

## ORDINANCE NO. 2002

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A SPECIFIC USE PERMIT ON WESTPARK PROFESSIONAL CENTRE ADDITION LOT 2R, BLOCK 1 FOR A TELECOMMUNICATIONS TOWER; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING FOR A PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Zoning Board of Adjustment has conducted a public hearing on July 25, 2013, in conjunction with Variance Case No. 13-02-ZBA, and has rendered a decision to grant variances to Section 84-85(ai)(2)(a)(5) and (6) to Verizon Wireless for the construction of a telecommunications tower;

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on August 20, 2013, in conjunction with Specific Use Permit Case No. 12-18-SUP, and has rendered a recommendation to the City Council with respect to this case;

**WHEREAS**, City Council has conducted a public hearing on September 10, 2013 has considered the recommendation of the Planning and Zoning Commission, and has determined that the proposed change is in the best interest of the general welfare of the City of Euless and that any foreseeable negative impacts of the proposed use have been mitigated through design restrictions or other set conditions;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS:**

### **SECTION 1 ALLOWED USES**

**THAT** A telecommunication tower as specifically described on Exhibit "A" (attached hereto and made a part hereof) and on the Specific Use Permit Form (attached hereto and made a part hereof), shall be permitted on Westpark Professional Centre Addition, Lot 2R, Block 1.

