



AGENDA ADDENDUM
FAYETTEVILLE CITY COUNCIL
OCTOBER 11, 2010
7:00 P.M.
City Hall Council Chamber

PAGES 1- 6 SEPTEMBER 14, 2010 ZONING COMMISSION DRAFT MINUTES ASSOCIATED WITH THE FOLLOWING ITEMS:

- 7.2 Case No. P10-30F. The rezoning of 82.87 acres between Santa Fe Drive, Bragg Boulevard, All American Freeway and Fort Bragg Military Reserve (the Military Business Park) from R6 Residential, C1P & C3 Commercial Districts to M2 Industrial District. Waverly Broadwell Family LLC & Broadwell Brothers LLC owners.
- 7.3 Case No. P10-32F. Rezoning 0.43 acres at 120 N. Cool Spring Street from R5 Residential District to P4 Neighborhood Professional District. Frank Crawford, owner.
- 7.4 Case No. P10-34F. The rezoning of 3.93 acres located at 2515 Downing Road from C1P Commercial District to M2 Industrial District. Richard & Howard King, owners.
- 8.2 Case No. P10-31F. The rezoning of 2.2 acres located between Raintree Drive and Coinjock Circle on the west side of Strickland Bridge Road from R10 Residential District to C1P Commercial District. Elite Investments, Inc., owners.
- 8.3 Case No. P10-33F. Special Use Permit to allow a Nursing Home in an R6 Residential District on property located at 523 Country Club Drive containing 8.66 acres. Noah and Gail Duncan, owner.

PAGE 7 Additional Attachment:

- Site Plan

- 8.4 Case No. P10-36F. Special Use Permit to allow the location of a Wireless Telecommunications Tower on property located at 1624 Ireland Drive containing 2.0 acres. Cumberland County, owner.

PAGES 8- 56 Additional Attachments:

- 2010 Land Use Plan Map
- Current Land Use Map
- Ortho Map
- Zoning Map
- Site Plans
- Application

RECOMMENDATION REVISION FOR ITEM 9.1:

- 9.1 Request for waivers from the City standards (sidewalks, curb and gutter, and right-of-way width) for property within the City of Fayetteville MIA, Baywood Point, located on the southwest corner of Hwy 24 and Baywood Road.

Revised Recommended Action: *(Original recommended action is located on Page 9-1 of the agenda packet)*

Staff recommends that City Council's recommendation to the Cumberland County Joint Planning Board be to:

- (a) APPROVE the waivers for curb and gutter and for sidewalks, and
- (b) DISAPPROVE the waiver request for a reduced Right-of-Way for the streets.

**CITY OF FAYETTEVILLE
ZONING COMMISSION
CITY COUNCIL CHAMBER
1ST FLOOR, CITY HALL
SEPTEMBER 14, 2010 @ 7:00 P.M.**

MEMBERS PRESENT

Pete Paoni
Marshall Isler
John Crawley
Steve Mannell

MEMBERS ABSENT

Lockett Tally
Martin J. Hendrix

OTHERS PRESENT

Karen Hilton, Planning Manager
Janet Smith, Asst. City Atty
David Steinmetz, Inspections
Craig Harmon, Planner

The meeting was called to order at 7:00pm.

Mr. Paoni explained the Commission members' job was to conduct public hearings, listening carefully to the testimony from both sides to make recommendations that would be forwarded to City Council for final action. Each side will be given fifteen (15) minutes, collectively, to speak and must be signed up prior to the meeting. Request for Special Use Permits are quasi-judicial and speakers must be sworn in before speaking. Any aggrieved party has ten (10) days from today's meeting to file an appeal with the City Clerk's Office, located on the second floor of City Hall

I. APPROVAL OF AGENDA

Mr. Crawley made a motion to table Agenda Item 3F Rezoning Case P10-35F until the October 2010 Meeting. Mr. Mannell seconded the motion. A vote was taken and passed unanimously.

II. APPROVAL OF THE MINUTES FROM THE AUGUST 10, 2010 MEETING

Mr. Mannell made a motion to approve the minutes from the August 10, 2010 meeting. The motion was seconded by Mr. Isler. A vote was taken and the motion passed unanimously.

III. PUBLIC HEARINGS

A. Case No. P10-30F. The rezoning from R6 Residential, C1P & C3 Commercial Districts to M2 Industrial District or to a more restrictive zoning classification for property located between Santa Fe Drive, Bragg Boulevard, All American Freeway and Fort Bragg Military Reserve, also known as the Military Business Park. Containing 82.87 acres more or less and being the property of Waverly Broadwell Family LLC & Broadwell Brothers LLC.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for heavy commercial, Heavy Commercial & Activity Node.

Mr. Harmon stated that the purpose for rezoning is to consolidate zoning districts to accommodate a business park aimed at military contractors and support facilities. He stated that the planning staff recommends Approval of the rezoning to M2 based on:

1. The 2010 Land Use Plan calls for Heavy Commercial and industrial for this property. (M2 allows for both commercial and industrial uses)
2. The property is currently mainly zoned M2.

The public hearing was opened.

There was no one to speak in favor or in opposition of the request.

The public hearing was closed.

The Commission discussed the case including the variety of uses available for the M2 zoning.

Mr. Crawley made a motion to approve the request to rezone to M2. Mr. Isler seconded the motion. A vote was taken and passed unanimously.

B. Case No. P10-31F. The rezoning from R10 Residential District to C1P Commercial District or to a more restrictive zoning classification for property located between Raintree Drive and Coinjock Circle on the west side of Strickland Bridge Road. Containing 2.2 acres more or less and being the property of Elite Investments, Inc.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for Low Density Residential.

Mr. Harmon stated that the purpose for rezoning is to create commercial properties for retail outlets. He explained that the 2010 Land Use Plan identifies a small commercial node at the Graham St. Strickland Bridge Rd. intersection. He stated that from that intersection land use transitions to medium density residential then to low density residential where these property are. This continues to be an appropriate development pattern for the foreseeable future.

Mr. Harmon explained that the planning staff recommendation was denial of the rezoning to C1P or any other commercial district based on:

1. The 2010 Land Use Plan calls for Low Density Residential
2. The property is currently surrounded by residential zoning and uses.
3. 2030 Growth Vision Plan cautions against rezoning residential properties just because they front major roads.

Mr. Harmon discussed with the Commission the potential of this request being considered "illegal spot zoning".

The public hearing was opened.

Mr. Thomas Neville appeared in favor of the request. Mr. Neville gave an overview of the businesses in the area. He stated that no developer he knows would develop this land on residential and that commercial in this area is best. Mr. Neville argued his points against "spot zoning". He stated that the property owner would not receive any special treatment and that the area is in transition.

There was no one to speak in opposition.

The public hearing was closed.

The Commission discussed the length of time businesses have been established in the area and specific lots where residential zoning is currently in use.

Mr. Crawley made a motion to approve the rezoning to C1P. Mr. Isler seconded the motion. Mr. Isler asked to amend the motion to include that based upon the Commission's judgment that the motion to recommend approval for the rezoning from a R10 residential zoning to a C1P commercial zoning due to the reasoning that the rezoning would not be a detriment to the surrounding properties nor have a negative impact on the community and is appropriate and compliant in accordance to the land use plans for the City. Mr. Crawley agreed with Mr. Isler's amendment.

A vote was taken and passed with a three to one vote with Mr. Mannell voting in opposition.

C. Case No. P10-32F. The rezoning from R5 Residential District to P4 Professional District or to a more restrictive zoning classification for property located at 120 N. Cool Spring Street. Containing 0.43 acres more or less and being the property of Frank Crawford.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for Downtown and Conservation Use.

Mr. Harmon explained that the purpose for rezoning is to create a professional district for a law office. He stated that as a reminder, new construction or major renovation in the P4 District requires site plan approval by the Planning Commission. He stated that the existing home on this property is one of the larger historic residential structures that helps anchor this cluster of building in the downtown Historic District and P4 would encourage the renovation and reuse of this building.

Mr. Harmon stated that the planning staff recommends APPROVAL of the rezoning to P4 Neighborhood District based on:

1. The 2010 Land Use Plan calls for Downtown uses, of which professional is one.
2. The property currently has commercial or professional zoning districts on three sides.
3. 2030 Growth Vision Plan calls for the preservation, rehabilitation and appropriate adaptive reuse of historic and other desirable downtown properties shall be encouraged.
4. The requested P4 zone would facilitate the repair a renovation as an historic structure with its residential character.

The public hearing was opened.

Ms. Deborah Koenig appeared in favor of the request. Ms. Koenig stated that she is the potential owner of the property. She stated that she would like to restore the property as close to its original state as possible. Ms. Koenig stated that she would like to use the structure to run her law office out of.

There was no one there to speak in opposition.

Mr. Mannell made a motion to approve the rezoning request based upon the logic provided by the planning staff. Mr. Crawley seconded the motion. A vote was taken and passed unanimously.

D. Case No. P10-33F. A Special Use Permit – Nursing Home in a R6 Residential District for property located at 523 Country Club Drive. Containing 8.66 acres more or less and being the property of Noah and Gail Duncan.

The parties intending to speak, including staff were sworn in.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for Low

Density Residential. Mr. Harmon explained that the site plan has already gone before the Technical Review Committee.

Mr. Harmon explained that Special Use Request require a quasi-judicial hearing. This hearing requires the Zoning Commission to make its decision based on specific findings. Mr. Harmon reminded the Commission that since this is a Special Use Permit, the Zoning Commission can require conditions necessary to meet these specific details and other findings necessary for approval.

Mr. Harmon stated that this request is for the expansion of an existing nursing home in order to create more rooms. Mr. Harmon explained that the bed count, number of clients and staff will remain the same. Mr. Harmon stated that the current nursing home is operating under a Special Use Permit issued in the 1970s.

The Commission and staff discussed the plans submitted by the Technical Review Committee and the significance of those plans and the current special use permit.

The public hearing was opened.

Mr. Bill Daniel appeared in favor of the opposition. He stated that he appeared on behalf of the owner. Mr. Daniel stated that the proposed expansion would be keeping in character of the area and will not be a detriment to the area. He stated that expansion of the facility is just for building square footage to provide private rooms and private beds to the facility. He said that the addition would be better for the facility and the neighborhood.

There were no speakers in opposition.

The public hearing was closed.

Mr. Paoni made a motion to approve the request based on the following findings of fact: Such special use permits shall be issued only after a finding is made that such use shall fit in with the character of the area in which such use is to be located and that such use is not detrimental to the surrounding neighborhood.

Mr. Isler seconded the motion. A vote was taken and passed unanimously.

E. Case No. P10-34F. The rezoning from C1P Commercial District to M2 Industrial District or to a more restrictive zoning classification for property located at 2515 Downing Road. Containing 3.93 acres more or less and being the property of Richard King and Howard King Jr.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for Industrial.

Mr. Harmon explained that the purpose for rezoning is to allow for industrial development on a property designated by the 2010 Plan as an area suited for industrial activities.

Mr. Harmon stated that the planning staff recommends Approval of the rezoning to M2 based on:

1. The 2010 Land Use Plan calls for Heavy Industrial
2. The property is currently mainly surrounded by land zoned industrial and heavy commercial.

The public hearing was opened.

Mr. David Helms appeared in favor of the request. He stated that he is representing the owners of the property. He stated that he has nothing else to add and fully agrees with the staff recommendation.

Mr. Richard King deferred his time to speak.

There was no one to speak in opposition.

The public hearing was closed.

There was a question and answer period for the commission and staff to include city boundary limits.

Mr. Paoni made a motion to approve the request. Mr. Crawley seconded the motion. A vote was taken and passed unanimously.

F. Case No. P10-35F. A Special Use Permit – Nursing Home in a R6 Residential District for property located at 400 Pelt Drive. Containing 5.43 acres more or less and being the property of Emraq Investments LLC.

(Tabled until the October 2010 Zoning Commission Meeting)

G. Case No. P10-36F. A Special Use Permit – Wireless Communications Tower in a R10 Residential District for property located at 1624 Ireland Drive. Containing 0.88 acres more or less leased area and being the property of Cumberland County.

All parties intending to speak, including staff were sworn in.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for Conservation.

Mr. Harmon reminded the Commission that this was a quasi-judicial hearing that requires the Zoning Commission to make its decision based on specific findings. He stated that since this was a Special Use Permit, the Zoning Commission can require conditions necessary to meet these specific details and other findings necessary for approval.

Mr. Harmon stated that staff recommends the following conditions for approval in addition to the submitted site plan:

- Prior to issuing a building permit, there be written confirmation that there is an agreement with one or more providers to use the tower once built;
- Special Use Permit becomes null and void if a building permit is not issued after two years from the date of approval of the request;
- City Code [30-107 (17)] for specific details on the approval of Communication Towers.

Mr. Harmon stated that there would be no antennas on the mono pole and that it would be located but in the trees of the property. He stated that the staff recommendation is that the Zoning Commission move to Approve the requested Special Use Permit based upon the finding that the request fits with the character of the area in which it is to be located and that it will not be detrimental to the surrounding neighborhood based upon the submitted site plan and documentation and recommended conditions.

The Commission and staff had a question and answer period about the location of the pole on the property.

The public hearing was opened.

Mr. Tom Johnson appeared in favor of the request. He stated that he is requesting a monopole in the wooded area off the parking lot. He stated that they are intending to place a stealth tower where the antennas are located on the inside of the tower.

Mr. David LaCava appeared in favor of the request. He stated that he is with AT&T. He explained to the Commission coverage that AT&T customers currently receive in the proposed and comparison of coverage with site of implementation of the tower. He stated it would provide much better coverage than what is currently available.

Mr. Johnson stated that with the pole being located so close to a school it will service a very good need in that area. Mr. Johnson stated that they are meeting all the requirements expected to include number of services on the tower, safety standards and landscaping requirements.

The Commission had a question and answer session with Mr. Johnson to include questions about ownership of the property and how services are leased to carriers.

There was no one to speak in opposition of the request.

The public hearing was closed.

There was a question and answer period between staff and the Commission to include specific conditions placed on the request.

Mr. Mannell made a motion to approve the request for a Special Use Permit with the conditions found in City Code [30-107 (17)] and the special condition that the permit becomes null and void if a building permit has not been obtained within two years of the approval of the request, this motion is based upon the following findings of fact: Such special use permits shall be issued only after a finding is made that such use shall fit in with the character of the area in which such use is to be located and that such use is not detrimental to the surrounding neighborhood. Mr. Isler seconded the motion. A vote was taken and passed unanimously.

