

Application #: SE 9-2-00
Exhibit "A":
Original Report Date: 10/25/00

Revisions:

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner:

Agent:

Name: Palm Peterbuilt GMC Trucks, Inc.	Name: Nextel South Corp. d/b/a Nextel Communications
Address: 2441 S. State Road 7	Address: 6700 N. Andrews Ave
City: Davie, FL 33317	City: Ft. Lauderdale, FL 33309
Phone: (954) 584-3200	Phone: (954) 971-3450

BACKGROUND INFORMATION

Application Request: To construct a cellular monopole with antennas attached and an unmanned equipment shelter.

Address/Location: 2441 S. State Road 7/ Generally located in the northwest corner of SR 7 and North New River Canal.

Future Land Use Plan Designation: Commercial

Zoning: B-3, Planned Business Center District

Existing Use: Large Truck Sales and Service Business Facility

Proposed Use: Addition of a monopole communications site with an unmanned equipment shelter.

Parcel Size: .013 acre (560 sq. ft.)

<u>Surrounding Uses:</u>		<u>Surrounding Land Use Plan Designation:</u>	
Commerce Plaza		Commercial (County)	North:
South: Similar Commerce Business		Commercial	
East: Vacant (Outside Town Limits)		Commercial (County)	
West: Multi-Family (north portion, Outside Town)		Residential (County)	
Trailer Park (south portion, Outside Town)			

Surrounding Zoning:

North: B-3, (County, General Business)
South: M-3 (County, General Industrial)

East: B-3, (County, General Business)
West: North Portion RM-15 (County, Multi-Family Residential 15 DU/AC)
South Portion T-1 (County, Trailer Park)

ZONING HISTORY

Related History: The property was annexed into the Town on September 4, 1984, through the Hacienda Village Annexation.

The subject site was rezoned from B-3 Hacienda Village to Town of Davie Planned Business Center (B-3) through Ordinance 85-18.

DEVELOPMENT PLAN DETAILS

Nextel seeks to construct a 100' monopole communications structure with an adjoining unmanned equipment shelter located in the northwestern corner of the Palm Peterbuilt GMC Trucks, Inc. parcel.

Applicant states Nextel has a need to improve system quality and capacity in the vicinity of I-595 and State Road 7. This monopole will initially contain Nextel's antenna array mounted at 60' with room for 2 other collocating telecommunications carriers, for a total of 3 carriers on the same monopole.

Applicant states Nextel has conducted an extensive search of the area and has examined the feasibility of collocating antennas on existing towers in the area and found that the next closest tower is located a mile away. There is no tower located near enough to provide adequate telecommunications coverage in the immediate area.

Nextel proposes to lease a 14' x 40' area for the monopole and adjoining equipment shelter. The equipment shelter is 10' x 20' in dimension and will be located directly to the west of the monopole. The 14' x 40' area will be protected by a barbed-wire topped 8' high chain-link fence with an access gate. A 10' access easement will be secured on the west and south sides of the leased areas and a 20' access, utility, and maintenance easement will be secured on the east side.

Application Codes and Ordinances

Land Development Code Section 12-506(A), which states, a telecommunication tower shall be a conditionally permitted use of land allowable by a special permit.

Land Development Code Section 12-504(E), which states, protect residential areas and land uses from potential adverse impacts of telecommunication towers and antennas by maximizing use of any new or existing telecommunications towers through share use, i.e., co-location, to reduce the number of towers needed.

Land Development Code Section 12-506(D)(3)(a), which states, the height of a telecommunications tower shall not exceed 150 feet

Land Development Code Section 12-506(D)(3)(d), which states, telecommunication towers shall not be located within 750 feet of any existing telecommunication tower.

Comprehensive Plan Considerations

Planning Area: Planning Area 7, the smallest planning district, encompasses what was once Hacienda Village. The Town annexed this area in the late 1980's. Bordered on the north by the North New River Canal and on the south by S.R. 84, the area stretches approximately one mile east of SR 7 and includes the Hacienda Flores and Pond Apple Slough wetland mitigation sites, owned by Broward County and FDOT respectively. The wetland mitigation sites were required to offset the loss and degradation of wetlands from the construction of the County resource recovery facility and I-595.