### **SECTION 2**

**SEVERABILITY CLAUSE.** It is hereby declared to be the intention of the City Council of the City of Euless that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase.

**SECTION 3**

**PENALTY FOR VIOLATION.** Any person, firm, or corporation violating any of the terms and provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions," Section 1-12, "General Penalty," Eules Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

**SECTION 4**

**PUBLICATION.** The caption, penalty clause, and effective date clause of this ordinance shall be published in a newspaper of general circulation in the City of Eules, in compliance with the provisions of Article II, Section 12, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

**SECTION 5**

**EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, as provided by the Eules City Charter and the laws of the State of Texas.

**PRESENTED AND PASSED ON FIRST AND FINAL READING** at a regular meeting of the Eules City Council on September 10, 2013, by a vote of \_\_\_\_ayes, \_\_\_\_nays, and \_\_\_\_abstentions.

\_\_\_\_\_  
Mary Lib Saleh, Mayor

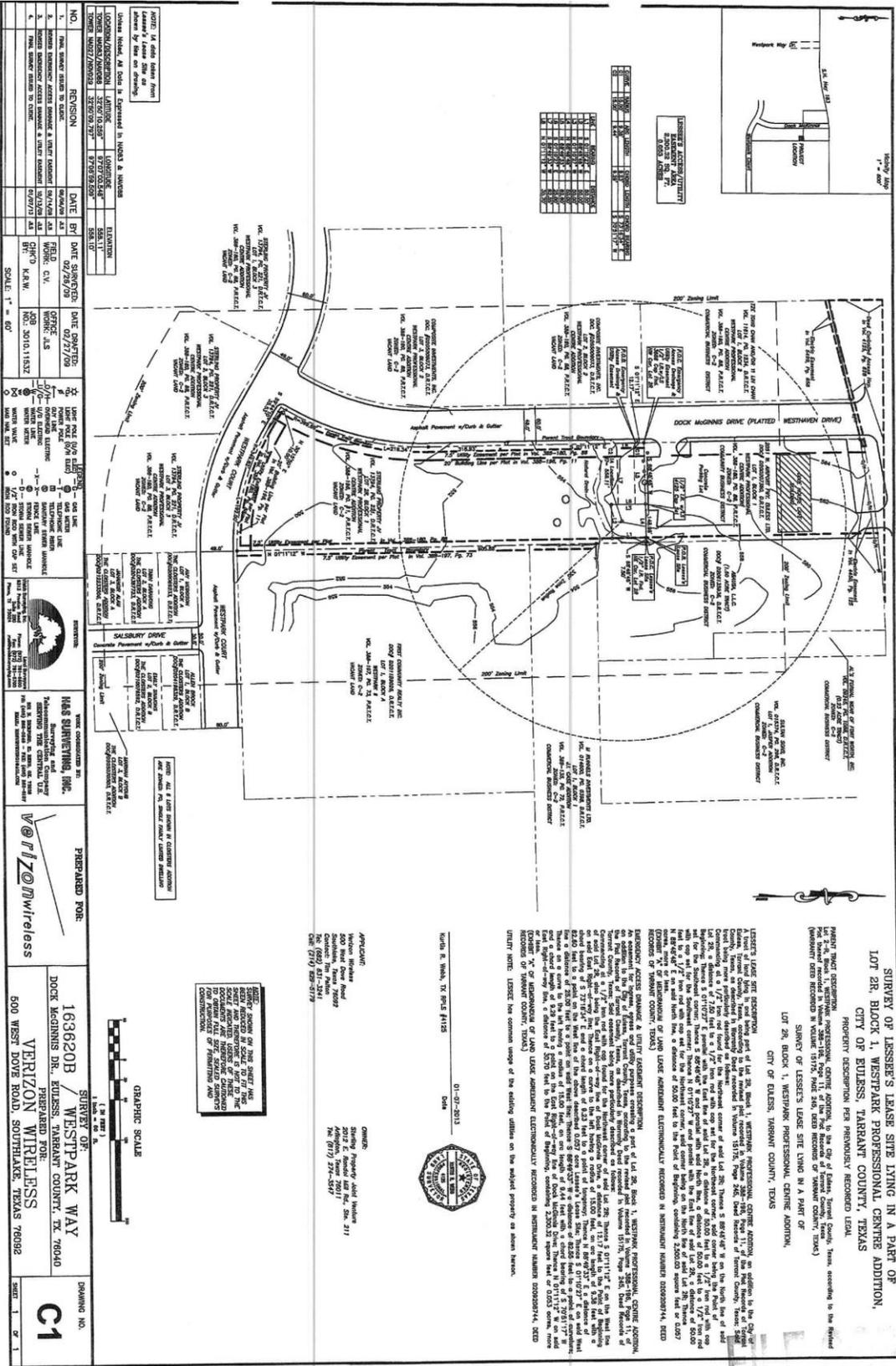
ATTEST:

