APPLICATION FOR
CHANGE IN ZONING CONDITIONS

APC TOWERS, LLC
TOWN OF MATTHEWS

PROPERTY LOCATED AT
2447 E. JOHN STREET, MATTHEWS
MECKLENBURG COUNTY, NORTH CAROLINA

TAX PARCEL 215-051-25

Prepared By:
R. Susanne Todd
Johnston, Allison & Hord, P.A.
1065 East Morehead Street
Charlotte, North Carolina 28204
(704) 998-2306
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12) Follow Up Information Re Alternate Site: City of Charlotte Fire Station

*addressed, unsealed, stamped envelopes with photocopies of application included
APPLICATION FOR CHANGE IN ZONING CLASSIFICATION
OR CHANGE IN CONDITIONS
(SEE FILING INSTRUCTIONS)

TO: Town of Matthews Board of Commissioners
   Town of Matthews Planning Board
   232 Matthews Station Street
   Matthews, North Carolina 28105-6713

Ladies and Gentlemen:

Your consideration of this petition is requested for:

☐ A change in zoning classification of the property hereinafter described; or
☒ A change in conditions to an existing conditional zoning plan.

Tax parcel number(s): 215-051-25

Address of property: 2447 E. John Street, Matthews, NC 28105

Location of property:

Title to the property was acquired on March 15, 2004
and was recorded in the name of Couchell Family Properties, LLC
whose mailing address is 3362 Smith Farms Road, Matthews, NC 28104

The deed is recorded in Book 16898 and Page 439 in the office of the Register of
Deeds for Mecklenburg County.

Present zoning classification: I-1 (CD)  Requested zoning classification: I-1 (CD)
List reason(s) why zoning should be changed (use separate sheet if necessary):
To allow for development and construction of communication facilities.

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of property owner (must be original)

Print name of property owner

Property owner's mailing address

Property owner's mailing address, continued

Property owner's mailing address, continued

Property owner's phone number/email address

Signature of agent (if any) of Petitioner

Johnston, Allison & Hord, P.A.

Print name of agent of Petitioner

1065 E. Morehead Street

Agent's mailing address

Charlotte, NC 28204

Agent's mailing address, continued

Agent's mailing address, continued

(704) 998-2306 / stodd@jahlaw.com

Agent's phone number/email address

Signature of agent (if any) of Agent of Property Owner

APC Towers LLC

Print name of petitioner and Agent of Property Owner

8601 Six Forks Road, Suite 250

Petitioner's mailing address

Raleigh, NC 27615

Petitioner's mailing address, continued

Petitioner's mailing address, continued

(919) 760-9668 / mlee@apctowers.com

Petitioner's phone number/email address
List all tax parcel numbers, names, and mailing addresses of all property owners subject to notification of this zoning application. Attach additional sheets if necessary.
See item #7 in instruction sheet titled "Instructions for Filing an Application for a Change in Zoning Classification or Change in Conditions for Property located in the Town of Matthews."

See Exhibit A attached hereto.

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APPLICATION FOR CHANGE IN ZONING CLASSIFICATION OR CONDITION, PAGE 3
SUMMARY OF THE REZONING PROCESS

APPLICANT: Fill in dates for each action below before filing application. Refer to the current Planning Department rezoning schedule for correct dates.

PROPERTY OWNERS: These dates are assumed to be correct at the time of zoning application submittal but are subject to revision. Contact the Planning Department (704-847-4411 or email srobertson@matthewsnc.gov) for verification.

Application submitted to and received by Town Planning office December 19, 2019

Town Board of Commissioners formally accepts application and sets Public Hearing date January 13, 2020

Notices sent via mail to affected/adjacent property owners on or before January 28, 2020

Public hearing: applicant gives explanation of why s/he wishes to have property rezoned and neighboring owners may ask questions and voice opinions on the proposed zoning February 10, 2020

Town Planning Board reviews request, information, and comments from the public hearing, then makes a recommendation to the Board of Commissioners on whether to approve or deny the request February 25, 2020

Town Board of Commissioners approves or denies application March 9, 2020

The Matthews Board of Commissioners General Procedures Policy on Zoning and Development Case Appearances Before the Town Board, initially adopted October 8, 2018, explains the Board of Commissioners’ expectations that this application is ready for public review and action, and that the above schedule can be followed without delays. By signing below, the property owner(s) and all other parties involved in preparing and presenting this zoning application indicate they have read and understand their responsibility to submit complete and accurate documents in a timely manner throughout the review process. Late or missing (new or revised) documents may limit the applicants opportunity to present updated information, which may result in an unfavorable decision.

Signature of Property Owner John A. Towsley
Agent for Property Owner					Date 12/10/19
Other (please identify) Agent for Petitioner

Signature of Property Owner
Agent for Property Owner
Other (please identify) Agent for Petitioner

Signature of Property Owner
Agent for Property Owner
Other (please identify)
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| 07126002I | 117 Ann Street  
Matthews, NC 28104 | Jerry Mack Pressley and  
Lynda Pressley | 117 Ann Street  
Matthews, NC 28104 |
|-----------|-----------------|-----------------|-----------------|
| 07126002H | 201 Ann Street  
Matthews, NC 28104 | Bradford A. Kroll | 10228 Gator Bay Court  
Naples, FL 34120 |
| 07126002G | 209 Ann Street  
Matthews, NC 28104 | Dung H. Tong | 209 Ann Street  
Matthews, NC 28104 |
| 07126002 | 217 Anne Street  
Stallings, NC 28104 | Tami Linn Osmer Mize and Brad Mize | 217 Anne Street  
Stallings, NC 28104 |
| 07126006C | 4024 Campus Ridge Road  
Matthews, NC 28105 | John Y. Penninger and  
Katherine Penninger | PO Box 882  
Matthews, NC 28106 |
| 07126006A | 4020 Ridge Road  
Matthews, NC 28105 | Michael M. Stephens | 4020 Campus Ridge Road  
Matthews, NC 28104 |
| 07126006F | 3939 Campus Ridge Road  
Stallings, NC 28104 | Cheryl Drake-Bowers and  
Hugh Hawes | 3939 Campus Ridge Road  
Matthews, NC 28105 |
| 07126006 | Potter Road  
Matthews, NC 28105 | Judy T. Drake | 3816 Campus Ridge Road  
Matthews, NC 28105 |
REZONING APPLICATION
APC TOWERS LLC, PETITIONER
JOINDER AGREEMENT

The undersigned, as the owner of that parcel of land subject to the attached Rezoning Application filed by APC Towers LLC that is designated as Tax Parcel No. 215-051-25 on the Mecklenburg County Tax Maps (the “Site”), hereby joins in this Rezoning Application (as may be amended from time to time), naming APC Towers LLC as its agent for the purposes of said Rezoning Application, and hereby consents to the change in conditions for the Site to the I-1 (CD) zoning district and the construction of related improvements on the Site.

This 25 day of November, 2019.

COUCHELL FAMILY PROPERTIES, LLC

By: 
Name: Anastasia Couchell
Title: Manager

By: 
Name: Stephanie Couchell
Title: Manager

By: 
Name: Emily Couchell
Title: Manager

as Power of Attorney
November 27, 2019

Mary Jo Gollnitz, CZO
Senior Planner/Zoning Administrator
Town of Matthews
232 Matthews Station St.
Matthews, NC 28105

RE: Rezoning Application filed by APC Towers, LLC (“Applicant” or “APC Towers” for Change in Conditions from I-1(CD) to I-1(CD) (“Zoning Application”) to allow for construction of a 120’ stealth communications tower (“Monopine”) at the rear of a +/- 4.880 AC site located at 2447 East John Street, Matthews, North Carolina and further identified as Tax Parcel # 215-051-25 (the “Site”).

Dear Ms. Gollnitz:

Our firm represents Applicant in its request to use the above-referenced Site for a 120’ stealth communications tower. Thank you for meeting with us to discuss both the proposed text amendment and change in conditions required to accomplish this goal.

Applicant is a national private “build to suit” communications tower developer with over 250 sites across 38 states nationwide. APC Towers is headquartered in Raleigh, North Carolina.

The Site is essentially the last parcel on the eastern side of East John Street before leaving the Town of Matthew and entering the Town of Stallings in Union County, and where East John Street becomes Old Monroe Road. The portion of the Site fronting East John Street is improved with a Restore store. The rear portion of the Site is vacant/heavily wooded and accessed by private Friendship Drive. The Site is currently zoned I-1(CD). Stealth communication towers up to 120’ are allowed in I-2 zoning, but not in I-1 zoning. Therefore, we previously filed a text amendment to allow stealth towers up to 120’ in I-1 zoning as well.

This letter is submitted along with the above-referenced Zoning Application to meet the requirements of Paragraph 12 of the Instructions for filing a Change in Conditions. The proposed Monopine will be 120 feet in height and built for immediate use by Verizon Wireless. The proposed tower will be constructed as a multiuser tower which will allow for collocation accommodations for other communication companies. The Town of Matthews Land Use Plan 2012-2022 (“Land Use Plan”) identifies the Site as located within a
Transitioning and Sensitive Area identified as the East John Street/485 Outer Loop Area (see Section 4e, pp 101-103 attached hereto). The Land Use Plan, adopted in 2012, recommends planned office/employment park, light industrial and/or light warehousing uses for this area while cautioning against retail or service uses that may bring additional traffic. The E. John Street/Outer Loop Area Small Area Plan approved in January of 2017 ("Small Area Plan") drills down further, sectioning the 335 acres included in the Small Area Plan into geographical land use “blocks”. The Consensus Build Out Scenario of the 28 acre block that encompasses the Site is envisioned for Office/Production/Distribution uses (see attached pages 182-185 of the Small Area Plan).

As described in the Small Area Plan, this area is to be considered a focal point of economic development with a satellite campus of Wingate University and the extension of the CATS rail corridor with unique opportunities for development due to proximity to the Central Piedmont Community College, Mecklenburg County Sportsplex, and the Entertainment District. Limited transportation infrastructure and public utilities has previously hindered development of this Area. Improvements to the existing wireless infrastructure with the addition of the proposed Monopine can only aid the Town of Matthews in achieving the goals set forth in the Plans. The proposed communications tower will allow higher cell and wireless communication availability, and filling in drop zones occurring due to the already high volume of users in the area.

We are requesting a waiver from the traffic study requirement as the proposed communications tower will cause little or no impact on the traffic in the area post construction.

This is an exciting time for the Town of Matthews. It is growing and thriving as a place for young families and businesses alike. As this area grows and develops, it is imperative to have essential communication infrastructure in place.

Sincerely,

[Signature]

R. Susanne Todd

RST/
Enclosure

cc: Madison Lee, APC Towers
Town of Matthews
Land Use Plan

2012 - 2022

Recommended by Matthews Planning Board on November 28, 2012
Adopted by Matthews Board of Commissioners on December 10, 2012
East John Street is a major thoroughfare on the MUMPO Thoroughfare Plan and, as such, this roadway should be capable of moving larger volumes of traffic than its current capacity. The construction of the 485 Interchange at East John Street has compounded traffic issues, as well as placing an increased demand on development in the immediate vicinity.

In order to minimize traffic impacts, development here must be destination-oriented. The northern quadrant of the interchange has been identified as the future location of Wingate Commons (see corresponding study area in this section). The eastern quadrant was highlighted in the 2007 Town of Matthews Strategic Economic Development Plan as an ideal setting for a planned office park. Light industrial and/or light warehousing would also be appropriate land uses. Retail and quick-service uses should be limited because they would likely attract additional traffic from outside of the park. Adjacent to the interstate and a major thoroughfare, this area has plentiful economic development opportunities.
The build-out of this area should complement adjacent land uses. Residential land uses across East John Street and potential residential uses along the McKee Road Corridor Area must be considered. A connector roadway to the future McKee Road extension or existing Campus Ridge Road will be needed as these land areas develop. Alternate transportation should be encouraged. The developer should install sidewalks, bike lanes, bike facilities and adequate lighting with any development proposal.

When constructed, these developments should limit access along East John Street. Access points on East John Street should align with existing access points whenever possible. Access points on other roads are encouraged.

The southwest side of East John Street is composed of single-family residential neighborhoods and is well-suited for residential infill development. There are density limitations in this location due to sparse availability of public utilities.

Though no plans exist to widen East John Street, municipalities in Union County are pressuring NCDOT to widen Old Monroe Road. This, in turn, will compound the bottleneck on East John Street upon entering the Town of Matthews. Therefore, coordination among the numerous agencies is necessary to plan this corridor widening in a logical progression. A cross section of the roadway would therefore be prudent for future purposes. This cross section should include dual-sided pedestrian sidewalks, bike lanes and adequate lighting for alternative transit. The Town should also design streetscaping plans specific to this interchange.

Several factors present challenges to this area. Since East John Street currently operates at capacity, there are concerns regarding an influx of traffic due to land development. Developers must be sensitive to the adjacent residential areas. Each development proposal must demonstrate effective traffic mitigation and minimize effects to neighboring residential areas. Proposals which substantially increase negative impacts to traffic and/or nearby neighborhoods should not be considered.

Overall, East John Street interchange is a prime location for land development opportunities. The 2007 Town of Matthews Strategic Economic Development Plan highlighted the northeastern side of East John Street as a focal point of economic development. Upcoming roadway projects and the extension of the CATS southeast corridor will bring increased visibility and additional people to the area. Wingate University will soon build a satellite campus here; Central Piedmont Community College has plans to expand services into this area. These developments will attract supportive uses to this area.

See also: East John Street Area; Wingate Commons; McKee Road Extension Area; Brightmoor; Bexley.
EAST JOHN STREET: OUTER LOOP AREA ACTION ITEMS:

1. Create a harmonious balance between residential and commercial land uses in this area.

2. Design a cross section for East John Street which includes elements for alternative transportation modes.

3. Develop desired streetscape renderings of the East John Street at I-485 interchange including landscape, sidewalks, bike lanes, signage and lighting.

4. Promote development of a planned office / employment park, light warehousing, or light industrial uses in the northeastern quadrant of the interchange.

5. Limit retail or service uses in the northeastern quadrant.

6. Limit driveway access on East John Street.

7. Coordinate access point(s) on East John Street to align with any future driveway constructed in the Brightmoor Area.

8. Encourage the development of a connector roadway to the future McKee Road extension or existing Campus Ridge Road.

9. Discourage development that is dependent on East John Street for primary access.

10. Require developers to install buffers to eliminate added noise, light and air pollution and separate residential uses from non-residential uses.

11. Require all development along East John Street to have adequate buffers that effectively minimize adverse impacts of development.

12. Encourage light industrial uses along the CSX railroad tracks and prohibit the construction and/or expansion of heavy industrial uses.
E JOHN STREET/
OUTER LOOP AREA
SMALL AREA PLAN

Planning Board recommendation of approval 1/03/2017
Board of Commissioners approved 1/09/2017
The land area around E John Street, south of I-485 and extending up to the CSX rail line, is one of the last large mostly-vacant sectors within the Town of Matthews. In the near future, this property is expected to become prime for development as E John Street/Old Monroe Rd is improved and widened. Planning the future conceptual build-out of this area therefore must be strategic and intentional. This study builds on the recommendations and strategies for this sector set forth in Chapter 4 of the Land Use Plan. This plan will create a vision for appropriate density of development for the study area and will provide recommendations for implementing the vision. This plan also identifies unique opportunities for development here due to the proximity to established neighborhoods, Central Piedmont Community College, the Mecklenburg County Sportsplex, and the future Entertainment District.
The Town of Matthews has seen a robust amount of development in recent years and has crossed the population threshold of 30,000 citizens. With growth on the rise, the Town has acted progressively in drafting plans to ensure that quality land uses are designated in areas that are soon to be ripe for development. The land area adjacent to E John Street is over 335 acres of largely undeveloped or underdeveloped property. Lack of utility connection in this area has hindered development. At the center of the study area is the Duke Energy substation, with its transmission lines extending in two directions. While these utility improvements guarantee easy access to electrical power source, they also tend to restrict the types of uses that desire to locate immediately adjacent to them. In a similar way, the CSX freight railroad may hinder certain types of land use from locating nearby.

Due to the amount of acreage covered in this small area plan, it is beneficial to consider a diverse mix of land uses here. The Town has now embraced the concept of a more urban character of mixed use development at a higher density than previous commercial development that occurred in the latter half of the 20th century, but only in select locations. This study area is an ideal opportunity to encourage newer arrangements and concentrations of nonresidential uses, along with residential styles other than traditional single-family detached subdivisions with cul-de-sac internal streets.

Since different portions of the study area may allow a good fit with certain nonresidential uses more than others, the study area has been broken into multiple geographic “blocks”, which will focus on certain types of uses. The consensus build-out scenario in this plan illustrates these “blocks” by anticipated land use categories. These “focus” mixed use categories do not automatically exclude other uses, but rather show the intent to have a significant portion of development in their respective blocks be that type of nonresidential use. The mix of uses by focus type, and examples of land uses that would reflect the focus intent, include:

**Office focus**

Examples of uses that encourage an Office focus are: professional service offices and studios, such as for architects, accountants, engineers, real estate agents, doctors, dentists, investment agencies, lawyers, and similar, located within individual small office cottages, stand-alone office buildings, to office parks comprised of several large multi-tenant buildings (an office park or complex which may include supportive non-office uses for the employees there).

**Retail/Restaurant focus**

Examples of uses that encourage a Retail/Restaurant focus are: grocery stores; clothing and shoe stores; department stores; similar places selling merchandise generally incorporating more than 12,000 sq ft of sale floor area; cafeterias; sit-down restaurants; lounges; sports bars; fine dining; all food establishments generally incorporating more than 5,000 sq ft of floor area.
**Daily Services** focus

Examples of uses that encourage a *Daily Services* focus are: cafes; coffee shops; lunch counters/sandwich shops; fast food providers; ice cream shops; pizza carry-out storefronts; convenience stores; dry cleaners; child day care centers; pet boarding facilities; barber shops; hair or nail salons; spas; live-work units; and similar establishments providing daily or regularly-used items or services to those who live or work nearby; such daily service providers generally being smaller business establishments with between 1 and 5 employees on the largest shift, and often covering no more than 4,000 sq ft in floor area.

**Production/Distribution** focus

Examples of uses that encourage a *Production/Distribution* focus are: assembly of finished products prior to sale; flex use spaces; equipment/home goods repair activities; light manufacturing that does not emit any unpleasant noise, fumes, or light; storage and distribution of manufactured products, supplies and equipment.

**Residential** focus

Examples of uses that encourage a *Residential* focus are: cottage clusters of small houses; live-work units; townhomes or rowhouses; multi-family apartment buildings; residential uses on upper stories over nonresidential uses.

**Greenway/Landscape buffer**

Types of open space styles within this category are: greenway trails alongside creeks; multi use paths for pedestrians and bicyclists located beside streets or between other properties; pocket parks or plazas that may have gardens, benches, public art, and other hardscaping features; and small parks with open lawns or playgrounds.

In addition to the above types of land uses, there are a number of other land use categories that would be appropriate to locate within the study area. Civic uses, such as libraries, community centers, assembly halls, and police or fire substations, and institutional uses such as churches and schools may fit within several of the proposed mixed use focus areas.

Where a "block" on the build-out scenario shows a certain focus, it means that those types of uses should comprise at least thirty percent of the total building floor area once the entire section is developed. That allows a significant amount of other uses to also fit within that block.

The designated focus land use should be the first type of new development to be built within that block. This is because the initial development that occurs within each block of the study area will likely define the development pattern and subsequent development around it, and will influence further development to have a similar or complementary flavor. Therefore, by designating specific focus land use categories, the build-out scenario clearly identifies the vision for the subareas. No specific zoning categories are designated to be established within each "block". Instead, the land use focus identification assumes any appropriate zoning category may be applied within each subarea. For example, office
uses may be allowed in the O Office district, the B-1, and B-3 Business categories, and the MUD Mixed Use District.

The land use designations shown in the consensus build-out scenario on page 184 encourages different types of land use intensities to transition smoothly over the study area. Greenways can naturally divide separate focus use areas. Where a primarily nonresidential focus area will be placed near established low density residential uses, a landscape buffer area is indicated. Less intensive focus uses such as residential and office are therefore placed along the south side of E John Street. Frontage along the north side of E John Street is to be reserved for more intensive restaurant, retail, and daily service usage.

The future four-legged intersection of McKee Road and E John Street will function as a central point of the newly-developing area, and will have the most access to residents within and adjacent to the study area, as well as being an easy access location for visitors to the area. The four quadrants immediately adjacent to this intersection of two major thoroughfares are shown to be a Daily Use focus area.

The land use areas bordering the CSX rail line are designated for the greatest variety of uses. Along I-485 and the railroad, land is designated as an office focus location. Office use is preferred here because this use is generally tolerant of the constant hum of highway traffic and passing trains. The largest tract of land located centrally along the railroad track was designated to allow the largest mix of focus types due to its location in the study area. It is sandwiched between office, residential, and production uses, so its designation is a hybrid of the three. Along the railroad at the Mecklenburg/Union County line production and distribution services are designated. This property borders industrial uses in Union county along with the CSX rail line which makes it optimal for production and warehouse facilities. This area also has potential to utilize the rail line to transport goods to and from the property.

On the following page is the preferred build-out for the study area. Not only does the map land use focus areas for development, it illustrates a conceptual road network. The interior road network is an important design element that is included in response to the E John superstreet project. With limited access areas off of John Street and the unlikely scenario of permitted crossover intersections, there is a need for a skeletal perimeter road network that allows people to navigate from one focus area to another. The following build-out shows a network that has limited access points off of John Street, but multiple curb cuts off of the future Mckee Road extensions. The conceptual road network also reflects stipulations for the newly designed interchange at John Street and I-485. The new on and off ramp designs limit the amount of access points approaching the ramps from John Street and the conceptual street network reflects that. Notice in the build-out on the following page the limited access points, the perimeter skeletal network that allows traffic to flow across focus areas, and the intentional access points off of the future Mckee Road extensions.
E JOHN STREET SMALL AREA PLAN LAND USE ACTION ITEMS:

1. Proposed new development should correspond to the designated focus land use categories within the applicable block on the consensus build-out scenario.

2. Initial development within each block of the conceptual build-out scenario shall conform to the assigned focus land use category(ies), since it will set the tone for further adjacent development.

3. In each land use focus designation, the "focus" type of land use should comprise at least 30% of the overall build-out at each phase of completion.

4. Residential units should be incorporated into buildings in upper floors, such as two stories of office use and one or two stories of residential, when the mix of uses are compatible.

5. New internal street networks and pedestrian pathways should be designed for the larger segment of the study area as individual sites are proposed for development. This is necessary to assure that cross connectivity can be achieved, and is especially important given the limited new curb cut accesses from E John Street.

6. Greenways and other open space locations should be established for the overall study area before any development begins, and any parcel considered for development should then include their segment of the greenway and open space network. This is critical to guarantee the connectivity of the open space system.

7. Landscape buffers identified in the consensus build-out scenario that will be against established single-family neighborhoods, I-485, along the future right-of-way for E John Street, and the CSX rail line should be identified and protected from damage before any development begins. These locations should be protected during all development phases, and guarantees put into effect to preserve them perpetually.

8. A variety of residential styles should be used throughout the study area, to provide good options for new households to find the style they desire.
Zoning Overlay for Proposed Site & Adjacent Parcels in Mecklenburg County
Zoning Overlay for adjacent parcels in Union County
proposed site not located in Downtown Overlay district
Mecklenburg County - Streets & Overlay Aerial
Union County - Streets + Overlay Aerial
Existing and Proposed New Verizon Site at 120’ Height Coverage
NC-1512 Friendship Drive
Proposed Monopine
Friendship Drive
Morning Star, NC 28105
(Mecklenburg County)

NOTE:
Photo renderings are shown as artistic representations only, final site conditions may differ from what is shown.

PHOTO RENDERING BY TOWER ENGINEERING PROFESSIONALS, INC.
LOCATION 1
(LOOKING SOUTH)

PHOTO RENDERING BY TOWER ENGINEERING PROFESSIONALS, INC.
Proposed Monopine
NC-1512 Friendship Drive
Friendship Drive
Morning Star, NC 28105
(Mecklenburg County)

LOCATION 2
(LOOKING EAST)

PHOTO RENDERING BY TOWER ENGINEERING PROFESSIONALS, INC.
LOCATION 3
(LOOKING NORTH)
LOCATION 4
(LOOKING NORTH)
(TOWER NOT VISIBLE)
Existing and Proposed Duke Site at 120’ Height Coverage

Too close to existing tower location (0.6 miles)

Drop call and/or poor in-building coverage vector

Duke Location
Mr. Nicosia,

Your request found its way to me and I've taken the responsibility of replying directly to you rather than work through Chris Boyd as a middleman/messenger. For several public safety and operational reasons, Union County Public Works has not ever co-located any cellular equipment on our water towers. I do not see us changing this practice in the future.

Sincerely,

Hyong Yi
Public Works Administrator

From: Michael Nicosia [mailto:mnicosia@tepgroup.net]
Sent: Monday, October 7, 2019 1:57 PM
To: Christopher Boyd
Cc: Dean Glenn; Charles Swinson
Subject: Existing New Stalling Tank & Pump Station - 235 Carl Rd., Cell Antenna Collocation

WARNING: This email originated outside of our organization.
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Chris,

Good afternoon.

Per my voicemail message, we are looking to review possible collocation opportunities in the Union County Area area (on existing structures). Specifically, we wanted to reach out to Union County Public Works to verify if it was possible to collocate on the existing New Stalling Tank & Pump Station located at 235 Carl Rd.

I would like to know at your earliest convenience.
Kimberly:
Thank you for your prompt response.
I have discussed this with our client and you are correct, the carrier that will be locating on the proposed tower requires a 30 year lease.
I have now also learned that a minimum 15 lease is required just to break even on the tower construction.
Therefore, 5-10 is not an option that we can pursue.
Nonetheless, I truly appreciate your time and assistance in this matter.
Thank you again.
Susanne

Susanne, Most of the telecommunication leases that I see are 20 years or longer. We would be interested in 5-10 year leases.

Thank you,
Kimberly Carpenter, PE
CHARLOTTE WATER
P:704-432-0741 | C:704-576-8366

Would you confirm what the City means by “short term”? 
Susanne
Susanne,

To follow up on our earlier discussion, the central location your engineer identified for a cell tower on the Campus Ridge property (PID 21505209) would limit the future use of this parcel. Matthews Fire Department and other public entities have already requested the use of this parcel and there is also a possibility that Charlotte Water would use this land for system expansion in the future. If the tower could be located on an outside corner of the property, we would be receptive to a short-term ground lease agreement. Let me know if this is something you would like to pursue.

Thank you,

Kimberly Carpenter, PE
CHARLOTTE WATER
P:704-432-0741 | C:704-576-8366

EXTERNAL EMAIL: This email originated from the Internet. Do not click any images, links or open any attachments unless you recognize and trust the sender and know the content is safe. Please click the Phish Alert button to forward the email to Bad.Mail.

Thank you so much.
Ms. Carpenter, will you let me know your availability to discuss this property?

Susanne

From: Todd, Susanne
Sent: Tuesday, October 29, 2019 2:49 PM
To: Carpenter, Kimberly <Kimberly.Carpenter@ci.charlotte.nc.us>
Cc: Coffman, Shawn <scoffman@ci.charlotte.nc.us>
Subject: RE: [EXT] RE: Availability of City Property

Ms. Todd,

I’m forwarding your email to Kimberly Carpenter who manages Charlotte Water real estate. She’s your best resource on this subject.
Thanks, David Czerr

From: Todd, Susanne
Sent: Friday, October 25, 2019 2:57 PM
To: 'scoffman@ci.charlotte.nc.us' <scoffman@ci.charlotte.nc.us>; 'Czerr, David' <dwczerr@ci.charlotte.nc.us>
Subject: RE: Availability of City Property

Gentlemen:
I am resending to Mr. Czerr’s correct email address.
Thank you.
Susanne

From: Todd, Susanne
Sent: Friday, October 25, 2019 2:49 PM
To: 'scoffman@ci.charlotte.nc.us' <scoffman@ci.charlotte.nc.us>; 'dwezerr@ci.charlotte.nc.us'
Subject: Availability of City Property

Good afternoon Mr. Coffman and Mr. Czerr:
Our firm represents a cell tower company that desires to construct a communications facility on property located in the Town of Matthews
In connection with the rezoning of the property, the Town has asked us to look alternative sites, including the attached property at Campus Ridge/Johnson Lane.
Would either of you call me regarding this property and the City’s proposed development of same?
My direct is 704.998.2306.
Thank you,
Susanne

R. Susanne Todd, Partner

<image001.png>

1065 East Morehead St. | Charlotte, NC 28204
Phone: 704-332-1181 | Fax: 704-376-1628
stodd@jahlaw.com | www.jahlaw.com

Member: Meritas Law Firms Worldwide

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