

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS

ORDINANCE NO. 91500-A-393

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 "TC" (TOWN CENTER) TO "S-1220-TC" (SPECIAL USE PERMIT-1220-TOWN CENTER) TO GRANT A SPECIAL USE PERMIT TO ALLOW FOR THE REPLACEMENT OF A 70-FOOT LIGHT STANDARD WITH AN 80-FOOT LIGHT STANDARD TO PERMIT WIRELESS COMMUNICATION ANTENNAE, WITH GROUND-MOUNTED EQUIPMENT, LOCATED AT 363 N. DENTON TAP ROAD (ANDREW BROWN PARK WEST), AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR THE APPROVAL OF THE SITE AND LANDSCAPE PLAN, ANTENNA CUT SHEET, PHOTO SIMULATION OF THE ANTENNAE AND PHOTO SIMULATION OF GROUND MOUNTED EQUIPMENT AREA WITH SCREENING, ATTACHED HERETO AS EXHIBITS "B", "C", "D" AND "E", 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-1220-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 "TC" (Town Center) to "S-1220-TC" (Special Use Permit-1220-Town Center) to grant a Special Use Permit to allow for the replacement of a 70-foot light standard with an 80-foot light standard to permit wireless communication antennae, with ground-mounted equipment, located at 363 N. Denton Tap Road (Andrew Brown Park West,

and 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 wireless communication antennae is hereby approved, subject to the following special conditions:

- A) Equipment shelter will match existing brick color and pattern of concession stand and will not attach to the existing building.
- B) Construction and operation of the facility permitted herein shall not interfere with activities scheduled within Andy Brown West Park. Proposed construction and maintenance procedures and detailed plans will be approved by the Coppell Parks Department. In no event may scheduled organized sports events be interrupted or affected by construction and maintenance of this facility.
- C) Removal and replacement of the existing light standard shall be scheduled and occur generally within a seventy-two (72) hour time frame in accordance with condition 2B of this ordinance, and there shall be no disruption of light source to the park facility.
- D) Damage to the land or improvements within Andy Brown Park West caused by Verizon shall be repaired by Verizon with the approval of the City Manager or his designee.
- E) A license agreement for the use of the premises shall be executed by the City of Coppell.
- F) Sealed structural drawings of new base support or engineer's certification of existing base to support new pole shall be supplied to the Building Official for review.

- G) The site shall be developed in accordance with the regulations and Exhibits "B" through "E" incorporated in Section 3 of this ordinance.

SECTION 3. That the Site and Landscape Plan, Antenna Cut Sheet, Photo Simulation of the Antennae and Photo Simulation of Ground Mounted Equipment Area with Screening, attached hereto as Exhibits "B", "C", "D", and "E" 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 Coppel, 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 Coppel, 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.

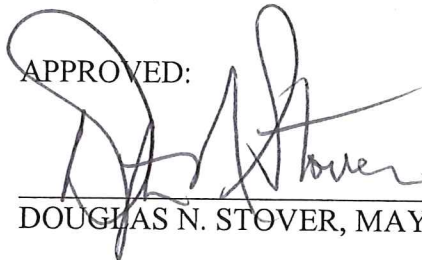
SECTION 8. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

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 12th day of October, 2004.

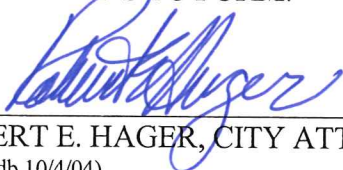
APPROVED:


DOUGLAS N. STOVER, MAYOR

ATTEST:


LIBBY BALL, CITY SECRETARY

APPROVED AS TO FORM:


ROBERT E. HAGER, CITY ATTORNEY
(REH/cdb 10/4/04)

Addendum B

Parent Tract Description

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 in the City of Coppell, Dallas County, Texas and also being part of a tract of land as described in deed from Good Financial Corp. to M. Douglas Adkins, Trustee, as recorded in Volume 76186, Page 2355 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

