

HOUSTON TOWER COMMISSION

Members

Rob Todd, Chair
John R. Melcher
Bobby De La Rosa
Kerrick Henny
Teresa Lynn Flores
Linda Smith
Asim Tufail
Yulanda Campbell

Secretary

Margaret Wallace Brown

Agenda

Monday, May 24, 2021
3:30 pm

Join Microsoft Teams Meeting or via
web at: <https://bit.ly/3wknCTB>

Phone: 936-755-1521
Conference ID: 825 819 606#

Submit Written Comments to:
planning.tower@houstontx.gov

Make Comments by Phone to:
832-393-6624

To download the full agenda package
visit:
https://www.houstontx.gov/planning/Commissions/commiss_tower.html

SPEAKERS GUIDELINES

WELCOME to a meeting of the City's Planning and Development Department. Your input is valued. Board members act according to established standards; see rules or policies for details. Staff is available to help orient you on meeting procedures. For the City's I SPEAK language line, including traducción en español, call 832-393-3000

The public is encouraged to take an active interest in matters that come before the **Virtual Tower Commission**. Anyone wishing to speak before the Commission may do so. The Commission has adopted the following procedural rules on public participation for virtual meetings:

1. Anyone wishing to speak before the Commission should sign up to speak via phone **832-393-6624** or email **planning.tower@houstontx.gov**, 24 hours in advance preferred.
2. Please note what item you wish to speak on, or if it is for general public comments.
3. You may also sign up to speak in the chat feature of Microsoft Teams, and either ask to speak, or write your comments there, which will be read into the record by staff.
4. All comments submitted in writing or by phone will be read into the record by staff.
5. Keep your phone or computer on "MUTE" unless identified by the Chair to speak. When your name is called, unmute your phone by pressing your mute button or *6, or unmute your computer. State your name, spell your last name, and make your comments. When you are done, please mute yourself.
6. If the speaker wishes to discuss any subject not otherwise on the agenda, time will be allocated or allotted after all agenda items have been processed and "public comments" are taken.
7. Applicants will be allowed to speak first and are allowed **five** minutes for an opening presentation. The applicant is also permitted a two-minute rebuttal after all speakers have been heard. If there are no speakers other than the applicant, there is no rebuttal period.
8. All other speakers will be permitted two minutes to address the Commission.
9. No speaker is permitted to accumulate speaking time from another person.
10. Time devoted to answering any questions from the Commission is not charged against allotted speaking time. The Commission may extend any speaker's speaking time if it is the Commission's judgment that additional time is needed to sufficiently discuss an item.
11. The Commission reserves the right to limit speakers if it is the Commission's judgment that an issue has been sufficiently discussed and additional speakers are repetitive.
12. The Commission reserves the right to stop speakers who are unruly or abusive.

NOTE: The Tower Commission may only act to approve or disapprove the placement of a tower under Chapter 28, Article XVI, City of Houston Code of Ordinances.

HOUSTON TOWER COMMISSION

AGENDA

Monday, May 24, 2021 3:30 p.m.

Due to health and safety concerns related to the COVID-19 coronavirus, the Tower Commission will conduct meetings by videoconference for the duration of social distancing restrictions. The Commission will be participating by videoconference using Microsoft Teams in accordance with the provisions of Section 551.127 of the Texas Government Code that have not been suspended by order of the Governor. This platform will allow for a two-way video/audio communication with the members of the Tower Commission.

To download the full agenda package visit:

- Join Microsoft Teams Meeting by installing the Microsoft Teams app; or
- Join via Web Browser: <https://bit.ly/3wknCTB>; or
- Join via Phone: 936-755-1521, Conference # 825819606#

Please visit the web page below to download the full agenda package.

https://www.houstontx.gov/planning/Commissions/commiss_tower.html

Call to Order

Secretary's Report

I. Approve the April 27, 2020 Tower Commission Meeting minutes

II. Public hearing and consideration of a waiver request:

21-T-0747 909 2/3 N Shepherd Street for a waiver of Section 28-524 (g): Fall zone, 28-524 (b) residential area and 28-524 (h) Existing Tower within 1000 feet, of the Code of Ordinances of the City of Houston, Texas.

III. Public Comment

IV. Adjournment

Minutes of the Houston Tower Commission

(A recording of the full proceedings is on file in the Planning and Development Department)

April 27, 2020

Telephonic/Videoconference Meeting held via Microsoft Teams <https://bit.ly/2XW3xFd>
3:30 p.m.

CALL TO ORDER

Chair Rob Todd called the meeting to order at 3:30 p.m., with a roll call vote and a quorum present.

Rob Todd, Chair
Teresa Lynn Flores
Kerrick Henny
John R. Melcher
Christy B. Smidt
Linda Smith
Asim Tufail

Left at 4:22 p.m. during public comments

SECRETARY'S REPORT

The Secretary's Report was given by Hector Rodriguez, Planner Manager, Planning and Development Department.

Chair's Report

The Chair's Report was given by Rob Todd, Chair of the Houston Tower Commission.

I. APPROVAL OF THE FEBRUARY 24, 2020 TOWER COMMISSION MEETING MINUTES

Motion was made by Commissioner Melcher, seconded by Commissioner Henny, to defer the February 24, 2020 Tower Commission meeting minutes. Motion carried unanimously with a roll call vote of Commissioners Flores, Smidt, Henny, Tufail, Melcher and Smith voting in favor.

