

ORDINANCE NO. 2008

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 Telecommunication Tower as specifically described on the Specific Use Permit Form (attached hereto and made a part hereof) and on **Exhibit "A"** (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," Euless 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 Euless, in compliance with the provisions of Article II, Section 12, of the City Charter.

SECTION 5.

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

PRESENTED AND PASSED ON FIRST AND FINAL READING at a regular meeting of the Euless 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



ORDINANCE NO. 2008
SPECIFIC USE PERMIT CASE #12-18-SUP

LAND USE: Telecommunications Tower

LOCATION: Lot 2R, Block 1, Westpark Professional Centre Addition
200 Block of Dock McGinnis Road

This permit is valid only for the property and use listed above and then ONLY in accordance with the following documents and/or conditions:

CONDITIONS (INCLUDING DATES):

Conditions will be inserted after City Council approval.

Considered by Planning and Zoning Commission:

DATE OF ACTION: August 20, 2013

approval

denial

X

Signature of P & Z Chairman

Considered by City Council:

DATE OF ACTION: September 10, 2013

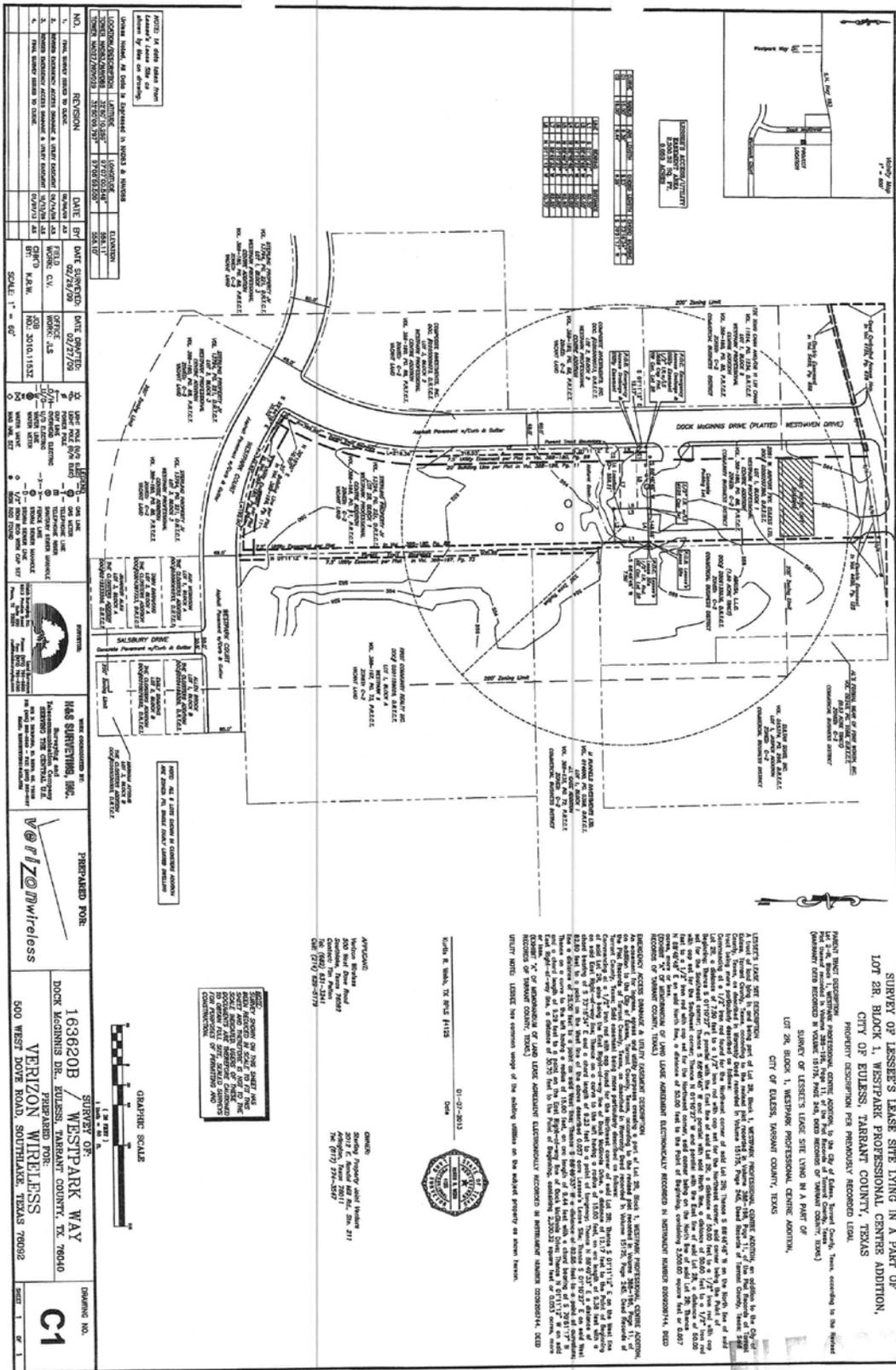
