

**CITY OF FREEPORT
PLANNING COMMISSION
Tuesday, September 28, 2010, 6:00 p.m.
Freeport Police Department, Municipal Court Room
430 North Brazosport Boulevard
Freeport, Texas**

AGENDA

*Diane Williams, Chairperson
Tobey Davenport
Rueben Cuellar*

*Edward Garcia
Mike Jones*

NOTICE is hereby given that the Planning Commission of the City of Freeport, Texas will meet in a regular meeting on **Tuesday, September 28, 2010 at 6:00 P.M.** at the Freeport Police Department Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

1. Open Meeting.
2. Invocation.
3. Approval of the Minutes for August 24, 2010, and the Minutes for the Joint Public Hearing on September 7, 2010.
4. Discuss/consider making a recommendation to City Council on whether or not to grant Abundant Life Church a Specific-Use Permit to operate a church on Lot 10-SW/2' Lot 11, Block 600, Velasco Townsite, known locally as 606 North Gulf Boulevard, within the corporate limits of said City.
5. Discuss/consider making a recommendation to City Council on whether or not to grant Capitol Telecom a Specific-Use Permit to erect and operate a 120 foot communication antennae on a 50 ft. by 50 ft. parcel of land out of Lot 1, Freeport Properties Subdivision, known locally as 1744 West 4th Street, within the corporate limits of said City.
6. The Building Official, Kola Olayiwola will present an update on current issues concerning the Building/Code Department.
7. Adjourn.

NOTE: ITEMS NOT NECESSARILY DISCUSSED IN THE ORDER THEY APPEAR ON THE AGENDA. THE PLANNING COMMISSION, AT ITS DISCRETION, MAY TAKE ACTION ON ANY OR ALL OF THE ITEMS LISTED.

I, Melissa Farmer, Building/Permit Department Secretary, City of Freeport, Texas, hereby certify that this Agenda was posted on the official bulletin board/glass door of City Hall facing the rear parking lot of the building with 24-hour access at 200 West 2nd Street, Freeport, Texas on or before Friday, September 24, 2010 at 5:00 P.M.



Melissa Farmer
Building/Permit Department
City of Freeport

COUNTY OF BRAZORIA)(

CITY OF FREEPORT)(

BE IT REMEMBERED that the Planning and Traffic Commission of the City of Freeport, Texas met in a regular meeting on **Tuesday, August 24, 2010 at 6:00 P.M.** at the Police Department Conference Room, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

Planning Commission:

*Diane Williams, Chairperson
Rueben Cuellar
Edward Garcia
Mike Jones - Absent
Tobey Davenport*

Staff: *Fire Chief Chris Motley
Melissa Farmer
Wallace Shaw
Nat Hickey
Councilwoman Michelle Kent
Councilwoman Nicole Mireles*

Guest: Joyce Adkins

Open Meeting.

Ms. Diane Williams called meeting to order at 6:00 P.M.

Approval of Minutes.

Mr. Tobey Davenport moved to accept the minutes for July 27, 2010, seconded by Mr. Edward Garcia, unanimous vote for approval.

Discuss/consider amendment to Section 155.023 of Chapter 155, Division (L), Fencing, Code of Ordinance book.

Fire Chief Chris Motley discussed the issues that the Fire/EMS Department had with fencing in the front yard and that if they were allowed with conditions, who would be in charge of enforcing to make sure that those conditions were met. He stated that with only one means of access onto the property, that there could be issues with the firefighters having to get around each other or having to jump over fences which could lead to accidents. He also stated that another problem with fencing in the front yard was that there could be dangerous dogs in the yard and that this could cut down the response time for the Firefighters and EMS employees.

Mr. Tobey Davenport made a motion to keep the fence ordinance as it is in the ordinance book, seconded by Mr. Rueben Cuellar, unanimous vote for approval.

Adjourn.

Mr. Tobey Davenport made a motion to adjourn, seconded by Mr. Rueben Cuellar, unanimous vote for approval. Meeting was adjourned at 8:13 P.M.

These minutes read and approved this _____ day of _____, 2010.

