



AGENDA MEMORANDUM

Public Hearing & First Reading Ordinance for the City Council Meeting 06/09/20
Second Reading Ordinance for the City Council Meeting 06/16/20

DATE: April 28, 2020

TO: Peter Zanoni, City Manager

FROM: Al Raymond, AIA, Director
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Rezoning a property at or near 4701 Ayers Street

CAPTION:

Zoning Case No. 0420-02, Branch Towers III, LLC: Ordinance rezoning property at or near 4701 Ayers Street from the "IL" Light Industrial District to the "IL/SP" Light Industrial District with a Special Permit.

SUMMARY:

The purpose of the zoning request is to allow for the construction of a 120-foot monopole cell tower.

BACKGROUND AND FINDINGS:

The subject property is 0.43 acres in size. The applicant is proposing a 120' monopole wireless communications tower that will be designed to withstand a sustained wind speed of 130 mph.

Conformity to City Policy

The subject property is located within the boundaries of the Midtown Area Development Plan and is planned for commercial uses. The proposed rezoning to the "IL/SP" Light Industrial District with a Special Permit is consistent with the adopted Comprehensive Plan (Plan CC), compatible with the adjoining properties, and does not have a negative impact upon the adjacent properties. The Unified Development Code (UDC) requires that all telecommunication towers be located at least one-and-a-half times their height to any residential structure or state right-of-way. The proposed tower does not meet the minimum distance requirements to a state right-of-way. However, the UDC does provide an exemption to this requirement if the tower is designed to withstand a wind speed of 130 mph. The proposed tower will be engineered to meet the required windspeed to obtain the exemption.

Public Input Process

Number of Notices Mailed
8 within 200-foot notification area
5 outside notification area

As of April 10, 2020:

In Favor
0 inside notification area
0 outside notification area

In Opposition
0 inside notification area
0 outside notification area

Totaling 0.00% of the land within the 200-foot notification area in opposition.

Commission Recommendation

Planning Commission recommended approval of the change of zoning from the “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit on April 15, 2020.

ALTERNATIVES:

1. Denial of the change of zoning from the “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

RECOMMENDATION:

Staff recommends approval of the zoning request.

Planning Commission recommended approval of the change of zoning from the “IL” Light Industrial District to the “IL/SP” Light Industrial District with a Special Permit with following vote count.

Vote Count:

For: 9
Opposed: 0
Absent: 0
Abstained: 0

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Presentation - Aerial Map
Planning Commission Final Report