



MINUTES

for the

SEAGOVILLE PLANNING AND ZONING COMMISSION

Meeting scheduled to begin at
6:30 p.m. on Tuesday, March 26, 2019
in the City Hall Council Chambers
at 702 North U.S. Highway 175; Seagoville, Texas

Chairman Mike Dupuis called the meeting to order at 6:34 p.m.

Commissioners present: Commissioner & Chairman Mike Dupuis
Vice-Chairman Scott Englert
Commissioner Howard Sanders
Commissioner David Grimes

Commissioners absent: Positions 1, 3, and 4 are vacant.

City Staff present: Junior Planner Jennifer Bonner

Vice-Chairman Scott Englert gave the invocation and then led those present in the Pledge of Allegiance.

1. **Approval of Minutes:** Vice-Chairman Scott Englert moved to accept the minutes from the February 26, 2019, meeting as typed. Commissioner David Grimes seconded the motion. By a show of hands, the vote was unanimous (four to zero) in favor of the motion.
2. **Public Hearings: Request Z2019-08:** Chairman Dupuis introduced the request to amend the zoning from C, Commercial, to C-SUP, Commercial with a Special Use Permit to allow a communication cell tower on a portion of approximately 13.3-acres of unplatted Tract 39 of the Herman Heider Abstract commonly known as 2737 North U.S. Highway 175. He then asked for a staff report.

Planner Bonner began by describing where the tower would be located on the site. The tower would be located on about 0.25-acres of the parent parcel. Planner Bonner told the audience and reminded the Commissioners that the Commission only makes a recommendation to the City Council, who will then make a final decision. Staff is recommending approval of the request with the following conditions:

- Approval of the SUP for 270 days unless the tower's construction cannot be completed in that length of time.

- The SUP would need to be re-applied for and approved prior to any time extension being granted to complete the tower.
- The SUP would remain once the tower is completed and would remain in effect until the tower is removed from the property.

She then continued by stating that what is not listed here is that the Seagoville code requires a 24-foot-wide concrete fire lane. This was not an issue during review because the submitted documents show the location of the required fire lane. She did meet with the applicant (proposed tower's owner) and their representative to discuss this item before the meeting tonight. She then continued by going through the Staff Report and then the other exhibits in the Commissioners' packets. She asked the commissioners had any questions.

Vice-Chairman Englert asked about "existing mixed pavement of asphalt and gravel" shown in the replacement Exhibit 5b drawings. Planner Bonner stated that she had told them the middle of last week that if an engineer could provide documentation that the existing pavement could support the 75,000-pound fire truck listed in the fire code, we would consider allowing the existing asphalt to remain – but the documentation would have to come from an engineer. If an engineer could not provide such a document, then the area would have to be replaced with concrete meeting the City's fire lane requirements. The area to be replaced would have to begin where the existing concrete ends and cover the entire length of the fire lane area. The hammerhead turn-around shown on these pages is already planned for concrete because there is no pavement in that area. They are just trying to keep they area that is a mix of materials inside the existing fences for the businesses in front of the tower site.

None of the other commissioners had questions, but the chairman did state that he had also had concerns about access to the site. He did ask about whether an engineer's report was needed now. Planner Bonner stated that that is something typically required and reviewed at the time of building permit so was not something she requires with an Special Use Permit or zoning request.

Vice Chairman Englert asked Planner Bonner to confirm the tower's planned height. Planner Bonner stated 195-feet, which is why Staff typically requires the tower and its full-height failure to occur within the parent parcel so that no adjoining property owner might be subject to harm from an extreme failure of the tower. She continued by stating that she had shared her concern about the closest property lines not being shown along the backside of the properties at 2741, 2743, and 2745. As long as the tower height of 195-feet does not cross those property lines, then the city has no concerns about the tower's location. Planner Bonner concluded by stating a concrete fire lane is required by code anytime any part of a structure is over 150-feet from the servicing road. With no other questions or comments from the commissioners, Planner Bonner then returned to her seat.

Chairman Dupuis then opened the public hearing at 6:50 pm.

Chairman Dupuis asked if anyone from the applicant wished to speak. Mr. Bill Bauman, representing the tower owner and both property owners, approached the podium and

introduced himself. He thanked the Commissioners coming out tonight with barely a quorum present. He stated that he felt Planner Bonner had given a very thorough summary of the property and the application. The only thing addition item that the applicant would like relief from would be the fire lane and its concrete requirement. Building it in the planned location would be somewhat disruptive to the activities of the businesses in front of the tower. It is not that the applicant wouldn't construct it – just that it is expensive to build a concrete road that only serves an unmanned tower. We are not asking for relief of that tonight. He would answer any questions that the Commission might have. He said he wouldn't talk about cell towers or their technology tonight as he might have had to do several years ago when he worked for the City of Arlington. He did say that towers today are built for co-location, so he would not be surprised if within a few months other carriers would be asking the city about adding their equipment to the tower once it was constructed.

Commissioner Grimes asked about why a fire lane is required. Do towers catch on fire? Chairman Dupuis responded that fire trucks are part of an emergency response so need to be able to access any site need to be reached in an emergency. Planner Bonner responded that fire lanes are required by code for all structures. The only exempted structure is a fence. In response to the question about catching fire, Mr. Bauman replied the only fires he knew of related to towers was when a coaxial cable caught fire. Its own insulation and rubber wrappings extinguished the flames and tripped breakers before anyone knew there was even an issue related to fire. Chairman Dupuis added that a high rescue may be needed if there was some sort of problem on the top of the tower during erection of maintenance – requiring fire trucks with ladders to be able to reach the site.

None of the commissioners had questions, so Mr. Bauman returned to his seat.

Chairman Dupuis asked for any public comments. There were none so Chairman Dupuis closed the public hearing at 6:55 pm.

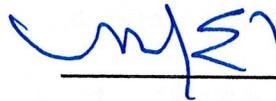
None of the commissioners had any additional items of discussion, so the Chair asked if those present were ready to vote. Vice Chairman Englert moved to recommend that the City Council approve with conditions the request to amend the zoning on about 13.3-acres of unplatted Tract 39 of the Herman Heider Abstract (commonly known as 2737 North Highway 175) from C, Commercial, to C-SUP, Commercial with a Special Use Permit to allow a communications tower with the following conditions:

- Approval of the SUP for 270 days unless the tower cannot be completed in that length of time.
- The SUP shall need to be re-applied for and approved prior to any time extension on the tower's construction.
- The SUP would remain once the tower is completed and would remain in effect until the tower is removed from the property.
- Construction of a 24-foot-wide concrete fire lane.

Commissioner Howard Sanders seconded the motion. By a show of hands, the vote was unanimous (four to zero) in favor of the change.

Planner Bonner then announced the next City Council meeting will be on Monday, April 1. The item discussed tonight will not be on that agenda. Tonight's P&Z item will be on the City Council agenda that follows, which is scheduled for Monday, April 15th. The next Planning and Zoning Commission meeting will be on Tuesday, April 9. There will be at least one public hearing item on that agenda. The P&Z meeting after that, scheduled for April 23, will have a full agenda. If a commissioner will not be able to attend, please let Planner Bonner know immediately as every person is needed to attend in order to have a quorum for a meeting.

Chairman Dupuis adjourned the meeting at 6:57 pm.



Mike Dupuis

Planning and Zoning Commission Chairman

ATTEST:



Jennifer Bonner, Jr. Planner and
Planning and Zoning Commission Liaison