IV. OTHER

IV. ADJOURNMENT

Mr. Mannell made a motion to adjourn. The motion was seconded by Mr. Isler.

SITE DATA

OWNER: North and Oak Dutton
522 Country Club Drive
Fayetteville, NC 28501
919 439-7112

PM: J. Daniel
TOTAL ACREAGE: 8.66 AC
SITE ADDRESS: 522 Country Club Drive
FLAT BOOK AND PAGE: 116 D08
DEED BOOK AND PAGE: 6457 276
PLAT: 116 D08
PROPOSED USE: Community Care
BUILDING AREA (SF): 34,022 SF
EXISTING: 34,022 SF
BUILDING HEIGHT: 24'
TOTAL INTERIORS: 2.15 AC (24,430)
TOTAL EXTERIORS: 3.47 AC (47,070)
TOTAL DEMOLISHED AREA: 2.32 ac
EXISTING FLOOR FLOW (PERMANENT) = 10,560 GPM (TOTAL)
(110 GPM PER ROOM)

PARKING CALCULATIONS BASED ON 1 SPACE
PER 2 BEDS (30-222(3)).

OF PARKING SPACES
REQUIRED: 44 (PROPOSED)
PROVIDED: 60 (EXISTING)

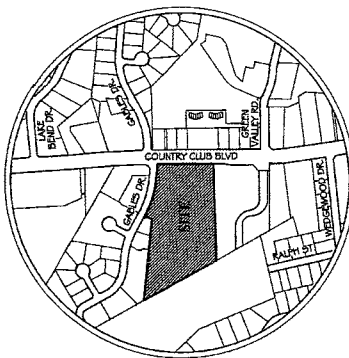
OF HC PARKING SPACES
REQUIRED: 2
PROVIDED: 2

NOTES:
1. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH CURRENT CITY OF FAYETTEVILLE STANDARDS AND REGULATIONS.
2. CONTOURS WERE OBTAINED FROM SURVEY PERFORMED BY KIMLEY-HORN AND ASSOCIATES.
3. CONTOURS WERE OBTAINED FROM SURVEY PERFORMED BY KIMLEY-HORN AND ASSOCIATES.
4. CONTOURS WERE OBTAINED FROM SURVEY PERFORMED BY KIMLEY-HORN AND ASSOCIATES.
5. CONTOURS WERE OBTAINED FROM SURVEY PERFORMED BY KIMLEY-HORN AND ASSOCIATES.
6. ALL DISTANCES ARE TO BACK OF CURB AND FACE OF CURB.
7. BUILDING CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF FAYETTEVILLE STANDARDS AND REGULATIONS.
8. BUILDING CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF FAYETTEVILLE STANDARDS AND REGULATIONS.
9. BUILDING CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF FAYETTEVILLE STANDARDS AND REGULATIONS.
10. BUILDING CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF FAYETTEVILLE STANDARDS AND REGULATIONS.

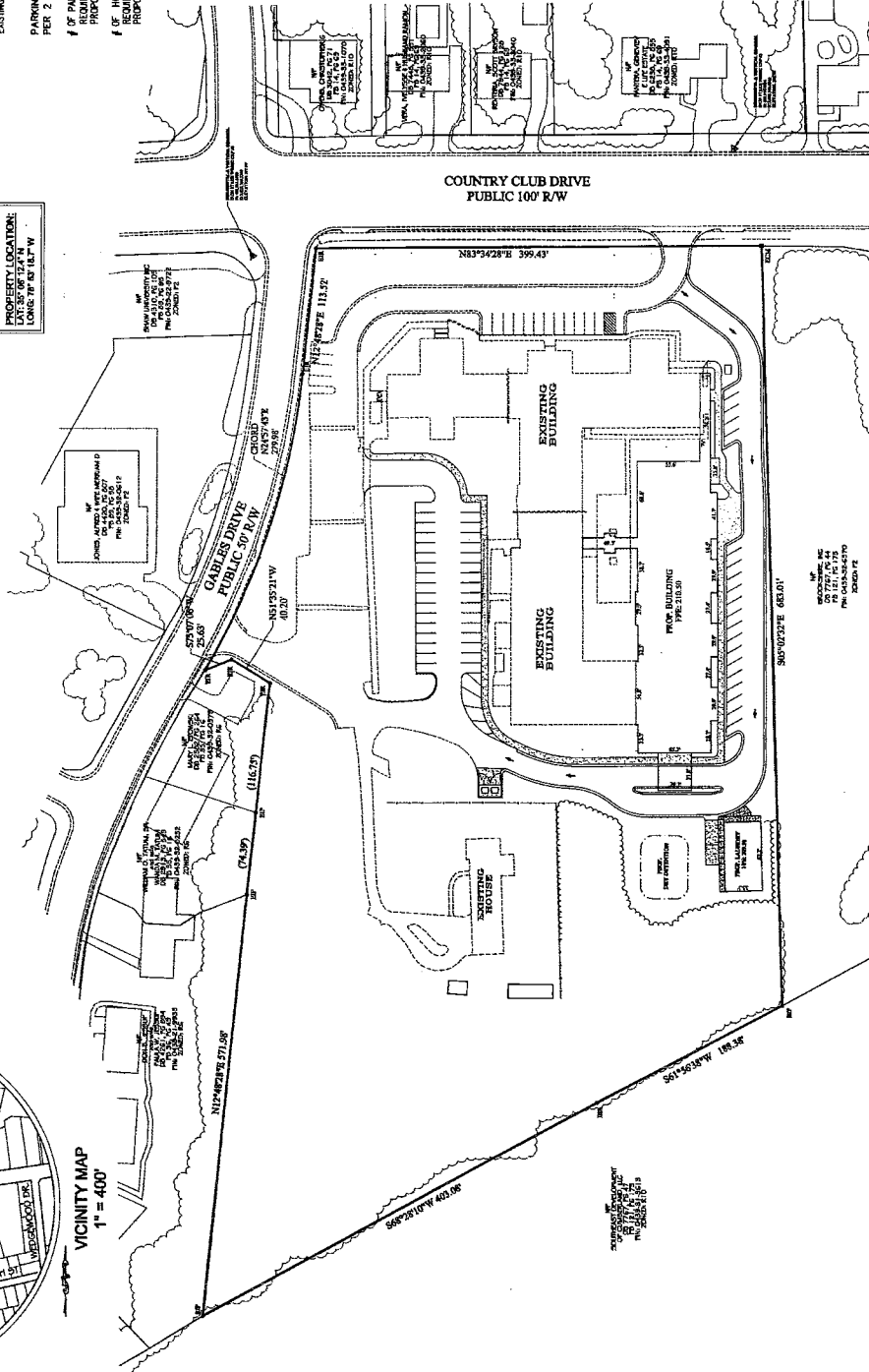
PROPERTY LOCATION:
LAT: 35° 06' 14" N
LONG: 78° 05' 16" W

FINANCIAL RESPONSIBLE CONTACT:
SCOTT DANFORTH
919-964-6000

ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF FAYETTEVILLE STANDARDS AND REGULATIONS.



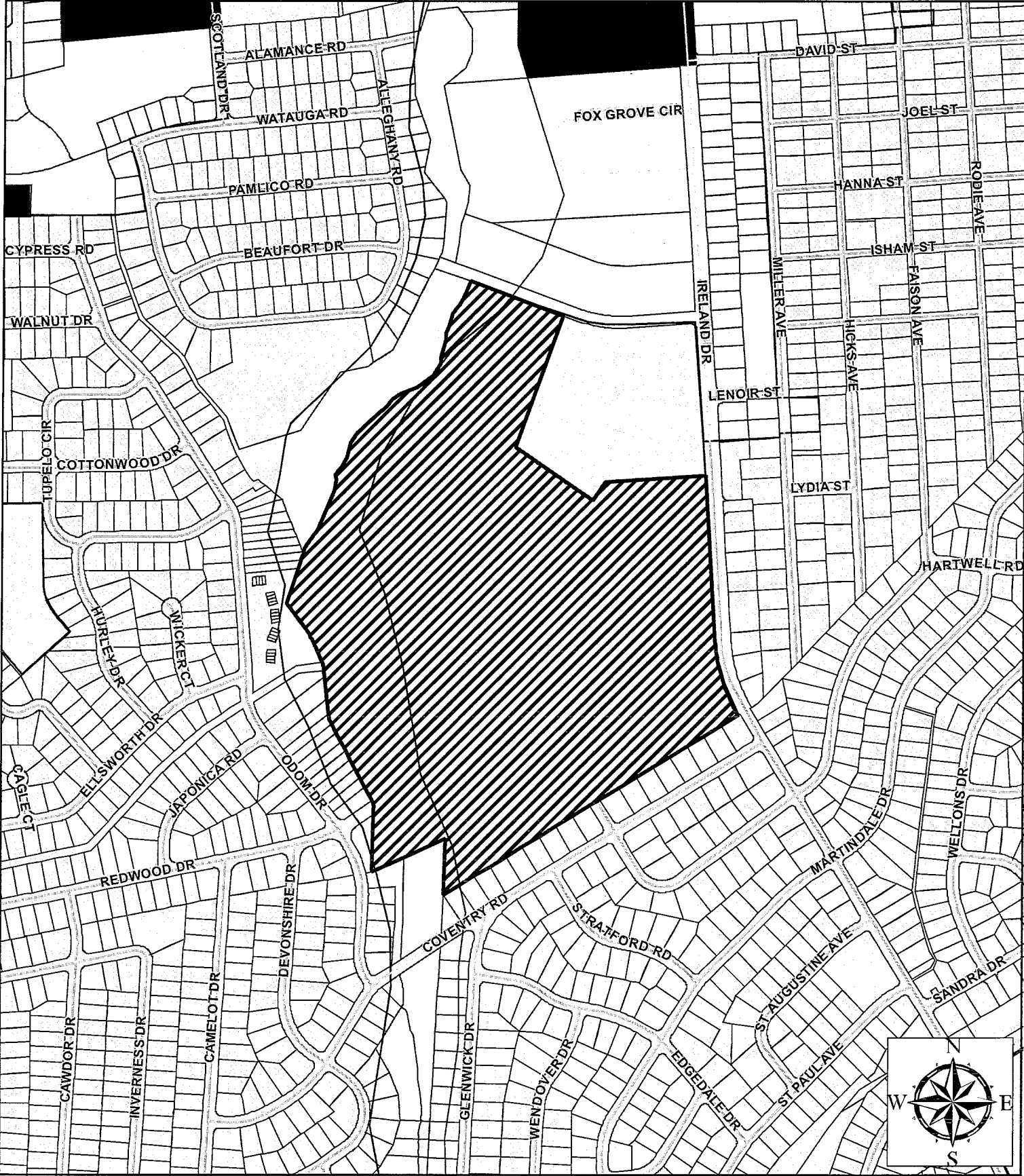
VICINITY MAP
1" = 400'



SHEET NO.	DESCRIPTION
CS-1	OVERALL SITE PLAN
CS-2	GRADING/PAVING/UTILITY PLAN
CS-3	GRADING/PAVING/UTILITY PLAN
CS-4	GRADING/PAVING/UTILITY PLAN

