

From: Chaffin, Heather
Sent: Monday, October 14, 2024 10:27 AM
To: Migl, Tom <Tom.Migl@austintexas.gov>; Stookey, Scott <Scott.Stookey@austintexas.gov>
Cc: Flick, Benjamin <Benjamin.Flick@austintexas.gov>; Truesdell, Stephen <Stephen.Truesdell@austintexas.gov>; Carr, Bret <Bret.Carr@austintexas.gov>
Subject: RE: Case No. SP-2024-0140CS - Tower Ventures - Jester Blvd cell tower

Thanks, Tom! I'll share this info with Carol and the ZAP Commissioners.

From: Migl, Tom <Tom.Migl@austintexas.gov>
Sent: Monday, October 14, 2024 10:22 AM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Stookey, Scott <Scott.Stookey@austintexas.gov>
Cc: Flick, Benjamin <Benjamin.Flick@austintexas.gov>; Truesdell, Stephen <Stephen.Truesdell@austintexas.gov>; Carr, Bret <Bret.Carr@austintexas.gov>
Subject: Re: Case No. SP-2024-0140CS - Tower Ventures - Jester Blvd cell tower

Heather,

The code section Carol referenced was the zoning code and asked about was the environmental code for development in/near the BCP. Both of these sections are not the fire code or WUI. The information for the proposed facilities the operator/owner presented is in compliance with the Fire Code and WUI as related to site development. I respectfully decline an invitation to ZAP.

If Carol wants to change the requirements to the WUI or Fire Code I would recommend she begin with Building and Fire Code Board of Appeals. In addition, we can notify Carol when the building plans are submitted which will have more detailed information on the proposed batteries and generators with that application.

Respectfully,

Tom Migl, P.E.



Engineer C

Austin Fire Department – Engineering and Plan Review



PDC | 6310 Wilhelmina Delco Dr, Austin, TX 78752

512-974-0164 | cell: 512-786-5685

tom.migl@austintexas.gov



From: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Sent: Monday, October 14, 2024 8:22 AM
To: Migl, Tom <Tom.Migl@austintexas.gov>; Stookey, Scott <Scott.Stookey@austintexas.gov>
Subject: FW: Case No. SP-2024-0140CS - Tower Ventures - Jester Blvd cell tower

Good morning,

This site plan is scheduled to be heard at ZAP tomorrow evening, and I wanted to see if either of you could attend (virtual or in person). I believe you've talked with Ms. Philipson before, since she mentions both of your names in the email below. The site plan is for a cell tower in Jester Estates that is immediately adjacent to BCCP preserve land. She is concerned about the batteries and fuel that will be included on the site.

This is the only discussion item on the agenda, so I expect it to be discussed between 6:00 and 6:30 PM.

Thanks,

Heather

From: carol philipson
Sent: Saturday, October 12, 2024 3:58 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: District10 <District10@austintexas.gov>; Migl, Tom <Tom.Migl@austintexas.gov>;
Comm2@traviscountytx.gov; Bates, Justin <Justin.Bates@austintexas.gov>
Subject: RE: Case No. SP-2024-0140CS

External Email - Exercise Caution

Hi Heather,

As Jester Firewise Committee Chair, it's my responsibility to mitigate the risk of wildfire. To that end, Tower Ventures' proposed cell tower, *only a few feet on two sides from Balcones Canyonlands Preserve an Endangered Species Habitat (BCP)*, poses a extreme fire threat.

The site plan submitted to the city (attached) does not show this extreme fire danger due to the close proximity to the BCP. As you see in my pictures, (arrows pointing to the BCP Fence) there is an extreme potential for wildfire on two sides that adjoin the proposed tower location and BCP.

Presently, there is NO Municode that addresses this particular situation/location. Why??? Because as Scott Stookey of Austin Fire Marshall Office, informed me.. "This is the first one."

Austin Municode 25-2-289 reads:

"E. A telecommunication tower described in Subsection (F) or (G) must comply with the requirements in this subsection:

1. The tower may not be located: (a) on or within 300 feet of property zoned Historic or property included in a National Register District or a City of Austin historic district." (b) within 50 feet of a day care

Services (commercial) use; or within 50 feet of a dwelling unit."

Would you not agree that an Endangered Species Habitat should be as important if not more important than a historical landmark??

AT&T is to be the initial carrier erecting a 100' monopole, store 12 batteries and 50 gal diesel fuel for backup batteries and stringing wires 150' from the storage building to the tower. Then Tower Ventures plans to add 2 others increasing the number of batteries and gallons of diesel accordingly (36 batteries, 150 gallons diesel fuel) located next to the Balcones Canyonlands Endangered Species Habitat.

