

**Docket Numbers:** 23/12518

**Applicant:**

GSS Midwest, Inc.  
Represented by Albert Aguirre  
3311 109<sup>th</sup> Street  
Urbandale, IA 50322

**Property Owner:**

Bruce L. Johnson, Jorjan Johnson, Tony  
Allen & Terry Rae Johnson Revocable  
Trusts  
3625 NW Ash Drive  
Ankeny, IA 50023-1558

**Appeal:**

The applicant requests a Conditional Use Permit to construct a 194-foot tall monopole communication tower on property that is located in the “AG” Agricultural District. The property is identified as GeoParcel #8024.32.476.003 and is located in the Southeast Quarter of Section 32, Crocker Township.

**Background:**

The applicant is proposing to construct a new 190-foot tower with a four (4) foot lightening rod, therefore the overall tower height will be 194-feet. The proposed communication tower will be of a monopole design that will be located within a 75-foot by 75-foot leased area within the larger 52.60 acre parent parcel. The subject property is a triangle-shaped parcel that is located south/southwest of NW Fisher Lane within the Southeast Quarter of Section 32, Crocker Township. The subject property is currently primarily utilized for agricultural purposes, with a majority being tilled land. There are currently two (2) grain bins that are located in the northern-half of the subject property near NW Fisher Lane.

The proposed communication tower will be located in the southerly portion of the subject parcel, with the driveway to the tower being located approximately 2,100 feet west of the intersection of NW Fisher Lane and NW 26<sup>th</sup> Street on the southern side of NW Fisher Lane. The proposed communication tower will be located approximately 0.8-miles east of the Des Moines River, 0.75-miles southwest of the corporate boundary of the City of Ankeny, and 0.85-miles east of the corporate boundary of the City of Johnston.

The subject property is zoned “AG” Agricultural District, as are surrounding properties to the west, southeast, and two (2) parcels to the south. An additional parcel located south of the subject property is zoned “ER” Estate Residential District. Adjacent properties to the north and northeast are zoned “RR” Rural Residential District. Surrounding land uses include agricultural and open space uses to the west, south, and east, with residential uses located to the north/northeast, and one residence near the southwest corner of the subject property. See *Attachment A* at the end of this report for a vicinity map of the subject property and surrounding area.

**Public Testimony**

Staff mailed thirty (30) notices to surrounding property owners within the required 500-foot notification boundary, including information in regards to the Conditional Use Permit request as

well as the date, time and information for attending the public hearing. To-date staff has received no formal petitions in support or in opposition of the request. Staff did receive one (1) phone call from an adjacent property owner expressing neither support nor opposition on the tower, but informing staff of a nearby Bald Eagle's nest.

### **Natural Resources / Environmental**

The subject property is located approximately 3,500 feet east/northeast of the Des Moines River, but the river will not be affected by the construction. The subject property does not contain any area of mapped FEMA Floodplain, however, aerial photos from the 2008 flood shows that flooding on the property is likely. Furthermore, Polk County is aware from the recent adoption of new FEMA Flood Maps in 2019 that a detailed flood study was not completed for the Des Moines River north of Interstate 80/35 to the Saylorville Dam. If a detailed study was completed it would likely raise the flood elevation in this area of the County by an additional five (5) feet, including placing all or significant portions of the subject property and tower location within the floodplain. Therefore, staff strongly recommends the applicant elevate all ground equipment above the projected flood elevation if this application is approved. The property contains mapped wetlands included in the National Wetland Inventory near NW Fisher Lane that run along the northeastern edge of the subject property. These wetlands will need to be identified during future site plan review. The applicant will be required to protect or mitigate any impacts during construction activities. The topography of the site is mostly flat with an elevation of approximately 810-feet above sea level. The area of wetlands near NW Fisher Lane are located approximately four (4) feet lower than the majority of the remainder of the site.

As was brought to the attention of Staff via a phone call from a neighboring property owner, there is a Bald Eagle's nest located across NW Fisher Lane from the subject property, near the intersection of NW Fisher Lane and NW Toni Drive on the property addressed as 7431 NW Fisher Lane. The Bald Eagle's nest will be located approximately one-half (½) mile from the proposed communication tower, and therefore the applicants shall follow all U.S. Fish and Wildlife Service guidance for siting a communication tower near a Bald Eagle's nest.

### **Roads / Utilities**

The subject property is a triangular shaped parcel that is abutted by NW Fisher Lane to the north/northwest and NW Toni Drive to the west. Access to the proposed communication tower will come from NW Fisher Lane. The subject property abuts the Oralabor Gateway Trail to the near the southeast corner, and along the southern and eastern edge of an additional parcel that is under common ownership. There are overhead power lines along the northern/eastern edge of NW Fisher Lane, and along the western edge of NW Toni Drive. No water or sanitary service is proposed for the subject communication tower.

### **Attachments:**

Attachment A- Vicinity Map

Attachment B- Conditional Use Permit Application

Attachment C- Site Plan

Attachment D- Conditional Use Permit Submittal Letter

## Findings

### **Conditional Use Permit (23/12518)**

#### Analysis

The Board of Adjustment in reviewing an application for a Conditional Use permit shall consider the proposal in terms of the following:

**1. Existing zoning and land use in the vicinity of the uses.**

The subject property is zoned "AG" Agricultural District, as are surrounding properties to the East, West, and South. NW Fisher Lane serves as a dividing line of primarily agricultural and open space parcels on the south and west side, and primarily residential property to the north and east. There are multiple residential properties located on the opposite side of NW Fisher Lane. The property is located within two (2) miles of the Cities of Ankeny and Johnston.

**2. Planned and proposed public and private development, which may be adversely affected by the proposed use.**

There are currently no major public or private developments planned in the area.

**3. Whether and to what extent the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public convenience or which will contribute to the general welfare of the area or Polk County.**

The applicant stated in their submittal letter that the communication tower is being proposed in this location because there is a projected increase in vehicle traffic and home construction that will necessitate additional coverage.

**4. Whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety and welfare in general.**

If approved, the applicants will need to comply with all landscaping, bufferyard, and site development requirements. The applicant is also proposing a self-supported tower that has a smaller footprint than a guyed-wire communication tower.

#### Findings

The application shall be denied if the Board of Adjustment finds any of the following:

**a. The application and record fail to establish compliance with the standard made applicable to the proposed development by the provision of this Ordinance.**

Communication Towers are permitted within the "AG" Agricultural District upon the granting of a Conditional Use Permit by the Polk County Board of Adjustment, subject to any conditions of approval.

**b. The proposed use, developed in the proposed manner, and at the proposed location, would be inconsistent with the standards pursuant to the provisions of this Ordinance.**

The proposed use will be required to comply with the County's minimum site development standards for non-residential development in the "AG" Agricultural District.

- c. **The adverse impacts on the overall public health, safety and welfare are not balanced by the public or private benefits of the proposal. The Board of Adjustment shall include in this balance, any proposals of the applicant and any conditions that it might impose on the development, pursuant to the provisions of this Ordinance, to ameliorate problems associated with the development.**

Communication Towers are necessary for cellular service providers to install infrastructure, which supports communication networks. There is residential development within the vicinity of the proposed communication tower, but the location of the tower exceeds all setback requirements.

**In addition, no application for a Conditional Use Permit shall be approved unless the Board of Adjustment specifically finds the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria:**

- A. **The proposed use is not in harmony with the general purpose, goals, objectives, and standards of the following:**

1. **Polk County Comprehensive Plan:** The proposal is consistent with the goals and policies of the Polk 2050 County Comprehensive Plan. The Polk 2050 County Comprehensive Plan designates the subject property as being “Agricultural”.
2. **Polk County Zoning Ordinance:** The Ordinance allows the use pending approval of this Conditional Use Permit by the Board of Adjustment and compliance with applicable use and site plan standards.
3. **Other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County:** None.

- B. **The proposed location of the use is not consistent with policies or provisions of the following:**

1. **Comprehensive Plan:** The proposed location is consistent with the goals and policies of the Polk 2050 County Comprehensive Plan.
2. **Polk County Zoning Ordinance:** The subject property is zoned “AG” Agricultural District and Communication Towers are permitted upon approval of a Conditional Use Permit by the Polk County Board of Adjustment and compliance with applicable use standards.
3. **Other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County:** Consistent.

- C. **The proposed use at the proposed location results in a substantial or undue adverse effect on any of the following either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan,**

**this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County or other governmental agency having jurisdiction to guide growth and development:**

- 1. Adjacent property:** There are multiple residential properties within the general vicinity of the proposed communication tower. To date, staff has received no petitions in support or in opposition from neighboring property owners. Communication towers are necessary for continued cellular communication coverage in the area. The applicants will be required to comply with all site development requirements for a non-residential use in the "AG" Agricultural District.
- 2. Character of the neighborhood:** The neighborhood is a mix of residential and agricultural/open space properties. The communication tower exceeds all setback requirements to property lines and adjacent residential properties. The communication tower will be separated from NW Fisher Lane by a grove of trees which will screen ground equipment from public view.
- 3. Traffic conditions:** The communication tower will generate little to no traffic, therefore there will be no change in traffic conditions.
- 4. Parking:** Parking will occur within the leased tower area for periodic maintenance.
- 5. Public improvements:** There are no known public improvements that will be impacted by the proposed use of the property.
- 6. Public sites or rights-of-way:** The applicant will be required to obtain a right-of-way improvement permit for the proposed access point onto NW Fisher Lane.
- 7. Other matters affecting the public health, safety, and general welfare:** None.

