

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COPPELL, TEXAS, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING FROM PD-240R6-HC (PLANNED DEVELOPMENT -240-REVISION 6 -HIGHWAY COMMERCIAL) TO PD-240R6R-HC (PLANNED DEVELOPMENT - 240-REVISION 6 REVISED-HIGHWAY COMMERCIAL), TO ALLOW A 1,901 SQUARE FOOT RESTAURANT WITH A DRIVE-THROUGH, A 1,105 SQUARE FOOT PATIO AND PLAY AREA ON APPROXIMATELY 0.81 ACRES OF PROPERTY LOCATED ON THE NORTHWEST QUADRANT OF DENTON TAP AND THE SAM RAYBURN TOLLWAY, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AS LOT 4, BLOCK A, OF THE NORTH GATEWAY PLAZA ADDITION, ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE DETAIL SITE PLAN; LANDSCAPE PLAN; ELEVATIONS; PLAYGROUND AND FENCING PLAN; AND SIGN PLAN ATTACHED HERETO AS EXHIBITS "B", "C", "D", "E" AND "F", RESPECTIVELY; PROVIDING 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-240R6R-HC should be approved, and in the exercise of legislative discretion have concluded that the Comprehensive Zoning Ordinance and Zoning 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 Zoning 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 PD-240R6R-HC

(Planned Development- 240-Revision 6 -Highway Commercial) to PD-240R6R-HC (Planned Development- 240-Revision 6 Revised -Highway Commercial), to construct a 1,901 square foot Restaurant, 1,105 Patio and Playground area on approximately 0.81 acres located on the northwest quadrant of Denton Tap Road and the Sam Rayburn Tollway and being more particularly described in Exhibit “A”, attached hereto and made part hereof for all purposes, subject to the detailed Site Plan and development regulations and Exhibits provided in this ordinance.

**SECTION 2.** That Planned Development PD-240R6R-HC is hereby approved subject to the following development regulations:

- A. The development and maintenance of the property shall be in accordance with the Detail Site Plan; Landscape Plan; Elevations; Playground and Fencing Plan; and Sign Plan with any notes or provisions included therein, which are attached hereto and made part of the ordinance.
- B. That attached signage shall be installed and maintained in accordance with requirements of the current sign ordinance, except to allow up to 74 square feet of signage, as depicted in the attached Elevation Plan and sign Plan Exhibits D and F, respectively.
- C. The playground area shall be built and maintained in accordance with Playground and Fencing Plan. Exhibit E; and, such playground element shall be construct and use the materials and color scheme noted therein.
- D. All building elements have been requested by the property owner and the elevations and features set forth in the Elevation Plan, Exhibit D, are hereby approved.

**SECTION 3.** That the Detail Site Plan; Landscape Plan; Elevations; Playground and Fencing Plan; and Sign Plan and all comments and notes set forth therein, attached hereto as Exhibits “B”, “C”, “D”, “E” and “F” are made a part hereof for all purposes, and hereby approved 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 Coppel, 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 Coppel, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

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KAREN SELBO HUNT, MAYOR

ATTEST:

\_\_\_\_\_  
CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

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ROBERT E. HAGER, CITY ATTORNEY

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KAREN SELBO HUNT, MAYOR

ATTEST:

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CHRISTEL PETTINOS, CITY SECRETARY