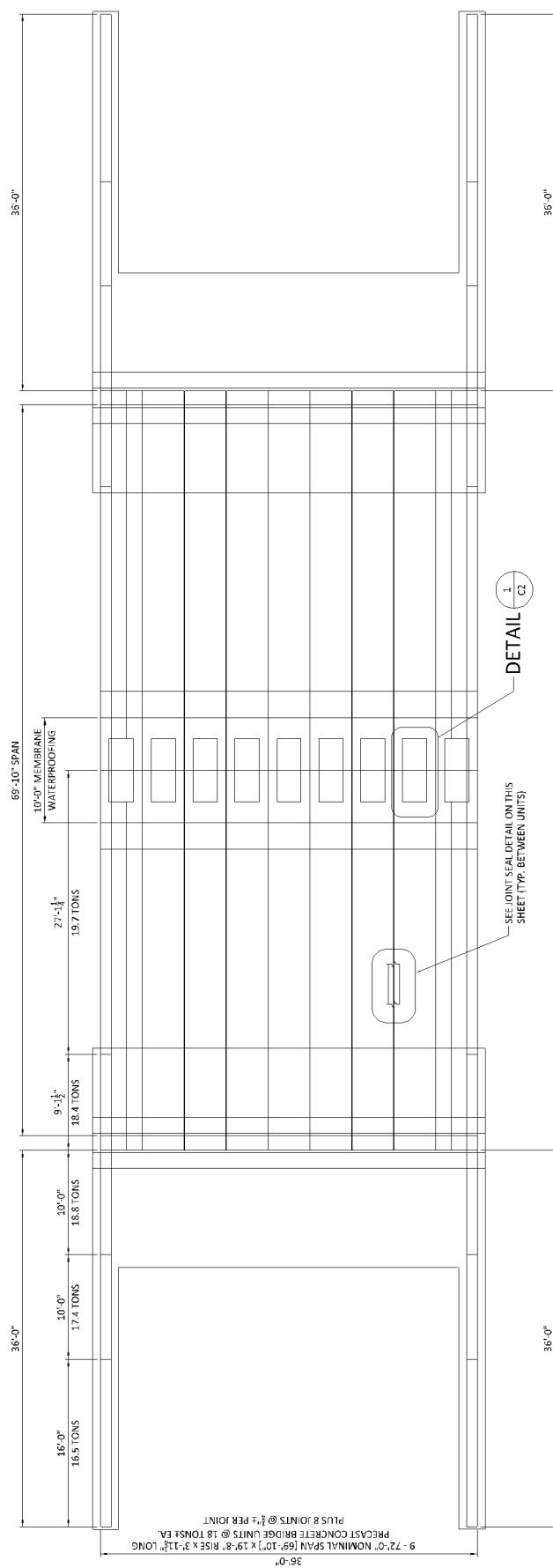
BLACKBERRY FARM WEST ENTRY GATE



FARM HOUSE PERSPECTIVE

# BLACKBERRY FARM

DENTON CREEK



NOVEMBER 20, 2004 TEPT FORM 15250

DESIGNED BY: <b>PRE-TEK GROUP</b>	BLACKBERRY FARM BRIDGE		
	DATE	DESCRIPTION	ENG
7			
6			
5			
4			
3			
2			
P.O. BOX 751471 DAYTON, OH 45459 PHONE: (937) 241-0325 FAX: (937) 241-0326 E-MAIL: <a href="mailto:WWW.ARCHECO-SPAN.COM">WWW.ARCHECO-SPAN.COM</a>			
<b>ECO-SPAN®</b> A R C H E C O - S P A N S Y S T E M S W W W . A R C H E C O - S P A N . C O M			
PROVIDED BY: <b>SFC BRIDGE SYSTEMS</b> A Division of Speed Fab-Krete Corp.			
1150 E. KERNEDALE PARKWAY KENNEDALE, TX 76446 PHONE: (817) 243-1713 FAX: (817) 243-1714 E-MAIL: <a href="mailto:WWW.SFCBRIDGE.COM">WWW.SFCBRIDGE.COM</a>			
JEFF HANNEMAN, DIVISION MANAGER <a href="mailto:JHawley@sfcbridge.com">JHawley@sfcbridge.com</a>			
STRUCTURE SYSTEMS A DIVISION OF SPEED FAB-KRETE CORP.			
P.O. BOX 10580 FORT WORTH, TX 76119 PHONE: (817) 243-1713 FAX: (817) 243-1714 E-MAIL: <a href="mailto:WWW.SFCBRIDGE.COM">WWW.SFCBRIDGE.COM</a>			
PROJECT NUMBER: 13-112 DATE: 8/19/13 DESIGNED BY: JH			

# BLACKBERRY FARM, PHASE 2

DENTON CREEK

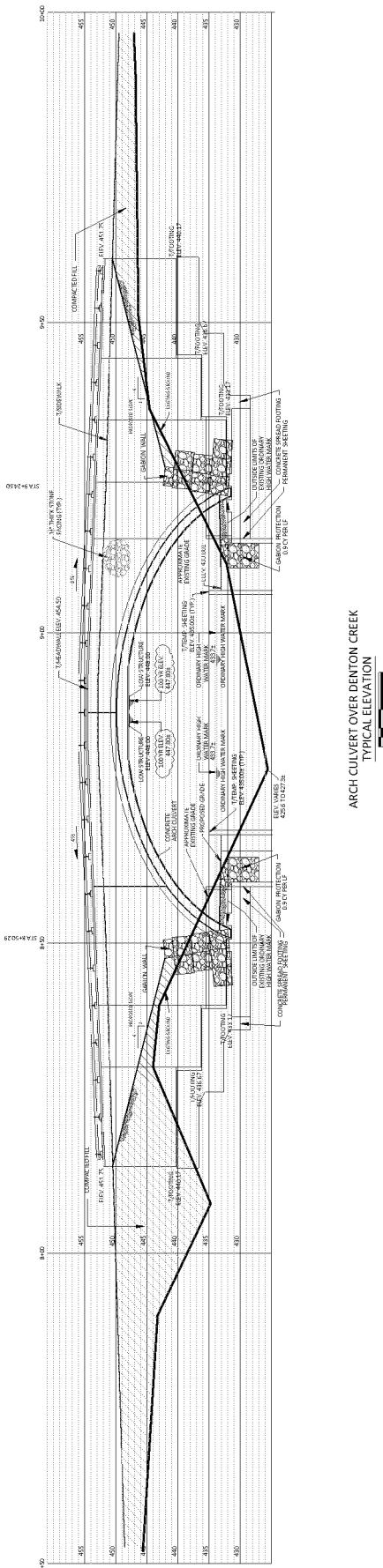


Exhibit E

