



College Station, TX

Meeting Agenda
Zoning Board of Adjustment
1101 Texas Ave, College Station, TX 77840
Internet: <https://zoom.us/j/85783696336>
Phone: 888.475.4499 and Webinar ID: 85783696336

The City Council may or may not attend this meeting.

November 9, 2022

6:00 PM

City Hall Council Chambers

Notice is hereby given that a quorum of the meeting body will be present in the physical location stated above where citizens may also attend in order to view a member(s) participating by videoconference call as allowed by 551.127, Texas Government Code. The City uses a third-party vendor to host the virtual portion of the meeting; if virtual access is unavailable, meeting access and participation will be in-person only.

1. Call meeting to order and consider absence requests.

2. Agenda Items

2.1. Consideration, discussion, and possible action to approve meeting minutes.

Attachments: 1. September 14, 2022

2.2. Public Hearing, presentation, discussion, and possible action regarding a height variance to the Airport Zoning Ordinance for the property located at Boyett Block 21, Lots 4 - 6 and Boyett Block 5, Lots 6 & 7, generally located at 415 College Main. The property is zoned NG-3 Residential Northgate. Case #AWV2022-000017

Sponsors: Robin Macias

Attachments:

1. Staff Report
2. Vicinity Map, Aerial, and Small Area Map
3. Applicant's Supporting Information
4. Federal Aviation Administration Documentation for Building
5. Federal Aviation Administration Documentation for Temporary Cranes
6. Easterwood Airport Management Documentation for Building
7. Easterwood Airport Management Documentation for Temporary Cranes
8. TAMU System Documentation
9. Building Height Exhibit

2.3. Public Hearing, presentation, discussion, and possible action regarding a height variance to the Airport Zoning Ordinance for the property located at Boyett Block 5, Lots 11-13, Lots 15-17, and 38' of Lot 18, generally located at 315 College Main. The property is zoned NG-1 Core Northgate. Case # AWW2022-000018

Sponsors: Anthony Armstrong

Attachments:

1. Staff Report
2. Vicinity Map, Aerial, and Small Area Map
3. Applicant's Supporting Information
4. Federal Aviation Administration Documentation
5. Easterwood Airport Management Documentation

6. TAMU System Documentation
7. Crane Exhibit

2.4. Public Hearing, presentation, discussion, and possible action regarding a height variance to the Airport Zoning Ordinance for the property located at Tauber Addition Block 5, Lot 2, generally located at 509 University Dr. The property is zoned NG-1 Core Northgate. Case #AWV2022-000016

Sponsors: Gabriel Schrum

- Attachments:
1. Staff Report
 2. Vicinity Map, Aerial, and Small Area Map
 3. Applicant's Supporting Information
 4. Federal Aviation Administration Documentation
 5. Easterwood Airport Management Documentation
 6. TAMU System Documentation
 7. Building Height Exhibit

3. Discussion and possible action on future agenda items.

A member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.

4. Adjourn.

Adjournment into Executive Session may occur in order to consider any item listed on the agenda if a matter is raised that is appropriate for Executive Session discussion.

I certify that the above Notice of Meeting was posted on the website and at College Station City Hall, 1101 Texas Avenue, College Station, Texas, on November 4, 2022 at 5:00 p.m.



City Secretary

This building is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are asked to contact the City Secretary's Office at (979) 764-3541, TDD at 1-800-735-2989, or email adaassistance@cstx.gov at least two business days prior to the meeting so that appropriate arrangements can be made. If the City does not receive notification at least two business days prior to the meeting, the City will make a reasonable attempt to provide the necessary accommodations.

Penal Code § 30.07. Trespass by License Holder with an Openly Carried Handgun.

"Pursuant to Section 30.07, Penal Code (Trespass by License Holder with an Openly Carried Handgun) A Person Licensed under Subchapter H, Chapter 411, Government Code (Handgun Licensing Law), may not enter this Property with a Handgun that is Carried Openly."

Codigo Penal § 30.07. Traspasar Portando Armas de Mano al Aire Libre con Licencia.

"Conforme a la Seccion 30.07 del codigo penal (traspasar portando armas de mano al aire libre con licencia), personas con licencia bajo del Sub-Capitulo H, Capitulo 411,

Codigo de Gobierno (Ley de licencias de arma de mano), no deben entrar a esta propiedad portando arma de mano al aire libre.”



MINUTES
ZONING BOARD OF ADJUSTMENT
Regular Meeting
September 14, 2022 6:00 P.M.
Internet: <https://zoom.us/j/84753502092>
Phone: 888.475.4499 and Meeting ID: 84753502092

MEMBERS PRESENT: Fred Dupriest, Rachel Smith, James Hutchins, and Chad Jackson

CITY STAFF PRESENT: Molly Hitchcock, Anthony Armstrong, Robin Macias, Derrick Williams, Leslie Whitten, Joel Lopez, and Crystal Fails

1. Call meeting to order

Chairperson Dupriest called the meeting to order at 6:05 p.m.

2. **Agenda Items**

- 2.1. Consideration, discussion, and possible action to approve meeting minutes:

Board Member Smith motioned to approve the meeting minutes from June 16, 2022; seconded by Board Member Jackson. The motion passed (4-0).

- 2.2. Discussion of Approved Administrative Adjustments:

- AWW2022-000009 500 College Main; Building Setback

Assistant Director of Planning and Development Services Hitchcock provided an overview of the administrative adjustment.

- 2.3. Public Hearing, presentation, discussion, and possible action regarding a variance to the Unified Development Ordinance (UDO) Section 7.3.I 'Drive-Thru Facility Queuing Requirements' for the property located at Redmond Terrace, Block 8, Lot 2, generally located at 1512 Texas Avenue South. The subject property is zoned PDD Planned Development District. Case #AWV2022-000011.

Staff Planner Macias presented the item to the Board and stated that the applicant is requesting a variance to allow a reduction in the queuing spaces to two, compared to the minimum four queuing spaces.

Staff recommended denial of the request due to the fact that the request does not meet all of the specified criteria. Specifically:

1. There are no extraordinary conditions affecting the land depriving the owner

- of its use;
2. The variance is not necessary for the enjoyment of a substantial property right;
 3. The property is not unique compared to other property in the area; and
 4. A hardship has only occurred due to the applicant's own actions.

Board Member Smith asked what businesses are currently in the strip center.

Staff Planner Macias stated that there is an emergency room, a restaurant, and a retail space.

Board Member Jackson asked where the minimum requirements for the number of queuing spaces came from.

Assistant Director Hitchcock stated that the same ordinance requirements have been in effect since the queuing regulations were adopted.

Board Member Smith asked for the number of drive-thru variance requests that have been heard by the Board.

Assistant Director Hitchcock stated that there has not been a variance request for a drive-thru.

Chairperson Dupriest opened the public hearing.

Applicant Rick Cardy, presented the background of why they are wanting to add an additional window for serving their customers. Mr. Cardy stated that the area in the back will be used for employee parking and not for the customers.

Board Member Jackson asked if there was a way to move the payment window to another location.

Mr. Cardy answered that it would require a lot to move the payment window as equipment on the interior of the space has already been installed.

Board Member Hutchins asked where the emergency room entrance is located.

Staff Planner Macias clarified the location of the emergency room entrance.

Board Member Smith asked when the applicant found out that moving the order board was going to be an issue.

Staff Planner Macias stated that when the plans were submitted, the window locations were allowed, further explaining that the applicant changed the location of the order board to a location that was not allowed.

Board Member Smith asked for the reasoning for changing the location of the order board.

Mr. Cardy stated the plans were approved with the two windows, but the different position of the menu board was not approved. Mr. Cardy further explained that the restaurant has another location in a different town and that having a payment and pick-up window seem to be working out well.

Board Member Smith asked about the path of egress for the cars leaving the existing pick-up window and the effects that it will have on the emergency room.

Land Development Review Administrator Armstrong stated that this is private property and there are no limits to the direction of egress that is taken by a car that is leaving. Mr. Armstrong also stated that there is a requirement per the ordinance for drive-thrus to have a bail-out lane for those who are needing to leave the site.

Board Member Smith asked if there was enough room for a car to leave the ordering line.

Land Development Review Administrator Armstrong stated that there is enough room for a typical car because there is a good amount of space to get out of the line.

Board Member Smith questioned that if leaving the site as it is, would it be pushing the egress straight onto Texas Avenue.

Mr. Armstrong stated that this is correct.

Board Member Jackson asked if there are any other drive-thru locations in College Station with similar problems.

Mr. Armstrong stated that there were not any other locations.

Assistant Director Hitchcock added that the drive-thru queuing ordinance is approximately 15 years old and that all drive-thrus constructed before the adoption of queuing requirements were grandfathered.

Chairperson Dupriest closed the public hearing.

There was general discussion amongst the Board regarding the lack of a special condition and queuing requirements.

Chairperson Dupriest motioned to deny the variance as it will be contrary to the public interest due to the lack of any special conditions, and because a strict enforcement of the provisions of the ordinance would not result in unnecessary hardship to the applicant; seconded by Board Member Smith. The motion

passed (3-1), with Board Member Jackson voting in the negative. The request for a variance failed.

- 2.4. Public Hearing, presentation, discussion, and possible action regarding a height variance to the Airport Zoning Ordinance for the property located at 401 First Street, Boyett Subdivision Block 13, Lots 1-14 which is zoned NG-1 Core Northgate. Case #AWV2022-000013

Staff Planner Williams presented the item and stated that the applicant is requesting a temporary height variance to the Airport Zoning Ordinance for a crane that will help with the assembly and disassembly of the construction cranes.

Staff recommended approval of the request due to the fact that the request meets the specified criteria. Specifically:

1. A literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship.
2. The granting of the relief would result in substantial justice being done.
3. The granting of the relief would not be contrary to the public interest.
4. The granting of the relief would be in accordance with the spirit of the regulation.

Board Member Smith asked why this variance request was not submitted with the last airport height variance request for construction cranes on the property, and asked about the number of cranes.

Applicant Veronica Morgan, Mitchell & Morgan Engineering, stated they did not have the exact information at the time they submitted variance requests for the previous cranes. Ms. Morgan further clarified that there will be two temporary cranes and one helper crane. The helper crane is used to erect the construction cranes.

Chairperson Dupriest opened the public hearing.

No one spoke.

Chairperson Dupriest closed the public hearing.

Board Member Jackson motioned to approve the variance as it will not be contrary to the public interest, the fact that the Federal Aviation Administration (FAA) and Texas A&M University did not have concerns, and that the approval was within the Zoning Board of Adjustments jurisdiction; seconded by Board Member Smith. The motion passed (4-0).

3. Discussion and possible action on future agenda items - A member may inquire about a subject for which notice has not been given. A statement

of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. There was no discussion.

4. Adjourn.

The meeting adjourned at 7:26 p.m.

Approved:

Attest:

Fred Dupriest, Chairperson

Crystal Fails, Board Secretary



**AIRPORT ZONING BOARD OF ADJUSTMENT
AIRPORT HEIGHT VARIANCE REQUEST
FOR
415 COLLEGE MAIN
AWV2022-000017**

REQUEST: Easterwood Airport Zoning Variance

LOCATION: 415 College Main
Boyett Block 21, Lots 4, 5 & 6
Boyett Block 5, Lots 6 & 7

ZONING: NG-3 Residential Northgate

PROPERTY OWNER: Stillwater Northgate, LLC

APPLICANT: Veronica Morgan, Mitchell & Morgan, LLC

PROJECT MANAGER: Robin Macias, Staff Planner
rmacias@cstx.gov

RECOMMENDATION: Approval

BACKGROUND: The applicant is proposing a new multi-family development in Northgate encompassing five lots on the corner of Cherry St and College Main St. The building is anticipated to consist of a parking garage, leasing office and potential residential units on the floor level with a parking garage and residential units above. The height of the building is proposed to be 568 feet Above Mean Sea Level (AMSL) or 220 Above Ground Level (AGL). Per the Airport Zoning Ordinance for Easterwood Airport, the maximum height of a structure at this location may be 470.6 feet Above Mean Sea Level (AMSL).

The construction of the building will require the use of a tower crane and a temporary mobile crane to assemble and disassemble the tower crane. The tower crane has a proposed height of 633 feet AMSL. The temporary mobile crane has a proposed height up to 654 feet AMSL.

With the limitation of 470.6 feet above mean sea level, the applicant is requesting a height variance of 98 feet for the building, a temporary height

variance for the tower crane of 163 feet and a temporary height variance for the mobile crane up to 184 feet

ORDINANCE INTENT:

The purpose of the Airport Zoning Ordinance is to establish clear and unambiguous regulations for the protection of the lives and property of users, owners, and occupants of and in the vicinity of Easterwood Field Airport and for the protection of airport operations.

NOTIFICATIONS

Advertised Board Hearing Date: November 9, 2022
Property owner notices mailed: 17
Contacts in support: None at time of staff report
Contacts in opposition: None at time of staff report
Inquiry contacts: One at time of staff report

ZONING AND LAND USES

Direction	Zoning	Land Use
North	NG-3 Residential Northgate	Cherry Hill Apartments
East	NG-3 Residential Northgate	The Factory Apartments
South	NG-3 Residential Northgate	A multi-family fourplex development
West	NG-3 Residential Northgate	A duplex development

REVIEW CRITERIA

According to the Texas Local Government Code Section 241.034 Variances, the Board shall allow a variance from an airport zoning regulation if all of the following criteria are met:

1. A literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship.
2. The granting of the relief would result in substantial justice being done.
3. The granting of the relief would not be contrary to the public interest.
4. The granting of the relief would be in accordance with the spirit of the regulation.

The board may impose any reasonable conditions on the variance that it considers necessary to accomplish the purpose of airport zoning.

The variance request is to allow for the construction of a multi-family residential building, the use of a tower crane for construction, and the use of a mobile crane for assembly and disassembly of the tower crane. The residential building will be 568 feet Above Mean Sea Level. The tower crane will be 633 feet Above Mean Sea

Level and the temporary mobile crane will have a height up to 654 feet Above Mean Sea Level. The Easterwood Airport Management (EAM) team has no objections to granting a height variance for both the building and the temporary cranes. The FAA has made the determination that No Hazard to Air Navigation is present for the building and has also made the determination that No Hazard to Air Navigation for Temporary Structure is present for the construction cranes. In consultation with the EAM team, the TAMU System has no objections to the granting of a variance for building height and a variance for height for the temporary construction cranes.

Allowing the height encroachment for the building height and temporary height encroachment for the cranes would result in substantial justice being done. The relief would not be contrary to the public interest as it has been deemed acceptable by the FAA, airport and the TAMU System with additional safety precautions and communication processes between the applicant and airport required. The relief would be in accordance with the spirit of the regulation to allow development while protecting lives, property, and airport operations.

STAFF RECOMMENDATION

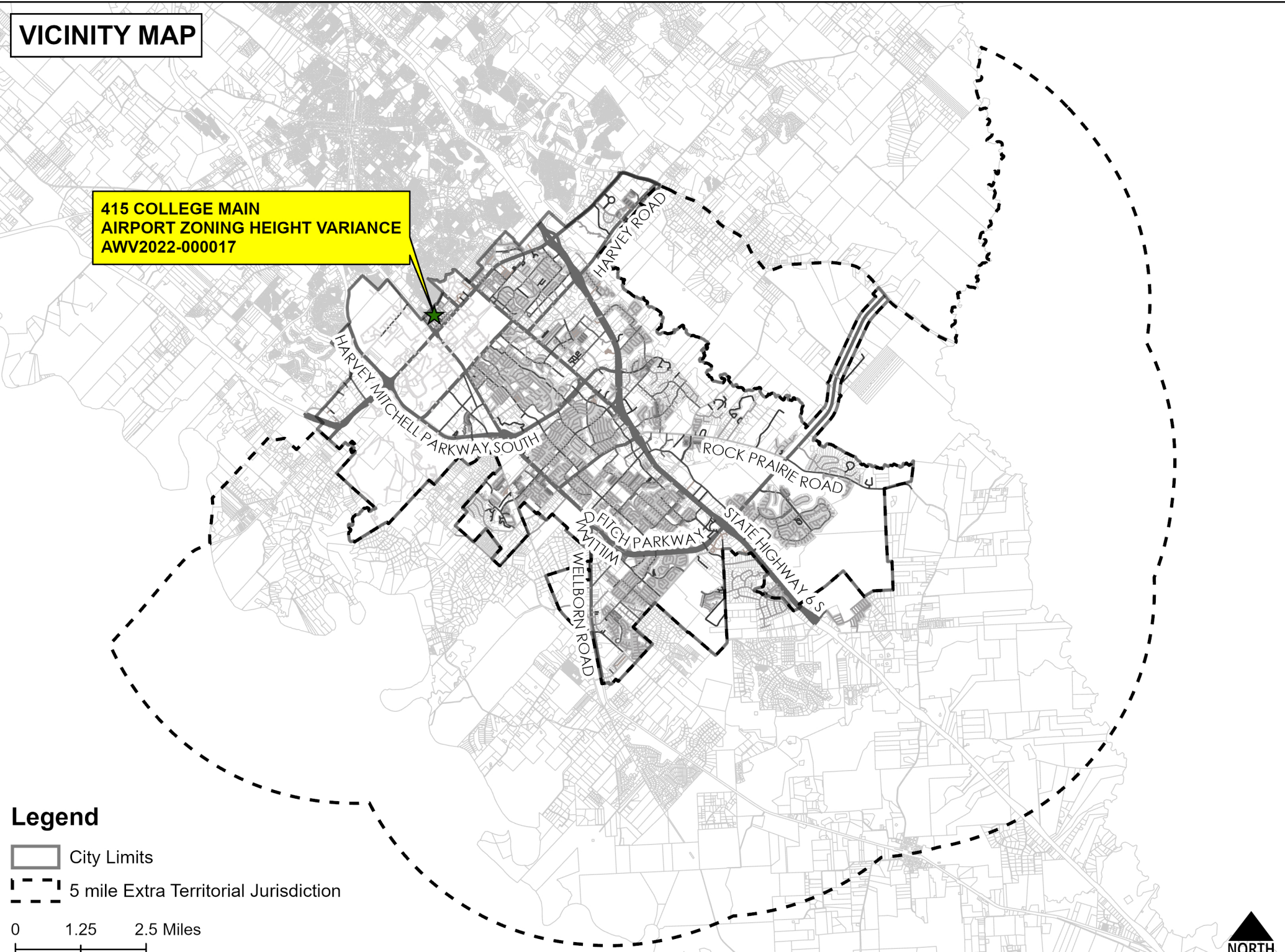
After reviewing the request and the related criteria, the information provided by EAM and TAMU, staff recommends approval of the request. The granting of the variance would result in substantial justice being done without being contrary to the public interest, and the spirit of the regulation remains.

ATTACHMENTS

1. Vicinity Map, Aerial, and Small Area Map
2. Applicant's Supporting Information
3. Federal Aviation Administration Documentation for Building
4. Federal Aviation Administration Documentation for Temporary Cranes
5. Easterwood Airport Management Documentation for Building
6. Easterwood Airport Management Documentation for Temporary Cranes
7. TAMU System Documentation
8. Building Height Exhibit6

VICINITY MAP

415 COLLEGE MAIN
AIRPORT ZONING HEIGHT VARIANCE
AWV2022-000017

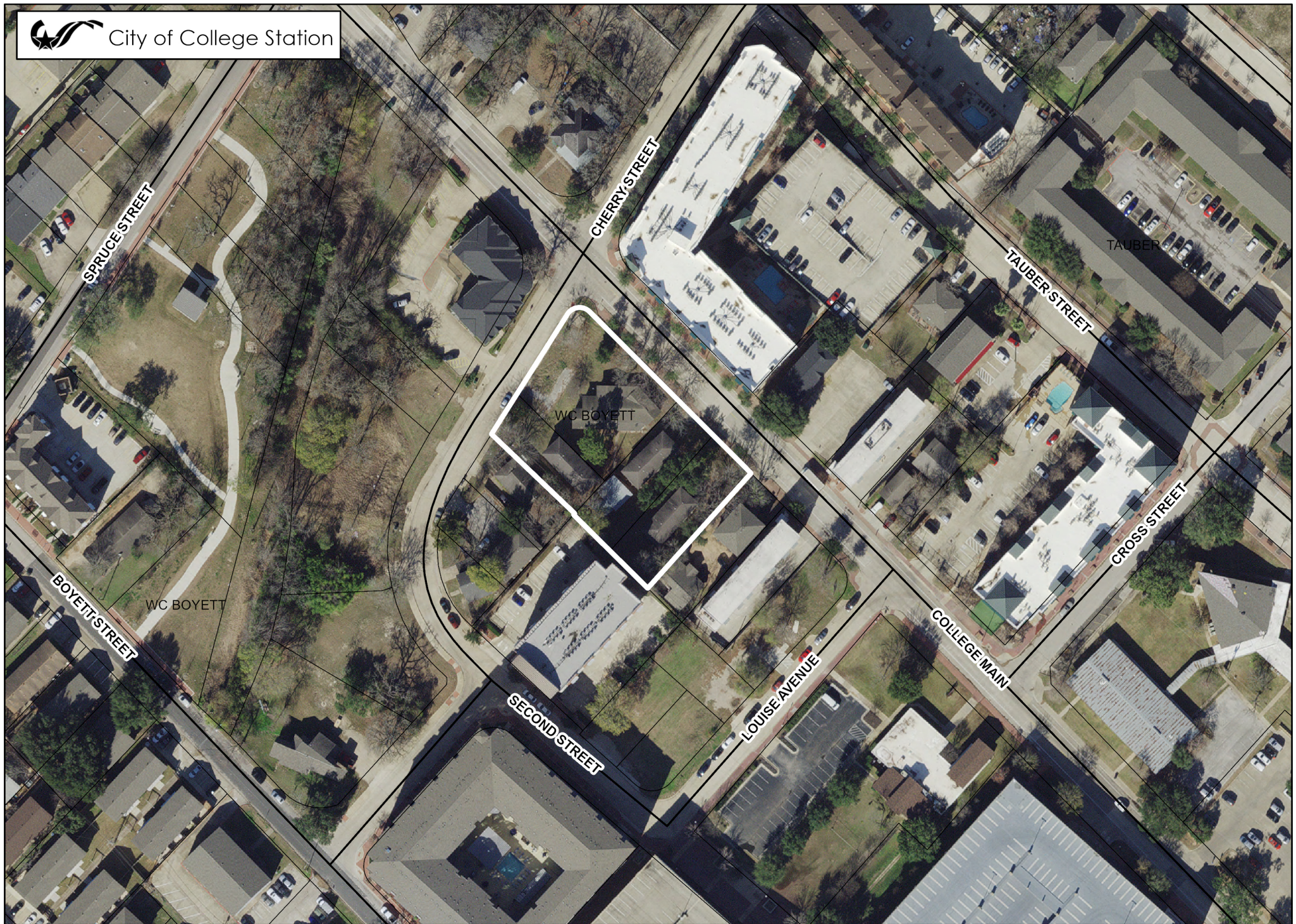


Legend

- City Limits
- 5 mile Extra Territorial Jurisdiction

0 1.25 2.5 Miles



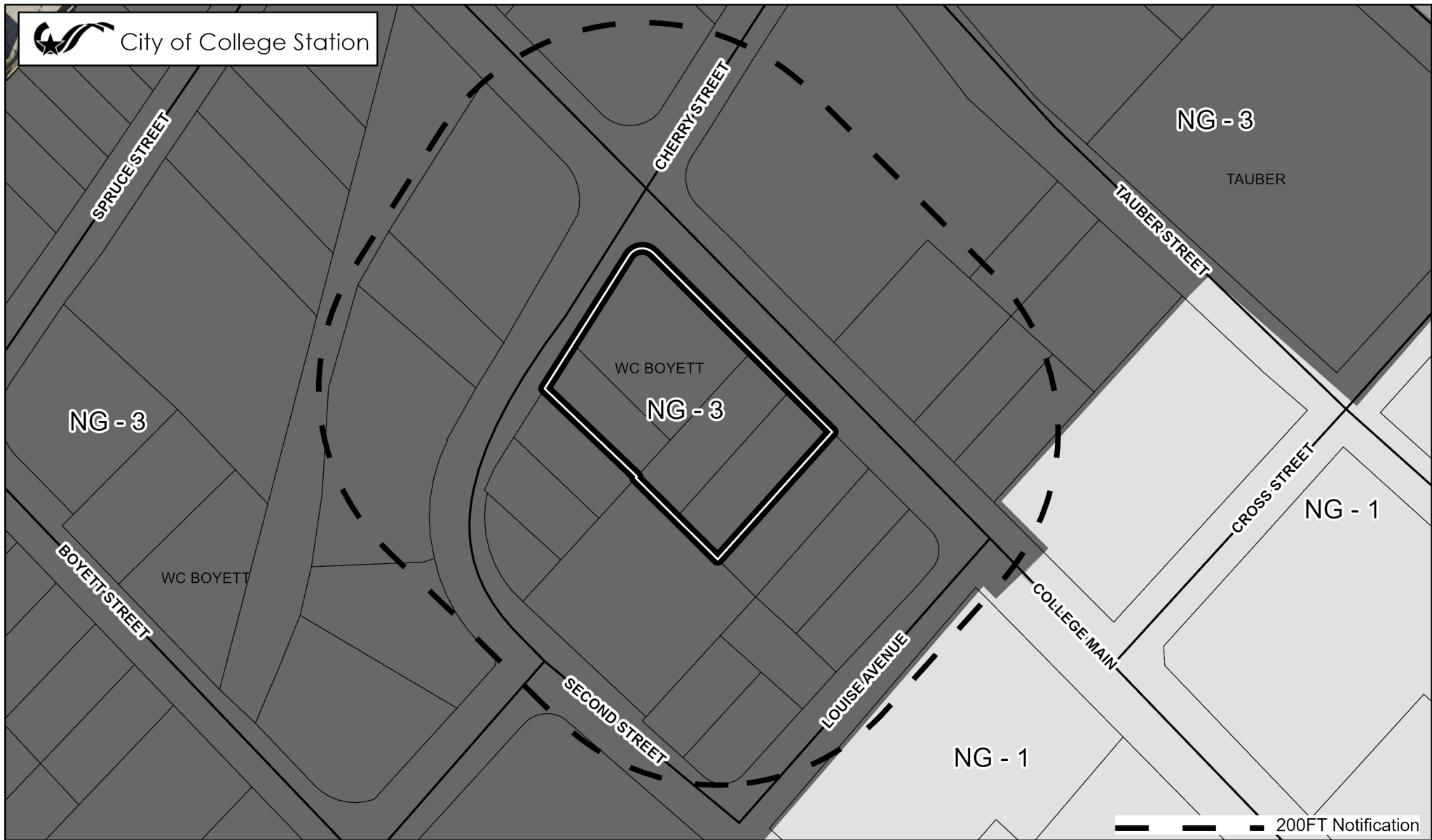


0 120 240 Feet

**415 COLLEGE MAIN
AIRPORT ZONING HEIGHT VARIANCE**

Case:
AWV2022-000017

**APPEALS WAIVERS
VARIANCES**



ZONING DISTRICTS (In Grayscale)

Residential		
R	Rural	MF Multi-Family
WE	Wellborn Estate	MU Mixed-Use
E	Estate	MHP Manufactured Home Pk.
WRS	Wellborn Restricted Suburban	
RS	Restricted Suburban	
GS	General Suburban	
D	Duplex	
T	Townhome	

Non-Residential

NAP	Natural Area Protected
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
C-U	College and University

Planned Districts

P-MUD	Planned Mixed-Use Dist.
PDD	Planned Develop. Dist.

