

ORDINANCE NO. 3567

AN ORDINANCE OF THE CITY OF SACHSE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP, AS HERETOFORE AMENDED; TO GRANT A CHANGE OF ZONING FROM AN AGRICULTURAL (AG) DISTRICT AND SINGLE FAMILY RESIDENTIAL (R-1) DISTRICT TO A PLANNED DEVELOPMENT DISTRICT (PD-26) TO ALLOW FOR THE DEVELOPMENT OF A TYPE 2 CELLULAR COMMUNICATIONS TOWER ON AN APPROXIMATELY 10.6241-ACRE TRACT OF LAND, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" AND LOCATED AT 6420 SACHSE ROAD, CITY OF SACHSE, DALLAS COUNTY, TEXAS; PROVIDING FOR THE APPROVAL OF THE ZONING EXHIBIT ATTACHED AS EXHIBIT "B"; PROVIDING FOR THE APPROVAL OF DEVELOPMENT STANDARDS ATTACHED AS EXHIBIT "C"; PROVIDING FOR THE APPROVAL OF THE ZONING CONCEPT PLAN APPROVED AS EXHIBIT "D"; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY 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 Planning and Zoning Commission of the City of Sachse and the governing body of the City of Sachse, in compliance with state laws applying to amending the Comprehensive Zoning Ordinance and Map, have given the requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Sachse is of the opinion that said comprehensive Zoning Ordinance should be amended as provided herein;

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

SECTION 1. That the Comprehensive Zoning Ordinance and Map of the City of Sachse, Texas, as heretofore amended, be and the same are hereby further amended to grant a change in zoning from Agricultural (AG) and Single Family Residential (R-1) to Planned Development (PD) on an approximately 10.6241-acre tract of land located 6420 Sachse Road, City of Sachse, Dallas County, Texas being more particularly described by metes and bounds in Exhibit "A" and as depicted in Exhibit "B", attached hereto and incorporated herein by reference.

SECTION 2. The property described in Exhibit “A”, shall be developed in accordance with the following exhibits, each of which are attached hereto and incorporated herein:

Exhibit “C” - Development Regulations

Exhibit “D” - Zoning Concept Plan.

SECTION 3. That all provisions of the ordinances of the City of Sachse in conflict with the provisions of this ordinance be and the same are hereby repealed.

SECTION 4. 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 hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.


SECTION 5. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. 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 Sachse, 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 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED by the City Council of the City of Sachse, Texas on the 17 day of FEBRUARY, 2014.

APPROVED:



Mike Felix
Mayor

DULY ENROLLED:



Terry Smith
City Secretary

APPROVED AS TO FORM:

Peter G. Smith
City Attorney
(01-08-14/64265)

EXHIBIT "A"

BEING a tract of land situated in the T. R. Goodwin Survey, Abstract No. 502, and the R. D. Newman Survey, Abstract No. 1072 in the City of Sachse, Texas, also being all of that certain 9.994 acre tract of land conveyed to the City of Sachse, according to that Special Warranty Deed dated February 23, 2000, recorded in Volume 2000040, Page 1742, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the center of Sachse Road from which a 3/8 inch iron rod found at the most westerly corner of said 9.994 acre tract, same being the most northerly corner of a 3.42 acre tract conveyed to the City of Sachse, Texas, by Volume 87096, Page 4197, Deed Records, Dallas County, Texas, also being in the southeast right-of-way line of Sachse Road, bears South 36 degrees 11 minutes 38 seconds East a distance of 50.48 feet;

THENCE along the centerline of said Sachse Road, North 45 degrees 53 minutes 01 seconds East, a distance of 545.23 feet to a Point;