2010 Land Use Plan

Case No. P10-36F



Legend

Medium Density Residential

Light Commercial

Office / Institutional

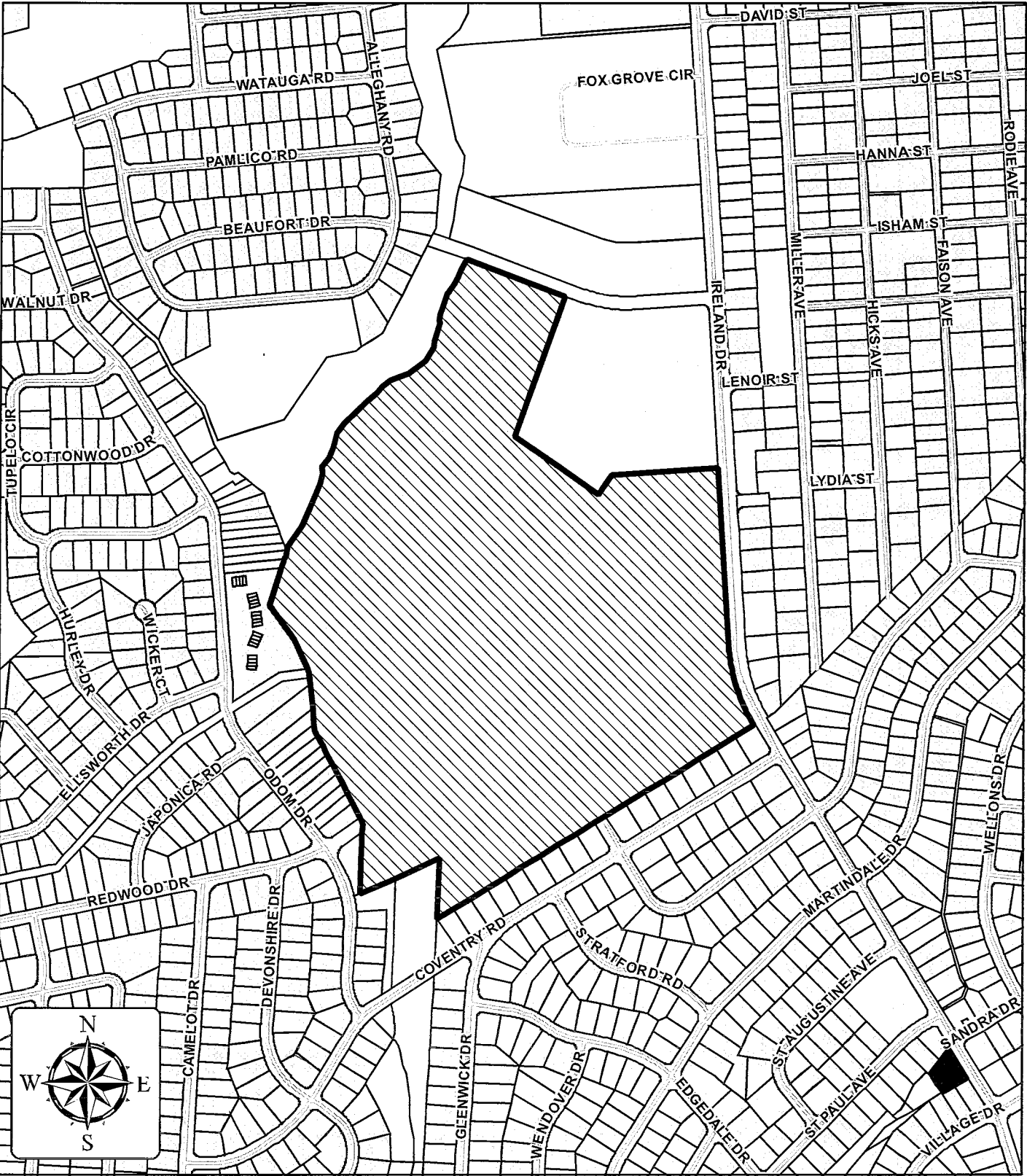
Heavy Commercial

Governmental

Low Density Residential

Current Land Use

P10-36F

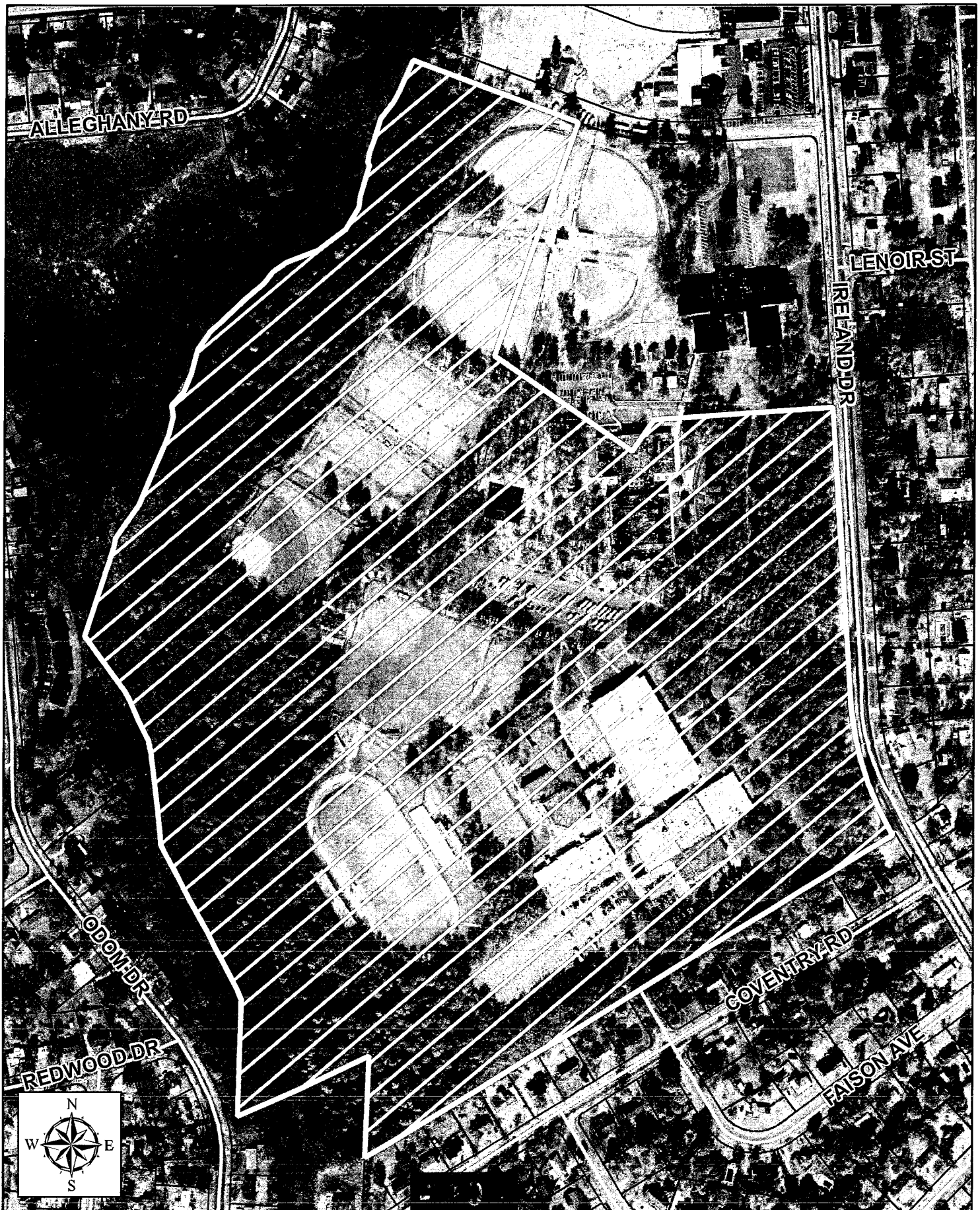


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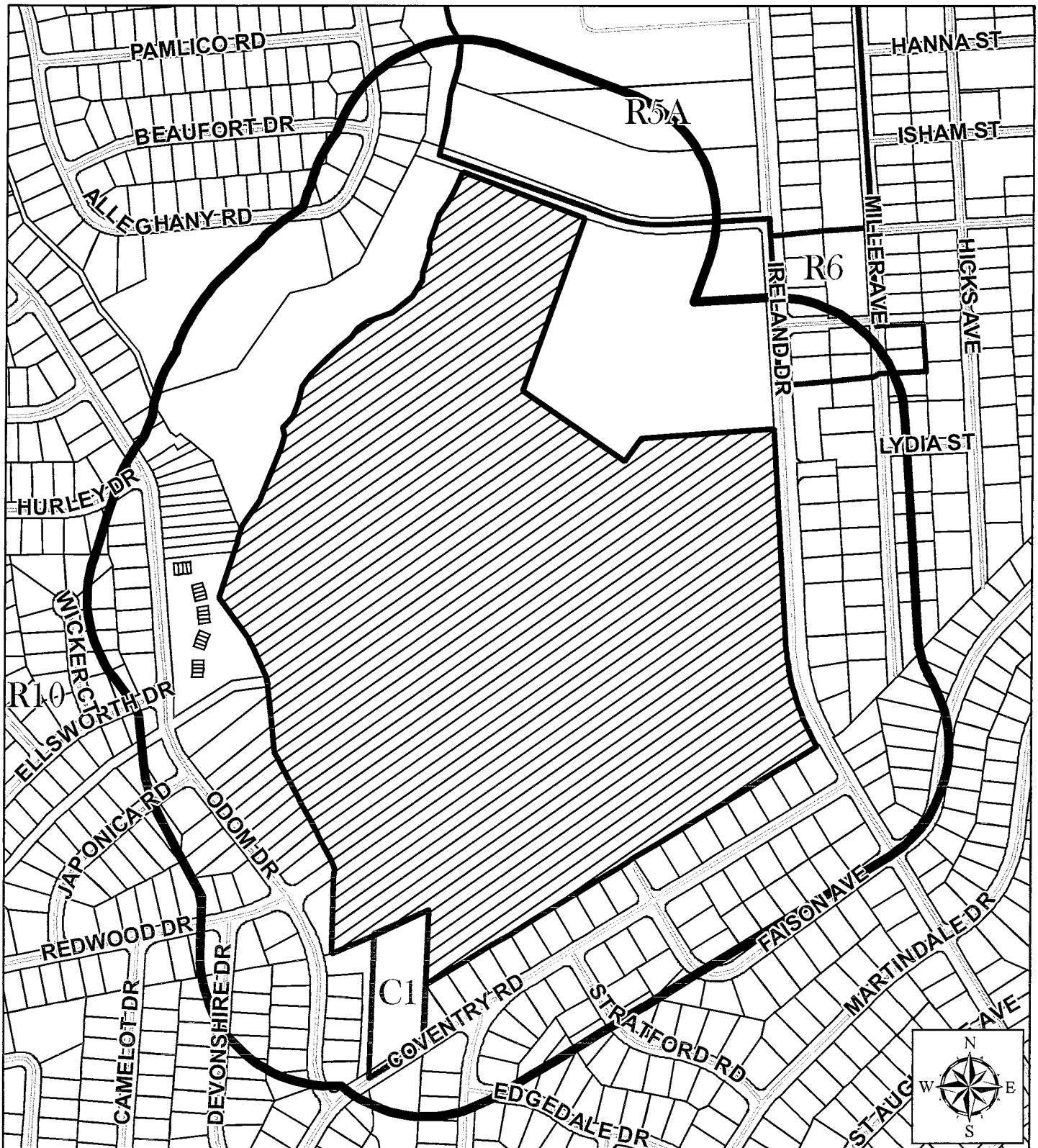
Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

ZONING COMMISSION
CASE NO. P10-36F

City of
Fayetteville
North Carolina
PLANNING



**ZONING COMMISSION
CASE NO. P10-36F**



Request: SUP Communications Tower
Location: 1624 Ireland Dr
Acreage: +/- 0.5 acres site

Zoning Commission: 9/14/2010
City Council: _____
Pin: 0416-46-9601

Recommendation: _____
Final Action: _____

Letters are being sent to all property owners, the subject property is shown in the hatched pattern.



AMERICAN TOWER CORPORATION
445 LONG FORT ROAD
WILSON, N.C. 27157
TEL: (919) 571-3300
FAX: (919) 571-3309

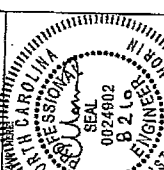
THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS OR INSTRUMENTS OF SERVICE, AND ANY ADDENDUMS, AMENDMENTS, OR SUPPLEMENTS, SHALL BE CONSIDERED PART OF THESE DRAWINGS. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR OBTAINING ALL NECESSARY INFORMATION FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.



BC Architects
architects
engineers
100 COLUMBIA AVE, SUITE 100
FALLS CHURCH, VA 22034
TEL: (703) 571-3300
FAX: (703) 571-3309

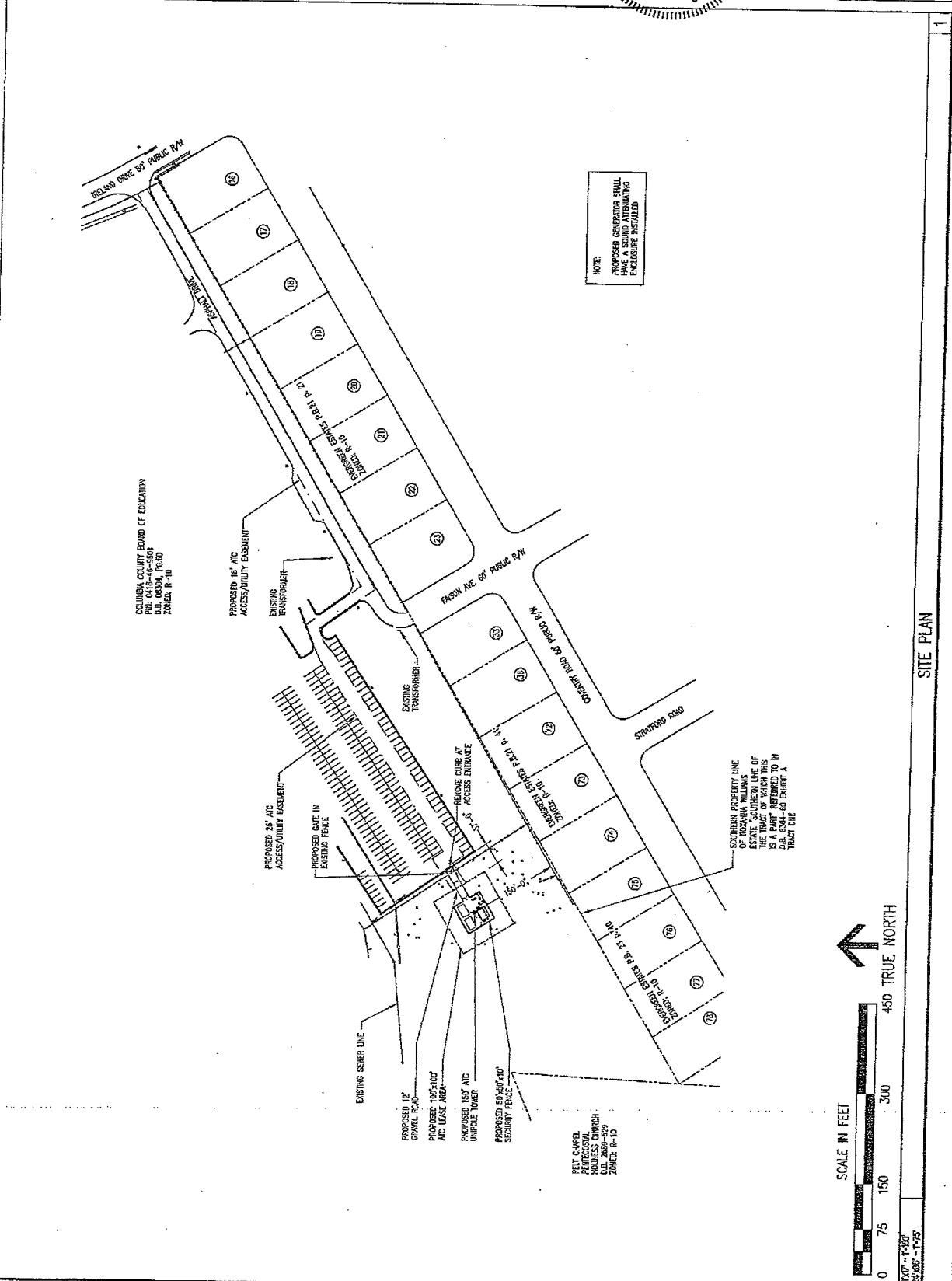
NO.	DESCRIPTION	DATE
1	1	
2	2	
3	3	
4	4	
5	5	

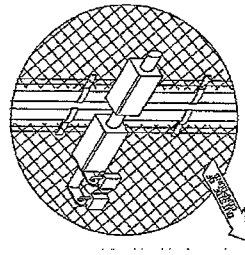
ATC SITE NUMBER:
274200
ATC SITE NAME:
IRELAND DRIVE
SITE ADDRESS:
1824 IRELAND DR
FAYETTEVILLE, NC 28304



DRAWN BY:	GMW
CHECKED BY:	GMW
DATE DRAWN:	07-29-10
SUBMISSION:	FINAL, CDS
SHEET TITLE:	

SITE PLAN	
SHEET NUMBER:	A-0
REV. #	1





NO PLUNGER OR MUSHROOM REQUIRED.

