



Planning & Zoning Commission Planning Department Staff Report

City Council Meeting: September 17, 2024

Project No: CUP2024-005

Project Planner: Tory Carpenter, AICP – Planning Director

Item Details

Project Name: Vertical Bridge Wireless Transmission Facility (Cell Tower)

Property Location: 27320 Ranch Road 12

Legal Description: 1.034 Acres out of the Philip A Smith Survey

Applicant: Vince Huebinger

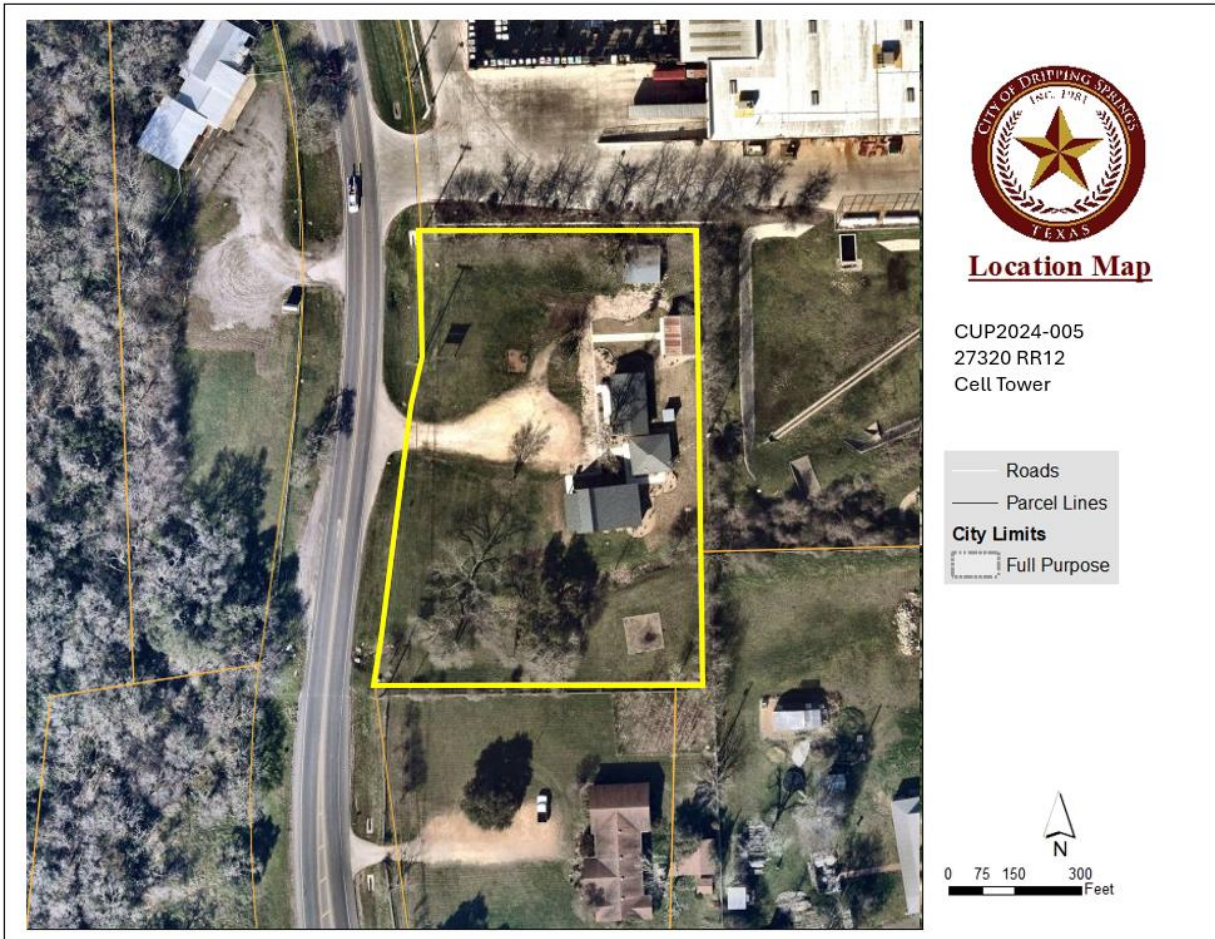
Property Owner: J Friedman Investments LLC & Bent Sky Investments LLC

Request: Conditional Use Permit (CUP) for a Wireless Transmission Facility (Cell Tower)

Approval with the following conditions:

1. The stealth design of the WTF shall be generally consistent with the broadleaf tree design provided by the applicant;
2. The height of the tower shall be no more than 100 feet;
3. Prior to any site construction, the applicant must receive staff approval of a site development permit.

