

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. 91500-A-809

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 HC (HIGHWAY COMMERCIAL) TO PD-312-HC (PLANNED DEVELOPMENT-312-HIGHWAY COMMERCIAL) TO ALLOW THE CONCEPTUAL PLAN FOR A 14,100-SF, 2-STORY OFFICE BUILDING AND A 18,200-SF, 2-STORY OFFICE/RETAIL BUILDING AND A DETAIL PLAN FOR A RETENTION POND AND A 257,600 SQUARE FOOT OFFICE/WAREHOUSE ON APPROXIMATELY 17.7 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF SH 121 AND BUSINESS 121, IN ACCORDANCE WITH EXHIBIT "A"; AND AN AMENDMENT TO THE 2030 COMPREHENSIVE MASTER PLAN FROM FREEWAY COMMERCIAL TO INDUSTRIAL SPECIAL DISTRICT ON THE 13.2 ACRE OFFICE/WAREHOUSE PORTION, IN ACCORDANCE WITH EXHIBIT "B" AND PROVIDING FOR APPROVAL OF THE CONCEPT PLAN (LOTS 1-3), DETAIL SITE PLAN (LOT 1), LANDSCAPE PLAN, TREE PRESERVATION PLAN, ELEVATIONS & RENDERINGS - DETAIL OFFICE-WAREHOUSE LOT 1, ELEVATIONS - CONCEPTUAL OFFICE LOT 2, ELEVATIONS - CONCEPTUAL OFFICE/RETAIL LOT 3, COLOR RENDERINGS, ATTACHED HERETO AS EXHIBITS "C" THROUGH "J", RESPECTIVELY; 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-312-HC 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 HC (Highway Commercial) to PD-312-HC (Planned Development-312-Highway Commercial) to allow the Conceptual Plan for a

14,100-sf, 2-story office building and a 18,200-sf, 2-story office/retail building and a Detail Plan for a retention pond and a 257,600 square foot office/warehouse on approximately 17.7 acres of property located at the northeast corner of SH 121 and Business 121, in accordance with Exhibit “A”; and an amendment to the 2030 Comprehensive Master Plan from Freeway Commercial to Industrial Special District on the 13.2 acre office/warehouse portion, Exhibit “B” attached hereto and made a part hereof for all purposes.

SECTION 2. That Planned Development-312-Highway Commercial, shall be used and developed with the Highway Commercial regulations as previously adopted, except as provided herein and subject to the following development regulations:

A. Concept Plan is hereby approved subject to the development regulations, as follows:

1. That the property be platted in accordance with the subdivision ordinance and regulations.
2. That the proposed building materials and colors remain consistent throughout the project as depicted on Elevations & Renderings - Detail Office/Warehouse Lot 1, Elevations - Conceptual Office Lot 2, Elevations - Conceptual Office/Retail Lot 3, Exhibits “G-I”, respectively.
3. Additional permitted uses be allowed on Lot 1 in addition to those already allowed in the Highway Commercial District:
 - i) Office/Warehouse
 - ii) General warehousing activities
 - iii) Distribution Center
4. The type of exterior construction:
 - i) On Lots 1-3, all structures shall be 80 percent masonry and/or concrete tilt-wall exterior exclusive of doors and windows.

- ii) On Lots 1-3, flat roofs and parapet walls around flat roofs shall have a cornice, cap or other detail with a vertical height that will screen any rooftop equipment from the frontage right-of-way and shall extend at least 6 inches higher than the roofline;
 - a) Pitched roofs shall have roofing material of a lusterless neutral/earth tone, white, or green color; b) Green colors shall be limited to dark forest greens, gray greens, pale bluish-gray greens, slate greens and copper patina; c) Metal roofs may be standing seam either with a baked-on lusterless finish or made of copper.
 - iii) On Lot 1, where walls exceed 100 feet in length, additional architectural accents must be included to break up the expanse of the wall; such elements may include features such elevation, features as reveals, windows, and wall articulations, among other provided herein; and, shall be submitted and approved administratively prior to issuance of building permit.
 - iv) On Lots 1-3, Metal canopies are permitted.
5. On Lot 1, The off-street parking requirements for a manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plant, warehouse, distribution center, printing or plumbing shop, or similar establishment shall be one parking space for each employee on the maximum working shift plus space to accommodate all trucks and other vehicles used in connection therewith, but not less than one parking space for each 2,000 square feet of floor area under roof.
 6. On Lot 2 and Lot 3, roof-mounted mechanical and utility equipment must be screened from all sides except the north.
 7. On Lots 1-3, replacement of protected trees may be satisfied by providing replacement trees as identified on the Landscape Plan and paying money in lieu of tree replacement to the City of Coppel Reforestation and Natural Areas Fund in an

amount not to exceed \$1,512,500.00 as provided by the Tree Preservation Ordinance.

