

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-273R-C (PLANNED DEVELOPMENT-273 REVISED-COMMERCIAL), TO ESTABLISH A DETAIL SITE PLAN FOR A CONVENIENCE STORE, DRIVE-THRU RESTAURANT AND GAS PUMPS ON 0.97 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF S. DENTON TAP AND E. BELT LINE ROADS (890 S. DENTON TAP ROAD), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES; PROVIDING FOR THE APPROVAL OF SPECIAL CONDITION REGULATIONS THROUGH ADOPTION OF A DETAIL SITE PLAN, TREE SURVEY, LANDSCAPE PLAN, BUILDING ELEVATIONS AND SIGNAGE, ATTACHED HERETO AS EXHIBITS "B", "C", "D", "E", AND "F" RESPECTIVELY; 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-273R-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, Texas, as heretofore amended, be and the same is hereby amended to grant a change in zoning from C (Commercial) to PD-273R-C (Planned Development-273 Revised-Commercial), to establish a Detail Site Plan for a convenience store, drive-thru restaurant and gas pumps on 0.97 acres of property located at the

northeast corner of S. Denton Tap and E. Belt Line Roads (890 S. Denton Tap Road), and being more particularly described in Exhibit “A”, attached hereto and made a part hereof for all purposes.

SECTION 2. That the property shall be developed and used only as a convenience store, drive-thru restaurant, and gas pumps in accordance with the and/or provisions of Commercial District, except as amended herein with the following development regulations as set forth herein below;

- A) Development of the property shall be in accordance with the development regulations as provided in accordance with applicable regulation contained in the Code of Ordinances, except as provided in Section 2 and 3 of this Ordinance.
- B) The northern side yard setback is permitted to be reduced from 30 feet to 20 feet, as indicted on the Detail Site Plan attached to as Exhibit “B”.
- C) Corporate Signage is limited to the west and south elevations of the gas canopy, as depicted in Building and Sign Elevations, Exhibits “E” and “F”, and shall be white or red channel letters of the corporate logo of the gasoline vendor franchisee.
- D) A tree removal permit is required prior to the removal of any trees.

SECTION 3. That Detail Site Plan, Tree Survey, Landscape Plan, Building Elevations and Signage, attached hereto as Exhibits “B”, “C”, “D”, “E”, and “F” respectively, and made a part hereof for all purposes as development regulations for the subject property, are hereby approved.

SECTION 4. That the above property shall be developed and used only in the manner and for the purpose provided for by the C (Commercial) District regulations, Comprehensive Zoning Ordinance of the City of Coppel, as heretofore amended and as amended herein.

SECTION 5. 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 6. 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 7. 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 8. 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 9. 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 _____, 2015

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY