



# Town of Knightdale

## Staff Report

Title: SU-2-22 NCDOT Cell Tower Relocation

Staff: Kevin Lewis, Senior Planner

Date: March 15, 2023

Director Signature: JB

Asst. Town Manager Signature: DT

Town Manager Signature: WRS

### **I. REQUEST:**

Kimley-Horn, on behalf of SBA Network Services, has submitted an application requesting a Special Use Permit to allow for the relocation of an existing wireless telecommunication tower on approximately  $\pm 15.54$  acres at 7417 Poole Road, identified by Wake County PIN 1743503468. The site is zoned Rural Residential-1.

### **II. PROJECT PROFILE:**

PROPERTY LOCATION:	7417 Poole Road
WAKE COUNTY PIN:	1743503468
CURRENT ZONING DISTRICT	Rural Residential-1 (RR1)
NAME OF PROJECT:	NCDOT Cell Tower Relocation
APPLICANT:	Kimley Horn
PROPERTY OWNER:	Raleigh Rugby Club
DEVELOPER:	SBA Network Services
PROPERTY SIZE:	15.54 acres
CURRENT LAND USE:	Outdoor Recreation/Wireless Telecommunication Tower
PROPOSED USE:	Outdoor Recreation/Wireless Telecommunication Tower

### **III. BACKGROUND INFORMATION:**

This site is currently home to the Raleigh Rugby Club and an existing wireless telecommunication tower. Future plans to construct Interstate 540 will impact this site and require the existing facility to be relocated. To accommodate the needs of telecommunication providers, the owner of the facility identified the need to place this tower as close to the existing location as possible.

The parcel was rezoned to RR1, which allows telecommunications facilities with Special Use Permit approval. According to UDO Section 12.2.F.4, a SUP ensures the appropriateness of the use at a particular location within a given District. Special Uses are generally compatible with the land uses permitted by right in a District, but which require individual review of their location, design, and configuration so as to evaluate the potential for adverse impacts on adjacent property and uses.

Special Use Permits are reviewed through the quasi-judicial public hearing process. The quasi-judicial provides the right of all parties with legal standing to offer evidence, have sworn testimony, and have findings of fact supported by competent, substantial, and material evidence.



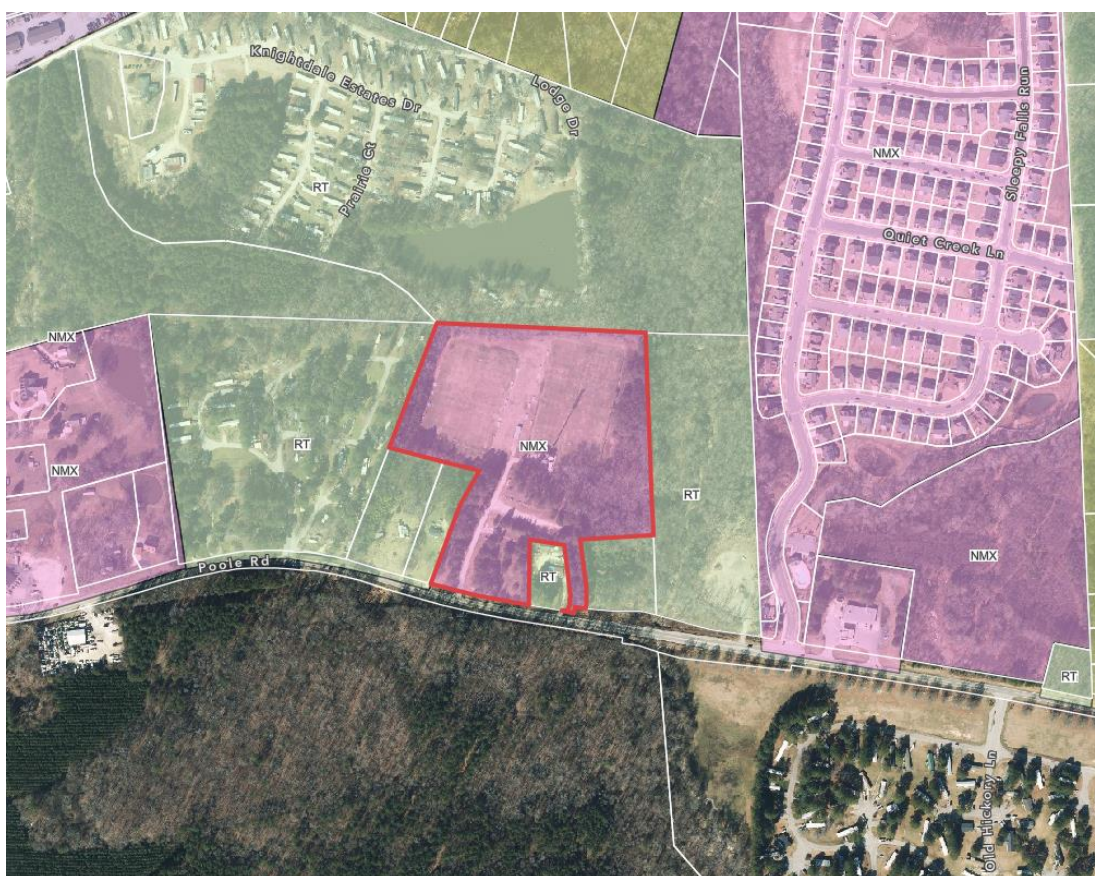
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### **IV. PROJECT SETTING – SURROUNDING ZONING DISTRICTS AND LAND USES:**

The site is located on a parcel between Hodge Road and Poplar Creek Village. The parcel is located within the Town's Extra Territorial Jurisdiction and does not require annexation into Corporate Limits.

DIRECTION	LAND USE	ZONING
North	Manufactured Housing	RT
South	Undeveloped	Raleigh
East	Undeveloped	RT
West	Manufactured Housing	RT







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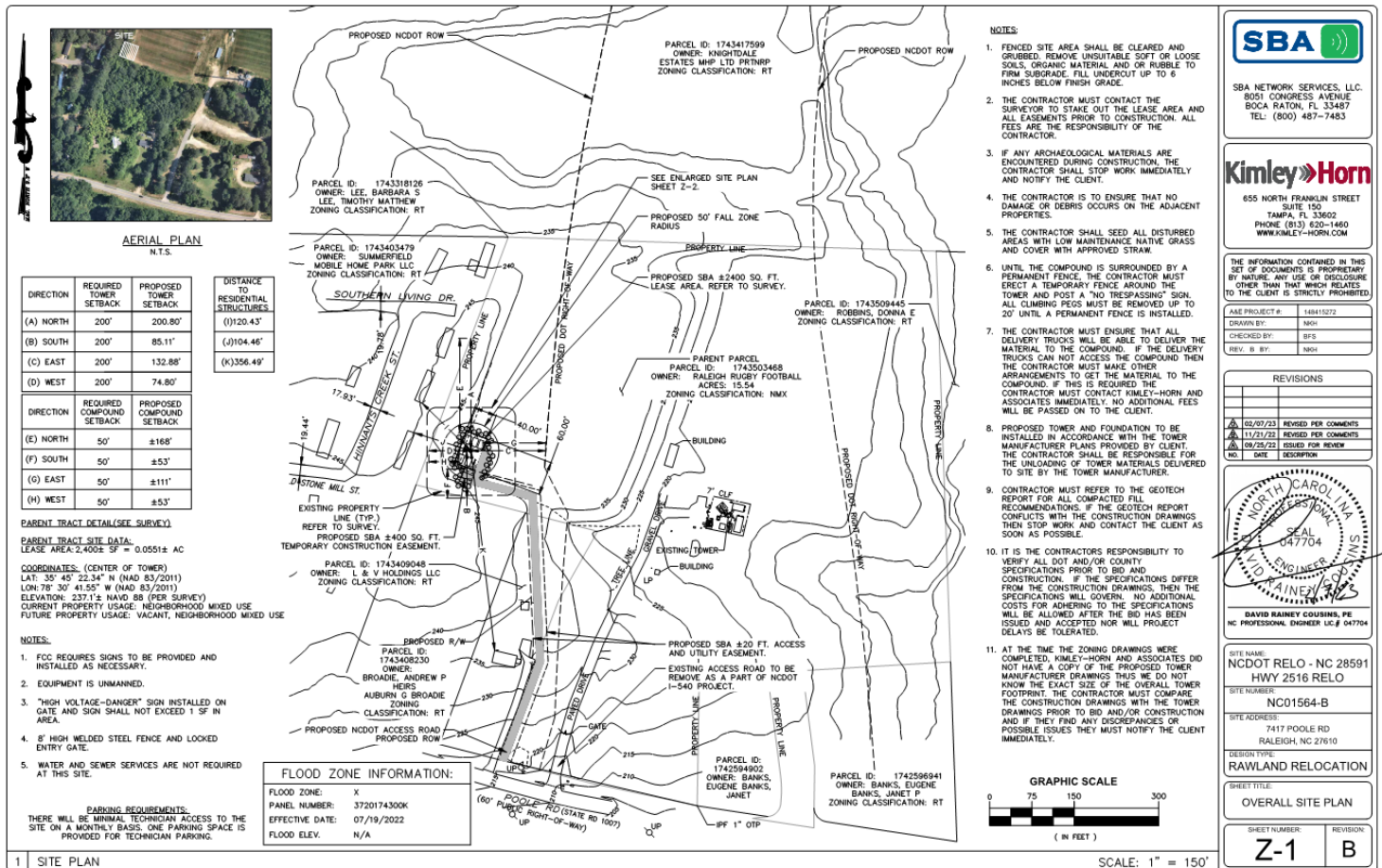


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### V. PROPOSED MASTER PLAN:

A site-specific Master Plan was submitted in accordance with UDO Section 12.3.F. In addition to the general ordinance regulations applicable to this site, additional conditions have been crafted for this specific use to ensure adverse effects will not contribute to a downgrade of blighting of surrounding uses. These standards are found in UDO Section 5.9.D, and the proposed plan is largely consistent with these requirements, as outlined below.







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### Setbacks

According to UDO Section 5.9.D.4, towers must be setback from any residential district a minimum of 200-feet. The current structure is well within this requirement; however the proposed relocation would place the tower as close as 74.80-feet from residentially zoned parcels to the west and east.

DIRECTION	REQUIRED TOWER SETBACK	PROPOSED TOWER SETBACK
(A) NORTH	200'	200.80'
(B) SOUTH	200'	85.11'
(C) EAST	200'	132.88'
(D) WEST	200'	74.80'

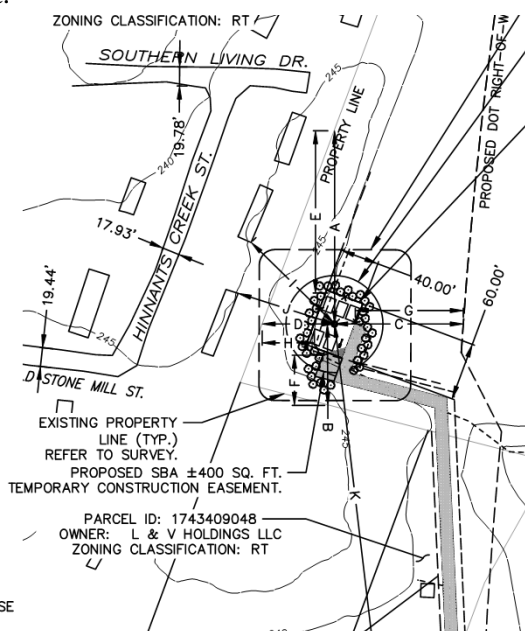
DIRECTION	REQUIRED COMPOUND SETBACK	PROPOSED COMPOUND SETBACK
(E) NORTH	50'	±168'
(F) SOUTH	50'	±53'
(G) EAST	50'	±111'
(H) WEST	50'	±53'

PARENT TRACT DETAIL (SEE SURVEY)

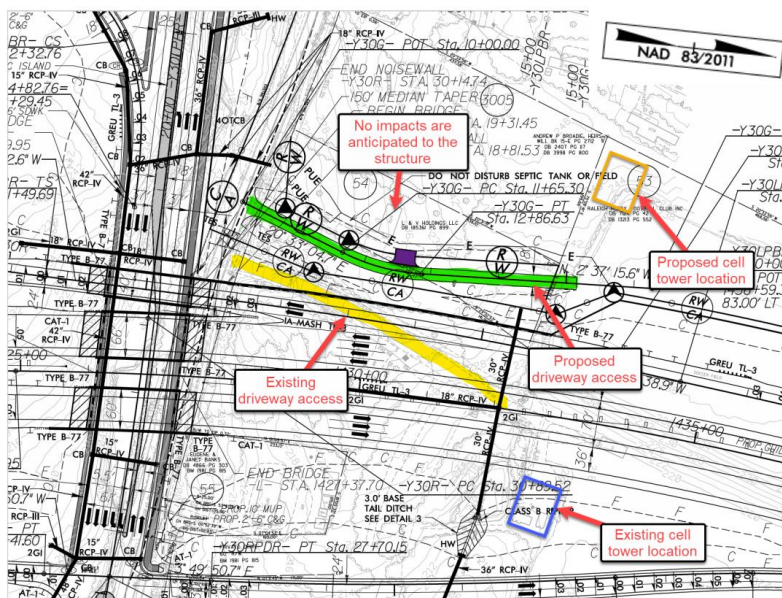
PARENT TRACT SITE DATA:  
LEASE AREA: 2,400± SF = 0.0551± AC

COORDINATES: (CENTER OF TOWER)  
LAT: 35° 45' 22.34" N (NAD 83/2011)  
LON: 78° 30' 41.55" W (NAD 83/2011)  
ELEVATION: 237.1'± NAVD 88 (PER SURVEY)  
CURRENT PROPERTY USAGE: NEIGHBORHOOD MIXED USE  
FUTURE PROPERTY USAGE: VACANT, NEIGHBORHOOD MIXED USE

DISTANCE TO RESIDENTIAL STRUCTURES
(I) 120.43'
(J) 104.46'
(K) 356.49'



A variance was granted by the Knightdale Board of Adjustment on November 22, 2022, which permitted a deviation to the minimum setback requirement, due to the hardship presented by the future construction of I-540 through this site. Additional hardships include environmental features on the eastern side of the site, and the need of the telecommunication providers to remain as close to the existing structure as possible to ensure adequate service is provided to private users and emergency responders.



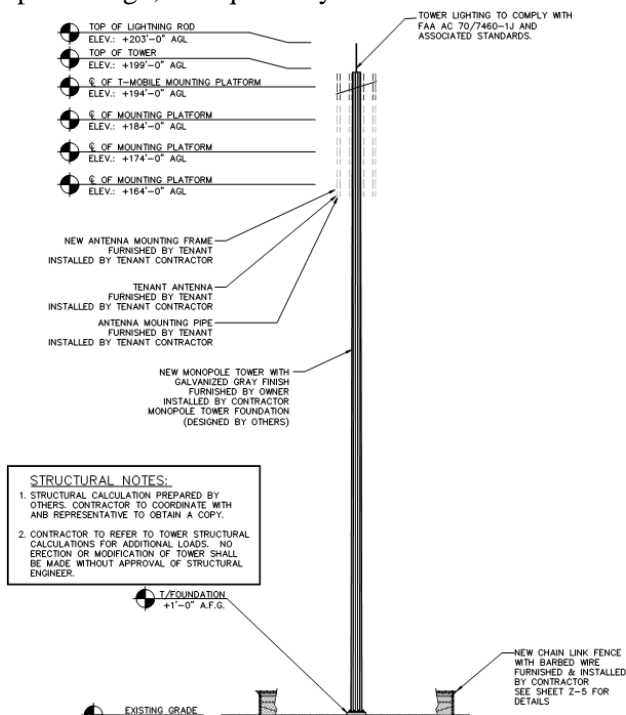


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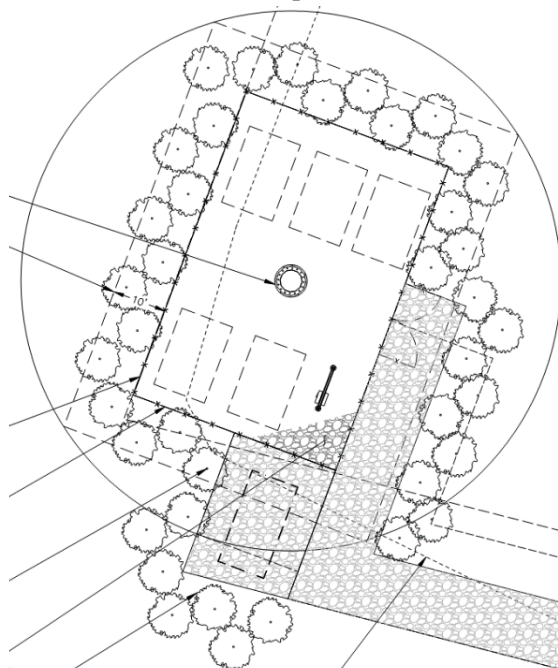
### Design

The proposed structure is a monopole design, as required by the UDO.



### Fencing & Landscaping

Evergreen vegetative screening and an eight-foot tall wrought-iron style fence is shown on the plan to separate the proposed use from adjacent parcels, consistent with UDO requirements.



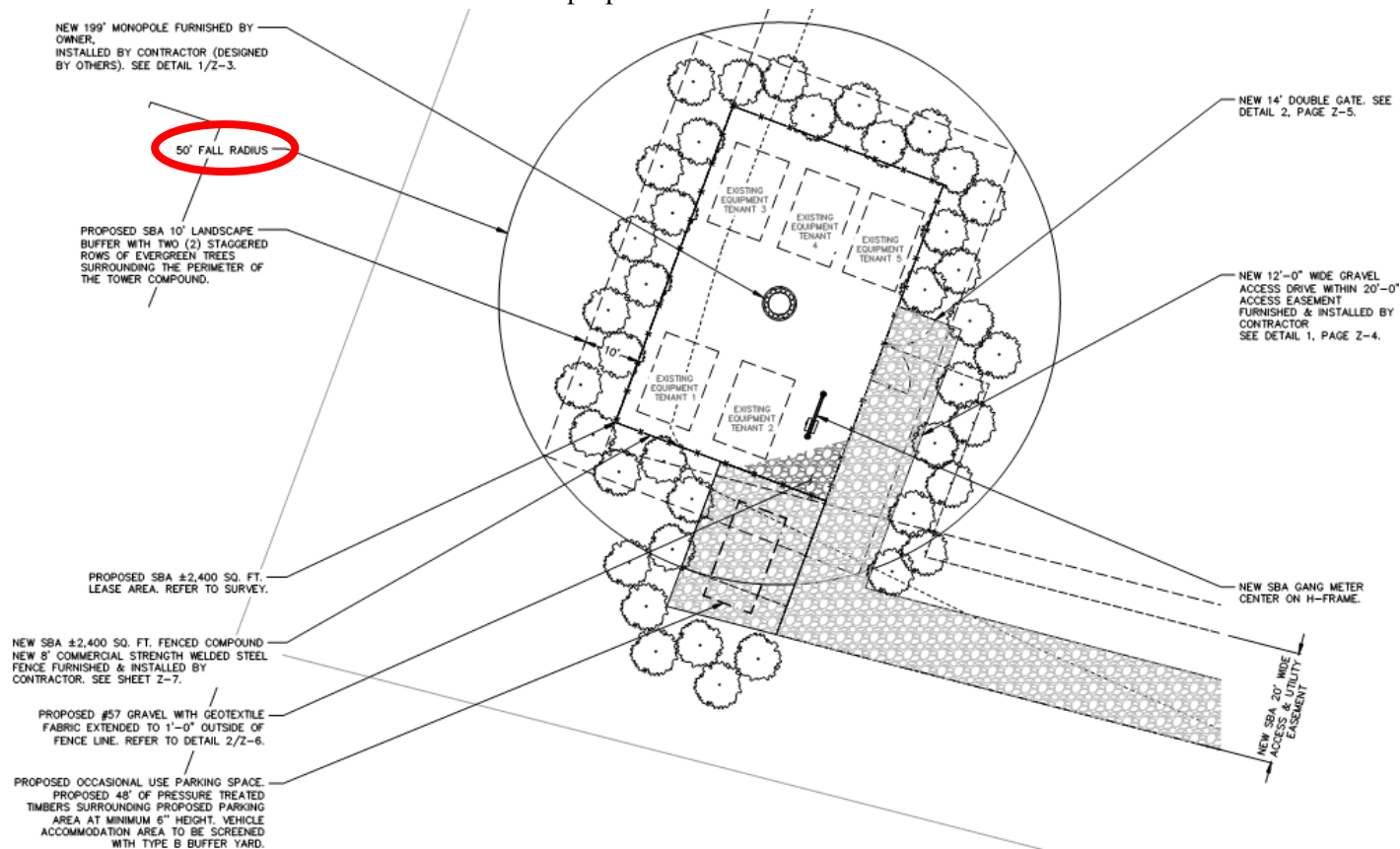


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### Fall Radius

UDO Section 5.9.D.3 requires that new towers shall be designed such that any debris which may fall from the tower does not strike any land outside the parcel on which it is located. According to a structural engineering memo provided by the facility manufacturer, the proposed structure or any debris should fall within a 50-foot radius of the tower itself. The closest residential structure is 104-feet from the proposed tower.



### VI. SPECIAL USE PERMIT REQUIREMENTS:

According to UDO Section 12.2.F.4.c.i, SUPs require evidentiary proof from the applicant supporting the findings of fact outlined below.

1. The use meets all required principles and specifications of the UDO and any adopted land use plans, is in harmony with the general purpose and intent and preserves its spirit;
2. The proposed plan as submitted and approved will be visually and functionally compatible with the surrounding area; and
3. The public health, safety, and welfare will be assured to not substantially injure the value of adjoining property and associated uses if located where proposed.

Additional findings may be included following information gleaned from testimony during the public hearing period.



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### **VII. QUASI-JUDICIAL CASE PROCEDURES:**

Staff met with the development team in September 2022 to discuss the potential of a project at this location and worked with them through several preliminary sketch plan details. A SUP is a quasi-judicial public hearing, which requires certain application procedures including having a pre-application meeting with staff and holding a neighborhood meeting with any property owners within 200 feet of the outer boundaries of the subject development. Below is a timeline of the required elements.

- Pre-application meeting: September 1, 2022
- Neighborhood Meeting: January 17, 2023