Commencing at a point of intersection of the West line of Denton Tap Road (a variable width right of way) with the centerline of Denton Creek, said point also being the most southerly Southeast corner of a tract of land as described by deed to Jack Livley recorded in Volume 426, Page 510 of the Deed Records of Dallas County, Texas; Thence with the said line of Denton Tap Road S0°51'58"E, 49.64 feet to the Point of Beginning; Thence continuing along said line of Denton Tap Road, S0°51'58"E, 292.18 feet to the beginning of a curve to the right having a central angle of 2°53'00" and a radius of 5669.70 feet; Thence along said curve 285.32 feet to the end of said curve; Thence S0°37'34"W, 161.90 feet; Thence S6°19'20"W, 321.88 feet; Thence S1°00'58"E, 22.05 feet to a point for corner; Thence S67°24'35"W, leaving the said West line of Denton Tap Road, 902.06 feet to a point for corner; Thence N1°11'53"W, 64.43 feet to a point for corner; Thence N35°29'46"W, 198.08 feet to a point for corner; Thence N4°43'22"W, 536.17 feet to a point for corner; Thence N57°00'34"E, 1226.37 feet to the Point of Beginning and containing 21.250 acres of land. (As described in Volume 83005, Page 3569 of the Deed Records of Dallas County, Texas.)

Verizon Wireless' Site Description

A tract of land lying in and being a part of an existing 21.250 acre CITY Tract, situated in the Clarinda Squires Survey, Abstract No. 1327, and the S.A. & M.G.R.R. Survey, Abstract No. 1430 in the City of Coppell, Dallas County, Texas, being more particularly described by metes and bounds as follows:

Commencing at the Northwest corner of the above described 21.250 acre CITY tract; Thence S04°06'53"E on the West line of said 21.250 acre CITY tract, a distance of 132.86 feet to a point; Thence N66°25'08"E, a distance of 502.76 feet to a 1/2" iron rod set for the Northwest corner of a proposed Licensee lease site, and the Point of Beginning; Thence continuing N66°25'08"E (L1), a distance of 12.00 feet to a 1/2" iron rod set for the Northeast corner; Thence S23°34'52"E (L2), a distance of 14.30 feet to a 1/2" iron rod set for the Southeast corner; Thence S66°25'08"W (L3), a distance of 12.00 feet to a 1/2" iron rod set for the Southwest corner; Thence N23°34'52"W (L4), a distance of 14.30 feet to the Point of Beginning, containing 172.00 square feet or 0.004 acres, more or less.

Verizon Wireless Coaxial Easement Description

A 5.00 foot wide easement for utility purposes crossing a part of the CITY 21.250 acre tract, situated in the Clarinda Squires Survey, Abstract No. 1237, and the S.A. & M.G.R.R. Survey,

Abstract No. 1430 in the City of Coppell, Dallas County, Texas, said easement being 2.50 feet on each side of the following described centerline:

Commencing at a 1/2" iron rod set for the Southeast corner of the above described 0.004 acre proposed Licensee Lease Site; Thence N23°34'52"W on the East line of said 0.004 acre proposed Licensee Lease Site, a distance of 7.15 feet to the Point of Beginning; Thence S85°35'24"E, a distance of 66.75 feet to an ending point at an existing light pole. Sidelines for said easement are to be extended or shortened such as to begin on the East line of the above described 0.004 acre proposed Licensee Lease Site, and terminate at an existing light pole.