II. PUBLIC HEARING AND CONSIDERATION OF WAIVER REQUEST

19-T-0741 3206 2/3 Webster Street

Motion was made by Commissioner Melcher, seconded by Commissioner Henny, to approve the waiver request of section 28-524(g): Fall zone, of the Code of Ordinances of the City of Houston, Texas for item II-A. Motion carried with a roll call vote with Commissioners Flores, Henny, Melcher and Smidt voting in favor and Commissioners Smith and Tufail voting against.

Speaker(s): Jared Ladet, applicant – supportive; Lori Cral - opposed.

III. PUBLIC COMMENT

Commissioner Todd spoke about revisiting the Tower ordinance.

IV. ADJOURNMENT

There being no further business before the Commission, Chairman Rob Todd adjourned the meeting at 4:22 p.m. Motion was made by Commissioner Tufail and seconded by Commissioner Flores. Motion carried unanimously.

Rob Todd
Chair

Hector Rodriguez
Secretary

AGENDA ITEM: II - A

TOWER APPLICATION AND WAIVER REQUEST - STAFF REPORT

Location:	File No.	Zip	Lamb. No.	Key Map
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909 2/3 N Shepherd	21-T-0747	77008	5258	
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Applicant: Vincent Huebinger, Crown Castle

Application Date: 03/21/2021

Location: along N Shepherd, South of W 11th Street

Existing Use: Commercial

Proposed Use: 100' Monopole tower

Proposed Tower Users: Crown Castle

Waivers Request: 28-524 (b) residential area, 28-524 (g): Fall zone, and 28-524 (h) Existing Tower within 1000 feet, of the Code of Ordinances of the City of Houston, Texas.

Relevant Tower Ordinance Waiver Provisions:

28-524 (b): In a residential area, a tower permit shall not be approved for the construction or alteration of a tower structure.

28-524 (g): A tower permit shall not be approved for the construction or alteration of a tower structure unless the distance between the center of the base of a tower and the nearest residential lot is at least one and one-half times the height of the tower or tower structure.

28-524 (h): A tower permit shall not be approved for the construction or alteration of a tower structure within 1,000 feet of an approved tower structure, other than a tower structure for which a permit would not be required under this article. For purposes of this requirement, a tower is considered to be "approved" when a tower permit has been issued pursuant to this article and the tower structure has been constructed or any building permit issued thereunder remains in effect. The director shall promulgate rules and procedures for establishing precedent to the extent of conflict between two or more tower structures.

BASIS OF REQUEST:

Reason for waiver: Crown Castle has an existing cell tower facility located at 840 N Shepherd Drive that is being decommissioned. The landowner is not willing to extend the current lease. We are seeking a new tower replacement site at 915 N. Shepherd Drive (Parent Tract), at the Merchants Park Shopping Center. This location is within 1000' from the site that is to be relocated, (780') but not within the 50' required by code to be granted official relocation exemption status. This existing 100' tall monopole cell tower is currently located in a car sales lot. The new proposed site will be situated on underused parking (existing impervious cover) and placed within the south side parking lot of the shopping center. The constraints of the site

are that we have adjacent apartment residential uses within the 150' minimum setback (1.5x) distance that is required. We are currently at 100' & 118' from the nearest two multifamily housing structures. The requested height of the replacement site is a 100' monopole, the same height as the current structure to be replaced.

STAFF COMMENTS:

Approval Criteria	Staff Findings
Tower is not prohibited by deed restrictions	The proposed tower will not violate deed restrictions.
Tower is located in a residential area Residential test area is a 375' radius measured from the base of the tower. More than 50% of the tracts or parcels are used or restricted for residential purposes	Tower is located in a residential area. 91.6% of the properties within the residential test area are single family.
Tower is not within a scenic area, in a park or on a tract of land surrounded by a park	The tower is not within a scenic area, park or in a tract of land surrounded by a park as defined by the ordinance.
Tower must setback 1-1/2 times the height of the tower from a residential lot (150')	Nearest residential tract is less than 150' away. The nearest residential structure is approximately 100' from the proposed tower.
Must not be within 1,000' of an approved tower structure	There is an approved tower structure (1994-T-0076) within 1000' (780')

