



College Station, TX

Meeting Agenda Zoning Board of Adjustment

1101 Texas Avenue, College Station, TX 77840

Internet: www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: 259 645 488 752 | Passcode: cPpB92

Phone: 833-240-7855 | Phone Conference: 947 336 910#

The City Council may or may not attend this meeting.

October 1, 2024

6:00 PM

Council Chambers

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. June 4, 2024

2.2. Public Hearing, presentation, discussion, and possible action regarding a height variance to the Airport Zoning Ordinance for the property located at A002601, John H Jones (ICL), Tract 14 CS, being 8.458 Acres, generally located at 8699 Turkey Creek Rd. The property is zoned R - Rural. Case #AWV2024-000012

Sponsors: Gabriel Schrum

Attachments:

1. Staff Report
2. Vicinity Map, Aerial, and Small Area Map
3. Applicants Supporting Information
4. Federal Aviation Administration Documentation for Crane
5. Easterwood Airport Management Documentation
6. TAMU System Documentation
7. 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 September 27, 2024 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
June 4, 2024**

MEMBERS PRESENT: Chairperson Bill Lartigue, Board Members Michael Martinez, James Hutchins, Kevin Bishop, and Justin Collins

CITY STAFF PRESENT: Director of Planning and Development Services Anthony Armstrong, Assistant City Attorney Gavin Midgley, Staff Planners Jesse Dimelo, Engineer I Lucas Harper, Long Range Planning Administrator Christine Leal, Principal Planner Heather Wade, Technology Service Specialist Trey Bransom, and Staff Assistant II Crystal Fails

1. Call meeting to order.

Chairperson Lartigue called the meeting to order at 6:00 p.m.

2. **Agenda Items**

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

Board Member Martinez motioned to approve the meeting minutes from May 7, 2024, Board Member Collins seconded the motion, the motion passed 5-0.

- 2.2. Public Hearing, presentation, discussion, and possible action regarding a height variance to the Airport Zoning Ordinance for the property located at Valley Park Center Subdivision, Lot 3R, generally located at 404 Harvey Mitchell Parkway South. The property is zoned PDD Planned Development District. Case #AWV2024-000007

Staff Planner Dimelo presented the item to the Board and stated that the applicant is requesting a temporary 58-foot height variance to the Airport Zoning Ordinance to allow for a crane for the construction of a multi-family residential building.

Staff recommended approval of the request due to the fact that it 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 Collins asked the applicant if there was an alternative solution where a crane variance would not be necessary.

Anthony Finley, 6850 Robinson Canyon Road, Aubry, Texas, applicant, stated that they had started with a 200-foot crane. They reduced it for the Federal Aviation Administration (FAA), Easterwood Airport and Texas A&M University to all come to an agreement for the use of the crane to build the parking garage.

Chairperson Lartigue opened the public hearing.

No one spoke during the public hearing.

Chairperson Lartigue closed the public hearing.

Board Member Martinez 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 Adjustment’s jurisdiction, Board Member Collins seconded the motion, the motion passed 5-0.

- 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 on future agenda items.

- 4. Adjourn.

The meeting adjourned at 6:09 p.m.

Approved:

Attest:

Bill Lartigue, Chairperson

Crystal Fails, Board Secretary



**AIRPORT ZONING BOARD OF
ADJUSTMENT AIRPORT HEIGHT VARIANCE
REQUEST
FOR
8699 TURKEY CREEK
RD AWW2024-000012**

REQUEST: Crane Height variance to the Easterwood Airport Zoning Ordinance

LOCATION: 8699 Turkey Creek Road
A002601, John H Jones (ICL), Tract 14 CS, 8.458 Acres

ZONING: R - Rural

PROPERTY OWNER: KINMAN GERALD L

APPLICANT: Mastec Network Solutions

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

RECOMMENDATION: Approval

BACKGROUND: The applicant is proposing a temporary crane to work on an existing cell tower site at 8699 Turkey Creek Road, generally located northwest of the intersection of Turkey Creek Road and Raymond Stotzer Frontage Road. This property fronts Turkey Creek Road and abuts the Memorial Cemetery of College Station in the rear. The work on the cell site's antenna tower will require the use of a crane proposed to operate to the height of 490' Above Mean Sea Level (AMSL) or 170' 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).

With the limitation of 470.6 feet above mean sea level, the applicant is requesting a height variance of approximately 20 feet, to allow for the crane to operate at 490 feet Above Mean Sea Level. The crane is anticipated to be located here for approximately a week maximum to conduct the necessary work.