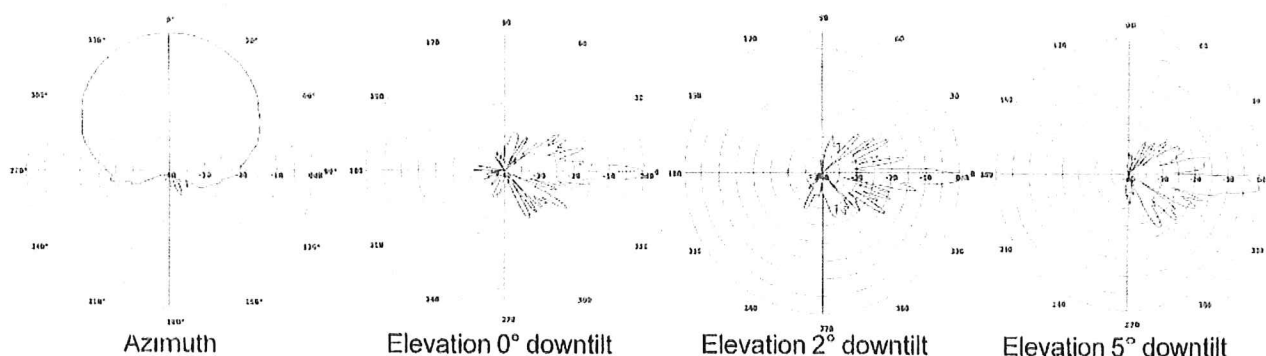
PCS 1900 65° 18.5 dBi X-Pol Antenna

Model No PCSX065-18-*

Frequency	1850 - 1990 MHz
Gain	18.5 dBi (16.4 dBd)
Input Impedance	50 ohms
VSWR	< 1.4:1
Polarization	± 45°
Electrical downtilt	0°, 2°, 5°
Azimuth beamwidth	65°
Elevation beamwidth	5°
1 st upper sidelobe	< -16 dB
1 st Null	> -20 dB
Front to back ratio	> 25 dB
Intermodulation	< -153 dBc for 2 x 20 W carriers
Input power	2 x 125 W at 40°C
Input connector	7/16-DIN female
Temperature	- 40°F (- 40°C) to + 140°F (+ 60°C)
Mounting interface	Wall or pole 2 - 4.5 in diameter (48 -115 mm), c/w pan & tilt
Survival wind speed	125 mph (56 m/s)
Wind loads at 100 mph (45 m/s)	Front: 72 lbf (320 N) Side: 43 lbf (190 N)
Weight	Antenna 13.2 lbs (6 kg) Bracket 7.7 lbs (3.5 kg)
Dimensions	69.0 x 6.0 x 3.5 in. (1753 x 152 x 89 mm)
Mounting bracket required:	XSL53863



