

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-295-HC (PLANNED DEVELOPMENT-295-HIGHWAY COMMERCIAL) TO PD 295R-HC (PLANNED DEVELOPMENT - 295 REVISED HIGHWAY COMMERCIAL) TO ESTABLISH A DETAIL SITE PLAN FOR A HOTEL AND COMMERCIAL USES ON APPROXIMATELY 2.675± ACRES, LOCATED AT THE SOUTHEAST CORNER OF SH 121 AND FREEPORT PARKWAY, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; BY AMENDING THE DEVELOPMENT REGULATIONS AS SET FORTH IN THE DETAIL SITE PLAN, LANDSCAPE AND MITIGATION PLAN AND ELEVATIONS DESCRIBED IN EXHIBITS "B" THROUGH "D" RESPECTIVELY, ATTACHED HERETO AND INCORPORATED HEREIN; BY AMENDING THE DEVELOPMENT REGULATIONS FOR THE ENTIRE PLANNED DEVELOPMENT, TO REPEAL SUBSECTION 'D' UNDER SECTION 1 OF ORDINANCE 91500-A-739 PROPERTY OWNERS ASSOCIATION AND REPLACE WITH A NEW SUBSECTION D, PROVIDING FOR CONSTRUCTION AND MAINTENANCE OF AMENITIES; 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-295R-HC 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-295-HC (Planned

Development-295-Highway Commercial) to PD-295R-HC (Planned Development-295 Revised-Highway Commercial) to establish a Detail Site Plan for a hotel use on approximately 2.675± acres of said development, located at the southeast corner of SH 121 and Freeport Parkway, for the property described in Exhibit “A” attached hereto and made a part hereof for all purposes.

SECTION 2. That the Property within the Site Plan will be used, developed and maintained as a Hotel and for Highway Commercial as set forth in the Detail Site Plan, Landscape and Mitigation Plan and Elevations, Exhibits B through D, respectively, attached hereto and incorporated herein and as provided in the Code of Ordinances and PD295-HC, except as amended herein, subject to the following additional development regulations for said site:

1. There may be additional development commands at the time of Building Permit and Detail Engineering Review.
2. The property shall be platted to provide required mutual access, fire lanes and easements prior to development.
3. Private Drive “C” containing the off-site mutual access easement and fire lane shall be constructed with this project or construction on adjacent lot, whichever comes first.
4. To allow for one loading zone.
5. To allow for a 10-ft setback in lieu of 20-ft on the northeast common boundary line adjacent to the building.
6. To allow for hotel patron surface parking spaces to be located as indicated.
7. Signs shall conform to the current requirements of City Code Ordinances.

SECTION 3. That PD 295-HC, as amended herein, is further amended by amending development regulations by deleting subsection (d) of the PD 295 HC and replacing it with new subsection (d) by amending Section 2 of said ordinance and adding a new subsection (d) of Ordinance 91500-A-739 hereinafter to read as follows:

“SECTION 2.

a.

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- d. Storm Drainage inlet at the south site (Fuel Station site) including the south entry monument signage, landscaping irrigation shall be maintained by the property owner.

All Focal Point Amenities and/or landscape amenities shall be constructed and maintained by property owner on which such amenity is located.”

SECTION 4. That all provisions of PD295 HC shall remain in full force and effect except as amended herein; and, the above described 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 amended and in accordance with PD 295-HC, except 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:

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 _____, 2020.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

ASHLEY OWENS, CITY SECRETARY