

HISTORIC AND DESIGN REVIEW COMMISSION

December 20, 2023

HDRC CASE NO: 2023-485
ADDRESS: 1223 MARCH AVE
LEGAL DESCRIPTION: NCB 11176 BLK LOT W 148.39 FT OF 21
ZONING: I-2, H
CITY COUNCIL DIST.: 3
DISTRICT: Mission Historic District
APPLICANT: Vincent Huebinger/Vincent Gerard & Associates, Inc.
OWNER: LOZANO ADAM & MARISSA
TYPE OF WORK: Construction of a communications tower
APPLICATION RECEIVED: December 01, 2023
60-DAY REVIEW: January 30, 2023
CASE MANAGER: Edward Hall

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to install one (1) communications monopole to feature an overall height of 74' – 0". The proposed pole is located within the Mission Historic District

APPLICABLE CITATIONS:

Unified Development Code, Section 35-385 – Radio, Television Antennas, and Wireless Communication Systems

Sec. 35-385. Radio, Television Antennas, and Wireless Communication Systems.

- (a) Applicability. The provisions established in this section shall be applied in the manner described below:
- (1) The installation of antenna support structures in nonresidential zones shall be a use permitted by right provided the following requirements are met:
 - A. Radio and television antennas must comply with subsection 35-385(b).
 - B. Wireless communications systems must comply with subsection 35-385(e).
 - (2) The installation of antenna support structures in residential zones shall be a use allowed by specific use authorization provided the following requirements are met:
 - A. Radio and television antennas must comply with subsection 35-385(c).
 - B. Wireless communications systems must comply with subsection 35-385(d).
 - (3) Access to public property in all zoning districts for the purpose of installing wireless communications systems shall be allowed by complying with the requirements of subsection 35-385(f).
 - (4) Wireless communications systems, regardless of the zoning district in which they are installed, must comply with the additional requirements found in subsection 35-385(g).
- (b) Radio and Television Antennas. Radio and television antennas, limited to those used by the federal licensed amateur radio operators, unlicensed citizens band radio operators, and private citizens receiving television signals, including satellite dish antennas, shall be considered as permissible accessory uses in all zoning districts.
- (1) Height. The height of an antenna shall be the total maximum to which it is capable of being raised and shall be measured from the finished grade adjacent to the antenna or antenna support structure if ground-mounted or from the peak of the roof if roof-mounted. Antennas within nonresidential districts shall comply with the height and setback requirements for the particular district. Further, all antennas and antenna support structures shall comply with the height restrictions of the joint airport and airport hazard zoning regulations, of this article. All antennas and antenna support structures shall comply with the height restrictions of the joint airport and airport hazard zoning regulations, division 4 this chapter, (35-331 Airport Hazard Overlay District (AHOD)).
 - (2) Building Permit. A building permit from the department of planning and development services shall be required for the installation of any roof-mounted antennas or antenna support structure over twelve (12) feet above the peak of the roof and any ground-mounted antennas or antenna support structure over twenty-five (25) feet in height. A permit shall be issued only when there is full compliance with this section and the

applicable provisions of the International Building Code. Applications for a permit shall be accompanied by the following in duplicate:

- A. Construction drawings showing the proposed method of installation.
 - B. The manufacturer's recommended installations, if any.
 - C. A diagram to scale showing the location of the antennas, property and setbacks, easements, power lines, and all structures.
 - D. Certification by a structural or civil engineer registered by the State of Texas that the proposed installation complies with the structural requirements of the International Building Code.
- (3) Maintenance. All antennas shall be maintained in good condition and in accordance with the requirements of this section. No additions or modifications shall be made to an antenna, unless it is in conformity with the International Building Code and this section.
 - (4) Historic Landmarks or Historic Districts. The installation of any antenna or antenna support structure within the property of a historic landmark or in a historic district shall require the approval of the historic review board.
 - (5) Uses Not Permitted. Antennas not otherwise permitted under these regulations may be permitted as a specific use permit if the applicant is able to present clear and convincing evidence to the board that the effect of the regulations on the applicant precludes effective communication.
- (c) Radio and Television Antennas in Residential Zoning Districts. In addition to the regulations in subsection (b), the following shall apply to radio and television antennas in residential districts:
Antennas in residential zoning districts shall be located, designed, constructed and maintained in accordance with the following standards:
- (1) Categories Permitted. Antennas may be roof or ground-mounted, freestanding or supported by guy wires, buildings or other structures in compliance with the manufacturer's structural specifications. A ground-mounted antenna shall be any antenna with its base mounted directly in the ground even if such an antenna is supported or attached to the wall of a building.
 - (2) Roof Mounted Antennas.
 - A. The antenna, including support structure, shall not extend higher than fifteen (15) feet above the peak of the roof, except a single vertical pole antenna may extend up to twenty (20) feet above the peak of the roof.
 - B. The antennas or antenna support structure shall be located on the roof portion sloping away from the front of the lot if possible. Otherwise the antennas or antenna support structure shall be located on the rear half of the roof.
 - (3) Ground-Mounted Antennas.
 - A. The antennas, including support structure, shall not exceed seventy (70) feet in height
 - B. The antennas or antenna support structure shall not be located in any required front setback or anywhere in the front yard between the principal building and the front setback.
- (d) Wireless Communication Systems Authorized by Specific Use Authorization. Wireless communication systems shall require specific use authorization in residential zones. Prior to filing a request for a zone change with the zoning commission the following requirements must be met:
- (1) Building Permit. A building permit from the department of development services shall be required for the installation of any antenna support structure or unmanned equipment shelter developed for a wireless communication system. A permit shall be issued only when there is full compliance with this section and the applicable provisions of the International Building Code. Applications for a permit shall be accompanied by the following in duplicate:
 - A. Construction drawings showing the proposed method of installation.
 - B. The manufacturer's recommended installations, if any.
 - C. A diagram to scale showing the location of the antenna, property and setbacks, easements, power lines, and all structures.
 - D. Certification by a structural or civil engineer registered by the State of Texas that the proposed installation complies with the structural requirements of the International Building Code.
 - E. All antennas shall be maintained in good condition and in accordance with the requirements of this section. No additions or modifications shall be made to an antenna, unless it is in conformity with the International Building Code and this section.

