

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-240R4-HC (PLANNED DEVELOPMENT-240 REVISION 4-HIGHWAY COMMERCIAL) TO PD-240R5-HC (PLANNED DEVELOPMENT-240 REVISION 5-HIGHWAY COMMERCIAL) TO AMEND THE 12.36 ACRE CONCEPT PLAN AND TO ATTACH A DETAIL SITE PLAN ON 1.88 ACRES TO ALLOW THE DEVELOPMENT OF A 6,542 SQUARE-FOOT RESTAURANT WITH A 964-SQUARE-FOOT PATIO AND 2,500 SQUARE FOOT OF RETAIL USES LOCATED AT 775 NORTH DENTON TAP ROAD AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE CONCEPTUAL SITE PLAN, DETAIL SITE PLAN, LANDSCAPE PLAN, ELEVATIONS, FLOOR PLAN, AND SIGN ELEVATIONS ATTACHED HERETO AS EXHIBITS “B”, “C”, “D”, “E”, “F” AND “G” RESPECTIVELY; PROVIDING 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-240R5-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 to grant a change in zoning from PD-240R4-HC (Planned

Development-240 Revision 4-Highway Commercial), to PD-240R5-HC (Planned Development-240 Revision 5-Highway Commercial), to amend the 12.36 acre Concept Plan and to review a Detail Site Plan on 1.88 acres to allow the development of a 6,542 square-foot restaurant with a 964-square-foot patio and 2,500 square foot of retail uses located at 775 North Denton Tap Road and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes, subject to the development regulations.

**SECTION 2.** That PD-240 Revision 4-HC is hereby approved subject to the following development regulations:

- A) Except as amended herein and as provided in this Ordinance, the property shall be developed in accordance with Highway Commercial zoned property as set forth in Ordinance 91500-A-524 which is incorporated herein as set forth in full and hereby republished.
- B) The development of said use and structure as restaurant and retail use shall be in accordance with the Conceptual Site Plan, Detail Site Plan, Landscape Plan, Elevations, Floor Plan and Sign Elevations as set forth in Section 3 of this ordinance.
- C) As depicted in Exhibit G, Sign Elevations, the attached signage shall:
  - a. Comply with the size and dimension requirements of the *Comprehensive Zoning Ordinance*, and
  - b. The lettering on such signage shall be black reverse illuminated block letters.
- D) Hours of operation for the restaurant use shall be between the hours of 6:30 a.m. to 11:00 p.m..

**SECTION 3.** That Conceptual Site Plan, Detail Site Plan, Tree Survey, Landscape Plan, Elevations and Floor Plan attached hereto as Exhibits “B”, “C”, “D”, “E”, F” and “G” made a part hereof for all purposes, are hereby approved.

**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 \_\_\_\_\_, 2013.

APPROVED:

\_\_\_\_\_  
KAREN SELBO HUNT, MAYOR

ATTEST:

\_\_\_\_\_  
CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

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ROBERT E. HAGER, CITY ATTORNEY  
(REH/mpm)