



City of Grand Island

Tuesday, March 8, 2016

Council Session

Item E-2

Public Hearing on Request from Viaero Wireless for a Conditional Use Permit for a Wireless Telecommunication Tower located at 1801 Santa Anita Drive

Council action will take place under Request and Referrals item H-1.

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: March 8, 2016

Subject: Request of Chris Riha of Viaero Wireless and Property Owners, Far Reach LLC requesting Approval of a Condition Use Permit to Allow Construction of a 75' Telecommunication Tower at 1801 Santa Anita Drive

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request to allow for the construction of a 75 foot monopole telecommunication tower at 1801 Santa Anita Drive to facilitate their cellular service area. The property is currently zoned AC, Arterial Commercial. The Grand Island Zoning Code requires that all telecommunication towers receive the approval of City Council in the form of a conditional use permit prior to construction.

The intent of the tower and telecommunication facilities and antenna regulations are to protect residential areas and land uses from the potential adverse impact of the installation of towers and antennas through careful design, siting, and camouflaging, to promote and encourage shared use/collocation of towers, and to ensure that towers and antennas are compatible with the surrounding land uses.

Discussion

The City Code specifies eight items to be submitted with the application for a tower development permit, all of those items have been submitted, with the exception of: 1) the engineering of the tower and foundation design, and 2) a building permit application for the proposed tower. It appears reasonable to delay the submittal of these two items until after the City Council has approved the location.

At the time of a request for a building permit then the engineering for the construction of the tower and improvements will need to be submitted before a building permit would be issued.

Information attesting to a diligent effort to collocate with any towers within a one mile radius has been submitted by the applicant. There were five towers identified within the

one mile radius of the proposed site, none of the towers will facilitate the applicants proposed needs.

A landscaping plan will be required as the proposal is to locate the tower on a property that is currently undeveloped. An independent lot for a tower allows independent utility services and requires landscaping to be installed adjacent to the streets in compliance with the City zoning regulation.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the conditional use permit finding that the proposed use is a listed conditional use in the zoning code and that it will not be detrimental to public health, safety, and the general welfare of the community.
2. Disapprove or /Deny the conditional use permit, finding that the proposal does not conform to the purpose of the zoning regulations.
3. Modify the conditional use to meet the wishes of the Council
4. Refer the matter to a special committee for a determination of a finding of fact.
5. Table the issue.

Recommendation

City Staff recommends that the Council approve the request for a conditional use permit to construct this telecommunication tower, finding that the request does promote the health, safety, and general welfare of the community, protects property against blight and depreciation, and is generally harmonious with the surrounding neighborhood.

Sample Motion

Move to approve the request for a conditional use permit as specified in the staff recommendation published in the Council packet and presented at the City Council meeting and finding that the application will conform with the purpose of the zoning regulations.

Conditional Use Permit Application

pc: Building, Legal, Utilities
Planning, Public Works

1. The specific use/construction requested is: Wireless Telecommunication Tower (Monopole)
for VIAERO WIRELESS that will comply with Article XI & other Zoning Requirements.
***See Enclosed Photo Simulation - EXHIBIT F.**
2. The owner(s) of the described property is/are: Monopole & Misc. Improvements: VIAERO WIRELESS.
***See Enclosed 5-Page Option Agreement**
Land: FAR REACH LLC.
3. The legal description of the property is: Pt. Lot 2, Fonner Second Subdivision, City of
***See Enclosed 2-Page Survey/Monopole**
Grand Island, Hall County, Nebraska.
Site Plan Drawings - EXHIBIT B.
4. The address of the property is: To Be Decided. Access Easement off of Santa
***See Enclosed Page 5 of 5, EXHIBIT A &**
Anita Drive.
EXHIBIT C.
5. The zoning classification of the property is: (B2-AC) General Business-Arterial Commercial
***See Enclosed Zoning District Map -**
Overlay Zones.
EXHIBIT D.
6. Existing improvements on the property is: N/A - Miscellaneous Grass for Parking Vehicle
***See Enclosed (4) Monopole Site Pictures**
Inventory.
- EXHIBIT E1 & EXHIBIT E2.
7. The duration of the proposed use is: Unknown.

8. Plans for construction of permanent facility is: April +/- 2016.

9. The character of the immediate neighborhood is: Business & Commercial to the North/East/West &
***See Enclosed (4) Monopole Site Pictures**
some Residential Development to the far South.
- EXHIBIT E1 & EXHIBIT E2.
10. There is hereby attached a list of the names and addresses of all property owners within 200' of the
property upon which the Conditional Use Permit is requested.
***See Enclosed 200-FT Radius Map - EXHIBIT G1 and 2-Page List of Property Owners within**
200 Feet - EXHIBIT G2 & EXHIBIT G3.

11. Explanation of request:
Construct a 75-FT Monopole Site that will improve the Voice & Data Coverage of
VIAERO WIRELESS's Network in the Area. The Benefits of this Improvement will be
experience by Local & Visiting GSM Network Users along the South Locust Corridor,
specifically for the Businesses, Homeowners, State Fair-Goers, Heartland Event Center
Attendees & Fonner Park Attendees.

I/We do hereby certify that the above statements are true and correct and this application is signed as an
acknowledgement of that fact.

2/8/16
Date

Monopole & Misc. Improvements: NE COLORADO CELLULAR, INC
d/b/a VIAERO WIRELESS
Land: FAR REACH LLC

Reg. Jensen
Owners(s)

(970) 867-6767 VIAERO WIRELESS
Phone Number
(308) 384-8300 FAR REACH LLC

1224 W. Platte Avenue, Ft. Morgan, CO 80701

Address

1803 S. Locust Street, Grand Island, NE 68801

City

State

Zip

Please Note: Delays May Occur if Application is Incomplete or Inaccurate.

Address of Property