approval

denial

X

Signature of Mayor

EXHIBIT "A"



NO.	REVISION	DATE	BY	DATE DWT/DS	DATE DWT/DS
1.	ISSUE SHEET TO BE MADE	02/28/09	CLW	02/27/09	
2.	ISSUE SHEET TO BE MADE	02/27/09	CLW	02/27/09	
3.	ISSUE SHEET TO BE MADE	02/27/09	CLW	02/27/09	
4.	ISSUE SHEET TO BE MADE	02/27/09	CLW	02/27/09	

SCALE: 1" = 40'

DATE: 02/27/09

BY: CLW

PROJECT: 163620B WESTPARK WAY

CLIENT: VERIZON WIRELESS

ADDRESS: 500 WEST DOWE ROAD, SOUTHWALK, TEXAS 75092

DRAWING NO. C1

PROPERTY DESCRIPTION: SURVEY OF LESSEE'S LEASE SITE LYING IN A PART OF LOT 2B, BLOCK 1, WESTPARK PROFESSIONAL CENTRE ADDITION, CITY OF DALLAS, TARRANT COUNTY, TEXAS

PROPERTY DESCRIPTION FOR PREVIOUSLY RECORDED LEASE: PART 1, WESTPARK PROFESSIONAL CENTRE ADDITION, IN THE CITY OF DALLAS, TARRANT COUNTY, TEXAS, ACCORDING TO THE RECORDED INSTRUMENT NO. 2008-001118X, RECORDED IN VOLUME 1517X, PAGE 248, DATED 02/27/09.

SURVEY OF LESSEE'S LEASE SITE LYING IN A PART OF LOT 2B, BLOCK 1, WESTPARK PROFESSIONAL CENTRE ADDITION, CITY OF DALLAS, TARRANT COUNTY, TEXAS

APPLICANT: Verizon Wireless

ADDRESS: 500 West Dowe Road, Southwalk, Texas 75092

PHONE: (972) 270-2779

DATE: 02/27/09

PREPARED FOR: VERIZON WIRELESS

ADDRESS: 500 WEST DOWE ROAD, SOUTHWALK, TEXAS 75092

DATE: 02/27/09

BY: CLW

SCALE: 1" = 40'

