

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

Margaret Wallace-
Brown

Agenda

Monday, December 18, 2023
3:30 p.m.

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

Join Microsoft Teams Meeting or via
web at: <https://shorturl.at/lwSV9>

Phone: [+1 936-755-1521](tel:+19367551521),
Conference ID: 375 167 033#

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@houston.tx.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. 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, December 18th, 2023 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://shorturl.at/lwSV9>; or
- Join via Phone: +1 936-755-1521, Conference ID: 375 167 033#

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 September 25th, 2023 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, 25 SEPTEMBER 2023
CITY HALL ANNEX, COUNCIL CHAMBER, CITY HALL ANNEX
MICROSOFT TEAMS [HTTPS://RB.GY/MZC5B](https://rb.gy/mzc5b)
PHONE: 936-755-1521, MEETING ID: 673 212 169#

Call to Order at **3:33 PM** by Rob Todd, Chair

Commissioners	Quorum – Present / Absent / Remote
Rob Todd, Chair	Present
John R. Melcher, Vice Chair	Present Remote
Yulanda Campbell	Present
Bobby De La Rosa	Absent
Linda Smith	Present Remote
Asim Tufail	Absent
Hector Rodriguez, Acting Secretary	Present

Secretary Report - None

Chair’s Report – None

I. RECONSIDERATION OF THE MAY 24, 2021 & CONSIDERATION OF THE JULY 24, 2023 MINUTES

Commission action: Motion was made to approve the May 24, 2021, and July 24, 2023, Tower commission meeting minutes.

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

II. PUBLIC HEARING AND CONSIDERATION OF WAIVER REQUESTS:

A. 23-T-0758 10017 2/3 N. HOUSTON ROSSLYN ROAD

Staff recommendation: 28-524(b) Allow construction of a tower in a residential area.
 Commission action: Two votes, one for the motion and one for the criteria; motion to approve and the second motion on the criteria, which states this does indeed meet the minimum criteria.

Speaker(s): Greg Farris, applicant, Bebb Francis - opposed
 Motion: Melcher Vote: Unanimous
 Second: Campbell Abstaining: None

Positions from the commission on whether the requirements under the ordinance have been met for a variance. The fallback is within the ordinance and does meet the requirements. The setback does meet the minimum criteria to follow under the variance requirements of the ordinance. Counsel agrees with staff report and agrees with the staff's findings and motions and seconds that the requirements have been met.

Considering all the arguments of all parties, and the facts and the documents that have been submitted, that the minimum criteria under the ordinance have been met. ^Criteria under section 28532d.

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

B. 23-T-0759 1820 W. 43RD STREET ROAD – Withdrawn

C. 23-T-0760 9307 2/3 BOONE STREET

Staff recommendation: 28-524(b) Allow construction of a tower in a residential area.

Commission action: Approved per staff recommendation.

Speaker(s): Greg Farris, applicant, Michael Sims - undecided

Motion: Melcher	Vote: Unanimous
Second: Smith	Abstaining: None

III. PUBLIC COMMENT – None

IV. ADJOURNMENT

There being no further business before the Commission, Chair Rob Todd adjourned the meeting at **4:33 PM**.