Scott Stookey, Fire Marshall Engineer also informed me that DISH is the only company using highly combustible Lithium ION batteries, but that may change so measures must be taken NOW to update policy to address this site and future sites that meet this specific criteria. Paul Fushille, Travis Cty BCP also agrees that policy must be created to include this new wildfire threat.

We see more and more cell towers going up everywhere everyday. Cell towers are 100-200' high, so a safe distance must be mandated. No one plans an accident so should a battery or fuel fire ignite and/or the 100' monopole falls into the Preserve, a wildfire would quickly spread threatening the Federally protected Endangered Species, Golden Cheek Warbler, 6 cave dwelling invertebrates and 27 species of concern, plus in this case, 950 homes with limited exits.

As this a Federally protected site, I have also corresponded with Federal Fish & Wildlife plus the ICC (International Code Council) to set policy mandating a safe distance from Endangered Species Habitats in all states.

With this new information, I would hope you would deny Tower Ventures' request. I plan to speak at the upcoming meeting this Tuesday.

I will be happy to personally show you the site for you to see the magnitude of the wildfire threat.

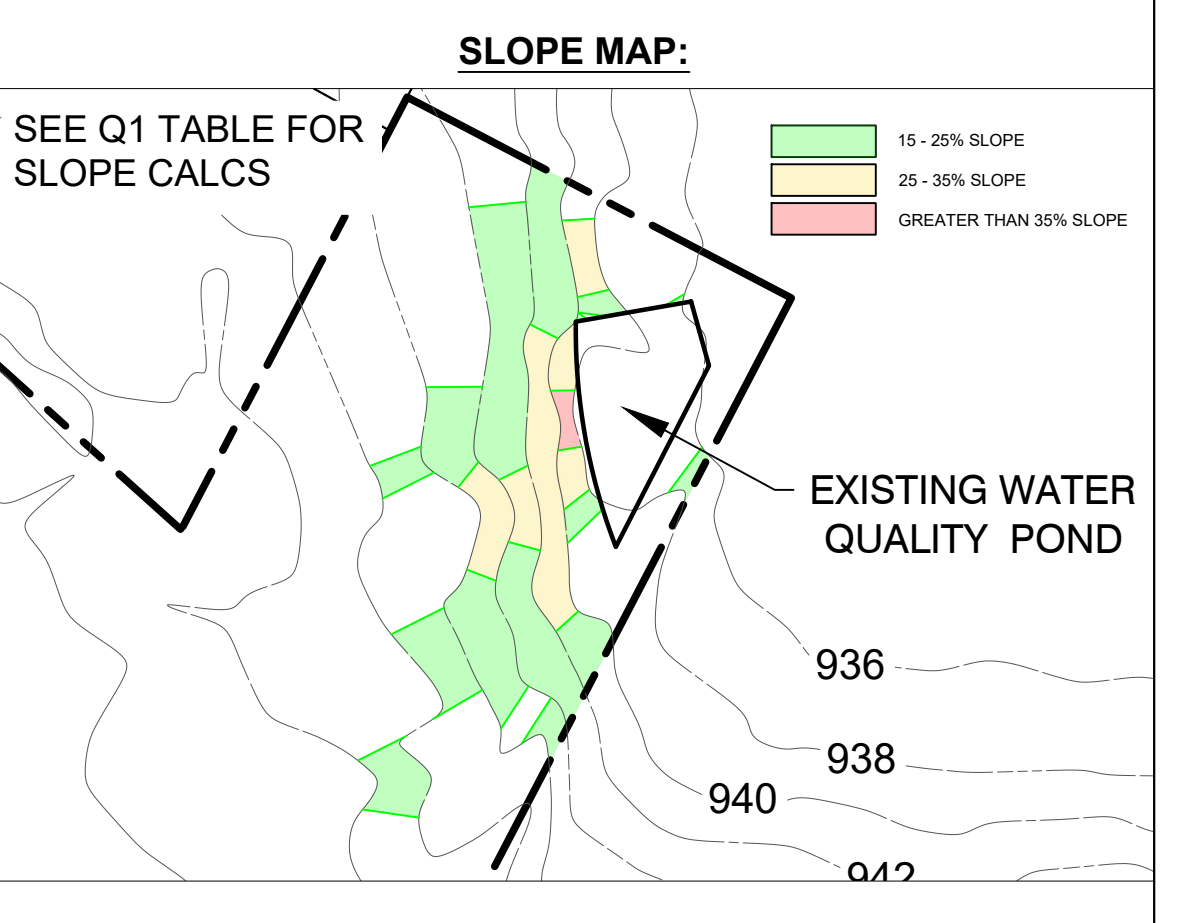
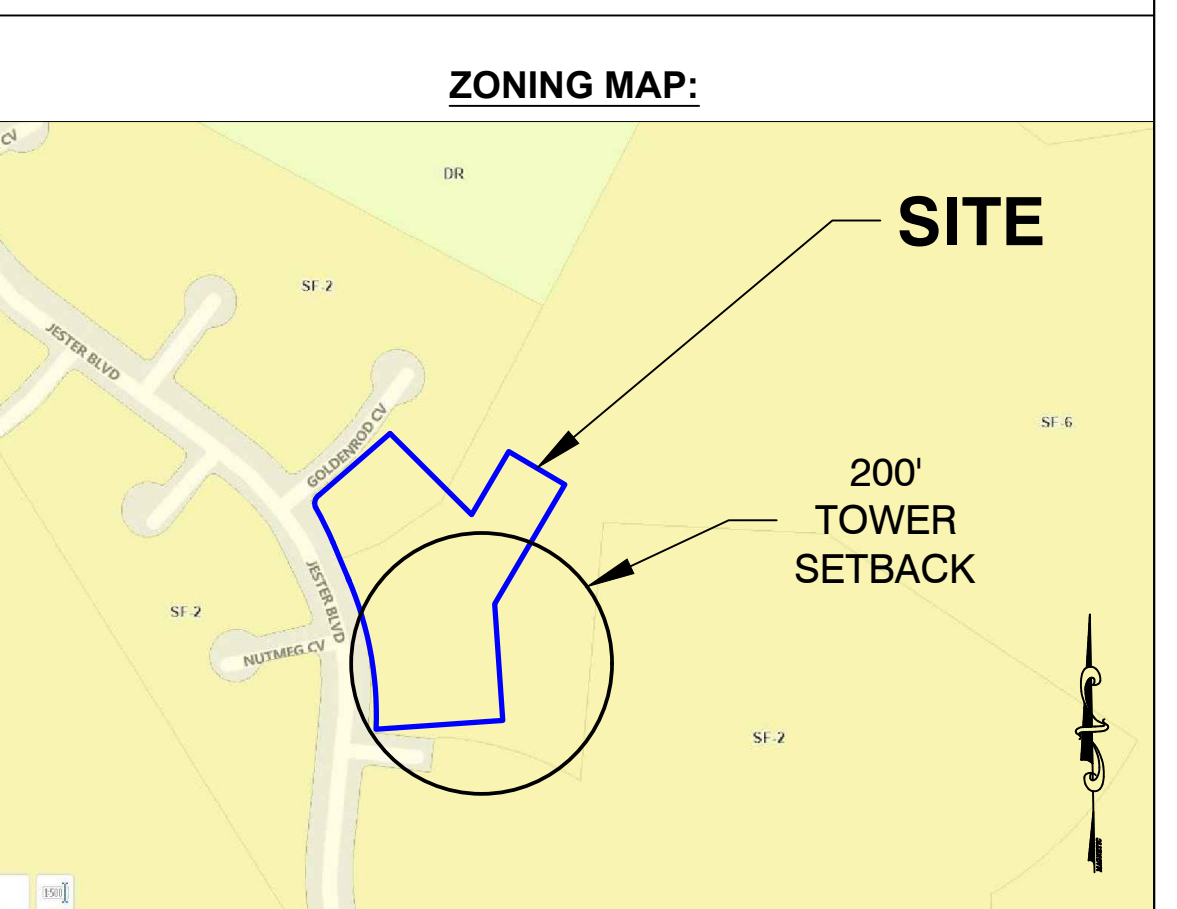
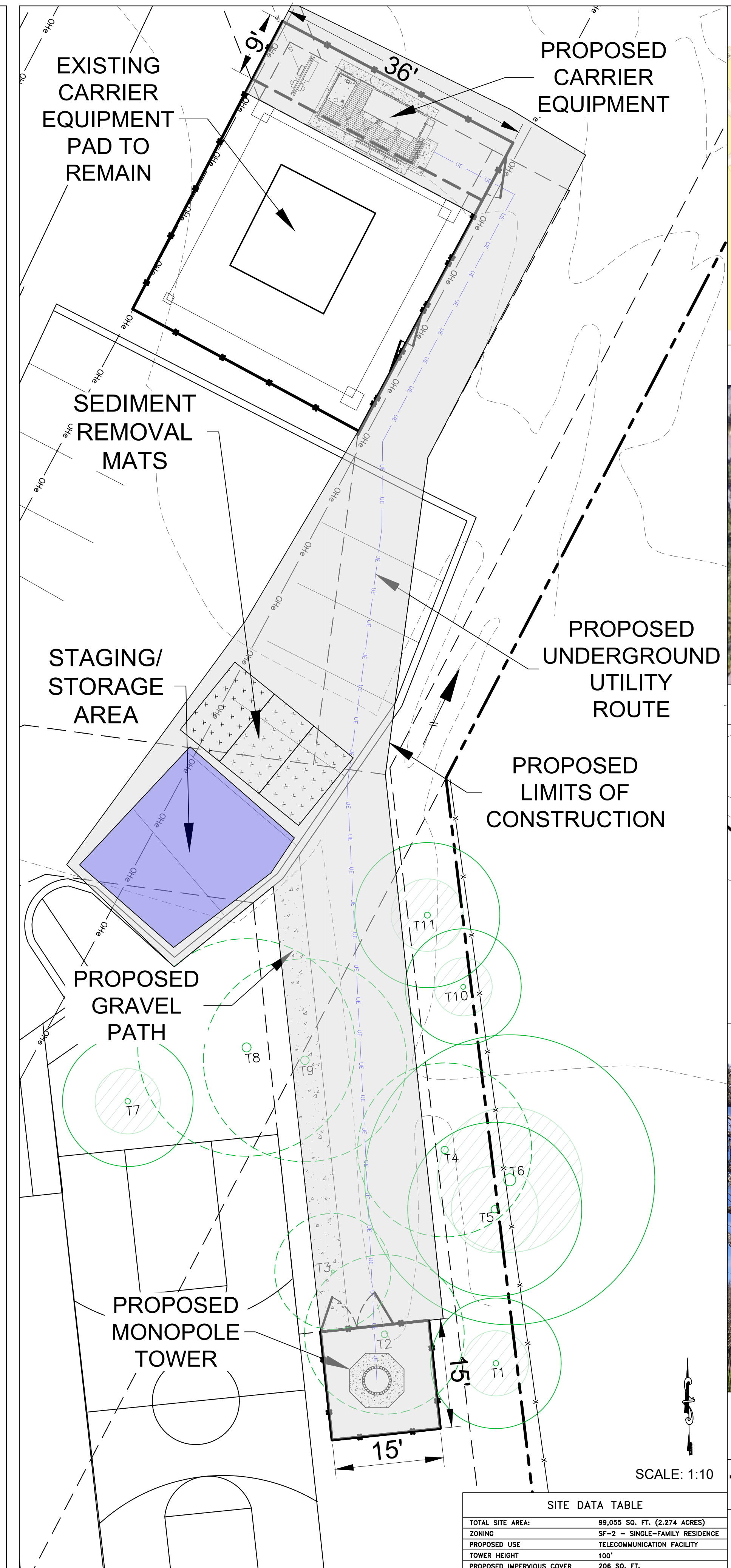
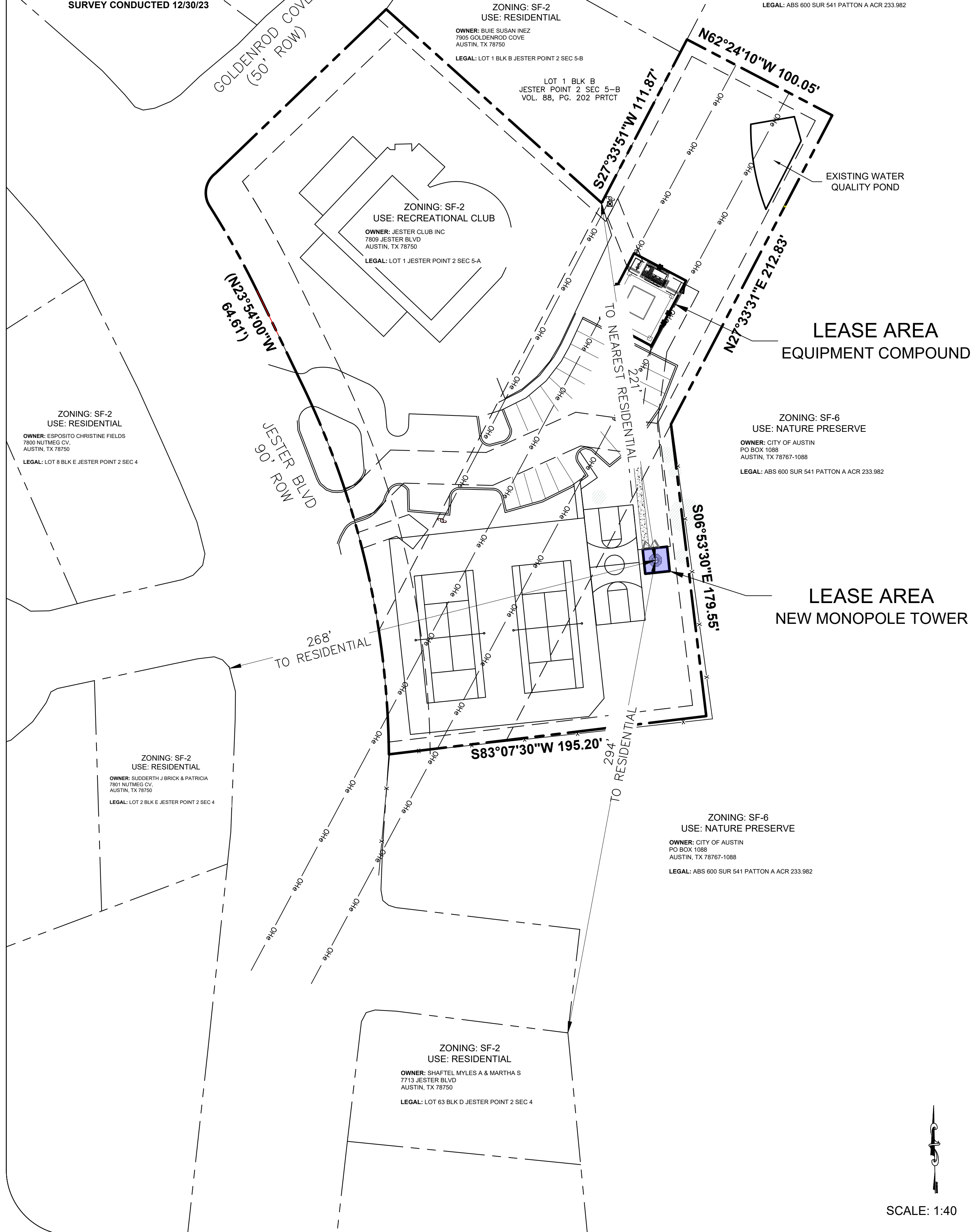
Carol Philipson
Jester Estates Firewise Committee Chair
7502 Clematis Cove
Austin, TX 78750
512-431-9904