DATE: 02/27/09

BY: CLW

DATE: 02/27/09

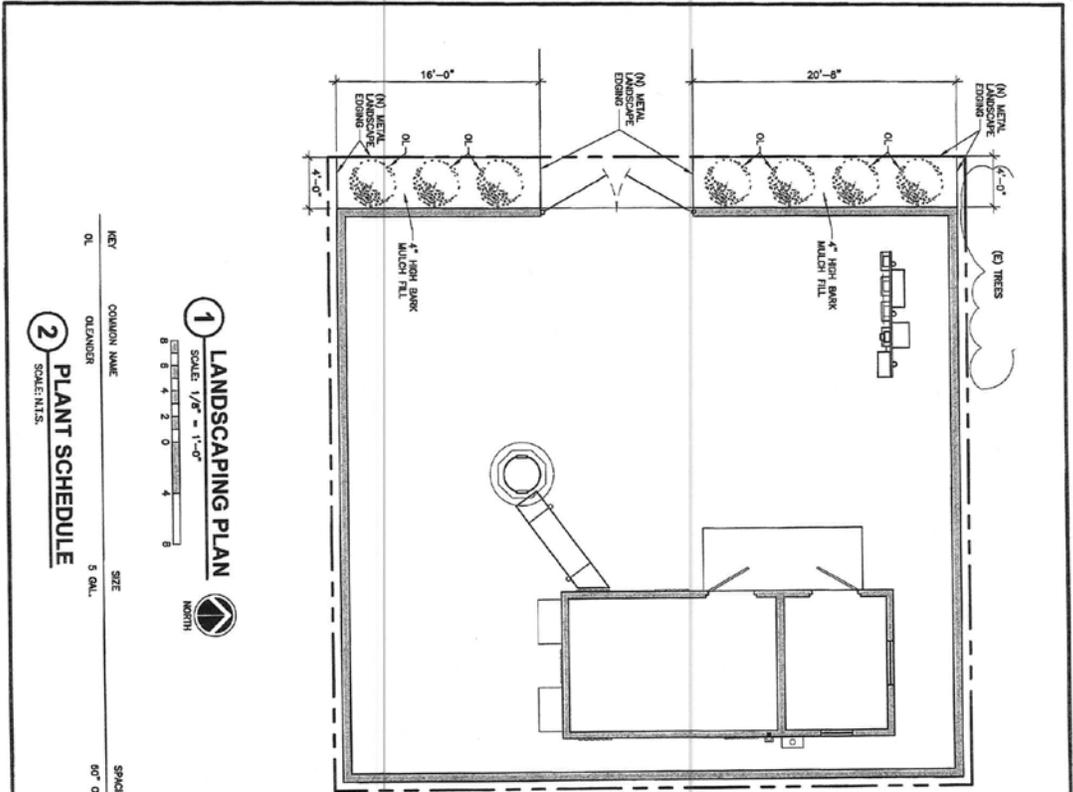
BY: CLW

DATE: 02/27/09

BY: CLW

DATE: 02/27/09

BY: CLW

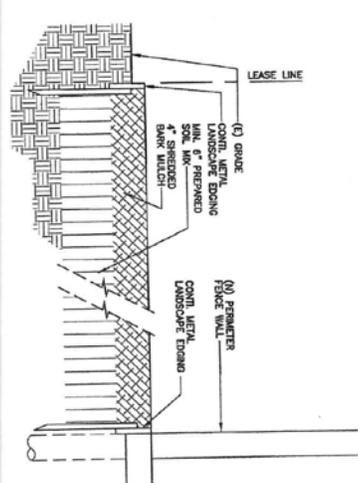


1 LANDSCAPING PLAN
 SCALE: 1/8" = 1'-0"
 NORTH

2 PLANT SCHEDULE
 SCALE: N/A

KEY	COLUMN NAME	SIZE	SPACING
0L	CYLINDER	5 GAL.	60" O.C.