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: October 1, 2024
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	R – Rural	Single-Family
East	R - Rural	Aggieland Field of Honor and Memorial Cemetery
South	MF - Multi Family	Undeveloped
West	R – Rural	Single-Family

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 of 20 feet is to allow for the use of a temporary tower crane for work that is needed on an existing Cell Site Antenna Tower. The crane will sit at approximately 170 feet Above Ground Level (AGL) or 490 feet Above Mean Sea Level (AMSL). The Easterwood Airport Management (EAM) team has no objections to granting a height variance for the tower crane. 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 Structures is present for the crane. In consultation with the EAM team, the TAMU System has no

objections to the granting of a variance for the use of the tower crane.

Allowing the height encroachment for the 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, Easterwood 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

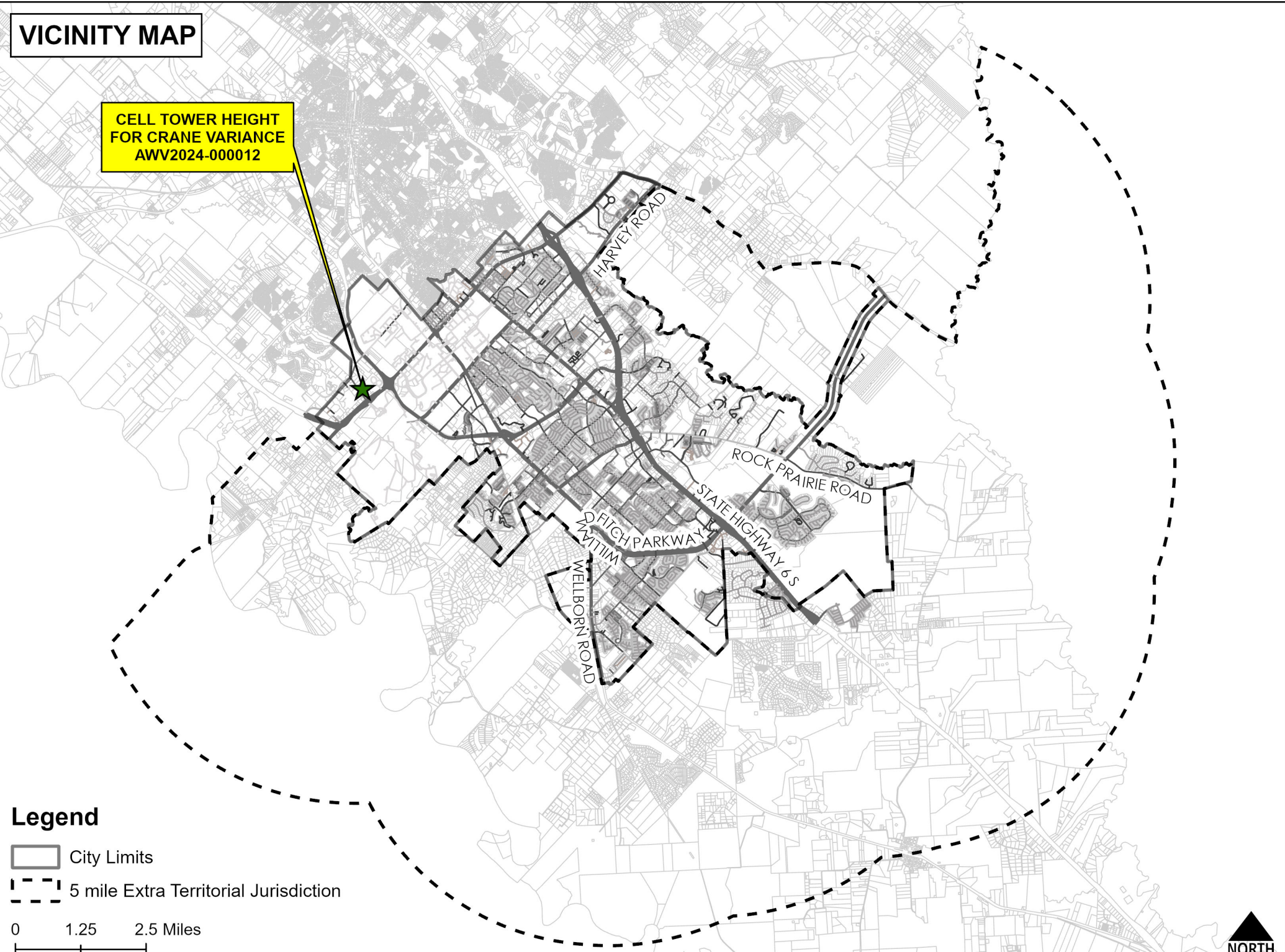
After reviewing the request and the related criteria, the information provided by the FAA, EAM and TAMUS, staff recommends approval of the request. The granting of the variance would result in substantial justice being done without being contrary to the public interest, and the spirit of the regulation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

