

Protecting Our Homes, Preserving Our Community

Comprehensive Opposition to CUP2024-10001: Proposed Communication Tower in Starwood PD



Representing the Interests of Residents in Meridian Parks and the Dowden West
Community Development District (CDD)

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January 2025

Executive Summary

This white paper presents a detailed opposition to the proposed communications tower at N28.444932, W81.210124 in the Starwood Planned Development, highlighting critical issues related to property value declines, tax revenue losses, aesthetic and environmental impacts, health and safety concerns, and governance violations. Additionally, it underscores the lack of necessity for the tower, deficiencies in alternate site exploration, and significant community objections.

Per legal precedence, The City of Orlando is urged to deny this application based on substantial evidence, as supported by federal regulations, state laws, local ordinances, and court rulings affirming municipal authority to reject proposals that fail to demonstrate necessity, compatibility, alignment to governance, and due diligence of alternate site assessment. the proposal:

1. Compromises property values and tax revenues.
2. Violates established policies and zoning ordinances.
3. Fails to demonstrate necessity due to existing adequate coverage and a lack of objective evidence.
4. Fails to explore readily available alternate sites that would minimize impacts and optimize network infrastructure.
5. Disrupts the community's recreational spaces and aesthetic identity.

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1. Introduction

On December 11, 2023, residents of Meridian Parks, a community within the Dowden West Community Development District (CDD) and Starwood Planned Development (PD), were notified of a proposal by Anthemnet, in collaboration with Mattamy Homes, to construct a 150-foot cell tower at N28.444932, W81.210124. Between this time and December 5, 2024, Anthemnet coordinated with the City of Orlando and adjusted their proposal to a 105-foot cell tower at the same site. The proposed location is roughly 800 feet from the newly opened Innovation High School property and roughly 900 feet from existing residential parcels in Meridian Parks. The roughly 2,500-square-foot cell tower facility is also within 300 feet of planned residential parcels.

The City of Orlando is the approving authority for the Conditional Use Permit (CUP) required for the tower. Residents have actively objected since the initial community meeting hosted by Anthemnet on December 14, 2023. Concerns raised include the need to explore alternate sites, impacts to the neighborhood's character, property value declines, potential health risks to residents, and disruptions to local wildlife and pets. Additionally, residents have noted that the proposed site already enjoys maximum "in-building" coverage, is inefficiently spaced from existing towers, and could negatively impact the learning environment at Innovation High School.

Despite numerous emails sent to the City of Orlando and Anthemnet requesting additional information and advocating for alternate locations, and noted opposition and discussions at the community meetings hosted by Anthemnet on December 14, 2023, and January 2, 2025, these concerns remain unaddressed. As of the date of this white paper, requests for evidence supporting the application and Anthemnet claims within it and at community meetings remain open.

The proposed site, designated as residential open and park space in developer neighborhood maps and planning, is a significant deviation is with the careful planning that has shaped the community and poses significant risks to the well-being, property values, and overall character of the neighborhood.

This white paper outlines these issues, supported by extensive research, community feedback, and legal precedents.

2. Community Opposition and Petition Summary

The community's opposition to the proposed cell tower is strongly supported by extensive engagement and a unified stance against the project.

A petition presented to the Orlando City Council highlights the widespread concerns of Meridian Parks residents and other Orlando stakeholders. This petition consists of:

- **A written petition** signed by 130 residents from Meridian Parks, representing a significant cross-section of community members.
- **A digital petition** signed by 257 supporters, amplifying the collective call for action.

The petition specifically requests that the City Council:

1. Reject the proposed installation of the cell phone tower in the neighborhood.
2. Conduct a thorough evaluation of the potential impacts on the community.
3. Explore alternate sites that would minimize adverse effects on residents and the broader community.

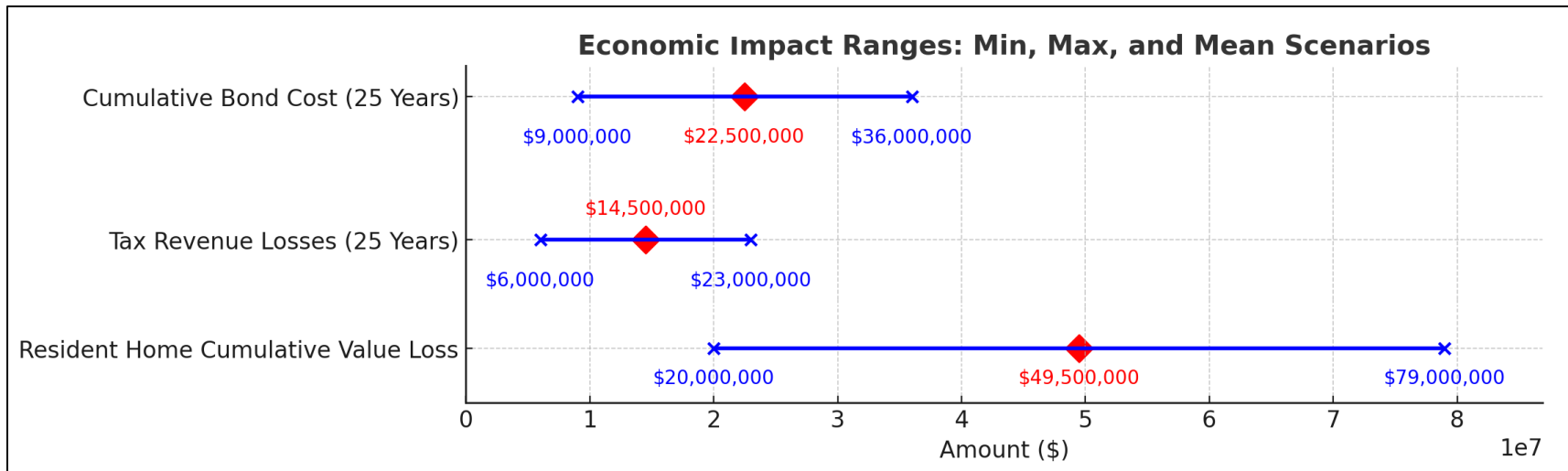
Summary of Concerns Raised in the Petition: The petition outlines key objections, categorized as:

1. Property Value and Tax Collection Impacts
2. Aesthetic Impacts
3. Community and Recreational Impacts
4. Lack of Demonstrated Necessity
5. Availability of Alternate Sites
6. Safety Risks
7. Health Impacts
8. Nature and Wildlife Impacts
9. Violations of City Ordinances and Governance Policies

The petition underscores the community's shared belief that the proposed tower is incompatible with the neighborhood's character, values, and priorities. It reflects a broad spectrum of stakeholders, including homeowners, families, and local advocates, who are committed to preserving the quality of life in Meridian Parks.

This groundswell of unified community action demonstrates the importance of considering public sentiment as a critical factor in the City of Orlando's decision-making process. By rejecting the application and requiring Anthemnet to pursue less disruptive locations, the city can protect the integrity and well-being of its residents.

3. Property Value and Tax Revenue Impacts



Ranges of Cumulative Economic Impacts: The chart illustrates the minimum, maximum, and mean projected losses for cumulative Dowden West CDD residential home value losses, cumulative tax revenue losses over the life of the proposed cell tower and site, and potential cumulative community financial impacts considering tax revenue losses and municipal bond funding strategies. These values reflect potential financial impacts on the community.

Decline in Property Values

The U.S. Department of Housing and Urban Development (HUD) classifies cell towers as "hazards and nuisances," a categorization strongly supported by research and real estate data. This classification reflects the widespread recognition of adverse impacts on property values:

- **Paul Harris, The Guardian (2003):** Homeowners near cell towers reported value losses up to 50%. One case documented an estimated property devaluation of £70,000-80,000, preventing sales at their original valuation. [Source - The Guardian](#)
- **Sandy Bond, The Appraisal Journal (2005):** A quantitative study revealed property value reductions averaging 21% for homes near cell towers. [Source - The Appraisal Journal](#)
- **National Institute for Science, Law and Public Policy Survey (2014):** 94% of respondents indicated reduced property desirability due to nearby cell towers, with 79% stating they would never purchase or rent a property within a few blocks of one. [Source - Electromagnetic Health](#)
- **David Burgoyne, Burgoyne Appraisal Company (2017):** Aesthetics are the most significant factor affecting property values, with visible towers negatively impacting both demand and valuation. [Source - Burgoyne Appraisal Company](#)
- **Ermanno Affuso et al. (2017):** Spatial analysis demonstrated an average value decline of 2.46% for homes within 0.72 kilometers of a tower, with reductions up to 9.78% for homes within direct visibility. [Source - Springer Journal](#)
- **Jason Beck, The Empirical Economics Letters (2019):** Research on cellular towers in Savannah, Georgia, suggests proximity to towers can reduce selling prices by up to 7.6%. [Source - Montgomery County](#)
- **Lyle Laver, The National Business Post (2022):** Cellular towers have been associated with property value reductions of up to 20% in some areas. In one example, realtors estimated value losses between 20% and 35% for a California property located 25 feet from a proposed tower. [Source - National Business Post](#)

In Meridian Parks, where homes are valued between \$400,000 and \$800,000, even a conservative 2% decline could result in individual losses of \$8,000 to \$16,000. Based on research a more reasonable estimate of loss is 8%, where individual losses of \$32,000 to \$64,000 would result. In this analysis, cumulative losses across the Dowden West CDD community would range from an estimated \$20,000,000 to \$80,000,000. The broader implications include reduced buyer interest, prolonged listing durations, and significant challenges to maintaining property allure.

