



MINUTES

Planning Commission Meeting: April 13, 2020

Application:	<u>SU19-0007:</u> Special Use Permit for an increase in the height of the monopole tower and expansion of the compound area for an AT&T telecommunications facility
--------------	--

Kim Hollingsworth, Senior Planner, presented a request for a special use permit for an AT&T telecommunications facility. The 0.43 acre property is located southeast of 151st Street and Mur-Len Road and is zoned CP-3 Planned Community Corridor Business District. It is surrounded by C-O, C-2 and R-1 zoning districts. She noted that the tower was built in 2000 at 60 feet in height, the maximum permitted at that time without a special use permit, which is required for modifications greater than 10 percent of the height, or for expansion of the compound area. New trees will be planted south and east of the facility.

Ms. Hollingsworth noted the location of the tower and compound area on the site plan. She also noted the existing chain-link fence will be removed and new ground-level equipment will be enclosed by a black vinyl-coated fence. She presented elevations of the tower as it exists and how it is proposed. The applicant provided simulations of the tower with added height. The facility will meet FAA, FCC and State regulations.

Ms. Hollingsworth reported that a neighborhood meeting held in January was attended by five individuals. Public notice was appropriately provided and staff received one email from a member of the public prior to tonight's meeting. Staff recommends approval of this special use permit for a period of 10 years.

Chair Vakas opened the public hearing and asked the applicant to come forward. **Travis Schenk, Crown Castle, 2000 Corporate Drive, Canonsburg, PA**, spoke remotely via the Zoom application. He explained that this special use permit is necessary because AT&T is seeing a significant gap in service coverage in this area, and adding to this tower is the least-intrusive way to meet the demand. The applicant does not believe this site is a detriment to the public health, safety or welfare and will not create a nuisance.

Mr. Schenk commented that expanding the height of the tower will improve emergency response times in the area it covers. He said this site is important because the network capacity is growing very quickly, noting that more people are moving away from land lines to cell phones. Coverage objectives include neighborhoods in the four quadrants surrounding the tower, serving over 1,500 homes and businesses and the school to the west. There are also capacity offload objectives as data users move through the area.

Mr. Schenk presented a map showing current coverage and capacity, noting that the subject area is not optimal. This tower will meet demand and provide much improved throughput once AT&T's equipment is installed. The applicant strives to provide a seamless network and believes this tower will accomplish that. Mr. Schenk believes AT&T has demonstrated why it is best to locate their equipment on this tower. The current site meets the criteria of being leasable, buildable and zone-able, and there is already a tower in place.

There were no questions for Mr. Schenk from commissioners. **Adam McGuinness, 15296 South Wyandotte Drive, Olathe**, spoke remotely via the Zoom application. Mr. McGuinness requested

SU19-0007
April 13, 2020
Page 2

that this matter be postponed because he believes it was difficult to find the Zoom meeting link. He was concerned others may have had similar issues. He also believes that there will be multiple owners who would like to submit a petition against this, and because the petition has to be notarized, the stay-at-home order will make it difficult to find a notary.

Comm. Nelson asked Mr. McGuiness what he and others are specifically opposed to. **Mr. McGuiness** responded that owners of homes near the tower feel that having such a tall tower directly in view of their homes will be detrimental and compromise the value of their real estate. **Chair Vakas** added that the Commission has read Mr. McGuiness's correspondence and taking his comments into consideration.

There was no one else wishing to speak. **Ms. Nassif** explained that the Zoom meeting link was posted on four different City web pages, and also sent the link out through social media. Also, staff is in contact with Mr. McGuiness regarding filing a protest petition, has developed a method for any individual wishing to comment or protest and was following up with him again after the meeting. **Chair Vakas** called for a motion to close the public hearing.

Motion by Comm. Nelson, seconded by Comm. Fry, to close the public hearing.

Aye: Fry, Breen, Corcoran, Allenbrand, Nelson, Freeman, Sutherland, Vakas (8)

No: (0)

Motion was approved 8-0.

Motion by Comm. Fry, seconded by Comm. Sutherland, that SU19-0007 be approved, for the following reasons:

- (1) The proposed development complies with the policies and goals of the *Comprehensive Plan*.
- (2) The complies with the *Unified Development Ordinance* criteria for considering special use permit applications.

Comm. Fry's motion included recommending approval of SU19-0007 with the following stipulations:

1. The special use permit is valid for a period of ten (10) years following Governing Body approval, with an expiration date of May 5, 2030.
2. A double row of six-foot tall evergreen trees must be planted north, east and south of the compound area prior to certificate of occupancy.
3. Any disturbed ground cover areas must be replanted with sod.

Aye: Fry, Breen, Corcoran, Allenbrand, Nelson, Freeman, Sutherland, Vakas (8)

No: (0)

Motion was approved 8-0.