Staff Report

Special Use Permit

Case Number SUP #1-26

Location map/Aerial Photograph



Subject Property

Cell Tower Plan Area

Proposed location of cell tower

208 Polychem Ct.

NCPIN 2739715251

N

Summary

Owner

Chakra Gupta LLC

Applicant

Mark Roberts (Harmoni Towers)

Location

208 Polychem Ct.

NC PIN

2739715251

Project Planners

Hannah Williams, AICP, CZO
Matt Duchan, AICP, CZO

Updated July 20, 2026

Applicant's Request:

The applicant is requesting to construct a 145-foot monopole wireless communication tower and associated ground equipment on a 2500 square foot leased portion of the subject property.

Staff Recommendation:
Approval of the request, subject to the conditions in this report.

Planning Board Recommendation:
Approval of request as submitted by staff, see page 7.

Public Comment:

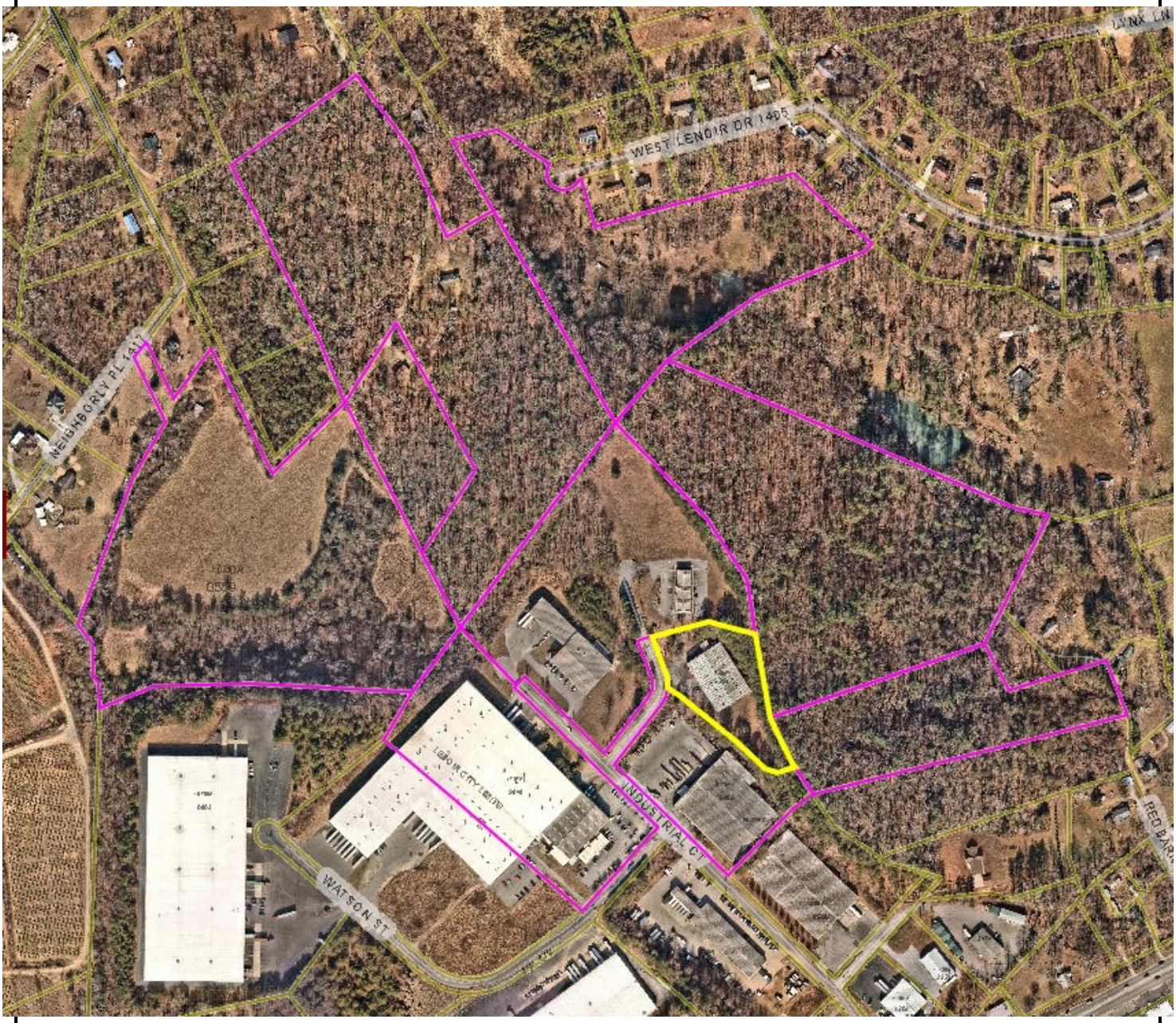
Planning Board Meeting: June 8, 2026. Notices were mailed to property abutting owners of the subject property on May 29, 2026.

City Council (Public Hearing): Scheduled for July 28, 2026. Notices were mailed to property abutting owners of the subject property on July 15, 2026.

******This request is considered quasi-judicial. You should not discuss this case with decision makers outside of the scheduled public meeting******

Abutting Property Owner Notices Map

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BACKGROUND

Intent of Special Use Permits

Special uses are recognized in the zoning ordinance as uses which may be compatible with an area depending on the specific details of the project, its surroundings, and the level of services available to the site, but are not permitted "by right" in the zoning district. The special use permit process gives the City sufficient flexibility to determine whether a specific land use on a given site will be compatible with the environment and the Comprehensive Plan. Through the approval of a Special Use Permit, the Planning Board and City Council may set conditions or use limitations, thereby establishing a realm of acceptability for the particular use that will be neither arbitrary nor capricious, and will promote the spirit and character of the surrounding neighborhood. The process requires the Planning Board to review and make a recommendation to the City Council on the request. The City Council must then decide whether nor not to issue a Special Use Permit following a quasi-judicial hearing.

Communication Towers

It is the intent of Section 910-912 of the City Code of Ordinances to allow communication towers for mobile telephone services and other radio and television information services, while minimizing adverse visual and operational effects of towers through careful siting, design, and screening; to avoid potential damage to adjacent properties through proper setbacks; and to maximize the use of communication towers and existing structures to reduce the number of towers necessary to provide for the communication needs of Lenoir and surrounding areas.

Communication towers are only allowed with Special Use Permits in the City of Lenoir, and must meet performance standards of Sec 910-912 in addition to those standards common to all special uses. The applicant identifies the standards and the full extent to which they will be adhered in Appendix A (pg. 14).

Subject and Surrounding Properties

The subject property is 2.25 acres and features the operations of the company, Poly Chemical Alloy. The properties owned by the LLC span 12 acres. The subject property is located in the Lenoir Industrial Park, zoned I-1 (Light Industrial), off of Morganton Boulevard and can be accessed via Industrial Court. The property sits toward the end of Polychem Court and is surrounded by light industrial properties to the south and immediate north. Nearby properties in the industrial park are developed with warehouses and showrooms, with businesses like Bemis Manufacturing, and the UPS Distribution facility. To the east and west are large wooded tracts of land that are residentially zoned (R-R Rural Residential and R-20 single-family residential.

Intent of the Zoning District

I - 1 (Light Industrial) District is established to provide regulations for the development of areas generally devoted to light manufacturing, processing and assembly uses, warehousing, retail storage and other compatible uses that are limited in noise, obnoxious odors, with little to no adverse effects on adjacent areas. Some mixture of retail, wholesale, and industrial development may occur in this district, but residential uses are prohibited.

Compliance with the City of Lenoir Zoning Code

Harmoni Towers Gateway, LLC proposes a new 145-foot monopole wireless communication tower with associated equipment structures pursuant to Sections 712, 900, 910, 912 and 1302.2 of the City of Lenoir Zoning Ordinance. The proposed tower is located on property owned by Chakra Gupta LLC. The property will be accessed via Polychem Court and the cell tower will be located on the southeastern side of the subject property. The applicant will adhere to restrictions pertaining to tower height, distance from other cell towers (1320 feet), and distance from neighboring structures. See page 8 which shows setbacks on the site plan and page 9 for an aerial view of the site clarifying what the tower and compound will look like with respect to buildings and vegetation.

Consistency with the Comprehensive Plan

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The comprehensive plan addresses communication towers by encouraging

STAFF ANALYSIS

co-location on existing facilities. In this case, there are not sufficient existing facilities to locate the proposed equipment, but the monopole design meets the intent of this policy to limit/mitigate the visual dominance of these structures. Additionally, the comprehensive plan calls for a bond to be posted to facilitate tower removal upon use cessation, which has been provided.

Compatibility with Surrounding Uses

The surrounding areas are zoned R-R (rural residential), R-12, R-20 (single-family residential), and I-1 (light industrial. Although adjacent tracts are zoned for residential use, the steep topography and heavily forested nature make future development unlikely. Any consideration of its potential use should acknowledge surrounding industrial development patterns, including the possibility of a new communications tower. See photo below of undeveloped residential tracts. A real estate appraisal is attached to this report.

The traffic to the tower will be minimal due to the fact that this will be an unmanned tower. There will be on average one employee checking the tower and operations approximately one time per month. The proposed tower will have a small footprint and will have the least amount of impact to the surrounding community due to its location.

Vehicular Flow, Site Design & Parking

As shown on the attached site plans (pages 8-9), there is a proposed access easement between the property Owner and the applicant. Verizon will have access to the property for monthly visits to maintain tower services. Little to no impact is proposed to the site due to the communication tower being unmanned. The tower will allow a twenty foot by a sixty foot parking and turnaround area at the base of the antenna. Vehicles will be able to access the property from Polychem Ct There will be a gate that restricts access to permitted workers, as well as a security fence separating the tower from other structures and areas of the property.

Private Property Justification

Section 910.3 in city ordinance requires that the applicant explore the suitability of publicly owned land. After a study was conducted, Harmoni Towers does not believe that any surrounding public properties within a quarter-mile of the proposed site would be suitable for the communication tower to be effective in its services. The proposed tower is located approximately half a mile from the emergency communications tower at the Caldwell County Sheriff's Department.

Architecture

The proposed tower will be a monopole with all antennas and associated equipment to be located outside the pole. The proposed tower will be 145 feet in height. There will not be any other building associated with the Wireless Telecommunications Facility. The facility will be screened from adjacent properties by existing dense vegetation. The existing vegetative buffer will fulfill the required landscaping, in lieu of a newly planted buffer. However, if existing vegetation is damaged, the buffer must be replanted in accordance with Sec. 712 Buffering and Screening standards. The proposed telecommunications tower will also be surrounded by a fence eight feet in height that is secured by a gate.



Above: Site map with 30' vegetation shown, as well as 5' contours on abutting residential tracts

Setbacks

As shown in the aerial plan on page 8, the proposed facility will be set back from property lines greater than 50% of the proposed towers height, as required by section 912. The setback would therefore need to be 72.5 feet; the actual proposed setback is a minimum of 73 feet on all sides.

FINDINGS

No Special Use Permit shall be approved unless the Planning Board and City Council find that:

1. The proposed special use will comply with all height, yard, lot and area requirements and other regulations of the district in which it is located unless otherwise specified. *The Tower Facility will comply with all height, yard, lot and area requirements as shown on the attached site plan, specifically the tower height and setback requirements of Sections 910.12 and 911.1. The proposed tower will be 145 feet tall, which is less than the maximum height of 165 feet prescribed by the ordinance. The tower will be setback at least 73.1' from adjacent property lines and 78.7' from the PolyChem Alloy building, which meets the required minimum of 50% of its height as from adjacent property lines and buildings.*

2. All driveways will be designed with respect to such matters as proper ingress and egress for automobiles in order to minimize traffic congestion and increase pedestrian safety and conveniences. *The driveway to the tower will be a gravel driveway within a 30' access easement off of the existing parking lot at the PolyChem Alloy property. The tower will generate an average of one vehicle trip per month for maintenance via the existing driveway off Polychem Court. The driveway design will facilitate proper ingress and egress for authorized service vehicles.*

3. Off-street parking and loading areas will be provided in compliance with Section 1000 and off-street loading will be provided in compliance with Section 1001 of Lenoir's Zoning Ordinance*. The Tower Facility is a passive, unoccupied use which will only generate an average of one vehicle trip per month for maintenance via the existing driveway off Polychem Court. The monthly maintenance visit will not impact local streets or traffic. Aside from the proposed gravel driveway for the tower, there will be no off-street parking or off-street loading associated with the Tower Facility.*

4. The establishment of the special use will not hinder the normal and orderly development and improvement of surrounding property for uses already permitted in the district. *The Tower Facility is a passive, unoccupied use with limited impacts to uses already developed in the district. The only interaction with surrounding properties is providing reliable wireless telecommunication services in the area.*

5. Any required screening and landscaping will be designed or planted with full consideration of the effectiveness of individual plant types, dimensions, and characteristics in minimizing the noise, glare, visual impacts and other economic effects on adjoining properties. *The Tower Facility will be screened by the existing mature trees and vegetation surrounding the property. If the existing buffer is damaged, a new buffer meeting the Sec. 712 Buffer and Screening standards will be required.*

6. Any permitted signs and proposed exterior lighting will be designed to reduce glare and to mitigate any adverse effects of sign size and height; so as to make the signs aesthetically pleasing and compatible with adjoining properties. *The Tower Facility will have minimal signage. Signs are typically affixed to the gate of the compound and provide site identification, emergency call numbers and other information as required by the FCC. The Tower Facility will be designed in compliance with the City's requirements for exterior lighting. Exterior lighting will be limited to the minimum necessary for safe operation.*

7. The exterior architectural appearance and functional plan of any proposed building or structure will not vary greatly from any buildings or structures already in construction or in the course of construction in the immediate vicinity or from the character of the applicable district, so as to cause a substantial depreciation in the property values of the immediate vicinity. *The buildings associated with the Tower Facility are limited to the enclosures for base station equipment that will be placed within the fenced compound area. These enclosures typically have the appearance of a pre-fabricated construction trailer or weatherproof outdoor cabinets that are typical of similar utility installations. This type of building or enclosure is common in Industrial settings and therefore the appearance of this tower facility will be compatible with the general area. The Tower Facility will not cause a substantial depreciation in the property values in the immediate vicinity.*

8. The type, size, hours of operations, location of the use upon the site, and intensity of the proposed special use will not be harmful or annoying to surrounding properties. *Industrial properties are located to the north, west and south and undeveloped wooded properties to the east. Its only interaction with surrounding properties is providing reliable wireless telecommunication services in the area. There are no activities associated with the site that will produce odor, vibration, heat, glare or traffic. All equipment and materials needed to operate the site will be located within the proposed fenced area at the base of the support structure. The only noise gener-*

STANDARDS

ating equipment is the emergency back-up generator which will be limited to emergency purposes and occasional testing. The emergency generator is vital to provide service during power outages when communication is needed most.

Additionally, the following standards must be met to grant approval of a SUP for a communications tower. Staff has reviewed the application and found it to be in compliance with all of the following standards. A detailed analysis has been provided by the applicant in Appendix A.

☑ The proposed tower will comply with Federal Communications Commission (FCC) standards for radio frequency emissions. **See Appendix A, Exhibit 1.**

☑ The applicant has provided certificates of insurance demonstrating a minimum of $1,000,000 in general liability insurance covering any liability arising out of its construction or operation of the communication facility. **See Appendix A, Exhibit 2.**

☑ The applicant considered properties owned by the City of Lenoir or other government entity before considering private properties as locations for communication towers, and has provided justification that explains why the pubic properties are not suitable and what alternatives were considered. **See Appendix A, Exhibit 1.**

☑ The application included a copy of an executed lease requiring the applicant to remove all above-ground portions of communication towers no later than ninety (90) days after cessation of operations. **See Appendix B**

☑ The applicant has executed a facility maintenance/removal agreement, which shall bind the applicant and the applicant's successors-in-interest to properly maintain the exterior appearance of and ultimately remove the facility in compliance with the provisions of Section 910.4. **See Appendix B**

☑ The applicant has posted a $10,000 cash bond, or other security satisfactory to the City, to secure costs of removing all above ground portions of a communication tower (not including any part of the foundation) in the event the applicant fails to do so within ninety (90) days of cessation of operation of the facility. **See Appendix A Exhibit 3.**

☑ No electric transmission tower is located within a ¼ mile radius laterally of the proposed telecommunications tower site, or an electric transmission tower is located within ¼ mile but road access and necessary utilities cannot be obtained to service the existing electric transmission tower to accommodate the communication facilities, or the electric utility owning the electric transmission tower is unwilling to allow its use for communication facilities, or the planned equipment would exceed the structural capacity of the existing electrical transmission tower. **See Appendix A, Exhibit 1.**

☑ The tower is a monopole design and has been engineered and constructed to permit the co-location of at least two additional users. **See page 8-10 of this report.**

☑ The tower does not exceed a height of 165 feet, which is measured from base of tower to top of tower. **See page 10 of this report.**

☑ The base of the tower is surrounded by a fence or wall at least eight feet (8') in height unless the tower co-locates on a structure that makes such fence or wall impractical. The fence/walls is screened accordance with Section 712 (Buffering and Screening) of the Lenoir Zoning Ordinance.

