

STAFF REPORT

Planning and Zoning:04/05/2021Staff Contact:Emily Draughon, Planner IICity Council:04/27/2021E-mail:emilyd@pflugervilletx.gov

Case No.: SUP2103-01 **Phone:** 512-990-6306

SUBJECT:

To receive public comment and consider an application for a Specific Use Permit for a proposed Verizon Wireless Telecommunications Facility in the Urban Center Level 4 (CL4) zoning district on an approximate 4 acre-tract of land generally located east of Old Austin Hutto Rd and north of Sweet William Lane; to be known as Verizon at Heritage Park SUP (SUP2103-01)

PURPOSE OF SPECIFIC USE PERMIT:

A specific use permit provides for a case-by-case review of the proposed land use to ensure compatibility with the surrounding uses as well as the Unified Development Code (UDC). A specific use permit is similar to a zoning request in that the application is considered at public hearings and allows for the public, Planning and Zoning Commission, and City Council to review and consider the proposed request based on the specific criteria outlined in the UDC.

The Planning and Zoning Commission and City Council shall consider the following criteria in determining the appropriateness of the specific use permit request:

- 1. Whether the use is harmonious and compatible with its surrounding existing uses or proposed uses.
- 2. Whether the activities requested by the applicant are normally associated with the requested use
- 3. Whether the nature of the use is reasonable; and
- 4. Whether any adverse impact on the surrounding area has been mitigated.

In granting a specific use permit, the City Council may impose conditions upon the proposed use.

LOCATION:

The subject property is located just north of Heritage Park, east of Old Austin Hutto Rd, north of Sweet William Lane in the Bohls Place Subdivision. The subject property is currently owned by the City of Pflugerville and a lease agreement has been issued to the applicant for the purpose of constructing a wireless telecommunication facility (WTF) but is subject to all approvals including this SUP and site development review.

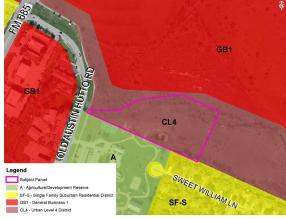




STAFF REPORT

ZONING:

The property is zoned Urban Level 4 (CL4).



Adjacent	Base Zoning District	Existing Land Use
North	General Business 1 (GB1)	Vacant
South	Single-Family Suburban	Bohls Place Subdivision
East	General Business 1 (GB1)	Office building
West	Urban Level 4 (CL4)	Vacant

PROJECT DESCRIPTION:

The proposed project is a wireless telecommunication facility (WTF), a monopole tower for Verizon. Pursuant to Subchapter 4.8C of the Unified Development Code (UDC), in the CL4 zoning district WTFs may extend to a maximum height of 150 feet, provided that the monopole is setback from any single-family property line a minimum distance equal to three (3x) times the height of the tower. An applicant may request a reduction in this setback through a specific use permit (SUP) (UDC 4.8C).

The applicant is requesting to install a monopole tower that will be 100 feet in height. Per Subchapter 4.8C this tower height would require the pole to be setback at least 300 feet (3x100) from the adjacent residential properties to the south. The applicant is proposing to construct the monopole 153 feet setback from the southern property line, which is approximately 1.5 times (1.5x100) the height of the tower.

Land Use: Pursuant to the UDC, WTFs are permitted in the CL4 zoning districts with conditions and through SUP. The conditions are laid out in Subchapter 4.8 of the UDC.

Parking: WTFs require one (1) parking space per facility plus one (1) space for every 250 square feet of habitable building space. The proposed project will be required to meet these requirements as prescribed in Subchapter 10.4.6 of the UDC. Currently the proposal includes one (1) space for the facility and does not include any habitable building space.



STAFF REPORT

Structural Modifications and Landscaping: The site will construct an access road to reach the WTF as well as a masonry wall for screening the ground mounted electrical equipment and parking. This masonry wall will include an access gate to restrict access into the site. The access road will be constructed per the Fire Code standards and will be reviewed by the Fire Marshall prior to site approval.