\_\_\_\_\_  
Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Wayne Olson, City Attorney

# EXHIBIT A



NO.	DATE	BY	REVISION	DATE
1.	02/27/09	AS	INITIAL SURVEY	02/27/09
2.	03/24/09	AS	REVISION	03/24/09
3.	04/27/09	AS	REVISION	04/27/09
4.	05/27/09	AS	REVISION	05/27/09

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3.	04/27/09	AS	REVISION	04/27/09
4.	05/27/09	AS	REVISION	05/27/09

GRAPHIC SCALE  
1" = 50'

PREPARED FOR:  
WESTPARK WAY  
163620B  
DOCK MCGINNIS DR.  
EULESS, TARRANT COUNTY, TX 76040

VERIZON WIRELESS  
500 WEST DOVE ROAD, SOUTHLAKE, TEXAS 76082

DRAWING NO.  
C1

APPLICANT:  
Verizon Wireless  
2012 E. Grand Ave. Ste. 211  
Arlington, Texas 76011  
Tel: (817) 517-2600  
Fax: (817) 517-2601

CONTRACT NO.  
2012 E. Grand Ave. Ste. 211  
Arlington, Texas 76011  
Tel: (817) 517-2600  
Fax: (817) 517-2601

DATE: 01-07-2013  
SOUTH R. WALK, TX PLOT #4125

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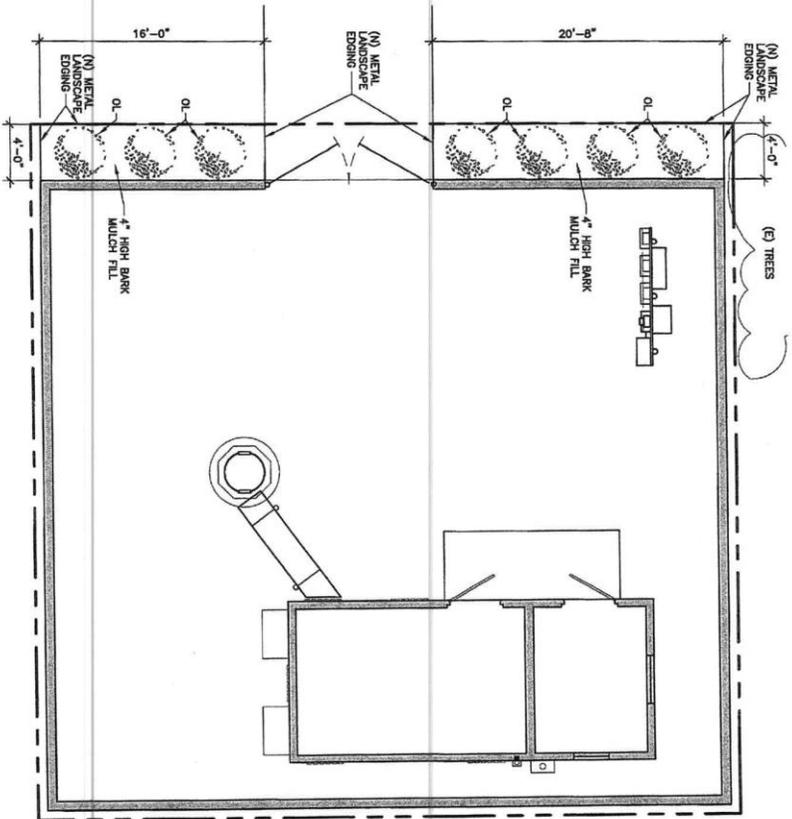
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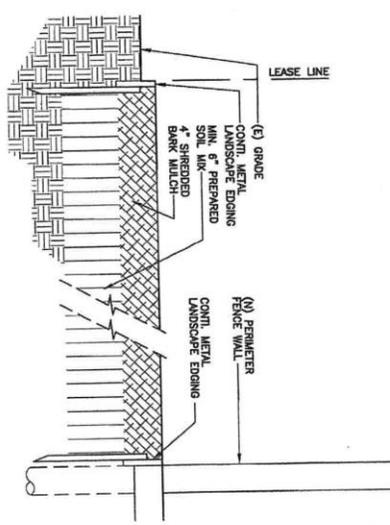
NO. 10181 PROPERTY OF...



**1 LANDSCAPING PLAN**  
 SCALE: 1/8" = 1'-0"  
 NORTH

KEY	COMMON NAME	SIZE	SPACING
OL	OLEANDER	5 GAL.	60" O.C.

**2 PLANT SCHEDULE**  
 SCALE: N.T.S.



**3 PLANTING BED DETAIL**  
 SCALE: 1" = 1'-0"

TEXAS ONE CALL SYSTEM  
 CALL BEFORE YOU DIG  
 1-800-245-4545  
 DATE OF HOLES BEFORE YOU DRILL OR BORE.

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.