Design Districts

WPC	Wolf Pen Creek Dev. Cor.
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate

Overlay Districts

OV	Corridor Ovr.
RDD	Redevelopment District
ROO	Restricted Occupancy Ovr.
NPO	Nbrhd. Prevailing Ovr.
NCO	Nbrhd. Conservation Ovr.
HP	Historic Preservation Ovr.

Retired Districts

R-1B	Single Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial

200FT Notification



0 120 240 Feet

**415 COLLEGE MAIN
AIRPORT ZONING HEIGHT VARIANCE**

Case:
AWV2022-000017

**APPEALS WAIVERS
VARIANCES**



APPEAL/WAIVER APPLICATION SUPPORTING INFORMATION

Name of Project: 415 COLLEGE MAIN AIRPORT ZONING HEIGHT VARIANCE

Address: 415 COLLEGE MAIN

Legal Description: BOYETT, BLOCK 21, LOT 5 & 6

Applicant: MITCHELL & MORGAN

Property Owner: STILLWATER NORTHGATE LLC

Applicable ordinance section being appealed/seeking waiver from:

Airport Zoning Ordinance height restriction to the Horizontal Surface, Section 4. (3).

The following specific variation to the ordinance is requested:

Height Variances to the Horizontal Surface for Easterwood Airport for a building, tower crane and helper/crawler crane. The building will be the permanent structure, the tower crane will be utilized during construction and the helper/ crawler crane will be used to erect and subsequently disassemble the tower crane. With this request, we are asking for a permanent height variance of 98-feet for the building structure and temporary height variances of 175-feet for the tower crane and 195-feet for the helper/ crawler crane. FAA approval of these height variances is attached.

The following special condition exists:

The size of the property and existing development surrounding the property make it difficult to provide the density necessary to create a marketable product and make it impossible to move materials to the upper floors of a high-rise building without the use of a temporary construction crane. The helper crane is necessary to erect and disassemble the temporary construction crane.

The unnecessary hardship(s) involved by meeting the provisions of the ordinance other than financial hardship is/are:

A strict application of the ordinance may constitute a hardship in this case since the request does not violate the spirit of the ordinance as described in the ordinance language. Furthermore, the stated purpose of the ordinance is to protect the airspace necessary for the use and operation of Easterwood Airport. Since the FAA has determined that there is no hazard to air navigation in this case, the spirit of the local ordinance has been fulfilled.

The following alternatives to the requested variance are possible:

None, if the variance is not granted, the project does not work economically.

The variance will not be contrary to public interest due to:

The requested waiver is not contrary to the public interest because the ordinance was established to protect aviation and the public's interest in safe air travel. The FAA has determined that the Easterwood Field Airport will not be negatively affected by the proposed intrusion into the horizontal surface. Now that the FAA has made the determination that the building height is not unsafe to aviation, the public's interest will not be negatively affected by the granting of the variance.



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-13346-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building North Extent
Location:	College Station, TX
Latitude:	30-37-16.31N NAD 83
Longitude:	96-20-55.07W
Heights:	343 feet site elevation (SE) 225 feet above ground level (AGL) 568 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 04/11/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before November 10, 2022. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Rules and Regulations Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on November 20, 2022 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Rules and Regulations Group via telephone – 202-267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-13346-OE.

Signature Control No: 537883188-557146972

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

MSL = Mean Sea Level

NM = Nautical Mile

RWY = Runway

NEH = No Effect Height

Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building project is composed of four studies that represent the four corners of the building, located approximately 2.06 nm northeast of the airport reference point, is within the protected surfaces at Easterwood Field (CLL), College Station, TX.

The four studies are:

Aeronautical Study AGL / MSL Direct Distance from runway end 16

2022-ASW-13346-OE 225 / 568 9990 feet / 1.64 nm

2022-ASW-13347-OE 220 / 568 9909 feet / 1.63 nm

2022-ASW-13348-OE 220 / 568 9765 feet / 1.60 nm

2022-ASW-13349-OE 226 / 568 9837 feet / 1.61 nm

Study 2022-ASW-13348-OE will represent the rest of the project and is being circulated for public comment as it is the closest point to the end of the runway at CLL.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

2022-ASW-13346-OE exceeds by 25 feet.

2022-ASW-13347-OE exceeds by 20 feet.

2022-ASW-13348-OE exceeds by 20 feet.

2022-ASW-13349-OE exceeds by 26 feet.

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2022-ASW-13346-OE exceeds by 98 feet.

2022-ASW-13347-OE exceeds by 98 feet.

2022-ASW-13348-OE exceeds by 98 feet.

2022-ASW-13349-OE exceeds by 98 feet.

****Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would**

have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment on 08/30/2022 to 5175 email respondents with zero response returned.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

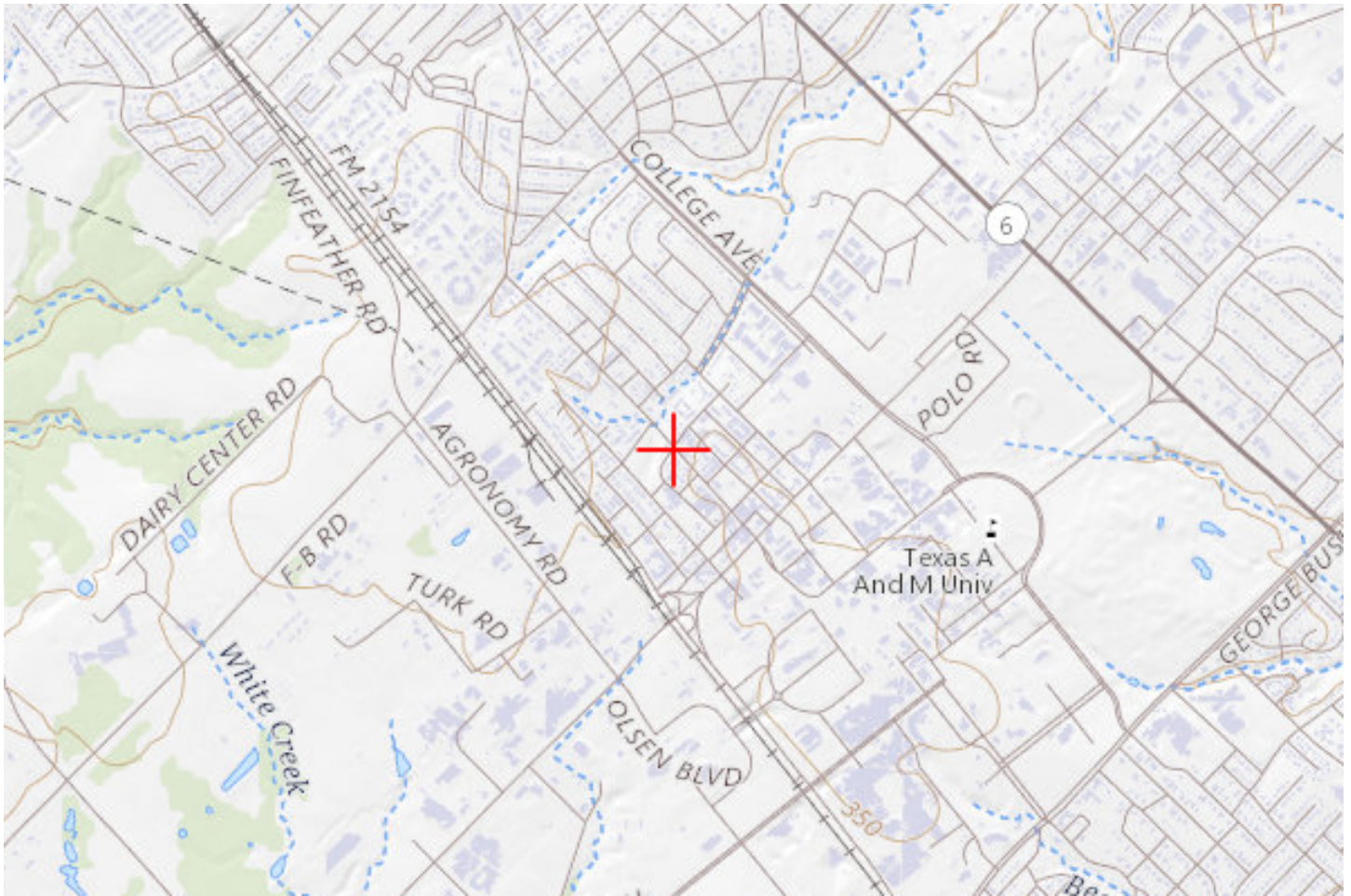
AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports. While the structure would be located within the airport traffic pattern area lateral boundaries for CLL, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Building development project located in College Station, TX.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-13347-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building East Extent
Location:	College Station , TX
Latitude:	30-37-14.60N NAD 83
Longitude:	96-20-53.27W
Heights:	348 feet site elevation (SE) 220 feet above ground level (AGL) 568 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 04/11/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before November 10, 2022. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Rules and Regulations Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on November 20, 2022 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Rules and Regulations Group via telephone – 202-267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-13347-OE.

Signature Control No: 537883189-557146975

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

MSL = Mean Sea Level

NM = Nautical Mile

RWY = Runway

NEH = No Effect Height

Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building project is composed of four studies that represent the four corners of the building, located approximately 2.06 nm northeast of the airport reference point, is within the protected surfaces at Easterwood Field (CLL), College Station, TX.

The four studies are:

Aeronautical Study AGL / MSL Direct Distance from runway end 16

2022-ASW-13346-OE 225 / 568 9990 feet / 1.64 nm

2022-ASW-13347-OE 220 / 568 9909 feet / 1.63 nm

2022-ASW-13348-OE 220 / 568 9765 feet / 1.60 nm

2022-ASW-13349-OE 226 / 568 9837 feet / 1.61 nm

Study 2022-ASW-13348-OE will represent the rest of the project and is being circulated for public comment as it is the closest point to the end of the runway at CLL.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

2022-ASW-13346-OE exceeds by 25 feet.

2022-ASW-13347-OE exceeds by 20 feet.

2022-ASW-13348-OE exceeds by 20 feet.

2022-ASW-13349-OE exceeds by 26 feet.

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2022-ASW-13346-OE exceeds by 98 feet.

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2022-ASW-13349-OE exceeds by 98 feet.

****Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would**

have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment on 08/30/2022 to 5175 email respondents with zero response returned.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

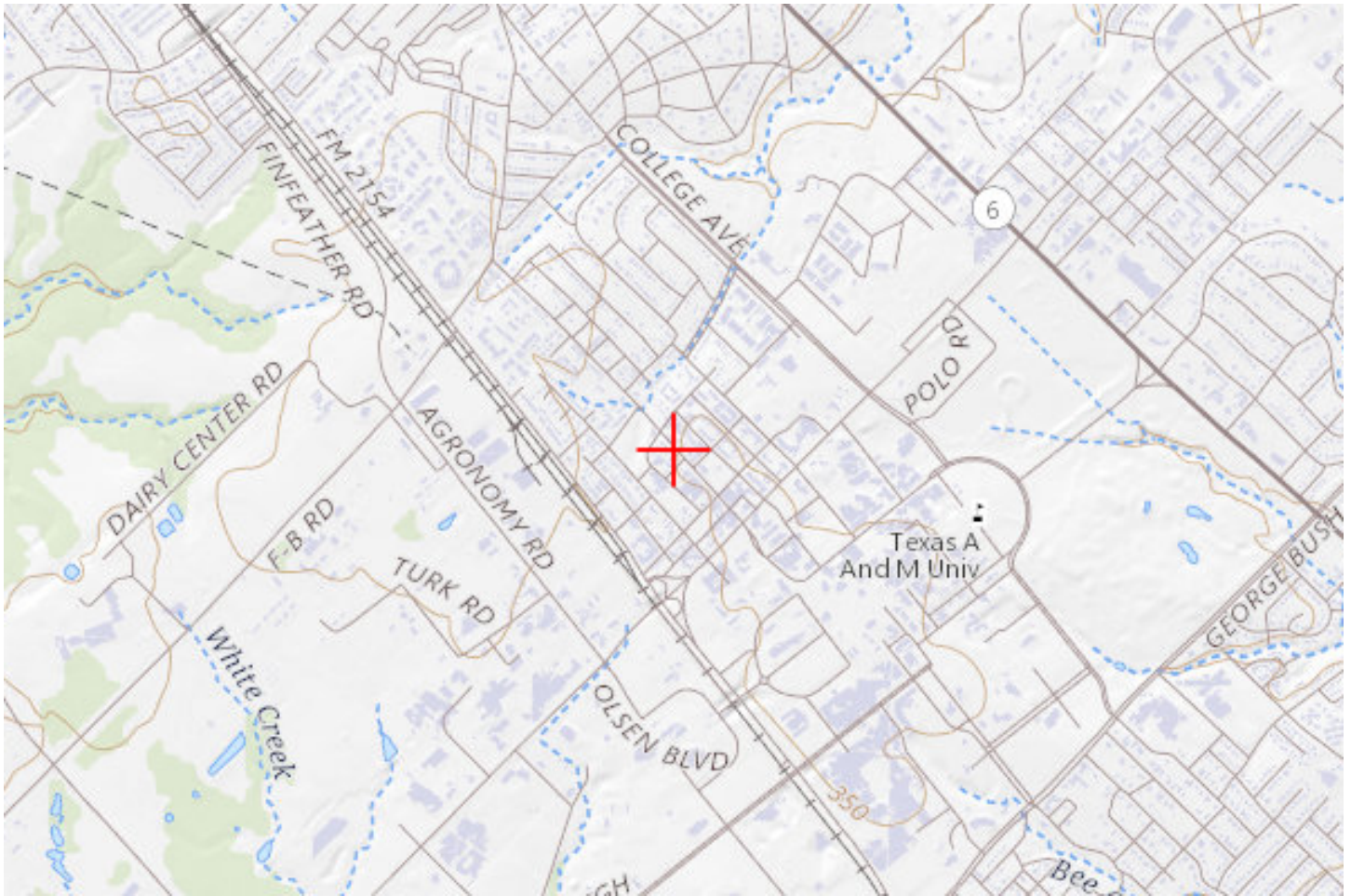
AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports. While the structure would be located within the airport traffic pattern area lateral boundaries for CLL, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Building development project located in College Station, TX.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-13348-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building South Extent
Location:	College Station , TX
Latitude:	30-37-13.53N NAD 83
Longitude:	96-20-54.46W
Heights:	348 feet site elevation (SE) 220 feet above ground level (AGL) 568 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 04/11/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before November 10, 2022. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Rules and Regulations Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

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This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-13348-OE.

Signature Control No: 537883190-557146973

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

MSL = Mean Sea Level

NM = Nautical Mile

RWY = Runway

NEH = No Effect Height

Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building project is composed of four studies that represent the four corners of the building, located approximately 2.06 nm northeast of the airport reference point, is within the protected surfaces at Easterwood Field (CLL), College Station, TX.

The four studies are:

Aeronautical Study AGL / MSL Direct Distance from runway end 16

2022-ASW-13346-OE 225 / 568 9990 feet / 1.64 nm

2022-ASW-13347-OE 220 / 568 9909 feet / 1.63 nm

2022-ASW-13348-OE 220 / 568 9765 feet / 1.60 nm

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Study 2022-ASW-13348-OE will represent the rest of the project and is being circulated for public comment as it is the closest point to the end of the runway at CLL.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

2022-ASW-13346-OE exceeds by 25 feet.

2022-ASW-13347-OE exceeds by 20 feet.

2022-ASW-13348-OE exceeds by 20 feet.

2022-ASW-13349-OE exceeds by 26 feet.

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2022-ASW-13346-OE exceeds by 98 feet.

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****Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would**

have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment on 08/30/2022 to 5175 email respondents with zero response returned.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

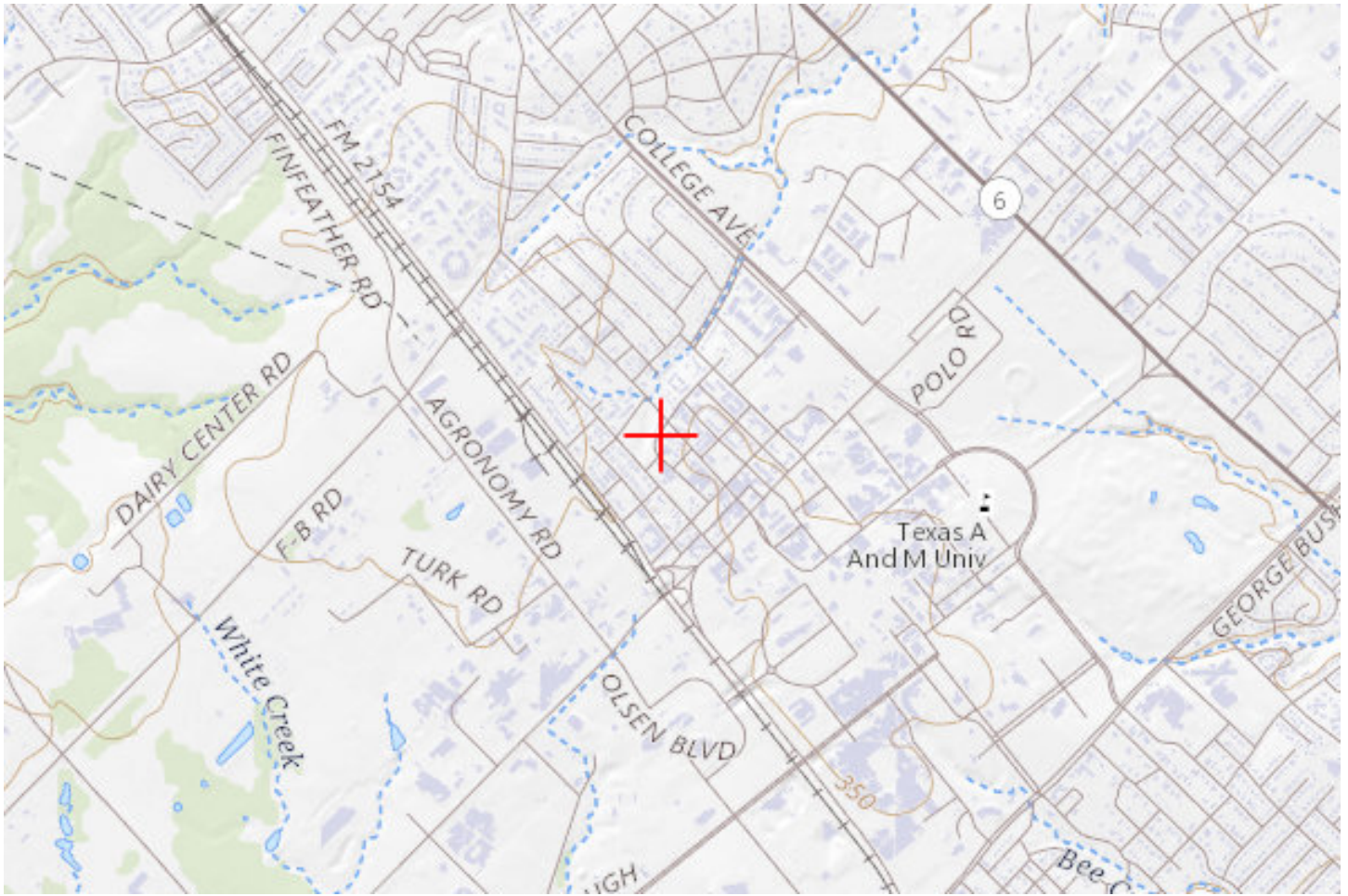
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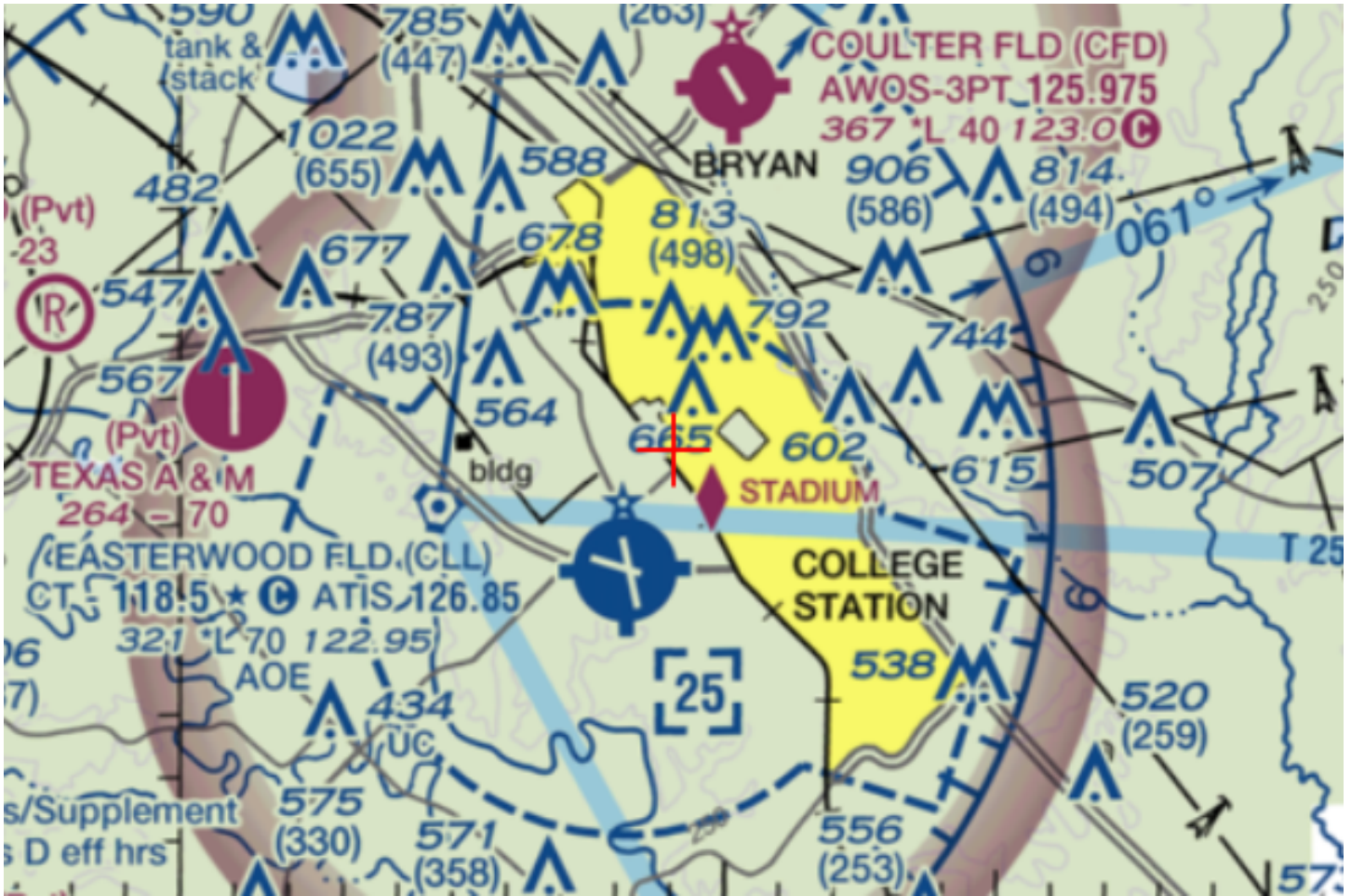
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The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Building development project located in College Station, TX.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-13349-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building West Extent
Location:	College Station , TX
Latitude:	30-37-15.04N NAD 83
Longitude:	96-20-56.05W
Heights:	342 feet site elevation (SE) 226 feet above ground level (AGL) 568 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

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See attachment for additional condition(s) or information.