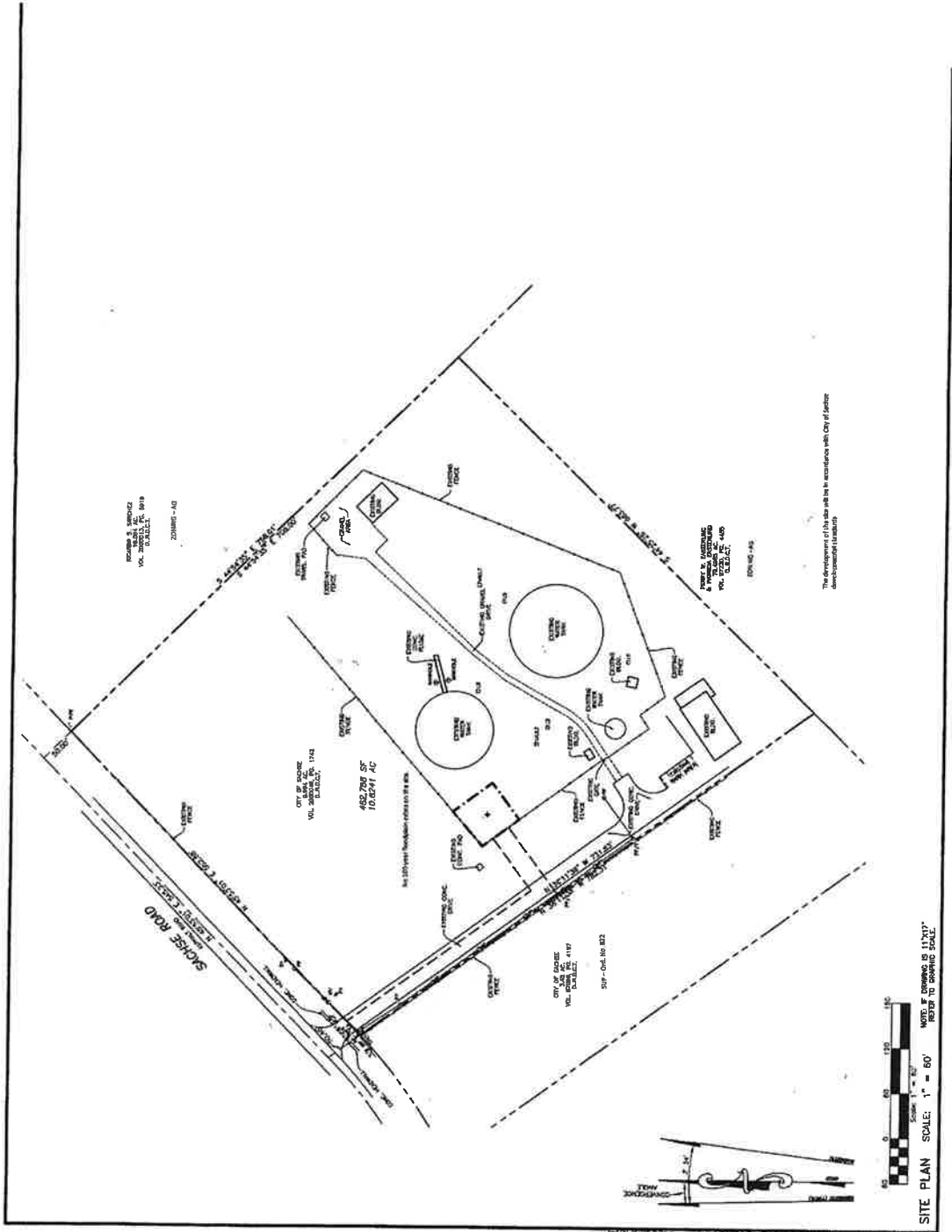
THENCE South 44 degrees 54 minutes 35 seconds East, passing at a distance of 50.00 feet a 1" pipe found for the most northerly corner of said 9.994 acre tract, same being the most westerly corner of a 10.084 acre tract conveyed to Ricardo S. Sanchez by Volume 2005013, Page 5919, Deed Records, Dallas County, Texas, and continuing for a total distance of 758.01 feet to a Point, same being the most easterly corner of said 9.994 acre tract and being the most northerly corner of a 79.4965 acre tract conveyed to Perry W. Easterling and Patrician Easterling by Volume 97230, Page 4455, Deed Records, Dallas County, Texas;

THENCE along the southeast line of said 9.994 acre tract, same being the northwest line of said 79.4965 acre tract, South 44 degrees 25 minutes 26 seconds West, a distance of 663.77 feet to a Point, same being the most southerly corner of said 9.994 acre tract and the most easterly corner of said 3.42 acre tract;

THENCE along the southwest line of said 9.994 acre tract, same being the northeast line of said 3.42 acre tract, North 36 degrees 11 minutes 38 seconds West, passing at a distance of 731.83 feet a 3/8 inch iron rod found at the most westerly corner of said 9.994 acre tract, same being the most northerly corner of said 3.42 acre tract and continuing for a total distance of 782.31 feet to the POINT OF BEGINNING hereof and containing 10.6241 acres or 462,788 square feet of land, more or less.

