HOUSTON TOWER COMMISSION

To download the full agenda package visit:

https://www.houstontx.gov/planning/Commissions/commiss tower.html

Members

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

Secretary
Jennifer Ostlind

Agenda

Monday, March 25th, 2024 3:30 p.m.

In-Person Meeting Location: Council Chamber, City Hall Annex

Join Microsoft Teams Meeting or via web at: https://bit.ly/49BZHmq

Phone: <u>+1 936-755-1521,</u> Conference ID: 565 512 445#

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

Make comments by phone to: 832-393-6624

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 **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.
- All comments submitted in writing or by phone will be read into the record by staff.
- 5. If participating virtually, 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, March 25th, 2024 3:30 p.m.

The Houston Tower Commission will conduct this meeting both in-person and virtual via Microsoft Teams. The Commission will have the option of participating by videoconference using Microsoft Teams in accordance with the provision of Section 551.127 of the Texas Government Code that have not been suspended by order of the Governor. This platform will allow for two-way video/audio communication with the members of the Houston Tower Commission who choose to attend virtually.

To join this Commission meeting, please see the following options:

- Attend in person at City Hall Annex, Council Chamber, City Hall Annex
- Join via Web Browser https://bit.ly/49BZHmq; or
- Join via Phone: +1 936-755-1521, Conference ID: 565 512 445#

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

Call to Order

Secretary's Report

- I. Consideration of the February 26th, 2024 Tower Commission Meeting Minutes
- II. Public hearing and consideration of waiver requests:

A. 23-T-0761 23705 2/3 Fairlake Lane

28-524(g) Allow construction of a tower in a residential setback area "Fallzone".

- III. Public Comment
- IV. Adjournment

The Tower Commission reserves the right to convene in Executive Session as authorized by the Texas Open Meetings Act, Texas Gov't Code Chapter 551, under any applicable exception thereto, including but not limited to Sec. 551.071, Consultation with Attorney.

HOUSTON TOWER COMMISSION MINUTES

Monday, 26 February 2024

CITY HALL ANNEX, COUNCIL CHAMBER, CITY HALL ANNEX MICROSOFT TEAMS HTTPS://BIT.LY/49BZHMO

PHONE: 936-755-1521 • CONFERENCE ID: 565 512 445#

Call to Order at 3:51 PM by Rob Todd, Chair

Commissioners	Quorum – Present / Absent / Remote
Rob Todd, Chair	Present
Yulanda Campbell	Present
John R. Melcher, Vice Chair	Absent
Bobby De La Rosa	Present Remote
Linda Smith	Present Remote at 3:59 during Item I
Asim Tufail	Present
Dipti Mathur, Acting Secretary	Present

LEGAL DEPARTMENT – Kim Mickelson

SECRETARY'S REPORT – None

CHAIR'S REPORT - None

I. Consideration of the December 18, 2023 Tower Commission Meeting Minutes

Commission action: Approved the December 18, 2023 Tower Commission meeting minutes.

Motion: Tufail Vote: Unanimous Second: Campbell Abstaining: None

II. PUBLIC HEARING AND CONSIDERATION OF WAIVER REQUESTS: A. 23-T-0761 23705 2/3 FAIRLAKE LANE

Staff recommendation: Per 28-524(g) allow construction of a tower in a residential setback area "Fall Zone".

Commission action: Continue the public hearing and defer the item to the next Tower

Commission meeting.

Speaker(s): Ryan Shanhan, applicant - supportive

Dustin Hodge, Russell Ross, Janet Ross, Roger Randall - opposed

Motion: Tufail Vote: Unanimous Second: Campbell Abstaining: None

IV.	ADJOURNMENT
	being no further business before the Commission, Chair Rob Todd adjourned the meeting 5 PM .

Dipti Mathur, Acting Secretary

III.

