

# MEMO

**TO:** City Commission  
**FROM:** Don Carroll, City Planner  
**DATE:** May 29, 2009  
**RE:** AT&T Mobility

This Site Plan rezoning request came before the City Development Review Team, the Planning Board and Zoning Commission for rezoning approval consideration. All land use, development regulations with performance standards have been vetted and properly addressed. After the Zoning Commission review during the public hearing held May 19, 2009 the members present unanimously voted to recommend approval of the request. For a detailed summary of the issues discussed reference the Planning Board minutes of April 20, 2009 and Zoning Commission minutes of May 19, 2009.

#### Also referenced exhibits

- a.) Vicinity map - Google
- b.) Site Plan of the proposed site.
- c.) Site Plan elevation drawings of the tower and housing shelter for the equipment.

All distance requirements for the proposed mono pole meets the prescribed distance requirements (1.2 times the pole height).

DC:jm

## ZONING COMMISSION MINUTES

May 19, 2009

The Zoning Commission for the City of Texas City met in a regularly scheduled meeting on Tuesday, May 19, 2009 at 5:15 p.m. Board members present were: James Horan, Gilbert Torres, and Perry O'Brien. Staff members present were: Donald Carroll, Brian Falk and Julie Morreale. Citizens present were: William Hillman and Paula Stephens.

Acting Chairman James Horan welcomed everyone.

**APPROVAL OF MINUTES.** The minutes from the May 5, 2009 meeting were approved on a motion by Perry O'Brien/Gilbert Torres. All members present voted aye.

**ITEM NO. 1 AT&T Mobility c/o Paula Stephens to rezone from "A" (Single Family Residential) to "SP" (Site Plan) for a new Communication Tower. Being out of lot 4 in the ABST. 10, AMOS EDWARDS, Blk 99, San Leon FM HM TRS. Being approximately .22 Acres. (Action)** Mr. Donald Carroll gave an overview of the request to rezone. He then stated that three property owners were notified of the intent to rezone and to date no letters of opposition have been received. Mr. Carroll then read the comments from the various Department Heads. The comments were as follows: Planning Director, "No objections, must build in manner conveyed by Site Plan – must screen and fence and never create any nuisances for adjacent property owners". Tax Assessor, "No taxes due on the property". Building Official, "Ok". Utilities Director, "Clear". Public Works Director, "Requires twin 54" RCP culverts in Bowerman ROW ditch". Fire Marshall, "No objections". The Public Hearing was then opened on a **motion by Perry O'Brien/Gilbert Torres. All members present voted aye.** Ms. Paula Stephens gave an overview of the rezoning request. Mr. Carroll asked how many customers would be provided service and the area of coverage for the tower. Ms. Stephens presented a map of the area of coverage and stated she did not have the number of customers that would be served. Mr. Falk asked if this tower would be used solely by AT&T. Ms. Stephens stated the tower could be utilized by more than one company, but at this time AT&T would be the only provider serviced. Mr. Torres asked if the tower meets the break-a-way regulations. Mr. Carroll stated the tower meets all regulations and this project has been reviewed by the Planning Board. The Public Hearing was then closed on a **motion by Gilbert Torres/Perry O'Brien. All members present voted aye.** Mr. Carroll stated the Building Official would also look over the tower plans before issuing a permit for the project. **A motion to approve the rezoning request for a new Communication Tower with the stipulation the culvert will be completed was made by Perry O'Brien/Yvonne Chatelain. All members present voted aye.**

**ITEM NO. 2. Other Business.** Mr. Carroll presented the recommended amendment to Section 40-58(e) regarding containers to the Commission. Mr. Carroll stated the concerns vetted by the Commission were brought before the Planning Board regarding giving businesses a grace period for containers but the Board found it unnecessary and could make additional problems. Mr. Falk stated the containers would not be allowed. Mr. Carroll stated that any and all comments would be appreciated. He continued by stating the next step is to schedule a public hearing to adopt the revisions.