Staff Analysis

Staff has examined the location for the proposed monopole facility at the Palm Peterbuilt GMC Trucks, Inc., location. The proposed facility is in the rear of a truck sales and service plaza, which is surrounded by an eight foot height concrete wall. The proposed monopole location is 165' from the existing residential area, and separated by a two-lane road, SW 41st Avenue. The site location meets the acceptable setbacks required to minimize adverse visual effects to adjacent parcels.

The location of the proposed monopole is adjacent to a large live oak tree and a gravel lot which is labeled for trailer parking only. This area is currently bounded by a six-foot chain link fence on the north. The proposed location will not interfere with traffic circulation, as all the truck and visitor parking spaces are striped and located to the south.

The applicant states there are no collocation opportunities, within the applicable coverage area, and no other telecommunication towers within 750 feet. The next closest tower is a mile from the site. The tower will accept up to two additional users, thereby reducing the need for additional towers within this area. The proposed monopole at 100 feet, 50 feet below the maximum allowable height of 150 feet.

Granting the special permit will be in harmony with the general purpose and intent of the designated land use and zoning and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Findings of Fact

Special Permit:

Section 12-308(A)(1):

The following findings of facts apply to the special permit request;

- (i)** The proposed special permit is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
- (ii)** The proposed special permit will not create an unrelated and incompatible adjacent use;

(iii) The proposed special permit will not adversely affect living conditions in the neighborhood or the town;

(iv) The proposed special permit will not create or excessively increase automobile and vehicular traffic congestion or otherwise affect public safety;

(v) The proposed special permit is not expected to adversely affect surrounding property values;

(vi) The proposed special permit will not be a deterrent to the improvement or development of other property in accord with existing regulation;

(vii) The proposed special permit will not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.

Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends approval, of petition SE 9-2-00.

Planning and Zoning Board

The Planning and Zoning Board recommended approval of SE 9-2-00 at its December 13, 2000 meeting by a motion made by Mr. Stahl and seconded by Ms. Moore for a vote of 5-0.

Exhibits

1. Applicant's letter of justification
2. Overall parcel map
3. Land Use Map
4. Subject Site Map
5. Aerial

Prepared by: _____

Reviewed by: _____

LAW OFFICES
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VIA HAND DELIVERY

September 29, 2000

Mark A. Kutney, AICP, Director
Development Services Dept.
Town of Davie
6591 Orange Drive
Davie, FL 33314

Re: Application for Special Permit Approval of Monopole
Telecommunications Facility by Nextel South Corp.
(Palm Peterbuilt GMC Trucks; 2441 S. State Road 7)
(Nextel Site FL2695; "Whale Harbor")

Dear Mr. Kutney:

This office represents Nextel South Corporation d/b/a Nextel Communications, a wireless communication service provider licensed by the Federal Communications Commission (FCC) to provide such services throughout Florida, including the Town of Davie, and elsewhere.

Consistent with Nextel's need to improve system quality and capacity in the vicinity of I-595 and State Road 7, Nextel seeks to construct a 100' monopole communications structure with an adjoining unmanned equipment shelter located at 2441 S. State Road 7, at the Palm Peterbuilt GMC Trucks facility. This monopole will initially contain Nextel's antenna array mounted at 60' with room for 2 other collocating telecommunications carriers, for a total of 3 carriers on the same monopole.

Nextel has conducted an extensive search of the area and has examined the feasibility of collocating antennas on existing towers in the area. Nextel's search has concluded



Mark A. Kutney, AICP
Sept. 29, 2000
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that there are no existing towers within a one-mile radius of the search ring of the proposed site.

Nextel has leased a proposed 14'x40' area for the monopole and adjoining equipment shelter. The equipment shelter is 10'x20' in dimension and will be located directly to the west of the monopole. The 14'x40' area will be protected by a barbed-wire topped 8' high chain-link fence with an access gate. A 10' access easement will be secured on the west and south sides of the leased area and a 20' access, utility, and maintenance easement will be secured on the east side.

In addition to the large existing oak tree to the south of the site, the equipment shelter will be screened from view by 17 wax myrtle trees on the north, south, and west side of the leased area planted within a 2' landscape buffer. Three live oak trees will be planted in the corners of the site.

The parent tract is zoned B-3. As you know, Article XV, Section 12-506(A) provides that a monopole of the proposed type is allowed in B-3 through the special permit process.