Rob Todd, Chair

PUBLIC COMMENT - None

Houston Tower Commission

Planning and Development Department

Meeting Date: 03/25/2024



| | NORTH

Site Location II-A

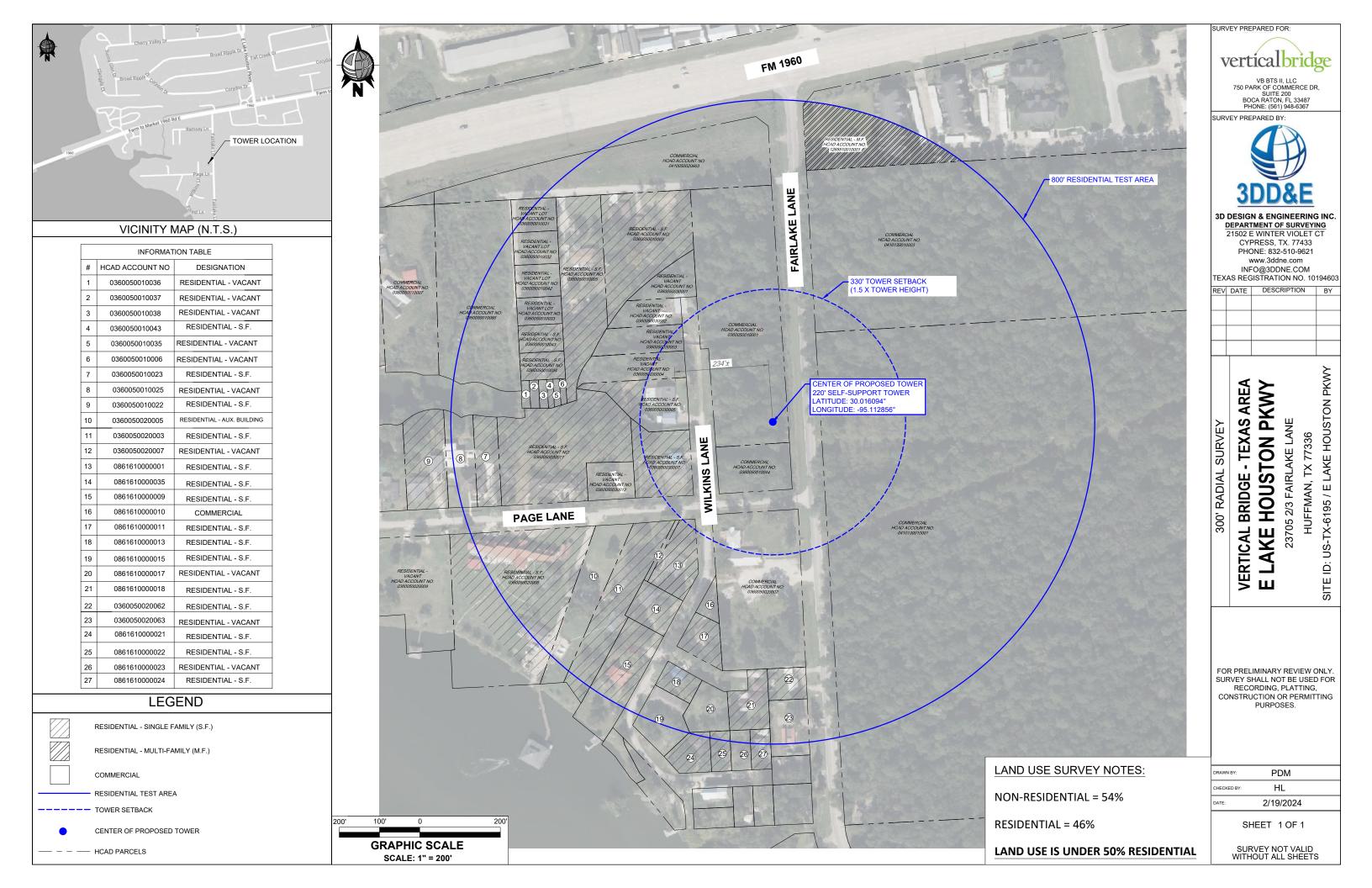
Houston Tower Commission

Planning and Development Department

Meeting Date 03/25/2024



Site Location II-A



SITE LAYOUT NOTES:

VERTICAL BRIDGE LEASE AREA = 5,625 SQ.FT.

VERIZON LEASE AREA = 330 SQ.FT.

VERITCAL BRIDGE FENCED AREA = 284' INCLUDING 12' GATE.

VERITCAL BRIDGE PAVED AREA = 6372 SQ. FT. TOTAL 1347 SQ. FT. SQ. FT. ACCESS DRIVE 5025 SQ. FT. SITE

UNDERGROUND POWER = 50'± (25'± EA. RUN) FROM POWER SOURCE TO VERTICAL BRIDGE UTILITY RACK.80'± FROM UTILITY RACK TO VERIZON ILC.

UNDERGROUND FIBER = 50'± FOR VERTICAL BRIDGE FIBER CONDUIT FROM RACK TO ROW STUB UP; 110'± FROM ROW TO VERIZON FIBER DEMARC (55'± PER RUN)

VERITCAL BRIDGE TOWER = NEW 220' SELF-SUPPORT TOWER (221' A.G.L. WITH 1' FOR TOWER FOUNDATION)

PROPOSED VERIZON ANTENNA RAD CENTER = 215'

PROPOSED VERIZON EQUIPMENT = OUTDOOR EQUIPMENT CABINETS & OUTDOOR DIESEL FUELED GENERATOR ON A CONCRETE PAD.

FLOOD NOTE:

NOTE:

THIS PLAN IS SHOWN TO CLARIFY THE RELATIONSHIP OF

REFER TO SURVEY BY: 3D DESIGN & ENGINEERING FOR

PROPOSED LESSEE WORK TO OVERALL SITE ONLY.

OVERALL SITE PLAN

COMPLETE SITE INFORMATION

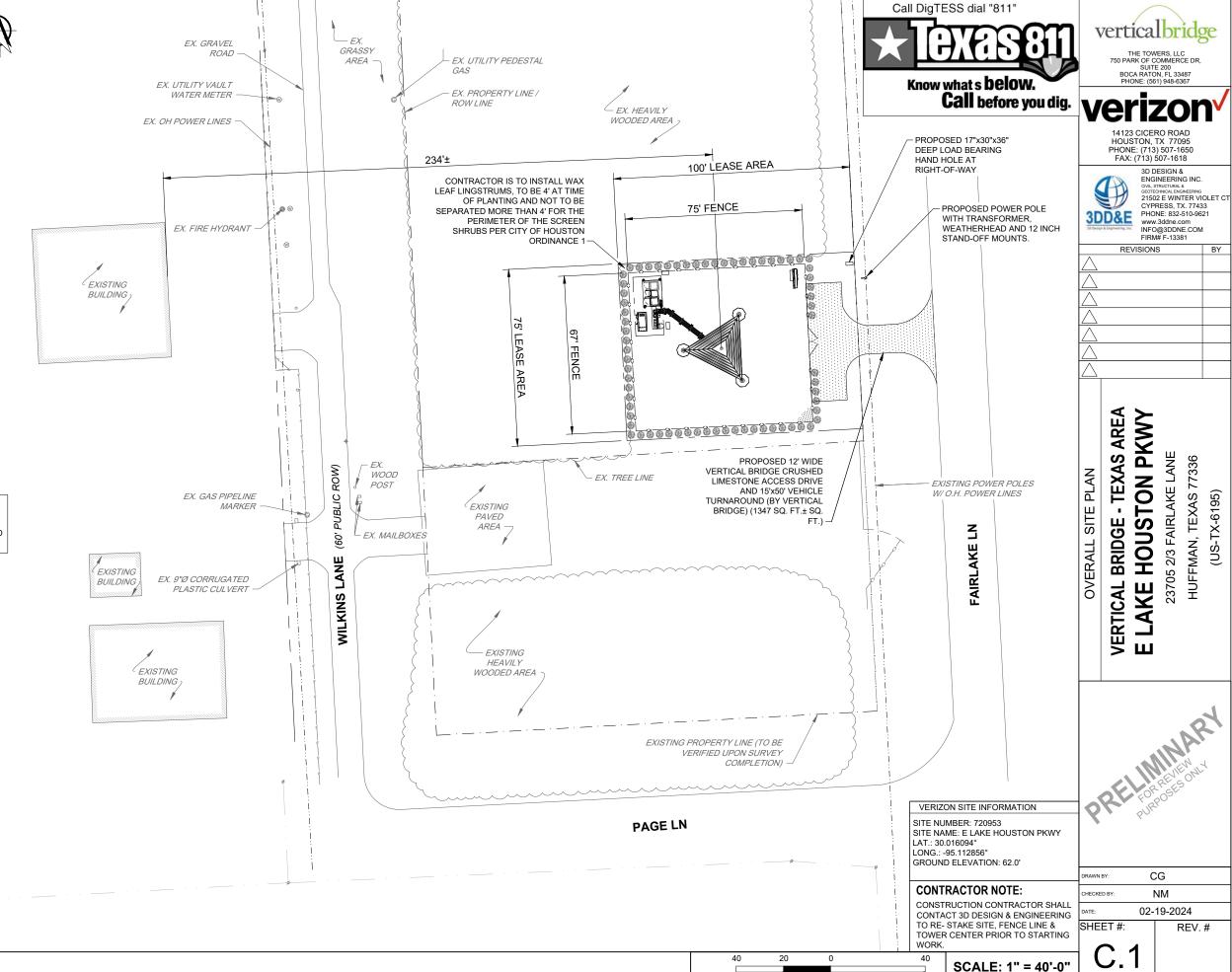
ACCORDING TO MAP NO. 48201C0340L OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR MONTGOMERY COUNTY, TEXAS, EFFECTIVE DATE JUNE 18, 2007 THE SUBJECT TRACT IS SITUATED WITHIN: UN-SHADED ZONE "X"; DEFINED AS AREAS OUTSIDE THE 500-YEAR FLOOD;

