

SLUP-14
(2014)

AS CONSULTING

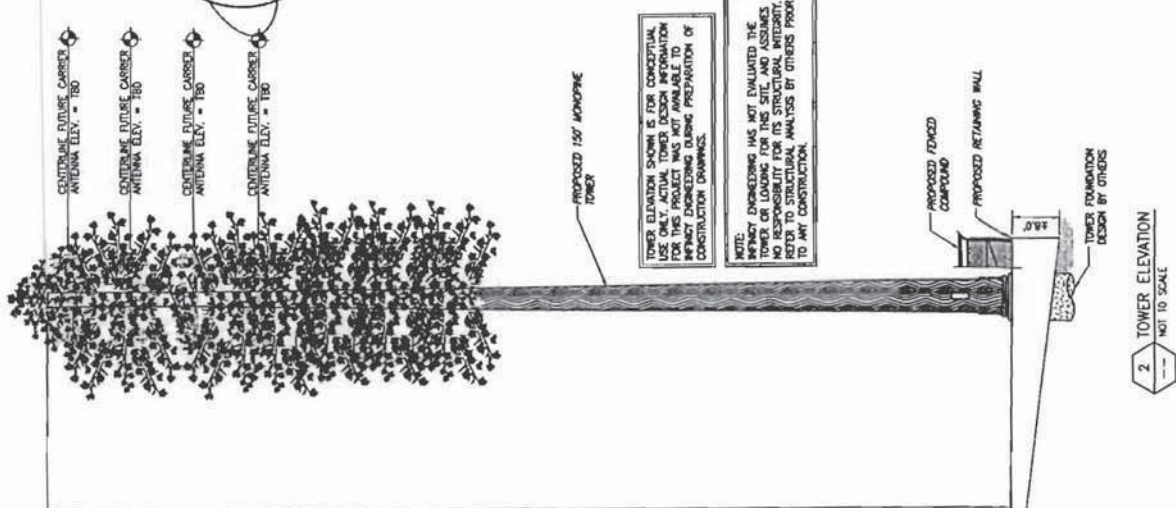
REGISTERED PROFESSIONAL ENGINEER
No. 102703
KIMBERLY A. WARREN
9/17/14

PROJECT TITLE: PAPER MILL
3700 RIVER HEIGHTS CROSSING SE
MARIETTA, GA 30067

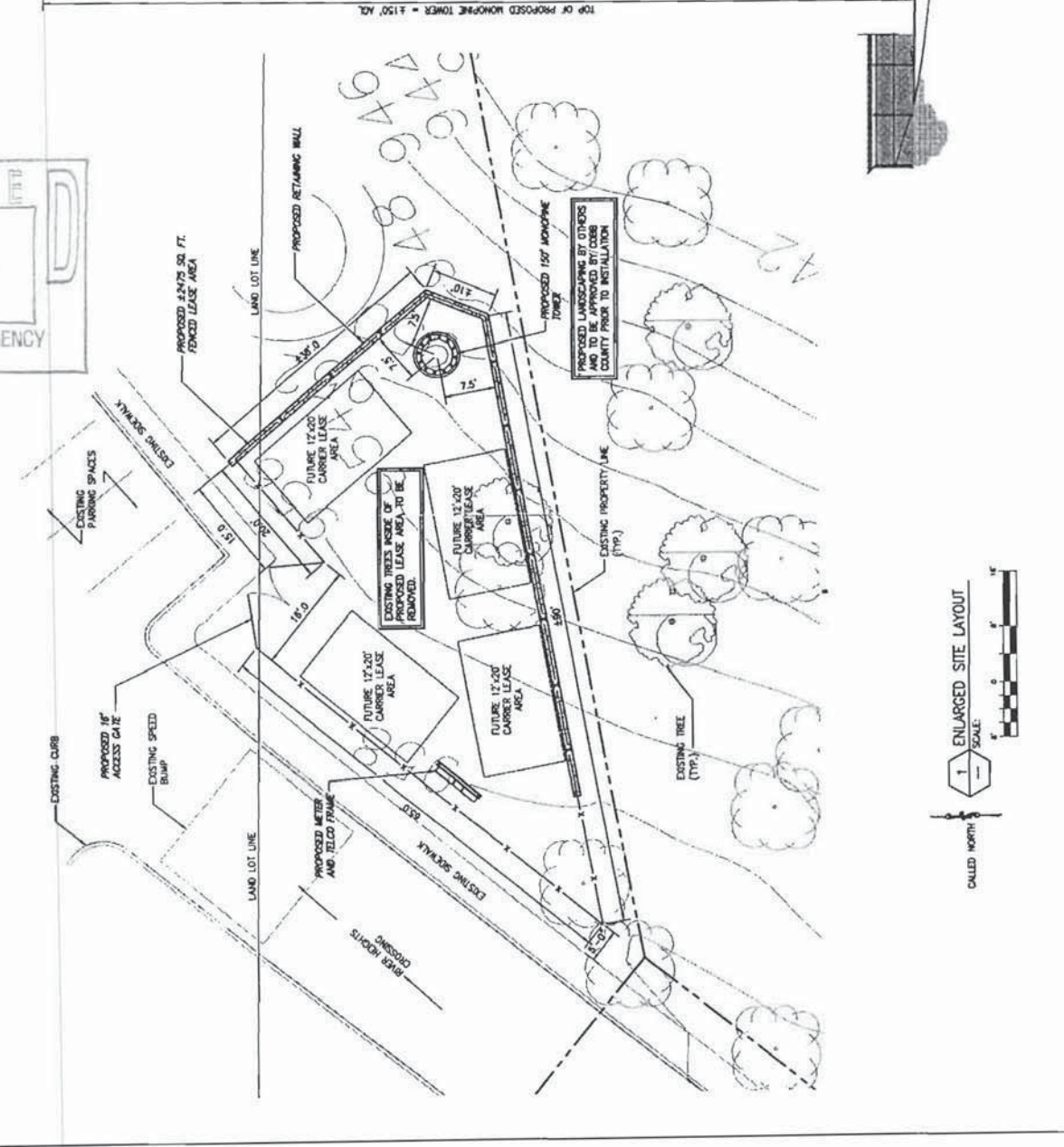
GA2233

Municipal Communications
3000 Peachtree Rd
Floor 1000
Atlanta, GA 30328
404.487.1000
404.487.1001

Drawing Name: AS-DRAWING
Drawing Title: ENLARGED SITE LAYOUT & ELEVATION
Drawing Number: Z4



RECEIVED
JUN - 5 2014
COBB CO. COMM. DEV. AGENCY
ZONING DIVISION



TOP OF PROPOSED MONOPOLE TOWER = 1150' AGL

SLUP-14 (2014)

LOCATION MAP



Metro Engineering & Surveying Co., Inc.
 400 Peachtree Street, N.E., Suite 1000 • Atlanta, GA 30308
 Phone: 770-392-0777
 Fax: 770-392-0795
 www.metro-engineering.com

RIVER HEIGHTS APARTMENTS

PROJECT NO.	14-00000000
DATE	08/15/14
DRAWN BY	JD
CHECKED BY	JD
SCALE	AS SHOWN
SHEET NO.	2 OF 2



LEGEND

- APARTMENT BUILDING (TYPE I)
- APARTMENT BUILDING (TYPE II)
- APARTMENT BUILDING (TYPE III)
- APARTMENT BUILDING (TYPE IV)
- APARTMENT BUILDING (TYPE V)
- APARTMENT BUILDING (TYPE VI)
- APARTMENT BUILDING (TYPE VII)
- APARTMENT BUILDING (TYPE VIII)
- APARTMENT BUILDING (TYPE IX)
- APARTMENT BUILDING (TYPE X)
- APARTMENT BUILDING (TYPE XI)
- APARTMENT BUILDING (TYPE XII)
- APARTMENT BUILDING (TYPE XIII)
- APARTMENT BUILDING (TYPE XIV)
- APARTMENT BUILDING (TYPE XV)
- APARTMENT BUILDING (TYPE XVI)
- APARTMENT BUILDING (TYPE XVII)
- APARTMENT BUILDING (TYPE XVIII)
- APARTMENT BUILDING (TYPE XIX)
- APARTMENT BUILDING (TYPE XX)
- APARTMENT BUILDING (TYPE XXI)
- APARTMENT BUILDING (TYPE XXII)
- APARTMENT BUILDING (TYPE XXIII)
- APARTMENT BUILDING (TYPE XXIV)
- APARTMENT BUILDING (TYPE XXV)
- APARTMENT BUILDING (TYPE XXVI)
- APARTMENT BUILDING (TYPE XXVII)
- APARTMENT BUILDING (TYPE XXVIII)
- APARTMENT BUILDING (TYPE XXIX)
- APARTMENT BUILDING (TYPE XXX)

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APPLICANT: Municipal Communications, LLC
PHONE#: (404) 995-1890 **EMAIL:** pcorry@municipal.com
REPRESENTATIVE: James M. Ney, Esq.
PHONE#: (770) 661-1202 **EMAIL:** jney@honzw.com
TITLEHOLDER: River Heights Exchange, LLC

PROPERTY LOCATION: Southeast side of River Heights
Crossing, northeast of Riverlook Parkway
(3702 River Heights Crossing).
ACCESS TO PROPERTY: River Heights Crossing
PHYSICAL CHARACTERISTICS TO SITE: Existing apartment
development

CONTIGUOUS ZONING/DEVELOPMENT

- NORTH:** RM-12/ Walton at Columns Drive
- SOUTH:** RM-12/ Overlook
- EAST:** R-30/ Atlanta Country Club
- WEST:** R-20/ Chattahoochee River National Recreation Area

PETITION NO: SLUP-14
HEARING DATE (PC): 08-05-14
HEARING DATE (BOC): 08-19-14
PRESENT ZONING: RM-12
PROPOSED ZONING: Special Land
Use Permit
PROPOSED USE: Wireless Communications
Tower and Antennas
SIZE OF TRACT: 28.119 acres
DISTRICT: 17
LAND LOT(S): 1085, 1086
PARCEL(S): 9
TAXES: PAID X **DUE** _____
COMMISSION DISTRICT: 2

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

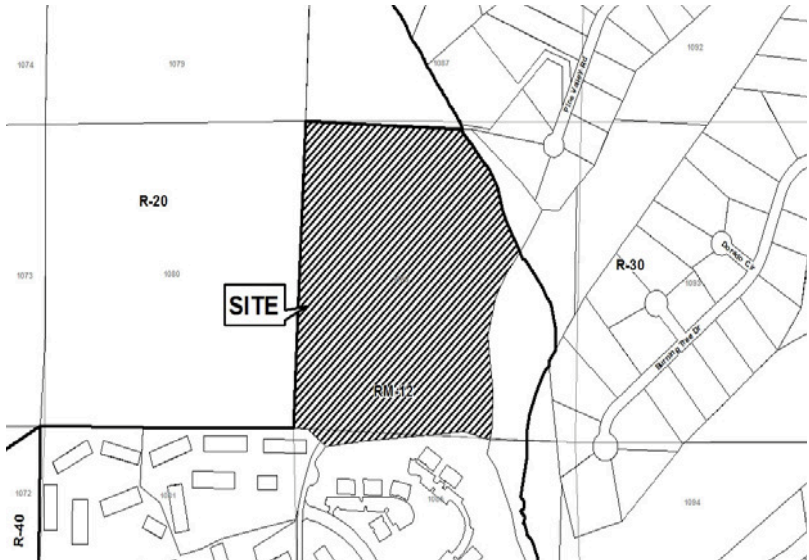
PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

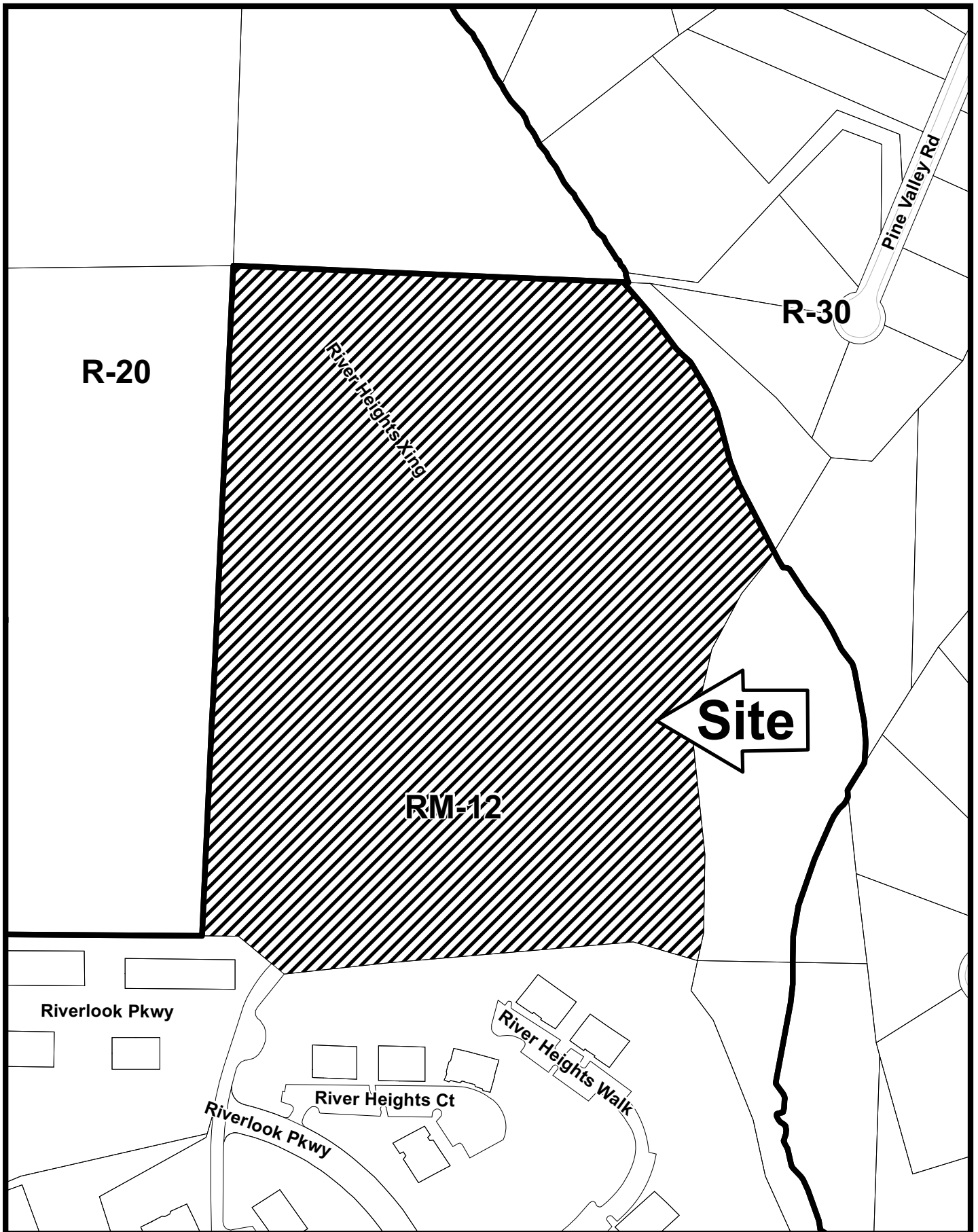
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____
REJECTED _____ **SECONDED** _____
HELD _____ **CARRIED** _____

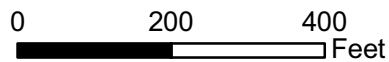
STIPULATIONS:





SLUP-14



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



-  City Boundary
-  Zoning Boundary

APPLICANT: Municipal Communications, LLC

PETITION NO.: SLUP-14

PRESENT ZONING: RM-12

PETITION FOR: SLUP

ZONING COMMENTS:

Staff Member Responsible: John P. Pederson

The applicant is requesting a Special Land Use Permit (SLUP) for the purpose of installation of a wireless communication tower and antennae as well as accompanying ground equipment. The tower is a proposed 150 foot tall “monopine” situated on a triangle shape lease area within the existing apartment complex. The tower will accommodate up to four (4) service providers and will be enclosed by a six (6) foot high chain link fence. Access to the site is from River Heights Crossing. The applicant’s proposal adheres to many aspects of the Code Section 134-273 including providing for at least three (3) users, utilizing a “stealth” type facility, six (6) foot fence plus, and FAA & FCC compliance. The County’s contracted consultant has provided an analysis that confirms the applicant’s demonstrated need for the proposed tower, along with some suggestions.

However, other aspects of the request do not follow Code requirements. First, the tower’s distance from adjacent residentially-zoned parcels is required to be equal to the tower height plus a “safety factor” of ten percent (Sec. 134-273(3)a(2)). In this regard, the applicant is proposing the tower be setback distances from bordering residential parcels of 48 ft. adjacent to the southern property line and 110 ft. adjacent to the western property line. The Code requires a 15 ft. landscape screening buffer around the tower compound that the applicant currently does not propose installing due to the mature vegetation on the south and east sides. Another particular aspect of the applicant’s request that does not conform to the Code is the tower’s height above the tree line. Section 134-273(3)I encourages towers “to be located at a height above the tree line no greater than necessary to reasonably accommodate the facilities.” The County’s telecommunications consultant, CityScape, has addressed this issue and recommends a ‘monopine’ tower designed for up to four (4) carriers.

Historic Preservation: No comments.

Cemetery Preservation: No comment.

WATER & SEWER COMMENTS:

No comments.

TRAFFIC COMMENTS:

Recommend a FAA Study.

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: Municipal Communications, LLC

PETITION NO.: SLUP-14

PRESENT ZONING: RM-12

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

The proposed lease site is just within the 2000' ARC Chattahoochee River Corridor and is therefore subject to the provisions of the Metropolitan River Protection Act. An ARC review will required as part of Plan Review process.

STAFF RECOMMENDATIONS

SLUP-14 MUNICIPAL COMMUNICATIONS, LLC

There are fifteen criteria that must be considered for a Special Land Use Permit. The criteria are below in italics, with the Staff analysis following in bold.

- (1) *Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.*

It is Staff's opinion that the applicant's proposal will not have an adverse affect on the usability of adjacent or nearby property. The proposed use would not be more intense than that current high density use on properties to the west and south, which are approximately 180 feet away from the compound area. The single-family residential properties to the east are approximately 1,100 feet away, and are separated by heavy vegetation.

- (2) *Whether or not the use is otherwise compatible with the neighborhood.*

It is Staff's opinion that the applicant's proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed tower will be concealed as a pine tree in an area of dense vegetation.

- (3) *Whether or not the use proposed will result in a nuisance as defined under state law.*

The use should not be a nuisance as defined by state law. The compound will be fenced as required by the county Code and the tower will have the appearance of a pine tree. The proposal will not emit any lights or noise.

- (4) *Whether or not quiet enjoyment of surrounding property will be adversely affected.*

The quiet enjoyment of surrounding property will not be adversely affected due to the location of the applicant's proposal.

- (5) *Whether or not property values of surrounding property will be adversely affected.*

Property values should not be negatively impacted. The applicant's proposal would help to improve the area by providing better cellular and data accessibility.

- (6) *Whether or not adequate provisions are made for parking and traffic considerations.*

There are adequate provisions for parking and traffic considerations. The applicant will have four service providers on the tower which will visit the site once a month each.

- (7) *Whether or not the site or intensity of the use is appropriate.*

The applicant' site is appropriate for this use. The site is located in an area of high density residential.

- (8) *Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses.*

There are not any special or unique conditions which would prohibit this use in this area. The property is located within an existing apartment complex and is currently zoned RM-12. The County's consultant has found the evidence submitted supports the applicant's proposal for a new cell tower.

SLUP-14 MUNICIPAL COMMUNICATIONS, LLC (Continued)

- (9) *Whether or not adequate provisions are made regarding hours of operation.*
The tower will be open 24 hours a day without any lights or noise, and without causing any traffic problems.
- (10) *Whether or not adequate controls and limits are placed on commercial and business deliveries.*
There will be approximately four site visits a months, which s less than a single family house produces in a week.
- (11) *Whether or not adequate landscape plans are incorporated to ensure appropriate transition.*
While there is heavy vegetation on the eastern and southern sides of the proposal, no vegetation is shown along River Heights Crossing. The consultant suggest a decorative fence along this location to mitigate any negative effects.
- (12) *Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.*
The applicant's proposal should not negatively impact the public health, safety, welfare or moral concerns of the surrounding neighborhood.
- (13) *Whether the application complies with any applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.*
The application complies with applicable specific requirements of this use set forth in this chapter for special land use permits in its provision of fencing, setbacks, etc.
- (14) *Whether the applicant has provided sufficient information to allow a full consideration of all relevant factors.*
The applicant has provided sufficient information to Staff including a Statement of Proposed Site Improvements, an analysis of the 15 criteria, photo simulations, and an Radio Frequency Engineer's Report.
- (15) *In all applications for a special land use permit the burden shall be on the applicant both to produce sufficient information to allow the county fully to consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the county.*
The applicant is requesting a Special Land Use Permit (SLUP) in order to erect a 150 foot cell tower and related equipment compound. The applicant and its representative have provided a site plan and many documents that supports the request. The county's consultant supports the applicant's request. Two letters in support of the request were submitted by the applicant. The proposed use should not be more intense that those currently operating on adjacent properties and with the limitation of the property due to the buffers and applicant-proposed improvements, the use should not negatively impact adjacent residential neighbors.

SLUP-14 MUNICIPAL COMMUNICATIONS, LLC (Continued)

Based on the above analysis, Staff recommends **APPROVAL** subject to:

- Site plan received by the Zoning Division on June 5, 2014;
- Statement of Proposed Site Improvements from James A. Ney and Ellen W. Smith dated June 5, 2014;
- Report from CityScape Consultants, Inc. dated August 26, 2014;
- Decorative fencing around the tower compound to be approved by the District Commissioner;;
- Fire Department Comments and Recommendations;
- Stormwater Management Division Comments and Recommendations; and
- Department of Transportation 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.

HOLT NEY ZATCOFF & WASSERMAN, LLP

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5960

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

James M. Ney
e-mail jney@hznw.com

Ellen W. Smith
e-mail esmith@hznw.com

June 5, 2014

BY HAND DELIVERY

Zoning Division
Community Development Agency
Cobb County, Georgia
1150 Powder Springs Street, Suite 400
Marietta, Georgia 30064

Re: Application for Special Land Use Permit, Cobb County, Georgia by Municipal Communications, LLC for a wireless communications facility (the "*Application*") to be located at 3702 River Heights Crossing, Marietta, Georgia 30067 (the "*Property*")

STATEMENT OF PROPOSED SITE IMPROVEMENTS

Ladies and Gentlemen:

This law firm has the pleasure of representing Municipal Communications, LLC (the "*Applicant*"), with respect to the Application. Applicant respectfully submits for your consideration the Application, the approval of which will result in the County's issuance of a special land use permit ("*SLUP*") to allow the construction, operation and maintenance of a wireless telecommunications tower and related antennas and equipment (collectively, the "*Facility*") on an approximately 2,475 square foot portion (the "*Site*") of the Property.

Background - The Property and the Site

The Property, owned by River Heights Exchange, LLC ("*Owner*"), is most commonly known as the Walton at Columns Drive scenic, luxury apartments in East Cobb. This apartment community includes a variety of apartment homes including town-homes and garden style apartments, located along the banks of the Chattahoochee River with direct trail access. The Property is zoned RM-12, and improved with multiple apartment buildings and related amenity improvements. The Property is abutted by properties to the west, north and east zoned R-20 (including the Atlanta Country Club and the Chattahoochee National Forest), and to the south by condominium properties zoned RM-12.

Owner has leased the Site, together with utility and ingress/egress easements, to Applicant. The Site is tucked into the southernmost portion of the Property, adjacent to the complex entrance and office buildings, and it is a permitted use for the Site, upon issuance of the requested SLUP.

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Zoning Division
Community Development Agency
Cobb County, Georgia
June 5, 2014
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The Facility / Proposed SLUP

The Facility which Applicant plans to construct will include a one hundred fifty foot (150') high (154' including the lightning rod and top "branches") multi-tenant monopine (i.e., tree-like) tower, ground-mounted communications equipment, and associated minor site improvements to facilitate operations and maintenance of and access to the Facility on the Site.

The Facility meets the setback requirements set forth in Section 134-273(3)(a) of Chapter 134 of the Official Code of Cobb County, Georgia, as the same is amended from time to time (such Chapter being the "*Zoning Ordinance*"), except with respect to the southeastern property line. The center line of the proposed Facility will be approximately 10 feet from the southeastern property line. Accordingly, Applicant seeks a variance to reduce the requisite 110% of tower height setback to ten (10) feet from the centerline of the tower.

The Facility simply cannot be located elsewhere on the Property or, frankly, within the area. Constraints include the Chattahoochee National Forest and topography in the area. Additionally, Applicant encloses with this Statement a map showing existing tower structures in the general vicinity of the Site, as well as other alternative locations within Atlanta Country Club Estates that it previously proposed and which were rejected, to assist in demonstrating the difficulty in locating a site in this area.

AT&T is proposed to be the carrier located at the top of the Facility at a "rad center" (e.g., middle of antenna center) height of 150 feet. In addition to AT&T, there is room on the Facility for three additional carriers.

The equipment and other associated site improvements are shown on the plans submitted herewith and are limited to those uses associated with the operation of the antenna or towers and are appropriate in scale and intensity. The entirety of the Site will be enclosed with a six foot (6') high chain link fence with three strands of barbed wire, as more particularly shown on the enclosed plans. Additional details relating to the Site and the Facility are set forth in the plans submitted herewith. (See *Zoning Ordinance* §§ 134-273(3)(c) and (d).)

Applicant confirms that the Facility will meet or exceed current standards of the Federal Aviation Administration, the Federal Communications Commission, and any applicable agency guidelines governing the construction and operation of such a telecommunications tower. Applicant does not expect that the FAA will require the Facility to be lighted.

Once constructed, the Facility will be unmanned. Only monthly site visits by carriers' maintenance technicians are anticipated. The Facility will not have water and sewer services,

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and it will not generate any waste. Again, the only utility connections required are electric and telephone services. The electricity demand of the Facility will be similar to that of a single-family residence. The Facility will not create a significant demand for community services. In fact, the Facility will provide a service to the community in the form of safe, reliable and uninterrupted wireless service for use by the general public, emergency services personnel and others in this area of Cobb County.¹

The Facility will be an integral part of the AT&T wireless network across Cobb County and other portions of the greater Atlanta area, as more particularly described in the radio frequency affidavit included with this Statement.

Zoning Requirements

Chapter 134 of the Zoning Ordinance, and specifically, Section 134-273 thereof, sets forth the zoning requirements applicable to the placement of communications towers and antennas on property within the County. In satisfaction of these requirements, and in addition to this Statement, Applicant hereby submits the following documents for the Division's review:

1. Application for Special Land Use Permit, Cobb County Georgia form, including original notarized signature of Owner and Applicant's representatives²;
2. A copy of the Property warranty deed to Owner;
3. Metes and Bounds legal descriptions of Property, Site and easements benefitting the Facility;
4. Copy of the paid tax receipt for the Property;
5. Zoning Standards Analysis (addressing SLUP considerations);
6. Boundary Survey of Property (5 full sized copies; 2 copies measuring 8 ½ x 11)
7. Site Plans (including scaled elevation drawing of proposed tower) (5 full sized copies; 2 copies measuring 8 ½ x 11);
8. RF Engineer's Analysis from AT&T supporting the need for the Facility;

¹Applicant proposes no landscape buffer or screening around the Site because (i) the Facility will be shielded to the south and east by existing trees and vegetation; (ii) the topography in the area is such that any landscaping or screening would not mitigate visual impact on adjacent property owners to the north and west; and (iii) the adjacent portion of the Property to the north and west is already improved with paving and buildings.

² Applicant will attempt contact its immediately adjacent neighbors and has already hosted an on-site balloon test with key members of the community. Applicant will also notify in writing all property owners within a 1,000-foot radius of the subject property as shown on the most current tax records. Such notice will be accomplished by mailing a copy of the Application form and proposed site plans by first class mail. Applicant will then file with the Zoning Division of Cobb County a certificate of mailing from the United States Post Office.

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9. List of all towers within a three-mile radius of the proposed Facility (per Zoning Ordinance Section 134-273(3)(m) [*Applicant notes it owns no towers within a 3-mile radius of the Site*]); and
10. Application, Consultant, and Sign Deposit and Fees Check(s) (totaling \$6,309.00).

The Application and the accompanying documents support Applicant's request for the Facility SLUP and comply with all Cobb County zoning requirements.³ The Owner and Applicant respectfully request that the Division recommend the approval of the Application to the Board for consideration at the next available public hearing.

³ Applicant notifies Cobb County of its constitutional concerns. If the Board denies the Application in whole or in part, then the Property does not have a reasonable economic use under the Zoning Ordinance. The Application meets the test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power. See *Guhl vs. Holcomb Bridge Road*, 238 Ga. 322 (1977). If the Board denies the Application in whole or in part, such an action will deprive Applicant and Owner of the ability to use the Property in accordance with its highest and best use. Similarly, if the Board limits its approval of the SLUP by attaching conditions thereto affecting any portion of the Property or the use thereof, either of such actions being taken without Applicant's consent, then such action would deprive Applicant and Owner of any reasonable use and development of the Property. Any such action is unconstitutional and will result in a taking of property rights in violation of the just compensation clause of the Constitution of the State of Georgia (see *Ga. Const. 1983, Art. I, § 3, para. 1(a)*), and the just compensation clause of the Fifth Amendment to the United States Constitution (see *U.S. Const. Amend. 5*). To the extent that the Zoning Ordinance allows such an action by the Board, the Zoning Ordinance is unconstitutional. Any such denial or conditional approval would discriminate between Applicant and Owner and owners of similarly situated property in an arbitrary, capricious, unreasonable and unconstitutional manner in violation of Article I, Section I, Paragraph 2 of the Georgia Constitution and the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Finally, a denial or a conditional approval of the Application (with conditions not expressly approved by Applicant) would constitute a gross abuse of discretion and an unconstitutional violation of Applicant's rights to substantive and procedural due process as guaranteed by the Georgia Constitution (see *Ga. Const. 1983, Art. I, § 1, para. 1*) and the Fifth and Fourteenth Amendments of the United States Constitution (see *U.S. Const. Amend. 5 and 14*). Applicant further challenges the constitutionality and enforceability of the Zoning Ordinance for lack of objective standards, guidelines or criteria limiting the Board's discretion in deciding applications for SLUP.

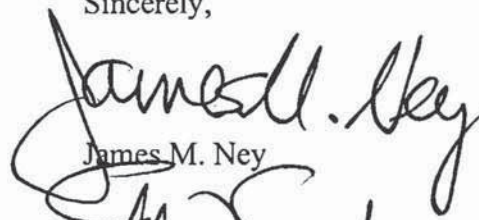
Furthermore, the Telecommunications Act of 1996, codified at 47 U.S.C. § 332(c) (the "*1996 TCA*") was intended to "promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies." *Preamble to 1996 TCA*. The primary mechanisms used by the 1996 TCA to "promote competition and reduce regulation" are prohibitions against local regulations that (i) "unreasonably discriminate among providers of functionally equivalent services" or (ii) "prohibit or have the effect of prohibiting the provision of personal wireless services." 47 U.S.C. § 332(c)(7)(B). Also, section 253 of the 1996 TCA provides that "no State or local statute or regulation ... may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service." The Board may violate the 1996 TCA on all three grounds if it denies the Application. Nevertheless, Applicant remains optimistic that the Board's consideration of the Application will be conducted in a constitutional and legal manner.

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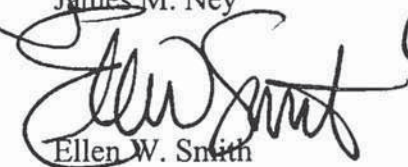
Zoning Division
Community Development Agency
Cobb County, Georgia
June 5, 2014
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We are happy to answer any questions or provide any information that the Division, its consultant or the Board may have with regard to the Application.

