

City of Sachse, Texas

Minutes of the Regular Meeting of Monday, April 24, 2006
Time: 7:00 PM Place: Sachse City Hall

Minutes of the Regular Meeting of Monday, April 24, 2006
Time: 7:00 PM Place: Sachse City Hall

Members Absent:

Mark Durbin

Michael Spencer, Interim
Community Development Director

Dave Kirk, T-Mobile Representative
Russ Noland, First United Methodist Church
Chris Lam, City Council Member

Ed Stelnicki opened the meeting, and a quorum was declared.

Item #1: Conduct a Public Hearing and consider the application of T-Mobile, requesting approval of a Special Use Permit with conditions for a Stealth Communications Tower on property zoned Residential-2 (R-2) District. The property is located at 1520 Blackburn.

Michael Spencer, Interim Community Development Director presented the application from T-Mobile for a Special Use Permit with conditions for a Stealth Telecommunications Tower located at 1520 Blackburn. T-Mobile representative Dave Kirk explained that the tower would be designed for multiple users. Dave Kirk stated that with residential areas being the most difficult areas to place a cell tower we face the challenges of covering residential areas. T-Mobile already has commercial sites because those being the easiest to acquire. The proposed site will be very expensive for T-Mobile to build on compared to other cell tower locations, because we are making a proposal to construct a cell tower site with the least visual impact. This structure will provide visibility to the church, is designed for multiple users, and therefore, providing better service to the area. Jo James Johnston asked who would be responsible for providing the maintenance. Dave Kirk stated that T-Mobile would be responsible for the maintenance of the tower. John Staples asked if there would be any equipment exposed. Dave Kirk stated no equipment would be exposed. Jo James Johnston asked if the tower could accommodate other users. Dave Kirk stated that each carrier would require approximately 10 ft of the tower therefore it could possibly handle up to 3 or 4 additional carriers. T-Mobile has national agreement with other providers. Kola Anifowoshe also inquired to maintenance of the tower. David Kirk stated that, maintenance of the tower would be the responsibility T-Mobile. Kola Anifowoshe asked who would own the tower. David Kirk said that they would be leasing the land the tower is on and they would build and own the tower. Jo James asked if it is really a church tower if T-Mobile owns it. Dave Kirk stated that T-Mobile is proposing a stealth tower via the church tower. Ed

Stelnicki asked Michael Spencer is the SUP tied to T-Mobile specifically or tied to the cell tower. Michael Spencer said that the Special Use Permit would be tied to T-Mobile. Ed Stelnicki noted that in Exhibit C, the 90-foot tower closest boundary line is 345 feet away being 75 feet further than the required distance to height ratio of 270 feet for the proposed tower. Michael Spencer stated that was correct. Russ Noland, Senior Pastor of the First United Methodist Church stated that T-Mobile had approached them with the proposed church tower. Russ Noland said that the proposed tower fits in with the Church's master plan even though it was not part of the original plan. Kola Anifowoshe asked, how important is the tower to the church. Russ Noland noted that the Church location is set back off the main road and visibility is an issue for the Church. Russ Noland said the income is not important to the church. The income from the tower would only account for 1% of the church's annual revenue. However, the church would benefit from the tower. Jo James Johnston asked about the possibility of a bidding war between carriers. Russ Noland said that the carriers would be approaching T-Mobile and not the church. Kola Anifowoshe asked if the church would have control over the maintenance that evolves over time with the different construction materials. Russ Noland stated that within the lease agreement, the church has ultimate control over maintenance of the tower. Jo James Johnston asked if there would be a logo of any sort. Russ Noland stated that other than a cross, there would be no other logo affixed to the tower. Ed Stelnicki asked, assuming the building was only a church tower, from a zoning standpoint, does it meet all the requirements of a church tower. Michael Spencer stated that it does meet all the requirements for the purpose of a church tower and it would meet all the qualifications for a stealth communications tower. Ed noted that staff recommended approval and he had no doubt that it the tower is compliant with all aspects of the city requirements. John Staples asked if the tower would cause any interference with other appliances. T-Mobile representative stated that, all radio wave frequencies are governed by the FCC. They would be on a different frequency that would not cause any interference.

There being no further questions from staff. Charles Sprague made the motion to open the Public Hearing. John Staples seconded the motion.

The residents, Lola Smith residing at 6205 Big Valley, Robert Kaufman residing at 6504 Hilltop, Steve Bartz residing at 6501 Hilltop, Colleen Merk residing at 1802 Cartwright, resident of 1527 Bonanza, Chris Johnson residing at 6202 Hilltop, Kevin Hudson residing at 1801 Cartwright, Marshal Garvin residing at 6407 Hilltop Trail, Jerry McDonald residing at 6408 Hilltop Trail, Kevin Freeman residing at 1108 Meadow Lane, Martin residing at 6507 Hilltop, Allen residing at 6310 Hilltop Trail and Annette Seamen residing at 1527 Bonanza, all expressed their concerns opposing the approval of the Special Use Permit for the Stealth Telecommunications Tower. Other residents, Mr. Bill Jones residing at 5417 Jefferson and Mr. Noland, Senior Pastor of the First United Methodist Church and residing at 1520 Blackburn were in favor the proposed tower.

John Staples made a motion to close the Public Hearing and Charles Sprague seconded the motion. It passed unanimously. The Public Hearing closed at 9:17 p.m.

John Staples said he would like to table the vote and Jo James Johnston seconded the motion. John Staples, Jo James Johnston, and Kola Anifowoshe all voted in favor with Charles Sprague, Ed Stelnicki, and David Lay voted against the motion to table.

More discussion followed. Charles Sprague thanked everyone for his and her input on the Public Hearing and questioned whether the proposed tower was compatible with the surrounding residential area. John Staples made a motion to deny the Special Use Permit based on non-compatibility with surrounding land use. David Lay seconded the motion. Five voted in favor of

denying T-Mobiles Special Use Permit for a Stealth Telecommunications Tower at 1520 Blackburn with Kola Anifowoshe voting against the motion.

There being no further business, Charles Sprague made a motion to adjourn, Jo James Johnston seconded the motion and it passed unanimously.

The meeting adjourned at 9:40 p.m.


Secretary


Chairman