- ① CORRUG. END. OR PULL STR. 1" SQUARE TO PIPE
- ② LWF POSTS 2 1/2" SQUARE @ 8" P.C. PER ASTM-F1084.
- ③ LWF POSTS SHD BE EQUALLY SPACED AT MAXIMUM 8'-4" O.C.
- ④ TOP RAIL & BRACE RAIL 1 1/2" P.C. PER ASTM-F1084.
- ⑤ FLOOR RAIL OR CHAIR WIRE 5/8" P.C. WHEN COMPARTING TO ASTM-A362.
- ⑥ BE WIRE MINIMUM 11 GA. GALVANIZED STEEL AT POSTS AND RAILS
- ⑦ RAILS SPACED 12" O.C. AND JOINTS AT TENSION WIRE BY 100
- ⑧ TENSION WIRE 5/8" GA. GALVANIZED STEEL
- ⑨ BRACE WIRE, SQUARE TENSION WIRE 5/8" GA. P.C. W/ 40% YIELD
- ⑩ W/ 40% H.A. 1 PL. RAILS SPACED ON APPROXIMATELY 9' CENTERS
- ⑪ STRENGTHEN BAR
- ⑫ 3/4" DIAM. RAIL W/ GALVANIZED STEEL TUBULARS @ 10' MAXIMUM THROUGHT IND.
- ⑬ 1 1/2" MAXIMUM CLEARANCE FROM SHAPE
- ⑭ HIGH CR. AS DETERMINED BY CONSTRUCTION
- ⑮ 1" DIAM. END PLATE
- ⑯ 4" CORNERED STEEL PLATE
- ⑰ W/ 40% YIELD STRENGTH OR AS DETERMINED BY CONSTRUCTION
- ⑱ FINGER THROU TO WALK
- ⑲ FINGER RAIL SHD BE UNIVERSAL AND LEVEL
- ⑳ END POST 4" SQUARE @ 40 P.C. PER ONE
- ㉑ NUTS UP THRU TO FEET OR 20 FEET FOR
- ㉒ DOUBLE SWING GATE, PER ASTM-F1084.
- ㉓ GATE POST 1 1/2" P.C. PER ASTM-F1084.
- ㉔ 6" G.C. FINGER IN INSTALL STEELWORK 1 INSTEAD LOCK #175 W/ AND CORNER
- ㉕ END DIAMON. GALVANIZED STEEL 1 1/2" P.C.
- ㉖ BLACK BELL GATE HOLDER. VERY LOOSEN
- ㉗ TIE POST TO TUBULARS.
- ㉘ CENTRALLY PLACING, MOUNT BOX
- ㉙ 2" POST CONCRETE FOUNDATION (3000 PSI).
- ㉚ CROWN POST CONCRETE FOUNDATION (3000 PSI).
- ㉛ GUT POST CONCRETE FOUNDATION (3000 PSI).
- ㉜ 10 x 24" ANCHOR THRU SOIL
- ㉝ 12 x 18" YELLOW CHERRY SOIL
- ㉞ 12 x 18" BRONZE LORCE SOIL
- ㉟ END THRU BRONZE 1/2" DIA. DRILLER

1. INSTALL FENCING PER ASTM F-567
2. INSTALL STAKE GATES PER ASTM F- 800
3. LOCAL ORDINANCE OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED IF REQUIRED.
4. POST & RAIL GATE SIZES ARE INDUSTRY STANDARDS. ALL POSTS TO BE 4" X 6" (NOT 4" X 4" OR 4" X 3") ALL RAIL ASTM A242 (GRADE "A" STEEL). ALL GATE FRAMES SHALL BE WELDED. ALL WELDING SHALL BE COMPLETED WITH (C) COATS OF GALV. (OR ENAMEL).
5. ALL OPEN POSTS SHALL HAVE END-CAPS.
6. USE GALVANIZED HIGH-RING WIRE TO MOUNT ALL SIGNS.
7. ALL SIGNS MUST BE MOUNTED ON DOUBLE END OF FENCE PARALLEL TO THE FENCE LINE.

[illegible]

AMERICAN TOWER CORPORATION
400 LONE PINE ROAD
FARMERSVILLE, NC 28644
TEL: (843) 971-2222
FAX: (843) 971-2889

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS ARE THE PROPERTY OF AMERICAN TOWER CORPORATION. THEY ARE TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE, REPRODUCTION, OR TRANSMISSION OF THESE DRAWINGS OR SPECIFICATIONS WITHOUT THE WRITTEN PERMISSION OF AMERICAN TOWER CORPORATION IS PROHIBITED. AMERICAN TOWER CORPORATION SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR THE PROPER INSTALLATION AND MAINTENANCE OF THE PROJECT. AMERICAN TOWER CORPORATION SHALL NOT BE RESPONSIBLE FOR THE PROPER INSTALLATION AND MAINTENANCE OF THE PROJECT.

BC architects
ARCHITECTS
1024 IRELAND DRIVE
FARMERSVILLE, NC 28644
TEL: (843) 971-2222
FAX: (843) 971-2889

SHEET REVISION

NO.	DESCRIPTION	BY	DATE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

ATC SITE NUMBER
274200

ATC SITE NAME
IRELAND DRIVE

SITE ADDRESS
1024 IRELAND DR
FARMERSVILLE, NC 28644

DRAWN BY: _____ DATE: _____

CHECKED BY: _____ DATE: _____

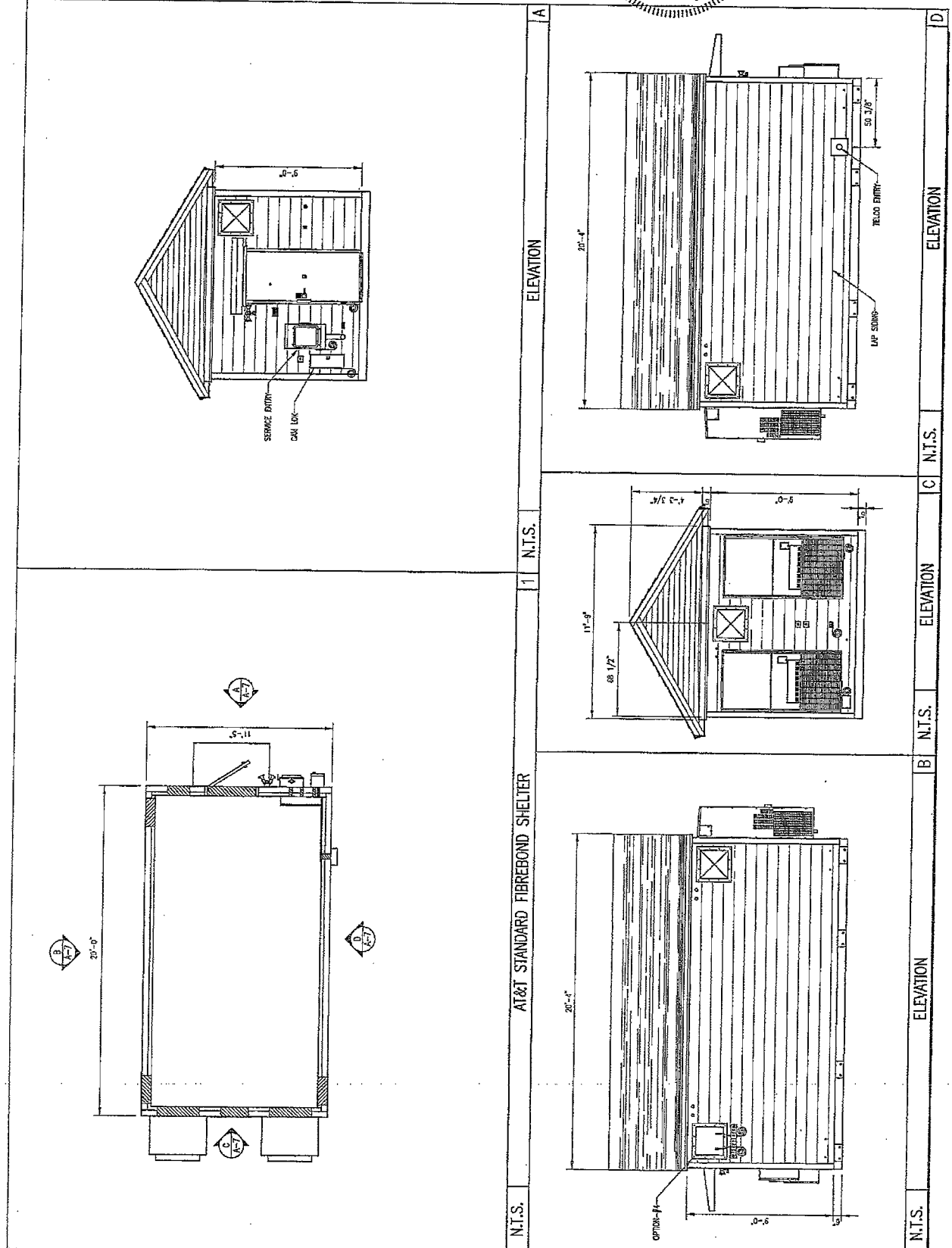
DATE DRAWN: 07-28-10

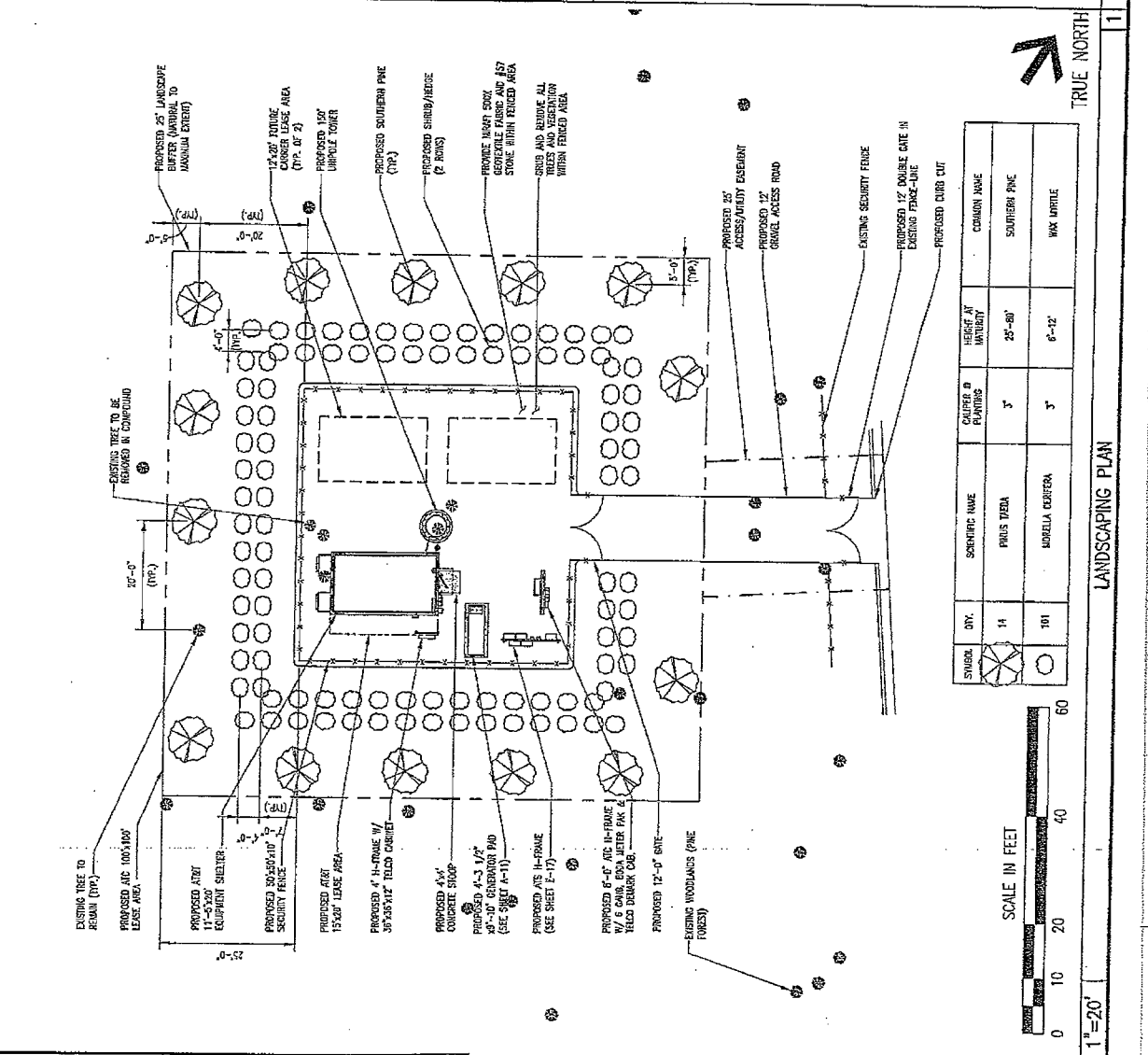
SUBMISSION: FINAL DPO'S

SHEET TITLE:
SHELTER LAYOUT AND ELEVATIONS

SHEET NUMBER: **A-7**

REV. #





P10-36F

NEXSEN|PRUET

Thomas H. Johnson, Jr.
Special Counsel
Admitted in NC

August 9, 2010

VIA UPS NEXT DAY AIR

Mr. Craig Harmon, AICP, Planner II
Planning Department
City of Fayetteville
433 Hay Street
Fayetteville, NC 28301

Re: American Tower Corporation
Special Use Permit for
Telecommunications Tower
1624 Ireland Drive, Fayetteville, NC 28304

Dear Mr. Harmon:

Charleston
Charlotte
Columbia
Greensboro
Greenville
Hilton Head
Myrtle Beach
Raleigh

I represent American Towers, Inc. in connection with the enclosed Application for a Special Use Permit for a telecommunications tower at 1624 Ireland Drive. The owner of the property is Cumberland County. The Appointment of Agent form signed by Cumberland County authorizing us to pursue the special use permit will be delivered directly to your office tomorrow. I am also enclosing the signed Application along with a check for the \$700 fee, a copy of the recorded deed, one full copy of the construction drawings and 20 copies of the detailed site plan. We request that this matter be placed on the agenda for the September 14, 2010 Zoning Commission meeting and that the Appearance Commission review these plans at their next meeting.