Typical Radiation Patterns



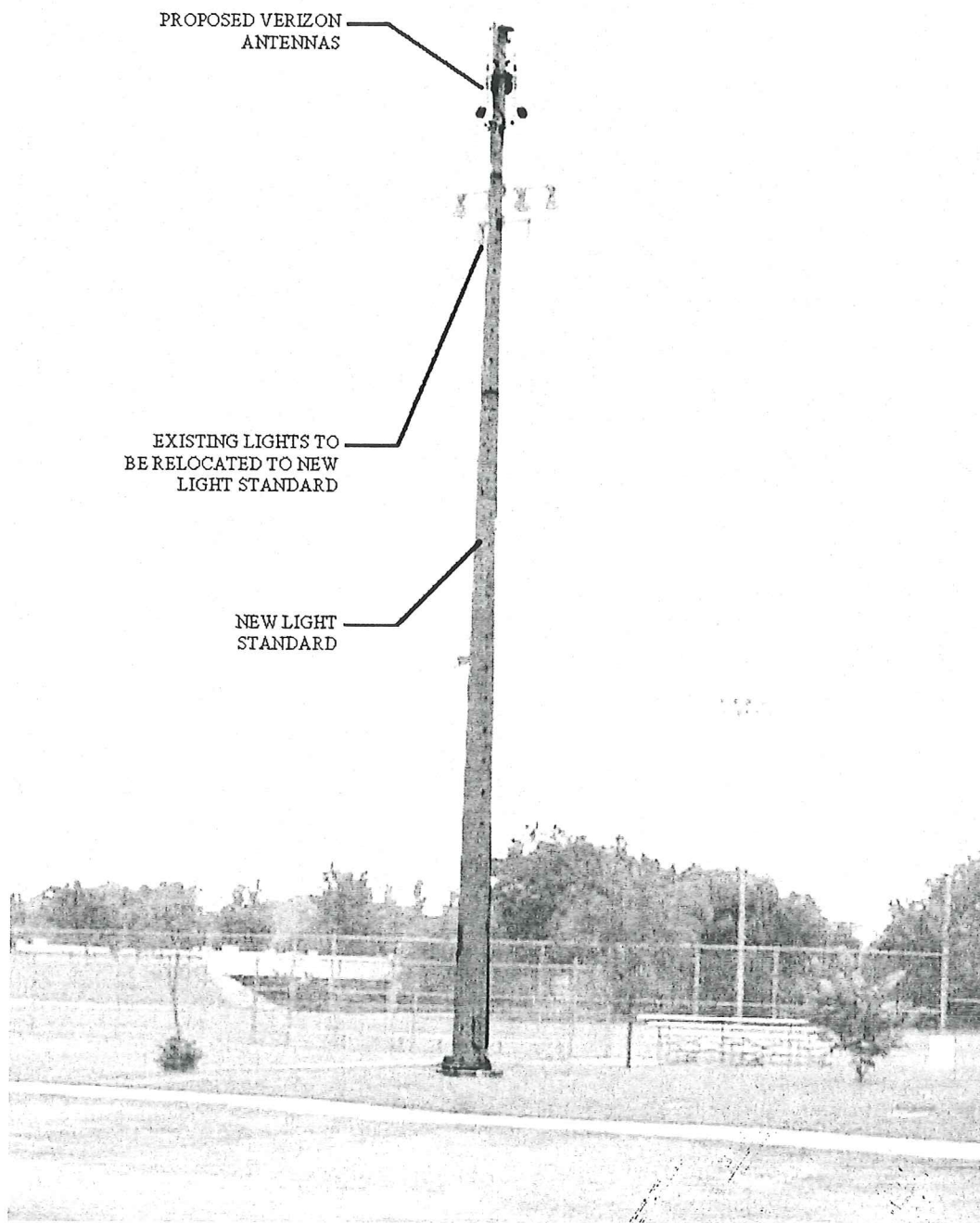
Radiation patterns available from the CSA Website in all the software planning tools
Visit <http://www.csa-wireless.com>

Americas office: CSA Wireless, Post Office Box 368, 1700 NE Cable Drive, Conover, NC 28613, USA
Tel 828 466 0412 Fax 828 466 0413 e-mail csa.sales@tripointglobal.com

International office: CSA Limited, Knight Road, Rochester, Kent, England ME2 2AX
Tel +44 (0)1634 715544 Fax +44 (0)1634 715742 e-mail sales@csauk.com

© 2001 CSA reserves the right to modify or change the specifications shown above
EXHIBIT "C"

Exhibit "A" (8 of 11)



NEW LIGHT
STANDARD.

ANDREW BROWN JR.
COMMUNITY PARK WEST

(AFTER)
WDG #030550

WALLACE
DESIGN GROUP

Office: (972) 484-6855
www.wdgp.com

JULY 20, 2004

EXHIBIT "D"

Exhibit "A" (9 of 11)

NEW COAX CABLES ARE TO
BE TRENCHED TO
PROPOSED LIGHT STANDARD
(NOT SHOWN ON PHOTOGRAPH)

PROPOSED SCREEN WALL IS TO
MATCH HEIGHT, COLOR,
PATTERN & MATERIALS OF
EXISTING BUILDING

PROPOSED VERIZON 10'x12'
EQUIPMENT AREA W/ OUTDOOR
EQUIPMENT

ELEV. 8.5'

PROPOSED VERIZON
ACCESS GATE

NEW SCREEN WALL WITH
OUTDOOR EQUIPMENT IN
COMPOUND & NEW LIGHT
STANDARD.