Tax Revenue Losses

Decreased property values directly affect city tax revenues. A conservative 2% decline in home values suggests tax collection losses of \$95-\$190 per property annually. A more reasonable estimate of home value loss of 8% suggests tax collection losses of \$381-\$762 per property annually, equating to significant long-term revenue deficits for the city.

Over the projected 25-year lifespan of the tower, these losses compound significantly. For a neighborhood of 1,446 homes in the Dowden West CDD, a 2-8% loss in home values equates to roughly \$6,000,000 to \$23,000,000 in lost tax revenue. When factoring in debt and interest rates scenarios with municipal bond strategies to offset this perpetual deficit, the potential financial burden could escalate to \$20,000,000 to \$79,000,000 over the tower's lifespan at the designated site.

Over successive decades, these losses compound significantly. Each 25-year period a tower remains at the designated residential site could cost the city tens of millions in lost revenue from reduced property values, declining buyer interest, and diminished community appeal. These economic drawbacks strongly argue against this location. However, this outcome can be easily mitigated or avoided by placing the tower in non-residential areas such as a landfill, pump station, utility site, or commercial property

Anthemnet Comments on Property Value Impacts

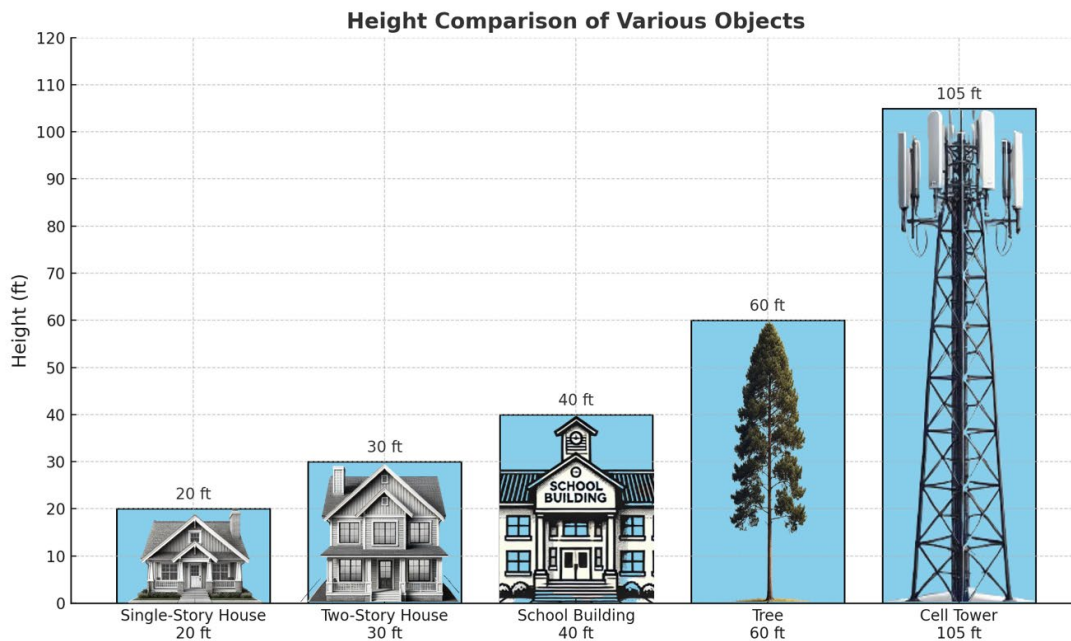
At the January 2, 2025, community meeting, Anthemnet asserted that cell towers located near residential areas can increase property demand and values. When asked to provide evidence supporting this claim, Anthemnet admitted they had no written data or studies to substantiate their assertion, instead relying solely on anecdotal information. A subsequent follow-up request was sent, asking Anthemnet to provide any supporting documentation or research to validate their statements; to date, no such evidence has been provided.

4. Aesthetic, Quality of Living, and Environmental Concerns

Visual and Recreational Impacts

Residents' opposition to the proposed 105-foot cell tower in Meridian Parks is grounded in the significant threat it poses to the natural beauty and aesthetic allure of the community. The envisioned synthetic "tree-like" structure (even if replaced with a simple monopole) jeopardizes the harmonious natural ambiance and disturbs local wildlife, key elements that contribute to the desirability of the residential environment.

The prominent visibility of the proposed cell tower from all corners of the community raises concerns about its intrusive presence, overshadowing the surrounding natural elements. This imposition diminishes the premium aesthetic appeal and compromises the identity of the neighborhood. The towering structure, conspicuously exceeding the natural tree line and any nearby structures, deviates starkly from the community's defining features. It also contradicts City of Orlando Growth Management Plan policies regarding character preservation, structure height, and separation between uses (Policies 1.1.1, 1.3.1, 1.6.5, 1.7.3, 2.4.9, and S.40.8).



Comparison of Heights for Various Community Objects and the Proposed Tower: The graphic illustrates the proposed tower structure significantly exceeding the natural tree line and any nearby structures.

Residents' concerns extend beyond aesthetics, encompassing the contradiction to intentional design principles established in the master plan. The proposed location disregards the careful planning that shaped the community, as outlined in its master plan. This structure not only compromises the aesthetics but undermines the unique character that makes Meridian Parks a desirable place to live. The introduction of such a structure not only compromises aesthetics but also jeopardizes the very essence of what makes the neighborhood special.

Visual Impact: Simulated Views

The images provided by Anthemnet, comparing the site with and without the proposed tower, underscore its obtrusiveness and the significant alteration it would impose on the community's visual landscape. However, questions remain about the accuracy and assumptions underlying Anthemnet's simulations.

During the January 2, 2025, community meeting, Anthemnet was unable to provide details about the methodologies and assumptions used in their simulations. This lack of transparency has raised concerns that their analysis may understate the tower's visual impact by overestimating canopy heights and failing to account for grading differences between the tower and surrounding trees.

Below are independent simulated views of the proposed 105-foot tower at the site. These simulations were created using trigonometric principles to ensure accuracy in estimating perspectives and are based on realistic viewpoints from locations within the Meridian Parks community. Readers are encouraged to review these alongside Anthemnet's package for comparison.



Simulation of Proposed Tower: Founders Street – Balcony, Upper Floor Window, Roof Level

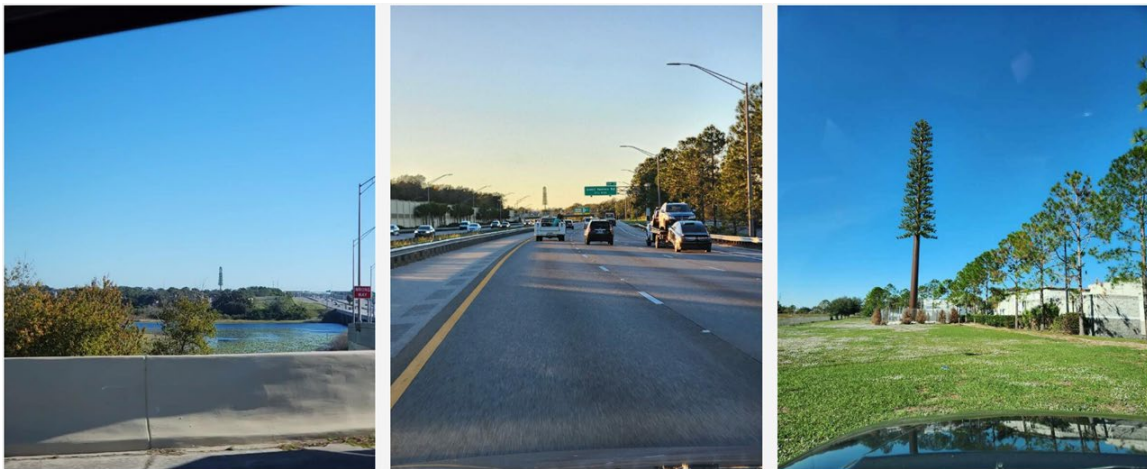


Simulation of Proposed Tower: Exploration Ave – Street Level

Visual Simulations from Two Locations in the Community: The graphic illustrates the proposed tower is a significant alteration to the community's visual landscape and viewable from many areas of the community and homes.

