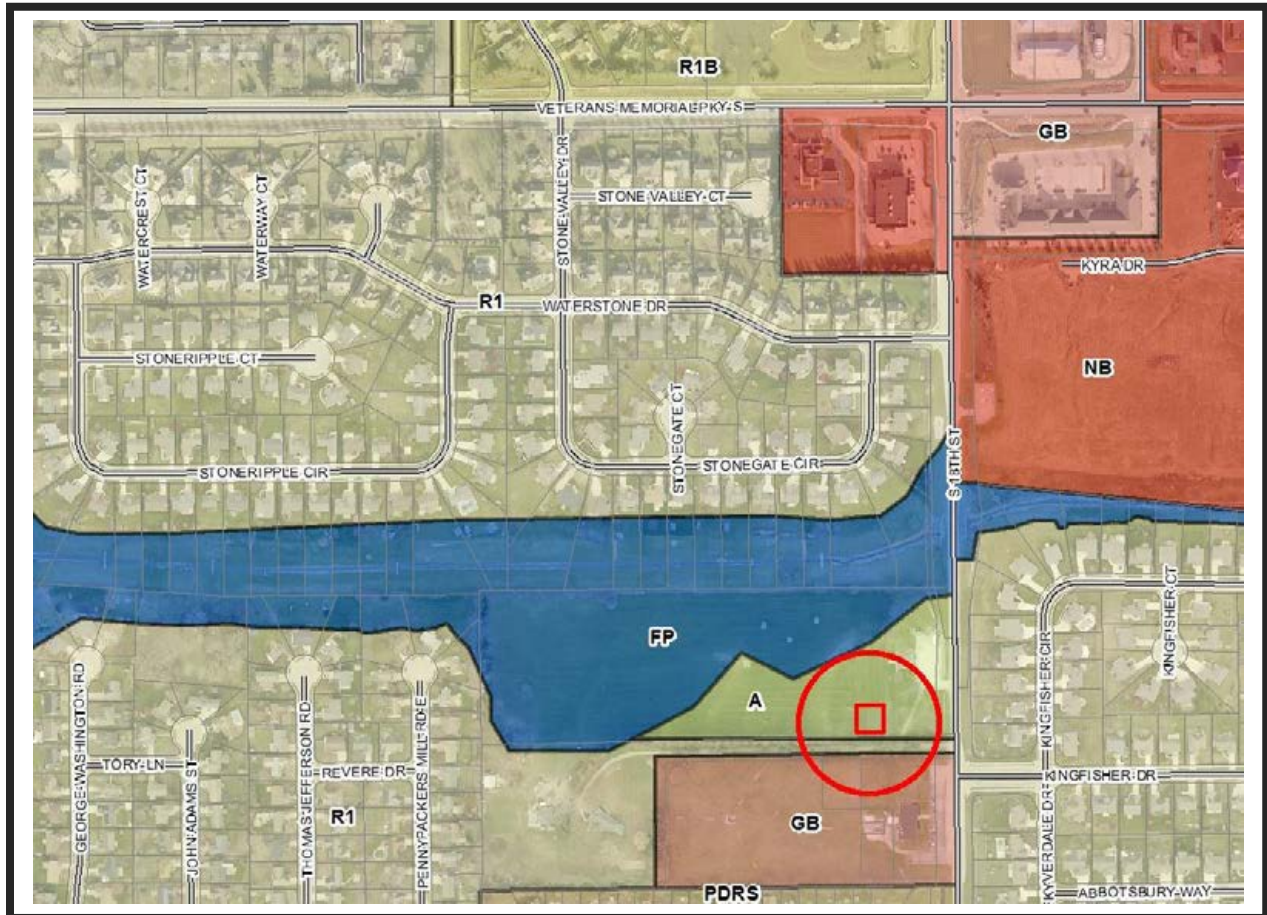

BZA-1979
HORVATH TOWERS V, LLC
(special exception)

REVISED STAFF REPORT
May 17, 2018



BZA-1979
HORVATH TOWERS V, LLC
Special Exception

Revised Staff Report
May 17, 2018

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of property owners Matthew Overman & Jon Bowman, and represented by Elizabeth Williams of Clark Quinn LLP, is requesting a special exception to allow a 184' tall monopole primary communications tower (SIC 48) in the Agricultural zone. Petitioner's site is a 75' x 75' easement area. The primary communications tower would operate 24 hours per day, 7 days per week at 3805 S. 18th Street, Lafayette, Wea 09 (SW) 22-4. (UZO 3-2)

The petitioner has submitted a revised site plan to change a Self-Supporting Cell Tower to a Monopole Tower. Other than this change, the request remains the same.

AREA ZONING PATTERNS:

The area included in the special exception is part of a larger 12-acre tract of land that is zoned Agricultural and Flood Plain. Adjacent to the south is a 65' strip of land with a tree lined driveway of R1 that leads back to a single-family home. R1 zoning also lies west of the tract of land, east across 9th Street and north of the Flood Plain zoning associated with the Kirkpatrick Ditch. About 7 acres of GB zoning exists just to the south of the site; this acreage has two primary communications guyed towers on one lot and a third building mounted accessory tower for the TV/radio station office on a second lot. Farther to the northeast of the site land is zoned NB, GB and R3.

This use is only permitted by right in industrial zones and by special exception in the rural zones. This area of the county is primarily residential and commercial zones limiting the site locations for towers.

AREA LAND USE PATTERNS:

Single-family homes surround this island of FP, A and GB zoned land. Additional businesses are located to the north along Veterans Memorial Parkway. To the south at the intersection of 18th and 430 South is Wea Ridge Elementary and Middle Schools.

The subject property was granted a special exception in 1989 for a golf driving range, (BZA-937). More recently, a landscaping business was added to the golf driving range office. In 2017 an accessory pole building for the landscaping business was also built on site. To the south of this site across a wide driveway are two primary communications towers; unlike the proposed tower, these towers are both guyed and were likely built in the 1960's. According to the city engineer's office, these towers are non-conforming structures and cannot be expanded without a rezone to an Industrial district to bring them

into compliance. City and APC staffs prefers colocation on existing towers as opposed to constructing new towers, especially so close to other towers. Two rezone petitions have been filed for the towers to the south (to be rezoned from GB to I1) to remedy the zoning nonconformity issue.

TRAFFIC AND TRANSPORTATION:

The proposed tower would use the existing golf driving range driveway access on S. 18th Street. 18th is a paved 4-lane road with a sidewalk and trail classified as an urban primary arterial per the adopted *Thoroughfare Plan*. According to the petition, the proposed tower would be unstaffed with an average of one visit to the site per month per carrier for maintenance and inspections.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Sewer and water are available at this location but not needed for this use.

STAFF COMMENTS:

This request is a result of a cellular carrier needing to provide improved service for the area surrounding the site. The 75' x 75' area would house a 184' tall monopole primary communications tower. This tower would primarily be used to support cellular antennas. The submitted site plan shows up to four utility sheds would be located on site. The plans show a 6' tall chain-link fence with an additional foot of barbed wire on top surrounding the tower and one of the sheds. (The other three sheds are labeled "future".) The tower setback, 20% of tower height or 36.8', would be met on all sides. The petitioner site shows the ability of the tower to support colocation which staff strongly recommends in these cases, since it helps prevent the need for additional towers. This use is only permitted by right in industrial zones and by special exception in rural zones. This area of the county is primarily residential and commercial zones limiting the site locations for towers. In the future, the City of Lafayette also plans to build a water tower close to Wea School and will allow antennas to locate on this structure.

At its meeting on March 7th, the Executive Committee of the Area Plan Commission voted that granting this request **would not** substantially adversely affect the Comprehensive Plan.

Regarding the ballot items:

1. Section 3.1 of the Unified Zoning Ordinance **DOES** authorize a special exception for a **primary communications tower** in the Agricultural zoning district.