**D. The proposed use in the proposed area is not adequately served by or imposes an undue burden on any of the following.**

- 1. Public improvements:** Adequate for proposed use.
- 2. Public facilities:** Adequate for proposed use.
- 3. Public utilities:** Adequate for proposed use.
- 4. Public services:** Adequate for proposed use.

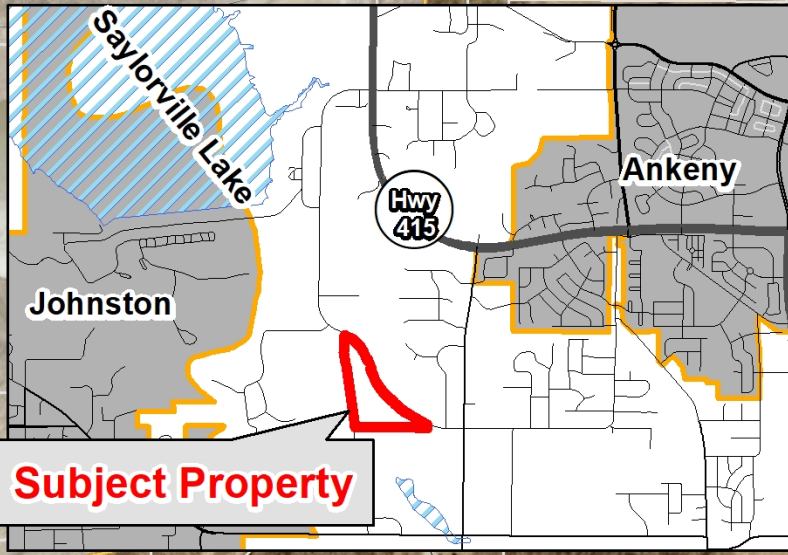
### **Recommendation**

Staff recommends approval of the Conditional Use Permit for the proposed 190-foot tall communication tower with a four (4) foot lightening rod on property identified as GeoParcel #8024.32.476.003, being located in the Southeast Quarter of Section 32, Crocker Township, subject to the below conditions of approval:

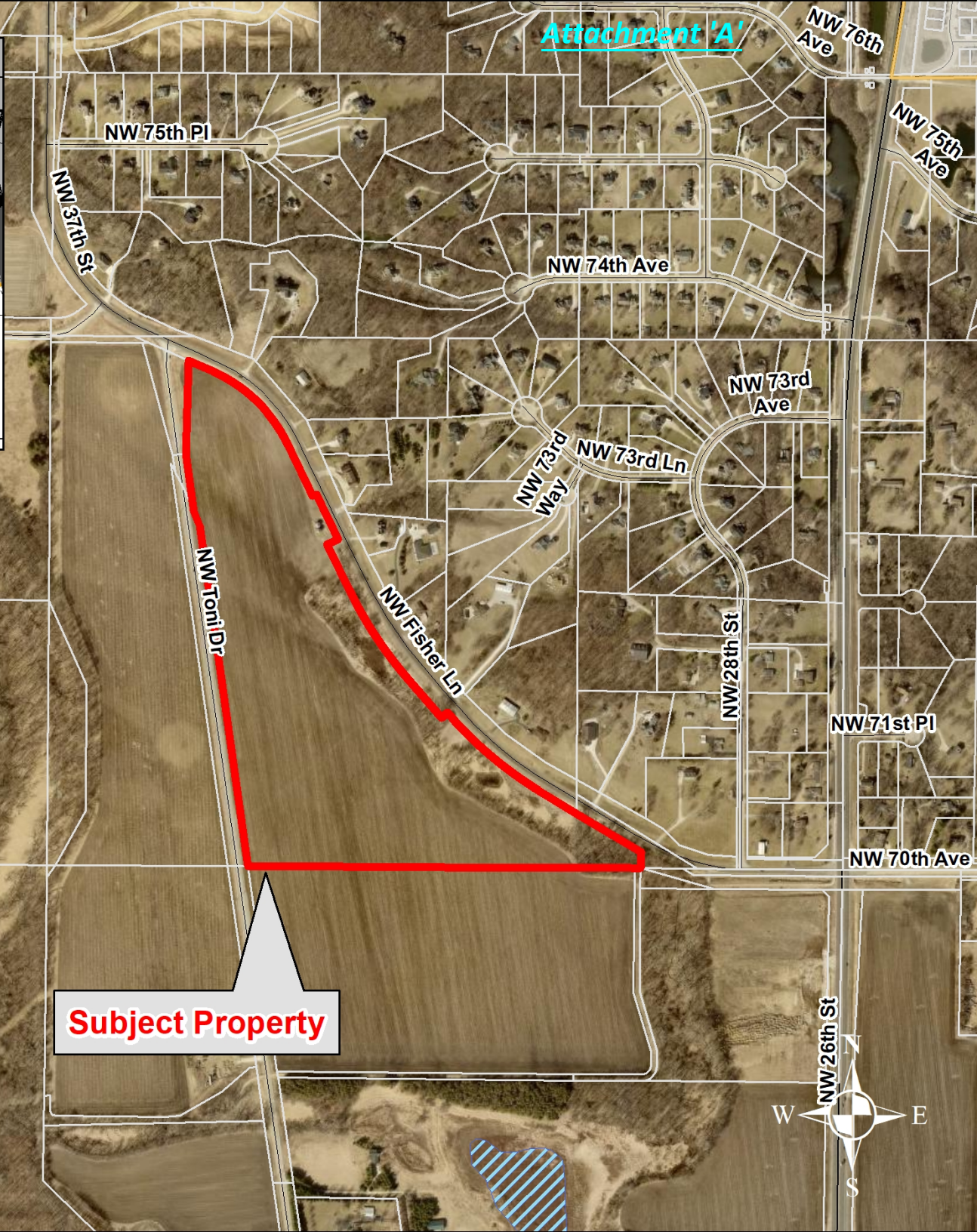
1. The applicants shall submit a Major Site Plan drawing from an Iowa licensed engineer certifying the proposed tower design and associated improvements meet the minimum safety requirements and use standards for communication towers contained within the

Polk County Zoning Ordinance. The Major Site Plan drawing shall be approved prior to any construction activity. Prior to issuance of a certificate of use, all required site improvements shall be completed and inspected by Polk County. The applicant shall meet Polk County Air Quality Division construction and operation permit requirements for the generator planned within the lease area.

2. The applicant shall keep any dirt, mud and debris from accumulating on adjacent roads during and after construction of the drive, lease area and tower.
3. Building and electrical permits shall also be obtained after the site plan drawing is approved.
4. The applicant shall submit evidence of meeting FCC and FAA requirements.
5. The applicant shall submit a copy of the actual signed lease agreement between the property owner and the carrier(s). The lease agreement shall include verbiage including the tower removal at the end of the lease agreement or when the tower is no longer used.



**Subject Property**



**Subject Property**

**Attachment 'A'**

0 487.5 975 1,950 Feet



**Attachment 'B'**

**Conditional Use Permit Application**



Conditional Uses are those uses which may have a special impact or uniqueness demanding closer scrutiny and analysis to the site and the surrounding environment. When such a use is proposed, a review and report by Planning Division staff of the location, design, configuration, and impact will be conducted, comparing the proposed use to fixed standards and presented to the Board of Adjustment for action at a public hearing. Notices of the request are mailed to all property owners located within 500 feet of the subject property.

Please complete the entire application, submit with fee and review the standards on page 3.

To: **Polk County Board of Adjustment**

1. The undersigned Petitioners request that the Board consider this application for a Conditional Use Permit for the following use: (Describe briefly the nature of the use.)

a 190' Monopole telecommunications tower. With a 4' lightning rod. Overall structure height of 194'

2. Subject Property Address: property does not currently have a E911 address

3. Subject Property District and Parcel Number: 180/00499-006-005

4. Subject Property Legal Description (attach if necessary):

PARCEL J BK 13510 PG 935 LYING E OF NW TONI DR SE

1/4 SEC 32-80-24; AND PARCEL J BK 13510 PG 935 SW

1/4 SW 1/4 SEC 33-80-24

5. Filing Fee: - \$413.00

6. Applicant(s) Information:

Albert Aguirre  
Applicant (Print Name)

Albert Aguirre  
Signature

2/14/2023  
Date

Representative  
Interest in Property (owner, renter, perspective buyer, etc.)

aaguirre@gssmidwest.com  
Email

3311 109th St, Urbandale, Iowa, 50322  
Address, City, State and Zip

515-689-6357  
Phone Fax

7. Applicant(s) Representative:

If the appeal is going to be represented by someone other than the applicant please provide that information below.

Albert Aguirre  
Applicant Representative (Print Name)

GSS Inc.  
Firm or Business Name

3311 109th St. Urbandale, IA 50322  
Address, City, State and Zip

AAguirre@gssmidwest.com  
Email

515-689-6357  
Phone Fax

8. Property Owner Consent:

The application must be signed by all the Titleholders, Contract Purchasers, or Option Purchasers of the subject property. The application may also be signed by the Registered Agent for a corporation or other person with similar legal authority to sign for a property owner. (if additional signatures are needed please attach)

Attached  
(Print Name)

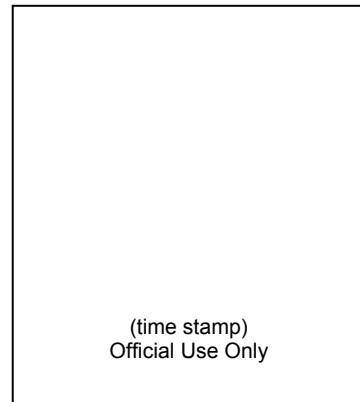
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



(time stamp)  
Official Use Only





## **Conditional Use Permit Standards**

### **Section 1. Review Standards**

The review determines whether the proposed use should be permitted by weighing public need for and benefits to be derived from the use against the local impact which it may cause. The review shall consider the proposal in terms of:

- (A) Existing zoning and land use in the vicinity of the use; and
- (B) planned and proposed public and private developments which may be adversely affected by the proposed use; and
- (C) whether and to what extent the proposed use, at the particular location for which it is suggested, is necessary or desirable to provide a development which is in the interest of the public or which will contribute to the general welfare of the area or Polk County; and
- (D) whether and to what extent all steps possible have been taken by the developer to minimize any adverse effects of the proposed use on the immediate vicinity and on the public health, safety and welfare in general.