Sincerely,



James M. Ney



Ellen W. Smith

JMN/EWS/ews

Enclosures

cc: Mr. Peter R. Corry
Mr. John Throckmorton

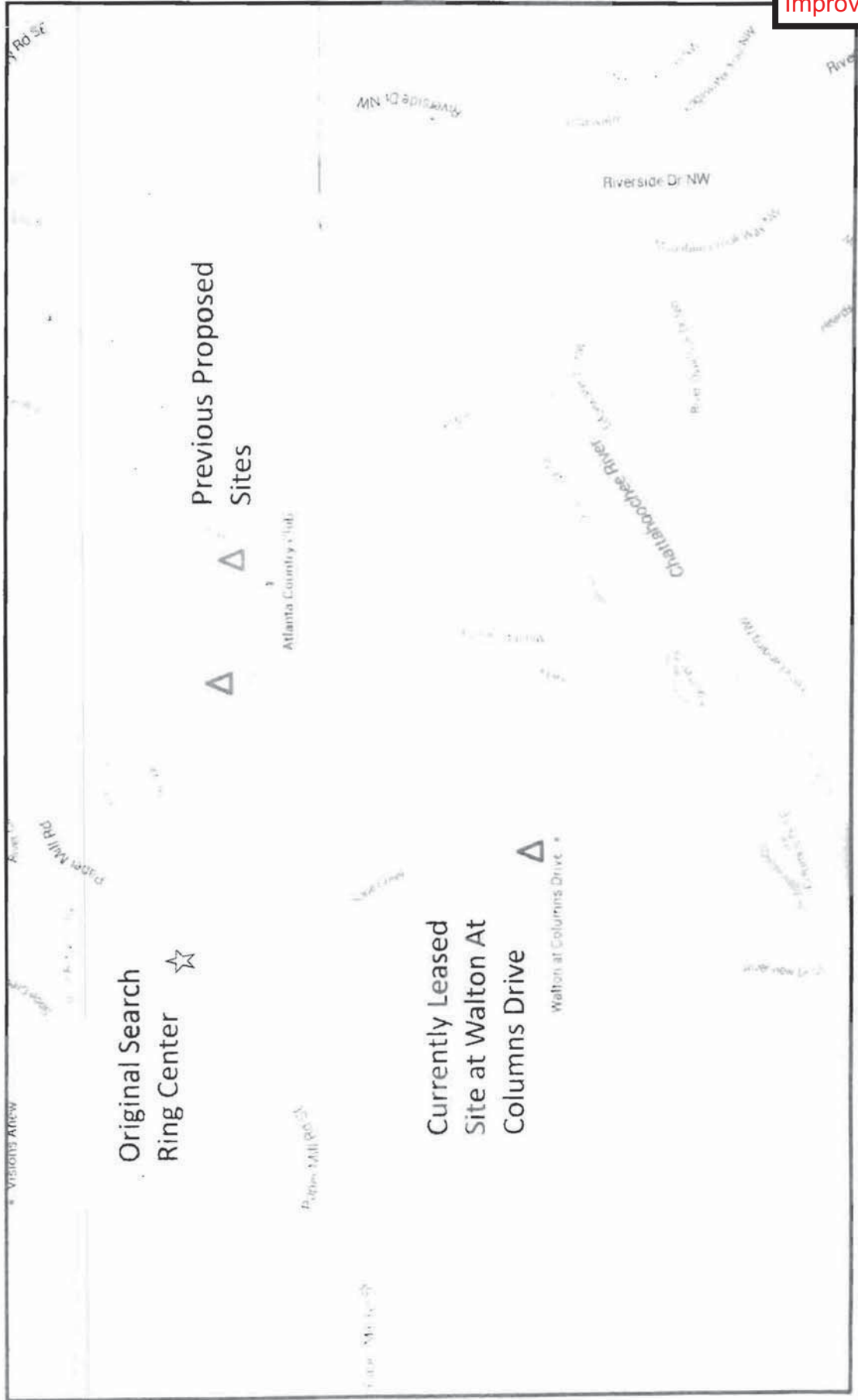
Existing Towers in Area



03/25/14 11:51:13

Leased Site Compared to Search Ring Center & Atlanta Country Club

SLUP-14 (2014)
Statement of
Proposed Site
Improvements



Original Search

Ring Center ☆

Previously Proposed

Sites

Currently Leased
Site at Walton At
Columns Drive

Walton at Columns Drive

Atlanta Country Club

Riverside Dr NW

Chattahoochee River

Page Mill Rd

Visions At New

Page Mill Rd

Walton at Columns Drive

Walton at Columns Drive

Walton at Columns Drive

Walton at Columns Drive

Walton at Columns Drive

Walton at Columns Drive

Riverside Dr NW

COBB COUNTY GEORGIA
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COBB COUNTY ZONING DIVISION



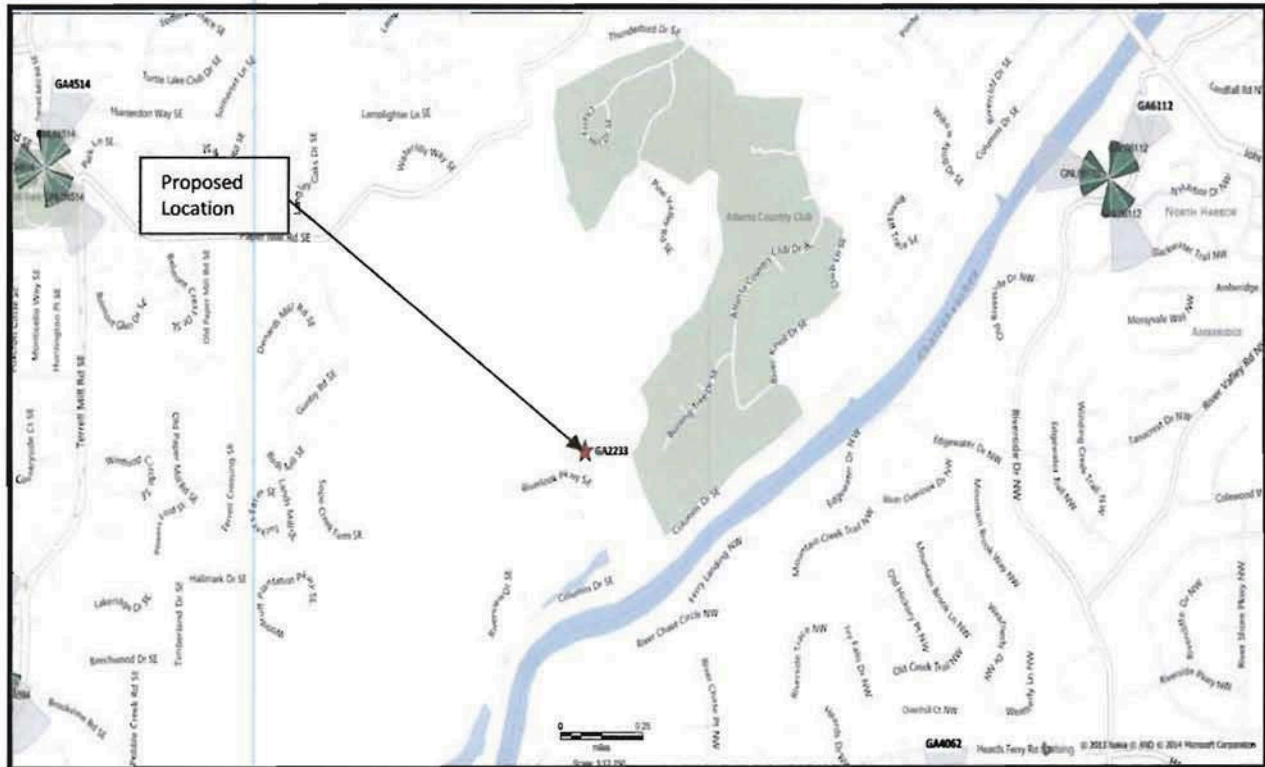
SLUP-14 (2014)
Applicant's Radio
Frequency
Engineering
Statement

Radio Frequency Engineering Statement

in support of Application for

Proposed AT&T Mobility Wireless Communications Facility

3702 River Heights Crossing, Marietta, COBBGA30067



Site Name: GA2233

BENEFIT TO COMMUNITY

The introduction of new technologies and changes in customer usage patterns present challenges to AT&T's existing network to meet service demands. AT&T must upgrade and expand network infrastructure in order to reduce instances of denied access to the network. This ensures that calls will go through, including times when emergency communications are vital. Call audio quality is also maintained and dropped calls are kept to a minimum.

Phones, tablets and laptop computers can now access the internet quickly and efficiently without the need to be connected to a cable or restricted to a small Wi-Fi hotspot as was the case in the past. This has brought about many new innovations, including devices such as parking meters that can report their status, vending machines that can report their inventory levels, delivery vehicles that report package delivery and receipt and, eventually, the "connected car," which will not only stream audio but also be able to share diagnostic information, report accidents or caution its owner about speeding or aggressive driving. These new innovations dictate the wireless industry's expansion of existing infrastructures to meet the growing demand.

AT&T also provides crucial real-time access for law enforcement, fire and medical transport. This determines the closest unit to an area of need and the fastest route to the site of an emergency based on current conditions.

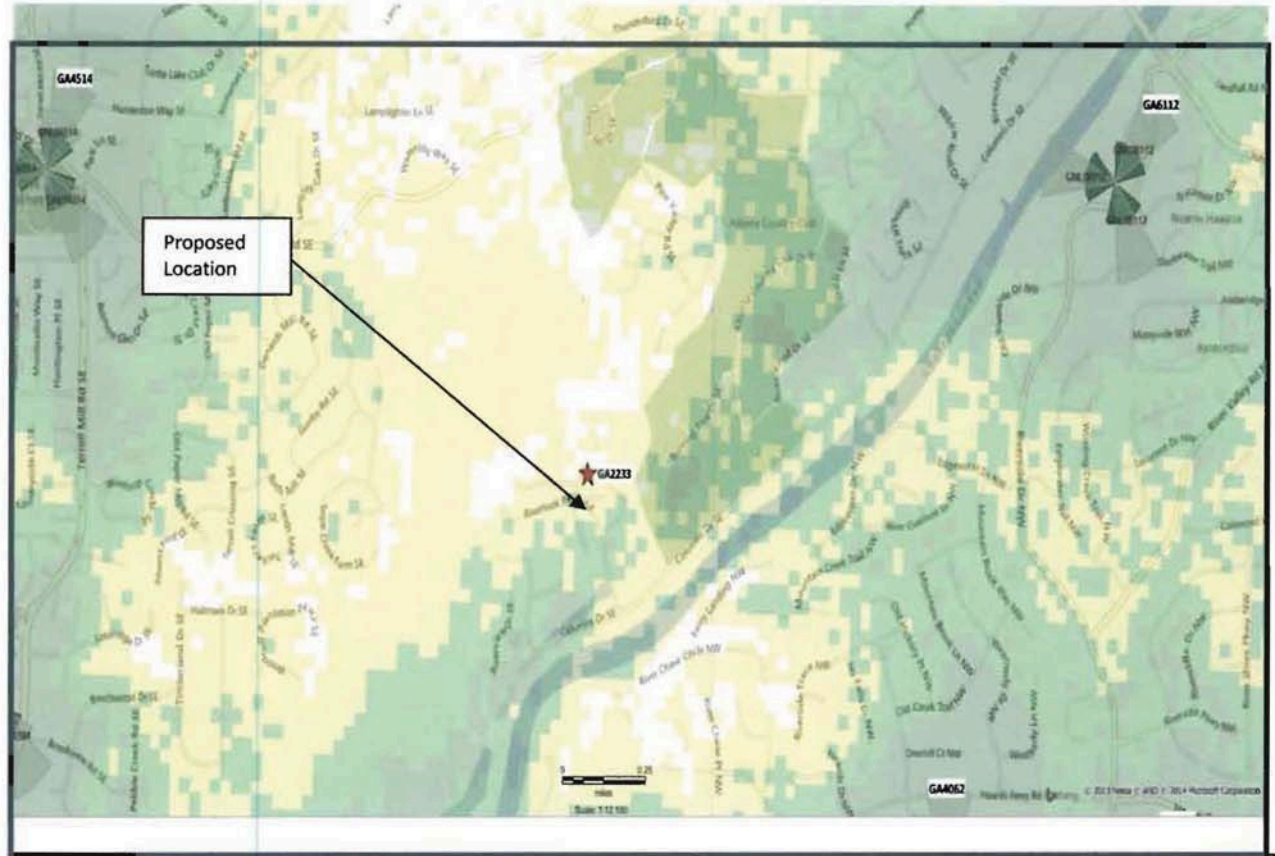
In addition to expanding capacity for the 3G network in the subject area, AT&T is also expanding 4G LTE high speed data service with the goal of providing the most advanced personal wireless experience available to AT&T customers. 4G LTE is capable of delivering speeds up to 10 times faster than industry-average 3G speeds. LTE technology also offers lower latency (i.e., the processing time it takes to move data through a network), which will shorten the time it takes to start downloading a webpage or file once a customer has sent the request and help to improve the quality of personal wireless services. Additionally, LTE uses spectrum more efficiently than other technologies, creating more space to carry data traffic and services and to deliver a better overall network experience.

After the proposed facility is on air, 4G LTE service will be available both indoors and outdoors in the targeted service area. One reason this is important is that as existing customers migrate to 4G LTE, 3G data traffic will be reduced. This will alleviate capacity demands on the UMTS (3G) network during peak usage periods which, in light of the forecasted increase in usage, will help to avoid potential future capacity problems.

Expanded wireless communications services are also important to businesses to support their operations. AT&T routinely receives service quality inquiries from businesses as well as customers when they are planning to locate to a new area. They want to know what infrastructure and technology is in place prior to relocating, or planning future meetings or events.

EXHIBIT A

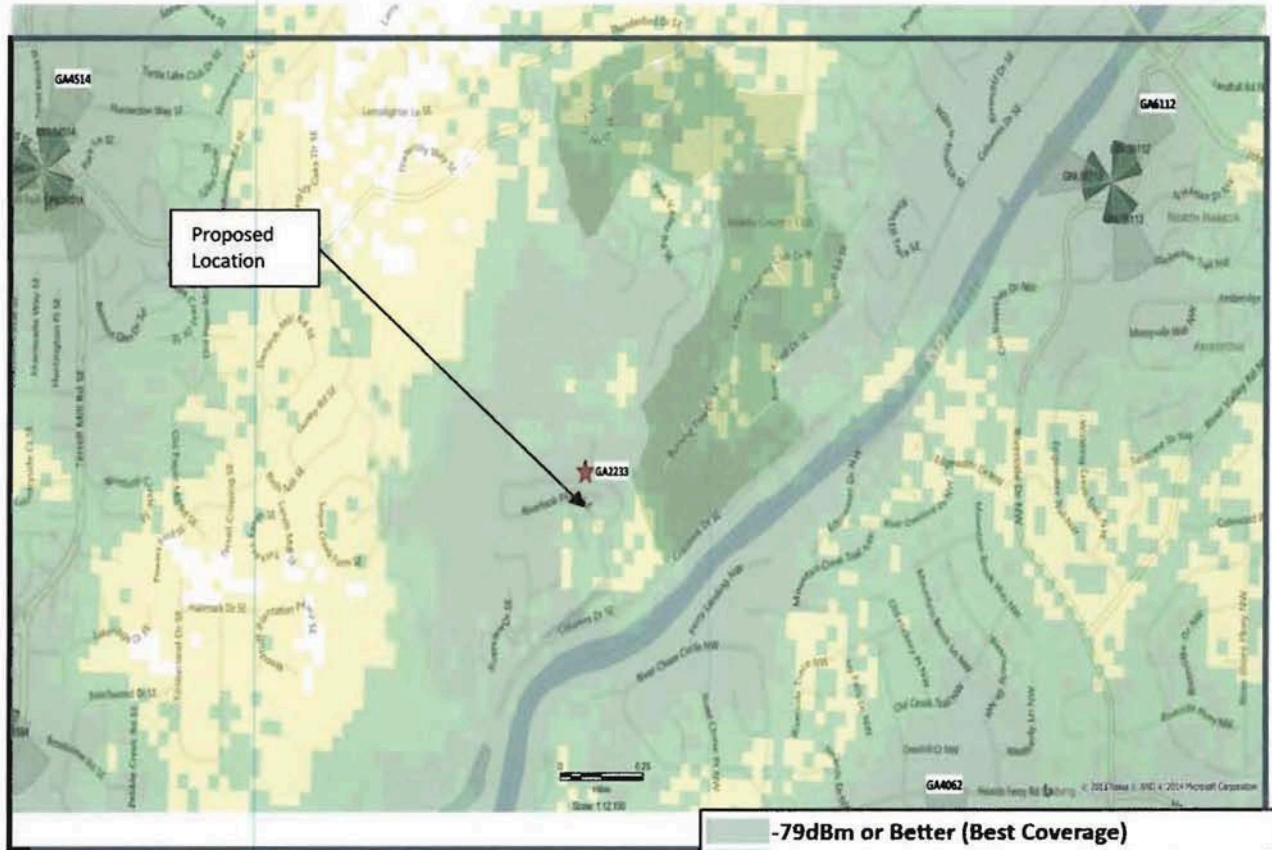
Existing AT&T Coverage without Proposed Site



- 79dBm or Better (Best Coverage)
- 79dBm to -87dBm (Good In-Building Coverage)
- 87dBm to -97dBm (Outdoor Macro Coverage)
- 97dBm or Worse (Minimal Coverage)

EXHIBIT B

AT&T Coverage with Proposed Site



- 79dBm or Better (Best Coverage)
- 79dBm to -87dBm (Good In-Building Coverage)
- 87dBm to -97dBm (Outdoor Macro Coverage)
- 97dBm or Worse (Minimal Coverage)

AT&T SERVICE COVERAGE GAP

AT&T uses the industry standard propagation tool called "ATOLL" to identify the areas in its network where signal strength is too weak to provide reliable wireless service quality. This information is developed from many sources, including terrain and clutter databases which simulate the environment and propagation models.

The extent of the AT&T service coverage provided by our existing sites in the subject area is shown on the map included as Exhibit A in this Report. The **DARK GREEN** shading indicates areas with a signal strength level that provides the best coverage. The **LIGHT GREEN** is Good In-Building Coverage; the **YELLOW** shading indicates areas with a signal strength level that provides acceptable outdoor macro coverage. The **WHITE** areas indicate areas with a signal strength level where a customer might have difficulty receiving consistently acceptable service.

The quality of service experienced by any individual customer can differ greatly depending on whether the user is indoors, outdoors, stationary, or in transit. AT&T strives to provide consistent service to all users within a coverage area.

AT&T proposes to construct the proposed facility to remedy the service issues and close the coverage gaps illustrated by Exhibit A. The map attached as Exhibit B (page 5) depicts coverage in the subject area once the Proposed Facility is built and integrated into AT&T's existing network. A comparison of Exhibit A (i.e., existing coverage) with Exhibit B (i.e., proposed coverage) clearly shows that gap areas will be significantly reduced once the Proposed Facility is operational, and this will expand coverage and improve service quality and availability in the subject area.

BACKGROUND

AT&T Mobility ("AT&T") is an FCC-licensed wireless communications service provider that provides essential wireless voice and data services to residential and commercial customers. AT&T delivers these services over a network of sites (i.e., antennas mounted on a support structure, with associated radio transmitting equipment) which are linked to one another and which transmit and receive signals to and from mobile phones and other wireless communication devices.

Each site provides coverage for users located in a particular area. The geographic area covered by a given site is determined by factors such as site elevation, local topography, relative location and elevation of adjacent sites and customer usage patterns for the area. The volume of usage that can be handled by an individual site is limited, and sites must be carefully located to provide sufficient coverage for users in a given area. Sites must also be located with reference to other sites in the network to provide seamless connectivity while also avoiding interference with one another.

As part of AT&T's overall plan for COBB County, a new wireless communications facility is needed to improve coverage and reduce the service gap caused, in part, by a lack of sufficient service infrastructure needed to handle the rapidly increasing demand for mobile voice and data services from AT&T's customers. The increased volume of service usage has strained the capacity of AT&T's existing wireless infrastructure to handle call and wireless data demand in the subject area, and this strain adversely affects service quality.

To remedy this problem, communications antennas and associated equipment must be located within a prescribed area (as discussed further below) and at a specific elevation in order to be integrated into AT&T's existing network for the subject area. The objective of this site is to improve the coverage around the Columns Drive SE, Walton at Columns Drive, Paper Mill Rd SE, Atlanta Country Club as well as surrounding area.



Lanre Ogun
RF Engineer

Date: 05/27/2014



OLUSOLA (LANRE) OGUN

LINKEDIN PROFILE: WWW.LINKEDIN.COM/IN/LANREOGUN

CONTACT INFORMATION

MOBILE : 847-293-8230

E-MAIL : LANRE.OGUN@GMAIL.COM

ADDRESS

CURRENT LOCATION - 612 BURGESS COURT SCHAUMBURG, IL 60194

OBJECTIVE

LOOKING FOR A POSITION WITH AN OPPORTUNITY TO UTILIZE MY SKILLS AND AT THE SAME TIME GARNER EXPERIENCE IN THE FIELD OF RF ENGINEERING BUT NOT LIMITED TO EXPLORING OTHER OPPORTUNITIES OR TASKS THAT MIGHT OCCUR IN THE PROCESS

KEY SKILLS

PROFICIENT AND FAMILIAR WITH A VAST ARRAY OF HARDWARE EQUIPMENT, RF CONCEPTS AND VENDORS/TECHNOLOGIES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING LISTED BELOW AS WELL AS VARIOUS CONCEPTS BEING IMPLEMENTED IN THE TELECOMMUNICATION INDUSTRY TODAY:

MENTUM PLANET CDMA/EVDO CAPACITY PLANNING MICROSOFT OFFICE & AFFILIATES HUAWEI AIR-BRIDGE & M2000 CLIENT GUI TELCORDIA TECHNOLOGIES MICROSOFT SHAREPOINT AUTODESK (AUTOCAD) MAPINFO PROFESSIONAL	WIND-CATCHER SCHEMA MAXIMA AGILENT WIRELESS TECHNOLOGIES/JDSU SUMMITTEK TECHNOLOGIES CDMA/EVDO TRAINING LTE TRAINING ANALYSIS LITE (ANTENNA VALIDATION TOOL)	SITERRA (SITE MANAGEMENT) QXDM ZK SAMS METRICO WIRELESS SYSTEMS (MOS TESTING) 1X & DO ADVANCED TRAINING EVDO ADVANCED TRAINING LTE TRAINING	BUSINESS INTELLIGENCE CDMA/EVDO NETWORK OPTIMIZATION (SYSTEM PERFORMANCE) CDMA/EVDO NETWORK DESIGN (SITE DESIGN) CDMA/EVDO/UMTS/LTE/VO-LTE DESIGN ANRITHSU TECHNOLOGIES SWEEP AND PIM TESTING ATOLL
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EDUCATION

2012 TO PRESENT	MASTERS IN SCIENCE IN NETWORK ENGINEERING & MANAGEMENT DEPAUL UNIVERSITY CHICAGO, IL 60604
2001 TO 2006	BACHELOR OF SCIENCE IN DESIGN ENGINEERING WESTERN ILLINOIS UNIVERSITY MACOMB, IL 61455
1998 TO 2001	HIGH SCHOOL DIPLOMA HOFFMAN ESTATES HIGH SCHOOL HOFFMAN ESTATES, IL 60640

WORK EXPERIENCE

PROFESSIONAL RF ENGINEER AT&T MOBILITY LLC Atlanta, GA	JAN. 2012 TO PRESENT
<ul style="list-style-type: none"> • Designs, plans and oversees installation, maintenance, and optimization, and/or performance of wireless radio access network communications systems, including radio propagation modeling and prediction, microwave path analysis, interference analysis, frequency coordination, cell site equipment layout, parameter definition and ancillary equipment. • Geographic Information Systems) performance analysis & drive testing • Analyzes RAN data to recommend optimal changes to RAN network to improve all key indexes and performance indicators • RF Safety Market Lead <ul style="list-style-type: none"> ○ Ensure Market meets all Safety mandated Compliance measurements • NSB Lead for the State of Georgia 	
RF ENGINEER TO SR. RF ENGINEER (LEAD ENGINEER) CRICKET COMMUNICATIONS, INC. Rolling Meadows, Illinois	APRIL 2011-DEC. 2012
<ul style="list-style-type: none"> • Responsible for the Great Lakes ORD and MKE Markets <ul style="list-style-type: none"> ○ Lead Engineer for over 1400 Sites spanning over 20 Million Pops Covered <ul style="list-style-type: none"> ▪ Lead Engineer w/ 7 Engineer Staff ▪ Direct Report to the Director Level during Manager's Absence from the team ○ Managed Network Analysis (Voice, 1x Data and Data) <ul style="list-style-type: none"> ▪ Provide coverage variations for EOY, Current and future growth analysis maps ▪ Covered Pops/Subscriber analysis ▪ Marketing contours for Corporate Sales Team ▪ Quarterly Presentations with the Regional Sales Teams 	

- Network Performance Daily Monitoring
 - Outages, Alarms etc.
 - Interference Testing
 - Parameter Audits
 - MSC down to Site Carrier Level Monitoring
 - Trend historical performance data to anticipate future network performance
- Optimization
 - Trend historical performance data to anticipate future network performance and needed optimization
 - CDMA/EVDO Networks
- Lead Engineer for Backhaul capacity
 - Forecast quarterly needs based on the submitted sales forecast data
 - T1 moves based on usage and utilized on other sites
 - Order new T1s for growth/new builds sites
 - Bi-weekly meetings with the Interconnect Team on order status
 - Month to month comparison T1 growth with regional and corporate engineers
- Capacity Planning and Growth
 - Site Integration and shakedowns
 - Managed Sector Adds, Splits
 - Carrier Adds
 - CDMA and EVDO
 - Published procedure and scripts on implementation and flow chart for the Market
 - DAS Node and Microcell Design and implementation on a Live Network
 - In-Building DAS Design and implementation
 - Designed the House of Blues(Chicago)
 - McCormick Center (Chicago)
 - Joliet Harrah's Casino
 - Mid-Way Airport
 - Provided installation for mini-repeaters for Corporate and premier stores as well as tweaking the device settings for uplink and downlink diversity balancing
 - CAPEX budgeting and justification spending forecast
- Site Construction/Modification
 - Worked with various Site Acquisition firms
 - Search Ring Process
 - Site reviews and approvals
 - Zoning Hearings
 - Propagation maps highlighting case for needed locations
- Vendor Management
 - Huawei
 - Understanding vendor specific limitations as well as the architecture of the system
 - Review concerns or questions in the systems algorithm
 - Parameters
 - Pending Tickets with the Vendor
 - Software/Hardware Upgrades
 - Intra-Vendor idle Mode HO
 - Parameter Configuration Testing and implementation
- Lead Engineer on Antenna selections
 - Antenna Trials for AWS and 700 Band
- Roaming Analysis
 - Device and Site Roaming Costs
- Launched Great Lakes Market
 - Participated in the launch of the ORD & MKE (Mid West) Cricket Markets
 - Design phase to the initial launch of each market

RF ENGINEER

Cricket Communications, Inc.
Rolling Meadows, IL

MAY 2008 TO APRIL 2011

DRIVE TESTER TO RF ENGINEER

Telis Communications, Inc.
Chicago, IL

Nov. 2006 TO MAY 2008

- Maintained existing networks and Implemented new functionalities;
 - GSM/UMTS & CDMA/EVDO Networks
 - Inter BSC handoffs
- Wrote technical documentations and procedures for the rest of the Engineering Dept.
 - Technical Feedback on vendor products
 - Technical procedural documentation
 - T1 utilization
 - Agilent Set-Up Configuration for Site Shakedowns for Drive Testers

- Created Software Template for the Market
- Daily Alarm Report Template for the Operations Team

HOLT NEY ZATCOFF & WASSERMAN, LLP

ATTORNEYS AT LAW

100 GALLERIA PARKWAY, SUITE 1800

ATLANTA, GEORGIA 30339-5960

TELEPHONE 770-956-9600 FACSIMILE 770-956-1490

Re: Application For Special Land Use Permit
Applicant: Municipal Communications, LLC
Property: 3702 River Heights Crossing SE

**ANALYSIS OF ZONING STANDARDS IN SUPPORT OF MUNICIPAL
COMMUNICATIONS, LLC'S SLUP APPLICATION**

Section 134-37(e) of the Zoning Ordinance¹ requires the Board to consider fifteen guideposts, at a minimum, when deciding whether to grant or deny a SLUP application. Applying the fifteen guideposts to the Application shows that the Board should GRANT the Application.

(1) Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.

If the Board's decision is to grant the Application, then there will be no significant adverse impact on the neighborhood or area in which the proposed Facility will be located. The Applicant performed a balloon test in advance of filing this Application to gauge the visual impact of the Facility on adjacent properties. As shown by the attached "view back" analysis, no neighbors will have a significant view of the Facility.

Furthermore, the location of the Facility on the Site meets the "design, location and safety requirements" described in Section 134-273(3) of the Zoning Ordinance, in that the Facility is to be located close to existing improvements on the Property which are non-residential in nature, and because the Property is not located within a platted or existing subdivision. Accordingly, the Board's approval of the Application will further the goals of the Zoning Ordinance and not significantly adversely affect the neighborhood or surrounding area.

If the Board decides to reject the Application, Applicant (and AT&T) will be forced to renew their search for property on which it may locate the proposed Facility. A study of the immediately adjacent area reflects that there simply are no commercial properties within the search ring, and certainly none that will allow setbacks to be met. Additionally, Applicant and others have been searching in this area for years and have brought to the community varying alternatives including on the Atlanta Country Club golf course and clubhouse properties. All of those sites were rejected by area residents. Applicant's inability to locate the Facility on the Site may force Applicant to construct more than one tower in the area to allow it to provide the same coverage to AT&T as it could achieve with the proposed Facility. Multiple towers would be adverse to the stated goals of the Zoning Ordinance and have more of an impact on the neighborhood or surrounding area than if the Board granted the Application.

(2) Whether or not the use is otherwise compatible with the neighborhood.

As described in response to number 1 above, a Board decision to grant the Application will ensure that the overall character of the area will remain intact.

¹Capitalized terms not otherwise defined in this Analysis shall have the meanings ascribed to them in the Statement submitted by Municipal Communications, LLC with its Application.

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Analysis of Zoning Standards in Support of
Municipal Communication's SLUP Application (River Heights)
June 5, 2014
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(3) Whether or not the use proposed will result in a nuisance as defined under state law.

The Board's approval of the Application will not result in a "nuisance" as that Georgia law defines that term. No part of the proposed Facility (including the construction, operation and maintenance of the Facility) would rise to the level of a "nuisance" under Georgia law.

(4) Whether or not quiet enjoyment of surrounding property will be adversely affected.

The Board will preserve and help maintain the surrounding property owners' current levels of quiet enjoyment of their property if the Board grants the Application. Once the proposed Facility is constructed and in operation, Applicant anticipates that there will be limited visits by a single maintenance person per wireless service provider to the Site, which visits will not affect surrounding property owners.

(5) Whether or not property values of surrounding properties will be adversely affected.

If the Board grants the Application, the property values of surrounding properties will not be adversely affected. Previously, Applicant and others in the wireless industry have commissioned property appraisal studies to be conducted by MAI, AICP, Georgia Certified Appraisers regarding the impact of wireless telecommunications towers on surrounding properties and areas of Georgia, similar to the area surrounding the proposed Site. These studies confirm that there is no negative or adverse impact on either the property's value or marketability. Instead, the studies conclude that viewing the towers presents no problem to buyers or prospects and has no influence on the sales price or marketability of the nearby residences. By analogy, Applicant's proposed and similarly situated tower likewise will have no adverse effect to the surrounding neighborhoods, property values or marketability.

Instead, given the increased use of wireless devices to the exclusion of hard-line telephone systems, there is evidence that value of properties which do not have wireless coverage or which have poor wireless coverage is lower than properties with adequate and reliable wireless coverage. (The Centers for Disease Control report issued earlier this year reports an estimated 45% of the nation's children now are in "wireless" households.) Accordingly, the location of the Facility will likely serve to maintain or possibly improve the property values of surrounding properties.

(6) Whether or not adequate provisions are made for parking and traffic considerations.

Once constructed, the Facility will be unmanned, and Applicant anticipates only monthly visits by a maintenance technician to the Facility plus some additional periodic (but not intense) construction as additional carriers collocate on the Facility (designed for up to 4 antenna arrays). Furthermore, these visits most typically occur at off-peak traffic times, generally not creating an overlap between the Applicant's maintenance and use of the Facility and the Owner's use of the Property. Accordingly, if the Board grants the Application, there will be no negative impact on parking or traffic in this area.

(7) Whether or not the site or intensity of the use is appropriate.

As described in the Statement and above, the Site is appropriate for the location of the proposed Facility. The location and operation of the Facility on the Property will not alter the multi-family and condominium use of the Property or adjacent properties.

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(8) Whether or not special or unique conditions overcome the Board's general presumption that residential neighborhoods should not allow noncompatible business uses.

The unique conditions that exist with respect to this Site are the proximity to the Chattahoochee National Forest, the significant and challenging topography of the area within the search ring, and the fact that other non-residentially used areas within the search ring (including, primarily, locations within the Atlanta Country Club) have been rejected. The multi-family nature of the Property and the fact that the Site is not located within a platted subdivision or "neighborhood" (unlike almost all other properties within the search ring outside of the National Forest) make the Facility a compatible use of the Site. Accordingly, there is no need for Applicant to address the Board's general presumption in this instance.

(9) Whether or not adequate provisions are made regarding hours of operation.

As indicated above and in the Statement, once constructed, the Facility will be unmanned, and Applicant anticipates only monthly visits by a carrier's maintenance technician to the Facility. Although the Facility will operate constantly, there will be no visible or tangible impact of such continuous operation on the existing and surrounding uses. Accordingly, Applicant has made adequate provisions regarding hours of operation.

(10) Whether or not adequate controls and limits are placed on commercial and business deliveries.

During construction of the Facility, which is a 2 or 3 week period, there will be some deliveries made to the Property, but thereafter there will be infrequent visits and virtually no commercial or business deliveries to the Site.

(11) Whether or not adequate landscape plans are incorporated to ensure appropriate transition.

Applicant addressed this factor in its Statement of Proposed Site Improvements.

(12) Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.

This factor simply is not relevant to the proposed location of the Facility.

(13) Whether the Application complies with any applicable specific requirements set forth in this chapter for special land use permits for particular types of uses.

The Application complies with all specific requirements set forth in the Zoning Ordinance for SLUPs for telecommunications towers. Specifically, Zoning Ordinance Section 134-273(3)(m)(l) identifies six specific factors that the Board is to consider with respect to the issuance of SLUPs for towers. In this instance, consideration of all of these factors weigh in support of granting the Application.

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First, with respect to the proximity of the Facility to offsite residential structures and areas, as shown on the zoning drawings submitted herewith, the Facility is located as far as possible from nearby off-site residential structures.

Second, as discussed in item (5) above, this Facility is not anticipated to have any effect on property owners or purchaser's of nearby or adjacent residentially zoned areas.

Third, there are existing mature trees and vegetation to the south and east of the Site which will serve to shield the base equipment and much of the proposed Facility. That together with the stealth design and the relatively low height of the Facility at 150', as reflected by the "view back analysis", mean that the visibility of the Facility will have little impact on adjacent owners.

There are no substantially tall structures on the Property or in the surrounding area (which presents a challenge for collocation opportunities).

Fifth, the aesthetic design of the tower is a monopine which is designed to look like a thick pine tree with no immediately visible antennas. The tower will not have guyed wires or a lattice style (both typically viewed as more visually intrusive), and it will be consistent with utility poles.

Finally, although the surrounding views are typically of trees and residential structures, there are intervening telephone and other utility structures in the area. This should be no different. The height of the tower is minimal – 150 feet, and the style of the tower itself is designed to be as visually unobtrusive against the existing visual backdrop.

(14) Whether the Applicant has provided sufficient information to allow a full consideration of all relevant factors.

In support of its Application, Applicant has provided all information required by the Zoning Ordinance. Applicant remains willing to provide to the Board any additional information that it may desire to allow for a full consideration of the Application.

(15) In all applications for a special land use permit the burden shall be on the applicant both to produce sufficient information to allow the county fully to consider all relevant factors and to demonstrate that the proposal complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by the county.

In addition to this Zoning Analysis, Applicant has submitted the following in support of the Application:

- (a) Application for Special Land Use Permit, Cobb County Georgia form, including original notarized signature of Owner and Applicant's representatives;
- (b) A copy of the Property warranty deed to Owner;
- (c) Metes and Bounds legal descriptions of Property, Site and easements benefitting the Facility;
- (d) Copy of the paid tax receipt for the Property;
- (e) Boundary Survey of Property;
- (f) Site Plans;

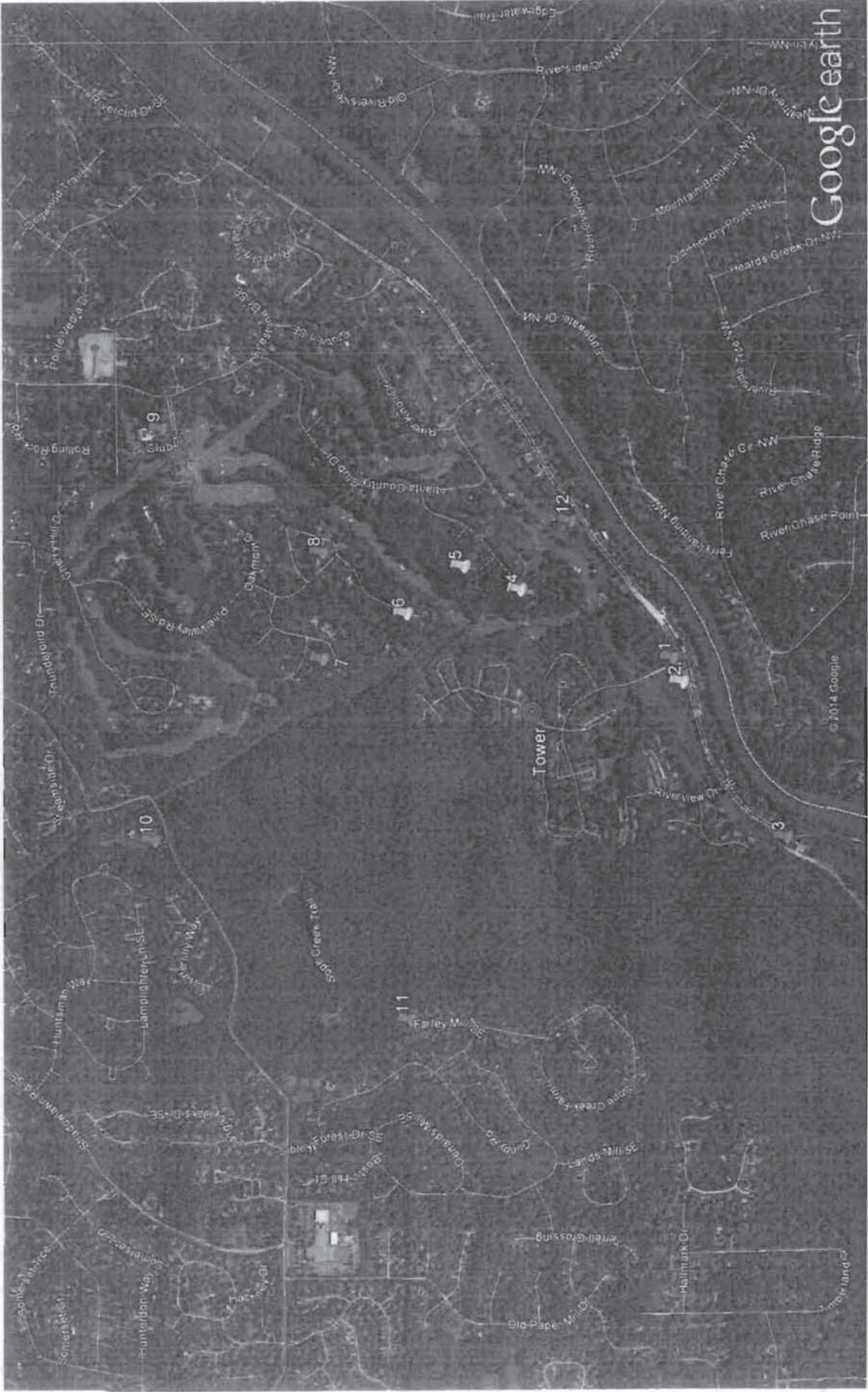
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Analysis of Zoning Standards in Support of
Municipal Communication's SLUP Application (River Heights)
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- (g) RF Engineer's Analysis from AT&T supporting the need for the Facility;
- (h) List of all towers within a three-mile radius of the proposed Facility; and
- (i) Application, Consultant, and Sign Deposit and Fees Check(s) (totaling \$6,309.00).

Based on all of these factors, Applicant has produced sufficient information to allow the Board fully to consider all relevant factors and to demonstrate that the Application complies with all applicable requirements and is otherwise consistent with the policies reflected in the factors enumerated in this chapter for consideration by Cobb County. The Board should APPROVE the Application.

**SLUP-14 (2014)
Applicant's
Analysis of
Zoning Standards
in Support**



Google earth

miles 1
km 2

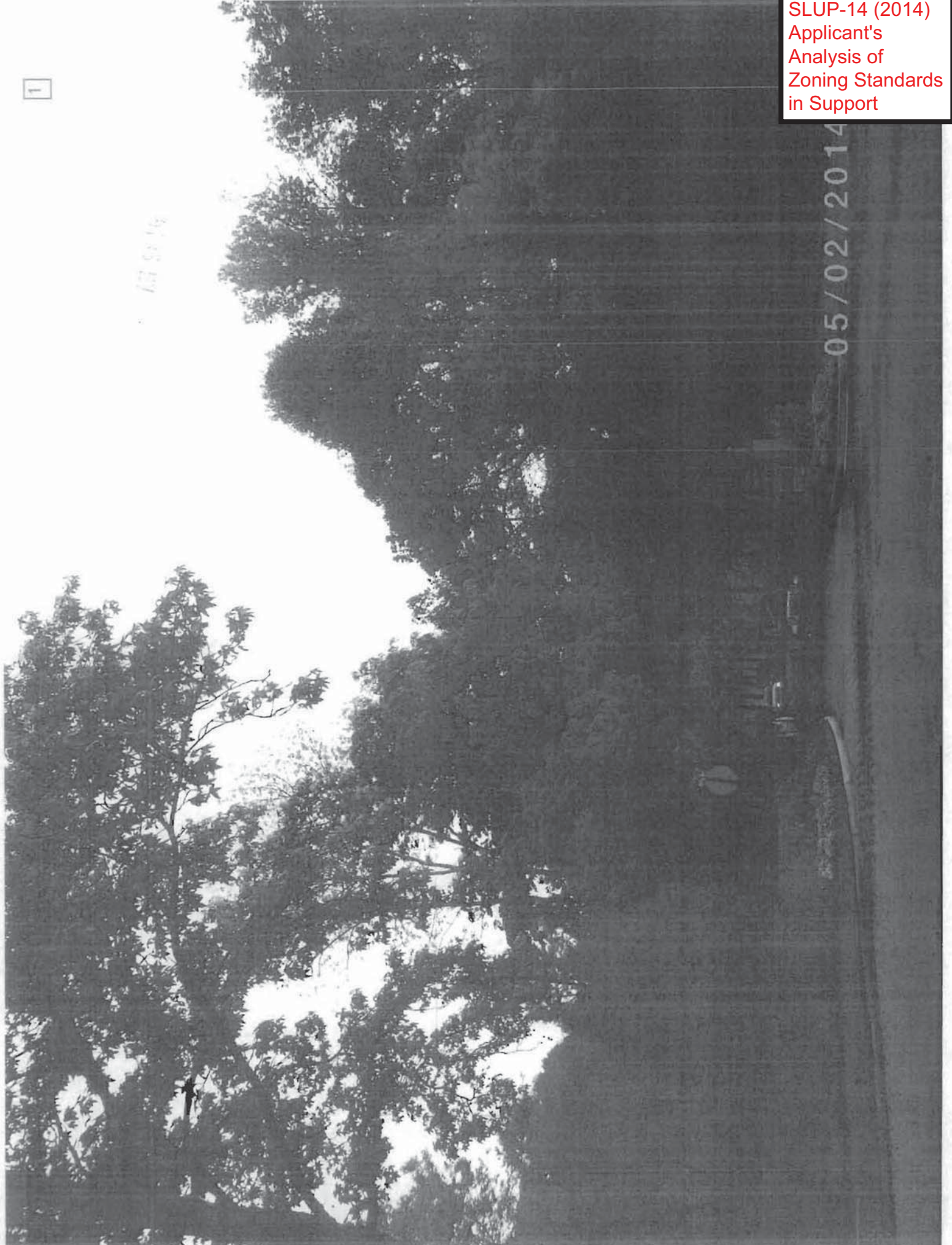
Municipal Site GA2233 Paper Mill
3702 River Heights Crossing SE
Marietta, Cobb County, Georgia
ECA No.: Q0729

Viewbacks and Photograph Locations
Red Pin = No view of Balloon
Yellow Pin = Balloon in View

SLUP-14 (2014)
Applicant's
Analysis of
Zoning Standards
in Support

05/02/2014

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Balloon

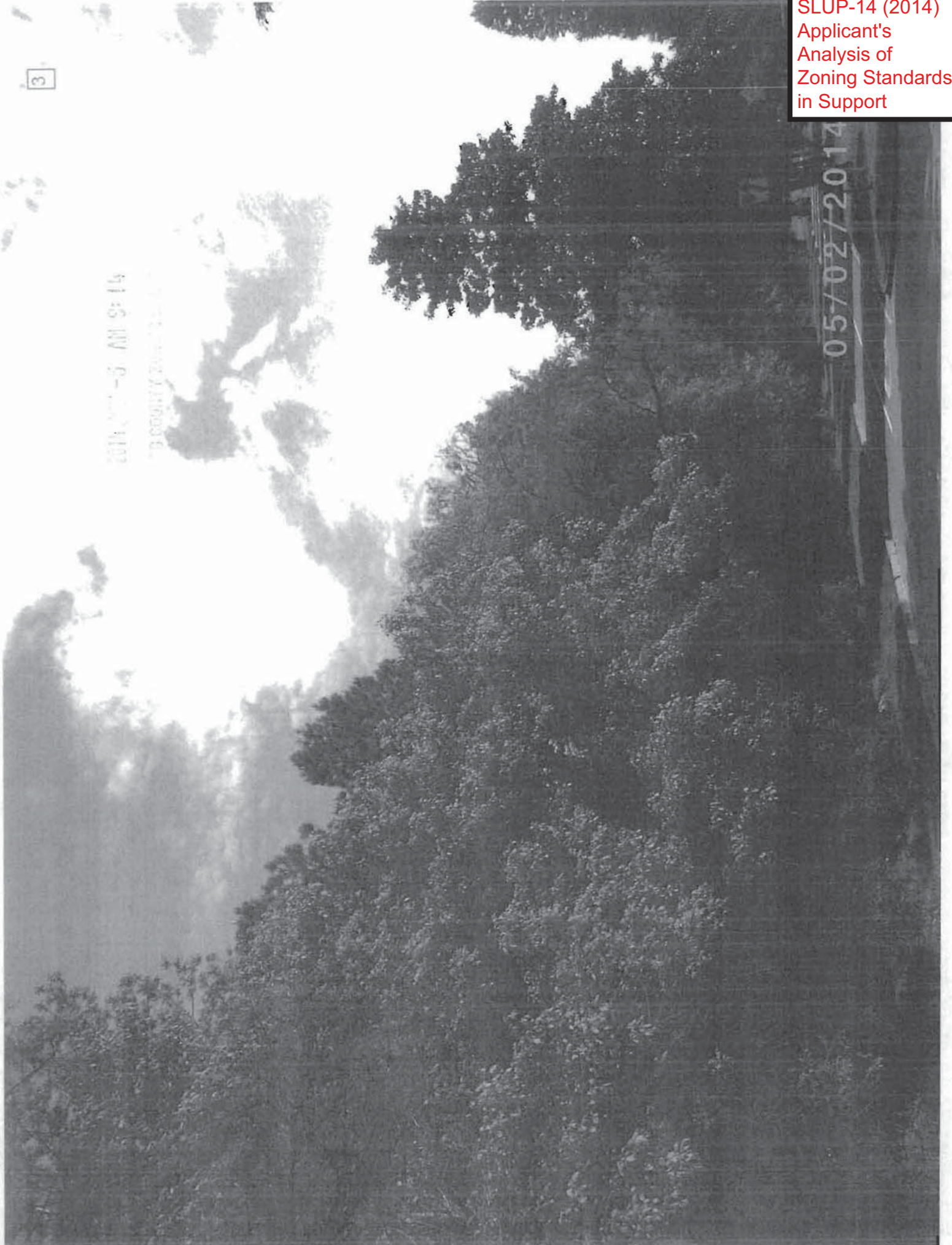
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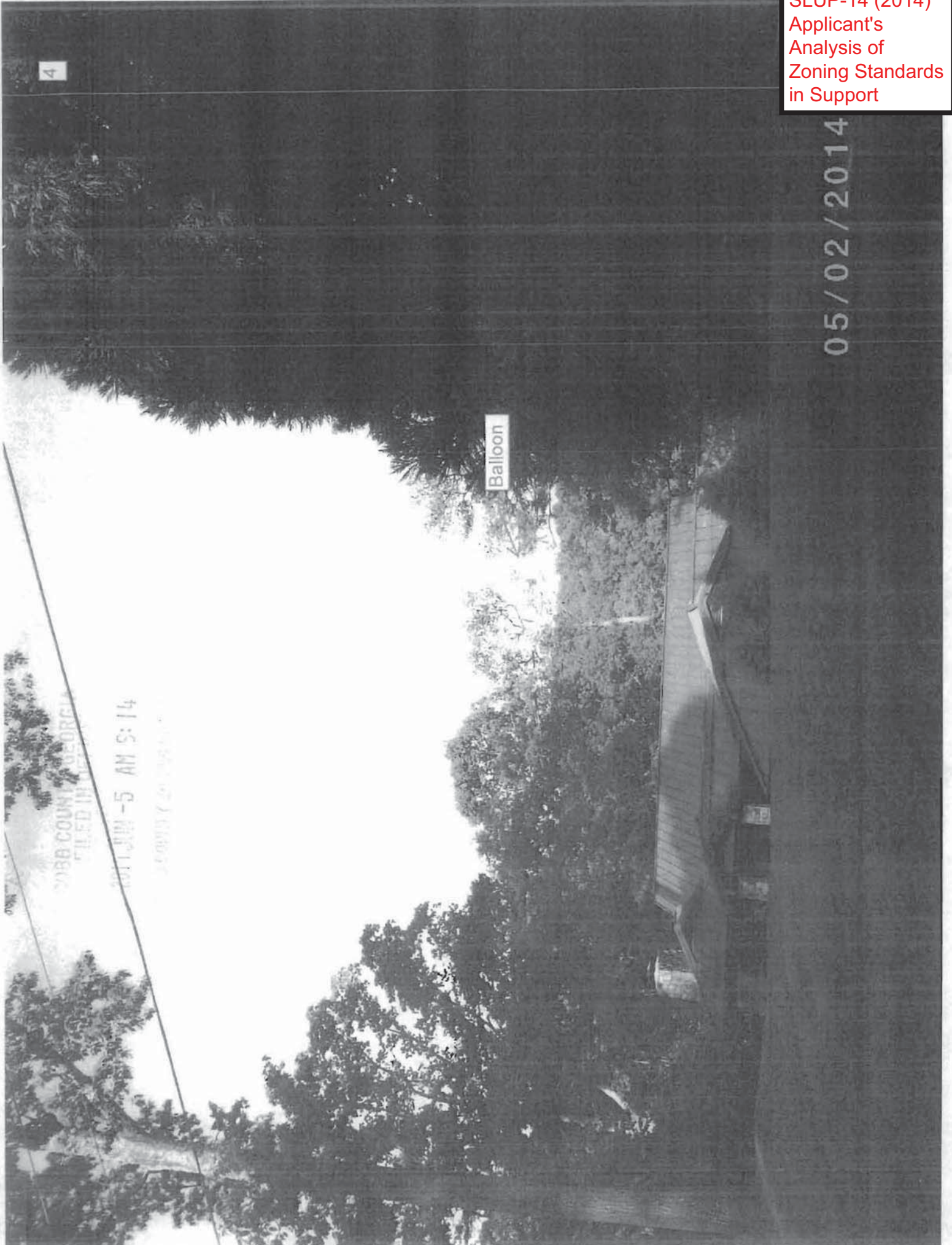


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3 COUNTY ROAD 2226

05/02/2014





COBB COUNTY, GEORGIA
FILED IN DEPARTMENT

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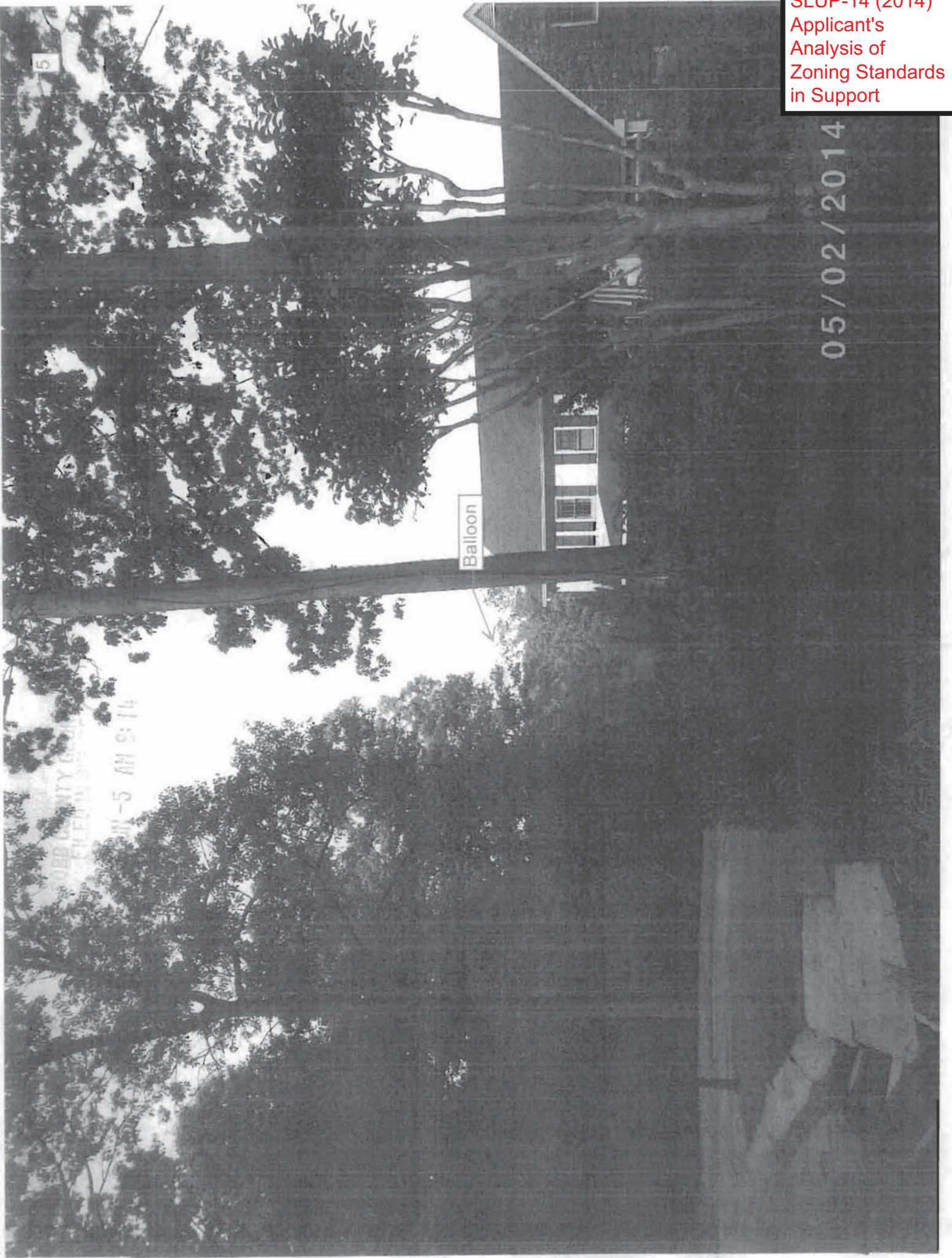
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SLUP-14 (2014)
Applicant's
Analysis of
Zoning Standards
in Support

05/02/2014

Balloon

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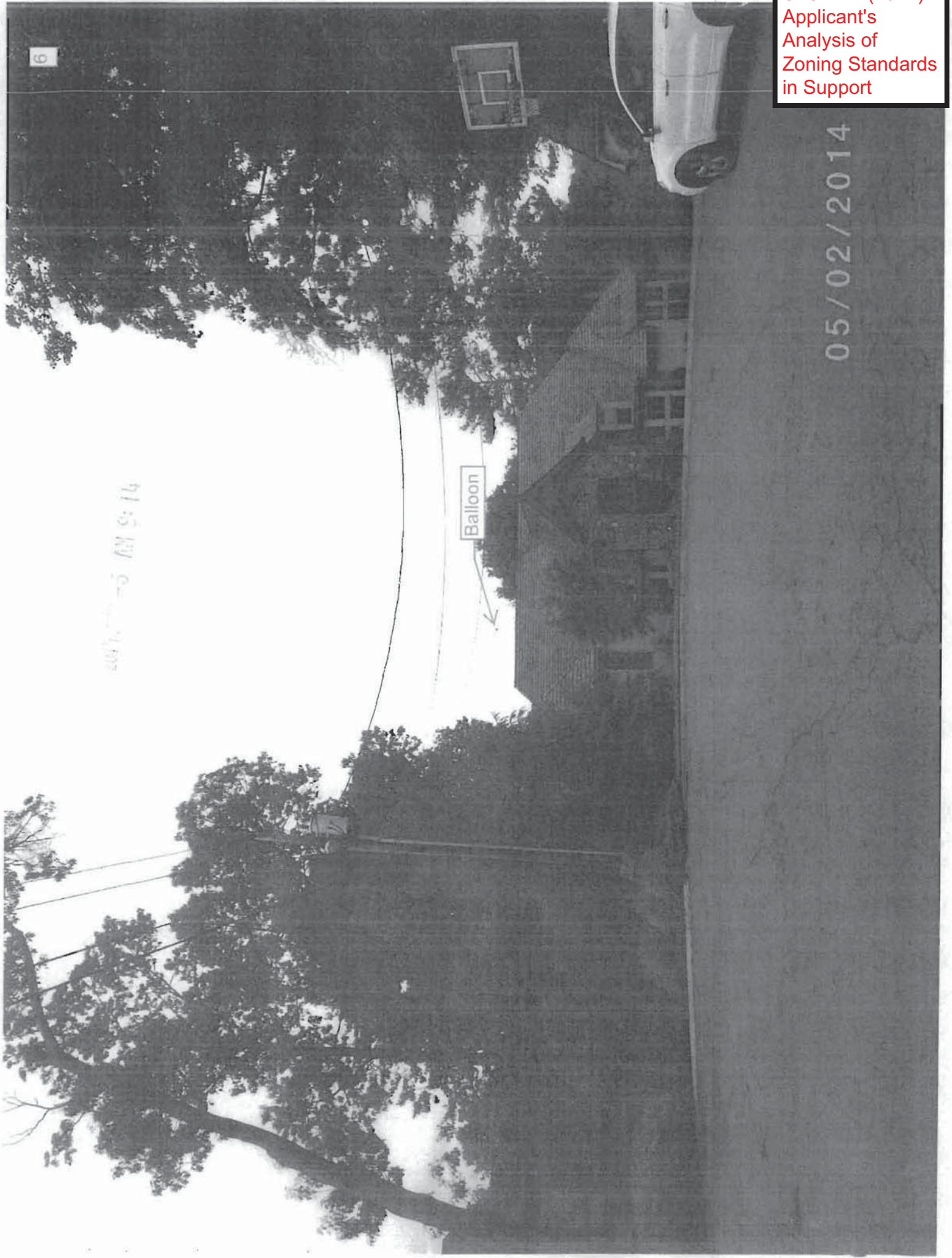


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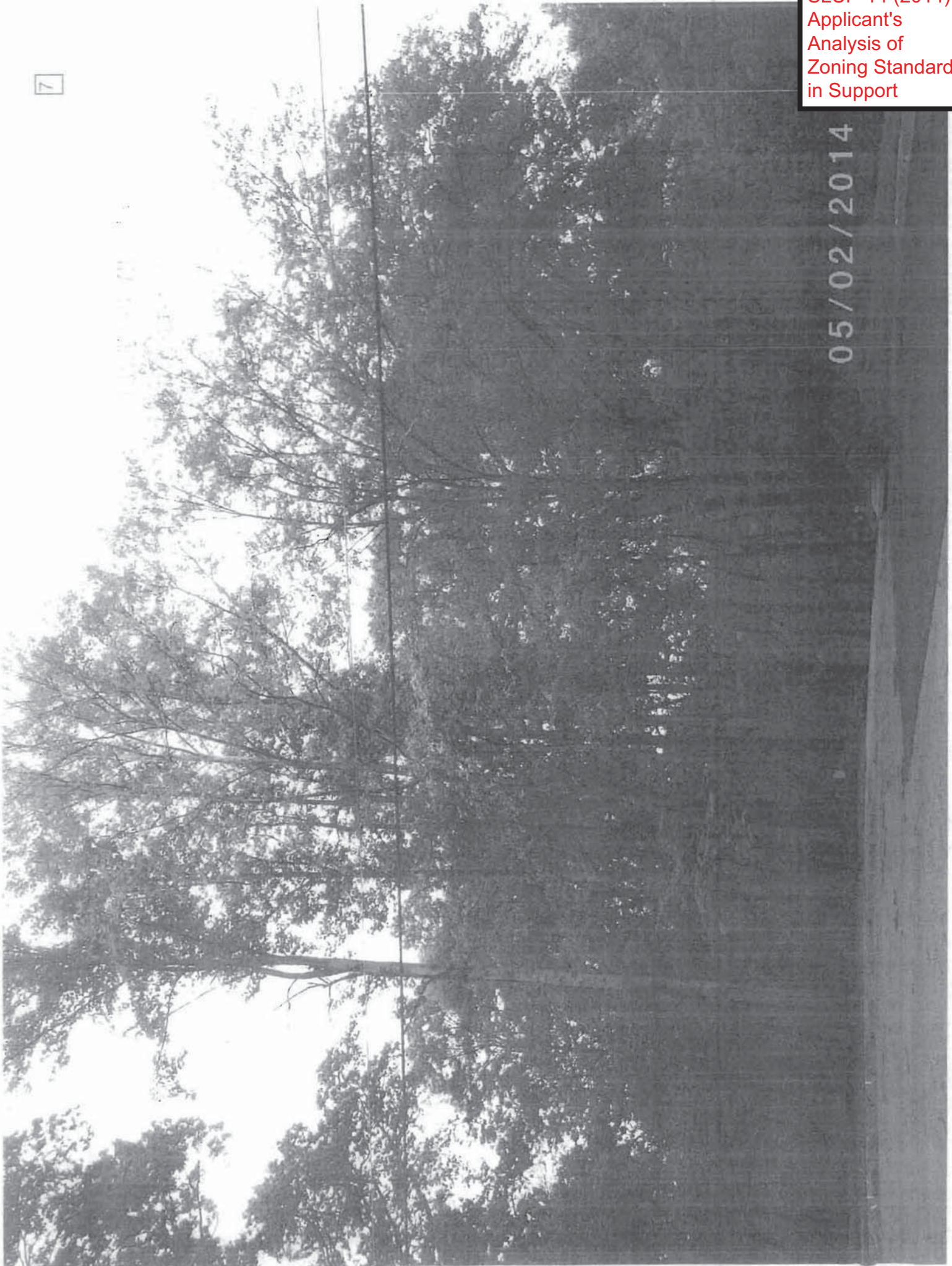
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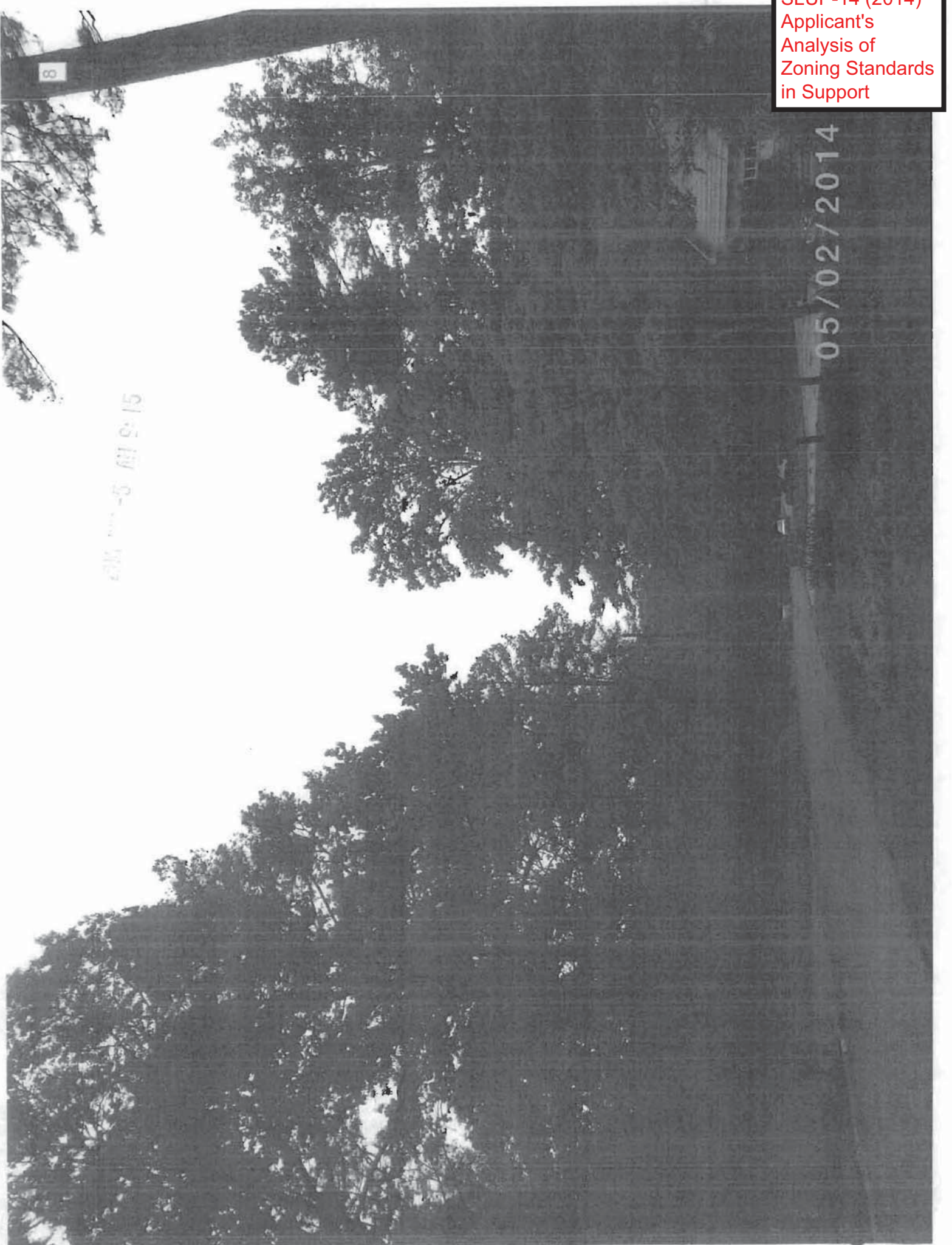


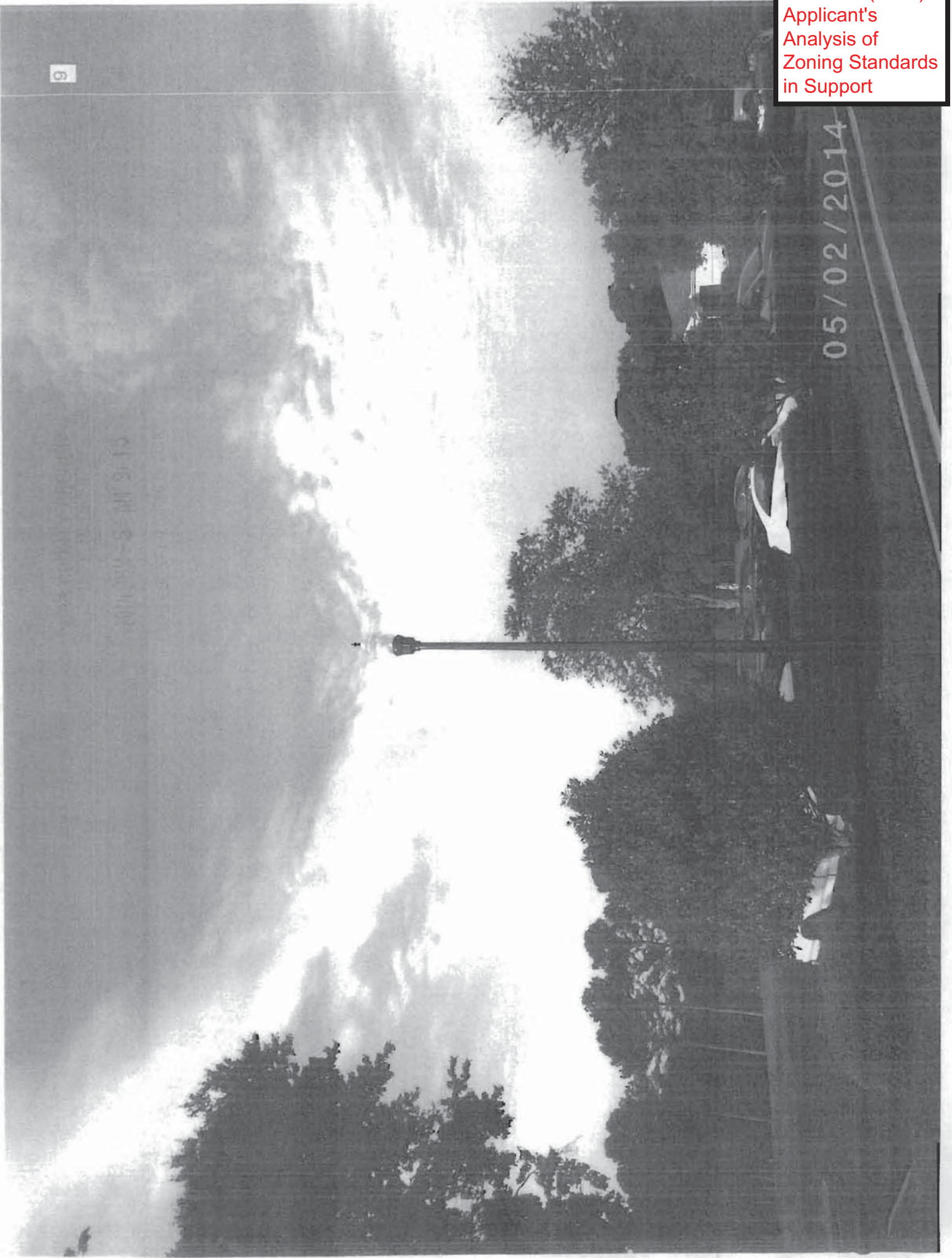
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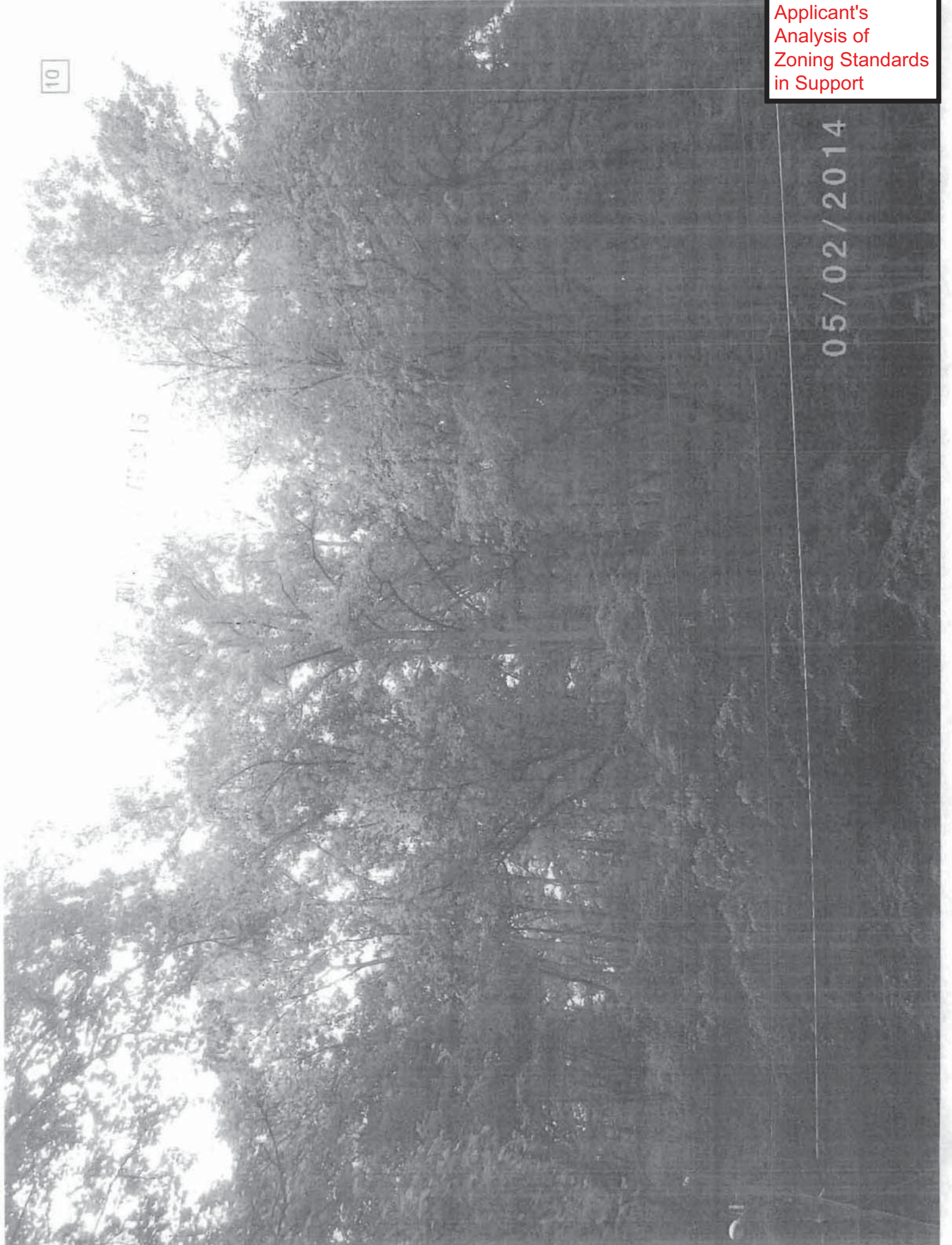


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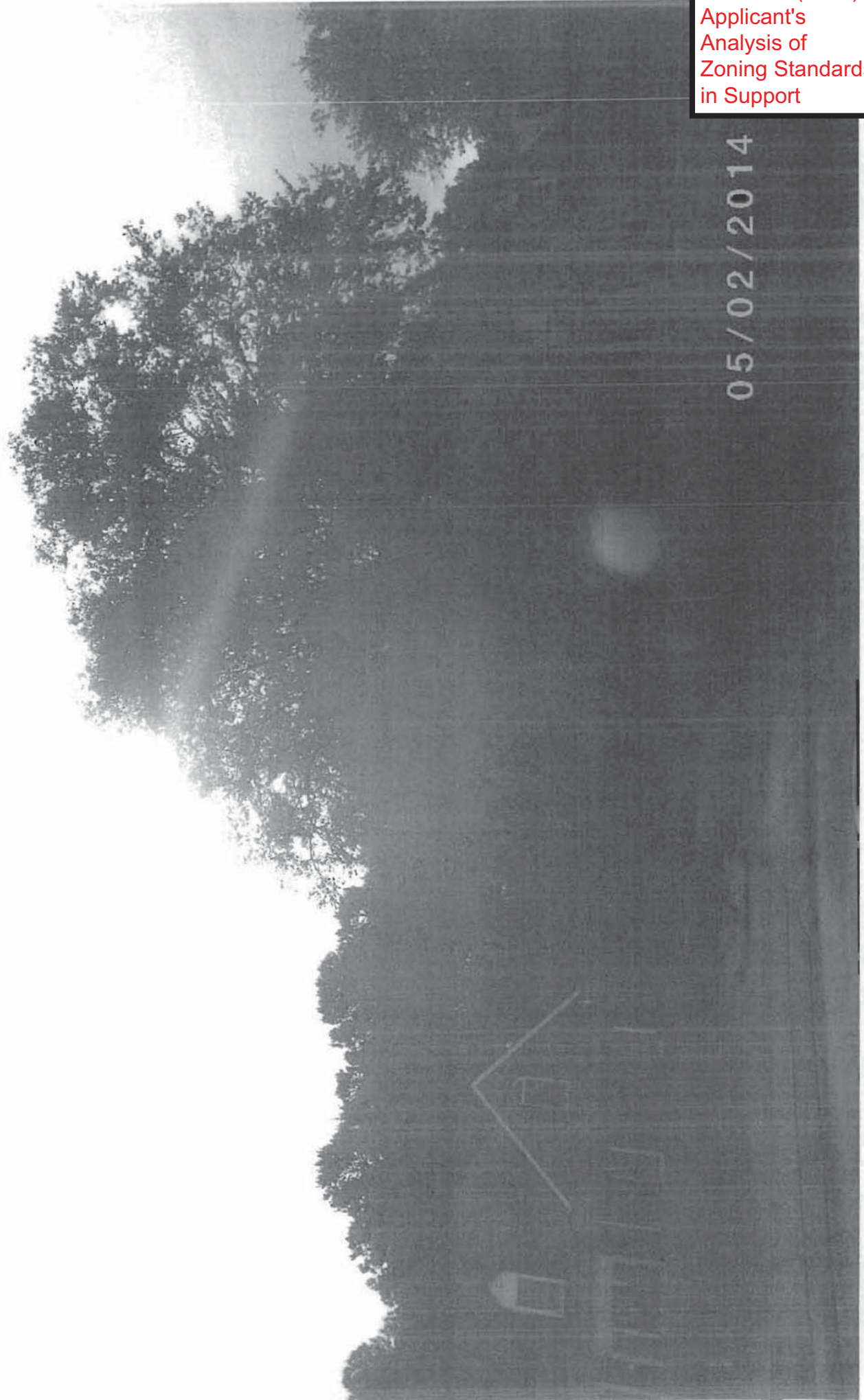




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**State of Georgia
Telecommunications Site Review
New Support Structure**



7050 West Palmetto Park Road #15-652
Boca Raton, FL 33433
Tel: 877-438-2851 Fax: 877-220-4593

August 26, 2014

Mr. John Pederson
Cobb County Zoning Division Manager
191 Lawrence Street, Suite 300
Marietta, GA 30060

**RE: Municipal Communications, LLC on behalf of AT&T Mobility
Site: Paper Mill ~ GA2233**

Dear Mr. Pederson,

At your request, on behalf of Cobb County, Georgia ("County"), CityScape Consultants, Inc. ("CityScape") in its capacity as telecommunications consultant for the County, has considered the merits of an application submitted by Municipal Communications, LLC ("Owner") on behalf of AT&T Mobility ("Applicant") to construct a new one hundred fifty (150) foot monopine concealed type support structure. The facility is intended to accommodate the antennas of up to four (4) wireless service providers, see *figure 1*.

The proposed facility will be owned by Municipal Communications, LLC, on property owned by the River Heights Exchange, LLC and is located at 3702 River Heights Crossing SE near Marietta in Cobb County, Georgia, see *figure 2*. AT&T Mobility is the initial tenant for this proposed location and is considered a personal wireless service provider as defined by the Federal Communications Commission ("FCC") and should be considered the Applicant, which further qualifies the application for consideration under the federal guidelines of the Telecommunications Act of 1996, the Middle Class Tax Relief and Job Creation Act of 2012 and the State of Georgia.

The Applicant is in the process of upgrading existing facilities as well as constructing new facilities nationwide. The growth in the number of sites is to provide new and improved services to AT&T subscribers. AT&T is currently providing three levels of service, better identified as second generation (2G), third generation (3G) and now fourth generation (4G) service. The three levels of service are 2G for global system for mobile communications (GSM) or digital voice/text; 3G for universal mobile telecommunications system (UMTS) which is the first evolution of data and applications; and 4G for long term evolution and advanced wireless services (LTE/AWS) for high(er) speed data and advanced applications. In the near future AT&T, as will all other service providers, will discontinue 2G service as the nation advances into high speed data. These advances will not only be for cellphone operation but for all wireless services, from computers and streaming information and entertainment to real time updates and information for most every type of application. The convenience provided by Smartphones, such as the Android, Blackberry, Galaxy and iPhone, has created an unimagined growth in wireless communications and the public demand for these wireless services has created more demand for better service. The CTIA Wireless Industry (ctia.org) reports that the U.S. mobile data use doubled from 2012 to 2013 and is projected to increase about 650% by 2018 and Smartphones alone is driving the traffic increase which is predicted to increase 325% by 2018.

Much of Cobb County and the Greater Atlanta area have developed most of the wireless infrastructure to provide some level of coverage. Currently the needs are aimed at relieving capacity overload issues and providing better service into neighborhoods. Wireless facility applications for upgrades and new sites are not going to slow down anytime in the near future. The public demands improved services while opposing the growth. Local governments are charged with the difficult tasks of making the final decision as to what is in the best interest of everyone and both sides have worthy opinions. While there is some level of service in most of Cobb County the number of subscribers exceeds the available amount of spectrum resulting in capacity limits at many sites. In the future more spectrum will become available because the FCC will offer incentives to television station operators to release certain unused spectrum to be used for personal communications. Beyond improving the coverage into locations, technological advances are bringing more convenience right into the hands of the consumers. However this is only one half of the need for new and/or improved communications facilities.

The wireless industry is in its fourth generation of wireless technology and the next generation will bring even many more advanced benefits, some of which is still unknown. There are predictions that as the wireless industry continues to grow other current users of spectrum will find more value in the personal wireless industry and they will learn that streaming may be more cost effective. In the not too distant future, data streaming will replace virtually all means of communications and entertainment. The current thinking is that the “last mile” which not too long ago was thought to be fiber optic, will be a wireless facility near you, virtually allowing everything to become wireless. This means that cable or satellite television, printed newspapers, DSL and even wired telephones will become non-existent. In order for this to become a reality, data transferred speeds will need to improve to a level which is now common in most hot spots or Wi-Fi locations. In order for service to become as user friendly as anticipated, it will be necessary to penetrate future growth into neighborhoods where people will need and require better service. It is important for the local government to have as much information as possible, but it must be based on facts and not emotions. The public has the right to know, and it is the responsibility of those elected to protect the public and the public’s values to best understand.

To maintain the next level of necessary high data speed and to assure continual uninterrupted service, communications facilities must be in a reasonable proximity to the user. The types of facilities may vary from towers, both concealed and non-concealed, to HetNet sites (heterogeneous network), indoor and outdoor DAS (distributed antenna system), mini and micro-cells to WMN (Wireless Mesh Networks). Many homes already utilize a mesh network through a wireless modem providing broadband for a variety of purposes. All Carriers must reuse the same frequencies at all sites and with the subscribers outnumbering the available frequencies the only solution is to add more sites. Currently a standard cell site can only handle approximately 150 phone calls simultaneously. AT&T is providing three technologies (2G, 3G and 4G) which require the limited amount of spectrum to be further shared.