And it is staff's opinion that:

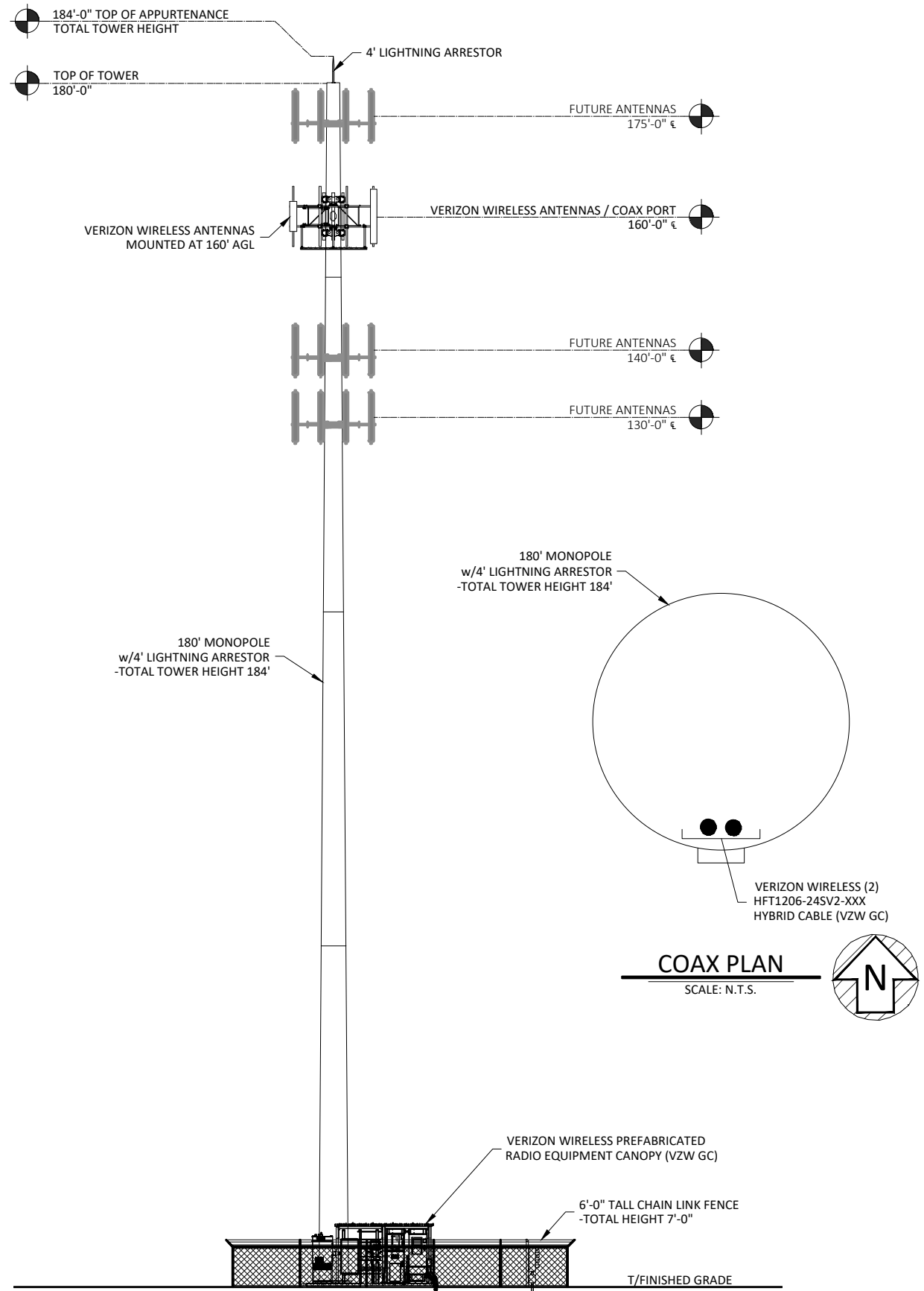
2. The requirements and development standards for the requested use as prescribed by the Unified Zoning Ordinance **WILL** be met. The site plan complies with all required setbacks and is enclosed by a 7' tall security fence.