The tower will be a stealth monopole tower 150 feet in height on a site 100 feet by 100 feet in size with a 25 foot access and utilities easement to an existing 15 foot access road to Ireland Drive. The site is to the rear of Douglas Byrd Middle School and is surrounded by existing woods. The tower will utilize stealth technology by hiding the antennae within the pole, as shown in the enclosed photo simulations. The site is zoned R-10. The Fayetteville Zoning Ordinance (the "Ordinance") allows towers as a special use in the R-10 District.

P.O. Box 30188 T 919.786.2764
Raleigh, NC 27622 F 919.788.1104
www.nexsenpruet.com E TJohnson@nexsenpruet.com
Nexsen Pruet, PLLC
Attorneys and Counselors at Law

NPCHAR1:591648.1-ZON-(TJOHNSON) 038532-00047

Mr. Craig Harmon, AICP, Planner II
August 9, 2010
Page 2

As required by Section 30-107(17), the tower will be located at least the height of the tower from all property lines. The tower base is enclosed in a chain link fence ten feet in height and the fence is a minimum of ten feet from the base of the tower.

Sheet L-1 of the enclosed site plan shows the landscape plan in compliance with Section 30-107(17)c. The certification by the applicant that the tower will be constructed and operated in compliance with all federal, state and local laws is enclosed. As evidenced by the enclosed FCC Compliance Assessments, the carrier to be located on the tower, AT&T, will not interfere with the operation of commercial radio, cellular radio, television, telephone or other FCC approved communication equipment. The reports also confirm that the power density levels are much less than the federally approved levels and the American National Standards Institute standards.

The equipment shelter will be of a construction consistent with the surrounding structures and will have a pitched roof so as to appear residential in character.

The use will not be detrimental to the surrounding neighborhood as the tower will be a stealth pole and is surrounded by existing woods. Similar towers are located in residentially zoned areas across the country without any detriment to the surrounding neighborhood. As a result of this site, the immediate area will benefit from better wireless service that is especially important for those whose wireless phone or device is their only telephone access. An impact statement by Graham Herring, a licensed real estate broker, is enclosed confirming that the site will not adversely impact the property values of the surrounding properties.

No lighting is proposed for this tower, but, if required by the FAA, the tower lighting will meet the standards of the Ordinance. The tower as proposed will be galvanized steel in color that will blend in well with the surroundings. There will be no outside storage on the site.

Documentation is enclosed that no suitable structures or facilities exist in the coverage area that are available for collocation by AT&T. Also enclosed is photo imagery that superimposes the tower on the proposed site. The construction drawings show sufficient capacity for three carriers.

The information requested by Section 30-107(17)x. is available on American Tower's web site using the following link:

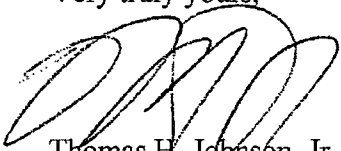
<http://www.americantower.com/sitelocator/default.aspx>

This link is to a site locator for all of American Tower's sites in the United States. It shows the available sites in Fayetteville and Cumberland County with details on each site and a contact number for more specific information.

Mr. Craig Harmon, AICP, Planner II
August 9, 2010
Page 3

If you have any questions or need any additional information, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be 'T. Johnson, Jr.', written in a cursive style.

Thomas H. Johnson, Jr.
Enclosures

Deadline Date to Return _____

Zoning Commission Meeting _____

Today's Date _____

Amount Rec'd \$ _____ Rcv'd by _____ Case # _____

APPLICATION FOR SPECIAL USE PERMIT CITY OF FAYETTEVILLE

Upon receipt of this application, the Planning Department will place a legal ad in the paper to advertise this case as a public hearing before the Zoning Commission.

At the public hearing the Zoning Commission will make a recommendation to the City Council concerning the request. The City Council will hear the case and make the final decision. Any Special Use Permit will not be effective until after the City Council's decision.

A notice of the meeting will be mailed to all individuals who own property within 750 feet of the proposed Special Use Permit and a public notification sign will be posed on the site.

THE FOLLOWING ITEMS ARE TO BE SUBMITTED WITH THE COMPLETED APPLICATION:

1. A copy of the recorded deed.
2. A check made payable to the City of Fayetteville in the amount of \$700.00.
3. **20 copies** of a site plan showing all existing and proposed structures, setbacks, driveways, parking, screenings, etc.

NOTE:

1. The application fee is **nonrefundable**.
2. The Planning Staff is available for advice on completing this application.
3. The Planning Staff shall review the site plan and application for sufficiency. (If you have any questions, please call (910) 433-1612.
4. It is **strongly advised** that the applicant or someone representing the applicant attend the Zoning Commission and City Council meetings.

REVISED 07/09/08

**APPLICATION FOR SPECIAL USE PERMIT
CITY OF FAYETTEVILLE**

To the Zoning Commission and the City Council of the City of Fayetteville, North Carolina

I (We), the undersigned, do hereby respectfully make application and petition to the City Council to grant a Special Use Permit as required in the Zoning Ordinance. In support of this application, the following facts are shown:

Location/Address of the Property: 1624 Ireland Drive, Fayetteville, NC 28304

Owner of the Property: Cumberland County

Address of the Owner: 2465 Gillespie Street, Fayetteville, NC Zip: 28306

Owner's Home Phone: N/A Owner's Work Phone: 910-678-2647

A. Section and provision of the Zoning Ordinance from which a Special Use Permit is requested:
Section 30-107(17)

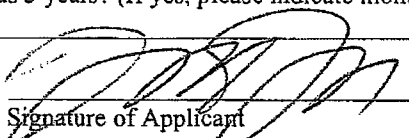
B. The property sought for a Special Use Permit is owned by Cumberland County
as evidenced by deed, recorded in Deed Book 8304, Page 60, Cumberland
County Registry. (Attach a copy of (all) deed(s) as it appears in the Registry.)

C. Tax Property Identification Number (PIN#) of the property: 0416-46-9601

D. Acreage requested for a Special Use Permit: .8816 acres of leased area/89.19 for the entire site

E. It is proposed that the property will be put to the following use: (Describe proposed use/activity
in detail to include hours and days of operation, number of employees, number of clients, etc.)
Telecommunications Tower

F. To the best of your knowledge, has an application for a special use permit or rezoning been filed
for this property within the previous 5 years? (If yes, please indicate month and year.)
No


Signature of Applicant

201 Shannon Oaks Circle, Suite 100

Address of Applicant

Cary NC 27511

City State Zip Code

Home Phone: N/A

Work Phone: 919-786-2764

(for additional application forms: www.cityoffayetteville.org then visit the Planning Dept. page)

8304
0060

BK08304 PG0060

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS
FILED Dec 11, 2009
AT 03:07:00 pm
BOOK 08304
START PAGE 0060
END PAGE 0074
INSTRUMENT # 45047
RECORDING \$61.00
EXCISE TAX (None)
SB

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax \$ none

Prepared by: Rebecca F. Person

Mail after recording to: Office of the County Attorney, P.O. Box 1829, Fayetteville, NC 28302

Brief description for the Index: Several Tracts Cumberland County

[Title not certified; Description furnished by Grantor]

THIS DEED made this _____ day of December, 2009, by and between

<u>GRANTOR</u>	<u>GRANTEE</u>
CUMBERLAND COUNTY BOARD OF EDUCATION, a body corporate and politic	COUNTY OF CUMBERLAND Mailing Address: P.O. Box 1829 Fayetteville, NC 28302

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does hereby grant, bargain, sell and convey unto the Grantee in fee simple, all those certain lots or parcels of land situated in Cumberland County, North Carolina and more particularly described as follows:

SEE EXHIBIT A attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.


And the Grantor further covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions: covenants and easements as the same may appear of record; rights of way of the public highway, conveyances of fee simple interest or easement to NC Department of Transportation; easements and rights of way as the same may appear of record.

And the Grantor further warrants solely to the Grantee that there is and has been at the time of this conveyance no environmental condition or hazardous waste on the above-described properties which could cause the Grantee to become a responsible party with respect thereto under any state or federal environmental or hazardous waste statute.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

CUMBERLAND COUNTY BOARD OF EDUCATION

By: 
Name: _____
Title: Chairman of the Board

ATTEST:
By: 
Name: _____
Title: Secretary

NORTH CAROLINA
CUMBERLAND COUNTY

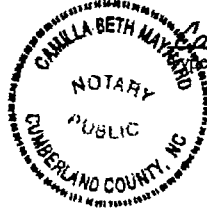
I certify that the following person(s) personally appeared before me this day and I have personal knowledge of the identity of the principal(s) or have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:
Name of Principal: Gregory E. West, Chairman, Cumb. Co. Board of Education

Date: 12/8/2009

Camilla Beth Maynard
Notary Public

My commission expires:

9/16/2013



Camilla Beth Maynard
Typed or Printed Name of Notary Public

(N.P. SEAL)

NORTH CAROLINA
CUMBERLAND COUNTY

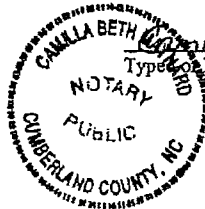
I certify that the following person(s) personally appeared before me this day and I have personal knowledge of the identity of the principal(s) or have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:
Name of Principal: Frank Till, Secretary, Cumb. Co. Board of Education

Date: 12/8/2009

Camilla Beth Maynard
Notary Public

My commission expires:

9/16/2013



Camilla Beth Maynard
Typed or Printed Name of Notary Public

(N.P. SEAL)

EXHIBIT A

to Special Warranty Deed from
Cumberland County Board of Education to
County of Cumberland
Consisting of 12 pages

TRACT ONE:

Byrd Middle School
Seventy First Township

Beginning at a concrete monument, the southeast corner of a tract of 15 acres, previously deeded from the tract of which this is a part to the Cumberland County School Board and recorded in Deed Book 1147, page 338, Cumberland County Registry, said beginning corner being in the western 80 foot right of way margin of Ireland Drive Extended as shown on record in Deed Book 1147, page 338, Cumberland County Registry, and runs thence with the western margin of Ireland Drive S. 0 deg. 15 min. E., 825.22' to the p.o. of a curve, the radius of which is 800.0'; thence with it as it curves in a southeasterly direction, an arc distance of 384.36' to its intersection with the southern line of the tract of which this is a part, said point of intersection being located S. 69 deg. 46 min. W., 100.24' from an iron pipe at the southwest corner of Roxanna Williams Subdivision as shown on record in Plat Book 17, page 61, Cumberland County Registry, and runs thence from said point of intersection and with the southern line of the tract of which this is a part, S. 69 deg. 46 min. W., 2006.24' to the southwest corner of the tract of which this is a part in the centerline of Buckhead Creek, thence up the creek the following: N. 0 deg. 07 min. W., 157.66'; N. 27 deg. 56 min. E., 116.07'; N. 11 deg. 02 min. W., 165.04'; N. 30 deg. 05 min. W., 276.12'; N. 18 deg. 10 min. W., 264.22'; N. 16 deg. 21 min. E., 112.0'; N. 9 deg. 23 min. W., 268.24'; N. 50 deg. 45 min. W., 89.18'; N. 12 deg. 11 min. W., 113.27'; N. 13 deg. 38 min. E., 174.55'; N. 19 deg. 26 min. E., 196.85'; N. 21 deg. 27 min. E., 106.58'; N. 14 deg. 37 min. E., 86.79'; N. 16 deg. 33 min. E., 129.82'; N. 3 deg. 34 min. W., 115.67'; N. 58 deg. 38 min. E., 167.79'; N. 46 deg. 55 min. E., 104.90'; N. 86 deg. 29 min. E., 105.72'; N. 56 deg. 57 min. E., 92.45'; N. 41 deg. 59 min. E., 109.49'; N. 25 deg. 06 min. E., 171.81'; N. 39 deg. 45 min. E., 95.63'; N. 47 deg. 17 min. E., 144.07'; N. 32 deg. 20 min. E., 63.82'; thence leaving the centerline of Buckhead Creek and running S. 67 deg. 15 min. E., 513.69' to the northwest corner of the previously mentioned 15 acres deeded to Cumberland County School Board, thence with the line of it S. 22 deg. 45 min. W., 699.46'; thence S. 51 deg. 45 min. E., 475.31'; thence N. 38 deg. 15 min. E., 110.0'; thence N. 89 deg. 45 min. E., 500.0' to the beginning, containing 89.19 acres.

Being the same property conveyed to Grantor by deed recorded in Book 2229, Page 13, of the Cumberland County, NC, Registry.

TRACT TWO:Cape Fear High School
Cedar Creek Township

BEGINNING at an iron stake at the intersection of the southern margin of North Carolina Highway #24 with the eastern line of the "Janet Ann Faircloth Snader's" 100 acre tract of land devised by the will of Charlotte Ann Jackson (Faircloth) to Janet (Genette) Ann Faircloth (Jacobson) Snader dated October 15, 1946, and recorded in Book of Wills "NW", page 48, office of the Clerk of the Superior Court of Cumberland County, said beginning point also being the current northwest corner of the tract of land described in the deed dated September 7, 1948, from Hazel Smith et al. to Raymond Carter et al., as recorded in Book 520, page 336, Cumberland County, North Carolina, Registry, said beginning corner also being in the center line of a line ditch where aforesaid line ditch intersects with the southern margin of North Carolina Highway #24, said southern margin of North Carolina Highway #24 being 50 feet from the center line of aforesaid highway; thence as the (present) southern margin of North Carolina Highway #24 North 74 degrees 47 minutes West 1312.14 feet to an iron stake at the southern margin of the aforesaid highway; thence continuing with the southern margin of aforesaid highway North 77 degrees 39 minutes West 100 feet to a stake at the southern margin of aforesaid highway; thence continuing with the southern margin of aforesaid highway North 83 degrees 31 minutes West 100 feet to an iron stake at the southern margin of aforesaid highway; thence continuing with the southern margin of the aforesaid highway North 87 degrees 28 minutes West 100 feet to an iron stake at the southern margin of aforesaid highway; thence continuing with the southern margin of aforesaid highway, North 89 degrees 32 minutes West 87.86 feet to a concrete monument at the southern margin of aforesaid highway (North Carolina Highway #24); thence a new line South 14 degrees 04 minutes West 830.45 feet to a concrete monument at the southern line of the Snader's 100 acre tract of land of which this is a part and the northern line of the George W. Horne tract of land; thence as the dividing line between the aforesaid Snader and Horne tracts of land and with the center line of a line ditch South 36 degrees 06 minutes East 1804.73 feet to a concrete monument, said concrete monument being the southeast corner of the Janet Ann Faircloth Snader 100 acre tract of land, and also being the southwest corner of the tract of land belonging to the P. D. Carter Estate; thence as the dividing line between the aforesaid Snader and Carter tracts of land to and with the center line of a line ditch North 14 degrees 00 minutes East 1472.96 feet to the point of BEGINNING, and containing 45.88 acres, and being a part of the tract of land devised by the will of Nixon Jackson to Charlotte Ann Jackson dated June 10, 1908, and recorded in Will Book "NW", page 99, office of the Clerk of the Superior Court for Cumberland County, North Carolina, and devised by the will of Charlotte Ann Jackson (Faircloth) to Janet (Genette) Ann Faircloth (Jacobson) Snader and dated October 15, 1946, as recorded in Book of Wills "NW", page 48, office of the Clerk of the Superior Court for Cumberland County, North Carolina.