Visual Incompatibility with Surrounding Vegetation

The proposed cell tower's synthetic design, whether as a "tree-like" structure or a monopole, starkly contrasts with the natural aesthetics of the surrounding vegetation in Meridian Parks. Despite attempts to mimic trees, these towers remain conspicuously synthetic due to their rigid, uniform shape, unnatural coloration, and visible antennae or equipment. Unlike genuine trees, which have organic variations in height, shape, and density, these structures stand as an unmistakable man-made intrusion into the landscape. Furthermore, the height of the proposed tower, soaring well above the existing tree canopy, exacerbates its visual prominence, drawing attention away from the natural surroundings. Examples from similar towers in the region underscore how these installations fail to integrate with their environments, instead becoming an eyesore that diminishes the community's aesthetic appeal and natural character. Images provided illustrate the stark contrast between these towers and the lush, varied vegetation they are purportedly designed to emulate.



Similar Existing Tower – West Colonial Location (28.54947, -81.49092)



Similar Existing Tower – Commodity Circle Location (28.44268, -81.43259)

Visual imagery from Two Locations in Orange County: The images illustrate the significant disruptions of towers and lack of a camouflage to integrate the towers and antenna with the natural character of an area.

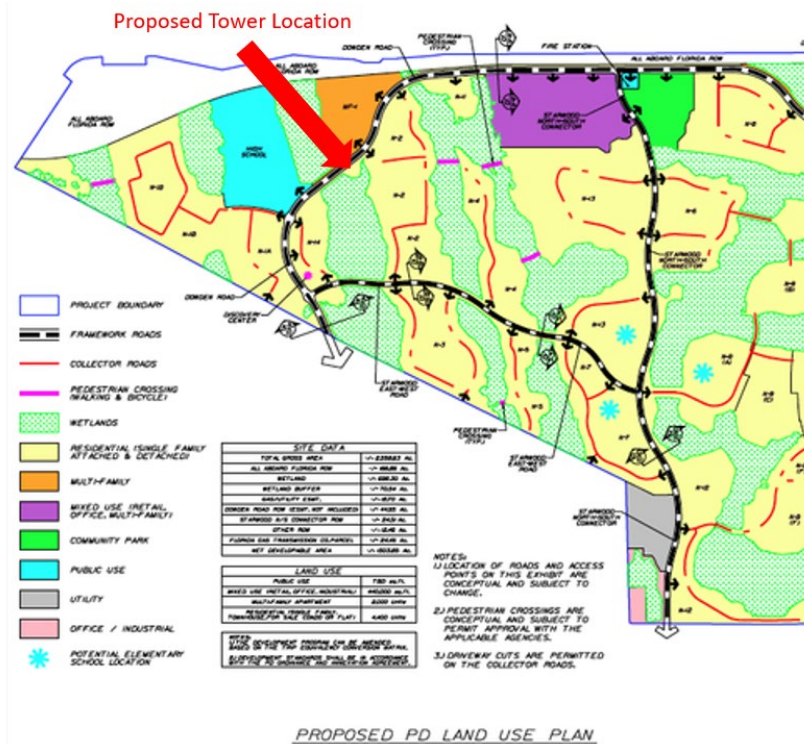
Wildlife Disruption

Studies suggest EMF exposure from towers can harm local wildlife, including birds and pollinators. Research has demonstrated additional risks to domestic animals and wildlife:

- **John Reif, Colorado State University:** A study revealed a direct correlation between electromagnetic field (EMF) exposure and the development of lymphoma in dogs. Canines residing in homes with high EMF exposure exhibited significantly elevated risks compared to those in lower-exposure environments. [Source.](#)
- **Animal Behavioral Changes:** Epidemiological studies on animals exposed to electromagnetic fields indicate perceptual and behavioral changes, including fatigue, headaches, and difficulty concentrating. Studies with rodents and monkeys observed disruptions in behavior, such as delayed escape responses in environments with high EMF radiation. [Source.](#)
- **Fertility Issues:** EMF exposure adversely affects male and female fertility in animals. WiFi exposure has been linked to DNA fragmentation and decreased sperm motility. Pregnancy studies have shown increased risks of miscarriage, spontaneous abortions, and fetal deformities, alongside delayed development in offspring. [Source.](#)
- **Honeybee Navigation:** Studies suggest EMFs interfere with honeybees' ability to communicate and navigate, critical for foraging and colony coordination. Disruptions impact pollination services essential for ecosystems and agricultural productivity. [Source.](#)
- **Impact on Trees:** The impact of cell tower emissions on trees is an area of ongoing research and debate. Studies suggest that electromagnetic radiation from cell towers affects tree health. Some researchers propose that exposure to electromagnetic fields may lead to physiological changes in trees, such as altered growth patterns, leaf morphology, or nutrient uptake. Additionally, there are anecdotal reports of trees exhibiting symptoms such as leaf discoloration, premature leaf drop, or stunted growth near cell towers. [Source.](#)

Loss of Green Space

The Meridian Parks site proposed for the cell tower is currently designated as residential open space and park in the neighborhood map provided to residents and displayed in the Mattamy Homes sales office, and Planned Development (PD) land use approved master planning. Transforming the designated open space or park site into a cell phone tower poses a significant threat to the community. This change would strip residents of a crucial recreational area, converting the space next to the trail from open space and preserve to an industrial equipment site. Such a conversion undeniably diminishes the overall enjoyment for residents utilizing the community's recreational resources.



Visual Graphics from Meridian Parks and Developer Planning, used for informational purposes under fair use: The images illustrate the planned use of the proposed site and immediately adjacent land as “Parks and Open Space” (Top) and “Residential Single Family Attached and Detached” (Bottom).

Further, the elimination of a space intended for activities like playing frisbee, throwing a football or baseball, and flying a kite would negatively impact the overall well-being of the community. This loss of accessible outdoor space could lead to a decline in recreational opportunities, affecting the physical and mental health of residents. The community's social fabric might also suffer, with fewer spaces for communal gatherings and activities. Preserving the site as an open space or park is crucial for maintaining a healthy and vibrant community life. This change violates the original master plan's intent for community development.

Anthemnet Comments on Site Use

At the January 2, 2025, community meeting, Anthemnet acknowledged that the proposed site is currently designated as residential open and park space, and therefore the cell tower compound would replace residential use property. A follow-up request was sent seeking additional information on their assessments of potential impacts to the community's natural environment, including the community's nature, environment, and wildlife. The request also asked for clarification on the proposal's compliance with wetland buffer requirements. To date, no response has been provided.

5. Health and Safety Considerations

Health Risks

The evidence surrounding cell tower emissions and their impact on human health is multifaceted and compelling. Numerous studies and reports highlight increased health issues such as sleep disturbances, fatigue, headaches, and even cancer linked to proximity to cell towers. Both international bodies like the WHO and national agencies such as the National Toxicology Program have raised concerns, with findings indicating potential carcinogenic effects and DNA damage associated with radiofrequency radiation.

Key findings include:

- **WHO/IARC Classification (2011):** Radiofrequency electromagnetic fields were classified as "possibly carcinogenic to humans" (Category 2B). Further testimony suggests this classification could be updated to "probably carcinogenic to humans" (Category 2A) based on recent studies. [Source.](#)
- **National Toxicology Program (2018):** Large-scale studies associated high exposure to RFR with clear evidence of tumors in the hearts of male rats. DNA damage was also observed in some tissues of tested animals. [Source.](#)
- **European Parliament Research Study (2021):** Commonly used RFR frequencies (450 to 6000 MHz) are considered "probably carcinogenic for humans" and have clear effects on male fertility, with adverse developmental impacts on embryos, fetuses, and newborns. [Source](#) – Page 1 and 164.

Furthermore, psychosomatic effects cannot be overlooked, as individuals may experience heightened anxiety and stress due to perceived exposure. Legal cases, such as the removal of cell towers near fire stations after adverse health effects among firefighters, underscore the seriousness of these concerns.

Despite extensive evidence highlighting the potential health risks associated with cell tower emissions, regulatory responses have remained insufficient, leaving communities vulnerable to outdated protections. The following timeline outlines critical milestones in the Federal Communications Commission's (FCC) handling of radiofrequency (RF) radiation guideline challenges. A clear response to court orders underscores the lack of proof for health safety and regulatory gaps (References [1](#), [2](#), [3](#)):

1. **FCC Guidelines Established (1996):**

The FCC developed its RF radiation guidelines based on limited data focused on short-term tissue heating effects. These guidelines did not account for long-term exposure, cumulative effects, or non-thermal impacts, leaving significant gaps in understanding and addressing potential health risks.

2. Notice of Inquiry (NOI) Issued (2013):

In response to growing concerns and emerging research, the FCC initiated an NOI to reevaluate the 1996 guidelines. This inquiry aimed to consider advancements in scientific understanding, including potential non-thermal effects and the implications of long-term exposure. However, no substantial action followed.

3. NOI Terminated (2019):

Despite ongoing research and mounting public concern, the FCC abruptly terminated the NOI without making any adjustments to its guidelines. This decision effectively dismissed over two decades of scientific developments and community advocacy for stronger protections.

4. U.S. Appeals Court Ruling (2021):

A U.S. appeals court ruled that the FCC's decision to terminate the NOI was "arbitrary and capricious." The court found that the FCC failed to provide a "reasoned explanation" for retaining its outdated guidelines and neglected to address critical issues, including:

- The health impacts of RF radiation on children.
- The long-term health implications of RF radiation exposure.
- The ubiquity of wireless devices and evolving technologies since 1996.
- The environmental impacts of RF radiation.

