May 16, 2024

1. Call to Order of the Randolph County Planning Board.

There was a meeting of the Randolph County Planning Board on May 16, 2024, at 6:30 p.m. in Meeting Room *A,* Randolph County Office Building, 725 McDowell Rd, Asheboro, NC. Chairman Pell called the meeting to order and welcomed those in attendance.

2. Roll call of the Board members. (Completed by staff.)

The County Planning staff completed the roll call of the members of the Board as they arrived to the meeting. Reid Pell, John Cable, Melinda Vaughan, Reggie Beeson, Ken Austin, Brandon Hedrick were present. Kemp Davis was absent. County Planning Director Tonya Caddle and County Attorney Ben Morgan were also present, along with County Planning staff members Kayla Brown, Melissa Burkhart, David Harris, Kim Heinzer, and Tim Mangum.

3. Consent Agenda:
   - Approval of agenda for the May 16, 2024, Planning Board meeting.
   - Approval of the minutes from the April 2, 2024, Planning Board meeting.

On the motion of Cable, seconded by Austin, the Board voted 6-0 to ***approve*** *the Consent Agenda as presented.*

4. Conflict of Interest:
   - Are there any Conflicts of Interest or *ex parte* communication that should be disclosed? *(If there is a Conflict of Interest, the Board must vote to allow the member with the Conflict of Interest to not participate in the hearing of the specific case where the Conflict of Interest has been identified.)*

There were no Conflicts of Interest or *ex parte* communication identified by any Planning Board member.

5. Old Business.

6. New Business.

SPECIAL USE PERMIT REQUEST #2023-00000665

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **TILLMAN INFRASTRUCTURE,** New York, NY, and their request to obtain a Special

Use Permit on Wall Rd, Liberty Township, Sandy Creek Balance Watershed, Tax ID #8725469448, 19.58 acres, *RA - Residential Agricultural District.* It is the desire of the applicant to obtain a Special Use Permit to specifically allow a two-hundred forty-foot telecommunications tower as per the site plan. Property Owner: Barbara Kivett Wall

Caddle presented the first case of the night and site plans for the Tillman Infrastructure Special Use Permit Request.

Pell opened the public hearing and called on someone representing the applicant to address the Planning Board.

Morgan administered the oath to Tom Johnson, an attorney with William Mullins, 301 Fayetteville St, Raleigh, and Johnson asked for the application and all the provided materials to be submitted for the record and Morgan stated that information is already a part of the record.

Johnson stated that as part of his presentation, he, or others with him, would establish the finding of facts that are required to approve Special Use Permits in North Carolina.

Johnson started with the first finding of fact, *"That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved."* Johnson stated that the proposed tower exceeds all the required setbacks on the property line and that it meets building code and zoning requirements. Johnson stated that the proposed tower would provide wireless telecommunications service and internet services to an area that is not well served by telecommunication services.

Johnson then moved to the second finding of fact, *"That the use meets all required conditions and specifications."* Johnson referred the Planning Board to the information included in the agenda packet. Johnson stated that the applicant wants to use the existing trees and vegetation so they could be used as a buffer instead of the required Level III buffer required by the *Randolph County Unified Development Ordinance (UDO)* as they feel that the proposed trees and vegetation should be sufficient. Johnson stated that the site would be enclosed with a chain link fence and all setbacks are being met as the closest property line is 260 feet away from the proposed tower. Johnson stated that the proposed tower is more than 1,500 feet from the existing tower in the area and that the facility would be unmanned once construction was complete other than for occasional maintenance. Johnson referenced a letter showing the hardship and expenses caused by staying on the existing SBA Communications tower. Johnson stated that the proposed tower would be designed to allow other co-locations and that all approvals from the Federal Aviation Administration (FAA) had been given since there was no evidence of hazards to air travel or interference with other telecommunication equipment.

Johnson stated that if the tower was no longer used by carriers, it would be removed from the site.

Johnson then turned to the third finding of fact, *"Thet the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity."* For this portion of the discussion, Johnson called up Michael P. Berkowitz, 1100 Sundance Dr, Concord, with MPB Real Estate, LLC, to discuss the impacts on property values. Johnson passed out Exhibit 1 to the Planning Board. (See Exhibit 1 at the end of the minutes.) Berkowitz stated that he has been an appraiser for over twenty years and that he conducts studies on the impacts of telecommunications towers on property values. Berkowitz stated that it is often difficult to study the impacts of telecommunications towers in rural areas but that there is data that shows that the towers do not injure property values. Berkowitz shared a story of a location where a property owner had a tower constructed on his property and then successfully built a subdivision on the remainder of the property. Berkowitz stated that homes in that subdivision are selling in the range of $600,000 to $700,000. Berkowitz did say, and pointed to Exhibit 1, that there is quantitative and qualitative evidence to show that towers do not injure property values and that these towers are designed to be able to handle the increased demand placed on them.

Pell asked if the Planning Board had any questions for Berkowitz.

Austin stated that he noted in the packet that many of the comparisons are all in Robeson County. Berkowitz stated that some in the packet are also in Bladen County as he could not find anything similar in Randolph County. Austin asked how Randolph County compared to other counties and Berkowitz stated that it is"not so much the county, as the location."

Cable stated that most of the towers in the exhibit are 195 feet and one tower is 295 feet and he asked how this compares with the proposal. Berkowitz directed the Planning Board back to the information about the tower at Cypress Village subdivision in New Hanover County.

Austin asked Berkowitz how a developer looks at towers and if there were deterrents to development. Berkowitz again referred the Board to the Cypress Village subdivision and stated that towers are not that important when establishing the valuation of the property. Berkowitz said that other factors such as power lines, nearby operations, etc., like the Liberty Raceway Park impact property values more than telecommunication towers.

Pell asked if the Planning Board had any other questions for Berkowitz.

Johnson came back to address the Planning Board on the last part of the third finding of fact, *"... that the use is a public necessity."* Johnson stated that subdivisions often do not have access to cellular communication and internet services in rural parts of the County and that this tower will provide these services along with access to emergency services in the case of emergencies or natural disasters.

Johnson then moved to the last finding of fact, *"That the location and character of the use if developed according to the plan as submitted will be in harmony with the area in which it is to be located and in general conformity with this Ordinance."* Johnson stated that case law and General Statutes make this point clear--if the use is allowed in the zoning district, the use must be allowed. Johnson stated that Ashely Cline with Verizon Wireless was present and could present information on the location and character of use if the Planning Board wants to hear this information.

Johnson then addressed the fact that Robert E. Hornik, Jr, 1526 E Franklin St, Suite 200, Chapel Hill, an attorney with The Brough Law Firm, was present in opposition to this request but he did not feel that Hornik had standing to present on this request and that he would raise an objection at the appropriate time. Morgan said that now was the time for Johnson to present his objection based on standing.

Johnson objected to Hornik being able to address the Planning Board based on standing as Hornik's client, SBA Communications has not suffered any monetary damages and they have no reason to complain other than Tillman Infrastructure is one of their competitors. Johnson said that there is nothing in the laws that allows competitors to complain and that SBA Communications is not a neighbor and asked the Board to find that Hornik has no legal standing.

Pell asked if the Planning Board had any questions for the applicants.

Austin asked who determines when the tower is not being used. Johnson stated that based on the UDO, if a tower is not used for 120 days it must be removed and that is determined by seeing if there is any power being used. Austin asked if checking the power meter falls back on the County and Johnson said that is part of the code enforcement process.

Cable asked about a backup generator at the site. Johnson said that the generators that they use are very quiet and may only run on a testing cycle or if there is a loss of power.

Hedrick asked about the utility poles shown on the site plan and asked if there was an easement for the powerlines and pole and Johnson stated that he did not recall. Hedrick said that he asked the question because if there is an easement, the power company could come in at any time and cut the existing trees and then there would be no buffer on the site. Johnson said he is willing to amend the application to state that if the existing trees are cut in the utility easement, the applicant would plant a Level III buffer as needed.

Pell asked if Johnson was making this planting of Level III buffer if the trees in the existing easement are cut as part of the conditions for the application and approval and Johnson said yes. The applicant was updated and signed by Johnson.

Hedrick asked about the distance and height to the existing right-of-way and Johson said that the proposed tower would not have any impacts on the power lines as many times power lines run beside the telecommunications tower and the towers are engineered to withstand multiple hits from debris in the case of natural disasters.

Cable asked if the proposed tower was an all-steel structure and if it would be made to look like a tree that can be seen in surrounding communities. Johnson said that the tower would look like a tower because they have found that making a telecommunication tower look like a tree, it attracts more attention.

Austin asked about the schedule for maintenance at the site and Johnson stated that most of the maintenance could be done remotely but someone may come to the site every thirty days or so to ensure that there are no problems. Johnson stated that there would be more traffic there during construction and a crane might be brought in from time to time for maintenance, etc. Austin asked if the gate was secured and Johson said the gate would be locked and the site would be secured and there would be 24/7 remote video monitoring.

Beeson said that there is a telecommunications tower at the end of his drive on a neighbor's property and the tower has been on the site for maybe 15 years. Beeson said the tower is not really an issue and it does not have a buffer and that he would rather have cellular service in the case of an emergency instead of being without access to emergency services.

Pell asked if there were any other questions from the Planning Board members.

Morgan stated that he wanted to address the standing issue and he stated that it is the policy of the Board to allow anyone who wishes to speak, to address the Planning Board. Morgan stated that there is nothing in State rules that clearly defines what standing is and the decision is up to the Courts.

Johnson objected stating that standing does go to the weight of evidence presented and it is relevant to the decision made by the Board. Johnson stated that he reserved the right to re-address the Board due to information presented by Hornik.

Hornik, rose to address the Planning Board on behalf of his client, SBA Communications who is the owner of the existing telecommunication tower close to this site. Morgan administered the oath to Hornik who stated that he agrees with Morgan's statement about standing but that Hornik will not concede anything about standing. Hornik stated that Verizon Wireless is currently a tenant on the SBA Communications telecommunication tower and that the lease will expire in March 2028 and Verizon Wireless is going to be a tenant on the proposed telecommunications tower.

Hornik asked about the economic hardship letter that Johnson mentioned earlier and Horkin said that no such letter was in the application packet and that he checked as early as the morning of the meeting to see if the letter had been submitted and he stated that there was an affidavit but no letter regarding the economic hardship was in the agenda packet.

Hornik then turned to the UDO, specifically Article 600, Section 621, and the section on Telecommunication Towers. Hornik stated that the UDO has a policy to encourage co-location and not have multiple telecommunications towers all over the County and that the policy has a one-mile requirement. Hornik stated that he tried to submit information to the Planning Board but was not allowed to due to the provision in the UDO requiring comments to be received two business days before a public hearing. Hornik then submitted Exhibit #2 into the record. (See Exhibit #2 at the end of the minutes.) Hornik stated that the proposed lease with Tillman Infrastructure is going to be $10.00 less a month than staying on the SBA Communications telecommunications tower and that there is no need for an additional tower only 2,700 feet away. Hornik said the proposed telecommunications tower is the same height as the SBA Communications telecommunications tower and that the submitted application and supplemental information do not meet the requirements of the UDO and that the request should be dismissed and denied.

Pell asked if there were any questions from the Planning Board members.

Austin stated that based on the testimony, Verizon Wireless has a contract to use the existing SBA Communications tower. Austin asked if there was a penalty for early release. Hornik stated that Verizon Wireless has asked for an early release from the contract but the SBA Communications has denied the request to terminate the contract early.

Cable said that the Planning Board is being drawn into a contractual agreement between different vendors and that is not the role of the Planning Board.

Austin asked if, under the existing contract, there is additional capacity on the SBA Communications tower. Hornik referred the Planning Board to the information in the exhibit and stated that Verizon Wireless had been on the SBA Communications tower since 2021 and two telecommunications towers this close could cause interference.

Cable asked if Verizon Wireless is the only carrier on the SBA Communications tower and Hornik stated that he was not sure.

Austin asked if the current SBA Communications tower would be out of use if Verizon Wireless left the SBA Communications tower. Hornik stated that the existing SBA Communications tower would have a user so it would not be required to be removed.

Pell asked if there were any other questions from the Planning Board. No one else had signed up to speak in opposition to the Special Use Permit request so Johnson came back to address comments raised by Hornik.

Johnson apologized to the Planning Board and stated that he thought the economic hardship letter had been submitted but they discovered during the meeting that it was not submitted. Johnson submitted Exhibit #3, the economic hardship letter, to be included in the record. (See Exhibit #3 at the end of the minutes.) Johnson called on Ashley Cline with Verizon Wireless to address the economic hardship letter.

Cline rose to address the Planning Board and stated that he works with Verizon Wireless and that Verizon Wireless does look at many factors when deciding whether to stay on an existing telecommunications tower or move to a new telecommunications tower. Cline said that their first consideration is cost and that they do data analysis and look at user data to determine locations for their equipment as Verizon Wireless wants to provide their customers with the best service possible. Cline stated that the company also looks at expenses versus capital as Verizon Wireless is a publicly traded company that has to answer to its shareholders. Cline stated that management wants to save money and the way they do that is by looking at existing contracts like the one with SBA Communications. Cline stated that the contract between Verizon Wireless and SBA Communications is a "supplement contract" and to move forward with this proposed site, the agreement would need to be redone. Cline then talked about the annual cost differences as shown on page two of Exhibit #3 and he said that there is data to support the findings of economic hardship by staying on the existing SBA Communications telecommunications tower. Cline said the problem is with SBA Communications and their leadership due to the expenses of Verizon Wireless staying on the existing SBA Communications tower. Cline stated that many of the contracts between Verizon Wireless and SBA Communications contain language that allows "modifications" to impact rent. Cline stated that Verizon Wireless is constantly changing their equipment and every time they touch the tower, the rent is increased by SBA Communications. Cline also told the Planning Board that the average modification that Verizon Wireless does on existing towers can cost more than $200,000 and that requires engineering work to make sure existing towers can support the new equipment. Cline said in this case, the SBA Communications tower cannot support the improvements that Verizon Wireless wants to make.

Pell asked if there were any questions from the Planning Board.

Cable asked if Cline knew how many towers Verizon Wireless operates and Cline said he did not have the exact number but would assume it is in the thousands. Cline said that Verizon Wireless wants to build its network and not be in the business of building and managing telecommunications towers.

Hornik rose to remind the Planning Board of language in UDO that the applicant has to provide information that they investigated other towers in the area and Johnson stated that that specific information has already been submitted into the record.

Johnson stated that the master agreement that has been discussed tonight is for the entire country--not just this one site. Johnson stated that rent on an SBA Communications telecommunications tower is 101% higher than on a Tillman Infrastructure-owned tower. Johnson restated Cline's statement that the site rent goes up every time the tower is touched for whatever reason. Johnson said that the application meets the requirements of the UDO and Verizon Wireless will be able to save money at this site and be able to invest those savings in other locations.

Pell asked if there were other questions from the Planning Board members.

Hedrick talked about the information that had been provided according to page 232 of the UDO.

Pell closed the public hearing.

Hedrick stated that there is nothing in the UDO about economic hardships.

Cable stated that as much as he travels it is important to be able to contact emergency services and that he does not want to cover the landscape with telecommunication towers but after hearing the testimony, it sounds as if this is a contract dispute between Verizon Wireless and SBA Communications. Cable stated that other businesses close because they cannot serve their customers and move to different locations to serve the customers. Cable said he was concerned with citizens losing service and it sounds like Verizon Wireless is not going to stay on the SBA Communications tower. Cable said he thought the hardship had been met and that the service was needed and all four tests for the finding of fact had been satisfied.

Hedrick stated that the plan meets the requirements but that he would like to see a Level III buffer on the site.

On the motion of Cable, seconded by Beeson, with a vote of 6-0, the Board voted to ***approve*** *the request with the motions contained in the Planning Board packet.*

SPECIAL USE PERMIT REQUEST #2024-00000061

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **KIMBERLY BUSH,** Seagrove, NC, and their request to obtain a Special Use Permit at 7207 Erect Rd, Brower Township, Tax ID #8606731562, 174.37 acres, *RA - Residential Agricultural District.* It is the desire of the applicant to obtain a Special Use Permit to specifically allow a second residence to be placed on the property for a family member.

Caddle presented case and site plans for the Kimberly Bush Special Use Permit request.

Pell opened the public hearing.

Morgan administered the oath to Kimberly Bush, 7207 Erect Rd, Seagrove, the applicant for the Special Use Permit request.

Bush stated her desire to put a home on the land near the existing pond and that the existing residence on the property is where her elderly parents live. Bush stated that they do not plan to divide the property or create a subdivision.

Pell asked if there were any questions from the Planning Board members.

Beeson asked about the dirt road going through the property and Bush stated that the road starts on Erect Rd and it continues through to Antioch Church Rd and they are planning to only use the Erect Rd portion of the road. Bush stated that the neighbors have never had any problems due to the road being present,

Morgan asked Bush if she understood that if the Planning Board approves the Special Use Permit, both residences that would be on this property would have to be sold together with the land and Bush stated that she understood that requirement.

There were no more speakers signed up to speak on this request and Pell closed the public hearing.

*On the motion of Cable, seconded by Austin, with a vote of 6-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

SPECIAL USE PERMIT REQUEST #2024-00000855

> The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **RAEFORD DOUGLAS SPIVEY,** Asheboro, NC, and their request to obtain a Special Use Permit at 6454 Clyde King Rd, Richland Township, Tax ID #7676908544, 15.10 acres, *RA - Residential Agricultural District.* It is the desire of the applicant to obtain a Special Use Permit to specifically allow a third residence to be placed on the property as per the site plan.

Caddle presented the case and site plans for the Raeford Douglas Spivey Special Use Permit request.

Pell opened the public hearing.

Morgan administered the oath to Raeford Spivey, 529 Hoover St, Asheboro, and

Hannah Spivey. H. Spivey stated that they wanted to place a third residence on the property in the location as indicated on the site plan.

Pell asked if there were any questions from the Planning Board members.

There were no other speakers signed up to speak on this request and Pell closed the public hearing.

*On the motion of Hedrick, seconded by Beeson, with a vote of 6-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

SPECIAL USE PERMIT REQUEST #2024-00000892

The Randolph County Planning Board will hold a duly published and notified quasi-judicial hearing on the request by **KRYSTAL POUNCEY,** Thomasville, NC, and their request to obtain a Special Use Permit at 1842 Fuller Mill Rd N, Tabernacle Township, Lake Reese Balance Watershed, Tax ID #6794636233, 16.95 acres, *RA - Residential Agricultural District.* It is the desire of the applicant to obtain a Special Use Permit to specifically allow a second residence for a family member.

Caddle presented the case and site plans for the Krystal Pouncey Special Use Permit request.

Pell opened the public hearing.

Morgan administered the oath to Krystal Pouncey, 1842 Fuller Mill Rd N, Thomasville. Pouncey stated that she wanted to place another residence on the property for a family member.

Pell asked if there were any questions from the Planning Board members.

There were no other speakers signed up to speak on this request and Pell closed the public hearing.

*On the motion of Austin, seconded by Vaughan, with a vote of 6-0, the Board voted to **approve** the request with the motions contained in the Planning Board packet.*

REZONING REQUEST #2024-00000767

The Randolph County Planning Board will hold a duly published and notified legislative hearing on the request by **COLLINS & LINEBERRY CONSTRUCTION,** Liberty, NC, and their request to rezone 6.89-acres on Low Bridge Rd, Columbia Township, Sandy Creek Critical Area Watershed, Tax ID #8704315721, Rural Growth Area, from *RA - Residential Agricultural*

District to *RLOE-CD - Rural Lot Subdivision Overlay Exclusive - Conditional District.* The proposed Conditional Zoning District would specifically allow the division of lot number three of the existing minor subdivision that would result in a fourth lot being created.

Caddle presented the case and site plans for the Collins and Lineberry Construction Rezoning Request.

Pell opened the public hearing.

Russell Lineberry, 6841 Layton Rd, Liberty, addressed the Planning Board and stated their desire to divide existing lots three as shown on the proposed plat. Lineberry stated that they plan to build a site-built home on lot number four and that the existing house on proposed lot number three is already under contract. Lineberry stated that they had already remodeled the existing house and had cleaned up the property. Lineberry also stated that they do not plan to remove any trees on the property, and they plan to do very limited clearing on the property and that they have already obtained the driveway permit from the North Carolina Department of Transportation (NCDOT).

Pell asked if there were any questions from the Planning Board members.

Austin asked if there would be individual drives to each house and Lineberry stated that each house would have one driveway and that each lot would have its own well and septic system and they are only planning on installing the new well and septic system on the proposed lot number four.

Cable asked if the new drive would be off of Sandy Ridge Dr or Low Bridge Rd and Lineberry stated that the new drive would be on Low Bridge Rd as that is the only frontage for the property and he estimates that the proposed house would be 200 feet from Low Bridge Rd.

Austin asked about the speed limit along Low Bridge Rd and Lineberry stated he thought the speed limit is 55 miles per hour since it is not posted.

Pell asked for anyone in opposition to address the Planning Board.

Amy Howe, 1680 Sandy Ridge Dr, Liberty, rose to address the Planning Board in opposition to this request. Howe stated that the lot is 14.08 acres based on the recorded plat. Howe stated that the applicants purchased the property in July of last year and that in February of this year, they divided the property. Howe stated that this area is in a *Rural Growth Area* and it was the desire of the GMP to preserve farming, wildlife, and other features important to the rural community. Howe stated that this request would harm agricultural land and could cause an increase in population in this part of the County. Howe concluded her remarks by asking the

Planning Board to consider what the community wants and to maintain the culture of the area by following the rules.

Pell asked the Planning Board if they had any questions for Howe, Hearing none, Pell asked Lineberry if he wanted to address the concern raised by Howe and Lineberry declined to speak.

Pell closed the public hearing.

Hedrick stated that when the County was going through the GMP update, part of the discussion was on protecting the rural lot subdivision and that the *Plan* does not recommend conventional subdivisions in the *Rural Growth Area.* Hedrick stated that based on the UDO*, Rural Growth Areas* require a minimum lot size of three acres with 100 feet of State road frontage. Hedrick stated that he felt the existing buffer was adequate and that the applicants had cleaned up the property and the request meets the standards for the rural lot subdivision.

Beeson stated that the distance on the roadway is over 360 feet and this request is very good compared to the normal 100-foot lot widths that the Board normally sees in subdivisions.

Vaughan said that she felt there was not much the Planning Board could do about the loss of farmland as often families sell the property to be able to take care of the older family members.

Cable said that he wanted to commend both speakers for using this forum, Cable stated that he does not expect farming to take place on this property and the applicants are planning to place the drive in an area of the property that would be less invasive to the surrounding community. Cable stated that he felt this request was more suited for this area and the proposed lot sizes would be greater than the lot sizes in the adjoining Sandy Ridge subdivision along Sandy Ridge Dr. Cable stated that the proposal meets the GMP and the UDO.

Austin stated that the GMP update looked at adjoining developments and he thinks this request fits with what is in the area and also fits into the acceptable growth outlined in the GMP..

On the motion of Cable, seconded by Vaughan, with a vote of 6-0, the Board voted to ***approve*** *the request with the motions contained in the Planning Board packet.*

REZONING REQUEST #2024-00000895

The Randolph County Planning Board will hold a duly published and notified legislative hearing on the request by **HARDIN II, LLC,** Liberty, NC, and their request to amend the Conditional District Permit on 16.70-acres at 2604 Old 421 Rd, Columbia Township, Rocky River Balance Watershed, Tax ID

#8735602322, Rural Growth Area, from *HC-CD - Highway Commercial - Conditional District* to *HC-CD - Highway Commercial - Conditional District.* The proposed amendment to the existing Conditional Zoning District would specifically allow an additional sixty-foot by two-hundred-foot building for mini-warehouse storage as per the site plan.

Caddle presented the case and site plans for the last case of the night for Harin II, LLC, Rezoning Request.

Pell opened the public hearing.

Billy Hardin, P O Box 400, Liberty, the applicant, addressed the Planning Board and stated that he wanted to add another building to the site. Hardin said there would be no other changes to the property and that everything else would be the same as the existing buildings.

Cable asked if the new building would be using the same entrance and Hardin replied yes.

Austin asked which building is the new building and Hardin stated that is building *F* as shown on the site plan.

Beeson reminded the Board that in the previous rezoning request in 2022, there was a neighbor with complaints about water. Beeson asked if the problem had been resolved. Hardin stated that this building location is lower than the other locations but that he did go by the site when it was raining earlier in the week and all of the run-off was in the ditch along the road.

Hedrick asked about the lighting plan and Hardin said the lights were only on at night but he tried to keep the light pointing down and that there are only three lights along the building and a light at the entrance to help people entering the site. Hardin stated that there is a berm between his property and the adjoining neighbor.

Austin asked if the proposed building was for storage only and Hardin stated the buildings are only for storage.

Pell asked if there were any questions from the Planning Board.

Caddle advised the Planning Board about the different GMP in the site and that if the Planning Board approved this request, due to State law, the GMP would be amended to make the plan and this use "consistent."

Beeson stated that he thought this area and corridor should be *Primary Growth Area.*

Hedrick stated that he expects to see changes in the GMP like this due to proposed uses and rezonings.

Pell asked if there were any other questions from the Planning Board. Hearing none, Pell closed the public hearing.

On the motion of Beeson, seconded by Austin, with a vote of 6-0, the Board voted to ***approve*** *the request with the motions contained in the Planning Board packet.*

7. Update from the Planning Director.

HC - HIGHWAY COMMERCIAL DISTRICT REVISIONS

Proposed changes to the *Randolph County Unified Development Ordinance* as it pertains to the *HC - Highway Commercial* zoning district.

Caddle explained the proposed changes that staff had made regarding the updates to the *HC - Highway Commercial District.* Caddle stated that she wanted to present these ideas to see if it is more in line with what the Planning Board wants for the proposed update.

The Planning Board discussed the proposed changes and that they felt it was a step in the right direction and also wanted to know about design standards, colors of buildings, and other items such as trash management that could make commercial uses blend into their surrounding community. Caddle said that staff would review these suggestions and bring information back to the Planning Board probably in July 2024.

8. Adjournment.

At 8:45 p.m. on motion of Cable, seconded by Vaughan, the Board voted 6-0 to adjourn.

____
Chairman

____
Clerk to the Planning Board

Approved by Randolph County Planning Board
June 4, 2024

QUANTITATIVE ANALYSIS

Impact of Cell Towers

EXHIBIT

1

MAY 15, 2024

MPB REAL ESTATE, LLC
1100 Sundance Drive Concord, NC 28027

Rural Towers

This example includes three towers in Robeson County that provides a reflection of the impact, if any, of a cell tower. The first tower is located at 474 Long Road southeast of Lumberton. As with most rural areas, the market data is sparse; however, the following provides adequate information to isolate the visual impact of the tower.

474 Long Road

The tower is a monopole with a height of 195 feet. The land uses in the area are primarily agricultural. The low-density residential developments include homes constructed over a wide time span. The market data for single family dwellings are summarized in the following chart.

SFD SALES						
Address	**Sale Date**	**Sales Price**	**Year Built**	**SF**	**Acres**	**$/SF**
46 SURRY	5/25/2005	$68,000	1986	1,152	2.34	$ 59.03
121 SURRY	10/29/2007	$93,000	1978	1,443	1	$ 64.45
285 JUNE	5/15/2009	$41,000	2000	1,632	1	$ 25.12
992 LONG RD	8/20/2007	$57,500	1978	972	1	$ 59.16
867 LONG RD	11/5/2009	$27,000	1962	800	1.52	$ 33.75
719 LONG RD	6/8/2015	$87,000	1989	1,437	4.37	$ 60.54
1148 LONG RD	8/14/2015	$227,500	2005	2,029	1.8	$ 112.12

The analysis of these sales as well as other sales presented later in this section includes several factors including but not necessarily limited to size, age, and lot size. The most compelling market data is the consistency in the prices paid per square foot for the highlighted properties. The comparison of the data shows some offsetting characteristics but does provide evidence that the cell tower located along Long Road does not substantially injure property values in the area.

The second data set is for land sales found in the area. The highlighted properties are for residential lots consistent with the low-density development patterns in the neighborhood.

LAND SALES				
Address	**Sale Date**	**Sales Price**	**Acres**	**$/Acre**
181 TROY DR	6/11/2010	$150,000	19.63	$ 7,641
WILKES RD	5/1/2013	$20,000	7.39	$ 2,706
859 LONG RD	8/22/2012	$15,000	1.24	$ 12,097
OFF LONG RD	3/24/2015	$22,000	3.43	$ 6,414

Contrary to the market data for single family dwellings, the most compelling information from this data set is the price point for the residential lots. The size of the lots is the most influential factor on price point. Again, the market data indicates that the tower has not impeded demand for land along the Long Road corridor nor has it diminished and/or impaired land values in the area.

7746 E. 5th Street

This tower is a guyed tower with a reported height of 295 feet. The market does provide information adequate to isolate to the greatest extent possible the impact of the tower.

I have applied the same methodology with the previous analyses and segregated the data into single family dwellings and vacant land. The sales for single family dwellings are summarized in the following chart.

SFD SALES						
Address	**Sale Date**	**Sales Price**	**Year Built**	**SF**	**Acres**	**$/SF**
913 HARRIS RD	1/31/2017	$65,000	2005	1,443	1	$ 45.05
4642 OLD ALLENTON	12/7/2015	$64,000	1950	912	1	$ 70.18
146 BEAR BAY	11/13/2014	$48,000	1980	1,456	2.69	$ 32.97
877 OLD ALLENTON	6/25/2013	$46,500	1969	1,506	1.5	$ 30.88
9697 NC 211	6/26/2012	$61,000	1955	1,170	1.24	$ 52.14
8355 E NC HWY 211	6/3/2015	$75,000	1988	1,152	4.22	$ 65.10

The physical variance in this data set would require a higher level of adjustment. Notwithstanding this fact, the sales along the 211 corridor provide a similar price point and price paid per square foot. The offsetting nature of the variances is reflected in the similar price point for most sales with the property closest to the tower having the highest price point. The analysis of this data set provides further evidence to our conclusion.

The following chart provides a summary of land sales for the area. Again, applying the same methodology as the previous analyses.

LAND SALES				
Address	**Sale Date**	**Sales Price**	**Acres**	**$/Acre**
NC HWY 211	12/17/2014	$17,500	0.59	$ 29,661
699 BAY BEAR	6/18/2015	$17,000	8.13	$ 2,091
HARRIS RD	5/14/2015	$8,500	1	$ 8,500
HARRIS RD	8/17/2015	$9,000	1.27	$ 7,087
3 PITTMAN	4/4/2014	$250,000	93.22	$ 2,682
WILKES	5/1/2013	$20,000	7.39	$ 2,706
481 HARRIS RD	2/8/2013	$25,500	0.92	$ 27,717
538 DERWOOD	9/17/2012	$45,000	17.74	$ 2,537
DERWOOD	7/19/2012	$80,000	24.84	$ 3,221
PITTMAN	5/21/2012	$15,000	14.08	$ 1,065

The best matched pair in this data set is from the sales of two mobile home lots. While the price point was higher for the sale on Harris Road, the price per acre was higher for the lot on Highway 211. This indicates that size was a significant factor in the price paid. The only other sale found lies on the lower end of the range of the data set, which is considered reasonable given its physical characteristics including some areas that appear undevelopable.

1097 Kinlaw Road

The land sales in the area provide evidence of the impact of the tower on property values. The following chart provides a summary of land sales in the area.

LAND SALES				
Address	**Sale Date**	**Sales Price**	**Acres**	**$/Acre**
HOWELL RD	5/25/2012	$98,000	47	$ 2,085
TARHEEL RD	**12/12/2012**	**$13,000**	**3.37**	**$ 3,858**
346 BARNHILL	**9/3/2013**	**$28,500**	**8**	**$ 3,563**
5168 TARHEEL	**1/3/2014**	**$30,000**	**9.15**	**$ 3,279**
KINLAW RD	**9/4/2014**	**$27,000**	**6.87**	**$ 3,930**

The sale closest to the tower sold for the highest price per acre. Again, the market data for land around this cell tower indicates that the tower does not diminish the prices paid for land in the neighborhood.

The following is a summary of single-family dwelling sales found in the neighborhood.

SFD SALES						
Address	**Sale Date**	**Sales Price**	**Year Built**	**SF**	**Acres**	**$/SF**
88 BARNHILL	4/30/2012	$76,000	1995	1,458	2.01	$ 52.13
6876 HOWELL	5/22/2012	$55,000	1988	1,344	1.98	$ 40.92
7889 HOWELL	12/17/2012	$37,500	1950	1,454	1.86	$ 19.23
5168 TARHEEL	5/9/2013	$125,000	1958	1,980	5	$ 63.84
6225 HOWELL	8/10/2016	$200,000	1999	2,837	1.01	$ 100.05
6257 HOWELL	2/10/2017	$225,000	2007	3,303	1	$ 112.11
306 TARHEEL	10/17/2013	$177,500	1953	3,087	5.03	$ 90.89
3647 TARHEEL	9/5/2014	$46,000	1992	1,296	0.92	$ 23.09
5478 TARHEEL	10/3/2014	$125,000	2002	1,920	8.4	$ 62.44
8191 HOWELL	11/10/2014	$71,000	1980	1,032	1.02	$ 35.86
470 KINLAW RD	12/31/2014	$42,500	1982	1,338	1.5	$ 21.44
KINLAW RD	6/15/2015	$73,500	1962	1,485	0.89	$ 37.46

The review of sales of single-family dwellings reveals that age and condition of the improvements is the most significant factor in the prices paid. Development in the area is sparse and supply side pressures in the market and low number of transactions indicates that the neighborhood is in the stable phase of its economic development. This is similar to the subject's neighborhood. The sales price paid for the properties along the corridor with a tower and other corridors is consistent.

The market activity in the area indicates that the presence of the cell tower does not impede normal development patterns as sales along Tarheel and Kinlaw Road corridors are proceeding consistent with other tertiary roads in the area. Most land maintains its agricultural uses with low density residential interspersed. The area also has several mobile home parks, which are common for rural areas throughout the Carolinas.

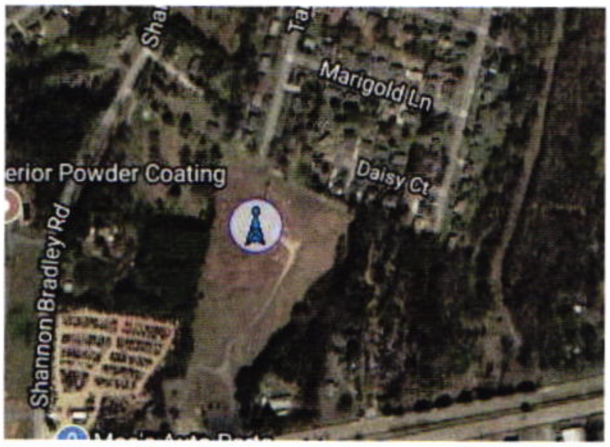
Gaston Drive

This tower is in Bladen County. The tower is located off Gaston Drive. The single-family dwelling sales in the neighborhood were insufficient quantity (two sales found), to provide a credible analysis. However, the sales of land as shown on the following chart provide a reflection of the market. The following chart is a summary of the sales. Note the two first sales in the chart are for mobile home lots.

LAND SALES				
Address	**Sale Date**	**Sales Price**	**Acres**	**$/Acre**
2392 GUYTON	7/19/2012	$10,000	1	$ 10,000
300 GASTON DR	2/23/2015	$19,000	1.7	$ 11,176
MASSEY RD	10/16/2012	$25,000	15.35	$ 1,629
GUYTON ROAD	5/31/2013	$9,000	0.98	$ 9,184
GUYTON RD	10/18/2013	$20,000	5.57	$ 3,591
MASSEY RD	12/3/2013	$6,000	0.9	$ 6,667
MASSEY RD	4/23/2014	$31,500	12.37	$ 2,546
1023 STORMS RD	3/20/2015	$9,000	2	$ 4,500
303 GASTON DR	8/29/2015	$11,000	0.89	$ 12,360

The land sales for lots near the tower are consistent with other lot sales found with no visual influence from the tower. The two lots highlighted in yellow reflect the upper end of the range for vacant land. The market data indicates that development near the tower has not influenced the normal course of development for the immediate area. Further, the market data indicates that buyers are paying similar prices for lots within the visual sphere of influence of a cell tower.

A tower is in Rowan County in a residential area of Tareyton Drive. This is an older residential area with most of the dwellings constructed in the 1970's. As shown on the following aerial, the tower is in an open field with a higher visual impact than most towers. The tower is a monopole telecommunications tower with a height of 195 feet.



The following sales were found in the area. The two properties highlighted in green have the highest level of visual impact from the tower.

Sales Summary									
Parcel	Address	Land (Acres)	Bedrooms	Baths	SF	Year Built	Sale Date	Sales Price	Price/SF
102 561	3009 Daisy Ct	0.25	3	1	1,600	1974	1/13/17	$ 35,000	$ 21.88
102 622	442 Newcastle Rd	0.22	3	1	1,100	1974	12/29/17	$ 45,000	$ 40.91
102 507	3218 Spring Valley	0.34	4	2	1,538	1972	10/10/16	$ 78,000	$ 50.72
102 491	3220 Spring Valley	0.3	3	1	1,092	1972	12/14/17	$ 99,000	$ 90.66
152 857	655 Kilborne Dr.	0.2	3	1	1,050	1978	8/21/15	$ 37,000	$ 35.24
152 839	601 Dundeen Dr.	0.22	3	1	1,075	1978	12/31/15	$ 36,000	$ 33.49
152 820	630 Dundeen Dr.	0.2	3	1	1,050	1977	1/5/17	$ 48,000	$ 45.71
152 797	636 Colebrook Dr.	0.2	3	1	1,000	1977	11/30/16	$ 60,000	$ 60.00
137 766	609 Belfast Dr.	0.21	3	1	1,050	1976	7/28/14	$ 45,000	$ 42.86
137 758	602 Belfast Dr.	0.2	3	1	1,050	1976	8/21/15	$ 30,000	$ 28.57
137 734	657 Belfast Dr.	0.21	3	1	1,050	1976	11/21/17	$ 53,000	$ 50.48

All the sales have similar lot sizes, location and year built. As with many older homes, the most significant factor influencing the price paid is the condition of the improvements. The first "green" sale in the chart included a basement, which would require an adjustment. The presence of the basement skews the price paid per square foot. Upon further research, this dwelling was reported as "needing some work." From a price point, the sale is on the lower end of the range, which is reasonable given the reported condition of the improvements and presence of a basement.

The second "green" sale did not include a basement and was reported to be in fair condition. Again, this sale is consistent with the other sales in the data set. The analysis of this sale shows consistency with other residential sales in the area despite its location and visual impact from the tower. We note that the tower is only partially visible from this property.

A tower in Gaston County visually impacts some low-density residential developments. This tower is close to the road in an open field with a higher level of visibility. The following exhibits provide an aerial and street scene for the tower.

1852 County Line Road

As shown on the previous aerial, there are residential developments across the street from the tower. This 195-foot tower is a monopole construction. The following data consists of some modular homes that sold along County Line Road across the street from the tower to some modular homes that sold in Lewis Farm Estates. The following chart provides a summary of the sales.

Property Sales Summary

Address	Sale Date	Sales Price	Acres	SF	Price/SF	Year Built
1848 County Line Road	5/24/11	$ 100,000	1	1,908	$ 52.41	1999
1846 County Line Road	11/16/07	$ 90,000	1.03	1,512	$ 59.52	2004
1519 Lewis Farm Road	3/5/15	$ 116,000	2.42	1,842	$ 62.98	1999
1526 Lewis Farm Road	8/29/07	$ 170,000	2.88	2,881	$ 59.01	2006

There are several factors that contribute to the price paid. The smaller lot sizes for the properties near the tower would warrant a downward adjustment to these sales. Regardless, the range of prices paid per square foot is considered small. The indication from this analysis is that similar single family dwelling prices paid are comparable despite the visual impact of the cell tower. The market data indicates that even with absence of a vegetative buffer, the tower does not substantially injure the value of adjacent/abutting properties.

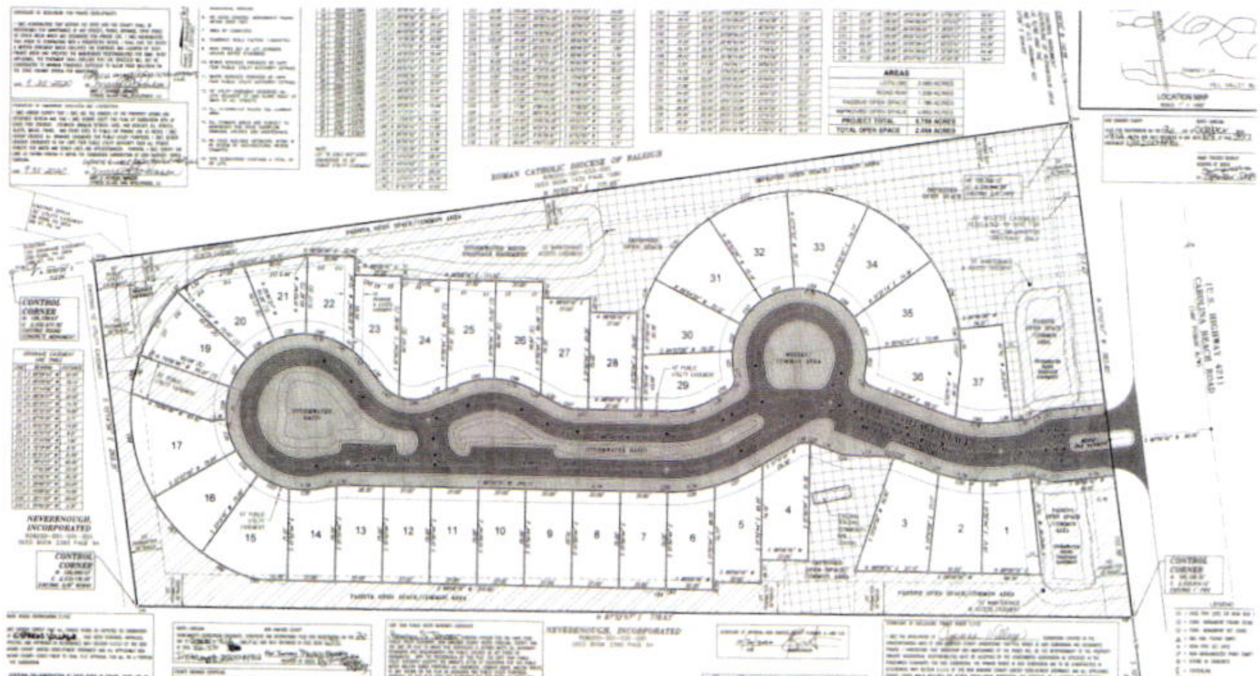
Another tower on a residentially zoned property is located along the NC Highway 138 corridor in Stanly County. The tower is a monopole with a height of 195 feet. Research of the market for the adjacent properties revealed a sale of the adjacent property to the north of the property improved with the tower. The following chart provides a summary of sales found in the area. The sale of the adjacent property is highlighted in yellow. The other sales are for properties providing similar utility.

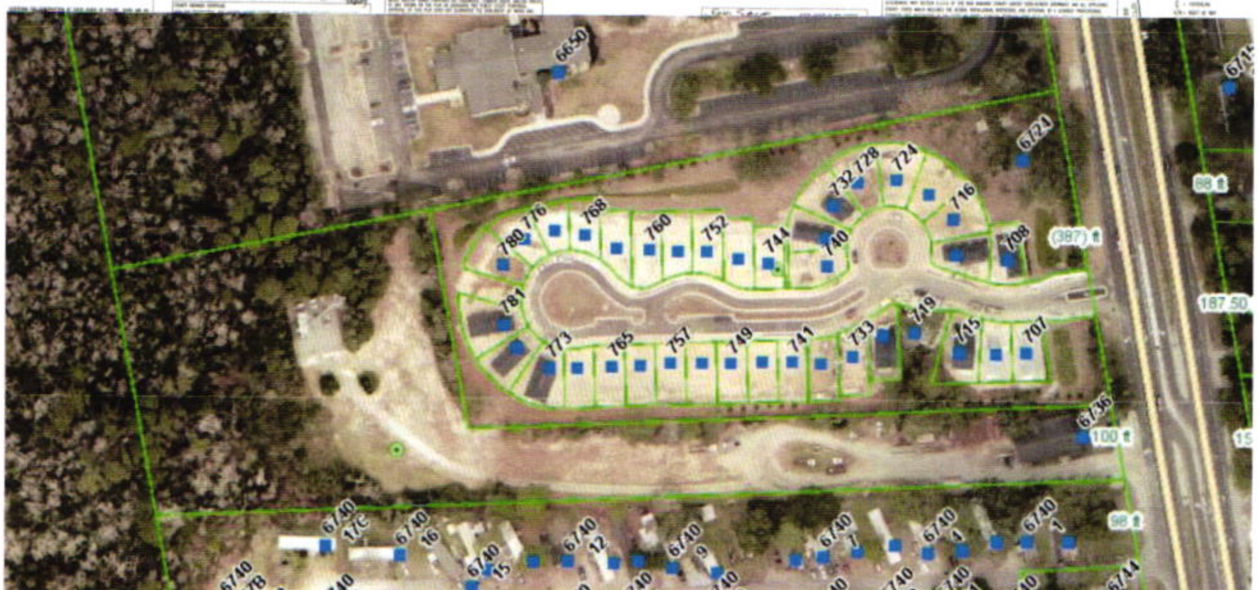
Matched Pair Analysis								
Sale Date	**Address**	**Acres**	**Size (SF)**	**Year Built**	**BR**	**BA**	**Sale Price**	**Price/SF**
3/12/20	**12483 NC Hwy 138**	**2**	**1,500**	**1955**	**3**	**1**	**$ 140,000**	**$ 93.33**
1/30/20	12514 NC Hwy 138	1.91	1,070	1954	2	1	$ 103,000	$ 96.26
6/13/19	32621 Chapel Rd.	2.59	1,734	1993	3	2	$ 150,000	$ 86.51
10/26/17	32612 Chapel Rd.	2.04	1,421	1981	2	1	$ 114,000	$ 80.23
5/10/20	33515 S. Stanly School Rd.	14.46	1,008	1959	2	1	$ 117,000	$ 116.07
1/17/19	12028 NC Hwy 138	1.06	1,860	1947	3	2	$ 160,000	$ 86.02
4/16/19	12018 NC Hwy 138	0.95	1,501	1949	3	1	$ 149,000	$ 99.27
6/18/18	11636 NC Hwy 138	0.68	1,709	1945	3	1	$ 115,000	$ 67.29
6/16/19	12273 Old Aquadale Rd.	1.2	1,865	1965	3	1.5	$ 170,000	$ 91.15

As shown on the previous chart, the sale of the property adjacent to the tower site is on the upper end of the range on a price per square foot as well as price point. After researching and adjusting these sales for physical and market variances in comparison to the sale adjacent to the tower, the analysis indicates that there is no diminution in value caused by the presence of a tower on the adjacent property.

Residential Subdivisions

The first data set is from a subdivision located off Carolina Beach Road called Cypress Village in New Hanover County. This subdivision was in the construction phase at the time of the analysis. The following provides an aerial and a PLAT of this development. The tower, constructed in 1999, is located on the adjacent property.





The data for the subdivision was limited as only six homes sold. The six sales closed within a six-month period in 2021.

Two of these properties were closest to the tower. The sales closest to the tower were in the middle of the range of the data set. While the quantity of data is limited, the sales prices do not reflect a diminution in value based on the proximity and visual impact of the tower. Further research of this subdivision showed consistency in the price paid for the lots. The third factor extracted is the fact that a developer was attracted to the site knowing the visual influence of the tower. The market data and activity provide evidence that the tower does not present an adverse impact on property values.

The next example is from a subdivision in Cornelius, North Carolina. Victoria Bay is a waterfront community. This development is adjacent to Lake Norman. This subdivision includes some homes with frontage on the water. We have excluded these sales to assist in isolating the influence of the tower if any. The following chart provides a summary of the sales. The sales highlighted in yellow have visual influence from the tower. The sales highlighted in green are for a resale of the same property.

Victoria Bay					
Parcel #	**Street Address**	**Sales Date**	**Size (SF)**	**$/SF**	**Sales Price**
003-381-44	19911 Marina Village Dr.	April 13, 2018	1,620	$ 138.27	$ 224,000
003-381-40	18505 Victoria Bay Dr.	November 13, 2018	1,620	$ 155.86	$ 252,500
003-381-30	18526 Victoria Bay Dr.	July 1, 2020	2,219	$ 145.11	$ 322,000
003-381-62	18611 Victoria Bay Dr.	November 16, 2018	1,620	$ 146.91	$ 238,000
003-381-65	18623 Victoria Bay Dr.	February 28, 2018	1,620	$ 139.51	$ 226,000
003-381-66	18627 Victoria Bay Dr.	October 18, 2018	1,620	$ 151.23	$ 245,000
003-381-25	18624 Victoria Bay Dr.	November 20, 2018	2,052	$ 119.40	$ 245,000
003-381-14	20030 Coral Cove Ct.	January 11, 2018	1,620	$ 134.57	$ 218,000
003-382-02	18122 Bluff Inlet Rd.	June 19, 2020	2,071	$ 153.31	$ 317,500
003-195-09	18111 Bluff Inlet Rd.	May 18, 2018	2,052	$ 121.83	$ 250,000
003-195-06	18021 Bluff Inlet Rd.	July 16, 2018	2,012	$ 136.68	$ 275,000
003-195-01	18001 Bluff Inlet Rd.	April 17, 2020	1,645	$ 151.98	$ 250,000
003-196-23	20815 Brinkley St.	June 17, 2020	2,610	$ 128.35	$ 335,000
003-196-12	18208 Harbor Mist Rd.	February 23, 2018	2,709	$ 108.90	$ 295,000
003-196-12	18208 Harbor Mist Rd.	August 3, 2018	2,709	$ 124.03	$ 336,000
003-196-36	20933 Brinkley St.	September 7, 2018	2,528	$ 128.56	$ 325,000
003-194-57	20102 Beard St.	August 21, 2020	2,386	$ 155.07	$ 370,000
003-195-59	20115 Beard St.	September 4, 2018	2,263	$ 124.61	$ 282,000
003-194-51	20914 Brinkley St.	December 27, 2018	2,609	$ 109.62	$ 286,000
003-194-25	18307 Victoria Bay Dr.	February 21, 2018	2,332	$ 125.21	$ 292,000
003-194-26	18311 Victoria Bay Dr.	September 21, 2018	2,582	$ 114.25	$ 295,000
003-194-25	18327 Victoria Bay Dr.	January 24, 2018	2,609	$ 105.40	$ 275,000
003-194-34	18409 Victoria Bay Dr.	August 13, 2018	2,655	$ 119.77	$ 318,000

The sales shown have an average price per square foot of $132.11. Three of the four sales with visual influence from the tower are above the average. Six of the sales in the data set were of the same model. Three of the sales have visual influence from the tower. The prices paid per square foot are comparable. The indication from the market is that the visual impact from the tower does not adversely impact property values in Victoria Bay.

The next tower with adequate data is a lattice tower located at 2517 Providence Road in Weddington, North Carolina. This tower as shown on the photograph the tower has a large visual footprint on the subdivision to the north, Inverness at Providence Road. The following chart provides a summary of market data for homes in the subdivision. The sales highlighted in yellow have visual impact from the tower. The sales highlighted in green are resales of the same property to reflect the appreciating market.

Inverness Subdivision Sales

Parcel Number	Book & Page	Acreage	Address	Sale Amount	Sale Date	Year Built	SF	$/SF
6159379	7154 747	0.32	104 SOMERLED WAY	$ 508,500	5/11/2018	2018	3,479	$ 146.16
6159380	7145 188	0.37	108 SOMERLED WAY	$ 471,000	4/27/2018	2017	3,859	$ 122.05
6159381	7146 402	0.4	112 SOMERLED WAY	$ 438,500	4/30/2018	2017	3,248	$ 135.01
6159382	7172 333	0.4	113 SOMERLED WAY	$ 559,000	6/8/2018	2015	3,921	$ 142.57
6159383	7219 178	0.24	117 SOMERLED WAY	$ 520,000	8/20/2018	2015	3,243	$ 160.35
6159384	7244 560	0.24	121 SOMERLED WAY	$ 514,000	10/1/2018	2018	4,354	$ 118.05
6159385	7942 0230	0.24	125 SOMERLED WAY	$ 550,000	1/4/2021	2018	3,248	$ 169.33
6159386	6719 319	0.26	129 SOMERLED WAY	$ 503,500	7/12/2016	2015	3,921	$ 128.41
6159387	6546 130	0.27	201 SOMERLED WAY	$ 486,000	10/12/2015	2015	3,942	$ 123.29
6159388	6699 852	0.25	205 SOMERLED WAY	$ 453,000	6/16/2016	2016	3,245	$ 139.60
6159389	6822 104	0.25	209 SOMERLED WAY	$ 491,000	11/18/2016	2015	3,900	$ 125.90
6159390	6825 072	0.25	213 SOMERLED WAY	$ 471,000	11/22/2016	2015	3,756	$ 125.40
6159391	6633 228	0.3	217 SOMERLED WAY	$ 478,000	3/16/2016	2015	3,868	$ 123.58
6159392	6950 743	0.242	317 BARCLAY DR	$ 668,500	6/12/2017	2016	6,507	$ 102.74
6159393	6851 790	0.27	321 BARCLAY DR	$ 502,500	12/29/2016	2016	3,897	$ 128.95
6159394	6645 149	0.35	325 BARCLAY DR	$ 495,500	4/1/2016	2015	3,892	$ 127.31
6159396	6670 745	0.23	333 BARCLAY DR	$ 491,500	5/9/2016	2016	3,892	$ 126.28
6159397	6712 081	0.23	337 BARCLAY DR	$ 391,500	6/30/2016	2016	3,180	$ 123.11
6159398	6823 029	0.28	341 BARCLAY DR	$ 458,500	11/18/2016	2016	3,186	$ 143.91
6159399	7086 853	0.29	2905 MERRYVALE WAY	$ 545,000	1/12/2018	2016	4,222	$ 129.09
6159400	6846 365	0.29	2909 MERRYVALE WAY	$ 538,000	12/21/2016	2016	4,434	$ 121.34
6159401	6659 509	0.31	2913 MERRYVALE WAY	$ 459,000	4/25/2016	2016	3,245	$ 141.45
6159402	6655 785	0.38	2917 MERRYVALE WAY	$ 507,000	4/19/2016	2015	3,868	$ 131.08
6159403	6782 657	0.39	2920 MERRYVALE WAY	$ 553,500	9/29/2016	2016	4,339	$ 127.56
6159404	6853 642	0.36	2916 MERRYVALE WAY	$ 545,000	12/30/2016	2016	4,516	$ 120.68
6159405	6640 381	0.28	2912 MERRYVALE WAY	$ 452,000	3/28/2016	2015	3,884	$ 116.37
6159406	6590 757	0.29	2908 MERRYVALE WAY	$ 452,500	12/28/2015	2015	3,909	$ 115.76
6159407	6591 307	0.29	2904 MERRYVALE WAY	$ 448,000	12/28/2015	2015	3,892	$ 115.11
6159408	6591 474	0.33	2900 MERRYVALE WAY	$ 451,000	12/29/2015	2015	3,868	$ 116.60
6159409	6690 738	0.29	2808 MERRYVALE WAY	$ 419,000	6/3/2016	2016	3,245	$ 129.12
6159410	6643 595	0.32	2804 MERRYVALE WAY	$ 513,000	3/31/2016	2015	3,756	$ 136.58
6159411	7150 630	0.25	120 SOMERLED WAY	$ 456,000	5/4/2018	2017	3,559	$ 128.13
6159412	6688 409	0.24	124 SOMERLED WAY	$ 432,000	6/1/2016	2015	3,106	$ 139.09
6159413	7273 540	0.29	128 SOMERLED WAY	$ 505,000	11/26/2018	2015	3,892	$ 129.75
6159414	6959 391	0.28	200 SOMERLED WAY	$ 459,000	6/26/2017	2017	3,701	$ 124.02
6159415	6608 661	0.25	204 SOMERLED WAY	$ 419,000	2/1/2016	2015	3,868	$ 108.32
6159416	6731 757	0.25	208 SOMERLED WAY	$ 467,500	7/28/2016	2016	3,890	$ 120.18
6159417	6757 188	0.25	212 SOMERLED WAY	$ 456,500	8/30/2016	2016	3,881	$ 117.62
6159419	7045 313	0.3	220 SOMERLED WAY	$ 460,000	10/31/2017	2016	3,173	$ 144.97
6159420	6868 158	0.27	328 BARCLAY DR	$ 529,500	1/31/2017	2016	4,340	$ 122.00
6159421	6971 136	0.25	332 BARCLAY DR	$ 466,000	7/12/2017	2017	3,833	$ 121.58
6159422	7204 509	0.25	336 BARCLAY DR	$ 530,000	7/27/2018	2016	4,339	$ 122.15
6159423	6725 875	0.42	340 BARCLAY DR	$ 533,000	7/21/2016	2016	3,892	$ 136.95
6159424	7242 439	0.33	301 SOMERLED WAY	$ 500,000	9/27/2018	2016	4,310	$ 116.01
6159425	6842 058	0.32	305 SOMERLED WAY	$ 433,500	12/16/2016	2016	3,173	$ 136.62
6159433	7224 094	0.3	301 BARCLAY DR	$ 455,500	8/27/2018	2018	3,479	$ 130.93
6159434	6825 757	0.27	305 BARCLAY DR	$ 644,500	11/22/2016	2016	5,830	$ 110.55
6159435	6825 096	0.28	309 BARCLAY DR	$ 632,000	11/22/2016	2016	5,954	$ 106.15
6159436	6744 188	0.33	313 BARCLAY DR	$ 534,500	8/15/2016	2016	3,868	$ 138.19
6159437	7147 247	0.28	308 SOMERLED WAY	$ 464,500	4/30/2018	2016	3,879	$ 119.75
6159438	6660 854	0.25	316 SOMERLED WAY	$ 465,500	4/26/2016	2016	3,890	$ 119.67
6159439	6693 863	0.24	320 SOMERLED WAY	$ 448,000	6/8/2016	2016	3,868	$ 115.82
6159440	7232 454	0.24	324 SOMERLED WAY	$ 533,000	9/10/2018	2016	3,756	$ 141.91
6159441	6693 353	0.24	328 SOMERLED WAY	$ 495,000	6/8/2016	2016	3,408	$ 145.25
6159442	6653 116	0.24	332 SOMERLED WAY	$ 452,500	4/14/2016	2015	3,890	$ 116.32
6159443	6712 158	0.29	340 SOMERLED WAY	$ 456,500	7/1/2016	2016	3,245	$ 140.68
6159444	7833 0099	0.27	348 SOMERLED WAY	$ 595,000	10/2/2020	2016	3,196	$ 186.17

Parcel Number	Book & Page	Acreage	Address	Sale Amount	Sale Date	Year Built	SF	$/SF
6159445	7736 0391	0.36	309 SOMERLED WAY	$ 525,000	7/15/2020	2016	3,893	$ 134.86
6159446	6781 278	0.38	313 SOMERLED WAY	$ 557,000	9/28/2016	2016	4,339	$ 128.37
6159447	7120 362	0.32	317 SOMERLED WAY	$ 534,500	3/19/2018	2017	4,291	$ 124.56
6159448	7225 798	0.25	321 SOMERLED WAY	$ 490,000	8/29/2018	2018	3,788	$ 129.36
6159449	7244 446	0.25	325 SOMERLED WAY	$ 472,500	10/1/2018	2018	4,225	$ 111.83
6159450	7536 0594	0.25	329 SOMERLED WAY	$ 542,500	12/10/2019	2016	3,824	$ 141.87
6159451	6967 230	0.25	333 SOMERLED WAY	$ 540,000	7/5/2017	2016	4,556	$ 118.53
6159452	7219 017	0.27	337 SOMERLED WAY	$ 455,000	8/17/2018	2018	3,248	$ 140.09
6159453	7147 488	0.32	341 SOMERLED WAY	$ 483,000	5/1/2018	2017	3,892	$ 124.10
6159454	7144 410	0.33	345 SOMERLED WAY	$ 491,500	4/26/2018	2017	3,248	$ 151.32
6159455	7684 0116	0.32	349 SOMERLED WAY	$ 525,000	5/29/2020	2016	3,415	$ 153.73
6159458	6885 265	0.353	105 BARCLAY DR	$ 467,000	3/1/2017	2016	3,646	$ 128.09
6159459	6880 725	0.342	109 BARCLAY DR	$ 528,500	2/22/2017	2016	3,173	$ 166.56
6159460	6940 081	0.317	113 BARCLAY DR	$ 518,000	5/26/2017	2017	4,291	$ 120.72
6159461	7047 708	0.358	117 BARCLAY DR	$ 417,500	11/3/2017	2017	3,160	$ 132.12
6159462	6920 777	0.305	121 BARCLAY DR	$ 571,000	4/27/2017	2017	4,775	$ 119.58
6159463	7429 307	0.25	125 BARCLAY DR	$ 588,000	7/31/2019	2018	3,892	$ 151.08
6159463	7224 607	0.25	125 BARCLAY DR	$ 572,000	8/28/2018	2018	3,892	$ 146.97
6159464	7122 746	0.271	129 BARCLAY DR	$ 526,500	3/22/2018	2017	5,874	$ 89.63
6159466	7488 0001	0.274	137 BARCLAY DR	$ 570,000	10/11/2019	2017	4,560	$ 125.00
6159467	6921 598	0.274	141 BARCLAY DR	$ 452,000	4/28/2017	2017	3,426	$ 131.93
6159468	7397 0704	0.25	145 BARCLAY DR	$ 521,000	6/21/2019	2017	3,763	$ 138.45
6159469	7032 212	0.25	149 BARCLAY DR	$ 458,000	10/11/2017	2017	3,167	$ 144.62
6159470	7223 321	0.25	153 BARCLAY DR	$ 486,500	8/24/2018	2018	4,260	$ 114.20
6159471	7244 507	0.25	157 BARCLAY DR	$ 545,500	10/1/2018	2018	4,310	$ 126.57
6159472	7243 553	0.25	161 BARCLAY DR	$ 469,500	9/28/2018	2018	3,666	$ 128.07
6159473	7237 611	0.25	165 BARCLAY DR	$ 468,000	9/20/2018	2018	3,889	$ 120.34
6159474	7177 736	0.25	169 BARCLAY DR	$ 511,500	6/18/2018	2018	3,822	$ 133.83
6159475	7237 408	0.25	173 BARCLAY DR	$ 480,000	9/20/2018	2018	3,892	$ 123.33
6159476	7778 110	0.25	177 BARCLAY DR	$ 530,000	8/19/2020	2018	3,559	$ 148.92
6159476	7235 595	0.25	177 BARCLAY DR	$ 489,000	9/18/2018	2018	3,559	$ 137.40
6159477	7775 473	0.298	181 BARCLAY DR	$ 585,000	8/17/2020	2018	3,788	$ 154.44
6159477	7227 402	0.298	181 BARCLAY DR	$ 529,500	8/31/2018	2018	3,788	$ 139.78
6159478	7243 069	0.287	185 BARCLAY DR	$ 430,000	9/28/2018	2018	3,248	$ 132.39
6159479	7202 403	0.287	189 BARCLAY DR	$ 534,000	7/24/2018	2018	3,274	$ 163.10
6159480	7437 393	0.287	193 BARCLAY DR	$ 549,000	8/12/2019	2017	3,592	$ 152.84
6159480	7110 539	0.287	193 BARCLAY DR	$ 520,000	2/28/2018	2017	3,592	$ 144.77
6159481	7077 103	0.287	197 BARCLAY DR	$ 621,500	12/22/2017	2017	6,158	$ 100.93
6159482	7917 0532	0.295	201 BARCLAY DR	$ 530,000	12/11/2020	2017	3,260	$ 162.58
6159483	7040 873	0.29	205 BARCLAY DR	$ 462,000	10/25/2017	2017	3,900	$ 118.46
6159484	7079 604	0.267	209 BARCLAY DR	$ 521,000	12/29/2017	2017	3,806	$ 136.89
6159485	7042 866	0.283	213 BARCLAY DR	$ 430,500	10/27/2017	2017	3,173	$ 135.68
6159486	7003 282	0.371	200 BARCLAY DR	$ 558,500	8/28/2017	2017	4,531	$ 123.26
6159487	6959 514	0.324	188 BARCLAY DR	$ 488,500	6/26/2017	2017	3,911	$ 124.90
6159488	6985 188	0.333	180 BARCLAY DR	$ 552,000	7/31/2017	2017	4,541	$ 121.56
6159489	7091 878	0.254	172 BARCLAY DR	$ 495,500	1/24/2018	2017	3,274	$ 151.34
6159490	7205 416	0.25	168 BARCLAY DR	$ 503,500	7/30/2018	2018	4,310	$ 116.82
6159491	7066 746	0.25	164 BARCLAY DR	$ 482,000	12/7/2017	2017	4,211	$ 114.46
6159492	7073 062	0.25	160 BARCLAY DR	$ 477,500	12/18/2017	2017	3,912	$ 122.06
6159493	7546 349	0.25	156 BARCLAY DR	$ 521,000	12/20/2019	2017	3,248	$ 160.41
6159493	7140 614	0.25	156 BARCLAY DR	$ 514,500	4/20/2018	2017	3,248	$ 158.41
6159494	6982 514	0.25	152 BARCLAY DR	$ 506,000	7/27/2017	2017	4,566	$ 110.82
6159495	7139 083	0.25	148 BARCLAY DR	$ 470,000	4/18/2018	2017	3,883	$ 121.04
6159496	7067 001	0.25	144 BARCLAY DR	$ 500,000	12/7/2017	2017	4,311	$ 115.98
6159497	6885 172	0.307	140 BARCLAY DR	$ 473,000	2/28/2017	2016	3,918	$ 120.72
6159498	7078 310	0.304	132 BARCLAY DR	$ 429,500	12/27/2017	2017	3,164	$ 135.75
6159499	6867 900	0.25	124 BARCLAY DR	$ 439,500	1/30/2017	2016	3,866	$ 113.68
6159500	6931 427	0.458	116 BARCLAY DR	$ 581,000	5/12/2017	2017	4,331	$ 134.15

Inverness Summary

	Size	Sale Price	$/SF
Minimum	3,106	$391,500	$ 89.63
Maximum	6,507	$668,500	$ 186.17
Average	3,894	$501,287	$ 130.65
Median	3,879	$495,500	$ 128.09

The most significant factor in the analysis of the data is the date of sale. The housing shortage resulted in a spike in prices paid. The price point averages approximately $500,000. The sales prices for the houses with visual influence from the tower range from $448,000 to $553,500 which is consistent with the sales of homes without a visual influence despite their older sale date. The price per square foot for the impacted houses ranges from $115.11 to $141.45 per square foot. Again, the rates bookend the median and averages for the neighborhood. The indication from the analysis is that the presence of a cell tower posing a higher level of visual impact with a light did not significantly impact the value of properties.

The Vickery subdivision located in Waxhaw, North Carolina has a cell tower just north of the lots at the terminus of Vickery Drive. The analysis for those properties closest to the tower is compared to those within the remainder of the subdivision. The following chart provides sales within the subdivision with the properties closest to the tower highlighted in yellow.

Parcel Number	Book & Page	Acreage	Address	Sale Amount	Size SFD (SF)	Price/SF	Sale Date	Assessed Value	% of Assessed Value	Year Built
7075300	6775 248	0.474	1209 VICKERY DR	$ 474,000	4,032	$ 117.56	9/21/2016	$ 387,500	122%	2016
7075301	6775 389	0.584	1215 VICKERY DR	$ 467,000	4,224	$ 110.56	9/21/2016	$ 398,200	117%	2016
7075299	6778 636	0.481	1205 VICKERY DR	$ 447,000	3,453	$ 129.45	9/26/2016	$ 358,100	125%	2016
7075302	6781 324	0.472	1305 VICKERY DR	$ 429,900	3,011	$ 142.78	9/28/2016	$ 366,300	117%	2016
7075308	6782 602	0.486	1416 VICKERY DR	$ 404,000	3,427	$ 117.89	9/29/2016	$ 344,300	117%	2016
7075305	6785 056	0.46	1415 VICKERY DR	$ 438,000	3,789	$ 115.60	9/30/2016	$ 380,200	115%	2016
7075304	6786 509	0.501	1407 VICKERY DR	$ 390,000	2,922	$ 133.47	10/4/2016	$ 316,900	123%	2016
7075315	6800 627	0.608	1300 VICKERY DR	$ 436,500	3,073	$ 142.04	10/21/2016	$ 340,200	128%	2016
7075310	6802 034	0.565	1408 VICKERY DR	$ 495,500	4,032	$ 122.89	10/24/2016	$ 387,300	128%	2016
7075309	6807 378	0.53	1412 VICKERY DR	$ 508,815	3,865	$ 131.65	10/28/2016	$ 406,700	125%	2016
7075303	6807 603	0.466	1401 VICKERY DR	$ 435,000	3,571	$ 121.81	10/31/2016	$ 362,400	120%	2016
7075298	6835 577	0.514	1201 VICKERY DR	$ 480,705	3,956	$ 121.51	12/7/2016	$ 388,200	124%	2016
7075314	6843 242	0.498	1304 VICKERY DR	$ 464,900	3,850	$ 120.75	12/16/2016	$ 375,900	124%	2016
7075307	6843 367	0.466	1423 VICKERY DR	$ 470,000	3,672	$ 128.00	12/19/2016	$ 362,500	130%	2016
7075326	6844 281	0.463	2023 DONOVAN DR	$ 450,500	2,922	$ 154.18	12/19/2016	$ 324,100	139%	2016
7075330	6847 478	0.529	2028 DONOVAN DR	$ 438,500	3,642	$ 120.40	12/22/2016	$ 355,500	123%	2016
7075335	6848 787	0.504	2011 CHALET LN	$ 475,207	3,672	$ 129.41	12/27/2016	$ 363,700	131%	2016
7075331	6848 807	0.473	2024 DONOVAN DR	$ 492,000	4,832	$ 101.82	12/27/2016	$ 420,500	117%	2016
7075332	6851 725	0.461	2018 DONOVAN DR	$ 454,348	3,594	$ 126.42	12/29/2016	$ 358,800	127%	2016
7075312	6851 804	0.542	1402 VICKERY DR	$ 417,000	3,037	$ 137.31	12/29/2016	$ 338,500	123%	2016
7075325	6859 111	0.463	2019 DONOVAN DR	$ 462,500	3,037	$ 152.29	1/13/2017	$ 338,900	136%	2016
7075317	6862 313	0.496	1110 VICKERY DR	$ 448,836	3,644	$ 123.17	1/19/2017	$ 376,500	119%	2016
7075313	6880 472	0.497	1308 VICKERY DR	$ 476,853	4,102	$ 116.25	2/22/2017	$ 395,100	121%	2016
7075350	6882 808	0.483	1004 KARA CT	$ 459,050	3,430	$ 133.83	2/24/2017	$ 344,000	133%	2016
7075311	6883 380	0.513	1406 VICKERY DR	$ 499,900	4,240	$ 117.90	2/27/2017	$ 406,500	123%	2016
7075338	6886 457	0.537	3021 CHALET LN	$ 506,000	3,803	$ 133.05	3/2/2017	$ 369,800	137%	2016
7075337	6891 603	0.531	3015 CHALET LN	$ 442,890	3,036	$ 145.88	3/10/2017	$ 323,500	137%	2016
7075333	6892 523	0.473	2012 DONOVAN DR	$ 494,990	3,777	$ 131.05	3/13/2017	$ 382,500	129%	2016
7075345	6894 492	0.534	3000 CHALET LN	$ 432,000	3,109	$ 138.95	3/16/2017	$ 336,300	128%	2016
7075306	6896 071	0.462	1419 VICKERY DR	$ 455,800	3,488	$ 130.68	3/20/2017	$ 366,600	124%	2016
7075334	6903 497	0.567	2002 DONOVAN DR	$ 469,900	3,430	$ 137.00	3/30/2017	$ 359,100	131%	2016
7075336	6928 229	0.521	3003 CHALET LN	$ 558,582	4,258	$ 131.18	5/9/2017	$ 403,700	138%	2017
7075343	6934 030	0.544	3012 CHALET LN	$ 502,000	3,646	$ 137.69	5/18/2017	$ 366,500	137%	2017
7075348	6943 103	0.473	1016 KARA CT	$ 498,677	3,609	$ 138.18	5/31/2017	$ 366,200	136%	2017
7075344	6948 415	0.56	3008 CHALET LN	$ 512,900	4,059	$ 126.36	6/8/2017	$ 408,800	125%	2016
7075322	6954 471	0.516	2005 DONOVAN DR	$ 512,000	3,910	$ 130.95	6/16/2017	$ 388,900	132%	2017
7075341	6955 571	0.53	3024 CHALET LN	$ 499,900	4,085	$ 122.37	6/19/2017	$ 395,600	126%	2017
7075340	6957 267	0.482	3030 CHALET LN	$ 465,335	3,462	$ 134.41	6/21/2017	$ 353,700	132%	2017
7075349	6961 836	0.492	1010 KARA CT	$ 493,500	4,102	$ 120.31	6/28/2017	$ 395,100	125%	2017
7075297	6961 627	0.509	1109 VICKERY DR	$ 470,049	3,413	$ 137.72	6/28/2017	$ 358,800	131%	2017
7075347	6962 872	0.579	1020 KARA CT	$ 507,500	3,885	$ 130.63	6/29/2017	$ 371,900	136%	2017
7075351	6964 408	0.476	1002 KARA CT	$ 440,000	3,528	$ 124.72	6/30/2017	$ 353,200	125%	2016
7075316	6965 130	0.568	1210 VICKERY DR	$ 449,900	3,528	$ 127.52	6/30/2017	$ 353,400	127%	2016
7075346	6978 225	0.567	1005 KARA CT	$ 528,250	3,913	$ 135.00	7/21/2017	$ 390,200	135%	2017
7075329	7020 463	0.541	2032 DONOVAN DR	$ 457,400	3,000	$ 152.47	9/22/2017	$ 341,200	134%	2017
7075323	7029 563	0.505	2009 DONOVAN DR	$ 469,500	3,074	$ 152.73	10/6/2017	$ 342,000	137%	2017
7075328	7043 656	0.613	2027 DONOVAN DR	$ 513,500	3,963	$ 129.57	10/30/2017	$ 391,400	131%	2017
7075339	7043 673	0.548	3031 CHALET LN	$ 443,000	3,074	$ 144.11	10/30/2017	$ 333,800	133%	2017
7075324	7064 691	0.512	2015 DONOVAN DR	$ 471,085	3,609	$ 130.53	12/4/2017	$ 353,900	133%	2017
7075342	7072 416	0.525	3018 CHALET LN	$ 495,000	3,777	$ 131.06	12/15/2017	$ 382,300	129%	2017
7075327	7133 380	0.467	2025 DONOVAN DR	$ 509,000	3,735	$ 136.28	4/9/2018	$ 362,500	140%	2016

For the analysis, we used several units of comparison. The price point for the properties closest to the tower are within the range of the rest of the subdivision. While one sale is on the lower end of the range another is on the upper end of the range indicating that the proximity to the cell tower does not influence the price point. We also looked at the price per square foot. Again, the sales in proximity to the tower were consistent with nominal variances with other properties in the subdivision. We also compared the sales prices to the assessed values of the properties. Again, this comparison yielded the same results that the market and prices paid for properties in proximity to the tower were not impacted by the tower.

The next tower found is located southeast of the Prestwick subdivision in Charlotte, North Carolina. The following aerial shows the tower to the southeast of the subdivision.

The tower is a monopole tower with some trees between the tower and the residential properties within Prestwick. The following chart provides a summary of sales within the subdivision with the properties highlighted in yellow having some level of visual influence from the tower.

Parcel Number	Book & Page	Acreage	Address	Sale Amount	Size SFD (SF)	Price/SF	Sale Date	Assessed Value	% of Assessed Value	Year Built
7135197	6730 543	0.16	5810 PARKSTONE DR	$247,000	3,288	$75.12	7/26/2016	$246,000	100%	2006
7135211	7011 590	0.15	5807 PARKSTONE DR	$260,000	2,844	$91.42	9/8/2017	$224,100	116%	2006
7135214	6918 096	0.14	5801 PARKSTONE DR	$245,000	2,744	$89.29	4/24/2017	$217,400	113%	2006
7135218	6991 886	0.16	5717 PARKSTONE DR	$271,000	2,732	$99.19	8/10/2017	$218,500	124%	2006
7135221	6636 021	0.17	5707 PARKSTONE DR	$250,000	2,744	$91.11	3/21/2016	$220,300	113%	2006
7135228	6728 324	0.17	5706 PARKSTONE DR	$242,000	2,652	$91.25	7/25/2016	$212,300	114%	2006
7135238	6756 020	0.18	3107 ROYAL TROON LN	$260,000	2,744	$94.75	8/29/2016	$217,500	120%	2006
7135243	7228 074	0.14	3005 ROYAL TROON LN	$235,000	1,956	$120.14	8/31/2018	$179,400	131%	2006
7135190	7192 422	0.14	5704 FALKIRK LN	$274,000	2,856	$95.94	7/10/2018	$223,600	123%	2006
7135193	7228 475	0.15	5800 PARKSTONE DR	$287,500	3,026	$95.01	8/31/2018	$233,600	123%	2006
7135196	7154 843	0.16	5808 PARKSTONE DR	$256,000	2,744	$93.29	5/11/2018	$219,900	116%	2006
7135198	6903 572	0.16	5812 PARKSTONE DR	$262,000	2,744	$95.48	3/30/2017	$217,500	120%	2006
7135213	7199 856	0.14	5803 PARKSTONE DR	$277,000	2,732	$101.39	7/20/2018	$218,700	127%	2006
7135215	6985 085	0.14	5723 PARKSTONE DR	$245,000	3,268	$74.97	7/31/2017	$244,300	100%	2006
7135232	6890 100	0.17	5714 PARKSTONE DR	$238,000	1,794	$132.66	3/8/2017	$176,700	135%	2006
7135239	6820 854	0.18	3105 ROYAL TROON DR	$260,000	2,732	$95.17	11/16/2016	$225,700	115%	2006
7135279	7257 886	0.14	5911 PARKSTONE DR	$211,000	2,654	$79.50	10/25/2018	$213,200	99%	2007
7135284	7231 065	0.16	5901 PARKSTONE DR	$278,000	2,983	$93.19	9/6/2018	$231,100	120%	2007
7135201	7002 308	0.18	5818 PARKSTONE DR	$260,000	2,837	$91.65	8/25/2017	$224,700	116%	2007
7135256	6773 258	0.14	5708 FALKIRK LN	$232,500	2,104	$110.50	9/19/2016	$192,700	121%	2007
7135273	7232 509	0.15	5910 PARKSTONE DR	$273,000	3,075	$88.78	9/10/2018	$235,100	116%	2007
7135283	6943 153	0.16	5903 PARKSTONE DR	$255,000	2,654	$96.08	5/31/2017	$212,500	120%	2007

Despite consideration of adjustments to the data set for a variety of physical and market variances, the single-family dwelling with the highest level of visual impact from the tower lies within the range of the data set presented. This analysis indicates that the visual impact of this tower does not impact property values of residential properties.

QUALIFICATIONS OF THE ANALYST

Michael P. Berkowitz
MPB Real Estate, LLC
1100 Sundance Drive
Concord, NC 28027
Phone (704) 605-0595

EDUCATION AND CREDENTIALS

- **Duke University**
  Major: Economics 1985-1989

- **Central Piedmont Community College**

R-1 -	Introduction to Real Estate Appraisal, 2002
R-2 -	Valuation Principles and Procedures, 2002
R-3 -	Applied Residential Property Valuation, 2002
G-1 -	Introduction to Income Property Appraisal, 2003

- **Bob Ipock and Associates**

G-2 -	Advanced Income Capitalization Procedures, 2003
G-3 -	Applied Property Income Valuation 2004

- **Appraisal Institute**

520	Highest and Best Use and Market Analysis, 2004
Seminar	Rates, Multipliers and Ratios 2005
530	Advanced Sales Comparison and Cost Approaches 2006
Seminar	Apartment Appraisal, Concepts & Applications 2009
Seminar	Appraising Distresses Commercial Real Estate 2009
Seminar	Appraising Convenience Stores 2011
Seminar	Analyzing Operating Expenses 2011

AFFILIATIONS AND ACTIVITIES

- **Association Memberships**
  North Carolina State Certified General Real Estate Appraiser, October 2006, Certificate No. A6169

RELATED EXPERIENCE

- Provided real estate consulting services for a variety of clients including real estate brokers, property owners and financial planners.
- Performed financial feasibility studies for multiple property types including golf communities, and renovation projects.
- Developed plan for self-contained communities.
- Racetrack expertise

APPRAISAL EXPERIENCE

A partial list of types of properties appraised include:
Retail Properties, Single and Multi-Tenant, Proposed and Existing
Office Single and Multi-Tenant Proposed and Existing
Mixed-Use Properties, Proposed and Existing
Industrial Properties, Warehouse, Flex and Manufacturing
Vacant Land
Condemnation
C-Stores
Racetracks

CLIENTELE

Bank of America
Transylvania County
Cabarrus County
Mecklenburg County
City of Statesville
NC Department of Transportation
Henry County, GA
Town of Loudon, NH
First Citizens Bank
RBC Centura Bank
City of Charlotte
City of Concord
Union County
BB & T
Aegon USA Realty Advisors
Sun Trust Bank
First Charter Bank
Regions Bank
Charlotte Housing Authority
Alliance Bank and Trust
Broadway Bank
Duke Energy Corporation
Hamilton, Fay, Moon, Stephens, Steele & Martin
Senator Marshall A. Rauch
Perry, Bundy, Plyler & Long, LLP
Robinson, Bradshaw & Hinson
CSX Real Property
Baucom, Cumberland, Burton, Morgan & Wood, PA
City of Mount Holly
Our Towns Habitat for Humanity
Parker, Poe, Adams & Bernstein, LLP
Central Carolina Bank
Southern Community Bank and Trust

Robert Hornik

Sent:	Thursday, May 16, 2024 11:00 AM
To:	Tim.Mangum@randolphcountync.gov
Subject:	SUP Request #23-00000665/Tillman Infrastructure, Wall Road Telecommunications Tower/Opposition of SBA Communications Corporation
Attachments:	sba villa tillman letter .pdf; SBA Letter - Jason Laskey Randolph County. 5-16-2024 PDF.pdf

EXHIBIT 2

May 16, 2024

Tim:

You may recall that you and I spoke a few days ago about the above referenced SUP application which is on the Planning Board's agenda this evening. I represent SBA Communications, which owns and operates a telecommunications tower at 6958 Wall Road in Staley, less than ½ mile from the location of the proposed new tower for which Tillman seeks approval. Please find attached two (2) letters from my client – oner from Mike Villa, SBA's Senior Director of Site Marketing – Site Leasing and one from Jason Laskey, Principal Zoning Manager – providing information for the Planning Board's consideration in opposition to Tillman's SUP Application.

As you will note, Tillman's proposed "tenant" should its new tower be approved and built is Verizon, which is currently a tenant on the existing SBA tower (and has been for more than 20 years). According to my client, Verizon has not expressed to them any economic hardship for Verizon to remain on the SBA tower (the current lease term would expire in 2028, as I understand the situation). Moreover, as expressed in Mr. Villa's letter, SBA will match whatever monthly rental rate Tillman has offered to Verizon, less $10.00, contingent on Verizon providing SBA with a copy of bona fide documentation of the monthly rental rate offered by Tillman. My client submits that the Tillman application does not satisfy the requirements of Randolph County's UDO Section 621, which requires Tillman to provide certain information documenting its efforts to coordinate colocation on towers within a 1 mile radius of the proposed site.

Please distribute copies of this email and the attached letters to the Planning Board members for their consideration this evening. I will be present to discuss my client's position and answer any questions the Planning Board may have.

Respectfully,
Bob Hornik

THE BROUGH LAW FIRM, PLLC

Robert E. Hornik, Jr.

Phone 919-929-3905
Mobile 919-614-0204

Web www.broughlawfirm.com

Email hornik@broughlawfirm.com

Partner
1526 E. Franklin St., Ste. 200

Chapel Hill, NC 27514

SBA Communications Corporation
8051 Congress Avenue
Boca Raton, FL 33487-1307

T + 561.995.7670
F + 561.995.7626

sbasite.com

May 16, 2024

Randolph County
Department of Planning & Development
204 E Academy St.
P.O. Box 771
Asheboro, NC 27204

RE: Tillman Infrastructure, LLC ("Tillman") request for a Special Use Permit to construct a 240-foot telecommunications tower at Wall Road, Staley, NC 27355.

Dear Commission Members:

My name is Mike Villa, and I am the Senior Director of Site Marketing for SBA Communications Corporation ("SBA") in North Carolina. It is my job to interact with carriers, such as Verizon Wireless ("Verizon"), who have collocated antennas, or are interested in colocating, onto an SBA cell tower. I maintain an open line of communication with the carriers to discuss tenant issues, including but not limited to collocation, tower mounted equipment changes or additions, pricing and facilitating the execution of new agreements. This would include the 250–foot tall cell tower SBA has owned, operated, and maintained since December 1999 on property commonly known as 6958 Willard Road, Staley, NC 27355 ("Existing Cell Tower").

Tillman Infrastructure, LLC ("Tillman") has submitted a Special Use Permit Application requesting approval to construct a new 240-foot self-support tower with Verizon antennas mounted at an antenna height of 235' AGL. The proposed tower is located a mere 2,400 feet from the Existing Cell Tower on which Verizon is colocated at the same height. In my prior communications with Verizon, they have not mentioned any concerns or issues with the Existing Cell Tower nor inquired whether the Existing Cell Tower could accommodate additional equipment.

Accordingly, I was quite surprised by Tillman's application. Verizon has been a tenant on the SBA tower since 2001. Over the years, SBA has worked with Verizon on numerous requested network improvements, antenna changes and equipment upgrades, with the most recent upgrades completed in 2019. SBA has never denied or delayed any request by Verizon to modify their installation as needed.

On April 21, 2021, Verizon and SBA entered into a Master Lease Agreement ("MLA") pertaining to Verizon's lease of SBA towers nationwide, which includes the Existing Cell Tower. The MLA established mutually agreed upon rental rates and lease extensions between Verizon and SBA. Notably, there has been no discussions with Verizon surrounding any cost concerns for this site which is further governed by the MLA.

To the extent that there exists an economic burden for Verizon to remain collocated on the Existing SBA Tower, as claimed and asserted in Tillman Infrastructure's application, the existence of the 2021 Master Lease Agreement between Verizon and SBA establishes that ongoing colocation is reasonably feasible. Tillman's application references an "Economic Hardship Letter" provided by Verizon as the basis for which the proposed tower should be approved under the county ordinance. SBA has not been provided a copy of the letter nor can we confirm the letter exists or was included in Tillman's submittal.

As a furtherance of SBA willingness to accommodate Verizon Wireless for continued collocation at this site. SBA will match the corresponding monthly rental rate currently offered to Verizon by Tillman Infrastructure on the above referenced site, less \$10.00, contingent upon Verizon providing a copy of bona fide documentation of the monthly rental rate offered by Tillman Infrastructure.

Verizon is currently a tenant on over 6,750 SBA cell towers nationwide, including ten (10) towers in Randolph County. Given our relationship with Verizon we would certainly appreciate the opportunity to work with Verizon to stay collocated on the Existing Cell Tower. Verizon remaining on the Existing Cell Tower would prevent the unnecessary and needless proliferation of cell towers in the area.

Respectfully, we request that the Tillman Special use application be denied by the Planning Commission as there is no evidence that the Existing Cell Tower is commercially impractical or that SBA as the tower owner is unwilling to negotiate a fair market value, to the extent one even exists.

We look forward to continuing to work with Verizon and Randolph County to provide access to wireless networks via SBA's telecommunications infrastructure.

Kind Regards,

/s/ Mike Villa

Mike Villa
Senior Director of Site Marketing – Site Leasing
MVilla@sbasite.com

SBA

SBA Communications Corporation
8051 Congress Avenue
Boca Raton, FL 33487-1307

T + 561.995.7670
F + 561.995.7626

sbasite.com

May 16, 2024

Randolph County
Department of Planning & Development
204 E Academy St.
P.O. Box 771
Asheboro, NC 27204

RE: Tillman Infrastructure, LLC ("Tillman") request for a Special Use Permit to construct a 240-foot telecommunications tower at Wall Road, Staley, NC 27355.

My name is Jason Laskey, and I am a Zoning Manager for SBA Communications. I have over twenty years of site acquisition and zoning experience in the wireless industry and have been employed by SBA Communications for over fourteen years.

In 1999, SBA Communications (SBAC), a publicly traded company, made a long-term investment in Randolph County in developing multiple strategically placed towers that would provide a platform from which multiple wireless service providers and other users can provide reliable wireless coverage and in way that minimizes the proliferation of towers.

SBA and other Wireless Industry Representatives worked closely with the Randolph County Planning Board in drafting the county's wireless ordinance that addressed the needs and goals for both the residents and the wireless industry. The Planning Board's resulting ordinance was recommended for approval by the Board on June 24, 1999, and then adopted by the County Commission on August 2,1999.

On September 28, 1999, nine towers meeting the goals of responsible and appropriate tower siting established by the new ordinance received Special Use approval from the Planning Board. The SBA tower located at 6958 Willard Road, Staley, NC 27355, was one of the nine approved. The tower is a 250' self-support tower which currently provides antenna space for T-Mobile at 250 feet and Verizon at 235' feet AGL.

Traditional tower developers, like SBA, coordinate with wireless carriers as true build -to-suit partners placing new towers where coverage is needed with a goal to encourage colocation, expand coverage in communities and minimize tower impacts on local communities. This benefits the local community from a common-sense planning perspective and minimizes tower proliferation. The carriers benefit by not having to use capital to construct and maintain the tower from which their equipment operates. Leasing space to multiple tenants on a structure is an obvious benefit to the owner. If new towers can simply be approved right next to one another, it sets a bad precedent for future tower applications and it removes a major incentive for tower owners to invest in that jurisdiction.

Specialists in "Build to Relocate" and "Overbuilding"

Tillman Infrastructure has submitted a Special Use permit application which has no benefit to the local community. Tillman Infrastructure specializes in "Build to Relocate" tower development. It is the practice of building cell towers next to an existing legacy tower to siphon off tenants with the offer of lower rents and reduced costs. They target existing towers in rural areas and jurisdictions where there are minimal to no zoning regulations. They typically seek tower heights slightly taller than the existing nearby structure to promote as an advantage.

The result is overbuilding. This is the construction of unnecessary duplicative towers sometimes within 100's of feet of an existing fully functional tower. There is no public benefit in terms of new or expanded cell service since the relocation tower serves the same geographic area that is already served.

SBA does not have a tower monopoly in Randolph County, nor does it oppose tower development by competitors. It would be more appropriate for Tillman to develop new towers in areas where there is no existing wireless infrastructure. Towers that would actually provide new coverage and wireless signal improvements.

SBA is not unique or alone. Tillman Infrastructure is actively developing duplicative "Build to Relocate" towers targeting not only SBA but also American Tower, Crown Castle, and other independent tower owners using similar tactics, claims, form letters and assertions.

Respectfully, we request that the Tillman Special use application be denied by the Planning Commission as there is no evidence that the Existing Cell Tower is commercially impractical nor does the proposal meet the goals established by the county wireless ordinance.

We look forward to continuing to work with Verizon and Randolph County to provide access to wireless networks via SBA's telecommunications infrastructure.

Jason Laskey
Principal Zoning Manager

561.981.7455 + **T**
954.822.1496 + **C**

SBA

January 31, 2024

EXHIBIT
3

Attn: Tonya Caddle, Planning Director
Randolph County Office of Planning and Zoning
204 E Academy St.
Central Permitting Building
Asheboro, NC 27205

RE: Special Use Permit Application by Tillman Infrastructure LLC ("Tillman") for new cellular tower ("Tillman Tower Application").
Site Name: TI-OPP-19755-421 Liberty
Site Location: Wall Road, Stanly, NC

Dear Ms. Caddle:

I am employed by Verizon and serve on its Network Real Estate Team. My job duties include oversight of high rent tower sites in the State of North Carolina. Please accept this letter on behalf of Verizon to serve as substantiation for the above referenced cellular tower application, based upon the economic burden experienced by Verizon.

Specifically, pursuant to the Randolph County Unified Development Code ("UDC"), Article 600, Section 621, Guidelines and Requirements for Telecommunication Towers, Randolph County "may consider the reasonable feasibility of collocating new antennas and equipment on an existing wireless support structure or structures within an applicant's search ring." Furthermore, in accordance with the UDC, collocation of Verizon's wireless facilities on the existing tower is not reasonably feasible, because "collocation is commercially impracticable or the owner of the existing tower is unwilling to enter into a contract for such use at fair market value," as further described below. Accordingly, the Tillman Application should be approved.

Verizon presently leases space on an existing cellular tower, owned and/or operated by SBA Towers (SBA) and located at 7214 Willard RD, Stanly, NC. Verizon desires to relocate its wireless facilities from the existing SBA site to the proposed new cellular tower to be owned, and operated by Tillman, which is the subject Tillman Application (the "Tillman Tower"). This letter evidences Verizon's intent to relocate its wireless facilities onto the proposed Tillman Tower for the reasons set forth herein.

Verizon does not pursue relocation from existing sites without a considerable amount of careful and deliberate consideration, given the additional time, costs and effort required for relocating a site. This is particularly the case when it determines that a site relocation is necessary due to unreasonable economic conditions at existing sites that far exceed market conditions, commonly referred to as "high rent relocations". In such instances, the high costs have a limiting impact on carriers' financial resources to serve a particular community, which then limits a carriers' ability to expand and improve wireless services needed to meet the demands of its customers. In some instances, a single cell tower in a jurisdiction can create an anti-competitive, monopolistic condition, where the tower owner controls the entire local market and leaves carriers with no other feasible option.

In this case, Verizon requests approval of the Tillman Application, because of SBA's economically unreasonable costs:

Rental Fees and Escalations:

verizon✓

- Based upon Verizon's current market rates paid for new towers in similar locations, the fair market rate for this location supports a monthly rental rate between $1,800 and $2,250 with a 2 to 3% annual escalator.

- By way of illustration, SBA's current rental fee charged to Verizon is approximately 101% higher than the rent Verizon would pay on the Tillman Tower, a price difference that would significantly grow over the years, given Tillman's far more flexible terms. For illustration, in 10 years, the SBA rent will be in excess of $100,000 and 20 years over $160,000 annually in comparison to Tillman's rent of approximately $29,000 and $30,000 annual rent respectively. This does not include equipment modification.

Equipment Modification Costs.

- Tillman's prices are all-inclusive, whereas SBA charges additional, unreasonable fees and rental increases for almost every technological upgrade or modification - whether Verizon seeks to add or replace its equipment. Due to SBA's cost-prohibitive rental rates, escalation terms and other costs, Verizon has held off on modifications or upgrades to its equipment on the SBA Tower.

- In contrast, the Tillman Tower and lease terms would immediately offer dedicated space to accommodate Verizon's needs to improve and modify the wireless technology serving the Stanly community for many years.

- Furthermore, the SBA Tower may require costly structural tower modifications to accommodate new Verizon equipment, which also has a chilling effect on making improvements. The Tillman Tower is designed to provide ample structural support for future wireless equipment needed to meet the growing needs and demands of the Stanly community.

In summary, under the existing lease for the SBA Tower, Verizon would be forced to spend over 100% more than what Verizon would pay under its agreement for the Tillman Tower. This amount assumes that Verizon would perform no technological upgrades to its current equipment on the SBA Tower, which would result in additional rent increases. Verizon continuously works to make upgrades to its equipment on towers to improve service for its customers. Verizon seeks to relocate its facilities to the proposed Tillman Tower, which will provide a tower option with economically reasonable rates and fees, consistent with current market rates, and will provide Verizon an opportunity to make technical improvements under reasonable terms and conditions in accordance with Article 621.

Thank you in advance for your consideration of the Tillman Application.

Sincerely,

Eric Mann

Eric Mann
Sr. Director, Network Engineering
Carolina/Tennessee Region

verizon