Diane Williams, Chairperson

STATE OF TEXAS)(

COUNTY OF BRAZORIA)(

CITY OF FREEPORT)(

BE IT REMEMBERED that the Planning Commission of the City of Freeport, Texas met in a special meeting on **Tuesday, September 7, 2010 at 6:00 P.M.** at the Freeport Police Department, Municipal Courtroom, 430 North Brazosport Boulevard, Freeport, Texas to discuss the following:

Planning Commission:

*Diane Williams, Chairperson
Edward Garcia
Rueben Cuellar
Mike Jones - Absent
Tobey Davenport*

City Council:

*Mayor Larry McDonald
Norma Garcia
Fred Bolton
Nicole Mireles
Michelle Kent*

Staff:

*Jeff Pynes
Wallace Shaw
Delia Munoz
Gilbert Arsipe
Larry Fansher
Nat Hickey
Chief Tyrone Morrow
Gary Pohl
Bob Welch*

Guests:

<i>Eric Hayes</i>	<i>Lila Diehl</i>
<i>Louie Jones</i>	<i>Jim Pirrung</i>
<i>Dorothy Pirrung</i>	<i>Joyce Adkins</i>
<i>Glenda Fansher</i>	<i>John Stanford</i>
<i>Carlene Wood</i>	<i>Dave Knuckey</i>
<i>Manning Rollerson</i>	<i>Rosa McDonald</i>
<i>Loren Hayes</i>	<i>Sandra Leavey</i>
<i>Sam Reyna</i>	<i>Lila Lloyd</i>
<i>Clan Cameron</i>	<i>Sandra Barbree</i>
<i>Sandra Barnett</i>	<i>Jerry Meeks</i>
<i>Jim Barnett</i>	<i>Marjorie Clark</i>

Open Meeting.

Mayor Larry McDonald called the meeting to order at 6:25 PM.

Invocation.

Mr. Wallace Shaw offered the invocation.

City Council

There being a quorum with the City Council and Planning Commission, Mayor McDonald opened the meeting.

Planning Commission

There being a quorum with the Planning Commission and City Council, Ms. Diane Williams, Chairwoman, opened the meeting.

Conduct a Joint Public Hearing to consider granting to Abundant Life Church a Specific-Use Permit to operate a church on Lot 10 SW/2 Lot 11, Block 600, Velasco Townsite, known locally as 606 North Gulf Boulevard, within the corporate limits of said City.

Mr. Louie Jones, owner of Latigo Land Company, 1744 West 4th Street asked Council to grant Capital Telecom a Specific-Use Permit to erect and operate a 120 foot communication antenna on a 50 ft. by 50 ft. parcel of land. Mr. Jones said this was another small business for the City of Freeport; it would bring in tax money and would not interfere with other existing businesses.

Councilman Fred Bolton asked what kind of study was done on this being an optimal location for the tower. A designer with Capital Telecom said the first optimal location was prohibited by a church. This was the second optimal location.

Councilwoman Nicole Mireles asked if there were any future plans to add to the tower. Mr. Jones said, "No."

Mr. Loren Hayes' concern was that Life Flight landed at the Brazosport High School and he wanted to know if the antenna tower had lights. Mr. Jones said that the FFA did not require lights but that lights could be provided.

Ms. Diane Williams, Chairperson for the Planning Commission said that the Board had discussed the proposed communication tower and recommend that the Specific-Use Permit be issued.

Ms. Sandra Barnett stated that an antenna in such a place could detract any potential business developers. She suggested the tower be installed outside the City limits.

Mr. Larry and Glenda Fansher of 1630 West 10th Street expressed their opposition to the communication tower. The City, with Federal funding, has spent millions of dollars to enhance the States thoroughfare along Highway 288; and that Brazosport Independent School District had spent millions of dollars upgrading its school.

Mr. Eric Hayes and Mr. Clan Cameron opposed the proposed communication tower.

There being no further comments or questions, Mayor Larry McDonald closed the Public Hearing at 7:10 P.M.

Conduct a Joint Public Hearing to consider a proposed amendment to the Comprehensive Zoning Ordinance (and Map) of said City, codified as Chapter 155 of the Code of Ordinances of said City, granting to Capitol Telecom a Specific-Use Permit to erect and operate a 120 foot communication antennae on a 50 ft. by 50 ft. parcel of land out of Lot 1, Freeport Properties Subdivision, known locally as 1744 West 4th Street, within the corporate limits of said City.

Mayor Larry McDonald opened the Joint Public Hearing at 7:11 P.M.

Mr. Eric Hayes opposed Council granting a Specific-Use Permit to Abundant Life Church. He felt they should not be situated in commercial businesses.