The court ordered the FCC to revisit and address these issues comprehensively.

5. Lack of FCC Response (2024):

As of 2024, the FCC has not complied with the court's directives. The agency's failure to act leaves communities and individuals without updated guidelines that reflect current scientific understanding. This regulatory inaction perpetuates uncertainty and risk regarding the health and environmental impacts of RF radiation.

Implications for Communities

The FCC's regulatory stagnation exacerbates public concerns over cell tower emissions, particularly in residential neighborhoods like Meridian Parks. Without updated guidelines, decision-makers rely on outdated standards that inadequately address modern wireless infrastructure's risks, undermining public confidence and safety.

Communities must advocate for transparency, accountability, and updated guidelines that prioritize health and environmental considerations in the placement and operation of telecommunications infrastructure.

Firefighter Case Study

In 2016, firefighters in central California successfully fought for the removal of a cell tower adjacent to their fire station after experiencing significant health issues. Over five years, all tested firefighters exhibited brain abnormalities on scans, along with symptoms such as delayed reaction times, cognitive impairment, sleep disturbances, headaches,

memory loss, and lack of focus. Importantly, none of the affected individuals had HazMat exposure, ruling out chemical factors. This case, which led to the tower's removal, underscores the potential risks of long-term proximity to telecommunications infrastructure. Following this incident, the International Association of Firefighters (IAFF) lobbied and won the removal of telecommunications antenna infrastructure from fire stations and the establishment of an exemption to the placement of towers in California. Recent communications with the IAFF confirm their ongoing position that, until a study of the highest merit and integrity definitively proves that persistent radiofrequency electromagnetic radiation (RF) poses no hazard to their members' health, they remain opposed to the placement of such infrastructure on or near fire department facilities.

Additional Case Studies

- **Jimmy Gonzalez Case (2011):** A lawyer developed tumors in areas corresponding to heavy cell phone usage. While causality is not definitive, his case exemplifies concerns over long-term exposure.
- **Ripon, California (2019):** A tower near an elementary school was shut down after unexplained cancer cases among children and teachers.
- **Summit, Colorado (2023):** A fire station was closed due to health concerns among firefighters after T-Mobile upgraded telecommunications equipment on-site.

Impact on Vulnerable Populations

Children, the elderly, and individuals with preexisting conditions are particularly susceptible to potential health risks associated with cell tower emissions. The tower's proximity to Innovation High School raises significant concerns about potential learning disruptions and long-term health impacts for students and staff.

Physical Safety Risks

In addition to health concerns, cell towers present significant physical safety risks to nearby properties and individuals. These risks include:

- **Fires:** Electrical malfunctions, such as overheating batteries or wiring failures within the tower's infrastructure, can ignite fires. These fires not only threaten the tower itself but also nearby properties, endangering residents and causing potential environmental damage. For instance, recent reports of tower fires in Sacramento, California (2023), and Gulf Shores, Alabama (2021) highlight the real-world consequences of these incidents, where rapid spread of flames necessitated emergency response and posed risks to local communities.



Visual Image courtesy of KCRA 3 Sacramento, used for informational purposes under fair use – The image demonstrates the fire safety risk of cell towers.

- **Structural Failures:** Towers are vulnerable to collapse due to extreme weather events, including high winds, heavy snow, or seismic activity. Such failures can result in significant property damage and endanger lives in the surrounding area. For example, the 2022 collapse of a cell tower in Las Vegas, Nevada, during high winds underscored the potential dangers of tower placement near residential or recreational spaces.



Visual Image courtesy of FOX 5 Las Vegas, used for informational purposes under fair use – The image demonstrates the structural safety risk of cell towers.

These physical risks further amplify the community's concerns, underscoring the need for strategic site selection and robust safety protocols to minimize threats to residents and infrastructure.

In summary, the health and safety risks associated with the proposed tower are significant and inadequately addressed by current regulations and the applicant's proposal.

Anthemnet Comments on Health Impacts

It is noted, at the January 2, 2025, community meeting, Anthemnet acknowledged that power levels of cellular towers could pose health risks to nearby residents. A follow-up request was sent regarding any information they may have to support their claims on public safety.

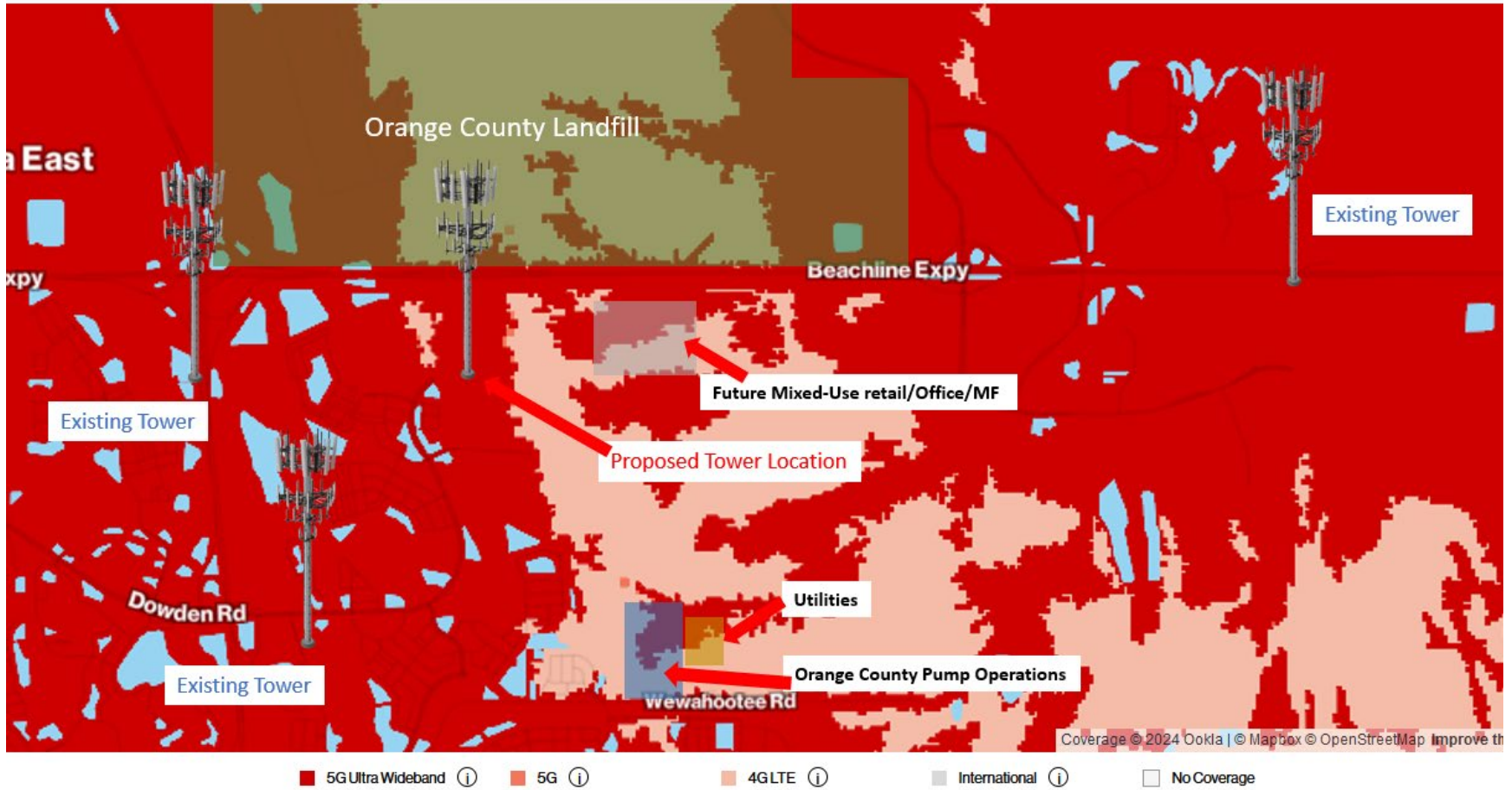
During the January 2, 2025, community meeting, Anthemnet acknowledged that the power levels of cellular towers could pose health risks to nearby residents. Following this admission, a formal request was submitted seeking any supporting data or documentation Anthemnet may have regarding public safety assessments and verification on no increase to public safety. To date, no substantive response has been provided.

