



Agenda Item Report

Legislative Board: Zoning Board of Adjustments
Date: June 25, 2026
Contact: Victor Escamilla
Agenda Item ID / Number: 2026-536- / G.2

ITEM TITLE: Hold a public hearing, deliberation, and possible action regarding a request by Faulk & Foster for an Antenna Location Waiver to allow siting of a proposed monopole tower up to 120' in height on a property that is within a Full Commercial land use threshold area per Unified Development Code (UDC) § 4.03.06 at Park 35 South Section 1, Block A, Lot 13, addressed as 16674 South Interstate Highway 35, Buda, Texas, 78610 (V 26-03) (Victor Escamilla, Senior Planner)

1. EXECUTIVE SUMMARY

A request for installation of a 109' monopole telecommunications tower (105' tower structure with 4' lightning rod) has been submitted to Development Services staff for review. The proposed cell tower structure will be erected near the southwest corner of Park 35 South Section 1, Block A, Lot 13, addressed as 16674 South Interstate Highway 35.

The subject property is located within the Light Industrial (LI) zoning district. Under Unified Development Code (UDC) Subsection 4.03.04 Placement of Antenna Facilities, the property is designated as a Full Commercial ("FC") land use threshold area as it adheres to the following definition:

"Property within any of the Nonresidential Zoning Districts or any nonresidentially zoned Planned Development (PD)."

Under UDC Subsections 4.03.03 Table 39, 4.03.05.A, and 4.03.06, an Antenna Location Waiver is required.

2. BACKGROUND/HISTORY

The property at 16674 South Interstate Highway 35 was platted on July 27th, 1999 and later annexed in November of 2009 with Ordinance No. 2009-1109. The existing 9,000 sf office/warehouse was constructed in 1999.

The property was zoned LI District with adoption of the current UDC (Ordinance No. 2017-13) in October of 2017.

The applicant proposes to lease a 50' x 50' portion of land near the southwest corner of the property for the purpose of installing a 109-ft monopole tower as well as the 'Equipment Storage Building or Structure (Pertaining to Wireless Facilities)' use. The wireless telecommunications facility is intended to densify the Verizon Wireless network and will allow for future co-location of two other (currently unassigned) carriers with a possibility to offer the City of Buda Police, Fire, and EMS services communications placement.

Associated definitions within the UDC are as follows:

- Monopole Tower – “A self-supporting tower facility composed of a single spire used to support telecommunication antennas. Monopole towers cannot have guy wires or bracing.”
- Equipment Storage Building or Structure (Pertaining to Wireless Facilities) - “An unstaffed, single story equipment building, structure or platform used to house telecommunications equipment necessary to operate the telecommunications network.”

Under UDC Subsection 2.06.05 Use Chart, placement of the ‘Equipment Storage Building or Structure (Pertaining to Wireless Facilities)’ use within the LI District requires approval of a Specific Use Permit (SUP). The applicant has submitted a request for SUP 26-03. The request is currently under review.

In compliance with UDC Subsection 4.03.07.2.b, a balloon test was performed on-site near the southwest corner of the property on April 16, 2026 for purposes of comparing the height of the proposed structure against the surrounding natural and man-made environment. Heavy wind conditions affected the results. In keeping with the spirit of the required balloon test, the applicant has submitted mock-up images of the proposed tower structure from various angles. The mock-up images as well as photographs of the balloon test are included with the agenda packet materials.

3. ANALYSIS

Under UDC Subsection 4.03.02.A.12 Height Limitations, the proposed monopole tower, “shall not exceed ten (10) feet above the maximum height limitation applicable for the zoning district.” Under UDC Subsection 2.07.02 Nonresidential Dimensional Regulations, the maximum allowable height within the LI District is 45 ft, placing this monopole structure in violation. Staff interprets approval of this location waiver as a means of variance, permitting a monopole tower of up to 120 ft in height.

The 2,500 sf lease area adheres to minimum side yard and rear yard setback requirements established in UDC Subsection 2.07.02 Nonresidential Dimensional Regulations, maintaining a distance of 35 ft from the rear property line (35 ft minimum required) and 10 ft from the side property line to the south (0 ft minimum required). Additionally, under UDC Subsection 4.03.04.E.3, towers shall be setback a minimum of 100 ft from adjacent public rights-of-way; the proposed tower is approximately 290 ft from the South I-35 frontage road to the east and approximately 210 ft from the Park 35 Cove South right-of-way to the south.

Under UDC Subsections 4.03.03 Table 39, 4.03.05.A, and 4.03.06, a location waiver is required to be approved in order to place a monopole tower up to 120 ft in height within an “FC” land use threshold area.