Staff Recommendation:



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Overview

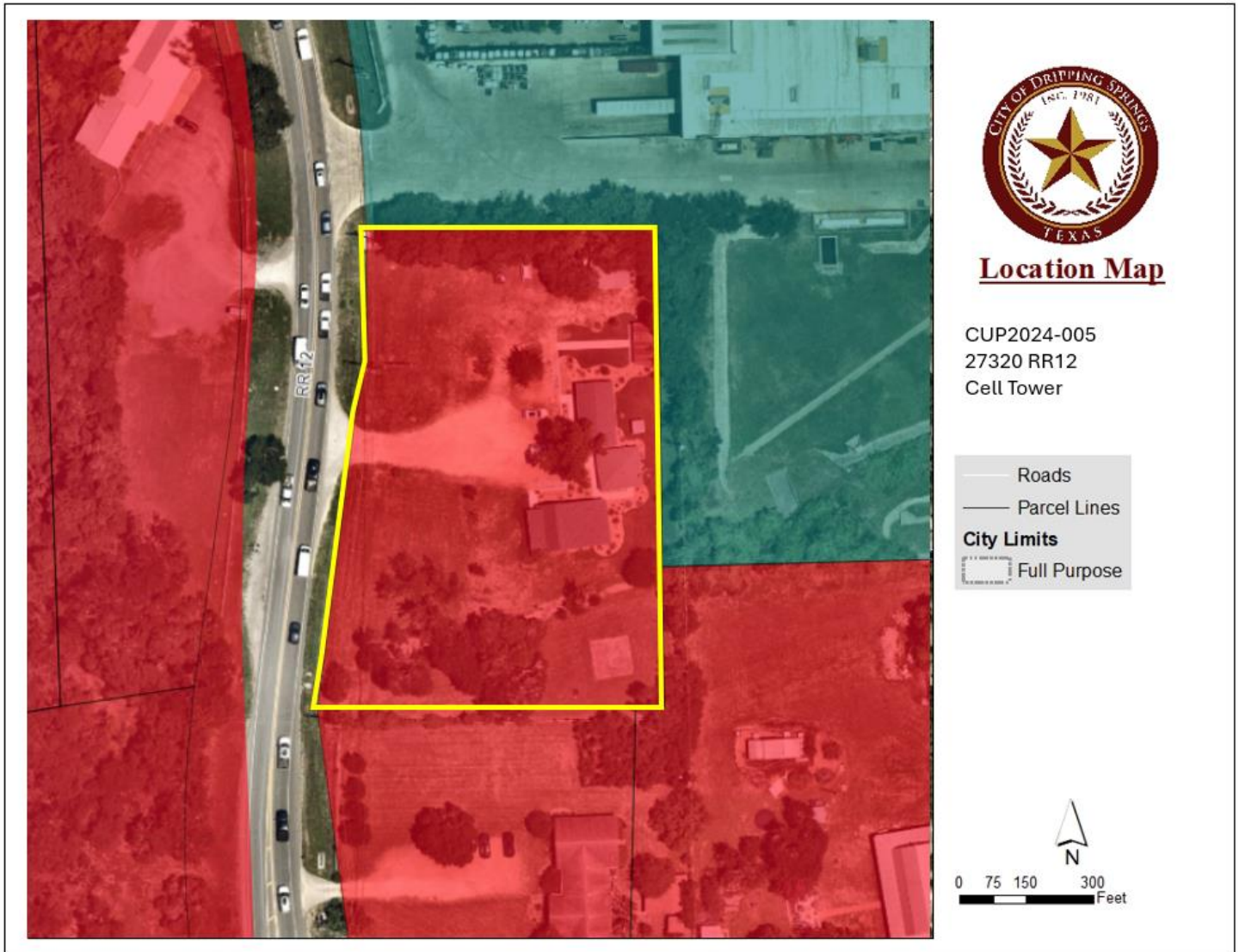
The applicant is requesting a stealth wireless transmission facility (WTF) on the property. The WTF would be used to provide service for Verizon customers and increase cellular service in the area. Since the property is zoned Commercial Services, any new WTF must be a stealth WTF.

