

**PLANNING AND ZONING COMMISSION
AUGUST 24, 2009
CITY COUNCIL CHAMBERS @ 12:00 P.M.**

P&Z PRESENT

Raul Sesin
Ned Sheats
Mario Garza
Marisela Marin
Jose G. Vela

P&Z ABSENT

Luann Caudle
Henry Rodriguez

STAFF PRESENT

Sergio Zavala
Bobby Salinas
Jaime Acevedo
Susana De Luna

GUESTS PRESENT

Robert Linn

CALL TO ORDER

Chairman Sesin called the meeting to order at 12:06 p.m.

CITIZENS PARTICIPATION

There was no response upon inquiry.

Started: 12:06 p.m.

Ended: 12:17 p.m.

Item # 1.1

**Tabled Conditional Use Permit: To Install a Changeable Copy Sign
2309 E. Expressway 83
Lot 1, R.C. Vacker Subdivision
C-3
Life of Use
Gary Vacker (Bert Ogden RGV)**

Chairman Sesin entertained a motion to remove the item from the table. Mr. Sheats moved to remove the item from the table. Mr. Garza seconded the motion. Upon a vote, the motion passed unanimously.

Mr. Jaime Acevedo, City Planner went over the write up stating this item was previously seen on August 19, 2009 at which time it was tabled. He added that after conferring with the applicant he did express that the sign would have some of the features that Mr. Sheats had mentioned at the previous meeting. He added that the sign would be brighter during the day and automatically dim at night. Mr. Acevedo mentioned that the applicant was willing to share the sign with the community making it like a community billboard which would include amber alerts, getting out to vote, citrus fiesta parade events, etc. He added that there had not been any changes to the previous write-up except that staff had gotten more clarification on the type and purpose of the sign. Mr. Acevedo stated that there would be some type of control of the contrast ratio and brightness. He added that staff was still recommending approval and if Mr. Sheats wanted to impose some conditions they could certainly be considered.

Chairman Sestin asked if there was any public opposition to the request.

There was no response.

Chairman Sestin asked if the applicant or representative were present.

Representing Bert Ogden, Mr. Robert Linn was present to answer any questions from the board.

Mr. Sheats mentioned that one of his concerns was the brightness of the sign but that concern had already been addressed by the applicant. He added that he had obtained a copy of a 2009 Transportation Safety Report that consisted of 91 pages which also mentioned a concern for this type of issues as far as angle views. Mr. Sheats stated that he would like to recommend that the sign be approved with several restrictions such as: 1) channeling the high contrast and brightness ration of sign, and 2) that it be information only and not for entertainment. He added that there was no need to see any fireworks or dogs running across the sign the sign should only include information that the dealership needs to give to their customers such as sales going on. Mr. Sheats recommended that this item be brought back to P&Z within 6 months of the completion of the sign to assess illumination adjustments via calls and/or incidents.

Mrs. Marin asked if the proposed sign would only be for the advertisement of Bert Ogden.

Mr. Acevedo stated that it would only be used to advertise for Bert Ogden.

Mrs. Marin stated that she just needed clarification on the purpose of the sign and stated that there was a difference between advertising for Bert Ogden only and advertising for everything in general because it would change the reason why the people would want to look at the sign. She added that when you advertise a car you see that everywhere but if you advertise the time, temperature, news cast, etc. then the people would want to see it all the time. Mrs. Marin stated that she just didn't care for the constant advertisement of anything else that wasn't vehicle related but would take the amber alert any day.

Mr. Garza mentioned that he was not against the sign but would like to know how often it would change.

Mr. Linn stated that the sign would change every 8 to 10 seconds, advertising from Bert Ogden Mazda to Kia, etc.

Mr. Garza stated that the only concern he had was traffic safety because if you were driving on the Expressway and you're trying to exit on Bryan Road; the existing sign is at the eye level of the driver trying to exit; and trying to maneuver with the sign at

eye level would be a distraction and might cause an accident. He agreed on the 6 month re-assessment.

Mr. Linn asked if after the sign was built.

Mr. Garza replied, "Yes", that way any concerns would be addressed at that time.

Mr. Linn stated that considering the expense they were going to make on the sign and the work to remove the existing sign it would not be good to only have it for 6 months. He added that especially since there had been no accidents that have been caused by the sign since it was installed back in 97 or 98 as conferred with the Mission Police. Mr. Linn stated that he didn't anticipate any problems or conflicts regarding the sign. He added that in the future their intent was to change the sign to a more full color graphic sign instead of the old regular light graphic.

Mr. Acevedo showed P&Z an example of the animations that would be displayed on the sign for their approval.

There being no further discussion, Chairman Sesin entertained a motion. Mr. Sheats moved to approve the conditional use permit subject to re-assessment in 6 months to consider illumination adjustments via calls and/or incidents. Mr. Vela seconded the motion. Upon a vote the motion passed unanimously.

3.0 OTHER BUSINESS

Mr. Acevedo stated that there was no other business.

4.0 ADJOURNMENT

There being no further items for discussion, Mr. Sheats moved to adjourn. Mrs. Marin seconded the motion. Upon a unanimous vote, the meeting adjourned at 12:18 p.m.

Raul Sesin, P.E., Chairman
Planning and Zoning Commission