



# STAFF REPORT

Prepared by Melissa Guilbeau, City Planner

## Granite Cellular Communication Tower (SUP1403)

**Type of Request:** Special Use Permit

### Meeting Dates

Planning Board on June 17, 2014

City Council on July 1, 2014

## Contact Information

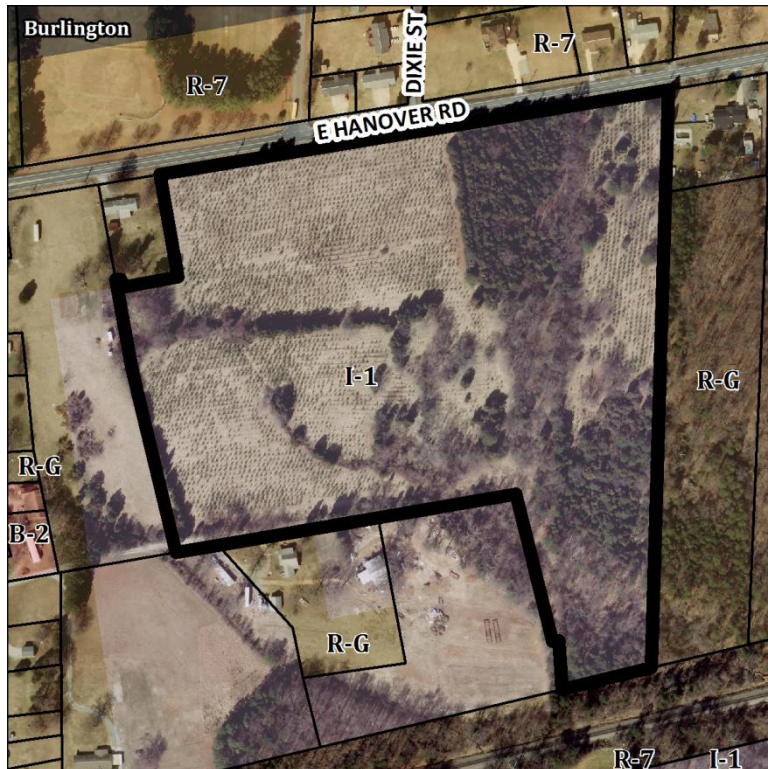
Tower Engineering Professionals

3703 Junction Blvd, Raleigh, NC 27603

919-661-6351; jcosgrove@tepgroup.net

## Summary

This is a request for a Special Use Permit for a cellular communication tower on a portion of property located on E Hanover Rd. The property is currently vacant.



The following was submitted as part of the application package:

- Preliminary site plan
- Engineered fall zone letter
- Pictures of existing vegetation
- Letter regarding application to the FAA and FCC
- Letter regarding availability of existing structures
- Maps showing existing and proposed cellular coverage in the tower area
- Letter regarding normal radio and television reception in the vicinity

### Location

E Hanover Rd

GPIN: 8884392495

### Proposed Special Use

Cellular Communication Tower

### Current Zoning

Light Industrial (I-1)

