



# City of Grand Island

Tuesday, February 27, 2018

Council Session

## Item E-2

**Public Hearing on Request from Mid-Country Trading, LLC on behalf of USA Communications for a Conditional Use Permit to Place a 100' Self Supporting Telecommunications Tower Located at 3539 West 13th Street, Suite A**

*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:** February 27, 2018

**Subject:** Request of Christian Hilliard representing USA Communications for Approval of a Condition Use Permit to Construct a Telecommunication Tower at 3539 West 13<sup>th</sup> Street

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

## **Background**

This is a request to allow for the construction of a 100 foot monopole telecommunication tower at 3539 West 13<sup>th</sup> Street.

The property is currently zoned B-2 General Business, 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**

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. It appears reasonable to delay the submittal of this item 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 a diligent effort to collocate with any tower within a one mile radius has been submitted by the applicant.

There are seven tower locations within the one mile radius;

3690 W. State St.	Fire Station #4	60'
3644 W. 13 <sup>th</sup> . St.		180'
518 N. Webb Rd.		95'
3560 Kaufman Ave.		
305 Wilmar		120'
3205 W.N. Front St.		
3431 W. Old Potash Hwy.		

None of the existing towers appear to provide adequate colocation possibilities. The location of this proposal does not appear to create any negative impact on the neighboring properties.

### **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 100 foot 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.



Non-Refundable Fee: \$1,000.00

Return by: \_\_\_\_\_

Council Action on: \_\_\_\_\_

## Conditional Use Permit Application

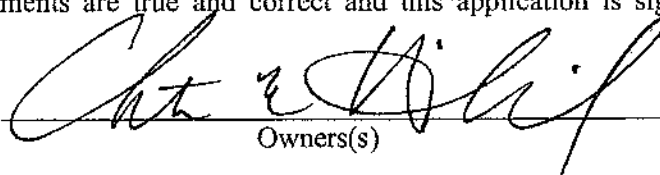
pc: Building, Legal, Utilities  
Planning, Public Works

1. The specific use/construction requested is: 100' Self Supporting Telecommunications Tower
2. The owner(s) of the described property is/are: Mid - Country Trading LLC
3. The legal description of the property is: Lot One Park Island Square Sixth Subdivision
4. The address of the property is: 3539 W 13th St STE A, Grand Island, NE
5. The zoning classification of the property is: B - 2 Commercial
6. Existing improvements on the property is: Shopping Center
7. The duration of the proposed use is: Indefinite
8. Plans for construction of permanent facility is: N/A
9. The character of the immediate neighborhood is: Commercial / Agricultural
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: USA Communications telecommunications tower for the distribution of internet and phone in the city of Grand Island

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

01/17/18

Date



Owners(s)

308-698-1402

Phone Number

920 E 56th St STE B

Address

Kearney  
City

NE  
State

68847  
Zip

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



# Proposed Tower Location

