



City of Grand Island

Tuesday, April 22, 2014

Council Session

Item E-1

**Public Hearing on Request from the City of Grand Island for a
Conditional Use Permit for a 130' Communications Tower located
at 700 East Bischeld Street**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: April 22, 2014

Subject: Request from Grand Island Utilities for Approval of a Conditional Use Permit to Allow Construction of a Communication Tower at Phelps Control Center at 700 E. Bischeld Street

Item #'s: E-1 & H-1

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request to allow for the construction of a 130 foot lattice communication tower at 700 East Bischeld Street to facilitate departmental communications. The property is currently zoned M2, Heavy Manufacturing Zone, the Grand Island Zoning Code requires that all communication 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 needs to be submitted before a building permit would be issued.

An affidavit supplying evidence that it is not practical to collocate with any towers within a one mile radius has been submitted by the applicant. There are four towers identified

within the one mile radius of the proposed site, all four of those towers have been determined by the applicant as impractical for co-location.

The proposed site is within the airport approach zone, an application has been submitted to the Federal Aviation Administration, but a determination has not yet been received. Based on the proposed height of the tower a determination of no hazard to air navigation is anticipated.

Airport Administration recently requested that a tower constructed in the Airport approach zone be lighted. The City Council confirmed that request and approved the construction with a condition that the tower be lighted.

Staff continues to support lighting of communication towers only if required by the Federal Aviation Administration but if required as a condition of approval within the airport approach zone would suggest that such lighting be in conformance with FAA Advisory Circular AC 70/7460-1K.

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 communication 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.



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: Install new 130 foot tall communications tower for Grand Island Utilities exclusive use.
2. The owner(s) of the described property is/are: City of Grand Island
3. The legal description of the property is: Joehnicks add to the City of Grand Island all blocks 5-8-9.
4. The address of the property is: 700 East Bischeld Street
5. The zoning classification of the property is: M2
6. Existing improvements on the property is: Phelps Control Center
7. The duration of the proposed use is: Continual
8. Plans for construction of permanent facility is: May 2014 through October 2014 Residential to the west.
9. The character of the immediate neighborhood is: Industrial & Ag to the east.
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.
Not Applicable. See supporting documents.
11. Explanation of request: See "Application to develop Utilities Communication Tower" attached with support figures.

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

3-25-14
Date

As representative of City of Grand Island Utilities Department-Phelps Control Center.
[Signature]
Owners(s)

308-385-5462 x.142
Phone Number

700 E. Bischeld St.
Address

Grand Island NE 88801
City State Zip

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

Jeff Mead

3/7/14

City of Grand Island - Phelps Control Center
"Utilities Communication Tower"

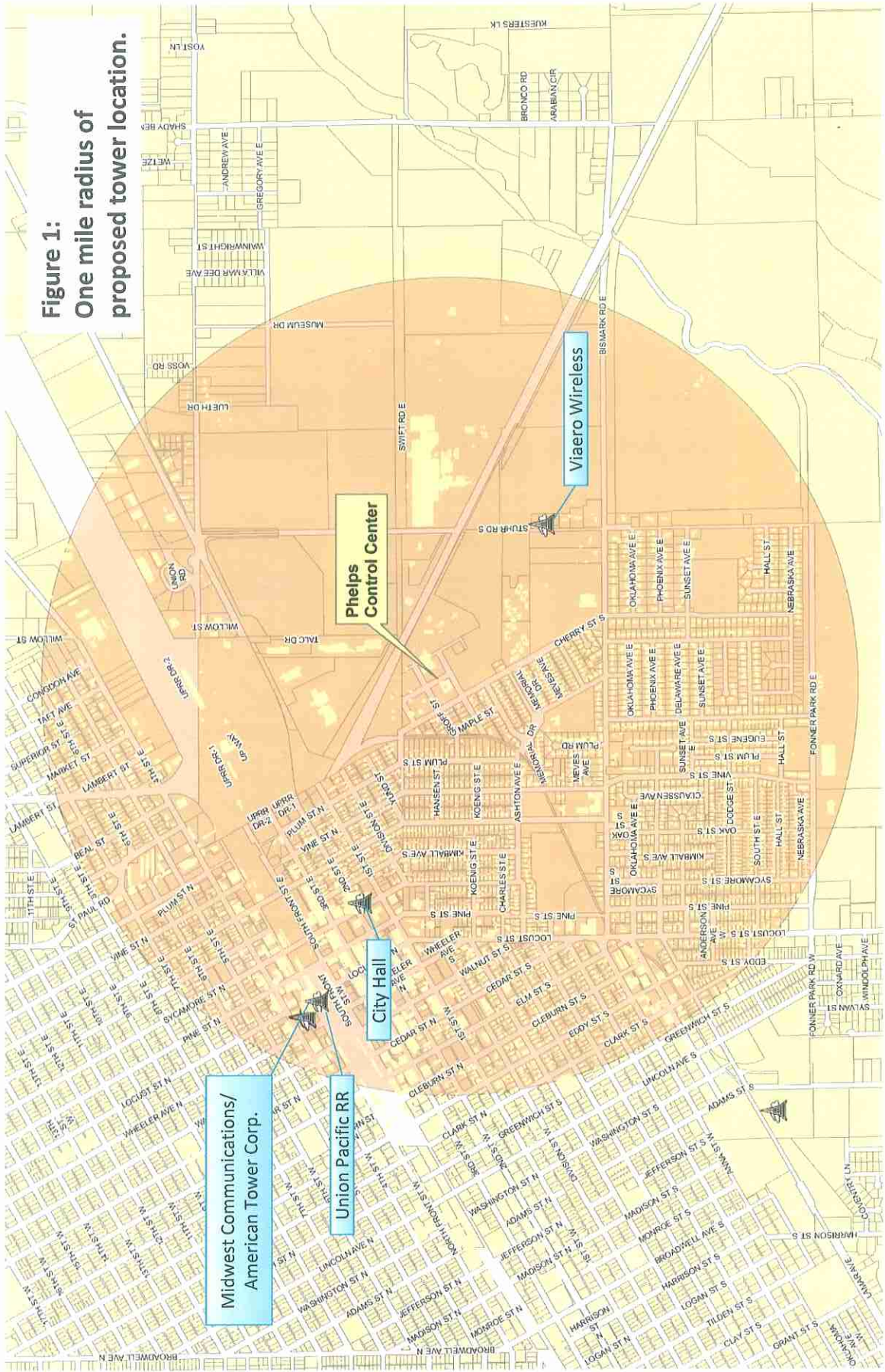


Figure 1:
One mile radius of
proposed tower location.

City of Grand Island
Phelps Control Center
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Figure 4:
Photo realistic proposed
tower site view.