STAFF RECOMMENDATIONS

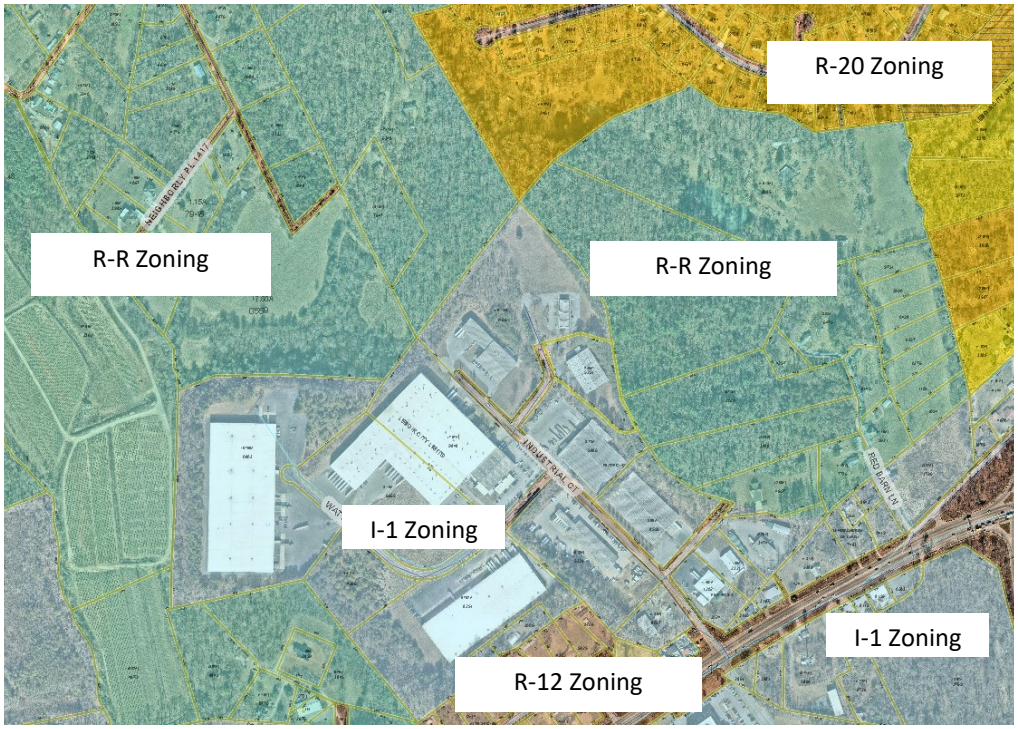
Staff recommends approval of the requested Special Use Permit for the proposed 165-foot tall monopole design communication tower, with the following conditions:

1. Approval of this special use permit request is only valid for the development of the proposed communications tower as shown on the submitted plans. Future modifications to allow for the co-location of additional service providers are allowed, provided such modifications do not increase the height of the tower, or change the design of the tower to anything other than a mono-pole design.
2. The applicant must maintain the minimum liability coverage required by Sec. 910.2 in full force and effect until such time as all above-ground portions of the facility have been removed and all other conditions of the Maintenance & Removal Agreement have been satisfied.
3. All above-ground portions of the communication tower must be removed within 90 days of the cessation of operations, or the facility may be removed by the City as provided in the applicant's Maintenance/Removal Agreement by the City. The costs of removal will be recovered from the applicant's bond or other security.
4. The applicant shall continue the $10,000 bond or other security until such time as the facility has been removed and all other requirements of its Maintenance/Removal Agreement have been satisfied.
5. No advertising logo is permitted on the tower.
6. The facility must remain an unmanned facility, with occasional on-site checks for operational purposes by staff.
7. Valid permits must be obtained for this project and all construction must meet the requirements of the City of Lenoir Code of Ordinances, the North Carolina State Building Code, the North Carolina State Fire Code, and any other federal, state, or local regulation that applies.
8. If a building permit has not been issued within 24 months of the adoption of the Special Use Permit, the approval shall be considered null and void.

PLANNING BOARD RECOMMENDATIONS

Planning Board recommends approval of the request based on staff recommendations and conditions