### **Section 2. General Standards**

No application for a conditional use permit shall be approved unless the Board of Adjustment specifically finds the proposed conditional use appropriate in the location for which it is proposed. This finding shall be based on the following criteria:

The proposed use shall be in harmony with the general purpose, goals, objectives, and standards of the Polk County Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County.

- (A) The proposed location and use shall be consistent with policies or provisions of the Comprehensive Plan, this Ordinance, or other plans or programs of the County.
- (B) The proposed use at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of provisions and policies of the Comprehensive Plan, this Ordinance, or any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice, by the County or other governmental agency having jurisdiction to guide growth and development.
- (C) The proposed use in the proposed area will be adequately served by, and will not impose an undue burden on, any public improvements, facilities, utilities, and services. Where any such improvements, facilities, utilities, or services are not available or adequate to service the proposed use in the proposed location, the applicant shall, as part of the application and a condition to approval of the proposed conditional use permit, be responsible for establishing ability, willingness, and binding commitment to provide such improvements, facilities, utilities, and services in sufficient time, and in a manner consistent with the Comprehensive Plan, this Ordinance, and other plans, programs, maps, and ordinances adopted by Polk County to service the development. The approval of the conditional use permit shall be conditioned upon such improvements, facilities, utilities, and services being provided and guaranteed by the applicant.



**PARENT PARCEL DESCRIPTION:**

The Land referred to in this Commitment is described as follows:

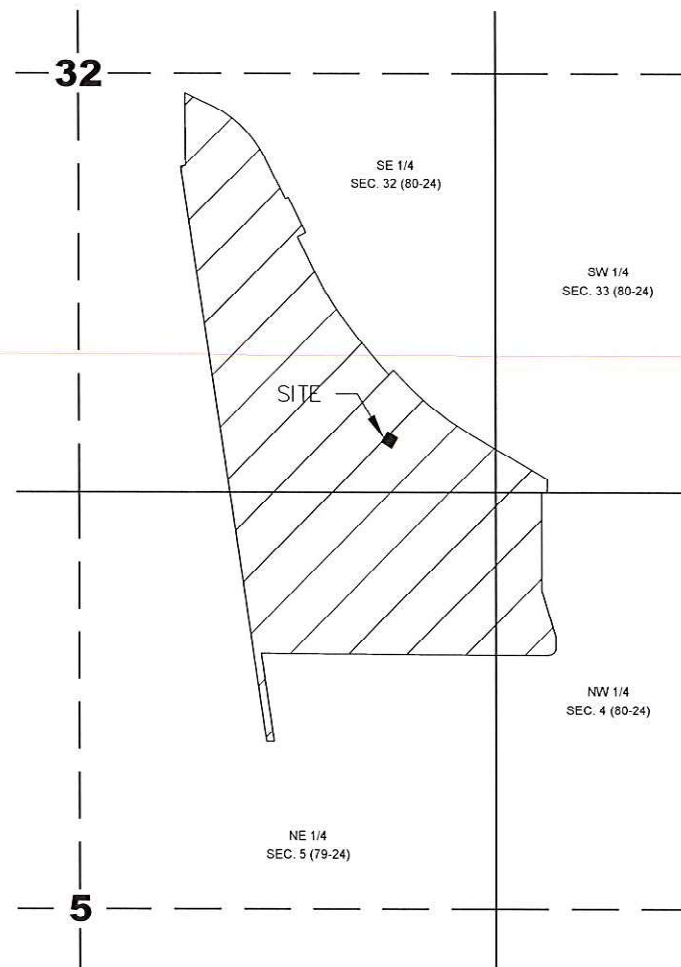
Parcel "J" in the Plat of Survey recorded July 19, 2010, in Book 13510 Page 935 in the Office of the Polk County Recorder being a part of the Southeast 1/4 of Section 32, and a part of the Southwest 1/4 of the Southwest 1/4 of Section 33, all in Township 80 North, Range 24 West of the 5th P.M., and a part of Lot 6 of the Official Plat of the Northwest 1/4 of Section 4, and a part of Parcel "A" as shown on the Plat of Survey recorded in Book 7522, Page 272, and a part of the North Fractional 1/2 of the Northeast Fractional 1/4 of Section 5, all in Township 79 North, Range 24, West of the 5th P.M., Polk County, Iowa.

**75'x75' LEASE AREA DESCRIPTION:**

That part of the Southeast Quarter of Section 32, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa, and being more particularly described as follows:

Referring to the Southeast corner of said Section 32, an Aluminum Cap in concrete found for corner; thence westerly, on a Grid Bearing of North 89°40'22" West, on the South line of the Southeast Quarter of Section 32, 586.00 feet; thence departing said South line, northerly, North 00°11'03" East, 266.66 feet to the Point of Beginning for the described 75'x75' Lease Area; thence following the perimeter of the lease area on the following bearings and distances: northwesterly, North 61°11'55" West, 75.00 feet; thence northeasterly, North 28°48'05" East, 75.00 feet; thence southeasterly, South 61°11'55" East, 75.00 feet; thence southwesterly, South 28°48'05" West, 75.00 feet, to the Point of Beginning.

Containing a total calculated area of 5,625 square feet, or 0.129 acres, more or less.

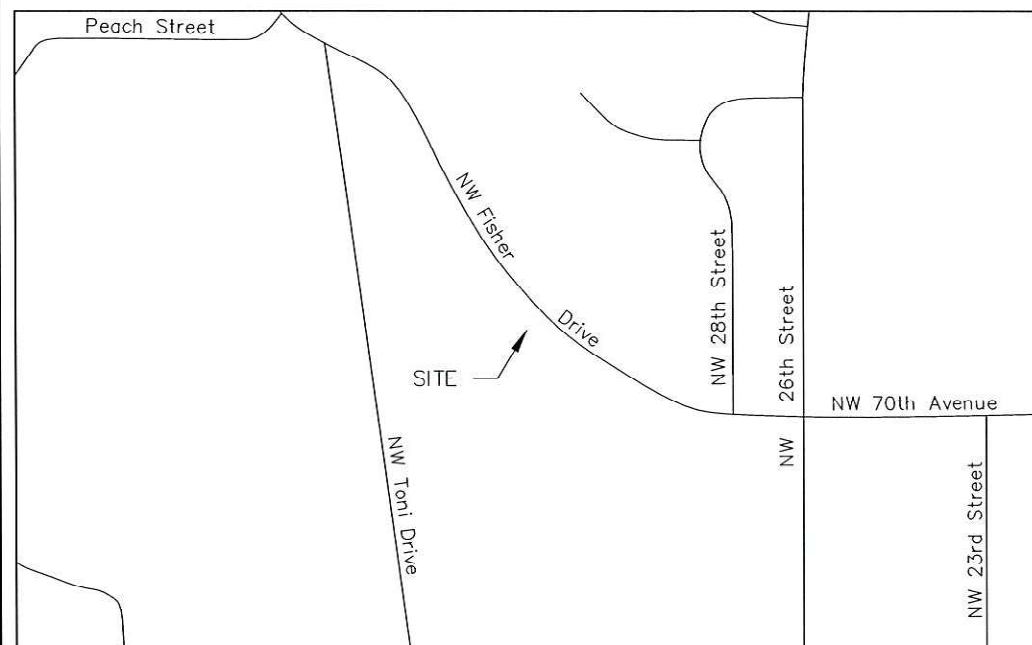


**PARENT PARCEL DETAIL**

**SURVEYORS NOTES**

- 1.) All Bearings Based on Iowa State Plane Coordinate System, South Zone (NAD-83).
  - 2.) Not intended to represent a survey for the entire parent parcel shown, but to be used only for the purposes shown hereon.
  - 3.) The Lease Area, Access/Utility & Turnaround Easement and Utility Easement are within the Parent Parcel Description.
  - 4.) No wetland areas have been investigated by this survey.
- Zoning Information: N/A
- Flood Information: Property falls within a Zone "X" as determined by FEMA Flood Rate Map No. 19153C0185F, effective date February 1, 2019.