Rob Todd, Chair

Hector Rodriguez, Acting Secretary

Houston Tower Commission

Planning and Development Department

Meeting Date: 12/18/2023



Site Location II-A

Houston Tower Commission

Planning and Development Department

Meeting Date: 12/18/2023

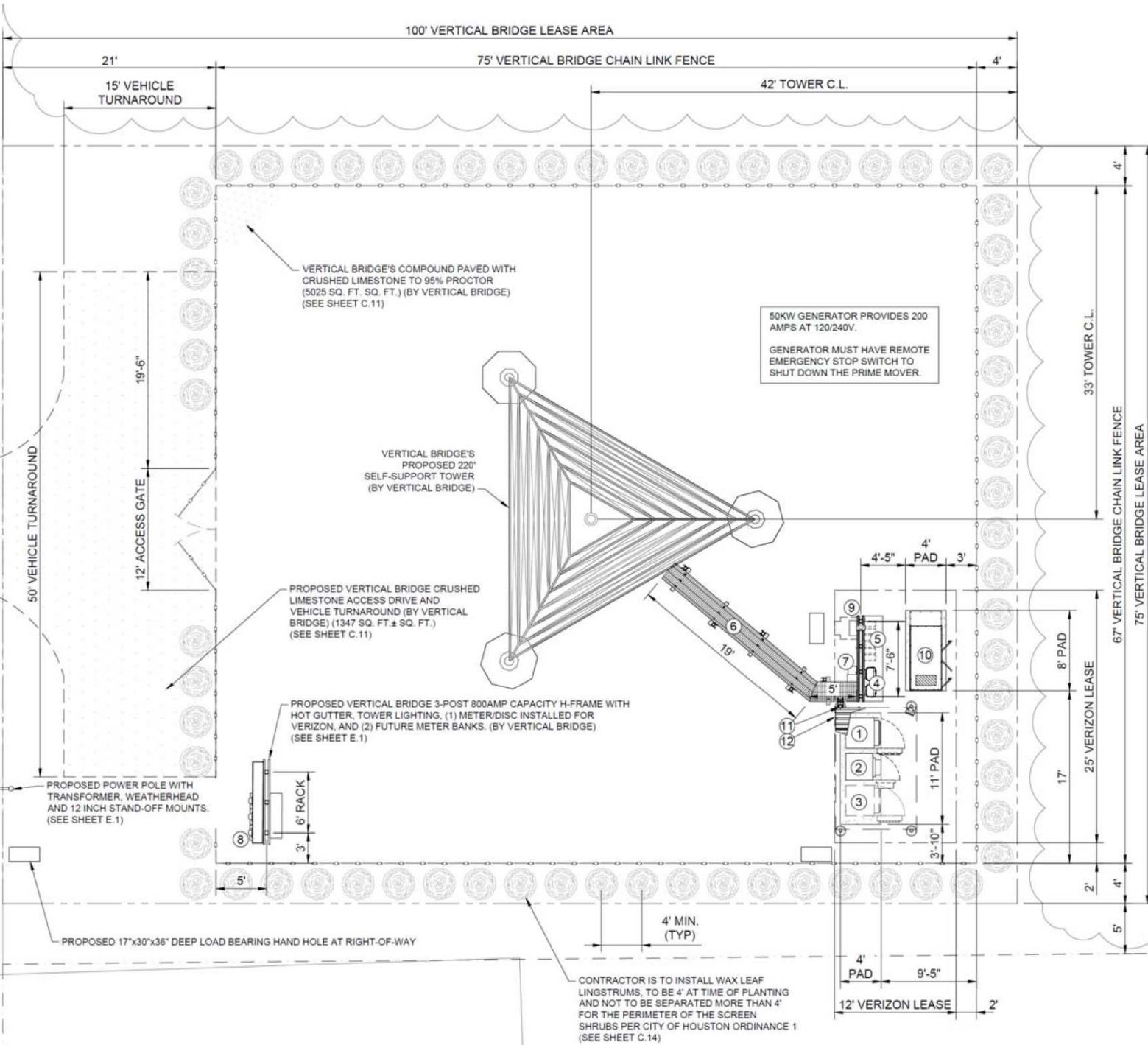


Site Location II-A

Houston Tower Commission