8. On Lots 1-3, site lighting shall be permitted at all hours provided that the intensity measured at the adjacent property line is 0.00 foot candles.
9. On Lots 2 & 3, greater than 50% of the required parking shall be allowed in the front yard for the two commercial properties, as depicted on Exhibit "C", Concept Plan (Lots 1-3).
10. The perimeter trees for Lot 1 shall be allowed to be moved to alternate locations as depicted on the Landscape Plan due to the proposed retaining wall on the north and east perimeters.
11. On Lot 1, a Distribution Center Use as defined herein; for the purpose of this ordinance distribution center shall mean "a building or facility used for the storage and distribution of items/products, which may include (a) receiving, storing, assembling, shipping, distributing, preparing, and selling items/products and serving as a pick-up/drop-off location for items/products; (b) the parking, storage, incidental maintenance, fueling and use (including driving into and through the building for loading and unloading and parking inside the building) of automobiles, trucks, machinery and trailers, including outdoor loading and unloading; (c) printing; (d) making products on demand; (e) light assembly and manufacturing; (f) warehouse and office use; (g) using, handling or storing materials in the ordinary course of business, including any packaged merchandise to be sold, handled, and/or held for shipment to customers, maintenance of trucks and machinery, and fuel (including liquefied hydrogen or other alternative fuels) or batteries for any trucks, generators or other machinery or the equipment described in this definition; (h) installing and operating rooftop equipment such as satellite dishes and hydrogen

fuel cell tanks and related equipment ancillary to the primary use; (i) installing and operating battery storage systems, electrical generators, and fuel tanks ancillary to the primary use; and (j) ancillary and related uses for any of the foregoing, all on a twenty-four-hour, seven-days-per-week, fifty-two-weeks-per-year basis."

A distribution center may receive sortable and non-sortable products from vendors and others. Products may be stored in different storage types (mainly traditional pallet racking systems and shelving), providing the capability to fulfill customer orders and sort them to downstream transportation connections. Cages and pallets coming from inbound operations may be sent towards drop zones with Powered Industrial Trucks (PIT) to perform the stowing process onto the storage system (e.g. VNA Racking, shelving, etc.).

12. The Director of Community Development shall be given the authority to administratively approve changes to the Landscape Plans.
13. Approve the land use amendment for the approximate 13.2 acres to Industrial Special District as depicted on Exhibit "B".

B. Detail Site Plan – Office/Warehouse (Phase I) Lot 1

1. That the property be platted in accordance with the subdivision ordinance and regulations.
2. To allow the development of a 14.7-acre site with a 257,600 square foot office/warehouse building as shown in Exhibit "D", Detail Site Plan- Lot 1.
3. To require the retention pond and trail as depicted in Exhibit "D" be constructed and maintained with the development of the Office/Warehouse on Lot 1.
4. To require the fire lane/mutual access drives and their associated perimeter landscaping be constructed on the west side of Lot 2 and the east side of Lot 3

concurrent with the construction of Lot 1, as depicted on Exhibits "C" and "E" the Concept Plan (Lots 1-3) and the Landscape Plan, respectively.

C. Signs for the Entire Development

1. A multi-tenant monument sign be allowed on SH 121 frontage on Lot 3 containing tenant names of Lots 1-3.
2. All other signs shall be in accordance with the Sign Section of the Zoning Ordinance, except as specifically amended herein.

SECTION 3. That the 2030 Comprehensive Master Plan, as heretofore amended, text and map of the City of Coppell is hereby amended by amending the text and map designation of the Property subject of this ordinance from Freeway Special District to Industrial Special District as depicted in the attached Exhibit "B".

SECTION 4. That the Future Land Use Map amendment, Concept Plan (Lots 1-3), Detail Site Plan (Lot 1), Landscape Plan, Tree Preservation Plan, Elevations & Renderings - Detail Office/Warehouse Lot 1, Elevations - Conceptual Office Lot 2, Elevations - Conceptual Office/Retail Lot 3, Color Renderings, attached hereto as Exhibits "B" though "J"; respectively, shall be deemed as development regulations to this development.

SECTION 5. 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 6. 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 7. 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 8. 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 9. 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 10. 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 11. 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 _____, 2023.

APPROVED:

WES MAYS - MAYOR

ATTEST:

ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT HAGER, CITY ATTORNEY