**VICINITY MAP**



Prepared for:

Prepared for:

624 Water Street  
Prairie du Sac, WI 53578  
608.644.1449 voice  
262.364.300 fax  
www.edgeconsult.com

Surveyed By: 7223

HUSKER SURVEYING  
4535 Normal Blvd. Ste #101  
Lincoln, Ne 68506  
(402)423-5202  
(402)423-5211  
www.huskersurveying.com

REV	DATE	DESCRIPTION	BY
1	09.16.22	PRELIMINARY	PD
2	10.26.22	MOVE LEASE AREA & EASEMENTS	PD
3	11.11.22	ADD TITLE	PD
4	12.13.22	ADD EASEMENTS AND LEGALS	PD
5	12.16.22	FINAL	JM

DATE SIGNED: \_\_\_\_\_

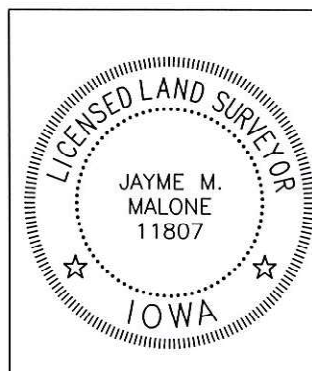
SITE NAME:  
SAYLORVILLE LAKE

SITE NUMBER:  
7601343

SITE ADDRESS:  
NW FISHER LANE  
SAYLORVILLE, IA 50023

SHEET NAME:  
SITE PLAN

SHEET NUMBER:  
LS-1

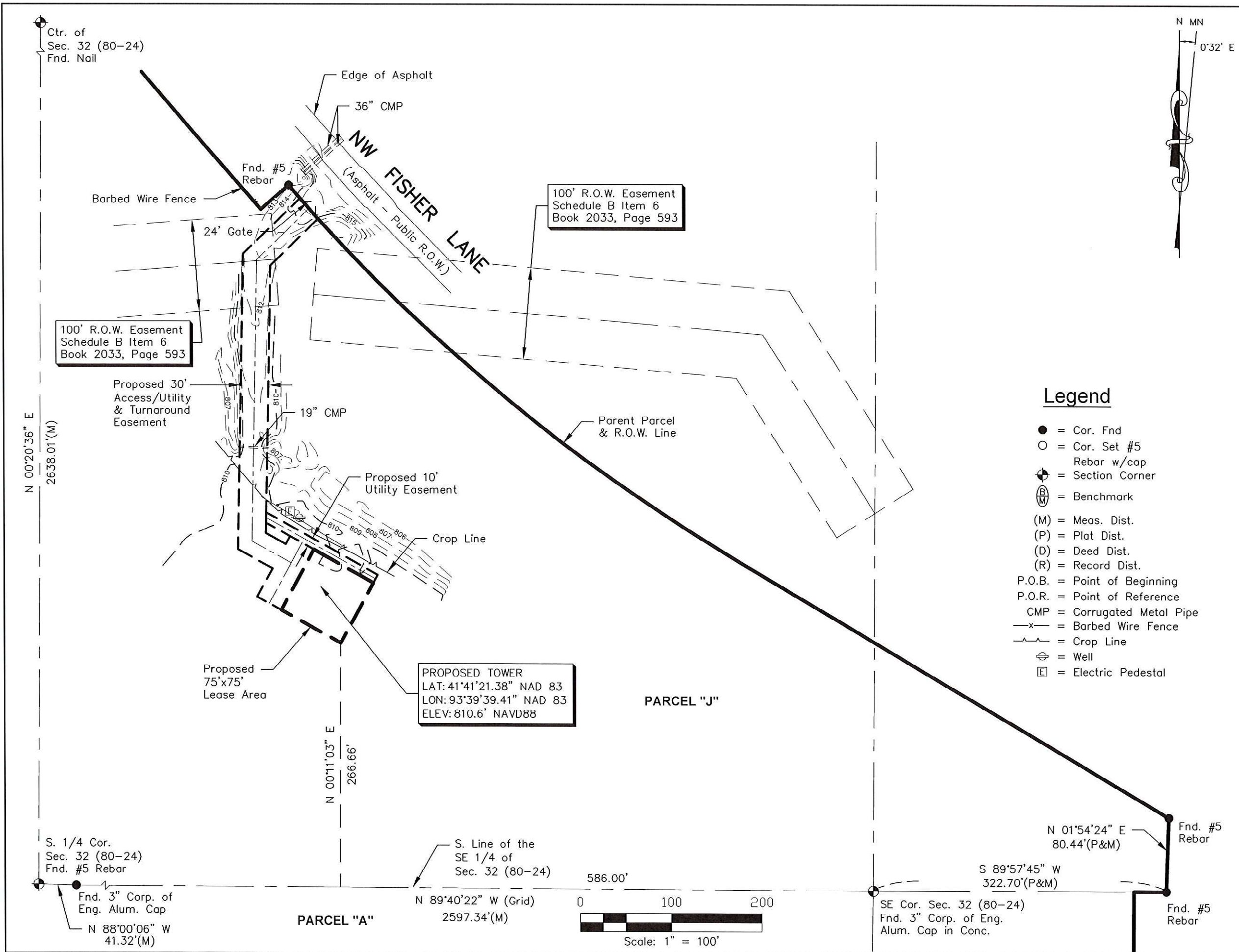


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

*Jayme M. Malone* 12-16-2022  
(signature) (date)

Jayme M. Malone  
License number 11807

My license renewal date is December 31, 2023  
Pages or sheets covered by this seal: Sheets 1 - 4



Prepared for:

Prepared for:  
  
 Edge Consulting Engineers, Inc.  
 624 Water Street  
 Prairie du Sac, WI 53578  
 608.644.1449 voice  
 262.364.3000 fax  
 www.edgeconsult.com

Surveyed By:  
  
 HUSKER SURVEYING  
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- Legend**
- = Cor. Fnd
  - = Cor. Set #5 Rebar w/cap
  - ⊕ = Section Corner
  - ⊕ = Benchmark
  - (M) = Meas. Dist.
  - (P) = Plat Dist.
  - (D) = Deed Dist.
  - (R) = Record Dist.
  - P.O.B. = Point of Beginning
  - P.O.R. = Point of Reference
  - CMP = Corrugated Metal Pipe
  - x— = Barbed Wire Fence
  - w— = Crop Line
  - ⊕ = Well
  - ⊕ = Electric Pedestal

