



# City of Grand Island

Tuesday, September 13, 2016

Council Session

## Item E-3

**Public Hearing on Request from Steve and Beckie Glause for a Conditional Use Permit for a 99' Monopole for Wireless Telecom located at 235 Roberts Road**

*Council action will take place under Request and Referrals item H-3.*

Staff Contact: Craig Lewis

# **Council Agenda Memo**

**From:** Craig A. Lewis, Building Department Director

**Meeting:** September 13, 2016

**Subject:** Request of Jeffrey Skinner, representing Verizon Wireless for Approval of a Condition Use Permit to Construct a Telecommunication Tower at 235 W. Roberts Street

**Presenter(s):** Craig Lewis, Building Department Director

## **Background**

This is a request to allow for the construction of a 99 foot monopole telecommunication tower at 235 W. Roberts Street to facilitate their cellular service area. The property is currently zoned M-2 Heavy Manufacturing, 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 the engineering of the tower and foundation design.

It appears reasonable to delay the submittal of the engineered design 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 needs to be submitted before a building permit would be issued.

Information attesting to an effort to collocate with any tower within a one mile radius has been submitted by the applicant. Two towers were identified within the one mile radius,

1817 Waugh Street owned by Viaero and 1720 N. Broadwell, City Fire Station #2. Neither tower has the height or capacity to facilitate Verizon's needs.

The proposed location is within the Airport Turning Zone and a letter from the Federal Aviation Administration of a determination of no hazard to air navigation has been received. The application does propose lighting the tower.

The location of this proposal does not appear to create any negative impact on the neighboring properties.

Section 36-177 addresses landscaping for tower sites and states that all tracts on which towers are located shall be subject to landscape requirements of the City Code but as this property is currently developed and the tower is an accessory use additional landscaping is not required.

### **Alternatives**

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

1. Approve the request for a 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 requested 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: 99' monopole for wireless telecom
2. The owner(s) of the described property is/are: Steve and Beckie Glause
3. The legal description of the property is: RAINS FIRST ADD W 79.1' LT 4 & W 79.1' LT 5 & ALL LTS 2 & 3
4. The address of the property is: Vacant Parcel / Parcel ID#: 400082039
5. The zoning classification of the property is: M2
6. Existing improvements on the property is: Buildings and fence
7. The duration of the proposed use is: Length of lease
8. Plans for construction of permanent facility is: Attached
9. The character of the immediate neighborhood is: Entire surrounding area is comprised of Industrial uses
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.
11. Explanation of request: Grand Island City Ordinance requires any new tower construction receive approval of CUP. Verizon has a response from RF Department demonstrating the need for a tower facility in this area in order to provide the continuing service their customers are accustomed to receiving.

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

8/22/2016  
Date

308-986-2601  
Phone Number

Steve Glause  
Owners(s)

703 L Road  
Address

Chapman NE 68827  
City State Zip

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



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2015-ACE-4153-OE

Issued Date: 12/10/2015

Network Regulatory  
Alltel Communications of Nebraska, LLC  
1120 Sanctuary Pkwy  
#150 GASA5REG  
Alpharetta, GA 30005

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole NE07 Grand Island Broad and State Alt
Location:	Grand Island, NE
Latitude:	40-56-56.43N NAD 83
Longitude:	98-21-23.27W
Heights:	1859 feet site elevation (SE)
	99 feet above ground level (AGL)
	1958 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)  
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 L.

This determination expires on 06/10/2017 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (310) 725-6558. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2015-ACE-4153-OE.

**Signature Control No: 272090946-274763824**

( DNE )

LaDonna James  
Technician

Attachment(s)  
Frequency Data  
Map(s)