6. Lack of Demonstrated Necessity for the Proposed Tower

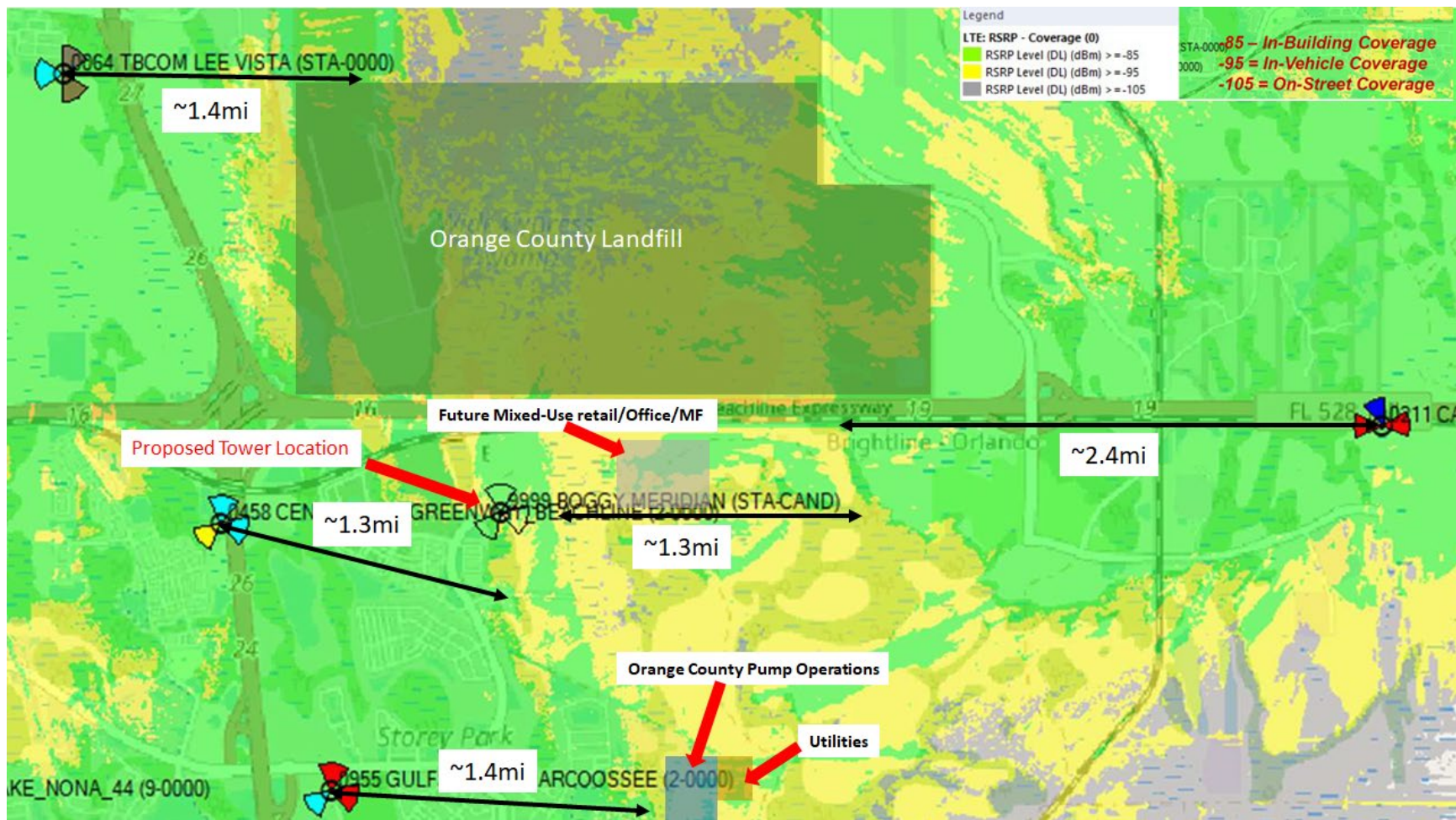
The proposed cell tower site lacks compelling evidence of necessity, as existing coverage maps and resident feedback confirm adequate service throughout the Starwood Planned Development (PD).

Current Coverage Demonstrates Adequacy

1. **FCC Coverage Maps:** These maps illustrate comprehensive 4G LTE coverage across the entire Starwood PD, with no discernible gaps requiring resolution. The proposed site already enjoys maximum coverage, further emphasizing the redundancy of the proposed tower.
2. **Verizon Coverage Maps:** Verizon's data supports this conclusion, indicating strong 5G and 4G coverage at the proposed location and throughout the surrounding community. These maps highlight robust connectivity that makes additional infrastructure at this site unnecessary.
3. **Applicant's Engineering Necessity Case:** The applicant's own analysis confirms that the proposed site sits in a location of maximum "in-building coverage" and the PD benefits from full "on-street" and "in-vehicle" coverage. Notably, the applicant provides no objective and specific data indicating significant coverage deficiencies or network congestion, undermining the case for the tower.



Verizon Coverage Map, used for informational purposes under fair use: The graphic illustrates the proposed location has full coverage, which extends omnidirectionally beyond the site.



Verizon Coverage Map, used for informational purposes under fair use: The graphic illustrates the proposed location has maximum “in-building” coverage and suggest maximum “in-building” coverage extends roughly 1.3 miles from nearby towers.

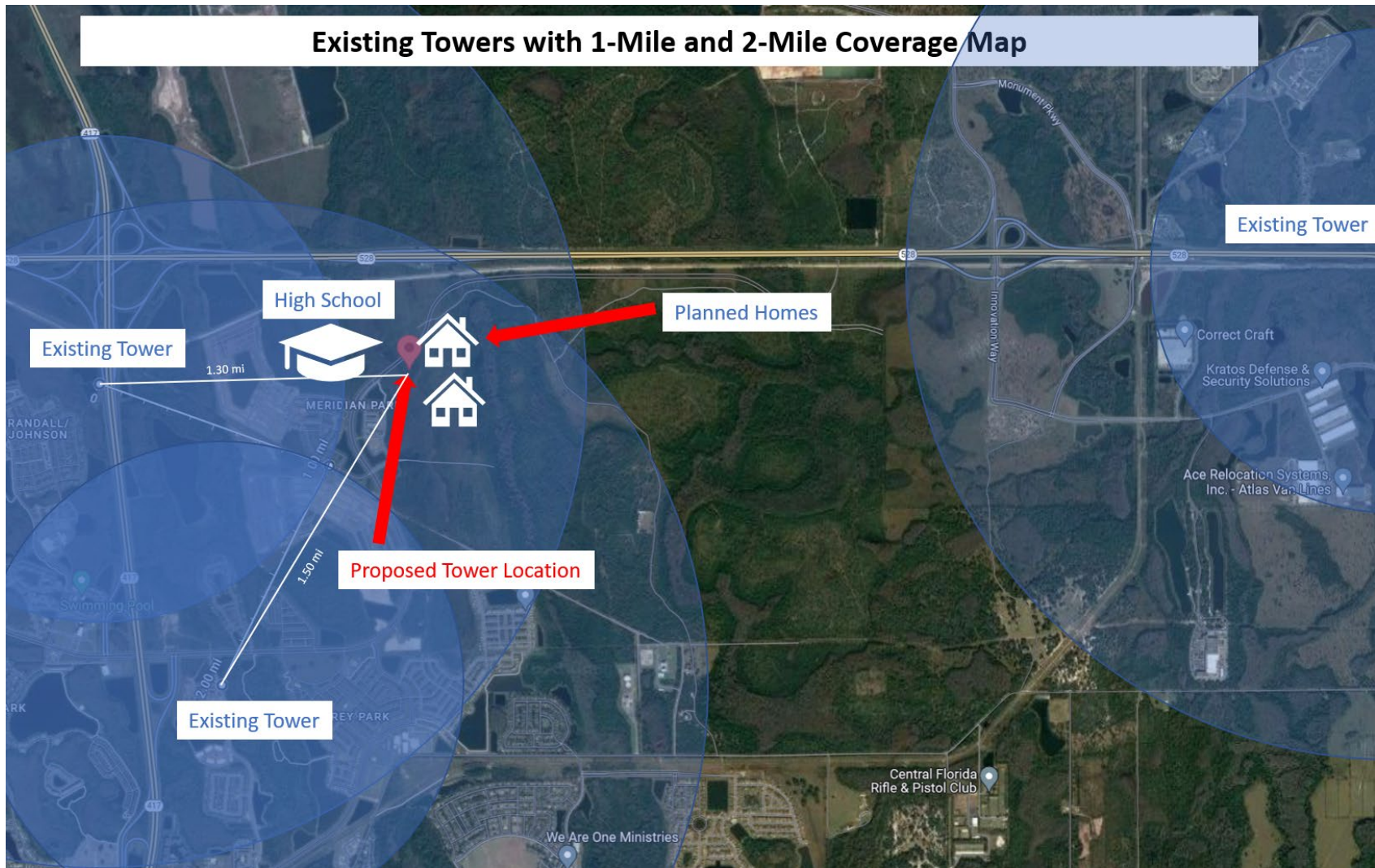
Resident Feedback

Residents living in the Starwood PD, including those residing farthest from existing towers, report no reception issues. This real-world feedback further contradicts the claim that the proposed tower is needed to address service gaps or improve connectivity.

Existing Infrastructure

The proposed location is approximately 1.3 miles, 1.5 miles, and 4.0 miles away from current cell phone towers. If the wireless network's requirements, considering population density, usage, and other factors, suggest that an additional cell tower would benefit the community, a superior location considering all the factors could be to the East of the proposed site by several thousand feet, potentially on the land in the master plan slated for future retail. This would optimize the spacing of cell phone towers supporting the area and potentially reduce the number of cell phone towers in the vicinity, minimizing long-term impacts on the community. Furthermore, locating the proposed tower on the existing Orange County pump operations site, the adjacent electric utility site, or the landfill may enhance provider coverage as desired.

