

**ITEM 2 HOLD A PUBLIC HEARING FOR A SPECIFIC USE PERMIT CASE NO. 12-18-SUP, AND CONSIDER RECOMMENDATION FOR AN ORDINANCE**

Receive public input regarding the request for a Specific Use Permit for Lot 2R, Block 1 Westpark Professional Centre Addition, 200 Block of Dock McGinnis Road for a Telecommunications Tower in the Community Business District (C-2) and consider recommendation for an Ordinance.

Commissioner Zahn opened the public hearing.

Stephen Cook, Senior Planner, gave a brief description of the case. The applicant is requesting a Specific Use Permit for the use of a portion of the subject property for the development of a telecommunications tower (cell tower). Section 84-85 (ai) outlines the standards to construct a telecommunications tower, including the requirement for a Specific Use Permit. The location is adjacent to existing developed commercial property and adjacent to undeveloped C-2 zoned property.

On July 25, 2013 the Zoning Board of Adjustment granted variances to the following:

Section 84-85(ai)(2)(a)(5) requiring that telecommunications towers must be a minimum of 200 feet or three to one distance to height ratio, whichever is greater; and,

Section 84-85(ai)(2)(a)(6) requiring that telecommunication towers be a minimum distance of 5,000 feet from another telecommunication tower, including from those towers located in an adjacent municipality.

The proposed tower height is one hundred ten (110') feet. A three to one ratio setback would require a three hundred thirty (330') foot setback from surrounding structures. The closest structure is the Dixie House restaurant. Its' owners were in favor of the variance request. The proposed tower location is proposed to be setback approximately two hundred thirty (230') feet from the restaurant. The applicant represents that the proposed tower location provides optimal cell coverage, particularly for areas south of Airport Freeway. If the tower location were to be moved south, the development potential of the property would be limited. The proposed location also keeps the tower north of an existing drainage swale on the property.

In support of the variance of the tower-to-tower setback distance, the applicant stated that "the telecommunications pole will provide emergency 911 service to the residential areas surrounding the site, and telecommunications coverage will be improved along Hwy 183. Additionally, by providing additional space on the tower for other carries, the tower will reduce the need for multiple other towers to address coverage needs in the area."

The proposed tower is a monopole design in accordance with city standards and would not require additional footprint with guy-wires. An 8' masonry wall would be constructed to screen the equipment shelter, with external landscaping provided as well. By

ordinance, the tower must also be designed to accommodate two (2) additional antenna arrays. The applicant has also stated that co-locating on existing towers is not a viable option due to the lack of physical antenna space on the other towers and that the immediate geography of the other towers would not solve the gap coverage in which this tower location is attempting to alleviate.

The Euless Unified Development Code provides the opportunity for the City to contract with a consultant with expertise in the demands and requirements of the telecommunications industry to provide analysis and feedback on the tower location. The consultant concluded that the proposed tower location is acceptable location and will fill the gaps in cell tower coverage.

Staff recommends approval with the following conditions:

- a. The Specific Use Permit is tied to the tower ownership: Dallas MTA, LLP dba Verizon Wireless; and,
- b. The Specific use Permit may be revoked if one or more of the conditions imposed by this permit has not been met or has been violated.

Commissioner Zahn asked for any proponents/opponents to come forward for any comments.

Michael Baldock, 306 Salsbury Drive, Euless, TX came forward with his concerns over that fact that it appears that one entity will own this tower and we will not allow a monopoly. He stated that there doesn't appear to be any guarantees when it comes to health concerns, property values being affected, and tree clearing.

Shane Simpson, 303 Salsbury Drive, Euless, TX came forward with his concerns about his property values decreasing and the overall negative impact a cell tower can have on the health and well-being of his family.

Stephen Cook, stated that the cell tower will be utilized by several providers and not a monopoly of one particular company.

The applicant's representative, Mason Griffin, stated that he cannot state any case where health or property values were impacted by a cell tower and deferred to city staff for comment.

Mike Collins stated that with all of the research and information available to date there have not been any conclusive studies to show negative health concerns as they relate to the cell tower. And in that same regard there is nothing showing any harmful impact to property values as they pertain to a cell tower. The cell tower is located in zoning that allows for this cell tower and the applicant and city staff have made sure that the cell tower is located at the farthest point away from the residential zoning.

Commissioner Brown asked the applicant about tree clearing on site.

Mr. Griffin stated that the location was determined in order to utilize the trees as a buffer, but there might be a need to affect a few of the trees.

Commissioner Tompkins asked the size of the compound and if the Euless Fire Ladder Trucks could reach the top of the tower in case of emergency.

Mr. Griffin stated that the location was fifty foot by fifty foot.

Paul Smith, Fire Marshal, stated that the trucks do not reach to the top of the tower, but that they have systems in place in such an emergency.

Commissioner Zahn asked if there were any other proponents/opponents. Seeing none, the public hearing was closed.

Commissioner Brown made a motion to approve Case #12-18-SUP with the conditions as written. Commissioner Huffman seconded the motion. The vote was as follows:

Ayes: Commissioners Zahn, Huffman, Portugal, Tompkins, and Brown.

Nays: None

Abstention: None

The motion carried: (5-0-0)