

**City of Columbus**  
**Public Hearing – 13932 Lake Drive NE CUP Amendment Application (PC-16-104)**  
**(Verizon Wireless)**  
**February 17, 2016**

The February 17, 2016 Public Hearing to receive testimony regarding the request of Verizon Wireless for a Conditional Use Permit amendment to allow for the construction of a 139-foot communications tower at 13932 Lake Drive NE was called to order at 7:02 p.m. by Chair Garth Sternberg at the City Hall. Present were Commission members Jim Watson, Pam Wolowski, Jesse Preiner, and Jody Krebs; Planner Dean Johnson, and Recording Secretary Karen Boland.

Also in attendance were City Council member Denny Peterson; Jim Faulkner, Dorothy Staples, Myron Organ, Lewis Martin, Mary Preiner, and Pat Preiner.

**Sternberg:** Now we're gonna have a Public Hearing and discussion for 13932 Lake Drive Northeast CUP amendment request, pages 1-52. And, at this time, I'd like to ask the recording secretary to read the notice as published.

Notice was read at this time by the recording secretary.

**Sternberg:** Thank you. And, at this time, if we could ask the applicant to please come forward and state your name and address for the record.

**Martin:** Good evening, board. My name is Lewis Martin, and my address is Frisco, Texas, 424 El Camino Drive.

**Sternberg:** Thank you, sir. And if you could just give us a little rundown on what you're asking. I know we went through this about a year ago, so I think it's . . .

**Martin:** We, we did go through this a year ago. Um, it's the, it's 99 percent the same exact plan. The only difference that, uh, has been outlined, is, as explained to Mr. Dean Johnson and Elizabeth Mursko, is that the equipment at the base of the tower, it was originally going to be contained in an enclosed building. Due to Verizon's, I guess, technology requirements, and due to some other things that are going out there, there, they are going to be proposing to place outdoor cabinets instead of a large equipment building. So, the drawings that were provided—if you looked at the difference between the two—instead of being a shelter, roughly 29 feet long, it's gonna be on a platform that's only like 10 by 14, elevated a couple feet off the ground, with so many cabinets stacked on there, as needed. A much less visible footprint. Not that the other one was an issue at all, but this one's a much less footprint. And, it's my understanding in talking with Dean as well, there was a new Code passed regarding landscaping, so, in accordance with that, and in accordance with Mr. Johnson's memo, finding of fact, that the Code required screening on the west side of the compound, we've done that, have met the Code and met the requirements for that as well. So, we've updated our CUP, we've provided that on the 12/23 date, 2015. And we're asking that you accept this, these changes, so that Verizon can move forward with a permit on the site.

**Sternberg:** Sounds good. So, I see in that screening, there is a drawing here, where they have some trees planted around the . . .

**Johnson:** I'll put those drawings up. So, just for orientation, this is the M.U.E. property, and this area right here is the specific lease area, so it's a ways back from the highway itself. The next drawing I'll put on here actually is that lease area, and, as Mr. Martin was explaining, there used to be—at the base of the tower, where they put the fill in, now it's the short platform, and you can see the different cabinets that are located on there. The previous plan also included the back-up generator, the propane tank. That's not changed. The landscape provisions, uh, that he described, are the new screening requirements when property abuts rural residential, which this site does on its west side. And, uh, one correction in my memo: an earlier draft had nine arborvitae proposed on the west boundary; there are now sixteen. So we'd make that correction in the findings. So this is an illustration of the fenced-in area itself, the 60 by 60 lease area on the property, and on that westerly side that abuts the rural residential district, uh, are these proposed trees. And there are a couple of additional illustrations that would identify what this is going to look like. And this first drawing, uh, does identify the 16 trees. They are shown here at an approximate three-year growth height. And, uh, from my own, uh, investigation on one of the . . .

**Martin:** The species of arborvitae?

**Johnson:** Yeah. I, uh . . .

**Martin:** Growing at roughly 18 to 24 inches per year over three years. The Code says something along the lines of, it's got to cover 95 percent screening within the three years. And the nine trees, to his point, didn't meet it. And we were—we kind of went back and forth. Verizon chose to err on the side of caution, and went ahead and did the full 16 trees. It's not that nine wouldn't have been sufficient; 16 is more than sufficient.

**Sternberg:** Yeah, they make nice screening, those arborvitae.

**Johnson:** So, our, our planned height is six feet. This is illustrating trees, again, after three years of growth. They're anywhere between nine and eleven feet tall in this. So, if you looked at it, you'd say, 'Well, they're not going to grow that fast.' And I had to look up American arborvitae on the, one of the national arboretum sites, and their growth rate is 12 to 24 inches a year. To get to that height, at a six-foot planting height, would be 16 to 20 inches a year. Regardless, I think, our original concern about the coverage that's required within the ordinance language itself, nine trees were questionable. Sixteen are a little bit less of a concern. But that was an elevation from a distance which you would see at full maturity these trees can be 40 feet in height, uh, they can have 15 feet width. This does not illustrate all of the trees in here. That was an earlier drawing of only the nine trees. So, it'll be much more substantial at maturity. Obviously, when you have 135-foot pole, you're not going to masquerade the pole no matter what you do, but, consistent with what the new screening requirements were regarding, uh, new developments that abut, uh, rural residential properties, I find that this is consistent with that particular ordinance.

**Martin:** And I would like to add one last thing to that, is, our original plan, the visibility from the road and the adjacent residences, was, you know, it's actually going to be decreased for this

proposal, because the commission and the City came forth and issued this new requirement. You know, we didn't really feel like we wanted to come in and contest it. So, we're following it. But, I will tell you, that view you're looking at right now (referring to overhead), it's from the west facing east. The Rice Creek Watershed District has the ponds back there; they said we'll still have no impact on that. But, it's all trees to the west. So, you're, you, you're not going to, you wouldn't be able to see it even if we didn't have those trees up. Now you're not going to be able to see it four times over. So, that was just a proposal, it was a, it wasn't, it was a technicality the Code has, that says we had to do this, so we're complying with that. And that's the point he was trying to make.