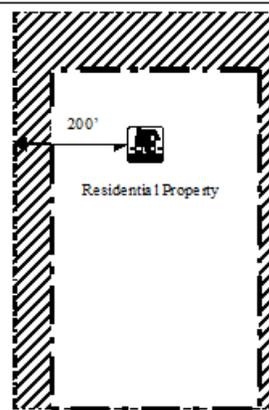
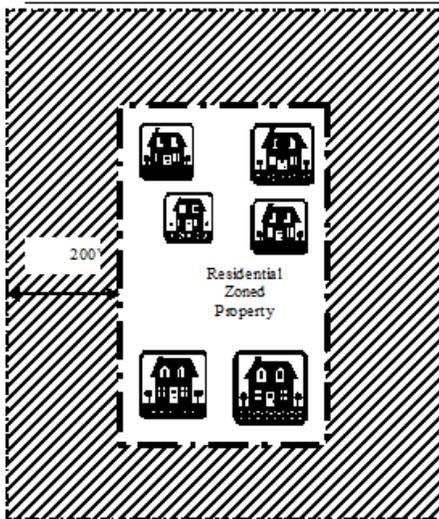
F. All antennas and antenna support structures shall comply with the height restrictions of the joint airport and airport hazard zoning regulations, and the City Code, as applicable.

No provision within this part exempts requirements for compliance with the landscape ordinance.

- (2) Spacing of Antenna Support Structures from Residential Zoning Districts. Antenna support structures in nonresidential districts shall be spaced two hundred (200) feet from all residential zoning districts, measured from the base of the antenna support structure to the nearest residential zoning district boundary. Antenna support structures in residential districts shall be spaced at least two hundred (200) feet from a residential structure. Spacing requirements for antenna support structures on property zoned residential shall not apply if the property is vacant, undeveloped, and or unplatted and is located at least two hundred (200) feet, measured from the base of the antenna support structure to the nearest residential land use. The graphic below illustrates how the two hundred-foot distance rule is applicable. In each graphic, the shaded area shows the setback or safety zone around the protected residential property where the placement of an antenna support structure is prohibited.

Wireless Communications System in Non-residential Property Abutting Residential Zoned Property - 200' Tower Setback from Residential Zoned Property Boundary. 200' May Not Be Reduced By City Council.

Wireless Communications System In Residential Property Abutting Residential Property - 200' Tower Setback from Residential Property. 200' May Be Reduced By City Council.



WCS tower may not be placed in non-residential property within 200' measured from the boundary of a residential zoned district.

WCS tower may not be placed in residential property adjoining residential property within 200' of a residential use measured from the antenna support structure except as authorized by the City Council through the specific use authorization process.

- (3) Equipment Buildings. The wireless communication system unmanned equipment buildings shall not have more than seven hundred fifty (750) square feet of gross floor area and shall not be more than twelve (12) feet in height.
- (4) Design in Residential Zoning Districts. Antenna support structures developed after the adoption of these regulations located in residential zoning districts must be monopole design. The height of antenna support structures in all districts may not exceed one hundred ninety-nine (199) feet. If the city council approves a height of an antenna support structure which exceeds one hundred ninety-nine (199) feet, the spacing of the antenna support structure to the nearest residential district must be at a minimum equal to one hundred ten (110) percent of the height of the antenna support structure.
- (5) HDRC Review. Antenna support structure towers are prohibited if they are: within two hundred (200) feet of the San Antonio River; or within two hundred (200) feet of a historic landmark; or within two hundred (200)

feet of a historic district or river overlay district; or within a historic district or river overlay district; or in excess of the height specifications of a Mission Protection Overlay District. In conjunction with consideration by the zoning commission the application for city council approval may be presented to the Historic Design and Review Commission (HDRC) if the antenna support structure is located within two hundred (200) feet of the river improvement overlay district or within a historic district.