3. Granting the special exception **WILL NOT** subvert the general purposes served by the Ordinance. Allowing this tower will not prevent adjacent land from being used for their existing use.
4. Granting the special exception **WILL NOT** materially and permanently injure other property or uses in the same district and vicinity because of:
 - a. Traffic generation: Minimal traffic is generated by this use, an average of one trip per carrier per month has been the pattern established; four new carriers would not increase traffic beyond a negligible amount on this highly used road.
 - b. Placement of outdoor lighting: Security lighting on the sheds and generators is common to other buildings in this area of town.
 - c. Noise production: No additional noise would be produced other than the sound from the emergency power generators.
 - d. Hours of operation: 24 hours per day, seven days per week are typical for this use.

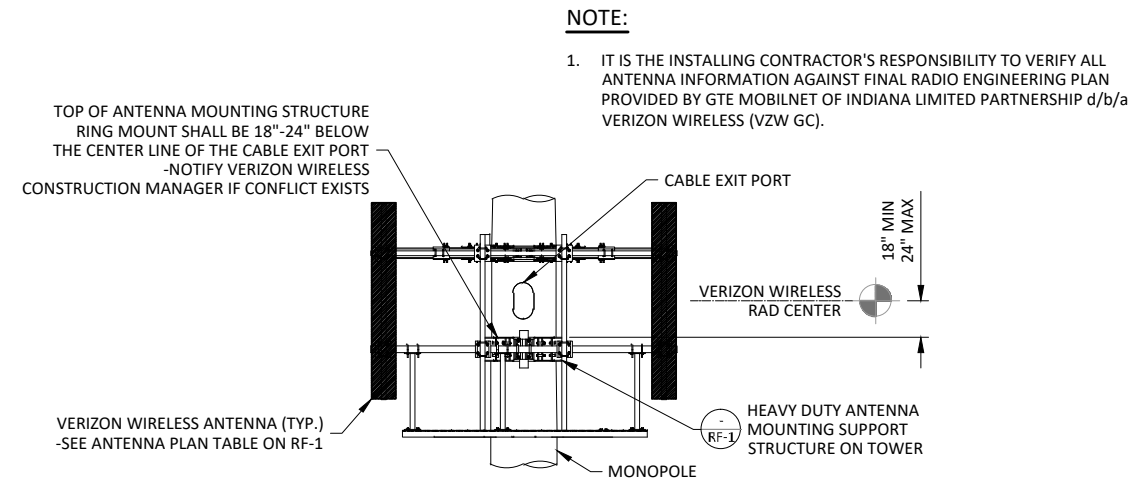
STAFF RECOMMENDATION:

Approval

Note: A special exception approval ceases to be valid if the use is not established within one year of the date that the special exception was granted.

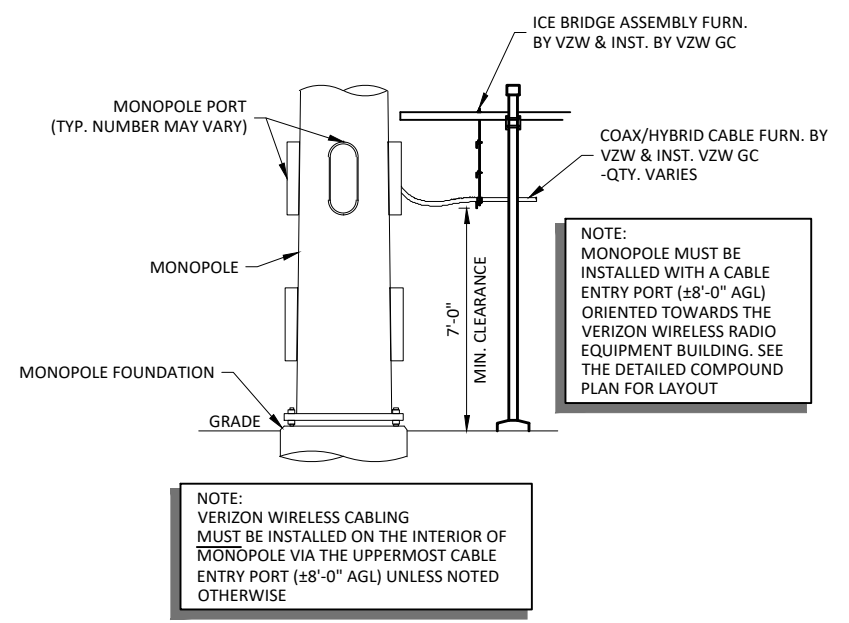


TOWER ELEVATION
SCALE: N.T.S. 1
TE-1



NOTE:
1. IT IS THE INSTALLING CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL ANTENNA INFORMATION AGAINST FINAL RADIO ENGINEERING PLAN PROVIDED BY GTE MOBILNET OF INDIANA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS (VZW GC).

