

Community Meeting Report

Petitioner: SIM USA

Rezoning Petition No. 2015-005

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

Persons and organizations contacted with date and explanation of how contacted:

A representative of the Petitioner mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. Mail on December 4, 2014. A copy of the written notice is attached hereto as Exhibit B. Several notices were returned to sender and a copy of the returned notices is attached hereto as Exhibit D.

Date, Time and Location of Meeting:

The Community Meeting was held on Monday, December 22, 2014 at 6:30 p.m. at SIM USA, 14830 Choate Circle, Charlotte, NC, 28273.

Persons in Attendance at Meeting (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner was represented at the Community Meeting by Jonathan Yates (Hellman Yates & Tisdale) and Allison Merriman, RLA (LandDesign).

Summary of Presentation/Discussion:

The Petitioner's agent, Jonathan Yates, welcomed the attendees and introduced the team – himself, Allison Merriman with LandDesign and Bob Blees with SIM USA. Ms. LaWana Mayfield, City Council Representative for District 3 was in attendance and also introduced. Mr. Yates indicated that the Petitioner proposed to rezone an 108.86 acre site (the "Site") at 14800 and 14640 Choate Circle from INST(CD) to INST(CD)SPA. Mr. Yates stated that the purpose of the meeting was to discuss the rezoning request and respond to questions and concerns from nearby residents and property owners. The following is a summary of the meeting and items discussed:

- Mr. Yates explained that the cell tower will be owned by SCI Towers in Florida. The proposed location is based on need due the number of residential properties in the vicinity. SIM USA currently has a microwave tower on the property that was used to communicate with a second office located in Ft. Mill, SC. That tower will be removed and replaced with the proposed tower.
- The proposed tower will be used by Verizon and T-Mobile. There will be room on the tower for AT&T and Sprint should they decide to pursue that location.
- The tower is a monopole at 195' with a 4' lightning rod on top. The Verizon equipment will be located at 180' with T-Mobile at 170'. An 80' x 80' fenced compound (enclosed by 8' ht chain link fence with barbed wire) will contain the ground equipment.

- The tower will not be lighted as it is below the height threshold of 200' per the Federal Aviation Authority (FAA).
- It will take approximately 30 days to install the tower and equipment.
- Maintenance generally occurs once per quarter per carrier.
- Mr. Alex Salazar asked if any other SCI towers were located in the area. Mr. Yates noted there was not however there is a similar one near the intersection of Highway 160 and Gold Hill Road that is visible from I-77.
- Mr. Salazar asked if there were issues with radiation from cell towers. Mr. Yates explained that there are radiation limits set by the FCC and this type of tower emits less than 1% of the amount allowed. He directed Mr. Salazar to check the American Cancer Society website for the most accurate information concerning communications tower radiation.
- Mr. Salazar asked if this was a required meeting and if there was a mechanism to show opposition to the proposed tower. Mr. Yates explained that the meeting was required as part of the rezoning process and that there was a means to protest the petition.
- Mr. Salazar asked why SCI selected this site for the tower. Mr. Yates explained that the site provided good tree cover, was removed from residential properties and was replacing an existing tower. There is also a need for improved coverage in this area. Homebuyers in this area look for coverage as fewer people are using landline phones. The location of the tower provides the benefit of more reliable access to 911 in case of emergencies.
- Mr. Percy Wilson asked who contacted SIM USA regarding the need for a tower. Mr. Yates said that Verizon made the initial request, followed by the FAA, the FCC and lastly T-Mobile.
- Mr. Wilson asked if there was ever any conflict between competing carriers on the same pole. Mr. Yates said that the equipment for each carrier is spaced 10' apart and there is no interference with each other. Each carrier used to have their own pole but began sharing due to complaints from property owners and the FCC.
- SCI will lease the tower from SIM USA; the lease term is generally 30 years. Each carrier on the tower will lease space from SCI.
- Mr. Salazar asked about the remaining schedule for rezoning. We explained that the public hearing was January 20, 2015 at the Government Center. He said he had not received any notification regarding the public hearing; Ms. Merriman agreed to check with the Charlotte-Mecklenburg Planning Department to see if notifications had been mailed.
- Mr. Yates thanked everyone for attending and the meeting was concluded.

Respectfully submitted, this 6 of January, 2015.



Allison Merriman, RLA, LEED AP – LandDesign

CC:

John Kinley - Charlotte-Mecklenburg Planning Department
Jonathan L. Yates, Esq.- Hellman Yates & Tisdale

NOTICE TO INTERESTED PARTIES OF
COMMUNITY MEETING

Subject: Community Meeting – Rezoning Petition 2015-005 filed by SIM USA to rezone approximately 108.86 acres located at 14800 and 14640 Choate Circle, 28273 to allow the installation of a communications tower.

Date and Time of Meeting: Monday, December 22, 2014 at 6:30 p.m.

Place of Meeting: SIM USA, 14830 Choate Circle, 28273 – (meeting room in main building)

Petitioner: SIM USA

Petition No. 2015-005

SIM USA (the “Petitioner”) has filed a Rezoning Petition with the Charlotte-Mecklenburg Planning Commission seeking to rezone an approximately 108.86 acre site located at 14800 and 14640 Choate Circle, 28273, from an INST (CD) zoning district to an INST (CD) SPA zoning district. The purpose of the rezoning is to allow the installation of a communications tower.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission’s records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Site.

Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on *Monday, December 22, 2014 at 6:30 p.m.* The Petitioner’s representatives look forward to sharing this rezoning proposal with you and to answering any questions you may have with respect to this Rezoning Petition.

In the meantime, should you have any questions or comments about this matter, please call Jonathan Yates with Hellman Yates & Tisdale at 843 414-9754 or Allison Merriman with LandDesign at 704 333-0325.

cc: Councilwoman LaWana Mayfield, District 3 Representative

Date Mailed: December 4, 2014