Houston Tower Commission ITEM: II - A

Planning and Development Department

Meeting Date: 5/24/2021



Exhibit 1

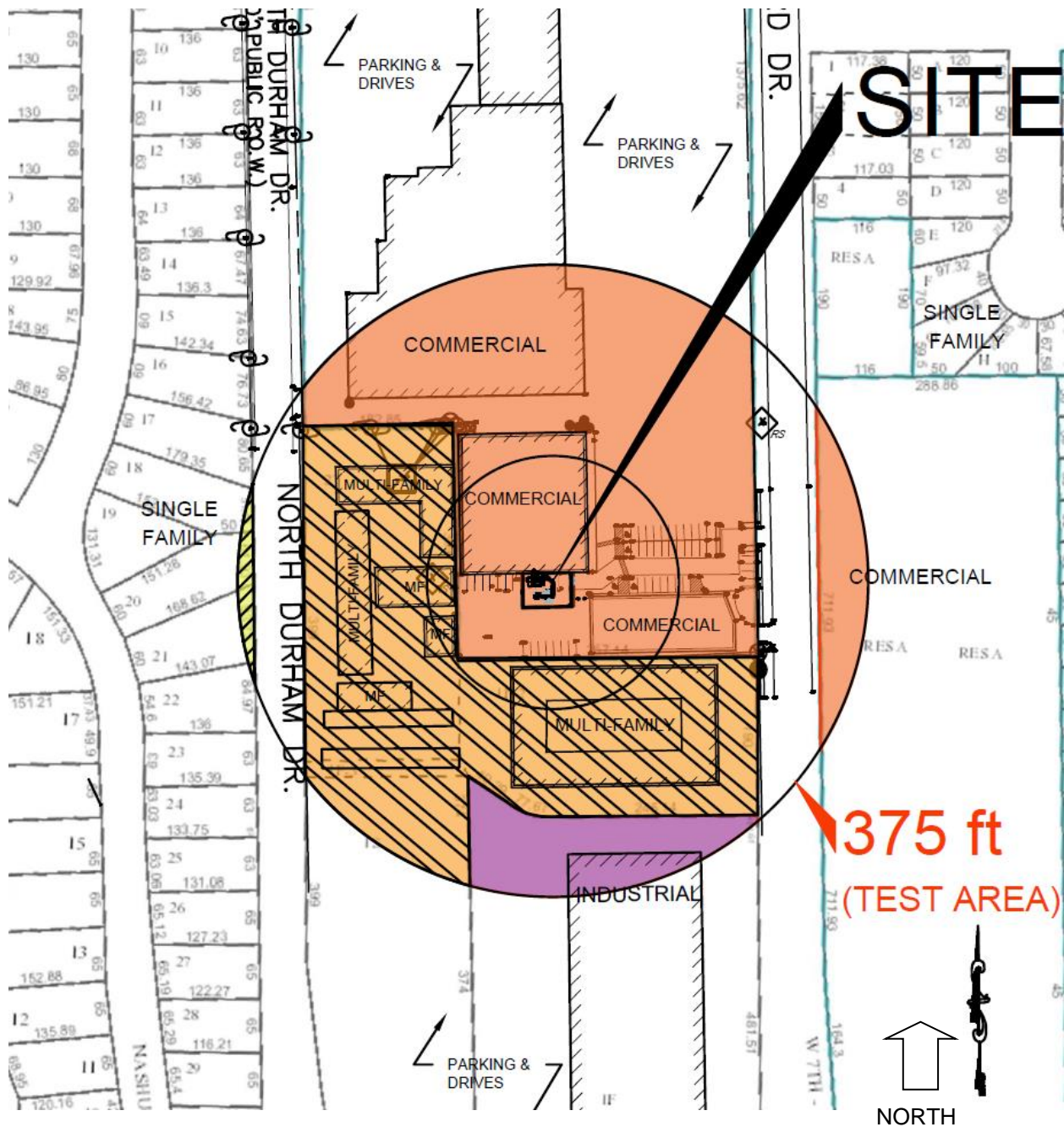
Area Map



Houston Tower Commission ITEM: II - A

Planning and Development Department

Meeting Date: 5/24/2021



Exhibit

Residential Test Map

CALCULATIONS (TEST AREA):

NUMBER OF TRACTS PER TYPE:

NON-RESIDENTIAL: 3

SINGLE-FAMILY RESIDENTIAL: 4

MULTIFAMILY RESIDENTIAL (MF): 1

SQUARE FOOTAGE OF PORTION OF TRACT[S] INSIDE TEST AREA: 157,049 SQ.FT.

SQUARE FOOTAGE DIVIDED BY 43,560: 3.6

MULTIPLY ACRES BY 8: 28.8 MULTIFAMILY EQUIVALENCY

CALCULATE PERCENTAGE:

TOTAL NUMBER OF TRACTS 35.8 =100%, THEN:

3 TRACTS NON-RESIDENTIAL DIVIDED BY TOTAL: 37.5 %

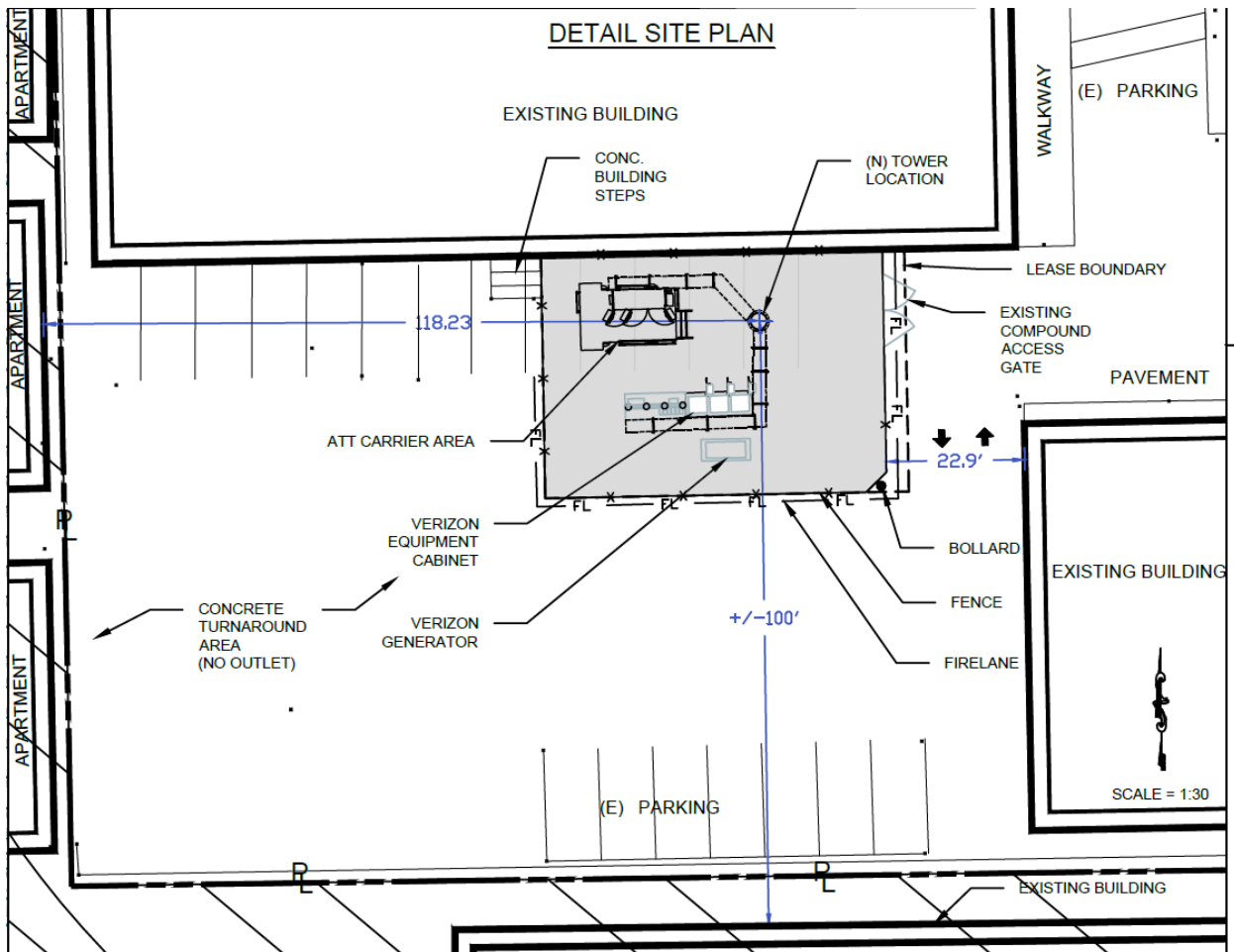
SINGLE-FAMILY 4 + MULTIFAMILY EQUIVALENCY 28.8 = 32.8 RESIDENTIAL TRACTS

TRACTS RESIDENTIAL DIVIDED BY TOTAL: 91.62 %