**A motion was made by Gilbert Torres/Perry O'Brien to adjourn. All members presented voted aye.**

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James Horan, Acting Chairman



Donald Carroll, Secretary

### APPROVAL OF MINUTES

On Monday, April 20, 2009 at 5:00 p.m. the Planning Board met in a regularly scheduled meeting. Board members present were Eloise O'Bryant, Commissioner Haney and Dickie Campbell. Staff members present were Don Carroll, Doug Kneupper, Brian Falk and Julie Morreale. Citizens present were Chance Bennett, David Floyd, Paula Stephens, Dale Brittorial and Wilson Hillman.

**APPROVAL OF MINUTES.** A motion to approve the minutes of March 16, 2009 was made by Dickie Campbell /Commissioner Haney. All members present voted aye. Mrs. Eloise O'Bryant presided over the meeting. The chairperson indicated a quorum was present and called the meeting to order.

Mr. Donald Carroll stated Item 1, Item 2 and Item 3 are renovations with the Texas City Independent School District (TCISD). He requested the items be discussed together. The Planning Board members in attendance agreed

**ITEM NO. 1. TCISD request Site Plan approval for renovations of Northside Elementary. (Action)**

**ITEM NO. 2. TCISD requests Site Plan approval for renovations of Heights Elementary. (Action)**

**ITEM NO. 3. TCISD requests Site Plan approval for renovations of Roosevelt-Wilson Elementary. (Action)** Mr. Carroll provided an overview concerning the request and memorandum (attached) regarding the Staff review. Mr. David Floyd presented the Board with an overview of the projects. After a brief discussion a **motion to approve Item 1, 2 and 3 for Site Plan approvals for TCISD was made by Dickie Campbell/Commissioner Haney. All members presented voted aye.**

**ITEM NO. 4. Recommendation to amend section 40-58 (e) of the Zoning Ordinance, metal shipping containers used as accessory buildings. (Action)** Mr. Carroll provided the recommended text, a memorandum with Staff recommendations and pictures regarding Section 40-58 (e) to amend the Zoning Ordinance. He stated once this recommendation for amendment is approved by the Planning Board it will be workshopped with the Zoning Commission and then move forward with a public hearing. Commissioner Haney asked if the existing containers would be removed. Mr. Carroll stated that businesses that currently have the containers would be grandfathered, but they would have to meet the required screening/fencing. Commissioner Haney asked if there are containers on residential properties will they be grandfathered. Mr. Brian Falk stated if not permitted the container will have to be removed, but he will grant the property owner time for this removal. Commissioner Haney asked if a POD was considered the same thing as a container. Mr. Falk stated that a POD is normally used by moving companies and if it is there for a short time period it will be allowed but it is not something that will be permitted for a long time span. Mr. Carroll stated the PODs are similar to the services of a U-Haul and are returned to the business once goods are off-loaded. Mr. Dickie Campbell asked how long is a container allowed once on a job site. Mr. Carroll stated for construction sites that one year is the standard time frame. After a brief discussion a **motion to approve recommendations to amend section 40-58 (e) was made by Dickie Campbell/Commissioner Haney. All members presented voted aye.**

**ITEM NO. 5. Chance Bennett, representing MicroSuites, request a variance to the Brick Masonry Ordinance. Located North of Palmer Highway, West of Lowes, East of the railroad. Section 40-62, appeals process for Masonry Provisions of Zoning Ordinance.**

