



Z-15-09-011

City of Greensboro Planning Department Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: September 21, 2015

GENERAL INFORMATION

APPLICANT	Towercom, LLC on behalf of New Garden Lodge No. 1884 Loyal Order of Moose, Inc.
HEARING TYPE	Special Use Permit Request
REQUEST	Request to allow a wireless telecommunications facility taller than 100 feet in an R-3 (Residential Single-Family) zoning district.
CONDITIONS	1. The maximum height of the wireless telecommunications tower is 139 feet.
LOCATION	1800 1806 New Garden Road
PARCEL ID NUMBER(S)	7846335288
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 31 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~4.58 Acres
TOPOGRAPHY	Undulating
VEGETATION	Compliant

SITE DATA

Existing Use	Moose Lodge	
Adjacent Zoning	Adjacent Land Uses	
N	R-3 (Residential Single-Family)	Undeveloped
	CD-RM-5 (Conditional District-Residential Multifamily)	Undeveloped
E	CD-RM-8 (Conditional District-Residential Multifamily)	Multifamily dwellings
W	R-3 (Residential Single-Family)	Undeveloped
S	R-3 (Residential Single-Family)	Undeveloped, Joseph Bryan Boulevard

Zoning History

Case #	Date	Request Summary
34	10/10/2005	A Special Use Permit was granted to allow a Club or Lodge with the following conditions: 1. Access will be limited to one curb cut on New Garden Road. 2. Development of building and parking area will be a minimum of 280 feet from New Garden Road on eastern side of property, and 130 feet from New Garden Road on western side of property, excluding access drive. 3. Area between New Garden Road and proposed parking area will remain undisturbed except for access drive. 4. Building and parking area will be limited to the 2.5 acres at southern side of property, exclusive of access drive. 5. Building to be one story in height, with a maximum square footage of 12,000.
N/A	N/A	The subject property has been zoned R-3 (Residential Single-Family) since the adoption of the Land Development Ordinance (LDO) in July, 2010. Prior to the adoption of the LDO, the property was zoned RS-12 (Residential Single-Family).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing	Requested
	(R-3/SUP for a Club or Lodge)	(A Special Use Permit is requested to allow a Wireless Telecommunications Facility taller than 100 feet to locate in an R-3 (Residential Single-Family) zoning district.)
Max. Density:	A maximum density of 3.0 units per acre or less.	A maximum of 3.0 units per acre or less.
Typical Uses	A Special Use Permit to allow a Club or Lodge in the RS-12 (Residential Single-Family) zoning district.	A Special Use Permit is requested to allow a Wireless Telecommunications Facility taller than 100 feet to locate in an R-3 (Residential Single-Family) zoning district.

**These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation

The subject site is located within the Bryan Boulevard Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

Environmental/Soils

- Water Supply Watershed Greensboro Watersupply Watershed WSIII, Horsepen Creek Sub-basin Watershed
- Floodplains A Floodplain Development Permit will be required for any disturbance within the FEMA 1% Special Flood Hazard
- Streams Perennial stream on-site, a 50ft stream buffer required measured from top of bank each side. See LDO Chapter 30-12-3, Table of Uses 12-5 for Activities and Structures allowed within each stream buffer zone
- Other: Site must meet current water supply watershed requirements. Site is also within the 5 statute mile radius of the PTI Airport, no water quality devices are allowed that hold a normal pool elevation.

Utilities

- Potable Water Available
- Waste Water Available

Airport Noise Cone

n/a

Landscaping & Tree Preservation Requirements

Only applicable in the event of expansion or new development.

Transportation

- Street Classification: New Garden Road – Major Thoroughfare.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: New Garden Road ADT = 25,879 (GDOT, 2015).
- Trip Generation: N/A.
- Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does exist along the frontage of this property.
- Transit in Vicinity: No.
- Traffic Impact Study: No TIS required per TIS Ordinance.
(TIS)
- Street Connectivity: N/A.

Other: N/A.

IMPACT ANALYSIS

Land Use Compatibility

The requested **SUP (Special Use Permit) to allow a wireless telecommunications tower exceeding 100 feet in height in an R-3 district** would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Low Residential (3-5 d.u./acre)**. The requested **SUP (Special Use Permit) to allow a wireless telecommunications tower exceeding 100 feet in height in an R-3 district** is generally consistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation.

Connections 2025 Written Policies

Land Use Goal 4.1 – Growth Strategy: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Policy 4A: Remove present impediments to infill and investment in urban areas.

Policy 4B: Target capital investments to leverage private investment in urban areas.

Policy 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Policy 4D: Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

Community Character, Goal 5.2 – Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5E: Improve the aesthetic quality of publicly owned and maintained landscapes.

Policy 5F: Implement and improve design standards governing the appearance of development from public roadways.

Housing and Neighborhoods, Goal 6: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Economic Development, Goal 7: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Policy 7A: Target city investment and regulatory policies for economic development.

Policy 7C: Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A: Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the

Comprehensive Plan.

Connections 2025 Map Policies

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

CONFORMITY WITH OTHER PLANS

City Plans

Sustainability Action Plan

Element 1) Transportation and Land Use:

Policy 1) Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

Element 2) Green Jobs and Buildings:

Policy 3) Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

Policy 4) Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

Policy 6) Promote more efficient use of water through education, partnerships and pilot projects.

Element 3) Waste Reduction and Recycling:

Policy 7) Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

Element 6) Education and Outreach:

Policy 11) Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

Other Plans

n/a

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is strongly encouraged to discuss this proposed special use permit with owners of adjacent properties.

Staff Analysis

This analysis is based on factual information provided to staff as indicated in this report. The recommendation of staff below is only to be considered to the degree that this information is determined to be consistent with the competent evidence presented at the Special Use Permit hearing before the Zoning Commission. It is not intended to replace the objective fact finding

role of the Commission at this hearing.

The subject property contains 4.58 acres and is currently developed as a Moose Lodge. The applicant is interested in installing a wireless telecommunications facility that will exceed 100 feet in height which requires a Special Use Permit under the current provisions of the Land Development Ordinance (LDO) for R-3 (Residential Single-Family) zoned property. Properties to the north and west are zoned Residential Single-Family; however, are not currently developed. Property immediately south is vacant and abuts Joseph Bryan Boulevard. Property to the east is developed with occupied townhouses.

Section 30-8-1, Permitted Use Table, of the Land Development Ordinance requires wireless telecommunications facilities exceeding 100 feet in height in the R- zoning districts to obtain a Special Use Permit to ensure compatibility with adjoining properties.

To get approval for a Special Use Permit, this request must conform to the intent and purpose of the Zoning Ordinance and the Comprehensive Plan in:

1. That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
2. That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the adjacent and nearby residential properties.
3. That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

Wireless telecommunications facilities (WTF) are regulated in Section 30-8-10.2(K) of the Land Development Ordinance. Applicable regulations include:

- A minimum setback of wireless telecommunication facilities (that are not attached concealed WTFs) a distance equal to the height of the tower from all property lines;
- Setback from a property line abutting residentially zoned property a distance equal to the height of the tower or 100 feet, whichever is greater; and be setback from a building containing a residential use a distance equal to two times the height of the tower;
- All related WTF appurtenances including any other structures on the site and the limits of the associated compound must meet the minimum district setback requirements; and
- A lot of at least two acres is required for a WTF that is not an attached concealed WTF in all residential, TN, O, NS and CN districts.

Staff Recommendation

Staff recommends **approval** of the requested **SUP (Special Use Permit)**.