Further, the availability of high-speed 1 Gb fiber internet in all community homes reduces reliance on cellular infrastructure for connectivity. Most residents depend on this internet service for data-intensive activities, such as video conferencing and streaming, diminishing the need for enhanced cellular capacity in the area.



Map of Tower Locations: The graphic highlights the proposed location, which is within 2 miles of existing towers and fails to optimize wireless coverage while minimizing community impacts.

Alternative Locations Better Address Future Needs

If additional infrastructure is required to meet future network demands, alternative sites such as the landfill, pump station, or utility locations offer more suitable options. These sites:

- Are well-distanced from residential areas.
- Align with efficient spacing strategies for cellular networks.
- Minimize visual, environmental, and property value impacts on the community.
- Provide additional coverage for areas of the landfill and Sunbridge Parkway currently with only “on-street” coverage.

Anthemnet Response Regarding Necessity Inquiries

At the January 2, 2025, community meeting, residents raised concerns about the necessity of the proposed cell tower, specifically questioning capacity data, cell tower spacing, and noting that the proposed site already has maximum “in-building” coverage. Anthemnet was unable to provide objective evidence demonstrating a capacity need or to substantiate the site selection. Additionally, Anthemnet implied that optimal tower placement typically requires a minimum spacing of 2 miles between towers, further casting doubt on the appropriateness of this location.

Following the meeting, a formal request was sent seeking any supporting information for their claims, as well as an explanation for why this site continues to be pursued despite conflicts with distancing guidelines, tower height inefficiencies, and the lack of demonstrated necessity.

Insufficient Justification for the Proposed Site

The applicant has failed to provide compelling evidence that the proposed tower is necessary for the area. By neglecting to consider existing infrastructure, adequate current coverage, and viable alternate locations, the justification for the tower at the proposed site remains unsubstantiated and weak.

Alternative placements, such as the landfill or pump station sites, could address future network demands while minimizing community impact. Without compelling evidence of necessity, the justification for this site is lacking.

7. Lack of Exploration of Alternate Sites

The applicant has failed to demonstrate due diligence in exploring viable alternate sites for the proposed cell tower. Several nearby public lands, including the county landfill, pump station, and electric utility properties, offer realistic and superior alternatives. Furthermore, the future commercial site planned at the heart of the Starwood PD, is consistent with where similar towers have been placed in other parts of central Florida. This location provides a better fit with the use and character of the area. All these sites provide opportunities to minimize community impacts while meeting network needs.

Proximity to Existing Towers

The proposed site is situated just over a mile from existing cell towers, which is inconsistent with efficient network spacing principles. It is generally assumed that ideal tower placement would be 2 miles or more from existing towers to optimize coverage and minimize interference. Coverage maps illustrated in this white paper suggest maximum “in-building” and 5G coverage extend roughly 1.3 miles from area towers. By selecting a location so close to existing infrastructure, the applicant has not considered strategic network planning for long-term community and network benefits.

Benefits of Alternate Sites

Alternate sites provide several advantages:

1. **Less Disruptive to Residents:** Public lands and commercial complexes, such as the county landfill and pump station properties, and the planned commercial complex on Dowden Road, are located farther from residential areas, schools, and recreational spaces. These locations significantly reduce impacts on property values, aesthetics, and recreational areas.
2. **Strategically Superior:** Sites on public lands and commercial properties align with efficient spacing strategies, offering better distribution of network coverage across the area. This reduces the need for additional infrastructure and optimizes long-term network capacity. Sites on these properties also permit towers of increased height compared to that proposed.
3. **Readily Accessible and Viable:** County-owned properties, such as the landfill and pump station, and commercial sites are actively maintained and accessible. Claims of inaccessibility or unsuitability for these sites are contradicted by their current use and ongoing maintenance.

Failure to Engage with Public Lands

Despite repeated community requests, and confirmation from the Orange County Commissioners' office (as of January 7, 2025) that these alternate sites were not contacted, the applicant has provided no documentation or evidence of exploration efforts. The failure to assess these viable options raises significant concerns about the credibility of the application and its alignment with best practices in site selection.

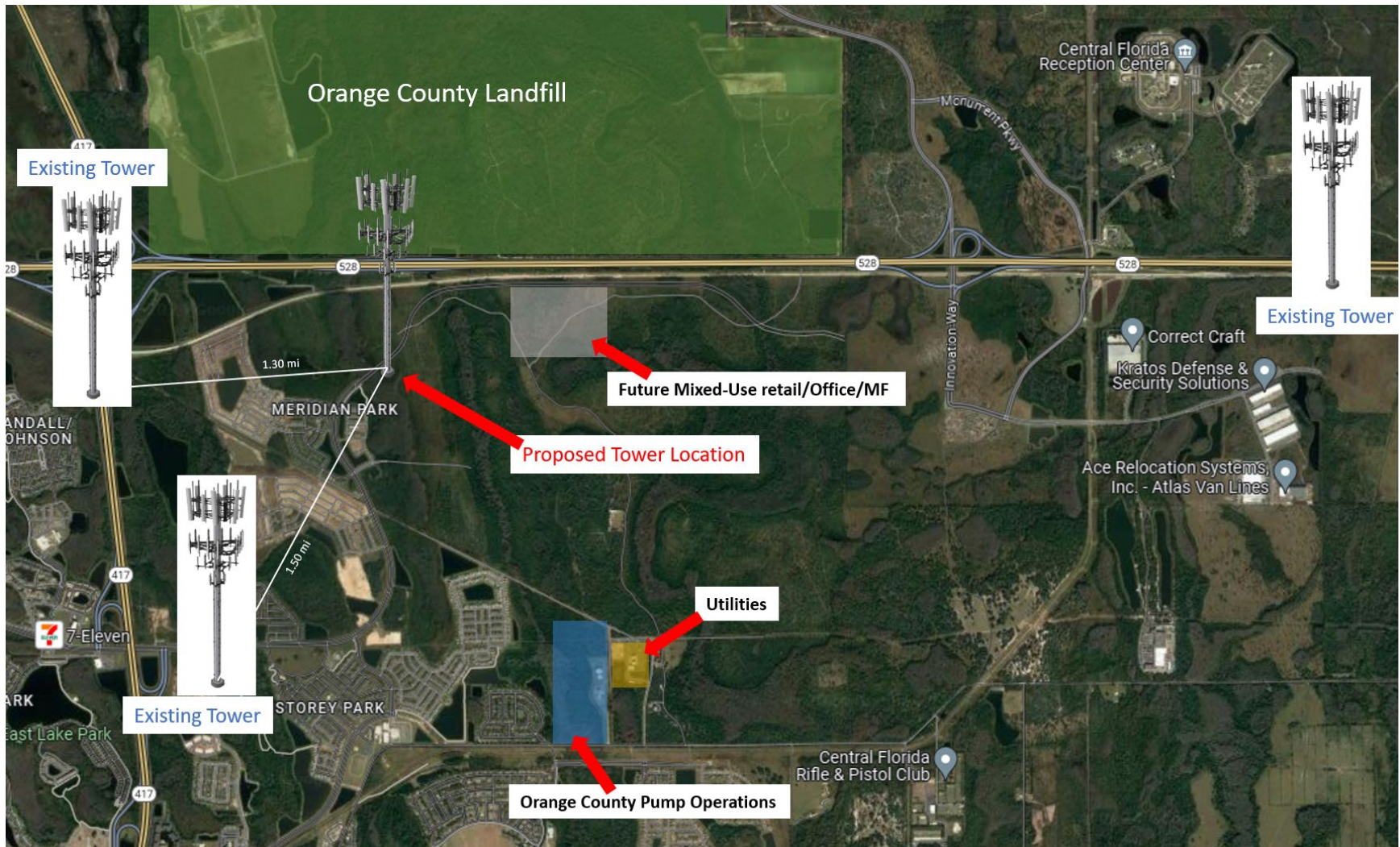
Impact of Neglecting Alternate Sites

The lack of effort to identify and assess more suitable locations demonstrates a disregard for minimizing community disruption and repeated appeals from residents. By failing to explore alternative sites that align with strategic network goals and reduce residential impacts, the applicant has not met the burden of proof required to justify the proposed location. This oversight alone justifies denial of the proposed tower at the current site.