Ms. Joyce Adkins said the church would have parking problems.

There being no further comments or questions, Mayor Larry McDonald closed the Public Hearing at 7:12 P.M.

Adjourn.

Mayor Larry McDonald adjourned the Joint Public Hearing at 7:12 P.M.

Mr. Edward Garcia made a motion to adjourn, seconded by Mr. Rueben Cuellar, unanimous vote for approval. Meeting was adjourned at 7:12 P.M.

These minutes read and approved the _____ day of _____ 2010.

Diane Williams, Chairwoman

City of Freeport
Building Department
Phone: 979-233-3526

For Office Use Only

Case Number: _____
Date Filed: _____
P & Z Date: 7-27-10
Council Date: _____

**Application for
Specific Use Permit**

1. Address or general location of site: 606 N. Gulf Blvd.

2. Subdivision _____ Block _____ Lots _____ Acres _____

3. Current Zoning Classification: _____

4. Proposed use of the site (please be specific): Church

5. Reason for requesting a specific use permit: Wanting to relocate and remain in Freeport. Our present location at 802 West 14th Freeport, TX is being sold. We love Freeport and want to remain here!

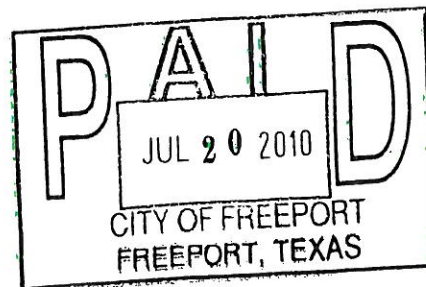
I hereby certify that I am the owner or duly authorized agent of the owner, for the purposes of this application. The application fee of \$150.00 to cover the cost of this specific use permit application has been paid to the City of Freeport on July 21, 2010. I also certify that I have been informed and understand the regulations regarding specific use permits as specified in the Zoning Ordinance of the City of Freeport. I understand it is necessary for me or my authorized agent to be present at both the Planning and Zoning Commission and the City Council public hearings.

Owner's Signature: Rev. Harold A. Jackson

Owner's Name: Rev. Harold A. Jackson

Address: 1406 West 11th St.

City, State, Zip: Freeport, TX 77541 Phone: 979-871-9255 ^{Am.} 979-201-9525 ^{cell}



July 13, 2010

City of Freeport
200 W. 2nd. St.
Freeport, TX 77541

Re: Freeport Business Park
Capitol Telecom
120' Communication Antennae

Mayor/City Manager/Council Members;

