



City of Grand Island

Tuesday, October 23, 2012

Council Session

Item E2

**Public Hearing on Request from Faulk & Foster on behalf of
Verizon Wireless for a Conditional Use Permit for Construction of
an 80' Monopole and Equipment Shelter Located at 1922 West 3rd
Street**

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig A. Lewis, Building Department Director

Meeting: October 23, 2012

Subject: Request of Ralph Wyngarden of Faulk & Foster
Representing Verizon Wireless and Property Owners
Donald & Sharon Jelinek for Approval of a Conditional
Use Permit to Allow Construction of a
Telecommunication Tower at 1922 West 3rd Street

Item #'s: E-2 & H-1

Presenter(s): Craig Lewis, Building Department Director

Background

This is a request to allow for the construction of an 80 foot monopole telecommunication tower at 1922 West 3rd Street to facilitate their cellular service area. 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

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 six 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 the property that is currently utilized as an accessory site to the adjacent retail facility. An independent lot for the tower allows independent utility services and requires landscaping to be installed adjacent to the streets in compliance with the City zoning regulation. The applicant has acknowledged the requirement and will include installation of street yard landscaping along with the development of the site.

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: Construction of an 80' monopole with top of lightning rod extending to 88' and placement of equipment shelter within fenced compound as shown in the drawings submitted.
2. The owner(s) of the described property is/are: Parcel: Donald & Sharon Jelinek
Tower: Verizon Wireless
3. The legal description of the property is: See Attached
4. The address of the property is: 1922 W 3rd Street
5. The zoning classification of the property is: B-2 General Business Zone
6. Existing improvements on the property is: None at site location. Hardware store to northeast.
7. The duration of the proposed use is: Indefinite subject to continuation of lease.
8. Plans for construction of permanent facility is: As soon as all necessary approvals are obtained.
9. The character of the immediate neighborhood is: RR track to north, hardware store to east park to west, residential to south.
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: Proposed wireless communication facility as described above and shown in drawings necessary to maintain and extend quality wireless service coverage and capacity in this part of Grand Island where no existing towers are currently located.

I/We do hereby certify that the above statements are true and correct and this application is signed as an acknowledgement of that fact. Faulk & Foster, by Ralph Wyngarden, for Applicant

9/24/12

Date

Ralph Wyngarden
Owners(s)

616-490-9804

Phone Number

588 Three Mile Rd NW, Suite 102

Address

Grand Rapids, MI 49544

City

State

Zip

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

9-24-12

LETTER OF AUTHORIZATION

July 27, 2012

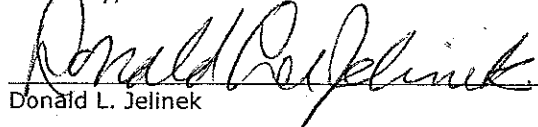
Craig Lewis, Director
City of Grand Island Building Department
100 East First Street
PO Box 1968
Grand Island, NE 68802-1968

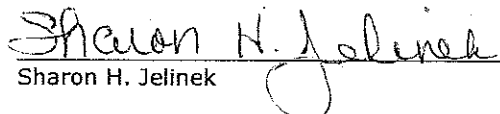
Re: Authorization to File for Any Necessary Permits or Approvals Associated with
Verizon's Wireless Communication Tower Project
Address: 1922 W. Third Street, Grand Island, NE 68803
Legal Description: Lots 3 and 4, Block 49, Packer & Barr's Second Addition to the
City of Grand Island
Verizon Site Name: NE07_Grand Island - Broadwell & Front

Dear Mr. Lewis,

We, Donald and Sharon Jelinek, authorize Faulk & Foster, its agents and employees,
including but not limited to Ralph Wyngarden and Jon Yoachim, to obtain any
necessary permits or approvals associated with the Verizon's wireless communication
tower project at this location.

Sincerely,

 Date 9/24/2012
Donald L. Jelinek

 Date 9/24/2012
Sharon H. Jelinek

1604 Parkview Drive
Grand Island, NE 68801

Phone: 308-382-6450