ATTACHMENTS

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

VICINITY MAP

CELL TOWER HEIGHT
FOR CRANE VARIANCE
AWV2024-000012

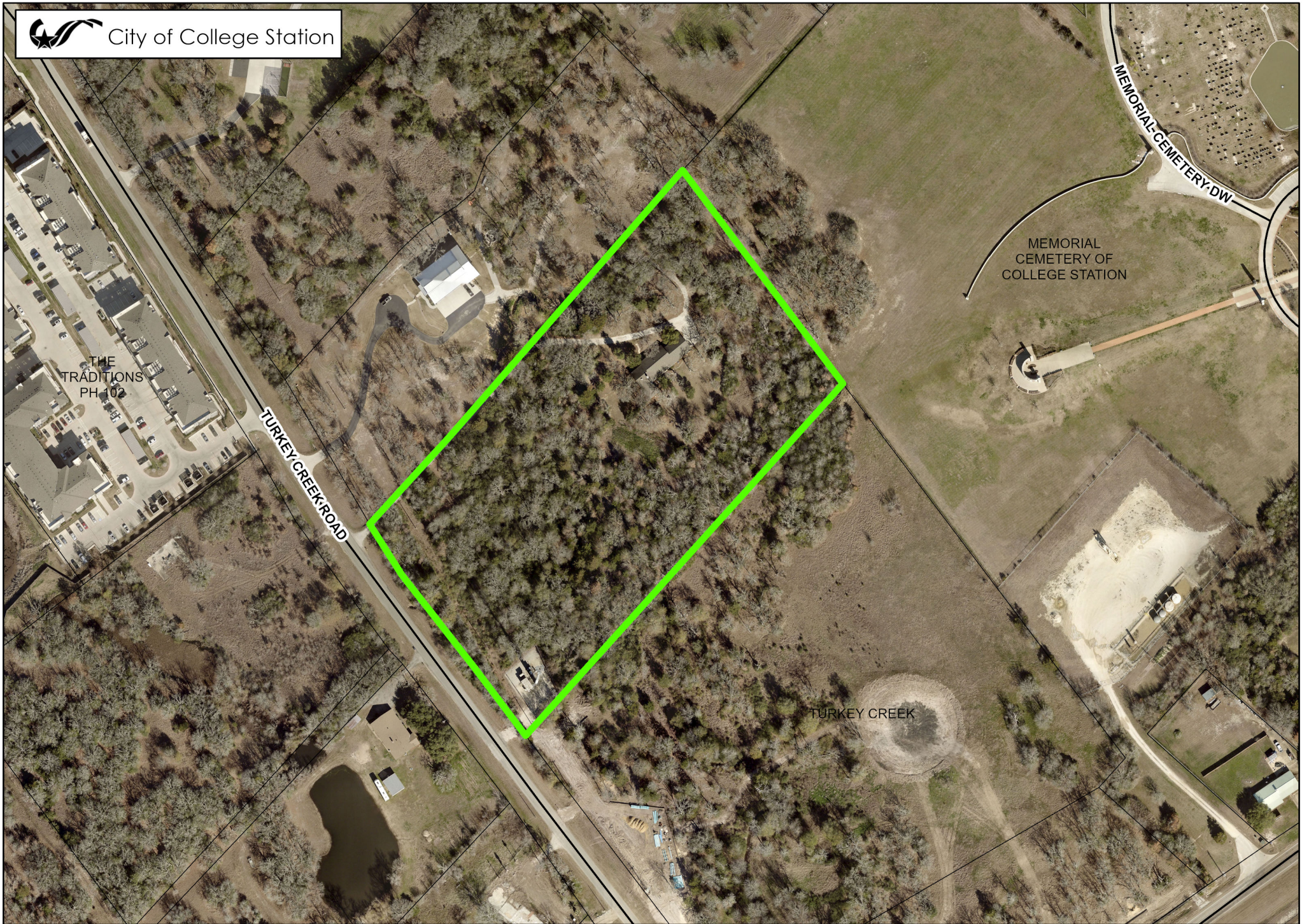


Legend

- City Limits
- 5 mile Extra Territorial Jurisdiction

0 1.25 2.5 Miles

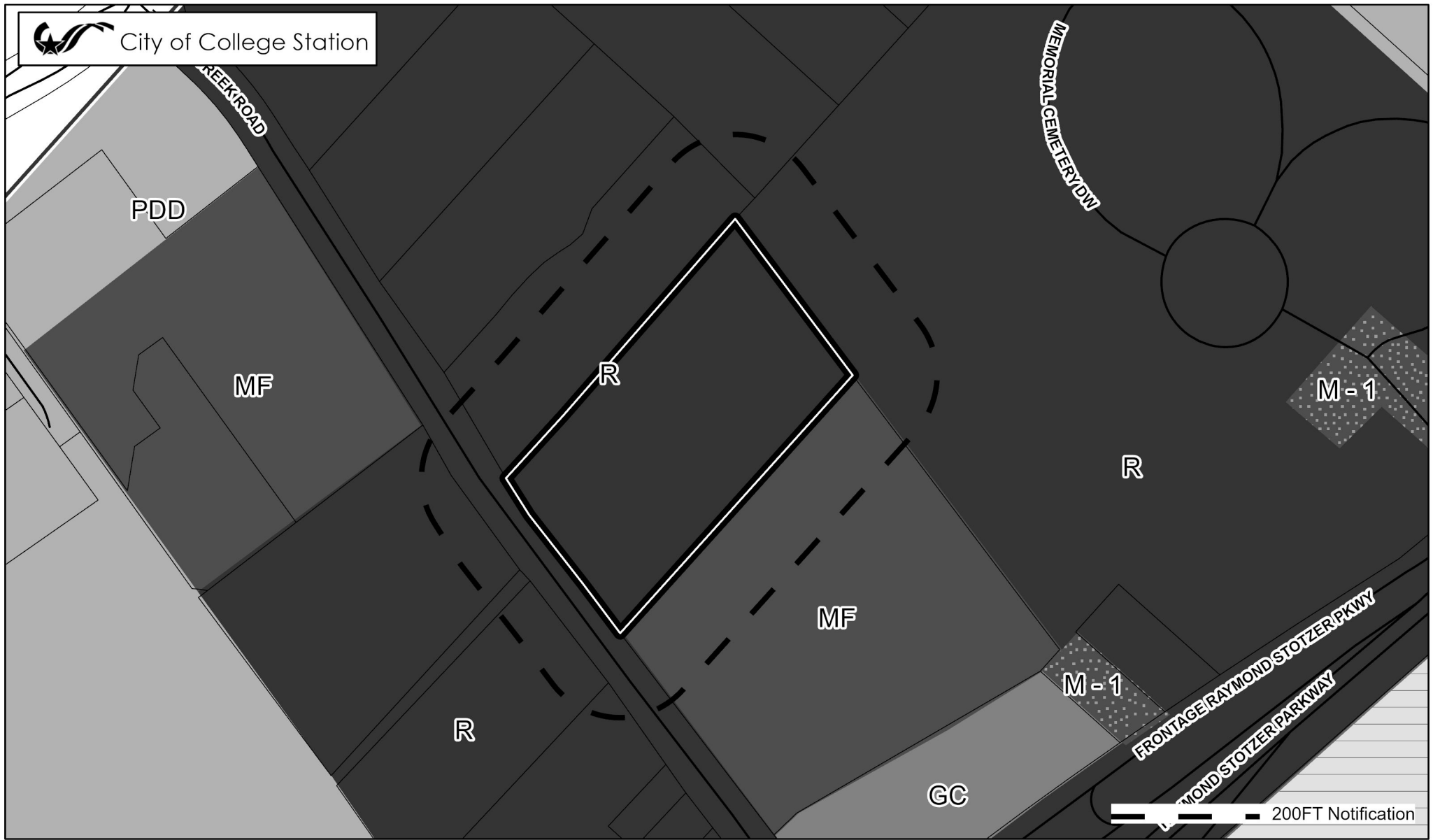




0 212.5 425 Feet

**CELL TOWER HEIGHT
FOR CRANE VARIANCE**

Case: APPEALS WAIVERS VARIANCES
AWV2024-000012



ZONING DISTRICTS (In Grayscale)

Residential		MH	Middle Housing
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
HOO	High Occupancy Ovr.
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