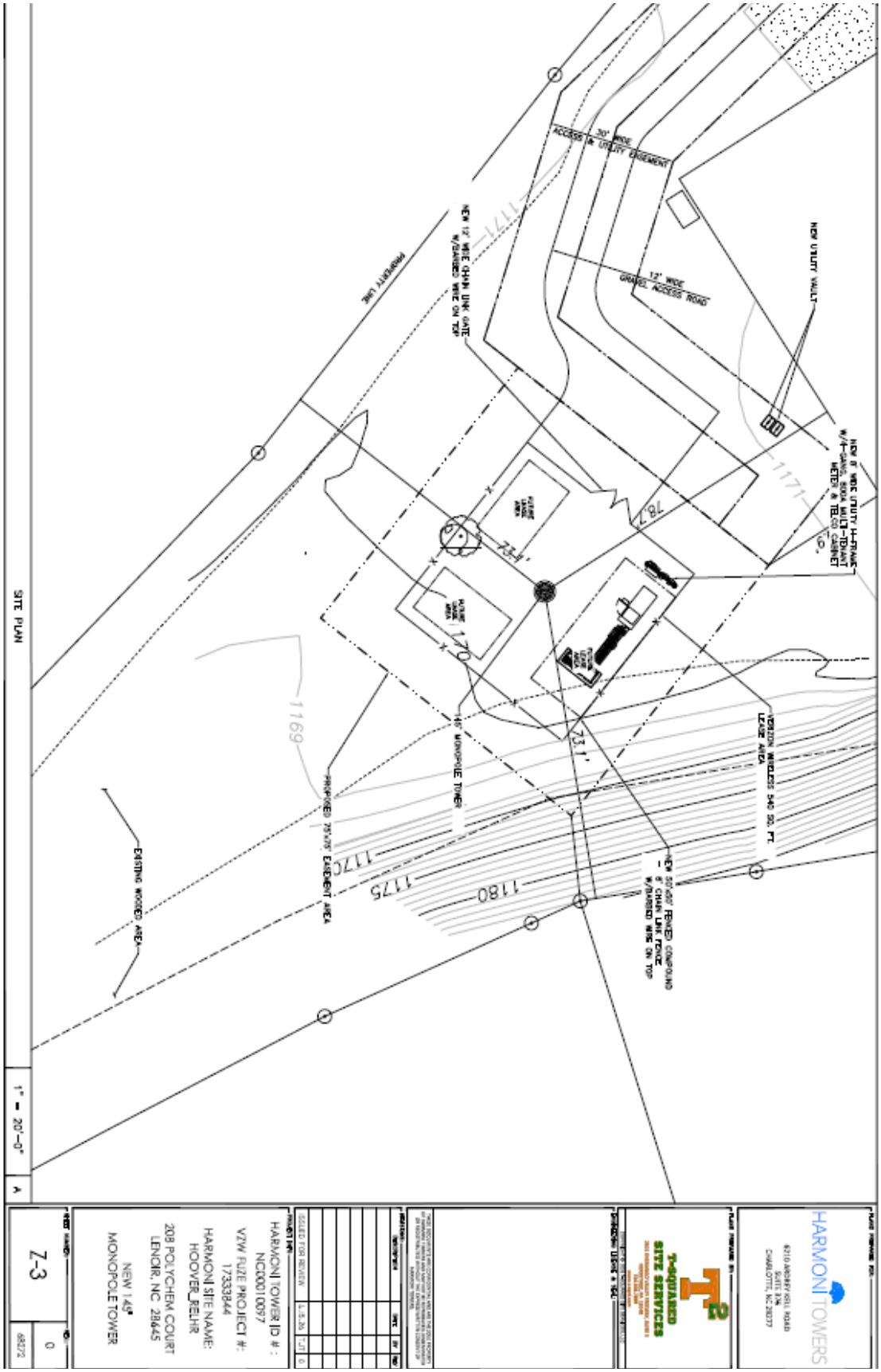
Zoning Map



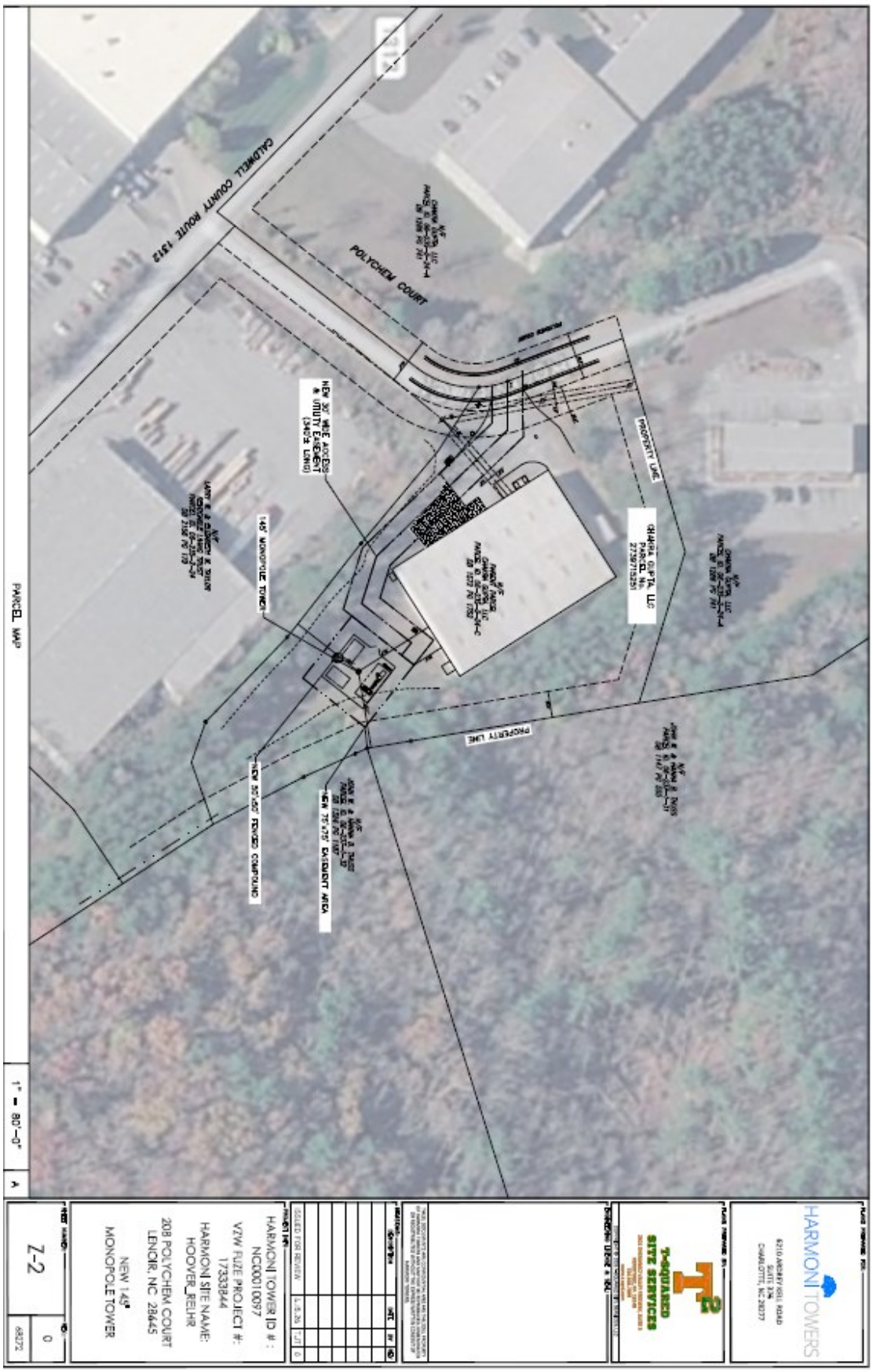
Development Standards in I-1 Zoning District					
	Minimum Lot Size	**Minimum Lot Width**	**Setbacks**	**Maximum Building Height**	**Uses**
I-1 Zoning	None	None	Front: 25' from ROW Side: 0' Rear: 0' Note: setbacks for communication towers are 50% of tower height	65 ft. (1)	Wide range of commercial, retail, and professional services; See Sec. 600 and Sec. 810 for full list)

1. Section 706 allows exceptions to this height limitation for facilities like communication towers. Max Height for communication towers is 165 feet, per section 910.12 of ordinance.

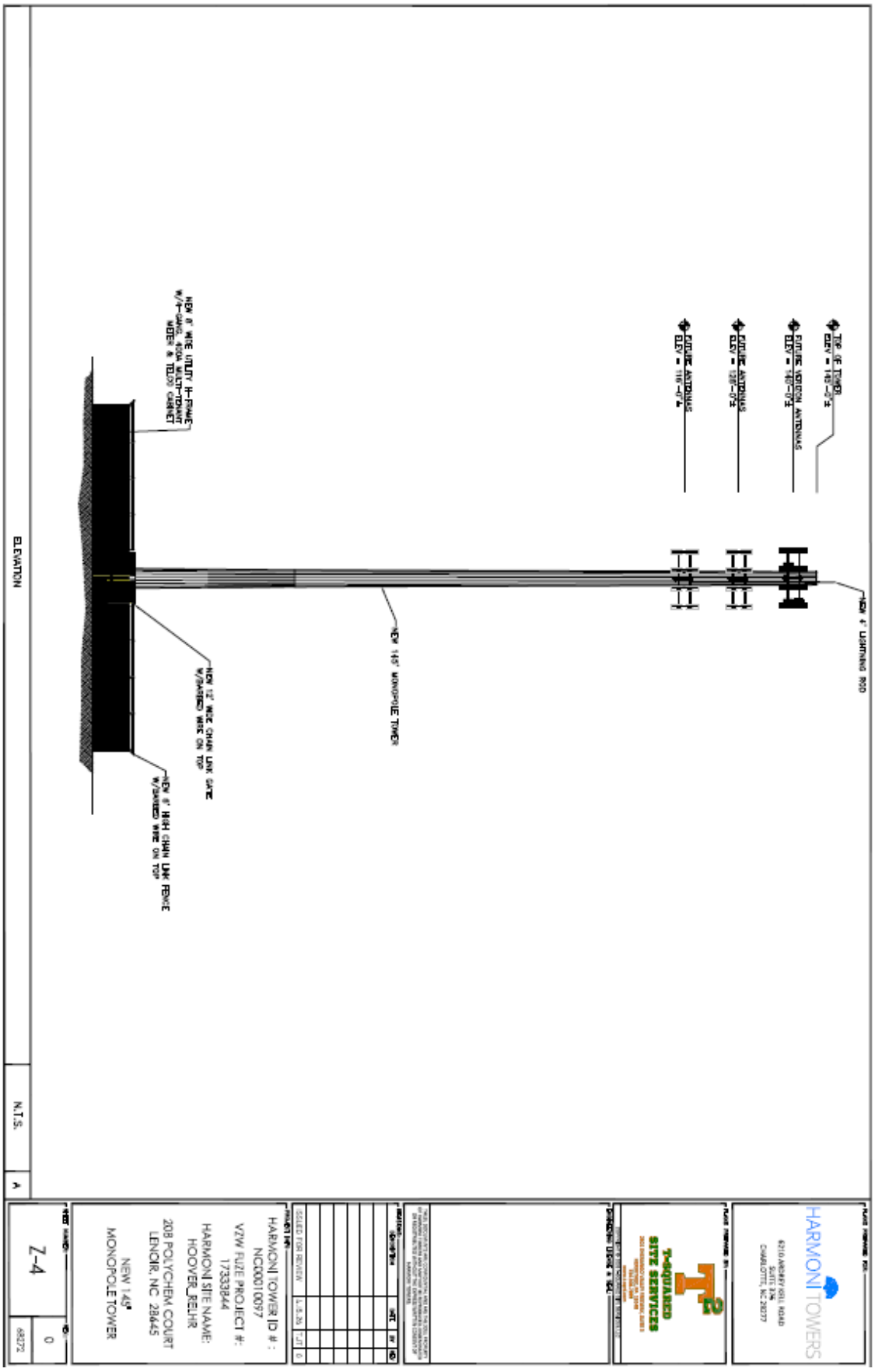
Overall Site Plan (Showing Setbacks)



