

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-305-C (PLANNED DEVELOPMENT-305-COMMERCIAL) TO AMEND THE DETAIL SITE PLAN TO ALLOW FOR AN ADDITIONAL 1,400-SQUARE-FOOT RESTAURANT WITH DRIVE THRU TO AN EXISTING DEVELOPMENT WITH A CURRENT RESTAURANT USE WITH 2 FUTURE PARKING SPACES ON 0.842 ACRES OF LAND, LOCATED AT 205 N. DENTON TAP RD., FOR THE PROPERTY 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-305-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 C (Commercial) to PD-305-C (Planned Development-305-Commercial) to amend the Detail Site Plan to allow for an additional 1,400-square-foot restaurant with drive thru to an existing development with an current restaurant use with 2 future parking spaces on 0.842 acres of land, located at 205 N. Denton Tap Rd., for the property described in Exhibit “A” attached hereto and made a part hereof for all purposes (“the Property”).

SECTION 2. That the Property will be used, developed and maintained for Commercial 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, is hereby approved subject to the following development regulations for the site:

- A. Allowing two restaurant uses (Donut City and proposed Smoothie King) on the Property.
- B. The speaker on the menu board 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 of the menu board shall not exceed 60 decibels as measured at the west property line.
- C. Hours of operation for the respective uses 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 3. That the Detail Site Plan, Landscape Plan Building Elevations, and Sign Plan attached hereto and incorporated herein as Exhibits “B” though “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 _____, 2021.

APPROVED:

KAREN SELBO HUNT

ATTEST:

ASHLEY OWENS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

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