ANTENNA SUPPORT STRUCTURE INSTALLATION DETAIL
SCALE: N.T.S. 2
TE-1



MONOPOLE PORT HYBRID CABLE INSTALLATION DETAIL
SCALE: N.T.S. 3
TE-1

PRELIMINARY
NOT FOR
CONSTRUCTION

PRELIMS

REV.	DATE	DESCRIPTION
A	11.20.17	ISSUED FOR REVIEW
B	5.4.18	REVISED TOWER TYPE FROM SST TO MP

SITE INFORMATION:
WEA RIDGE
3805 S 18TH STREET
LAFAYETTE, IN 47909
TIPPECANOE COUNTY

HORVATH SITE NUMBER:
HV1282

VERIZON WIRELESS SITE NAME:
GN2 WEA RIDGE

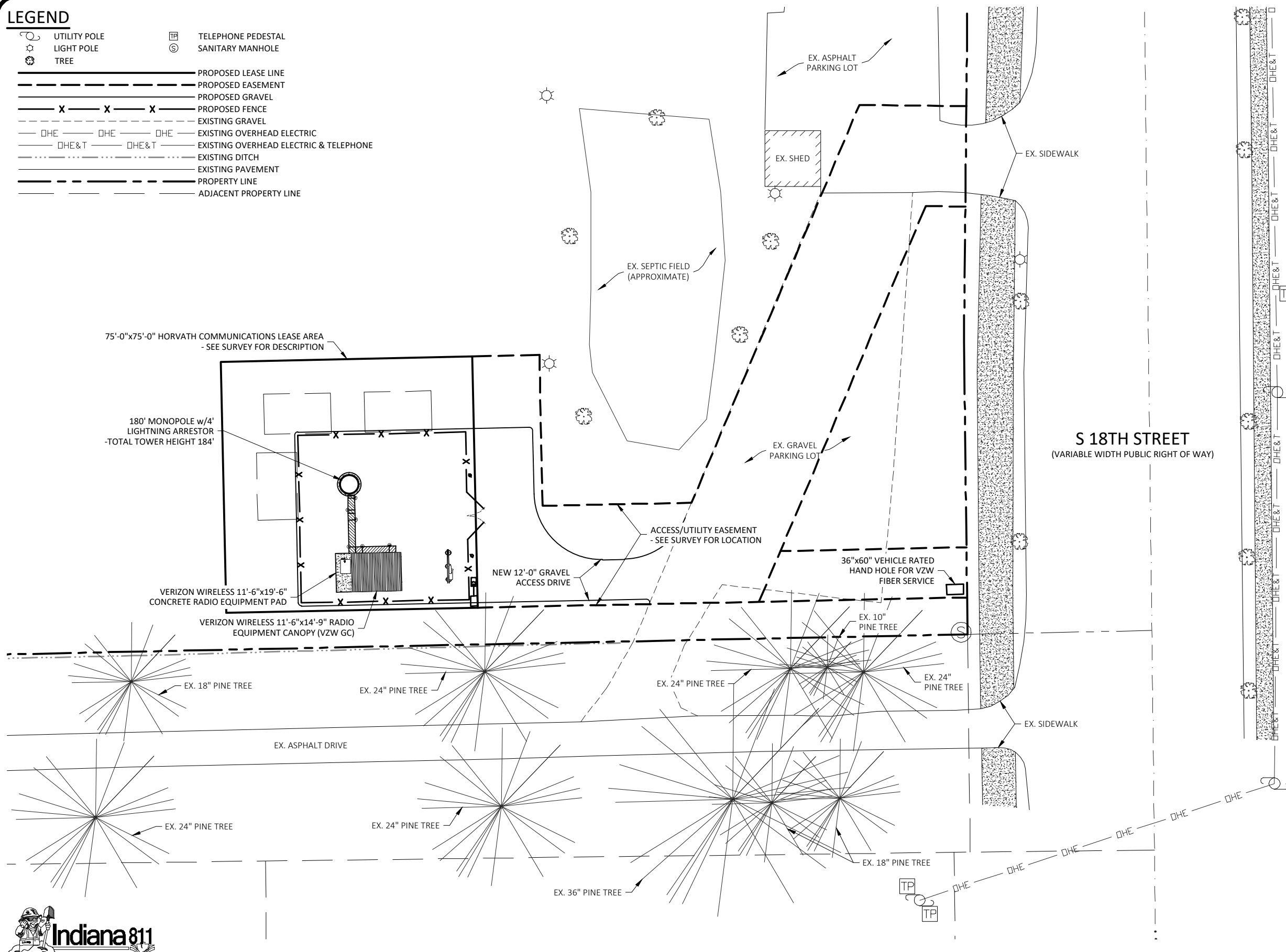
POD NUMBER: 17-15590
DRAWN BY: POD
CHECKED BY: MEP
DATE: 11.20.17

SHEET TITLE:
TOWER ELEVATION

SHEET NUMBER:
TE-1

LEGEND

- UTILITY POLE
- LIGHT POLE
- TREE
- TELEPHONE PEDESTAL
- SANITARY MANHOLE
- PROPOSED LEASE LINE
- PROPOSED EASEMENT
- PROPOSED GRAVEL
- PROPOSED FENCE
- EXISTING GRAVEL
- EXISTING OVERHEAD ELECTRIC
- EXISTING OVERHEAD ELECTRIC & TELEPHONE
- EXISTING DITCH
- EXISTING PAVEMENT
- PROPERTY LINE
- ADJACENT PROPERTY LINE



POD
POWER OF DESIGN
11490 BLUEGRASS PARKWAY
LOUISVILLE, KY 40299
502-437-5252

HORVATH
COMMUNICATIONS
312 WEST COLFAX AVE
SOUTH BEND, IN 46601

**PRELIMINARY
NOT FOR
CONSTRUCTION**

PRELIMS

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LAFAYETTE, IN 47909
TIPPECANOE COUNTY

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HV1282

VERIZON WIRELESS SITE NAME:
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POD NUMBER: 17-15590
DRAWN BY: POD
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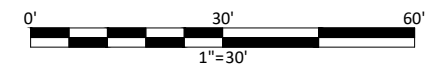
SHEET TITLE:

OVERALL SITE PLAN

SHEET NUMBER:
C-1A



NOTICE TO CONTRACTOR
PER INDIANA STATE LAW IC-8-1-26-18, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.



OVERALL SITE PLAN
SCALE: 1" = 30'