DATE SIGNED: \_\_\_\_\_

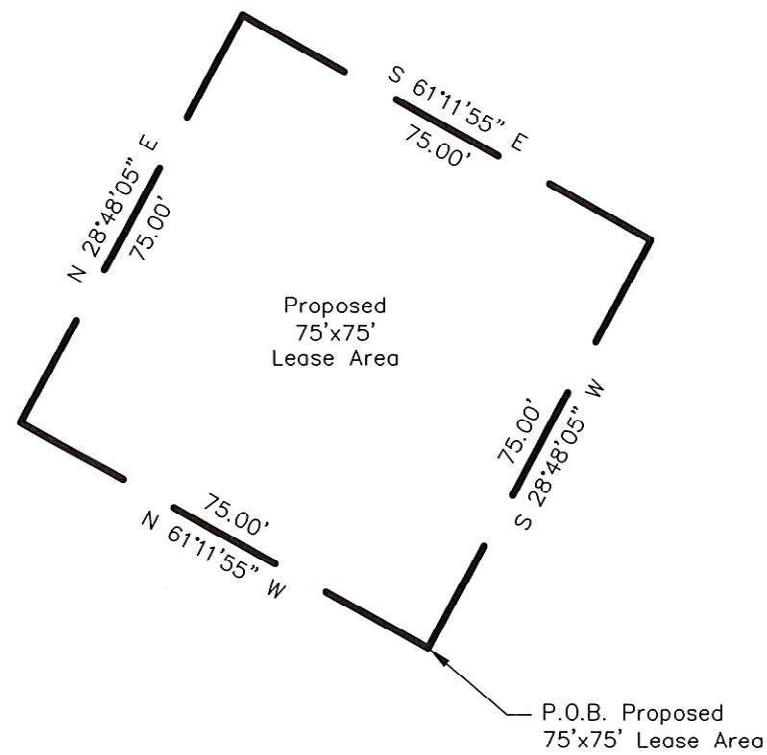
SITE NAME:  
 SAYLORVILLE LAKE

SITE NUMBER:  
 7601343

SITE ADDRESS:  
 NW FISHER LANE  
 SAYLORVILLE, IA 50023

SHEET NAME:  
 SITE PLAN

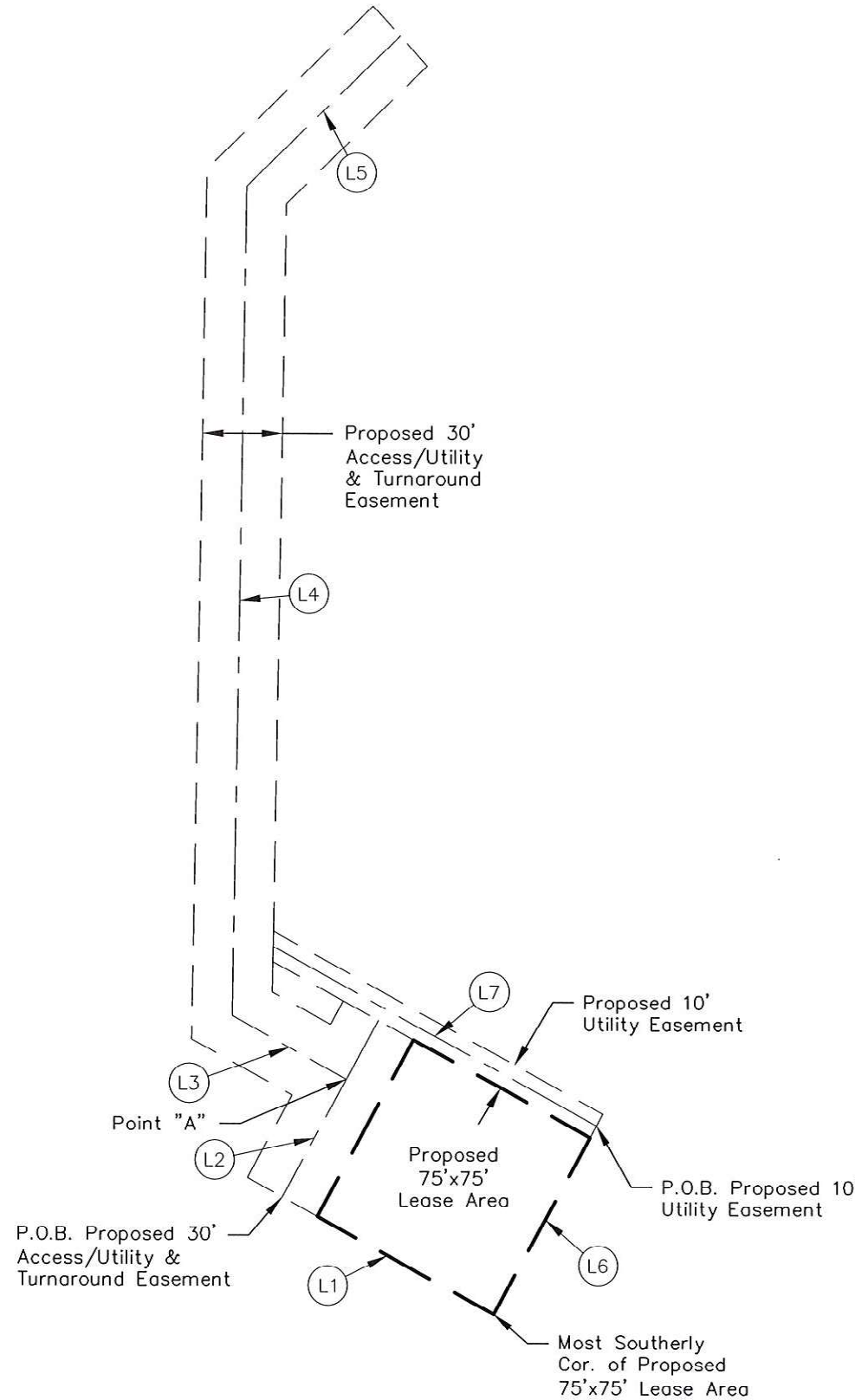
SHEET NUMBER:  
 LS-2



**LEASE AREA DETAIL**

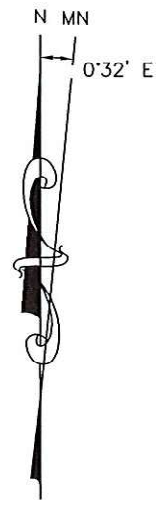
Scale: 1' = 30'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 61°11'55" W	90.00'
L2	N 28°48'05" E	50.00'
L3	N 61°11'55" W	48.90'
L4	N 01°05'35" E	307.83'
L5	N 45°47'57" E	80.42'
L6	N 28°48'05" E	80.00'
L7	N 61°11'55" W	137.72'



**30' ACCESS/UTILITY & TURNAROUND EASEMENT  
and 10' UTILITY EASEMENT DETAIL**

Scale: 1' = 60'



Prepared for:

Prepared for:

624 Water Street  
Prairie du Sac, WI 53578  
608.644.1449 voice  
262.364.3000 fax  
www.edgeconsult.com

Surveyed By:

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DATE SIGNED: \_\_\_\_\_

SITE NAME:  
**SAYLORVILLE LAKE**

SITE NUMBER:  
**7601343**

SITE ADDRESS:  
NW FISHER LANE  
SAYLORVILLE, IA 50023

SHEET NAME:  
**SITE PLAN**

SHEET NUMBER:  
**LS-3**

### 30' ACCESS/UTILITY & TURNAROUND EASEMENT DESCRIPTION:

An Access/Utility and Turnaround Easement, 30 feet in width, located in that part of the Southeast Quarter of Section 32, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa, the centerline being more particularly described as follows:

Referring to the Southeast corner of said Section 32, an Aluminum Cap in concrete found for corner; thence westerly, on a Grid Bearing of North 89°40'22" West, on the South line of the Southeast Quarter of Section 32, 586.00 feet; thence departing said South line, northerly, North 00°11'03" East, 266.66 feet to the most southerly corner for the described 75'x75' Lease Area; thence following the southerly line of the lease area extended, northwesterly, North 61°11'55" West, 90.00 feet, to the Point of Beginning for the centerline of the described 30' Access/Utility and Turnaround Easement; thence following the centerline for the easement on the following bearings and distances: northeasterly, North 28°48'05" East, 50.00 feet, to a point hereafter referred to as Point "A"; thence northwesterly, North 61°11'55" West, 48.90 feet; thence northerly, North 01°05'35" East, 307.83 feet; thence northeasterly, North 45°47'57" East, 80.42 feet, to a point of intersection on the southerly right-of-way line of Northwest Fisher Road, also being the Point of Termination for the centerline of the described 30' Access/Utility and Turnaround Easement.

Containing a total calculated area of 14,914 square feet, or 0.342 acres, more or less.

Parallel lines from the described centerline are intended to lengthen or shorten to intersect the lines described.

### 10' UTILITY EASEMENT DESCRIPTION:

A Utility Easement, 10 feet in width, located in that part of the Southeast Quarter of Section 32, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa, the centerline being more particularly described as follows:

Referring to the Southeast corner of said Section 32, an Aluminum Cap in concrete found for corner; thence westerly, on a Grid Bearing of North 89°40'22" West, on the South line of the Southeast Quarter of Section 32, 586.00 feet; thence departing said South line, northerly, North 00°11'03" East, 266.66 feet to the most southerly corner for the described 75'x75' Lease Area; thence following the easterly line of the lease area extended, northeasterly, North 28°48'05" East, 80.00 feet, to the Point of Beginning for the centerline of the described 10' Utility Easement; thence following the centerline for the easement northeasterly, North 61°11'55" West, 137.72 feet, to a point of intersection on the easterly line of the described 30' Access/Utility and Turnaround Easement, also being the Point of Termination for the centerline of the described 10' Utility Easement.

Containing a total calculated area of 1,377 square feet, or 0.032 acres, more or less.

Parallel lines from the described centerline are intended to lengthen or shorten to intersect the lines described.

### TITLE REPORT:

Based on title report provided by STEWART TITLE GUARANTY COMPANY, File Number: 22111387IA, with an effective date of September 20, 2022 3:00PM, the following are of survey matters:

6. Right of Way Easement between United States of America and The Secretary of Agriculture dated October 22, 1945 and recorded October 31, 1946 in Book 2033 at Page 593. Affects proposed 30' Access/Utility & Turnaround Easement and is shown hereon.
7. Easement for Well and Appurtenances between Kenneth D. Carlson, Sr, Trust and Donna J. Carlson Trust and George L. Bloodgood dated August 22, 2003 and recorded August 26, 2003 in Book 10096 at Page 906 as Instrument 2003-00028195. Does not affect.
8. Permanent Easement between Polk County, Iowa and Des Moines Metropolitan Wastewater Reclamation Authority dated October 6, 2020 and recorded March 26, 2021 in Book 18438 at Page 267 as Instrument 202100031053. Does not affect.
9. Matters set forth on Plat entitled Plat of Survey recorded July 19, 2010 in Book 13510 at Page 935. Affects as platting of Parent parcel.

Prepared for:



Prepared for:



Consulting Engineers, Inc.

624 Water Street  
Prairie du Sac, WI 53578  
608.644.1449 voice  
262.364.300 fax  
www.edgeconsult.com

Surveyed By:



HUSKER SURVEYING

4535 Normal Blvd. Ste #101  
Lincoln, Ne 68506  
(402)423-5202  
(402)423-5211  
www.huskersurveying.com

REV	DATE	DESCRIPTION	BY
1	09.16.22	PRELIMINARY	PD
2	10.26.22	MOVE LEASE AREA & EASEMENTS	PD
3	11.11.22	ADD TITLE	PD
4	12.13.22	ADD EASEMENTS AND LEGALS	PD
5	12.16.22	FINAL	JM