0 320 640 Feet

**CELL TOWER HEIGHT
FOR CRANE VARIANCE**

Case: APPEALS WAIVERS VARIANCES
AWV2024-000012



APPEAL/WAIVER APPLICATION SUPPORTING INFORMATION

Name of Project: CELL TOWER HEIGHT FOR CRANE VARIANCE (AWV2024-000012)

Address: 10001 TURKEY CREEK RD

Legal Description: A002601, JOHN H JONES (ICL), TRACT 11.1 CS, 13.159 ACRES

Applicant: MASTEC NETWORK SOLUTIONS (HOUSTON)

Property Owner: BCS ASHER TURKEY CREEK LP

Applicable ordinance section being appealed/seeking waiver from:

Airport zoning

The following specific variation to the ordinance is requested:

Height variance

The following special condition exists:

Complete work with crane on an existing cell site

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

None

The following alternatives to the requested variance are possible:

None

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

Temporary crane and will be for a week maximum



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

Aeronautical Study No.
2024-ASW-7042-OE

Issued Date: 08/01/2024

Leslie Lindeman
Palm-Tech Consulting, LLC
11365 Little Bear Way
Boca Raton, FL 33428

****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 Easterwood AWW2024-000006
Location:	College Station, TX
Latitude:	30-36-00.35N NAD 83
Longitude:	96-22-22.58W
Heights:	320 feet site elevation (SE) 170 feet above ground level (AGL) 490 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, 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 Air Missions (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 2024-ASW-7042-OE

Signature Control No: 622889545-628818681

(TMP)

Andrew Hollie

Specialist

Additional Condition(s) or Information for ASN 2024-ASW-7042-OE

Proposal: To construct and/or operate a(n) Crane to a height of 170 feet above ground level, 490 feet above mean sea level.

Location: The structure will be located 0.9 nautical miles northwest of CLL Airport reference point.

Case Description for ASN 2024-ASW-7042-OE

Crane for antenna tower.

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

Section 77.17 (a) (3) by 20 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). The proposal would necessitate At 490 AMSL, 4D, Easterwood Fld (CLL) College Station, TX. RNAV (GPS) RWY 11, Amdt 1D, increase LNAV/VNAV DA from 641 to 701, NEH 470 AMSL, W/1A, 641 to 651, NEH 480 AMSL. ///RNAV (GPS) RWY 17, Amdt 1C, increase LNAV/VNAV DA from 637 to 701, NEH 474 AMSL, W/1A, 637 to 651, NEH 476 AMSL.

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

Section 77.19 (a) Horizontal Surface by 20 feet as applied to CLL.

Section 77.19 (d) Approach Surface by 86 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 Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

As a condition to this determination, the temporary structure must be lowered to the ground when not in use and during the hours between sunset and sunrise.

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 AIR MISSIONS (NOTAM) CANCELLATION.

It is required that the manager of EASTERWOOD FLD, (979) 775-9901 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.

