



PLANNING COMMISSION
STAFF REPORT – JANUARY 15, 2015
MEETING DATE – JANUARY 21, 2015
CASE NUMBER: DP-14-0764
Case Manager: Dawn Wrinn, CAPZO

Summary of Information:

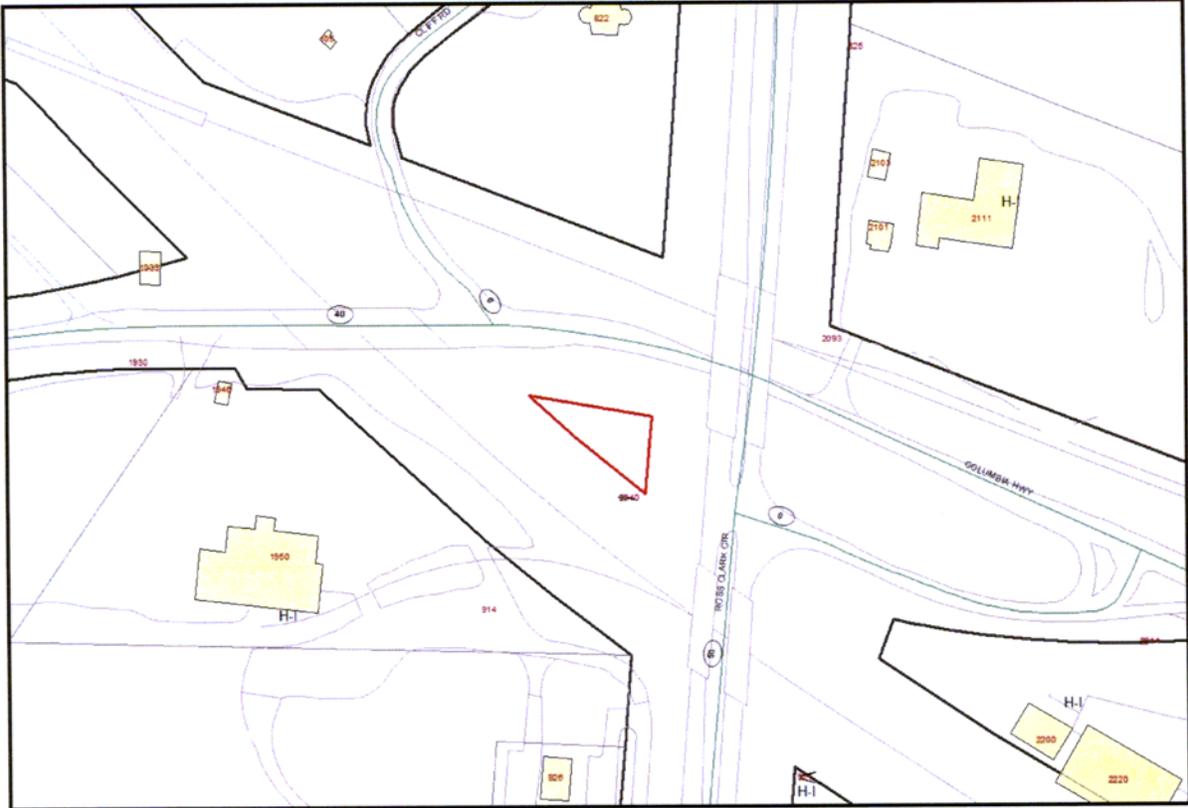
Project Name:	Telecommunications Tower
Property Address:	2050 Columbia Highway
Requested Action:	Development Plans
Applicant:	Highwood Towers, LLC
Property Owner:	Great South Leasing, LLC

Zoning/Land Use:

ACREAGE OF SITE	0.24
SIZE OF PROJECT SITE	10,000 SQ. FT.
NUMBER OF EXISTING LOTS	1
NUMBER OF PROPOSED LOTS	1 LEASED, 100' X 100' SITE
EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	VACANT
EXISTING LAND USE - SOUTH	CONCRETE PLANT
EXISTING LAND USE - EAST	VACANT
EXISTING LAND USE - WEST	CONCRETE PLANT
ZONING DISTRICT - SUBJECT	H-I
ZONING DISTRICT - NORTH	H-I
ZONING DISTRICT - SOUTH	H-I
ZONING DISTRICT - EAST	H-I
ZONING DISTRICT - WEST	H-I
FUTURE LAND USE MAP - SUBJECT	HEAVY INDUSTRY
FUTURE LAND USE MAP - NORTH	HEAVY INDUSTRY
FUTURE LAND USE MAP - SOUTH	COMMERCIAL
FUTURE LAND USE MAP - EAST	HEAVY INDUSTRY
FUTURE LAND USE MAP - WEST	COMMERCIAL
SETBACK-FRONT	35 FT. - CELL TOWER
SETBACK-REAR	35 FT. - CELL TOWER
SETBACK-SIDE	35 FT. - CELL TOWER
BUILDING HEIGHT LIMIT	200 FT. - CELL TOWER
SIGN HEIGHT LIMIT	N/A
BUFFERS	N/A
PARKING - #REQUIRED	1 – MAINTENANCE CREW

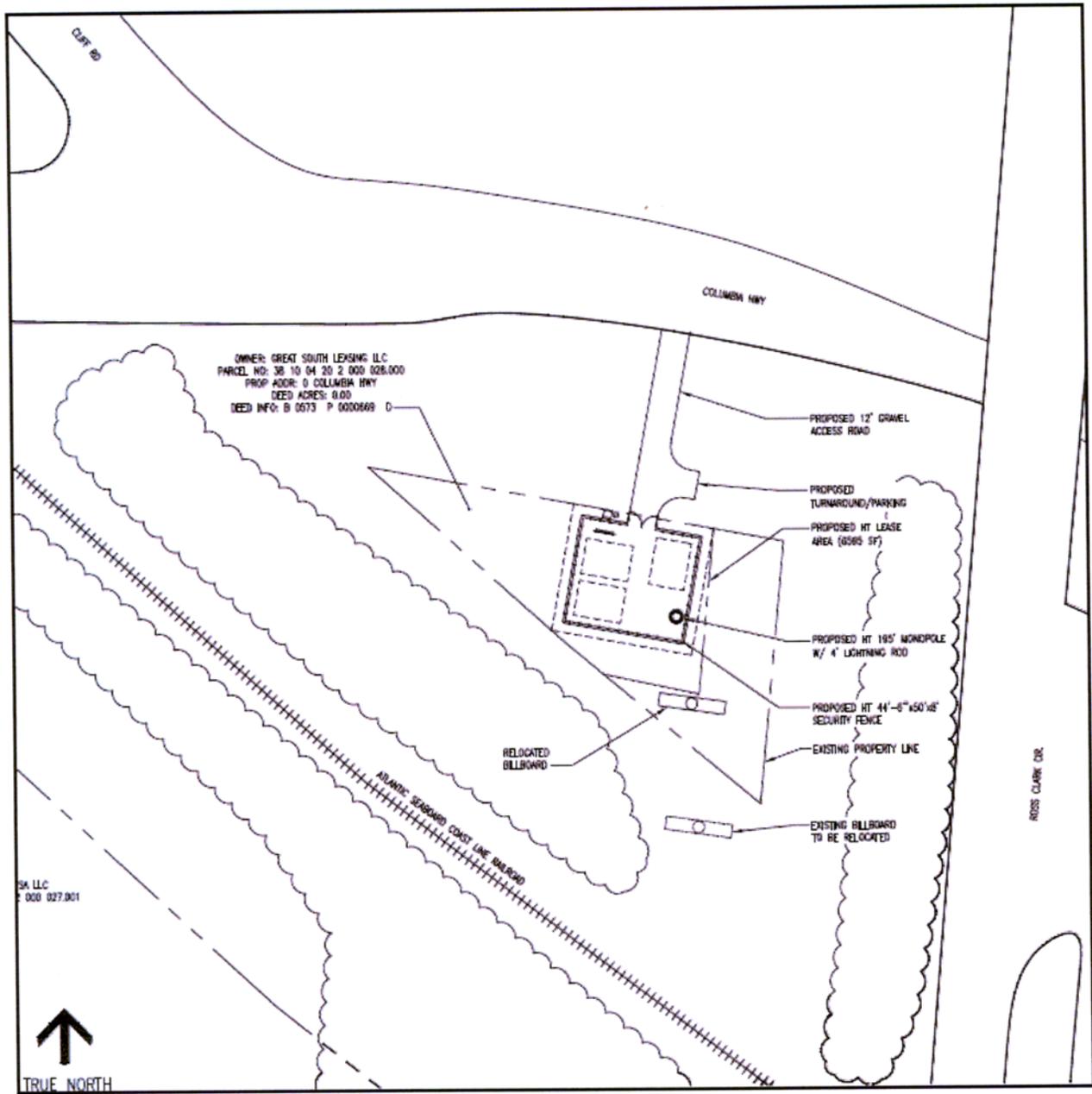
General Discussion: The applicant, Highwood Towers, LLC, is requesting approval of development plans for a telecommunications tower facility at 2050 Columbia Highway in a H-I, Heavy Industry, zoning district. The property is located west of Ross Clark Circle. The proposed

telecommunications tower will be placed in a 10,000 square-foot lot immediately south of Columbia Highway and west of Ross Clark Circle.



SITE LOCATION AND ZONING MAP





SITE PLAN

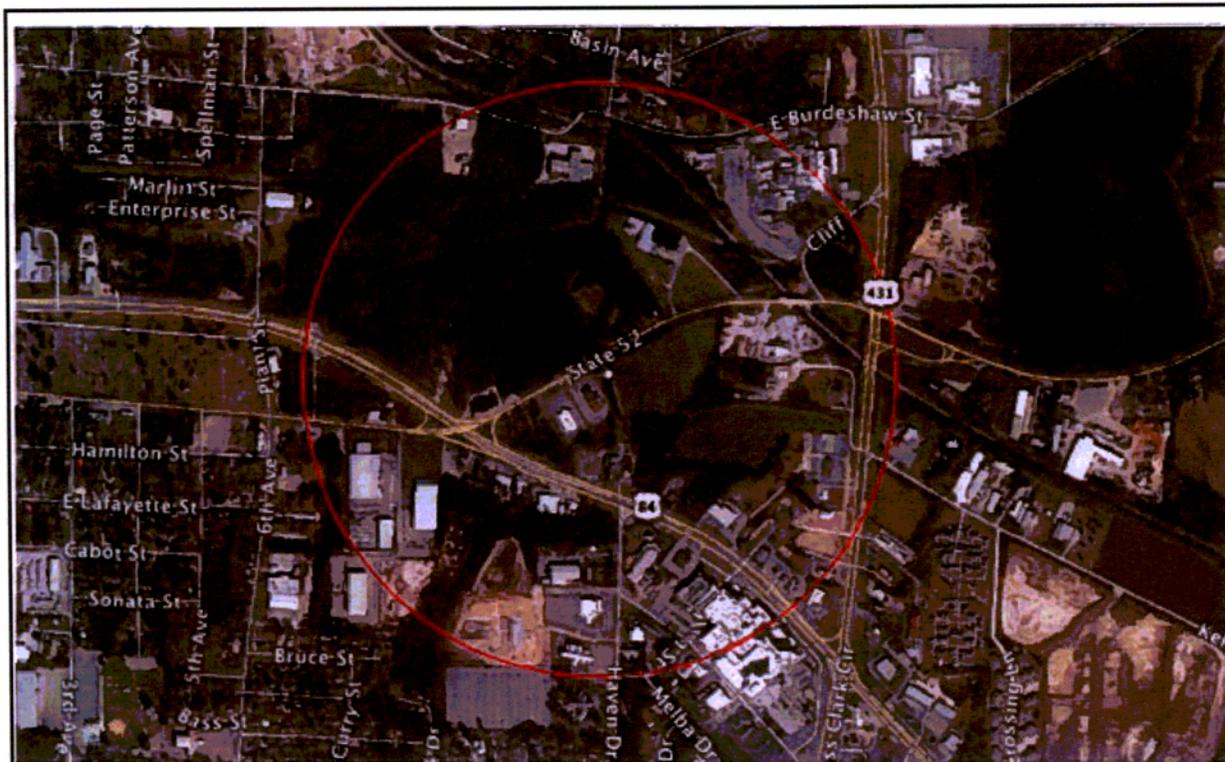
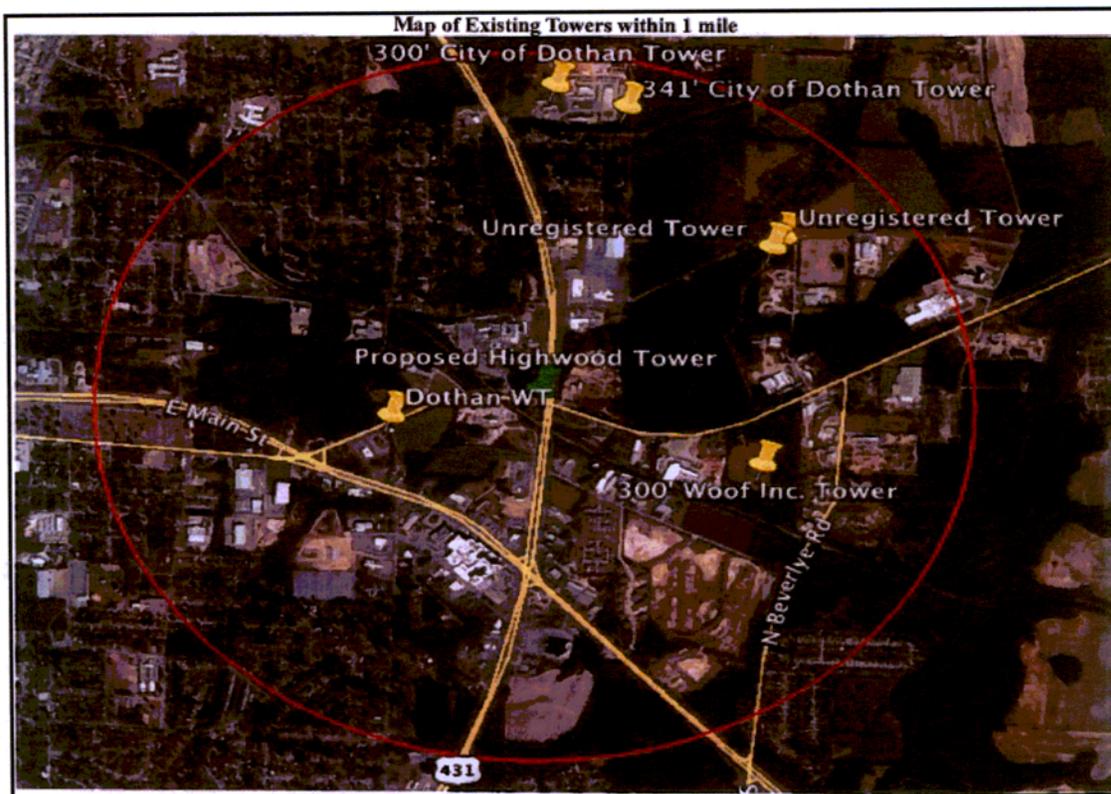
The Planning Staff has modified the review of the application to a “Finding of Facts” addressing the submittal requirements as follows.

- (1) Towers shall be permitted in the following zoning districts, provided development plans are approved by the planning commission: L-I, H-I, B-1, B-2, B-3, A-C and INST. Towers and telecommunication facilities shall be prohibited in all other zoning districts. **The proposed location is in the H-I, Heavy Industry, zoning district.**
- (2) No towers or telecommunication facilities shall be erected or constructed upon any parcel of land in the city unless all required building permits and approvals have been obtained from the permits and inspection office of the city. **This would be pending Planning Commission approval.**

- (3) No tower shall exceed two-hundred (200) feet in height without the approval of the city commission. The proposed tower is 195 feet in height with a 4-foot tall lightning rod on top for an overall height of 199 feet.
- (4) The city may authorize the use of city property for towers subject to the approval of development plans by the planning commission. However, the city shall not be obligated to make city property available for such purposes. N/A
- (5) No tower shall be erected or constructed in the city unless it is capable of supporting another person's operating telecommunications facilities comparable in weight, size and surface area to the applicant's final design. The applicant's final design shall mean the telecommunications facilities installed on the applicant's tower within six months of the completion of tower construction. The tower will support one primary and two co-located antennae.
- (6) An application shall be submitted to the department on a form provided by the department. The application shall be signed by the property owner or accompanied by an affidavit stating that the applicant is authorized to act on the owner's behalf. Not provided as required in Section 114-186 D) (6) and (8) b. Both indicate that written consent of the property owner is to be provided with the application.
- (7) A filing fee of \$100.00 plus \$10.00 per acre, not to exceed \$250.00, is required for development plan review and shall be paid at the time the application. This fee shall be nonrefundable, irrespective of the final disposition of the application. Done.
- (8) Development plans shall be submitted to the planning commission for construction of any tower as stipulated below. Development plans shall include, the following information:
 - a. A letter addressed to the planning commission describing the request, location and zoning of the proposed development. Done.
 - b. The name, address and telephone number of the owner or lessee of the parcel of land on which the tower will be located. If the applicant is not the owner of the parcel of land in which the tower will be located, written consent of the owner shall be provided. Not provided as required in Section 114-186 D) (6) and (8) b. Both indicate that written consent of the property owner is to be provided with the application.
 - c. The legal description, tax parcel number and address of the parcel of land on which the tower is to be located. Provided.
 - d. The names, addresses and telephone numbers of owners of towers or usable antenna support structures within a one-mile radius of the proposed new tower site, including any located on city-owned property. Provided.

- e. A letter from the applicant containing the following:
1. Documentation that the applicant has made a good faith effort within 45 days prior to the submission of the application to install or co-locate the applicant's telecommunication facilities on towers or usable antenna support structures owned by the city or other persons located within a one-mile radius of the proposed site. **Provided.**
 2. A letter from an engineer documenting that the proposed tower or telecommunication facilities cannot be installed or co-located on another person's tower or usable antenna support structure located within a one-mile radius of the proposed tower site and that it must be constructed at the proposed site in order to meet the coverage requirements of the applicant's wireless communication system. **Provided.**
- f. A letter from an engineer documenting that the proposed structure meets all structural standards as provided for in this article. **Not certified by the applicant's engineer.**
- g. A letter from an engineer documenting that the proposed site of the tower or telecommunication facilities does not pose a risk of explosion, fire or other danger due to its proximity to volatile, flammable, explosive or hazardous materials such as LP gas, propane, gasoline, natural gas, corrosive or other dangerous chemicals within the area. **Provided.**
- h. A map showing the design and location of the applicant's existing wireless telecommunication network. Such map shall also show the location of the proposed tower which is the subject of the application. **Provided.**

PROPOSED LOCATION AND EXISTING NETWORK ↓



Coverage Objective: East side of Dothan including Southeast Alabama Medical, Hwy 84, 431 bypass area and surrounding residential areas on east side of Downtown.

- i. A letter or other statement of proof of liability insurance and proof of renewals of such policy as required in this article. **Provided.**
- j. A letter of certification from an engineer documenting co-location capability of the applicant's proposed tower. **Not certified by the applicant's engineer.**
- k. An approval letter from the FAA and FCC if approval is required by federal law. Should the FCC or FAA not require approval, the applicant shall submit an engineer's certification that no such approval is required. **Provided.**
- l. The name and last known mailing address of the owner of record of any property within 1,000 feet of the property on which the tower would be located. **Provided.**
- m. Development plans, eight (8) copies on 24" x 36" paper and in PDF form on a CD shall be submitted, showing the following: **Applicant provided a CD with the plans in PDF form. However, the paper copies were submitted on 11" x 17" paper.**
 - 1. A site plan, drawn to scale, showing property lines, lease lot lines, adjoining rights-of-way, easements, water and sewer lines, electrical lines, utility rights-of-way, utility substations, layout and location of all existing and proposed improvements, antenna support structures, telecommunication facilities, structures, mechanical and electrical equipment, setbacks, parking, security installations, signs, landscaping, fencing, illumination, camouflage, tower height and existing towers within a one-mile radius of the site. **Provided.**
 - 2. Topographic vicinity map. A current USGS quadrangle sheet, 1:24,000 or equivalent, showing the proposed site location and any residentially zoned property within a one-mile radius of the site. **Provided.**
 - 3. Elevation. Elevation drawings of the facility adequate to convey an image of the facility at the proposed location. **Provided.**

E) Notice required.

(1) Publication of legal notice. All development plans require publication of a legal notice. The administrative official shall cause the preparation of the notice for submission to a newspaper of general circulation for publication. Payment of the fee set out in Section 114-176(E)(1) includes the cost of publication but shall not be required of employees or agents of the city submitting proposed amendments in the course of their official duties. **Done**

(2) Posting notice. Public notice signs are required. Such posting shall be accomplished by the applicant as directed by the planning commission. Tabled applications shall be required to post notice before being heard by the planning commission. **Done. Sign posting was verified by Planning Staff.**

(3) Written notice. Written notice shall be mailed to the last known address of the owner of record of any property located within 1,000 feet of the property on which the proposed tower would be located. The applicant shall provide the names and addresses of property owners according to the official tax records of the appropriate County in which the proposal is located. The city shall send notice via first-class mail. The cost of said written notice shall be included in the initial application fee. Tabled applications shall be required to pay for additional direct notice before being heard by the planning commission. **Done.**

F) Setbacks.

The following setback requirements shall be applicable to wireless communication towers:

(1) Towers shall be set back at least thirty-five (35) feet from any property line. This setback requirement shall not be construed as reducing the minimum distance between a tower and any residentially zoned property as provided for elsewhere in this article. **Meets requirement.**

(2) Setback shall be measured by determining the shortest direct distance to the nearest property line. **Verified by Planning Staff.**

(3) No waiver from the setback requirement shall be considered unless the applicant submits an engineer's certification and otherwise demonstrates the necessity or desirability for its being located closer than thirty-five (35) feet to any property line. **N/A**

G) Distance requirement from residential structures.

Regardless of the zoning district in which a tower is located, no tower shall be located within four-hundred (400) feet of any residentially zoned property. **Proposed tower location meets this requirement. (See Site Location Map, Page 2.)**

H) Structural requirements.

(1) All wireless communication towers must be designed and certified by an engineer to be structurally sound and in compliance with the current building codes adopted by the city. **Not certified by the applicant's engineer.**

(2) Towers must be equipped with step bolts and ladders to provide access for inspection purposes. For safety purposes, the owner may remove step bolts and ladders within twelve (12) feet of the ground. **No indication is made these will be provided.**

(3) Guy wires or other tower accessories must not cross or encroach upon any street or any electric power lines. In addition, guy wires shall not encroach upon any property without the written consent of the owner. **No guy wires or other accessories are shown.**

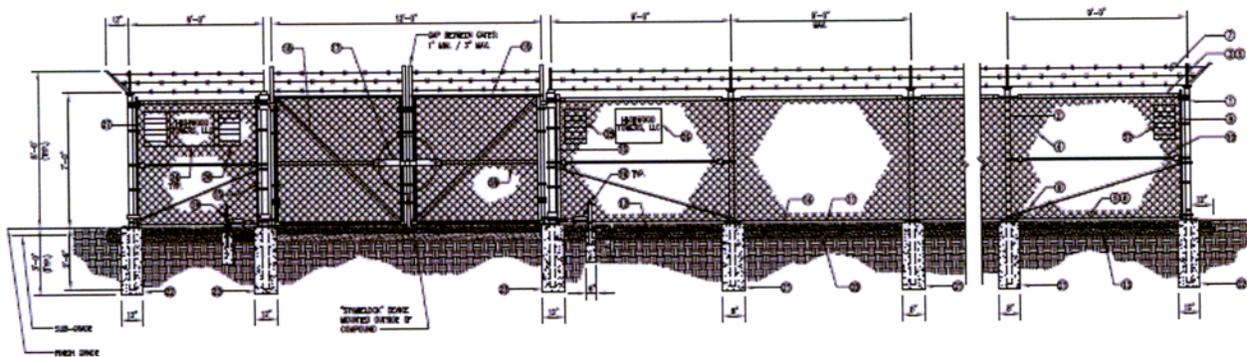
(4) Towers must be designed by an engineer to resist wind loads in accordance with the standard building codes adopted by the city. . **Not certified by the applicant's engineer.**

I) Illumination.

Towers shall not be artificially lighted except as required by the Federal Aviation Administration (FAA). No tower shall be lighted by a strobe light unless such lighting is specifically required by the FAA. **No lighting is shown on the tower elevation.**

J) Fencing.

Any fence constructed around or on any parcel of land for a tower, antenna support structure or telecommunication facilities shall be subject to the approval of the planning commission. **An eight-foot tall chain link fence topped with barbed wire is shown.**



K) Landscaping and screening.

(1) *Generally.* Except as otherwise provided for in this section, all parcels containing towers, antenna support structures or telecommunication facilities shall comply with section 114-187. In addition, special consideration shall be given to the preservation of natural screening. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. Towers sited on large, wooded lots shall preserve substantial natural growth around the property perimeter to form a sufficient screen from surrounding off-site views. **The applicant has indicated that no trees will be removed.**

(2) *Reduced or modified screening methods.*

a. In areas of intensive commercial and industrial development, reduced or modified screening methods may include the use of earth-toned colored, vinyl-coated steel security fencing in combination with evergreen shrubs, trees, vines and/or other plantings necessary to achieve visual protection from surrounding off-site views, as determined by the planning commission.

b. In certain locations where the facility cannot be seen beyond the property lines, such as remote agricultural or rural locations, standard screening

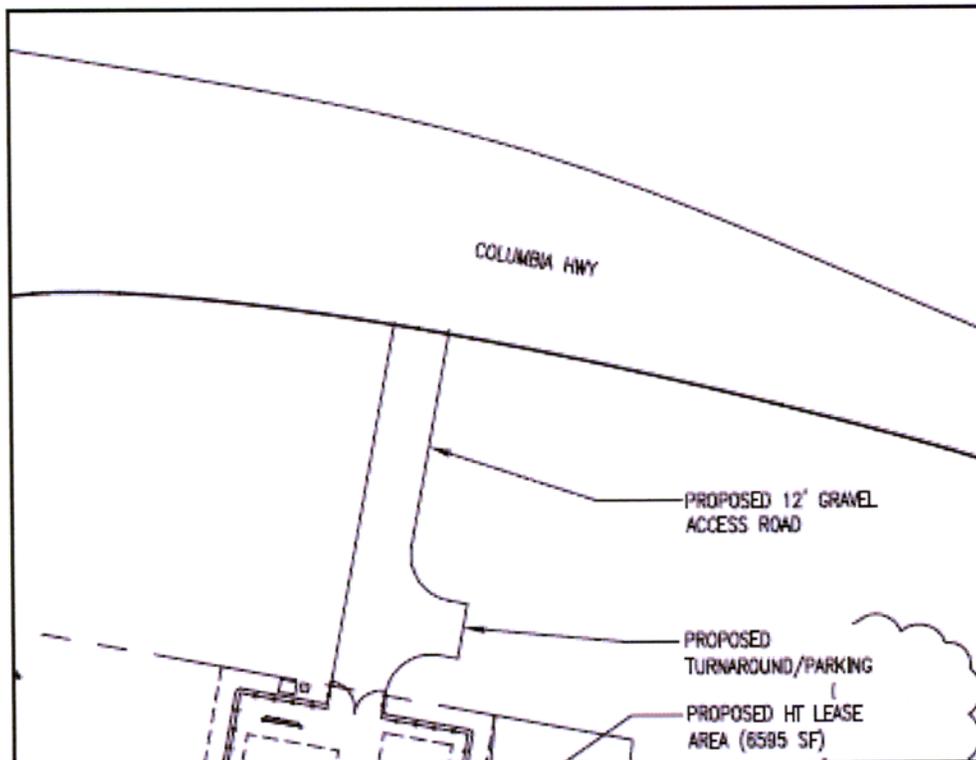
requirements may be waived by the planning commission, provided a natural screen is preserved.

c. Screening requirements may be modified by the planning commission to allow the use of creative concealment methods which will enable the tower to blend with the surrounding environment to achieve visual compatibility. **No request has been made for this.**

d. A screen fence shall be installed before the tower is made operational. Required plantings shall be installed before communications begin unless alternate arrangements have been specifically approved by the planning commission. All required plants shall be xeriscape tolerant. Screening shall be continuously maintained. Any dead, stolen or unhealthy plants shall be replanted at the next available planting opportunity and broken or rotting fencing shall be replaced.

L) Parking.

All parcels upon which towers are located must accommodate at least one vehicle. The driveway or parking surface must be stabilized and dust-free, but need not be paved. **A 12-foot wide gravel driveway is provided to the site. The Traffic Engineer has made comments concerning access to the property.**



M) Maintenance of towers.

(1) Generally. The tower owner shall be responsible for maintaining the structural integrity, safety, appearance, screening, landscaping, fencing, security and other installations required by this article and other applicable codes, ordinances, regulations, statutes or conditions of approval imposed by the planning commission. It shall also be the responsibility of the owner to submit an engineer's inspection report to the city engineer once every two years certifying the installation requirements set forth in this article. If the report recommends repairs or maintenance, then a certification of completion of repairs or maintenance shall be submitted to the city engineer within thirty (30) days of the inspection.

(2) Liability insurance. The owner of the tower shall be responsible for personal injury or property damages that may be caused by the facility due to structural failure, falls or other failures which may cause injuries or damages and shall continuously maintain in full force and effect liability insurance in a reasonable amount to cover liability claims for personal injury or property damage.

N) Signs and addressing requirements.

Tower sites shall comply with E-911 addressing requirements.

O) Telecommunication facilities on antenna support structures.

- (1) Telecommunication facilities shall be permitted on antenna support structures in A-C, B-1, B-2, B-3, O-I, L-I and H-I districts, provided the owner certifies that the following requirements are met:
 - a. The telecommunication facilities shall not extend more than twenty (20) feet above the maximum height of the antenna support structure. **N/A**
 - b. The antenna support structure and telecommunication facilities comply with the current building code adopted by the city. **Not certified by the applicant's engineer.**
 - c. Any telecommunication facilities and their appurtenances located upon the roof of an antenna support structure are set back at least one foot from the edge of the roof of the antenna support structure. **N/A**
- (2) Telecommunication facilities extending more than twenty (20) feet above the maximum height of the antenna support structure shall be permitted only upon the approval by the planning commission. **N/A**
- (3) The city may authorize the use of city owned structures as antenna support structures. However, the city shall be under no obligation to make any city-owned structure available for such use. **N/A**

Land Use Impact on Vicinity: Existing land uses in the general vicinity are commercial and industrial. This proposed tower will back up to the CSX railroad right-of-way.

Land Use Compatibility/Land Use Plan: The proposed land use of subject site and surrounding properties complies with the Adopted Land Use Plan and Future Land Use Map.



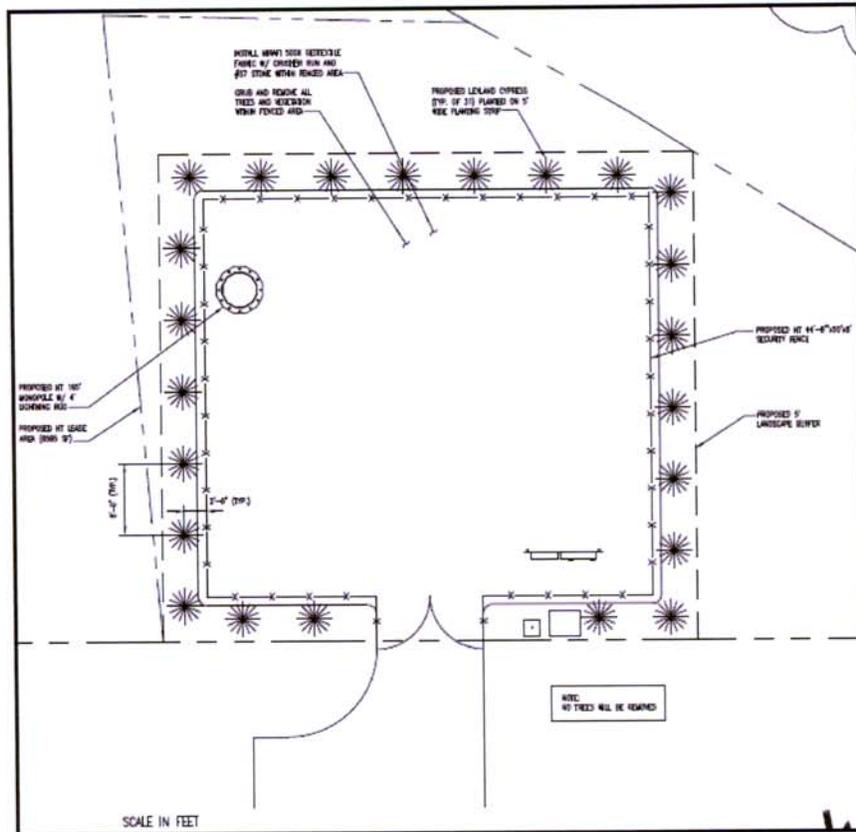
FUTURE LAND USE MAP

Impact on the Environment: The proposed development is required to follow standard development and erosion control precautions to protect adjacent properties during development (see engineering comments).

Landscaping – Dan Williams, Landscape Manager: Landscaping is sufficient as proposed. However, planning staff notes that Leland cypress trees are proposed to be planted around the site in a 5-foot wide landscape area. Section 114-238 of the Landscaping Ordinance indicates the following concerning landscaping adjacent to the public right-of-way:

G) Required landscaped areas. All developments shall include a perimeter landscaped area of at least *ten (10) feet in depth* adjacent to any public right-of-way unless a shallower depth is approved by the Planning Commission in its approval of the landscaping plan and subject to the following provisions: (1) At a minimum, *four (4) trees and eight (8) shrubs for each one hundred (100) feet of linear foot frontage along the right-of-way* shall be preserved or planted. The remaining area within the perimeter strip shall be landscaped with grass, ground cover, or other landscape treatment.

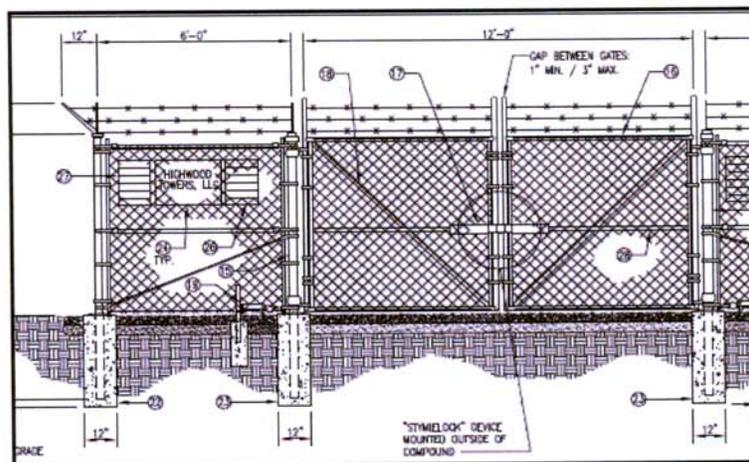
Eight shrubs should be planted to fulfill this section of the Zoning Ordinance, while a tree could be relocated or removed from the frontage since there are five shown.



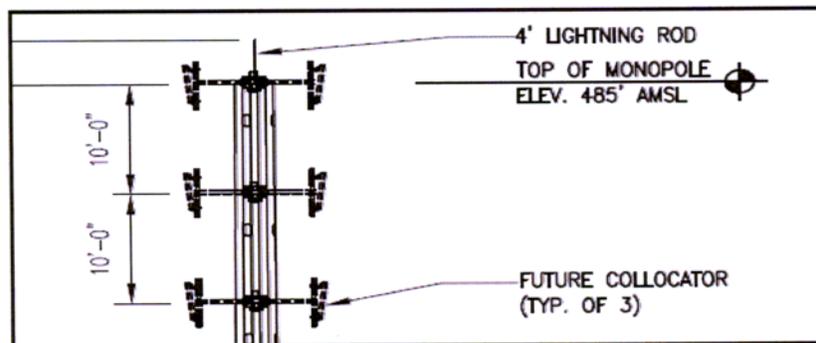
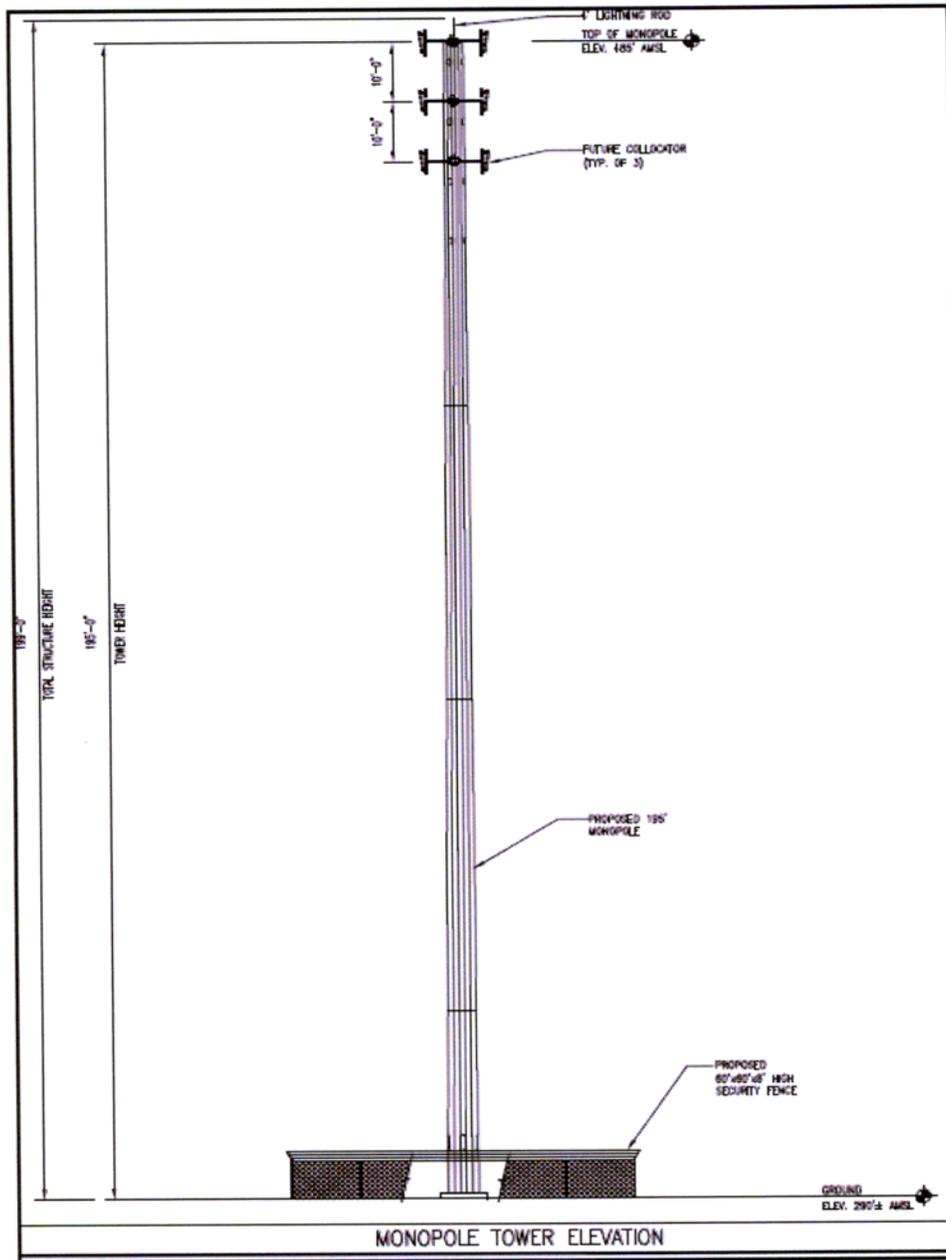
Parking: Parking area is located at the tower site beyond the Columbia Highway right-of-way.

Buffers: None required.

Signage: Shown on fencing.



Tower Description: 195-foot tall Monopole with a 4-foot lightening rod extension.



Impact on Travel – Robert A. Cox, PE, Traffic Engineer, Comments:

For any construction work on Columbia Highway's right-of-way, ALDOT will require a permit. ALDOT should require a paved driveway apron between Columbia Highway's edge of pavement and the development's property line.

Impact on Public Services and Facilities:

Engineering Comments – Mike Griggs, Engineer Assistant:

We will require storm drainage calculations as submittals to support a storm drainage plan for review and approval when applying for a building permit. The post-development peak discharge rate shall be limited to the pre-development peak discharge rate for the 2-, 10-, and 25 year storm events unless site conditions dictate differently.

An Erosion Control Plan and Best Management Practices Plan in accordance with the Stormwater Ordinance will be required for review and approval when applying for a building permit.

Utilities Comments: No comments received.

Fire Marshal's Comments: No comments received.

Staff Recommendation: Staff recommends that Case No. DP-14-0764, request for development plan approval for a telecommunications tower, at 2050 Columbia Highway in a H-I, Heavy Industry, zoning district, as shown on the map stamped "Received November 25, 2014," having been duly considered in a public hearing held on January 21, 2015 following advertised legal notice and notice posted on the property, **be approved with the following conditions:**

1. That an affidavit from the property owner, with their name, address and telephone number, stating that the applicant is authorized to act on the owner's behalf, be provided to the Planning Department before any construction permit is issued by the Building Official;
2. A final site plan depicting all changes required by all City Departments must be submitted to the Planning Department **before** application is made and a building permit is issued by the Building Official's Office;
3. Note on the face of any resubmittal the following case number: "DP-14-0764";
4. Any work done on the Columbia Highway (a.k.a. Ala. Hwy. 52E) right-of-way be approved by the Alabama Department of Transportation and be available for use by neighboring developments;
5. A letter from an engineer documenting that the proposed structure meets all structural standards as provided for in this article;
6. A letter of certification from an engineer documenting co-location capability of the applicant's proposed tower, and;
7. The Development Plan approval will lapse and re-approval by the Planning Commission will be necessary if a building permit is not obtained within one year, which will be January 31, 2016.



PLANNING COMMISSION
STAFF REPORT – JANUARY 15, 2015
MEETING DATE – JANUARY 21, 2015
CASE NUMBER: DP-14-0808
Case Manager: Dawn Wrinn, CAPZO

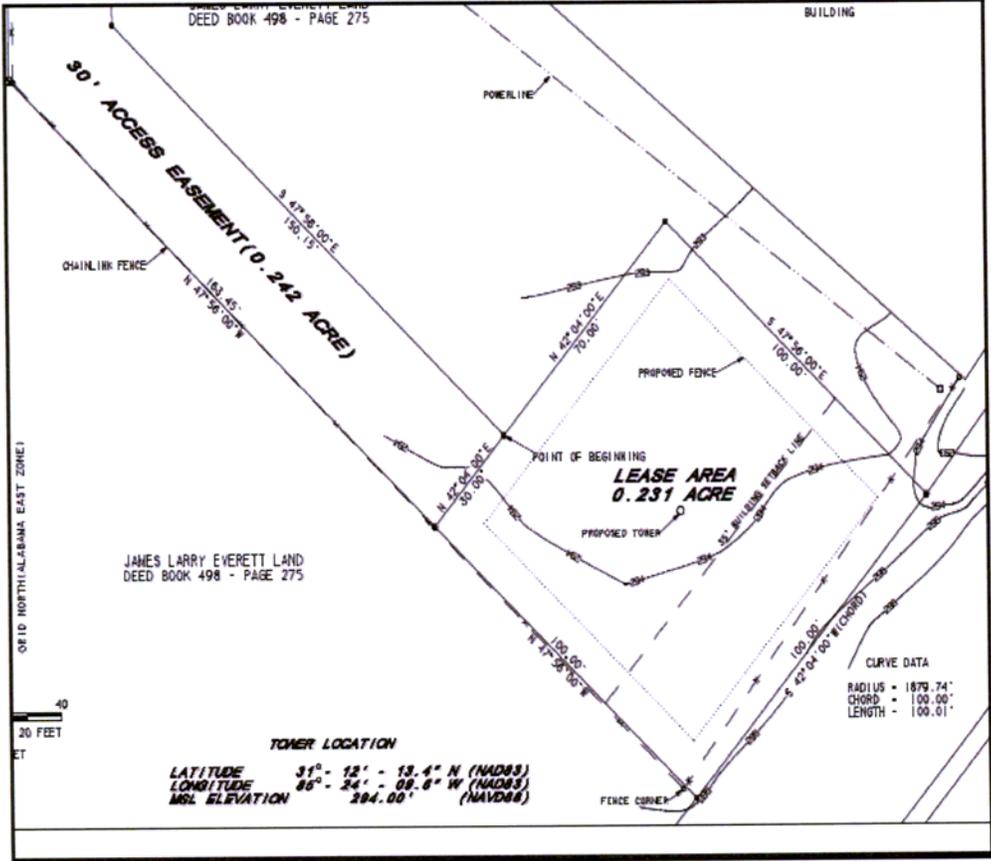
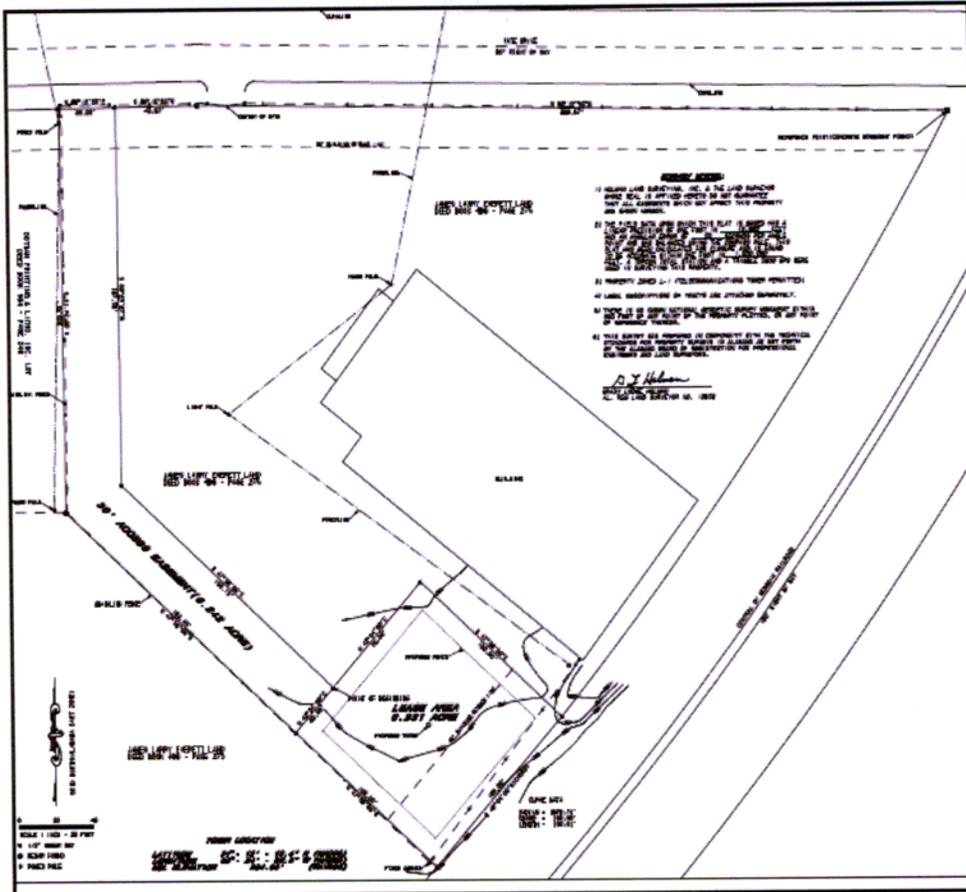
Summary of Information:

Project Name:	Telecommunications Tower
Property Address:	935 Tate Drive
Requested Action:	Development Plans
Applicant:	Barinowski Investment Co., LLC
Property Owner:	Larry Everett

Zoning/Land Use:

ACREAGE OF SITE	6
SIZE OF PROJECT SITE	10,000 SQ. FT.
NUMBER OF EXISTING LOTS	1
NUMBER OF PROPOSED LOTS	1 LEASED, 100' X 100' SITE
EXISTING LAND USE - SUBJECT	INDUSTRIAL-WAREHOUSE
EXISTING LAND USE - NORTH	ATHLETIC FIELD
EXISTING LAND USE - SOUTH	INDUSTRIAL-WAREHOUSE
EXISTING LAND USE - EAST	INDUSTRIAL-WAREHOUSE
EXISTING LAND USE - WEST	INDUSTRIAL-WAREHOUSE
ZONING DISTRICT - SUBJECT	L-I
ZONING DISTRICT - NORTH	O-I
ZONING DISTRICT - SOUTH	L-I
ZONING DISTRICT - EAST	L-I
ZONING DISTRICT - WEST	L-I
FUTURE LAND USE MAP - SUBJECT	LIGHT INDUSTRY
FUTURE LAND USE MAP - NORTH	LIGHT INDUSTRY
FUTURE LAND USE MAP - SOUTH	LIGHT INDUSTRY
FUTURE LAND USE MAP - EAST	LIGHT INDUSTRY
FUTURE LAND USE MAP - WEST	LIGHT INDUSTRY
SETBACK-FRONT	35 FT. - CELL TOWER
SETBACK-REAR	35 FT. - CELL TOWER
SETBACK-SIDE	35 FT. - CELL TOWER
TOWER HEIGHT LIMIT	200 FT. - CELL TOWER
SIGN HEIGHT LIMIT	N/A
BUFFERS	N/A
PARKING - #REQUIRED	1 – MAINTENANCE CREW

General Discussion: The applicant, Barinowski Investment Co., LLC, is requesting approval of development and tree removal plans for a telecommunications tower facility at 935 Tate Drive in an L-I District, Light Industry, zoning district. The property is located south of Tate Drive. The proposed telecommunications tower will be placed in a 10,000 square-foot lot immediately



SITE PLAN

The Planning Staff has modified the review of the application to a "Finding of Facts" addressing the submittal requirements as follows.

- (1) Towers shall be permitted in the following zoning districts, provided development plans are approved by the planning commission: L-I, H-I, B-1, B-2, B-3, A-C and INST. Towers and telecommunication facilities shall be prohibited in all other zoning districts. **The proposed location is in the L-I, Light Industry, zoning district.**
- (2) No towers or telecommunication facilities shall be erected or constructed upon any parcel of land in the city unless all required building permits and approvals have been obtained from the permits and inspection office of the city. **This would be pending Planning Commission approval.**
- (3) No tower shall exceed two-hundred (200) feet in height without the approval of the city commission. **The proposed tower is 195 feet in height with a 4-foot tall lightning rod on top for an overall height of 199 feet.**
- (4) The city may authorize the use of city property for towers subject to the approval of development plans by the planning commission. However, the city shall not be obligated to make city property available for such purposes. **N/A**
- (5) No tower shall be erected or constructed in the city unless it is capable of supporting another person's operating telecommunications facilities comparable in weight, size and surface area to the applicant's final design. The applicant's final design shall mean the telecommunications facilities installed on the applicant's tower within six months of the completion of tower construction. **The tower will support one primary and three co-located antennae.**
- (6) An application shall be submitted to the department on a form provided by the department. The application shall be signed by the property owner or accompanied by an affidavit stating that the applicant is authorized to act on the owner's behalf. **Written consent of the property owner has been provided as required in Section 114-186 D) (6) and (8) b. Both indicate that is to be provided with the application.**
- (7) A filing fee of \$100.00 plus \$10.00 per acre, not to exceed \$250.00, is required for development plan review and shall be paid at the time the application. This fee shall be nonrefundable, irrespective of the final disposition of the application. **Done.**
- (8) Development plans shall be submitted to the planning commission for construction of any tower as stipulated below. Development plans shall include, the following information:
 - a. A letter addressed to the planning commission describing the request, location and zoning of the proposed development. **Done.**
 - b. The name, address and telephone number of the owner or lessee of the parcel of land on which the tower will be located. If the applicant is not the owner of the parcel of land in which the tower will be located,

written consent of the owner shall be provided. **Written consent of the property owner has been provided as required in Section 114-186 D) (6) and (8) b. Both indicate that is to be provided with the application.**

- c. The legal description, tax parcel number and address of the parcel of land on which the tower is to be located. **Provided.**
- d. The names, addresses and telephone numbers of owners of towers or usable antenna support structures within a one-mile radius of the proposed new tower site, including any located on city-owned property. **Provided.**
- e. A letter from the applicant containing the following:
 - 1. Documentation that the applicant has made a good faith effort within 45 days prior to the submission of the application to install or co-locate the applicant's telecommunication facilities on towers or usable antenna support structures owned by the city or other persons located within a one-mile radius of the proposed site. **Not Provided.**
 - 2. A letter from an engineer documenting that the proposed tower or telecommunication facilities cannot be installed or co-located on another person's tower or usable antenna support structure located within a one-mile radius of the proposed tower site and that it must be constructed at the proposed site in order to meet the coverage requirements of the applicant's wireless communication system. **Not Provided.**
- f. A letter from an engineer documenting that the proposed structure meets all structural standards as provided for in this article. **Not Provided.**
- g. A letter from an engineer documenting that the proposed site of the tower or telecommunication facilities does not pose a risk of explosion, fire or other danger due to its proximity to volatile, flammable, explosive or hazardous materials such as LP gas, propane, gasoline, natural gas, corrosive or other dangerous chemicals within the area. **Not Provided.**
- h. A map showing the design and location of the applicant's existing wireless telecommunication network. Such map shall also show the location of the proposed tower which is the subject of the application. **Provided.**



EXISTING NETWORK ↑

↓ PROPOSED LOCATION



- i. A letter or other statement of proof of liability insurance and proof of renewals of such policy as required in this article. **Not Provided.**
- j. A letter of certification from an engineer documenting co-location capability of the applicant's proposed tower. **Provided.**
- k. An approval letter from the FAA and FCC if approval is required by federal law. Should the FCC or FAA not require approval, the applicant shall submit an engineer's certification that no such approval is required. **Not Provided.**
- l. The name and last known mailing address of the owner of record of any property within 1,000 feet of the property on which the tower would be located. **Provided.**
 - 1. Development plans, eight (8) copies on 24" x 36" paper and in PDF form on a CD shall be submitted, showing the following: **Provided.**
 - 2. A site plan, drawn to scale, showing property lines, lease lot lines, adjoining rights-of-way, easements, water and sewer lines, electrical lines, utility rights-of-way, utility substations, layout and location of all existing and proposed improvements, antenna support structures, telecommunication facilities, structures, mechanical and electrical equipment, setbacks, parking, security installations, signs, landscaping, fencing, illumination, camouflage, tower height and existing towers within a one-mile radius of the site. **All requirements were Not Provided.**
 - 3. Topographic vicinity map. A current USGS quadrangle sheet, 1:24,000 or equivalent, showing the proposed site location and any residentially zoned property within a one-mile radius of the site. **Provided.**
 - 4. Elevation. Elevation drawings of the facility adequate to convey an image of the facility at the proposed location. **Not Provided.**

A) Notice required.

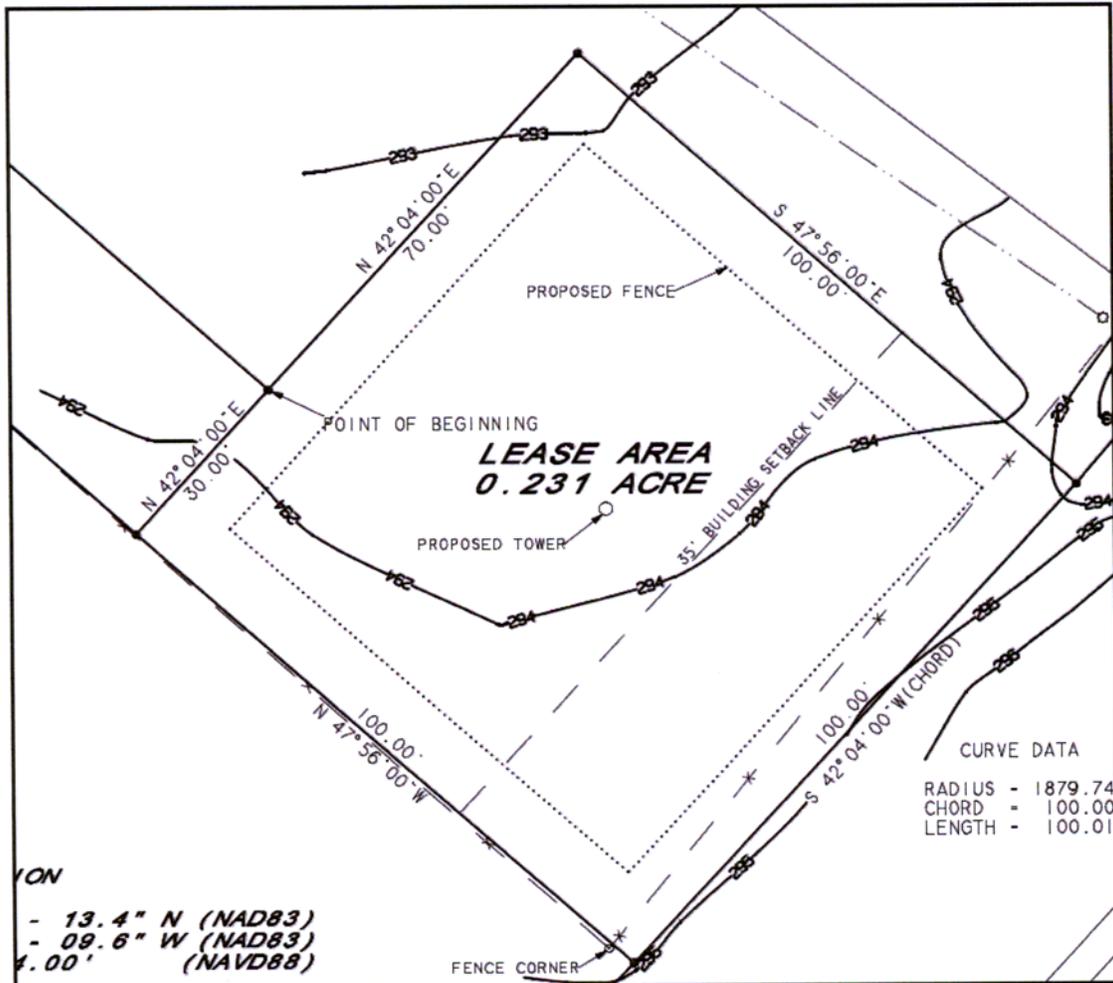
- (1) **Publication of legal notice.** All development plans require publication of a legal notice. The administrative official shall cause the preparation of the notice for submission to a newspaper of general circulation for publication. Payment of the fee set out in Section 114-176(E) (1) includes the cost of publication but shall not be required of employees or agents of the city submitting proposed amendments in the course of their official duties. **Done**
- (2) **Posting notice.** Public notice signs are required. Such posting shall be accomplished by the applicant as directed by the planning commission. Tabled applications shall be required to post notice before being heard by the planning commission. **Done.**

- (3) **Written notice.** Written notice shall be mailed to the last known address of the owner of record of any property located within 1,000 feet of the property on which the proposed tower would be located. The applicant shall provide the names and addresses of property owners according to the official tax records of the appropriate County in which the proposal is located. The city shall send notice via first-class mail. The cost of said written notice shall be included in the initial application fee. Tabled applications shall be required to pay for additional direct notice before being heard by the planning commission. **Done.**

B) Setbacks.

The following setback requirements shall be applicable to wireless communication towers:

- (1) Towers shall be set back at least thirty-five (35) feet from any property line. This setback requirement shall not be construed as reducing the minimum distance between a tower and any residentially zoned property as provided for elsewhere in this article. **The Planning Staff verified the site plan, which shows 35 feet taken from the center of the proposed tower to the proposed lot lines in the leased area.**



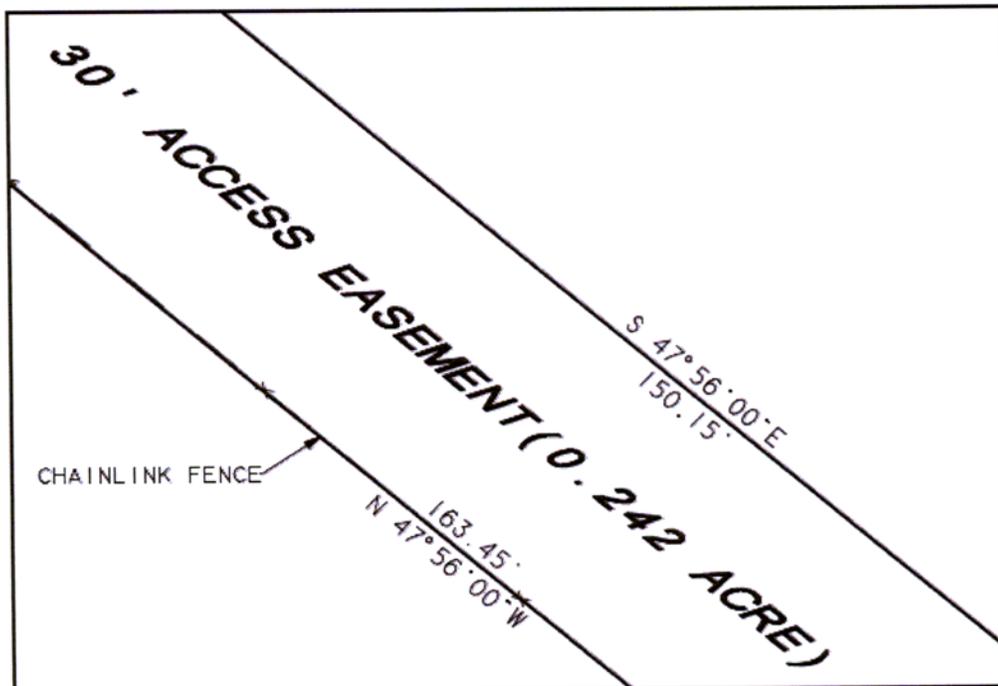
- (2) Setback shall be measured by determining the shortest direct distance to the nearest property line. **Verified by Planning Staff.**

- (3) No waiver from the setback requirement shall be considered unless the applicant submits an engineer's certification and otherwise demonstrates the necessity or desirability for its being located closer than thirty-five (35) feet to any property line. **N/A**
- C) **Distance requirement from residential structures.**
Regardless of the zoning district in which a tower is located, no tower shall be located within four-hundred (400) feet of any residentially zoned property. **Proposed tower location meets this requirement.**
- D) **Structural requirements.**
- (1) All wireless communication towers must be designed and certified by an engineer to be structurally sound and in compliance with the current building codes adopted by the city. **Not certified by the applicant's engineer.**
- (2) Towers must be equipped with step bolts and ladders to provide access for inspection purposes. For safety purposes, the owner may remove step bolts and ladders within twelve (12) feet of the ground. **Certified to be provided by applicant's engineer.**
- (3) Guy wires or other tower accessories must not cross or encroach upon any street or any electric power lines. In addition, guy wires shall not encroach upon any property without the written consent of the owner. **Not provided for review.**
- (4) Towers must be designed by an engineer to resist wind loads in accordance with the standard building codes adopted by the city. **Certified by the applicant's engineer.**
- E) **Illumination.**
Towers shall not be artificially lighted except as required by the Federal Aviation Administration (FAA). No tower shall be lighted by a strobe light unless such lighting is specifically required by the FAA. **No tower elevation was provided.**
- F) **Fencing.**
- (5) Any fence constructed around or on any parcel of land for a tower, antenna support structure or telecommunication facilities shall be subject to the approval of the planning commission. **No Fence Elevation was provided for review.**
- G) **Landscaping and screening.** **This item was not provided for review.**
- (1) *Generally.* Except as otherwise provided for in this section, all parcels containing towers, antenna support structures or telecommunication facilities shall comply with section 114-187. In addition, special consideration shall be given to the preservation of natural screening. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. Towers sited on large, wooded lots shall preserve substantial natural growth around the property perimeter to form a sufficient screen from surrounding off-site views.
- (2) *Reduced or modified screening methods.*

- a. In areas of intensive commercial and industrial development, reduced or modified screening methods may include the use of earth-toned colored, vinyl-coated steel security fencing in combination with evergreen shrubs, trees, vines and/or other plantings necessary to achieve visual protection from surrounding off-site views, as determined by the planning commission.
- b. In certain locations where the facility cannot be seen beyond the property lines, such as remote agricultural or rural locations, standard screening requirements may be waived by the planning commission, provided a natural screen is preserved.
- c. Screening requirements may be modified by the planning commission to allow the use of creative concealment methods which will enable the tower to blend with the surrounding environment to achieve visual compatibility.
- d. A screen fence shall be installed before the tower is made operational. Required plantings shall be installed before communications begin unless alternate arrangements have been specifically approved by the planning commission. All required plants shall be xeriscape tolerant. Screening shall be continuously maintained. Any dead, stolen or unhealthy plants shall be replanted at the next available planting opportunity and broken or rotting fencing shall be replaced.

H) **Parking.**

All parcels upon which towers are located must accommodate at least one vehicle. The driveway or parking surface must be stabilized and dust-free, but need not be paved. **A 30-foot wide access easement is provided to the site.**



I) **Signs and addressing requirements.**

Tower sites shall comply with E-911 addressing requirements.

J) **Telecommunication facilities on antenna support structures.**

(1) Telecommunication facilities shall be permitted on antenna support structures in A-C, B-1, B-2, B-3, O-I, L-I and H-I districts, provided the owner certifies that the following requirements are met:

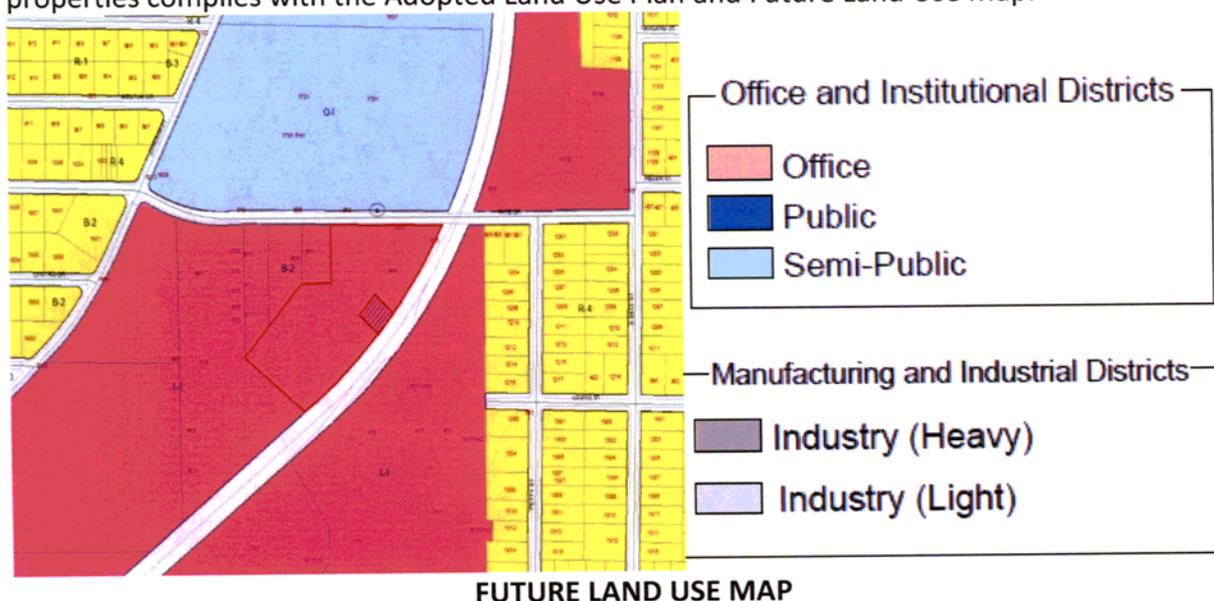
- a. The telecommunication facilities shall not extend more than twenty (20) feet above the maximum height of the antenna support structure. **N/A**
- b. The antenna support structure and telecommunication facilities comply with the current building code adopted by the city. **Not certified by the applicant's engineer.**
- c. Any telecommunication facilities and their appurtenances located upon the roof of an antenna support structure are set back at least one foot from the edge of the roof of the antenna support structure. **N/A**

(2) Telecommunication facilities extending more than twenty (20) feet above the maximum height of the antenna support structure shall be permitted only upon the approval by the planning commission. **N/A**

(3) The city may authorize the use of city owned structures as antenna support structures. However, the city shall be under no obligation to make any city-owned structure available for such use. **N/A**

Land Use Impact on Vicinity: Existing land uses in the general vicinity are light industrial and recreational (athletic field). This proposed tower will back up to the Norfolk Southern railroad right-of-way.

Land Use Compatibility/Land Use Plan: The proposed land use of subject site and surrounding properties complies with the Adopted Land Use Plan and Future Land Use Map.



Impact on the Environment: The proposed development is required to follow standard development and erosion control precautions to protect adjacent properties during development (see engineering comments).

Landscaping: No comments received.

Parking: Parking area is located at the tower site beyond the Tate Drive right-of-way.

Buffers: None required.

Signage: None shown.

Tower Description: Tower elevation was not received. Applicant's engineer indicates that the tower will be a 195-foot tall Monopole with a 4-foot lightening rod extension.

Impact on Travel – Robert A. Cox, PE, Traffic Engineering Comments:

For vehicle access on to Tate Drive, a paved driveway apron with 15' radii shall be placed between Tate Drive's edge of pavement and the development's property line.

Impact on Public Services and Facilities:

Engineering Comments – Mike Griggs, Engineer Assistant:

We will require storm drainage calculations as submittals to support a storm drainage plan for review and approval when applying for a building permit. The post-development peak discharge rate shall be limited to the pre-development peak discharge rate for the 2-, 10-, and 25 year storm events unless site conditions dictate differently.

An Erosion Control Plan and Best Management Practices Plan in accordance with the Stormwater Ordinance will be required for review and approval when applying for a building permit.

Utilities Comments: No comments received.

Fire Marshal's Comments: No comments received.

Staff Recommendation: Staff recommends that Case No. DP-14-0808, request for development plan approval for a telecommunications tower, at 935 Tate Drive in an L-I, Light Industry zoning district, as shown on the map stamped "Received December 22, 2014," having been duly considered in a public hearing held on January 21, 2015 following advertised legal notice and notice posted on the property, **be continued** by the Planning Commission due to the extent of required information missing from the application.



PLANNING COMMISSION
STAFF REPORT – JANUARY 15, 2015
MEETING DATE – JANUARY 21, 2015
CASE NUMBER: DP-14-0818
Case Manager: Dawn Wrinn, CAPZO

Summary of Information:

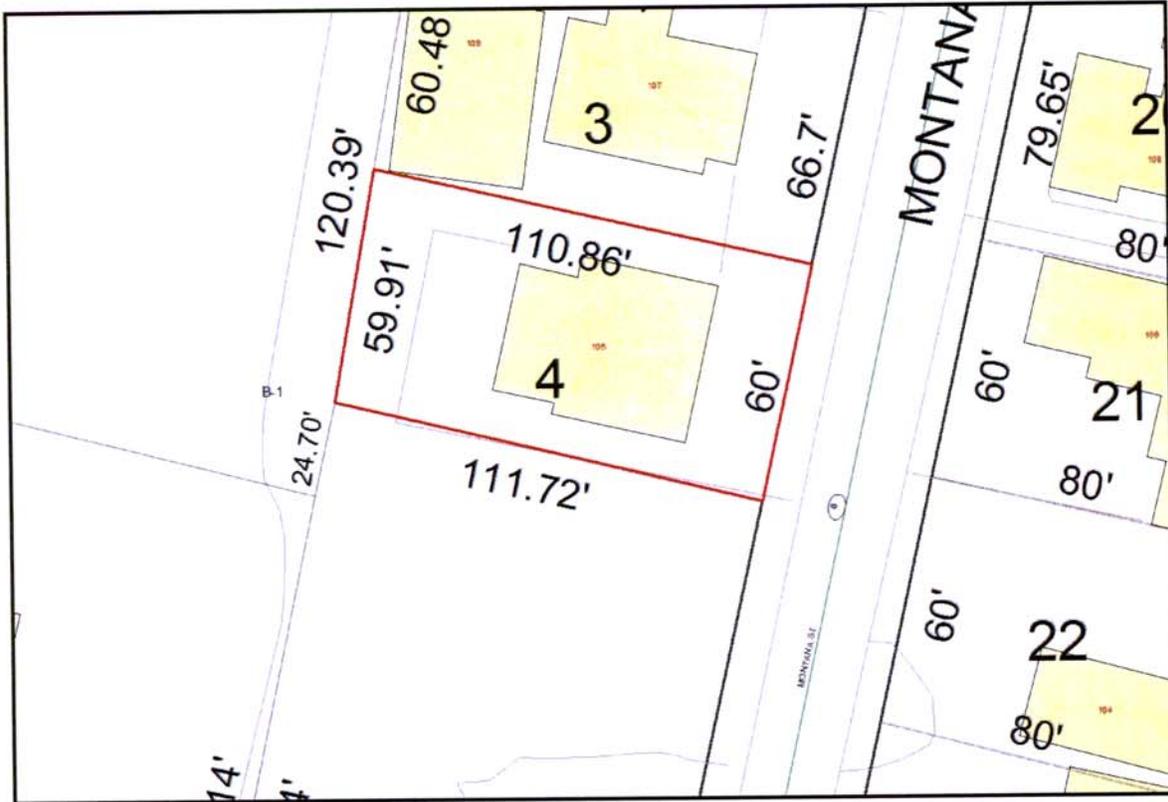
Project Name:	Verizon Wireless
Property Address:	105 Montana Street
Requested Action:	Development Plans
Applicant:	Verizon Wireless of the East, LP
Property Owners:	Howard L. & Connie Armistead

Zoning/Land Use:

ACREAGE OF SITE	0.15
NUMBER OF EXISTING LOTS	1
NUMBER OF PROPOSED LOTS	N/A
EXISTING LAND USE - SUBJECT	RESTAURANT
EXISTING LAND USE - NORTH	RETAIL/OFFICE
EXISTING LAND USE - SOUTH	CONVENIENCE STORE W/GAS
EXISTING LAND USE - EAST	CAR WASH
EXISTING LAND USE - WEST	PORTER SQUARE MALL
ZONING DISTRICT - SUBJECT	B-1
ZONING DISTRICT - NORTH	B-1
ZONING DISTRICT - SOUTH	B-1
ZONING DISTRICT - EAST	B-1
ZONING DISTRICT - WEST	B-1
FUTURE LAND USE MAP - SUBJECT	COMMERCIAL
FUTURE LAND USE MAP - NORTH	COMMERCIAL
FUTURE LAND USE MAP - SOUTH	COMMERCIAL
FUTURE LAND USE MAP - EAST	COMMERCIAL
FUTURE LAND USE MAP - WEST	COMMERCIAL
SETBACK-FRONT	35 FT. FOR CELL TOWER
SETBACK-REAR	35 FT. FOR CELL TOWER
SETBACK-SIDE	35 FT. FOR CELL TOWER
BUILDING HEIGHT LIMIT	200 FT. FOR CELL TOWER
SIGN HEIGHT LIMIT	N/A
BUFFERS	NONE REQUIRED

General Discussion: The applicant, Verizon Wireless represented by Andy Rotenstreich, is requesting approval of a Development Plans for a Telecommunications Tower Facility located at 105 Montana Street, which is in a B-1 District, Central Business, zoning district. The property is located north of West Main Street. The 0.15-acre property is proposed to have a 199 ft. tall

telecommunications tower, with one parking space for a maintenance worker. The existing restaurant building will be removed.



SITE LOCATION AND ZONING MAP



AERIAL VIEW OF PROPERTY

The Planning Staff has modified the review of the application to a "Finding of Facts" addressing the submittal requirements as follows.

- (1) Towers shall be permitted in the following zoning districts, provided development plans are approved by the planning commission: L-I, H-I, B-1, B-2, B-3, A-C and INST. Towers and telecommunication facilities shall be prohibited in all other zoning districts. **The proposed location is in the B-1, Central Business, zoning district.**
- (2) No towers or telecommunication facilities shall be erected or constructed upon any parcel of land in the city unless all required building permits and approvals have been obtained from the permits and inspection office of the city. **This would be pending Planning Commission approval.**
- (3) No tower shall exceed two-hundred (200) feet in height without the approval of the city commission. **The proposed tower is 190 feet in height with a 9-foot tall lightning rod on top for an overall height of 199 feet.**
- (4) The city may authorize the use of city property for towers subject to the approval of development plans by the planning commission. However, the city shall not be obligated to make city property available for such purposes. **N/A**
- (5) No tower shall be erected or constructed in the city unless it is capable of supporting another person's operating telecommunications facilities comparable in weight, size and surface area to the applicant's final design. The applicant's final design shall mean the telecommunications facilities installed on the applicant's tower within six months of the completion of tower construction. **The applicant's engineer indicates that the tower will support one primary and three co-located antennae.**
- (6) An application shall be submitted to the department on a form provided by the department. The application shall be signed by the property owner or accompanied by an affidavit stating that the applicant is authorized to act on the owner's behalf. **Provided.**
- (7) A filing fee of \$100.00 plus \$10.00 per acre, not to exceed \$250.00, is required for development plan review and shall be paid at the time the application. This fee shall be nonrefundable, irrespective of the final disposition of the application. **Done.**
- (8) Development plans shall be submitted to the planning commission for construction of any tower as stipulated below. Development plans shall include, the following information:
 - a. A letter addressed to the planning commission describing the request, location and zoning of the proposed development. **Done.**
 - b. The name, address and telephone number of the owner or lessee of the parcel of land on which the tower will be located. If the applicant is not the owner of the parcel of land in which the tower will be located, written consent of the owner shall be provided. **Provided.**

- c. The legal description, tax parcel number and address of the parcel of land on which the tower is to be located. **Provided.**
- d. The names, addresses and telephone numbers of owners of towers or usable antenna support structures within a one-mile radius of the proposed new tower site, including any located on city-owned property. **Provided for the subject site of the application.**
- e. A letter from the applicant containing the following:
 - 1. Documentation that the applicant has made a good faith effort within 45 days prior to the submission of the application to install or co-locate the applicant's telecommunication facilities on towers or usable antenna support structures owned by the city or other persons located within a one-mile radius of the proposed site. **Provided.**
 - 2. A letter from an engineer documenting that the proposed tower or telecommunication facilities cannot be installed or co-located on another person's tower or usable antenna support structure located within a one-mile radius of the proposed tower site and that it must be constructed at the proposed site in order to meet the coverage requirements of the applicant's wireless communication system. **Provided**
- f. A letter from an engineer documenting that the proposed structure meets all structural standards as provided for in this article. **Provided.**
- g. A letter from an engineer documenting that the proposed site of the tower or telecommunication facilities does not pose a risk of explosion, fire or other danger due to its proximity to volatile, flammable, explosive or hazardous materials such as LP gas, propane, gasoline, natural gas, corrosive or other dangerous chemicals within the area. **No letter from a Professional Engineer is included addressing these dangers.**
- h. A map showing the design and location of the applicant's existing wireless telecommunication network. Such map shall also show the location of the proposed tower which is the subject of the application. **Provided.**

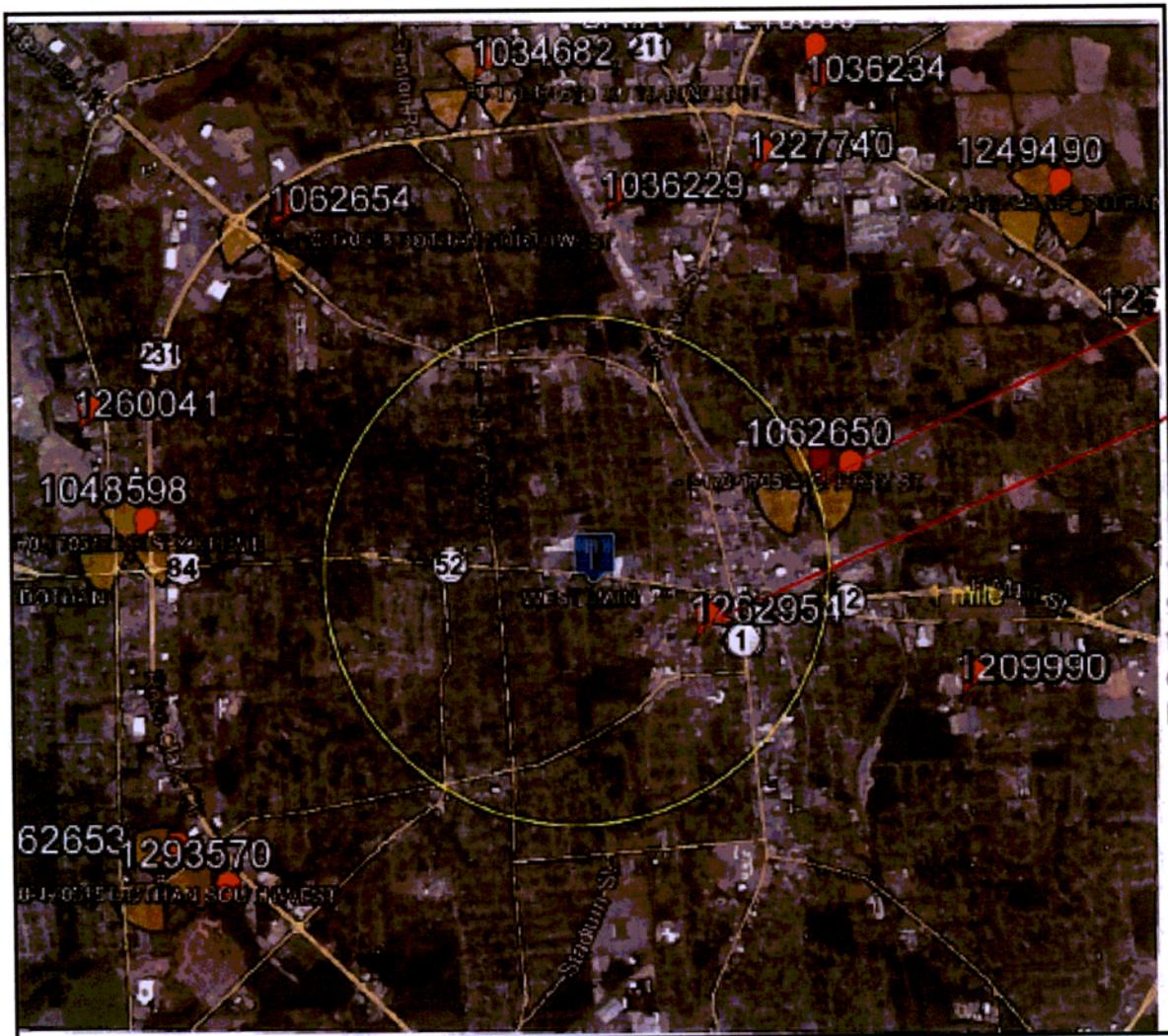
PROPOSED LOCATION ↓

Existing Tower

Existing VZW Site

ASR 1262954 is a 140' tower .7 miles from the Cherry Street site. Tower location would allow offload of Cherry street gamma sector but is too far out of the beam to effectively offload "Krispy Kreme" beta sector "Cherry Street " is existing VZW site

There are two existing towers within a 1 mile radius of the proposed site.



- i. A letter or other statement of proof of liability insurance and proof of renewals of such policy as required in this article. **Provided.**
- j. A letter of certification from an engineer documenting co-location capability of the applicant's proposed tower. **Provided.**
- k. An approval letter from the FAA and FCC if approval is required by federal law. Should the FCC or FAA not require approval, the applicant shall submit an engineer's certification that no such approval is required. **Provided.**
- l. The name and last known mailing address of the owner of record of any property within 1,000 feet of the property on which the tower would be located. **Provided.**
 - 1. Development plans, eight (8) copies on 24" x 36" paper and in PDF form on a CD shall be submitted, showing the following: **Provided a CD with the plans in PDF form.**
 - 2. A site plan, drawn to scale, showing property lines, lease lot lines, adjoining rights-of-way, easements, water and sewer lines, electrical lines, utility rights-of-way, utility substations, layout and location of all existing and proposed improvements, antenna support structures, telecommunication facilities, structures, mechanical and electrical equipment, setbacks, parking, security installations, signs, landscaping, fencing, illumination, camouflage, tower height and existing towers within a one-mile radius of the site. **Provided.**
 - 3. Topographic vicinity map. A current USGS quadrangle sheet, 1:24,000 or equivalent, showing the proposed site location and any residentially zoned property within a one-mile radius of the site. **Provided.**
 - 4. Elevation. Elevation drawings of the facility adequate to convey an image of the facility at the proposed location. **Provided.**

E) Notice required.

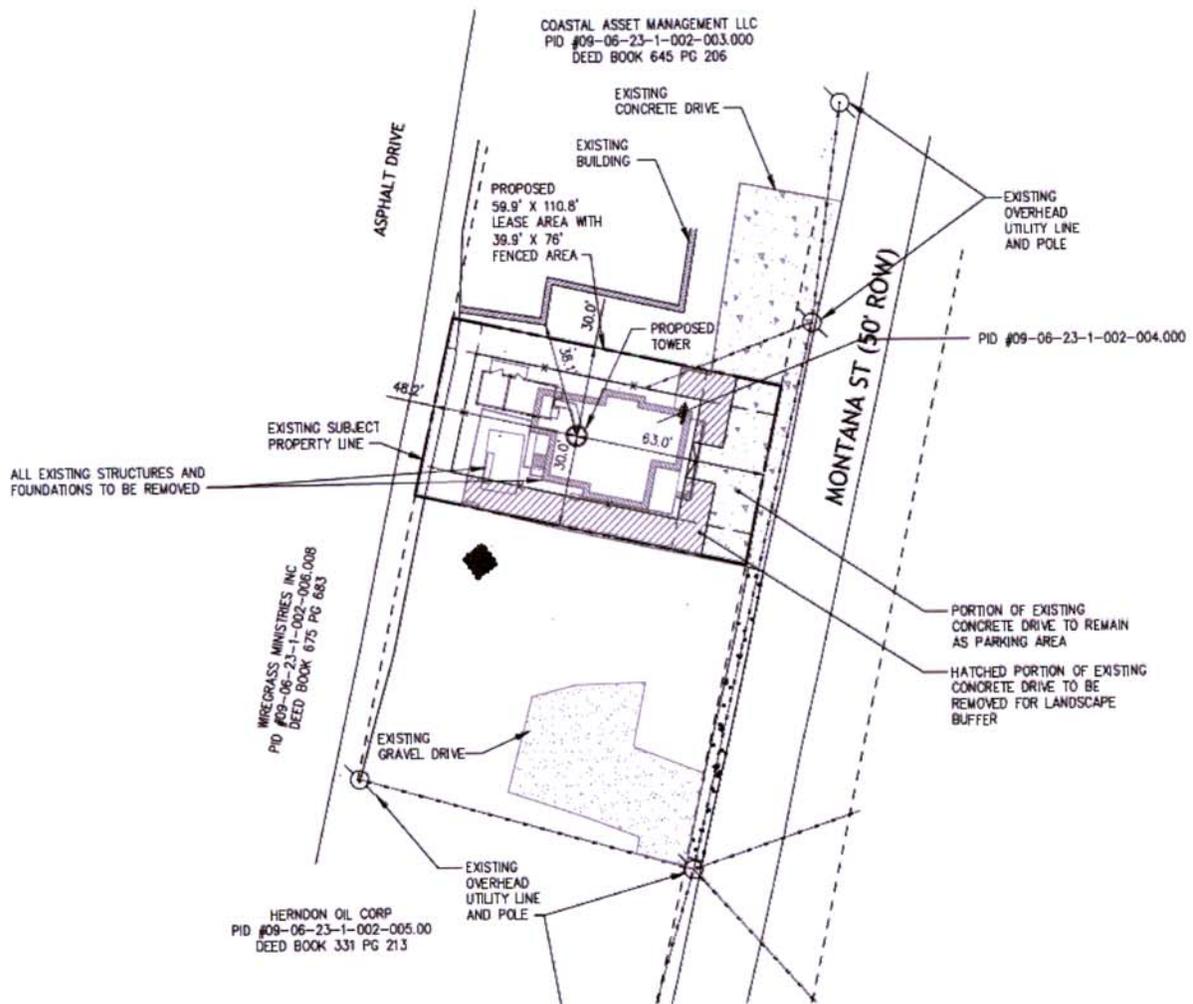
- (1) **Publication of legal notice.** All development plans require publication of a legal notice. The administrative official shall cause the preparation of the notice for submission to a newspaper of general circulation for publication. Payment of the fee set out in Section 114-176(E) (1) includes the cost of publication but shall not be required of employees or agents of the city submitting proposed amendments in the course of their official duties. **Done.**

- (2) **Posting notice.** Public notice signs are required. Such posting shall be accomplished by the applicant as directed by the planning commission. Tabled applications shall be required to post notice before being heard by the planning commission. **Done**
- (3) **Written notice.** Written notice shall be mailed to the last known address of the owner of record of any property located within 1,000 feet of the property on which the proposed tower would be located. The applicant shall provide the names and addresses of property owners according to the official tax records of the appropriate County in which the proposal is located. The city shall send notice via first-class mail. The cost of said written notice shall be included in the initial application fee. Tabled applications shall be required to pay for additional direct notice before being heard by the planning commission. **Done.**

F) Setbacks.

The following setback requirements shall be applicable to wireless communication towers:

- (1) Towers shall be set back at least thirty-five (35) feet from any property line. This setback requirement shall not be construed as reducing the minimum distance between a tower and any residentially zoned property as provided for elsewhere in this article. **The Planning Staff verified the site plan, which shows that the 35-foot setback is only being met from the front and rear property lines. Side yard setbacks show 30 feet.**
- (2) Setback shall be measured by determining the shortest direct distance to the nearest property line. **Verified by Planning Staff.**
- (3) No waiver from the setback requirement shall be considered unless the applicant submits an engineer's certification and otherwise demonstrates the necessity or desirability for its being located closer than thirty-five (35) feet to any property line. **Not Provided.**



G) Distance requirement from residential structures.

Regardless of the zoning district in which a tower is located, no tower shall be located within four-hundred (400) feet of any residentially zoned property. **Proposed tower location meets this requirement.**

H) Structural requirements.

- (1) All wireless communication towers must be designed and certified by an engineer to be structurally sound and in compliance with the current building codes adopted by the city. **Engineer's certification provided.**
- (2) Towers must be equipped with step bolts and ladders to provide access for inspection purposes. For safety purposes, the owner may remove step bolts and ladders within twelve (12) feet of the ground. **No indication is made these will be provided.**

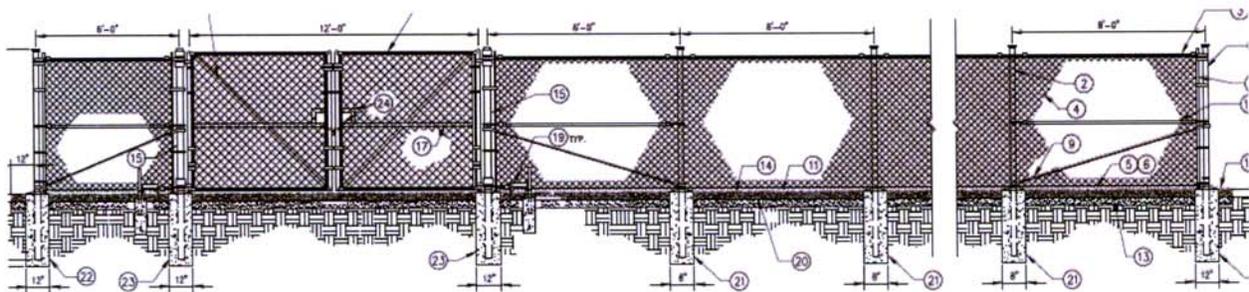
- (3) Guy wires or other tower accessories must not cross or encroach upon any street or any electric power lines. In addition, guy wires shall not encroach upon any property without the written consent of the owner. **No guy wires or other accessories are shown.**
- (4) Towers must be designed by an engineer to resist wind loads in accordance with the standard building codes adopted by the city. **Certified by the applicant's engineer.**

I) Illumination.

Towers shall not be artificially lighted except as required by the Federal Aviation Administration (FAA). No tower shall be lighted by a strobe light unless such lighting is specifically required by the FAA. **No lighting is shown on the tower elevation.**

J) Fencing.

Any fence constructed around or on any parcel of land for a tower, antenna support structure or telecommunication facilities shall be subject to the approval of the planning commission. **An eight-foot tall chain link fence is shown.**



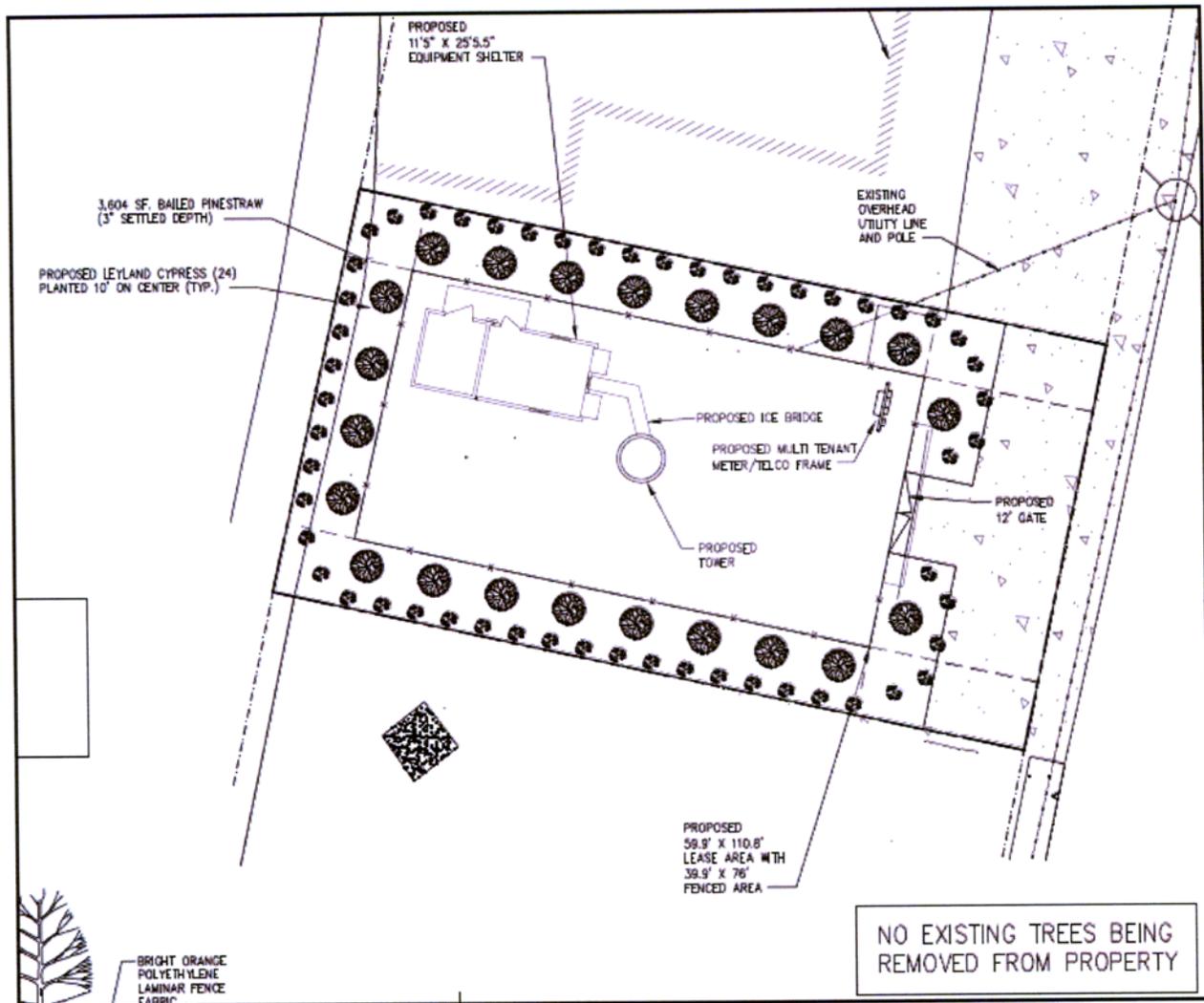
A BLACK OR NONOBTRUSIVE VINYL CLAD CHAINLINK FENCE OR WALL NOT LESS THAN EIGHT FEET IN HEIGHT FROM FINISHED GRADE SHALL BE PROVIDED AROUND EACH COMMUNICATION TOWER OR ANTENNA. BARBED WIRE SHALL NOT BE USED ALONG THE TOP OF THE FENCE OR WALL. ACCESS TO THE TOWER OR ANTENNA SHALL BE THROUGH A LOCKED GATE.

K) Landscaping and screening.

- (1) *Generally.* Except as otherwise provided for in this section, all parcels containing towers, antenna support structures or telecommunication facilities shall comply with section 114-187. In addition, special consideration shall be given to the preservation of natural screening. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. Towers sited on large, wooded lots shall preserve substantial natural growth around the property perimeter to form a sufficient screen from surrounding off-site

views. The applicant has indicated that additional plantings are proposed in addition to the existing trees as noted on the landscaping plan.

- (2) *Reduced or modified screening methods.* No screening is shown except as noted above.
- a. In areas of intensive commercial and industrial development, reduced or modified screening methods may include the use of earth-toned colored, vinyl-coated steel security fencing in combination with evergreen shrubs, trees, vines and/or other plantings necessary to achieve visual protection from surrounding off-site views, as determined by the planning commission.
 - b. In certain locations where the facility cannot be seen beyond the property lines, such as remote agricultural or rural locations, standard screening requirements may be waived by the planning commission, provided a natural screen is preserved.
 - c. Screening requirements may be modified by the planning commission to allow the use of creative concealment methods which will enable the tower to blend with the surrounding environment to achieve visual compatibility. No request has been made for this.



Landscaping: No comments were received from the Landscape Manager. Planning staff notes that Leland cypress trees are proposed to be planted around the site with the exception of the south side. Section 114-238 of the Landscaping Ordinance indicates the following concerning landscaping adjacent to the public right-of-way:

G) Required landscaped areas. All developments shall include a perimeter landscaped area of at least ten (10) feet in depth adjacent to any public right-of-way unless a shallower depth is approved by the Planning Commission in its approval of the landscaping plan and subject to the following provisions: (1) At a minimum, four (4) trees and eight (8) shrubs for each one hundred (100) feet of linear foot frontage along the right-of-way shall be preserved or planted. The remaining area within the perimeter strip shall be landscaped with grass, ground cover, or other landscape treatment.

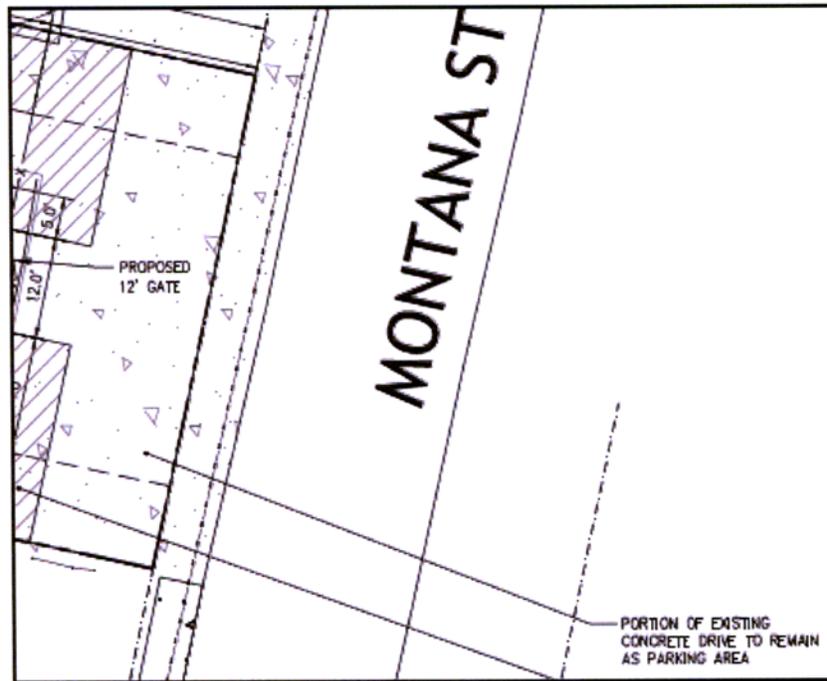
An additional tree be planted to fulfill this section of the Zoning Ordinance. The number of shrubs is sufficient. This is 60 percent of the requirement since the frontage is less than 100 feet.

- A) A screen fence shall be installed before the tower is made operational. Required plantings shall be installed before communications begin unless alternate arrangements

have been specifically approved by the planning commission. All required plants shall be xeriscape tolerant. Screening shall be continuously maintained. Any dead, stolen or unhealthy plants shall be replanted at the next available planting opportunity and broken or rotting fencing shall be replaced. **Provided.**

L) Parking.

All parcels upon which towers are located must accommodate at least one vehicle. The driveway or parking surface must be stabilized and dust-free, but need not be paved. **A portion of the existing concrete driveway is proposed to remain for the site.**



M) Maintenance of towers.

(1) Generally. The tower owner shall be responsible for maintaining the structural integrity, safety, appearance, screening, landscaping, fencing, security and other installations required by this article and other applicable codes, ordinances, regulations, statutes or conditions of approval imposed by the planning commission. It shall also be the responsibility of the owner to submit an engineer's inspection report to the city engineer once every two years certifying the installation requirements set forth in this article. If the report recommends repairs or maintenance, then a certification of completion of repairs or maintenance shall be submitted to the city engineer within thirty (30) days of the inspection.

(2) Liability insurance. The owner of the tower shall be responsible for personal injury or property damages that may be caused by the facility due to structural failure, falls or other failures which may cause injuries or damages and shall continuously maintain in full force and effect liability insurance in a reasonable amount to cover liability claims for personal injury or property damage.

N) Signs and addressing requirements.

Tower sites shall comply with E-911 addressing requirements.

O) Telecommunication facilities on antenna support structures.

- (1) Telecommunication facilities shall be permitted on antenna support structures in A-C, B-1, B-2, B-3, O-I, L-I and H-I districts, provided the owner certifies that the following requirements are met:
 - a. The telecommunication facilities shall not extend more than twenty (20) feet above the maximum height of the antenna support structure. **N/A**
 - b. The antenna support structure and telecommunication facilities comply with the current building code adopted by the city. **Certified by the applicant's engineer.**
 - c. Any telecommunication facilities and their appurtenances located upon the roof of an antenna support structure are set back at least one foot from the edge of the roof of the antenna support structure. **N/A**
- (2) Telecommunication facilities extending more than twenty (20) feet above the maximum height of the antenna support structure shall be permitted only upon the approval by the planning commission. **N/A**
- (3) The city may authorize the use of city owned structures as antenna support structures. However, the city shall be under no obligation to make any city-owned structure available for such use. **N/A**

Land Use Impact on Vicinity: Existing land uses in the general vicinity are commercial in nature.

Land Use Compatibility/Land Use Plan: The proposed land use of subject site and surrounding properties comply with the Approved Future Land Use Plan and Map.



Impact on the Environment: The proposed development is required to follow standard development and erosion control precautions to protect adjacent properties during development (see engineering comments).

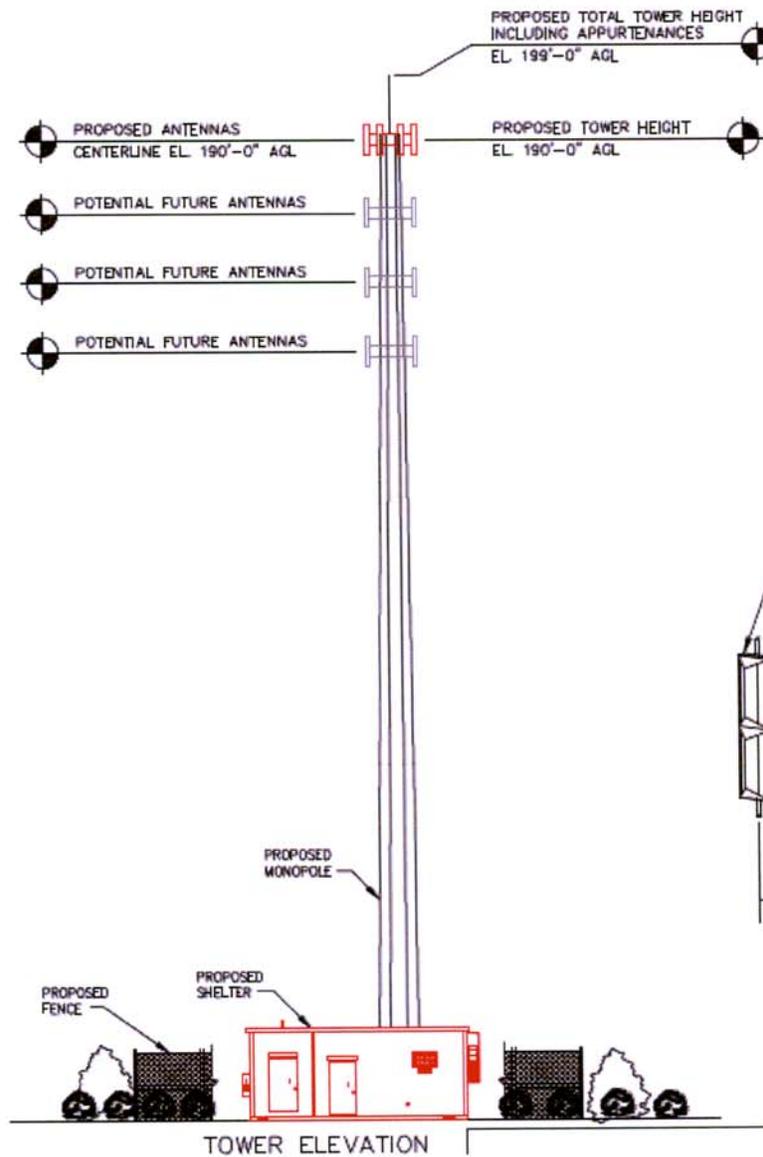
Landscaping – Dan Williams, Landscape Manager: Landscaping fine as proposed. Planning staff has addressed noted deficiencies.

Parking: Parking areas must be a minimum of 10 feet behind the street right-of-way. This has been done.

Buffers: None required.

Signage: No signage shown.

Tower Description: The tower is proposed to be 190 feet with a 9-foot lighting rod.



Impact on Travel – Robert A Cox, PE, Traffic Engineering Comments: No comments.

Impact on Public Services and Facilities:

Engineering Comments – Mike Griggs, Engineer Assistant:

We will require storm drainage calculations as submittals to support a storm drainage plan for review and approval when applying for a building permit. The post-development peak discharge rate shall be limited to the pre-development peak discharge rate for the 2-, 10-, and 25 year storm events unless site conditions dictate differently.

An Erosion Control Plan and Best Management Practices Plan in accordance with the Stormwater Ordinance will be required for review and approval when applying for a building permit.

Utilities Comments: No Comments.

Fire Marshal's Comments: Knox Pad lock required on access gate.

Staff Recommendation: Staff recommends that Case No. DP-14-0818, request for development plan approval for a telecommunications tower, at 105 Montana Street, B-1, Central Business, as shown on the map stamped "Received December 31, 2014," having been duly considered in a public hearing held on January 21, 2015 following advertised legal notice and notice posted on the property, **be denied** by the Planning Commission due to tower setback requirements not meeting the requirement of 35 feet from all property lines and proper documentation from a Professional Engineer on items outlined in this report.



PLANNING COMMISSION
MEETING DATE – January 21, 2015
CASE NUMBER: DP-14-0821
Case Manager: Frank G. Breaux, AICP

Summary of Information:

Project Name:	Complete Security and Sound
Property Address:	Westgate Parkway
Requested Action:	Development Plan Approval
Applicant:	Jim Capps (Represented by Northstar Eng.)

Zoning/Land Use:

ACREAGE OF SITE	.73
PROPOSED USE	OFFICE WAREHOUSE
EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	VACANT
EXISTING LAND USE - SOUTH	INDUSTRIAL/VACANT
EXISTING LAND USE - EAST	SINGLE-FAMILY HOME
EXISTING LAND USE - WEST	INDUSTRIAL
ZONING DISTRICT - SUBJECT	L-I
ZONING DISTRICT - NORTH	L-I
ZONING DISTRICT - SOUTH	L-I
ZONING DISTRICT - EAST	A-C (AGRICULTURAL CONSERVATION)
ZONING DISTRICT - WEST	L-I
PROPOSED ZONING - SUBJECT	N/A
FUTURE LAND USE MAP - SUBJECT	INDUSTRY (LIGHT)
FUTURE LAND USE MAP - NORTH	INDUSTRY (LIGHT)
FUTURE LAND USE MAP - SOUTH	INDUSTRY (LIGHT)
FUTURE LAND USE MAP - EAST	INDUSTRY (LIGHT)
FUTURE LAND USE MAP - WEST	INDUSTRY (LIGHT)
SETBACK-FRONT	20 FT.
SETBACK-REAR	35 FT.
SETBACK-SIDE	20 FT.
BUILDING HEIGHT LIMIT	N/A
SIGN HEIGHT LIMIT	42 FT.
BUFFERS	TYPE 6 - ALONG EAST PROPERTY LINE

General Discussion: The proposal is for the construction of a 4,500 square foot office warehouse on .73 acres of land located in the L-I District. The property is located on the north side of Westgate Parkway just to the east of its intersection with Technology Drive. The subject site was recently subdivided from the parcel located at the northeast corner of Westgate Parkway and Technology Drive.

Land Use Impact on Vicinity: With the exception of a single-family residence (A-C zoned) located to the east of the subject site, all surrounding properties are zoned L-I. A Type 6 buffer will therefore be required along the east property line to properly separate the existing residential use from the proposed office warehouse. The plan proposes a Type 2 buffer.

Land Use Compatibility/Land Use Plan: The proposed development is consistent and compatible with surrounding developments and is consistent with the Adopted Land Use Plan and Future Land Use Map.

Impact on the Environment: There are no significant natural features present on the site that would affect the proposed development. The plan proposes to retain four mature oak trees located along the east side of the site.

Landscaping: The landscaping plan provides for the number of trees and shrubs as required by the Zoning Ordinance. The Type 2 buffer shown along the east property line, however, must be changed to reflect a Type 6 buffer. The type 6 buffer is 30 feet wide and requires 8 trees and 30 shrubs for each 100 linear feet as opposed to the Type 2 buffer which is 25 feet in width.

Due to the presence of overhead power lines along the front of the site, the canopy trees shown within the 10 foot landscaped strip adjacent to the right-of-way should either be changed to understory trees or specified as a species that will not have an intrusive canopy.

Parking: The use requires sixteen (16) parking spaces (including one handicap space) which have been provided.

Buffers: As previously indicated, a type 6 buffer is required along the east property line.

Signage: No signage has been identified on the plan. Any new signage would be subject to the requirements of the Zoning Regulations.

Building Description: With the exception of a brick front façade, the building will be constructed of solid metal sheeting with a metal roof. An oversized roll-up door will be located on the rear (north side) of the building providing access to the warehouse.

Impact on Travel:

Traffic Engineering has no comments.

Impact on Public Services and Facilities:Engineering Comments:

1. The final plat for TTDC Subdivision has not been completed. This needs to be done before applying for a building permit.
2. We will require storm drainage calculations as submittals to support a storm drainage plan for review and approval when applying for a building permit. The post-development peak discharge rate shall be limited to the pre-development peak discharge rate for the 2-, 10-, and 25 storm events unless site conditions dictate differently.
3. Sanitary sewer is located as shown on the plans. It is the owner's responsibility to verify elevations for tie-in. We will require a plan and profile for review and approval when applying for a building permit.
4. An Erosion Control Plan and Best Management Practices Plan in accordance with the Stormwater Ordinance will be required for review and approval when applying for a building permit.

Utilities Comments:

1. The development can be served from an existing 12" water main on Westgate Drive.
2. Water facilities required will be designated on construction plans.

Fire Marshal's Comments:

1. Knox Box required.
2. Fire hydrant required within 250 feet of building.

Staff Recommendation: Staff recommends that Case No. DPMI-14-0821, request for approval of development plans, as shown on the map stamped "Received December 31, 2013", be approved as authorized by Article V, Section 114-76 (C) (5) subject to the following conditions:

1. A type 6 buffer shall be provided along the east property line;
2. Due to the presence of overhead power lines along the front of the site, the canopy trees shown within the 10 foot landscaped strip adjacent to the right-of-way should

either be changed to understory trees or specified as a species that will not have an intrusive canopy;

3. The comments of all city departments (as specified herein) are incorporated into the final construction plans before a building permit is issued by the Building Official's Office;
4. All future correspondence and/or building permit application shall bear reference to Case DP-14-0821; and,
5. The Development Plan approval will lapse and re-approval by the Planning Commission will be necessary if a building permit is not obtained within one year of the approval date.



PLANNING COMMISSION

STAFF REPORT

MEETING DATE – January 21, 2015

CASE NUMBER: RZ-15-0002

Formerly: RZ-14-0628 & DP-14-0627

Case Manager: Frank G. Breaux, AICP

Summary of Information:

Project Name:	Arbor Park Planned Unit Development (PUD)
Property Description:	Parcels 38-09-01-11-3-001-014.000 & .001 & .007 & .024
Requested Action:	Rezoning from R-1 to R-4/PUD & Preliminary Plan Approval
Applicant:	M-4 Development
Property Owner:	Judith Woods Locklier

Zoning/Land Use:

ACREAGE OF SITE	13.13
EXISTING LAND USE - SUBJECT	VACANT
EXISTING LAND USE - NORTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - SOUTH	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - EAST	SINGLE-FAMILY RESIDENTIAL
EXISTING LAND USE - WEST	SINGLE-FAMILY RESIDENTIAL
ZONING DISTRICT - SUBJECT	R-1 (LOW DENSITY SINGLE-FAMILY)
ZONING DISTRICT - NORTH	R-1
ZONING DISTRICT - SOUTH	R-1
ZONING DISTRICT - EAST	R-1
ZONING DISTRICT - WEST	R-1
PROPOSED ZONING - SUBJECT	R-4/PUD
FUTURE LAND USE MAP - SUBJECT	RESIDENTIAL – SINGLE-FAMILY
FUTURE LAND USE MAP - NORTH	RESIDENTIAL – SINGLE-FAMILY
FUTURE LAND USE MAP - SOUTH	RESIDENTIAL – SINGLE-FAMILY
FUTURE LAND USE MAP - EAST	RESIDENTIAL – SINGLE-FAMILY
FUTURE LAND USE MAP - WEST	RESIDENTIAL – SINGLE-FAMILY

Background: On August 20, 2014, the Planning Commission **conditionally** approved the Preliminary PUD Plan for the development and also voted in favor of recommending approval of the rezoning request to the City Commission. In response to neighborhood concerns regarding potential traffic impacts on Adrian Road, the developer amended the plan to provide an additional point of access from Denton Road through Lot 4, Block B of the Second Addition to

Woodsvale Subdivision. Lot 4 is .51 acres in size and is situated between 1735 and 1763 Denton Road.

Subsequently during their regular meeting of September 17, 2014, the Planning Commission reviewed both the Final Plan and the rezoning request for Lot 4. After three failed motions, the Planning Commission voted to approve the requested rezoning and the Final PUD Plan with the following conditions:

1. Identify all proposed evergreen plant materials within buffers and all other plant material/sod/mulch, etc., as required per Article XIII, Landscaping & Buffers.
2. Extend the eight foot tall privacy fence along both sides of Lot 4.
3. The east exit onto Denton Road shall be widened to include both a left and right turn lane designed to the satisfaction of the Public Works Director.
4. Submit site construction plans per the requirements of Section 114-156.E.5.b.20.
5. The proposed development, as shown on the plans and as set forth in the specifications, will be completed in substantial detail within such time period as may be agreed upon by the Planning Commission (see item #8).
6. Eliminate all one-bedroom dwelling units and all duplex dwelling units.
7. Provide a minimum separation of 7.5 feet between all dwelling units.
8. A construction permit must be issued for the development within 12 months.

That approval, however, was deemed in error because By-Law Section IV(F)(2)(b) stated that “the failure to obtain six votes to approve or recommend approval of a rezoning request, Development Plan or Subdivision Plat shall be considered a denial or disapproval.” Accordingly, both the Final PUD Plan and rezoning requests were denied and not appealed.

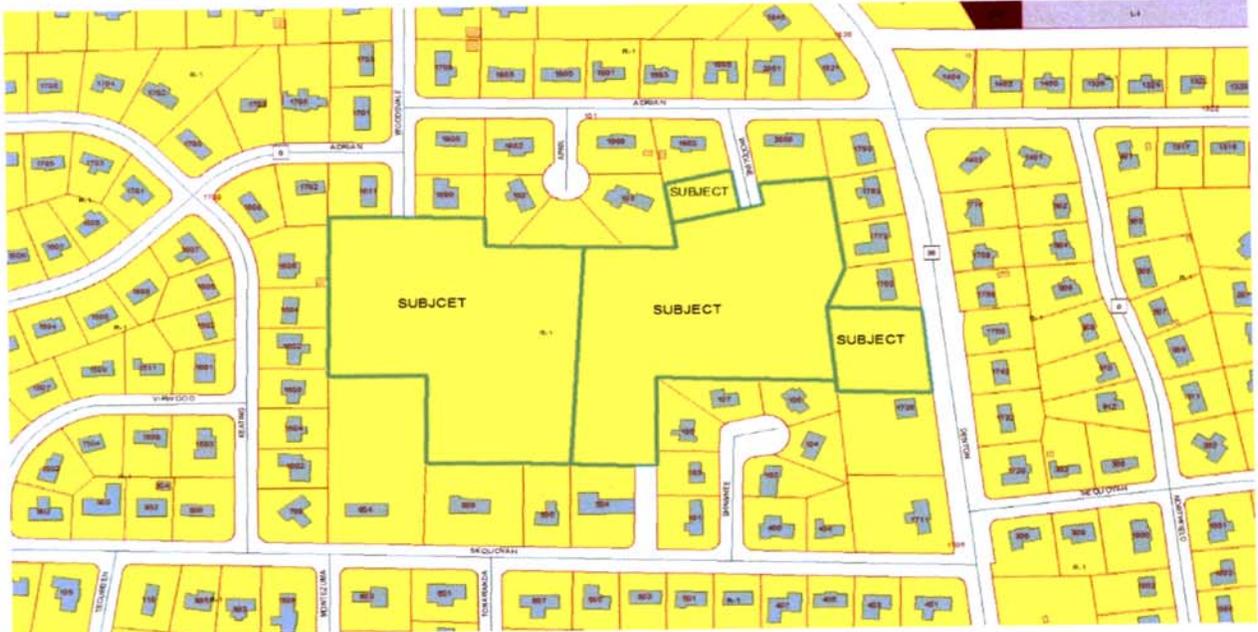
General Discussion: This application presents a **revised request** for approval of the Preliminary PUD Plan and the rezoning of the subject parcels. According to Section IV(F)(2) of the Planning Commission by-laws, a revised application may be submitted after three (3) months of a denial. The revisions include a change in the number and types of dwelling units proposed for the development.

Specifically, there are eleven (11) proposed duplex buildings with twenty-two (22) one-bedroom units with minimum dwelling unit sizes of 680 square feet (1,380 square feet per duplex). The previous plan proposed 85 two-bedroom detached units, no duplex units, no one-bedroom units and no dwelling units less than 1,000 square feet in size. The remainder of the plan is essentially unchanged.

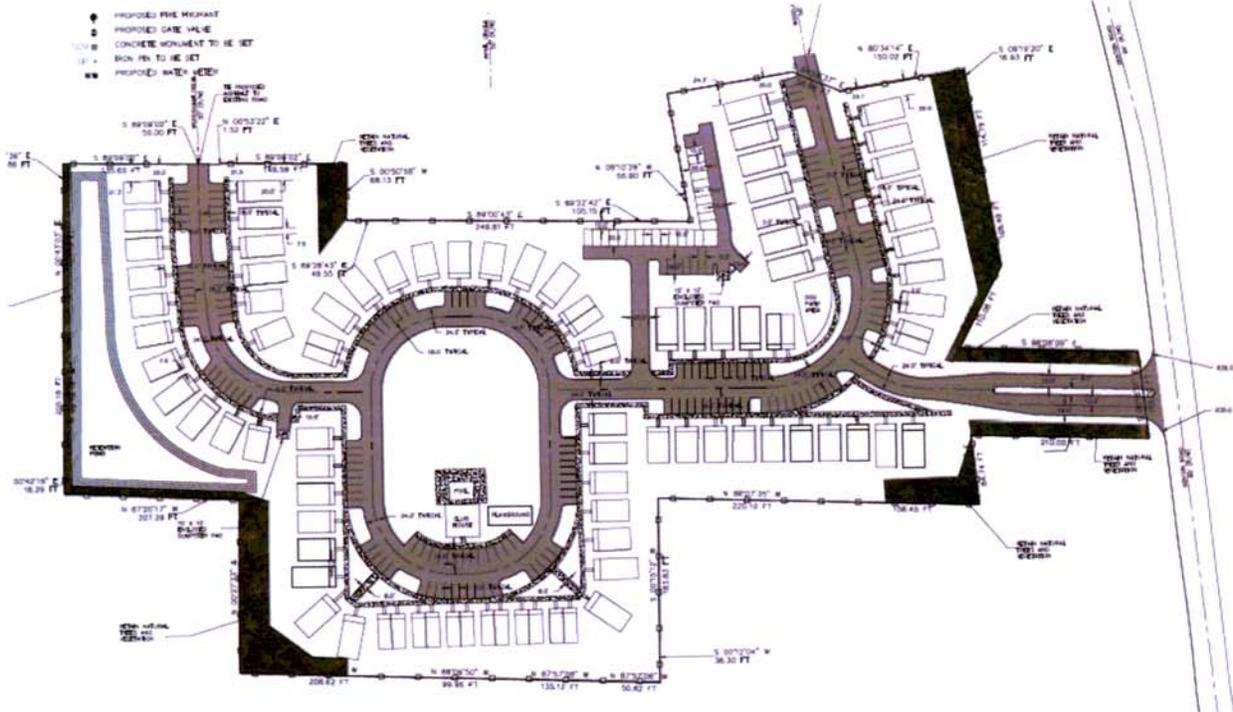
Preliminary Plan Site Data:

- Acreage – 13.13 acres
- Dwelling Units – 91 (22 one-bedroom duplex units & 69 two-bedroom single detached units)

- Density – 6.93 du/acre (10.89 allowed)
- Open Space – 60% (10% required)
- Perimeter Setback – Varies from 10 to 90 feet (40 ft. recommended by PUD regulation)
- Maximum building coverage – 19% (50% allowed)
- Minimum Living Area sq. ft. per Unit – Varies from 680 to 1,160 (1,000 sq. ft. required)
- Parking – 187 proposed (182 spaces required - 2 per dwelling unit)



VICINITY



PRELIMINARY PLAN LAYOUT



Amenities & Features:

More than an acre of land is proposed as a central park featuring a clubhouse, pool, playground and gazebo. The park will be ringed with homes and is accessible from all parts of the development via 5 foot wide sidewalks located on both sides of the street. A pet park is also proposed. There are also 25 storage units located on-site for the convenience of residents.

The site will be buffered from surrounding uses by a combination of natural vegetation, planted evergreen vegetation and an eight foot tall privacy fence which rings the entire site. Extensive tree plantings are also provided throughout the development. ***Additional information is provided in the attached narrative provided by the developer.***

Impact on Traffic:

At both north entrances to Arbor Park, Woodline Drive and Woodsvale Drive become private roads. To notify motorists and roadway maintenance personnel of this, a "Private Drive" sign shall be placed at each entrance.

Impact on Public Services and Facilities:

Engineering:

1. We will require storm drainage calculations as submittals to support a storm drainage plan for review and approval when applying for a building permit. The post-development peak discharge rate shall be limited to the pre-development peak discharge rate for the 2-, 10-, and 25, 100 year storm events unless site conditions dictate differently.
2. Sanitary sewer is located as shown on the plans. It is the owner's responsibility to verify elevations for tie-in. We will require a plan and profile for review and approval when applying for a building permit.
3. An Erosion Control Plan and Best Management Practices Plan in accordance with the Stormwater Ordinance will be required for review and approval when applying for a building permit.

Utilities: No comments.

Fire:

1. Knox box required on clubhouse.
2. Fire hydrants required throughout equally spaced per code.
3. Exterior walls must be fire rated for 1 hour if separation distance is less than 10 feet.

Staff Recommendation: Should the Planning Commission choose to recommend to the City Commission approval of Case No. RZ-15-0002, a rezoning request and Preliminary Plan for 13.13 acres from R-1 to R-4/PUD, as shown on the maps stamped "Received January 5, 2015", having been duly considered in a public hearing held on January 21, 2015, following advertised legal notice and notice posted on the property, Staff recommends the following conditions:

1. The proposed development, as shown on the plans and as set forth in the specifications, will be completed in substantial detail within such time period as may be agreed upon by the Planning Commission;
2. Identify all proposed evergreen plant materials within buffers and all other plant material/sod/mulch, etc., as required per Article XIII, Landscaping & Buffers, and;
3. The comments of all city departments (as specified herein) are incorporated into the final construction plans before a building permit is issued by the Building Official's Office.



ARBOR PARK

Final Plan Narrative

12/31/2014

Arbor Park is located off Denton Road just inside the Ross Clark Circle. The development is now designed with 91 apartment homes comprised of single detached, 1 and 2 bedroom cottages. This is a reduction of 10 bedrooms from the previously submitted plan in October 2014. The previously submitted plan had 85 units (*all two bedroom units*), for a total of 170 bedrooms. The new plan has 91 units, however by incorporating the one bedroom units into the project the total bedroom count is reduced to only 160 bedrooms (*again a reduction of 10 bedrooms from the October 2014 application*).

For amenities the project will include the following:

1. Clubhouse
2. Fitness room
3. Pool
4. Large central park (*approximately the size of a football field*)
5. Gazebo
6. Pet park
7. Twenty-five single car garages/storage units.

The project will be managed by a professional management company, which is anticipated to be Regency Multi-Family located in Enterprise, AL. All landscaping and all maintenance on the units will be maintained by the property management company.

As an apartment home neighborhood the requested zoning is R4 with a PUD overlay. R4 was selected due to the unique nature of the project with single detached apartment homes and the desire for a large central park as an amenity to create a gathering area for residents. The property consists of approximately 14.5 acres which includes two out lots. One out lot is on Denton Rod and one is on April Court. The two out lots are not part of the development and not included in the zoning request.

Setbacks and Buffers – The buffers for the project vary with 20' feet being the minimum and ranging up to 90'. Both entrances on Woodline Drive and Woodsvale Drive have 20' foot buffers provided. The storage units will have a 10' foot setback from the property line which is double the standard required in the zoning ordinance for auxiliary structures. There are natural buffers provided where possible as shown



on plans. The project will provide an 8' foot tall, single slat, wood fence where there are no natural buffers provided. We have also kept the previously requested 7 ½ foot spacing between units.

The roads in the project will be private roads, 24 feet wide with front in parking on each side. There are a total of 187 parking spaces. The parking space count does not include the 25 single car garage/storage spaces. Although the roads are private, the project incorporates the City standards of 5' foot wide sidewalks on both sides of the roads and will have street lights throughout the project. There are two dumpsters which will be serviced several times a week for residents to use. The apartment homes sizes are 1360 sf for the one bedrooms (*two one bedroom units per structure*) and 1,152 sf and 1,160 sf for the two bedrooms. There are three entrances provided for the project to help provide ingress and egress of traffic flow in and around the surrounding roads and neighborhood. The primary entrance is shown on Denton Road with a split lane and 8' foot wide median. The other two entrances are on Woodline Drive and Woodsvale Drive.

The project conforms to the Comprehensive Plan adopted by the City Dothan. The existing infrastructure allows for in-fill development that will benefit the City with new services without the City having to build new systems to accommodate the project. The location allows for quick access to services and businesses within the circle limiting commutes and traffic on major arteries coming into and around Dothan.

An economic study done by the Dothan Chamber of Commerce estimates the economic impact of the project to be \$14.5 million (*see attached*). The wages created through construction jobs for the project by local businesses and trades will assist Dothan in its growth as well as the additional income brought into the City by new wage earners and the revenue spent here in Dothan by those incomes.

In conclusion the project will benefit the community by limiting the cost of infrastructure needed by utilizing existing infrastructure in place, limit commutes into the City, add wage earners and income spent within the City limits and continue to accommodate the growth Dothan is experiencing through its expansion of various industries and businesses such as Alabama College of Osteopathic Medicine (ACOM), Charter Jet, Glass Stream boats and others.

Post Construction Employment

Estimated Economic Impact of Arbor Park Construction over the 2 Years of Construction

	Direct	Indirect	Induced	
SF=	104,000			
\$/SF=	\$70.00			
Const Cost=	\$7,280,000.00			
Materials/Labor	40/60			
	Jobs created per \$1million=	18 (BLS Study-24, Modified to normalize average wage)		
	Jobs created (2-years)	130		
	Jobs/year=	65	134	203
	Labor Costs=	\$4,368,000		\$7,250,880
	Avg Annual Labor Cost=	\$2,184,000		
	Avg Annual Wages Per Laborer=	\$33,600		
	Avg MSA wages for food prep, personal care, sales, transportation and material moving=			
	(Estimated major indirect employment sectors)			
	Materials Cost=	\$2,912,000		\$3,337,337
	Sales/use tax	\$116,480		\$3,770,458
		\$116,480		\$14,358,675
		\$29,120		\$145,600
	Estimated sales on consumption at 12,364 per capita for created jobs=			
	Estimated city/county sales tax on consumption for 18% of contractors not local=			
		78%	2,271,360.00	1.66
		1.66		
		Times Indirect and induced jobs=		
		\$24,105		
		\$452,782 X 2 years=		
		(18% Non-local/Imported)		
		\$905,564		
				\$45,278
				\$14,549,553
				ECONOMIC IMPACT