

BOARD OF ALDERMEN

ITEM NO.: **(4)**

AGENDA ITEM ABSTRACT

MEETING DATE: FEBRUARY 8, 2005

TITLE: A MINOR MODIFICATION TO THE CROWN CASTLE TELECOMMUNICATIONS TOWER CONDITIONAL USE PERMIT

DEPARTMENT: PLANNING DEPARTMENT	PUBLIC HEARING: YES __ No <u>X</u>
ATTACHMENTS: A. PLANS B. RESOLUTION C. LETTER FROM TOWN ENGINEER D. LETTER FROM TOWN'S CELLULAR TOWER CONSULTANT E. LETTER CONCERNING ANTENNA INTERFERENCE F. STRUCTURAL INTEGRITY LETTER	FOR INFORMATION CONTACT: JAMES THOMAS- 918-7335

PURPOSE STATEMENT

Cingular Wireless has applied for a minor modification to the Crown Castle Telecommunications Tower conditional use permit located at 200 Redfoot Drive. The proposed minor modification consists of adding a new antenna to the tower as well as clearing a 30 foot by 30 foot area to the south of the existing fenced in area. The "new" fenced in area will contain the related equipment for the Cingular Wireless co-location. Per Section 15-176 (15) of the Land Use Ordinance (LUO), additional antenna arrays located on existing towers must be approved through the minor modification process. The Administration requests that the Board of Aldermen review the request and make a decision regarding the minor modification.

INFORMATION

The Crown Castle GT Telecommunications Tower CUP was last amended on March 18th, 2003 (to allow the installation of an additional antenna to the tower as well as installing equipment within the existing fenced in area). Cingular Wireless has applied for a minor modification to the Crown Castle Telecommunications Tower conditional use permit located at 200 Redfoot Drive. The proposed minor modification consists of adding a new antenna to the tower as well as clearing a 30 foot by 30 foot area to the south of the existing fenced in area. The "new" fenced in area will contain the related equipment for the Cingular Wireless co-location. The proposed 30 foot by 30 foot clearing has been reviewed by Sungate Design Group (**Attachment C**) for water quality and quantity issues per Section 15-263 "Storm Water Management." Per this review, the proposed clearing is in compliance of Section 15-263 of the LUO. In addition, staff recommends installation of wax myrtles around the "new" 30 foot by 30 foot fenced in area. The installation of this landscaping would satisfy Section 15-176(9) of the LUO, which requires a Type A screen around any tower, guy wires or associated structures.

Section 15-176 of the LUO contains certain requirements that pertain to towers, certain requirements that pertain to antennas and certain requirements that pertain to both. Sections 15-176 (3, 4, 5, 6, 10, 12, and 13) of the LUO are specifically applicable to the minor modification request. The applicant has supplied the Zoning Division a letter (**Attachment E**) that satisfies the requirements of Section 15-176. The letter states that the antenna and equipment will not interfere with the use or operation of radios, televisions, telephones, etc. on adjoining or nearby properties. The applicant also states that no commercial advertising will be placed on the tower, no outdoor storage will take place on the site, equipment will be

removed if unused for a period of six months or more, and that the site will not be used as an employment area (office) with the exception of periodic maintenance or monitoring.

In order to satisfy the requirements of Section 15-176 (6) of the LUO, the applicant has submitted a statement (**Attachment E**) from Cingular Wireless RF Engineering Manager stating that the amount of EMF produced by the proposed antenna and equipment does not exceed the federally approved levels.

The information presented on the plans, in the letter, and in the EMF study demonstrates compliance with the requirements of the LUO for minor modifications to existing towers. As a result, the Administration recommends that the Board of Aldermen approve the minor modification to the Crown Castle Atlantic Telecommunications Tower conditional use permit located at 200 Redfoot Drive to allow Cingular Wireless to install an antenna on the tower, and to clear a 30 foot by 30 foot area to the south of the existing fenced in area to install additional equipment related to the co-location.

PUBLIC HEARING

It is within the purview of the Board of Aldermen to call a public hearing before rendering a decision on the requested changes. Specifically, with regard to Minor Modification requests, Section 15-64(b) of the LUO states the following: "Unless it is requested by the permit-issuing authority, no public hearing shall be required for such minor modification."

ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board of Aldermen approve the minor modification to the Crown Castle Atlantic Telecommunications Tower conditional use permit located at 200 Redfoot Drive to allow Cingular Wireless to install an antenna on the tower, and to clear a 30 foot by 30 foot area to the south of the existing fenced in area to install additional equipment related to the co-location with one condition:

1. To install wax myrtles around the "new" 30 foot by 30 foot fenced in area in order to satisfy Section 15-176(9) of the LUO.