- (6) Submittal of the site plan and other required materials to support a request for specific use authorization will be used by the staff of development services department to determine the appropriateness of the request and to make a recommendation to the zoning commission and city council. Pursuant to UDC subsection 35-423(d)(4), the specific use authorization process allows the city council to modify the performance standards found in subsection 35-385(d) if necessary to protect the public interest. By way of illustration, the specific use authorization process allows the city to impose additional standards to protect neighborhood integrity such as special setbacks, screening, lighting and camouflage measures consistent with subsection 35-423(d)(4).
- (e) **Wireless Communications Systems Permitted by Right.** Wireless communication systems shall be a use permitted by right in nonresidential zoning districts, if:
 - (1) The requirements set forth in subsections (d)(1) through (d)(5) of this section are met; and,
 - (2) The antenna support structures must be constructed to support a minimum of two (2) antenna arrays from two (2) separate wireless communication system providers or users.
 - (3) No provision within this part exempts requirements for compliance with the landscaping standards of this chapter.
 - (4) The historic preservation officer shall review the permit request if the proposed wireless communication system is located within two hundred feet (200) of a river improvement overlay district or within a historic district. The permit request may be presented to the Historic Design and Review Commission (HDRC) for a recommendation if the antenna support structure is located within two hundred (200) feet of a river improvement overlay district or a historic landmark or within a historic district.
 - (5) The wireless communication system is not located in the Edwards Recharge Zone District (ERZD).
 - (6) Notwithstanding subsections (e)(1) through (e)(5), a wireless communication system is prohibited in nonresidential zoning districts that overlap with a Mission Protection Overlay District (MPOD) if the antennae support structure exceeds the height specifications in the MPOD.
- (f) **Wireless Communication Systems in Public Right-of-Way.** Wireless communication systems shall be a use permitted by right in all zoning classifications if the land, structures, rights-of-way or easements are owned, leased or used by the City of San Antonio, San Antonio Water System, or CPS Energy; if:
 - (1) Generally.
 - A. CPS Energy electrical substations and power generation plants shall be reviewed by the historic and design review commission if they are within two hundred (200) feet of the river overlay district, or if they are two hundred (200) feet of a historic landmark, if they are within two hundred (200) feet of a historic district, or if they are within a historic district.
 - B. The requirements set forth in subsections (d)(1), (d)(3), and (d)(5) of this part are met, subsection (d)(6) shall not apply to CPS Energy electrical substations and power generation plants.
 - (2) **Spacing of Antenna Support Structures From Residential Structures.** Subject to provisions set forth in subsection (5), antenna support structures shall be spaced from all residential structures, at a minimum equal to one hundred fifteen (115) percent of the height of the antenna support structure, measured from the base of the antenna support structure to the nearest residential structure. Spacing requirements for antenna support structures on property zoned residential shall not apply if the property is vacant, undeveloped, and or unplatted and is located at least two hundred (200) feet, measured from the base of the antenna support structure to the nearest residential structure. Spacing requirements for antenna support structures shall not apply to existing CPS Energy electrical substations and power generation plants.
 - (3) **Co-Location.** All antenna support structures must be constructed to support a minimum of two (2) wireless communication system antenna arrays from two (2) separate wireless communication system providers or users. Antenna support structures erected on CPS Energy electrical substations shall not be subject to construction standards that require design and construction to support two (2) or more antenna array.
 - (4) **Prohibitions Regarding the Riverwalk, Historic Landmarks, Historic Districts and Mission Protection Overlay Districts.** Wireless communication towers shall be prohibited in all zoning classifications if the land, structures, rights-of-way or easements are owned, leased or used by the City of San Antonio, San Antonio

Water System, or CPS Energy and are within two hundred (200) feet of the river overlay district, or are within two hundred (200) feet of a historic landmark, or are within two hundred (200) feet of a historic district, or are in a historic district, or are in a Mission Protection Overlay District (MPOD) and the antennae support structure exceeds the height limitation for the MPOD. The historic preservation officer shall review the permit request and if the proposed wireless communication system is located within two hundred (200) feet of the Riverwalk or within a historic district.

- (5) Spacing Exemptions. Antenna array may be attached to existing antenna support structures, transmission towers, existing poles and water tanks and towers in all zoning districts, without spacing requirements; if,
 - The pole replaced or modified is a functioning utility pole or light standard within a utility easement or public right-of-way, recreation facility light pole, or antenna support structure; and,
 - The replaced or modified antenna support structure, including antenna array, does not exceed the height of the original utility, light standard, or recreation facility pole by more than twelve (12) feet, or the height of the original telecommunication tower and antenna array; and,
 - The pole replaced with an antenna support structure does not obstruct a public sidewalk, public alley, or other public right-of-way; and, pole appearance and function, except for antennas, are not significantly altered.
- (6) Building Permit Exemptions. No building permit shall be required for wireless communication systems developed on CPS Energy electrical substations and power generation plants.
- (7) Landscaping Standards. No provision within this part exempts requirements for compliance with the landscaping standards of this chapter.
- (g) Additional Requirements Applicable to Wireless Communications Systems. A wireless communication system must comply with the following requirements regardless of the zoning district in which it is located:
 - (1) Any request to install a wireless communications system over the ERZD in any zoning district must comply with the Edwards Aquifer Recharge Zone District Overlay Regulations (ERZD Regulations) found in section 35-332. Nothing in section 35-385 exempts a wireless communication system from complying with the ERZD Regulations.
 - (2) Industrial uses are entitled to maximum fence heights of eight (8) feet at the front, side and rear yards consistent with the "Table of Heights" found in subsection 35-514(d). For the purpose of section 35-385, the installation of a wireless communication system shall be considered an industrial use affording the installation of eight-foot fencing around the perimeter of the wireless communication system site.
 - (3) The installation of a wireless communication system utilizing a stealth tower to camouflage an antenna support structure, such as a clock tower, flagpole or tree shall be subject to the same regulations under section 35-385 as a wireless communication system that does not make use of such stealth or camouflage measures.
 - (4) A wireless communication system that utilizes a stadium light pole, building roof top, or other tall structure for the installation of an antenna array shall be subject to the same regulations under section 35-385 as a wireless communication system that does not make use of such facilities.
 - (5) A request for collocation of an antenna array on an existing antenna support structure will be subject to the specific use authorization provisions of subsection 35-385(d), unless all of the following requirements are met, in which case the provisions of subsection 35-385(e) shall apply:
 - A. The antenna support structure to be modified for collocation was originally authorized by the city.
 - B. The antenna support structure to be modified, including the installation of the new antenna array, does not exceed the maximum height permitted in the zoning district in which the antenna support structure is located.
 - C. The addition of any ground level equipment does not reduce the required setback distance to less than the setback permitted in the zoning district where the antenna support structure is located.
 - D. The antenna support structure to be modified for collocation is not located in the Edwards Recharge Zone District (ERZD).

