

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. 91500-A-555

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 S-1220-TC (SPECIAL USE PERMIT-1220-TOWN CENTER) TO S-1220R-TC (SPECIAL USE PERMIT-1220 REVISED-TOWN CENTER), TO ALLOW THE REPLACEMENT OF EXISTING TELECOMMUNICATION ANTENNAE AND THE EXPANSION OF THE EQUIPMENT CABINET ENCLOSURE ON PROPERTY LOCATED AT 363 NORTH DENTON TAP ROAD IN ANDY BROWN WEST PARK, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE OVERALL SITE PLAN, DETAIL SITE PLAN, ELEVATION SHEETS, ATTACHED HERETO AS EXHIBITS "B", "C", AND "D", RESPECTIVELY; PROVIDING FOR SPECIAL CONDITIONS; 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. S-1220R-TC 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

Exhibit "B" (1 of 11)

S-1220-TC (Special Use Permit-1220-Town Center) to S-1220R-TC (Special Use Permit-1220 Revised-Town Center), to allow the replacement of existing telecommunication antennae and the expansion of the equipment cabinet enclosure on property located at 363 North Denton Tap Road in Andy Brown West Park, being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes, subject to special conditions.

SECTION 2. That the Special Use Permit for the replacement of existing telecommunication antennae and the expansion of the equipment cabinet enclosure is hereby approved, subject to the following special conditions:

- A) Except as amended herein, the property shall be developed in accordance with S-1220-TC, Ordinance No. 91500-A-393, which is incorporated herein.
- B) Coordination with the Parks Department for the scheduling of construction times and the replacement of the Red Bud tree and portion of the irrigation system affected by the proposed change.
- C) The site shall be developed in accordance with the regulations and Exhibits "B" through "D" incorporated in Section 3 of this ordinance.

SECTION 3. That the Overall Site Plan, Detail Site Plan, Elevation Sheets, attached hereto as Exhibits "B", "C", and "D" respectively, and made a part hereof for all purposes, are hereby approved.

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 10th day of August, 2010.

APPROVED:


Bob Mahalik
BOB MAHALIK, MAYOR PRO TEM

ATTEST:

Libby Ball
LIBBY BALL, CITY SECRETARY

APPROVED AS TO FORM:

Robert E. Hager
ROBERT E. HAGER, CITY ATTORNEY
(REH/cdb)

LEGAL DESCRIPTIONS

LESSEE'S LEASE AREA

BEING a tract of land situated in the S.A & M.G.R.R. Survey, Abstract No. 1430, City of Coppell, Dallas County, Texas, also being out of and a portion of that certain tract of land described as Phase 1-A in Special Warranty Deed to The City of Coppell, dated December 30, 1982, and recorded in Volume 83005, Page 3569, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the northwest corner of said Phase 1-A tract, also being the southwest corner of Phase 1-B as described in said Special Warranty Deed to The City of Coppell, dated December 30, 1982, and recorded in Volume 83005, Page 3569, and being on the east line of Block A, Cornerstone, an addition to the City of Coppell according to the map or plat thereof recorded in Volume 96013, Page 87, Deed Records, Dallas County, Texas, and from which a 1/2" iron rod found for the most easterly southeast corner of said Cornerstone addition bears South 04 degrees 06 minutes 51 seconds East, a distance of 382.29 feet;

THENCE through the interior of said Phase 1-A tract, North 81 degrees 41 minutes 59 seconds East, a distance of 475.30 feet to the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said Phase 1-A tract the following four (4) courses:

1. North 66 degrees 14 minutes 17 seconds East, a distance of 21.00 feet to a Point;
2. South 23 degrees 45 minutes 43 seconds East, a distance of 14.30 feet to a Point;
3. South 66 degrees 14 minutes 17 seconds West, a distance of 21.00 feet to a Point;
4. North 23 degrees 45 minutes 43 seconds West, a distance of 14.30 feet to the POINT OF BEGINNING hereof and containing 0.0069 acres or 300 square feet of land, more or less.