EXHIBIT B

07/30/2013



**EXHIBIT B - ZONING EXHIBIT
P13-07**

SACHSE EAST WATER TOWER
5436 SACHSE RD.
THOMAS R. GOODWIN ABSTRACT 502 PAGE 135
R.D. NEWMAN ABSTRACT 1072
DALLAS COUNTY
DECEMBER, 2013

OWNER: CITY OF SACHSE
3815 SACHSE ROAD
SACHSE, TX. 75048
972.495.1212

APPLICANT: PETER KAVANAGH
ZONE SYSTEMS, INC
1620 HANDLEY DRIVE
DALLAS, TX. 75208
214.941-4440

REPRESENTING: VERIZON WIRELESS

TOTAL GROSS AREA = 10.6241 ACRES

SITE PLAN SCALE: 1" = 60'
SCALE: 1" = 60'
AS SHOWN TO SACHSE EAST WATER TOWER

PLANNED DEVELOPMENT STANDARDS

Existing Zoning and Land Use

The existing zoning designation for the subject property is Agricultural (AG) and Single Family Residential (R-1). The subject property is currently being utilized for the City of Sachse Public Works building and related operations.

Planned Development Standards

The Planned Development will utilize an underlying zoning designation of Agricultural (AG) with the following exception that a “Type 2 Telecommunications Antenna” is permitted by right. All other Agricultural district standards will be in effect.

Design/Construction Standards

The Planned Development will utilize the following design and construction standards:

General. These Standards will permit the erection of a monopole that will be one hundred fifty (150) feet in height. The monopole will be designed to accommodate four (4) carriers. Ground space around the tower will be large enough to accommodate the ground equipment of other carriers.

Tower. The tower is a monopole that will be one hundred fifty (150) feet in height. The top antenna mast on the tower will be constructed to provide for the antennas to have a center line (center of an eight-foot tall antenna would be in the middle or at the four foot mark). The total height with the mast just above the top of the tower and the lightning rod being just above the mast is one hundred fifty eight (158) feet.

The tower will be designed for this site. A foundation plan will be designed for this site. All plans are to be sealed by a registered Texas engineer.

The tower will be constructed in accordance with Figure 1 below.

