



CITY OF WAUKESHA

Administration

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Committee: Plan Commission	Date: 8/26/2015
Common Council Item Number: PC15-0197	Date: Click here to enter a date.
Submitted By: Jennifer Andrews, DCD	City Administrator Approval: Kevin Lahner, City Administrator Click here to enter text.
Finance Department Review: Rich Abbott, Finance Director	City Attorney's Office Review: Brian Running, City Attorney Click here to enter text.
Subject: T-Mobile, 1436 E. Racine Avenue – Preliminary Conditional Use Permit	

Details:
 The applicant is requesting approval of a conditional use permit that would allow for the construction of a 140 foot high monopole cellular tower. The tower would be located towards the northern end of the property in the rear yard.

In 2014 the State of Wisconsin passed new cell tower regulations as part of Act 20. These new regulations essentially stripped Cities of most regulatory control over cell towers. Cities may not prohibit the placement of a cell phone tower in any zoning district nor can they restrict the height of any cell phone tower to under 200 feet. Considering the limitations in State Statutes and the City's new Cell Tower ordinance, there is little the City can do to prohibit the construction of a cell tower in a residential area.

Options & Alternatives:
 The Conditional Use could be denied by the Plan Commission; however there would be no basis for it under our current ordinance.

Financial Remarks:
[Click here to enter text.](#)

Staff Recommendation:
 Staff recommends approval of the conditional use permit for a 140 foot high monopole cell tower at 1436 E. Racine Avenue, subject to staff comments, and the following site changes: 1) use of a solid wood fence to screen the lease area, submittal of a landscaping plan that shows what trees will be removed and any new landscaping to aid in the year-round screening of the facility. The applicant should also relocate the access drive to south or west side of the lease area and the access drive must be paved. The applicant should also explore moving the lease area to the west and narrowing the width to pull it as far away from the adjacent condos to the east as possible.



Committee Recommendation:

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