Houston Tower Commission ITEM: II - A

Planning and Development Department

Meeting Date: 5/24/2021



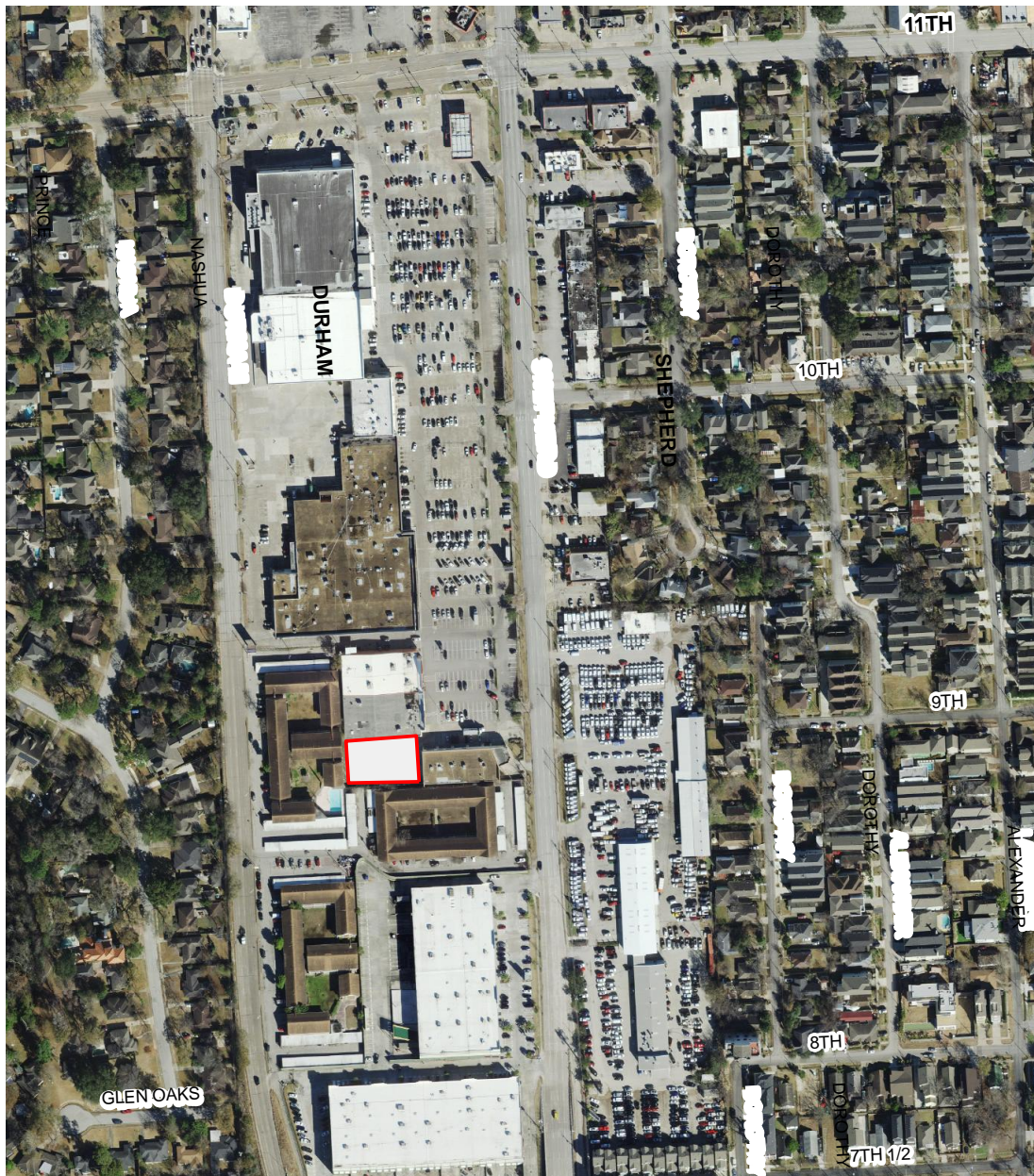
Exhibit

Site Map