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EXHIBIT C

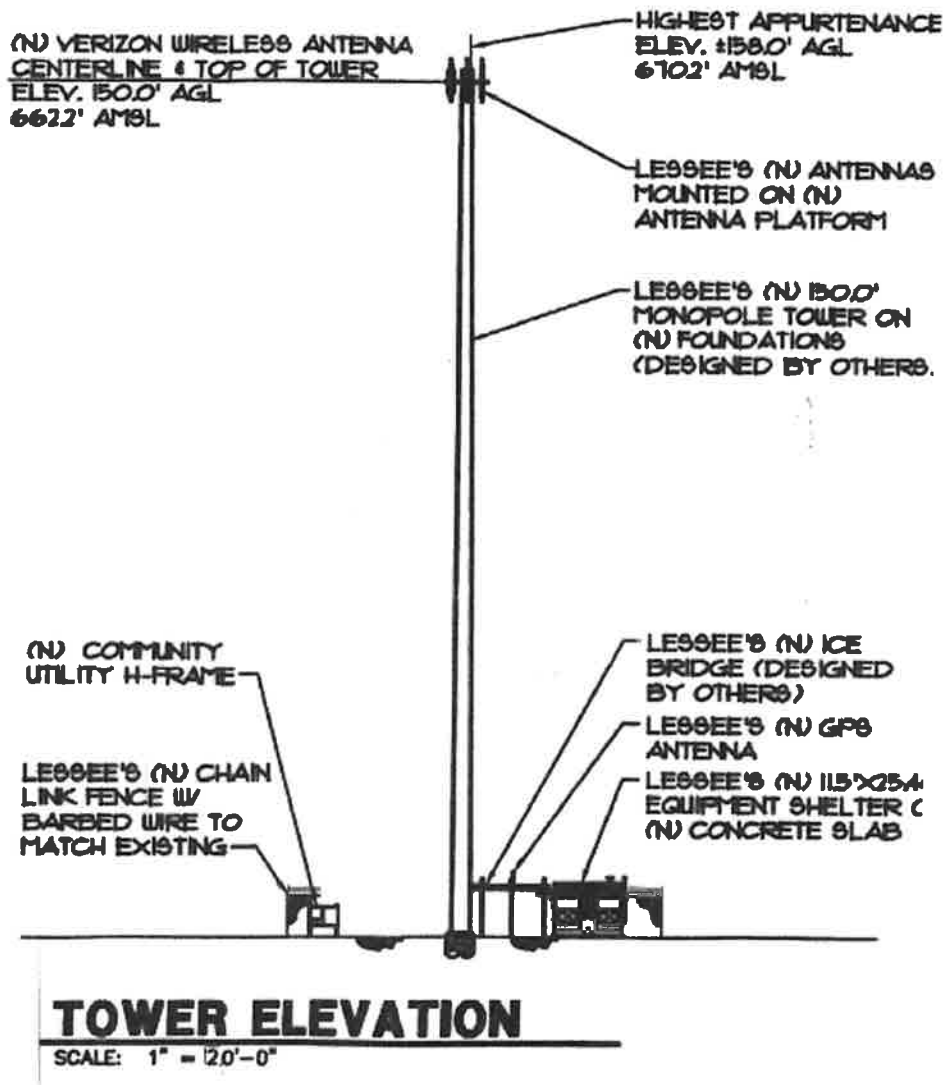


Figure 1. Tower Elevation

Compound. The compound will be approximately sixty (60) feet by sixty (60) feet area surrounded by a six foot chain-link fence (Reference Exhibit D of this Ordinance for Compound boundary). The compound will contain the tower and ground equipment. The ground equipment will sit on a concrete slab. Other telecommunications carriers who may co-locate on this tower will have their ground equipment on separate concrete slabs. The location of future equipment shelters/cabinets is provided on Exhibit D to show the potential location of such improvements in the future. Modification of the final location of equipment shelters/cabinets will be permitted without amendment to this Planned Development provided the location is wholly within the compound area shown on Exhibit D.

EXHIBIT C

Each carrier will have separate electrical service. One utility H-frame will contain all meters. The ground surface in the compound that is not covered by concrete slabs will be gravel over fabric that allows water penetration without grass growing in the compound (See Figure 2).

