

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 HC (HIGHWAY COMMERCIAL) TO PD-295-HC (PLANNED DEVELOPMENT-295-HIGHWAY COMMERCIAL) TO ESTABLISH A CONCEPT SITE PLAN FOR A CONVENIENCE FOOD STORE WITH GAS PUMPS, HOTEL, RETAIL, RESTAURANT AND OFFICE USES ON 8.7 ACRES AND A DETAIL SITE PLAN FOR A CONVENIENCE FOOD STORE WITH GAS PUMPS ON 2.2 ACRES, LOCATED AT THE SOUTHEAST CORNER OF SH 121 AND FREEPORT PARKWAY, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF CONCEPT SITE PLAN, CONCEPT PHASING EXHIBIT, CONCEPT OVERALL LANDSCAPE PLAN, CONCEPT OVERALL LANDSCAPE RENDERING, CONCEPT TREE SURVEY, CONCEPT RETAIL & OFFICE ELEVATIONS (3 PAGES), CONCEPT DEVELOPMENT WALL SIGN, QT SITE PLAN, QT PAVING PLAN, QT LANDSCAPE PLAN, QT BUILDING ELEVATIONS QT CANOPY ELEVATIONS, QT SIGNS – ATTACHED, QT SIGNS – MONUMENT, QT SIGNS – CANOPY, ATTACHED HERETO AS EXHIBITS “B” THROUGH “Q”; 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-295-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 HC (Highway Commercial) to PD-295-HC (Planned Development-295-Highway Commercial) to establish a Concept Site Plan for a

convenience food store with gas pumps, hotel, retail, restaurants and office uses on 8.7 acres and a Detail Site Plan for a convenience food store with gas pumps on 2.2 acres of said development, located at the southeast corner of SH 121 and Freeport Parkway, 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, developed and maintained for Highway Commercial purposes as provided in the Code of Ordinances, as provided in Section 1 of this Ordinance, is the same hereby approved subject to the following development regulations:

1. Prior to any development within this 8.7 acres of land, this property shall to be replatted, as required under the Subdivision Ordinance to provide building sites, necessary easements, fire lanes and public access, subject to the following:
 - a. Traffic Impact Analysis (T.I.A.) shall be submitted prior to the plat submittal to review circulation patterns, driveway locations and deceleration lanes, as required on the abutting public rights-of-way; and, to determine the appropriate placement of public access.
 - b. At the time of platting of Phase 1 as provided in the Detail Site Plan, fire lane(s) shall be stubbed-out at intersections to Phase 2 to allow connection of future developments, as indicated on Exhibit J, QT Phase 1 Paving Plan.
 - c. Preliminary Utility Plans shall include all proposed utilities (water, sanitary sewer, and storm sewer), including sizes and existing and proposed connections.
 - d. Property Owners Association shall be formed and be responsible for maintenance all private utilities, common areas, including the landscape medians, pedestrian areas, and enhanced paving surfaces. Property Owners Association documents shall be submitted prior to filing for staff review and approved prior to the filing of the Replat for Phase 1, to ensure compliance with this ordinance.
2. Concept Plan is hereby approved subject to the development regulations, as follows:

- a. City Council approval will be required to attach Detail Site Plans (including site plans, landscape plans and building elevations) as PD Amendments prior to development in the 6.5-acre Concept Plan area, in accordance with Exhibit B, Concept Site Plan.
- b. Detail Site Plans shall be in accordance with the development regulations to this Ordinance and Highway Commercial regulations and standards of Article 22 of the Zoning Ordinance, except as amended herein.
- c. Landscape Plans for each Detail Site Plan of future development shall be in compliance with the provisions of Article 34- Landscape Regulations, of the Code of Ordinances.
- d. There shall be a consistent and compatible architectural style and Detail Site Plans shall include elevation facades to assure architectural element compatibility. Type of exterior construction relating to the color of exterior wall surfaces elements shall be reviewed at the time of Detail Site Plan and shall be consistent with compatible materials color and architectural style as illustrated in Exhibits G-1, G-2 and G-3 attached hereto.
- e. There shall be a uniform sign plan throughout the Concept Areas of the Planned Development for all attached and monument signage as provided under applicable ordinances; and such signs shall be compliant with the provisions of the Sign Ordinance, except otherwise as provided herein.
- f. Project Development Sign(s) affixed decorative wall(s) may be permitted within the Concept Plan area, subject to the provision of additional details (location, size, materials, color and height) of these signs, as conceptually illustrated in Exhibit H.

- g. Additional detail on the patio/decorative paving area proposed between the retail buildings shall be provided. If outdoor seating is included, it shall be specifically designated, and parking requirements shall include the outdoor seating area.
 - h. Loading, and or Dock Areas will be required as provided in Sec. 12-31-3, Off-street loading space, as provided in the Code of Ordinances, for all buildings exceeding 5,000 square feet or more.
3. Detail Site Plan – QuikTrip –
- a. The following variances are hereby approved to allow the QuikTrip as indicated on Exhibits I through Q attached hereto and made a part of the ordinance:
 - i. Two 60-square foot, externally lit monument signs shall be permitted on the lot, provided and illustrated on Exhibit O, in the Detail Site Plan.
 - ii. A Project Development Sign affixed to the decorative wall shall be also be permitted on the lot, subject to the provision of additional details (location, size, materials, color and height) of this sign, as conceptually illustrated in Exhibit H.
 - iii. One, 121 square foot attached QuikTrip sign shall be permitted on the front façade of the building, as shown on Exhibits N and L.
 - iv. The red metal awnings, and silver with red stripe non-illuminated canopies as indicated on the elevations and color renderings, as shown on Exhibit L shall be permitted, and
 - v. Two-20 sq. ft. button signs on the non-illuminate gas canopy, shall be permitted, as shown on Exhibit P.
 - b. Phase 1 paving shall be as indicated on Exhibit J.
 - c. The retail building will be equipped with an automatic fire sprinkler system, and riser room (minimum of 56 sq. ft.) to accommodate fire/life safety systems. The

FDC must be located on the building adjacent to the riser room, and the fuel islands shall be visible from point of sale.

SECTION 3. That the Concept Site Plan, Concept Phasing Exhibit, Concept Overall Landscape Plan, Concept Overall Landscape Rendering, Concept Tree Survey, Concept Retail & Office Elevations (3 pages), Concept Development Wall Sign, QT Site Plan, QT Paving Plan, QT Landscape Plan, QT Building Elevations, QT Canopy Elevations, QT Signs – Attached, QT Signs – Monument, QT Signs – Canopy, attached hereto as Exhibits “B” though “Q”; respectively, shall be deemed as development regulations to this development; and, said Exhibits shall govern the use, development and maintenance of the planned 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.

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 _____, 2019.

APPROVED:

KAREN SELBO HUNT

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY