

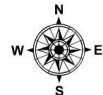
# Ord. 24-S-144

Windy Meadows Specific Use Permit

Samuel Haas | Senior Planner

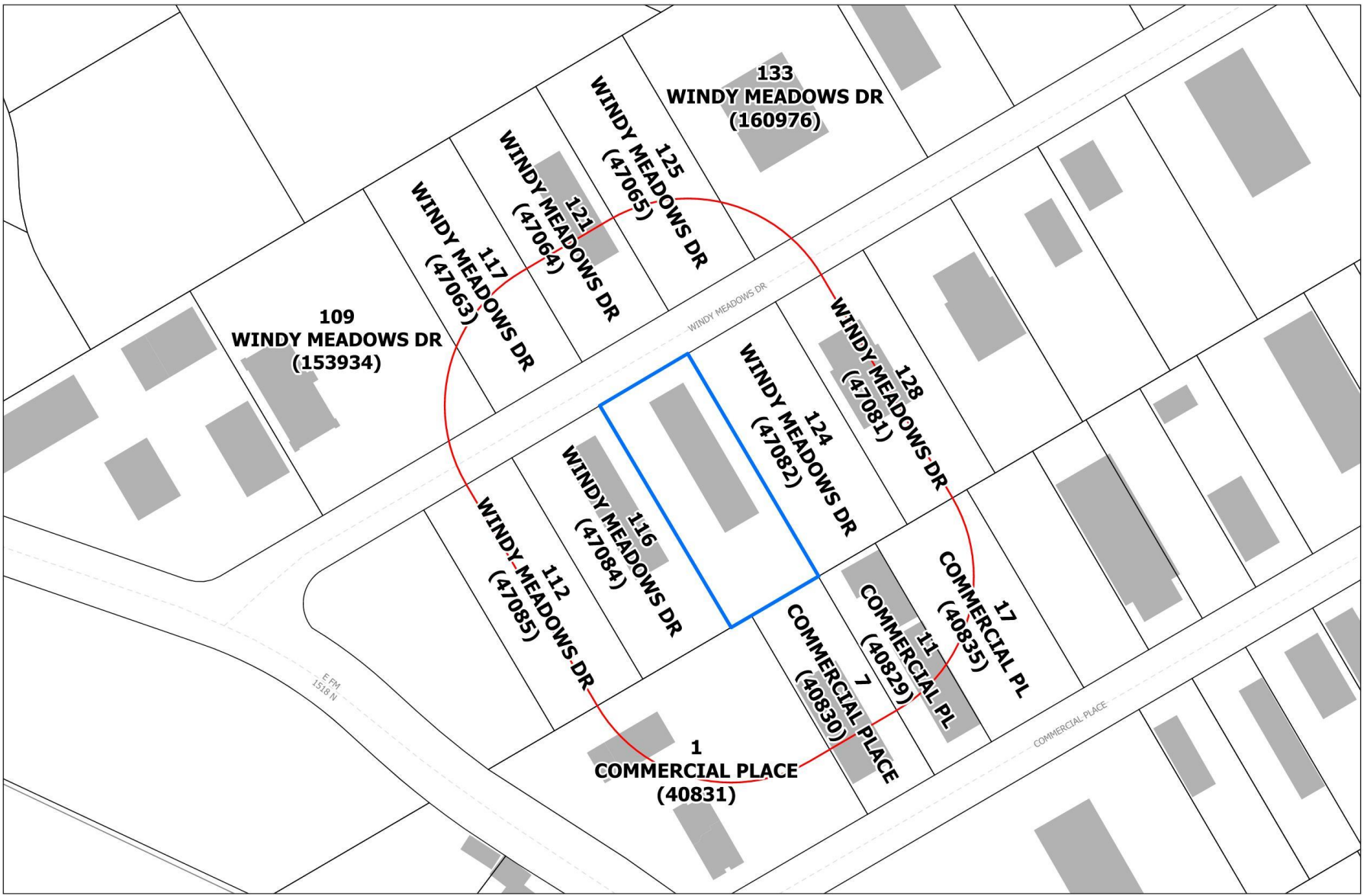


- Site: 1 acre
- Commercial business currently on property
- Zoning: General Business - 2 District (GB-2)





	Existing Zoning	Land Use
<b>North</b>	Right of Way	Windy Meadows Drive
<b>South</b>	General Business -2 District (GB-2)	Commercial
<b>East</b>	General Business -2 District (GB-2)	City of Schertz Use
<b>West</b>	General Business -2 District (GB-2)	Commercial



June, 24 2024 a total of 10 Public Hearing Notices were sent out.

Responses Received:

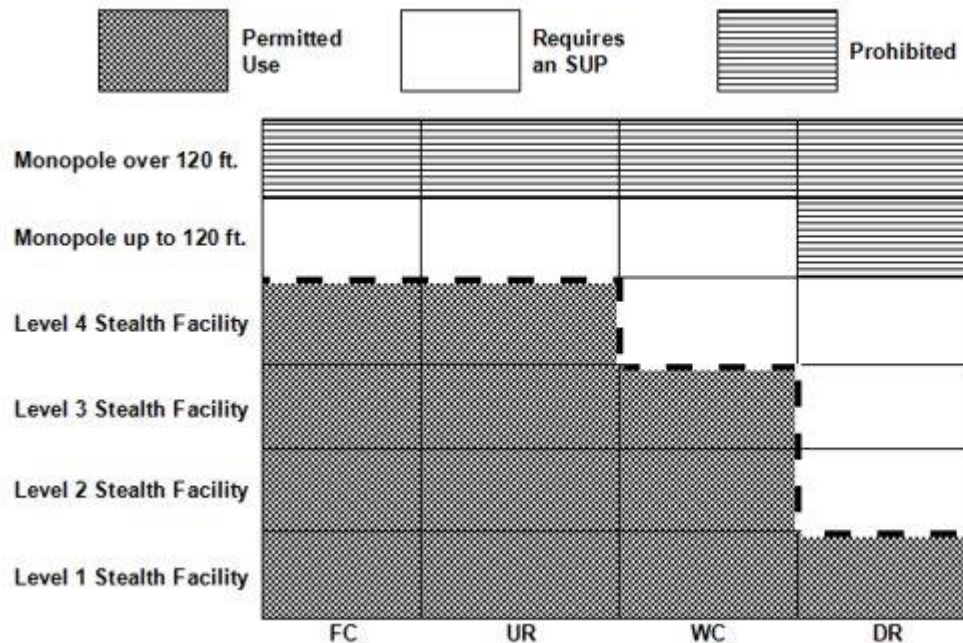
- 0 – Opposition,
- 0-In Favor
- 1-Neutral

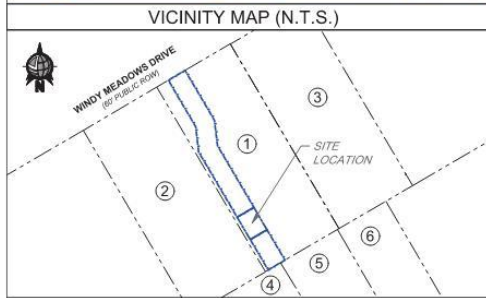
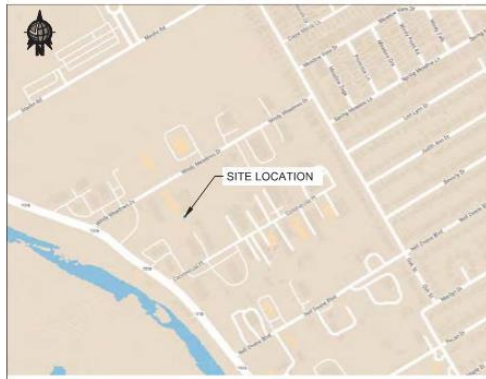
1 sign was posted on the property.

City of Schertz, GIS Specialist: Alexa Venessa. avenosa@schertz.com (210) 619-1174  
\*The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall the City of Schertz be liable for any special, indirect, or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.\*

# Proposed Specific Use Permit

- The applicant is proposing to construct a 120 feet monopole telecommunication facility at the rear of approximately 1 acre of land.
- Per UDC Article 8, Section 21.8.6.G. Placement of Antenna Facilities
  - 120 Windy Meadows is categorized as a "Full Commercial" property.





**PROPERTY & ADJOINER MAP (N.T.S.)**

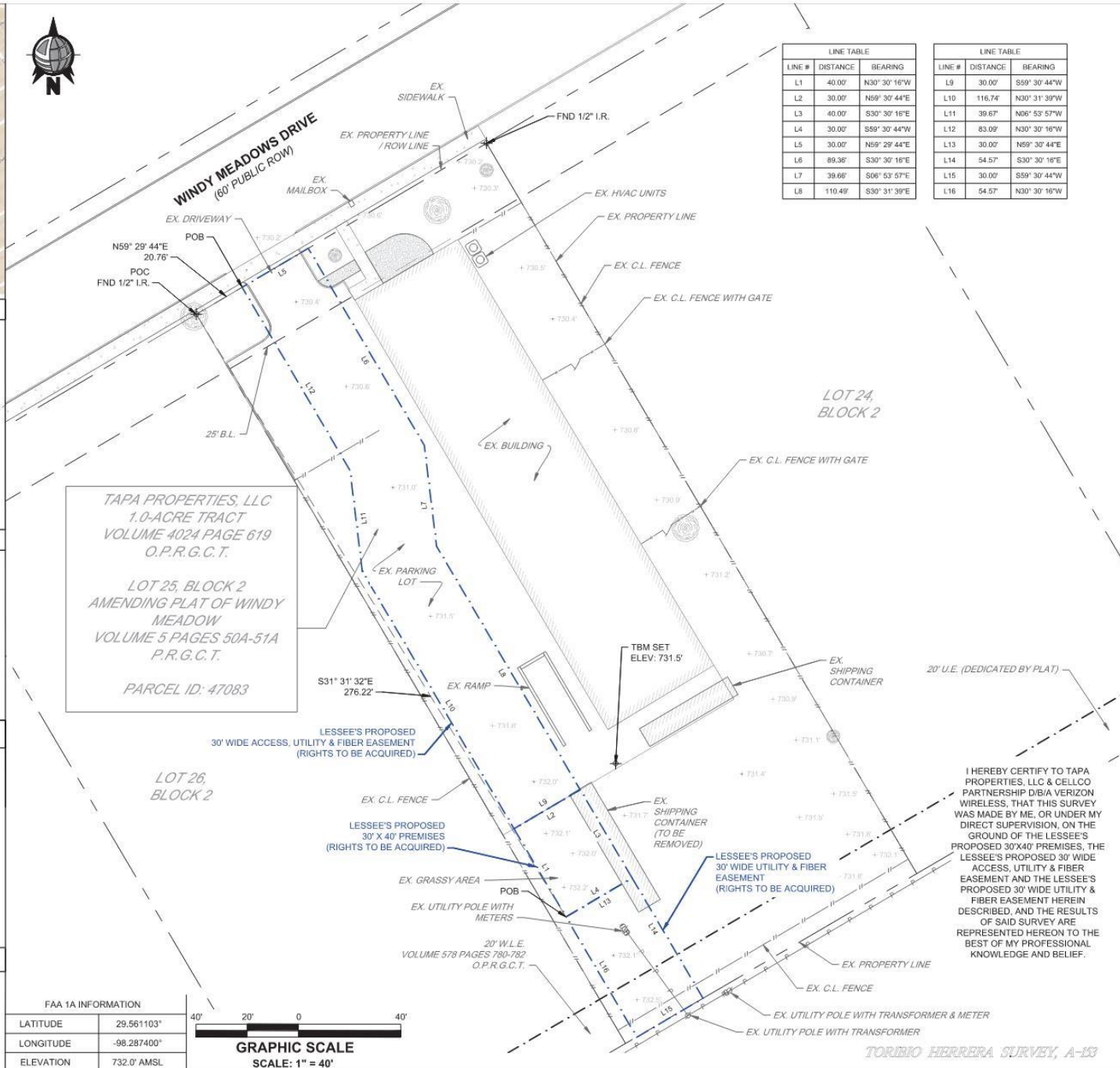
ADJOINER TABLE		
#	OWNER	PARCEL ID
1	TAPA PROPERTIES, LLC	47083
2	BALIN GROUP LLC	47084
3	CITY OF SCHERTZ	47082
4	WHITE WOLF LAND HOLDINGS LLC	40831
5	BIRY MICHAEL F & JENNIFER S	40830
6	CITY OF SCHERTZ	40829

**ABBREVIATIONS**

AMSL	AVERAGE MEAN SEA LEVEL
A.E.	ACCESS EASEMENT
B.L.	BUILDING LINE
B.W.	BARBED WIRE
C.L.	CHAINLINK
D.E.	DRAINAGE EASEMENT
EX.	EXISTING
FN	FILE NUMBER
I.P.	IRON PIPE
I.R.	IRON ROD
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
P.R.G.C.T.	PLATS RECORDS OF GUADALUPE COUNTY, TEXAS
OH	OVERHEAD
ROW	RIGHT-OF-WAY
STM.S.E.	STORM SEWER EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
TBM	TEMPORARY BENCHMARK
TYP	TYPICAL
U.E.	UTILITY EASEMENT
W.L.E.	WATER LINE EASEMENT

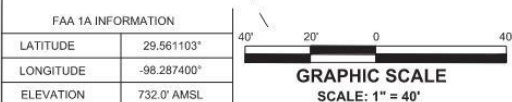
**LEGEND**

	LESSEE'S PREMISES		EX. EASEMENT
	LESSEE'S EASEMENT		EX. PROPERTY LINE
	EX. WROUGHT IRON FENCE		EX. OH POWER LINES
	EX. B.W. FENCE		EX. UTILITY POLE
	EX. WOOD FENCE		EX. TELCO PEDESTAL
	EX. HIGH BANK		EX. MANHOLE



LINE TABLE		
LINE #	DISTANCE	BEARING
L1	40.00'	N30° 30' 16\"W
L2	30.00'	N59° 29' 44\"E
L3	40.00'	S30° 30' 16\"E
L4	30.00'	S59° 30' 44\"W
L5	30.00'	N59° 29' 44\"E
L6	89.96'	S30° 30' 16\"E
L7	39.06'	S06° 53' 57\"E
L8	110.49'	S30° 31' 39\"E

LINE TABLE		
LINE #	DISTANCE	BEARING
L9	30.00'	S59° 30' 44\"W
L10	116.74'	N00° 31' 39\"W
L11	39.67'	N06° 53' 57\"W
L12	83.09'	N30° 30' 16\"W
L13	30.00'	N59° 29' 44\"E
L14	54.57'	S30° 30' 16\"E
L15	30.00'	S59° 30' 44\"W
L16	54.57'	N30° 30' 16\"W



SURVEY PREPARED FOR:  
**verizon**  
 600 HIDDEN RIDGE  
 IRVING, TX 75038  
 PHONE: (678) 339-4247  
 FAX: (972) 718-1967

SURVEY PREPARED BY:  
  
**3DD&E**  
 3D DESIGN & ENGINEERING INC.  
 DEPARTMENT OF SURVEYING  
 21502 E WINTER VIOLET CT  
 CYPRESS, TX. 77433  
 PHONE: 832-510-9621  
 www.3ddne.com  
 INFO@3DDNE.COM  
 TEXAS REGISTRATION NO. 10194603

REV	DATE	DESCRIPTION	BY

**SITE EXHIBIT AND DESCRIPTION**

**VERIZON WIRELESS - TEXAS AREA**  
**MASKE\_RD**  
 WINDY MEADOWS DRIVE  
 SCHERTZ, TX 78154  
 LOCATION CODE: 677573



HELENE F. LECOANET, RPLS  
 TEXAS REGISTRATION NO. 6567

DRAWN BY: PDM  
 CHECKED BY: HL  
 DATE: 3/22/2023

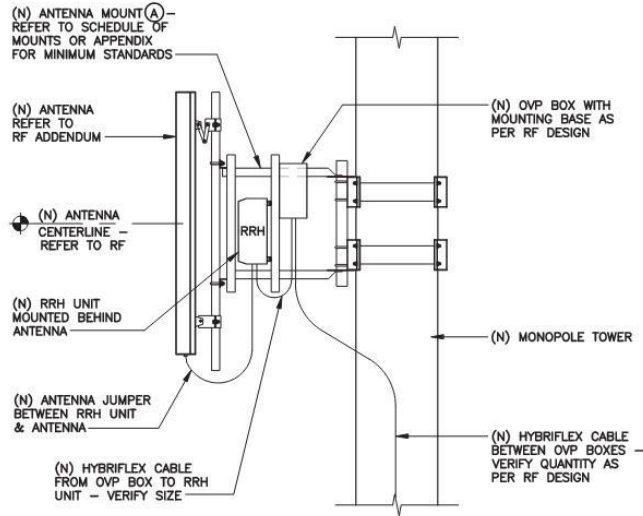
SHEET 1 OF 2

SURVEY NOT VALID  
 WITHOUT ALL SHEETS

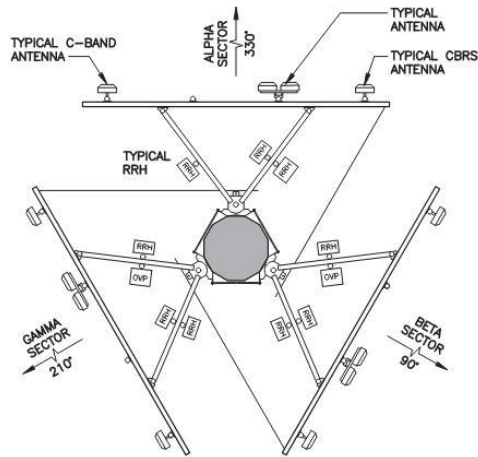
I HEREBY CERTIFY TO TAPA PROPERTIES, LLC & CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, THAT THIS SURVEY WAS MADE BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LESSEE'S PROPOSED 30'X40' PREMISES, THE LESSEE'S PROPOSED 30' WIDE ACCESS, UTILITY & FIBER EASEMENT AND THE LESSEE'S PROPOSED 30' WIDE UTILITY & FIBER EASEMENT HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

*TORIBIO HERRERA SURVEY, A-13*

H:\VERIZON\TEXAS\Maske Rd-677573\Project Assigned Number\CANDL\_PROD DWGS\Maske.Rd-05-A2A21 ELEV.dwg, 5/1/2024 11:07:31 AM, Juan

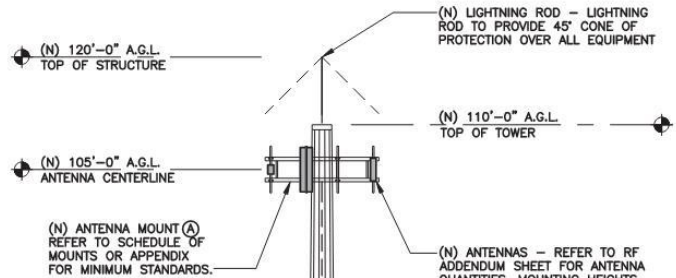


**2 SECTION THRU ANTENNA SECTOR**  
SCALE: N.T.S.



**3 PLAN OF ANTENNA SECTORS**  
SCALE: N.T.S.

(N) = NEW LESSEE  
(E) = EXISTING  
(F) = FUTURE

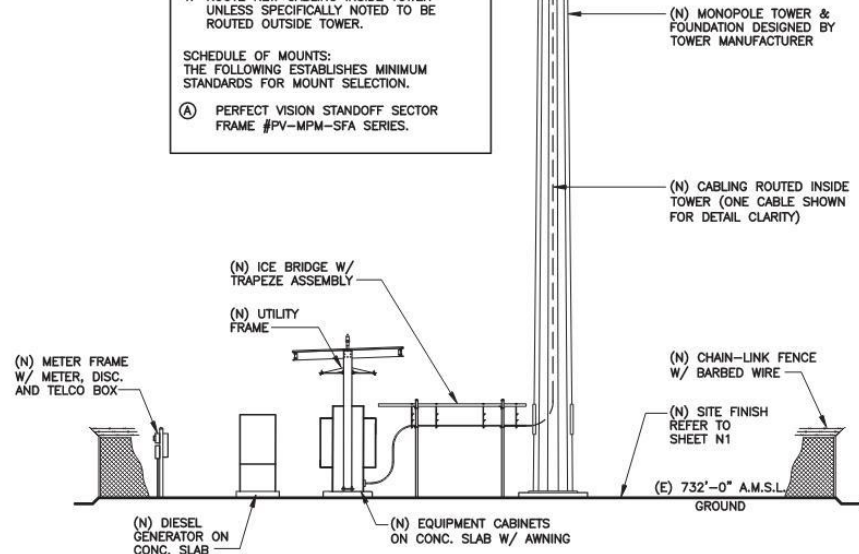


**TOWER VERIFICATION NOTE:**  
THE GENERAL CONTRACTOR SHALL VERIFY WITH OWNER, THE TOWER TYPE AND HEIGHT PRIOR TO ORDERING OR CONSTRUCTING THE TOWER.

- GENERAL NOTES:**
1. SUBCONTRACTOR TO COMPLY WITH ALL FCC AND FAA REGULATIONS ON THIS PROJECT.
  2. ON TOWERS OVER 200' TALL ADD AIRCRAFT WARNING LIGHTS AND CONTROLS PER FAA REGULATIONS.
  3. THIS SITE ELEVATION IS A GENERALIZATION OF SITE AND TOWER COMPONENTS AND THEIR RELATIONSHIPS WITH ONE ANOTHER.
  4. ROUTE NEW CABLING INSIDE TOWER UNLESS SPECIFICALLY NOTED TO BE ROUTED OUTSIDE TOWER.

**SCHEDULE OF MOUNTS:**  
THE FOLLOWING ESTABLISHES MINIMUM STANDARDS FOR MOUNT SELECTION.

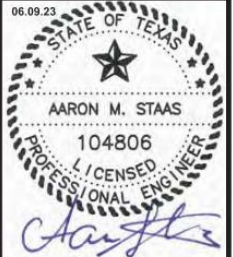
(A) PERFECT VISION STANDOFF SECTOR FRAME #PV-MPM-SFA SERIES.



**1 SITE ELEVATION**  
SCALE: N.T.S.

MASKE RD  
\*\*\*

120 WINDY MEADOWS DRIVE  
SCHERTZ, GUADALUPE COUNTY, TEXAS 78154  
(5000166652)



ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905  
TBPE NO. F-15659

SHEET TITLE  
**SITE ELEVATION**

SHEET HISTORY

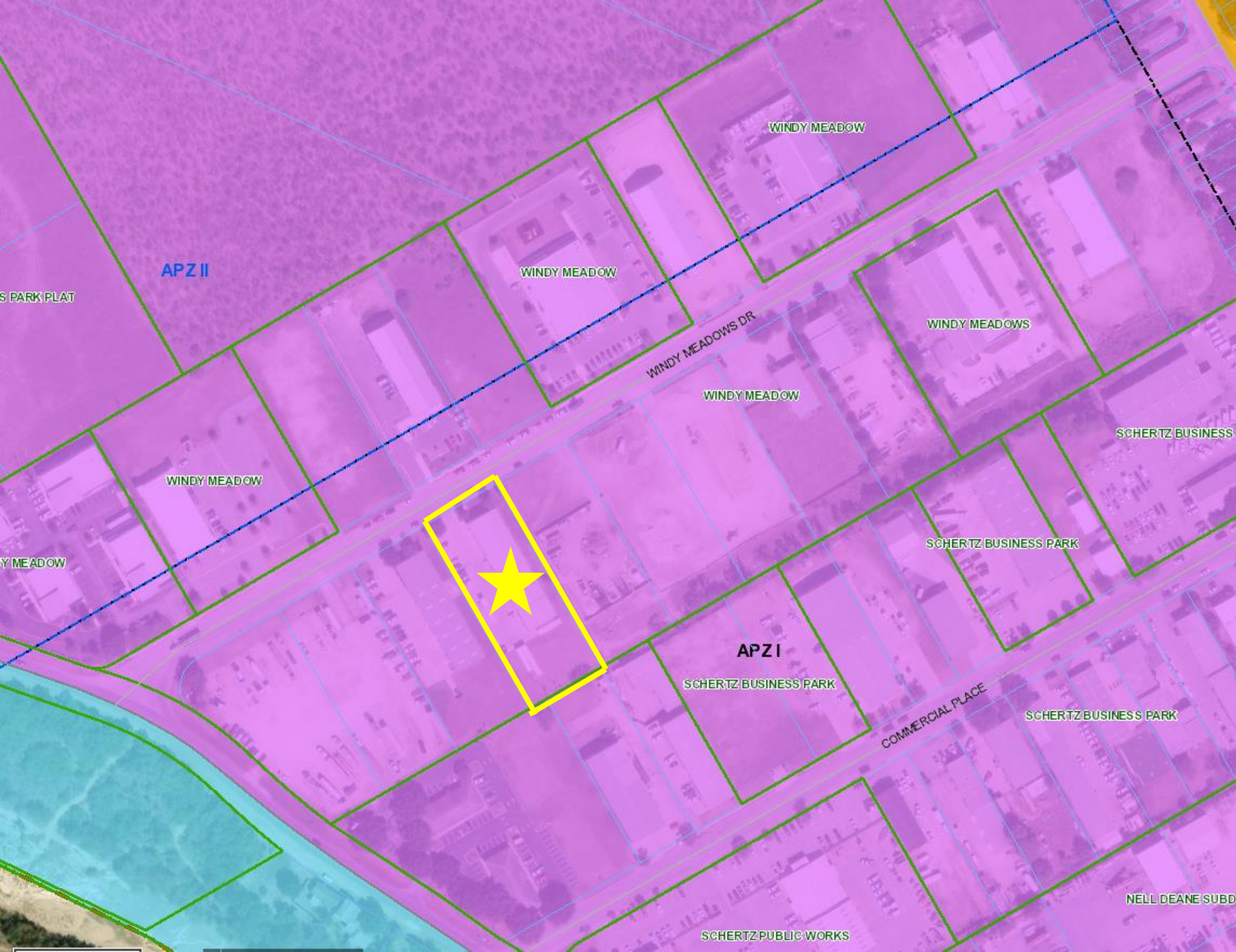
02.15.23	PCD
06.09.23	FCD

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 (INCLUDING WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS) IS PROHIBITED.

# UDC SECTION 21.5.11.D Criteria for Approval

## 1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan;

- The Comprehensive Plan designates this property as Industrial Hub.
  - The primary use of the property is not changing.
- The Comprehensive Land Plan also states that uses should be "generally compatible with JBSA".
  - Placement of this tower poses a risk to the mission
  - Not compatible with policies embodied within Comprehensive Plan



- Complete Neighborhood
- Development Deferment
- Industrial Hub
- Local Corridor
- Main Street
- Mixed Use Center
- Public Use
- Regional Corridor
- Rural Living

# UDC SECTION 21.5.11.D Criteria for Approval

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

- General Business - 2 District (GB -2) is intended for the development of non-residential and light industrial uses.
- The telecommunication tower is compatible with the commercial and light-industrial uses permitted.

# UDC SECTION 21.5.11.D Criteria for Approval

**3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage, or other similar adverse effects to adjacent development and neighborhoods.**

- UDC Section 21.8.6.A. states that telecommunication antennas shall "encourage operators of antenna facilities and antennas to locate them in areas where the adverse impact on the community is minimal".
- Locating the antenna facility in an area that is surrounded by higher-intensity commercial and some light-industrial uses ensures compatibility.

# UDC SECTION 21.5.11.D Criteria for Approval

**4. The proposed use does not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

- The proposed telecommunication antenna will not generate traffic.

# UDC SECTION 21.5.11.D Criteria for Approval

**5. The proposed use incorporates roadway adjustments and traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.**

The proposed telecommunication tower will not be required to incorporate traffic mitigation methods

**6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.**

The proposed tower will have to meet all site requirements in Article 9. Article 9 is in place to ensure adverse effects are minimized and mitigated

**7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.**

The proposed development will have to meet all dimensional and design requirements of the General Business District -2 (GB-2) as stipulated in UDC Section 21.5.7. No variations to the requirements have been requested.

# UDC SECTION 21.5.11.D Criteria for Approval

8. The proposed use promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

- UDC 21.8.6.J.2 requires that City Council consider "the appropriateness of the location"
  - In approach/departure corridor of the east JBSA-Randolph runway and lies (APZ I)
  - In Bird Aircraft Strike Hazard (BASH) Critical Zone.
- BASH Mitigation Plan (JBSA comments)
  - Raptor decoys - lose effectiveness quickly if not moved frequently and paired with lethal take.
  - Sonic deterrents - birds habituate easily if noise is continuous or emitted on a predictable routine frequency
  - Bird spikes - usually only effective against smaller birds, require frequent maintenance.
  - Wind-powered moving deterrents - birds habituate easily and are only effective on windy days.

# UDC SECTION 21.5.11.D Criteria for Approval

**9. No application made under these provisions will receive final approval until all back taxes owed to the City have been paid in full; and**

This does not impact the first reading of City Council.

# UDC SECTION 21.5.11.D Criteria for Approval

## 10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council are deemed relevant and important in the consideration of the Specific Use Permit.

- Staff has not received and special considerations from the City Council.
- The Federal Aviation Administration and JBSA has reviewed this proposal and submitted a letter of no objection to staff.
  - No objection does not equal no risk
- On July 3, 2024 the Planning and Zoning Commission held a public hearing recommended approval with a 6-0 vote.
  - However, staff presented this item with a recommendation of approval as well.

# Staff Recommendation

While the proposed tower may be compatible with surrounding land uses and the particular zoning district, this specific location presents a unique case:

- In the direct flight path of east runway
- In the BASH Critical Zone.
- Mitigation measures risky
- Safety risk of this proposal is too great.

Staff recommends denial of Ord. 24-S-144, the Specific Use Permit to allow a telecommunication tower at the subject property.

# COMMENTS AND QUESTIONS