



## Report to the Plan Commission

February 22, 2010

**Legistar I.D. #17487**

**979 Jonathon Drive**

**Conditional Use (Wireless Communications Tower)**

Report Prepared By:

Kevin Firchow, AICP

Planning Division

**Requested Action:** Approval to construct a wireless communications tower.

**Applicable Regulations & Standards:** Section 28.04 (23) provides the detailed requirements for telecommunication facilities throughout the City of Madison. Section 28.12 (11) provides the guidelines and regulations for the approval of conditional uses.

**Summary Recommendation:** The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** a proposed wireless communications (cellular) tower located at 979 Jonathon Drive, subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

### Background Information

**Applicant:** US Cellular, Madison Cellular Telephone Company; 5117 West Terrace Drive, Madison, WI 53718

**Contact:** Nathan Ward, Buell Consulting; 1200 Riva Ridge; Racine, WI 53402

**Property Owner:** Vera Daniels, 613 McGuffey Drive; Madison, WI 53717

**Proposal:** The applicant proposes to construct a four-carrier telecommunications tower and radio equipment shelter behind an office building. Construction is estimated to commence in April 2010 with completion anticipated in July 2010.

**Parcel Location:** The parcel is an approximately 2.63 acre (114,463 square foot) parcel located along the south side of Jonathon Drive, between Latham Drive and Perry Street. This parcel is located within Aldermanic District 14 and the Madison Metropolitan School District.

**Existing Conditions:** The property includes an office building and surface parking area.

**Surrounding Land Use and Zoning:** The subject property is surrounded by commercial and industrial uses, zoned C3L (Commercial Service and Distribution District) to the north, east, and west, and M1 (Limited Manufacturing District), to the south.

**Adopted Land Use Plan:** The Comprehensive Plan recommends industrial uses for the subject site.

**Environmental Corridor Status:** The subject site is not located in a mapped environmental corridor.

**Public Utilities and Services:** This property is served by a full range of urban services.

**Zoning Summary:** The property is zoned C3-L (Commercial Service and Distribution District)

Bulk Requirements	Required	Proposed
Lot Area	6,000 sq ft	114,462.50 sq ft
Lot Width	50 ft	Adequate
Building Height		80 ft (Monopole) / Equipment Building
Number of Parking Stalls	44	To be shown on final plans (See Comment # 16)
Accessible Stalls	2	To be shown on final plans (See Comment # 16)
Loading	One (1) 10' x 35'	To be shown on final plans (See Comment # 16)
Number of Bike Parking Stalls	4	To be shown on final plans (See Comment # 16)
Landscaping	Yes	To be shown on final plans (See Comment # 16)
Lighting	No	(See Comment # 17)
Other Critical Items	Barrier Free (ILHR 69)	
<i>Table Prepared by Pat Anderson, Assistant Zoning Administrator</i>		

### **Analysis, Evaluation, & Conclusion**

The applicant, US Cellular, requests conditional use approval to construct an 80-foot tall wireless communications (cellular) tower. The 2.63-acre site is located between Perry Street and Latham Drive, in the industrial area south of the Beltline Highway.

The subject property includes an office building with surface parking and storage areas to the side and rear. The proposed monopole and associated equipment building are proposed at the southwest corner of the site in a graveled area.

The applicant's plans and photo simulations are available for online viewing from the following sites:  
[http://www.cityofmadison.com/planning/projects/reports/979jd\\_site.pdf](http://www.cityofmadison.com/planning/projects/reports/979jd_site.pdf)  
[http://www.cityofmadison.com/planning/projects/reports/979jd\\_photos.pdf](http://www.cityofmadison.com/planning/projects/reports/979jd_photos.pdf)

The antenna array will be located at the top of a monopole tower. Up to four (4) antenna arrays could be accommodated. The proposed facility compound also includes a 217 square-foot equipment building. The building is 10 feet, six (6) inches in height and includes an exposed aggregate exterior.