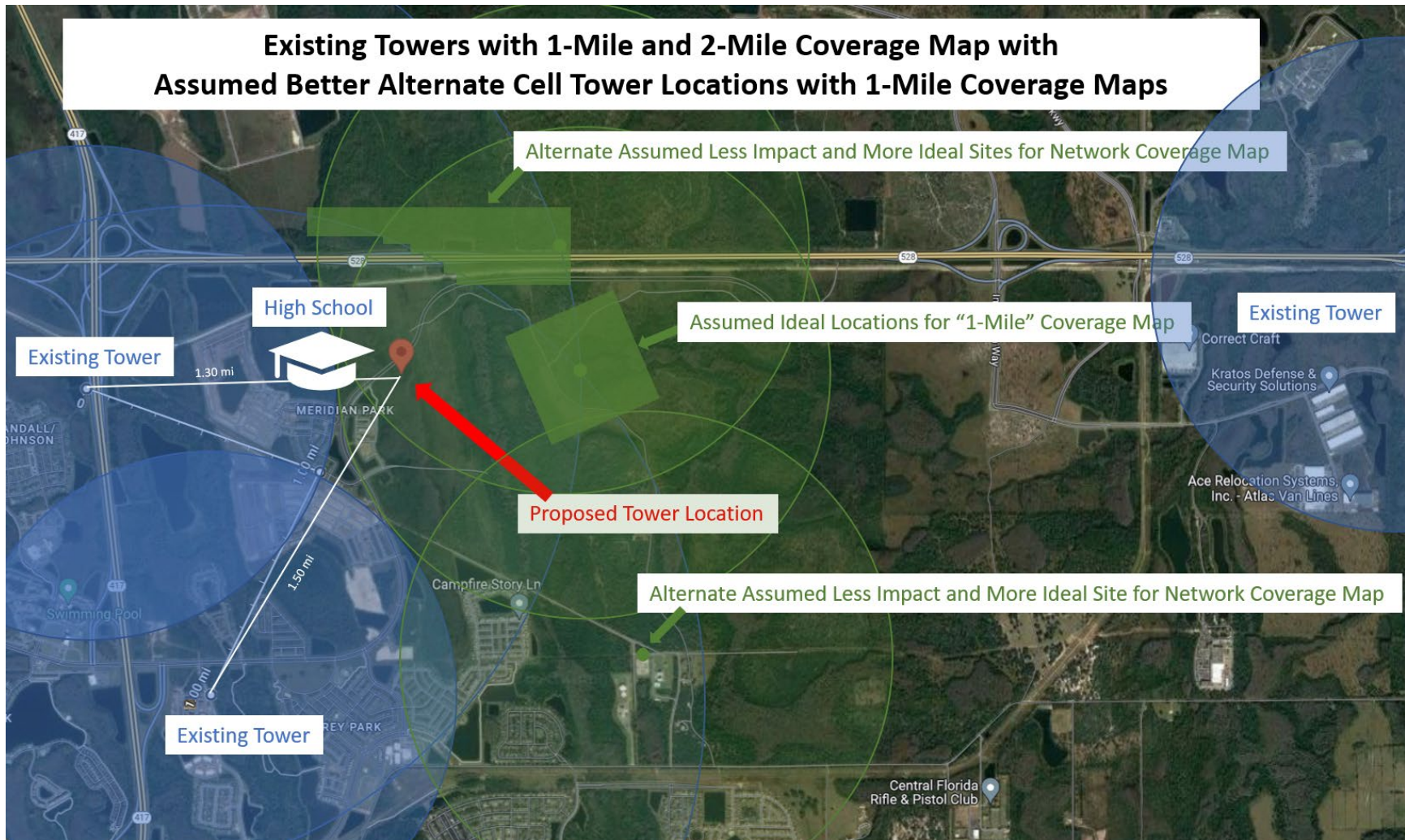
Anthemnet Comments on Proposed Tower Height

At the January 2, 2025, community meeting, Anthemnet acknowledged that the proposed tower height is constrained by the proximity to nearby residences and applicable ordinances. They indicated that the current height is not ideal and that a taller tower would be preferable due to the significant cost associated with constructing cellular towers. Residents countered by suggesting that taller towers could be placed at identified alternate sites where such constraints would not apply.

Anthemnet also claimed that no alternate sites are accessible within a 2-mile radius of the proposed location. Following the meeting, a formal request was submitted to both Anthemnet and Orange County seeking documentation to substantiate their claims regarding the unavailability of alternate sites and access.



Map of Tower Locations and Alternate Sites: The graphic highlights the proposed tower location alongside viable alternate sites, demonstrating options that could better balance wireless coverage needs with reduced community impact.



Map of Tower Locations and Assumed Better Alternatives: The graphic identifies potential locations near the stated 2-mile distance criteria, offering alternatives that could better align with wireless needs, while addressing community concerns and reducing impacts.

8. Governance and Ordinance Violations

The proposed tower violates City of Orlando ordinances and Growth Management Plan policies, highlighting significant inconsistencies with established guidelines for land use, community development, and environmental preservation. Key violations include:

Setback Requirements

- **Ordinance 58.844:** This ordinance mandates a minimum setback of 300% of the tower height from residential properties. For the proposed 105-foot tower, a setback of 315 feet is required. However, the proposed site fails to meet this standard, placing the tower less than 300 feet from planned residential lots. The insufficient setback heightens concerns over safety, aesthetics, and compatibility with surrounding land uses.

Land Use Designation

- **Residential Open Space or Parkland:** The proposed site is designated as residential open space or parkland in the community's master plan and neighborhood maps. Its conversion to an industrial use, such as a cell tower facility, directly contradicts:
 - **Ordinance 58.360:** Focuses on preserving residential zoning and preventing incompatible uses.
 - **Ordinance 58.361:** Protects neighborhood integrity by ensuring that developments align with the intended use of residential areas.
 - **Ordinance 58.849:** Ensures that land use transitions occur in a manner that maintains the character and safety of the neighborhood.

Converting this site undermines the community's planned recreational and environmental benefits, disrupting public spaces intended for gathering, exercise, and connection with nature.

Growth Management Plan Policies

The City of Orlando's Growth Management Plan includes several policies aimed at ensuring sustainable development and safeguarding the well-being of residents. The proposed tower conflicts with the following policies:

- **Policy 1.1.1:** Requires the protection of community character and compatible land use. A 10-story industrial tower in a residential setting disrupts the community's aesthetic and functional identity.

- **Policy 1.6.5:** Promotes healthy natural environments and robust park systems. The proposed site’s conversion erodes these objectives, replacing a potential park with industrial infrastructure.
- **Policy 1.7.3:** Calls for preserving and enhancing green spaces, which are vital for community recreation and environmental health.
- **Policy 2.4.9:** Protects natural features and park and recreation facilities, ensuring developments do not compromise these resources.

Proximity to Sensitive Areas

The proposed site’s location exacerbates its violations:

- **Proximity to Homes:** The tower is situated on residential property less than 900 feet from existing homes and within 300 feet of planned residential lots, directly conflicting with the intent of residential zoning ordinances and master planning.
- **Proximity to Trails:** The site is adjacent to community trails designed for recreation and connectivity. The introduction of industrial infrastructure undermines the aesthetic and functional value of these pathways.
- **Proximity to Schools:** The tower’s location, less than 800 feet from Innovation High School, raises safety and aesthetic concerns for a highly trafficked area frequented by students, families, and educators.

Implications for Sustainable Development

The City of Orlando has prioritized sustainable growth that balances development with community well-being. The proposed tower’s location disregards these principles, creating conflicts with:

1. **Quality of Life:** Residents lose access to designated open spaces and recreational areas, negatively impacting community health and social cohesion.
2. **Land Use Efficiency:** The tower fails to align with the intended residential and park purposes of the site, diverting valuable land from its planned use.
3. **City Vision:** The project undermines the city’s long-term goals of promoting vibrant, livable neighborhoods that integrate natural and recreational spaces.

Conclusion

The proposed tower’s violations of ordinances, land use designations, and Growth Management Plan policies represent a fundamental conflict with the City of Orlando’s vision for sustainable and community-focused development. These regulatory infractions not only undermine the integrity of the city’s planning framework but also jeopardize the quality of life, environmental health, and aesthetic character of the Starwood PD and its residents.

The city is urged to uphold its standards and deny the Conditional Use Permit for the proposed site.

9. Demonstrating the City's Authority to Deny the Application

The City of Orlando holds the authority to deny the proposed cell tower application CUP2024-10001, based on substantial evidence of incompatibility, governance violations, lack of necessity, and the applicant's failure to demonstrate due diligence in exploring alternate sites. Federal and state regulations, as well as legal precedents, affirm that municipalities can reject such proposals when adequately justified. Below, key legal precedents and regulatory frameworks illustrate the robustness of this authority.

Legal Precedents Supporting Application Denials

Municipalities across the United States have successfully defended their decisions to deny cell tower applications in court. Examples include:

1. **Minnesota Towers, Inc. v. City of Duluth (2005):**
 - The City of Duluth denied a permit based on substantial evidence that the proposed tower would significantly diminish property values, fail to blend with the surrounding area, and lack thorough exploration of alternate sites.
 - The court affirmed that the city's findings, including lay opinions from neighbors and photographic evidence of aesthetic impacts, constituted substantial evidence.
 - Key takeaway: Municipalities can deny applications based on property value impacts, lack of alternate site exploration, and incompatibility with the area's character.
2. **Eco-Site, LLC v. Town of Cedarburg (2019):**
 - The town denied an application, citing the tower's incompatibility with adjacent land uses, diminished property values, and negative visual impacts.
 - The court upheld the decision, emphasizing that the zoning ordinance's compatibility requirements were unmet.
 - Key takeaway: Compatibility with adjacent land uses and maintaining community character are valid grounds for denial.
3. **APC Towers III, LLC v. City of Orlando, Florida (2021):**
 - The City of Orlando denied an application for a 130-foot tower, citing substantial evidence of aesthetic incompatibility, failure to thoroughly investigate alternate sites, and lack of a significant service gap.
 - Key takeaway: The burden of proving a significant gap in service and infeasibility of alternatives lies with the applicant.
4. **North American Towers LLC v. City of Lakeland (2021):**
 - The City of Lakeland denied an application, citing proximity to residential areas, visual intrusiveness, and compatibility concerns.
 - The court affirmed the decision, noting that local governments are not obligated to approve towers that violate land use codes.