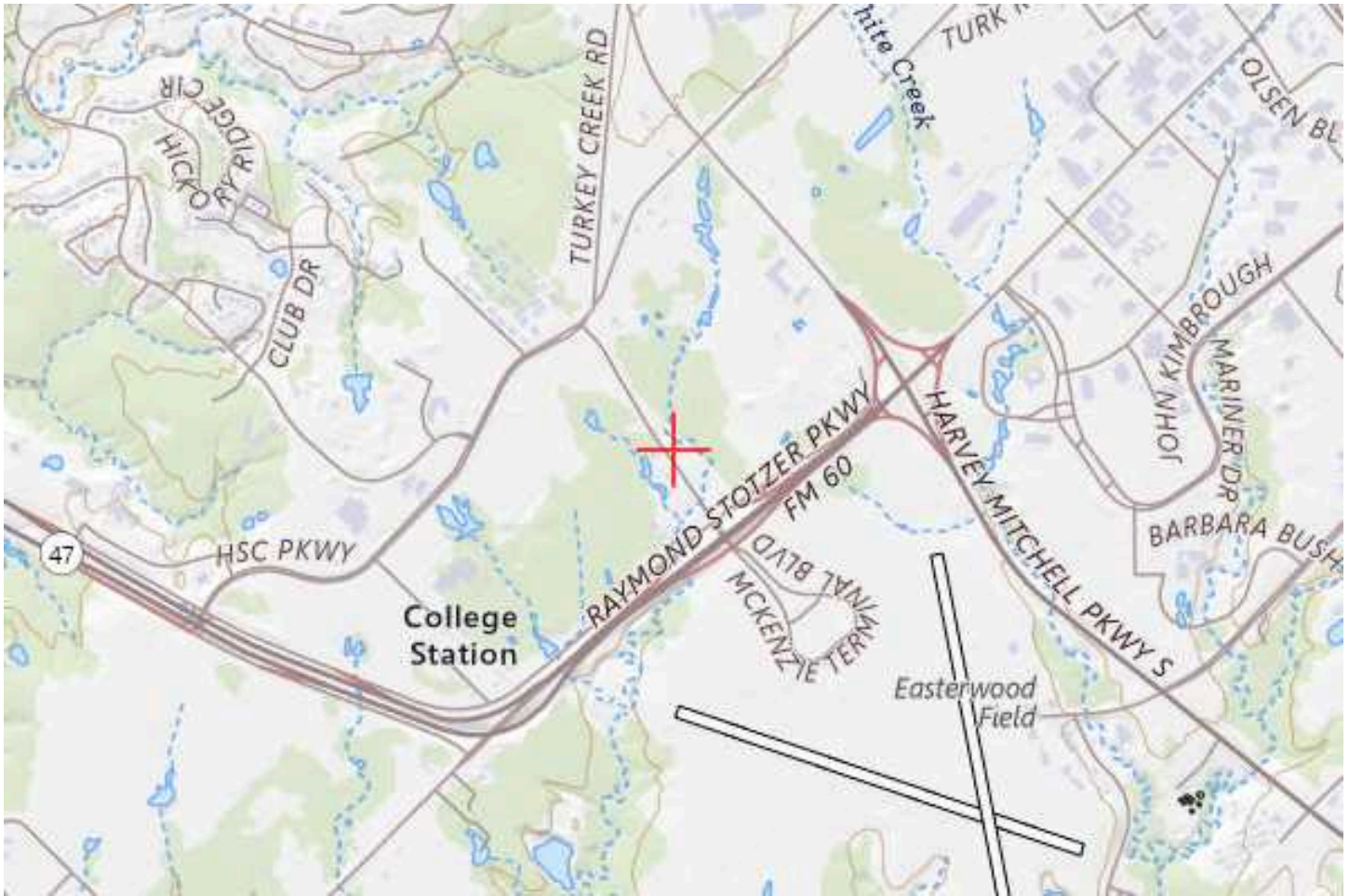
This determination expires on 02/01/2026 unless extended, revised, or terminated by the issuing office.

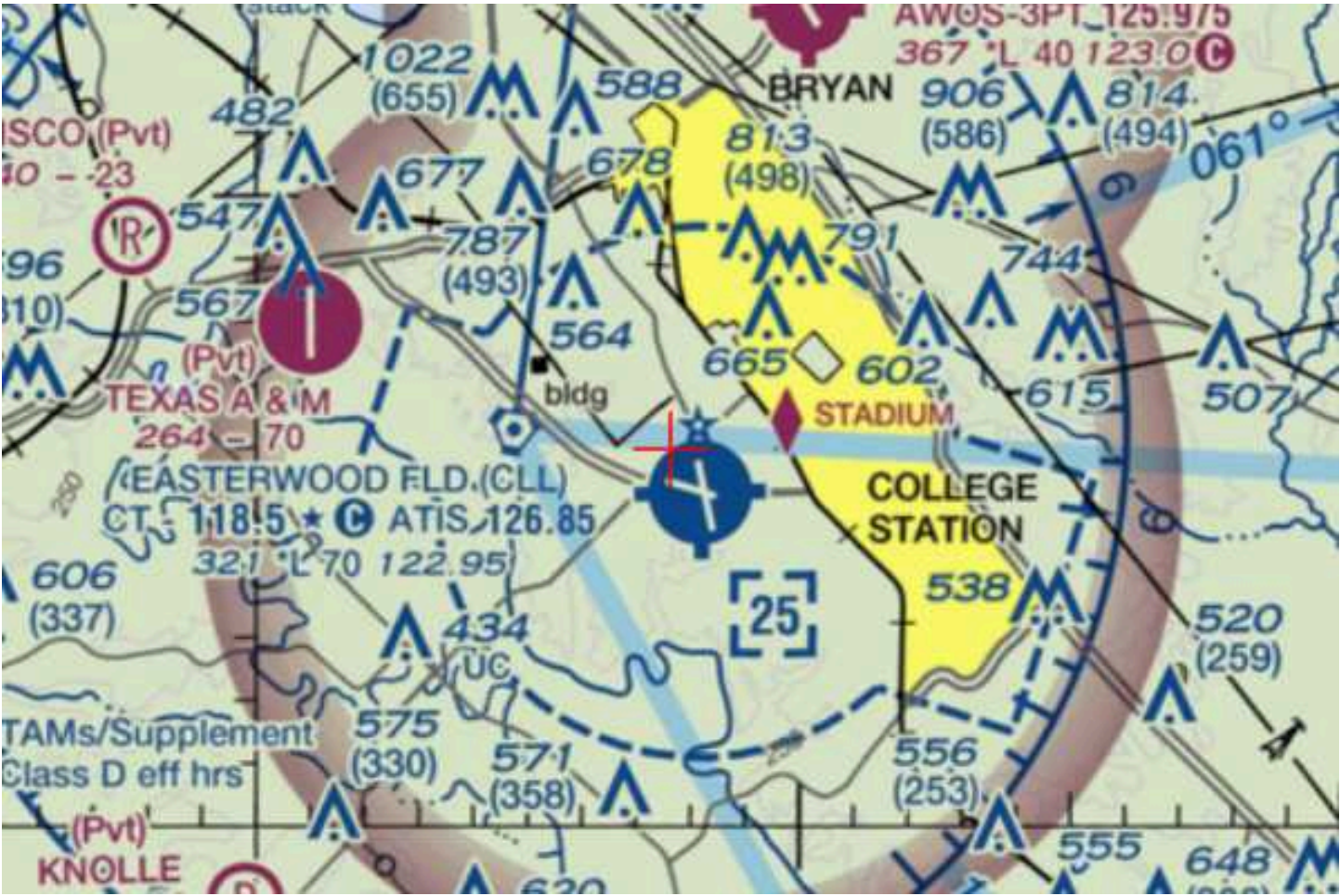
NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE 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 Air Missions (NOTAM) in order to coordinate the following:

At 490 AMSL, 4D, Easterwood Fld (CLL) College Station, TX. RNAV (GPS) RWY 11, Amdt 1D, increase LNAV/VNAV DA from 641 to 701, NEH 470 AMSL, W/1A, 641 to 651, NEH 480 AMSL. ///RNAV (GPS) RWY 17, Amdt 1C, increase LNAV/VNAV DA from 637 to 701, NEH 474 AMSL, W/1A, 637 to 651, NEH 476 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.







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

August 19, 2024

Anthony Armstrong, P.E., CFM,
Planning & Development Services Director
City Of College Station
1101 Texas Ave.
College Station, TX 77840

Re: Mobile Crane Variance for 8699 Turkey Creek Rd – 2024-ASW-7042-OE

Dear Mr. Armstrong:

Easterwood Management has reviewed the application for a height variance for one 170-foot tall temporary crane, at 8699 Turkey Creek Rd, as well as the FAA letter of “Determination of No Hazard to Air Navigation for Temporary Structure.”

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

Respectfully,

Kevin Davis
Easterwood Airport Management

From: [Robin Macias](#)
To: [Gabriel Schrum](#)
Subject: FW: Temporary Crane Variance Letter for Verizon Wireless
Date: Monday, August 26, 2024 1:30:14 PM
Attachments: [Height Variance Letter for Mobile at 8699 Turkey Creek Rd.pdf](#)
[FAA Crane Easterwood AWV2024-000006.pdf](#)
[3D Lift Plan - EASTERWOOD_1.pdf](#)
[3D Lift Plan - EASTERWOOD - CRITICAL WORKSHEET.pdf](#)
[Approved_CDs_CITYCS_RFC_SET_-_TELE2023-000010.pdf](#)

From: O'Neill, John <joneill@tamus.edu>
Sent: Monday, August 26, 2024 1:16 PM
To: Anthony Armstrong <aarmstrong@cstx.gov>; Robin Macias <rmacias@cstx.gov>
Cc: Duron, Joseph <Duron@tamus.edu>
Subject: Temporary Crane Variance Letter for Verizon Wireless

***** 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 Easterwood Airport Management team has no objections to granting the height variance for one 170 foot tall temporary crane at 8699 Turkey Creek Road, so long as the builder complies with the conditions as outlined in the FAA Letter (see attached).

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 all conditions, as outlined, have been met.