**Sternberg:** Sure. Any questions?

**Krebs:** And you've read all the findings of facts and the permit conditions and, um, they're all ...?

**Martin:** Yes, from his letter, that he issued on February the 12th 2016?

**Krebs:** Correct.

**Martin:** We agree with all 21 findings of fact; the permit conditions, we also agree with those as well. Uh, there's 13 of those, so, they're still—I've reviewed these. I was provided this in advance. Thank you, Dean, for providing that to me in advance. So, I'm good to go with those as well.

**Krebs:** Okay. And just the correction on number 20 then, of the 16, um, plantings?

**Johnson:** Correct.

**Krebs:** Okay.

**Martin:** So, any other questions?

**Sternberg:** Any other questions? Okay, if you want, you can take a seat and I'm going to open the meeting to the public—the hearing.

**Martin:** Thank you very much.

**Sternberg:** At this time I'd like to, uh, open the hearing to the public. If there's anybody here from the public? Please come forward. And, if you could, just state your name and address for the record, please.

**Staples:** I'm Dorothy Staples, 13908 Lake Drive, right next door. Where's the 60 by 60 leased property at?

**Johnson:** I, I'll put that drawing back up. Are you on the north side, south side?

**Staples:** South.

**Johnson:** South side. So, you're familiar with the entrance into M.U. and E?

**Staples:** Yes.

**Johnson:** This lease area is almost entirely back a quarter mile from the road. So, it's almost back where the stormwater area is presently, the very west end of the property.

**Staples:** So, it's behind his property, behind M.U.E. property?

**Johnson:** Oh, it's on the, this, um, this particular boundary here is the entire M.U.E. site. And it is, uh, there's a dimension on here . . . Let me see if I can read it. It is actually, from, from the edge of Lake Drive the front portion of that is 704 feet. So, from this point to the edge of the lease area is 700 feet.

**Staples:** Okay.

**Johnson:** And it's a 60 by 60 feet lease area itself. It's, it's the same drawing if you, uh, . . .

**Staples:** So you're saying M.U.E. doesn't own that property?

**Johnson:** Well, it's actually owned by Sizzler. I don't know the relationship.

**Staples:** Okay. Well, where M.U.E. operates is the property.

**Johnson:** Yes. Yes.

**Staples:** It's still on his property?

**Johnson:** That is correct.

**Staples:** And it's in an open area?

**Johnson:** That is correct.

**Staples:** So I'm gonna look out my window and see this big tower with all these arborvitaes around it?

**Johnson:** Uh, you're going to see a tower from a great distance in the community.

**Staples:** That many feet back isn't that great a distance.

**Johnson:** Um, for a 135-foot tower, it's going to be visible from a great distance. And landscaping on the ground has no ability to diminish the appearance of a tower. Um, the one drawing—well, I'll put this back up. At present the proposal by Verizon is to attach the antenna at

the top of the tower. In our ordinance, and in most other community ordinances, we require for towers this height to have the structural capacity to add other carriers on there. And so those are just depictions, from the top down, of at least two other locations where additional antenna could be held. There's no proposal for that. They have to come back and amend it at the time. But that's, uh, that is a clear perspective of what that tower is going to be. It's a mono-pole design; it's not a trellis. It is unpainted galvanized steel, which, as I've seen these permitted in most communities, uh, most communities ultimately prefer unpainted galvanized. It matches with the sky, and you don't have to repaint them. They don't rust. And so, you are going to see the mono pole and, at least in the beginning, you would see the attachment at the top, which is a triangle, which contains the antenna.

**Staples:** Well, I get all that, but I can't understand where it's going to be. How far back? Feet don't mean a whole lot to me.

**Johnson:** Okay.

**Staples:** So, behind their equipment that they're using now or what?

**Johnson:** Let me put another picture up.

**Sternberg:** Yeah. If you put that—Dorothy, if you put that picture up there, you can see – you know how they have the equipment building in the back of their main office building?

**Johnson:** So, if, I'm assuming this is your home right here?

**Staples:** Yes.

**Johnson:** So if you're, you're about in line with the larger building on M.U.E.?

**Staples:** Yes.

**Johnson:** Their property comes all the way back to this line, and, this is the stormwater area that I mentioned earlier. The red area is the leased. So, if you look at your setback from Lake Drive, this is a little bit further than that, if that helps your perspective. It's a little bit further. But, I, I wouldn't make any mistake: This will be visible for miles, not just hundreds of feet.

**Staples:** Oh, I, I'm sure it will be. I'm sure it will be. What is that going to do as far as my television interference? Is that gonna be creating static or noise?

**Johnson:** There, there is none at the frequency these operate. It is a condition of the permit that we issue that there is no interference to television, radio, electronics, anything. If that happens the complaint ought to be directed to the City and we're gonna go directly to Verizon. Uh, I've been involved in permitting these for almost 40 years, and that interference just doesn't exist. The, the operation for cell is at a different frequency. They don't interrupt with radio communications for fire, police. So they don't, they don't have that interference. It's just the nature of what frequency they're on.

**Staples:** Okay. Well, something to add to my property. Thank you.

**Sternberg:** Thank you. Anyone else here from the public? Any other questions? Okay, I'm going to close the hearing with the right to reopen if it becomes necessary.

Hearing closed at 7:17 p.m.

Respectfully Submitted:

Karen Boland, Recording Secretary