

MINUTES
Planning Board Regular Meeting
E.S. Douglass Community Center, 1185 W. Pennsylvania Avenue
Thursday, June 20, 2024, at 6:00 PM

Chair Westbrook called the meeting to order at 6:00 PM.

Chair Diane Westbrook, Kim Wade, Matthew Walden and Jennifer Garner were present.

Jennifer Garner made a motion, which was seconded by Matthew Walden, to approve the Minutes of the April 2024 regular meeting. The motion carried.

PUBLIC HEARING:

Z-01-24: Request to Amend Conditions of an Existing GB-CD; 7672 NC Hwy 22

Attorney Mark Tucker, on behalf of TowerCo 2013 LLC, submitted a request to amend conditions of an approved General Business Conditional Zoning District (file #Z-05-04) to allow a 156-foot telecommunications tower on a 10,000 sq. ft. portion of a 4.24-acre parcel identified as PIN 857404921656 (PARID 00035333). The property owner of record is listed as Sullivan Property, LLC.

Matthew Walden made a motion, which was seconded by Kim Wade, to open the public hearing. The motion carried.

Senior Planner Alaina Mallette stated that a text amendment to reduce the minimum setback for telecommunication towers from 1,000 feet to 800 feet had recently been approved and provided an overview of her staff report accompanied by a Power Point presentation.

Attorney Marc Tucker, on behalf of the applicant, stated that the request was to add telecommunications tower as a permitted use to the existing General Business Conditional Zoning district. A telecommunications tower in excess of 50 feet is permitted in a GB zoning district with a Special Use Permit. The applicant has leased a 100' x 100' area of the subject property and the monopole tower and support equipment will be situated on a 50' x 50' portion of the leased area and surrounded by a chain link fence with barbed wire at the top. The monopole tower will be 155 feet in height with a one-foot lightening rod on the top. There will be space for four providers to locate on the tower.

Mr. Tucker addressed the criteria for approval of a zoning map amendment and consistency with the 2040 Comprehensive Plan.

Chris Farriss of Real Property Appraisers and Consultants stated that his firm had conducted a study of the impact of the tower on adjacent properties and found that the value of surrounding properties would not be impacted.

Mr. Tucker stated that the tower is a light commercial use which is consistent with the existing commercial use on the property.

Shohel Chowdhury of AT&T stated that he had selected the subject property as the site for the tower.

Mr. Tucker stated that the facility will be unmanned and will not generate traffic other than biannual maintenance visits, and no Town services will be required. There will be no impact on adjacent properties and in the unlikely event that the tower fails, it will collapse within the fenced area.

Chair Westbrook asked how a 156-foot tower would not collapse outside of the 2,500 SF area if it were to fail.

Zachary Meloff of Kimley-Horn stated that the base of the tower is designed to be its strongest point. The manufacturer certifies that the monopole shaft above grade will be the weak point and in the extremely unlikely event of a catastrophic failure, the shaft will yield. It will not rupture or split apart. It will essentially bend and the radius of that deflection will be less than 50 feet.

Chair Westbrook as if any comments had been received from Fort Liberty or the Moore County Airport and Ms. Mallette responded that no comments had been received other than those from RLUAC.

David Hockey of TowerCo stated that the FAA requires them to submit the site location and tower height, which the FAA sends out to all airports within a certain distance and the FAA also reaches out to those airports to receive any comments. By the time TowerCo receives a letter from the FAA stating that a tower will not pose any safety concerns, the FAA has completed its outreach.

Member Wade asked if the tower will improve cell service in the area of Reservoir Park.

Member Garner commented that the lack of cell phone service in Reservoir Park is a safety concern.

Mr. Tucker responded that the tower would not benefit the Reservoir Park area based on the map of the coverage area.

Member Walden asked if the applicant will own the tower and Mr. Tucker responded that TowerCo will own the tower but lease the land.

Chair Westbrook asked Ms. Mallette if the applicant will be required to maintain the property and Ms. Mallette responded that consistency with the UDO will be discussed during the Special Use Permit process.

Mr. Hockey stated that TowerCo will be required to maintain the driveway and any other improvements related to the tower.

Matthew Walden made a motion, which was seconded by Jennifer Garner, to close the public hearing. The motion carried.

Matthew Walden made a motion, which was seconded by Jennifer Garner, that after reviewing the proposed amendment to the Town of Southern Pines Zoning Map and after considering the criteria for approval of map amendments found in UDO §2.17.9, the proposed amendment is consistent with the 2040 Comprehensive Plan for the reasons set forth in Attachment 1 of staff report Z-01-24 and therefore, to recommend approval of Z-01-24 to the Town Council with the following amended condition on the General Business Conditional Zoning district approved under file #Z-05-04 as consented to by the applicant:

- Permitted uses are restricted to veterinary clinic with no outside kennels (i.e., LBCS 2418 veterinary services) and wireless telecommunication towers and antennas taller than 50 feet (i.e., LBCS 4233b) as depicted on the site plans submitted with file #Z-05-04 and #Z-01-24, respectively.

The motion carried by a 4-0 vote.

UNFINISHED BUSINESS:

No unfinished business was discussed.

NEW BUSINESS:

Ms. Mallette stated that there will be several items on the July meeting agenda.

Matthew Walden made a motion, which was seconded by Kim Wade to adjourn the meeting. The motion carried.

The meeting adjourned at 6:51 PM.

An audio recording of the meeting and any related PowerPoint presentations are available upon request.

Respectfully submitted:

Cindy Williams
Secretary to the Planning Board