LAND USE COMPATIBILITY:

The proposed WTF is compatible with the adjacent land uses. The traffic impact to the Bohls Place Neighborhood and Heritage Park will be minimal. The applicant has provided a letter including the details of an engineered study to depict the safety of the height of the pole with the reduced setback, to ensure the safety of the homes to the south. In the letter, the engineer indicates that if the pole does fail it will buckle at a stress point in the shaft, bending in a deformed manner but not separating from the base plate and subsequently falling onto the homes to the south.

COMPREHENSIVE PLAN & TRANSPORTATION, WATER & WASTEWATER MASTER PLAN COMPATABILITY: The Land Use Vision Plan created in 2009 for the Pflugerville 2030 Comprehensive Plan, identifies the area for medium to high residential land uses. The infrastructure master plans call out this area for Urban Level 4 uses, this is similar to the Comprehensive Plan. A WTF would be appropriate for these land use designations and does not have an impact on the master plans or the Comprehensive Plan.



STAFF RECOMMENDATION:

Subchapter 4.8C of the UDC allows for a monopole to extend up to 150 feet so long as it is setback from any adjacent single-family residential property 3 times (3x) the height of the tower with a variation from this requirement permitted through Specific Use Permit (SUP). The applicant is requesting an SUP for a monopole tower to extend to a height of 100 feet (with a 10-foot antenna on top), setback 153 feet from the adjacent single-family neighborhood. This is a setback distance equal to roughly 1.5 times (1.5x) the height of the tower.

The land use is compatible with the surrounding land uses. On average, Verizon services their monopole towers twice a month and will access this tower via a service road located off Sweet William Lane within the Bohls Place Subdivision. The base of the tower will be surrounded on all four sides by a six (6) foot tall masonry wall and will be accessible through a secure gate. The City has also advised the applicant to place a gate at the entrance of the road to prevent non-WTF traffic from the temptation of using the access road. The applicants have provided an engineered report to depict how, in the event of an accident, the tower is not a danger to the homes to the south. Furthermore, the proposed land use is compatible with the Comprehensive Plan as well as the Transportation, Water, and Wastewater Master Plans which call-out this region for urban level uses.

The monopole and site (see the conceptual site plan) have been proposed to meet the required conditions stated in Subchapter 4.8 of the Unified Development Code (UDC). This includes but is not limited to, the masonry wall, the capacity for collocation on the monopole, and the pursuit of this SUP.



STAFF REPORT

Furthermore, the monopole has been designed to allow for collocation per Subchapter 4.8, to allow for multiple carriers to utilize the pole thereby limiting the overall number of monopole towers constructed. The site will be reviewed at time of site development and will be required to meet all the conditions stated in Subchapter 4.8 of the UDC.

In August 2020, the City entered into a lease agreement with the applicant, Verizon, for this piece of property, subject to the approvals of an SUP and site development. In this agreement, it was determined that the construction of the tower would take place off Old Austin Hutto Rd and not through the Bohls Place Subdivision.

Staff recommends approval of the Verizon at Heritage Park Specific Use Permit (SUP) with the following conditions:

- Access for the construction of the monopole is from Old Austin Hutto Rd and not through the Bohls Place Subdivision.
- A gate will be installed at the road entrance where it meets the cul-de-sac of Sweet William Lane.
- All ground mounted equipment associated with the cell tower be located within a masonry enclosure.

NOTIFICATION:

Notification letters were sent to property owners within 500-ft. of the proposed site. A sign was placed on the property and a public notice appeared in the Pflugerville Pflag newspaper. At time of staff report, staff has met with three residents from the Bohls Place Subdivision who were concerned about what would be constructed.