Houston Tower Commission ITEM: II - A

Planning and Development Department

Meeting Date: 5/24/2021

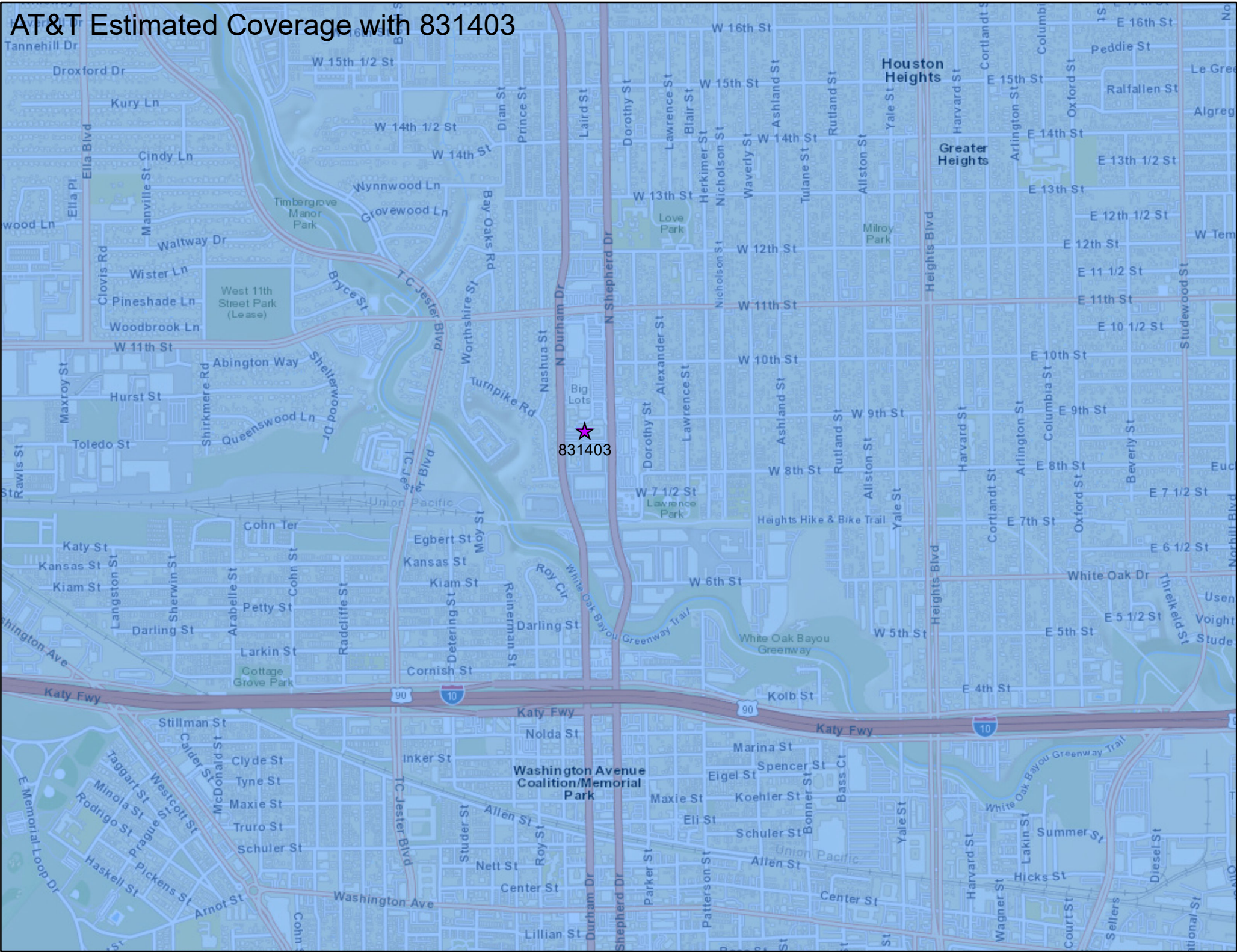


NORTH

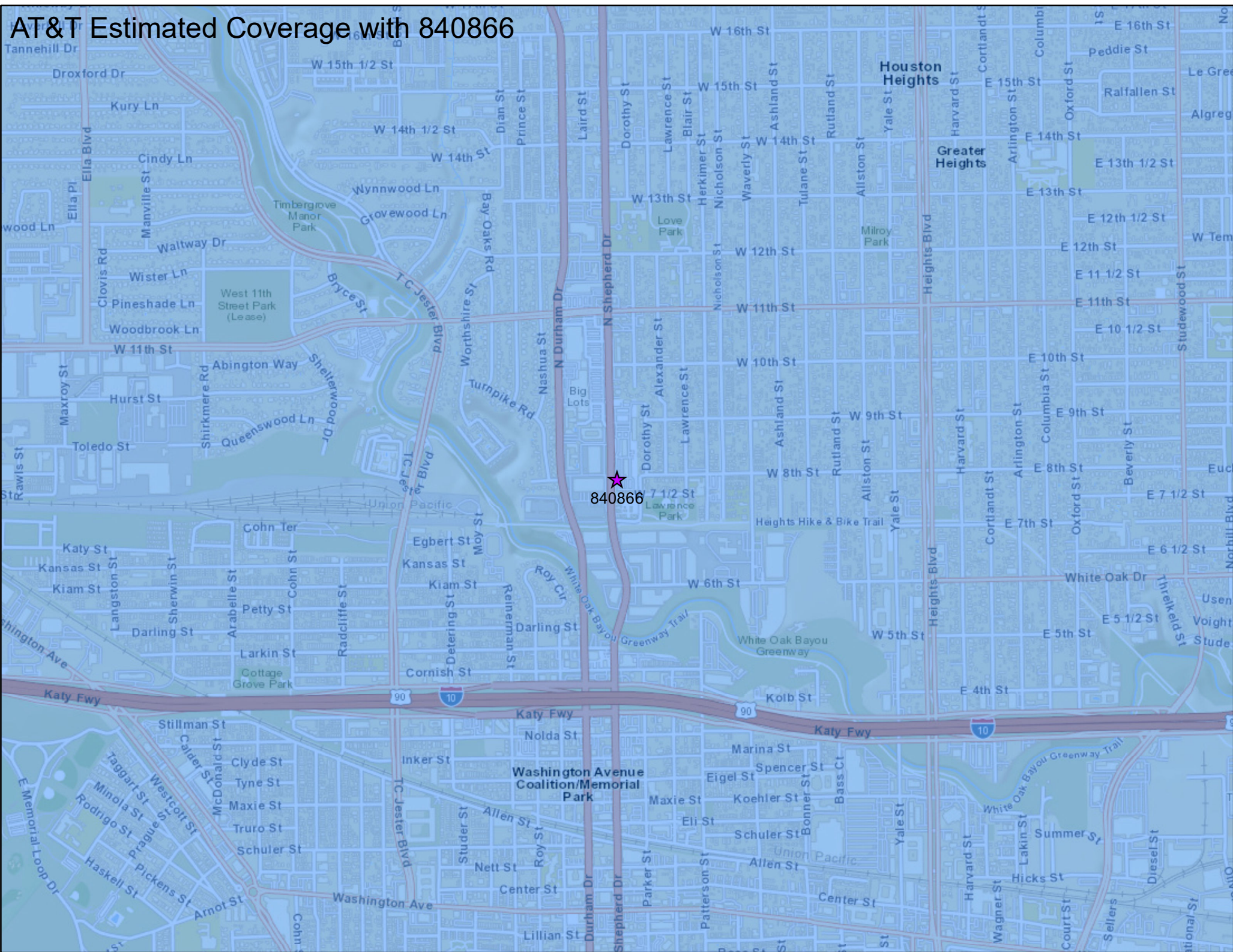
Exhibit

