

**PLANNING AND ZONING COMMISSION
OCTOBER 8, 2014
CITY HALL'S COUNCIL CHAMBERS @ 5:00 P.M.**

P&Z PRESENT

Ned Sheats
Mario Garza
Diana Izaguirre
Carlos Lopez
Abiel Flores

P&Z ABSENT

Rene A. Flores
Marisela Marin

STAFF PRESENT

Bobby Salinas
Susana De Luna
Patricio Martinez

GUESTS PRESENT

David Patterson
Adam McBrayer
Joe B. Garza
Rosalinda E. Bazan
Mario A. Salinas

CALL TO ORDER

Vice-Chairman Ned Sheats called the meeting to order at 5:00 p.m.

CITIZENS PARTICIPATION

Vice-Chairman Ned Sheats asked if there was any citizen's participation.

Mr. Bobby Salinas stated that in the previous meeting Chairman Rene A. Flores had raised some concerns regarding the portable buildings that were located in front of the Target on the Expressway, the need for an overlay at the Bannworth Park, and that he would like to be invited to City events and ribbon cuttings. Mr. Salinas stated that the portable buildings were there because Target was doing some interior remodeling and since they already completed the work the portable structures were in the process of being removed. In regards to the pot holes and the need for the parking overlay on the Bannworth Park. Mr. Salinas stated that he had emailed Public Works Director Roberto Salinas & Parks Director Julian Gonzalez of Mr. Flores's concern. Regarding the City Events and Ribbon cuttings, staff has already alerted Deputy City Manager Aida Lerma to include Mr. Flores as an invitee to any City events and ribbon cuttings.

APPROVAL OF MINUTES FOR SEPTEMBER 24, 2014

Vice-Chairman Ned Sheats asked if there were any corrections to the minutes for September 24, 2014. Mr. Mario Garza moved to approve the minutes as presented. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:03 p.m.

Ended: 5:06 p.m.

ITEM #1.1

Conditional Use Permit:

**To construct a new Telecommunications
Tower on property zoned C-3 (General Business)
703 W. 2 Mile Road**

**A 4.12 ac. tract of land out of the E. ½ of
the N. ½ of Lot 28-3 & 3.26 acres lying west of
Canal in the W. ½ of the N. ½ of Lot 28-4,**

**West Addition to Sharyland Subdivision
C-3
Wooden Law Firm, P.C. obo Verizon Wireless**

Mr. Bobby Salinas went over the write-up stating that the property is located approximately ¼ mile east of Los Ebanos on the south side of 2 Mile Road. The dimensions of the property are 259.25' x 659.63' (171,009 sq. ft. or approximately 3.26 acres as per the survey provided). The site currently has an indoor shooting range (Shooter's Alley) and a hay and feed store (Southwest Hay & Feed). Access to the site is provided through a driveway off of Mile 2 Road. Verizon Wireless is proposing to lease a 40' x 40' (1,600 sq. ft.) area located to the SE corner of the property to install a 130' monopole in order to provide better wireless service to its customers. The area will be fenced in and have an access easement to the site from 2 Mile south to the lease area. An 11'6" x 25' – 5 ½" equipment shelter with diesel generator is proposed within the lease area as well.

REVIEW COMMENTS:

In speaking to the applicant, they are requesting consideration to not landscape the lease area since it is setback over 300' from 2 Mile. There are tractors and other equipment on site that buffer the area where the monopole is proposed. Since it is proposed to be located so far off of 2 Mile Rd. and it would be located behind the equipment and buildings, staff would not object to this proposal.

RECOMMENDATION:

Staff recommends approval of the CUP for life of use subject to:

1. No landscaping required,
2. Must install an 8' opaque fence around the lease area,
3. Must allow for co-location by others and,
4. The CUP shall not be transferable to others.

Vice-Chairman Ned Sheats asked if there was any public opposition to the request.

There was no response.

Vice-Chairman Ned Sheats asked if the applicant or representative were present.

Representing Verizon Wireless, Mr. Adam McBrayer from Wooden Law Firm was present to address any questions from the Board.

There being no discussion, Vice-Chairman Ned Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the conditional use permit subject to staff's recommendations. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:06 p.m.

Ended: 5:12 p.m.

ITEM #2.0

Pre-Final Plat Approval:

Las Misiones Commercial Subdivision, Ph. I

**A 5.78 acre tract of land out of Lot 9-6,
West Addition to Sharyland Subdivision**

PUD (Commercial)

Developer: Options Development Partners, L.P.