OVERALL TOWER SITE PLAN

TREE	SIZE	STATUS
T1	9" CEDAR TREE	TO REMAIN
T2	11" CEDAR ELM TREE	TO BE REMOVED
T3	8" CEDAR ELM TREE	TO BE REMOVED
T4	12" LO TREE	TO BE REMOVED
T5	12" CEDAR TREE	TO REMAIN
T6	20" CEDAR TREE	TO REMAIN
T7	9" CEDAR ELM TREE	TO REMAIN
T8	15" CEDAR TREE	TO BE REMOVED
T9	14" CEDAR TREE	TO BE REMOVED
T10	8" CEDAR TREE	TO REMAIN
T11	10" CEDAR TREE	TO REMAIN

TOTAL INCHES OF TREES TO BE REMOVED 60"

SURVEY CONDUCTED 12/30/23



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.

TOWER VENTURES - JESTER BLVD

CASE NUMBER: SP-2024-0140CS

SUBMITTAL DATE: APRIL 3RD, 2024

SITE DATA TABLE

TOTAL SITE AREA:	99,055 SQ. FT. (2.274 ACRES)
ZONING:	SF-2 - SINGLE-FAMILY RESIDENCE
PROPOSED USE:	TELECOMMUNICATION FACILITY
TOWER HEIGHT:	100'
PROPOSED IMPERVIOUS COVER:	206 SQ. FT.



PROSSNER
ENGINEERING ASSOCIATES, P.C.
13177 FOND SPRING ROAD, SUITE 104
AUSTIN, TX 78759
512.393.8341

VINCENT GERARD & ASSOCIATES
LAND PLANNING & ZONING CONSULTANTS
552 BELLEVUE BLVD, #4
AUSTIN, TX 78701
512.325.2897

SITE INFORMATION
7805 1/2 JESTER BLVD,
AUSTIN, TX 78750

PROPERTY OWNER
JESTER CLUB INC
7809 JESTER BLVD,
AUSTIN, TX 78750

TOWER OWNER
TOWER VENTURES
495 TENNESSEE ST., STE 152
MEMPHIS, TN 38103

APPROVAL

ENGINEERS STAMP

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