(Ord. No. 98697 § 5 and 6) (Ord. No. 101816, § 2, 12-15-05) (Ord. No. 2010-11-18-0985, § 2, 11-18-10) (Ord. No. 2014-10-02-0742, § 2, 10-2-14)

When an HDRC application is submitted for commercial development projects within a river improvement overlay district the city archeologist shall review the project application to determine if there is potential of containing intact archaeological deposits utilizing the following documents/methods:

- (1)The Texas Sites Atlas for known/recorded sites, site data in the files of the Texas Archeological Research Laboratory and the Texas Historical Commission;
- (2)USGS maps;
- (3)Soil Survey maps;
- (4)Distance to water;
- (5)Topographical data;
- (6)Predictive settlement patterns;
- (7)Archival research and historic maps;
- (8)Data on file at the office of historic preservation.

If after review the city archeologist determines there is potential of containing intact archaeological deposits, an archaeological survey report shall be prepared and submitted. If, after review by the city archeologist, a determination is made that the site has little to no potential of containing intact archaeological deposits, the requirement for an archaeological survey report may be waived.

Upon completion of a survey, owners of property containing inventoried archaeological sites are encouraged to educate the public regarding archaeological components of the site and shall coordinate any efforts with the office of historic preservation.

FINDINGS:

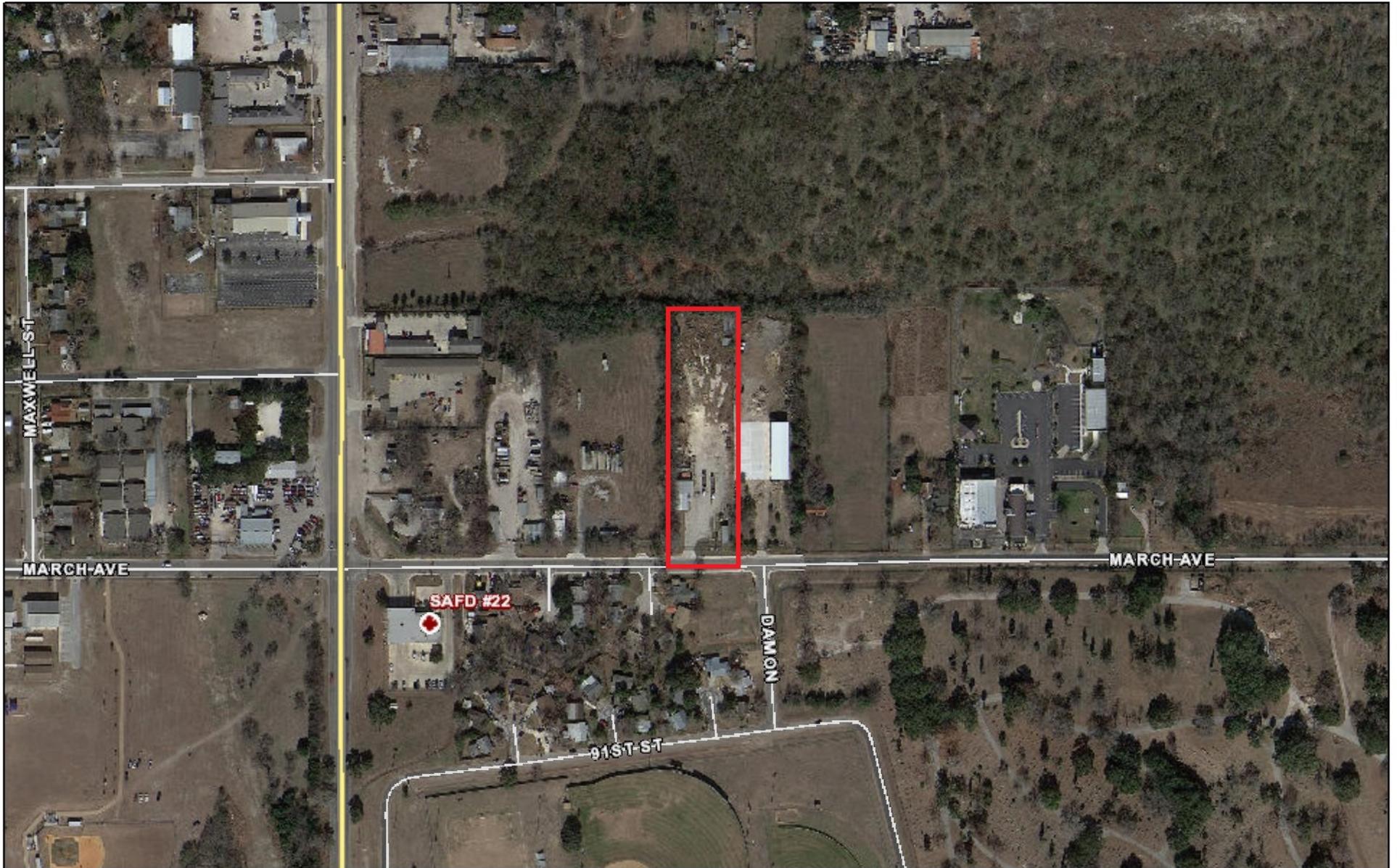
- a. The applicant is requesting a Certificate of Appropriateness for approval to install one (1) communications monopole to feature an overall height of 74' – 0". The proposed pole is located within the Mission Historic District.
- b. SITE CONDITIONS & DEVELOPMENT CONTEXT – The property at 1223 March Avenue currently features two existing structures and is zoned for heavy industrial use. Adjacent properties to the immediate east and west of this property feature like zoning. The predominant height of neighboring structures is one (1) story.
- c. MONOPOLE – The UDC Section 35-385(d)(5) notes that antenna support structure towers are prohibited within a historic district. In conjunction with consideration by the Zoning Commission the application for city council approval may be presented to the Historic and Design Review Commission if the antenna support structure is located within two hundred (200) feet of the river improvement overlay district or within a historic district. While the applicant has submitted a design which attempts to provide a stealth installation method, the proposed pole is still out of scale with its surroundings and not appropriate within the Mission Historic District. Staff does not find the proposed monopole to be appropriate.
- d. ARCHAEOLOGY – The project shall comply with all federal, state, and local laws, rules, and regulations regarding archaeology, as applicable.

