

APPLICANT: American Tower Asset Sub, LLC
770-226-6467

REPRESENTATIVE: Barry Gannon
770-226-6467

TITLEHOLDER: Stone Solutions of Atlanta, LLC

PROPERTY LOCATION: Located on the west side of Eastside Drive, south of Carruth Drive.

ACCESS TO PROPERTY: Eastside Drive

PHYSICAL CHARACTERISTICS TO SITE: Existing industrial site with cell tower

PETITION NO: SLUP-1

HEARING DATE (PC): 02-03-09

HEARING DATE (BOC): 02-17-09

PRESENT ZONING: HI

PROPOSED ZONING: Special Land Use Permit

PROPOSED USE: Increase The Height Of An Existing Cell Tower From 150 Feet To 174 Feet

SIZE OF TRACT: 4.44 acres

DISTRICT: 17

LAND LOT(S): 221

PARCEL(S): 26

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/ Single-family houses
- SOUTH:** GC/ Mobile Home Park
- EAST:** R-20/ Single-family houses
- WEST:** GC/ McDonalds, Earl Smalls Harley Davidson

OPPOSITION: NO. OPPOSED **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

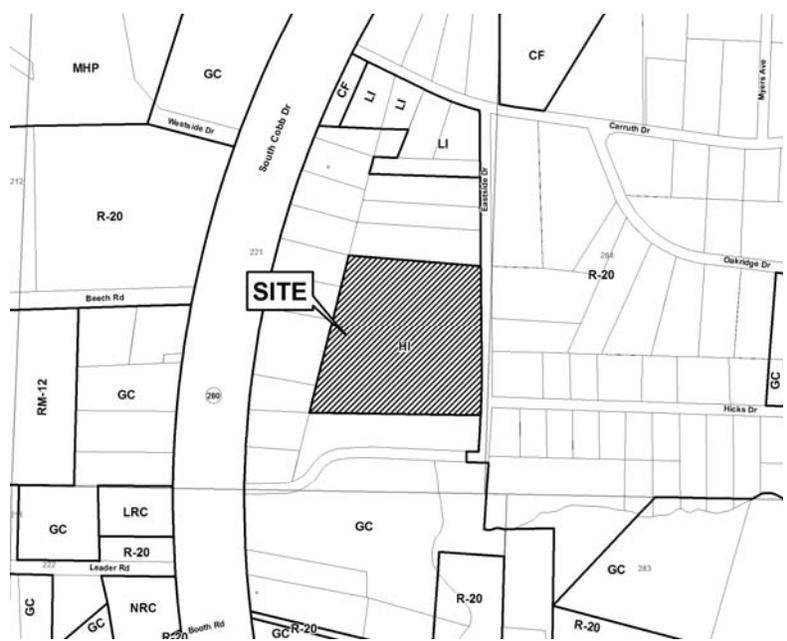
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

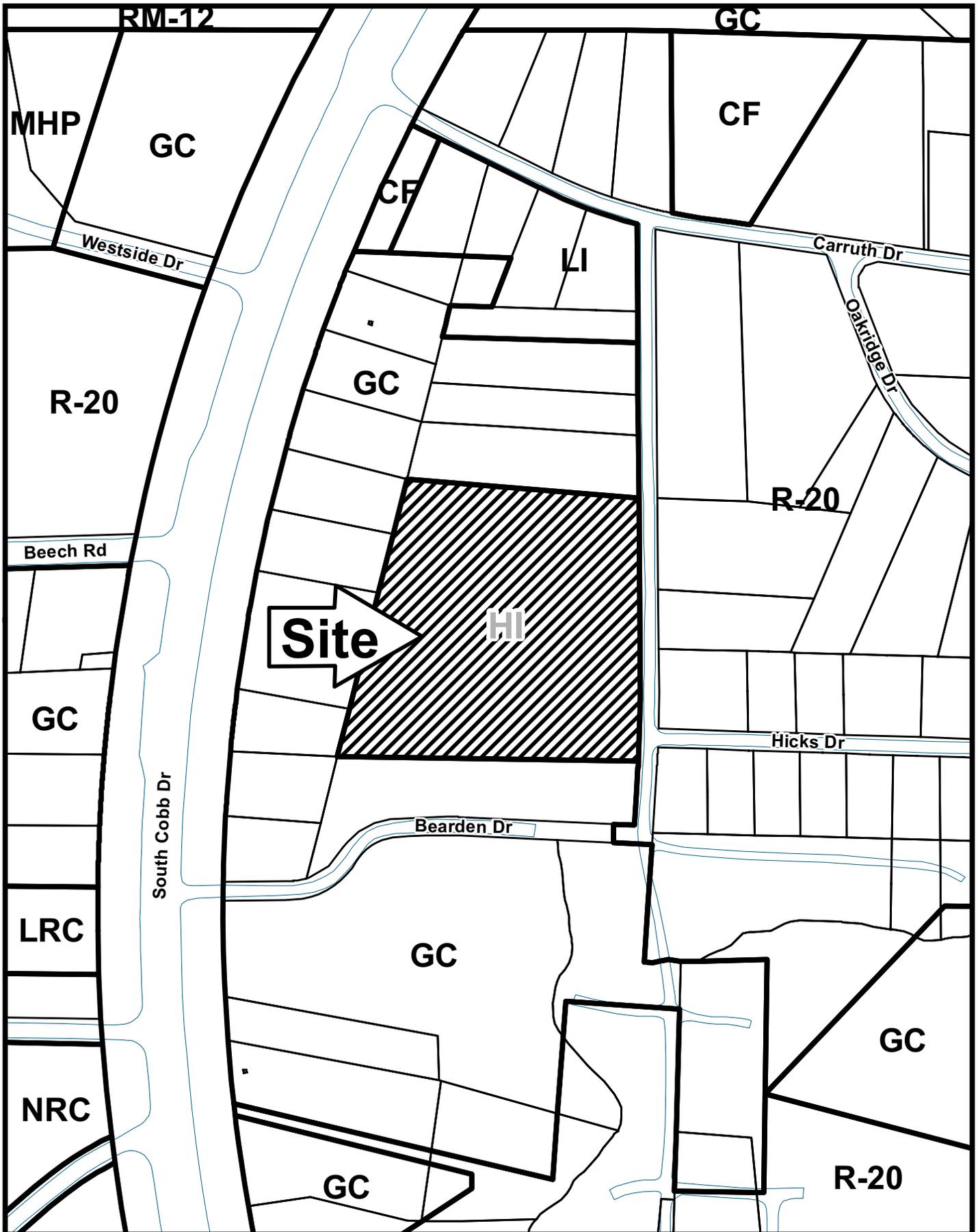
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

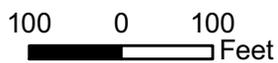
STIPULATIONS:



SLUP-1



This map is provided for display and planning purposes only. It is not meant to be a legal description.



-  City Boundary
-  Zoning Boundary

APPLICANT: American Tower Asset Sub, LLC

PETITION NO.: SLUP-1

PRESENT ZONING: HI

PETITION FOR: SLUP

PLANNING COMMENTS: Staff Member Responsible: John P. Pederson, AICP

The applicant is requesting a Special Land Use Permit to extend the existing 150-foot telecommunications tower to 174-feet. This represents a 24-foot extension. The tower is a monopole, which would be able to hold two additional carriers. The equipment related to the cell tower is kept in a fenced compound at the base of the tower. The applicant has submitted a letter explaining their position (see Exhibit "A").

Historic Preservation: No comment.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

Water and sewer not necessary for tower.

TRAFFIC COMMENTS:

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

FIRE COMMENTS:

All fuel tanks must be submitted to Cobb County Fire Marshal's Office for approval call 770-528-8328.

STORMWATER MANAGEMENT COMMENTS:

No comments.

STAFF RECOMMENDATIONS

SLUP-1 AMERICAN TOWER ASSETT SUB, LLC

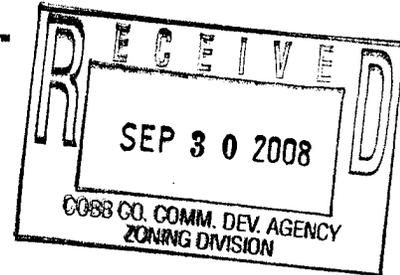
The applicant's proposal is located in an area designated as Industrial Compatible on the Future Land Use Map. The applicant's proposal is located on property that is zoned HI. The majority of adjacent properties are zoned GC. Adjacent properties are used for retail, restaurants, single-family houses and a Mobile home park. For cell towers, non-residential sites are encouraged, and the use of platted lots in residential subdivisions are discouraged, which this proposal complies. The tower is setback its full height from all off-site residential structures, and is designed for additional co-locations, as required by code. The tower will be located in its current location on the property, which is totally enclosed by commercial activity. The proposed use would not adversely affect any adjacent or nearby residential properties due to the character of the area. Additionally, approval of the request would remove the need for another cell tower in the area. Based on the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division on September 30, 2008;
- Letter dated September 30, 2008 from Mr. Barry Gannon (see Exhibit "A");
- Fire Department comments; and
- DOT comments and recommendations.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.



AMERICAN TOWER™



September 30, 2008

Mr. Mark Danneman, Zoning Administrator
Zoning Division
Cobb County Community Development Department
191 Lawrence Street
Marietta, GA 30060

RE: Special Land Use Permit application to extend an existing 150' monopole tower to 174'. Property located at 1000 Eastside Drive (Parcel ID 17022100260).

Dear Mr. Danneman:

American Tower Asset Sub, LLC submits this letter in support of its SLUP application to Cobb County to increase the height of this existing 150' monopole to 174' to accommodate the collocation of Clearwire US LLC.

Background:

American Tower operates this telecommunication tower facility on the property owned by Stone Solutions of Atlanta. The existing 150' monopole was built by Nextel Communications in 1998. Sprint/Nextel, T-Mobile, Verizon Wireless, and XM Satellite Radio currently are located on this monopole.

The subject property is 4.44 acres and is zoned HI. American Tower leases a 100' x 100' area for the telecommunication facility and approximately 60' x 60' of this area is the fenced tower compound site.

Proposal

Clearwire US LLC has made application with American Tower to collocate its equipment on this facility but given the number of carriers currently using the facility Clearwire was unable to secure a height necessary to meet their radio frequency coverage requirements. Clearwire is a wireless service provider Licensed by the FCC to construct a wireless telecommunications network in various markets throughout the country, including the State of Georgia and in particular Cobb County. Clearwire's Radio Frequency Engineers have determined that they need to mount their antennas at a height of 160' to be able to fill in a coverage gap in this area of Cobb County.

FAA has approved the height of the facility to 174' with a dual lighting requirement. Our plan is to add a 20' new steel section to the top of the 150' tower. This will allow for total height including appurtenances not to exceed 174'. We anticipate that this 24' extension would not only accommodate Clearwire but also room for another wireless provider in the future.

The proposed 174' monopole meets the required setback of tower height to residential structures. The closest residential structure is a mobile home located on the adjacent property to the south which is 207' away. This property as well as all adjoining properties are zoned GC. Other than the height extension to the monopole no other changes are being proposed to the tower facility.

Conclusion

Granting this SLUP to increase the height of the existing monopole to allow future collocation supports both Cobb County and American Towers' policy to utilize existing telecommunication towers rather than construct new facilities. The property is zoned HI and all adjoining properties are zoned GC. Granting this SLUP does not change the use of the property nor the other conditions placed on this development in any other way. The facility continues to meet all Federal, State, and Local statutes and ordinances. For these reasons we respectfully request approval of this application.

Please let me know if I can assist you in any way or if you have any additional questions. I can be reached by phone at (770) 226-6467 or by email at barry.gannon@americantower.com.

Sincerely,



Barry Gannon, Zoning Specialist
American Tower Corporation

Attached Documentation

Exhibit A Constitutional rights preservation language
Survey with legal descriptions
Site plan
FAA
Copy of Deed
Copy of paid tax receipt
Rezoning application and fees