**ARCHICORP, L.L.C.**  
 1110 S. W. 10th Street  
 San Antonio, Texas 78213  
 (210) 308-8955

SHEET TITILE  
**LANDSCAPING PLAN**

SHEET NUMBER  
 01.14.13 ISSUE FOR REVIEW  
 02.28.13 ISSUE FOR CONSTRUCTION

**WESTPARK WAY**  
 \*\*\*  
 DOCK MCGINNIS DRIVE  
 EULESS, TEXAS 76040  
 (163620)

**Verizon wireless**

APPROVAL SIGNATURES: \_\_\_\_\_

LANDLORD: \_\_\_\_\_

LEASING: \_\_\_\_\_

CONSTRUCTION: \_\_\_\_\_

DATE: 02.08.13

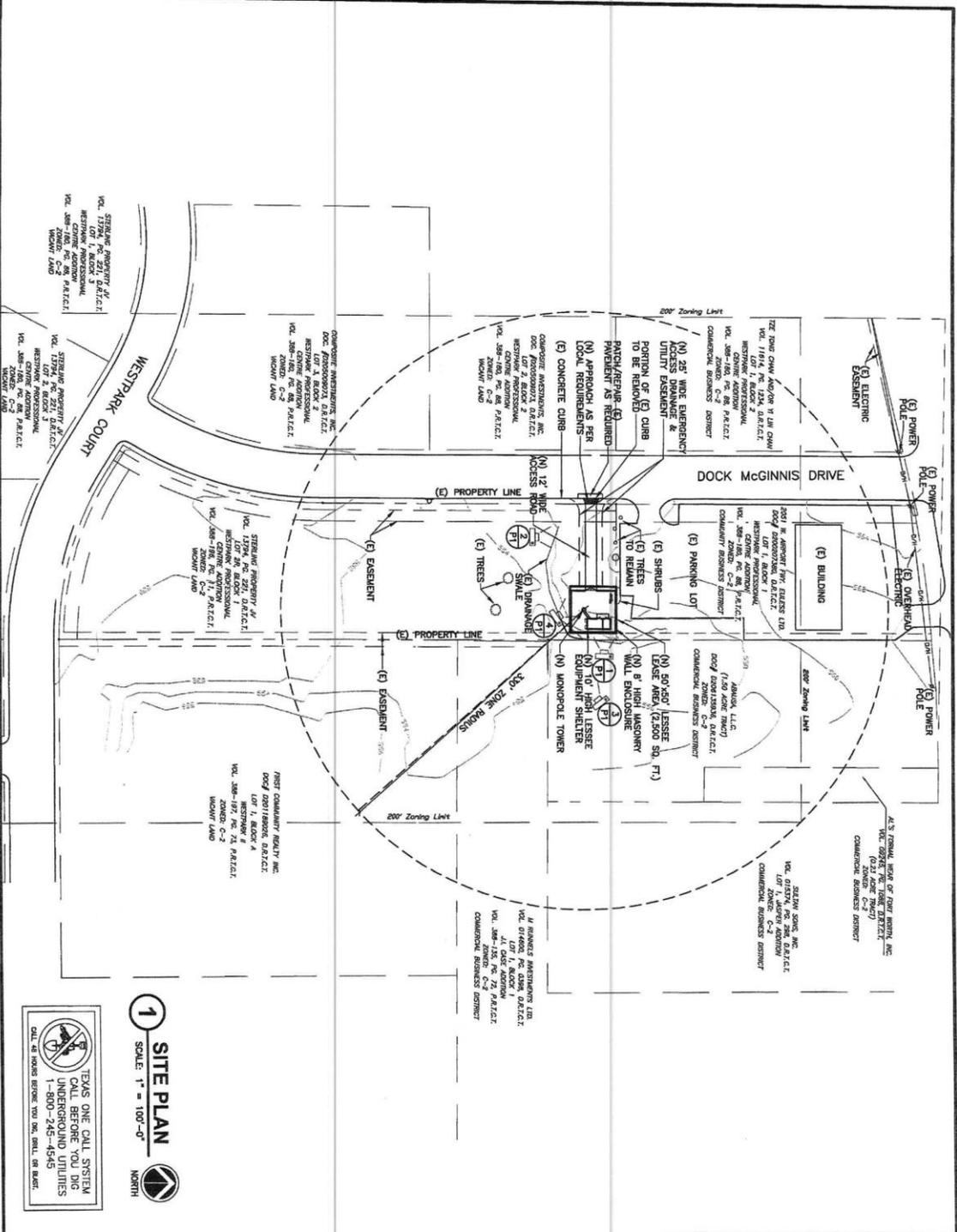
EXP. DATE: 06/30/13

THIS IS AN INCOMPLETE SET OF DRAWINGS. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION.

DATE: 02.08.13

EXP. DATE: 06/30/13

**L1**



TEXAS ONE CALL SYSTEM  
CALL BEFORE YOU DIG  
UNDERGROUND UTILITIES  
1-800-248-4545  
CALL AT YOUR RISK. YOU DIG. WE'LL BE THERE.

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

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**APPROVAL SIGNATURES**

LANDLORD

LEASING

CONSTRUCTION

DATE: 02/13/13

**WESTPARK WAY**

\*\*\*

DOCK MCGINNIS DRIVE  
EULESS, TEXAS 76040

(163620)

**Verizon Wireless**

ARCHICOMM, LLC  
1008 DASHLEY  
Suite A-100  
2501 38th Street  
Dallas, TX 75218  
Tel: 214-343-8888