Exhibit "B" (5 of 11)

EXHIBIT 'A'

Page 1 of 3

LEGAL DESCRIPTIONS

LESSEE'S COAX EASEMENT

BEING a tract of land situated in the S.A & M.G.R.R. Survey, Abstract No. 1430, City of Coppell, Dallas County, Texas, also being out of and a portion of that certain tract of land described as Phase 1-A in Special Warranty Deed to The City of Coppell, dated December 30, 1982, and recorded in Volume 83005, Page 3569, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the northwest corner of said Phase 1-A tract, also being the southwest corner of Phase 1-B as described in said Special Warranty Deed to The City of Coppell, dated December 30, 1982, and recorded in Volume 83005, Page 3569, and being on the east line of Block A, Cornerstone, an addition to the City of Coppell according to the map or plat thereof recorded in Volume 96013, Page 87, Deed Records, Dallas County, Texas, and from which a 1/2" iron rod found for the most easterly southeast corner of said Cornerstone addition bears South 04 degrees 06 minutes 51 seconds East, a distance of 382.29 feet;

THENCE through the interior of said Phase 1-A tract the following three (3) courses:

1. North 81 degrees 41 minutes 59 seconds East, a distance of 475.30 feet to a Point;
2. North 66 degrees 14 minutes 17 seconds East, a distance of 21.00 feet to a Point;
3. South 23 degrees 45 minutes 43 seconds East, a distance of 11.46 feet to the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said Phase 1-A tract the following seven (7) courses:

1. South 73 degrees 57 minutes 39 seconds East, a distance of 30.03 feet to a Point;
2. North 77 degrees 53 minutes 59 seconds East, a distance of 27.80 feet to a Point;
3. South 12 degrees 06 minutes 01 seconds East, a distance of 4.89 feet to a Point;
4. South 77 degrees 53 minutes 59 seconds West, a distance of 29.25 feet to a Point;
5. North 73 degrees 57 minutes 39 seconds West, a distance of 32.62 feet to a Point;
6. North 66 degrees 14 minutes 17 seconds East, a distance of 4.40 feet to a Point;
7. North 23 degrees 45 minutes 43 seconds West, a distance of 2.84 feet to the POINT OF BEGINNING hereof and containing 0.0067 acres or 290 square feet of land, more or less.

Exhibit "B" (6 of 11)

LEGAL DESCRIPTIONS

LESSEE'S UTILITY EASEMENT

BEING a tract of land situated in the Clarinda Squires Survey, Abstract No. 1327 and the S.A & M.G.R.R. Survey, Abstract No. 1430, City of Coppell, Dallas County, Texas, also being out of and a portion of that certain tract of land described as Phase 1-A in Special Warranty Deed to The City of Coppell, dated December 30, 1982, and recorded in Volume 83005, Page 3569, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the northwest corner of said Phase 1-A tract, also being the southwest corner of Phase 1-B as described in said Special Warranty Deed to The City of Coppell, dated December 30, 1982, and recorded in Volume 83005, Page 3569, and being on the east line of Block A, Cornerstone, an addition to the City of Coppell according to the map or plat thereof recorded in Volume 96013, Page 87, Deed Records, Dallas County, Texas, and from which a 1/2" iron rod found for the most easterly southeast corner of said Cornerstone addition bears South 04 degrees 06 minutes 51 seconds East, a distance of 382.29 feet;

THENCE through the interior of said Phase 1-A tract the following three (3) courses:

1. North 81 degrees 41 minutes 59 seconds East, a distance of 475.30 feet to a Point;
2. South 23 degrees 45 minutes 43 seconds East, a distance of 14.30 feet to a Point;
3. North 66 degrees 14 minutes 17 seconds East, a distance of 21.00 feet to the POINT OF BEGINNING hereof;

THENCE continuing through the interior of said Phase 1-A tract the following eight (8) courses:

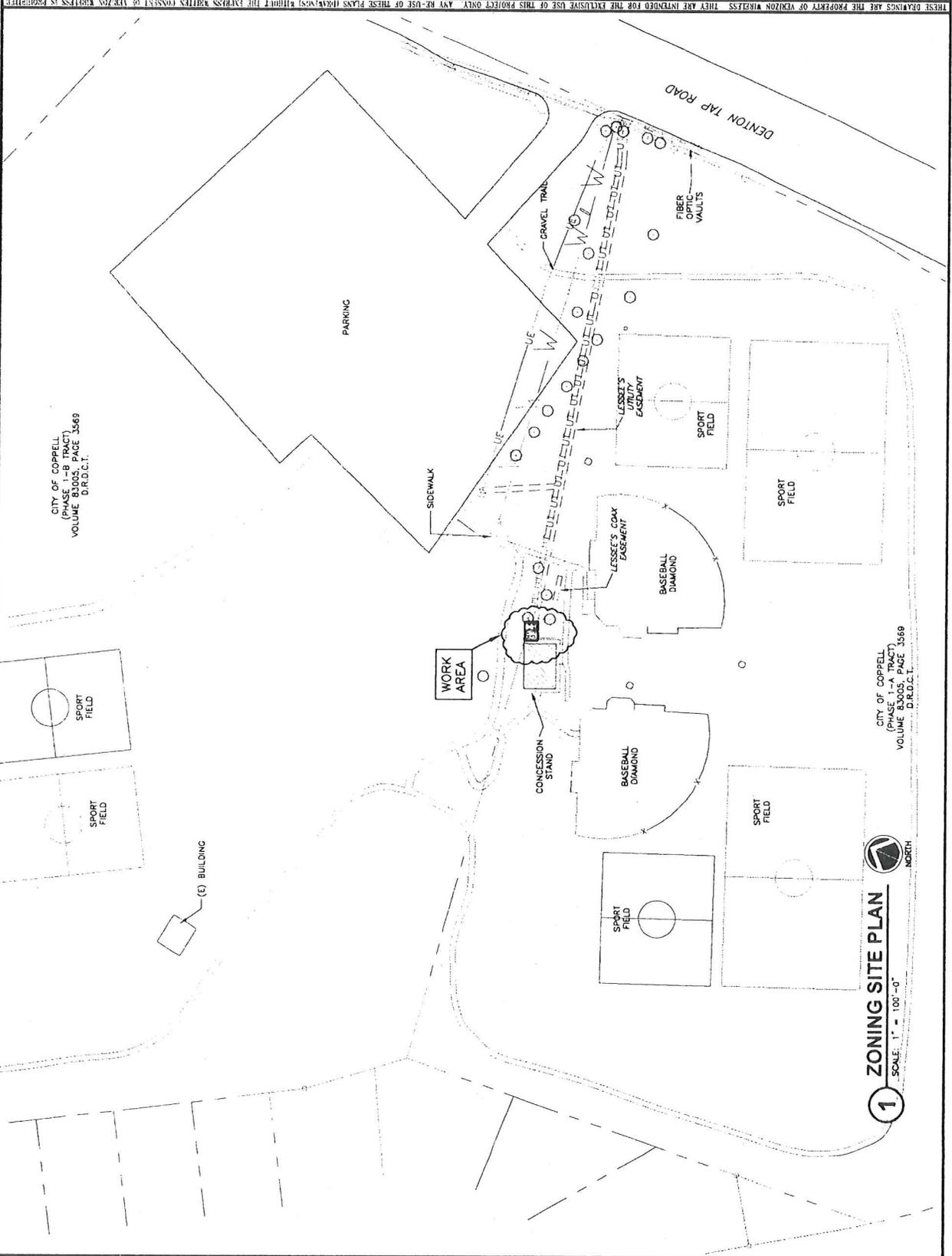
1. North 23 degrees 45 minutes 43 seconds West, a distance of 10.18 feet to a Point;
2. North 77 degrees 02 minutes 25 seconds East, a distance of 146.13 feet to a Point;
3. North 26 degrees 56 minutes 54 seconds West, a distance of 80.41 feet to a Point;
4. North 63 degrees 03 minutes 06 seconds East, a distance of 6.00 feet to a Point;
5. South 26 degrees 56 minutes 54 seconds East, a distance of 81.90 feet to a Point;
6. North 77 degrees 02 minutes 25 seconds East, a distance of 357.76 feet to a Point;
7. North 67 degrees 27 minutes 02 seconds East, a distance of 37.37 feet to a Point;
8. South 88 degrees 33 minutes 36 seconds East, a distance of 12.57 feet to a Point, same being on the west right-of-way line of Denton Tap Road;

THENCE along the west right-of-way line of Denton Tap Road, South 01 degrees 26 minutes 22 seconds West, a distance of 10.00 feet to a Point;

THENCE through the interior of said Phase 1-A tract the following three (3) courses:

1. North 88 degrees 33 minutes 36 seconds West, a distance of 10.45 feet to a Point;
2. South 67 degrees 27 minutes 02 seconds West, a distance of 36.09 feet to a Point;
3. South 77 degrees 02 minutes 25 seconds West, a distance of 509.01 feet to the POINT OF BEGINNING hereof and containing 0.1392 acres or 6,065 square feet of land, more or less.

	<p>167539B</p> <p>363 NORTH DENTON TAP ROAD COPPELL, TEXAS 75019</p> <p>----</p> <p>COPPELL NORTH</p>	<p>APPROVAL SIGNATURES</p> <p>LANDLORD</p> <p>LEASING</p> <p>CONSTRUCTION</p>	<p>THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET</p>	 <p>ARCHCOMM, INC. 1840 Lockhill-Seima, Suite 101 San Antonio, Texas 78213 (210)388-8805</p>	<p>SHEET TITLE</p> <p>ZONING SITE PLAN</p> <p>SHEET HISTORY</p> <p>04.17.10 ZONING CHANGE</p> <p>04.02.10 REVISED PER CITY</p>	<p>A1</p>
	<p>THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.</p>					



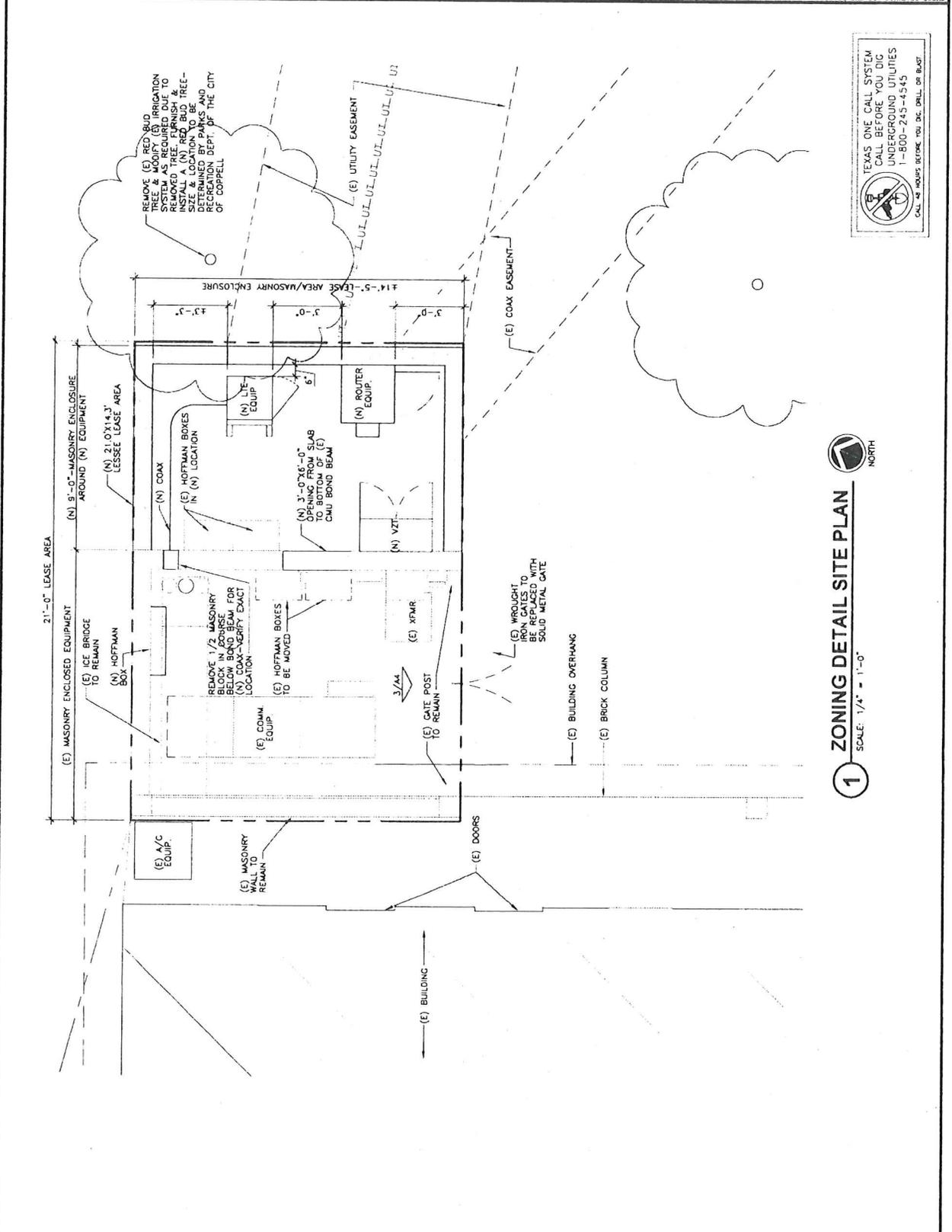
1 ZONING SITE PLAN
SCALE: 1" = 100'-0"
NORTH

CITY OF COPPELL
(PHASE B TRACT)
VOLUME 83005, PAGE 3569
D.R.D.C.T.

CITY OF COPPELL
(PHASE 1-A TRACT)
VOLUME 83005, PAGE 3569
D.R.D.C.T.

	COPPELL NORTH 363 NORTH DENTON TAP ROAD COPPELL, TEXAS 75019 167539B
	APPROVAL SIGNATURES LANDLORD LEASING CONSTRUCTION
THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET	
 ARCHCOMM, INC. 1840 Loch Hills Selms, Suite 101 San Antonio, Texas 78213 (210) 308-8005	
SHEET TITLE ZONING DETAIL SITE PLAN	
SHEET HISTORY 05.17.10 ZONING DWGS 06.02.10 REVISED PER CITY	
A2	

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TEXAS ONE CALL SYSTEM
 CALL BEFORE YOU DIG
 UNDERGROUND UTILITIES
 1-800-245-4545
 CALL 48 HOURS BEFORE YOU DIG, DRILL OR BLAST

EXHIBIT "C"

Exhibit "B" (9 of 11)

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COPPELL NORTH

 363 NORTH DENTON TAP ROAD
 COPPELL, TEXAS 75019
 167539B

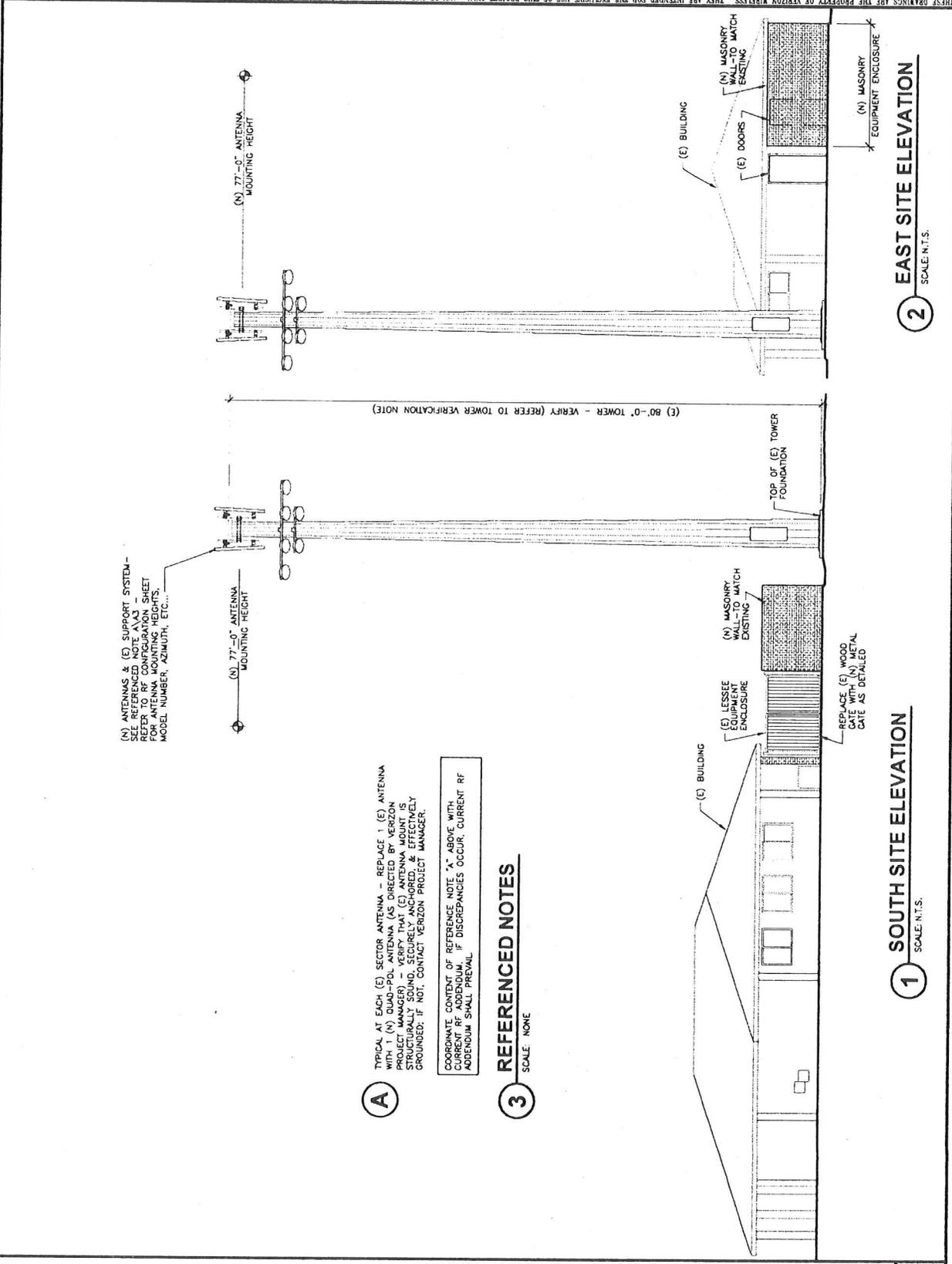
APPROVAL SIGNATURES
 LANDLORD
 LEASING
 CONSTRUCTION

THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET

ARCHCOMM, INC.
 1840 Lockhill-Selma, Suite 101
 San Antonio, Texas 78213
 (210) 306-3600

SHEET TITLE
ZONING SITE ELEVATION
 SHEET HISTORY
 04.17.10 ZONING DMS
 01.22.10 REVISED PER CITY
 04.22.10 REVISED MASONRY NOTE

A3



(N) ANTENNAS & (E) SUPPORT SYSTEM - SEE REFERENCED NOTE A.3 - REFER TO RF CONFIGURATION SHEET FOR ANTENNA MOUNTING HEIGHTS, MODEL NUMBER, AZIMUTH, ETC...

A TYPICAL AT EACH (E) SECTOR ANTENNA - REPLACE 1 (E) ANTENNA WITH 1 (N) QUAD-POL ANTENNA (AS DIRECTED BY VERIZON PROJECT MANAGER) - VERIFY THAT (E) ANTENNA MOUNT IS SUCCESFULLY SOUND, SECURELY ANCHORED, & EFFECTIVELY GROUNDED; IF NOT, CONTACT VERIZON PROJECT MANAGER.

COORDINATE CONTENT OF REFERENCE NOTE "A" ABOVE WITH ALL PERMITS AND ORDINANCES. IF DISCREPANCIES OCCUR, CURRENT RF AGREEMENT SHALL PREVAIL.

3 REFERENCED NOTES
 SCALE: NONE

1 SOUTH SITE ELEVATION
 SCALE: N.T.S.

2 EAST SITE ELEVATION
 SCALE: N.T.S.

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COPELL NORTH
 363 NORTH DENTON TAP ROAD
 COPELL, TEXAS 75019
 167539B

APPROVAL SIGNATURES
 LANDLORD
 LEASING
 CONSTRUCTION

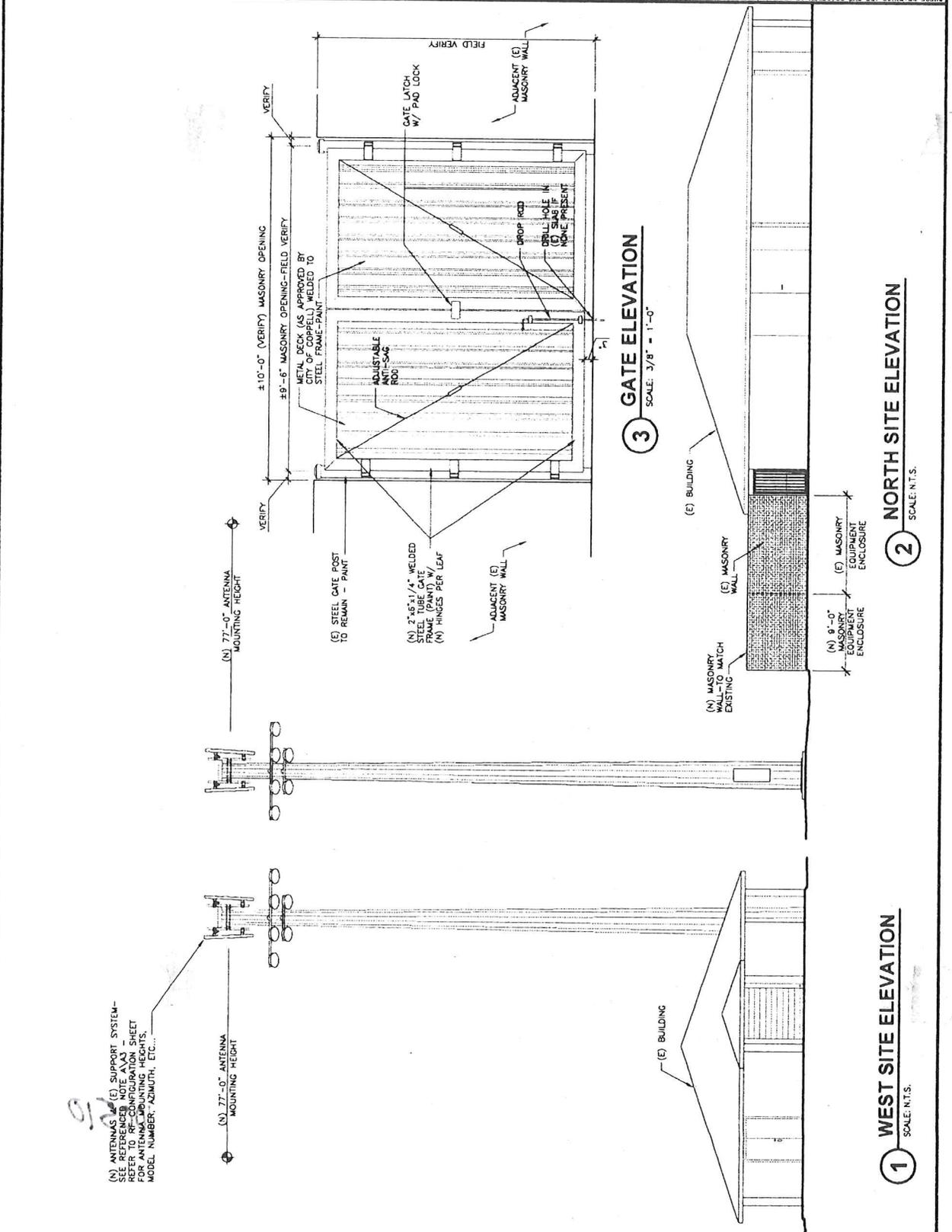
THIS IS AN INCOMPLETE SET NOT FOR CONSTRUCTION OR PERMITTING. APPROPRIATE PROFESSIONAL SEAL WILL BE APPLIED TO FINAL CONSTRUCTION SET

ARCHCOMM, INC.
 1840 Lockhill-Selma, Suite 101
 San Antonio, Texas 78213
 (210)298-8005

SHEET TITLE
ZONING SITE ELEVATION

SHEET HISTORY
 05.17.10 ZONING DWGS
 06.02.10 REVISED PER CITY
 06.21.10 REVISED MASONRY NOTE

A4



(N) ANTENNA (E) SUPPORT SYSTEM - SEE REFERENCED NOTE (A)X1 REFER TO RF CONFIGURATION SHEET FOR ANTENNA MOUNTING HEIGHTS, MODEL NUMBER, AZIMUTH, ETC...

(N) 77'-0" ANTENNA MOUNTING HEIGHT

(N) 77'-0" ANTENNA MOUNTING HEIGHT

±10'-0" (VERIFY) MASONRY OPENING

±9'-6" (VERIFY) MASONRY OPENING-FIELD VERIFY

3 GATE ELEVATION
 SCALE: 3/8" = 1'-0"

1 WEST SITE ELEVATION
 SCALE: N.T.S.

2 NORTH SITE ELEVATION
 SCALE: N.T.S.