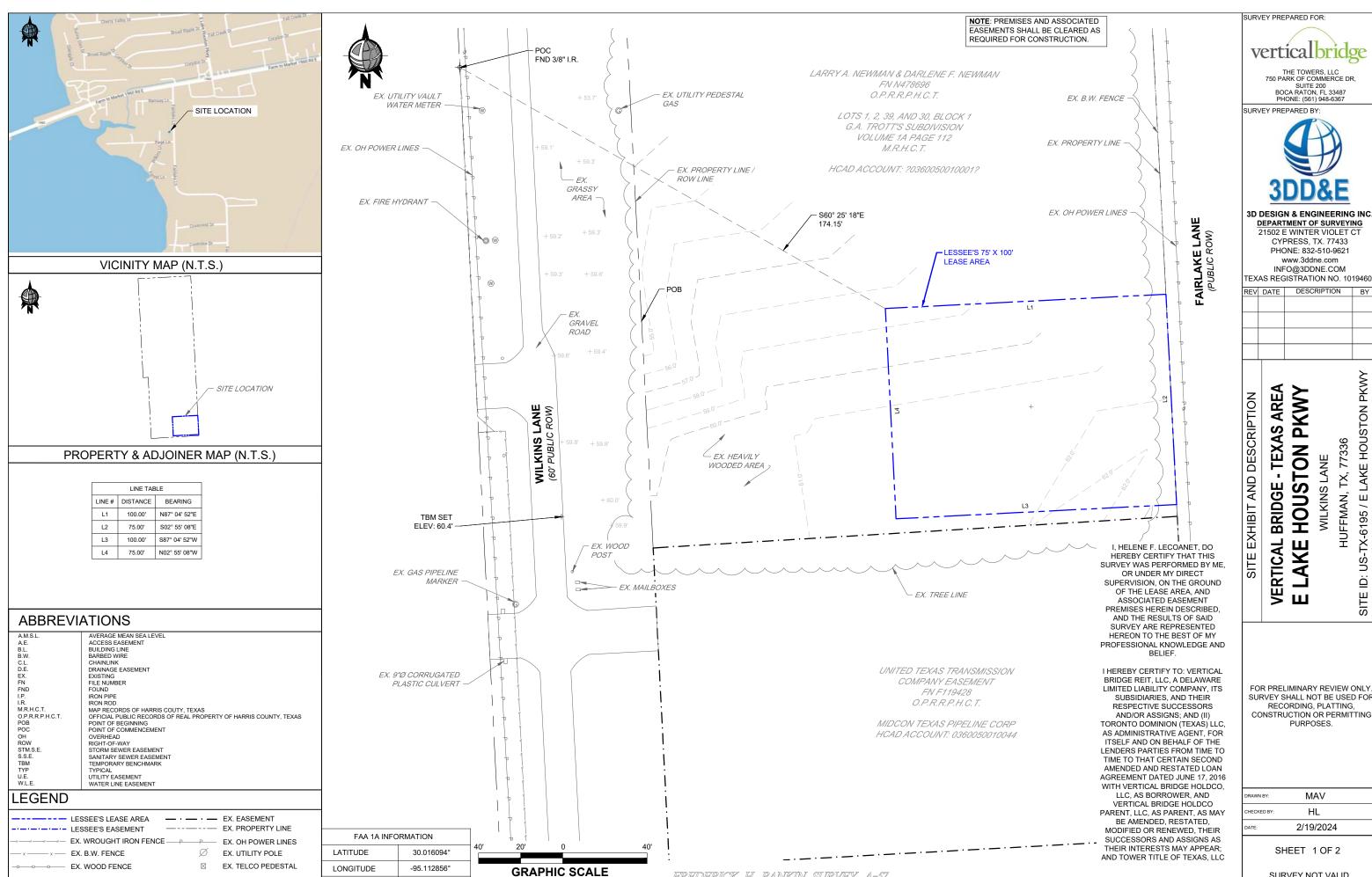
50KW GENERATOR PROVIDES 200 AMPS AT 120/240V.

GENERATOR MUST HAVE REMOTE EMERGENCY STOP SWITCH TO SHUT DOWN THE PRIME MOVER.

VERIZON EQUIPMENT FOUNDATIONS, CONDUIT PLUMBING,
AND GROUND RING BY VERTICAL BRIDGE

VERIZON EQUIPMENT RACK, AWNING, GROUND CABINETS AND ANTENNA ARRAY BY VERIZON GC





→ EX. HIGH BANK

 \otimes

EX. MANHOLE

ELEVATION

62 0' A M S I

SCALE: 1" = 40'

FREDERICK H. RANKIN SURVEY, A-57

verticalbridge

3D DESIGN & ENGINEERING INC.