**THIS IS AN INCOMPLETE  
DRAWING. IT IS NOT TO BE  
REPRODUCED OR  
FOR CONSTRUCTION.**

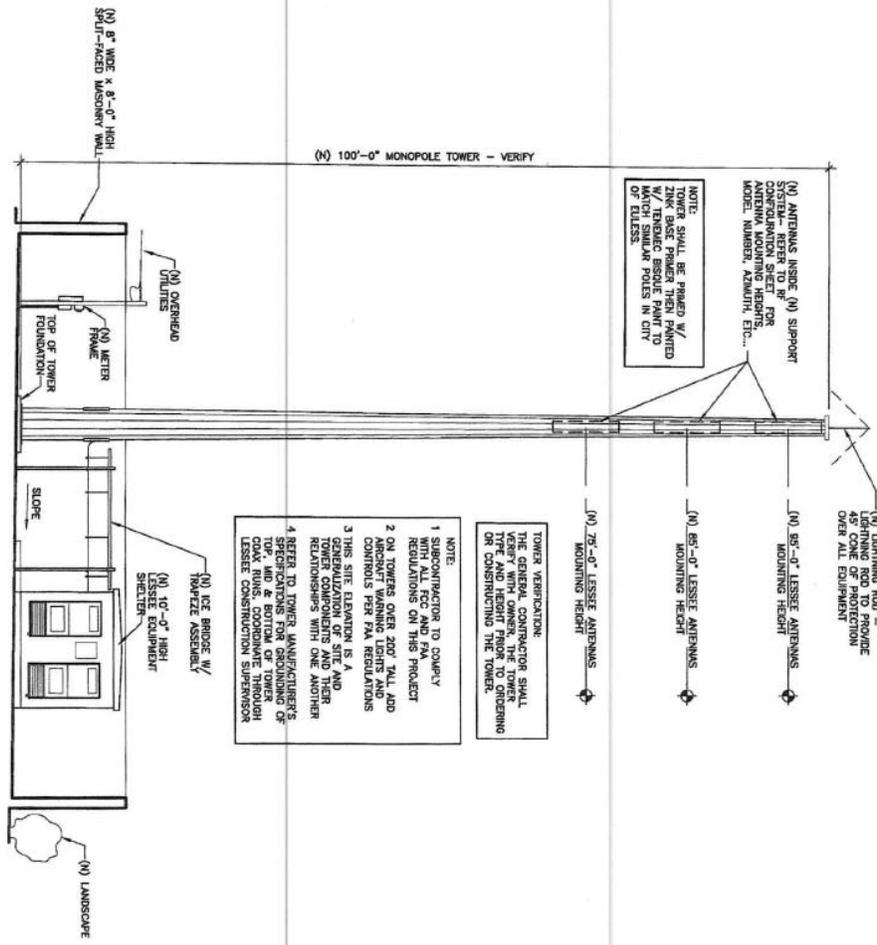
SHEET HISTORY

DATE: 02/13/13

ISSUE FOR CONSTRUCTION

**A1**





NOTE:  
 (N) ANTENNAS INSIDE (N) SUPPORT SYSTEM- REFER TO RF FOR CONSTRUCTION SHEET FOR ANTENNA MOUNTING HARDWARE MODEL NUMBER, AZMATH, ETC...

(N) 95'-0" LESSEE ANTENNAS  
 MOUNTING HEIGHT  
 (N) 75'-0" LESSEE ANTENNAS  
 MOUNTING HEIGHT  
 (N) 100'-0" MONOPOLE TOWER - VERIFY

(N) LIGHTNING ROD - LIGHTNING ROD TO PROVIDE PROTECTION OVER ALL EQUIPMENT

NOTE:  
 1 SUBCONTRACTOR TO COMPLY WITH ALL CITY AND STATE REGULATIONS ON THIS PROJECT  
 2 ON TOWERS OVER 60' TALL, ADD AIRPORT WARNING LIGHTS AND CONTROLS PER FAA REGULATIONS  
 3 THIS SITE ELEVATION IS A GENERALIZATION OF SITE AND TOWER COMPONENTS AND HEIGHT RELATIONSHIPS WITH ONE ANOTHER  
 4 REFER TO TOWER MANUFACTURERS' SPECIFICATIONS FOR TOWER TOP AND BOTTOM OF TOWER COORDINATE THROUGH LESSEE CONSTRUCTION SUPERVISOR

TOWER VERIFICATION:  
 THE GENERAL CONTRACTOR SHALL VERIFY WITH OWNER, THE TOWER TYPE AND HEIGHT PRIOR TO ORDERING OR CONSTRUCTING THE TOWER.

1 SITE ELEVATION  
 SCALE: N.T.S.

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**ARCHICOMM, LLC.**  
 1006 Beckett  
 San Antonio, Texas 78213  
 (210) 296-8938  
 (210) 296-8938

DATE: 02/13/13  
 EXP. DATE: 06/30/13

**WESTPARK WAY**  
 \*\*\*  
 DOCK MCGINNIS DRIVE  
 EULESS, TEXAS 76040  
 (163620)

**Verizon wireless**

THIS IS AN UNCONTROLLED COPY OF THE ORIGINAL DESIGN. THE ORIGINAL DESIGN SHALL BE USED FOR CONSTRUCTION.

APPROVAL SIGNATURES  
 LANDLORD  
 EASING  
 CONSTRUCTION

SHEET HISTORY  
 01/14/13 ISSUE FOR REVIEW  
 02/28/13 ISSUE FOR CONSTRUCTION

A3