**(Action)** Mr. Carroll provided an overview of the variance request and overall project. He continued that Mr. Bennett has obtained approval from the Zoning Commission (minutes attached) contingent on the Planning Board approving the variance request. Mr. Chance Bennett presented drawings (attached) to the Board showing the architectural theme for the MicroSuites lodging. He continued by stating the development would be raised using piers with bolts or on a block mechanism and he would like to use the James Hardi masonry siding to follow the theme. He stated MicroSuites would have a cottage on the beach feel. Mr. Bennett stated this type of lodging is located in the Kemah and Baytown areas with positive responses from the community. Commissioner Haney asked if they planned to use a metal roof as seen in the pictures presented. Mr. Bennett stated the roofs would be shingled but he was unable to locate a picture for reference. Commissioner Haney asked for the Staff to express why this project should be allowed to have the variance approved. Mr. Doug Kneupper cited the variance provision under Section 40-62. He also stated in order to follow the architectural theme using the piers and beam; brick would not be possible for this type of project. Commissioner Haney asked for Mr. Falk to elaborate on recent problems with projects and the deterioration of Hardi Plank. Mr. Falk stated he believes this project will be maintained properly and keep a higher standard than some of the other projects that have used this product. He asked Mr. Bennett if the office that fronts the property will be a brick facade that would match the climate controlled storage that will be utilizing the same driveway entrance. Mr. Bennett agreed that would be supportable. Commissioner Haney asked how maintenance would be assured. Mr. Carroll stated a development agreement could be established to ensure the property is properly maintained. Mr. Falk stated that once the building plans are turned in for approval he will verify if prescribed areas will meet the brick masonry request. After a brief discussion a **motion for approval based on a system of check and balances and the information presented today (the variance to the Brick Masonry Ordinance) was made by Commissioner Haney/Dickie Campbell. All members presented voted aye.**

**ITEM NO. 6. AT&T request Site Plan zoning review for cellular tower. Located at Bowerman Drive & Avenue U. (Action)** Mr. Carroll provided an overview concerning the request and memorandum (attached) regarding the Staff review. Mr. Carroll also presented pictures of the proposed type of cellular tower to the Board. Ms. Paula Stephens, AT&T representative, presented the Site Plan for the AT&T tower. Commissioner Haney asked what type of cellular pole this is and the height measurement. Mr. Carroll stated the tower is a monopole and the height is 170 feet. Commissioner Haney asked if the Staff had addressed any issues regarding the setbacks. Mr. Carroll stated that all requirements have been successfully met. Commissioner Haney asked if there would be any issues with noise. Ms. Stephens stated there is only one residence nearby and the property owner, Mr. Hillman, has endorsed this project. She continued that Mr. Hillman is present if the Board would like to speak with him. Mr. Falk stated the tower would be screened which would aid to subdue noises. Mr. Carroll affirmed that all property owners would be properly notified. **A motion to approve the AT&T Site Plan was made by Commissioner Haney/Dickie Campbell. All members presented voted aye.**

There being no further business, a motion was made to adjourn by Commissioner Haney/Dickie Campbell. All members present voted aye.

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Eloise O'Bryant, Chairperson

  
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Donald Carroll, Secretary





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04/15/08

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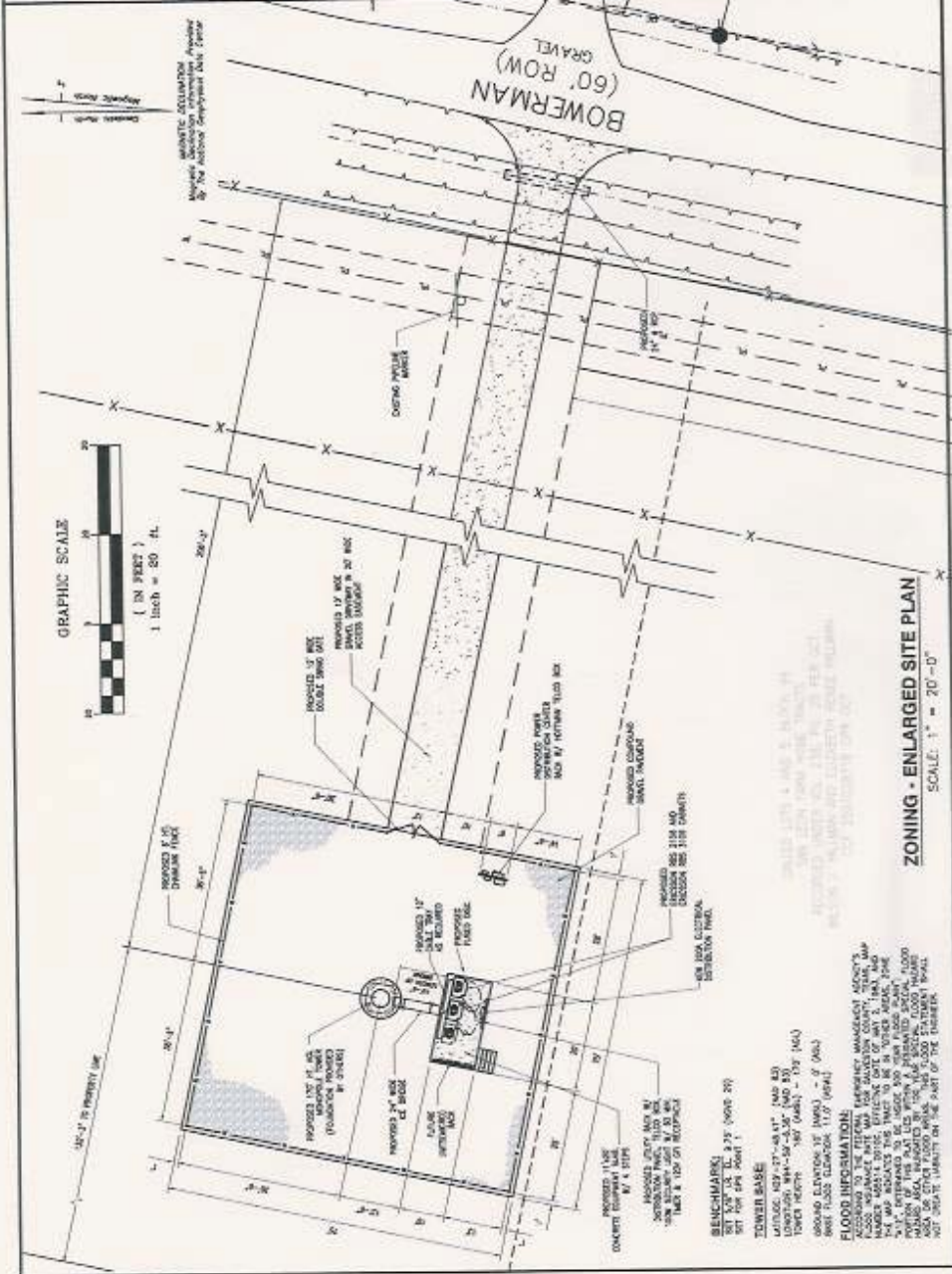
PROJECT: HX1011

LOCATION: EDGEWATER TERRACE  
 1700 BOWMAN DR. 1/2 AVENUE  
 CITY OF DALLAS, TEXAS

DATE: 04/15/08

SCALE: Z.2

DESIGNED BY: J. S. ABBOTT  
 CHECKED BY: J. S. ABBOTT  
 DATE: 04/15/08



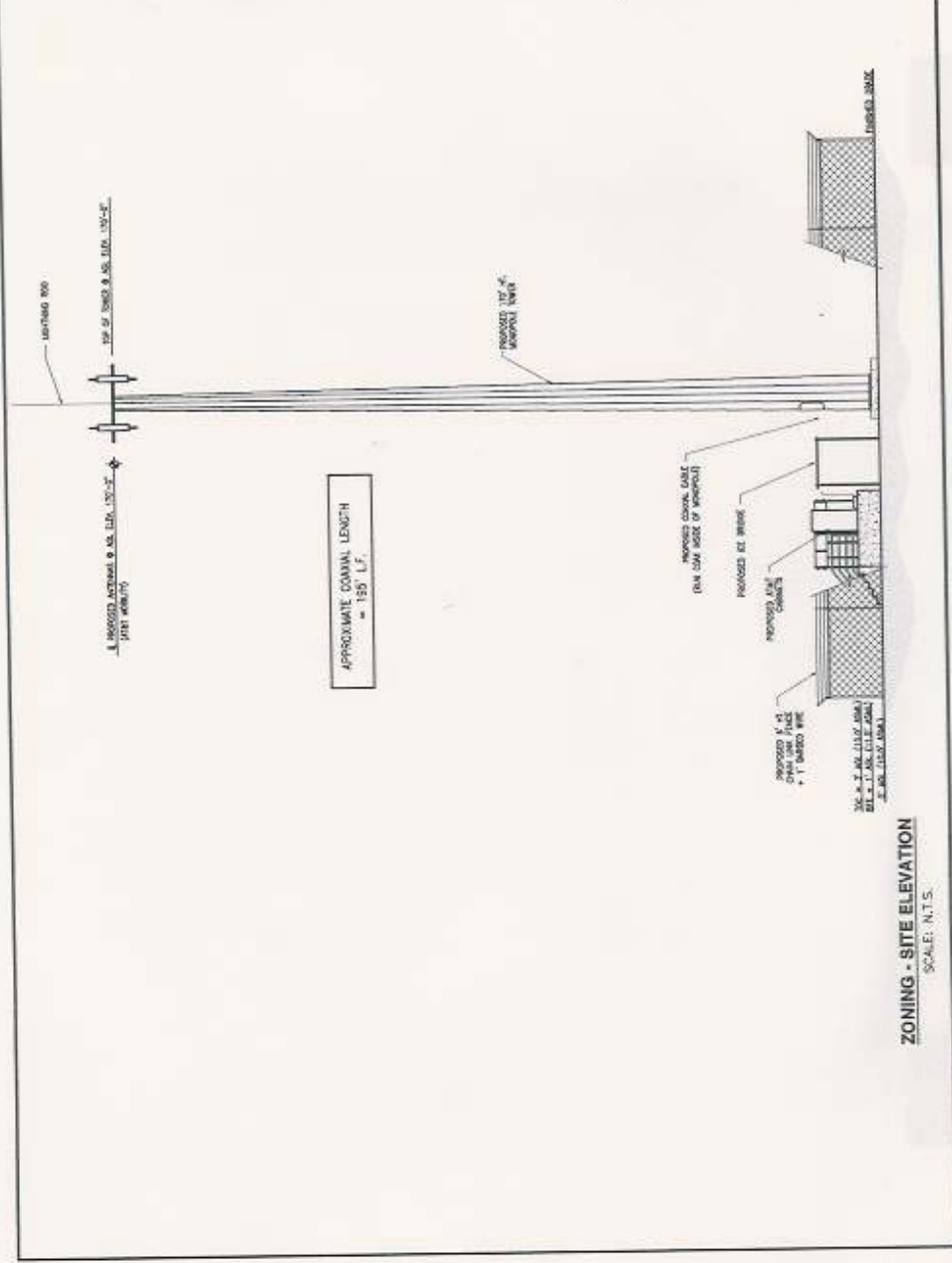
**GRAPHIC SCALE**  
 ( IN FEET )  
 1 inch = 20' - 0"

**ZONING - ENLARGED SITE PLAN**  
 SCALE: 1" = 20'-0"

**BENCHMARKS**  
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 3.78 1006.21

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 <b>INNOVATIVE ENGINEERING DESIGN</b> 2100 S. Central Exp. Hwy. 150 Fort Worth, Texas 76150 Tel : (817) 335-1800 Fax : (817) 335-1800	 8000 WEST DIXIE BOULEVARD SUITE 2100 FORT WORTH, TEXAS 76117 (817) 335-1800	 1400 WEST DIXIE BOULEVARD SUITE 2100 FORT WORTH, TEXAS 76117 (817) 335-1800	 04/15/09	THE INFORMATION CONTAINED IN THIS DOCUMENT IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. IT IS YOUR RESPONSIBILITY TO CONTACT THE CLIENT NAME & STREET ADDRESS TX CLIENT: HX1011



**ZONING - SITE ELEVATION**  
 SCALE: N.T.S.