

710 EAST SAN AUGUSTINE

DEER PARK, TEXAS 77536

Minutes

of

A PUBLIC HEARING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF DEER PARK, TEXAS, HELD AT CITY HALL, 710 EAST SAN AUGUSTINE STREET, MAY 7, 2018 AT 7:00 P.M. ON THE REQUEST FROM AQUA SOLUTIONS AND AT&T FOR A SPECIFIC USE PERMIT TO CONSTRUCT A ONE HUNDRED AND EIGHTY (180) FOOT, SELF-SUPPORT TELECOMMUNICATIONS TOWER, TO BE LOCATED AT 6911 ½ HIGHWAY 225, WITH THE FOLLOWING MEMBERS PRESENT:

DON TIPPIT	CHAIRMAN
RAY BALUSEK	COMMISSIONER
DOUG COX	COMMISSIONER
STAN GARRETT	COMMISSIONER
DANIELLE WENDEBURG	COMMISSIONER

OTHER CITY OFFICIALS PRESENT WERE:

SHANNON BENNETT	CITY SECRETARY
LARRY BROTHERTON	BUILDING OFFICIAL

1. NOTICE OF PUBLIC HEARING - The public hearing was opened by the City Secretary reading the Notice of Public Hearing. (Exhibit A)
2. HEARING OPENED FOR THOSE PERSONS DESIRING TO SPEAK IN FAVOR OF THE REQUEST - Chairman Tippit opened the hearing for those persons desiring to speak in favor of the request. No one spoke.
3. HEARING OPENED FOR THOSE PERSONS DESIRING TO SPEAK AGAINST THE REQUEST – Chairman Tippit opened the hearing for those persons desiring to speak against the request.
 - a. W. Bebb Francis, of The Francis Law Firm, the attorney for American Towers LLC and SBA Communications Corporation. These are two of three of the largest telecommunications developers and owners of infrastructure in the country. First, I would like to thank Larry Brotherton, as the City Manager and simultaneously used the word “clone”. We would like to clone him, he has been so responsive to answering any questions. We are here tonight to respectfully request a denial of this application for three primary reasons. One reason is, it doesn’t meet the intended Zoning Ordinance, secondly, it does not meet the requirements to grant the Specific Use Permit. We feel like after you hear the presentation and walk through the request, it doesn’t meet the requirements of granting the Specific Use Permit. Additionally, there is confusion of who the applicant is and who is the owner? ATT&T is a tenant on a tower, not the tower owner. Tillman Infrastructure are designated on the plans as the owner. The question is who is the

applicant and who is to receive the Specific Use Permit if it is granted? Most importantly, this project as you will see, is not intended to benefit the community. What the intent is, which is echoed in the letter from AT&T, is purely to fulfill a business plan. In 2017, Tillman and AT&T made a big public relations splash that they were entering into an agreement to go around the country and build towers as close as physically possible of existing towers solely for the purpose of taking AT&T antennas off of existing towers, many of which were built for AT&T years ago and moving them onto the new tower without regard to the community.

Mr. Francis presented information of the locations for American Towers LLC and SBA Communications Corporation. (Exhibit B1-B8)

4. RECESS/RECONVENE - Chairman Tippit recessed the 6:15 p.m. preliminary public hearing to open the 6:20 p.m. preliminary public hearing and reconvened at 6:20 p.m.

5. HEARING CLOSED – Chairman Tippit closed the public hearing at 7:13 p.m.

ATTEST:

APPROVED:

Shannon Bennett, TRMC
City Secretary

Don Tippit, Chairman
Planning & Zoning Commission