Aerial Map

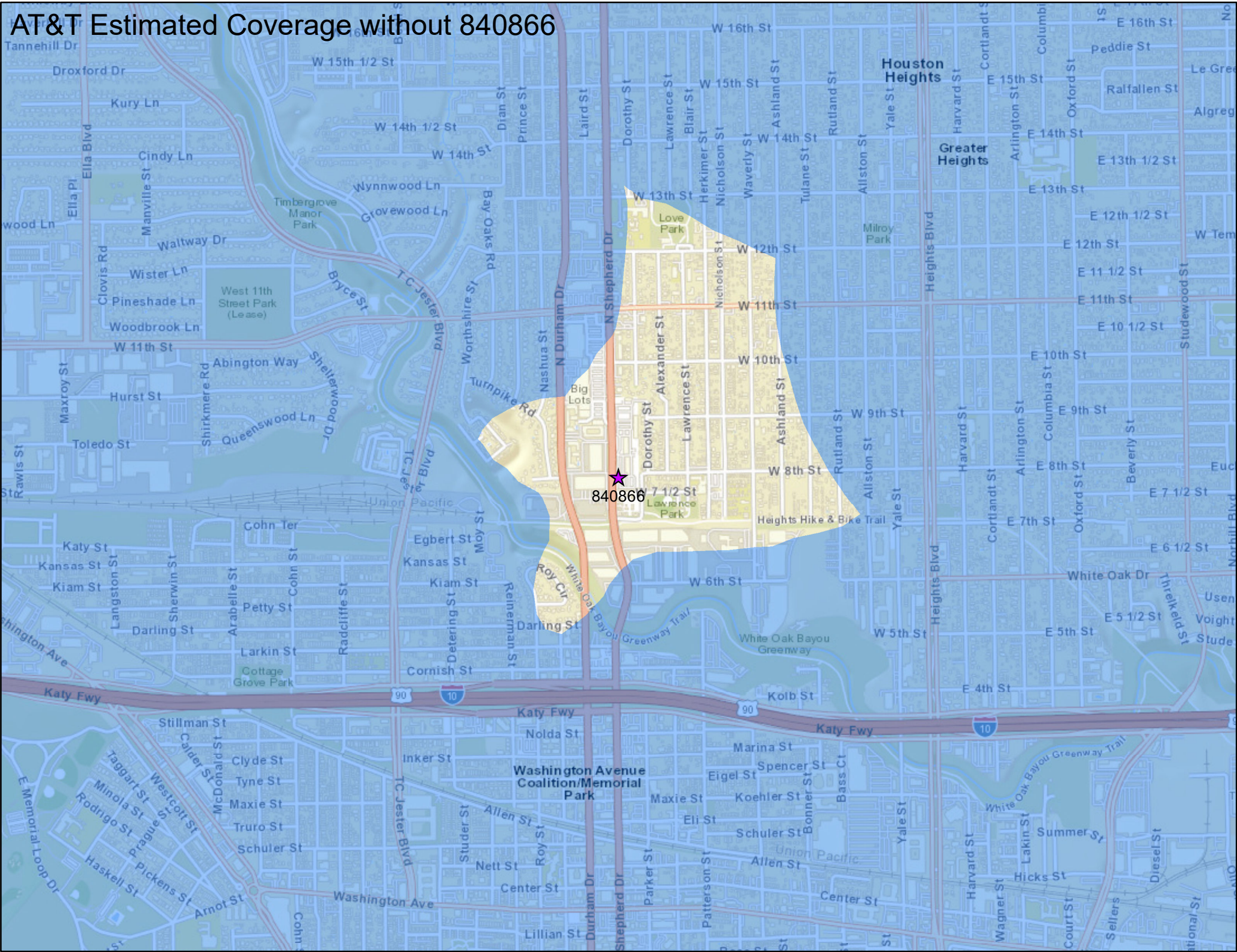
AT&T Estimated Coverage with 831403



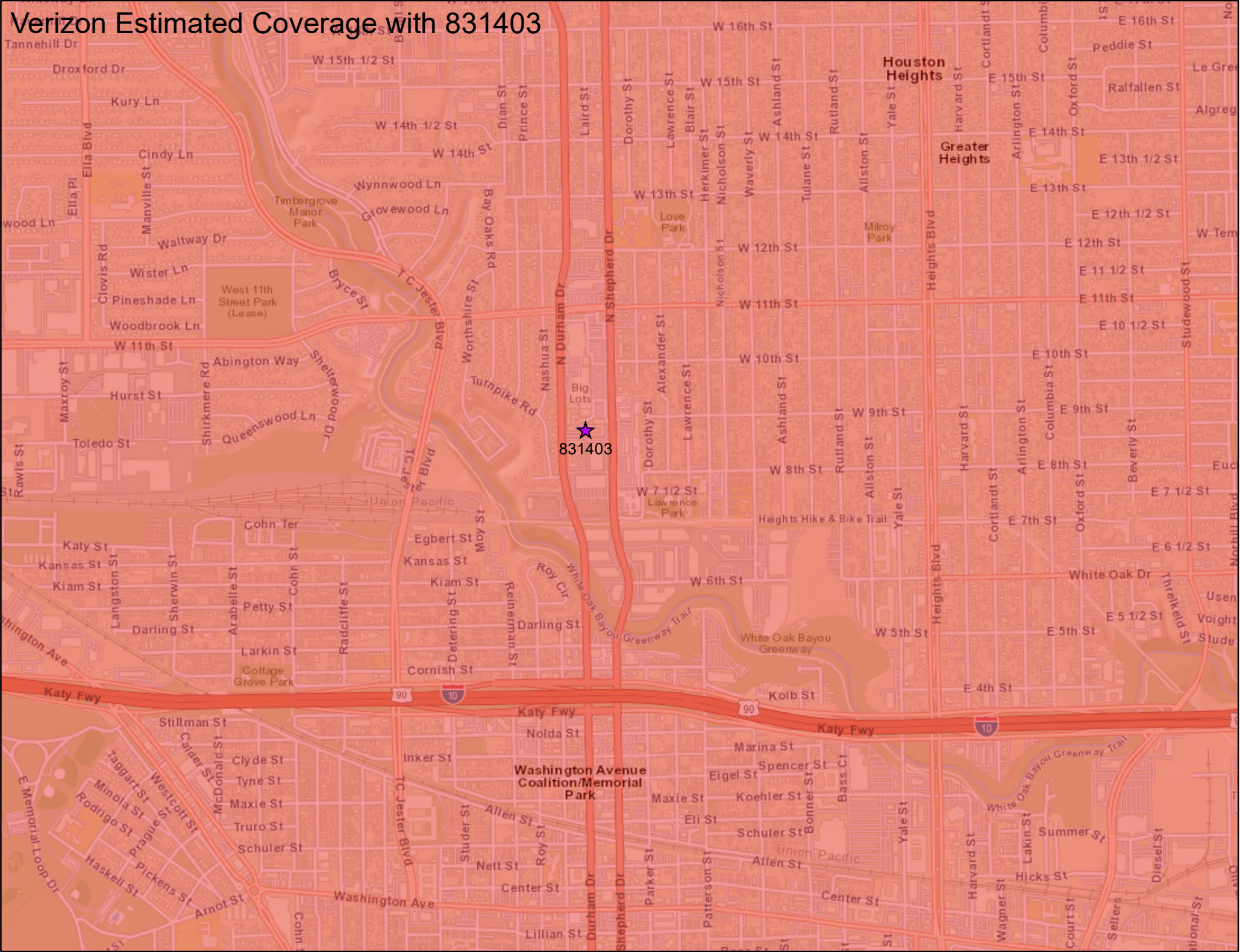
AT&T Estimated Coverage with 840866