The following items are attached in relation to Nextel's request for a Special Permit approval of this site:

1. Application for Special Permit, executed by authorized representatives of Nextel and the parent tract and notarized as to each. A planning meeting was held on Sept. 14, 2000 with a Town Planner as required by the Development Services Department.
2. A check in the amount of \$930.00 payable to the Town of Davie, which represents the special permit application fee.
3. A certified and sealed topographical survey and tree survey dated within 2 years.
4. Original of an "Owner's Authorization" letter executed on behalf of the property owner, Palm Peterbuilt GMC Trucks, Inc.

Please advise me as soon as possible if this submission is deemed complete. Should you need any additional or supplemental item, please advise and it will be provided to you expeditiously. Please also advise me of all hearing dates and times as soon as they are known and provide me with all Staff reports and recommendations as soon as available.

Mark A. Kutney, AICP
Sept. 29, 2000
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Thank you for your time and consideration in this matter and we look forward to hearing from you.

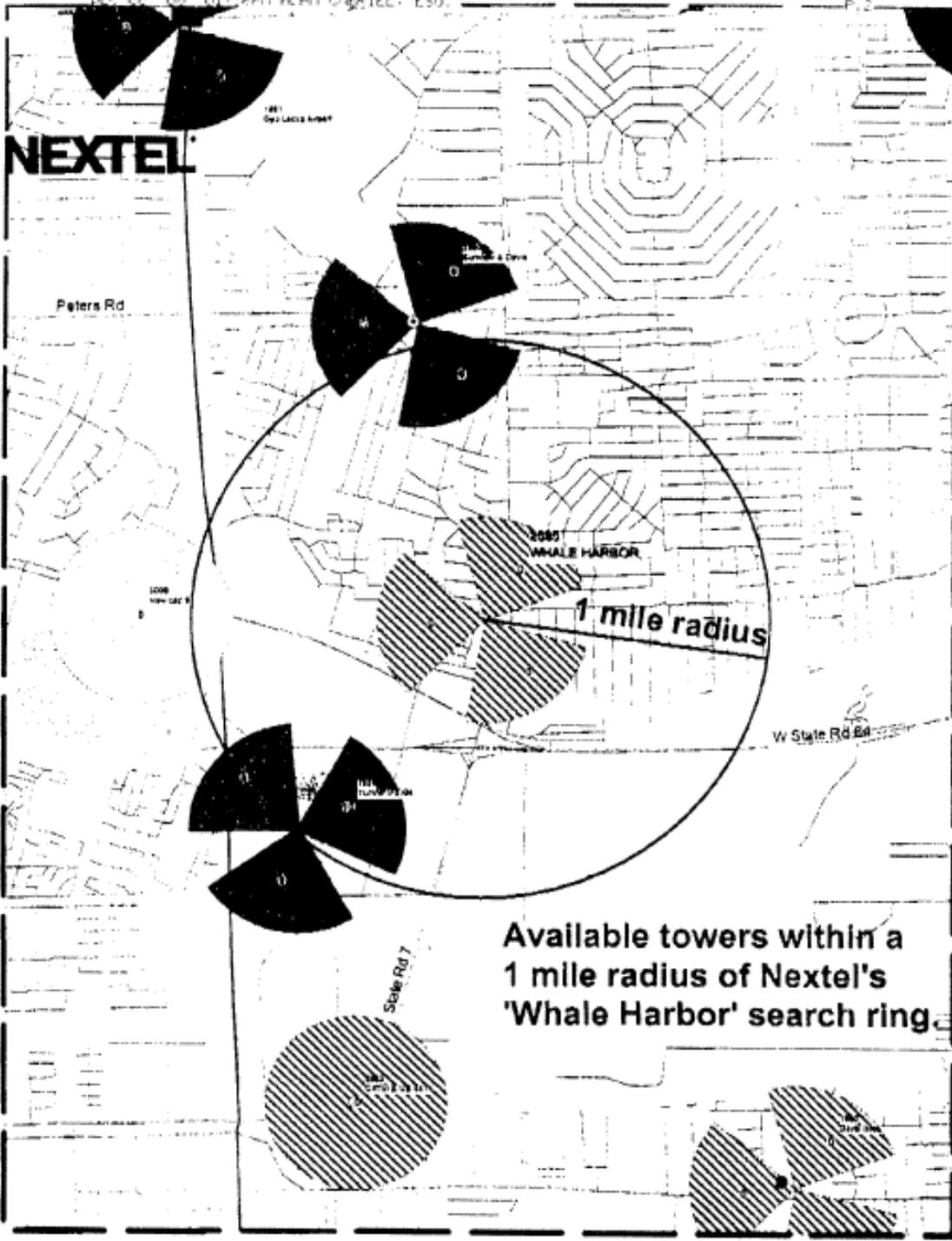
Very truly yours,


Alan L. Gabriel

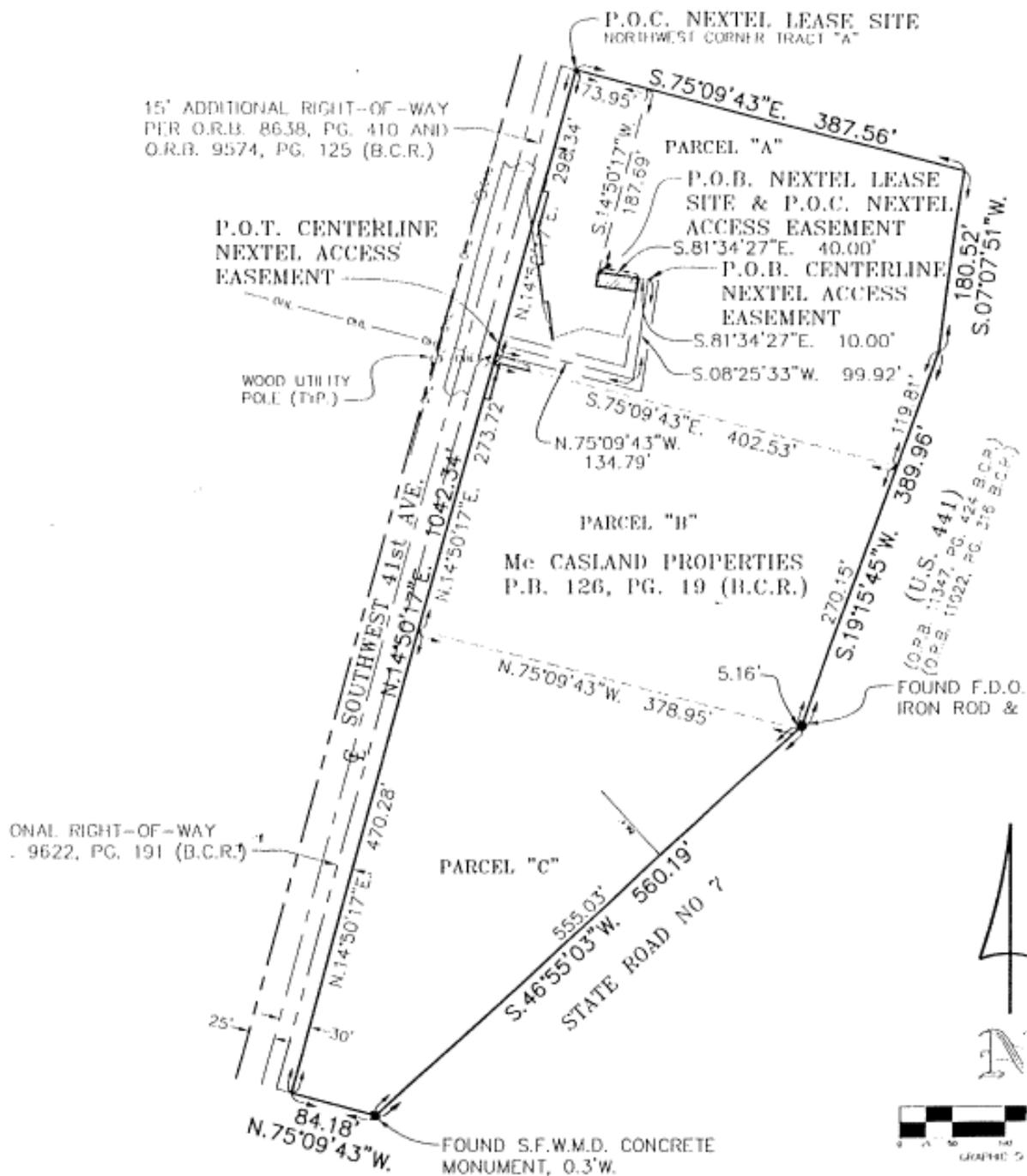
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NEXTEL