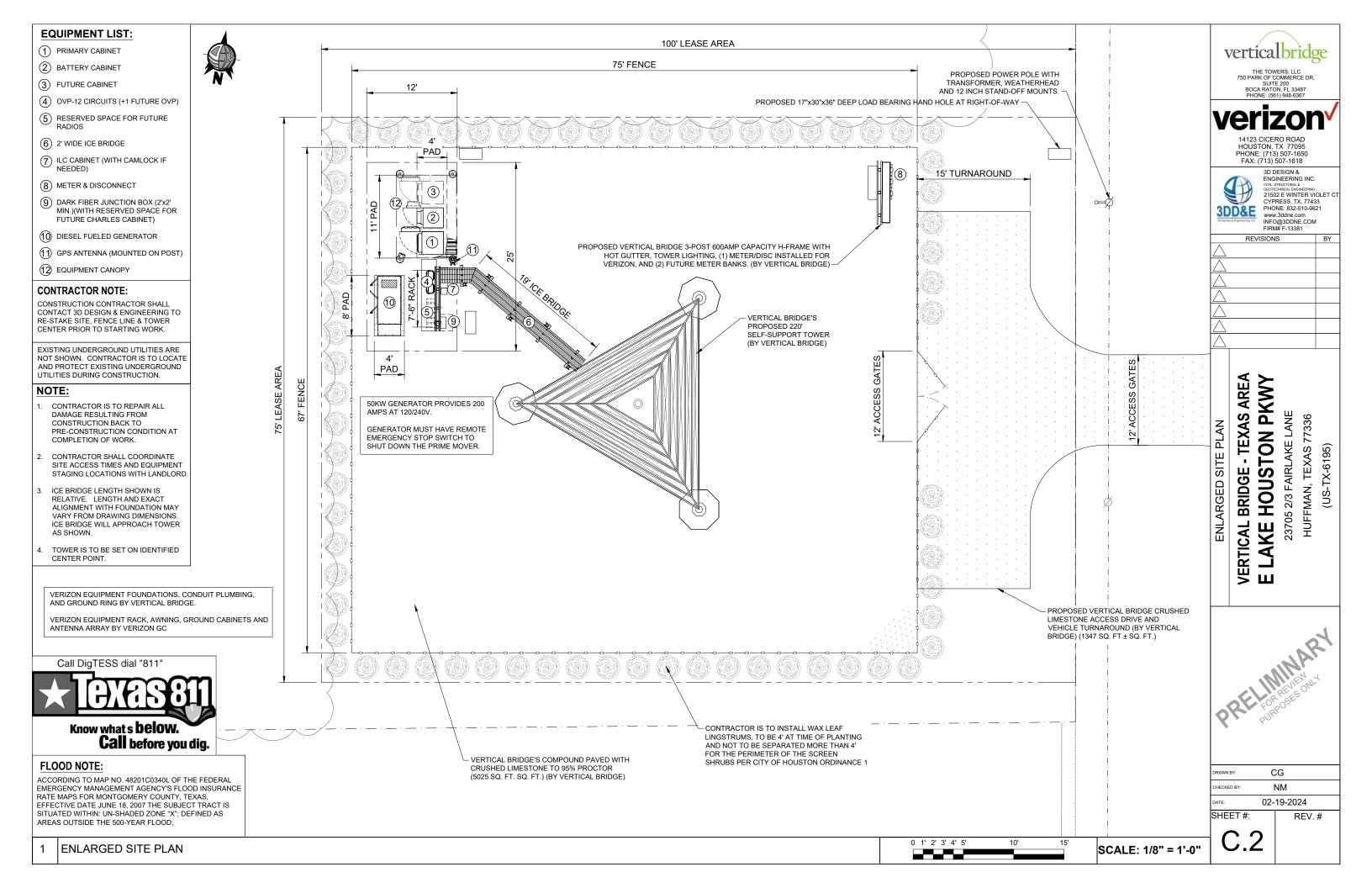
DEPARTMENT OF SURVEYING 21502 E WINTER VIOLET CT **CYPRESS, TX. 77433** PHONE: 832-510-9621 INFO@3DDNE.COM

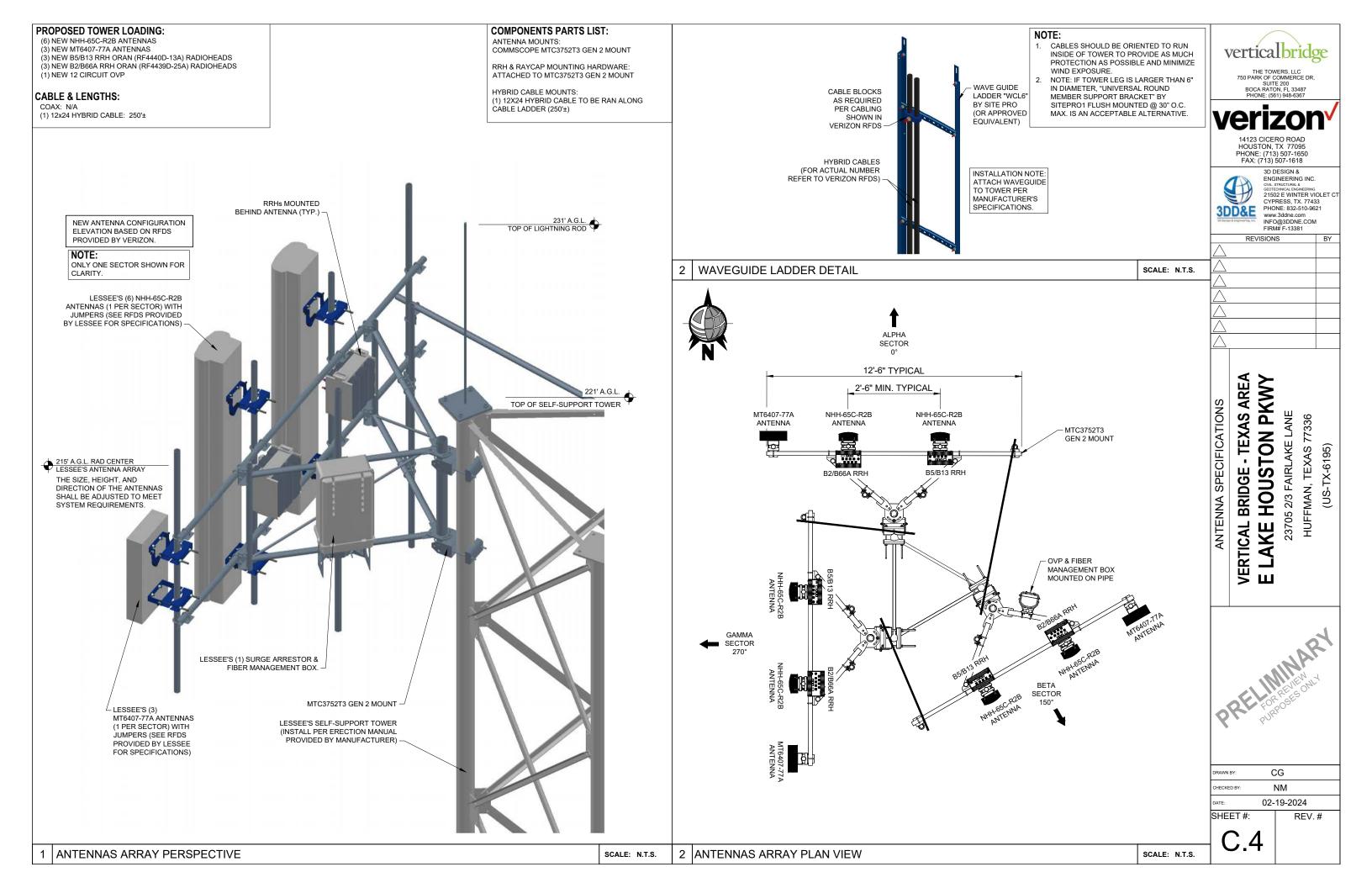
TEXAS REGISTRATION NO. 10194603

ID: US-TX-6195 / E LAKE HOUSTON PKWY SITE

SURVEY SHALL NOT BE USED FOR RECORDING, PLATTING, CONSTRUCTION OR PERMITTING

SURVEY NOT VALID WITHOUT ALL SHEETS





NOTES:

- CONTRACTOR IS TO REPAIR ALL DAMAGE RESULTING FROM CONSTRUCTION BACK TO PRE CONSTRUCTION CONDITION AT COMPLETION OF WORK.
- 2. CONTRACTOR SHALL COORDINATE SITE ACCESS TIMES AND EQUIPMENT STAGING LOCATIONS WITH LANDLORD
- 3. CONTRACTOR SHALL VERIFY ALL WORK WITH LESSEE PRIOR TO STARTING PROJECT.
- CONTRACTOR TO VERIFY ALL EXISTING EQUIPMENT, COAX & ANTENNAS THAT ARE INSTALLED PRIOR TO START OF CONSTRUCTION. NOTIFY RF IF SCOPE OF WORK DIFFERS FROM VERIZON

PROPOSED TOWER LOADING:

- (6) NEW NHH-65C-R2B ANTENNAS
- (3) NEW MT6407-77A ANTENNAS
- (3) NEW B5/B13 RRH ORAN (RF4440D-13A) RADIOHEADS
- (3) NEW B2/B66A RRH ORAN (RF4439D-25A) RADIOHEADS

CABLE & LENGTHS:

(1) 12x24 HYBRID CABLE: 250'±

(1) NEW 12 CIRCUIT OVP

ANTENNA INSTALLATION NOTES:

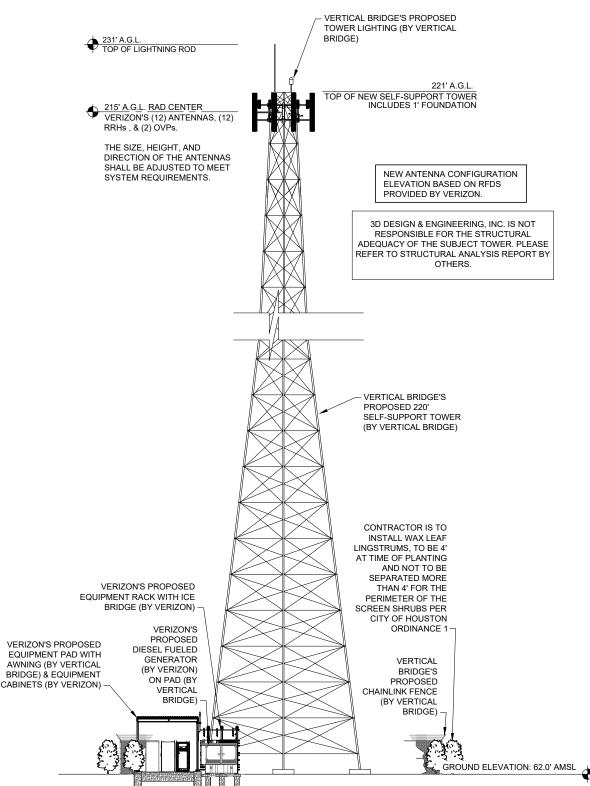
- FOR TYPICAL ANTENNA AZIMUTHS SEE ANTENNA CHART, BUT CONTRACTOR IS TO VERIFY RF INFORMATION WITH VERIZON WIRELESS BEFORE INSTALLATION.
- CABLES ARE TO BE MARKED WITH VINYL TAPE CORESPONDING TO THE COLOR CODING CHART. CABLES SHALL BE MARKED AT BOTH ENDS AND MARKS SHALL BE VISIBLE FROM THE GROUND. MARKING BANDS AT THE TOP SHALL BE 2" WIDE AND SHALL BE 1" WIDE AT THE BOTTOM.
- CONTRACTOR SHALL VERIFY THE NUMBER AND SPACING REQUIRED FOR THE ANTENNAS IN EACH SECTOR WITH VERIZON WIRELESS AND SHALL ALLOW FUTURE SPACING AS DIRECTED.
- GPS ANTENNA CABLE SHALL ENTER THE SHELTER THROUGH AN INDEPENDENT PORT

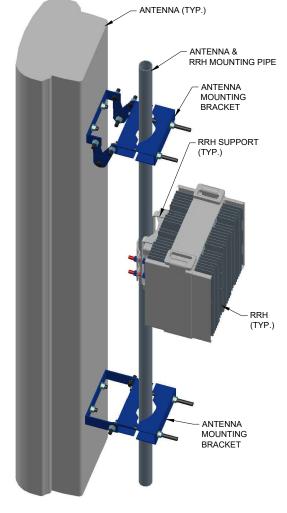
COAX JUMPER NOTES:

- 1. MAXIMUM RF JUMPER LENGTH SHALL NOT EXCEED 15' FOR EITHER 700 LTE OR 1900 AWS.
- 2. IF EXISTING JUMPERS ARE USED, CONTRACTOR SHALL ENSURE COMPLIANCE WITH NOTE 1.
- 3. CONSULT WITH VERIZON PERSONNEL TO VERIFY IF CSRF IS TO BE USED.
- THE MAXIMUM DIFFERENCE IN JUMPER LENGTH FROM ANTENNA TO RRH SHALL BE 9'. I.E., IF THE SHORTEST JUMPER USED IS 6' IN LENGTH THAN THE LONGEST JUMPER MUST BE 15' OR LESS IN LENGTH. CONTRACTOR SHALL ASSESS FIELD CONDITIONS AND ADJUST JUMPER LENGTH
- ALL RF JUMPERS SHALL BE PRE-MADE WITH PRE-INSTALLED CONNECTORS ON BOTH ENDS. NO FIELD ADJUSTMENTS IN LENGTH ARE TO BE MADE.
- 6. ALL RF JUMPERS SHALL BE EITHER LDF OR LCF12 JUMPERS FROM AN APPROVED JUMPER MANUFACTURER
- ALL JUMPER CONNECTIONS SHALL HAVE THE PROPER TORQUE AND BE FULLY WEATHERPROOFED
- 8. CONTRACTOR SHALL PERFORM RF SWEEP ON ALL JUMPERS.
- ALL FIBER JUMPERS FROM THE RAYCAP BOX TO THE RRH SHALL BE THE SAME LENGTH. ANY EXCESS FIBER TO BE COILED INSIDE THE RAYCAP BOX USING PROPER RADIUS RESTRICTIONS.
- 10. ALL JUMPERS SHALL BE ROUTED SUCH THAT THESE WILL BE SUPPORTED AT INTERVALS NOT TO
- 11. LOCATION DETAILS IN THESE DRAWINGS ARE DIAGRAMMATIC. CONTRACTOR SHALL LOCATE ALL ITEMS SUCH AS TO SATISFY ALL NOTES AND THE DIRECTION OF VERIZON.