The WTF would be approximately 205 feet from the nearest residential structure which is located to the southeast of the subject property. The stealth design includes masking the WTF as a broadleaf tree as seen below:



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Surrounding Properties



The current zoning and existing uses of the adjacent properties to the north, south, east, and west are outlined in the table below:

Direction	Zoning District	Existing Use	Comprehensive Plan
North	PDD	Home Depot	Not Identified
East	Commercial Services (CS)	Home Depot / Residence	
South	Commercial Services (CS)	Office	
West	Commercial Services (CS)	Office	

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Approval Criteria for Conditional Use Permit Review (3.17.6-Zoning Ordinance)

Approval Criteria	Staff Comments
<p>1. Setbacks. Stealth WTFs shall meet the minimum setback requirements for the zoning district where they are located for the type of structure used or simulated. To protect citizens in their homes, freestanding stealth WTFs shall be placed a minimum distance equal to the height of the freestanding stealth WTF away from any residential structure.</p>	<p>A stealth monopole can be no taller than 100 feet. The nearest residential structure is 195 feet from the proposed location of the pole.</p>
<p>2. Height. Stealth WTFs shall not exceed 100 feet in overall height, and shall be compatible with existing adjacent structures, relative to height and design.</p>	<p>The original application indicated a height of 105 feet which exceeds the allowed height for stealth WTFs. Since the Planning & Zoning Commission meeting, the applicant has provided a revised plan showing a height of 100 feet.</p>
<p>3. Construction. No stealth WTF shall be guyed or have lattice type construction.</p>	<p>The WTF is a monopole design and would not use guy wires or lattice type construction.</p>
<p>4. Accessory use. A stealth WTF shall be an accessory use as defined in this article.</p>	<p>The WTF would be an accessory use to the existing office buildings on the property.</p>
<p>5. Structural integrity. The stealth WTF shall be designed to meet all current building code requirements.</p>	<p>The building department will review the plans to ensure the WTF meets building code requirements.</p>
<p>6. Visibility and aesthetics. The antenna and associated equipment of a stealth WTF shall be screened, disguised, concealed or otherwise camouflaged as part of a structure such that the antenna and associated equipment of the WTF are indistinguishable from the structure that it is attached to or within. If the city administrator determines that the associated equipment cannot be feasibly or adequately camouflaged due to the unique circumstances of the proposed location, it shall be placed underground; or it may be screened from view from the public right-of-way and adjacent properties by a fence with a minimum height of one foot greater than the height of the equipment shelter. Examples of stealth facilities include, but are not limited to, flagpoles, clock towers, steeples, cupolas and trees. Any equipment associated with the stealth WTF that produces noise shall be sited and/or insulated in such a fashion as to minimize the audio impact on adjacent property.</p>	<p>The applicant is showing a broadleaf tree stealth monopole design which camouflages the pole itself.</p>

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Planning & Zoning Commission Recommendation

At their regular meeting on August 27, 2024 the Planning & Zoning Commission voted to recommend approval of this request with staff recommended conditions.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the-site, notice was placed on the City Website, and all property owners within a 1,000-foot radius of the site were notified of the Conditional Use Permit request. At the time of this report, staff has not received any public comments for this request.

Meetings Schedule

August 27, 2024 – Planning and Zoning Commission

September 17, 2024 - City Council Meeting

Attachments

Attachment 1 - Conditional Use Permit Application

Attachment 2 – Applicant submittal materials

Recommended Action:	Recommend approval of the request with the following conditions: <ol style="list-style-type: none">1. The stealth design of the WTF shall be generally consistent with the broadleaf tree design provided by the applicant;2. The height of the tower shall be no more than 100 feet;3. Prior to any site construction, the applicant must receive staff approval of a site development permit.
Alternatives/Options:	Recommend denial of the Conditional Use Permit; recommend approval of the Conditional Use Permit with no or alternate conditions.
Budget/Financial Impact:	N/A
Public Comments:	Staff has not received any public comments at this time.
Enforcement Issues:	N/A
Comprehensive Plan Element:	Support the expansion of business and professional services Support Tourism related businesses