RECOMMENDATION:

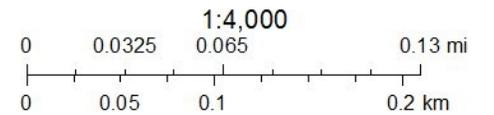
Staff does not recommend approval based on findings a through d.

ARCHAEOLOGY – The project shall comply with all federal, state, and local laws, rules, and regulations regarding archaeology, as applicable.

City of San Antonio One Stop



December 13, 2023





VINCENT GERARD & ASSOCIATES, INC.

Ms. Shanon Shea Miller
Historic Preservation Office
City of San Antonio Texas

November 30, 2023

RE: 1223 March Avenue #TELC San Antonio Texas District #3 - Tillman Infrastructures for AT&T Mobility

Ms. Miller.

We respectfully request your review of this critical wireless facility at the proposed at the address listed above. This site is designed for AT&T Mobility by Tillman Infrastructure. The site is within I-2 Light industrial Historic Zoning. We have discussed this site in 2022 with Mr. Cory Edwards. After lengthy consideration, AT&T has requested us to move forward on this Certificate of Appropriateness, offering a stealth Mono-palm or Mono-Pine, whichever your decision makers select as the best option. Photo-simulations of both are provided within this submittal. It is important to note that both types of stealth will accommodate an additional carrier. After a tedious FAA review for height and radio interference, the FAA has approved a 74' top of structure maximum height. This height will not have to be marked or lighted and is below the ascend/descend approach concern levels of Stinson Airport Director Mr. Morris Martin. We organized a meeting with Mr. Martin and Councilmember Viagran staff to present the project to Mr. Martin with Councilmember Viagran and staff. We understand the unique request and stress the importance of connectivity within District 3 areas in need of better coverage. We have teamed up with Brown McDonald and would request them to be co-applicants on this submittal.

Submittal documents for Historic Review are the following.

- 1) Certificate Of Appropriateness Application,
- 2) Site Plan and examples of structure type,
- 3) Radio Frequency Maps showing the need for better coverages,
- 4) Photo-simulations of before and after pictures with the two types of options,
- 5) Letter of Authorization from Mr. Adam Lozano.

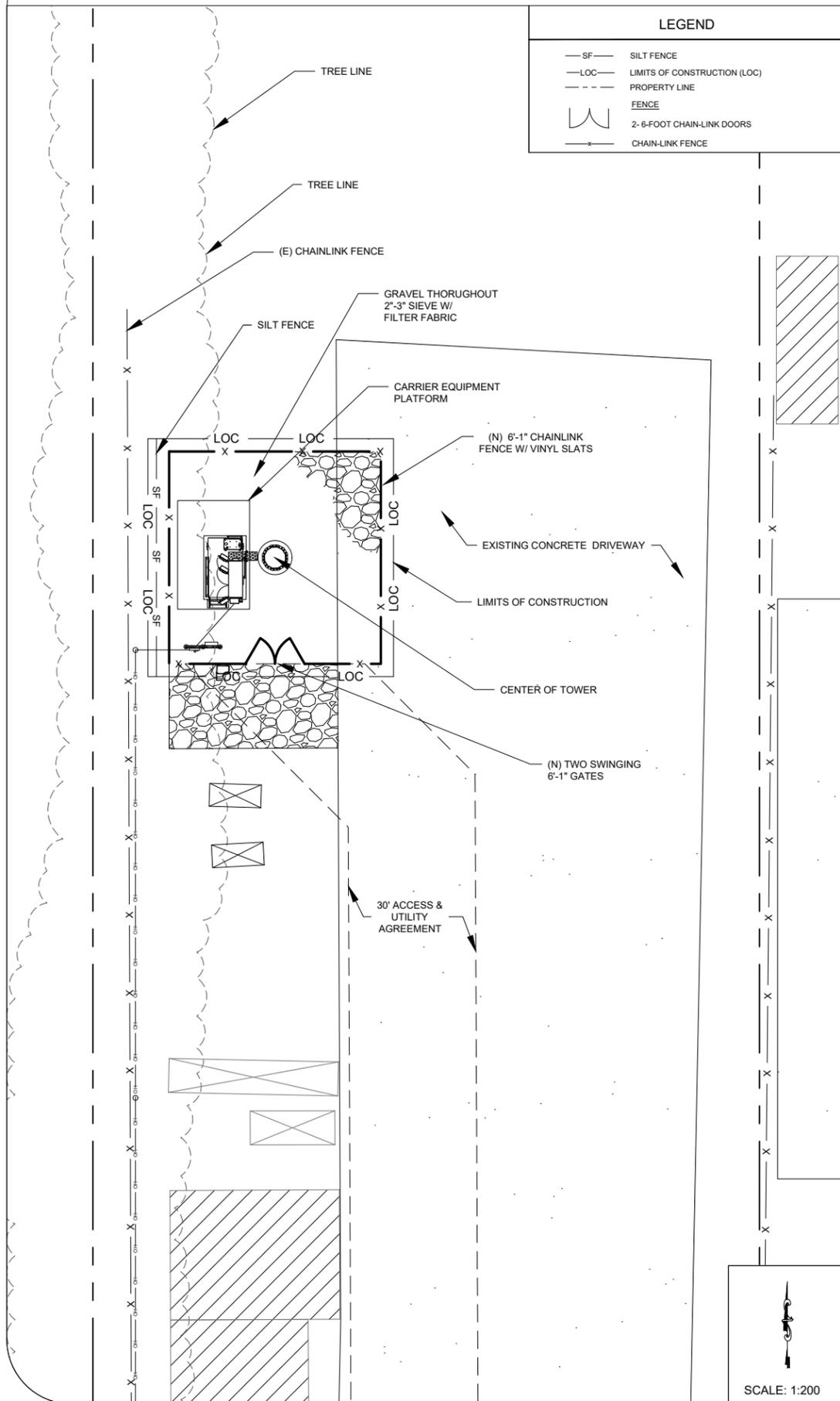
Please let us know if you have any questions.