VERIZON EQUIPMENT FOUNDATIONS, CONDUIT PLUMBING. AND GROUND RING BY VERTICAL BRIDGE.

VERIZON EQUIPMENT RACK, AWNING, GROUND CABINETS AND ANTENNA ARRAY BY VERIZON GC





ANTENNA & RRH MOUNTING

OVP BOX

SCALE: N.T.S.

TEXAS AREA HOUSTON PKWY 23705 2/3 FAIRLAKE LANE ELEVATION BRIDGE SITE LAKE VERTICAL ш

verticalbridge

THE TOWERS, LLC 750 PARK OF COMMERCE DR, SUITE 200 BOCA RATON, FL 33487 PHONE: (561) 948-6367

HOUSTON TX 77095 PHONE: (713) 507-1650 FAX: (713) 507-1618

3DD&E

ENGINEERING INC.

www.3ddne.com INFO@3DDNE.COM FIRM# F-13381

REVISIONS

21502 E WINTER VIOLET CT CYPRESS, TX. 77433 PHONE: 832-510-9621

TEXAS 77336

CG NM 02-19-2024 SHEET #:

REV.#

NOTES

SITE ELEVATION

SCALE: N.T.S.

OVP MOUNTING

MOUNTING

BRACKET

SCALE: N.T.S.

OVP MOUNTING

PIPE (TYP.)

Houston Tower Commission

Tower Permit Waiver Application

File No.:	23-T-0761	

Date:	11	/ 13	/ 23

APPLIC/	PPLICANT INFORMATION:												
Site address:		23705 2/3 Fairla	ke Lane										
Tower Company:		Vertical Bridg	е										
Contact p	erson:	Becky Capt/J		Title:	Site Acquisi	tion Specialist							
Phone:	817	/528-7875	FAX:	/	•: 30	Email:	becky@jmhodges.com						

The waiver application request must be completed in full and include the appropriate studies, investigations, and colored coded maps. Applicants must provide 12 copies minimum of supporting documentation with the waiver application. A separate application is required for <u>each</u> waiver. Attach no more than 2 pages of waiver request details.

WAIVER REQUEST:

Specify City Code reference and standard subject to waiver: Article XV1. Sec 28-524 G

Reason for waiver: Fall radius.

WAIVER JUSTIFICATION:

Following a public hearing, the Tower Commission is authorized to consider and grant a waiver according to the five provisions delineated in Chapter 41, Article III, Section 41-59. Provide an attachment to this form repeating the following conditions with a response for justification of the waiver for <u>each</u> of the by showing that:

- 1. a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...;
- 2. the waiver, if granted, will not be contrary to the public interest as implemented in this article because ...;
- 3. consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;
- 4. the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statue enforceable by the city because...; and
- 5. the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because....

Tower permit applications that do not comply with Section 41-53(h) regarding the 1,000-foot tower separation standard must also complete **Tower Permit Waiver Application – Page 2**.

WAIVER APPLICATION CERTIFICATION

I certify that all the information on this application is true and correct.

Signature of applicant or agent: Becky Capt

Print Name: Becky Capt - JM Hodges, Inc.

Houston Tower Commission - Tower Permit Waiver Application - Page 2

File No.:23-T-0761 Date:11/13/23

- 1. a literal application of this article will result in undue and unnecessary hardship to the applicant, taking into account any federal or state licenses the applicant may have received to conduct its business because...; we have confirmation from the tower manufacturer that the tower will not fall on the adjacent residential property. We are asking for a waiver due to the fall zone on the adjacent residential property, but the fall zone certification confirms in the rare event the tower fails that it will collapse within the parent commercial tract. Therefore, a literal application of the fall zone should not apply.
- 2. the waiver, if granted, will not be contrary to the public interest as implemented in this article because...; the fall zone requirement should be waived due to the Fall zone certification letter from the tower manufacturer that the tower will not fall on the adjacent property.
- 3. consistent with the city's police power authority over towers, the waiver, if granted, will not be detrimental to the public health, safety, or welfare because...;the tower will not pose any risks to public and will in fact be beneficial to the public by improving the coverage and capacity for any emergency calls, first responders, visitors, and residents in the area and over a large portion of Lake Houston.
- 4. the waiver, if granted, will not result in a violation of any other applicable ordinance, regulation or statue enforceable by the city because...; all other requirements have been met and the waiver request for the fall zone has been addressed by the Fall Certification Letter provided as part of the application from the tower manufacturer.
- 5. the waiver, if granted, will not result in the violation of any applicable deed restriction or zoning regulation or the location of a tower in a park because.... There is no park in the vicinity or in the residential test area and is not in violation of any restrictions or regulations.

September 12, 2023

Christopher Molloy
The Towers, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, Florida 33487



B+T Group 1717 S. Boulder, Suite 300 Tulsa, OK 74119 (918) 587-4630 btwo@btgrp.com

Subject: Fall Certification Letter
Arcosa Designation: Arcosa Project Number

Arcosa Project Number: A432 Arcosa Site Name: E Lake Houston Pkwy (US-TX-6195)

Engineering Firm Designation: B+T Group Project Number: 168943.001.01.0001

Site Data: E Lake Houston Pkwy (US-TX-6195)

220' Self Support Tower

To Whom it May Concern:

As Requested by Arcosa Telecom Structures on behalf of The Towers, LLC, B+T Group is pleased to submit this "Fall Certification Letter" for the 220' Self Support Tower to be constructed at the **E Lake Houston Pkwy (US-TX-6195)** site.