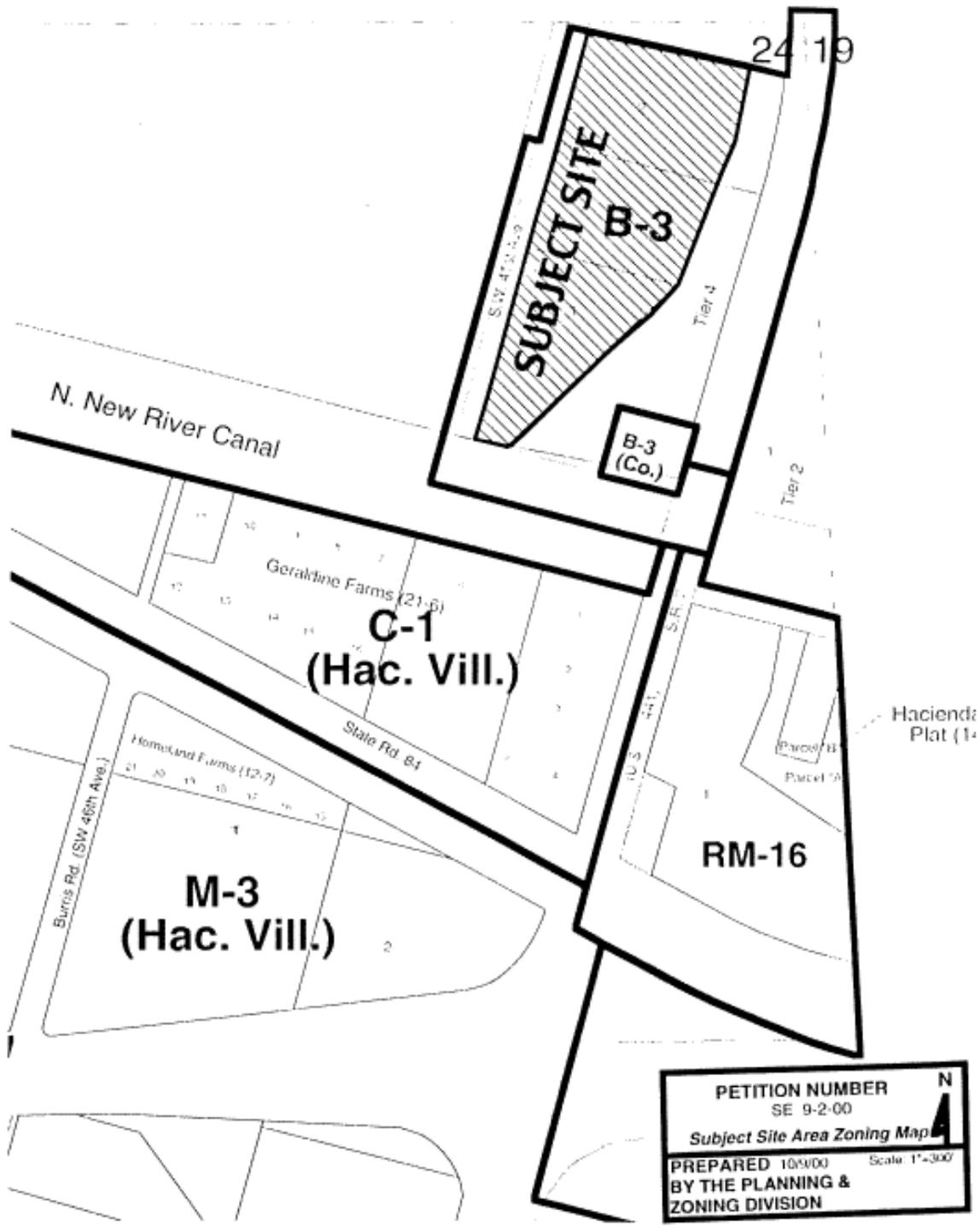


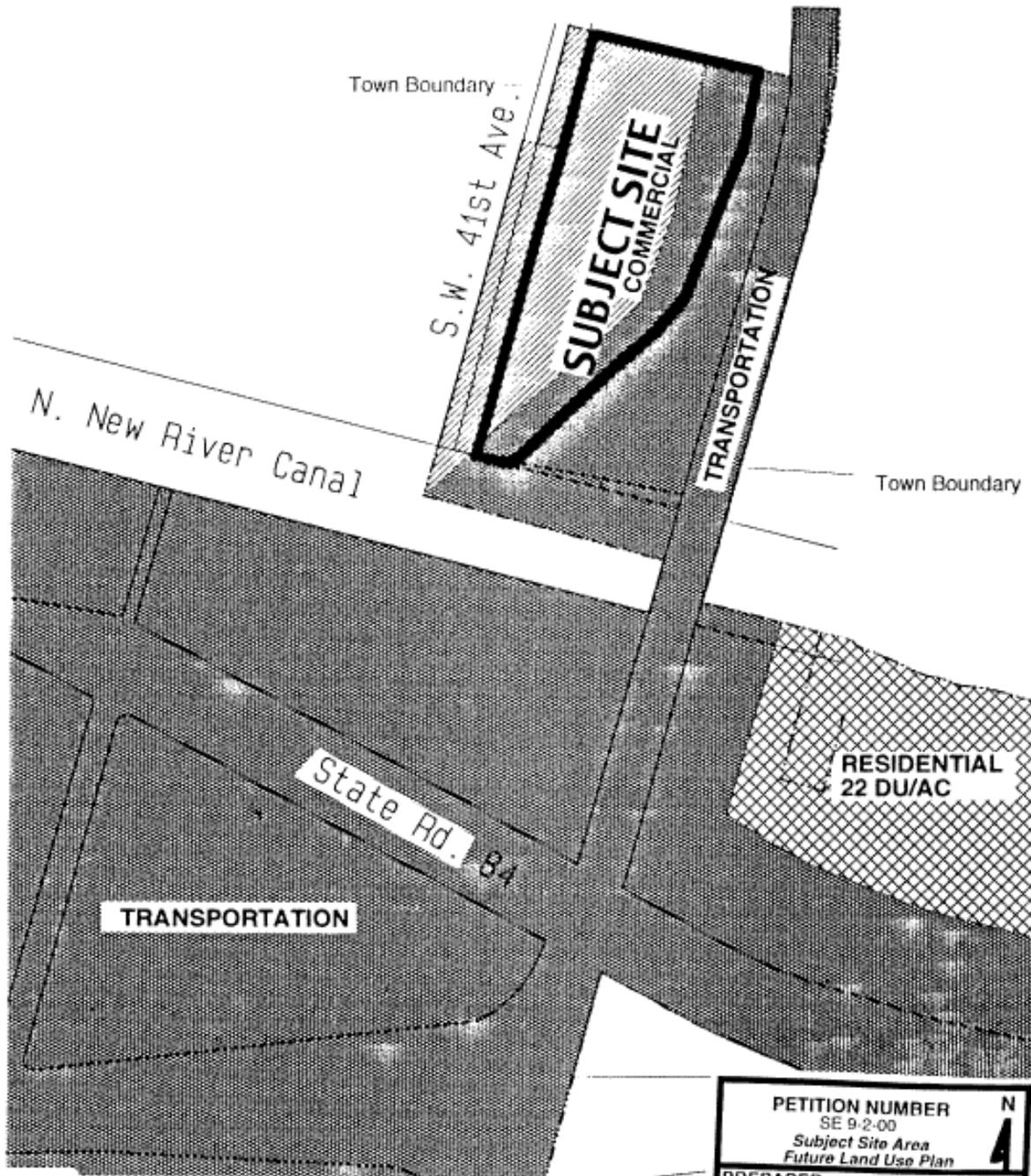
Available towers within a 1 mile radius of Nextel's 'Whale Harbor' search ring.



PARENT TRACT DETAIL

SCALE 1" = 100'





PETITION NUMBER
SE 9-2-00
Subject Site Area
Future Land Use Plan

PREPARED 10/9/00
BY THE PLANNING &
ZONING DIVISION

Scale: 1"=300'

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