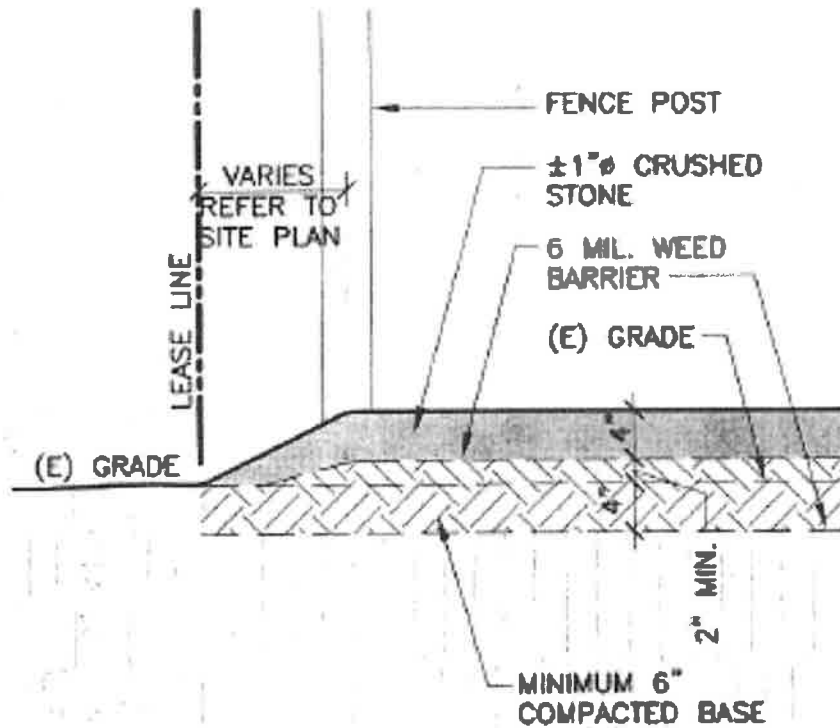
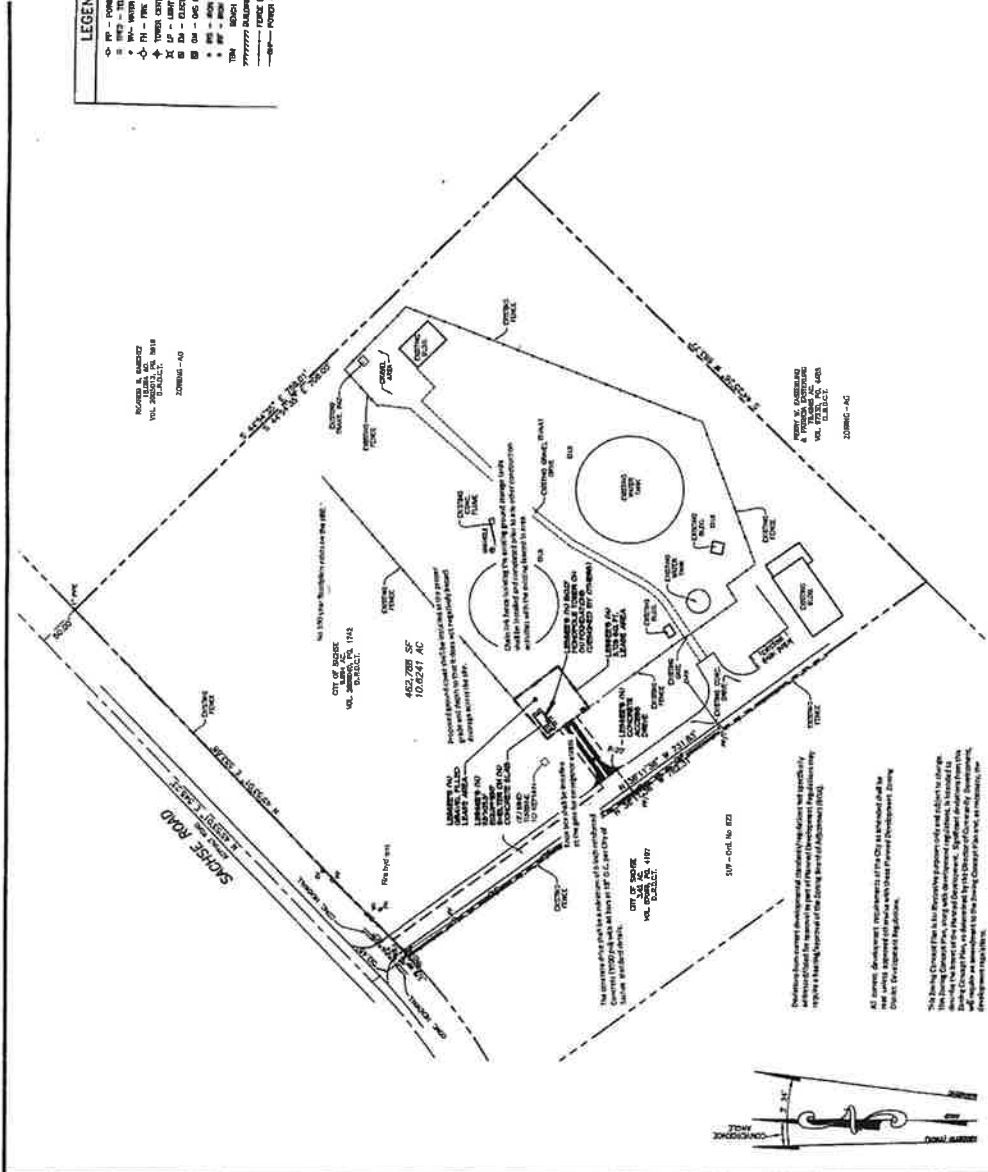


Figure 2. Site Edge Detail

Construction. No construction will occur until the City of Sachse has approved a building permit, electrical permit and fence permit (if required). All drawings are sealed by a Texas registered engineer or architect as appropriate per Code. The fence that now surrounds the elevated water storage tank will be relocated in this area as the first construction activity in order to continue the current fenced security of the elevated storage tank.

