

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 C-S-1098R2 (COMMERCIAL SPECIAL USE PERMIT-1098 REVISION 2) TO PD-308-C (PLANNED DEVELOPMENT-308-COMMERCIAL), TO ALLOW A NEW FUEL SERVICE STATION WITH 5 FUEL PUMPS LOCATED AT 950 E. SANDY LAKE ROAD ON 7.04 ACRES OF LAND, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE DETAIL SITE PLAN; LANDSCAPE PLAN; TREE SURVEY; BUILDING ELEVATIONS; SIGNAGE PLAN; AND PHOTOMETRIC PLAN, ATTACHED HERETO AS EXHIBITS “B”, “C”, “D”, “E”, “F”, AND “G”, RESPECTIVELY; 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-308-C, 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 zoning change from C-S-1098R2 (Commercial Special Use Permit-1098 Revision 2) to PD-308-C (Planned Development-308-Commercial), to allow a new fuel service station with 5 fuel pumps located at 950 E. Sandy Lake Road on 7.04 acres of land, and being more particularly described in Exhibit “A” attached hereto and made a part hereof for all purposes;

SECTION 2. That Planned Development-PD-308-C shall be used and developed in accordance with the Commercial regulations except as provided herein and subject to the following development regulations:

- A) That accept as amended herein, the property and PD 308-C shall be developed in accordance with Ordinance 91500-A-373 and Ordinance 91500-A-109 with the previous development regulations, which are hereby incorporated herein as set forth in full and hereby republished.
- B) The hours of operation for the drive through pharmacy window shall not exceed:
 - 9 a.m. to 9 p.m. - Monday through Friday,
 - 9 a.m. to 7 p.m. -Saturday, and
 - 10 a.m. to 6 p.m. on Sunday.
- C) The exterior lights on the north and west perimeter of the property may be illuminated and maintained in accordance with the glare and lighting standards of the Zoning Ordinance.
- D) In addition to the original regulations, as amended, no outside storage of materials or goods will be permitted under the fuel station canopy.
- E) An additional 40 square-foot monument sign for fuel pricing shall be constructed and maintained as shown on the Site Plan and Signage Plans.
- F) The entire site shall have 309 parking spaces, inclusive of Americans with Disabilities regulations as provided in Site Plan, Exhibit B.
- G) The hours of operation of the fuel bays shall be 6 a.m. to 12 a.m. daily. Exterior canopy lighting shall emit no greater than 50.5 fc as provided in Exhibit G;

and, shall be dimmed to minimum average of 1 fc between the hours of 12 a.m. and 6 a.m.

- H) The proposed trees as provided in the Landscape Plan shall be planted and kept in a healthy growing state to mitigate any aperture in screening, regardless of the current state of the tree configuration.
- I) Address light screening towards the residential areas and landscaping deficiencies.
- J) Fuel deliveries are prohibited between the hours of 3 p.m. - 4 p.m., Monday through Friday.
- K) If warranted after the installation of the fuel bays, the owner and/or occupant shall fund its share of the cost to install a traffic signal at the intersection of Village Parkway and MacArthur.

SECTION 3. In addition, the Detail Site Plan, Landscape Plan, Tree Survey, Building Elevations, Signage Plan, and Photometric Plan set forth therein, are hereby adopted, attached hereto as Exhibits “B”, “C”, “D”, “E”, “F” and “G”, respectively, as development regulations; and the Property shall be developed, used and maintained in accordance with said Exhibits as adopted herein as development regulations.

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 and No/100 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 _____, 2023

APPROVED:

Wes Mays, Mayor

ATTEST:

ASHLEY OWENS, City Secretary

APPROVED AS TO FORM:

ROBERT E. HAGER, City Attorney

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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