Engineer: MAS Engineering

Mr. Bobby Salinas went over the write-up stating that the proposed subdivision is located at the SW area of Military Parkway and Conway (FM 1016). The subdivision consists of 7 commercial lots. Each lot ranges from .65ac to .97ac. This property is part of Las Misiones Planned Unit Development that was approved back in 2006. This tract of land is the first phase of a commercially proposed development out of Las Misiones PUD.

The subdivision currently falls within a Flood Zone "A", which is prone to flooding. The developer's engineer has begun the process with FEMA in order to remove the land from the flood zone.

WATER: The developer is proposing a to tap into an existing 12" water line located along Military Parkway and run the line south around the entire site and tap back into the 12" line. Hydrants shall be placed pursuant to the direction of the Fire Marshal.

SEWER: The developer is proposing to install a new 8" sewer line to serve all lots and flow into a proposed lift station that will send the sewer to an existing lift station located on the east side of Conway (FM 1016). The Capital Sewer Recovery Fee will be imposed as required by Ordinance #3022, i.e. \$750/acre X 5.78 acres= \$4,335.

STREETS & STORM DRAINAGE: The subdivision is adjacent to Conway (FM 1016) which is labeled as a 150' ROW High Speed Arterial according to the MPO Thoroughfare Plan. The developer is proposing to dedicate an additional 20' of ROW to comply with the MPO requirement. In regards to storm drainage, the developer is proposing to tap into TxDOT's existing drainage system located on Conway (FM 1016) during the building permit stage. An engineered drainage plan will be required during the building permit stage.

OTHER COMMENTS:

- Park fees are not charged for commercial development.
- Water District exclusion will be required.
- 5' sidewalks are required along Conway (FM 1016) at building permit stage.
- An 8' opaque fence buffer is required along the west property line to divide the commercial and future residential uses at building permit stage.

RECOMMENDATION:

Staff recommends approval subject to:

1. Must complete the process with FEMA to remove land from the Flood Zone;
2. Payment of the sewer capital recovery;
3. Provide the water district exclusion;
4. Comply with any other format findings.

Vice-Chairman Ned Sheats asked if there was any input from the Board.

There was no response.

Vice-Chairman Ned Sheats asked if the applicant or representative were present.

Mr. Mario A. Salinas from MAS Engineering was present to address any questions from the Board.

Vice-Chairman Ned Sheats stated that he has lived in the valley for about 13 years and has seen this area flood 5 or 6 times, so how were they going to go about removing the land from a flood plain. He asked how much dirt they would need to put in there.

Mr. Salinas stated that they had already done some preliminary studies and they found out that the elevation proposed to FEMA would be 102 based on the study done for the river, which is what they have to follow because the river is the one that mandates in this case. Mr. Salinas added that the County also prepared a study for the river itself and they are considering that study to do theirs. Mr. Salinas stated that they would need to first submit the study to the City and then FEMA for their approval.

Vice-Chairman Ned Sheats stated that if FEMA was happy so would the city.

There being no discussion, Vice-Chairman Ned Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the subdivision plat as per staff's recommendation. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:12 p.m.

Ended: 5:16 p.m.

ITEM #3.0

Pre-Final Plat Approval:

Carso Subdivision

**A 9.42 acre tract of land out of Lot "F", Block 4,
B.L. Millers Re-subdivision of Lots 16-20, Block 4,
Mission Groves Estates**

Suburban ETJ

Developer: Juan Jose Pena, Jr.

Engineer: Javier Hinojosa Engineering

Mr. Bobby Salinas went over the write-up stating that the site is located approximately 600' east of Moorefield along the south side of Griffin Parkway. The proposed subdivision consists of 33 single family residential lots. Each lot ranges from 6,000'

sq.ft. to 10,274' sq.ft. This property is currently located just outside of the City Limits. The developer is requesting the City to annex his property so that he may be within the City Limits of Mission.

WATER: The water CCN belongs to AGUA SUD. The developer is proposing water service by installing a new 8" waterline network that will connect into an existing 8" water line located along the south side of Griffin Parkway. The developer is also proposing to add 3 new fire hydrants located via the direction of the Fire Marshal's office.