Planning and Development Department

Meeting Date: 12/18/2023

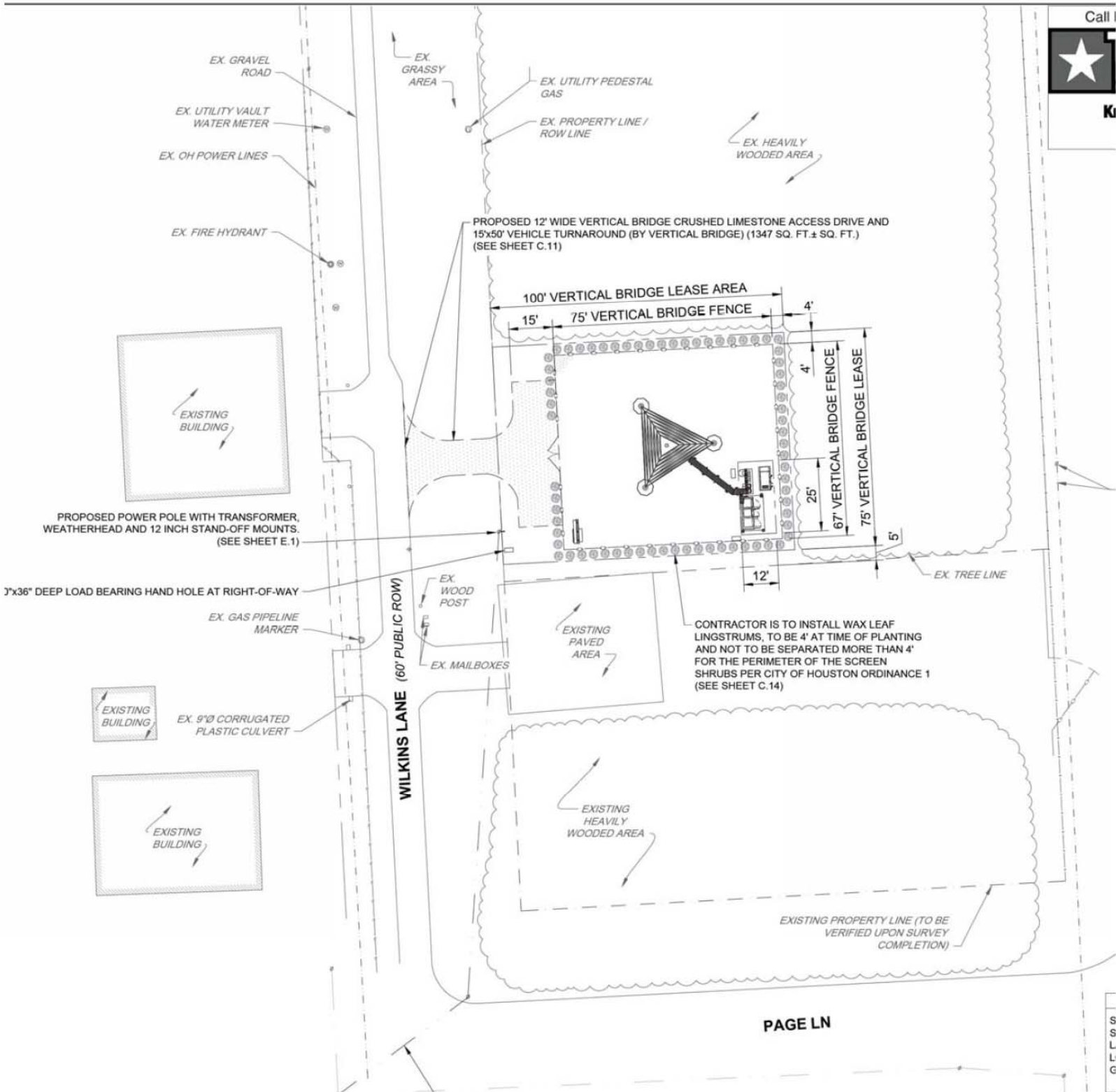


Site Location II-A

Houston Tower Commission

Planning and Development Department

Meeting Date: 12/18/2023



Site Location II-A

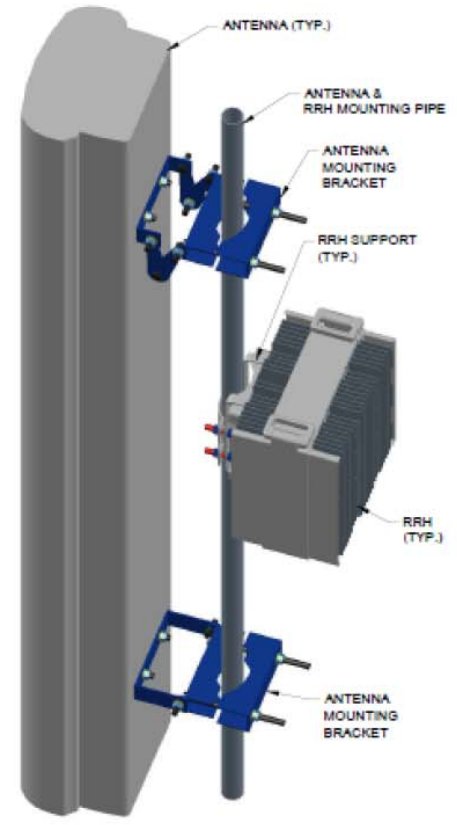
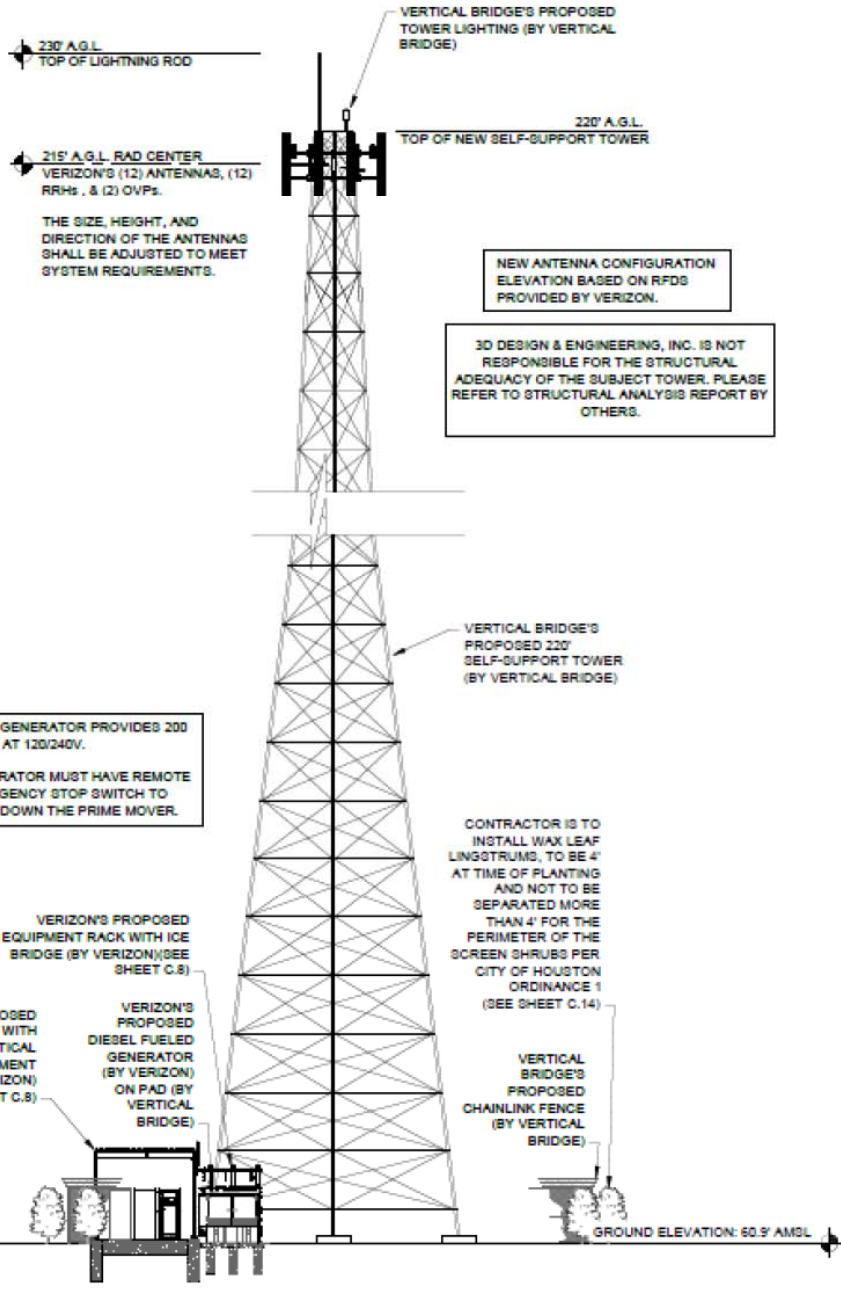
Houston Tower Commission