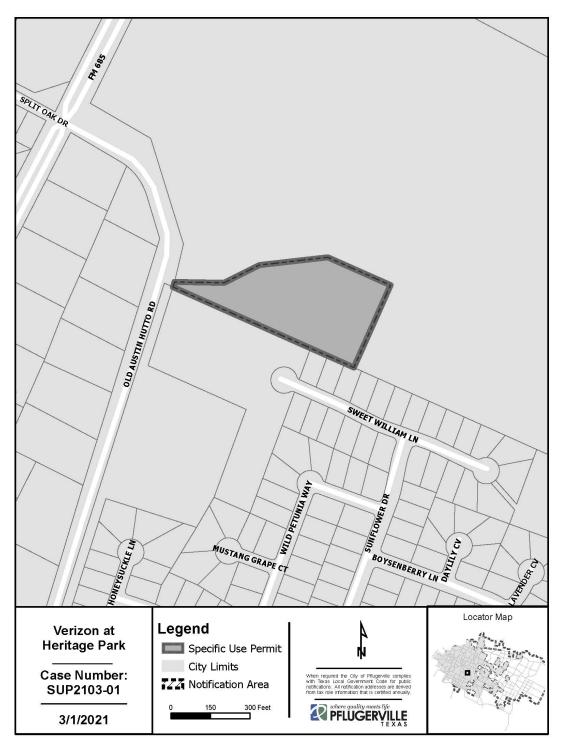
ATTACHMENTS:

- Notification Map
- Applicant Project Description
- Conceptual Site Plan
- Survey
- Subject Site Photos



STAFF REPORT

NOTIFICATION MAP:





STAFF REPORT

APPLICANT PROJECT DESCRIPTION:



VINCENT GERARD & ASSOCIATES, INC.

Ms. Emily Barron, AICP
Planning Director
Development services Department
Planning & Zoning Commissioners
Mayor & City Council
City of Pflugerville Texas.

March 1, 2021

RE: Verizon Wireless Specific Use Permit for Verizon Wireless, Summary Letter

Ms. Barron, Commissioners and Councilmembers,

We have a request from Verizon Wireless for a wireless communications facility at the City owned property located adjacent to 901 Old Austin Hutto Road. We hereby respectfully request full review and agenda hearing to allow Verizon Wireless to construct a critical communications facility at this location. This will improve and continue to provide communications for the community of Pflugerville Texas & first responders. We have also included a recent letter from Texas State Senators urging all municipalities to expedite and approve critical wireless sites such as this due to current Pandemic. Data volumes have increased on all networks in Texas since March 2020. All other carriers will have the option to collocate at this location as well. The documents discussed for review & approval process to be uploaded are as follows;

- 1) Specific Use Application signed by preparer (VGA) & to be signed by the landowner,
- SUP Site Plan for full review, once completed and cleared by your staff, to be included in the zoning review and made as an exhibit to the SUP approval documents with existing and/or proposed conditions,
- 3) Parent tract Survey and legal description of the land lease area specific to the wireless use,
- 4) Landowner Deed for owner confirmation,
- 5) Verizon agent authorization form.

Additional Radio Frequency Propagation Maps for evidence of lack of coverage, before and after on-air simulations and capacity issues of surrounding sites will be forthcoming. It is our understanding that the City of Pflugerville will review the Specific Use Application (SUP) and site plan and when, in approvable form, place the SUP on a Planning and Zoning commission agenda and Council agenda for approval. The Engineered site plan drawings will be filed separately and are not included within this application. Regarding utilities, electrical and fiber is the only required utility for this unmanned structure.



STAFF REPORT

Narrative Memo

Based on the customer demand for wireless in building coverage and the growth rate in Pflugerville Texas, Verizon Radio Frequency engineers have designated the above site location as a preferred location for a Wireless structure for their customers & future growth. We will provide the Radio Frequency engineers study for coverage in this immediate vicinity to the planning staff prior to the zoning hearing.

This site will be a standard monopole structure, with the capability to serve up to 2 other carriers on the structure, complying with current Pflugerville code. This is based on "4.8A1-4 General Conditions of Use. Within Section 4.8, colocations are strongly encouraged by Pflugerville. Item 5 will be determined by the decision makers on City Council. With regards to "4.8.C(2) Setbacks and Height, the distances from the adjoining tracts can be determined within the Specific Use Permit review. Further, no other vertical structures or tall buildings are within 1 mile of this location that would allow Verizon Wireless to collocate their antenna and accommodate the coverage gap within this ring. The closest structure is an older City water tower around 6,400' SW of this location.

Current design is proposed as a 110' (top of lightening rod antenna) and 105' height monopole. Verizon will utilize the top antenna centerline at 100'. There is a 10' required height separation from other carriers' antenna. It would benefit Pflugerville to allow the 110' height so as to increase the likelihood for another carrier to collocate on this structure and eliminating the probability of another structure needed within the area. The site area will be fenced by a masonry wall and access will be constructed from Sweet William Lane and meet Pflugerville fire code standards. This land use generates almost zero traffic, averaging approximately 2 trips per month.

If there are any questions on this application please let us know.

Respectfully

Vincent G. Huebinger

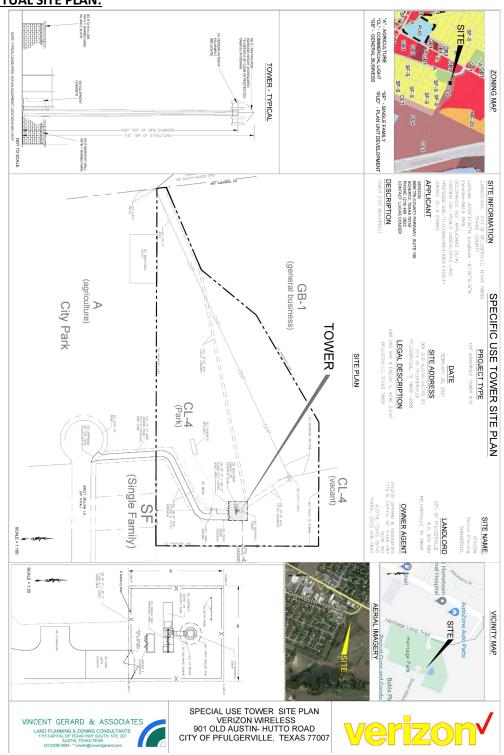
Attached – Tx Senate Hancock Letter

Xc: Bryan Elrod - KGI



STAFF REPORT

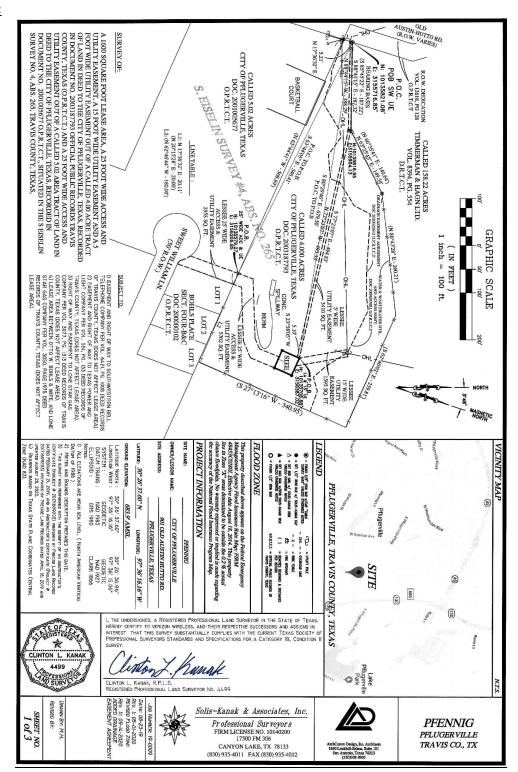
CONCEPTUAL SITE PLAN:



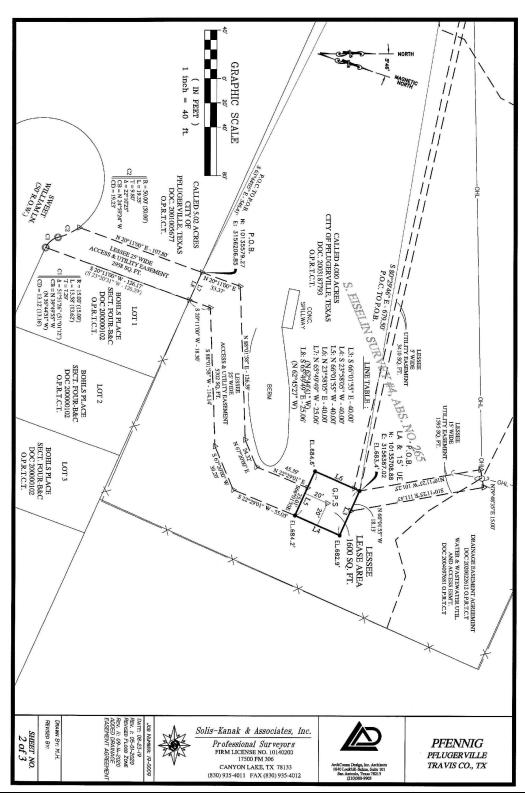


STAFF REPORT

SURVEY:









The Section of the Se	Theorem N. 47" 38" 37" E. 5.21 final fraulted N. 50" 45" 38" El aloren the east time of sold OVA Austin High-Doord the wars time of sold of OVA area.	Thence: N 88" 44" 15" W, 188,29 faet, along the south fire of the herein described fract, to a sat 000 and with disk (Solis-Korak) for the southwest corner of the herein described fract lying on the east ROW line of said Old Austin Hulto Road and the west fine of said 4,000 acre fract	Thence: N 77* 23' 07* W, 483.33 feet, along the south fine of the horein described tract, to a set 600 neil with disk (Solis-Kanak) for angle;	Thence: S 27' 55' 05' W, 5 10 feet, along the west line of said lease area and the east line of the hemin discollent text, to a set 65d real with disk (Soile-Kanek) for the southeast corner of the leasth described text;	Theorems 5" P" 2"8" (F). 494.58 feet, into paid 4.000 one incat, along the north line of the herein described mut, to a set 3" from ber with top (50% - famely for the northwest corner of a 1959 equare bod less sees surveyed this same data and the northwest corner of the herein described facet;	Theorem 5 88* 44* 10° E (Busting Bussa); 471.2 tell (called 5.85* 65.25°E, 161.22 tell), along the north feet of said 4000 acre (not, the coult, fare of the members of said 582.25 acres and after home feet of the members of said 582.25 acres and after home feet of the feet feet of the feet of	Phaggerinia, Texas, recorded in Document No. 2001005617 GPRTGT;	Available Than Anal (Avail Years), Yangin 2147, Yangi 124 YA YA. (1986) yangin bilandang da bahanasa da bahanasa da bahanasa Arawan Sarawan Sarawa	Coordinate Contrat Zono (NAD EQ): Coordinates Coordinates Contrat Zono (NAD EQ): Coordinates Coordinates Contrat Zono (NAD EQ): Coordinates Coordin	Fried rudes for a for a 5 fixed wide utility executed of a called 4 000 area lorad of land in dead to The City of Pflagaville, Teaus, recorded in Document No. 2001/87730 Chical Phable Records; Traves County, Teaus (COPPTCT), shatted in this S. Esselfs sonsy No. 4, Austract No. 265, Traves County, Teaus, and bridg more indexistry described by mortes and protest as before with a 10-bearing being based on Traves Sale Phane Traves County Traves, and bridg more indexistry described by mortes and protest as before well as the surrogs being based on Traves.		۹	Theorer: S 10* 11* 25* E, 111.43 feet, along the east line of the herein described trad, to a set 60d rail with diek (Solis-Kanak), for the southeast corner of the herein described trad lying on the north line of set/ lease error,	Therest N 19* 42' 25' E, 15.00 feet, along the north line of the herein described that, to a set 60d nell with disk (Solin-Keans) for the northead come of the herein described fract;	Thence: N 10" 11" 25" W, 101 25 feet, along the west fine of the herein described tract, to a set 800 nail with disk (Sobs-Kanak) for the northwest corner of the herein described tract,	Theore: S 87' 29' 46' E, 679.30 feet, into said 4,000 acre tract to a set 54' trop for with cap (Salis-Kanak) for the northwest corner of a 1600 square bod kease area surveyed this same date and the southwest corner and the Place of Beginning of the horein obscribed tract;	mod provinces, routine 10 is page 120 by FLL) abong the instituted cover of set 4.000 are freq all the publication of the telestation of a valved and 22 are titled for instituted in valved by Page 551 bed Fermani, Track South, Page for the public public state of the instituted of the 10 state 150 bits 25 states 4.000 are that of the are that of the set free market and of the formation of the 35 states 4.000 bits 150 bits 25 states 4.000 bits 150 bits 25 bits 25 states 4.000 bits 150 bits 25 bits 2	Commencing: at a found 50° tron bar (N 10185821.08, E 3155716.85) with cap (OMSN Survey 4403) lying on the east right-of-way (ROVI) fire of Old Austin Hutto	Field notes for a find equien find freed of lend out of a called 4 000 size find of lend to deed to The City of Pringerville, Teaux, recorded in Document No. 2003;19732 Official Pablic Records, Teals County, Teaux (DMYTC), solveet on the S. Eleyel Survey No. 4, 5 beard No. 2003; Teals County, Teaux, and being more participant described for merica and broaders of follows of filmers and broaders of follows of the seasons of Teaux State (PMYTC).	Lassas 5: Wido Utility Essament Phonoist	Thereor, N. 2011 GR COT EL, 40.00 leed, along the west line of the freein obscribed force, to the Pface of Beginning and containing 1600 square feel of land more or less.	Thence: N 65° 01' 55" W, 40,00 feet, along the south line of the herein described food, to a set ½" rinn bar with cop (Solis-Yonak) for the southwest corner of the herein described that;	Therees: S.2° SS' OS' VV, 40.00 feet, stong the east line of the harain described fract, to a set ½" from bar with cap (Solfs-Kanak) for the eoutheast command the harain described fract,	Thence: 9 67 07 55° E, 40.00 feet, along the north line of this torois obscribed tract, to a set ½" fron ber with cap (Solis-Keask), for the northead corner of the heatin described tract.	G set A) used purely analyse integrated as do not under any CLA both local participation and all the Carbonia send of the Carbonia send	Commencing: al a found 69° lon bar (H 1015921.08, E 3155718.89) with cap (CMAN Sarvey 4451) lying on the east right 44-way (ROM) lead Clúd Austin Hullo Facul (ROM) waters, Volume 1918. Repar 80 (PVFCV) proteing the restiness covered of said 4.000 were that and this Southeast covered of said 4.000 were that and this Southeast covered of said 4.000 were that and this Southeast covered of said 4.000 were that Annual Southeast Covered of said 4.000 were that Annual Southeast Covered of said 4.000 were that Annual Foundation (1918) and 1918	Field crates to a far a 1900 pupers that found oil of a called 4,000 acre that of lead in their to The City of Pflagsmittin, Toucia, recorded in Document No. 2001 8775 Official Public Records, Transi County, Teals (CHPTOT), Islanderi in this S. Essies Sovery No. Autorisch as Assi Transi County, Teals and feeling more performed productively prefere soft Socials and Social Secretary Se	Lessee Lesse Area Pennis
				1999 Is definitely or sisse searche proof foregraph in a family of a base of search recovery and search and family because in the search search and search and search sear		Ned 13.62 feet), a chord bearing and longth south line of the herein described tract, with	et William, an interior time of said 5.02 acre tract and the south line of the havein desi	Theores S 20** 11'00" W, 126. If their (called S 22" 20" 3" W, 126. 20 feet), abony line coal feet of said 5.02 are lead, the west five of said Lot 1 and the said line of this hower based but of the 5.00 and 10 a	Thanks 150 of 40° E. 260 feet, Chelles 50° 42° FE placy the such fine of said 400 per frest, the comit line of said 400 per frest, the comit line of said 400 per frest per frest frest of the said frest of the said 400 per frest	Theoret S 63" 44 05" E. 544,41 ket, across seld 4,000 acro tract to a sel 60d not with disk (Solis-Kanek) for the northwest corner and the Phase of Beglaning of the helein described load you or the scuth line of seld-600 acro tract and the north late of seld-600 acro tract.	