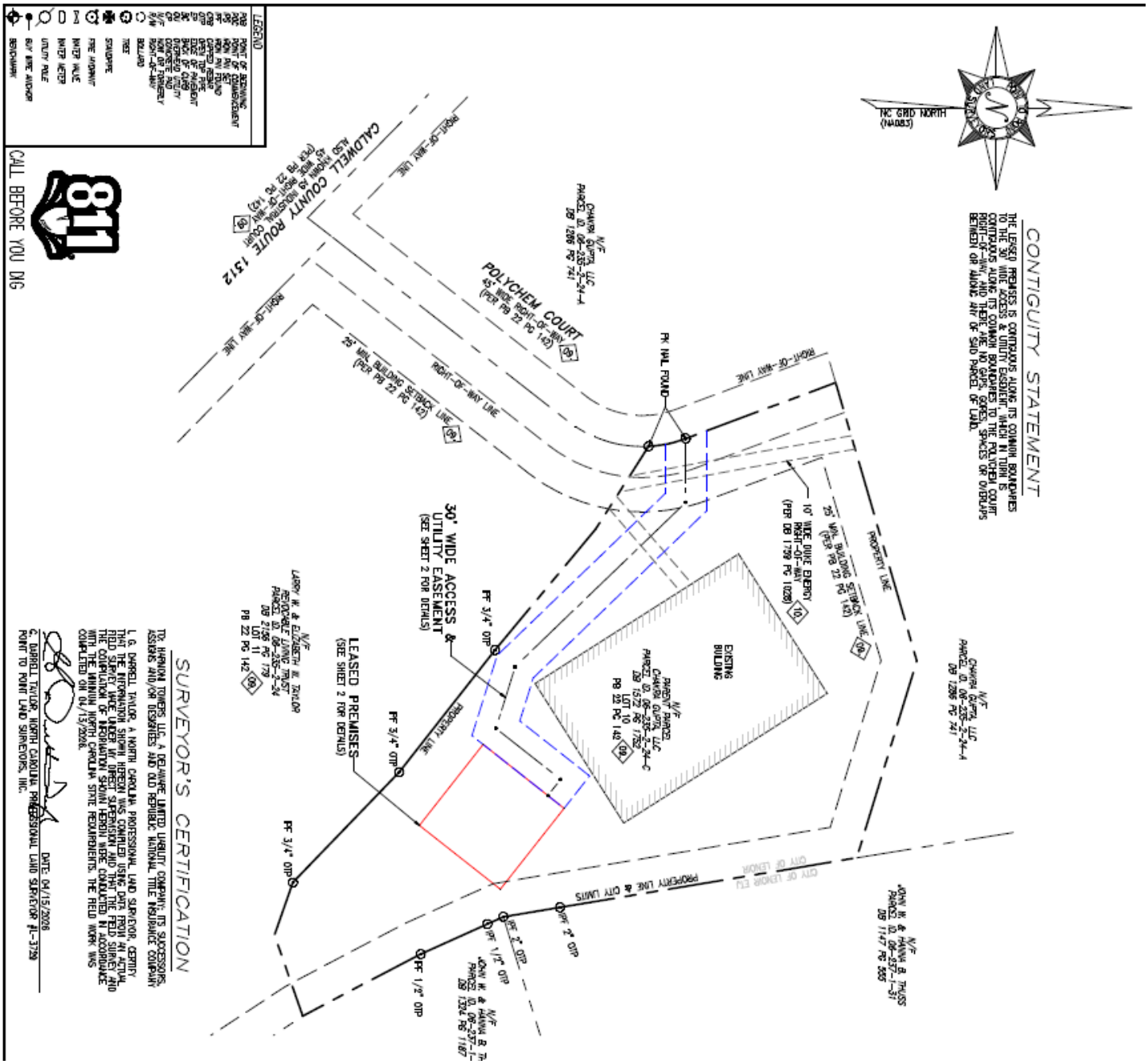
OVERALL AERIAL PLAN



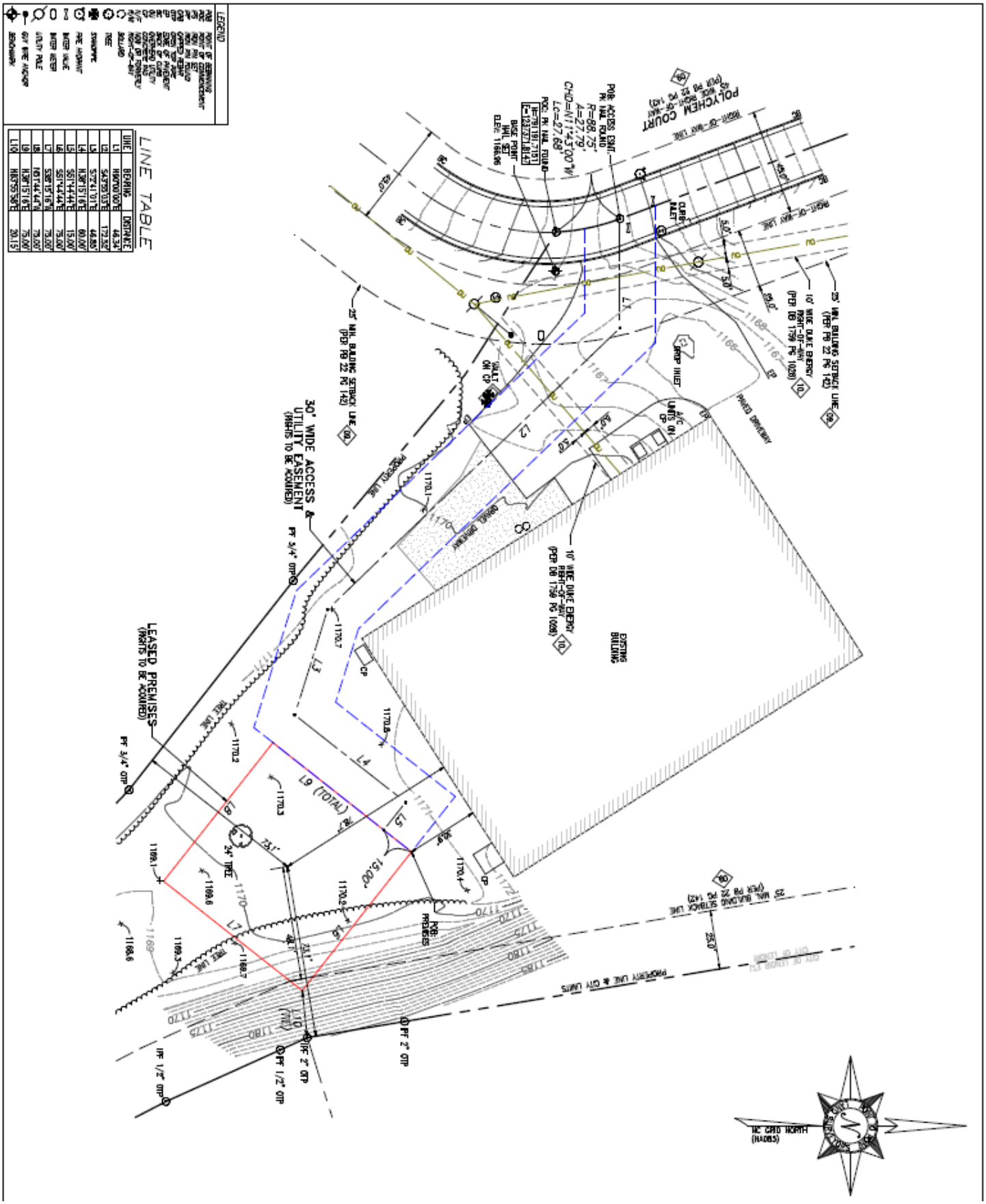
TOWER ELEVATION



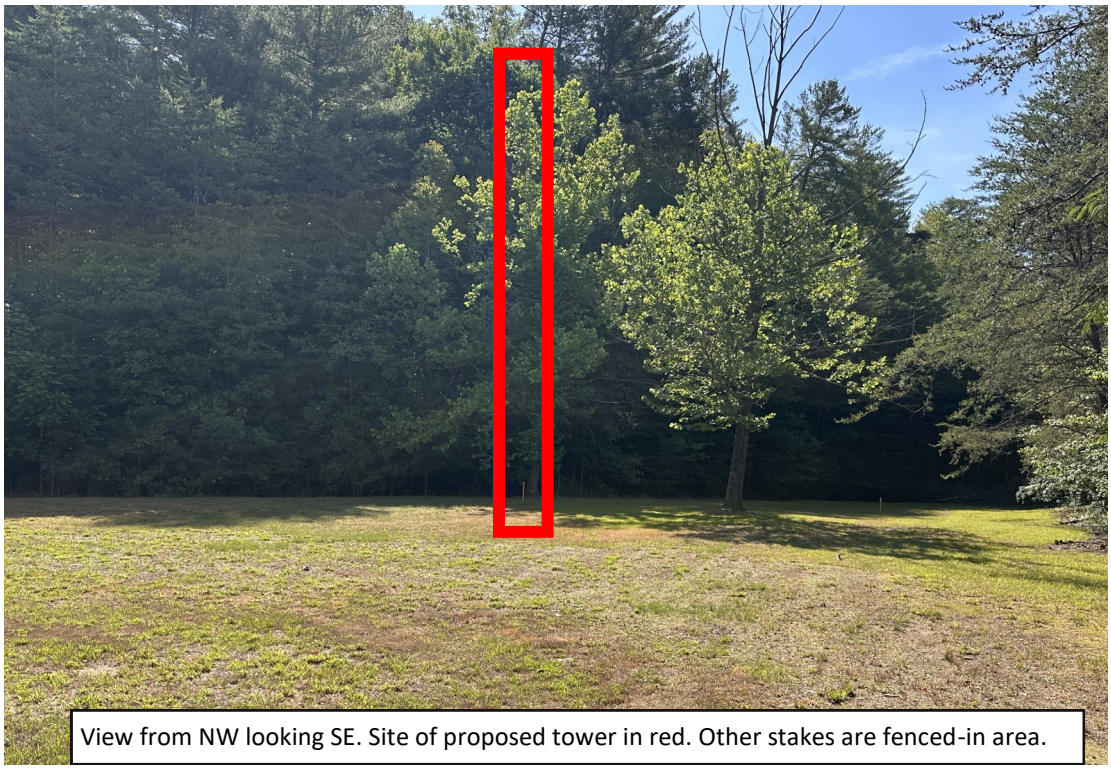
PARENT PARCEL PLAN



Site Information Plan (Leased Area)



EXISTING SITE PHOTO



View from NW looking SE. Site of proposed tower in red. Other stakes are fenced-in area.



View from SE looking NE

APPENDIX A: EXHIBIT 1, APPLICANT'S RESPONSE TO SUP STANDARDS

Response to the Wireless Communications Tower Development Standards

The following paragraphs are in response to the specific performance standards for special use permit applications for communication towers in Appendix A, Section 910.

910.1 *Communication towers shall at all times comply with Federal Communications Commission (FCC) standards for radio frequency emissions.*

Response: Harmoni will comply with FCC standards for radio frequency emissions.

910.2 *Prior to the issuance of a Special Use Permit, the applicant shall be required to provide certificates of insurance demonstrating it has a minimum of $1,000,000 in general liability insurance covering any liability arising out of its construction or operation of the communication facility. The applicant shall be required to maintain such coverage in full force and effect until such time as all above-ground portions of the facility have been removed and all other conditions of its Maintenance & Removal Agreement have been satisfied.*

Response: Harmoni will comply with the insurance requirements of the Special Use Permit.

910.3 *Applicants shall first consider properties owned by the City of Lenoir or other government entity before considering private properties as locations for communication towers. The Planning Department will provide an inventory of City-owned properties. Public properties shall be subject to the same restrictions as private properties. If suitable public properties cannot be located, justification shall be provided which clearly explains why the public properties are not suitable and what alternatives were considered.*

Response: Harmoni must consider a variety of technical, operational, and coverage-related criteria in evaluating potential tower locations. Using the same distance criteria established under Section 910.8 of the City of Lenoir Code, there are no publicly owned properties, including any owned by the City or other government entities, within one quarter mile of the proposed Tower Facility which would be suitable alternatives for the current proposed Location.

APPENDIX A: EXHIBIT 1