This tower will be designed in accordance with the TIA 222-G standard for Harris County, TX. The tower will be designed to support antennas and transmission lines for three wireless carriers. The design criteria are more particularly described as follows:

Design Wind Speed: 133 mph 3-sec gust (no ice), 30mph 3-sec gust (0.5" ice)

Structure Class: II Exposure Category: C Topographic Category: 1

215'—Wireless Carrier 1 (CaAa= 42,000 sq in w/ (18) 1 5/8" transmission lines 204'—Wireless Carrier 2 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines 194'—Wireless Carrier 3 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines

It is our understanding that this Self Support Tower structure will be designed such that, if a failure were to occur due to a significant storm or other event, the tower would fall within a radius of 100' from the base of the structure with the top portion of the tower buckling over on the tower. Although the tower would not be designed to fail, stronger sections that required by analysis would be provided in the lower sections of the tower, resulting in an increased safety factor in the lower sections. In the highly unlikely event that this tower were to experience operational failure due to catastrophic wind loading, the design would enable the tower to fail through compression buckling. Failure in this manner would result in the upper portion of the tower buckling and folding over the lower portion, resulting in a fall radius of 100' from the base of the tower.

It should be understood that this opinion does not consider unpredictable extreme catastrophic events for which the structure is not designed. However, any damage to surrounding property caused by the tower failing during such an event would be relatively insignificant when compared to the damage caused to the surrounding property by the event itself.

Please contact us should you have any questions concerning the safety and design of the self support tower.

Fall Letter prepared by: Angela Ashwood Respectfully submitted by B+T Engineering, Inc. Chad Tuttle, P.E.

B&T Engineering, Inc.

CHAD E TUTT

AGENDA ITEM: II - A

TOWER APPLICATION AND WAIVER REQUEST - STAFF REPORT

Location:	File No.	Zip	Lamb. No.	Key Map		
23705 2/3 Fairlake Lane	23-T-0761	77336	5968B	388R		

Applicant: Jody Kriloff

Application Date: 12/18/2023

Location: South of Atascocita Drive, north of page & east along Fairlake lane

Existing Use: Vacant

Proposed Use: 220' Lattice Tower

Proposed Tower Users: Vertical Bridges

Waivers Request: 28-524 (g): Fall zone, 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.

28-527 (a) The base of a tower, including all mechanical equipment and accessory structures, shall be screened from view of residential lots by a wooden, substantially opaque screening fence designed and built to provide privacy with a minimum height of eight feet.

STAFF COMMENTS:

Approval Criteria Staff Findings

Tower is not prohibited by deed restrictions	The applicant has provided a deed restriction affidavit stating this tower proposal will not violate deed restrictions.
Tower is located in a residential area Residential test area is a 800' radius measured from the base of the tower.	Tower is not located in a residential area
More than 50% of the tracts or parcels are used or restricted for residential purposes	
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.	Nearest residential tract allowed by the ordinance is 330'. The nearest residential structure is approximately 234' from the proposed tower.
Must not be within 1,000' of an approved tower structure	There is not an approved tower structure within 1000'

Letter of opposition

House District 127

RECEIVED

February 7, 2024

City of Houston – Tower Commssion Planning & Development Department 611 Walker Street, 6th Floor Houston, TX 77002 FEB 1 2 2024

PLANNING AND DEVELOPMENT DIRECTOR'S OFFICE

Dear Commissioner Todd, Chair:

I have recently been made aware of a proposed construction of a communications tower in my district. The site location is 23705 Fairlake Lane, Huffman, TX 77336, and the tower application is #23-T-0761.

I am writing to you today to voice my opposition to that proposed communications tower and the tower permit waiver application. I have many worries, along with my constituents that have reached out to me, including the height of the proposed tower, public safety concerns, and general blight.

The City of Houston owns land across the street from the proposed location, and vacant land exists up and down the street that is away from my constituents that would be impacted by the communications tower. I would urge you, the Tower Commission, the tower applicant, and the tower owner to reconsider the proposed site location during your next meeting scheduled for February 26, 2024.

If you have any questions, you may reach me at charles.cunningham@house.texas.gov. Thank you for your consideration on this important matter.

Sincerely,

Charles Cunningham
State Representative
House District 127

cc: Commissioner Bobby De La Rosa

Commissioner Yulanda Campbell

Commissioner Kerrick Henny

Commissioner John Melcher

Commissioner Linda Smith

Commissioner Asim Tufail

Secretary Margaret Wallace Brown



CITY OF HOUSTON CITY COUNCIL



February 26, 2024

Rob Todd, Chair City of Houston Tower Commission 611 Walker Street, 6th Floor Houston, Texas 77002

Chairman Todd,

I am writing today to voice my strong opposition to the waiver request for a communications tower the Tower Commission will consider at today's hearing (23-T-0761 at 23705 2/3 Fairlake Lane). This was brought to my attention by several residents who live near the intersection of Fairlake Lane and Page Lane who are concerned how the tower will impact safety, property values, and wildlife. The idea of allowing a waiver for a tower to be built 148' away from a residence which undercuts the required distance of 330' by over half is irresponsible. The tower itself will be 220' which in case of an unprecedented weather event such as Hurricane Harvey or Tropical Storm Imelda the tower could easily damage nearby residences. We learned the hard way from those events and others that even the best engineered plans don't always behave as they should. Furthermore, the tower itself would pose a threat to the bald-eagle population that resides around Lake Houston which even have nests in that immediate area.

I respectfully request the Houston Tower Commission to oppose the waiver for this tower.

Should you have any questions, please contact my office.

Sincerely,

Fred Flickinger

Council Member District E

cc: Jennifer Ostlind, Interim Director of Houston Planning

Tower Application #23-T-0761 located at 23705 Fairlake Lane Huffman Texas 77336

To: City Of Houston

From: Raymond Peters Resident @ 209 Page Ln

Date: February 13, 2024

Subject: Oppose the Waiver to build

To whom it may concern, I oppose to the tower being built in the said location. My concerns are for safety and devaluating my property.

There is allot of vacant land nearby that could be far enough away for everyone's safety.

Raymond Peters

209 Page Ln

Huffman Texas 77336

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	Scolo 300 Ft. = 1 inch																			

this day personally appeared E. A. Strickland, Attyin fact for O. A. Trott, and his wife, Ere Donis
rott, known to me to be the person whose name is
subscribed to the foregoing instrument and as
knowledged to me that he executed the same for the
purposes and consideration therein expressed, and in
the capacity therein expressed, this 9 day of
larch, A. D. 1905. The State of Jenes, general County of Williamson. Genthority, in an for Williamson Octobered E. A. "". "a day personally appeared E. A. "". " whe personal for the form of the

Walter Rountree, Not. Pub. Mucon Go. Texas.

Filed for record at 11:10 o'clook A.M. Mer. 16,1905, Necorded at 10:45 o'clook P.M. April 1st, 1905. Geo. Jones Co . Olerk, Harris Co., Texas.