RECORD



STIP - Old No. 823

City of Sapulpa
Vol. 2003, P. 4187
SAPULPA, OK

City of Sapulpa
Vol. 2003, P. 4187
SAPULPA, OK

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Vol. 2003, P. 4187
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SAPULPA, OK

City of Sapulpa
Vol. 2003, P. 4187
SAPULPA, OK

Scale: 1" = 80'

Scale: 1" = 60'

SITE PLAN SCALE: 1" = 80'

EXHIBIT D - ZONING CONCEPT PLAN
PL9-47

SACHSE EAST WATER TOWER
5436 SACHSE RD.
R.D. NEWMAN ABSTRACT 3072
DALLAS COUNTY
DECEMBER, 2013

OWNER: CITY OF SACHSE
3615 SACHSE ROAD
SACHSE, TX 75048
972-495-1212

APPLICANT: PETER KAVANAGH
ZONE SYSTEMS, INC
1620 HANDELY DRIVE
DALLAS, TX 75208
214-941-4440

REPRESENTING: VERIZON WIRELESS

TOTAL GROSS AREA = 10.6241 ACRES

EXHIBIT D

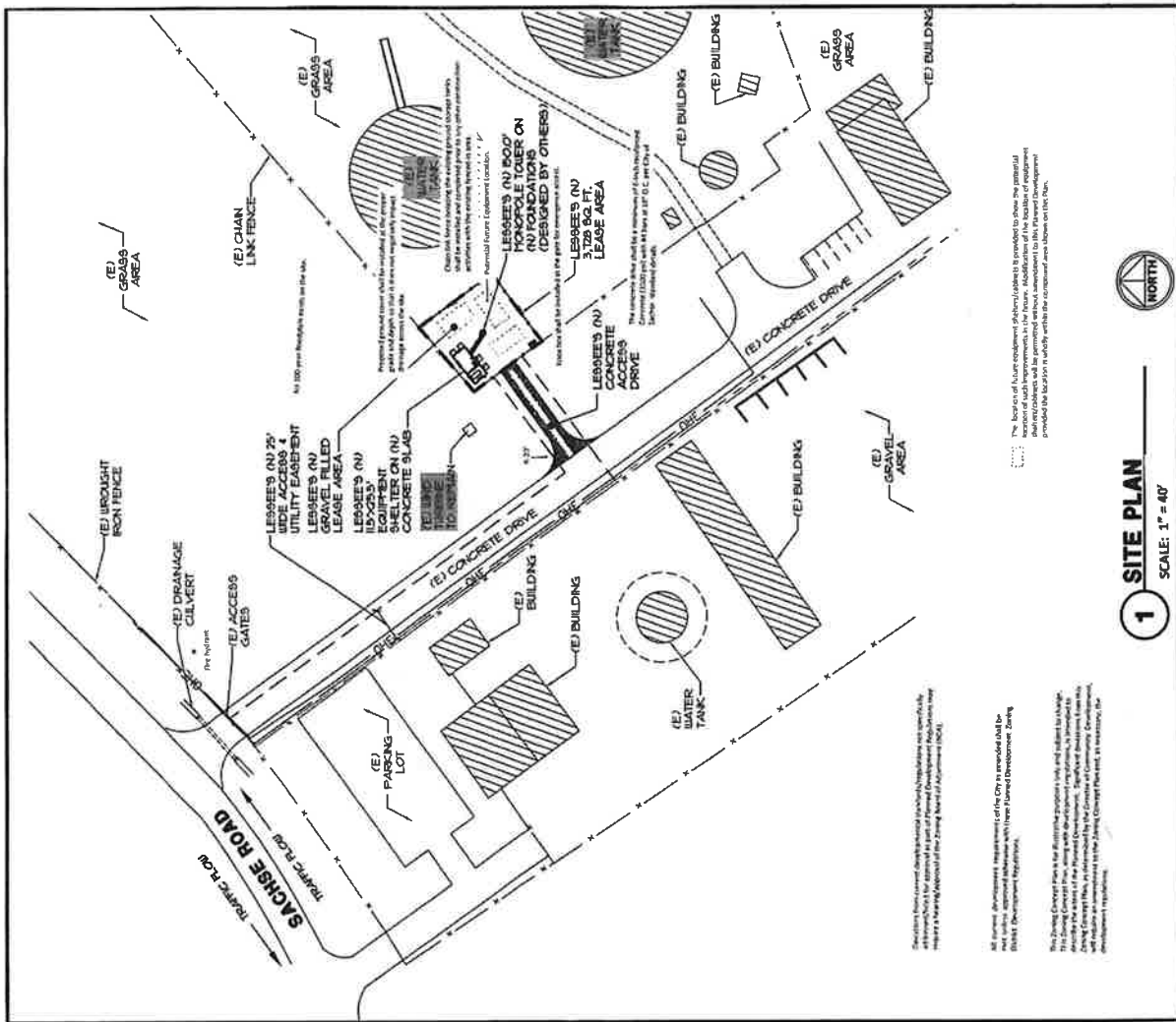


EXHIBIT D - ZONING CONCEPT PLAN
P13-07