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If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-13349-OE.

Signature Control No: 537883191-557146974

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

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Study 2022-ASW-13348-OE will represent the rest of the project and is being circulated for public comment as it is the closest point to the end of the runway at CLL.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

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> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2022-ASW-13346-OE exceeds by 98 feet.

2022-ASW-13347-OE exceeds by 98 feet.

2022-ASW-13348-OE exceeds by 98 feet.

2022-ASW-13349-OE exceeds by 98 feet.

****Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would**

have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment on 08/30/2022 to 5175 email respondents with zero response returned.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

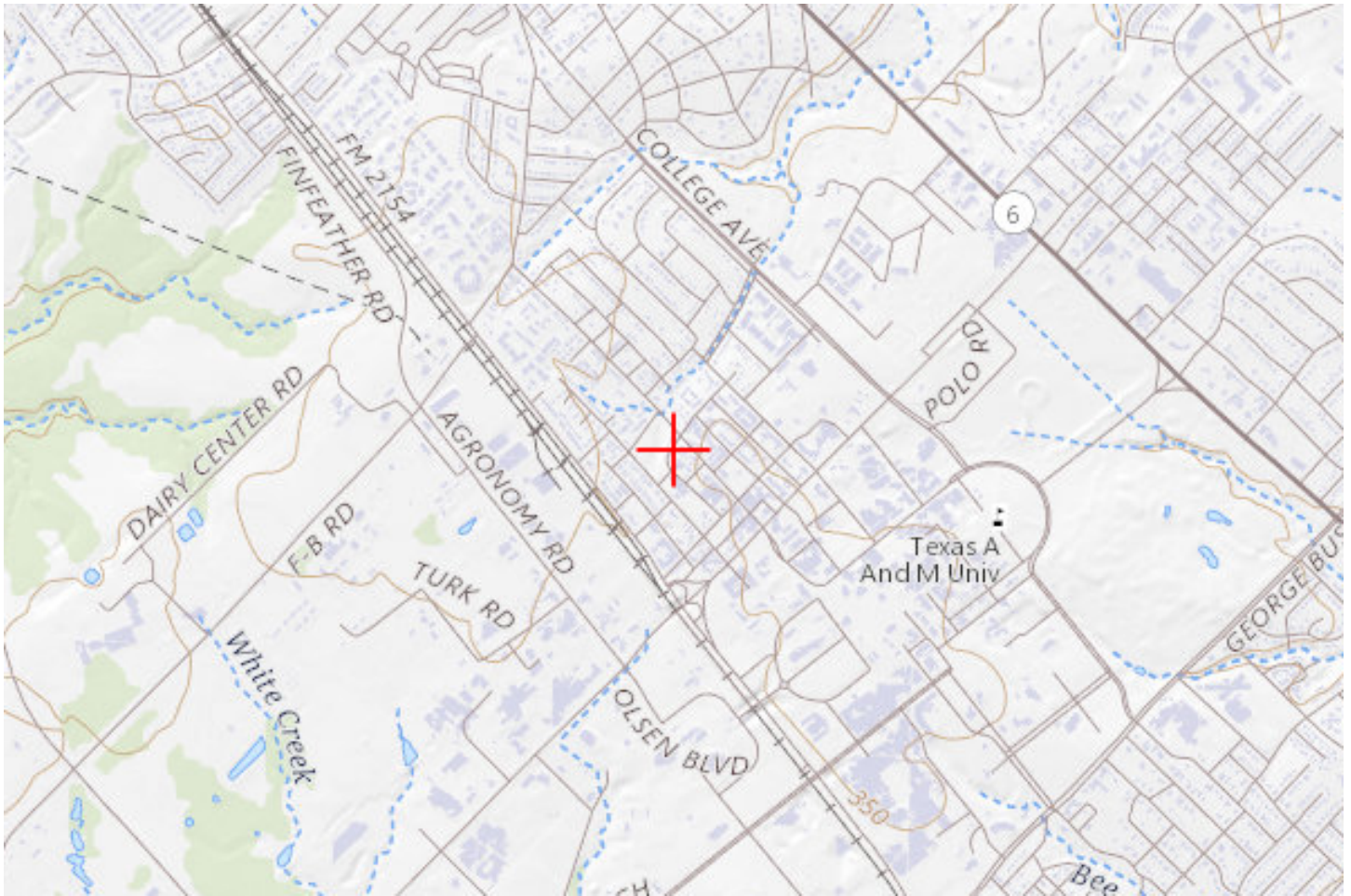
AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports. While the structure would be located within the airport traffic pattern area lateral boundaries for CLL, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Building development project located in College Station, TX.





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-15143-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Mobile Crane North Extent of Crawler Crane
Location:	College Station, TX
Latitude:	30-37-16.61N NAD 83
Longitude:	96-20-55.38W
Heights:	341 feet site elevation (SE) 310 feet above ground level (AGL) 651 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

****SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION****

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-15143-OE

Signature Control No: 542397900-557151349

(TMP)

Andrew Hollie

Specialist

Additional Condition(s) or Information for ASN 2022-ASW-15143-OE

Proposal: To construct and/or operate a(n) Mobile Crane to a height of 310 feet above ground level, 651 feet above mean sea level.

Location: The structure will be located 2.11 nautical miles north of CLL Airport reference point.

Case Description for ASN 2022-ASW-15143-OE

Filing for project cranes associated w/previously filed bldg pts, 2022-ASW-13346:13349-OE.

Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:

Section 77.17 (a) (2) by 110 feet - a height that exceeds 541 feet above mean sea level within 2.11 nautical miles of CLL.

Section 77.17 (a) (3) by 71 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 651 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:
Section 77.19 (a) Horizontal Surface by 181 feet as applied to CLL.

Preliminary FAA study indicates that the above mentioned structure would:

- have no effect on any existing or proposed arrival, departure, or en route visual flight rules (VFR) operations.
- not exceed traffic pattern airspace
- have no physical or electromagnetic effect on the operation of air navigation and communications facilities.
- have no effect on any airspace and routes used by the military.

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights-Chapters 3(Marked),4,5(Red),14(Temporary),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that the FAA be notified 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Notification should be made to this office through your registered e-filing account. Notification is necessary so that aeronautical procedures can be temporarily modified to accommodate the structure.

NOTIFICATION IS REQUIRED AGAIN THROUGH YOUR REGISTERED E-FILING ACCOUNT WHEN THE TEMPORARY STRUCTURE IS REMOVED FROM THE SITE FOR NOTICE TO AIRMAN (NOTAM) CANCELLATION.

It is required that the manager of EASTERWOOD FLD, (979) 775-9900 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site.

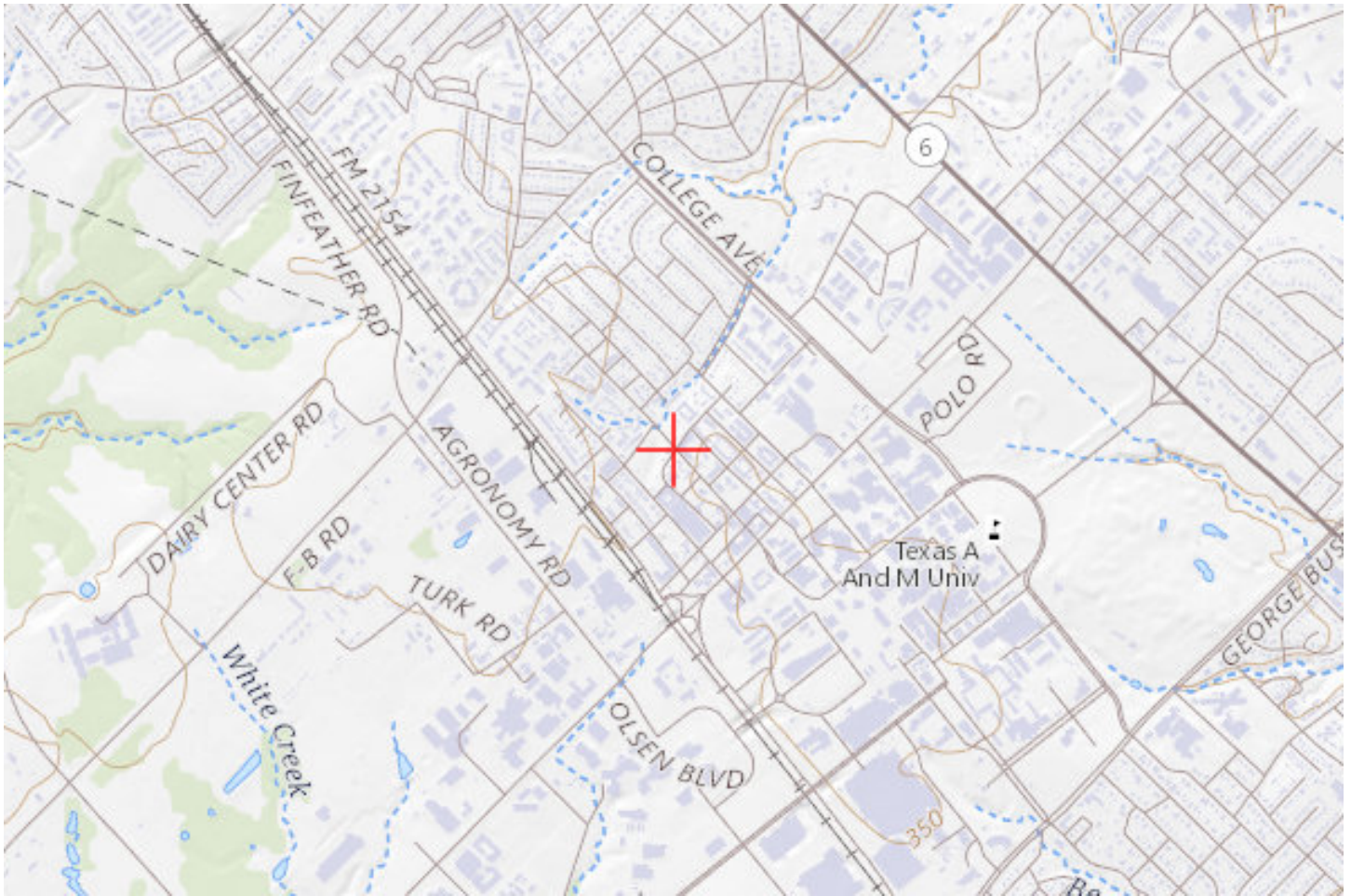
This determination expires on 04/11/2024 unless extended, revised, or terminated by the issuing office.

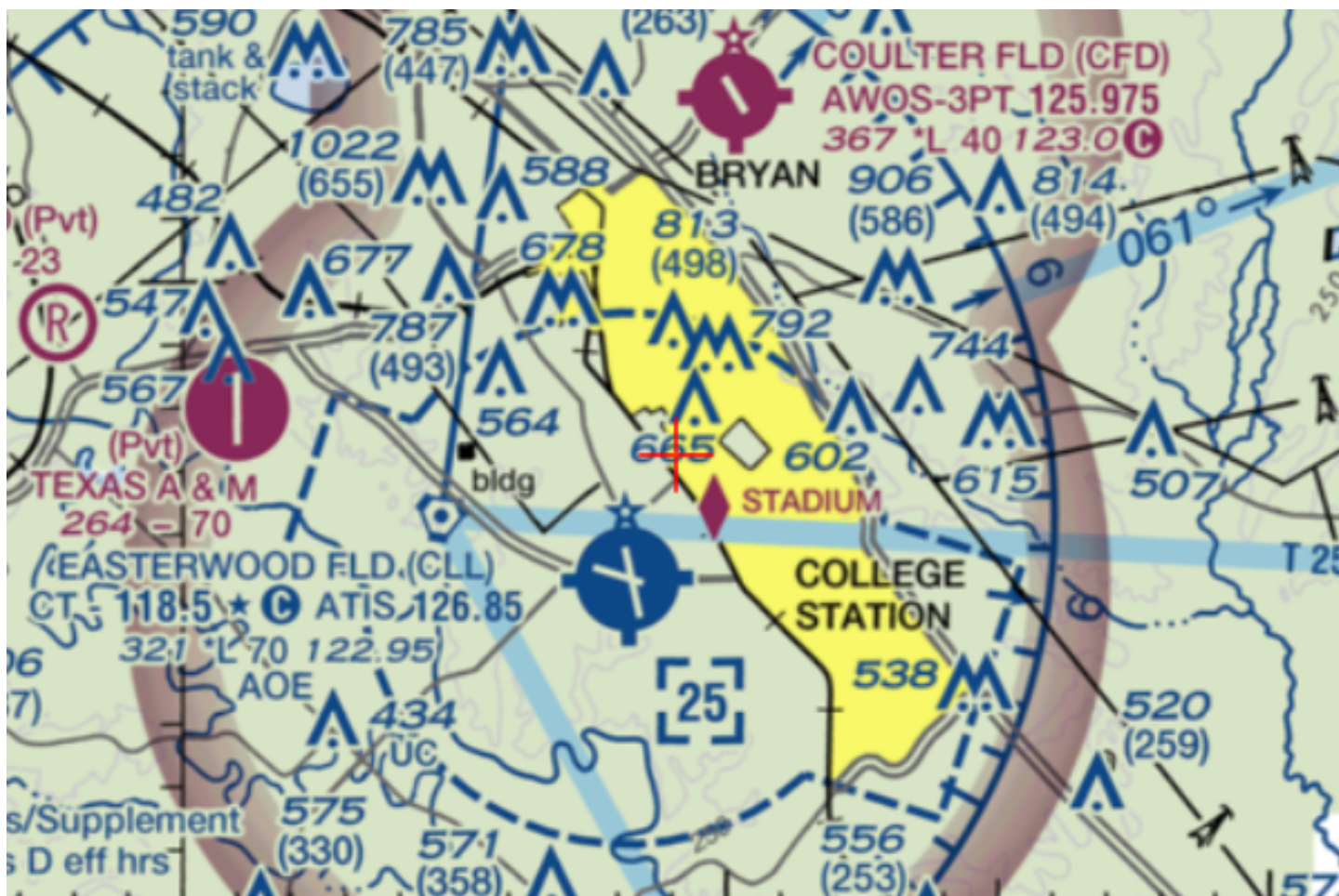
NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

You must contact the FAA as specified above to request a Flight Data Center (FDC) Notice to Airman (NOTAM) in order to coordinate the following:

At 651 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

You must also contact the FAA as specified above when the temporary structure has been removed from the site to cancel the NOTAM(s). If it specifies above that you must contact the FAA via e-filing, please visit the instructions link at [oeaaa.faa.gov](https://www.faa.gov/oeaaa) and review the NOTAM Efile Desk Reference Guide for assistance.







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Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-15144-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Mobile Crane East Extent of Crawler Crane
Location:	College Station, TX
Latitude:	30-37-15.93N NAD 83
Longitude:	96-20-54.67W
Heights:	344 feet site elevation (SE) 310 feet above ground level (AGL) 654 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

****SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION****

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-15144-OE

Signature Control No: 542397904-557152822

(TMP)

Andrew Hollie

Specialist

Additional Condition(s) or Information for ASN 2022-ASW-15144-OE

Proposal: To construct and/or operate a(n) Mobile Crane to a height of 310 feet above ground level, 654 feet above mean sea level.

Location: The structure will be located 2.11 nautical miles north of CLL Airport reference point.

Case Description for ASN 2022-ASW-15144-OE

Filing for project cranes associated w/previously filed bldg pts, 2022-ASW-13346:13349-OE.

Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:

Section 77.17 (a) (2) by 110 feet - a height that exceeds 544 feet above mean sea level within 2.11 nautical miles of CLL.

Section 77.17 (a) (3) by 74 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 654 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:

Section 77.19 (a) Horizontal Surface by 184 feet as applied to CLL.

Preliminary FAA study indicates that the above mentioned structure would:

have no effect on any existing or proposed arrival, departure, or en route visual flight rules (VFR) operations.
not exceed traffic pattern airspace

have no physical or electromagnetic effect on the operation of air navigation and communications facilities.

have no effect on any airspace and routes used by the military.

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights-Chapters 3(Marked),4,5(Red),14(Temporary),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that the FAA be notified 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Notification should be made to this office through your registered e-filing account. Notification is necessary so that aeronautical procedures can be temporarily modified to accommodate the structure.

NOTIFICATION IS REQUIRED AGAIN THROUGH YOUR REGISTERED E-FILING ACCOUNT WHEN THE TEMPORARY STRUCTURE IS REMOVED FROM THE SITE FOR NOTICE TO AIRMAN (NOTAM) CANCELLATION.

It is required that the manager of EASTERWOOD FLD, (979) 775-9900 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site.

It is required that the manager of EASTERWOOD FIELD Air Traffic Control at 979-846-3998 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Additionally, please provide contact information for the onsite operator in the event that Air Traffic Control requires the temporary structure to be lowered immediately.

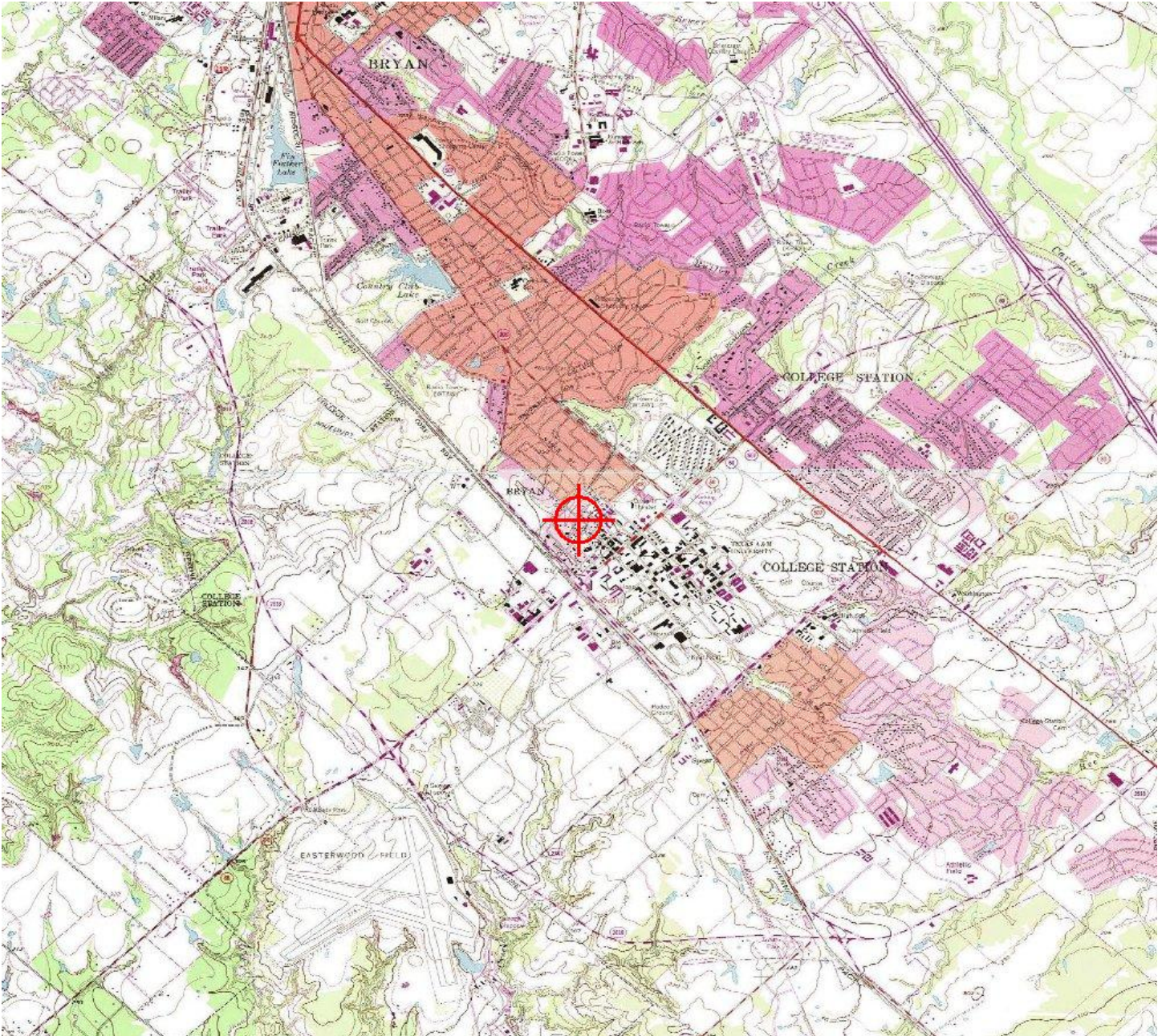
This determination expires on 04/11/2024 unless extended, revised, or terminated by the issuing office.