By H. L. Tashburn, Deputy.

F110 No. 3494.

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responses below:

 The COH has ordinances for a reason to protect the public interest! Granting this waiver is NOT protecting the public interest for the properties in the fall zone!

2. We have 7 Residential properties within the Fall Zone of the 330 Ft Radius.

3. This Tower "WILL FALL" on adjacent residential properties within the FALL ZONE! Therefore, Sec 28-54G Should apply.

4. The waiver should not be granted because it is **NOT** in the best interest of the public.

5. The waiver should not be granted because it will be detrimental to the public safety and welfare and diminish property values.

The area has plenty of towers in the area and the Cell Coverage is adequate for emergency calls, first responders, visitors and all the residents in the Lake Houston Area.

6. The waiver should not be granted because it will violate the applicable Ordinance Article XV1. SEC 28-524G put in place for a reason.

7. The waiver should **NOT** be granted because there is PARK in the vicinity in the residential Test Area and is a VIOLATION of the Restrictions and Regulations. <u>Lake Houston "IS A PARK" and it is in the Test Area!</u>

Sincerely,

R. Ross

the

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HIS IT

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- 1. The city has ordinances for a reason. They are to protect the community. Granting this waiver damages our home and our community.
- 2. Our home is directly in the fall zone of the 330 ft radius. Our structure is 122 ft from the tower.
- 3. Research finds, cell towers, 5G, high powered powerlines and electric substations near homes can drop property values up to 20%. Increasing numbers of people don't want to live near cell towers. In some areas with new towers, property values have decreased by 20% National Business Post: 2022
- 4. A study published in the Journal of Real Estate Finance and Economics found that for properties located within 2362 ft of the closest cell tower, property values declined 2.46% on average, and up to 9.78% for homes within tower visibility range. This tower is in my front yard.
- 5. HUD requires its certified appraisers to take the presence of nearby cell towers into consideration when determining the value of a single family residential property. HUD guidelines categorize cell towers with "hazards and nuisances." HUD prohibits FHA underwriting of mortgages for homes within the fall zone of a cell tower.
- This will cause difficulty in ever selling the home because 95% of loans are FHA and we
 would not be able to do a reverse mortgage because they are governed by HUD
 guidelines.
- 7. There is alternative location within a 3 block radius that are not in the fall zone of a subdivision.

Best Regards,

Janet Ross

We Oppose The Tower Application and Waiver and Disagree with Staff Recommendations.

We are the property owners of Lt3 Blk 1 Meyer GA, 23727 Wilkins Lane Huffman

This is a Residential Subdivision. We purchased this property for a Residential Investment Not a Cell Tower in our Subdivision.

This Subdivision was Plotted in 1905 Called The GA Trott Subdivision on a 100 acer track with 2 blocks of 34 lots in each Block. Then Lots in question were Replotted into The MC Meyers Subdivision. So The Restrictions are for Residential Property NOT Commercial Property. (See Docs Attached)

The COH Has Ordinances for a Reason to Protect The Public Interest! This Waiver is NOT Protecting The Public Interest of the Properties in the Fall Zone!

We have 11 Residential Properties within the Fall Zone of the 330 Foot Radius. We have the Closest is 122 Ft from the tower.

This Tower "WILL FALL" on Adjacent Residential Properties within THE FALL ZONE! Therefore, Sec 28-524G Should Apply.

The Waiver should not be Granted because it's NOT in the Best Interest of the Public.

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Now the environmental impact on the site. The site is within the park / Lake Houston water shed. The proposed plans are a Generator with Oil / Gas! Any plans to keep the chemicals Contained if Spilled?

They Need to move this Cell Tower across the street to the east side of Fairlake Rd. Keep it out of our Residential Subdivision. This will destroy our Home Values and our Peace.

Texas Adaptive Aquatics, Inc.

23727 Wilkins Lane

Huffman, Texas 77336

Roger Randall

President

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Trott, known to me to be the person whose name gubscribed to the foregoing instrument and acknowled to me that he executed the same for purposes and consideration therein expressed, she capacity therein expressed, this 9 day of March, A. D. 1905. County or an authority, in authority, day personally

Walter Rountree, Not. Pub. Mmcon Go. Texas.

Filled for record at 11:10 o'clock A.M. Mar. 18,1905, Recorded at 10:45 o'clock P.M. April 1st, 1905.

Geo. Jones Co . Olerk, Harris Co., Texas.

By H. L. Rashburn, Deputy.

F110 No.3494.

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We Oppose The Tower Application and Waiver and Disagree with Staff Recommendations.

We are the property owners of Lt4 BLK 1 Meyer GA Wilkins Lane Huffman

This is a Residential Subdivision. We purchased this property for a Residential Investment Not a Cell Tower in our Subdivision.

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Al Welch

29 30th Street

Gulfport MS 39507

Lt4 BLK 1 on Wilkins Lane Huffman Texas

We Oppose The Tower Application and Waiver and Disagree with Staff Recommendations.

We are the property owners of 321 Page Lane Huffman

This is a Residential Subdivision. We purchased this property for a Residential Investment Not a Cell Tower in our Subdivision.

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Sary & Saran Mao

321 Page Lane & Wilkins Lane Huffman Texas

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peared E. A. Strickland, A. t. and his wife, are Don't be the person whose name 1 going instrument and ache executed the same for the

Walter Rountree, Not. Pub. Mucon Go. Texas. Trott, known to we to be the percon subscribed to the foregoing instrumiknowledged to me that he executed the purposes and consideration therein the capacity therein expressed, this larch, A. D. 1905.

Geo. Jones Co . Clerk, Harris Co., Texas.

By H. L. Tashburn, Deputy,

F110 No. 3494.

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Filed for record at 11:10 o'clock A.M. Mer. 18,1905, Recorded at 10:45 o'clock P.M. April 1st, 1905.

Houston, Texas 77002

Subject: Tower Application # 23-0761 23705 Fairlake lane Huffman

My Property is with in the Fall Zone! At 219 Page Lane Huffman.

I oppose the tower being built in our Subdivision.

What is even the point of this dog and pony show? If you look at the record of this commission, you always go with the cell tower companies.

This Subdivision was Plotted in 1905 Called The GA Trott Subdivision on a 100 acer track with 2 blocks of 34 lots in each Block. Then Lots in question were Replotted into The MC Meyers Subdivision. So The Restrictions are for Residential Property NOT Commercial Property. (See Docs Attached)

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Richard A. Davison

219 Page Lane

Huffman, Texas 77336