This conveyance is made subject to assessments applicable to the above-described property granted to Carolina Power and Light Company and Carolina Telephone and Telegraph Company, and duly recorded in the office of the Registrar of Deeds for Cumberland County, North Carolina.

Being the same property conveyed to Grantor by deed recorded in Book 1179, Page 301, aforesaid Registry.

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0065

BK 08304 PG 0065

TRACT THREE:

Elizabeth Cashwell Elementary School
Southern Avenue

BEGINNING at a point in the northwestern margin of Southern Avenue extended, said beginning point being located North 36 degrees 55 minutes East 150 feet from the northeast corner of Lot 7, Block W of Westchester, Section V, as will appear of record in Book of Plats 29, page 8, Cumberland County Registry; and proceeding thence with the northern margin of Southern Avenue extended North 36 degrees 55 minutes East 592.31 feet to a point; thence again with the northern margin of Southern Avenue extended North 33 degrees 8 minutes East 132.69 feet to a point; thence a new line North 56 degrees 52 minutes West 350 feet to a point; thence North 35 degrees 29 minutes West 390.71 feet to a concrete monument; thence South 88 degrees 57 minutes West 215.11 feet to a point; thence South 36 degrees 55 minutes West 687.41 feet to a point; thence South 53 degrees 5 minutes East 900 feet to the place and point of BEGINNING, containing 15.29 acres, more or less, and being part of Southlawn, Section III, Book of Plats 9 at page 30, Cumberland County Registry.

Being the same property conveyed to Grantor by deed recorded in Book 1117, Page 491, aforesaid Registry.

TRACT FOUR:

Cumberland Mills Elementary School
Rockfish Township

BEGINNING at a concrete monument located at the western margin of the Cumberland - Hope Mills Road, said beginning point being the northeast corner of lot No. 19 as shown on plat of subdivision known as Property of Rockfish-Mebane Yarn Mills, Inc. and recorded in Plat Book 17 page 10, Cumberland County North Carolina, Registry and also plat of tract of land entitled "Property of Rockfish - Mebane Yarn Mills, Inc. proposed school site for Cumberland County Board of Education, dated September, 1961, and drawn by Moorman and Little Inc., Engrs., Fayetteville, North Carolina" and recorded in Plat Book 25 page 25, Cumberland County, North Carolina, Registry, said beginning point also being the southeast corner of the Church of God property recorded in Deed Book 586 page 309 and Deed Book 660 page 75, Cumberland County, North Carolina, Registry, and running thence with the western margin of the Cumberland Hope Mills Road South 05 degrees 02 minutes West 277.20 feet to a concrete marker located at the southeast corner of Lot No. 17 as shown on Plat of property of Rockfish-Mebane Yarn Mills, Inc. proposed school site for Cumberland County Board of Education and recorded in Plat Book 25, page 25, Cumberland County, North Carolina Registry, said concrete marker also being located at the point where the northern margin of a 60 foot street designated as Cross Street intersects with the western margin of Cumberland-Hope Mills Road; thence with the northern margin of Cross Street as shown on aforesaid plat of property of Rockfish-Mebane Yarn Mills, Inc. proposed school site for Cumberland County Board of Education North 84 degrees 58 minutes West 1285.10 feet to a point; thence North 57 degrees 58 minutes East 1121.67 feet to a concrete marker at the southeast corner of lot No. 5 as shown on aforesaid plat of proposed school site plat for Cumberland County Board of Education and plat of Rockfish-Mebane Yarn Mills, Inc. property recorded in plat Book 16, page 21, Cumberland County, North Carolina, Registry; thence South 32 degrees 02 minutes East 73.43 feet to an iron stake; thence North 60 degrees 09 minutes East 177.72 feet to a concrete monument; thence South 05 degrees 02 minutes West 442.28 feet to an iron stake at the Southwest corner of the Church of God property; thence with the northern line of Lot No. 19 as shown on aforesaid

plat and the southern line of the Church of God Property as shown on aforesaid plat South 84 degrees 58 minutes East 200 feet to the point of beginning and being the 11.11 acre tract of land shown on plat entitled "property of Rockfish-Mebane Yarn Mills, Inc. proposed school site for Cumberland County Board of Education and recorded in plat book 25 page 25 Cumberland County, North Carolina, Registry.

Being the same property conveyed to Grantor by deed recorded in Book 892, Page 81, of the aforesaid Registry.

TRACT FIVE:

E. E. Smith High School
Cross Creek Township

BEGINNING at a concrete monument in the eastern margin of Allen Avenue (now Seabrook Road) said monument being the point of curvature of a curve at the intersection of the eastern margin of Allen Avenue and the northern margin of Shaw Street, as shown in the plat and survey of the sub-division of "Holly Springs", Part 1, Book of Plats No. 14, page 42, Registry of Cumberland County, and runs thence with the eastern margin of Allen Avenue, now Seabrook Road, North 21 degs. 50' West 1295.0 feet to a stake in the eastern margin of said street; thence North 68 degs. 10' East 630.0 feet to a stake; thence South 75 degs. 10' East 723.9 feet to a stake; thence South 23 degs. 40' East 152.1 feet to a stake; thence South 22 degs. 10' West 814.0 feet to a stake; thence South 68 degs. 10' West 50.0 feet to a stake; thence South 21 degs. 50' East 150.0 feet to a stake in the northern margin of Shaw Street, which has a width of 50 feet; thence with the northern margin of Shaw Street, South 68 degs. 10' West 575.0 feet to a concrete monument, the point of curvature of a curve at the intersection of the northern margin of Shaw Street, with the eastern margin of Allen Avenue, (Seabrook Road) thence with said curve, the radius of which is 25.0 feet, an arc distance of 39.3 feet to the beginning.

And containing 27.97 acres, more or less, according to a recent survey made by Sol C. Roas, Registered Surveyor.

Being the same property conveyed to Grantor by deed recorded in Book 579, Page 262, aforesaid Registry.

TRACT SIX:

Long Hill Elementary School
Carver's Creek Township

Beginning at a stake in the Eastern margin of Fayetteville-Raleigh Highway, where the Northern line of the land formerly known as the R. B. John property intersects the said Eastern margin of said Highway, the said point being the beginning corner of the tract of which it is a part, and running thence with the Eastern margin of said highway South 34 degrees 25 minutes West 581 feet to a stake; thence South 55 degrees 35 minutes East 660 feet to a stake and oak pointers; thence North 13 degrees 27 minutes East 502 feet to a stake and pointers in the first line of the tract of which it is a part; thence with said line North 36 degrees 15 minutes West 396 feet to the beginning, containing 9.42 acres, more or less, being part of a tract of 46.82 acres described in a deed from Woodrow Bordeaux to the said William M. Bordeaux and wife, Grace L. Bordeaux, registered in Book 456, page 56, in the Office of Register of Deeds for Cumberland County.

The above land is conveyed subject to the restriction contained in the aforesaid deed from Woodrow Bordeaux to William M. Bordeaux and wife, Grace L. Bordeaux.

Being the same property conveyed to Grantor by deed recorded in Book 490, Page 121, aforesaid Registry.

TRACT SEVEN:

Manchester Elementary School
Manchester Township

Lying and being in the town of Spring Lake, Cumberland County, North Carolina, adjoining Spring Street extended on the South, lands formerly owned by Waddell on the West and the parties of the first part on the North and East and being more particularly described as follows, to-wit:

BEGINNING, at a concrete monument in the West line of the original 185.2 acre tract of which this is a part, said concrete monument being located South 30 degrees, 22 minutes East 852.35 feet from an old iron pipe in a yard on the Northwest side of N.C. Highway #210 an original corner of said 185.2 acre tract and running thence a new line North 59 degrees, 38 minutes East 650 feet to a concrete monument with oak and pine pointers; thence South 30 degrees, 22 minutes East 1068 feet to an X-mark in a concrete drain and in the North right of way (30 feet from center) of Spring Street extended; thence as the curved North right of way of said street the following courses and distances, South 76 degrees, 34 minutes West 100 feet, South 89 degrees, 12 minutes West 100 feet; North 78 degrees 26 minutes West 100 feet; and North 76 degrees, 13 minutes West 18.57 feet to an iron pipe in said right of way (30 feet from center) to P.T. of said curve; thence continuing as said right of way North 74 degrees, 53 minutes West 274.5 feet to an iron pipe in said right of way (30 feet from center) the P.C. of another curve in said street; thence on the curved North right of way the following courses and distances, North 79 degrees, 58 minutes West 100 feet; South 86 degrees, 30 minutes West 100 feet and South 77 degrees, 42 minutes West 21.9 feet to a concrete monument in said North right of way (30 feet from center) and in the original West line of said 185.2 acre tract of which this is a part; said concrete monument being located North 30 degrees, 22 minutes West 60.95 feet from an old concrete monument in the South right of way of Spring Street extended, the Northwest corner of a 12 acre tract of land previously conveyed by the parties of the first part to the party of the second part; thence as the original West line of said 185.2^{acre} tract North 30 degrees, 22 minutes West 598 feet to the BEGINNING containing 12.55 acres more or less and being a portion of a 185.2 acre tract as shown on a map entitled "Property of Heirs of A. A. McCormick Deceased" by Tommy A. Roach, Registered Surveyor in July, 1963 and recorded in Map Book 21 page 38 Cumberland County Registry. See also Book of Plats # 32, page 27, Cumberland County Registry.

Being the same property conveyed to Grantor by deed recorded in Book 2003, Page 299, aforesaid Registry.

TRACT EIGHT:

Mary McArthur Elementary School
Pearce's Mill Township

BEGINNING at a concrete monument in the eastern margin of Ireland Drive, the northwest corner of John Sandrook's property; and, also, the southwest corner of a tract of land this day deeded by Myrtle Vann to Cumberland County Board of Education and runs thence with the line of the tract of which this is a part and the Vann line North 66 degrees 45 minutes East 494.17 feet to the corner of Sandrook and Vann property; thence with the old line North 25 degrees 25 minutes West 433.51 feet to a corner in the southern margin of Village Drive, as shown on the plat of Bordeaux VI, recorded in Plat Book 22 page 96, Cumberland County, North Carolina, Registry; thence with the southern margin of Village Drive North 62 degrees 10 minutes East 146.16 feet to a point that is 50 feet past the northwest corner of lot 2, Block "D", as shown on said plat; thence at right angles to said Village Drive and bisecting the aforementioned lot and continuing to and with the rear lot lines of the lots as shown on the plat of Bordeaux IX recorded in Book 23 page 32, Cumberland County North Carolina, Registry, South 27 degrees 50 minutes East 597.24 feet thence; with the line of the plat of Bordeaux IX South 11 degrees 24 minutes East 159.19 feet; thence a new line South 78 degrees 36 minutes West 50.19 feet; thence South 65 degrees 40 minutes West 784.12 feet to a point in the eastern margin of Ireland Drive; thence with the eastern margin of Ireland Drive North 24 degrees 14 minutes West 285.0 feet to the beginning, containing 7.33 acres.

Being the same property conveyed to Grantor by deed recorded in Book 839, Page 412, aforesaid Registry.

TRACT NINE:

Terry Sanford High School
Cross Creek Township

BEGINNING at a stake in the southern margin of Ft. Bragg Road at the northwest corner of Confederate Women's Home property, and running thence with the dividing line between Walker Heights and the Confederate Women's Home property South 25 degrees 50 minutes West 898.3 feet to a pipe at the southeast corner of Lot No. 46 of Walker Heights; thence North 54 degrees 51 minutes West 1217.2 feet to the southwest corner of Lot No. 73 of Walker Heights; thence with the dividing line between Broad Lavn and Walker Heights North 49 degrees East 906.7 feet to the southern margin of Ft. Bragg Road; thence with it South 55 degrees 15 minutes East 855.6 feet to the beginning, containing 21.22 acres, more or less. See plat of Walker Heights recorded in Plat Book 14, page 19, Cumberland County Registry, for further description.

Being the same property conveyed to Grantor by deed recorded in Book 651, Page 244, aforesaid Registry.

TRACT TEN:

Cumberland Road Elementary School
Pearce's Mill Township

Beginning at a stake in the Northern margin of the Cumberland Mills Road, said beginning point being the Southeast corner of the property of Carolina Power and Light Company on said Cumberland Mills Road and running thence with Carolina Power and Light Company line North 2 degrees 30 minutes East 1042 feet to an iron stake and two pine pointers; thence North 76 degrees 30 minutes East 1527 feet to an iron stake and oak pointer; thence South 2 degrees 30 minutes West 1042 feet to an iron stake in the Northern margin of the Cumberland Mills Road; thence with the Northern margin of the Cumberland Mills Road South 76 degrees 30 minutes West 1527 feet to an iron stake and point of beginning, containing 35 acres and being a part of a tract of land conveyed from W. R. McKelroy and wife, Delena McKelroy to Villetex Mills, Inc., as recorded in Book 433, Page 41, Cumberland County, N. C. Registry.

Being the same property conveyed to Grantor by deed recorded in Book 865, Page 559, aforesaid Registry.