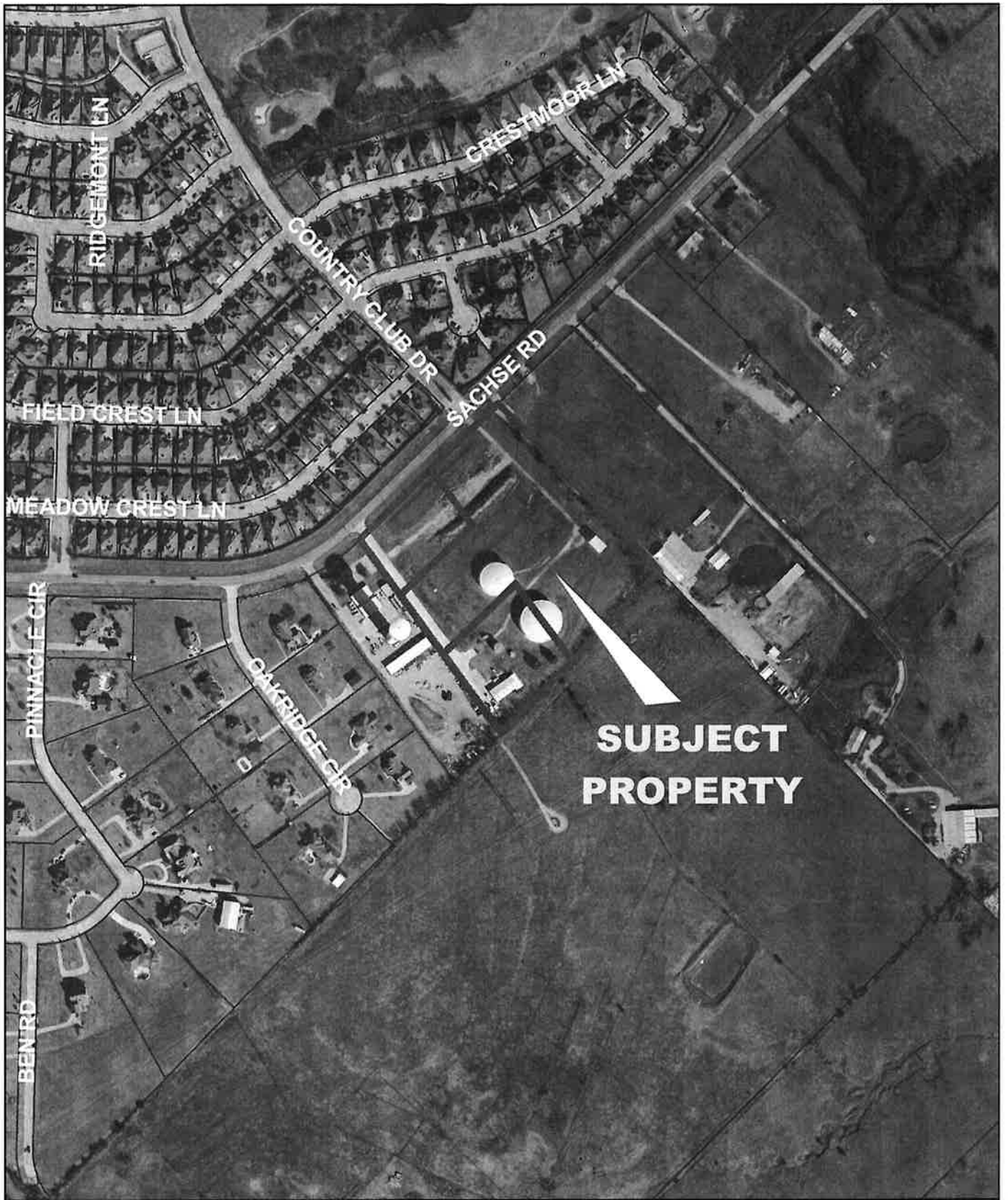
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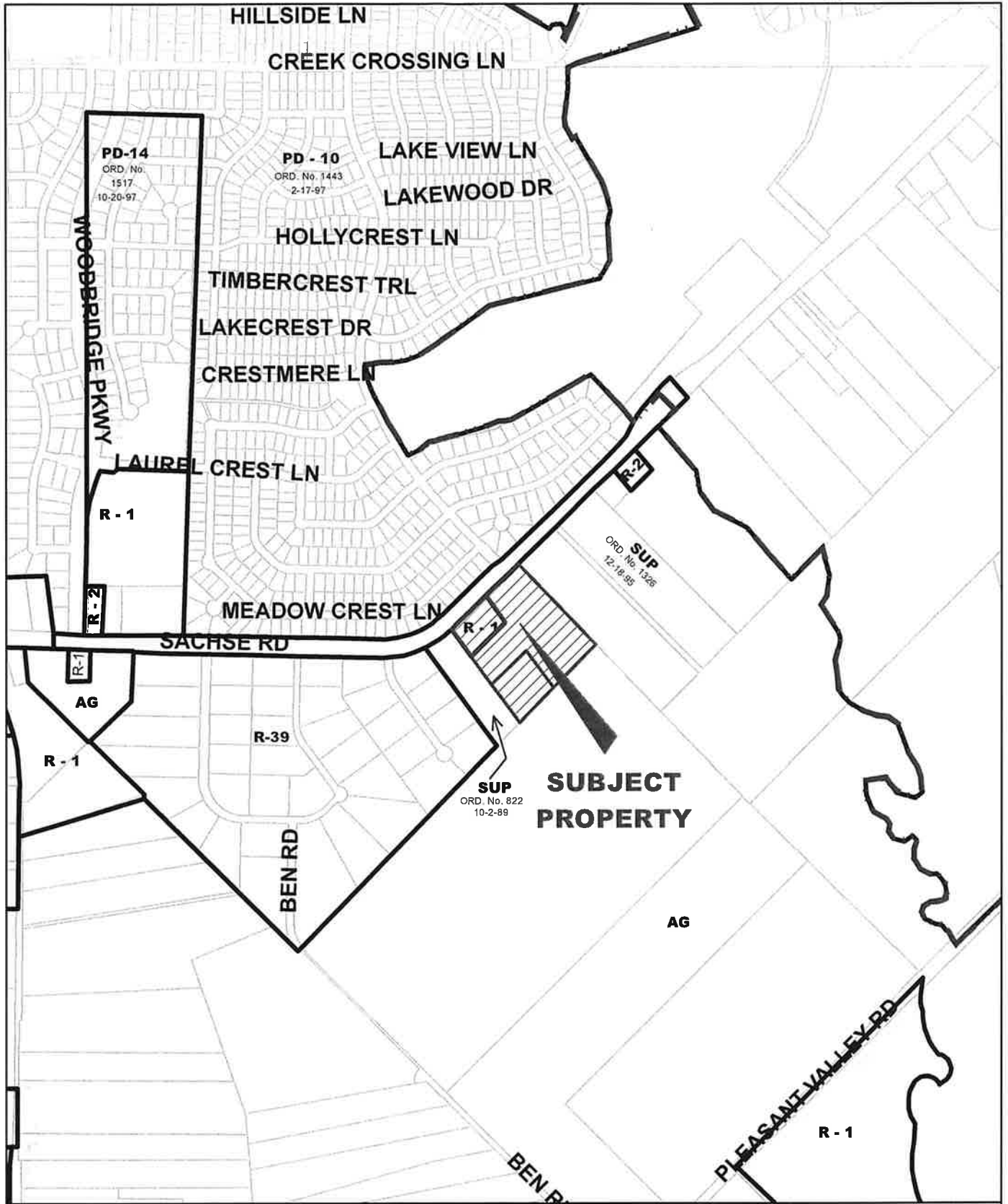
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**SUBJECT
PROPERTY**



AERIAL LOCATION MAP
VERIZON WIRELESS FACILITIES
FILE: ZO 13-07
Map Created: December 23, 2013



ZONING IDENTIFICATION MAP

VERIZON WIRELESS FACILITIES

FILE: ZO 13-07

Map Created: December 23, 2013