ORDINANCE NO. 2016-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COPPERAS COVE, TEXAS AMENDING CHAPTER FOUR OF THE 2007 COMPREHENSIVE PLAN OF THE CITY OF COPPERAS COVE, TEXAS; PROVIDING FOR CHANGES IN THE FUTURE LAND USE PLAN; PROVIDING FOR CHANGES ON PLATE 4-1; THE FUTURE LAND USE PLAN.

WHEREAS, Texas Local Government Code Chapter 211 authorizes the City of Copperas Cove to adopt rules and regulations regarding zoning and land within the city limits of the City of Copperas Cove for the purpose of promoting a safe, orderly, and healthful development of the City of Copperas Cove; and

WHEREAS, Tex. Loc. Gov't Code Chapter 211 empowers the City to provide for the administration, enforcement, and amendment of those zoning rules and regulations; and

WHEREAS, an application was received requesting 1802 Martin Luther King Drive be rezoned from B-4 (Business District) to R-1 (Single Family Residential District); and

WHEREAS, such a rezone request for the hereinabove described property warrants consideration of amending the 2007 Comprehensive Plan of the City of Copperas Cove, Texas, providing the changes in the Future Land Use Plan, providing for changes on Plate 4-1, the Future Land Use Map; and

WHEREAS, a notice of amending Chapter 4 of the 2007 Comprehensive Plan of the City of Copperas Cove, Texas, providing the Future Land Use Plan, providing the changes on Plate 4-1, the Future Land Use Map was published on March 15, 2016 in the Cove Leader Press; and

WHEREAS, the Planning and Zoning Commission of the City of Copperas Cove held a public hearing on March 28, 2016, and voted to recommend approval of amend the Future Land Use Plan, Plate 4-1 to the City Council of the City of Copperas Cove; and

WHEREAS, the City Council of the City of Copperas Cove held the required public hearing concerning the changes of the Future Land Use Plan on April 5, 2016, and approved the changes; and

WHEREAS, the City Council of the City of Copperas Cove hereby finds and determines it to be in the public interest to amend the City's Comprehensive Plan, which in the best judgement promotes the health, safety, morals and general welfare and protects the use on enjoyment of properties throughout the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPERAS COVE TEXAS, THAT:

SECTION 1.

Chapter Four of the 2007 Comprehensive Plan of the City of Copperas Cove be amended providing for changes in the Future Land Use Plan (Plate 4-1) as described in Exhibit A.

SECTION 2.

That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the City as a whole or any part thereof, other ordinance of the City as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 3.

That this ordinance shall go into effect upon passage.

PASSED, APPROVED, AND ADOPTED this 5th day of April, 2016, at a regular meeting held by the City Council of the City of Copperas Cove, Texas, such meeting was held in compliance with the Open Meetings Act, *Tex. Gov't Code*, §551.001, et.seq. at which meeting a quorum was present and voting.

Frank Seffrood, Mayor

ATTEST:

Mariela Altott, City Secretary

APPROVED AS TO FORM:

Denton, Navarro, Rocha, Bernal,
Hyde & Zech, P.C., City Attorney

1802 M L KING JR DRIVE - Rezone Request
Zoning - Vicinity Map
February 29, 2016

0 100 200 400 Feet

1802 M L KING JR DRIVE - Rezone Request
FLUP - Vicinity Map
February 29, 2016

0 100 200 400 Feet

CITY OF COPPERAS COVE

City of Copperas Cove
914 South Main Street
Copperas Cove, TX 76522-2241
254 542-3528 FAX 254-542-8933
Inspection Line 254-542-8974

PERMIT

PERMIT #:	**1600492**	**DATE ISSUED:**	**2/29/2016**
DESCRIPTION	**REZONING REQUEST**		
JOB ADDRESS:	1802 M.L.K. DR	LOT #:	
PARCEL ID:		BLK #:	
SUBDIVISION:		ZONING:	
ISSUED TO:	TRINITY WORSHIP CENTER	CONTRACTOR:	TRINITY WORSHIP CENTER
ADDRESS	1802 M L KING JR DR	ADDRESS:	1802 M L KING JR DR
CITY, STATE ZIP:	COPPERAS COVE TX 76522-2572	CITY, STATE ZIP:	COPPERAS COVE TX 76522-2572
PHONE:		PHONE:	
		FLOOD ZONE:	
PROP.USE		SETBACKS:	
VALUATION:	$ 0.00	FRONT:	
SQ FT	0.00	LEFT SIDE:	
OCCP TYPE:		RIGHT SIDE:	
CNST TYPE:		REAR:	

DESCRIPTION	CONTRACTOR	AMOUNT
REZONING REQUEST	TRINITY WORSHIP CENTER	$ 200.00
	TOTAL	$ 200.00

SEGMENT NOTES:

NOTICE

1. ***CITY ORDINANCE: NOISE, CHAPTER 8, ARTICLE 1. SECTION 17.*** **THE ERECTION (INCLUDING EXAVATION), DEMOLITION, ALTERATION OR REPAIR OF ANY BUILDING PERMIT IN A RESIDENTIAL OR BUSINESS DISTRICT OTHER THAN BETWEEN THE HOURS OF 7:00 A.M. AND 6:00 P.M ON WEEKDAYS, EXCEPT IN CASE OF URGENT NECESSITY IN THE INTEREST OF PUBLIC SAFETY, AND THEN ONLY WITH A PERMIT FROM THE CITY MANAGER, WHICH PERMIT MAY BE RENEWED FOR A PERIOD OF THREE (3) DAYS OR LESS WHILE THE EMERGENCY CONTINUES. YOU CAN VIEW THE COMPLETE ORDINANCE AT** WWW.CI.COPPERAS-COVE.TX.US **(once on the webpage follow these three easy steps. Step 1: click on government, step 2 click on city code of ordinance. Step 3 Once in Municode go to chapter 8)**

2. **THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.**

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

City of Copperas Cove

Application for Zoning Change

1600492

Instructions: (Please read carefully.)

1. Please type or print with black ink.
2. The application must be filled out completely and accurately.
3. The application must be signed by all legal owners of the subject property or by the legally authorized agent for the property owner(s).
4. The following items shall accompany the application:
   a. Rezone Application Fee ($200.00)
   b. A copy of the deed(s) to the subject property verifying legal ownership as required.

Application Data (by Planning Staff)

1. Submittal Date: 2-29-16
2. P&Z Meeting Date: 3-28-2016
3. Application Fee: 200.00
4. Received by: BPS

Name of Owner(s):

Name of Agent *(if applicable)*:

☐ **Owner** ☑ **Agent** *(check one)* **Phone #** 254-290-0942 **Fax #**

☐ **Owner** ☐ **Agent** *(check one)* **Mailing Address:** 1802 Martin Luther King Jr. Blvd

Street Address or Location of Subject Property:

Lot: ☐ / **Block:** ☐ **Subdivision:** ☐

Acreage ***(as required)***: 1.85 A.

Present Zoning: B4 **Proposed Zoning:**

Purpose of Zone Change: R1

Expansion

Signature of Owner: Kirby Lack

Printed Name: Kirby Lack

WARRANTY DEED

Date: October 14, 1992

Grantor: COPPERAS COVE INDUSTRIAL FOUNDATION, INC.

Grantor's Mailing Address: 311 South 1st Street, Copperas Cove, Texas

Grantee: COPPERAS COVE TRINITY WORSHIP CENTER, INCORPORATED

Grantee's Mailing Address: P. O. Box 784, Copperas Cove, Texas

Consideration:
Thirty Thousand Dollars ($30,000.00) cash.

Property (including any improvements):
Field Notes for a tract of land in Coryell County, Texas, part of the W. P. Hardeman Survey, Abstract No. 454, and the land herein described being a part of that certain 92.780 acres described in a Deed being of record in Volume 460, Page 742, Deed Records of Coryell County, Texas.

BEGINNING at an iron rod in the west line of the 92.780 acres tract that bears N. 16 deg. 01' 16" E., 1132.09 feet, from the southwest corner of the 92.780 acres tract, for the southwest corner of this.

THENCE N. 16 deg. 01' 16" E., 352.31 feet, to an iron rod set, for the northeast corner of this.

THENCE S. 72 deg. 42' 28" E., 396.75 feet, to an iron rod set, for the northeast corner of this.

THENCE S. 20 deg. 15' 00" W., 172.55 feet, to an iron rod set, for the beginning of a curve to the right.

THENCE with the curve to the right, 39.89 feet, (Long Chord bears, S. 29 deg. 40' 56" W., 39.71 feet, having a radius of 121.14 feet), to an iron rod set.

THENCE S. 39 deg. 06' 58" W., 152.02 feet, to an iron rod set, for the southeast corner of this.

THENCE N. 72 deg. 42' 28" W., 315.00 feet, to the PLACE OF BEGINNING, containing 3.000 acres of land.

Reservations from and Exceptions to Conveyance and Warranty:
This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

COPPERAS COVE INDUSTRIAL FOUNDATION, INC.

By Harold L. Irlbeck

The State of Texas
County of Coryell

This instrument was acknowledged before me on the 14th day of October, 1992, by Harold L. Irlbeck, President of COPPERAS COVE INDUSTRIAL FOUNDATION, INC., a Texas Corporation, on behalf of said corporation.

ELLEN K. MAY
Notary Public
STATE OF TEXAS
My Comm. Exp. Jul 30, 1994

Ellen K. May
Notary Public, State of Texas