TRACT ELEVEN:

Reid Ross Classical School
Cross Creek Township

Parcel One:

BEGINNING at a concrete monument on the East side of Highway #401 said monument being N. 2 degrees 00 minutes W. 152.0 feet from the intersection of the east margin of Highway #401 and the center line of Lynn Avenue, and said concrete monument being also the beginning corner of the 24.29 acres tract of which this is a part, and running thence with the east margin of Highway #401, N. 2 degrees 00 minutes W., 650.34 feet; thence a new line N. 88 degrees 00 minutes E. 798.83 feet to a point in the 3rd. line of the tract of which this is a part; thence with it S. 2 degrees 20 minutes E. 903.87 feet to a concrete monument, the 4th corner of the tract of which this is a part; thence N. 74 degrees 30 minutes W. 843.10 feet to the beginning and containing 14.29 acres.

Being the same property conveyed to Grantor by deed recorded in Book 1162, Page 413, aforesaid Registry

Parcel Two:

Those certain lots or parcels of land situate and being in Cumberland County, State of North Carolina, and on the Eastside of State Highway 15-A, and beginning at a point in the East margin of said highway and runs thence South 76 degrees East 157.5 feet to a point; thence South 13 degrees West 120 feet to a point; thence about North 76 degrees West 120.3 feet to a point in the East margin of State Highway 15-A; thence with the margin of said highway North 4 degrees West Approximately 126.00 feet to the point of Beginning, and being Lots Numbers 1 and 2 of Block "N" shown on the map of E. M. Currin property near Fayetteville, Cumberland County, North Carolina, formerly the McDaniel Place, by W. J. Lambert, Registered Surveyor, dated November, 1941, which said map will appear of record in the Office of the Register of Deeds of Cumberland County, North Carolina, to which said map and the record thereof reference is hereby made for a further description of the said two lots of land. See Plat Book 10, page 23, Cumberland County Registry.

Being the same property conveyed to Grantor by deed recorded in Book 1196, Page 605, aforesaid Registry.

8304
0073

BK08304 PG0073

TRACT TWELVE:

Rockfish Elementary School
Rockfish Township

BEGINNING at a stake in the southern margin of the 60 foot right-of-way of Rockfish Road, said beginning corner being North 84° 30' West 645 feet from the fourth corner of the original tract of which this is a part, as described in deed recorded in Book No. 396, Page 555, Cumberland County Registry, said beginning corner being also the northwestern corner of the Hope Mills Ball Park, which contains 3.73 acres, more or less, as described in deed recorded in Book No. 403, Page 404, Cumberland County Registry, and running thence with the western line of said ball park and beyond, South 18° West 933.42 feet to a stake; thence North 84° 30' West 700 feet to a stake; thence North 18° East 933.42 feet to a stake in the southern margin of the Rockfish Road right-of-way; thence with said road, South 84° 30' East 700 feet to the PLACE AND POINT OF BEGINNING.

Being the same property conveyed to Grantor by deed recorded in Book 2175, Page 591, aforesaid Registry.

TRACT THIRTEEN:

Westover Middle School
Seventy-First Township

BEGINNING at a concrete monument in the western right-of-way margin of S.R. 1408, the southeastern corner of the Cumberland County Board of Education tract (Ponderosa Elementary School) recorded in Deed Book 2160, Page 659, Cumberland County Registry, and running thence with the western right-of-way margin of S. R. 1408, South 17 degrees 13 minutes West, 382.00 feet to a concrete monument; thence South 80 degrees 43 minutes West, 2156.69 feet to a concrete monument at the southeast corner of the Stancil Bowles Estate Land; thence with the Bowles line, North 09 degrees, 59 minutes West, 1206.32 feet to a concrete monument; thence South 71 degrees 52 minutes East, 225.32 feet to an iron pipe; thence to and with the southeastern line of Lot 300 of Ponderosa Section 24, recorded in Plat Book 40, Page 3, North 48 degrees 57 minutes East 228.16 feet to an iron pipe in the eastern right-of-way margin of Lonestar Road, the southwestern corner of Lot 299; thence with the rear lot lines of Lots 299, through 284, of said Ponderosa Section 24, the following courses and distances: North 71 degrees 28 minutes East 555.59 feet to a stake; South 79 degrees 55 minutes East, 168.45 feet to a stake; South 69 degrees 38 minutes East, 320.78 feet to a stake; North 82 degrees 25 minutes East 290.09 feet to a stake; thence to and with the western line of the Beaver Creek Church Cemetery lot, South 09 degrees 23 minutes East, 295.40 feet to an iron pipe; thence with the southern line of the Beaver Creek Church Cemetery lot, North 82 degrees 24 minutes East, 543.10 feet to a concrete monument at the southwestern corner of the Cumberland County Board of Education tract, as recorded in deed book 2160, Page 659; thence with the southern line of the said Cumberland County Board of Education tract, North 78 degrees 44 minutes East, 351.71 feet to the point of beginning, containing 58.267 acres more or less; being part of tract recorded in Deed Book 902, Page 28, Cumberland County Registry.

Being the same property conveyed to Grantor by deed recorded in Book 2418, Page 543, aforesaid Registry.

LESS AND EXCEPT from the above described tracts of land any portion of same which has been previously conveyed to others.



City of Fayetteville Planning Department
433 Hay Street
Fayetteville, NC 28301

RE: American Tower Site No. 274200
Ireland Drive
1624 Ireland Drive, Fayetteville, NC 28304

Dear Sir or Madam:

American Towers, Inc. is submitting an Application for a Special Use Permit to construct a telecommunications tower at 1624 Ireland Drive, Fayetteville, NC. In accordance with the requirements set forth in Section 30-107 (17) d. & f. of the City of Fayetteville Zoning Ordinance, the undersigned certifies that the proposed tower will be constructed and operated in accordance with all applicable local, state, and federal laws and ordinances, including, but not limited to, all Federal Communications Commission and Federal Aviation Administration rules and guidelines.

Very truly yours,

Jason Groseclose
Project Manager-Tower Development

NEXSEN PRUET, LLC
PAYEE: CITY OF FAYETTEVILLE

VENDOR #: 10009427

DATE: 08-09-10
CHECK #: 342263

DATE	INVOICE NUMBER	RESPONSIBLE PARTY	GENERAL LEDGER ACCOUNT	MATTER #	AMOUNT
08-09-10	080910		12100002000000000000	038532-00047	700.00
TOTAL:					700.00

NEXSEN PRUET, LLC
ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE DRAWER 2426
COLUMBIA, SOUTH CAROLINA 29202

BANK OF AMERICA ACCOUNT
COLUMBIA, SOUTH CAROLINA

CHECK NO.: 342263

PAY SEVEN HUNDRED AND 00/100 USD

DATE 08/09/10

NET AMOUNT
\$700.00

OPERATING ACCOUNT
VOID AFTER 180 DAYS

TO
THE
ORDER
OF

CITY OF FAYETTEVILLE

BY:

AUTHORIZED SIGNATURE

⑈342263⑈ ⑆053904483⑆ 000707905572⑈



David J. LaCava
RF Design Engineer
1130 Situs Court, Suite 100
Raleigh, NC 27606

DATE: August 9, 2010
SUBJECT: FCC Compliance Assessment for Proposed AT&T Mobility Site 141-229A "Ireland Drive"

AT&T Mobility has been requested to evaluate the radio frequency emissions of our proposed site 141-229A "Ireland Drive". In addition, AT&T Mobility has been requested to address other RF related topics such as transmitter operation and maximum permissible output power levels. The remainder of this report will address all RF related items requested by City of Fayetteville/Cumberland County zoning/planning board for proposed site 141-229A "Ireland Drive".

Transmitter Operation

AT&T Mobility owns the B Band PCS license in Onslow County. The transmitters being used on the proposed site are authorized to operate in the 1950-1965 Megahertz (MHz) frequency range. The Nokia Ultrasite base station transmitters AT&T Mobility utilizes have a maximum output level of 30 Watts. AT&T Mobility utilizes the GSM digital technology. As a result our transmitters utilize Gaussian Minimum Shift Keying (GMSK) modulation. A precision filter limits unwanted and spurious emissions to levels below the FCC specification. The signals being transmitted will not interfere with the operation of commercial radio, cellular radio, television, telephone or other FCC approved communication equipment.

Maximum Permissible Output Power

The maximum permissible output power per channel is 1640 Watts of effective radiated power (ERP) from the antennas. The proposed site 141-229A "Ireland Drive" is only transmitting 318 Watts ERP.

RF Exposure (NIER levels)

The FCC states in 47 CFR 1.1310 that the maximum permissible exposure (MPE) level from non-ionizing electromagnetic radiation (NIER) to the general population at cellular and PCS frequencies is 1.0 milliwatt per centimeter squared (mW/cm²). MPE is a measure of the RF power density at or below which there are no potential harmful effects from the exposure.

Power density calculations are based on guidelines given by the ANSI Standard C95.1-1992 and are based on a worst case scenario. For analysis purposes, worst case conditions were chosen for all output power levels. For analysis purposes, twelve transmitters were used. A summary of the results of the power density calculations for site 141-229A "Ireland Drive" is listed below in Table 1.

Distance From Tower (Feet)	Power Density (mW/cm ²)	%FCC Standard
1	0.00286	0.2864
25	0.00282	0.2817
50	0.00269	0.2687
75	0.00249	0.2495
100	0.00227	0.2267

Table 1: Power Density Summary for Site 141-229A "Ireland Drive"

As shown in Table 1, the maximum power density will not exceed 0.00286 mW/cm² at ground level. Moreover, the average energy expected near ground level is less than 1% of the MPE level. This level does not exceed the MPE limit set by the Federal Communications Commission or the American National Standards Institute.

Based upon the ANSI/FCC standard and the predicted levels of electromagnetic energy emitted by the site 214-026D "Wilson Bay" installation will be of no safety concern to the general public.

If there are any further questions regarding the information provided I can be reached at (919) 852-2717

David J. LaCava
RF Design Engineer
AT&T Mobility
Raleigh Market
Tel: 919 852 2717
e-mail: DL2246@att.com

IMPACT STATEMENT



AMERICAN TOWER®

Where you want to be.

SITE # 274200.

“IRELAND DRIVE”

***TO BE LOCATED ON THE NORTH SIDE OF
COVENTRY STREET, WEST OF FASION AVENUE
AND WEST OF IRELAND DRIVE***

As per submitted plans

**PREPARED BY:
GRAHAM HERRING COMMERCIAL REAL ESTATE
GRAHAM HERRING GRI
8052 GREY OAK DRIVE, RALEIGH, NORTH CAROLINA 27615**

IMPACT STATEMENT

This report addresses whether the proposed use is in compliance with the purpose and intent of the plan of development of Fayetteville, N. C., Land Use and Zoning Ordinance, and is a compatible use in the area where it is to be located. In preparing this report, I inspected the site and surrounding areas in the district and reviewed the site plans for the facility provided by BC Architects/Engineers for American Towers' application for a Special Use Permit. I have also consulted and reviewed with area local appraisers, developers, tax authorities and reviewed the public records in similar recent zoning cases in various jurisdictions in Cumberland County and prior applications in the City of Fayetteville, N. C.

PROPOSED FACILITY

The proposed facility will consist of a One Hundred Fifty Foot (150.0') (slick pole) monopole. The site will be comprised of a developed area as described in the site plans and engineering plans that were submitted. The fencing surrounding the site will be a chain link fence at least ten (10.0') feet in height, around the fifty foot by fifty foot compound (50.0' by 50.0') within the (100.0' x 100.0') build able area, located in the developed area as described in the plans that were submitted. There will be a six (6) inch thick gravel weed barrier inside the fenced area and extending one (1) foot outside the fenced area. Landscaping will meet or exceed the City Ordinance requirements for this project. The area is zoned R-10. The parent tract is shown in the County Records as PIN number of 0416-46-9601, with a deed of record in Deed Book 08304, Page 60. The area to be developed will be some ~10,000 SF in size, as per the revised plans that were submitted.

BACKGROUND

In general we have found that the factors that primarily affect property values are use, zoning, topography, and market demand. As the factors change, so do the current market value and development potential of any parcel of real estate.

While the value of a parcel of real property may be affected by the use of adjoining or surrounding property, that use must be significant in its intrusiveness or lack of compatibility in order to override the primary factors that affect property values. Uses which generate significant traffic, noise, odor, or dangerous conditions are generally the types of uses which are so intrusive as to override the normal factors affecting property values, and result in a material adverse impact on surrounding properties. For example, hog farms, rock quarries, paper mills, manufacturing plants, adult entertainment establishments, and similar uses, are generally believed to have a negative impact on the value of surrounding properties. In addition, development of property in a manner, which is significantly incompatible with existing or planned use of surrounding property, can result in a negative impact on property immediately adjacent to the incompatible use.

Our examination of the effects of the existing electrical transmission towers and broadcast tower sites on surrounding properties, and our examination of other studies on this subject and available data, indicates that, in general, these type towers are not the type of use, which is so intrusive as to have an inherently negative impact on surrounding properties so long as the set backs are sufficient as to not cause an adjoining property to not be able to be used or developed for its highest and best use under the jurisdictions zoning restrictions.

SUMMARY

My personal inspection of the site and surrounding areas, and public records revealed the following:

1. Located immediately to the north of the proposed site is the undeveloped Cumberland County Schools/Douglas Byrd High School land with mature trees and its athletic fields.
2. Located immediately to the west of the proposed site are single family homes, schools, churches and other mixed uses including multifamily housing, with mature trees and vegetation screening the proposed site.
3. Located to the south of the proposed site are, single family homes and multifamily homes with mature vegetation screening the proposed site.
4. Located east of the proposed site and separated from the parent tract across Ireland Drive is Single and Multi-Family Housing, and other mixed uses.
5. That the visibility of the facility will be very limited on the southbound and northbound approach, at ground level due to the existing vegetation, placement and separation from the existing developed uses around the schools. The areas outside fenced compound will be left undisturbed in order to maintain the existing wooded areas and vegetation near the site.

In summary, my personal inspection of this proposed site and other tower locations in North Carolina, in the jurisdictions of Cumberland, Robeson, Bladen, Onslow, Moore, Sampson, Cities of Fayetteville, Raleigh, Wilmington and many others, my personal Expert Witness Testimony in over one thousand seventeen hundred (1,700) zoning hearings for the record in these and many other jurisdictions across the southeast, my review of industry data regarding all types of wireless transmission towers, indicates that, in general, wireless telecommunication tower facilities do not have a inherently deleterious affect on surrounding properties. Our review of the Facility to be constructed at the Site, and personal inspection of the Site and surrounding area, indicate that the planned facility is generally compatible with the area's existing and proposed uses, and developed as proposed it will have no substantial negative impact on existing or planned development of the surrounding properties.

Moreover, this Telecommunications Facility, built as planned, will have no detrimental or injurious effect on the property values of the surrounding neighborhood or other improved or unimproved properties in the general vicinity. Finally, the nature of this location, with its separation from the residential arterials located to the north of the proposed site, the unimproved areas and mixed uses nearby, heavily wooded areas, is such that the proposed development will not create any negative aesthetic effects on scenic roadways or other unique natural features.

DISCLAIMER

This document is not to be construed as an appraisal of real property; It is an assessment of empirical data and written expression of opinion of impact of this particular planned project, based on the experience of the author of this document. This document is not to be reproduced in whole or in part, nor is it to be used for any purpose other than the reason intended. No opinions of market value or opinions of the correctness or accuracy of the engineering designs or plans submitted for this project are expressed, implied or intended by the author.

Graham B. Herring, GRI
NC Brokers License #30791
SC Brokers License #13554


Graham B. Herring, GRI

Date: 8/5/10

**OVERVIEW OF THE CREDENTIALS OF GRAHAM HERRING, LICENSED
NORTH CAROLINA AND SOUTH CAROLINA REAL ESTATE BROKER, AND
GRADUATE OF THE UNIVERSITY OF NORTH CAROLINA REALTORS
INSTITUTE.**

GRAHAM B. HERRING, GRI
8052 Grey Oak Drive
Raleigh, North Carolina

Experience:

Licensed Real Estate Broker in North Carolina for 38 years
Licensed South Carolina Real Estate Broker

Mortgage Lending and Appraising, 6 Years (Single Family Residential)
Land Development (Commercial and Residential)
Shopping Center development, leasing and sales
Industrial, Office and Institutional, Commercial properties; development, leasing and sales.
Specialized Computer enhanced photography (Photo Simulations)
Site Acquisition, Telecommunications, Radio, Television, and EMS/911 Facilities
SHPO North and South Carolina/ remediation work
Residential/Builder Construction lending
Certificate of Completion, United States Savings and Loan League Single Family
Residential Appraising Course.

Past Executive Director of the Nash County, and Rocky Mount Homebuilders
Association
Graduate of the North Carolina Homebuilders Institute
Graduate of the North Carolina Insurance Institute
Graduate of the International Shopping Center Institute School of Management and
Leasing
Graduate of the University of Pennsylvania/Wharton School Of Investment Real Estate
Consulted with City Municipalities and County Governments. Concerning Potential
Impact of Telecommunications Facilities, in planning and study meetings.
Appeared as an expert witness in over 1700 Zoning Hearings, in 67 counties, and 65
jurisdictions in North Carolina, Virginia, Georgia, Florida and South Carolina
Consulted with developers concerning planning and placement of telecommunications
facilities in planned developments, i.e.: Weston, and Wakefield.
Testified as an expert witness regarding impact on surrounding properties of
Telecommunications Facilities in Board of Adjustment and Commissioners hearings
throughout North Carolina, Virginia, Georgia, Florida and South Carolina.
Conducted Market and Tracking Studies in several counties including Wake and Orange
counties, on the development of telecommunications facilities, and the sale of improved
residential properties in developments that are surrounding such facilities, and
comparison studies of such.

2010 Google Earth imagery ©2010 DigitalGlobe, Inc. All rights reserved. Data ©2010 Google



City of Fayetteville Planning Department
433 Hay Street
Fayetteville, NC 28301

RE: AT&T
Ireland Drive Site No. 141-229
1624 Ireland Drive, Fayetteville, NC 28304

Dear Sir or Madam:

In accordance with the requirements set forth in Section 30-107 (17)(s)(2) of the City of Fayetteville Zoning Ordinance, AT&T conducted a thorough search of the area to be served by the proposed tower site at 1624 Ireland Drive, Fayetteville, NC ("Proposed Site") for an existing tower, building or other useable structure on which AT&T could locate its antennae. A map of the search ring for the required service area is attached for your reference. AT&T's search did not reveal any existing tower, building or other useable structure within the service area. Therefore, it is necessary for AT&T to build a new tower at the Proposed Site in order to meet its coverage objectives.

Very truly yours,

A handwritten signature in black ink, appearing to read "DL2246".

David J. LaCava
RF Design Engineer
AT&T Mobility
1130 Situs Court, Suite 100
Raleigh, NC 27606
Tel: 919-852-2717
Email: DL2246@att.com

Site Acquisition Request Form (SARF) for AT&T Mobility Network

Cingular Issue Date: 1/12/2010
Cingular Site Name: 141P0229/Ireland Drive
Cingular Project Number:
Category:
FA Location Number: 10138045
County, State: Cumberland, NC
Site Type: Greenfield
Due Date for Candidate Sites: 8/24/2009

Cell Site Requirements:

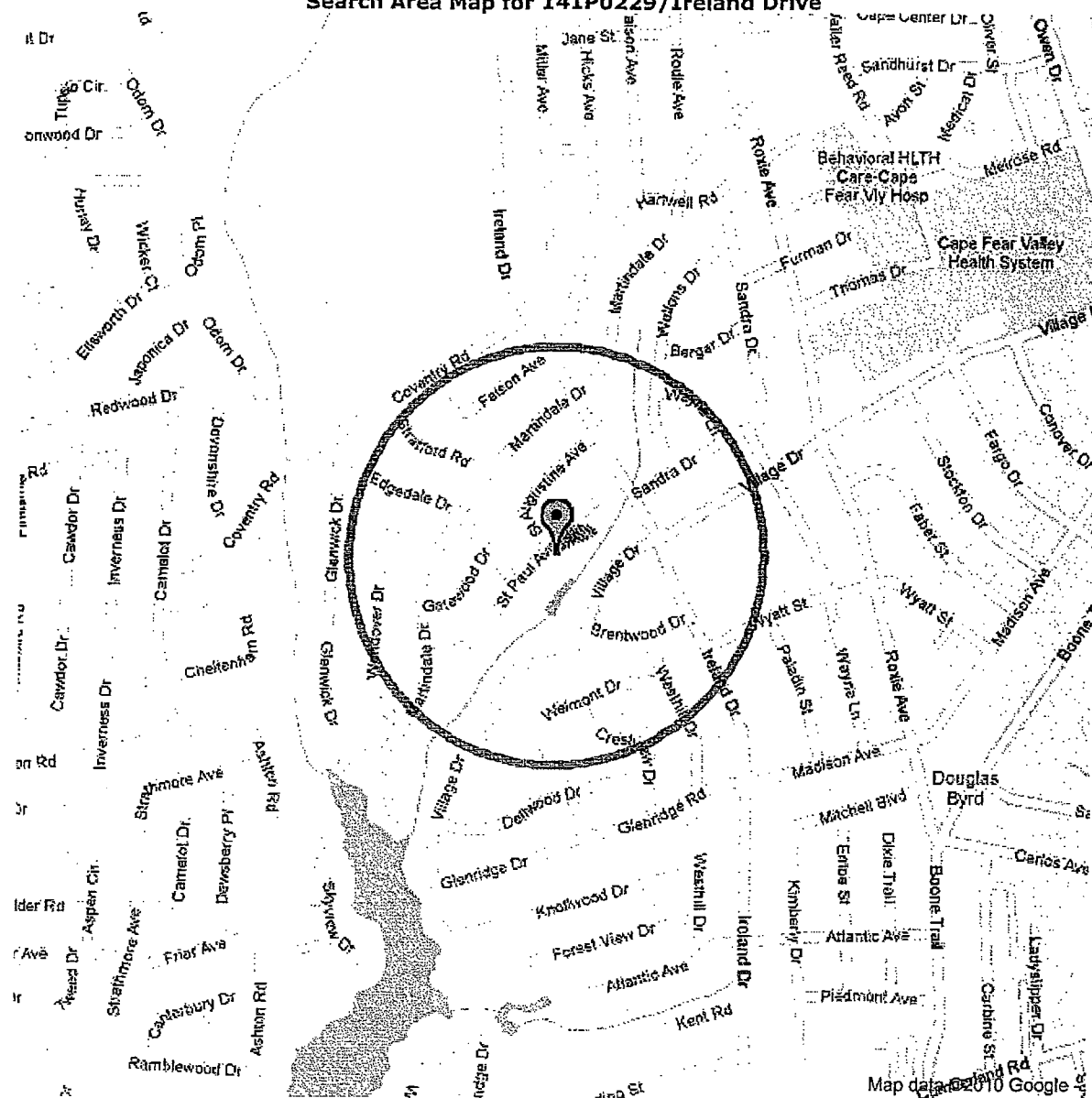
Approximate Latitude: 35° 01' 31.23" N
Approximate Longitude: 78° 56' 42.21" W
Approximate Ground Elevation: 193 feet AMSL
Approximate Antenna Centerline: 180 feet AGL
Approximate Total Height: 373 feet AMSL
Search Area Radius: 0.3 miles
SARF Azimuths:

Cell Site Objectives/Notes

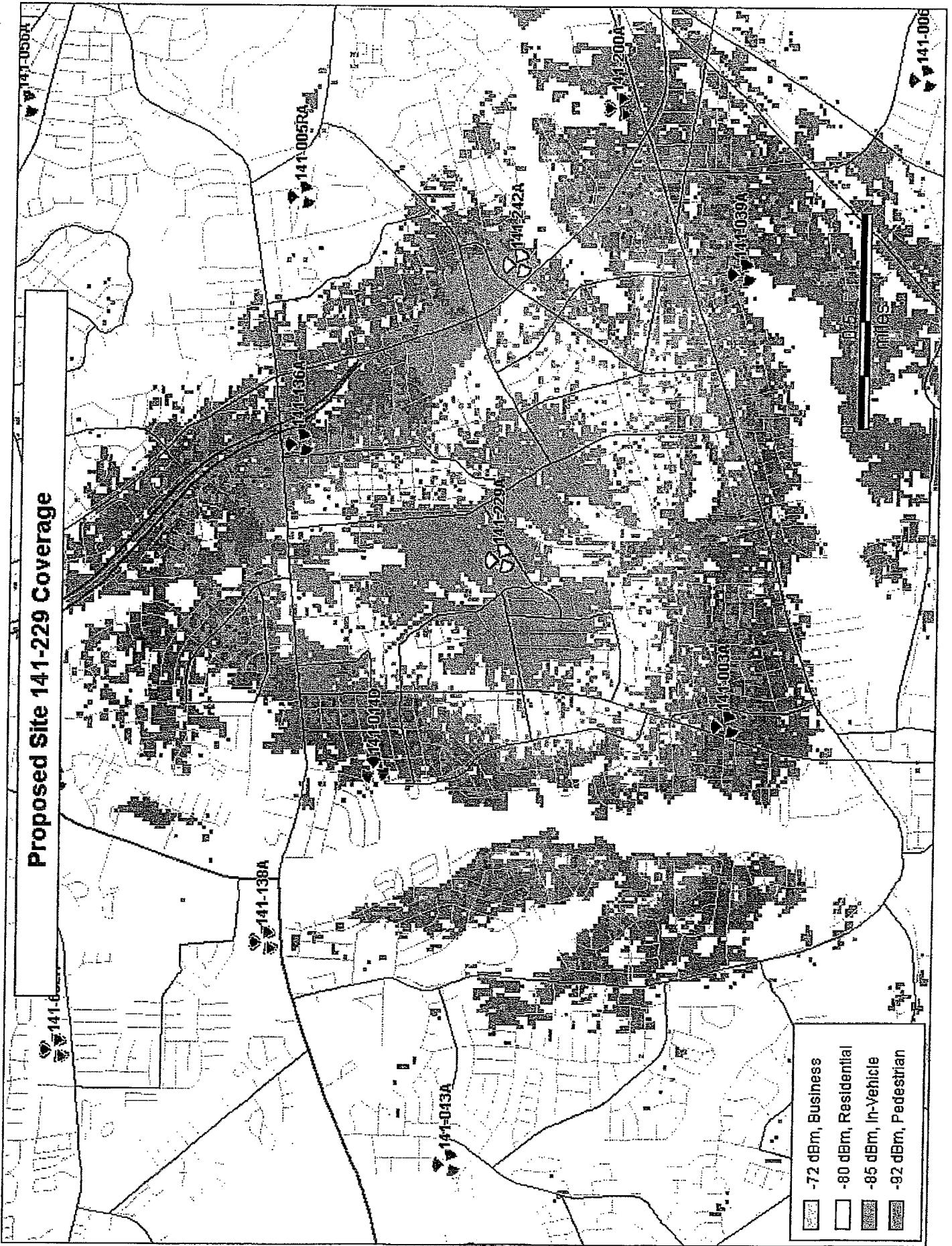
The attached map represents the search area for the new cell site, **141P0229/Ireland Drive**. The site objective is: Required to address in-building "coverage hole" in commercial and residential areas along Ireland Dr and Coventry Rd in Fayetteville, NC. Also required to increase capacity coverage in the same area.

Dave LaCava 1/12/2010
 RF Planning Engineer

Attachments: Search Area Map



Proposed Site 141-229 Coverage



- 72 dBm, Business
- 80 dBm, Residential
- 85 dBm, In-Vehicle
- 92 dBm, Pedestrian

Coverage Without Proposed Site 141-229

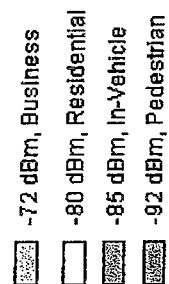
Legend:

- 72 dBm, Business
- 80 dBm, Residential
- 85 dBm, In-Vehicle
- 92 dBm, Pedestrian

Scale: 0.5 miles

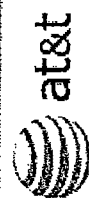
Site Callouts:

- 141-005RA
- 141-036A
- 141-014D
- 141-138A
- 141-013A
- 141-229
- 141-242A
- 141-003A
- 141-039A
- 141-200A
- 141-006



0.5 **times**

Existing View



Ireland Drive 2742000
Fayetteville, North Carolina

150ft. Micropole Simulation

View from Glenwick Drive
approximately 500ft. south of site.

AMERICAN TOWER®
CORPORATION

Existing View



Ireland Drive 2742000
Fayetteville, North Carolina

**150ft. Micropole
Simulation**

View from Coventry Road
approximately 350ft. southeast of site.

AMERICAN TOWER®

C O R P O R A T I O N