DATE SIGNED: \_\_\_\_\_

SITE NAME:  
SAYLORVILLE LAKE

SITE NUMBER:  
7601343

SITE ADDRESS:  
NW FISHER LANE  
SAYLORVILLE, IA 50023

SHEET NAME:  
SITE PLAN

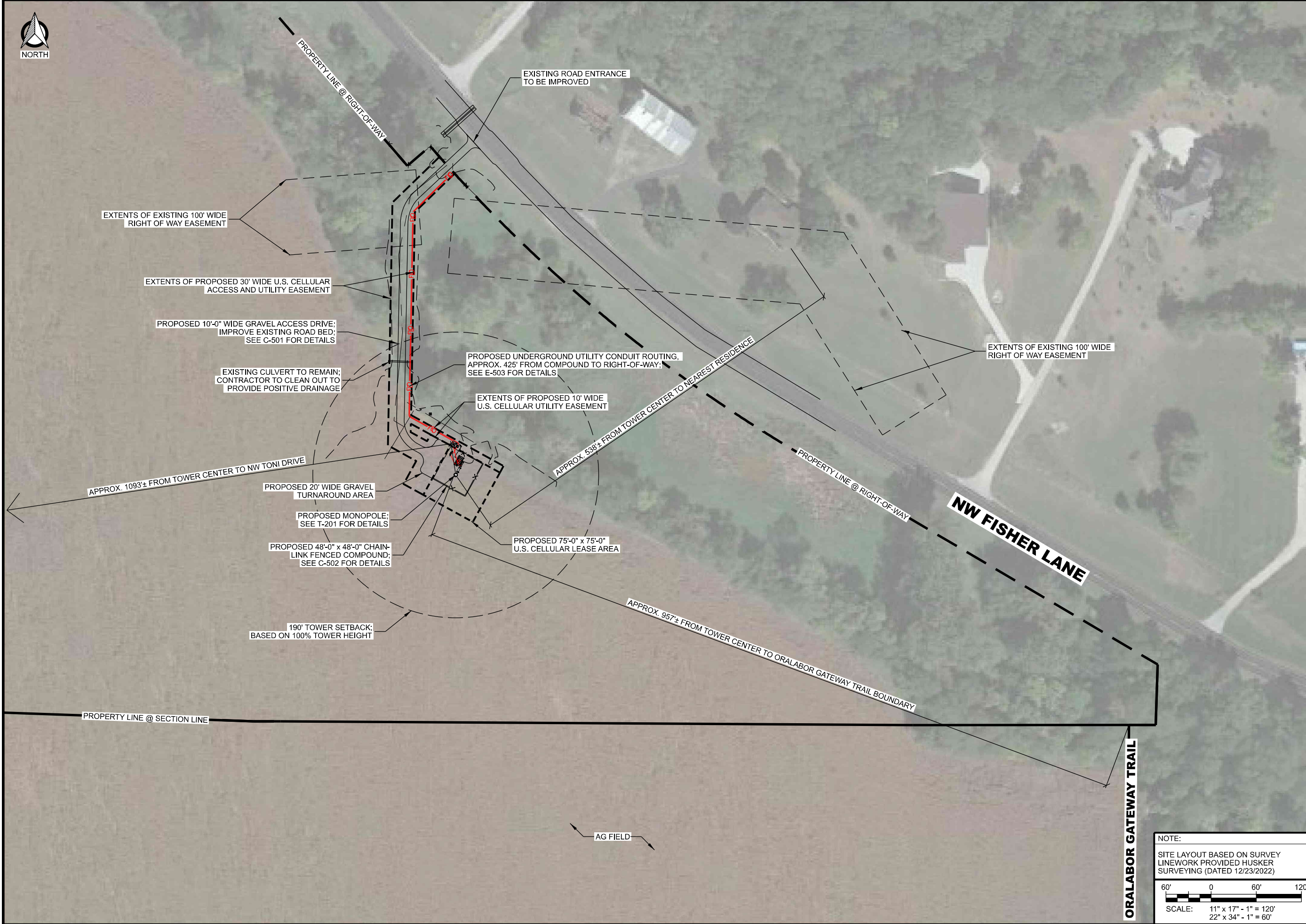
SHEET NUMBER:  
LS-4



CONSULTANT:  
**Edge**  
 Consulting Engineers, Inc.  
 624 WATER STREET  
 PRAIRIE DU SAC, WI 53578  
 608.644.1449 VOICE  
 608.644.1549 FAX  
 www.edgeconsult.com

CLIENT:  
**uscellular**  
 U.S. CELLULAR  
 8410 W. BRYN MAWR AVE.  
 SUITE 700  
 CHICAGO, IL 60631

**SITE PLAN**  
**SAYLORVILLE LAKE (7601343)**  
**SAYLORVILLE, IOWA**



SUBMITTAL:		
INT.	DATE:	DESCRIPTION:
JLM	02/14/23	REV. A
JLM	02/21/23	REV. B

CHECKED BY:	DCL
PLOT DATE:	2/21/2023
PROJECT NUMBER:	34047
SET TYPE:	PRELIM. DWGS.
SHEET NUMBER:	<b>C-101</b>

NOTE:  
 SITE LAYOUT BASED ON SURVEY  
 LINENWORK PROVIDED HUSKER  
 SURVEYING (DATED 12/23/2022)

60' 0 60' 120'

SCALE: 11" x 17" - 1" = 120'  
 22" x 34" - 1" = 60'

I:\34000\34047\Design\CAD\2D\Plot\Set-C-101.dgn





PROPOSED BURIED FIBER ROUTE:  
APPROX. 420' FROM COMPOUND TO RIGHT-OF-WAY;  
VERIFY INSTALLER WITH U.S. CELLULAR PROJECT MANAGER

PROPOSED BURIED ELECTRIC ROUTE:  
APPROX. 425' FROM COMPOUND TO RIGHT-OF-WAY;  
VERIFY INSTALLER WITH U.S. CELLULAR PROJECT MANAGER

PROPOSED 10'-0" WIDE GRAVEL ACCESS DRIVE:  
SEE C-501 FOR DETAILS

EXTENTS OF PROPOSED 10' WIDE  
U.S. CELLULAR UTILITY EASEMENT

EXTENTS OF PROPOSED 30' WIDE  
U.S. CELLULAR ACCESS AND  
UTILITY EASEMENT

PROPOSED FIBER OPTIC SPLICE BOX TO BE  
INSTALLED BY U.S. CELLULAR CONTRACTOR;  
SEE E-503 FOR DETAILS

PROPOSED TRANSFORMER

PROPOSED CONCRETE FILLED BOLLARD (TYP.);  
C-501 FOR DETAILS

PROPOSED U.S. CELLULAR EQUIPMENT  
CABINETS ON 7'-0" x 10'-0" CONCRETE PAD;  
SEE 'A' SERIES SHEETS FOR DETAILS

PROPOSED FIBER VAULT;  
SEE E-503 FOR DETAILS

PROPOSED 4' WIDE MAN GATE;  
SEE C-502 FOR DETAILS

PROPOSED MULTI-METER UTILITY RACK;  
SEE E-504 FOR DETAILS

PROPOSED 12' WIDE DOUBLE-  
SWING ACCESS GATE;  
SEE C-502 FOR DETAILS

PROPOSED 10' LONG U.S.  
CELLULAR ICE BRIDGE;  
SEE T-504 FOR DETAILS

PROPOSED GPS ANTENNA  
MOUNTED TO ICE CANOPY  
POST; SEE A-501 FOR DETAILS

PROPOSED 48'-0" x 48'-0" CHAIN-  
LINK FENCED COMPOUND;  
SEE C-502 FOR DETAILS

PROPOSED 20' WIDE GRAVEL  
TURNAROUND AREA

GRAVEL  
COMPOUND

PROPOSED MONOPOLE;  
SEE T-201 FOR DETAILS

PROPOSED 48'-0" FENCED COMPOUND  
PROPOSED 75'-0" U.S. CELLULAR LEASE AREA

PROPOSED 48'-0" FENCED COMPOUND  
PROPOSED 75'-0" U.S. CELLULAR LEASE AREA

PROPOSED 75'-0" x 75'-0"  
U.S. CELLULAR LEASE AREA

AG FIELD



A

PROPOSED COMPOUND LOCATION

CONSULTANT:

**Edge**  
Consulting Engineers, Inc.  
624 WATER STREET  
PRAIRIE DU SAC, WI 53578  
608.644.1449 VOICE  
608.644.1549 FAX  
www.edgeconsult.com

CLIENT:

**uscellular**  
U.S. CELLULAR  
8410 W. BRYN MAWR AVE.  
SUITE 700  
CHICAGO, IL 60631

**ENLARGED SITE PLAN**  
SAYLORVILLE LAKE (7601343)  
SAYLORVILLE, IOWA

SUBMITTAL:

INT.	DATE	DESCRIPTION
JLM	02/14/23	REV. A
JLM	02/21/23	REV. B

CHECKED BY:

DCL

PLOT DATE:

2/21/2023

PROJECT NUMBER:

34047

SET TYPE:

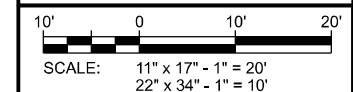
PRELIM. DWGS.

SHEET NUMBER:

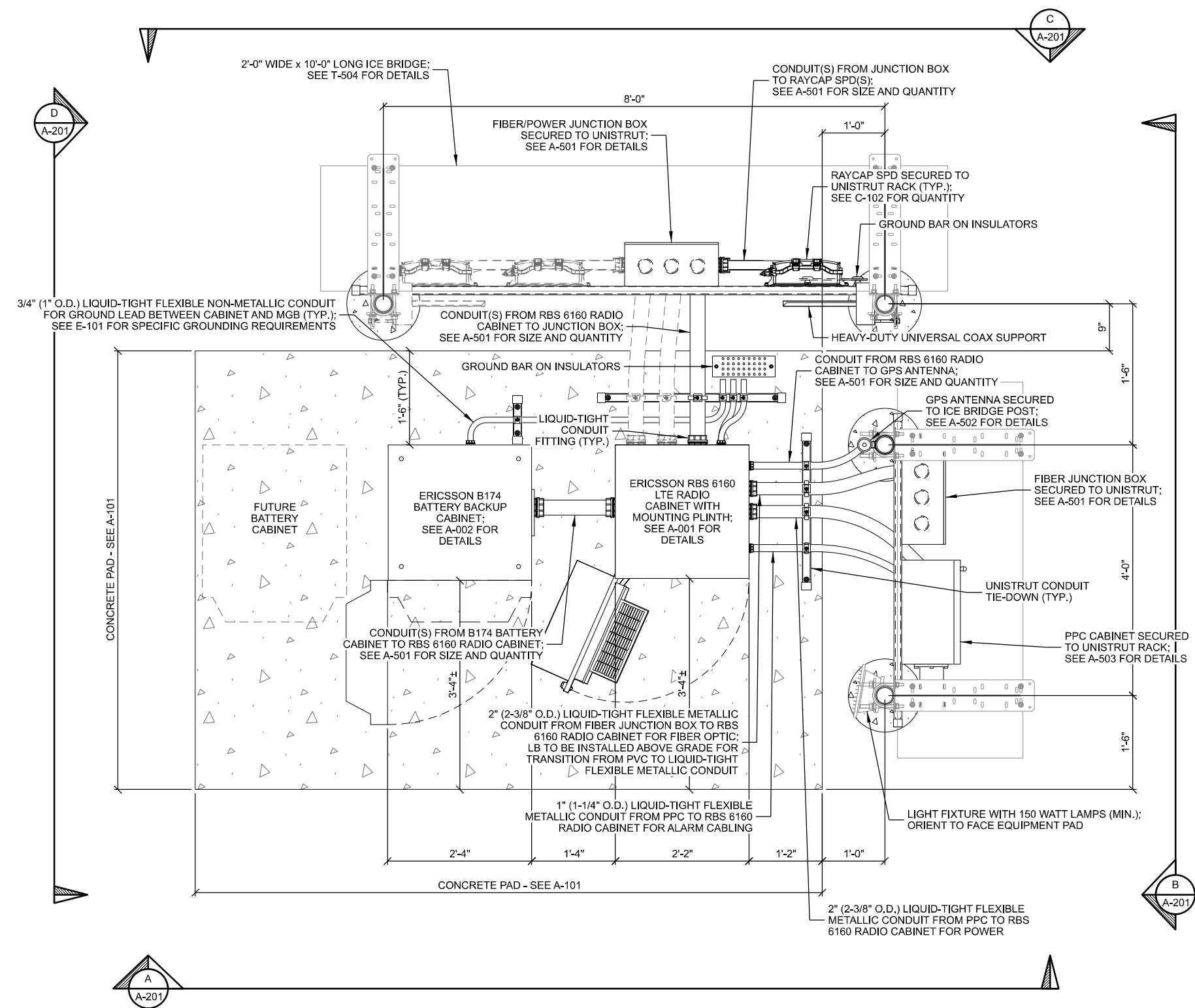
**C-102**

NOTE:

SITE LAYOUT BASED ON SURVEY  
LINWORK PROVIDED BY HUSKER  
SURVEYING (DATED 12/16/2022)



**EQUIPMENT LAYOUT**  
**SAYLORVILLE LAKE (7601343)**  
**SAYLORVILLE, IOWA**



**A ERICSSON EQUIPMENT LAYOUT**

SUBMITTAL:

INT.	DATE	DESCRIPTION:
JLM	12/29/22	REV. A

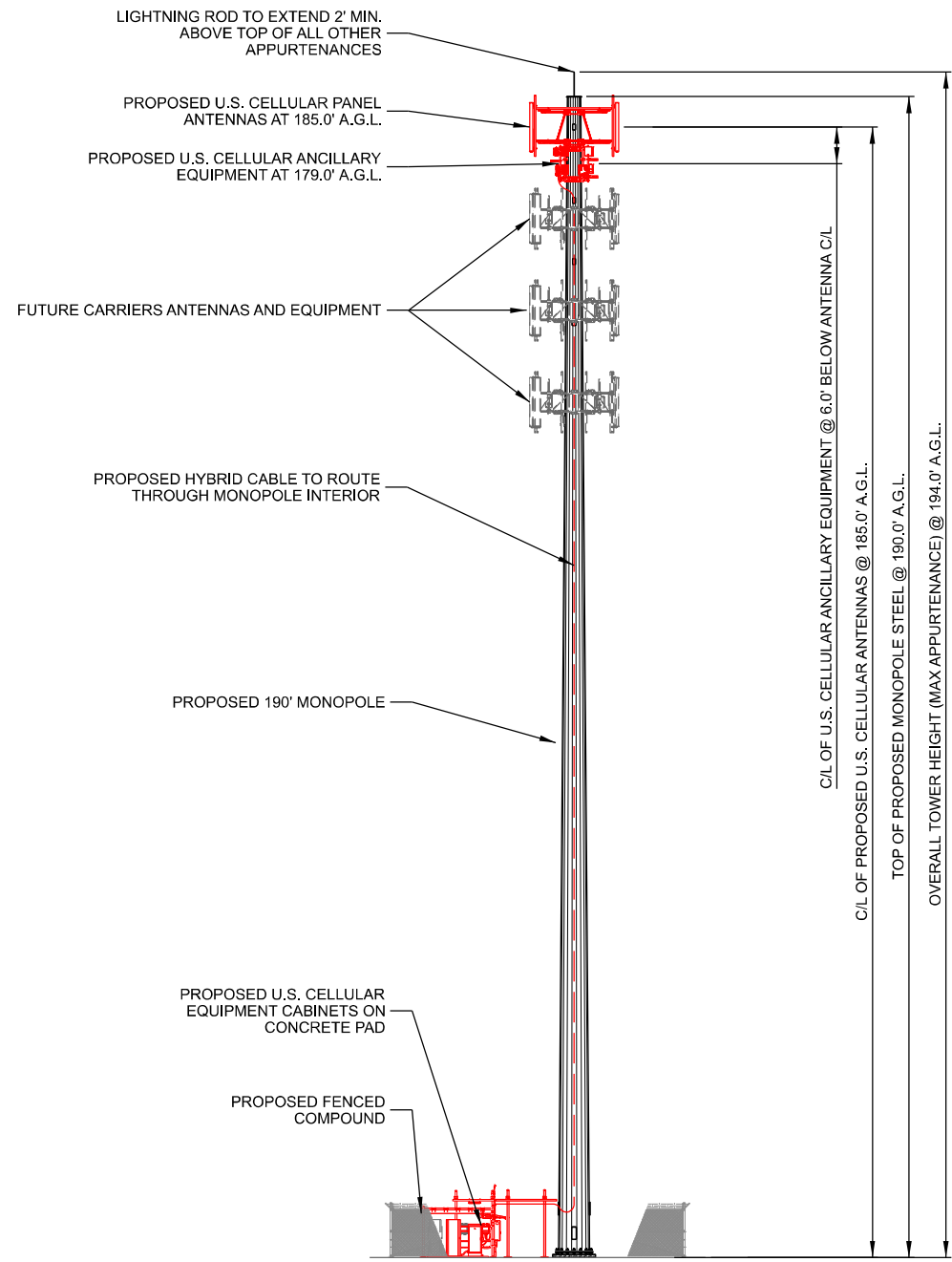
CHECKED BY	DCL
PLOT DATE	12/29/2022
PROJECT NUMBER	34047
SET TYPE	PRELIM. DWGS.
SHEET NUMBER	<b>A-102</b>

SEE SHEET C-102 FOR SITE SPECIFIC EQUIPMENT PAD ORIENTATION.

SCALE: 11" x 17" - 1" = 2'  
 22" x 34" - 1" = 1'

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**SITE ELEVATION**  
**SAYLORVILLE LAKE (7601343)**  
**SAYLORVILLE, IOWA**



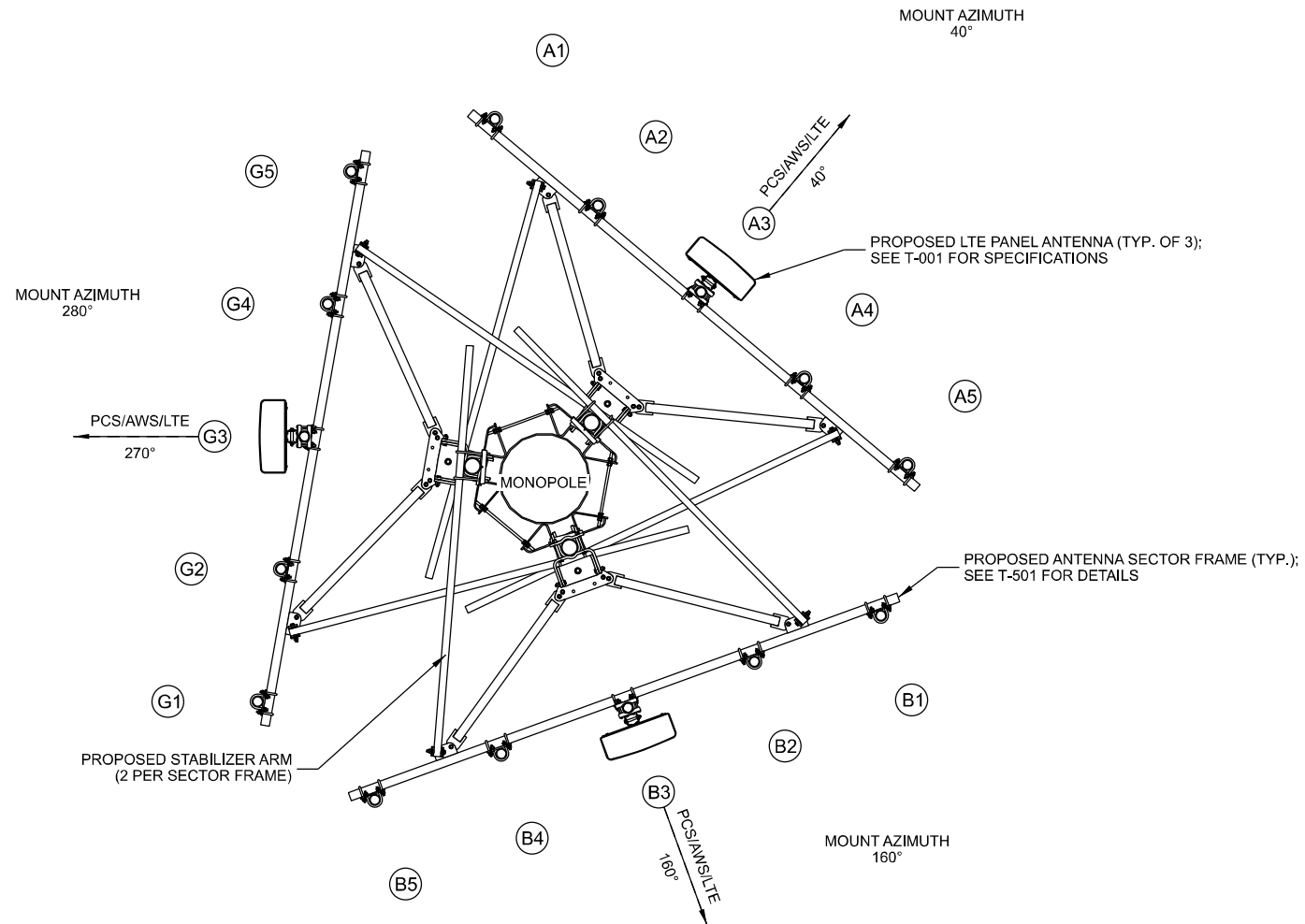
**A SITE ELEVATION**  
 SCALE: 11" x 17" - 1" = 30'-0"  
 22" x 34" - 1" = 15'-0"