**PRELIMINARY
NOT FOR
CONSTRUCTION**

PRELIMS

REV.	DATE	DESCRIPTION
A	11.20.17	ISSUED FOR REVIEW
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3805 S 18TH STREET
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HORVATH SITE NUMBER:
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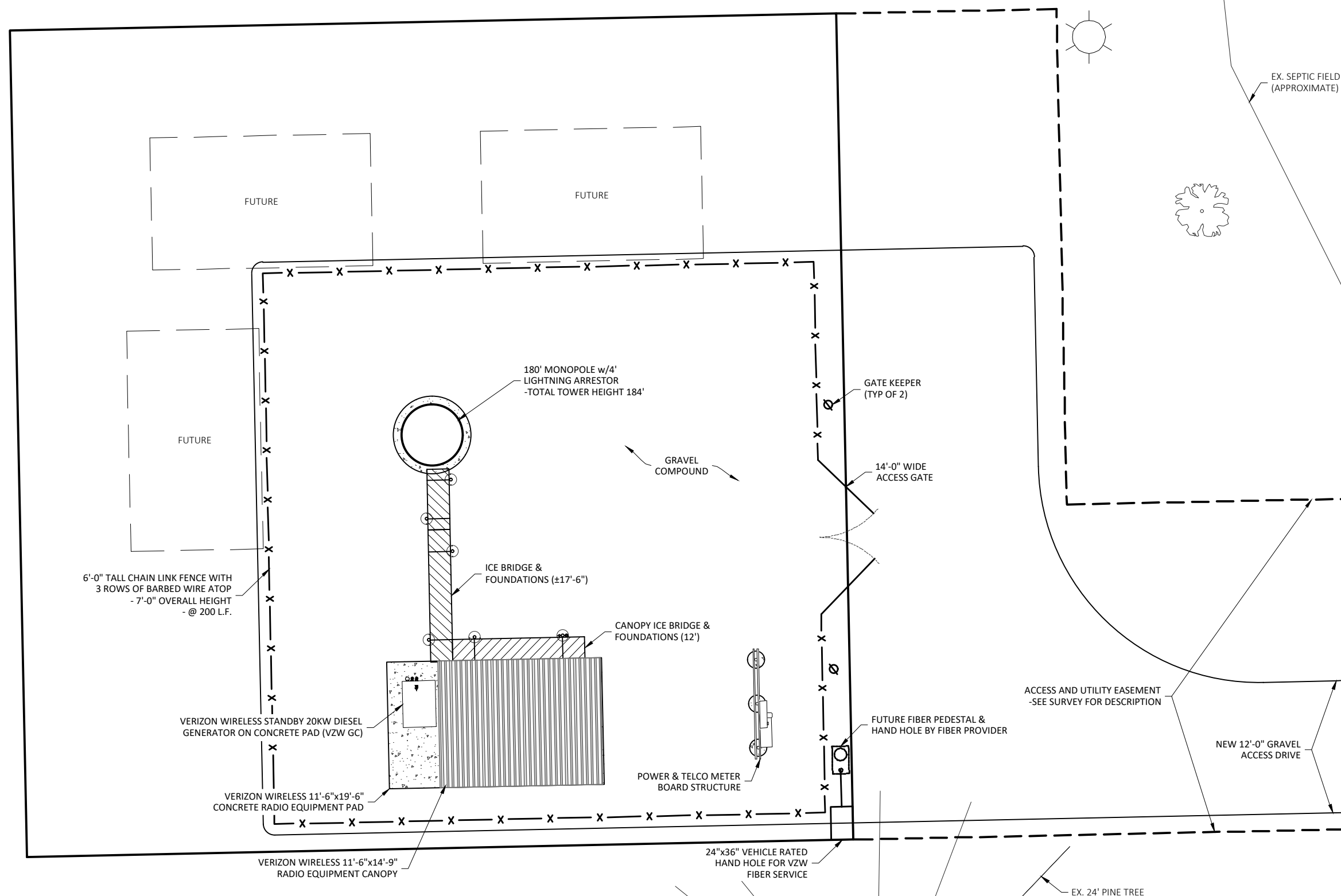
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DRAWN BY: POD
CHECKED BY: MEP
DATE: 11.20.17

SHEET TITLE:

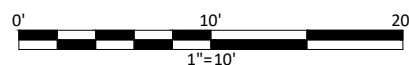
DETAILED SITE PLAN

SHEET NUMBER:
C-3



NOTICE TO CONTRACTOR
PER INDIANA STATE LAW IC 8-1-26-38, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

***NOTE:**
GENERAL CONTRACTOR IS TO ENSURE THERE IS NO DISTURBANCE OF PROPERTY, SOIL, ETC. OUTSIDE OF THE STAKED LEASE AREA WITHOUT APPROVAL FROM VERIZON WIRELESS CONSTRUCTION MANAGER



DETAILED SITE PLAN

SCALE: 1" = 10'



LEGEND

- ☆ LIGHT POLE
- ☼ TREE
- PROPOSED LEASE LINE
- - - PROPOSED EASEMENT
- PROPOSED GRAVEL
- x - x - x - PROPOSED FENCE