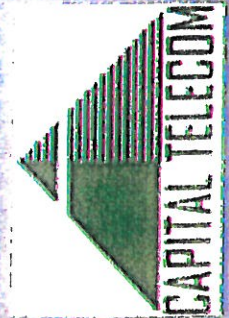
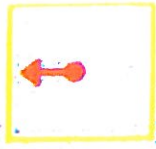
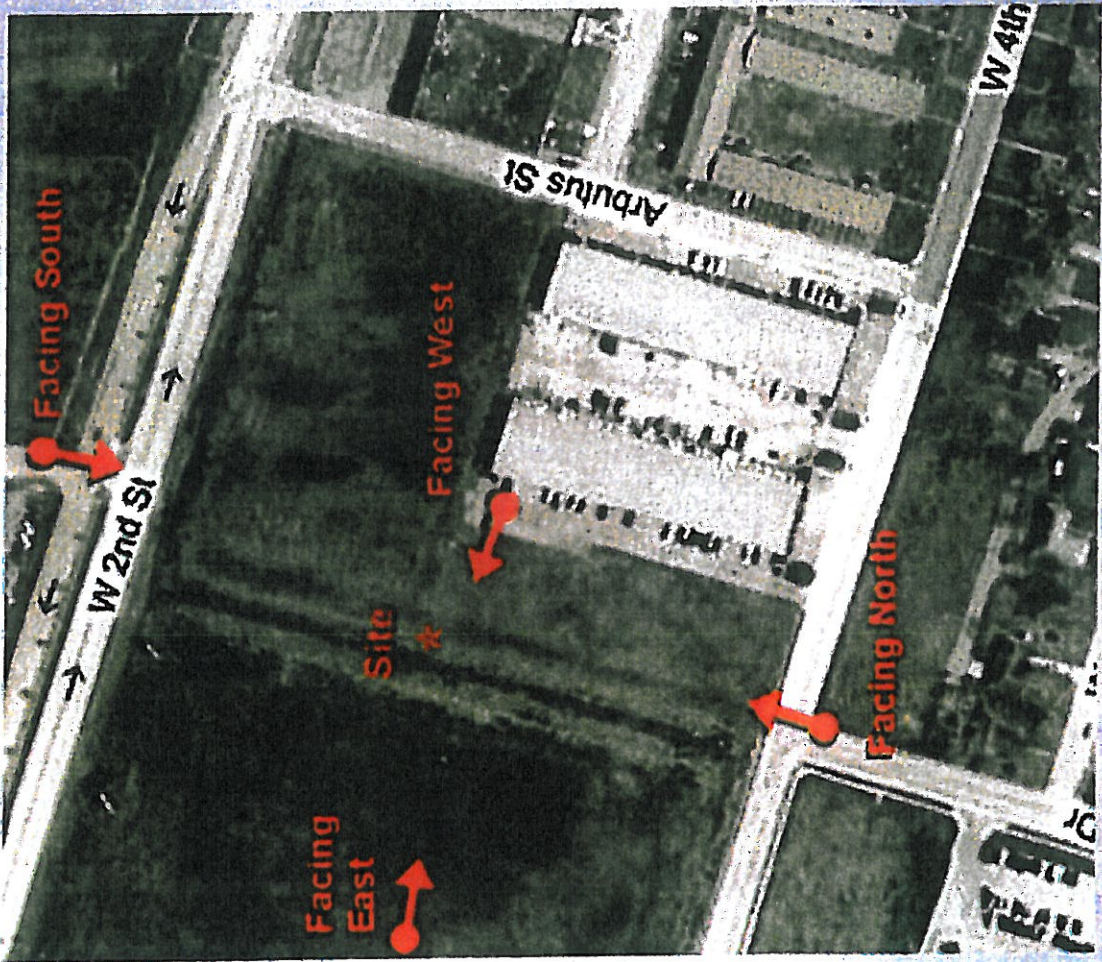
Capitol Telecom has leased a 50'x50' piece of land from Latigo Land Company to locate 120' communication antennae. We have checked the specifications, location, etc. and believe it does not interfere with our ten existing business tenants. This is a monopole antenna, much like a large flagpole, and is not much higher than the lights at Hopper Field and is much more attractive. The equipment at the bottom of the antenna will be completely surrounded by a wood fence and landscaping.

We believe this brings another small business to Freeport. The lease is fifteen years firm, with five options of five years each. We have calculated the value to the City in tax revenue over the life of the lease, and options, and find, subject to the property valuations and future tax rate that the total taxes should be over \$900, 000. with over \$300,000. in city taxes. This is a good tenant for our business park and the city. Remember, neither we, nor the city, have to spend a dime on this lease in the way of maintenance, street repair, water lines, on any thing else making it a very lucrative business for both of us. This particular location, they tell us, is the only location in this immediate area that will enhance cell phone reception for Freeport.

I believe this type of development is not addressed in our zoning ordinance and will require specific use permit from the city. We would like your guidance as to how to proceed. We enclose a computer rendition of how the property looks now and how it will look with the antenna in place.

Thanks for you help


L. H. (Louie) Jones



Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

Freeport
1744 West Fourth St
Freeport, TX 77541

Facing North

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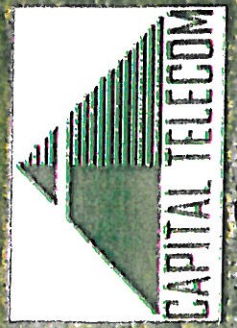
EXISTING



Disclaimer: This photo simulation is an artist's depiction of a future site plan. The actual construction may vary slightly in size, layout, color and texture from this simulation.

Freeport
1744 West Fourth St
Freeport, TX 77541

Facing North



PROPOSED



Freeport
1744 West Fourth St
Freeport, TX 77541

Facing East



EXISTING



Freeport
1744 West Fourth St.
Freeport, TX 77541

Facing East



PROPOSED

Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color, and location from this simulation.