SUBMITTAL:

INT.	DATE	DESCRIPTION
JLM	02/14/23	REV. A
JLM	02/21/23	REV. B

CHECKED BY	DCL
PLOT DATE	2/21/2023
PROJECT NUMBER	34047
SET TYPE	PRELIM. DWGS.
SHEET NUMBER	<b>T-201</b>

I:\34000\34047\Design\CAD\2D\Plot\T-201.dgn



	Antenna Position	Technology	Antenna Model	Antenna Quantity	RAD Center	Azimuth	L.B. Elect. Tilt	M.B. Elect. Tilt	Mech. Tilt	Surge Protector Qty.	B12/B71 Radio	Radio Qty.	B2/B66 Radio	Radio Qty.	Cable Type	Cable Qty.
ALPHA	A1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	A2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	A3	PCS/AWS/LTE	Dengyo OCT8-2LX2HX-BW65	1	145'	40°	2°	2°	0°	1	RRU4480	1	RRU4480	1	1-1/4" Hybrid	1
	A4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	A5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BETA	B1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	B2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	B3	PCS/AWS/LTE	Dengyo OCT8-2LX2HX-BW65	1	145'	160°	2°	2°	0°	Shared	RRU4480	1	Shared	-	Shared	-
	B4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	B5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
GAMMA	G1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	G2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	G3	PCS/AWS/LTE	Dengyo OCT8-2LX2HX-BW65	1	145'	2°	2°	0°	???	Shared	RRU4480	1	RRU4480	1	Shared	-
	G4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	G5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total:</b>				3						1	3	2		1		

Black Text = Existing Red Text = Proposed

WS.X1050

**NOTES:**

- ALL ANTENNA AZIMUTHS TO BE FROM TRUE NORTH.
- ANTENNA SEPERATION AS FOLLOWS (CENTER OF ANTENNA TO CENTER OF ANTENNA):  
 LTE TO CDMA: 2'-0" MIN.      LTE TO LTE: 4'-0" MIN.      CDMA TO CDMA: 4'-0" MIN.

**A PROPOSED ANTENNA LAYOUT**

SCALE: 11" x 17" - 1/4" = 1'-0"  
 22" x 34" - 1/2" = 1'-0"

CONSULTANT:



CLIENT:



**ANTENNA CONFIGURATION  
 SAYLORVILLE LAKE (7601343)  
 SAYLORVILLE, IOWA**

SUBMITTAL:

INT.	DATE	DESCRIPTION
JLM	12/29/22	REV. A

CHECKED BY	DCL
PLOT DATE	12/29/2022
PROJECT NUMBER	34047
SET TYPE	PRELIM. DWGS.
SHEET NUMBER	<b>T-301</b>



### **Project Description**

GSS Inc on behalf of U.S. Cellular is proposing the building of a 190-foot steel monopole tower with a 4' lightning rod appurtenance overall structure height of 194' in conjunction with a 425' gravel access drive and 48'x48' Chain link compound to house all the US Cellular equipment. The proposed tower is being built to help increase in car and in building coverage for this portion of Polk County. U.S. Cellular's RF Engineers have identified this location as an area that is going to have increased coverage needs as the area continues to grow and the proposed tower will help offset the capacity of other towers in the area and improve the coverage for existing users and future users.

### **Project overview**

- Site location: Parcel#:180/00499-006-005 No E911 for parcel NW Fisher Ln.
- Property owner: Bruce & Jorjan Johnson Tony & Terry Johnson
- Property Zoning: AG
- Tower Coordinates: Lat: 41.689272 Long: -93.660947
- Tower Height: 190' Lightning Rod: 4' Overall Structure: 194'
- Tower Type: Monopole
- Access Drive: 425' will be utilizing and improving an existing farm access.
- Compound size: 48'x48' 2304 SQFT. 6' Chain link 1' additional 3 strand barbed wire
- Distance from nearest residence: 538'.
- Distance from Oralabor Gateway Trail Boundary: 957'.
- Distance from NW Toni Dr. 1093'.

### **Ordinance notes (Section L)**

- Table of uses has Communications Towers listed as a conditional use.
- No max height in AG. Our tower is 190' plus 4' lightning rod for an overall height of 194'.
- (2) *Setbacks. A commercial communication tower and any accompanying structure must meet the standard nonresidential setbacks for the underlying district. In addition to the setback requirements, there must be sufficient radius of clear land around the tower so that its collapse will be contained on this property. Unless the collapse radius is otherwise specified and certified by an engineer licensed in Iowa, the tower shall be set back from the property line a distance equal to the height of the tower and antenna. Also, there must be enough area for a vehicle doing maintenance to maneuver on the property. **Tower meets setbacks***
- (3) *Lighting. Towers located within one (1) mile of a residential zoning district shall use dual lighting system strobe during the day and red incandescent*



lighting, at night or only red incandescent lighting, subject to FAA requirements.

**Tower will not be lit-**

- (4) *Landscaping. The adverse visual impact of a tower shall be minimized through design, location and landscape screening around the tower base and any associated structures. Innovative camouflaging techniques may also be used to minimize the visual impact of a tower. The landscape screening requirement may be waived by the Zoning Administrator under the following situations:*
  - 1) *The tower is located in the midst of a wooded area and the existing vegetation will provide sufficient screening for the duration of the use.*
  - 2) *The tower is located in a rural district and in a farm field at least 660' away from an existing or known proposed use or public space where the landscape screening will not be visible from the public roadway.*
    - (b) *All landscaping must consist of evergreens or hedge shrubs located outside of any fenced area but within the leased area. Landscaping materials shall be adequately spaced to provide screening. Minimum plantings shall be six (6) foot minimum height for evergreen or four (4) foot minimum height for hedge shrubs at time of planting. **Tower is in a farm field located over 660' away from an existing public space. NW Toni Dr is located approximately 1100' to the west, across a field. This is an active farm and crops will provide natural screening most of the year. We are willing to work with the board to add any screening they deem necessary.***
- (5) *Signs. No signs bearing advertising will be permitted on the fence surrounding the tower. Warning, danger, high voltage or similar signs are allowed. No advertising will be found on tower. **Just Site information and RF Safety signs will be present.***
- (6) *Co-location. An applicant shall provide a certification by a registered engineer licensed in the State of Iowa that the proposed commercial communication tower is designed, structurally and electrically, to permit at a minimum three (3) antenna systems of comparable size to be added to the original tower. A new commercial communication tower shall not be approved unless the communication equipment for the proposed tower cannot be accommodated on an existing or approved tower within a one mile search radius of the proposed tower due to one or more of the following reasons as documented by a licensed engineer in the State of Iowa:*
  - (a) *The planned equipment would exceed the structural capacity of the existing or approved tower.*
  - (b) *The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower.*
  - (c) *Existing or approved towers cannot accommodate the planned equipment at a height necessary to function reasonably. **ASR# 1225140 SBA owned tower is***



**approximately 1.2 miles away from the proposed tower. The available RAD center on this tower would not meet coverage needs.**

*(d) Other unforeseen reasons that make it infeasible to locate the planned communications equipment upon an existing or approved tower.*

**Structural Design Report shows that this tower can handle 3 co-locaters.**

- *(7) Abandoned or Unused Towers. The applicant shall present a signed lease agreement, a recorded declaration of covenants or other satisfactory evidence showing that the owner/operator of a tower is obligated to promptly remove the tower at the end of the lease term or when the antenna thereon is no longer used, and that the site will be returned to original condition. If a tower is granted a conditional use permit, the conditional use permit will terminate when the lease or the site terminates or when the antenna is no longer in use. **A redacted copy of the lease can be provided to show that there is a plan to remove tower after life of the lease has expired. Section 20 of lease.***
- *(8) Safety. The tower design and construction must be certified by a registered engineer. The tower must meet all applicable FCC and FAA requirements. **All equipment on and including tower meet these requirements.***
- *(9) Equipment Cabinets and buildings. No spacing requirements between equipment cabinets. Equipment buildings must be separated a minimum of 10 feet. **Equipment designs meet these requirements.***