



## CITY COUNCIL MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** August 8, 2016

**SUBJECT:** SUP 2015-03, Ordinance No. 3422, Public Hearing and consideration of a request from Dwayne Caraway for a Special Use Permit for a 100-foot Communication Tower located at 8321 Davis Boulevard.

**PRESENTER:** Clayton Husband, Principal Planner

### **SUMMARY:**

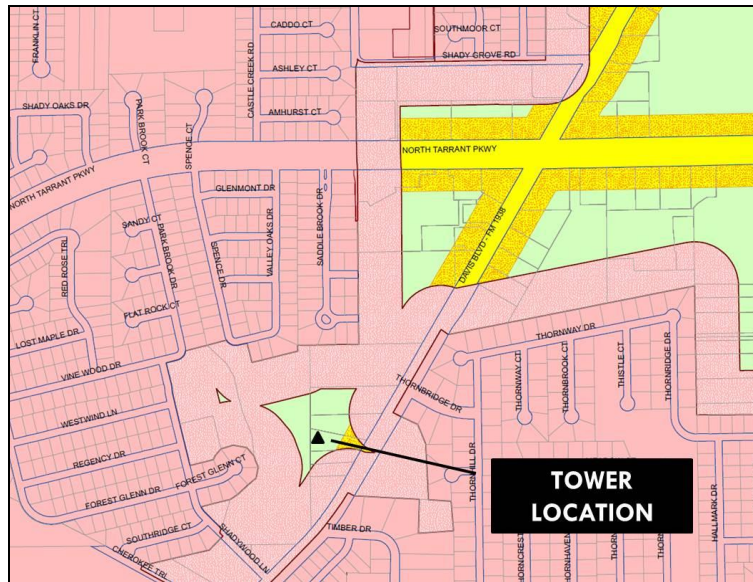
On behalf of H.W. and Brenda Gilbreath, Dwayne Caraway is requesting a special use permit (SUP) for a 100-foot tall monopole communications tower facility. The proposed site is located at 8821 Davis Boulevard.

### **GENERAL DESCRIPTION:**

The zoning ordinance requires approval of an SUP for any communications tower over 45 feet in height. Communication towers are permitted by SUP in all nonresidential zoning districts. The zoning ordinance also includes regulations and standards for communication towers. These standards are intended to minimize the adverse visual effect of the towers, provide careful siting of tower structures, and maximize the opportunities for co-location of multiple service providers.

The wireless provider associated with this application is Verizon Wireless. A complete site plan package for the proposed tower is attached. The total property is 2.17 acres in size, but the lease area for the communication tower is a 2,500-square-foot located at the rear of the property. Planned improvements to the site include a 100-foot tower with associated equipment, a masonry wall enclosure around the lease area, a new drive approach on Davis Boulevard, and landscaping around the drive approach and pad site enclosure. The tower includes a one-foot lightning rod, bringing the total overall height to 101 feet. The tower and lease area are also designed to accommodate antennae and equipment for two additional wireless carriers.

Section 118-768(b) of the zoning ordinance requires that tower locations conform to the adopted Communication Tower Buffer Zone Map. These standards require a 300-foot buffer from residentially zoned property, a 150-foot buffer from arterial streets and commuter rail lines, and a 1,500-foot buffer from another communication tower. The location of the proposed tower satisfies these setbacks, as shown in the map below. The green areas represent locations that conform to the setback standards.



Due to the tower's proposed location near a public park and residential areas, the Development Review Committee requested that the application provide visualizations showing how the area would appear after the construction of the tower. The images provided by the applicant are attached.

Applications for special use permits provide an opportunity to address modifications to specific development standards for the site and consider reasonable conditions on the operation, location, arrangement, and manner of construction. A requested modification to the standards is described in more detail below. All other development standards for communication towers have been satisfied.

### ***Tower setback***

The applicant is requesting a waiver of the required tower setback on the west side of the property. The standards require that the tower be located in such a manner that if the structure should fall along its longest dimension it will remain within the property boundaries and avoid habitable structures and streets.

Based on the proposed tower height, the required setback from all property lines is 100 feet. The tower location meets this standard on all sides except for the west property line. The applicant is requesting a setback of 13 feet on the west side. The adjacent property is located in a flood plain, and there are no habitable structures or streets within 100 feet of tower. In addition, the lease area was selected to lessen the effect of the tower location on the future development of the site. The DRC finds the modified setback acceptable.



**COMPREHENSIVE PLAN:** This area is designated on the Comprehensive Land Use Plan as “Office.” This designation is intended to permit professional and organizational offices with accessory and related uses.

**CURRENT ZONING:** The property is currently zoned AG Agricultural. The purpose of the AG district is to preserve lands best suited for agricultural use from encroachment of incompatible uses, and to preserve land suited to eventual development into other uses pending proper timing for practical economical provision of utilities, streets, schools, and other facilities so that reasonable development may occur.

**PROPOSED ZONING:** The applicant is requesting a special use permit for a communication tower over 45 feet in height. A change in the base zoning of Agricultural is not requested or required.

**SURROUNDING ZONING | LAND USE:**

**North:** AG Agricultural | Office

**West:** C-1 Commercial and R-2 Single Family Residential | Parks-Open Space

**South:** C-1 Commercial | Office

**East:** AG Agricultural | Office

**PLAT STATUS:** The property is currently unplatted.

**PLANNING AND ZONING COMMISSION:** The Planning and Zoning Commission held a public hearing and considered this item at their July 21, 2016, meeting, and voted 5-0 to recommend approval, subject to a minimum setback of thirteen feet from the west property line and the owner providing access easement to the adjacent properties to the north and south of the subject site. An excerpt from the meeting minutes is attached.

**RECOMMENDATION:**

Approve SUP 2015-03, subject to a minimum setback of thirteen feet from the west property line and the owner providing access easement to the adjacent properties to the north and south of the subject site.