- Key takeaway: Proximity to homes, visual impact, and compatibility with zoning laws are legitimate factors for denial.

Federal Regulations Allowing for Denials

1. **FCC Regulations on Coverage Gaps (47 C.F.R. §22.99 and §22.911):**
 - Cellular providers are not entitled to "perfect" coverage. Small gaps or "dead spots" are explicitly permitted by FCC regulations, undermining the argument that every tower is essential to ensure coverage.
2. **Telecommunications Act of 1996 (§332(c)(7)):**
 - This act preserves local zoning authority, allowing municipalities to deny applications if based on substantial evidence.
 - Municipalities must ensure that denials do not result in the effective prohibition of wireless services, a high threshold that applicants often fail to meet.
3. **Florida Statutes (§365.172):**
 - Local governments may exclude cell towers from residential zones if reasonable alternatives exist.
 - A zoning board may review whether the proposed height and location are necessary and whether residential areas can be served from outside the zone.

Application to the Proposed Tower

The City of Orlando's decision to deny the proposed tower is supported by substantial evidence, aligning with these precedents:

- **Property Value Declines:** Documented evidence shows that proximity to cell towers reduces property values, impacting homeowner equity and municipal tax revenues.
- **Insufficient Need:** Coverage maps and resident testimony confirm adequate cellular service in the area. The applicant has not demonstrated a significant service gap.
- **Failure to Explore Alternatives:** Nearby public lands, including the landfill and pump station sites, offer viable options. The applicant has not documented any meaningful exploration of these alternatives.
- **Aesthetic and Compatibility Issues:** The proposed tower conflicts with the community's residential character, green space designation, and master plan vision.

Conclusion

The City of Orlando has clear legal authority to deny the proposed tower application. By relying on substantial evidence—including impacts on property values, aesthetics, compatibility, and the lack of necessity—the city can confidently reject the application in compliance with federal, state, and local regulations. Courts have consistently upheld

such denials, affirming the right of municipalities to protect the well-being, character, and economic stability of their communities.

10. Critique of the Anthemnet Proposal Package to the City

The Anthemnet proposal package submitted to the City of Orlando for the Conditional Use Permit (CUP2024-10001) contains significant deficiencies and omissions, undermining its credibility and failing to address critical community concerns. This critique identifies key shortcomings, demonstrating how the proposal falls short of the standards required for approval. By highlighting these issues, this section provides the City with a comprehensive understanding of why the application is inadequate.

Key Issues in the Proposal Package

1. Incomplete Analysis and Lack of Documentation

- **Necessity:**
 - The proposal fails to substantiate claims regarding the necessity of the tower. It lacks objective data on current capacity limitations, projected demand, or other performance metrics. Notably, existing coverage at the proposed site already reaches maximum levels.
- **Alternate Site Assessments:**
 - No detailed evaluations of nearby public lands (e.g., the county landfill, pump station, or electric utility properties) are included.
 - The package does not compare alternate sites to the proposed site or assess their relative impacts on the community and desired coverage.
- **Visual Simulations:**
 - The photo simulations provided fail to accurately depict the tower's true impact on community aesthetics. Key factors such as grading differences, canopy height, and obstruction of natural views are not accounted for or provided.
- **Community Impact Mitigation:**
 - The proposal omits analyses of critical concerns, including property value impacts, tax implications, safety risks, and effects on wildlife and public health.
 - No strategies are presented to mitigate impacts on property values, green spaces, or recreational areas, which are integral to the community's quality of life.
- **Governance:**
 - The application fails to address applicable city ordinances and policies, and incorrectly claims adherence of the "site" to minimum setbacks from "any residual component in a PD" per section 58.844.

2. Inconsistent Statements

- Anthemnet representatives have made statements during public meetings that conflict with the proposal's content:

- Claims about the 2-mile spacing preference for cell towers contradict the proposed site's proximity to existing towers (1.3 and 1.5 miles away).
- Assertions about the inaccessibility of county landfill sites are unsupported.
- Public comments revealed that alternate locations—including county-owned lands—were not fully evaluated or assessed in the application.
- Statements on power output and health concerns are inconsistent with the package's Radio Emission Safety section.

Detailed Examples of Concerns

1. Visual Simulations

- The simulations provided fail to capture realistic viewpoints from residential areas and trails:
- Many images include obstructions that do not represent residents' actual views.
- Grading differences between the elevated tower site and lower adjacent areas likely exaggerate the buffering effect of nearby trees.

2. Alternate Site Analysis

- Anthemnet's assertion that no suitable alternate sites exist is unsubstantiated.
- Nearby county-owned lands, such as the landfill and pump station, remain unexplored despite their potential to be less disruptive and better aligned with zoning policies.
- The proposal does not explain why the planned commercial area within the Starwood PD—consistent with other cell tower placements in Central Florida—was not considered a viable alternative.

3. Technical Justifications

- The proposal lacks data on current network performance, such as dropped calls, download speeds, or capacity constraints, which are essential to validate the tower's necessity.
- There is no explanation of how the proposed tower's height and location align with network optimization goals, particularly given the proximity of existing towers.

Resident Outreach to Verizon Leadership

Residents have proactively emailed and called Verizon leadership to discuss their stance on the proposed cell tower, particularly considering Verizon's statement in the proposal package claiming, "Verizon is part of your community. Because we live and work there too." Despite these outreach efforts, residents received no response, further underscoring the lack of engagement and alignment between the proposal's messaging and actions.

11. Conclusion and Recommendations

The proposed tower in the Starwood PD, Conditional Use Permit for proposed Communication Tower in Starwood PD CUP2024-10001, presents significant and well-documented risks to the Meridian Parks community and the broader Starwood Planned Development, including:

- **Declines in Property Values and Tax Revenues:** Documented studies confirm that proximity to cell towers leads to reduced property values, affecting homeowner equity and municipal tax collections over the tower's lifespan. The estimated tax revenue losses alone amount to millions of dollars over 25 years.
- **Disruption of Neighborhood Aesthetics and Natural Character:** The proposed 105-foot industrial structure is incompatible with the residential and natural character of the area, violating Growth Management Plan policies and diminishing the community's visual and recreational appeal.
- **Loss of Recreational Spaces:** The site, designated as residential open space and parkland, would be converted to an industrial facility, stripping residents of vital areas for recreation, socialization, and mental well-being.
- **Health and Safety Risks:** Studies highlight potential health risks from electromagnetic radiation, including impacts on children, wildlife, and vegetation, as well as physical safety concerns like fire hazards and structural collapses.
- **Violations of Local Ordinances and Governance Policies:** The proposal contravenes multiple ordinances, including setback requirements, land use designations, and policies promoting the preservation of green spaces and community character.
- **Lack of Demonstrated Necessity and Insufficient Exploration of Alternate Sites:** The applicant's own data confirms adequate cellular coverage in the area, and no substantial evidence has been provided to justify the proposed site over less impactful alternatives.

Community Mobilization and Petition

This opposition is not merely theoretical; it is supported by a well-organized and active community effort. Hundreds of residents, representing a significant proportion of Meridian Parks and other stakeholders across Orlando, have united to present a clear message: the proposed tower is incompatible with the character and priorities of the community. A written petition signed by 130 Meridian Parks residents and a digital petition signed by 237 Orlando stakeholders amplify this collective call for action. This overwhelming public response provides further substantial evidence of the community's shared concerns.

Recommendations

Given these findings, it is strongly recommended that the City of Orlando take the following actions:

1. Deny the Conditional Use Permit (CUP).
2. Require Comprehensive Exploration of Alternate Sites.
3. Enhance City Policy Frameworks to better protect residential communities and open spaces from inappropriate industrial developments.

Final Note

The community's concerns are supported by substantial evidence, expert testimony, legal precedence, and a groundswell of grassroots mobilization. This unified effort underscores the importance of rejecting this application to protect the well-being, character, and long-term interests of Meridian Parks and the Starwood Planned Development. By denying the Conditional Use Permit and requiring the applicant to pursue alternate locations, the City of Orlando can demonstrate its commitment to thoughtful urban planning and the priorities of its residents.

12. Additional References

Additional references are provided in conjunction with those provided within specific white paper sections.

- [Environmental Health Trust](#)
- [International Association of Fire Fighters](#)
- [Preserveorlando.com](#)