Chair John called the meeting to order at approximately 7:00 p.m. Those members attending included Matt Reichert, Martha John, Philip Clithero, and Fred Carroz. Also attending were the Deputy City Clerk, Megan Eldridge, Development Services Manager, Pat Zenner, and Assistant City Counselor, Ryan Moehlman.

The minutes from the regular meeting of March 10, 2015 were approved as submitted on a motion by Mr. Clithero and a second by Mr. Reichert.

The following cases, properly advertised, were considered. All persons testifying were duly sworn by the Deputy City Clerk.

**Case Number 1899 was a request by St. Charles Tower Inc. (applicant/lessee) and Fairway Commercial Buildings Inc. (owner) for a conditional use permit to allow a communications tower on property located at 3101 Paris Road.**

Mr. Moehlman asked the attorney appearing on behalf of the applicant if he was aware that only four Board of Adjustment members were present, that an affirmative vote by all four Board members was necessary for the applicant's request to be approved, that the applicant was entitled to continue the hearing until a full Board was present, and whether the applicant wished to proceed with the hearing. The attorney appearing on behalf of the applicant stated he understood and wished to proceed.

Chair John opened the public hearing.

Dan Beckett, an attorney with Smith Lewis, offices at 111 S. Ninth Street, Suite 200, appeared on behalf of St. Charles Tower Inc. and Fairway Commercial Buildings Inc. St. Charles Tower Inc. desired to lease a portion of the subject property from Fairway Commercial Buildings Inc., and the lease was contingent upon approval of their request for a conditional use permit. He provided a handout of Exhibits labeled 1 through 8 which included certified copies of Sections 29-20, 29-21.3, and 29-23 of the City Code, a proposed site plan and letters from Meghan Wallis on behalf of St. Charles Tower Inc. that were submitted with the application, maps from the Assessor's Office showing the subject tract's location and the zoning designations of properties adjacent to and surrounding the subject tract, photo simulations of the proposed communications tower on the subject property, and a copy of Missouri's recently enacted Uniform Wireless Communications Infrastructure Deployment Act. He entered into the record Exhibit 1 in the handout that was provided. He mentioned that Exhibit 4 depicted the proposed tower's location and Exhibit 7 also depicted the proposed tower's location as well as the minimal aesthetic impact of the tower. The proposed tower would be a 160-foot tall monopole-style communications tower painted blue-gray to blend in with the sky and there would be an aboveground equipment shelter. He noted the subject property was zoned M-1, a general industrial zoning district, and was located northeast of the Brown Station Road and Paris Road intersection as shown in Exhibit 6. A self-service car wash known as Squeaky B's and a Jiffy Lube currently operated out of the building on the subject property, however the communications tower would not interfere with those operations. The area surrounding the subject tract was also zoned industrial with a Casey's convenience store to the south across Brown
Station Road and a Dollar General and Landmark Bank branch across Paris Road. Communication antennas and towers were a permitted use in M-1 zoning districts upon issuance of a conditional use permit pursuant to Section 29-23 of the City Code. He stated that St. Charles Tower Inc. had identified other existing towers in the city to determine whether a co-location would be feasible, but that was not a viable option due to the technical requirements of this site. He explained St. Charles Tower Inc. was proposing a monopole design because the equipment needed for a capacity site such as this required a greater number of antennas and other equipment that stealth towers could not accommodate. The proposed tower would be capable of serving three cellular carriers. He commented that this satisfied the requirements of Section 29-21.3 of the City Code. He requested the Board grant a conditional use permit to allow construction of the communications tower and support facility according to the plans and specifications in the site plan. There would be no adverse impact from the conditional use permit being granted, communication services would be enhanced in the city of Columbia, the general welfare of the citizens of Columbia would be improved, and cellular coverage would be more reliable.

Chair John commented that the lot’s northeast property line was not defined very well on the third page of Exhibit 4. Mr. Beckett thought the preceding page showed the building line.

There being no further comment, Chair John closed the public hearing.