Sincerely,

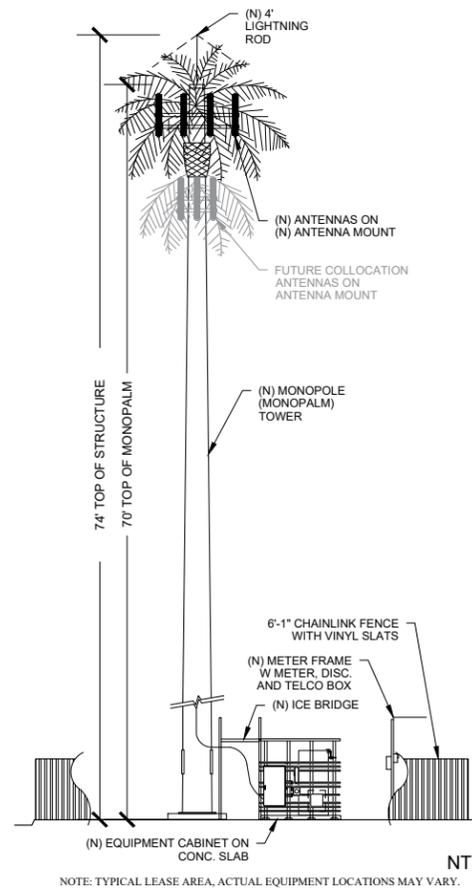
Vincent G. Huebinger

Xc; Caroline McDonald, Chris Villa, Todd Christian & Cory Edwards

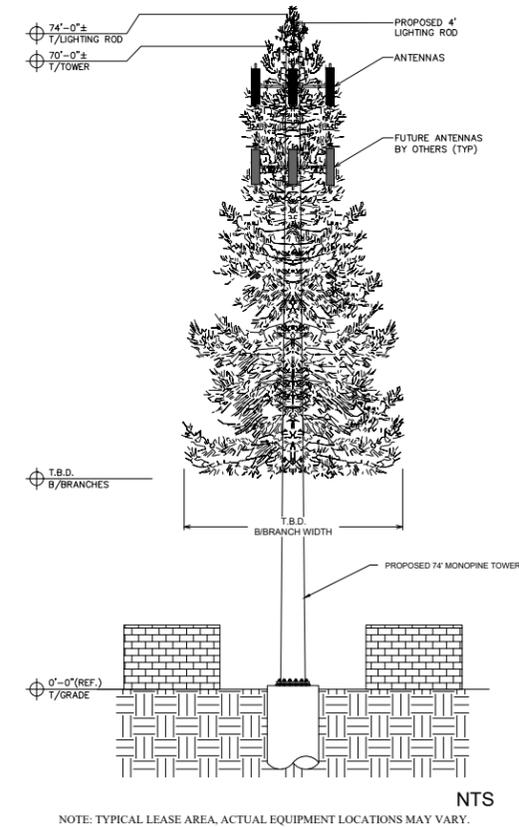
TOWER ELEVATION AND TOWER COMPOUND LAYOUT



OPTION 1: MONOPALM



OPTION 2: MONOTREE



RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

HARLANDALE

CASE NUMBER:

SUBMITTAL DATE:



SITE INFORMATION
1223 MARCH ROAD
#TELCC,
SAN ANTONIO, TX
78214

PROPERTY OWNER
LOZANO ADAMI &
MARISSA
1223 MARCH RD,
SAN ANTONIO, TX
78214

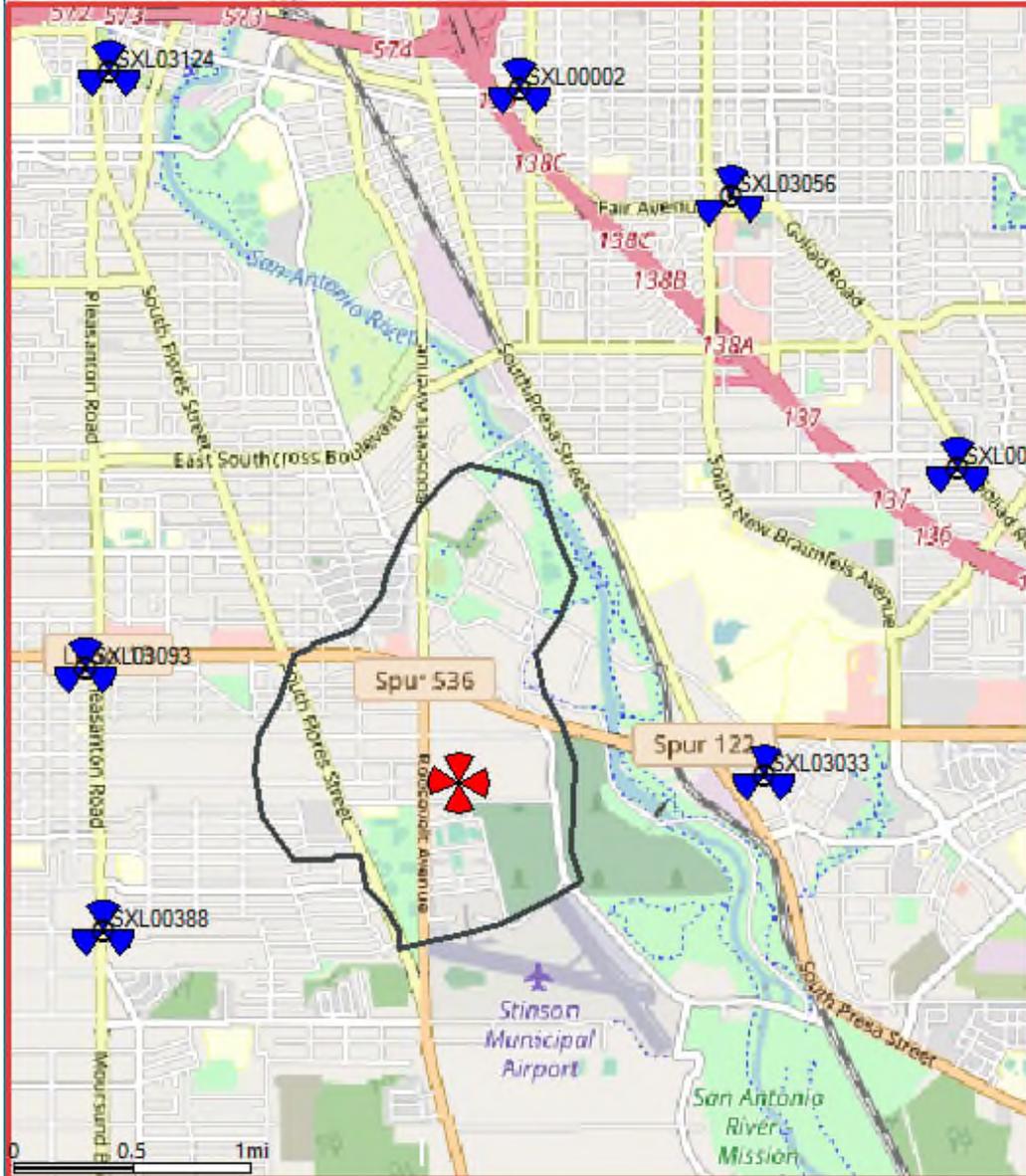
TOWER OWNER
SCI WIRELESS
497 RIDGE POINT DRIVE
HEATH, TX 75126



SXL01817 Coverage Evaluation Plots

11/17/2023

On-Air Sites/NSB



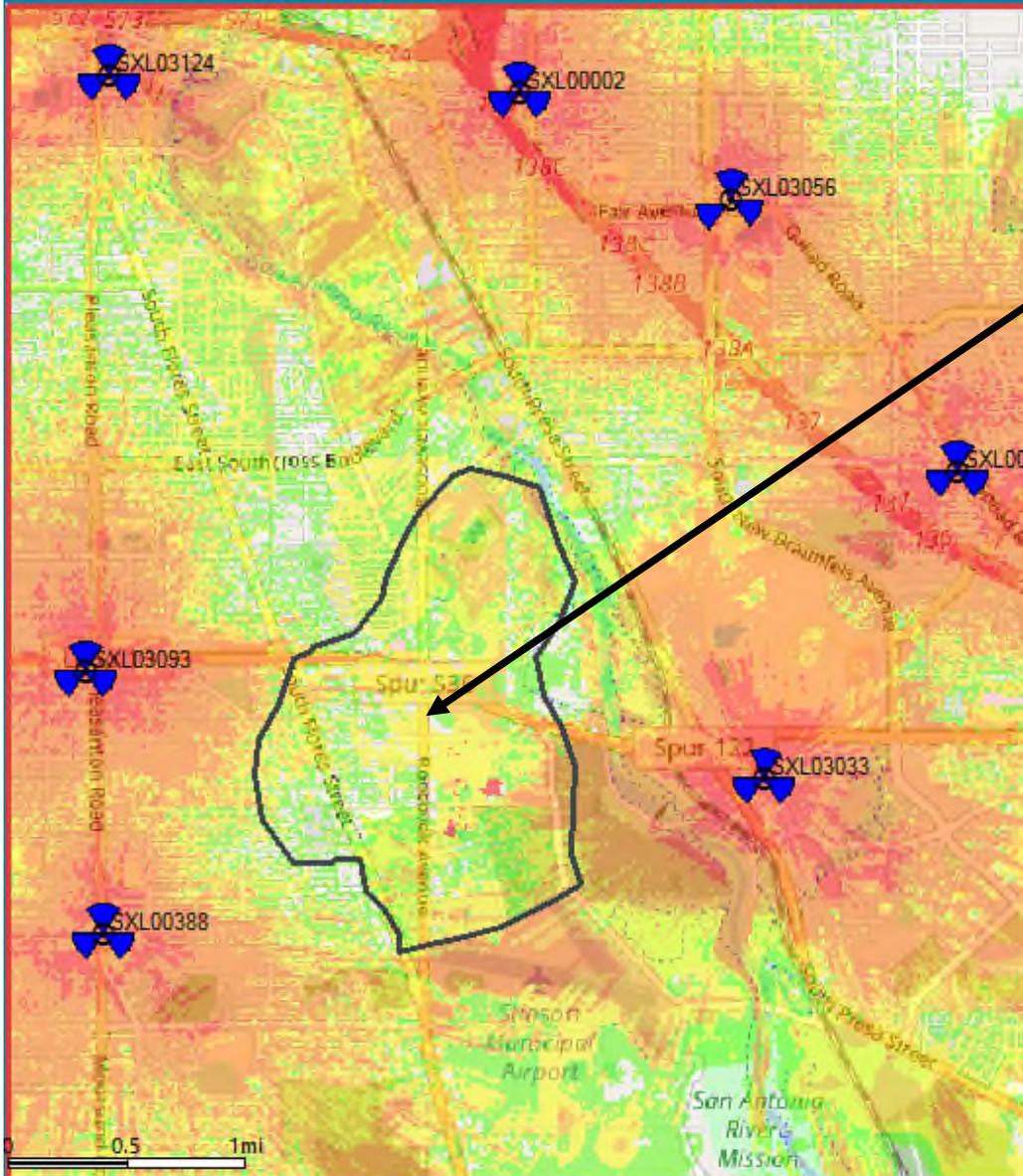
- On-Air Site



- NSB



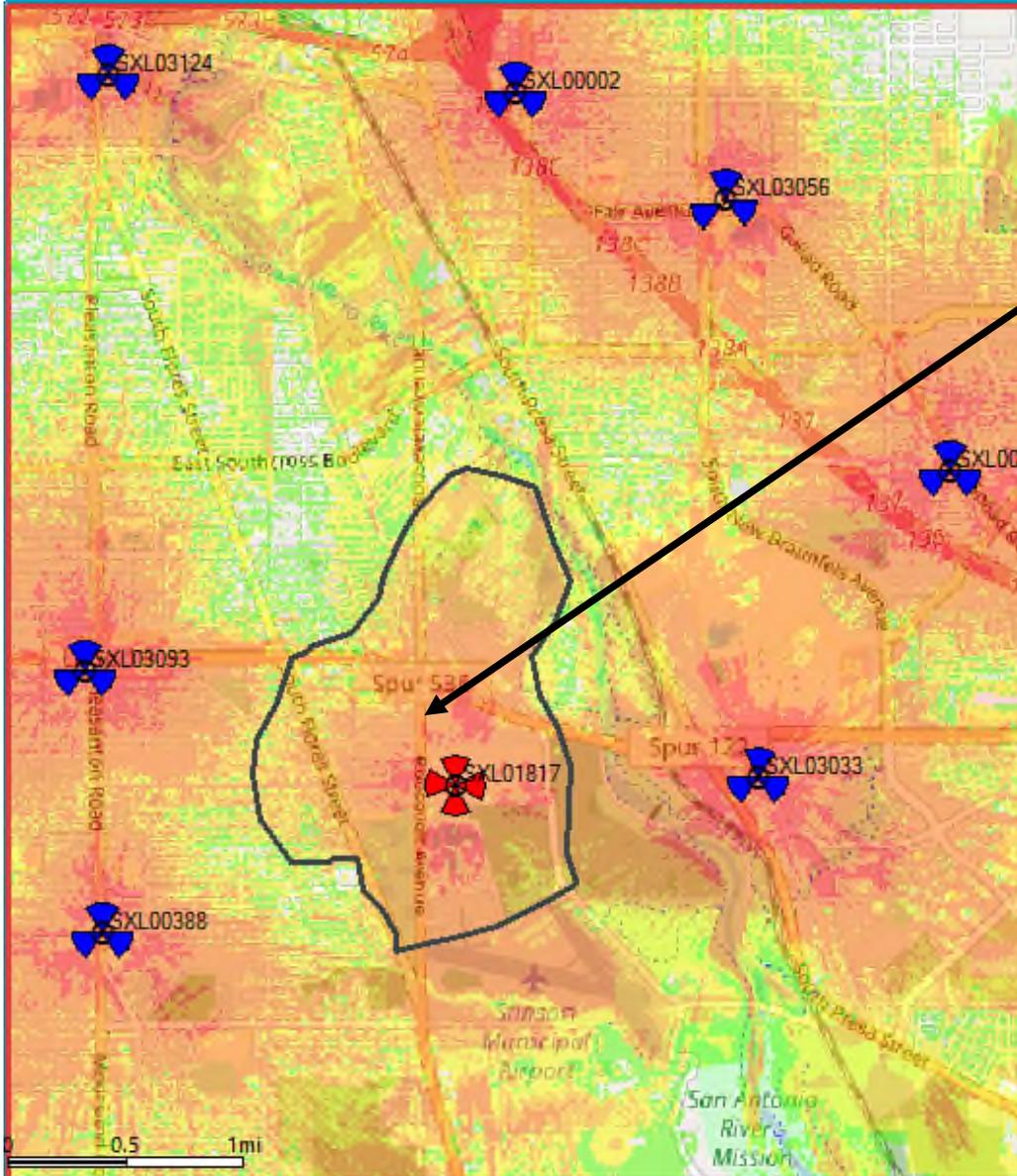
On-Air Sites Coverage (RSRP)



The area within the black polygon that requires improvement in coverage with the proposed new site.

- On-Air Site 
- NSB 

On-Air/NSB Site Coverage (RSRP)



Significant improvement in coverage within the black polygon area with the proposed new site.

- On-Air Site



- NSB





AT&T



AT&T Mobility - View from South @ 620' (Original)



AT&T Mobility - View from South @ 620'

New monopalm tower





AT&T Mobility - View from South @ 620'

New monopine tower





AT&T Mobility - View from South @ 800' (Original)



AT&T Mobility - View from South @ 800'



New monopalm tower

AT&T Mobility - View from South @ 800'



AT&T Mobility - View from South @ 800'



New monopine tower

AT&T Mobility - View from South @ 800'

Kristi Flores
Zoning Director

Date: 11/08/2023

RE: Landowner Authorization letter, 1223 March Road #TELC, Property ID #991804

Ms. Flores;

As record owner we hereby authorize our agent, Vincent Gerard & Associates and Tillman Infrastructure, to file all appropriate documents, applications, variances, all necessary permits specific to the wireless facility, and engineering information on the specified property ID number listed above. They are to act as our representative with staff and at all public hearings. If you have any questions, please feel free to call me.

Signature



FURTHER, Affiant sayeth not.

Adam Lozano

Print Name: & Contact information

SWORN TO AND SUBSCRIBED BEFORE ME this 30th day of November,

2023 by



Notary Public, in and for the State of Texas

My commission expires:

