



# TOWN OF CORNELIUS

## Planning Department

PO Box 399 | Cornelius, NC 28031 | Phone: 704-896-2461 | Fax: 704-896-2462

### LAND DEVELOPMENT APPLICATION FORM

<b>Staff Only:</b>
Date Rec'd: _____
Rec'd by: _____
Case #: _____

1. Application Type	✓	Fee	✓	Fee
• Sketch Plan/Plat (Major Sub):	<input type="checkbox"/>	_____	• Conditional Zoning (CZ)	<input checked="" type="checkbox"/> \$1,250.00
• Preliminary Plat (Major Sub):	<input type="checkbox"/>	_____	• Special Use Permit (SUP)	<input type="checkbox"/> _____
• Final Plat (Major Sub):	<input type="checkbox"/>	_____	• Major Architectural Variation	<input type="checkbox"/> _____
• Construction Documents:	<input type="checkbox"/>	_____	• Minor Architectural Variation	<input type="checkbox"/> _____
• General Rezoning	<input type="checkbox"/>	_____	• Other: _____	<input type="checkbox"/> _____
Fee Total:				_____

**2. Project Information**

Date of Application: May 6, 2020 Name of Project: Cottonwood Cell Tower Replacement

Location: 19328 Lake Norman Cove Rd. Property Size (acres): 9.370 # of Units/Lots: \_\_\_\_\_

Current Zoning: VC Proposed Zoning: CZ

Current Land Use: Elect. Substation/Cell Tower Proposed Land Use: Electrical Substation/ Cell Tower

Tax Parcel Number(s): 00147107

**3. Contact Information**

PeakNet

Owner, Applicant, or Developer  
9887 4th Street North, Suite 100

Address  
St. Petersburg, FL 33702

City, State Zip  
813-843-1605

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Christopher Bernardo 5/6/2020

Signature \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

Email - cbernardo@peaknet.com

Williams Mullen - Thomas H. Johnson, Jr. (Agent)

Agent(s) (Engineer, Architect, Etc.)  
301 Fayetteville Street, Suite 1700

Address  
Raleigh, NC 27601

City, State Zip  
910-616-3100

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Thomas H. Johnson Jr. 5/6/2020

Signature \_\_\_\_\_ Print Name \_\_\_\_\_ Date \_\_\_\_\_

Email - tjohnson@williamsmullen.com

**4. The following items may also be required to be considered part of a complete application, please check all that apply on this list:**

<input checked="" type="checkbox"/> <b>Signed "Original" application</b>	<input checked="" type="checkbox"/> <b>Illustrative (color) site/sketch plan</b> for presentation purposes with same layers as described above
<input checked="" type="checkbox"/> <b>Project Fee(s)</b> - See Fee Schedule	<input type="checkbox"/> <b>Architectural elevations, Perspective Renderings, and Architectural Review Board Checklist</b> may include multiple pages and must be drawn to scale by an architect. Include all primary and accessory buildings (all building sides), an illustrative color package, and black and white w/dimensions. Other architectural elements/features of the site such as gazebos, trellis's, garden walls, retaining walls, or other items over 4-feet in height must also be included (NOT REQUIRED, BUT OPTIONAL FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS).
<input checked="" type="checkbox"/> <b>Written Summary/Description of Request</b> can be on company letterhead. Shall include requested use or uses, sq. feet of non-residential space, or density and number of units/lots for residential, or any other applicable information. For CZ's, must also describe any variations proposed from the Land Development Code	<input type="checkbox"/> <b>Charlotte Water Capacity Assurance Review Application</b> Provide copy with application, and send original to CW.
<input checked="" type="checkbox"/> <b>Property Survey</b> (at least one copy), including existing buildings, topography, wetlands, streams, vegetation (trees over 18" in diameter), and other natural features.	<input checked="" type="checkbox"/> <b>Illustrative (color) elevations</b> for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples
<input checked="" type="checkbox"/> <b>Site/sketch plan</b> (at least one copy), may contain multiple pages and must be drawn to scale by an engineer or landscape architect. Shall include locations of buildings and/or lots, streets, parking, proposed grading, landscaping/screening, open space, watershed/storm water information, associated storm water measures, and proposed utilities and lighting. Shall also include general information from adjoining lots	<input checked="" type="checkbox"/> <b>Digital Files</b> of all items listed above

# WILLIAMS MULLEN

Thomas H. Johnson, Jr.  
Direct Dial: 919.981.4006  
tjohnson@williamsmullen.com

May 13, 2020

Town of Cornelius Planning and Zoning  
Attn: Mr. Wayne Herron  
21445 Catawba Ave.  
PO Box 399  
Cornelius, NC 28031

RE: Conditional Zoning Application for Parcel # 00147107, 19328 Lake Norman Cove

Dear Mr. Herron,

We represent PeakNet and submit this application and associated documentation in support of their application. The subject parcel is owned by Duke Energy and PeakNet is an entity related to Duke Energy. The site located at 19328 Lake Norman Cove, is an existing electrical substation with a 115' stealth communications tower on the property. In order to meet the need for evolving wireless technologies and increased demand for wireless services, the carriers on the tower have requested that PeakNet increase the tower height so that they can install better, more advanced antenna equipment to improve customer coverage and quality in the Lake Norman area.

As discussed in our pre-application meeting on May 28, 2019, the site is already generally concealed by natural vegetation and is located in an area that needs improved wireless service. In order to provide better coverage to wireless customers, PeakNet is requesting a modification of Section 6.2.20.B of the Land Development Code (LDC). This section states that towers must be of a stealth design. No other variation from the LDC is being requested as the site and proposed replacement tower would be in compliance with all other requirements of Section 6.2.20. The site is in the VC zoning district, which does not have a maximum structure height (6.2.20.B), and there is not another tower within one (1) mile of the site (6.2.20.E). Any necessary landscape buffers or screening will be provided as per sections 3.2.20.F and 6.2.20.H, but the existing natural vegetation is currently providing the buffer for this site. We ask that the Town determine that the existing vegetation is sufficient to meet the landscaping requirements.

We have provided with our application package photo simulations and site line renderings from various viewpoints to show the difference in visual impact between the replacement 199' standard monopole tower versus the current 115' concealed antenna tower. The visual impact is minimal and any impacts are far outweighed by the benefit of being able to provide better more advanced coverage to the surrounding area, as well as the ability to have more carriers collocate their equipment on the replacement tower. The standard monopole tower does not have the space constraints of a stealth unipole and because of changes in technology, the carriers need more space that a unipole can accommodate. Also, the additional height will allow a greater coverage area and more space for new carriers, maximizing the use of this existing tower site and avoiding the need for a new site in the same area.

May 13, 2020  
Page 2

If you require any additional information or have any questions regarding the application, please contact me at 919-961-4006 or [tjohnson@williamsmullen.com](mailto:tjohnson@williamsmullen.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Johnson, Jr.", written in a cursive style.

Thomas H. Johnson, Jr.