Mr. Zenner commented that the proposed communications tower would be a monopole structure with exteriorly-mounted antennas at three connection points shown on Exhibit 4. Since the City’s definition of height included all antennas or structures, the proposed height was listed as 160 feet. The tower would be 150 feet tall and a lightning rod would add 10 more feet. He noted the antennas would not extend more than 160 feet. He mentioned this proposal complied with City requirements and pointed out that setbacks were not required for the proposed tower due to the property’s M-1 zoning classification. Since the area surrounding the subject property was also zoned M-1 and there were no residential structures on any adjacent properties, the tower was capable of collapsing in any direction without impeding a residential structure or zoning district. The tower would be located about 50 feet from the COLT Railroad property line to the west. Staff spoke with the City’s Public Works Department and the City’s Water and Light Department regarding the potential for the tower to fall in the direction of the railroad property line and impede the railroad’s operation, and there was no concern or objection. The Board would probably see more applications for exteriorly-mounted antenna structures, which were normally monopole structures, since not many freestanding or guyed structures were done within the city. He noted Civic Recycling was located west of the property and felt a cellular communications tower would not impact a recycling facility or other uses within the area. This was the first application the City had received since the Uniform Wireless Communications Infrastructure Deployment Act was passed, and therefore the applicant did not have to provide certain items that were required by the City. He noted the applicant provided some additional information which allowed staff to be able to obtain a better understanding of the proposed tower’s impact and why the proposed tower was chosen. Staff had no problem with the proposed tower’s location or with the applicant not providing what historically had always been provided by applicants. He commented that the parking requirements had been met and noted the entire site was paved except for the greenspace where the tower would be located. Staff asked that an identified parking space attached to the lease area be included in the site plan, which had been done. The parking space was outside of the travel aisle in order to get around the building, which was required per City Code. The eight-foot tall wooden fence proposed by the applicant met City requirements, but due to the equipment cabinet being 10 feet tall staff was recommending approval of the conditional use permit subject to an additional two feet of screening, thereby making the
Mr. Carroz asked if the Water and Light Department was concerned with the high voltage power line west of the proposed tower. Mr. Zenner replied the Water and Light Department had indicated nothing to staff and noted he had not heard anything negative regarding this proposal. As part of staff’s construction review, the tower would have to support all of its improvements under the current Telecommunications Industry Association (TIA) standard.

Mr. Clithero asked if the applicant would be agreeable to increasing the height of the screening fence from eight feet to 10 feet. Mr. Beckett understood the intent of the City Code was to provide screening and to camouflage the shelter. He asked if the City would be agreeable to placing vegetation such as full grown or mature trees on the northeast and northwest sides of the containment facility, as increasing the fence height by two feet would be a considerable cost. He noted there was some greenspace where the communications tower and support facility would be located. He stated they might be able to put in some mature trees in order to obscure the tower and support facility from Brown Station Road, and could possibly put in trees on the northern corner of the subject tract. Chair John commented that the rest of the subject tract would need to be screened with fencing. Mr. Beckett agreed. Mr. Clithero understood Mr. Beckett was suggesting an eight foot tall fence with trees added. Mr. Zenner commented that an eight foot tall fence with an access gate was probably more than adequate since the building would shield the subject tract. He pointed out that if the fence was eight feet tall and two feet above grade, some ground cover or lower vegetation would be needed along the bottom to fill in the two-foot gap because trees would not provide a tremendous amount of buffer. He stated he was concerned there would then be maintenance and plant survivability issues, and was unsure whether fully irrigating the tract for the plants could be as easily done and if it would be less costly than increasing the fence height. He suggested a 10-foot tall fence on the sides of the subject tract facing Brown Station Road and north of Brown Station Road, and an eight-foot tall fence along the sides of the subject tract facing the railroad and the building. He pointed out that the building would block the intersection of Paris Road along Brown Station Road; therefore people would not see the enclosure. He mentioned the railroad was located on the opposite side of the building, and a vegetative screening was located along Civic Recycling’s property line opposite the railroad right-of-way. Mr. Clithero understood Mr. Zenner was not suggesting raising the eight foot tall fence to ten feet. Mr. Zenner felt his suggestion would not require any vegetation and noted there would be no issue with plant survivability. Mr. Beckett stated his client was agreeable. Mr. Zenner noted staff would like the Board to make a motion that an amended site plan be submitted to reflect that change, if the conditional use permit was granted.

Mr. Clithero made a motion to approve the requested conditional use permit for a 160-foot monopole communications tower subject to the conditions that the height of the screening fence on the northeast and southwest sides be 10 feet tall and that the applicant submit a revised site plan. The motion was seconded by Mr. Reichert.

CASE NO. 1899 VOTE RECORDED AS FOLLOWS: VOTING YES: REICHERT, JOHN, CLITHERO, CARROZ. VOTING NO: NO ONE. The conditional use permit was approved as requested subject to the conditions that the height of the screening fence on the northeast and southwest sides be 10 feet tall and that the applicant submit a revised site plan.

Mr. Clithero made a motion to elect David Townsend as Chair. The motion was seconded by Mr.
Carroz and approved unanimously by voice vote.

Mr. Carroz made a motion to elect Chair John as Vice-Chair. The motion was seconded by Mr. Clithero and approved unanimously by voice vote.

There being no further business, the meeting adjourned at 7:25 p.m.

Respectfully Submitted,

Megan Eldridge
Deputy City Clerk