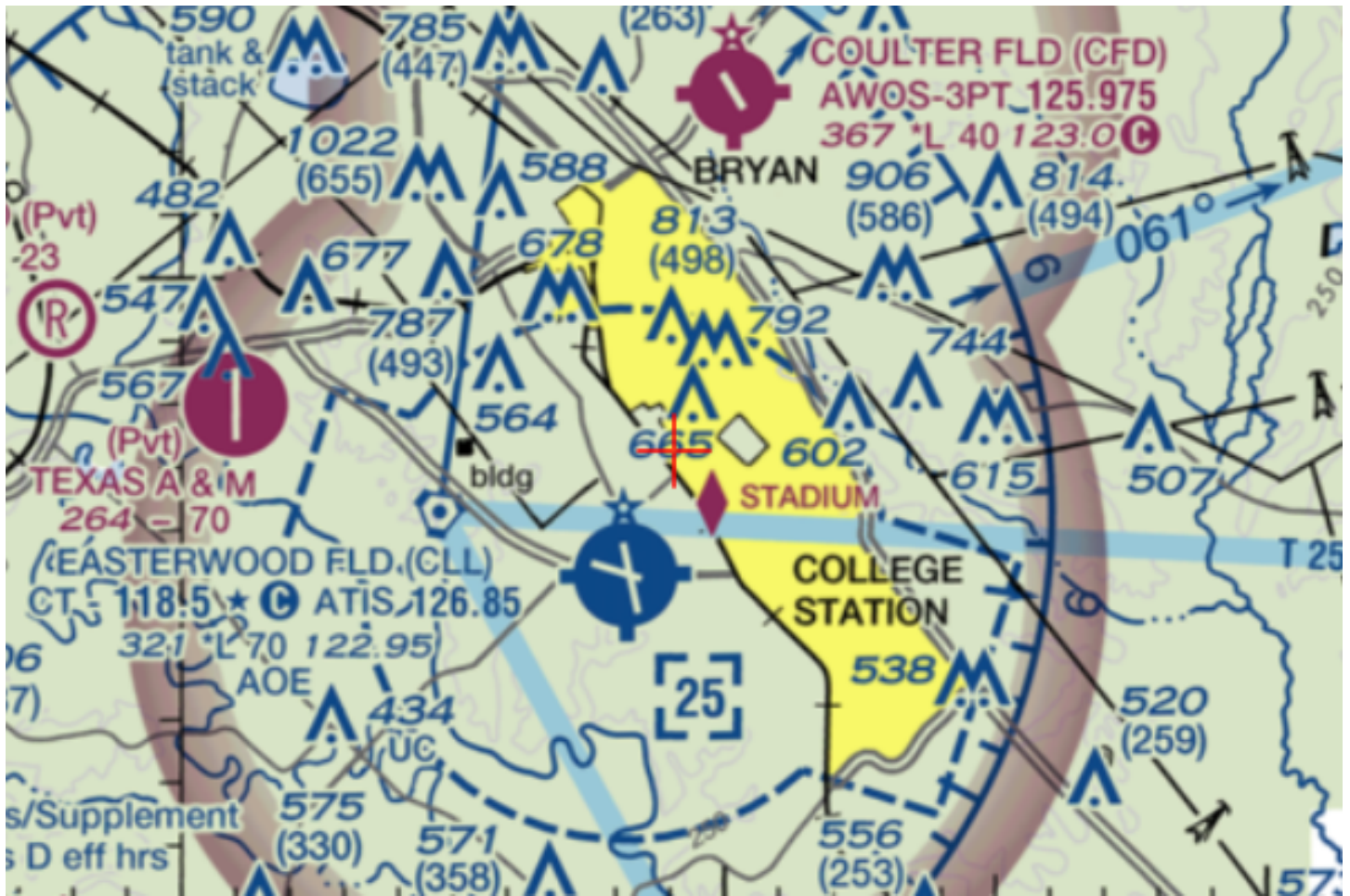
NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

You must contact the FAA as specified above to request a Flight Data Center (FDC) Notice to Airman (NOTAM) in order to coordinate the following:

At 654 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

You must also contact the FAA as specified above when the temporary structure has been removed from the site to cancel the NOTAM(s). If it specifies above that you must contact the FAA via e-filing, please visit the instructions link at oeaaa.faa.gov and review the NOTAM Efile Desk Reference Guide for assistance.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-15145-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Mobile Crane South Extent of Crawler Crane
Location:	College Station, TX
Latitude:	30-37-15.04N NAD 83
Longitude:	96-20-56.05W
Heights:	342 feet site elevation (SE) 310 feet above ground level (AGL) 652 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

****SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION****

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-15145-OE

Signature Control No: 542397909-557158881

(TMP)

Andrew Hollie

Specialist

Additional Condition(s) or Information for ASN 2022-ASW-15145-OE

Proposal: To construct and/or operate a(n) Mobile Crane to a height of 310 feet above ground level, 652 feet above mean sea level.

Location: The structure will be located 2.09 nautical miles north of CLL Airport reference point.

Case Description for ASN 2022-ASW-15145-OE

Filing for project cranes associated w/previously filed bldg pts, 2022-ASW-13346:13349-OE.

Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:

Section 77.17 (a) (2) by 110 feet - a height that exceeds 542 feet above mean sea level within 2.09 nautical miles of CLL.

Section 77.17 (a) (3) by 72 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 652 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:

Section 77.19 (a) Horizontal Surface by 182 feet as applied to CLL.

Preliminary FAA study indicates that the above mentioned structure would:

have no effect on any existing or proposed arrival, departure, or en route visual flight rules (VFR) operations.
not exceed traffic pattern airspace

have no physical or electromagnetic effect on the operation of air navigation and communications facilities.

have no effect on any airspace and routes used by the military.

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights-Chapters 3(Marked),4,5(Red),14(Temporary),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that the FAA be notified 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Notification should be made to this office through your registered e-filing account. Notification is necessary so that aeronautical procedures can be temporarily modified to accommodate the structure.

NOTIFICATION IS REQUIRED AGAIN THROUGH YOUR REGISTERED E-FILING ACCOUNT WHEN THE TEMPORARY STRUCTURE IS REMOVED FROM THE SITE FOR NOTICE TO AIRMAN (NOTAM) CANCELLATION.

It is required that the manager of EASTERWOOD FLD, (979) 775-9900 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site.

It is required that the manager of EASTERWOOD FIELD Air Traffic Control at 979-846-3998 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Additionally, please provide contact information for the onsite operator in the event that Air Traffic Control requires the temporary structure to be lowered immediately.

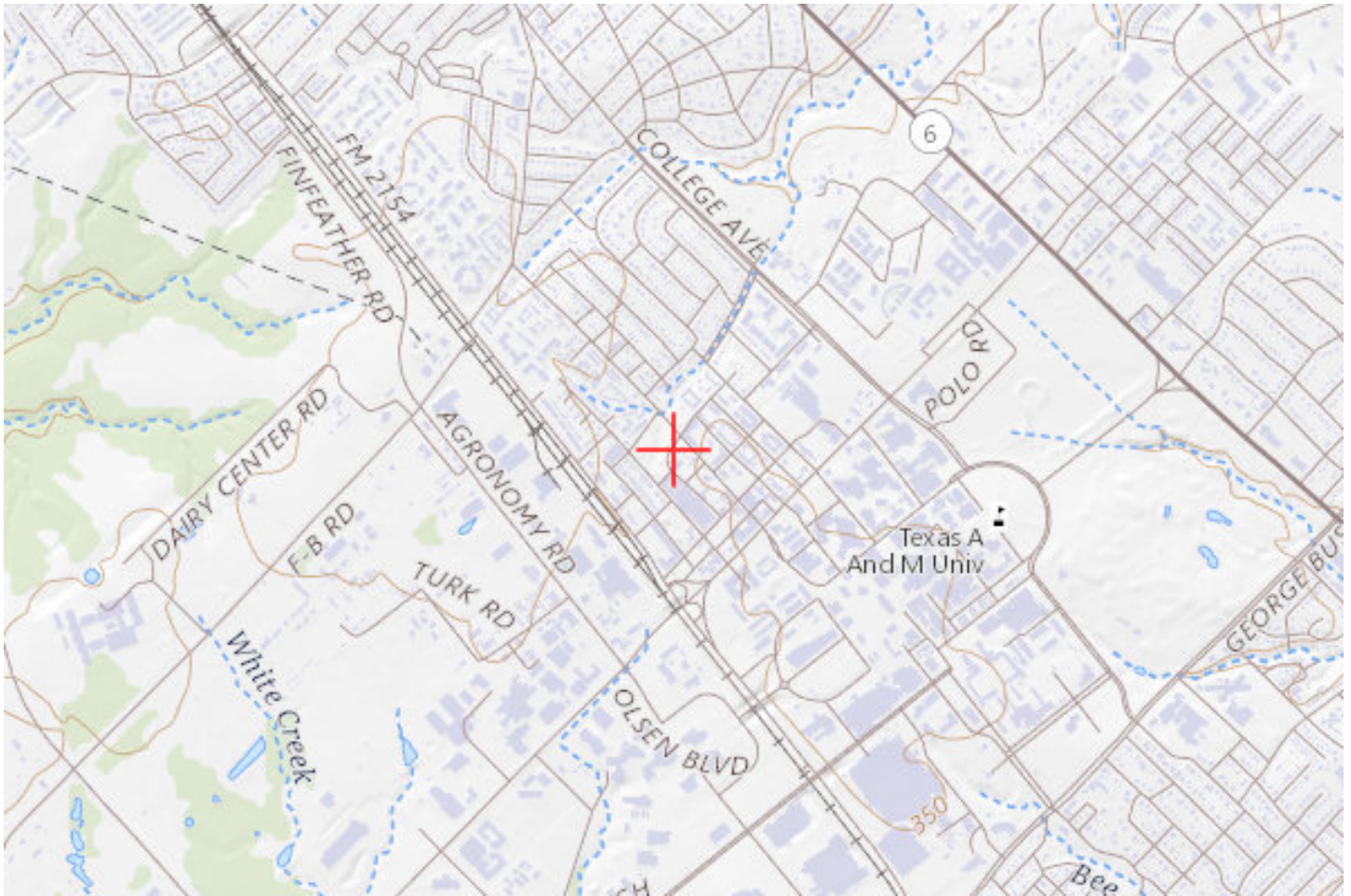
This determination expires on 04/11/2024 unless extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

You must contact the FAA as specified above to request a Flight Data Center (FDC) Notice to Airman (NOTAM) in order to coordinate the following:

At 652 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

You must also contact the FAA as specified above when the temporary structure has been removed from the site to cancel the NOTAM(s). If it specifies above that you must contact the FAA via e-filing, please visit the instructions link at oeaaa.faa.gov and review the NOTAM Efile Desk Reference Guide for assistance.





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-15146-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Mobile Crane West Extent of Crawler Crane
Location:	College Station, TX
Latitude:	30-37-15.34N NAD 83
Longitude:	96-20-56.36W
Heights:	342 feet site elevation (SE) 310 feet above ground level (AGL) 652 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

****SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION****

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-15146-OE

Signature Control No: 542397914-557161560

(TMP)

Andrew Hollie

Specialist

Additional Condition(s) or Information for ASN 2022-ASW-15146-OE

Proposal: To construct and/or operate a(n) Mobile Crane to a height of 310 feet above ground level, 652 feet above mean sea level.

Location: The structure will be located 2.09 nautical miles north of CLL Airport reference point.

Case Description for ASN 2022-ASW-15146-OE

Filing for project cranes associated w/previously filed bldg pts, 2022-ASW-13346:13349-OE.

Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:

Section 77.17 (a) (2) by 110 feet - a height that exceeds 542 feet above mean sea level within 2.09 nautical miles of CLL.

Section 77.17 (a) (3) by 72 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 652 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:

Section 77.19 (a) Horizontal Surface by 182 feet as applied to CLL.

Preliminary FAA study indicates that the above mentioned structure would:

have no effect on any existing or proposed arrival, departure, or en route visual flight rules (VFR) operations.
not exceed traffic pattern airspace

have no physical or electromagnetic effect on the operation of air navigation and communications facilities.

have no effect on any airspace and routes used by the military.

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights-Chapters 3(Marked),4,5(Red),14(Temporary),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that the FAA be notified 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Notification should be made to this office through your registered e-filing account. Notification is necessary so that aeronautical procedures can be temporarily modified to accommodate the structure.

NOTIFICATION IS REQUIRED AGAIN THROUGH YOUR REGISTERED E-FILING ACCOUNT WHEN THE TEMPORARY STRUCTURE IS REMOVED FROM THE SITE FOR NOTICE TO AIRMAN (NOTAM) CANCELLATION.

It is required that the manager of EASTERWOOD FLD, (979) 775-9900 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site.

It is required that the manager of EASTERWOOD FIELD Air Traffic Control at 979-846-3998 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Additionally, please provide contact information for the onsite operator in the event that Air Traffic Control requires the temporary structure to be lowered immediately.

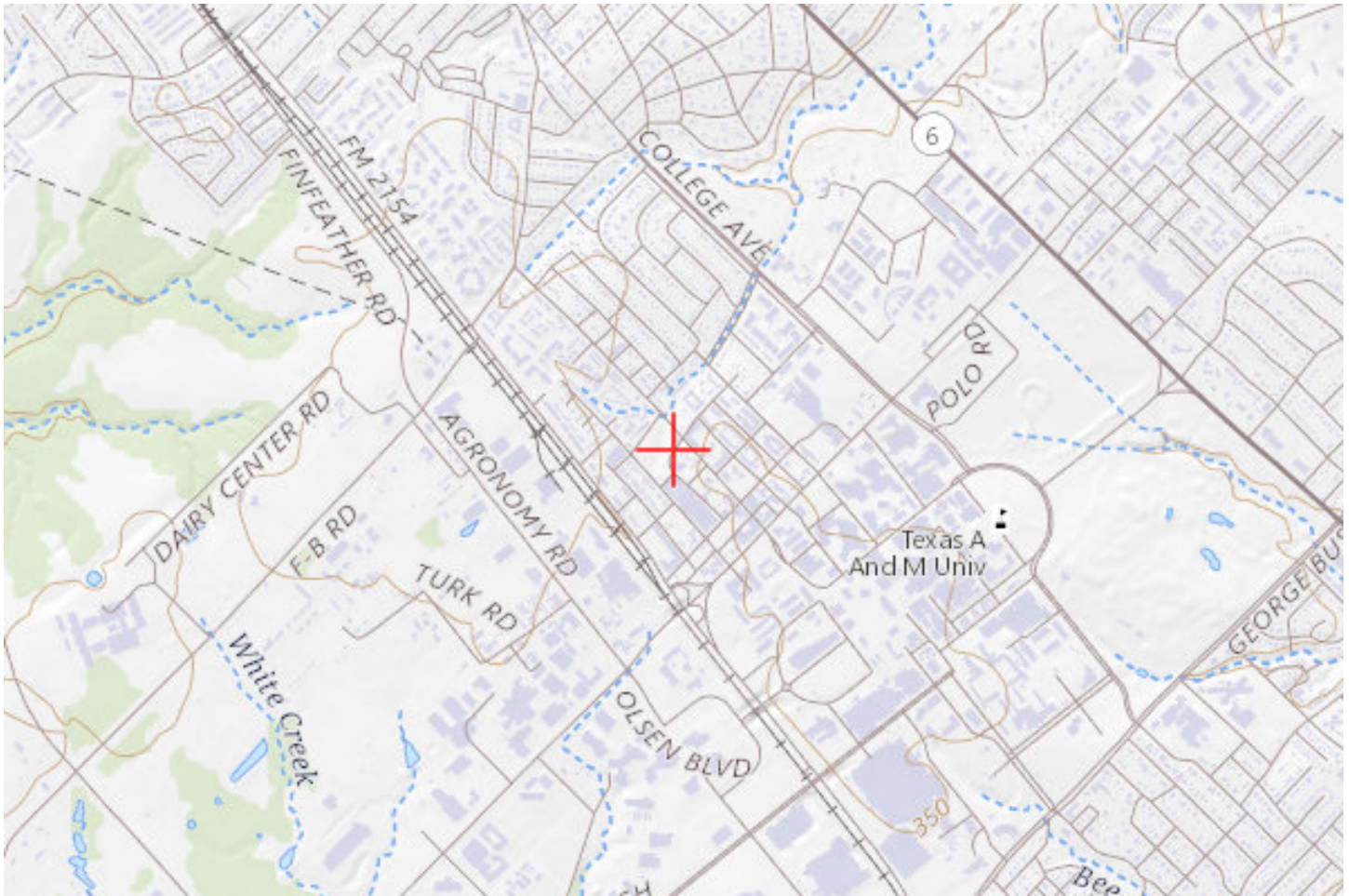
This determination expires on 04/11/2024 unless extended, revised, or terminated by the issuing office.

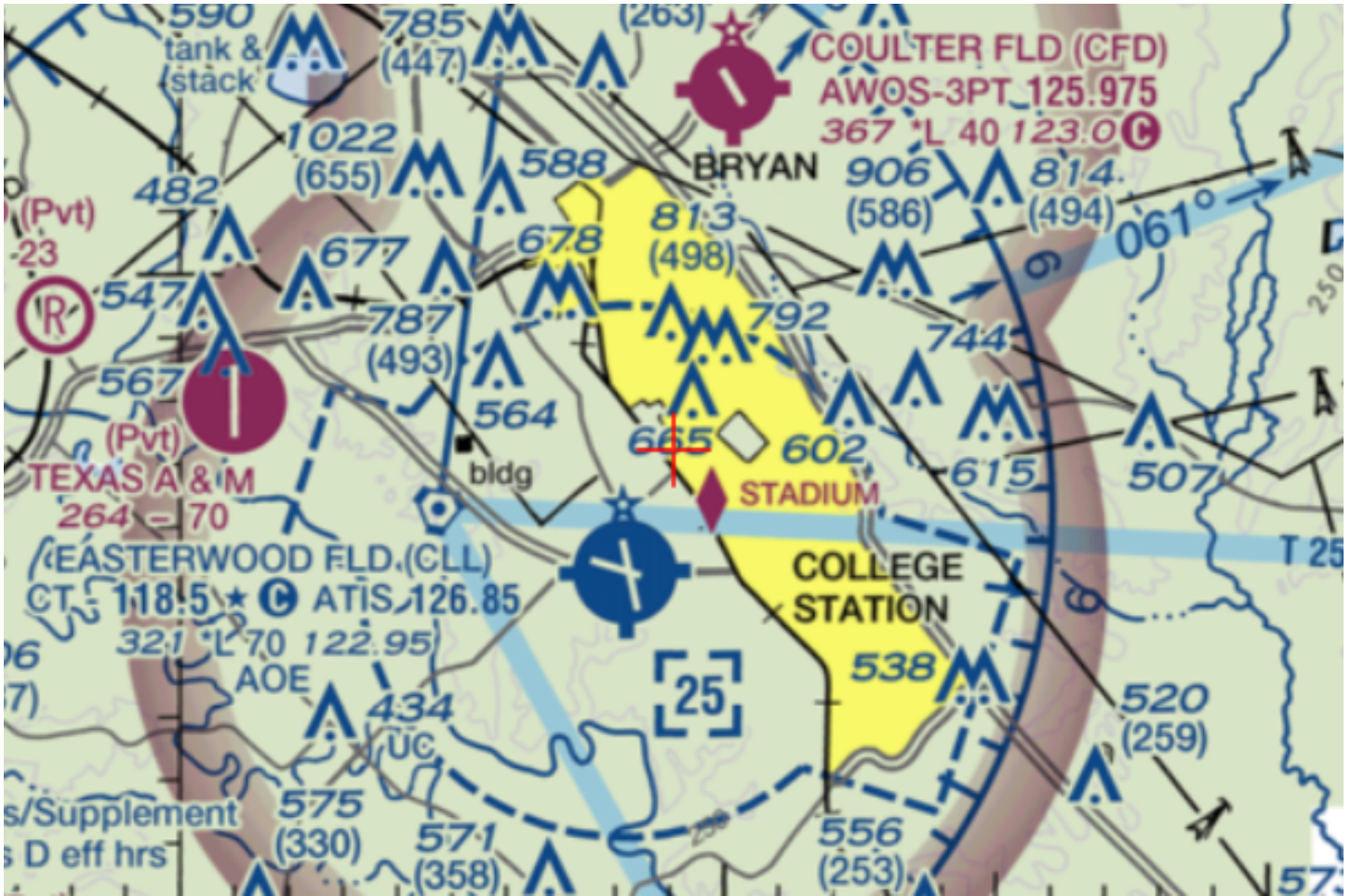
NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

You must contact the FAA as specified above to request a Flight Data Center (FDC) Notice to Airman (NOTAM) in order to coordinate the following:

At 652 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 960, NEH 580 AMSL./// LOC BC RWY 17, increase CAT B circling MDA from, 940 to 960, NEH 640 AMSL.

You must also contact the FAA as specified above when the temporary structure has been removed from the site to cancel the NOTAM(s). If it specifies above that you must contact the FAA via e-filing, please visit the instructions link at oeaaa.faa.gov and review the NOTAM Efile Desk Reference Guide for assistance.







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-15147-OE

Issued Date: 10/11/2022

Cliff Williamson
Pinecrest, LLC
1849 Green Bay Road
4th Floor
Highland Park, IL 60035

****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Tower Crane Tower Crane
Location:	College Station, TX
Latitude:	30-37-14.74N NAD 83
Longitude:	96-20-54.95W
Heights:	348 feet site elevation (SE) 285 feet above ground level (AGL) 633 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

****SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION****

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-15147-OE

Signature Control No: 542397921-557163036

(TMP)

Andrew Hollie

Specialist

Additional Condition(s) or Information for ASN 2022-ASW-15147-OE

Proposal: To construct and/or operate a(n) Tower Crane to a height of 285 feet above ground level, 633 feet above mean sea level.

Location: The structure will be located 2.09 nautical miles north of CLL Airport reference point.

Case Description for ASN 2022-ASW-15147-OE

Filing for project cranes associated w/previously filed bldg pts, 2022-ASW-13346:13349-OE.

Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:

Section 77.17 (a) (2) by 85 feet - a height that exceeds 548 feet above mean sea level within 2.09 nautical miles of CLL.

Section 77.17 (a) (3) by 53 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 633 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 940, NEH 580 AMSL.

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:
Section 77.19 (a) Horizontal Surface by 163 feet as applied to CLL.

Preliminary FAA study indicates that the above mentioned structure would:

- have no effect on any existing or proposed arrival, departure, or en route visual flight rules (VFR) operations.
- not exceed traffic pattern airspace
- have no physical or electromagnetic effect on the operation of air navigation and communications facilities.
- have no effect on any airspace and routes used by the military.

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights-Chapters 3(Marked),4,5(Red),14(Temporary),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

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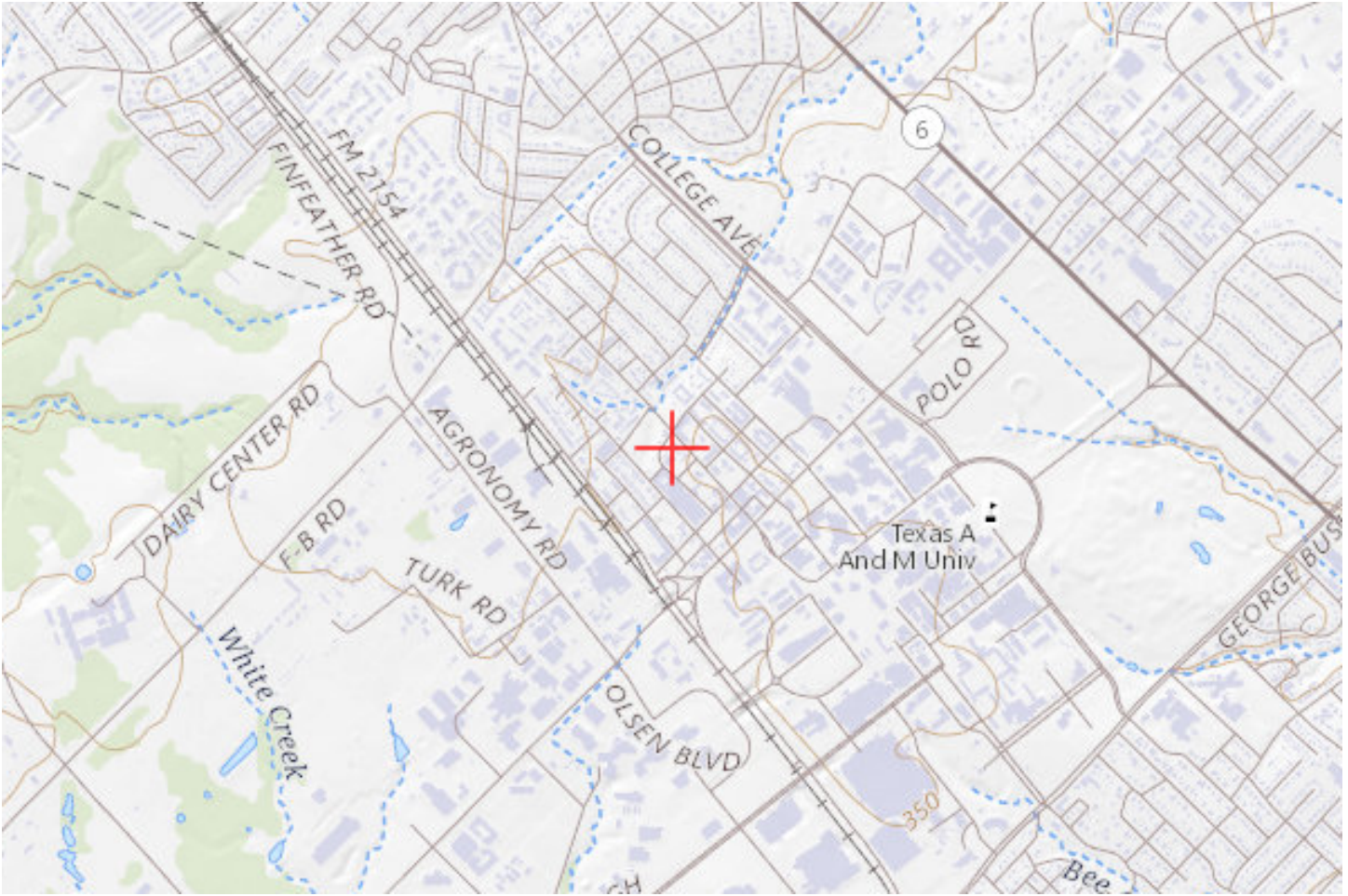
This determination expires on 04/11/2024 unless extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

You must contact the FAA as specified above to request a Flight Data Center (FDC) Notice to Airman (NOTAM) in order to coordinate the following:

At 633 AMSL, 1A, EASTERWOOD FLD (CLL) COLLEGE STATION, TX. ILS or LOC RWY 35, RNAV (GPS) RWY 11, RNAV (GPS) RWY 17, NAV (GPS) RWY 29, RNAV (GPS) RWY 35, VOR RWY 29, VOR or TACAN RWY 11, increase CAT B circling MDA from, 880 to 940, NEH 580 AMSL.