910.4 *An application for a Special Use Permit shall be accompanied by a copy of an executed lease requiring the applicant to remove all above-ground portions of communication towers no later than ninety (90) days after cessation of operations. In addition, each applicant for a communication tower shall execute a facility maintenance/removal agreement prior to issuance of the Special Use Permit. Said agreement shall bind the applicant and the applicant's successors-in-interest to properly maintain the exterior appearance of and ultimately remove the facility in compliance with the provisions of this Ordinance and any conditions of approval. It shall further bind them to pay all costs for monitoring compliance with, and enforcement of, the agreement and to reimburse the City for all costs incurred to perform any work required of the applicant by the agreement that the applicant fails to perform. Such costs shall include, but not be limited to, administrative and job supervision costs. It shall also specifically authorize the City and/or its agents to enter onto the property and undertake said work so long as the City has first provided the applicant the following written notices at the applicant's last known address:*

A. An initial compliance request identifying the work needed to comply with the agreement and providing the applicant at least thirty (30) days to complete the work; and

B. A follow-up notice of default specifying the applicant's failure to comply with the work within the time period specified and indicating the City's intent to commence the required work within ten (10) days.

C. All portions of abandoned or unused communication towers located above ground that are not removed within ninety (90) days of the cessation of operations, the facility may be removed as provided in the applicant's Maintenance/Removal Agreement by the City and the costs of removal recovered from the applicant's bond or other security.

Response: A redacted copy of Harmoni's lease with the property owner is attached as Exhibit 2. Harmoni agrees to enter into a mutually acceptable facility maintenance/removal agreement as a condition of the Special Use permit. A copy of a DRAFT License Agreement between Harmoni and the City is attached as Exhibit 3.

910.5 *Any communication tower in existence on the date of enactment of this Ordinance which does not comply in all respects with these provisions shall be deemed a nonconforming use. In the event such facility shall be destroyed, or suffer damage in excess of 50% of the tax value of the facility's improvements, such facility shall not be repaired or replaced and shall be removed unless any replacement facility complies in all respects with the provisions of this Ordinance. Except in the case of destruction or damage in excess of 50% of the tax value of the facility's improvements, technological upgrades of electronics and antennas are permitted, consistent with this Ordinance.*

Response: This application is for a new tower facility and therefore this Standard does not apply.

APPENDIX A: EXHIBIT 1

910.6 *Applications shall require payment of a nonrefundable $2500 fee. This fee may be reduced to $1000 when applicant is utilizing existing publicly- owned structures or land.*

Response: A check in the amount of $2,500 is attached with this application.

910.7 *An applicant for a Special Use Permit for a communication tower that includes a new or additional tower or increase in tower height, shall be required to post a $10,000 cash bond, or other security satisfactory to the City, to secure costs of removing all above ground portions of a communication tower (not including any part of the foundation) in the event the applicant shall fail to do so within ninety (90) days of cessation of operation of the facility. The applicant shall be required to continue such bond or other security until such time as the facility has been removed and all other requirements of its Maintenance/Removal Agreement have been satisfied.*

Response: Harmoni will comply with the bonding requirements of the Special Use Permit.

910.8 *No communication tower shall be approved if an electric transmission tower is located within a one quarter mile radius (1320 feet) laterally of the proposed telecommunications tower site and if road access and necessary utilities can be obtained within a one quarter mile radius (1320 feet) of the existing electric transmission tower, unless the applicant can demonstrate that sufficient easements or other interests in real property cannot be obtained to accommodate the communication facilities, or that the electric utility owning the electric transmission tower is unwilling to allow its use for communication facilities, or if the planned equipment would exceed the structural capacity of the existing electrical transmission tower.*

Response: There are no electric transmission towers located within a one quarter mile radius of the proposed tower site.

910.9 *Electric transmission towers less than one hundred ten (110) feet in height may be replaced by metal electric transmission towers up to one hundred ten (110) feet in height. Such replacement shall be at the discretion of the electric utility which owns or operates the electric transmission tower, taking into account safety, service disruptions, structural capacity and structure life or duty cycle. For purposes of this Section, such replacement electric transmission tower shall be deemed to be an existing structure.*

Response: This application is for a new tower facility and therefore this Standard does not apply.

APPENDIX A: EXHIBIT 1

910.10 *The tower shall be of a monopole design, engineered and constructed to permit the co-location of at least three additional users.*

Response: As shown in Sheet Z-4, the tower will be a monopole design and will accommodate up to three (3) users.

910.11 *The exterior appearance of all buildings associated with the tower shall be similar to residences in the general area.*

Response: The site for this proposed Tower Facility is located within the Light Industrial District (I-1) and there are no residences in the immediate area. The buildings associated with the tower are limited to the enclosures for base station equipment that will be placed within the fenced compound area. These enclosures typically have the appearance of a small pre-fabricated building or weatherproof outdoor cabinets that are typical of similar utility installations. This type of building or enclosure is common in Industrial settings and therefore the appearance of this tower facility will be compatible with the general area.

910.12 *No tower shall exceed the height of 165 feet, which is measured from base of tower to top of tower.*

Response: The tower will be 145 feet tall, as measured from the base of the tower to the top of tower and therefore complies with this standard.

910.13 *The City Council may require that the applicant apply to the Federal Aviation Administration (FAA) for compliance with FAA standards for a dual lighting system rather than a red and white marking pattern, when such marking pattern is determined to be aesthetically blighting due to the visibility of the tower.*

Response: Harmoni will comply with FAA lighting requirements

910.14 *The base of the tower shall be surrounded by a fence or wall at least eight feet (8') in height unless the tower co-locates on a structure that makes such fence or wall impractical, as determined by the City. Such fences or walls shall be screened in accordance with Section 712 (Buffering and Screening) of this Ordinance.*

Response: As shown in Sheet Z-4, the Tower Facility will be enclosed with an 8-foot fence in conformance with this standard.

910.15 *No advertising logo or signage is permitted on any tower or antenna.*

Response: The Tower Facility will have minimal signage, which is typically affixed to the gate of the compound and provides site identification, emergency call numbers and other information as required by the FCC. No advertising signage will be installed.

APPENDIX A: EXHIBIT 1

910.16 *The City Council may require any other conditions, such as tower height or appearance, to mitigate the impact of the tower on adjacent properties and land uses.*

Response: The proposed Tower Facility will be a monopole design, in conformance with Section 910.10 and at 145-feet, will be less than the maximum height permitted by Section 910.12. The site is located in an Industrial zoning district, surrounded by industrial uses and buffered from adjacent residential districts by topography and naturally occurring woodland. Harmoni believes that this site will have minimal negative impact on surrounding properties and land uses, while providing improved telecommunications services to the area.

910.17 *Modifications to existing communication towers that are otherwise consistent with this ordinance and do not substantially change existing towers shall be allowed to be permitted administratively without requiring additional review as a Special Use when the Planning Director finds that the modifications:*

A. Do not increase the height of the tower by more than 10 percent;
B. Will not extend more than 20 ft. from the tower;
C. Will add no more than one equipment shelter or four equipment cabinets;
D. Will not involve excavation outside the tower site or existing utility or access easements; and
E. Do not exceed the maximum permitted height of 165 ft. for communication towers. Modifications that do not meet the above standards may be allowed, but require review and approval as a Special Use and must meet all standards for such uses.

Response: This application is for a new tower facility and therefore this Standard does not apply.

911 Communication towers in residential zoning districts:

911.1 The tower shall be setback from any property line or structure not associated with the tower by a distance of not less than 200 feet, unless the Planning Board and City Council find that due to existing topography, vegetation, adjacent commercial or industrial development, or technical practicality, a lesser setback would still be harmonious with the surrounding area and meet the intent of this Ordinance. In no case shall the setback be less than 50% of the height of the tower, and towers must be designed to collapse within a radius of half the tower height. In no case shall a tower be approved that is located within 200 ft. of any off-site residential structure.

Response: The site for this proposed Tower Facility is located within the Light Industrial District (I-1) and therefore this Standard does not apply.

911.2 Buildings associated with communication towers located in residential zoning districts may not be used as an employment center for any worker. This provision does not prohibit periodic maintenance or monitoring of equipment and instruments. Such buildings shall have brick veneer and a pitched roof.

Response: The site for this proposed Tower Facility is located within the Light Industrial District (I-1) and therefore this Standard does not apply.

APPENDIX A: EXHIBIT 1

912 Communication towers located in non-residential zoning districts (excluding B-5, B-6 & B-7):

912.1 *The tower shall be setback from any property line or structure not associated with the tower by a distance not less than 50% of the tower's height.*

Response: The monopole tower will be 145 feet tall, which requires a minimum setback of 72.5 feet from the adjacent property lines and structures. As shown on Sheet 2 of the attached drawings, the tower will be located 73 feet from the north and south property lines and 78 feet from the existing Polychem Alloy building on the property.

912.2 *The exterior appearance of all buildings associated with the tower shall be compatible with structures in the general area.*

Response: The buildings associated with the tower are limited to the enclosures for base station equipment that will be placed within the fenced compound area. These enclosures typically have the appearance of a small pre-fabricated building or weatherproof outdoor cabinets that are typical of similar utility installations. This type of building or enclosure is common in Industrial settings and therefore the appearance of this tower facility will be compatible with the general area.

APPENDIX A: EXHIBIT 2

Client#: 2209128 140PALISCOM

ACORD **CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY): 5/26/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
McGriff, a MMA LLC Company 5850 Waterloo Road, Suite 240 Columbia, MD 21045 410 480-4400	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS: mcg.coi@marshmma.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Hanover Insurance Company	22292
INSURED Harmoni Towers Gateway LLC 6210 Ardrey Kell Road Suite 375 Charlotte, NC 28277	INSURER B : The Continental Insurance Company	35289
	INSURER C : Allmerica Financial Benefits	41840
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY	X		ZHQH39487607	12/02/2025	12/02/2026	EACH OCCURRENCE	$1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$1,000,000
							MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$2,000,000
	POLICY PRO-JECT X LOC						PRODUCTS - COMP/OP AGG	$2,000,000
	OTHER:							$
C	AUTOMOBILE LIABILITY	X		AWQJ29289103	12/02/2025	12/02/2026	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB X OCCUR	X		UHQH39506406	12/02/2025	12/02/2026	EACH OCCURRENCE	$10,000,000
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	$10,000,000
B	DED X RETENTION $0	X		7036404314	12/02/2025	12/02/2026	Ea Occ/Agg	$16,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?	N / A					E.L. EACH ACCIDENT	$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

ADDITIONAL NAMED INSUREDS

Alpha Towers HoldCo III LLC
Alpha Towers PropCo III LLC
Harmoni Completed Towers, LLC
Harmoni Network Services, LLC
(See Attached Descriptions)

CERTIFICATE HOLDER	CANCELLATION
City of Lenoir Attn: City Hall 801 West Avenue NW Lenoir, NC 28645	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Marsha K. Stark

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DESCRIPTIONS (Continued from Page 1)

Harmoni Towers Assetco II, LLC
Harmoni Towers Assetco, LLC
Harmoni Towers Development Company Holdings I, LLC
Harmoni Towers Development Company Holdings II, LLC
Harmoni Towers Development Company, LLC
Harmoni Towers Gateway LLC
Harmoni Towers Holdings, LLC
Harmoni Towers Infrastructure, LLC
Harmoni Towers Management, LLC
Harmoni Towers, L.P.

APPENDIX A: EXHIBIT 3, CASH BOND

Bond No. 016253951

Tower Removal Bond

KNOW ALL PERSONS BY THESE PRESENTS: That we Harmoni Towers Gateway LLC, a corporation duly organized under the laws of the State of _____, as Principal and The Ohio Casualty Insurance Company, as Surety, are held and firmly bound unto City of Lenoir, NC as Obligee, in the amount of Ten Thousand Dollars and 00/100 ($ 10,000.00) for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents, the liability of the Surety being limited to the penal sum of this bond regardless of the number of years the bond is in effect.

Whereas, the Principal has obtained written approval from the Obligee for the construction and erection of a wireless communication tower located at 208 Polychem Ct., Lenoir, NC 28645, Site ID# NC0010097 Hoover. Now, therefore if the principal well and truly complies with the maintenance, replacement, removal or relocation of the tower from the aforementioned address within 30 days upon receipt of written notice from the Obligee, to remove, replace, modify, or relocate the tower from said premises then this obligation is void otherwise to remain in full force and effect unless cancelled as set forth below:

1. It shall be a condition precedent to any right of recovery hereunder that, in the event of any default on the part of the Principal, a written statement of the particular facts of such default shall be, within Thirty (30) days, delivered to Surety at it Home Office located at 175 Berkeley Street , Boston, MA 02116 by registered mail to the Surety and the Surety shall not be obligated to perform Principals obligation until sixty (60) days after Surety's receipt of such statement.
2. The surety may cancel this bond at any time by giving Thirty (30) days notice, by registered mail or overnight courier service to 801 West Avenue Northwest, Lenoir, NC 28645 (Obligee). Such termination shall not affect liability incurred under this obligation prior to the effective date of such termination.
3. No action, suit, or proceeding shall be maintained against the Surety on this bond unless the action is brought within twelve (12) months of the cancellation date of this bond.
4. Regardless of the number of years this bond may be renewed; in no event shall the liability of the Surety exceed the penal sum of this bond.
5. It is understood that the non-renewal of this bond by the Surety, or failure or inability of the Principal to file a replacement bond shall not constitute a loss recoverable by the Obligee under this bond.

Signed, sealed, and witnessed this ~~5th~~ 8th day of June, 2026.

Harmoni Towers Gateway LLC
Principal

By: Nancy Venturelli
Director, Contracts Administrati

Witness

The Ohio Casualty Insurance Company
Surety

By: Mark W. Edwards II
Mark W. Edwards, II , Attorney-In-Fact

APPENDIX B LEASE, MAINTENANCE, AND REMOVAL AGREEMENT

***** Lease agreement and maintenance/removal agreement continue on following pages*****

APPENDIX C: REAL ESTATE APPRAISAL

JC MORGAN
REAL ESTATE VALUATION | REVIEW | CONSULTING

June 4, 2026

City of Lenoir Planning & Development Department
801 West Ave NW, 3rd Floor
Lenoir, NC 28645

Re: Special Use Permit Application
Parcel #06-235-2-24-C
208 Polychem Court,
Lenoir, NC 28645

JC Morgan Company is a real estate appraisal and consulting firm based in Wilmington, NC. Since 2010, our firm has appraised and consulted on hundreds of properties throughout North Carolina. The property types we appraise and provide consulting services for include land, residential, retail, office, special use, multi-family, industrial, mixed-use and more. Our client base consists of real estate owners, developers, banks, local and federal governments, attorneys, utility companies and airport authorities.

We were recently engaged by the applicant to perform research and analysis that would enable me to conclude an opinion as to Item 7 of the Special Use Permit application. Item 7 states:

> *The exterior architectural appearance and function plan of any proposed building or structure will not vary greatly from any buildings or structures already constructed or in the course of construction in the immediate vicinity or from the character of the applicable district, so as to cause a substantial depreciation in the property values of the immediate vicinity.*

As our expertise is in real estate valuation, our research and opinions address the valuation component of Item 7.

Lumina Station
1904 Eastwood Road · Suite 305 · Wilmington, NC · 28403
PO Box 481 · Wrightsville Beach, NC · 28480
Tel: 910-256-2920

APPENDIX C: REAL ESTATE APPRAISAL

To develop an opinion for this requirement, we reviewed the physical characteristics of the property and proposed tower. Then, we performed a *Paired Sales Analysis* and reviewed several Research/Case Studies.

Paired Sales Analysis

This method includes the following:

1. Locating properties that are adjacent to or within close proximity to existing tower structures;
2. Researching those properties to determine if any have recently sold;
3. Comparing those sales to other similar properties that have also recently sold and are not adjacent to or near the same tower;
4. Then, analyze the sales of each property, compare them, and determine if there is any discernable impact that the proposed tower would have on the property values of the adjoining or abutting properties.

We identified several existing tower structures and sales of surrounding residential properties in Cumberland, Carteret, Craven, Nash, Wayne, Yadkin, Caldwell and New Hanover counties.

Also, as part of our *Paired Sales Analysis*, we researched several commercial properties to help determine if the proposed tower would have an impact on commercial property values. We compared the sales prices and lease rates of commercial properties adjacent to or near communication towers, to similar properties further from the towers. The data suggested that the towers had no negative impact on the values of the adjoining or abutting properties.

Research/Case Studies

In addition to this *Paired Sales Analysis*, we reviewed several research/case studies. These include the following:

Wireless Communication Towers (Cell Towers) Influence Residential Real Estate Values, by Valbridge Property Advisors (2018)

Valbridge Property Advisors conducted paired-sales analyses in four U.S. metro areas (Boston, Dallas, Phoenix, and Raleigh) using single-family home sales data from Q1 2015 through Q1 2018. The goal was to measure whether proximity to a wireless

communication tower (within a 0.25-mile radius) negatively affects home values compared to properties 0.50–1.0 mile away.

Overall, the average and median prices increased in four of five sub-areas, and one sub-area showed no measurable difference.

In the Raleigh study, 14 of 22 paired sale comparisons showed higher sale prices for homes within 0.25 miles of a cell tower, while 8 of 22 pairings showed slightly lower sell prices.

The study concluded that there was no negative impact on property values within the 0.25-mile radius of a tower. Any measurable differences (either positive or negative) were less than 1%, often defined as not statistically significant.

Wireless Towers and Home Values: An Alternative Valuation Approach Using a Spatial Econometric Analysis, by Affuso, Cummings & Le (2018)

The Affuso et al. (2018) study examined whether wireless towers influence residential property values in one Alabama county, and it found that any measurable effects were limited in size and distance, applying only to homes located within about 0.72 km (0.447 miles) of a tower.

Within this narrow radius, the study reported a modest average price change of about 2.46%, indicating only a small, localized adjustment rather than a broader market impact.

Larger effects appeared only for the subset of homes with direct tower visibility, and even then, the authors emphasized that these results do not extend to properties beyond the 0.447-mile range, where no significant price differences were detected. Importantly, the research addressed only single-family residential sales, meaning its findings do not apply to commercial, industrial, agricultural, or other property types, which were not analyzed in the dataset.

APPENDIX C: REAL ESTATE APPRAISAL

Based on the data reviewed, we were unable to find any evidence that the proposed project would have a negative impact on the adjacent properties. As such, it is our opinion that the proposed project will not substantially injure the value of adjoining or abutting properties.

Should you have any questions, or want to discuss this matter further, please do not hesitate to contact us.

Sincerely,

Cal Morgan

Jack C. (Cal) Morgan, III, MAI, SRA, AI-GRS
JC Morgan Company

Jonathan D. Miles, MAI, SRA, AI-GRS, AI-RRS, RW-AC
JC Morgan Company