The US cellular compound measures 1,400 square feet in area and would be surfaced with gravel. A six (6) foot tall chain link fence with one (1) foot of barb wire would enclose the compound. Two future lease areas are shown adjacent to the US Cellular compound, covering an additional 800 square feet. The Planning Division recommends a condition of approval that requires the additional carrier(s) to

receive administrative approval of the details of these compound areas prior to occupying the remaining positions on the proposed tower. The approval of this base compound will ensure that it is sufficiently secured and screened as required in Section 28.04 (23) of the Zoning Ordinance.

Staff note that no screening is proposed around the facility. The applicant indicates the equipment structure will only be marginally visible from off-site views. Staff believes the equipment structure would generally have limited visibility from adjoining properties. Existing off-site vegetation to the south and west would largely screen structure from those directions. Staff note that there is a fairly large side yard (roughly 70 feet in width) along the western side of the subject property. The applicant's exhibits show that existing outdoor storage appears to screen the equipment building from Jonathon Drive (This can be seen in Photo Simulation PS-2). As a condition of approval, staff recommend that additional screening be provided within the sideyard to screen the facility and compound.

In 1998, the Zoning Ordinance was amended to provide specific requirements for telecommunications facilities and antennas. The goals of the ordinance include protecting residential areas and land uses from the potential adverse impacts of telecommunication towers and antennas and limiting the overall number of towers in an effort to reduce their visual impact on the landscape by encouraging the shared use of tower sites. In regards to co-location, the ordinance requires that all new telecommunication towers be designed to accommodate at least three (3) separate antenna arrays on the tower and in the base compound, unless the Commission can determine that it additional height is unwarranted or economically feasible. The applicant complies with this standard.

The Zoning Ordinance also requires that an analysis be prepared by the applicant that identifies all reasonable, technically feasible alternative locations and/ or facilities that would be usable for the proposed personal wireless services to substantiate the need for a new tower. A third-party consulting engineer, Evans Associates, is under contract with the City to review the analyses to determine if an applicant has sufficiently proved the need for a new tower. A copy of the consultant report for the proposed tower is attached. Evans has recommended approval of this proposal, noting that the applicant has sufficiently demonstrated a need for building a structure at the proposed site. Further, Evans concludes there are no alternative sites that can reasonably be determined as usable. Evans Associates' recommended conditions of approval are included in the recommendation section of this report.

The proposal is not inconsistent with the Comprehensive Plan.

The Planning Division believes that the conditional use standards can be met with the proposed wireless communications tower, with the conditions recommended below.

## **Recommendation and Proposed Conditions of Approval**

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Major/Non-Standard Conditions are Shaded

### **Planning Division Recommendation** (Contact Kevin Firchow, 267-1150)

The Planning Division recommends that the Plan Commission find the conditional use standards are met and **approve** a proposed wireless communications (cellular) tower located at 979 Jonathon Drive, subject to input at the public hearing and the conditions recommended by the Planning Division and other reviewing agencies.

1. That the plans for the “future carrier lease areas”, including the details of any exterior base equipment compound, receive approval of a minor alteration to this conditional use prior to occupying the remaining positions on the tower. The approval of this base compound will ensure that it is sufficiently secured and screened as required in the Zoning Ordinance.
2. That the applicant submits a landscape plan, which provides additional screening of the equipment building and compound enclosure in the western side yard of the subject property. This plan shall be approved by Planning Division staff. The applicant is encouraged to work with Planning Division staff on this item prior to resubmitting plans for final sign-off.
3. That wires and conduit, including those installed to serve future providers, shall be installed within the tower and not installed along the tower’s exterior.
4. Per the zoning ordinance, prior to the issuance of any building or zoning permits, a performance bond shall be provided to guarantee that a facility that has ceased being used for telecommunication purposes is removed. Please see section 28.04(22)(d) of the ordinance or contact zoning staff for more information on this requirement.