You must also contact the FAA as specified above when the temporary structure has been removed from the site to cancel the NOTAM(s). If it specifies above that you must contact the FAA via e-filing, please visit the instructions link at oeaaa.faa.gov and review the NOTAM Efile Desk Reference Guide for assistance.





Easterwood Airport Management
1 McKenzie Terminal Blvd,
College Station, TX 77845

October 14, 2022

Anthony Armstrong, P.E., CFM,
Land Development Review Administrator
City Of College Station
1101 Texas Ave.
College Station, TX 77840

Re: 415 College Main – Builing

Dear Mr. Armstrong:

Easterwood Management has reviewed the application for a height variance for the construction of a 225 foot tall building at 415 College Main as well as the FAA letter of “Determination of No Hazard to Air Navigation.”

Easterwood Airport Management has no objection to granting this height variance, so long as the builder complies with the conditions outlined in the FAA Letters.

Respectfully,

Kevin Davis
Easterwood Airport Management



Easterwood Airport Management
1 McKenzie Terminal Blvd,
College Station, TX 77845

October 14, 2022

Anthony Armstrong, P.E., CFM,
Land Development Review Administrator
City Of College Station
1101 Texas Ave.
College Station, TX 77840

Re: 415 College Main – Temporary Cranes

Dear Mr. Armstrong:

Easterwood Management has reviewed the application for a height variance for five temporary construction cranes at 415 College Main as well as the FAA letters of “Determination of No Hazard to Air Navigation for Temporary Structure.”

Easterwood Airport Management has no objection to granting this height variance, so long as the builder complies with the conditions outlined in the FAA Letters.

Respectfully,

Kevin Davis
Easterwood Airport Management



Kerry Pillow <kerry@mitchellandmorgan.com>

Fwd: 415 College Main - Building and Temporary Crane FAA Letters

1 message

Anthony Armstrong <aarmstrong@cstx.gov>

Thu, Oct 20, 2022 at 3:11 PM

To: Kerry Pillow <kerry@mitchellandmorgan.com>, Veronica Morgan <v@mitchellandmorgan.com>, Robin Macias <rmacias@cstx.gov>

Anthony Armstrong, P.E., CFM
Land Development Review Administrator
Planning and Development Services
City of College Station
Work: (979) 764-3758
Email: aarmstrong@cstx.gov

From: O'Neill, John <joneill@tamus.edu>**Sent:** Friday, October 14, 2022 4:41:12 PM**To:** Anthony Armstrong <aarmstrong@cstx.gov>; Molly Hitchcock <mhitchcock@cstx.gov>**Subject:** [415 College Main](#) - Building and Temporary Crane FAA Letters

***** This is an email from an EXTERNAL source. DO NOT click links or open attachments without positive sender verification of purpose. Never enter USERNAME, PASSWORD or sensitive information on linked pages from this email. *****

Anthony,

The Texas A&M University System (TAMUS) relies on the expertise of the Easterwood Airport Management (EAM) team and the Federal Aviation Administration (FAA) to determine the impacts of height variance requests which would or could affect the airport's operations.

At this time, the EAM team has no objections to granting a building height and five temporary crane variances, as the FAA has made determinations that NO HAZARD TO AIR NAVIGATION is present for the building height variance requested for [415 College Main](#) – Building and Temporary Cranes, with compliance of conditions as outlined in the FAA application.

In consultation with the EAM team, the TAMU System has no objections based on the determinations made by our subject matter experts in the field, as long as the builder complies with the conditions outlined in the FAA letters.

Thanks and should you need anything else, please feel free to contact me,

John

John J. O'Neill, MBA | Executive Director, Business Affairs

System Risk Management

joneill@tamus.edu

1262 TAMU | College Station, TX 77840-7896

Tel. 979.458.6234 | Fax 979.458.6247 | www.tamus.edu

Moore/Connally Building

301 Tarrow St., 5th Floor

College Station, TX 77840-7896

2 attachments



Height Variance Letter for 415 College Main - Temporary Cranes.pdf
135K



Height Variance Letter 415 College Main - Building.pdf
135K

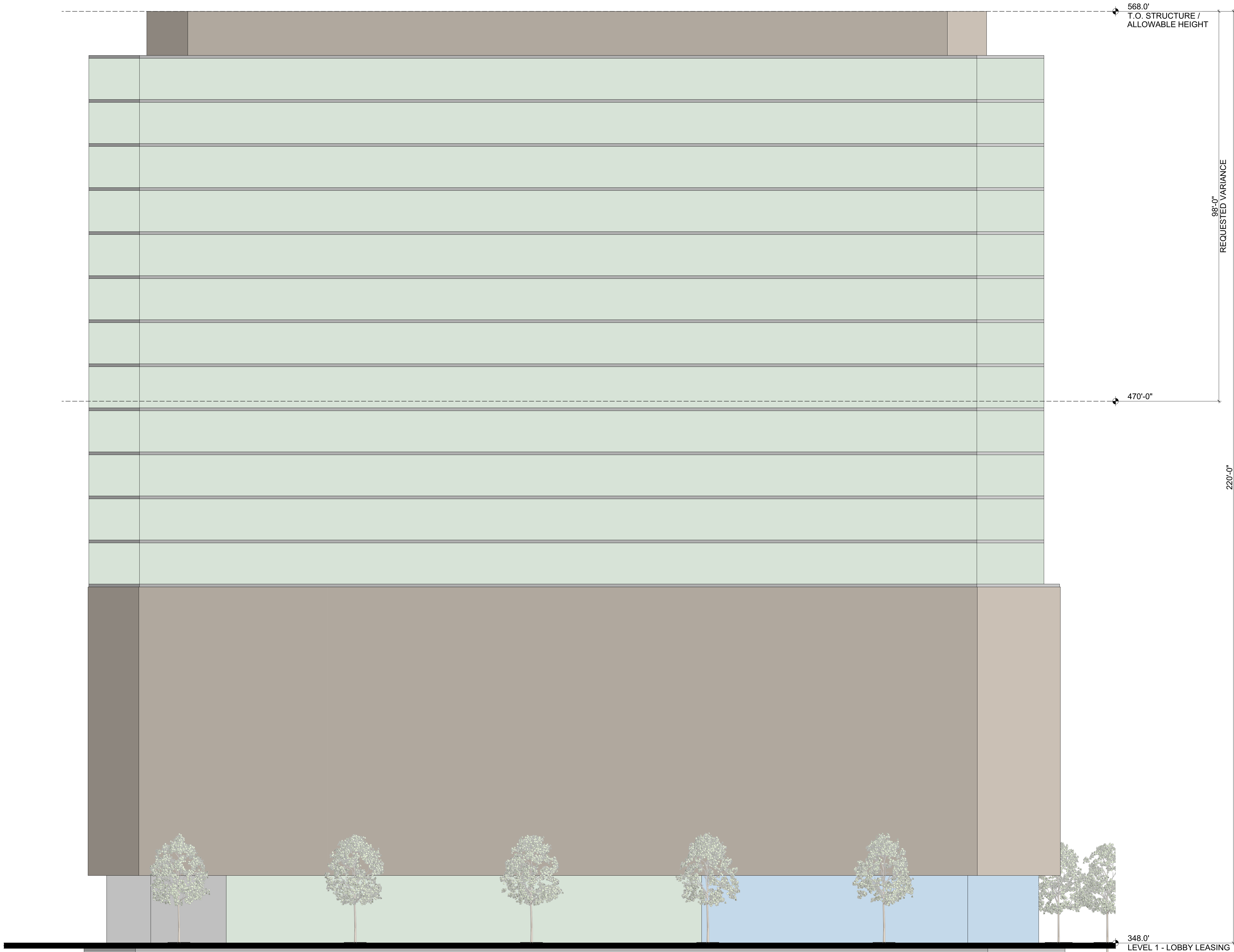
415 College Main Apartments

College Station, TX

BUILDING ELEVATION

If this document is not signed, sealed, and dated, it may not be used for regulatory approval, permit or construction

SCHEME B v1.2





**AIRPORT ZONING BOARD OF ADJUSTMENT
AIRPORT HEIGHT VARIANCE REQUEST
FOR
315 College Main St.
AWV2022-000018**

REQUEST: Height Variance to the Easterwood Airport Zoning Variance

LOCATION: 315 College Main
Boyett Block 5, Lots 11-13, Lots 15-17, and 38' of Lot 18

ZONING: NG-1 Core Northgate

PROPERTY OWNER: Texas District of the Lutheran Church – Missouri Synod

APPLICANT: Veronica Morgan, Mitchell & Morgan, LLC

PROJECT MANAGER: Jesse DiMeolo, Staff Planner
jdimeolo@cstx.gov

RECOMMENDATION: Approval

BACKGROUND: A new, mixed-use building is being constructed at 315 College Main Street, at the corner of College Main and Louise St. The property is approximately one acre in size. At a site elevation varying 349-351 feet above sea level (ASL), the proposed 200-ft tall building will be at a maximum 551 feet above mean sea level (AMSL).

On December 8, 2020, the Zoning Board of Adjustments granted an airport height variance of 82 feet to construct the proposed building. To disassemble the construction crane, a Mobile Crane Helper is proposed to be utilized that would sit a maximum of 362 feet above ground level, which would be 713 AMSL. The airport zoning ordinance specifies that even temporary structures such as construction cranes are subject to the height limitations of the ordinance and require a variance to be erected. With the limitation of 470.6 feet above mean sea level, the applicant is requesting a temporary height variance of 243 feet for the Mobile Crane Helper.

ORDINANCE INTENT:

The purpose of the Airport Zoning Ordinance is to establish clear and unambiguous regulations for the protection of the lives and property of users, owners, and occupants of and in the vicinity of Easterwood Field Airport and for the protection of airport operations.

NOTIFICATIONS

Advertised Board Hearing Date: November 9, 2022
 Property owner notices mailed: 11
 Contacts in support: None at time of staff report
 Contacts in opposition: None at time of staff report
 Inquiry contacts: None at time of staff report

ZONING AND LAND USES

Direction	Zoning	Land Use
North (across Louise)	NG-3 Residential Northgate	The Hudson Apartments
East (across College Main)	NG-1 Core Northgate	The Warehouse Apartments and parking lot
South	NG-1 Core Northgate	Public parking garage
West (across Second Street Promenade)	NG-1 Core Northgate	The Tradition Apartments and parking garage

REVIEW CRITERIA

According to the Texas Local Government Code Section 241.034 Variances, the Board shall allow a variance from an airport zoning regulation if all of the following criteria are met:

1. A literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship.
2. The granting of the relief would result in substantial justice being done.
3. The granting of the relief would not be contrary to the public interest.
4. The granting of the relief would be in accordance with the spirit of the regulation.

The board may impose any reasonable conditions on the variance that it considers necessary to accomplish the purpose of airport zoning.

The variance request is to allow for a temporary Mobile Crane Helper that is needed to dismantle the construction crane that is currently on site. Easterwood Airport Management (EAM) team has no objections to granting a temporary height variance for the Helper Crane and the FAA has made the determination that No Hazard to Air Navigation for Temporary Structure is present for the Mobile Crane Helper associated with the 315 College Main project. In consultation with the EAM team, the TAMU System has no objections to granting a temporary height variance.

Without the height variance, the crane needed to construct the building will not be able to be disassembled on site. Allowing the temporary height encroachment for the Helper Crane to disassemble the construction crane would result in substantial justice being done. The relief would not be contrary to the public interest as it has been deemed acceptable by the FAA, airport, and the TAMU System, with additional safety precautions and communication processes between the applicant and airport required. The relief would be in accordance with the spirit of the regulation to allow development while protecting lives, property, and airport operations.

STAFF RECOMMENDATION

After reviewing the request and the related criteria, the information provided by EAM and TAMU, as well as the temporary nature of the crane, staff recommends approval of the request. The granting of the variance would result in substantial justice being done without being contrary to the public interest, and the spirit of the regulation remains.

ATTACHMENTS

1. Vicinity Map, Aerial, and Small Area Map
2. Applicant's Supporting Information
3. Federal Aviation Administration Documentation
4. Easterwood Airport Management Documentation
5. TAMU System Documentation
6. Crane Exhibit

VICINITY MAP

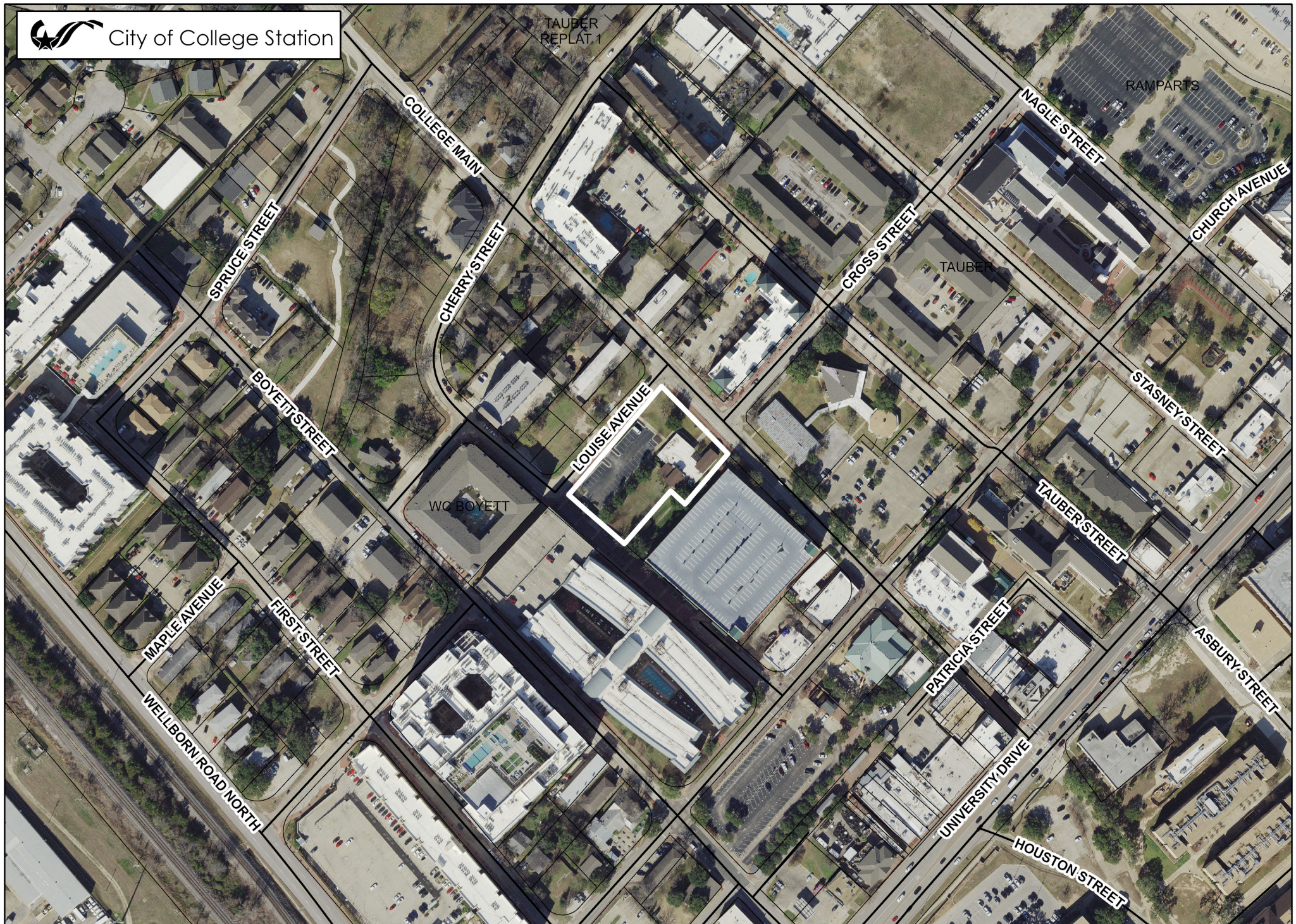
315 COLLEGE MAIN
AWV2022-000018

Legend

- City Limits
- 5 mile Extra Territorial Jurisdiction

0 1.25 2.5 Miles



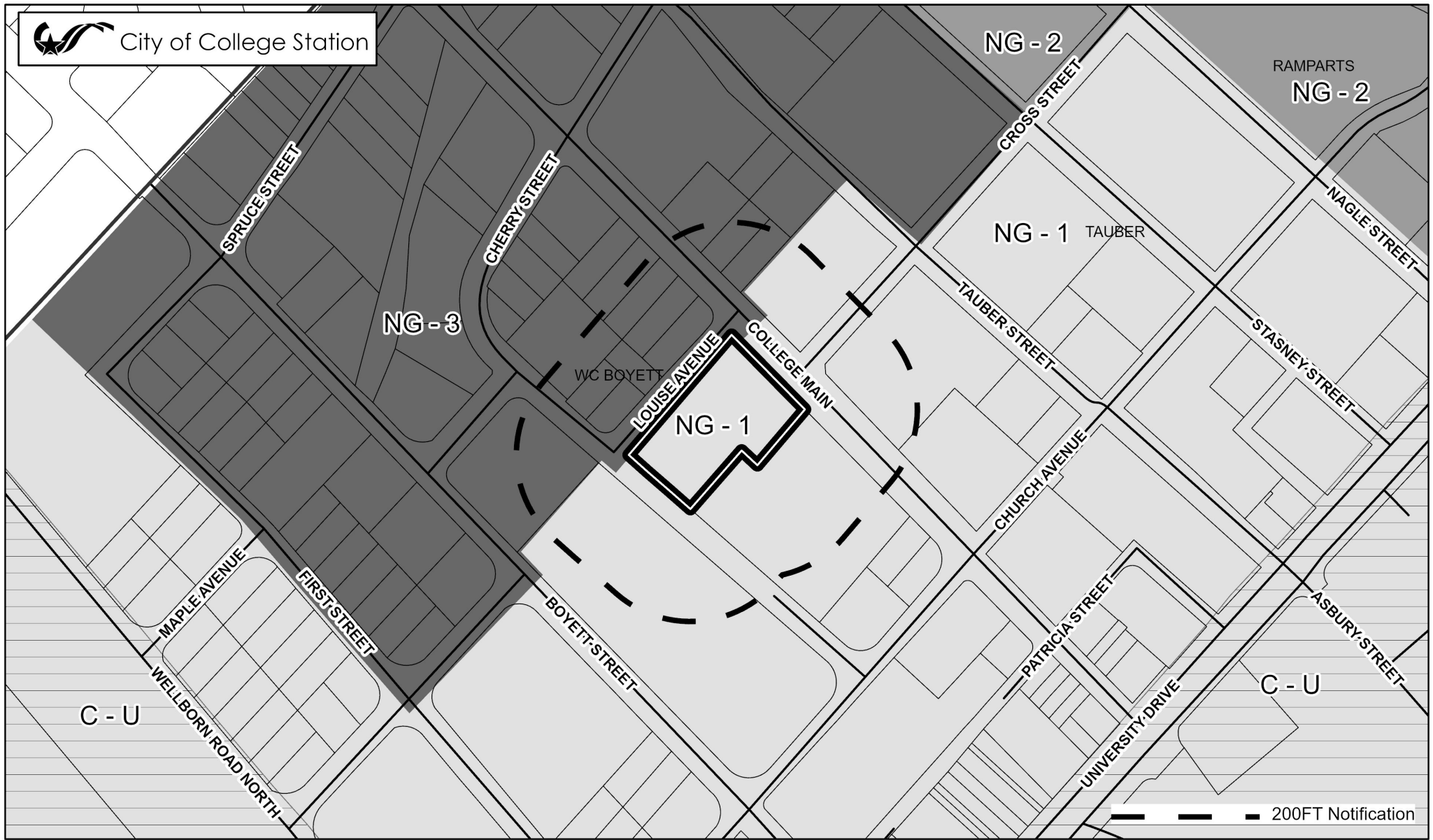


0 240 480 Feet

315 COLLEGE MAIN

Case:
AWV2022-000018

APPEALS WAIVERS
VARIANCES



ZONING DISTRICTS (In Grayscale)

Residential		
R	Rural	MF Multi-Family
WE	Wellborn Estate	MU Mixed-Use
E	Estate	MHP Manufactured Home Pk.
WRS	Wellborn Restricted Suburban	
RS	Restricted Suburban	
GS	General Suburban	
D	Duplex	
T	Townhome	

Non-Residential

NAP	Natural Area Protected
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
C-U	College and University

Planned Districts

P-MUD	Planned Mixed-Use Dist.
PDD	Planned Develop. Dist.

Design Districts

WPC	Wolf Pen Creek Dev. Cor.
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate

Overlay Districts

OV	Corridor Ovr.
RDD	Redevelopment District
ROO	Restricted Occupancy Ovr.
NPO	Nbrhd. Prevailing Ovr.
NCO	Nbrhd. Conservation Ovr.
HP	Historic Preservation Ovr.

Retired Districts

R-1B	Single Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial



0 240 480 Feet

315 COLLEGE MAIN

Case:
AWV2022-000018

**APPEALS WAIVERS
VARIANCES**

315 College Main Student Housing Project

Airport Zoning Height Variance Request to the Horizontal Surface for Easterwood Field Airport

APPEAL / WAIVER

1. **Current Zoning:** Provide the current zoning of the property.

RESPONSE: *NG-1 – Core Northgate.*

2. **Applicable Ordinance:** Provide the applicable ordinance section being appealed or seeking a waiver from and an explanation of the appeal or waiver request.

RESPONSE: *Airport Zoning Ordinance. Section 4. (3)*

3. **Specific Request:** Provide the specific alternative to, or waiver from, the ordinance.

RESPONSE: *Height Variance of **243-feet** to the Horizontal Surface for Easterwood Airport for a helper crane that will be used to disassemble the existing temporary tower crane. FAA approval of this height variance is attached.*

4. ***Hardship(s):** Provide the unnecessary hardship(s) involved by meeting the provisions of the ordinance other than financial hardship.

RESPONSE: *A strict application of the ordinance may constitute a hardship in this case since the request does not violate the spirit of the ordinance as described in the ordinance language. Furthermore, the stated purpose of the ordinance is to protect the airspace necessary for the use and operation of Easterwood Airport. Since the FAA has determined that there is no hazard to air navigation in this case, the spirit of the local ordinance has been fulfilled.*

5. **Alternatives:** Provide possible alternatives to the requested appeal or waiver.

RESPONSE: *None, if the variance is not granted, there will be no physical means of disassembling the existing tower crane.*

6. **Building Material Subs:**

For the SUBSTITUTION OF BUILDING MATERIALS, answer at least one of the following:

1. Describe how the building material is a new or innovative material that has not been previously available to the market or verify that the material is not listed as an allowed or prohibited material
2. Explain how the material is similar and comparable in quality and appearance to the allowed materials.
3. Explain how the material is an integral part of a themed building (e.g., chrome on a 1950's-type diner).

RESPONSE: *Not applicable.*

7. **Facade Materials:** For alternative materials on façade work on an existing building, provide the following:
1. Explain why the allowed materials cannot be utilized without a structural alteration to the existing building.
 2. Provide copies of a letter from a licensed engineer or architect verifying that a structural alteration is required to apply the permitted façade materials to the building.

RESPONSE: *Not applicable.*

8. **Alternates:**
For alternate colors or materials on a franchised and/or chain restaurant, provide the following:
1. Will the restaurant be developed as a single, detached building?
 2. Are the proposed colors and materials part of its corporate branding?
 3. Provide copies of all alternative color and material schemes the chain or franchise has used.

