

**Minutes of the
CITY OF WHITE HOUSE
Meeting of the
Municipal/Regional Planning Commission
Monday, August 8, 2011**

Call to order 7:00 p. m.

Roll call: Mayor Mike Arnold, Aldermen Clif Hutson, Bob Dorris, Jerry Summers, Scott Wiggins, Paula Eller, Chairperson.

Staff: Addam McCormick, Jason Reynolds, Engineer Consultant, David Amonette, City Attorney.

Absent:

Approval of prior minutes: Motion was made to approve the prior minutes from July 11, 2011 meeting by Mayor Arnold, seconded by Bob Dorris. Motion passed unanimously.

Approval of Consent Agenda: Motion was made to approve by Mayor Arnold, seconded by Bob Dorris. Motion passed unanimously.

CONSENT AGENDA

Item # 1 **Bridle Creek Subdivision-Phase 4:** Staff requests a one-year subdivision improvement bond extension.

Staff stated when reviewing this bond he noticed that the bond amounts were based on 2007 figures. Staff recalculated the bond to include the cost of one decorative street-light in the phase and to account for inflation. Staff recommended the proposed bond be increased from \$36,100 to \$39,000. Staff stated that a notice would be sent to the developer.

Motion was made to approve by Scott Wiggins, seconded by Clif Hutson. Motion passed unanimously.

Item # 2 **The Mongold Trust/Cole Land Surveying:** Requests Final Subdivision plat approval for three (3) lots on 2.22 acres. Property is referenced as Sumner County Tax Map 77, Parcel 68.00. Property is zoned R-20, Low-Density Residential and is located on North Palmers Chapel Road.

Staff stated this is part of a large tract and that the request is to cut 3 lots from it. Staff stated the purpose of the subdivision plat is to place the existing homes on different lots. Staff stated the home on lot three was recently demolished.

Motion was made to approve by Scott Wiggins, seconded by Bob Dorris. Motion passed unanimously.

Item # 3 **White House Church of Christ Property/Cole Land Surveying:** Requests Final Subdivision plat approval for six (6) lots on 6.33 acres. The lots are located on Spring Street and College Street. The plat also includes the revision of the Spring Street right-of-way. Four (4) of the six (6) lots contain existing buildings. The properties are zoned R-10, High Density Residential and R-20, Low Density Residential. Properties are referenced as Sumner County Tax Map 77-G, Group D, Parcels 3, 4, and 17 and Sumner County Tax Map 77-J, Group A, Parcels 10.01 and 10.04.

Staff stated the Board of Mayor and Aldermen approved the first reading of the ordinance to close the unused section of Spring Street in front of the church building and the unused section of the alley way. Staff stated the approved is contingent upon approval of the ordinance on second reading by the Board and completion of the quit claim deed to complete the land agreement between the church and the city. Chairperson Eller asked city attorney, David Amonette, if there

were any tax liabilities with the quit claim deed. Mr. Amonette stated the church and city would be exempt from any tax liabilities.

Motion was made to approve by Mayor Arnold subject to the Board of Mayor and Aldermen approval of second reading, seconded by Scott Wiggins. Motion passed unanimously.

AGENDA

Item # 4

Cumberland Electric Membership Corporation (CEMC): Requests approval for a communications tower (270 ft height) at 2285 Hwy 31-W. The property is referenced as Robertson County Tax Map 117, Parcel 89. Property is zoned C-2, General Commercial.

Staff stated that approximately two months ago CEMC made a request at staff level for a 180 ft tower. Staff stated that per discussion with Chad Watkins, Communications Engineer with CEMC, there were some issues with how the tower was designed and the request was changed for a proposed 270ft tower, which would be self-supporting structure. Staff discussed the city's regulations with cell tower/communication towers. Staff stated that there are height limitations in the C-2 zoning district which permits utility facilities and includes a building height limitation of 35 ft. Staff stated the zoning ordinance permits exemptions to height requirements for non-occupied structures and towers. Staff stated that FAA (Federal Aviation Administration) and FCC (Federal Communications Commission) approved permits would be required. Staff stated the zoning ordinance does not require a public hearing and towers are allowed in all zoning districts, subject to meeting fall zone criteria. Staff stated that he had contacted the FAA regarding the private runway approximately ½ mile from this location, if this would be part of the review and was told that this private landing strip is not in their data base and would not be required to be reviewed by them. Staff stated that CEMC has applied for permits with the FCC. Mr. Watkins, with CEMC, stated that they have applied for permit with the FCC and that the license for a lower 6 GHz and should hear something in the next few days if the license has been approved. Mr. Watkins stated that their microwave rating is in the upper 6 GHz and would not interfere with television. Mr. Watkins stated that CEMC currently has a 6 GHz tower in Clarksville, TN in close proximity to residential areas and they have not received any complaints regarding interference. Mr. Watkins stated that the FCC will review and do past studies and check with frequencies at an area of approximately 250 miles to the proposed site to make sure there would not be any interference. Mayor Arnold asked why they needed a 270ft tower. Mr. Watkins stated that a district office was constructed at the present site because of greater interest in this area for customers to conduct business. Mr. Watkins stated that they needed connectivity with their Clarksville, TN office. Mr. Watkins stated that they installed a 100ft tower on site just for temporary use until they could get something stronger. Mr. Watkins stated with the communications tower that they currently have neither the band width nor the reliability they need. Mr. Watkins explained the importance of having this improved tower with communications it a tower in Springfield or Gallatin went out; it would affect customers in this area also. Chairperson Eller asked if any of the neighboring cities had any thing similar to what they are proposing. Mr. Watkins stated that Gallatin has a 320ft tower, Clarksville has a 240ft, and Springfield has a 310ft tower. Mayor Arnold asked if the existing tower would remain. Mr. Watkins stated no that they would eventually remove the pole once the new tower was in operation. Clif Hutson asked if anyone else would have use of the tower. Mr. Watkins stated that they do open up free service for local 911 services. Chairperson Eller stated the close proximity of the City of White House Fire Hall and asked if CEMC would allow co-location of the Fire Department on this tower? Mr. Watkins stated he would have to check with the General

