

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. 91500-A-765 (Correction)

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, CORRECTING THE COMPREHENSIVE ZONING ORDINANCE NUMBER 91500-A-765 OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE CORRECTING A SCRIVENER'S ERROR IN SECTION 2 OF SAID ORDINANCE TO ALLOW FOR PLANNED DEVELOPMENT FOR COMMERCIAL USES AND TWO (2) RESTAURANTS USES WITHIN THE PLANNED DEVELOPMENT; PROVIDING HOURS OF OPERATION, LANDSCAPING PLAN, DETAIL SITE PLAN ON 0.842 ACRES OF LAND, LOCATED AT 205 N. DENTON TAP RD; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Attorney agrees there was a Scrivener's error which will not affect the right of the property owner; and,

WHEREAS, the City Council finds that the correction will not affect the right of the property owner.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:

SECTION 1. That the Ordinance No. 91500-A-765 amending the Comprehensive Zoning Ordinance of the City of Coppel, Texas, as heretofore corrected, be and the same is hereby repealed by correcting Scrivener's error in Section 2 of Ordinance 91500-A-765 and the same is hereby amended in part by correcting Section 2 of said ordinance, to read as follows:

"SECTION 2. That the Property may be used, developed, and maintained for Commercial uses ("Baseline Uses") and as an 875 square foot restaurant and a 1,400 square foot restaurant with a drive thru window, as defined and provided in the Code of Ordinances, as set forth in the Detail Site Plan, Exhibit B ("Additional Uses"), subject to the following development regulations for the approved Additional Uses on the site:

A. Two restaurant uses are allowed on the Property.

B. The speaker on the menu board for the drive thru shall face to the south and shall be shielded to direct the sound away from the residential properties to the west. The sound from the speaker for the drive thru menu board shall not exceed 60 decibels as measured at the west property line.

C. Hours of operation for the Additional Uses, as permitted herein shall not exceed the following:

South restaurant – 10 am to 8 pm on Sunday, 7 am to 9 pm Monday – Friday and 8 am to 9 pm on Saturday.

North restaurant – 6 am to 12 pm. Tuesday – Sunday (closed Monday).

D. Signage shall be as depicted on Sign Plan or as otherwise provided in the Zoning Ordinance for the uses permitted herein.

E. Menu board shall be located as shown on the Site Plan and granted an exception to the 80% masonry requirement.

F. All exterior lighting elements shall be constructed and maintain to comply with the glare and lighting standards as provided in the Zoning Ordinance.

G. Landscaping shall be installed and maintained in accordance with the Landscape Plan, as depicted in Exhibit C.”

SECTION 2. 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 and Ordinance 91500-A-765 as corrected herein and shall remain in full force and effect as if originally adopted and executed on April 13, 2021.

SECTION 3. 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 4. 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 _____, 2021.

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 Coppel, Texas, this the _____ day
of _____, 2021.

APPROVED:

WES MAYS - MAYOR

ATTEST:

ASHLEY OWENS, CITY SECRETARY