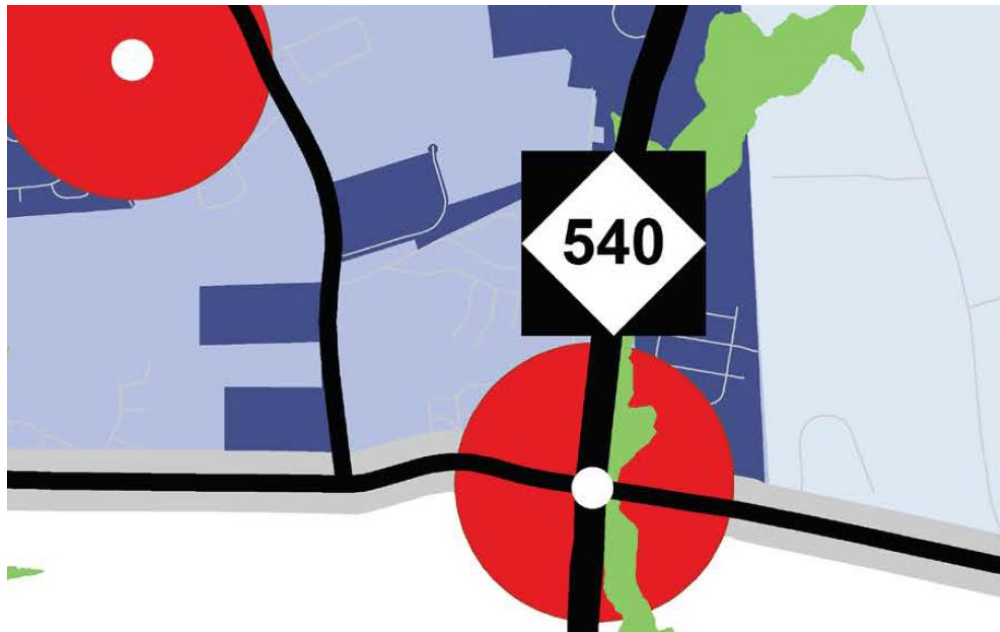
The virtual neighborhood meeting was held via Zoom on January 17, 2023. Approximately three neighbors attended the meeting. Topics discussed included timeline of construction, building materials, and NCDOT plans. Additionally, the Town of Knightdale followed public hearing notice requirements as prescribed in the North Carolina state statutes.

- First Class Letters Mailed: March 6, 2023
- Sign Posted on Property: March 6, 2023
- Legal Ad Published in the Wake Weekly: March 5 & 12, 2023

### **VIII. COMPREHENSIVE PLAN:**

#### **A. Growth Framework Map**

The Comprehensive Plan features the Growth Framework Map, a high-level tool for assisting in the decision-making process for development proposals. The intent is to prioritize development proposals based how well it fits within the existing conditions of the surrounding area. The map designates this area as a Growth Activity Center & Priority Investment Area surrounding the future I-540 interchange at Poole Road.







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### B. Growth & Conversation Map

The Growth & Conversation Map designates parcels in Knightdale into different place type categories based on their current state and the anticipated pattern of development. The subject property is designated as “Neighborhood Node” as a place type.

#### PLACETYPE CATEGORIES

Preserved Open Space	Business Office
Rural Living	Light Industrial
Recreation Open Space	Heavy Industrial
Single Family Neighborhood	Civic & Institutional
Mixed-Density Neighborhood	Old Town
Multifamily Community	Mixed-Use Center
Neighborhood Node	Mixed-Use Center (Suburba
Retail	Transit-Oriented Developme
	Regional Mixed-Use Center



The “Neighborhood Node” place type is defined as:

Neighborhood nodes provide goods and services to surrounding neighborhoods. Their proximity to neighborhoods requires that operations be low-intensity, unobtrusive, and at a scale and design compatible with nearby residential development. The design of a neighborhood node transitions effectively between residential and nonresidential uses, and includes safe and convenient pedestrian and bicycle access for nearby residents.

While this is primarily a commercial category, some neighborhood nodes may include upper story residential or office. Sites also effectively minimize the impact of cut-through traffic on nearby neighborhood streets by orienting vehicle access, circulation, etc. away from the neighborhood. Access between residential neighborhoods and adjacent commercial uses may be limited to pedestrian facilities.

### **IX. STAFF RECOMMENDATION:**

Staff recommends holding a public hearing and, following a discussion of the proposal and any questions for the Staff or applicant, determining whether the evidence presented supports the following findings of fact:

1. The use meets all required principles and specifications of the UDO and any adopted land use plans, is in harmony with the general purpose and intent and preserves its spirit;
2. The proposed plan as submitted and approved will be visually and functionally compatible with the surrounding area; and
3. The public health, safety, and welfare will be assured to not substantially injure the value of adjoining property and associated uses if located where proposed.