### Overlay District

None

### Surrounding Zoning

R-7, R-G & I-1

### Surrounding Land Uses

Single Family Houses & Vacant

### Size

0.15 acres

### Public Water & Sewer

Water and Sewer  
on E Hanover Rd

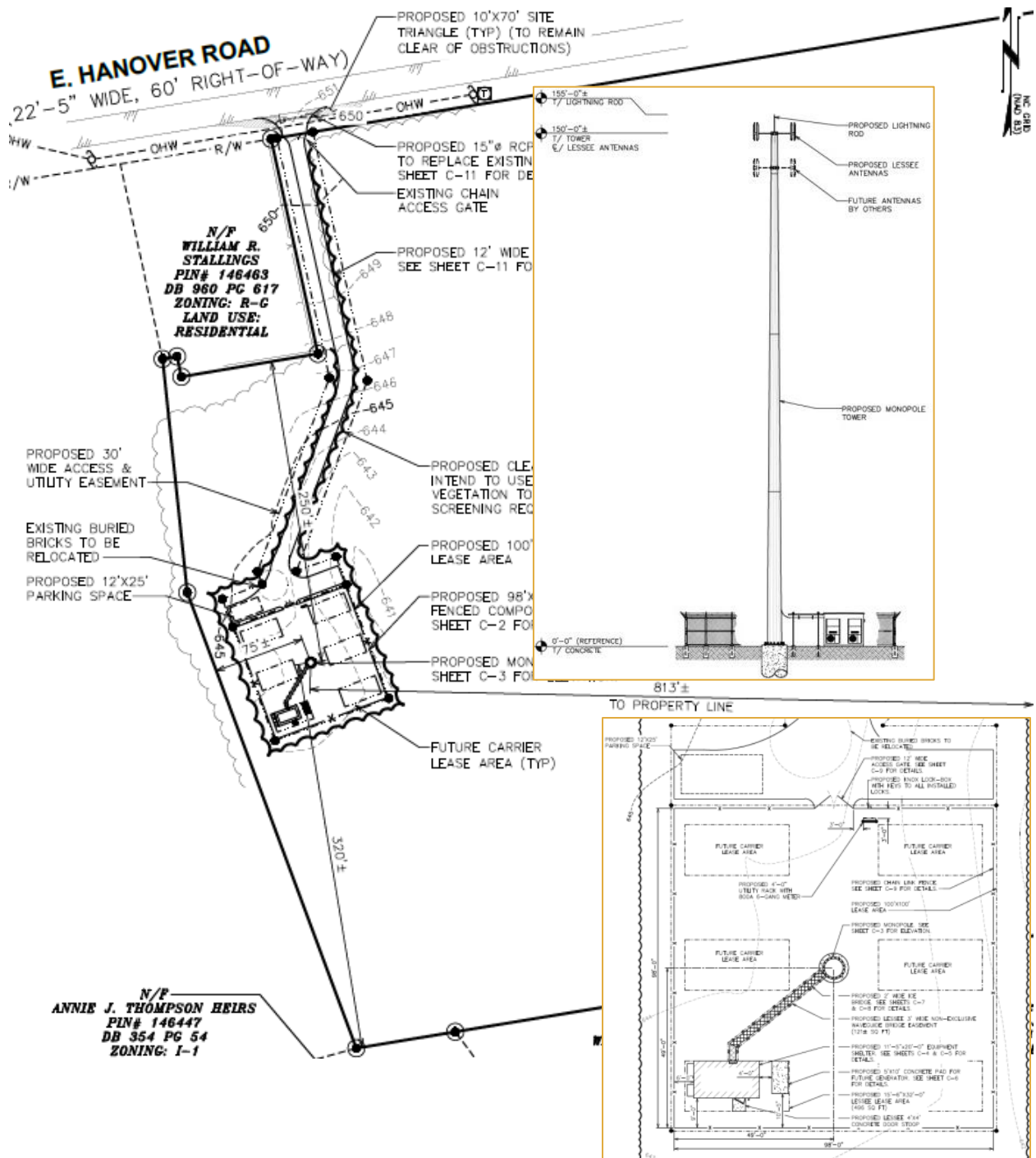
### Floodplain

No

### Staff Recommendation

Approval, with conditions

The proposal is for a 150' monopole wireless telecommunications facility to be developed in accordance with the preliminary site plan prepared by Tower Engineering Professionals and dated May 22, 2014. The facility will be located on the far western side of the 16.11 acre parcel and will occupy a 100'x100' lease area. Access to the area will be from E Hanover Rd via a 12' wide gravel drive. One off-street parking space is provided. The facility will be designed to allow for future co-location. One 230sf appurtenant structure is proposed with space for five additional structures (one each for up to five future co-locators). The facility will be surrounded by an 8' high chain link fence topped with barbed wire and proposes to use existing vegetation to meet screening and landscaping requirements.



## Technical Review Committee

The TRC reviewed the preliminary site plan and met with the applicant on May 19, 2014. The applicant submitted a revised preliminary site plan on May 23, 2014. All TRC comments have been addressed.

## Conformity to the *Growth Management Plan (GMP)* and Other Adopted Plans

### Applicable Goals to Guide Us into the Future

- 6.1.3. Enforce landscaping standards to help beautify and buffer development sites. *The applicant proposes to meet screening and landscaping requirements using existing vegetation.*
- 6.2.3. Plan for the construction of new [community] facilities in areas of the City that are lacking facilities. *The proposed tower is located in an area that currently has poor wireless coverage.*

### Applicable Planning District Policies and Recommendations

- None are applicable

#### Planning District

North

#### Development Type

Neighborhood Residential

Located near a major thoroughfare

For single family residential and townhouses

Characteristics include open space; parks included with development; pedestrian-oriented; automobile-oriented; sidewalks; street trees; landscaping

Density of 3+ DU/acre

Infrastructure includes water, sewer, street connectivity and underground utilities

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## DRAFT Findings of Fact and Conclusions

In granting a special use permit, the City Council shall find that all of the six conditions listed below have been met, or it shall be denied. Staff has prepared the following DRAFT findings of fact for each of the six conditions. These findings should be modified by the Council as it considers its decision.

1. All applicable regulations of the zoning district in which the use is proposed are complied with.  
*The proposed tower facility meets the area, height and yard regulations of the I-1 zoning district. It meets all performance standards for uses in the I-1 and I-2 zoning districts.*