SEWER: The sewer CCN belongs to the City of Mission. The developer is proposing sewer by connecting into an existing 8" line located along the south side of Griffin Parkway which will be extended south to service the new lots. Once subdivision is within the City limits, the Capital Sewer Recovery Fee would be \$200/Lot which equates to \$6,600.00 (\$200.00 x 33 Lots).

STREETS & STORM DRAINAGE: The subdivision has frontage to Griffin Parkway, a future 120' ROW, 81' B/B street. The ROW is already at 120' in this section of Griffin Parkway, thus no additional ROW is required for this property. The developer is proposing to install a 50' ROW, 37' B-B street with a street stubbed to the south for future development. There will also be three 50' ROW, 32' B-B streets on the interior of the subdivision. Two of the streets will be cul-de-sacs and one of them will be a street stub to the west for future development. Storm drainage is proposed through a series of 24" storm lines and a two set of inlets which will connect into a proposed detention pond and will then connect into a TxDOT inlet along Griffin Parkway with an 8" bleeder line.

OTHER COMMENTS:

- Park Fees - \$300.00/Lot = \$9,900.00
- Must install or escrow 5' sidewalks along Griffin Parkway
- Must submit a street light plan for review and approval.
- Water District Exclusion
- Must comply with all other format findings

RECOMMENDATION:

Staff recommends approval subject to:

1. Must pay capital sewer recovery and park fees;
2. Provide water district exclusion; and
3. Comply with all other format findings.

Mr. Salinas also mentioned that the City of Mission would be working on an Annexation Schedule to bring this subdivision into the City.

Vice-Chairman Ned Sheats asked if there was any input from the Board.

There was no response.

Vice-Chairman Ned Sheats asked if the applicant or representative were present.

Mr. Joe B. Garza with Javier Hinojosa Engineering was present to address any questions from the Board.

There being no discussion, Vice-Chairman Ned Sheats entertained a motion. Ms. Diana Izaguirre moved to approve the subdivision plat as per staff's recommendation. Mr. Mario Garza seconded the motion. Upon a vote, the motion passed unanimously.

Started: 5:16 p.m.

Ended: 5:25 p.m.

ITEM #4.0

Discuss Amending Section 1.56, Article X, Appendix A – Zoning of the Code of Ordinances to Include Conditions of Conditional Use for Telephone, Radio, Television, and/or other Communications Towers

Mr. Bobby Salinas went over the ordinance for telecommunications towers. He mentioned that this ordinance stated that if they wanted to install a new telephone, radio, television and or other communication tower they would need to follow Section 11 from A to O which includes the maximum height, spacing between towers, setbacks, etc. Mr. Salinas stated that this ordinance was brought to P&Z for their review, recommendations, comments, ideas, and thoughts.

Mr. Abiel Flores asked if the tower that was just approved for Verizon Wireless met with this ordinance.

Mr. Salinas replied, "Yes, since we do not have any requirements in place staff would just follow the same process as we done with other towers it would meet all except the landscaping".

Vice-Chairman Ned Sheats stated that he would just like to add more specific language that states that the landscaping must be maintained. He mentioned that he would like to see this ordinance again not so much to change the ordinance but to re-word some of the requirements.

Mr. Bobby Salinas stated that he would like for Mr. Sheats to send him his thoughts/ideas so that we may be able make the proposed corrections.

Vice-Chairman Ned Sheats stated that he was a little worried that the towers could only be 200' from residential structures even though he heard that most Verizon employees think that their towers fall straight down and never fall out.

Mr. Salinas stated that it was his understanding that they were engineered to collapse onto themselves.

Vice-Chairman Ned Sheats stated that he understood that but he also has worked trying to fix what engineers didn't do right.

Mr. Mario Garza stated that he would like for staff to make the changes and present the ordinance one more time to P&Z for consideration.

There being no further discussion, Vice-Chairman Ned Sheats entertained a motion. Mr. Mario Garza moved to 'Table' the item. Mr. Abiel Flores seconded the motion. Upon a vote, the motion passed unanimously.

OTHER BUSINESS

Mr. Salinas mentioned that there was an appreciation dinner set up for the following week and just wanted to be sure that everyone was aware.

ITEM #2.0 ADJOURNMENT

There being no further items for discussion, Mr. Mario Garza moved to adjourn the meeting. Mr. Carlos Lopez seconded the motion. Upon a vote, the motion to adjourn passed unanimously at 5:45 p.m.

Ned Sheats, Vice-Chairman
Planning and Zoning Commission