Freeport
1744 West Fourth St
Freeport, TX 77541
Facing South

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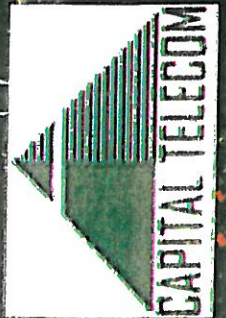
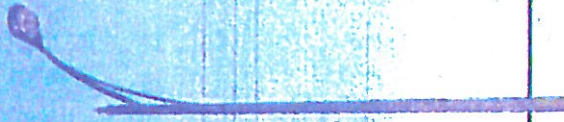


EXISTING



Disclaimer: This photo simulation is an artist's depiction of a future installation. The actual construction may vary slightly in size, layout, color and texture from this simulation.

Freeport
1741 West Fourth St
Freeport, TX 77541
Facing South



PROPOSED

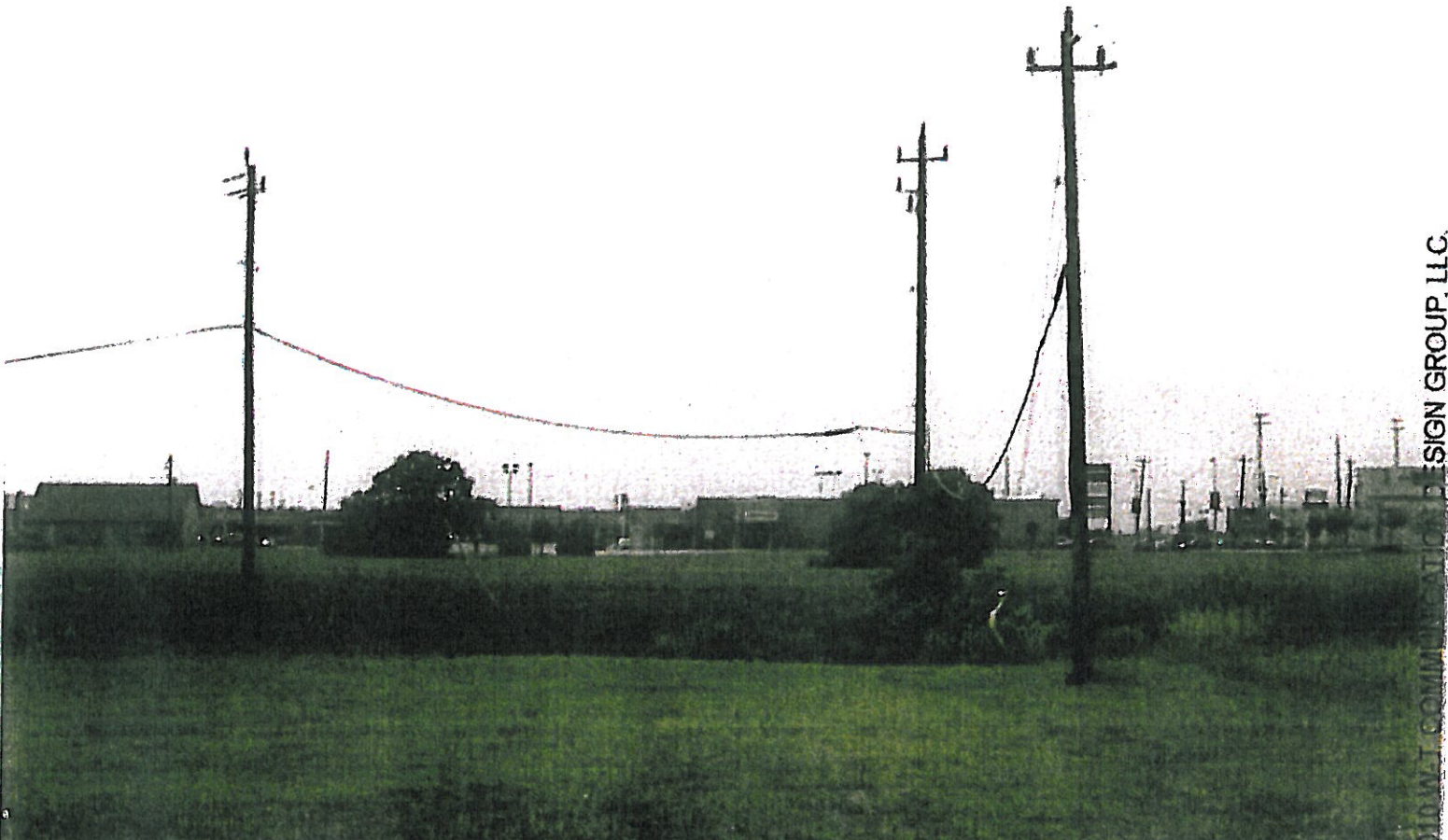


Freeport