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



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

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

APPROVAL SIGNATURES
 LANDLORD
 LEASING
 CONSTRUCTION

DATE: 02.28.13

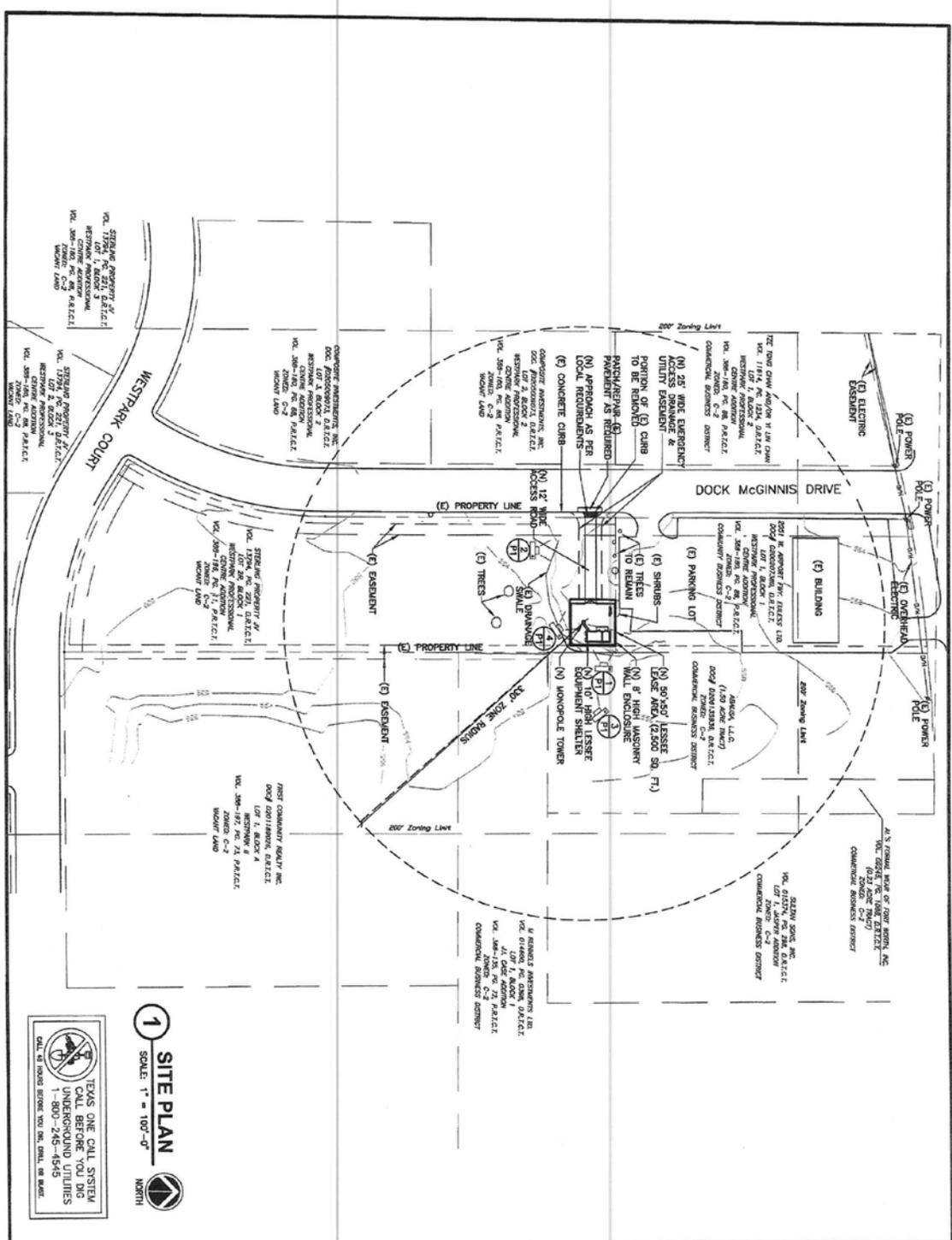
THIS IS A PRELIMINARY PLAN. IT IS SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF EULESS. ANY CHANGES TO THIS PLAN MUST BE APPROVED BY THE CITY OF EULESS.

ARCHICOMM, L.L.C.
 San Antonio, Texas 78213
 2101 San Antonio Avenue
 SAN ANTONIO, TEXAS 78213