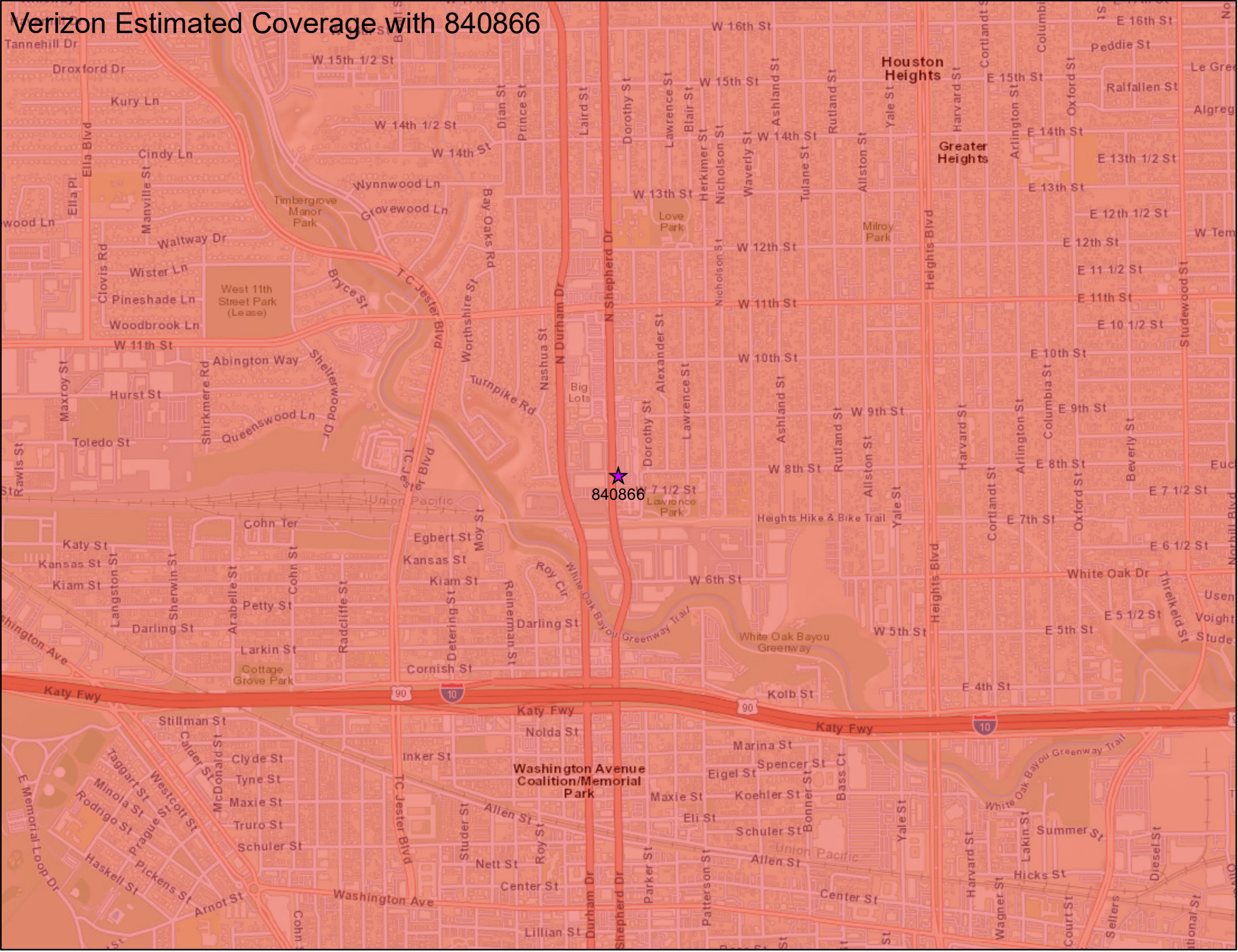
AT&T Estimated Coverage without 840866



Verizon Estimated Coverage with 831403



Verizon Estimated Coverage with 840866



Verizon Estimated Coverage without 840866