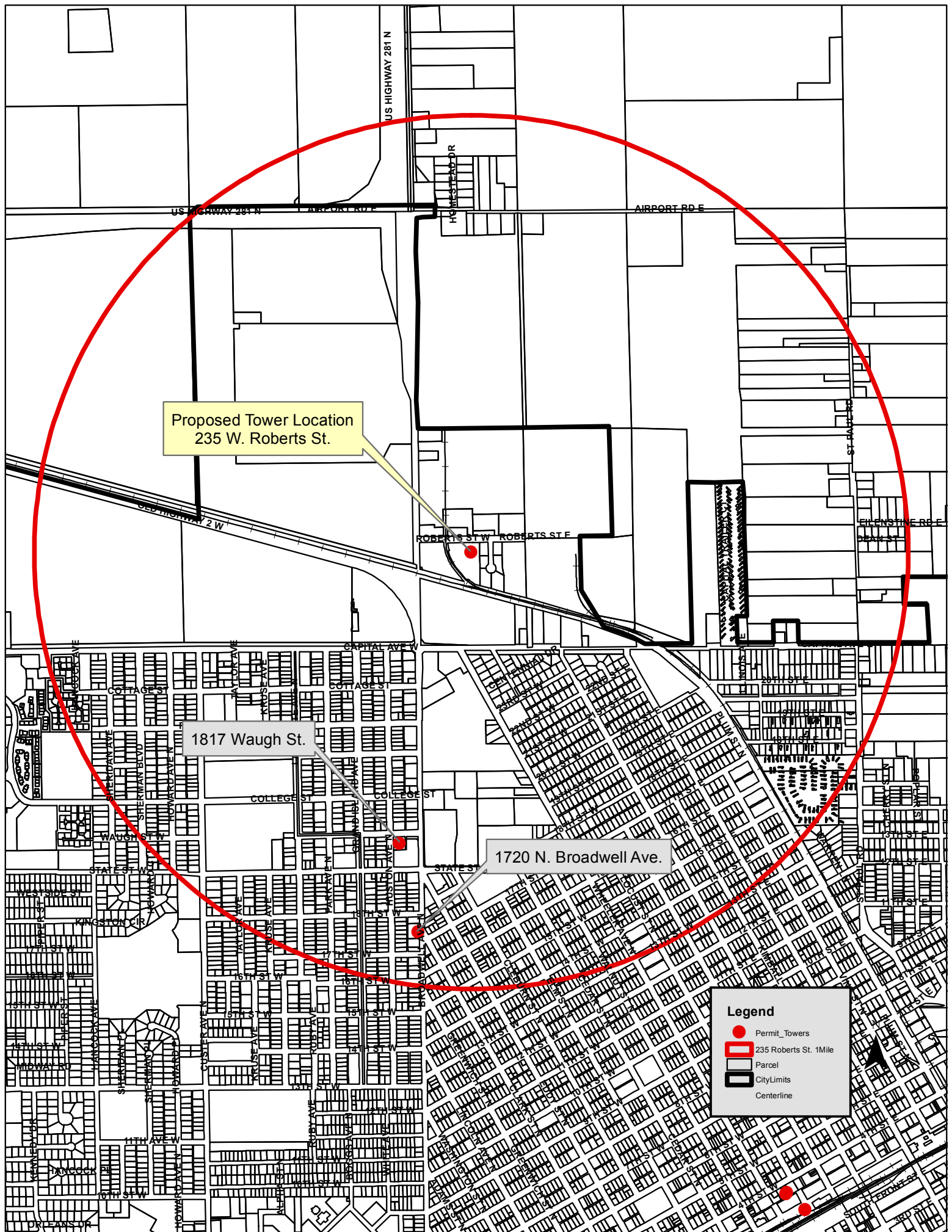
cc: FCC

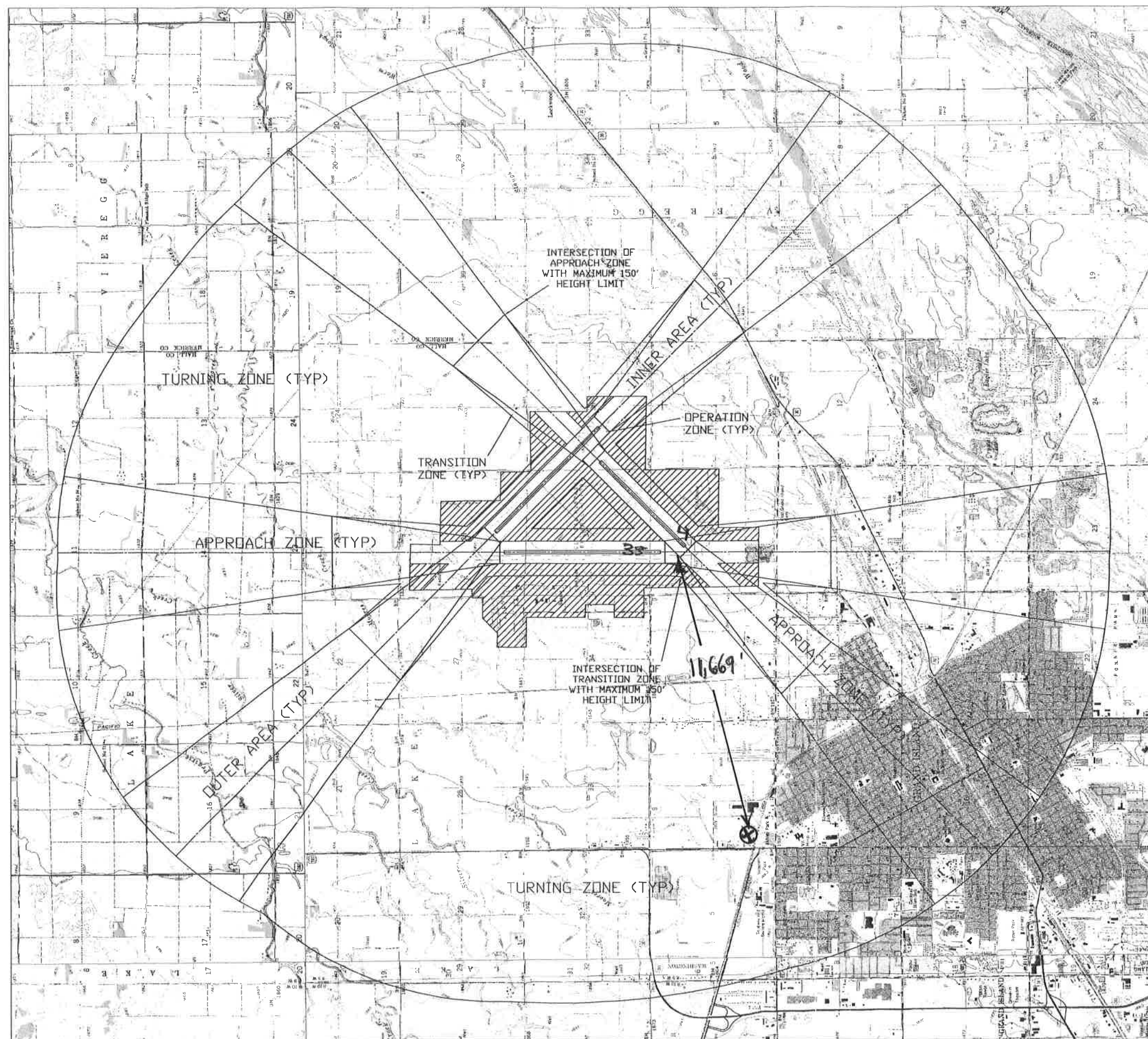
# Frequency Data for ASN 2015-ACE-4153-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W