SUBSET TITLE
 LANDSCAPING PLAN

SUBSET HISTORY
 01.16.13 ISSUE FOR REVIEW
 02.28.13 ISSUE FOR CONSTRUCTION

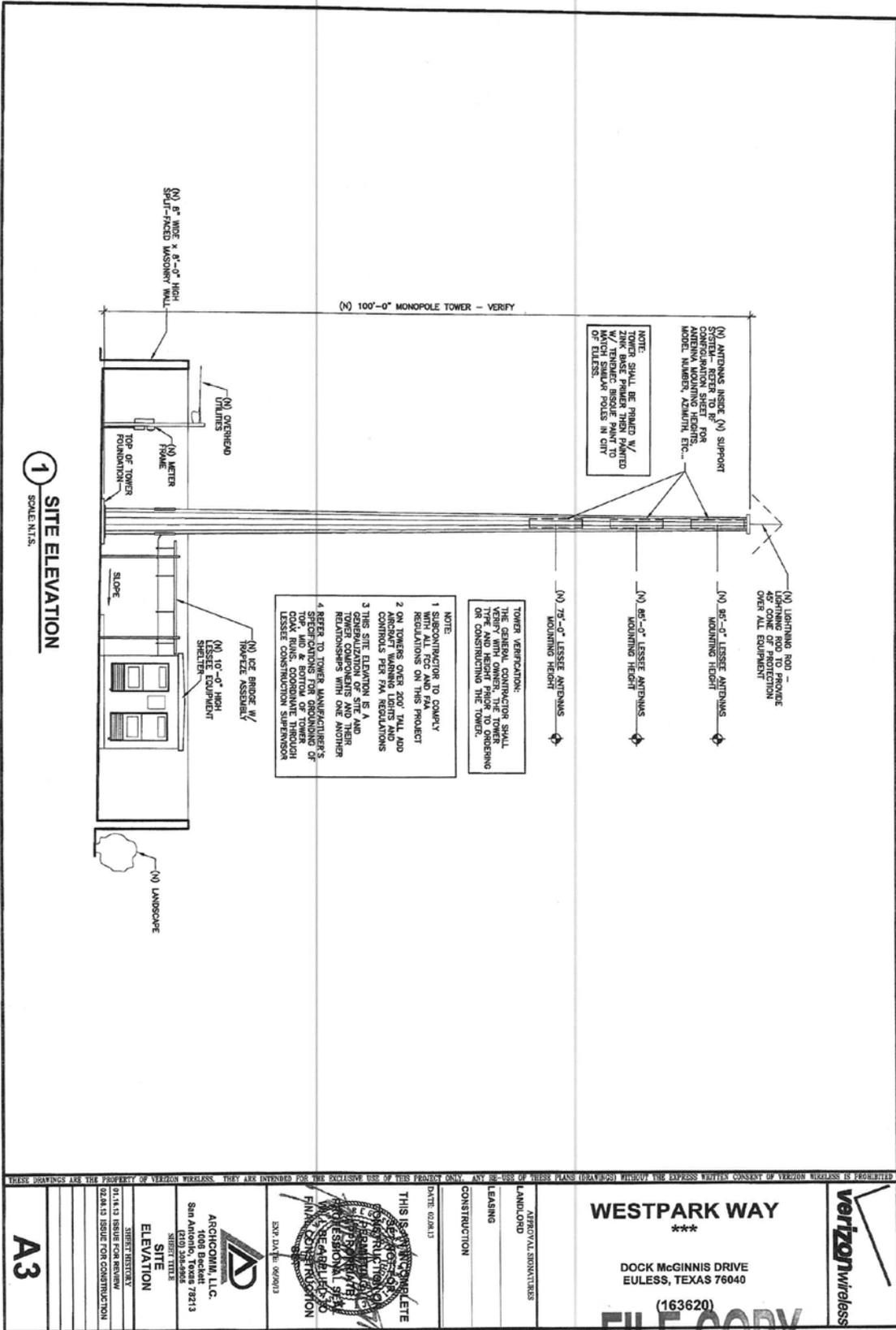
L1



TEXAS ONE CALL SYSTEM
CALL BEFORE YOU DIG
1-800-246-4545
CALL TO REPORT BEFORE YOU DIG, DRILL, OR DIG.

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

<p>THIS DRAWING IS THE PROPERTY OF VERIZON WIRELESS. IT IS LOANED TO YOU 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>	
<p>WESTPARK WAY *** DOCK MCGINNIS DRIVE EULESS, TEXAS 76040 (163620)</p>	
<p>Verizon Wireless</p>	
<p>APPROVAL SIGNATURES LANDLORD</p>	<p>LEASING CONSTRUCTION</p>
<p>DATE: 08/14/13 DRAWN BY: [Signature]</p>	
<p>THIS IS A PROFESSIONAL ENGINEERING SEAL FOR THE STATE OF TEXAS Professional Seal of [Signature] Professional No. 12345 Firm Name: [Firm Name]</p>	
<p>ARCHICOMM, LLC 1006 DeSoto San Antonio, Texas 78213 (210) 248-8888</p>	
<p>SHEET HISTORY #1: 11/13/13 ISSUE FOR CONSTRUCTION</p>	
<p>A1</p>	



1 SITE ELEVATION
SCALE: N.T.S.

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WESTPARK WAY

DOCK MCGINNIS DRIVE
EULESS, TEXAS 76040
(163620)

VERIZON wireless

APPROVAL SIGNATURES
LANDLORD
LEASING
CONSTRUCTION

THIS IS A PROFESSIONAL ENGINEERING SEAL AND SIGNATURE FOR THE STATE OF TEXAS. THE SEAL IS VALID FOR THE PRACTICE OF PROFESSIONAL ENGINEERING. THE SEAL IS VALID FOR THE PRACTICE OF PROFESSIONAL ENGINEERING. THE SEAL IS VALID FOR THE PRACTICE OF PROFESSIONAL ENGINEERING.

ARCHOCOM, L.L.C.
1005 Buckhall
San Antonio, Texas 78213
(210) 352-8888
C21013252888

SHEET HISTORY
01.14.13 ISSUE FOR REVIEW
02.14.13 ISSUE FOR CONSTRUCTION

A3