***The following conditions were submitted by Evans Associates, consultant to the City:***

5. All tower components, appurtenances and transmission lines should be securely bonded and grounded to prevent RF interference caused by stray signals.
6. A set of detailed design drawings should be reviewed and stamped by a structural engineer licensed by the State of Wisconsin to verify that the latest EIA/TIA standards are being observed and that the tower will support the antennas of two additional possible future wireless co-locators.

***The following conditions have been submitted by reviewing agencies:***

**City Engineering Division** (Contact Janet Dailey, 261-9688)

7. Lessor shall be billed storm water utility chargers for the increased impervious area of the leased area.
8. The applicant shall submit, prior to plan sign-off, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: a) building footprints, b) internal walkway areas, c) internal site parking areas, d) other miscellaneous impervious areas (i.e. gravel, crushed stone, bituminous/asphalt, concrete, etc.), e) right-of-way lines (public and private), f) all underlying lot lines or parcel lines if unplatted, g) lot numbers or the words “unplatted”, h) lot/plat dimensions, i) street names, and all other levels (contours, elevations, etc) are not to be included with this file submittal.

NOTE: Email file transmissions preferred addressing@cityofmadison.com. Include the site address in the subject line of this transmittal. Any changes or additions to the location of the building, sidewalks, parking/pavement during construction will require a new CAD file. (POLICY and MGO 37.09(2) & 37.05(4))

**Traffic Engineering Division** (Contact John Leach, 267-8755)

9. The applicant shall indicate the type of City approved bicycle racks to be installed and locations. The bike rack should be located by the entrances to the buildings.
10. When the applicant submits final plans of one contiguous site plan for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, showing all easements, all pavement markings, building placement, and stalls, adjacent driveway approaches to lots on either side, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, and a scaled drawing at 1" = 20'. The site has been modified from the original approved plan dated October 30, 1964. In addition, according to M.G.O. shall be brought up to code.
11. The applicant shall prevent encroachment onto adjacent land areas and sidewalk by barriers of some type, which shall be noted on the face of the revised plans.
12. The applicant shall show dimensions for the proposed and/or existing parking stalls' items A, B, C, D, E, F, and degree of angle parking width and backing up, according to Figures II "Medium and Large Vehicles" parking design standards in Section 10.08(6)(b) 2. Signs and planting areas are to be excluded from the rectangular stall areas including the two (2) feet of vehicle overhang. The two (2) feet of vehicle overhang shall be shown on the plan and dimensioned.
13. A "Stop" sign shall be installed at a height of seven (7) feet at the approach. All signs at the approaches shall be installed behind the property line. All directional/regulatory signage and pavement markings on the site shall be shown and noted on the plan.
14. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Zoning Administrator** (Contact Matt Tucker, 266-4569)

15. Comply with City of Madison General Ordinances Section 28.04(23) telecommunication facilities and antennas ordinances.
16. Per Sec. 28.04(3)(a) the addition of the communications tower to this site will require the site be brought up to compliance with the existing zoning requirements, which include but are not limited to: parking, storage screening, paving, accessible parking, bicycle parking, and landscaping. The submitted plan does not reflect compliance with contemporary requirement for the site as required in MGO 28. An updated site plan must be submitted showing compliance with all requirements outlined in MGO 28 before a building permit will be issued for the proposed tower.
17. Lighting is not required. However, if it is provided, it must comply with City of Madison General Ordinances Section 10.085 outdoor lighting standards. (See parking lot packet). Lighting will be limited to .10 watts per square foot.

**Fire Department** (Contact Scott Strassburg, 261-9843)

This agency did not submit a response to this request. Please contact this department with questions related to compliance with Fire Code conformance issues related to this project.

**Water Utility** (Contact Dennis Cawley, 261-9243)

18. This property is not in a Wellhead Protection District. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility. The Water Utility will not need to sign off the final plans, nor need a copy of the approved plans.

**Parks Division** (Contact Tom Maglio, 266-6518)

This agency did not submit a response to this request.

**Metro Transit** (Contact Tim Sobota, 261-4289)

This agency did not submit a response to this request.