In review of the requested Antenna Location Waiver, the Board of Adjustment shall consider the following:

1. The appropriateness of the location and design of the Antenna Facility;

- The proposed monopole tower and servicing equipment structure(s) would be placed on property within the LI District; a zoning district that is intended to provide an area for large business parks, light industry, and office warehousing that will not generate nuisance-like activities such as noise, smoke, or heavy traffic volumes. The intended use of the lease area will not produce any of the listed nuisance-like activities. The tower will be an unmanned structure and will generate minimal traffic and need for additional parking. The lease area is over 650 ft away from the nearest residential property (The Bradford apartments, to the southwest) and approximately 1,300 ft from the nearest property of lower zoning designation (Interstate-35 Business (B-3) District, America’s Auto Auction). The proposed design of the tower is common for telecommunication uses with a height that is an identified category within the UDC (up to 120 ft). Staff feels the property is appropriate for the proposed use.

2. The potential for interference with the enjoyment of the use surrounding properties;

- Staff does not foresee a potential for interference with the enjoyment of the use of surrounding properties.
- 3. **The proposed height of the Antenna Facility relative to surrounding structures;**
 - As demonstrated with the balloon test and supplemental mock-up images, the 109-ft monopole tower surpasses the height of neighboring structures to a noticeable degree.
- 4. **The zoning district and the adjoining zoning districts of the property for which the Waiver is sought;**
 - The subject property and all immediately adjacent properties lie within the LI District. The lease area measures more than 650 ft away from the nearest residential use (The Bradford Apartments) and more than 1,000 ft away from the nearest differing nonresidential district (Interstate-35 Business (B-3) District, America's Auto Auction). Approval of an SUP will be required for the proposed 'Equipment Storage Building or Structure (Pertaining to Wireless Facilities)' use. The applicant has formally submitted a request under SUP 26-03, currently in review.
- 5. **The recommendation of the Development Services Director;**
 - Staff supports the requested Antenna Location Waiver as proposed by the applicant.
- 6. **The compliance with City regulations;**
 - The proposed monopole tower and servicing structure(s) adhere to requirements and standards listed within the UDC with the following exception: The 109' foot monopole tower exceeds maximum allowable height as stated in UDC Subsections 2.07.02 and 4.03.02.A.12. Approval of the request for an Antenna Location Waiver serves as acceptance of a monopole tower structure up to 120 ft in height.
- 7. **The availability of suitable alternative sites. Suitable alternative site(s) shall mean a location or locations that would provide the same or better signal coverage than the proposed site for which a Waiver is requested. The Applicant shall provide documentation supporting his contention that alternative site(s) are not suitable or available.**
 - The applicant performed a 0.8-mile (radius) survey from an origin point near the intersection of Commercial Drive and Tecon Cove (Park 35 South Section 4A, Block C, Lot 43, Coordinates: 30.068908136, -97.835140228). The applicant used established setback requirements and drainage or wetland issues as criteria for selection – narrowing the search to 39 viable parcels within the search area. No co-locatable towers were present within the selected search area. The applicant has submitted a narrative, documenting the selection process.

4. FINANCIAL IMPACT

None

5. STRATEGIC PLAN/GOALS

BALANCED AND INTENTIONAL GROWTH

6. STRATEGIC PLAN OBJECTIVES

Redevelop the I-35 and South Loop 4 corridors

7. PROS AND CONS

Pros: If approved, the tower will bolster wireless communications services for the intended service provider and will serve as co-location availability for two additional service providers in the future, including the possibility to offer the City of Buda Police, Fire, and EMS services communications placement.

Cons: At a height of 109 ft (105 ft plus 4' lightning rod), the tower will be the tallest structure in the area with no stealth facility application to mitigate visual impact.

8. ALTERNATIVES

The Board of Adjustment may:

- Approve the request as presented;
- Approve the request with conditions;
- Table the request for future consideration; or
- Deny the request.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

Staff has reviewed the request and recommends approval.

Attachments:

V 26-03-docusign final antenna location waiver narrative- buda commercial_ 4.6.26_.pdf
V_26-03-V_26-03_Antenna_Location_Waiver_Site_acquisition_search_details_US-TX_6418.pdf
V_26-03-V_26-03_Applicant_s_Master_Facilities_Plan_Map_US-TX_6418.pdf
V_26-03-V_26-03_Statement_on_Camouflage_Technology_US-TX_6418.pdf
V_26-03-US-TX-6418_Buda_Commercial_-_ZD_-_06-02-26.pdf
Balloon Test_1.pdf
Balloon Test_2.pdf
Balloon Test_3.pdf
US-TX-6418 BUDA COMMERCIAL - BALLOON TEST.pdf
US-TX-6418 BUDA COMMERCIAL - PHOTO SIM.pdf