1744 West Fourth St

Freeport, TX 77541

Facing West



EXISTING

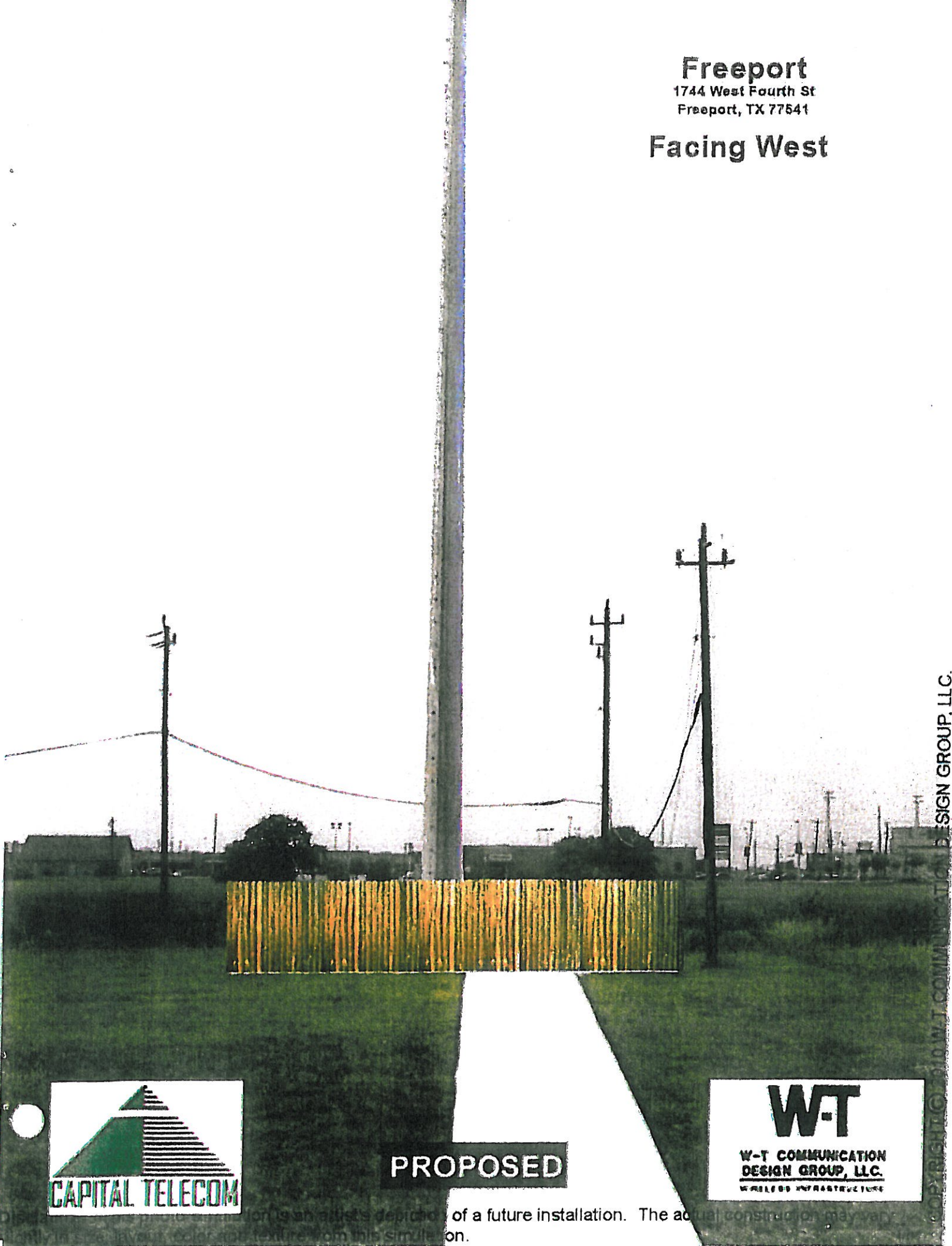


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This is an artist's depiction of a future installation. The actual construction may vary from this simulation.

Freeport
1744 West Fourth St
Freeport, TX 77541

Facing West



PROPOSED



This is an artist's depiction of a future installation. The actual construction may vary from this simulation.

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