

**Additional Items from 5.7-6 Special Use Permit required for Wireless facilities SUP application Comments per Amanda Mushinski 10/22/24**

- 1) A description of how the proposed plan addresses any adverse impact that might occur as a result of approving the modification. *VGA -Relocation site will mitigate the adjacent residential parcel with evergreen tree and shrug buffer along both sides of the site. Tower shifted towards the street as much as possible. We have added an engineered Fall zone letter for safety issues in case of catastrophic failure.*
- 2) A description of off-site or on-site factors which mitigate any adverse impacts which might affect the granting of a special use permit. *VGA -Relocation site will mitigate the adjacent residential parcel with evergreen tree and shrug buffer along both sides of the site. Tower shifted towards the street as much as possible. We have added an engineered Fall zone letter for safety issues in case of catastrophic failure.*
- 3) Each applicant requesting a special use permit under this chapter shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate professional engineers, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information necessary to assess compliance with this chapter. *VGA Tower SUP Site Plan was included in the application stamped and sealed by a Texas PE showing all the distances and locations of proposed improvements. Height and elevation of the structure is shown, parking, landscaping (revised) and further information. Photo simulations were provided in the previous plan set submittal and are attached in this update again. On site and off site topography for site has been added showing as 2' contours from NB GIS web map on C-4.1 and the Z-1.3 land use exhibit.*
- 4) Provided a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate professional engineers, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information necessary to assess compliance with this chapter.
  - a. Shows proximity of the tower to residential structures, *VGA - this is shown on the site plan re-submitted 10/29*
  - b. Expanding on the nature of the adjacent and surrounding properties, *VGA & PMA has provided a land use map for the plan set shown on Sheet Z-1.3 for reference to land uses and transitional neighborhood to Industrial mixed use.*
  - c. Added surrounding topography, *VGA & PMA – topography from the NB web site GIS has been added in 2' contours on the land use exhibit Sheet Z-1.3*

- d. Expands on the surrounding tree cover, **VGA & PMA** have added surrounding tree cover and utility poles on sheet Z-1.3
  - e. Availability of suitable existing towers or other structures, **VGA** There are no other available towers or structures in the immediate area except the City Hall tower that we are replacing. Review of the FCC website for obstructions or registered structures show a site to the southeast that does not exist on ground. We have included a Existing FCC sites aerial exhibit.
  - f. Tower setbacks discussed, – height plus 25'. **VGA** unfortunately Crown Castle cannot meet this height plus 25' setback requirement for this replacement site. We would offer to the decision makers at City Council to waive this for the benefit of communications. This area has been zoned as an industrial district by the city and is in transition into commercial, bar & grill, wine tasting, offices and personal services. Only 2 residential homes in this block have not sold or been converted for some type of retail commercial or industrial uses.
  - g. Tower guys accessory facilities – **VGA** this is Not applicable on the proposed monopole,
  - h. Towers more than 90' within a quarter mile from this site – **VGA** Only our existing site is within this distance at 855' west and the decision makers at the city want this site removed.
- 5) Tower facilities should be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent Public ROW's or adjacent residentially zoned or used property. **VGA** a revised landscaped buffer plan has been provided for your review on this update. See sheet C-6
- a) The buffer zone may consist of a variety of plan material including trees which are evergreen in nature and expected to grow to form a continuous hedge at least 6' high within 2 years. **VGA** we revised the buffer to include a row of Live Oak trees to be planted at 10' along both the Butcher street ROW and in between the residential lot. This is mixed in with Crepe Myrtles along both interior and ROW edges, also at 10' in between the live oaks.

AFFIDAVIT

STATE OF TEXAS

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COUNTY OF BEXAR


BEFORE ME, the undersigned authority, this day personally appeared Damon Bindock, who being by me first duly sworn, on oath says as follows:

1. "My name is Damon Bindock. I am over the age of 18 and have never been convicted of a felony or crime involving moral turpitude. I am the Radio Frequency Design Engineer for AT&T, a        Corporation. My education & background includes the following: BSEE Texas A&M. I have been working as an RF Engineer for over 18 years. I have personal knowledge of the facts and statements contained herein, and they are all true and correct.
2. The FCC has strict guidelines as it pertains to equipment and the spectrum in which it functions. Ericsson equipment is tested extensively and falls within the limitations and regulations to which the FCC requires. The FCC also has exclusive authority to manage spectrum within the United States of America and has rules in place to protect licensed spectrum users. AT&T complies with said FCC non-interference rules.
3. Should AT&T cause unintentional interference in violation of the aforementioned FCC non-interference rules, it will work with other licensee to mitigate that interference as required by those rules."

FURTHER, Affiant sayeth not.

  
 Print Name: Damon Bindock

SWORN TO AND SUBSCRIBED BEFORE ME this 3<sup>rd</sup> day of April,  
 2024, by Damon Bindock.

  
 Notary Public, in and for the State of Texas

My commission expires:  
7/7/2024