RESPONSE: *Not applicable.*

9. **Facade Articulation:** For a waiver to façade articulation and/or roofline requirements for an existing building, answer at least one of the following:

RESPONSE: *Not applicable.*

10. **Financial Feasibility:** 1. Explain how meeting the ordinance requirements is not financially feasible.

RESPONSE: *In general, there is no cost effective or feasible way to lift building materials to the upper levels without a crane. The variance request is to allow for a helper crane that is needed to disassemble the existing temporary tower crane that was needed to build the proposed permanent building structure.*

11. **Structural Feasibility:** 2. Explain how meeting the ordinance requirements is not structurally feasible.

RESPONSE: *Reducing the helper crane height is not structurally feasible. The proposed helper crane height is needed to remove the existing tower crane.*

12. **Acknowledgement**

RESPONSE: *I acknowledge that all facts stated herein and exhibits attached hereto are true correct and complete.*

VARIANCE

1. **Variance Type:** Select the variance that you are requesting
- a. Setback
 - b. Parking
 - c. Sign

- d. Lot Dimension
- e. Appeal of Written Interpretation
- f. Special Exception
- g. Drainage
- h. Other

RESPONSE: *Other. Airport zoning height restrictions.*

2. **Applicable Ordinance:** Provide the application ordinance section that you are requesting a variance to

RESPONSE: *Airport Zoning Ordinance height restriction to the Horizontal Surface, Section 4. (3).*

3. **Variation Requested:** Provide the specific variation from the ordinance that you are requesting

RESPONSE: *Height Variance of **243-feet** to the Horizontal Surface for Easterwood Airport for a helper crane that will be used to disassemble the existing temporary tower crane. FAA approval of this height variance is attached.*

4. **Special Conditions:** Provide the special condition(s) of why this variance is necessary. To justify a variance, the difficulty must be due to unique circumstances related to the physical characteristics of the particular property, not to the owner's personal situation.

RESPONSE: *The size of the property and existing development surrounding the property make it impossible to move materials to the upper floors of a multi-story building without the use of a crane. The helper crane is necessary to disassemble the existing temporary construction crane.*

5. **Hardships:** Provide the unnecessary hardship(s) involved by meeting the provisions of the ordinance OTHER THAN FINANCIAL HARDSHIP:

RESPONSE: *A strict application of the ordinance may constitute a hardship in this case since the request does not violate the spirit of the ordinance as described in the ordinance language. Furthermore, the stated purpose of the ordinance is to protect the airspace necessary for the use and operation of Easterwood Airport. Since the FAA has determined that there is no hazard to air navigation in this case, the spirit of the local ordinance has been fulfilled.*

6. **Alternatives:** Provide possible alternatives to the requested variance

RESPONSE: *None, if the variance is not granted, there will be no physical means of disassembling the existing tower crane.*

7. **Public Interest:** State how this variance will not be contrary to the public interest

RESPONSE: *The requested waiver is not contrary to the public interest because the ordinance was established to protect aviation and the public's interest in safe air travel. The FAA has determined that the Easterwood Field Airport will not be negatively affected by the proposed intrusion into the horizontal surface. Now that*

the FAA has made the determination that the building height is not unsafe to aviation, the public's interest will not be negatively affected by the granting of the variance.

8. **Acknowledgement:** The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true, correct, and complete. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement from the owner. If there is more than one owner, all owners must sign the application or the power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

RESPONSE: *This is a company and proof of authority is attached.*

ADMIN ADJUSTMENT

1. **Applicable Ordinance:** Provide the applicable ordinance section that you are seeking an administrative adjustment from.

RESPONSE: *Not applicable.*

2. ***Specific Adjustment:** Provide the specific adjustment (up to 10%) that you are requesting from the ordinance requirements. Type in N/A if this is not applicable to your request.

RESPONSE: *Not applicable.*

3. **Public Interest:** Provide facts showing how this adjustment will not be contrary to the public interest

RESPONSE: *Not applicable.*

4. **Adjacent Land:** State how the granting of the adjustment will not materially or adversely affect adjacent land uses or the physical character of the uses in the immediate vicinity

RESPONSE: *Not applicable.*

5. **Consistent w/UDO:** State how granting the adjustment will be consistent with the purpose and intent of the UDO

RESPONSE: *Not applicable.*

6. **Acknowledgement:** Acknowledge that this application and the facts stated herein and exhibits attached hereto are true, correct and complete.

RESPONSE: *Not applicable.*

INTERPRETATION

1. **WRITTEN INTERPRETATION:**

RESPONSE: *Not applicable.*

2. **Interpretation Req:** What interpretation are you requesting?

RESPONSE: *Not applicable.*

3. **Reason:** What is your reason for requesting a written interpretation?

RESPONSE: *Not applicable.*

4. **Acknowledgement:** Acknowledge that this application and all facts stated herein and exhibits attached hereto are true, correct and complete.

RESPONSE: *Not applicable.*

LOCATION:

1. **Address:**

RESPONSE: 315 College Main

2. **Parcel Number:**

RESPONSE: 144500-0005-0110

Applicant Information:

Name: Mitchell & Morgan, LLP C/O Veronica Morgan
Address: 3204 Earl Rudder Freeway South
City: College Station
State: Texas
Zip Code: 77845-6457
Phone: 979-260-6963
Email Address: v@mitchellandmorgan.com

Property Owner Information:

Name: Texas District of the Lutheran Church – Missouri Synod
Address: 7900 E. Highway 290
City: Austin
State: Texas
Zip Code: 78724-2499
Phone: 512.926.4272
Email Address: lindahagge@txlcms.org

Contact Primary Information:

Name: Mitchell & Morgan, LLP C/O Kerry Pillow
Address: 3204 Earl Rudder Freeway South
City: College Station
State: Texas
Zip Code: 77845-6457
Phone: 979-260-6963
Email Address: kerry@mitchellandmorgan.com

Project Developer Information:

Name: College Station Properties KP6, LLC C/O David Pierce
Address: 506 W. 7th Street, Suite 1
City: Austin
State: Texas
Zip Code: 78701
Phone: 214-760-0600
Email Address: dpierce@parallel-co.com

Contact Tertiary Information:

Name: N/A
Address: N/A
City: N/A
State: N/A
Zip Code: N/A
Phone: N/A
Email Address: N/A

Engineer Information:

Name: N/A
Address: N/A
City: N/A
State: N/A
Zip Code: N/A
Phone: N/A
Email Address: N/A

Surveyor Information:

Name: N/A
Address: N/A
City: N/A
State: N/A
Zip Code: N/A
Phone: N/A
Email Address: N/A



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-17079-OE

Issued Date: 08/26/2022

Kristen Penrod
College Station Properties II KP6, LLC
506 W. 7th Street
Suite 1
Austin, TX 78701

****DETERMINATION OF NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Crane Helper Crane
Location:	College Station, TX
Latitude:	30-37-12.39N NAD 83
Longitude:	96-20-50.52W
Heights:	351 feet site elevation (SE) 362 feet above ground level (AGL) 713 feet above mean sea level (AMSL)

This aeronautical study revealed that the temporary structure does exceed obstruction standards but would not be a hazard to air navigation provided the condition(s), if any, in this letter is (are) met:

****SEE ATTACHMENT FOR ADDITIONAL CONDITION(S) OR INFORMATION****

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of a structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination did not include an evaluation of the permanent structure associated with the use of this temporary structure. If the permanent structure will exceed Title 14 of the Code of Federal Regulations, part 77.9, a separate aeronautical study and FAA determination is required.

This determination concerns the effect of this temporary structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Aviation Administration Flight Procedures Office if the structure is subject to the issuance of a Notice To Airman (NOTAM).

If you have any questions, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-17079-OE

Signature Control No: 546664353-551201021

(TMP)

Andrew Hollie
Specialist

Additional Condition(s) or Information for ASN 2022-ASW-17079-OE

Proposal: To construct and/or operate a(n) Crane to a height of 362 feet above ground level, 713 feet above mean sea level.

Location: The structure will be located 2.07 nautical miles north of CLL Airport reference point.

Case Description for ASN 2022-ASW-17079-OE

Helper crane needed for no more than 7-days to dismantle an existing tower crane (existing crane ASN is 2021-ASW-11625-OE). The helper crane can be lowered at night, during inclement weather, and at the direction of CLL.

Part 77 Obstruction Standard(s) Exceeded and Aeronautical Impacts, if any:

Section 77.17 (a) (2) by 162 feet - a height that exceeds 551 feet above mean sea level within 2.07 nautical miles of CLL.

Section 77.17 (a) (3) by 133 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 713 AMSL, 1A, Easterwood FLD (CLL), College Station, TX. KIDDZ FOUR ARRIVAL (RNAV), increase Minimum Obstruction Clearance Altitude (MOCA) from BEANE to CAASE from 1700 to 1800, NEH 700 AMSL (Procedures serves: KHOU). ///VOR RWY 29, AMDT 14A, ILS OR LOC RWY 35, AMDT 14B, RNAV (GPS) RWY 11, AMDT 1D, RNAV (GPS) RWY 17, AMDT 1C, RNAV (GPS) RWY 29, AMDT 1B, RNAV (GPS) RWY 35, AMDT 1C, VOR OR TACAN RWY 11, AMDT 19E, increase CAT B/C Circling MDA from 880/1000 to 1020, NEH 580 AMSL. /// LOC BC RWY 17, AMDT 8A, increase CAT B/C Circling MDA from 940/1000 to 1020, NEH 640 AMSL.

Section 77.17 (a) (5) a height that affects an Airport Surface by penetrating:
Section 77.19 (a) Horizontal Surface by 243 feet as applied to CLL.

Preliminary FAA study indicates that the above mentioned structure would:

- have no effect on any existing or proposed arrival, departure, or en route visual flight rules (VFR) operations.
- not exceed traffic pattern airspace
- have no physical or electromagnetic effect on the operation of air navigation and communications facilities.
- have no effect on any airspace and routes used by the military.

Based on this aeronautical study, the structure would not constitute a substantial adverse effect on aeronautical operations or procedures because it will be temporary. The temporary structure would not be considered a hazard to air navigation provided all of the conditions specified in this determination are strictly met.

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, flags/red lights-Chapters 3(Marked),4,5(Red),14(Temporary),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that the FAA be notified 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Notification should be made to this office through your registered

e-filing account. Notification is necessary so that aeronautical procedures can be temporarily modified to accommodate the structure.

NOTIFICATION IS REQUIRED AGAIN THROUGH YOUR REGISTERED E-FILING ACCOUNT WHEN THE TEMPORARY STRUCTURE IS REMOVED FROM THE SITE FOR NOTICE TO AIRMAN (NOTAM) CANCELLATION.

It is required that the manager of EASTERWOOD FLD, (979) 775-9900 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site.

It is required that the manager of EASTERWOOD FIELD Air Traffic Control at 979-846-3998 be notified at least 3 business days prior to the temporary structure being erected and again when the structure is removed from the site. Additionally, please provide contact information for the onsite operator in the event that Air Traffic Control requires the temporary structure to be lowered immediately.

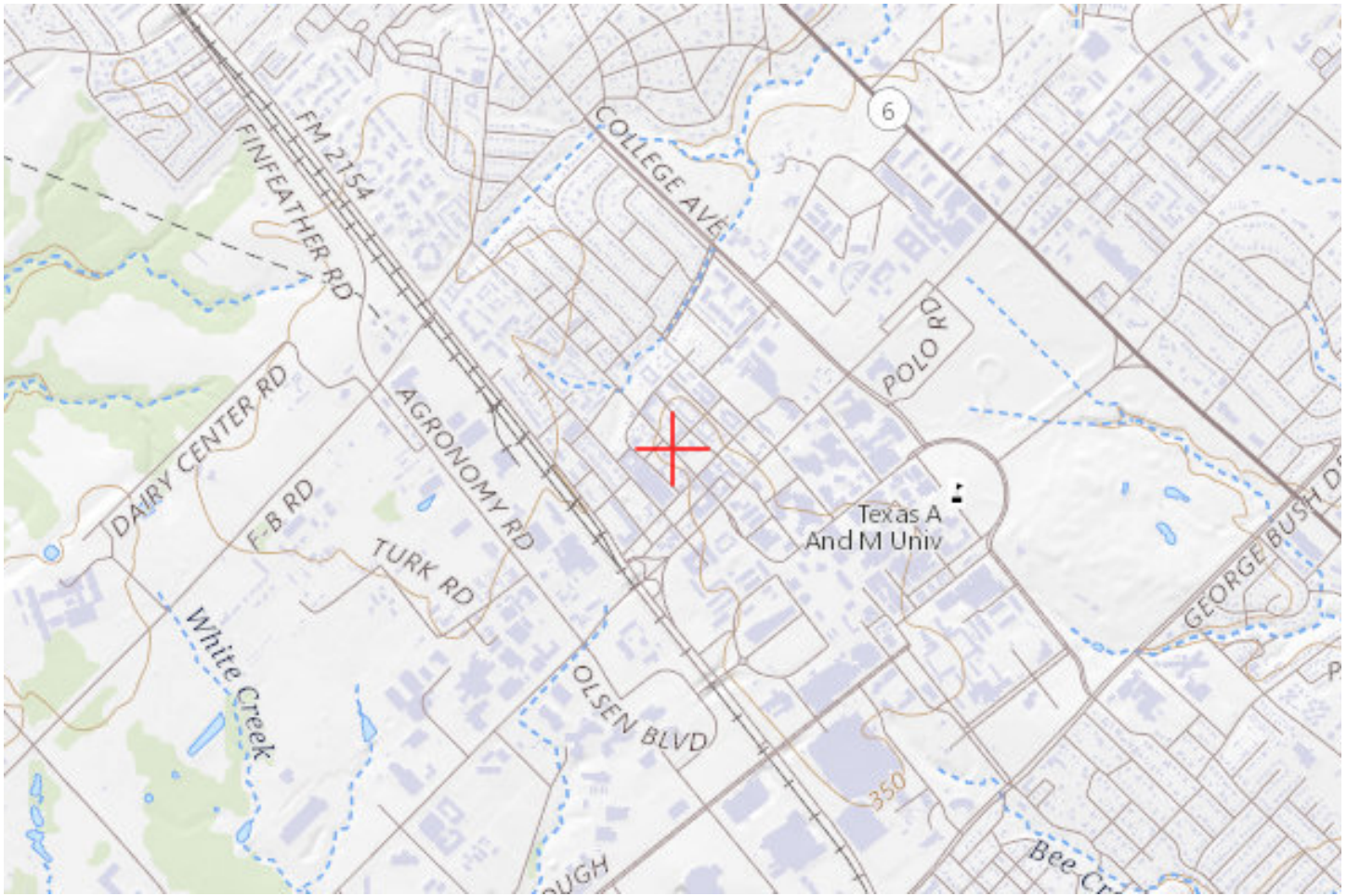
This determination expires on 02/26/2024 unless extended, revised, or terminated by the issuing office.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

You must contact the FAA as specified above to request a Flight Data Center (FDC) Notice to Airman (NOTAM) in order to coordinate the following:

At 713 AMSL, 1A, Easterwood FLD (CLL), College Station, TX. KIDDZ FOUR ARRIVAL (RNAV), increase Minimum Obstruction Clearance Altitude (MOCA) from BEANE to CAASE from 1700 to 1800, NEH 700 AMSL (Procedures serves: KHOU). ///VOR RWY 29, AMDT 14A, ILS OR LOC RWY 35, AMDT 14B, RNAV (GPS) RWY 11, AMDT 1D, RNAV (GPS) RWY 17, AMDT 1C, RNAV (GPS) RWY 29, AMDT 1B, RNAV (GPS) RWY 35, AMDT 1C, VOR OR TACAN RWY 11, AMDT 19E, increase CAT B/C Circling MDA from 880/1000 to 1020, NEH 580 AMSL. /// LOC BC RWY 17, AMDT 8A, increase CAT B/C Circling MDA from 940/1000 to 1020, NEH 640 AMSL.

You must also contact the FAA as specified above when the temporary structure has been removed from the site to cancel the NOTAM(s). If it specifies above that you must contact the FAA via e-filing, please visit the instructions link at [oeaaa.faa.gov](https://www.faa.gov/e-filing) and review the NOTAM Efile Desk Reference Guide for assistance.







Easterwood Airport Management
1 McKenzie Terminal Blvd,
College Station, TX 77845

September 21, 2022

Anthony Armstrong, P.E., CFM,
Land Development Review Administrator
City Of College Station
1101 Texas Ave.
College Station, TX 77840

Re: 315 College Main Construction Project

Dear Mr. Armstrong:

Easterwood Management has reviewed the application for a height variance for one temporary construction crane at 315 College Main in College Station.

After reviewing the FAA letters of “Determination of No Hazard to Air Navigation for Temporary Structure”, Easterwood Airport Management has no objection to granting a temporary height variance.

Respectfully,

Kevin Davis
Easterwood Airport Management

From: Anthony Armstrong
Sent: Thursday, September 22, 2022 8:15 AM
To: Kerry Pillow; Veronica Morgan
Cc: Jesse Dimeolo
Subject: FW: 315 College Main Construction Crane Variance Letter
Attachments: [Height Variance Letter for 315 College Main Letter to the City - Temporary Cranes.pdf](#)

FYI

Anthony Armstrong, P.E., CFM
Land Development Review Administrator
Planning and Development Services
City of College Station
Work: (979) 764-3758
Email: aarmstrong@cstx.gov

From: O'Neill, John <joneill@tamus.edu>
Sent: Wednesday, September 21, 2022 3:11 PM
To: Anthony Armstrong <aarmstrong@cstx.gov>; Molly Hitchcock <mhitchcock@cstx.gov>
Subject: 315 College Main Construction Crane Variance Letter

***** This is an email from an EXTERNAL source. DO NOT click links or open attachments without positive sender verification of purpose. Never enter USERNAME, PASSWORD or sensitive information on linked pages from this email. *****

Anthony,

The Texas A&M University System (TAMUS) relies on the expertise of the Easterwood Airport Management (EAM) team and the Federal Aviation Administration (FAA) to determine the impacts of height variance requests which would or could affect the airport's operations.

At this time, the EAM team has no objections to granting a temporary height variance, and the FAA has made determinations that NO HAZARD TO AIR NAVIGATION FOR TEMPORARY STRUCTURE is present for the temporary crane located at 315 College Main.

In consultation with the EAM team, the TAMU System has no objections based on the determinations made by our subject matter experts in the field.

Thanks and should you need anything else, please feel free to contact me,

John

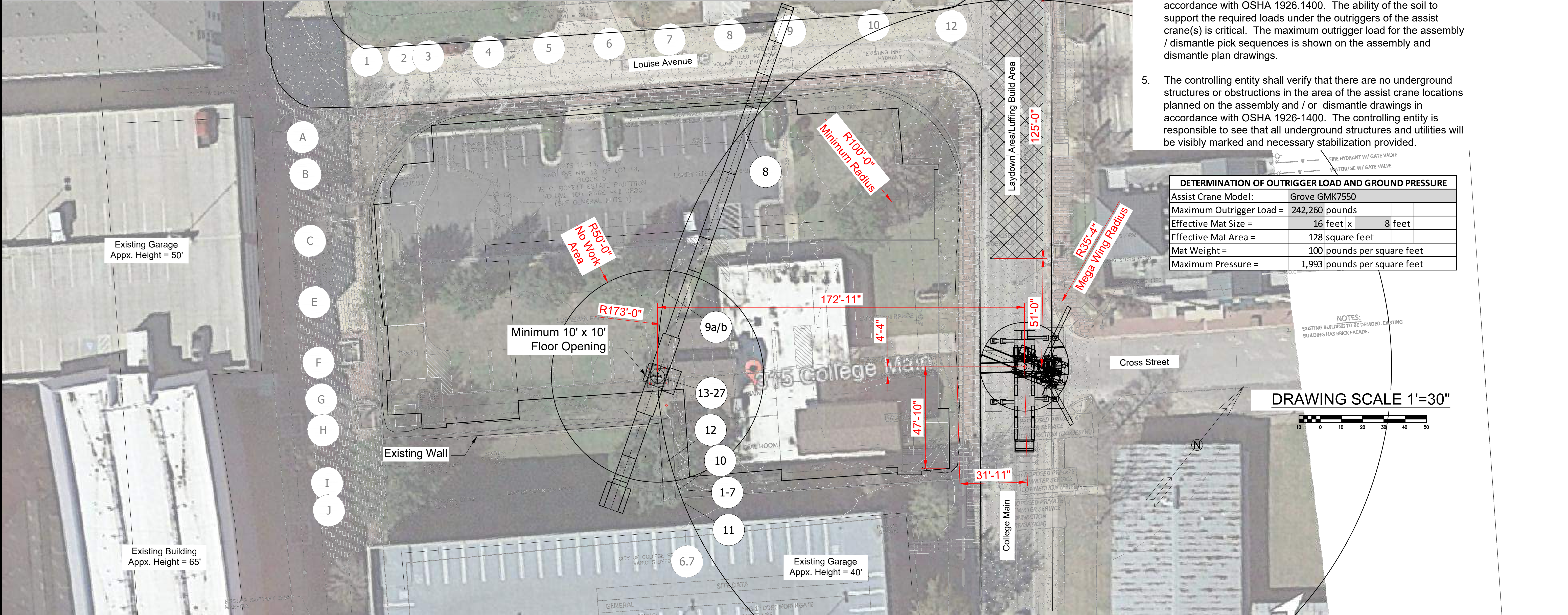
John J. O'Neill, MBA | Executive Director, Business Affairs
System Risk Management
joneill@tamus.edu

1262 TAMU | College Station, TX 77840-7896

Tel. 979.458.6234 | Fax 979.458.6247 | www.tamus.edu

Moore/Connally Building
301 Tarrow St., 5th Floor
College Station, TX 77840-7896

Tower Crane:		Terex Comedil CTT331, L4 Jib (180' HR) on (1)TS213 +(1)TS213-212 Trans. Tower +(10) TS212 Towers +(1)HD23-TS212 Trans.								
Assist Crane:		Grove GMK7550, Full Outriggers, 264,500 lbs. Cwt., + Mega Wing								
Pick#	Sec	Component	Weight (lbs.)	+Rigging (lbs.)	+Block (lbs.)	=Lift Weight (lbs.)	Assist Crane Config	Radius (≤X ft.)	Capacity (lbs.)	% of Chart
1-7	CTT331	Counterweight A1	7,872	200	2,000	10,072	179' MB @ 81 deg. + 180' LJ	173	29,000	35%
8	CTT331	L4 (180'/55m) Outer Jib (Sections 5,6,7,8 & 9)	15,214	200	2,000	17,414	"	173	29,000	60%
9a	Trolley	CTT Trolley	3,550	200	2,000	5,750	"	173	29,000	20%
9b	CTT331	Inner Jib (Jib #15 + 4 + trolley)	14,400	200	2,000	16,600	"	173	29,000	57%
10	CTT331	Counterweight A1	7,872	200	2,000	10,072	"	173	29,000	35%
11	CTT331	Hoist Unit 45 AFC60/80 (+1200' 16mm)	8,000	200	2,000	10,200	"	173	29,000	35%
12	CTT331	Counterjib C5	6,836	200	2,000	9,036	"	173	29,000	31%
13	CTT331	Jib #14 (Cat Head)	19,572	200	2,000	21,772	"	173	29,000	75%
14a	CTT331	Cab Assembly	1,411	200	2,000	3,611	"	173	29,000	12%
14b	CTT331	Turntable (w/o Cabin)	23,506	200	2,000	25,706	"	173	29,000	89%
15	Tower	HD23-TS212 Transition	7,133	200	2,000	9,333	"	173	29,000	32%
16-25	Tower	TS 212 Tower (Single)	9,304	200	2,000	11,504	"	173	29,000	40%
26	Tower	TSU 213/212	9,750	200	2,000	11,950	"	173	29,000	41%
27	Tower	TS 213 Tower (Single)	9,950	200	2,000	12,150	"	173	29,000	42%



- Notes:
- The assist crane carbody may be oriented in any direction based on job site conditions. Capacities provided are for 360° swing.
 - Other boom configurations may be used provided pick capacity is greater than or equal to the value shown in the table.
 - This drawing is provided for planning purposes and does not supercede instructions provided in the tower crane or assist crane operating manuals.
 - The controlling entity shall verify the current ground conditions are able to support the loads provided for the assist crane in accordance with OSHA 1926.1400. The ability of the soil to support the required loads under the outriggers of the assist crane(s) is critical. The maximum outrigger load for the assembly / dismantle pick sequences is shown on the assembly and dismantle plan drawings.
 - The controlling entity shall verify that there are no underground structures or obstructions in the area of the assist crane locations planned on the assembly and / or dismantle drawings in accordance with OSHA 1926-1400. The controlling entity is responsible to see that all underground structures and utilities will be visibly marked and necessary stabilization provided.