Planning and Development Department

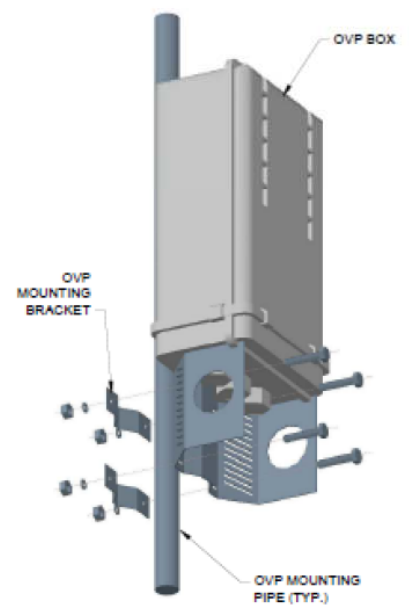
Meeting Date: 12/18/2023

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

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



3 ANTENNA & RRH MOUNTING SCALE: N.T.S.



Site Location II-A

Tower Permit Waiver ApplicationDate: 11 / 13 / 23**APPLICANT INFORMATION:**Site address: 23705 2/3 Fairlake LaneTower Company: Vertical BridgeContact person: Becky Capt/JM Hodges Title: Site Acquisition SpecialistPhone: 817 /528-7875 FAX: / 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 each 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 each 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 statute 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.

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 statute 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:	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

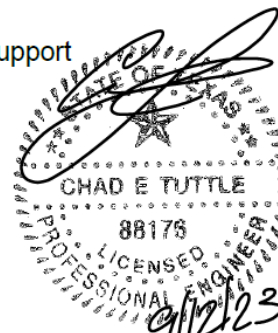
215'—Wireless Carrier 1 (CaAa= 42,000 sq in w/ (18) 1 5/8" transmission lines
204'—Wireless Carrier 2 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines
194'—Wireless Carrier 3 (CaAa= 30,000 sq in w/ (12) 1 5/8" transmission lines

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.
F-9683

AGENDA ITEM: II - A

TOWER APPLICATION AND WAIVER REQUEST - STAFF REPORT

Location:	File No.	Zip	Lamb. No.	Key Map
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23705 2/3 Fairlake Lane 21-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. More than 50% of the tracts or parcels are used or restricted for residential purposes	Tower is not located in a residential area
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 (220') 330'	Nearest residential tract allowed by the ordinance is 330'. The nearest residential structure is approximately 122' from the proposed tower.
Must not be within 1,000' of an approved tower structure	There is not an approved tower structure within 1000'