

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 (COMMERCIAL) TO PD-285-C (PLANNED DEVELOPMENT-285 COMMERCIAL) TO ATTACH A DETAIL SITE PLAN FOR A 1,168 SQ. FT. DRIVE-THROUGH AND WALK UP RESTAURANT, WITH NO INDOOR SEATING, ON 1.21 ACRES OF PROPERTY LOCATED ON SANDY LAKE ROAD, WEST OF DENTON TAP (180 W. SANDY LAKE), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE DETAIL SITE PLAN, LANDSCAPE PLAN/TREE SURVEY AND BUILDING ELEVATIONS/SIGNAGE, ATTACHED HERETO AS EXHIBITS “B” THROUGH “D”; 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 Coppell, Texas, in compliance with the laws of the State of Texas and pursuant to the Comprehensive Zoning Ordinance of the City of Coppell, 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-285-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 Coppell, Texas, duly passed by the governing body of the City of Coppell, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from C (Commercial) to PD-285-C, (Planned Development-285-Commercial) to attach a Detail Site Plan for a 1,168 sq. ft. drive-through and walk up restaurant, with no indoor seating, on 1.21 acres of property located on Sandy Lake Road, west of Denton Tap (180 W. Sandy Lake), 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 and developed for Commercial and as a drive-through walk-up restaurant as provided in the Code of Ordinances, is hereby approved subject to the following development regulations:

- A. The building may have a front façade elevation, glass elements to exceed fifty percent (50%) of the front façade of the building.
- B. The existing monument sign may be retained and re-faced in accordance with the *Code of Ordinances*.
- C. A 42 square foot window sign shall be permitted as indicated on Building Elevation/Sign Plan in Exhibit “D”.
- D. Fully shielded, grey/silver indirect lighting shall be permitted on the perimeter fascia as depicted on Building Elevation/Sign Plan Exhibit “D”.
- E. Compliance with Landscape Plan attached as Exhibit “C”.
- F. Property shall be replatted to provide necessary ingress/egress, fire lane and utility easements.

SECTION 3. That the Detail Site Plan, Landscape Plan/Tree Survey, and Building Elevations/Sign Plan attached hereto as Exhibits “B” through “D”; respectively shall be deemed as development regulations to this 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 _____, 2018.

APPROVED:

KAREN SELBO HUNT

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY