

APPLICANT: T-Mobile South LLC
(678) 690-3584

REPRESENTATIVE: Carolyn Gould (770) 331-8376
RETEL Services

TITLEHOLDER: William Wade Coots

PROPERTY LOCATION: Southwest side of Mableton Parkway,
northwest of South Gordon Road
(6462 Mableton Parkway).

ACCESS TO PROPERTY: Mableton Parkway

PHYSICAL CHARACTERISTICS TO SITE: Wooded lot with 195
foot cell tower

PETITION NO: SLUP-5

HEARING DATE (PC): 06-04-13

HEARING DATE (BOC): 06-18-13

PRESENT ZONING: GC

PROPOSED ZONING: Special Land
Use Permit

PROPOSED USE: Expansion of Fenced
Equipment Area

SIZE OF TRACT: 0.77 acre

DISTRICT: 18

LAND LOT(S): 297

PARCEL(S): 34

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** GC/ Existing Commercial
- SOUTH:** R-15/ Gordon Woods Sub Division
- EAST:** GC/ Undeveloped Wood Lot
- WEST:** RD/ Gordon Hills Estates Sub Division

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

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

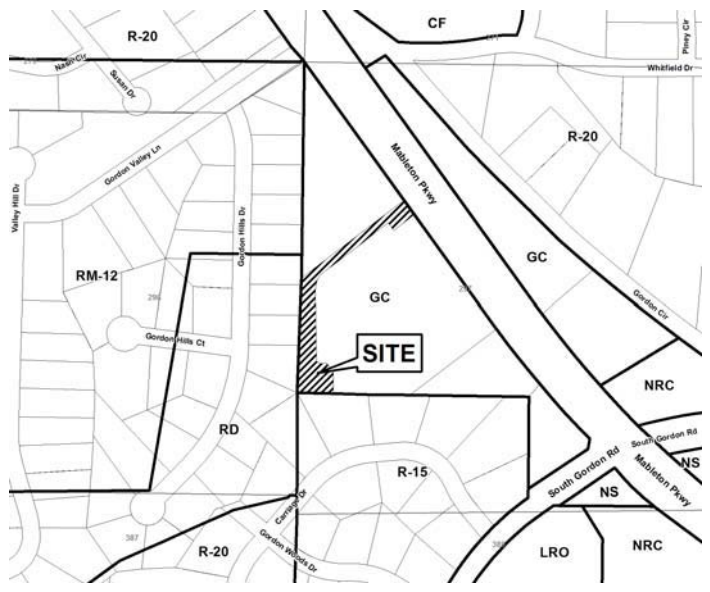
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

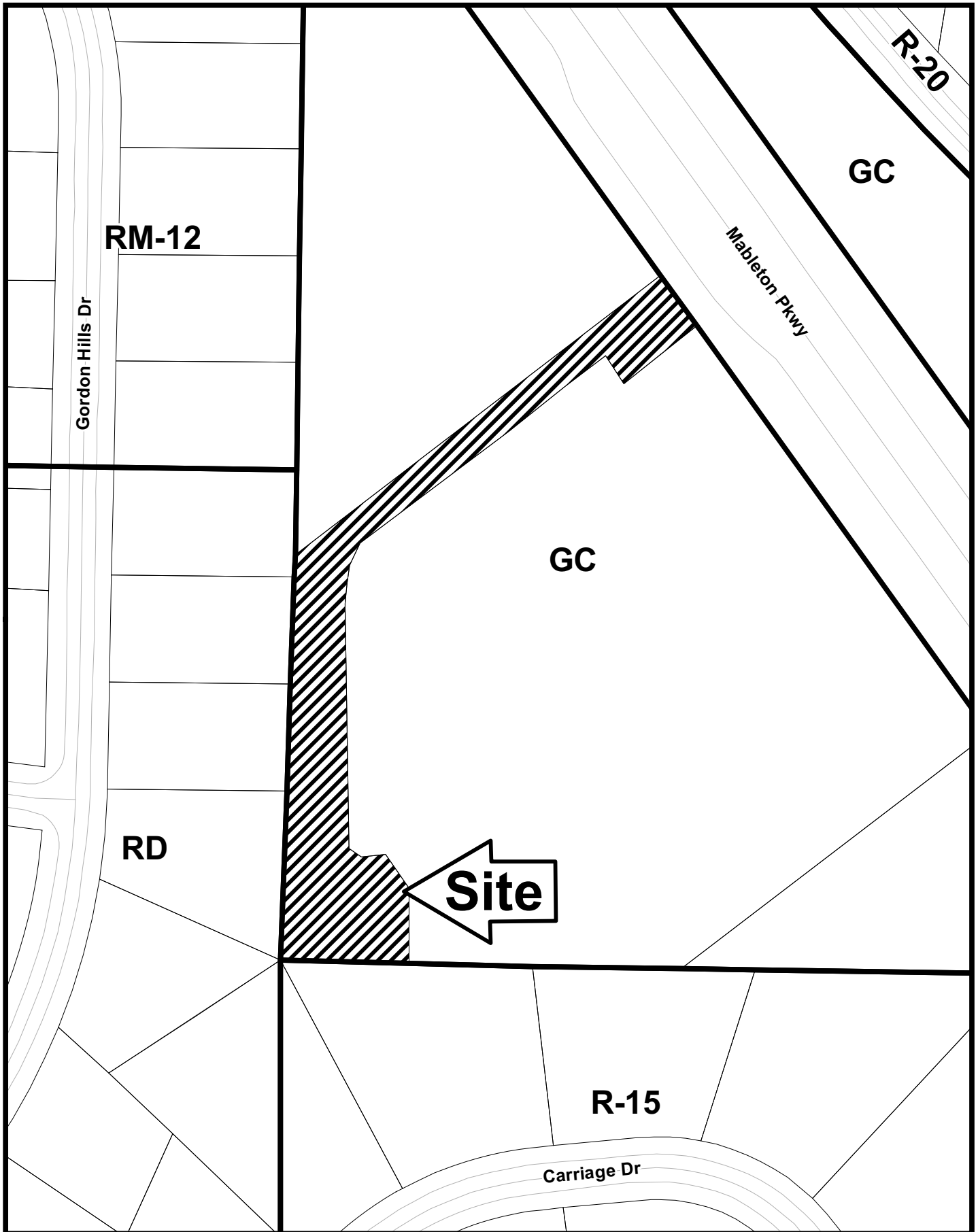
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

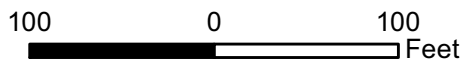
STIPULATIONS:



SLUP-5



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



-  City Boundary
-  Zoning Boundary

APPLICANT: T-mobile South LLC

PETITION NO.: SLUP-5

PRESENT ZONING: GC

PETITION FOR: SLUP

ZONING COMMENTS: Staff Member Responsible: Donald Wells

Applicant is applying for a Special Land Use Permit (SLUP) to expand the fenced area previously approved. SLUP-15 of 1994 was approved subject: 1) to site plan dated August 31, 1994; 2) minimum 40 foot setback from residentially zoned property; 3) 15 foot landscape, screening buffer between the tower and the residentially zoned property; 4) area to be enclosed with 6 foot barbed-strand fence or other appropriate devices to prevent unauthorized access. In 2007 Clearwire US obtained a building permit to collocate on the tower; it was discovered at that time that the leased area had been expanded by 300 square feet. There was a note indicated on the site plan that permit was approved subject to SLUP 15 of 1994, and that no work could be done in the expanded area. On or about December 7, 2012 the Zoning Division Staff rejected a permit for work to be done in the area of the site that was not approved in SLUP 15 of 1994.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments.

TRAFFIC COMMENTS:

Recommend GDOT permits for all work that encroaches upon State right-of-way.

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

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal's Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: T-Mobile South, LLC

PETITION NO.: SLUP-5

PRESENT ZONING: GC

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: YES NO POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Queen Creek FLOOD HAZARD INFO: Zone X

- FEMA Designated 100 year Floodplain Flood.
- Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: YES NO POSSIBLY, NOT VERIFIED

Location: _____

- The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: YES NO POSSIBLY, NOT VERIFIED

- Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- Georgia Erosion-Sediment Control Law and County Ordinance - **County Review**/State Review.
- Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- County Buffer Ordinance: **50'**, 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- Potential or Known drainage problems exist for developments downstream from this site.
- Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- Minimize runoff into public roads.
- Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- Lake Study needed to document sediment levels.
- Stormwater discharges through an established residential neighborhood downstream.
- Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on existing stormwater management facility.

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STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- Submit all proposed site improvements to Plan Review.
- Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- Existing facility.
- Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- Calculate and provide % impervious of project site.
- Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- No Stormwater controls shown _____
- Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. Verify compliance with previously approved hydrology study at Plan Review.

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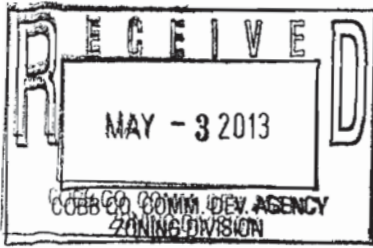
STAFF RECOMMENDATIONS

SLUP-5 T-MOBILE SOUTH LLC

Applicant is applying for a Special Land Use Permit (SLUP) to expand the fenced area previously approved. SLUP-15 of 1994 was approved subject: 1) to site plan dated August 31, 1994; 2) minimum 40 foot setback from residentially zoned property; 3) 15 foot landscape, screening buffer between the tower and the residentially zoned property; 4) area to be enclosed with 6 foot barbed-strand fence or other appropriate devices to prevent unauthorized access. In 2007 Clearwire US obtained a building permit to collocate the tower; it was discovered at that time that the leased area had been expanded, and equipment was already installed at the site. There was a note indicated on the site plan that permit was approved subject to SLUP 15 of 1994, and that no work could be done in the expanded area. On or about December 7, 2012 the Zoning Division Staff rejected a permit for work to be done in the area of the site that was not approved in SLUP 15 of 1994. Based upon the above analysis, and the approval of SLUP-15 of 1994 staff recommends **APPROVAL** of SLUP-5 of 2013 subject to:

- Site plan received by the Zoning Division April 4, 2013;
- 15 foot landscape buffer between all residentially zoned properties and the tower, to be approved by County Arborist;
- Fence to be relocated within the property applicants property;
- 40 foot setback from residentially zoned property;
- Barbed strand fence or other appropriate devices to prevent unauthorized access.

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.



This letter is written in support of T-Mobile's Special Land Use Permit application to retroactively approve the site plan submitted herewith in connection with the fenced compound expansion completed in 2002 on the wireless telecommunication facility located at 6462 Mableton Parkway Cell Tower 800, Mableton, GA 30126.

BACKGROUND

The subject facility was permitted as part of SLUP-15 as of November 15, 1994. The approval was for a 195 foot tower enclosed within a fenced equipment area.

On May 13, 2002 Voicestream (now T-Mobile) obtained a building permit to collocate its equipment on the tower and expand the fenced equipment area to accommodate the necessary equipment cabinets. However, record of the necessary corresponding zoning approval cannot be located. The only reference found to zoning review, is a mark through the zoning approval block on the Cobb County copy of the approved site plans.

In 2007 T-Mobile requested a building permit to modify its equipment on the tower and ground. The building permit was issued, but the Cobb County zoning department noted at that time that they could not find record of zoning approval of the 2002 fenced area expansion, and that the approval was not to include any additional work in the expanded area without amending the original Special Land Use Permit.

On December 4, 2012, T-Mobile submitted a building permit application to modify its existing equipment on the tower and add a 4' x 4' pre-fab concrete pad for a cabinet install within the expanded area. The application was rejected by the zoning department on December 7, 2012 as the expanded area was not approved as required.

REQUEST

T-Mobile hereby requests a Special Land Use Permit approving the site plans submitted herewith. Please note that the current survey indicates that the fence extends slightly over the property line, however, the fence will be relocated within subject property.