ANDREW BROWN JR.
COMMUNITY PARK WEST

(AFTER)
WDG #030550

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AUGUST 27, 2004

EXHIBIT "E"

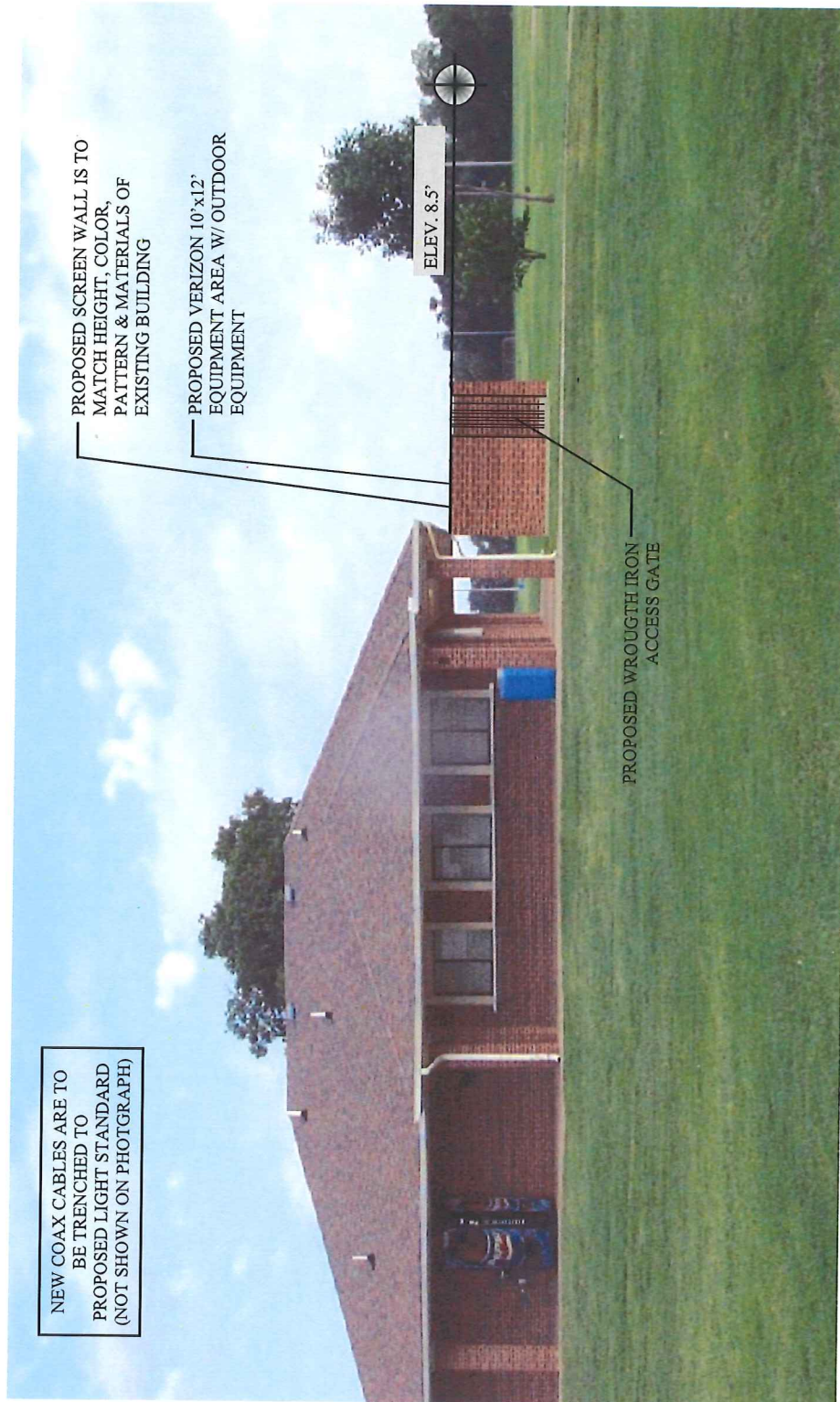


EXHIBIT "E" in color.

NEW SCREEN WALL WITH
OUTDOOR EQUIPMENT IN
COMPOUND & NEW LIGHT
STANDARD.

**ANDREW BROWN JR.
COMMUNITY PARK WEST**

(AFTER)
WDG #030550

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AUGUST 27, 2004