DETERMINATION OF OUTRIGGER LOAD AND GROUND PRESSURE			
Assist Crane Model:	Grove GMK7550		
Maximum Outrigger Load =	242,260 pounds		
Effective Mat Size =	16 feet x	8 feet	
Effective Mat Area =	128 square feet		
Mat Weight =	100 pounds per square feet		
Maximum Pressure =	1,993 pounds per square feet		

NOTES:
EXISTING BUILDING TO BE DEMOLISHED. EXISTING BUILDING HAS BRICK FACADE.

DRAWING SCALE 1"=30'

NOTES:
This drawing has been prepared for the sole use of MAXIM CRANE WORKS. It is loaned to the recipient for his confidential use only. Reproduction or distribution shall not be performed without the express written consent of MAXIM CRANE WORKS.

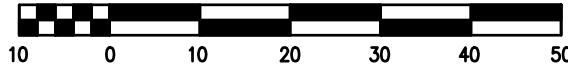
SOIL BEARING CAPACITIES - The ability of the soil to support the required loads under the outriggers is critical. The worst case loading for the crane including a margin for unknowns must be analyzed. The customer is responsible for analysis and verification of existing site soil conditions. The customer's qualified soils expert should review the soil conditions in the area under the crane to ensure that there is adequate capacity.

UNDERGROUND STRUCTURES - Customer is to verify that there are no underground structures or obstructions in the area of the crane locations planned in the lift procedure. The customer is responsible to see that all underground structures and utilities will be marked and necessary stabilization provided.

REV	DATE	BY	DESCRIPTION



DRAWN BY: SL	315 College Main Dismantle Plan	PROJECT NO. 20-0738	
DATE: 9-16-2021			
CHECKED BY: RWN	Rogers-O'Brien College Station, TX	Sheet: 1 of 2	
DATE: 9-16-2021		1	REV 0



1. The assist crane carbody may be oriented in any direction based on job site conditions. Capacities provided are for 360° swing.
2. Other boom configurations may be used provided pick capacity is greater than or equal to the value shown in the table.
3. This drawing is provided for planning purposes and does not supercede instructions provided in the tower crane or assist crane operating manuals.
4. The controlling entity shall verify the current ground conditions are able to support the loads provided for the assist crane in accordance with OSHA 1926.1400. The ability of the soil to support the required loads under the outriggers of the assist crane(s) is critical. The maximum outrigger load for the assembly / dismantle pick sequences is shown on the assembly and dismantle plan drawings.
5. The controlling entity shall verify that there are no underground structures or obstructions in the area of the assist crane locations planned on the assembly and / or dismantle drawings in accordance with OSHA 1926-1400. The controlling entity is responsible to see that all underground structures and utilities will be visibly marked and necessary stabilization provided.

PROJECT NO. 20-0738	
Sheet: 2 of 2	Size
1	REV 0



**AIRPORT ZONING BOARD OF ADJUSTMENT
AIRPORT HEIGHT VARIANCE REQUEST
FOR
509 University Dr.
AWV2022-000016**

REQUEST: Height variance to the Easterwood Airport Zoning Ordinance

LOCATION: 509 University Dr Tx
Tauber Addition, Block 5, Lot 2

ZONING: NG-1 Core Northgate

PROPERTY OWNER: Cooley Properties LLC

APPLICANT: Tommy Sinnott, CA Ventures

PROJECT MANAGER: Gabriel Schrum, Staff Planner
gschrum@cstx.gov

BACKGROUND: A new mixed-use apartment building has been proposed at 509 University Dr. in Northgate. This delivery of residential units and ground floor commercial spaces will be similar in characteristic to other developments in the area. They intend to have a parking garage within the structure, allowing for the parking of the site to stay within the parcel itself. The development will have 208 units with 393 bedrooms and will be approximately 21 stories. The north corner of the building is proposed to sit at 566 feet Above Mean Sea Level (AMSL), the west corner at 569 feet AMSL, the east corner at 569 feet AMSL, and the south corner at 566 feet AMSL, though the FAA and Easterwood have provided support for up to 572 feet in height. The Airport Zoning Ordinance for Easterwood Airport limits the maximum height for structures at this location to be 470.6 AMSL. The proposed structure will exceed maximum horizontal and conical height limitations by 95-98 feet. The applicant is requesting a variance to the Airport Ordinance of up to 102 feet.

ORDINANCE INTENT: The purpose of the Airport Zoning Ordinance is to establish clear and unambiguous regulations for the protection of the lives and property of users, owners, and occupants of and in the vicinity of Easterwood Field Airport and for the protection of airport operations.

NOTIFICATIONS

Advertised Board Hearing Date: November 9, 2022

Property owner notices mailed: 10
Contacts in support: None at the time of this report
Contacts in opposition: None at the time of this report
Inquiry contacts: There has been one inquiry at the time of this report

ADJACENT ZONING AND LAND USES

Direction	Zoning	Land Use
Subject Property	NG-1 Core Northgate	Vacant commercial building
North	NG-1 Core Northgate	Wesley Foundation at Texas A&M Methodist Student Center
South	C-U College and University	Texas A&M University North Side Parking Garage
East	NG-1 Core Northgate	Subway
West	NG-1 Core Northgate	Insomnia Cookies

REVIEW CRITERIA

According to the Texas Local Government Code Section 241.034 Variances, the Board shall allow a variance from an airport zoning regulation if all the following criteria are met:

1. A literal application or enforcement of the regulation would result in practical difficulty or unnecessary hardship.
2. The granting of the relief would result in substantial justice being done.
3. The granting of the relief would not be contrary to the public interest.
4. The granting of the relief would be in accordance with the spirit of the regulation.

The Board may impose any reasonable conditions on the variance that it considers necessary to accomplish the purpose of airport zoning.

The variance request is to allow for an increase in maximum height for a new proposed mixed-use structure. The applicant will be coming forward with a separate variance request for a crane if this structural variance is granted. The building's height will sit at a maximum of 569 feet Above Mean Sea Level. The Easterwood Airport Management (EAM) team has no objections to granting a height variance for the proposed mixed-use structure and the FAA has made the determination that No Hazard to Air Navigation for the proposed structure is present for the 509 University Dr. project. In consultation with the EAM team, the TAMU System has no objections to the granting a height variance.

Allowing the height encroachment for this development will result in substantial justice being done. The relief would not be contrary to public interest as the FAA, EAM, and TAMU systems have deemed this proposal acceptable with the proper communication between the applicant and airport required. The relief would further be in accordance with the spirit of regulation to allow development while protecting lives, property, and airport operations.

STAFF RECOMMENDATION

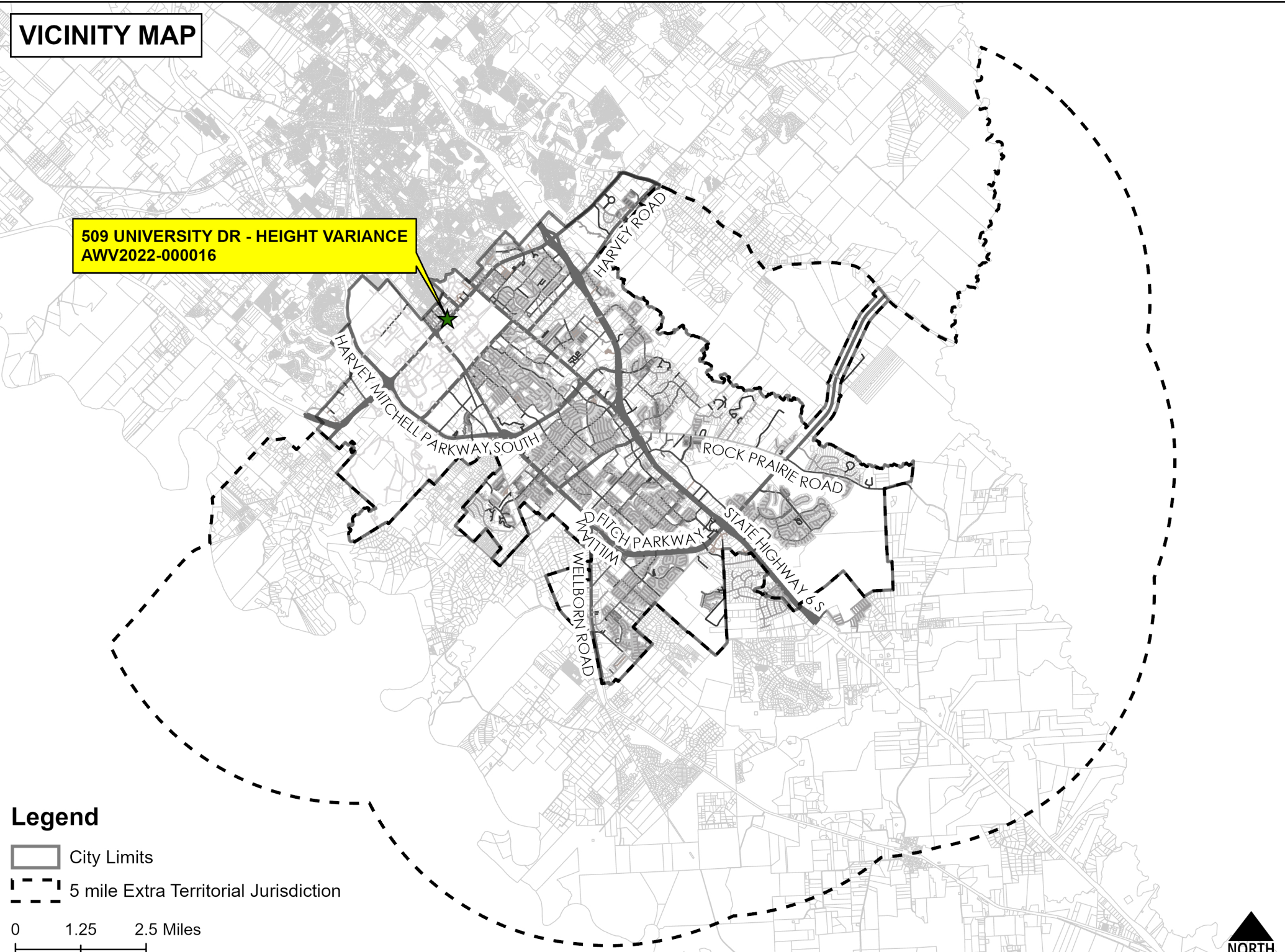
After reviewing the request and the related criteria, the information provided by the FAA, EAM, and TAMU, staff recommends approval of the request. The granting of the variance would result in substantial justice being done without being contrary to the public interest, and the spirit of the regulation remains.

ATTACHMENTS

1. Vicinity Map, Aerial, and Small Area Map
2. Applicant's Supporting Information
3. Federal Aviation Administration Documentation
4. Easterwood Airport Management Documentation
5. TAMU System Documentation
6. Building Height Exhibit

VICINITY MAP

509 UNIVERSITY DR - HEIGHT VARIANCE
AWV2022-000016

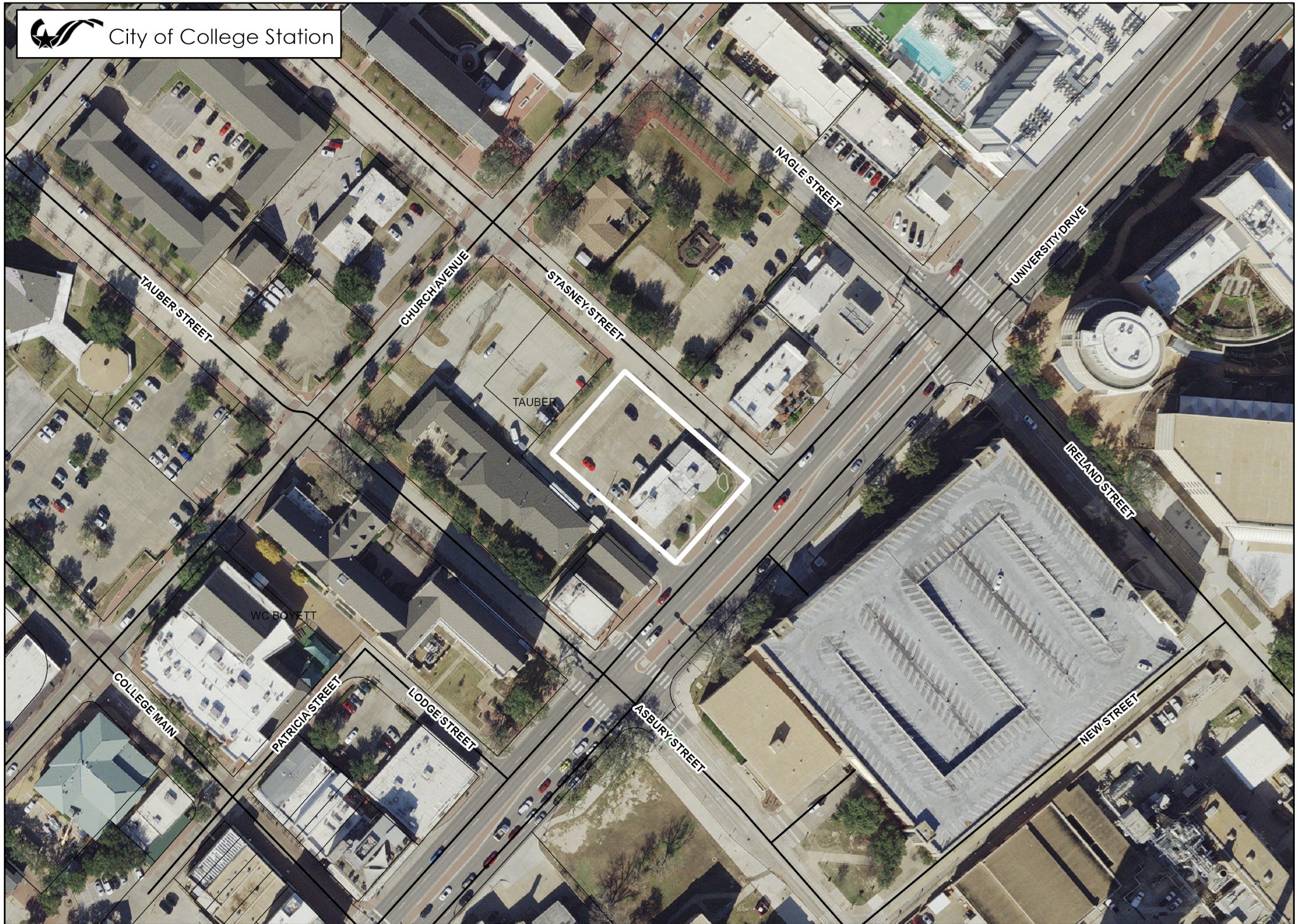


Legend

- City Limits
- 5 mile Extra Territorial Jurisdiction

0 1.25 2.5 Miles



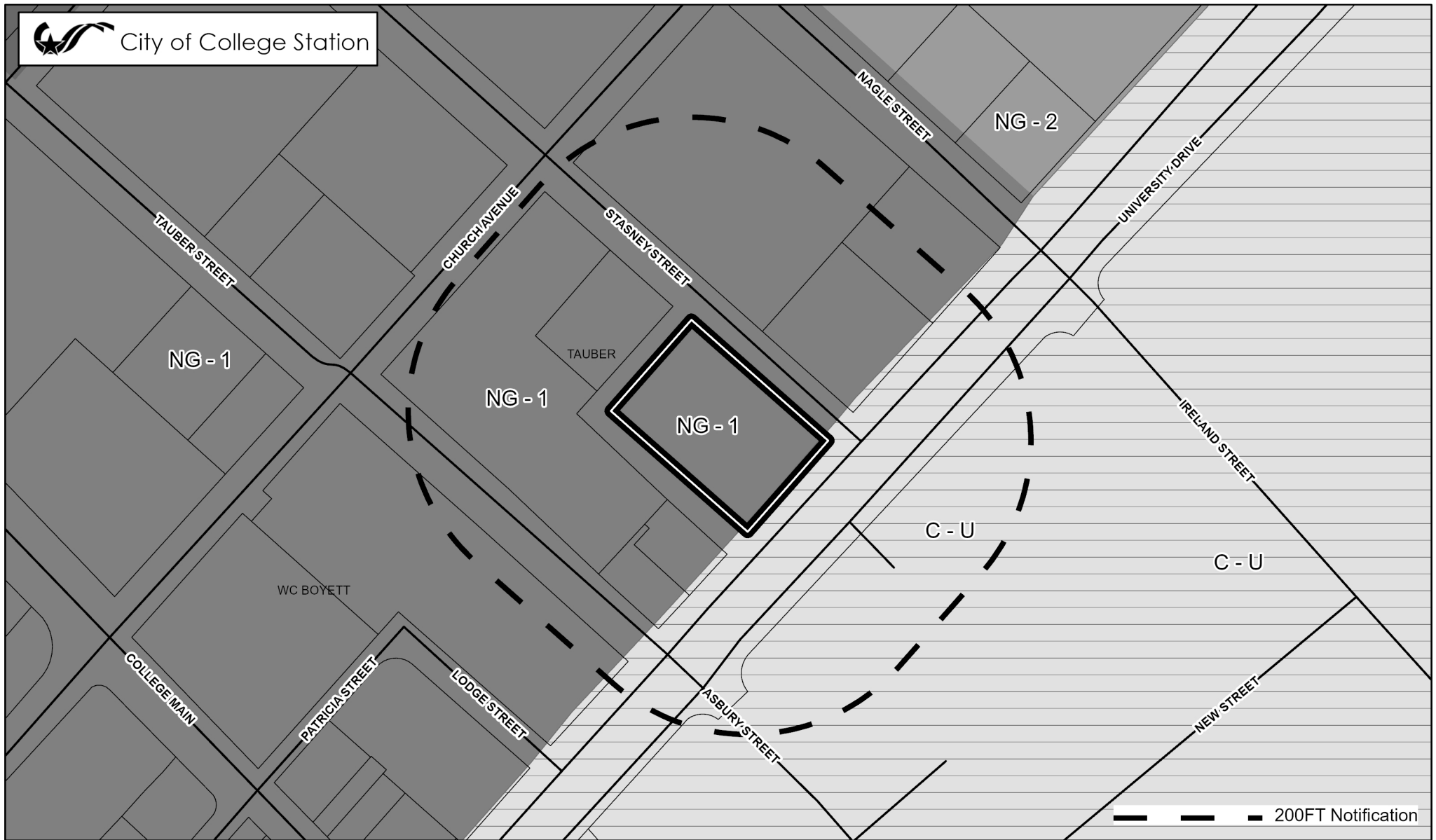


0 130 260 Feet

509 UNIVERSITY DR - HEIGHT VARIANCE

Case:
AWV2022-000016

APPEALS WAIVERS
VARIANCES



ZONING DISTRICTS (In Grayscale)

Residential		
R	Rural	MF Multi-Family
WE	Wellborn Estate	MU Mixed-Use
E	Estate	MHP Manufactured Home Pk.
WRS	Wellborn Restricted Suburban	
RS	Restricted Suburban	
GS	General Suburban	
D	Duplex	
T	Townhome	

Non-Residential	
NAP	Natural Area Protected
O	Office
SC	Suburban Commercial
WC	Wellborn Commercial
GC	General Commercial
CI	Commercial Industrial
BP	Business Park
BPI	Business Park Industrial
C-U	College and University

Planned Districts	
P-MUD	Planned Mixed-Use Dist.
PDD	Planned Develop. Dist.

Design Districts	
WPC	Wolf Pen Creek Dev. Cor.
NG-1	Core Northgate
NG-2	Transitional Northgate
NG-3	Residential Northgate

Overlay Districts	
OV	Corridor Ovr.
RDD	Redevelopment District
ROO	Restricted Occupancy Ovr.
NPO	Nbrhd. Prevailing Ovr.
NCO	Nbrhd. Conservation Ovr.
HP	Historic Preservation Ovr.

Retired Districts	
R-1B	Single Family Residential
R-4	Multi-Family
R-6	High Density Multi-Family
C-3	Light Commercial
RD	Research and Dev.
M-1	Light Industrial
M-2	Heavy Industrial



0 130 260 Feet

509 UNIVERSITY DR - HEIGHT VARIANCE

Case:
AWV2022-000016

**APPEALS WAIVERS
VARIANCES**



APPEAL/WAIVER APPLICATION SUPPORTING INFORMATION

Name of Project: 509 UNIVERSITY DR - HEIGHT VARIANCE

Address: 509 UNIVERSITY DR

Legal Description: TAUBER, BLOCK 5, LOT 2

Applicant: CA VENTURES

Property Owner: COOLEY PROPERTIES LLC

Applicable ordinance section being appealed/seeking waiver from:

Easterwood Field Airport Zoning Ordinance regarding height limitations

The following specific variation to the ordinance is requested:

Variation to construct building at 220ft above AGL

The following special condition exists:

The subject parcel, 509 University, is located in the heart of Northgate and directly across the street from Texas A&M University in an urban dense zone in the city of College Station. The 509 University project team is seeking a variance to update and improve the current conditions of the parcel by constructing a new mixed-use apartment building which will bring residential units and commercial space to this urban core location. The proposed project's height was recently approved by the FAA and will be comparable in height with other residential developments (also approved by the FAA and Easterwood Airport) constructed in the Northgate Urban Zone. The delivery of residential units and ground floor commercial space along University Ave will benefit all College Station residents compared to what is on site currently making for an improved pedestrian experience. Additionally, the project will look to contribute to Northgate's unique "campus neighborhood" which contains local businesses, churches, and off-campus housing in close proximity to the University.

The unnecessary hardship(s) involved by meeting the provisions of the ordinance other than financial hardship is/are:

We consider this parcel's constraints a hardship to the proposed project and its ability to fully comply with the Northgate Design District (NG) and the concepts related to the Traditional Neighborhood Development (TND) standards. If the variance is approved, the 509 University parcel will uphold Northgate's design standards and will produce the district's intended end result: a unique, pedestrian-friendly, dense urban environment that allows citizens of College Station and students of Texas A&M to safely eat, work, live, and recreate in an area

within close proximity to the University.

The following alternatives to the requested variance are possible:

N/A

The variance will not be contrary to public interest due to:

The project team is requesting a variance on the parcel to safely house the required parking spaces per the zoning code. Due to the parcel's dimensional constraints and small acreage, the project will not be able to adequately provide the required parking spaces onsite without the approved variance. With this variance, the project will be able to house all the required parking in a parking structure within the parcel mitigating any need for offsite parking. An approved variance will improve the project's compliance with Northgate design standards and preferences and will provide the project's patrons with the safest means to ingress/egress within the parcel's boundaries.



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-10194-OE
Prior Study No.
2022-ASW-5682-OE

Issued Date: 07/05/2022

Henry Dickson
CASL Holdings, LLC
130 E Randolph Street
Suite #2100
Chicago, IL 60601

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Texas A&M Apartments - CS - North Corner
Location:	College Station, TX
Latitude:	30-37-12.05N NAD 83
Longitude:	96-20-40.42W
Heights:	346 feet site elevation (SE) 220 feet above ground level (AGL) 566 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
 X Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 01/05/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before August 04, 2022. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Rules and Regulations Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on August 14, 2022 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Rules and Regulations Group via telephone – 202-267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-10194-OE.

Signature Control No: 527937415-541366697

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

MSL = Mean Sea Level

NM = Nautical Mile

RWY = Runway

NEH = No Effect Height

Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building project is composed of four studies that represent the four corners of the building, located approximately 2.12 nm northeast of the airport reference point, is within the protected surfaces at Easterwood Field (CLL), College Station, TX.

This project has been refiled based on updated findings from having a 2C survey submitted that corrected the coordinates and heights as well as lessen the impact.

The four new studies are:

Aeronautical Study AGL / MSL Direct Distance from runway end 16

2022-ASW-10194-OE 220 / 566 10266 feet / 1.68 nm

2022-ASW-10197-OE 220 / 572 10120 feet / 1.66 nm

2022-ASW-10198-OE 220 / 569 10151 feet / 1.67 nm

2022-ASW-10201-OE 220 / 569 10235 feet / 1.68 nm

This project is being circulated for public comment. 2022-ASW-10197-OE is the tallest and closest study to CLL and will represent the building.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

2022-ASW-10194-OE exceeds by 20 feet.

2022-ASW-10197-OE exceeds by 20 feet.

2022-ASW-10198-OE exceeds by 20 feet.

2022-ASW-10201-OE exceeds by 20 feet.