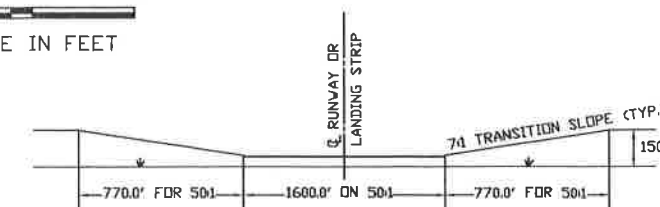




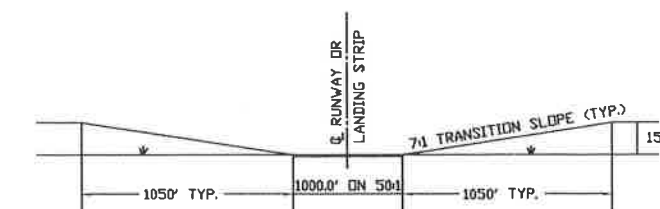


0 2500 5000  
SCALE IN FEET

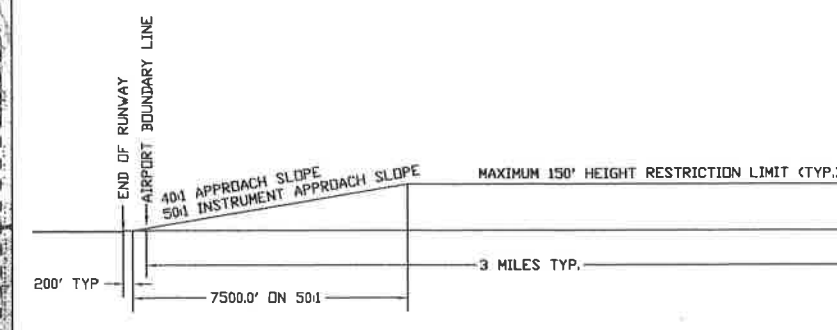
GRADE ELEVATIONS ON RUNWAY ENDS (MSL)  
 RUNWAY ELEVATION OF RUNWAY END 17 = 1843.7'  
 RUNWAY ELEVATION OF RUNWAY END 35 = 1846.7'  
 RUNWAY ELEVATION OF RUNWAY END 13 = 1840.4'  
 RUNWAY ELEVATION OF RUNWAY END 31 = 1841.1'  
 RUNWAY ELEVATION OF RUNWAY END 4 = 1846.2'  
 RUNWAY ELEVATION OF RUNWAY END 22 = 1841.1'



TYPICAL CROSS SECTION OF APPROACH ZONE  
 AT A POINT 2000' FROM END OF OPERATION  
 ZONE.



TYPICAL TRANSVERSE CROSS SECTION ALONG  
 OPERATION ZONE.



APPROACH ZONE PROFILE

NOTE: IN THE TURNING ZONES AND THE OUTER AREAS OF THE APPROACH  
 ZONES ANY OBJECT HIGHER THAN 150' ABOVE THE NEAREST POINT  
 OF THE LANDING AREA IS CONSIDERED AN OBSTRUCTION.

ARP (AIRPORT REFERENCE  
 POINT) COORDINATES  
 LATITUDE: 40° 58' 3" N  
 LONGITUDE: 98° 18' 31" W

NEBRASKA DEPARTMENT OF AERONAUTICS ENGINEERING DIVISION	
ZONING MAP CENTRAL NEBRASKA REGIONAL GRAND ISLAND, NEBRASKA	
SUBMITTED: JS	DRAWN BY: JS
CHECKED:	DRAWING NO: ZN-GI-02
APPROVED:	DATE: 7-17-2002
SHEET NO. 1	