

## Legislation Details (With Text)

**File #:** 2016-0195      **Name:**

**Type:** Public Hearing - Sworn      **Status:** Failed

**File created:** 5/6/2016      **In control:** City Council - Special Session

**On agenda:** 7/7/2016      **Final action:** 7/7/2016

**Title:** CONTINUED PUBLIC HEARING - Appl. #PL2016-054 - SPECIAL USE PERMIT- telecommunication tower, 244 NW Executive Way; Selective Site Consultants, Inc., applicant

**Sponsors:** Planning and Special Projects

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Letter, 2. Planning Commission Minutes, 3. Site Plan, 4. Narrative, 5. Neighborhood Meeting Notice, 6. Correspondence from neighbor, 7. Photos of surrounding property, 8. Photo Simulation, 9. Site Justification Plan, 10. Tower Table, 11. Missouri State Satutes, 12. Location Map

Date	Ver.	Action By	Action	Result
7/7/2016	1	City Council - Regular Session	denied	Pass
6/23/2016	1	City Council - Special Session	continued	Pass
6/16/2016	1	City Council - Regular Session	continued	

**CONTINUED PUBLIC HEARING - Appl. #PL2016-054 - SPECIAL USE PERMIT- telecommunication tower, 244 NW Executive Way; Selective Site Consultants, Inc., applicant**

Issue/Request:

This application is for a new 95-foot monopole telecommunication tower located at 244 NW Executive Way. The telecommunication tower will be enclosed within a 50' x 50' fenced area and will be accessed from NW Executive Way.

A preliminary development plan application (Appl. #PL2016-053) for the tower site layout has been submitted and is also on this agenda for consideration.

No time limitation for the special use permit is established as part of this approval due to §67.5094 R.S.Mo., Subpart 14. This statute lists "Prohibited Acts by Authority" which states: *In order to ensure uniformity across the state of Missouri with respect to the consideration of every application, an authority shall not: Limit the duration of the approval of an application.*

Key Issues:

[Enter text here]

Proposed City Council Motion:

Should the Council vote to draft an Ordinance for Appl. #2016-054-SPECIAL USE PERMIT- telecommunication tower, 244 NW Executive Way; Selective Site Consultants, Inc., applicant, one has been included in tonight's agenda.

Background:

[Enter text here]

Impact/Analysis:

[Enter text here]

Timeline:

Start: \_\_\_\_

Finish: \_\_\_\_

Other Information/Unique Characteristics:

[Enter text here]

Presenter: [Enter Presenter Here]

Recommendation: Staff recommends **APPROVAL** of the special use permit, subject to the following:

1. A modification shall be granted to the required separation distance from single and two-family residential uses and districts. The requirement is 4 times the height of the tower, or 380 feet. The tower is located approximately 95-feet to the nearest residential use to the north.
2. A modification shall be granted to the requirement that the tower be painted, to allow the tower to be galvanized as shown on the plans.
3. Approval of the special use permit is contingent upon approval of the preliminary development plan (Appl. #PL2016-053), for the telecommunication tower.

Planning Commission Recommendation: On the motion of Mr. DeMoro and seconded by Mr. Rader, the Planning Commission members voted six "yes" and two "no" by voice vote to refer Appl. #PL2016-054 - SPECIAL USE PERMIT- telecommunication tower, 244 NW Executive Way; Selective Site Consultants, Inc., applicant, to the City Council with no recommendation from the Planning Commission.