

**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 PD-214R8-C (PLANNED DEVELOPMENT-214-REVISION 8-COMMERCIAL) TO PD-214R9-C (PLANNED DEVELOPMENT-214-REVISION 9-COMMERCIAL) TO ATTACH A DETAIL SITE PLAN FOR A 581-SQUARE FOOT BUILDING WITH DRIVE-THRU ON 0.7 ACRES OF LAND, LOCATED ON THE WEST SIDE OF S. DENTON TAP ROAD, APPROXIMATELY 400 FEET SOUTH OF W. SANDY LAKE ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR APPROVAL OF THE DETAIL SITE PLAN, LANDSCAPE PLAN, BUILDING ELEVATIONS, AND SIGN PLAN, ATTACHED HERETO AS EXHIBITS “B” THROUGH “E”; 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-214R9-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 by granting a change in zoning from PD-214R8-C (Planned Development-214-Revision 8-Commercial) to PD-214R9-C (Planned Development-214-Revision 9-Commercial) to attach a Detail Site Plan for a 581-square foot building with drive-thru on 0.7 acres of land, located on the west side of S. Denton Tap Road, approximately 400 feet south of W. Sandy Lake Road, 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 Commercial uses and as a restaurant, as defined and provided in the Code of Ordinances, is hereby approved subject to the following development regulations:

- A. Except as amended herein and as provided in this Ordinance, the property shall be developed, used and maintained in accordance with “C” Commercial District Regulations as set forth in Ordinance 91500-A-733 which is incorporated herein as set forth in full and hereby republished.
- B. The speakers on the north and south elevations below the drive-thru canopies shall face east toward Denton Tap Road. The sound volume shall be kept at a level that is non-offensive to the neighboring properties and played only between the hours of 7:30 a.m. and 8:00 p.m.
- C. That all external operated lighting shall be shielded eastward from the residential properties to the west; and, all external onsite lighting meets the glare and lighting standards within Article 36 of the Zoning Ordinance.
- D. Allow two 60-square-foot building signs as depicted on the Sign Plan, Exhibit E.
- E. Allow two menu boards without masonry construction as depicted on the Sign Plan, Exhibit E.
- F. The hours of operation shall be between the hours 5:00 a.m. to 10:00 p.m. Sunday through Saturday.
- G. Landscaping shall be installed and maintained in accordance with the Landscape Plan, as depicted in Exhibit C.
- H. Tree Removal Permit required prior to start of construction in compliance with the Coppell Code of Ordinances.

**SECTION 3.** That the Detail Site Plan, Landscape Plan Building Elevations, and Sign Plan attached hereto and incorporated herein as Exhibits “B” through “E”; respectively; and, are hereby 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 \_\_\_\_\_, 2020.

APPROVED:

\_\_\_\_\_  
KAREN SELBO HUNT

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

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**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