Manager, but he did not see any problem with the co-location. Chairperson Eller asked if a written agreement would be required between the City and CEMC. Mr. Watkins stated that there were no plans to lease or other commercial uses for the proposed tower and the use is strictly for their membership. Chairperson Eller stated that if this request is approved, then the City's Fire Dept would not be allowed any future communication tower on their property due to the requirement in the ordinance that no towers can be located within a ½ mile radius of an existing tower. Clif Hutson stated concerns that design might not allow addition of other antennas. Mr. Watkins stated that any time there are antennas that want to be added, they do a load study. Mr. Watkins stated that they would look at the wind load. Mr. Watkins stated that the proposed tower is rated for 90 mph wind loads. Chairperson Eller asked what type of lighting would be used. Mr. Watkins stated that they would use a beacon type light on the tower which has a red globe and would not have a strobe. Mr. Watkins stated typically there would be side lights on the tower every 100 ft or so. Chairperson Eller asked the City Engineer Consultant, Jason Reynolds if he had any comments or concerns. Mr. Reynolds stated that staff had explained proposal to him and he did not see any issues. Mr. Reynolds did ask if there were any other requirements other than the FCC, FAA, and City's Zoning Ordinance requirements or from the International Building Codes? Staff stated no, the IBC requires fencing and wind load requirements. Staff stated that the only existing tower within the ½ mile radius of the proposed tower is the 30 ft tower behind the Comcast district office on Highway 31W. Staff asked if the property were to be sold, would the tower be removed? Mr. Watkins stated he did not foresee the office ever relocating from this property; the office may have to expand in the future. Mr. Watkins stated that they have discussed any future expansions to the building would be toward the front of the building towards 31W or to the right of the building. Staff stated the zoning ordinance requires a landscape buffer on any adjacent residential zoning boundary. Chairperson stated that staff and the city attorney could look at some type of agreement with CEMC regarding possible co-location tower use with the City Fire Department. Mr. Watkins stated that there were no plans for co-locations with this proposed tower, but for possible future use for the City's Fire Department, he would request the building size be increased from 10 x 10 to 15 x 15 to allow extra room for radio equipment. Staff reviewed stipulations based on approval would need to include: approval from FCC and FAA, structured, stamped drawings, which would verify the fall zones, the load limits, and a brief summary regarding co-location of the EMS equipment in the future. Mr. Amonette, city attorney, stated concerns with the city requiring an agreement with CEMC regarding co-location for City EMS be attached to approval of request. Staff and city attorney had lengthy discussion on making request a requirement. Mayor Arnold asked Mr. Watkins what the time line was for this project. Mr. Watkins stated if granted approval, they would like to have the tower up and running in 12 months. Mayor Arnold asked the city attorney if this item could be deferred to have a public hearing. Mr. Amonette stated yes.

Motion was made to defer until next month's meeting by Mayor Arnold, seconded by Bob Dorris. Motion passed unanimously.

Discussion Items:

- 1. Brookside Village:** Staff stated the following items have been completed: concrete work, minor dirt work, and decorative street lights. Staff stated he is waiting for approval from TDEC for the installation of the drainage culverts from the detention pond. Staff stated the remaining improvements include the detention pond outlet culverts, a section of the walking trail, landscaping, and alterations to the drainage berm.
- 2. Thoroughfare Plan Update Progress:** Staff stated he is still working on the alternative layouts and the goal is to have the amendments ready for the September Agenda.

Staff discussed public hearings are required at the Planning Commission Meetings for the following requests: Zoning Ordinance Amendments, Rezoning Requests, and Comprehensive Plan Amendments. Staff stated state law does not require public hearings for cell tower requests. Staff stated that some cities do have public hearing requirements for cell tower requests. Staff stated that if the Commission would like to have criteria in place for a public hearing to be a requirement for cell tower requests that he could work on an amendment. The Commission discussed for staff to present at next month's meeting a list of items that other cities require to be public hearings and the Commission would review and discuss.

Meeting adjourned at 8:10 p.m.

ATTEST:

Paula EHer, Chairperson

Addam McCormick, Secretary