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2022-ASW-10197-OE exceeds by 102 feet.

77.19 (b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

2022-ASW-10194-OE exceeds by 90 feet.

2022-ASW-10198-OE exceeds by 98 feet.

2022-ASW-10201-OE exceeds by 94 feet.

****Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.**

The proposal was circularized for public comment on 05/24/2022 to 4298 email respondents with zero response returned.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

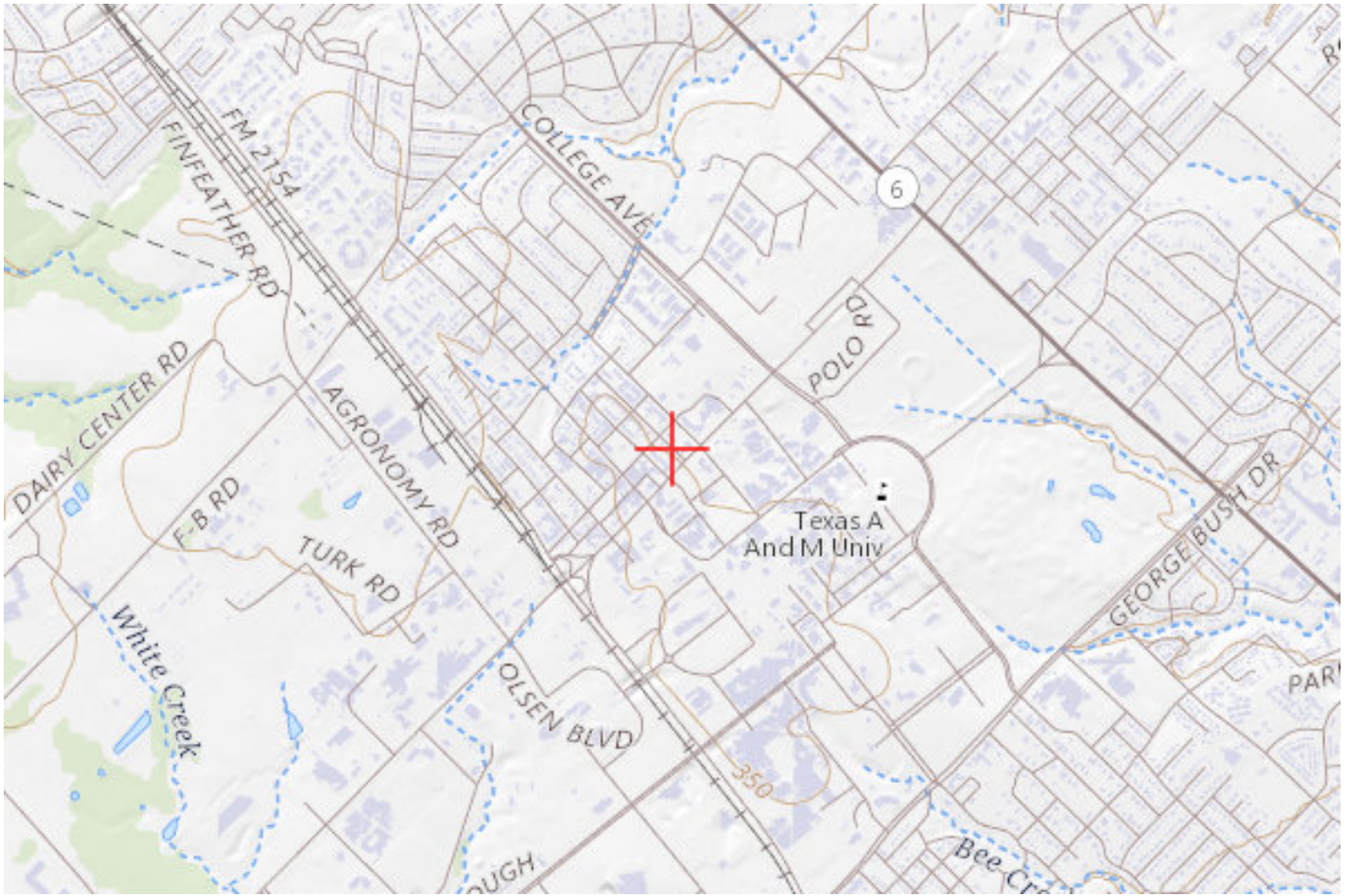
AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports. While the structure would be located within the airport traffic pattern area lateral boundaries for CLL, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Apartment Building







Mail Processing Center
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Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-10197-OE
Prior Study No.
2022-ASW-5679-OE

Issued Date: 07/05/2022

Henry Dickson
CASL Holdings, LLC
130 E Randolph Street
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**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Texas A&M Apartments - CS - South Corner
Location:	College Station, TX
Latitude:	30-37-09.97N NAD 83
Longitude:	96-20-39.88W
Heights:	352 feet site elevation (SE) 220 feet above ground level (AGL) 572 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 01/05/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

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This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

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structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-10197-OE.

Signature Control No: 527940200-541366698

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

MSL = Mean Sea Level

NM = Nautical Mile

RWY = Runway

NEH = No Effect Height

Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building project is composed of four studies that represent the four corners of the building, located approximately 2.12 nm northeast of the airport reference point, is within the protected surfaces at Easterwood Field (CLL), College Station, TX.

This project has been refiled based on updated findings from having a 2C survey submitted that corrected the coordinates and heights as well as lessen the impact.

The four new studies are:

Aeronautical Study AGL / MSL Direct Distance from runway end 16

2022-ASW-10194-OE 220 / 566 10266 feet / 1.68 nm

2022-ASW-10197-OE 220 / 572 10120 feet / 1.66 nm

2022-ASW-10198-OE 220 / 569 10151 feet / 1.67 nm

2022-ASW-10201-OE 220 / 569 10235 feet / 1.68 nm

This project is being circulated for public comment. 2022-ASW-10197-OE is the tallest and closest study to CLL and will represent the building.

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2022-ASW-10194-OE exceeds by 20 feet.

2022-ASW-10197-OE exceeds by 20 feet.

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77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

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77.19 (b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

2022-ASW-10194-OE exceeds by 90 feet.

2022-ASW-10198-OE exceeds by 98 feet.

2022-ASW-10201-OE exceeds by 94 feet.

****Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.**

The proposal was circularized for public comment on 05/24/2022 to 4298 email respondents with zero response returned.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
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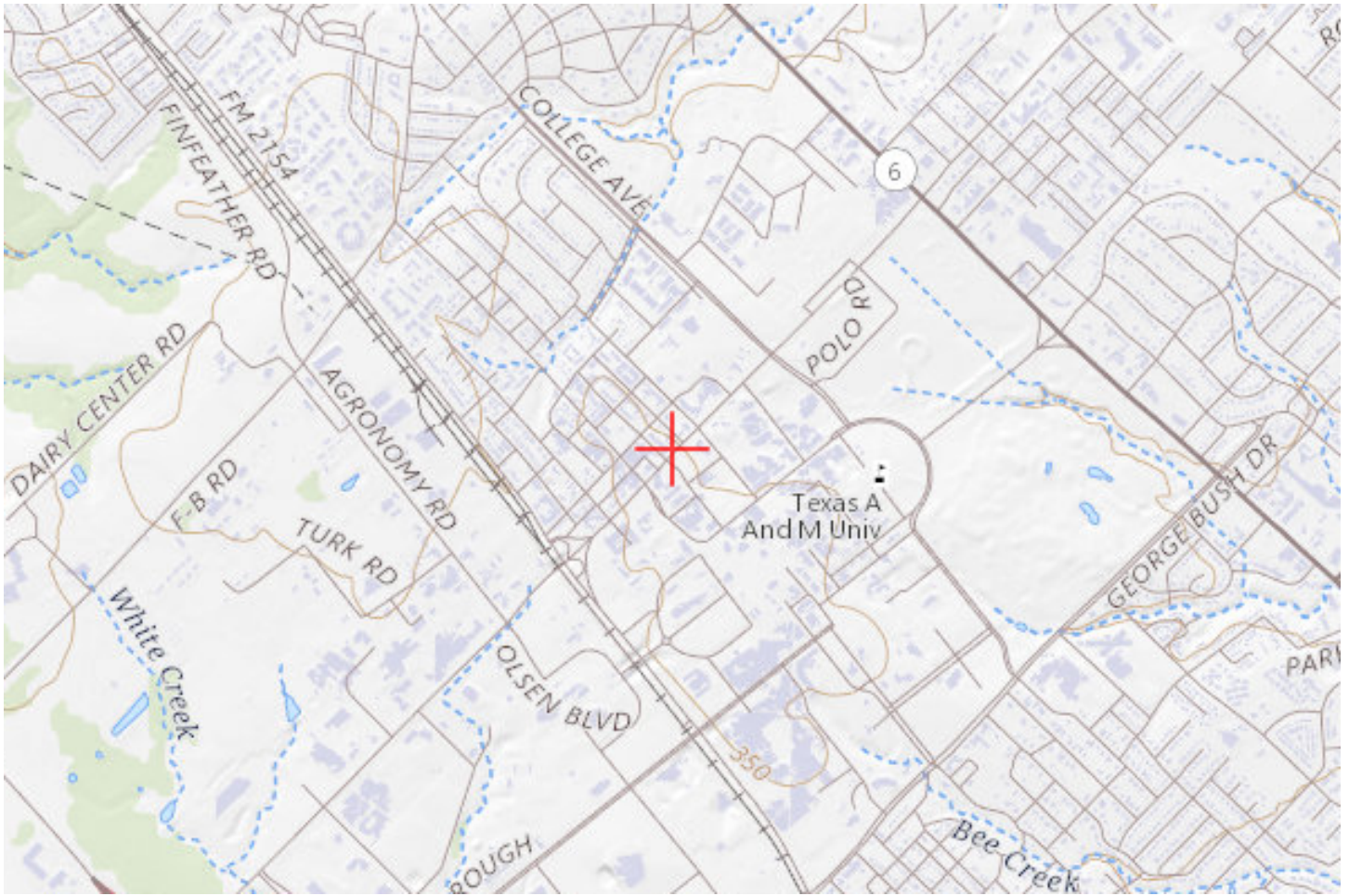
AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
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The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Apartment Building







Mail Processing Center
Federal Aviation Administration
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Obstruction Evaluation Group
10101 Hillwood Parkway
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Aeronautical Study No.
2022-ASW-10198-OE
Prior Study No.
2022-ASW-5680-OE

Issued Date: 07/05/2022

Henry Dickson
CASL Holdings, LLC
130 E Randolph Street
Suite #2100
Chicago, IL 60601

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Texas A&M Apartments - CS - West Corner
Location:	College Station, TX
Latitude:	30-37-11.21N NAD 83
Longitude:	96-20-41.35W
Heights:	349 feet site elevation (SE) 220 feet above ground level (AGL) 569 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

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If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-10198-OE.

Signature Control No: 527941549-541366695

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

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This project has been refiled based on updated findings from having a 2C survey submitted that corrected the coordinates and heights as well as lessen the impact.

The four new studies are:

Aeronautical Study AGL / MSL Direct Distance from runway end 16

2022-ASW-10194-OE 220 / 566 10266 feet / 1.68 nm

2022-ASW-10197-OE 220 / 572 10120 feet / 1.66 nm

2022-ASW-10198-OE 220 / 569 10151 feet / 1.67 nm

2022-ASW-10201-OE 220 / 569 10235 feet / 1.68 nm

This project is being circulated for public comment. 2022-ASW-10197-OE is the tallest and closest study to CLL and will represent the building.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(2) A height that is 200 feet AGL, or above the established airport elevation, whichever is higher, within 3 nautical miles of the established reference point of an airport with its longest runway more than 3,200 feet in actual length, and that height increases in the proportion of 100 feet for each additional nautical mile from the airport up to a maximum of 499 feet.

2022-ASW-10194-OE exceeds by 20 feet.

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2022-ASW-10198-OE exceeds by 20 feet.

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77.19 (a) Horizontal surface. A horizontal plane 150 feet above the established airport elevation.

2022-ASW-10197-OE exceeds by 102 feet.

77.19 (b) Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

2022-ASW-10194-OE exceeds by 90 feet.

2022-ASW-10198-OE exceeds by 98 feet.

2022-ASW-10201-OE exceeds by 94 feet.

****Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.**

The proposal was circularized for public comment on 05/24/2022 to 4298 email respondents with zero response returned.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

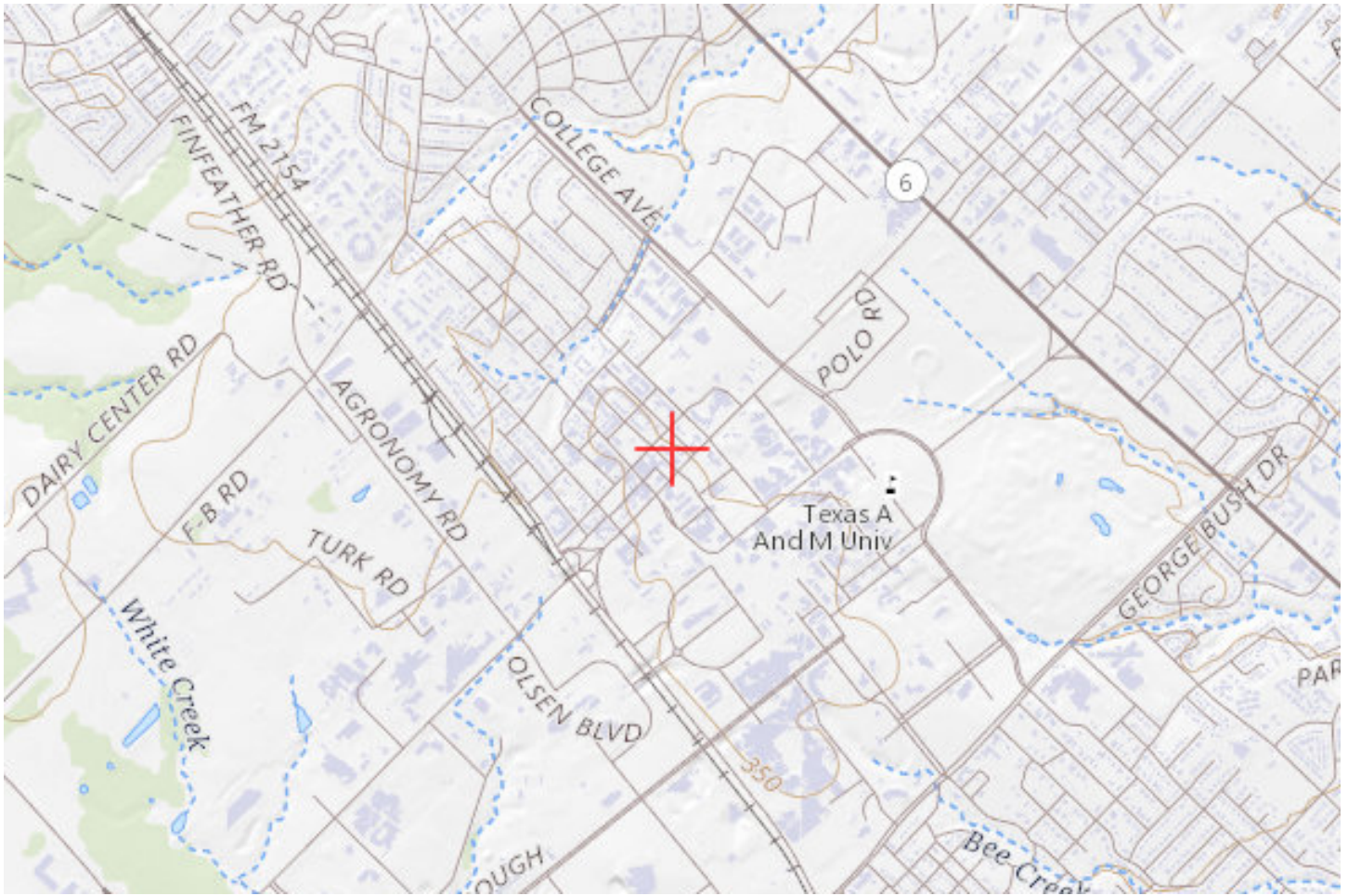
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- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports. While the structure would be located within the airport traffic pattern area lateral boundaries for CLL, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Apartment building







Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2022-ASW-10201-OE

Issued Date: 07/05/2022

Jose De la Maza
CASL Holdings, LLC
130 E Randolph St Suite 2100
Chicago, IL 60601

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Texas A&M Apartments - CS - East Corner
Location:	College Station, TX
Latitude:	30-37-10.80N NAD 83
Longitude:	96-20-38.95W
Heights:	349 feet site elevation (SE) 220 feet above ground level (AGL) 569 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

This determination expires on 01/05/2024 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before August 04, 2022. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager of the Rules and Regulations Group. Petitions can be submitted via mail to Federal Aviation Administration, 800 Independence Ave, SW, Washington, DC 20591, via email at OEPetitions@faa.gov, or via facsimile (202) 267-9328.

This determination becomes final on August 14, 2022 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Rules and Regulations Group via telephone – 202-267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed

structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2022-ASW-10201-OE.

Signature Control No: 527942655-541366696

(DNH)

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Map(s)

Abbreviations

AGL = Above Ground Level

MSL = Mean Sea Level

NM = Nautical Mile

RWY = Runway

NEH = No Effect Height

Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that this proposed building project is composed of four studies that represent the four corners of the building, located approximately 2.12 nm northeast of the airport reference point, is within the protected surfaces at Easterwood Field (CLL), College Station, TX.

This project has been refiled based on updated findings from having a 2C survey submitted that corrected the coordinates and heights as well as lessen the impact.

The four new studies are:

Aeronautical Study AGL / MSL Direct Distance from runway end 16

2022-ASW-10194-OE 220 / 566 10266 feet / 1.68 nm

2022-ASW-10197-OE 220 / 572 10120 feet / 1.66 nm

2022-ASW-10198-OE 220 / 569 10151 feet / 1.67 nm

2022-ASW-10201-OE 220 / 569 10235 feet / 1.68 nm

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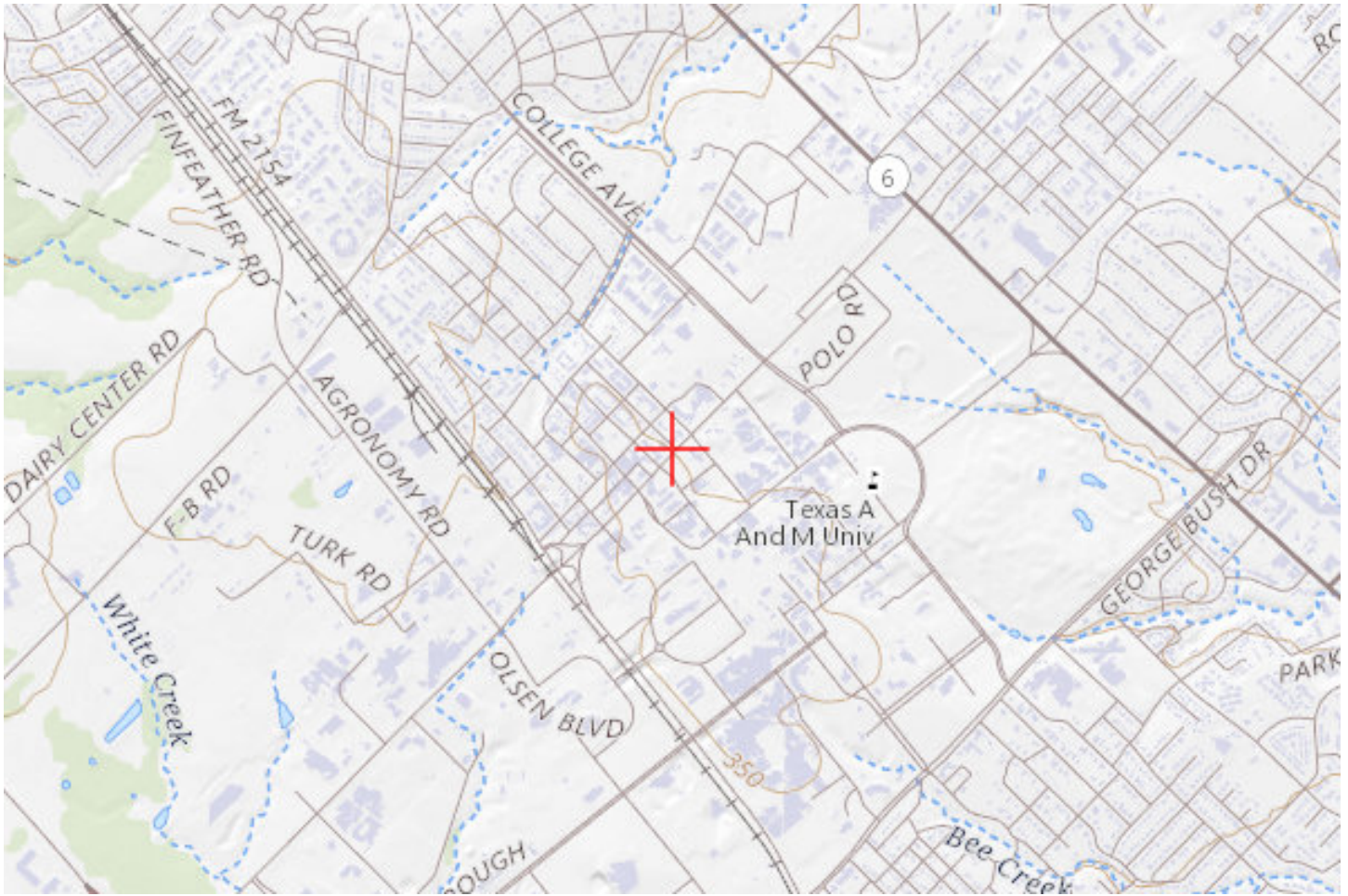
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Apartment building







Easterwood Airport Management
1 McKenzie Terminal Blvd,
College Station, TX 77845

September 29, 2022

Anthony Armstrong, P.E., CFM,
Land Development Review Administrator
City Of College Station
1101 Texas Ave.
College Station, TX 77840

Re: 509 University Drive, Building Height Variance (Project No. AWV2022-000016)

Dear Mr. Armstrong:

Easterwood Management has reviewed the application for a height variance for the construction of a 220 foot tall building at 509 University Drive as well as the FAA letter of "Determination of No Hazard to Air Navigation."

Easterwood Airport Management has no objection to granting this height variance, so long as the builder complies with the conditions outlined in the FAA Letters.

Respectfully,

Kevin Davis
Easterwood Airport Management

From: [Anthony Armstrong](#)
To: [Gabriel Schrum](#)
Subject: FW: 509 University Drive building height variance (Project No. AWW2022-000016)
Date: Thursday, September 29, 2022 3:13:12 PM
Attachments: [Height Variance Letter 509 University Dr.pdf](#)

FYI, please upload it to the project

Anthony Armstrong, P.E., CFM
Land Development Review Administrator
Planning and Development Services
City of College Station
Work: (979) 764-3758
Email: aarmstrong@cstx.gov

From: O'Neill, John <joneill@tamus.edu>
Sent: Thursday, September 29, 2022 1:54 PM
To: Anthony Armstrong <aarmstrong@cstx.gov>; Molly Hitchcock <mhitchcock@cstx.gov>
Subject: 509 University Drive building height variance (Project No. AWW2022-000016)

***** This is an email from an EXTERNAL source. DO NOT click links or open attachments without positive sender verification of purpose. Never enter USERNAME, PASSWORD or sensitive information on linked pages from this email. *****

Anthony,

The Texas A&M University System (TAMUS) relies on the expertise of the Easterwood Airport Management (EAM) team and the Federal Aviation Administration (FAA) to determine the impacts of height variance requests which would or could affect the airport's operations.

At this time, the EAM team has no objections to granting a building height variance, and the FAA has made determinations that NO HAZARD TO AIR NAVIGATION is present for the building height variance requested for 509 University Drive.

In consultation with the EAM team, the TAMU System has no objections based on the determinations made by our subject matter experts in the field, as long as the builder complies with the conditions outlined in the FAA letters.

Thanks and should you need anything else, please feel free to contact me,

John

John J. O'Neill, MBA | Executive Director, Business Affairs
System Risk Management
joneill@tamus.edu

1262 TAMU | College Station, TX 77840-7896
Tel. 979.458.6234 | Fax 979.458.6247 | www.tamus.edu

Moore/Connally Building
301 Tarrow St., 5th Floor
College Station, TX 77840-7896

Building Height Exhibit

509 University Dr - College Station, TX