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

John

John J. O'Neill, MBA | Executive Director

Business Affairs

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

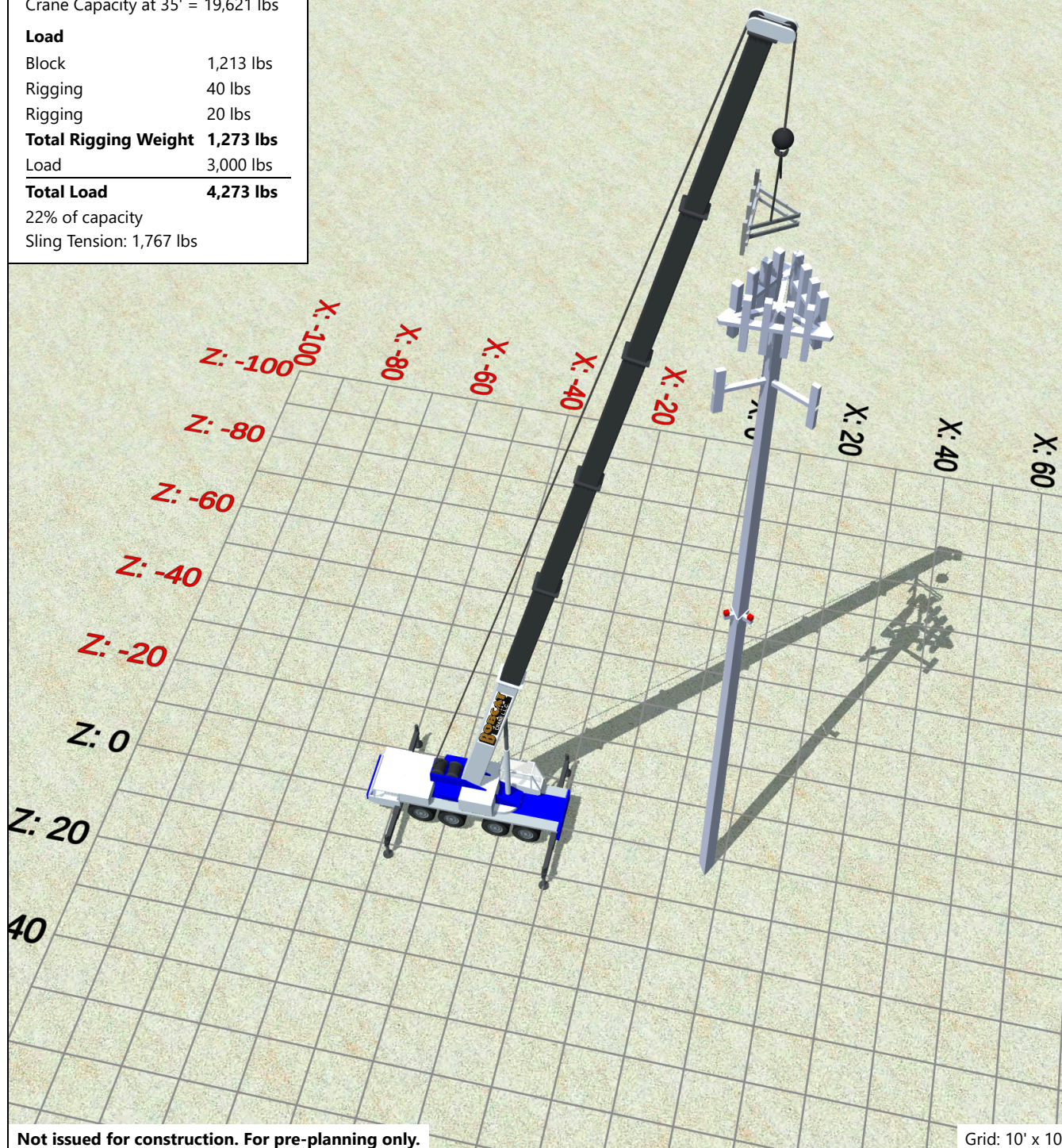
THE TEXAS A&M UNIVERSITY SYSTEM

Tadano ATF90G-4
167.98' Main Boom at 77.2°
Base: On Outriggers
Counterweight: 10.6 t
35' Lift Radius (360°)
Crane Capacity at 35' = 19,621 lbs

Block	1,213 lbs
Rigging	40 lbs
Rigging	20 lbs

Load 3,000 lbs

22% of capacity
Sling Tension: 1,767 lbs



Grid: 10' x 10'



Title	Lift Plan	
Project	EASTERWOOD	
Customer	Mastec	
Description	141 FT TOWER - MAIN BOOM	
Drawn By	james key	8/7/2024