2. Conditions specific to each use, identified by the Development Ordinance, are complied with.

*The following requirements are specific to this use:*

- *There is no requirement for off-street parking. However, one parking space is being provided.*
- *A Type D planting yard is required where the tower site is closest to the western property boundary. The screening requirement for towers fulfills and exceeds this landscaping requirement.*
- *The minimum distance from the base of the tower to the nearest property line shall be equal to or greater than the height of the tower. The city council shall have the option to waive this provision upon receiving documentation from the petitioner that the tower is engineered such that in the event of collapse, the tower will fall upon itself within the property boundaries upon which it is located. This option may require the establishment of a setback equivalent to a fall zone easement certified by a professional engineer registered in North Carolina. In any case, the minimum setback for a tower and all appurtenant structures shall be 25 feet from the nearest property line. An engineered fall zone letter certified by a NC professional engineer was submitted stating that, if collapse should occur, the tower will be designed so that the fall will be limited so that the tower will be contained within a 75-foot radius and within the property boundaries upon which it is located. Further, the tower and all appurtenant structures are located no closer than 30 feet from the nearest property line.*
- *No freestanding or guyed tower may be constructed closer than the tower's height from any public right-of-way. The 150' high tower is located approximately 430' from E Hanover Rd and 800' from the railroad right-of-way.*
- *Appurtenant structures shall be unmanned and be limited to 240sf for each tower and co-locator. Setback for these structures shall be at least 15 feet from any property line. One 230sf appurtenant structure is proposed for the one proposed occupant, as well as space for one appurtenant structure for each of up to five co-locators. All appurtenant structures are located 30 feet or more from the nearest property line.*
- *The base of the tower, including but not limited to equipment and/or storage structures, shall be enclosed by a commercial grade chain link fence a minimum of eight feet in height. An 8' high commercial grade fence topped with barbed wire is proposed to surround a 98'x98' area around the base of the tower and all appurtenant structures.*
- *A vegetative screen shall be planted around the security fence consisting of at least two staggered rows of evergreen shrubs on five feet centers, at least five feet tall at the time of planting, unless existing vegetation or topography is determined to provide screening at least as effective as the planted screening. The applicant proposes to use existing vegetation to meet screening requirements and has submitted pictures showing the existing vegetation.*
- *The applicant shall provide letters from all applicable government regulatory agencies verifying that the agency's requirements have been met. The applicant has provided a letter stating that they have filed an application with the FAA and once FAA approval is received, they will file an application with the FCC.*
- *The output for towers shall not exceed federally approved levels for exposure to electronic magnetic force. The petitioner shall also certify that the tower operations will not interfere with normal radio and television reception in the vicinity. The applicant has provided a letter that certifies that the tower operations will not interfere with normal radio and television reception in the vicinity.*

- Towers shall be provided with warning lights pursuant to FAA and FCC guidelines. The preliminary site plan provides that "tower shall be illuminated only as required by the FCC, FAA or other state or federal agency of competent jurisdiction."
  - Towers established pursuant to this ordinance and greater than 75 feet in height shall be located no closer than one mile from another tower greater than 75 feet in height. The council shall have the option to waive this provision if it is determined that a less objectionable site can be established at a closer location, or that other sites are not suitable for proper coverage. The closest existing tower is located in the vicinity of Queen Ann St and Longest St in Burlington, about 1.2 miles from the proposed tower.
  - Towers less than 150 feet in height shall be adequately designed and of sufficient height to accommodate at least one additional user. Towers greater than 150 feet in height shall be designed to accommodate multiple additional users. A professional engineer shall present documentation that the tower has sufficient structural integrity to accommodate more than one user. The proposed tower facility is shown on the preliminary site plan to accommodate up to six total users. The preliminary site plan is sealed by a professional engineer.
  - The applicant shall present documentation that no suitable existing facilities within the coverage area are available to the applicant. The applicant submitted a letter stating that there were no existing towers within their search area nor were there any structures of sufficient height available for co-location.
  - Towers are not permitted in a designated historic district or on property on which a designated historic landmark is located. In addition towers shall not be constructed within 350 feet of a designated historic district or an historic landmark. The proposed tower is not located on or within 350 feet of a designated historic district or landmark.
  - Outside storage is not permitted on the tower site. No outside storage is shown on the preliminary site plan.
3. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted.  
*The tower has been designed to fall upon itself, is located 75 feet from the nearest property line, is located more than 150 feet from any public right-of-way, and has been certified to not interfere with normal radio and television reception in the vicinity.*
  4. The use will not substantially injure the value of adjoining property or that the use is a public necessity.  
*The use is a public necessity as wireless coverage in the area is shown to currently be poor.*
  5. The location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with the plan of development for the Graham planning area.  
*The area is currently a mix of vacant, light industrial, and single family and manufactured homes. The tower will be located approximately 330 feet from the nearest primary structure.*
  6. Satisfactory provision has been made for the following, when applicable: vehicle circulation, parking and loading, service entrances and areas, screening, utilities, signs and lighting, and open space.  
*Requirements for screening and lighting have been satisfactorily addressed.*

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### Staff Recommendation

Based on the *Growth Management Plan 2000-2020* and the *City of Graham Development Ordinance*, staff **recommends approval** of the Special Use Permit, **with the following conditions**:

- After the area is cleared, staff will evaluate the site to determine if the remaining existing vegetation meets the requirements of the ordinance and will require plantings if it does not.
- A Building Permit will not be granted until the applicant submits letters from the FAA and FCC verifying that the agency's requirements have been met.

The following supports this recommendation:

- The development furthers goals of the *Growth Management Plan*. None of the development types described in the *Growth Management Plan* addresses the location of utilities.
- The development will comply upon final site plan approval with the standards of the *Development Ordinance*.
- The development will meet all six conditions required by Section 10.144 of the *Development Ordinance* if approved with the recommended conditions.