Journal 1998 is an interpretation of the control of	bounds as folious with all basings being based on Texas State Plane Coordinates Central Zone (NAD 55); Communications of a found 5,6% for how the 150 sets of 6 E SECTED BEING CONTINUED	Field notes for a for a 25 foot write access & utility easement out of a called 510 acre text of bord to deed to The City of Pflugarville, Texas, recorded in Decument No. 2001/006517 Official Pholic Records, Travis County, Texas (CPRTCT), advanded in the S. Elsekin Survey No. 4, Abstract No. 285, Travis County, Texas, and she'ny more particularly described by metres and	Lessee Lessee duility Essement 8 Plantig			Transes 3.0° (1 CV M, 18.30 less) using the home east lens of the home described front, to as 450 fail with this List (State Account) by the combination control of home described front, light on the book front and 4000 acre front, if the mediated control of all the book front, State Fore, State Fore Fore State Fore Fore State Fore State Fore Fore Fore Fore Fore Fore Fore For	Thence: S 85" 01' 55' W, 114.14 feet, about the upper south line of the herein described tract, to a set 000 nat with disk (Sulis-Karaki), for anyle;	Thereous 3.22* 29 of 1" M, 55.55 feet, along the upper cost fixe of the formin described trad, to a set 60d nall with data (Solet-Acasa) for angle; Thereous 5.67* 29* 05" M, 33.20 feet, along the upper south the of the herein described fract, to a set 60d nall with data (Solid-Acasa) for angle;	Thereas: S 6° 0° 5° E. 2501 feet, along the south fine of said lease area and the apper month fine of the Incept described stact, to a set 3° incr bar with cap (Solid-Kasak) for the southeast corner of said lease area and the northeast corner of the Interior Solid-Educt,	Therack N 22' 29' O11 E, 45:39 bed, along the upper west line of the horizo described text, to a set GGI nat with disk (Sole-Kausik), for the notlinead corner of the teamin described text, fying on the earth line of a 1500 aquare but lease areas surveyed this some date;	Therees N 67 27 07 E, 24.32 feet, along the tower north line of the having described freed, to a set 600 net with disk (Subs-Kensk), for engle;		There is 55' 44' 05' E, 546.4' feet, scross said 4.000 acre front to a sed 600 rail with disk (Color-Kanak) for the southwest corner and the Piters of Beginning of the horein described that fring in the south line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load and the north line of said 4.000 acre load 4.000 acre load and the north line of said 4.000 acre load 4.000 acre load 5.000 acre l	Commensible at house of the own Mr (1928(2), 08, E1937(8), all on op (1928) large with Sincey 443) large at the east right-levely (1974) large of the death felter house (1974) members of the comment of	Pedicitation for a fixe a Stock access and sittle exercise of a railed 4,000 accessed and electric needs to the City of Phagmania, Toxas executer in Coccument No. 200181779. CREAL Princip Records, Teac County, Traces (1971717), Builderful the Schaler Schamp, 140, A Justicel No. 2005. Teac County, Traces (197171), Builderful the Schaler Schamp, 140, A Justicel No. 2005. Exercise Schamp Records (197171), Builderful the Schaler Schamp, 140, A Justicel No. 2005. Exercise Records (197171), Builderful the Schamp Records (197171), A Justicel No. 2005. Exercise Records (197171), Builderful the Schamp Records (197171), Builderful the Schamp Records (197171), A Justicel No. 2005. Exercise Records (197171), Builderful the Schamp Records (197171), Builderful the Schamp Records (197171), Builderful the Records (1971711), Builderful the Records (197171), Builderful the Records (1971711), Builderful the Records (19717111), Builderful the Records (1971711), Builderful the R	ALESSEE AUGUS Eusemat A Plennig.	
SHEET NO.	REVISED BY:	DRAWN BY: M.H.				REV. 11: 09-14-2020 ADDED DRAINAGE EASEMENT AGREEMENT	REVISED FLOOD ZONE	JOB NUMBER: 19-0009 DATE: 08-23-19 DELL 1: 05-01-2020	No.		> 1	FIRM CA	fess M LIC	ional ENSE 7500 I	Su. NO. FM 30 KE, T	r vey 10140 06 'X 78	1200		ArchCo 1840 I San	mm Desig Lockhill-S Antonio, (210)30	n, Inc. An chma, Sais Texas 78	obiticots to 101 213			PFE! PFLUGE TRAVIS	RVII	LE	



STAFF REPORT

SUBJECT SITE PHOTOGRAPHS:



Looking northeast onto the subject property.





Looking more east onto the subject property.





Viewing the neighboring property to the south from the trail in Heritage Park.



STAFF REPORT



Viewing the proposed future entrance of the access road to the proposed monopole tower.