The Paper Mill application is one of the first in the area intended to serve and to be situated directly within a neighborhood. Previous attempts to place new facilities within the general area have been unsuccessful and are portrayed in *figure 3*; submitted as the Search Ring. Please note the Applicant’s submitted search ring was inaccurately displayed. The correct location is shown slightly outside the search ring.

This area of Cobb County needs better signal penetration from all carriers to improve service and to provide available current technologies. It's important to note that it will take more than a single new facility in the subject area to equal data speeds to which most people are accustomed. The Applicant submitted a map demonstrating the current signal level in the area; see *figure 4* and the projected new service as shown in *figure 5*. While a new facility will help in the area, it will not be the final solution. The selected location is outside the optimum and preferred location of the targeted area. The location is in a natural wooded area and adjacent to a ravine, see *figure 6*.

The undersigned studied the application and participated in numerous discussions with the Owner. An initial concern was the physical location of the monopine at the northeast corner of the lease area. Due to the shape of the property it would not be possible for required setbacks to be met with breakpoint technology. The Owner shifted the monopine location to the center of the property and the fall zone is more inclined to meet applicable zoning requirements, see *figure 7*. Discussions also ensued regarding the total proposed elevation of the monopine. The County's ordinance requires no height in excess to that needed above tree tops with consideration for up to two collocations. The general area surrounding the proposed facility has tree heights approximately seventy to eighty (70 to 80) feet. Accordingly the maximum height under the provisions of the County ordinance would be one hundred ten (110) feet. CityScape reviewed the services of all carriers in the area and found that carriers using cellular (850 MHz) spectrum had a better signal in the area. Carriers using the PCS (1800 MHz) spectrum have spotty service. Yet both cellular and PCS providers have capacity issues and therefore it is reasonable to assume that other carriers will be seeking facilities at the proposed Paper Mill facility.

The proposed facility will be designed to accommodate a total of four (4) carriers, both on the monopine structure and in the limited ground compound space, as depicted in *figure 7*. The County can anticipate additional wireless service providers in the future that will also launch wireless broadband service. All existing carriers are converting their former voice/text operations to VoLTE or Voice over Long Term Evolution. Future wireless broadband operators will be capable of the same process and will offer additional competition, however in this particular situation future equipment space for these start-up firms will be challenging due to the limited ground space.

Another consideration concerning the total elevation of the monopine is the surrounding terrain. Within a mile in all directions the terrain abruptly changes with over 230 feet of variations. The proposed location of the monopole is 951 feet above sea level. In less than two tenths of a mile the ground elevation is over 150 feet lower and is along a busy roadway. For a carrier to provide service to Column Drive the antenna elevation must be sufficient to propagate over the ridges and vegetation. *Figure 8* is a photograph from Column Drive looking toward the proposed tower which demonstrates the challenge required to overcome signal blockage by ground and vegetation. Any need beyond the specific language in the County's Ordinance shall require substantiation. The proposed elevation of 150 feet is supportable based on the unique terrain changes in the surrounding area.

The Applicant has requested a concealed facility of one hundred fifty (150) feet. The Owner has submitted a statement that the monopine at 150 feet will not be a substantial impact to surrounding residences. CityScape determined that a tower of the proposed height will have a visual impact to the surrounding residents within the apartment buildings to the north and west of the facility. It was unlikely there would be any visibility of the facility in other directions based on the terrain. CityScape further determined that the 150 foot height would eliminate the need for additional support structures in the same general area; and therefore deemed the application in this situation to be justifiable.

It's not often that a new facility receives written support for a new facility. For this proposed new facility the Owner has produced two such documents from the adjacent Atlanta Country Club and Walton Communities, attached as *Exhibits A* and *B*. The Owner has provided sufficient information to justify the need of a new facility in the subject area. A proposed monopine elevation of 150 feet would not meet the County's requirement and would not be supported, however in this particular situation the proposed elevation can be supported because the surrounding terrain varies substantially from a low of 795 feet, to a high of 1016 feet and therefore, 150 feet would provide a reasonable service area for all future collocations on the structure.

The Applicant has requested consideration regarding landscaping. Along the eastern and southern border of the leased area are natural vegetation and therefore to remove existing trees and vegetation in order to plant new vegetation is not reasonable. It is recommended that the other exposed areas facing west and north be protected with some type of decorative fencing rather than chain link with barbed wire, see *figure 9*. Part 704 of the Telecommunications Act of 1996 provides that a local jurisdiction cannot discriminate between qualified service providers and therefore any special consideration to one carrier must be provided to all carriers.

CityScape has determined the Owner and Applicant has met the threshold of evidence to support a new support structure and accommodating ground equipment and recommends approval with the following conditions:

1. The Owner shall provide the County with an exact representation of the proposed monopine structure for approval; and,
2. The Owner shall provide the County a certified structure design with breakpoint design; and,
3. The Applicant shall provide satisfactory SHPO and NEPA documentation; and,
4. All feed lines shall be contained within the support structure and not be visible; and,
5. All antenna and feed line ports shall be sealed to prevent access by birds and other wildlife.

Respectfully submitted,



Richard L. Edwards
FCC Licensed
PCIA Certified
CityScape Consultants, Inc.

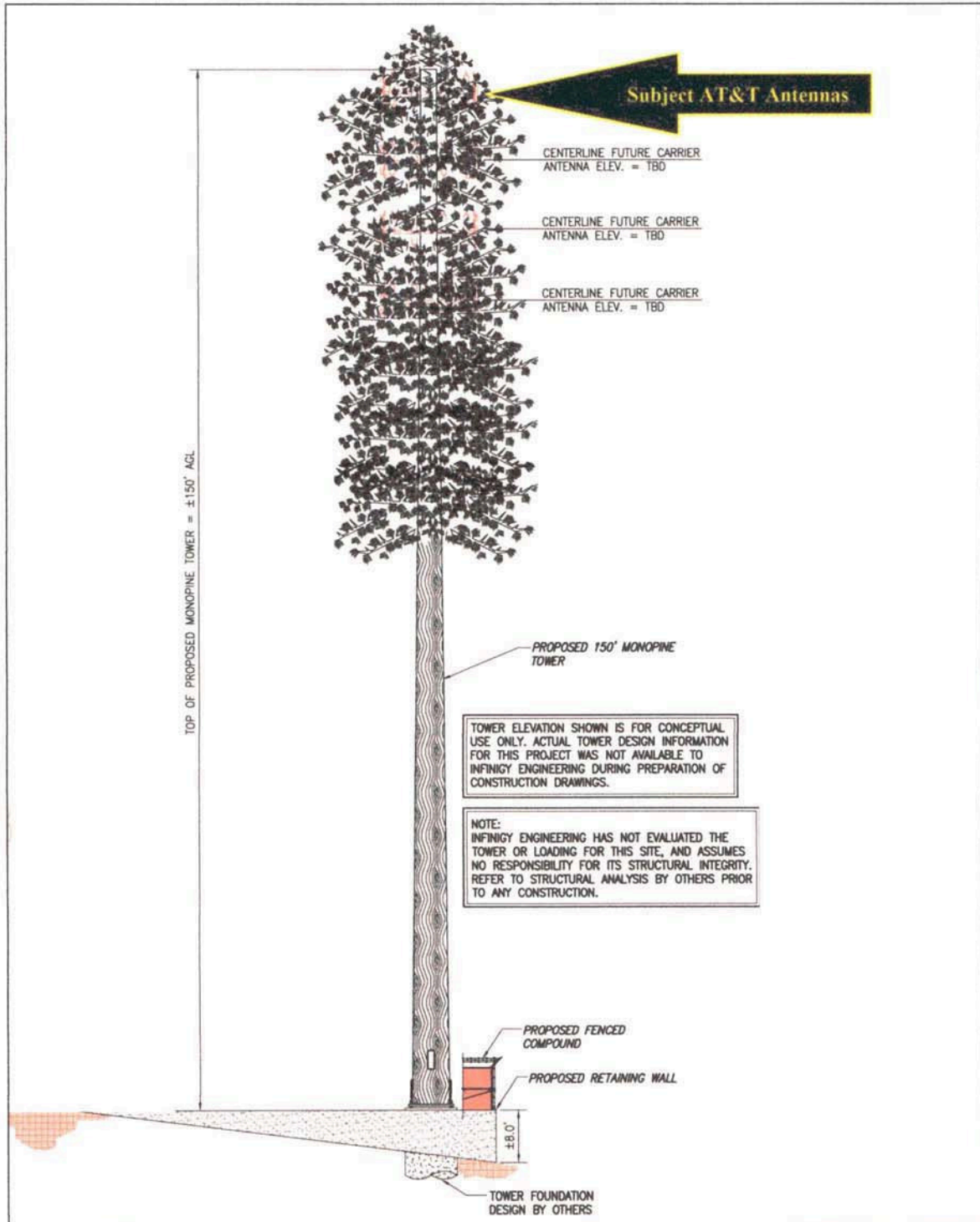


Figure 1. Proposed Support Structure Simulation

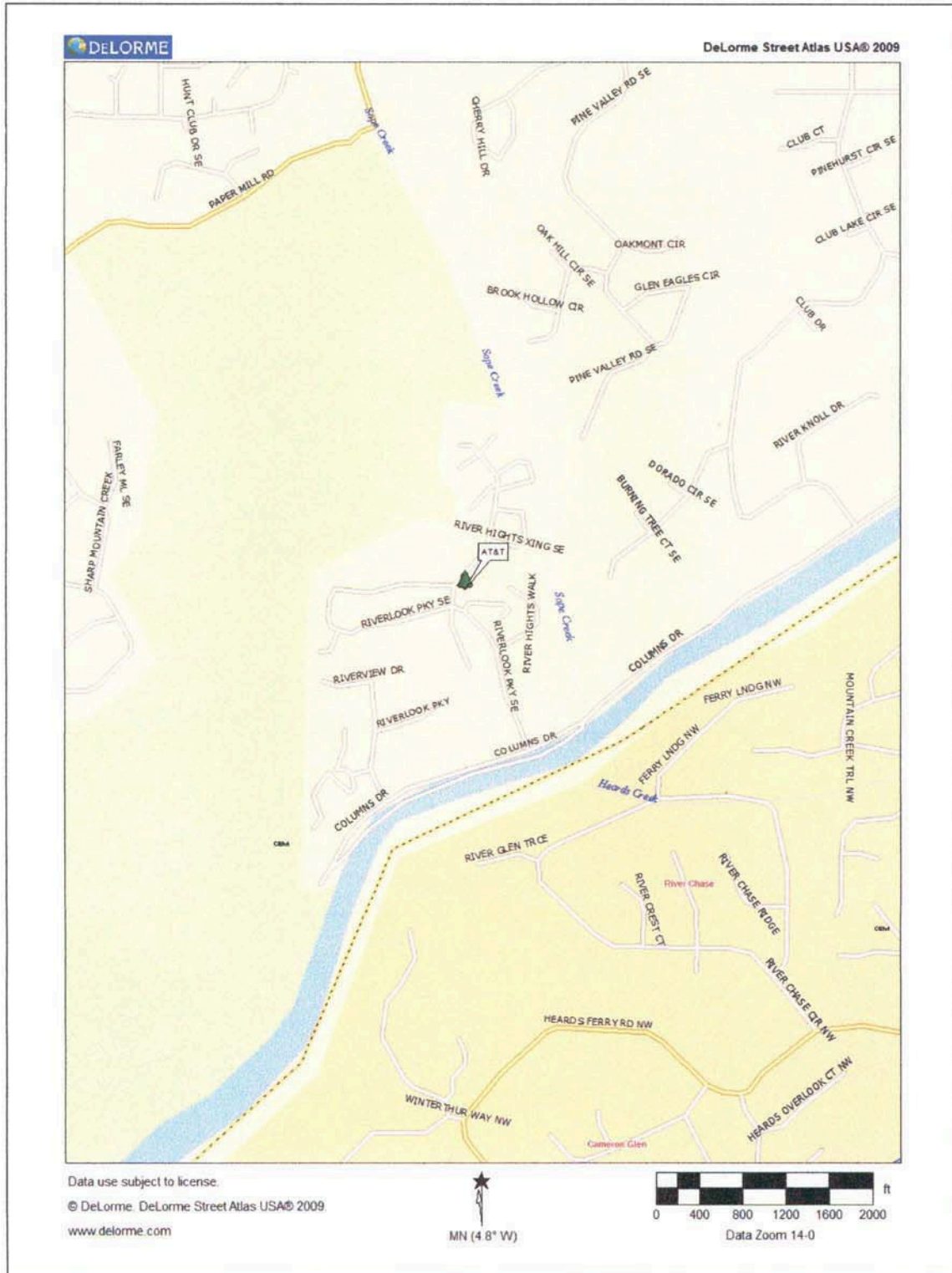


Figure 2. Facility Location

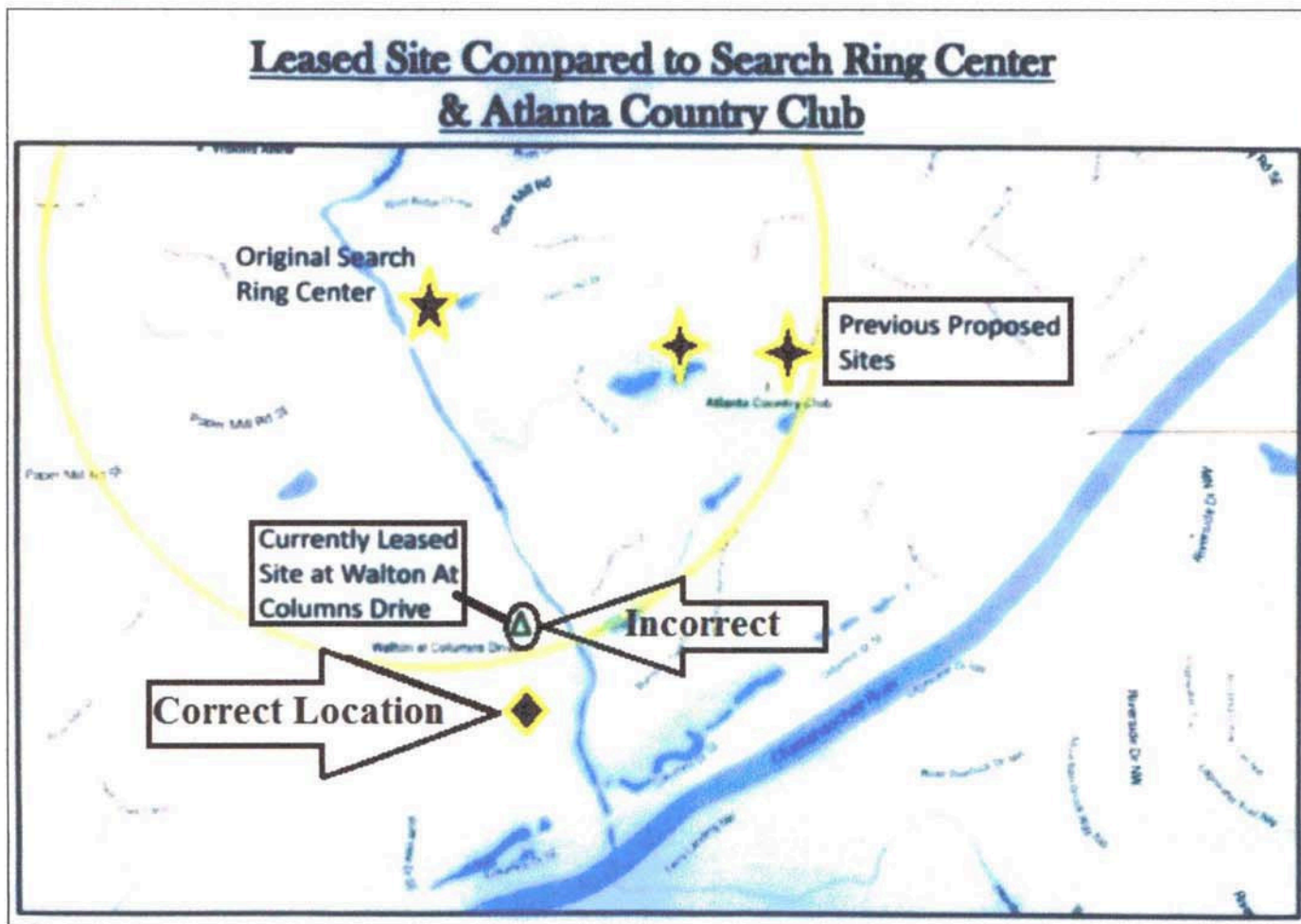


Figure 3. AT&T Search Ring

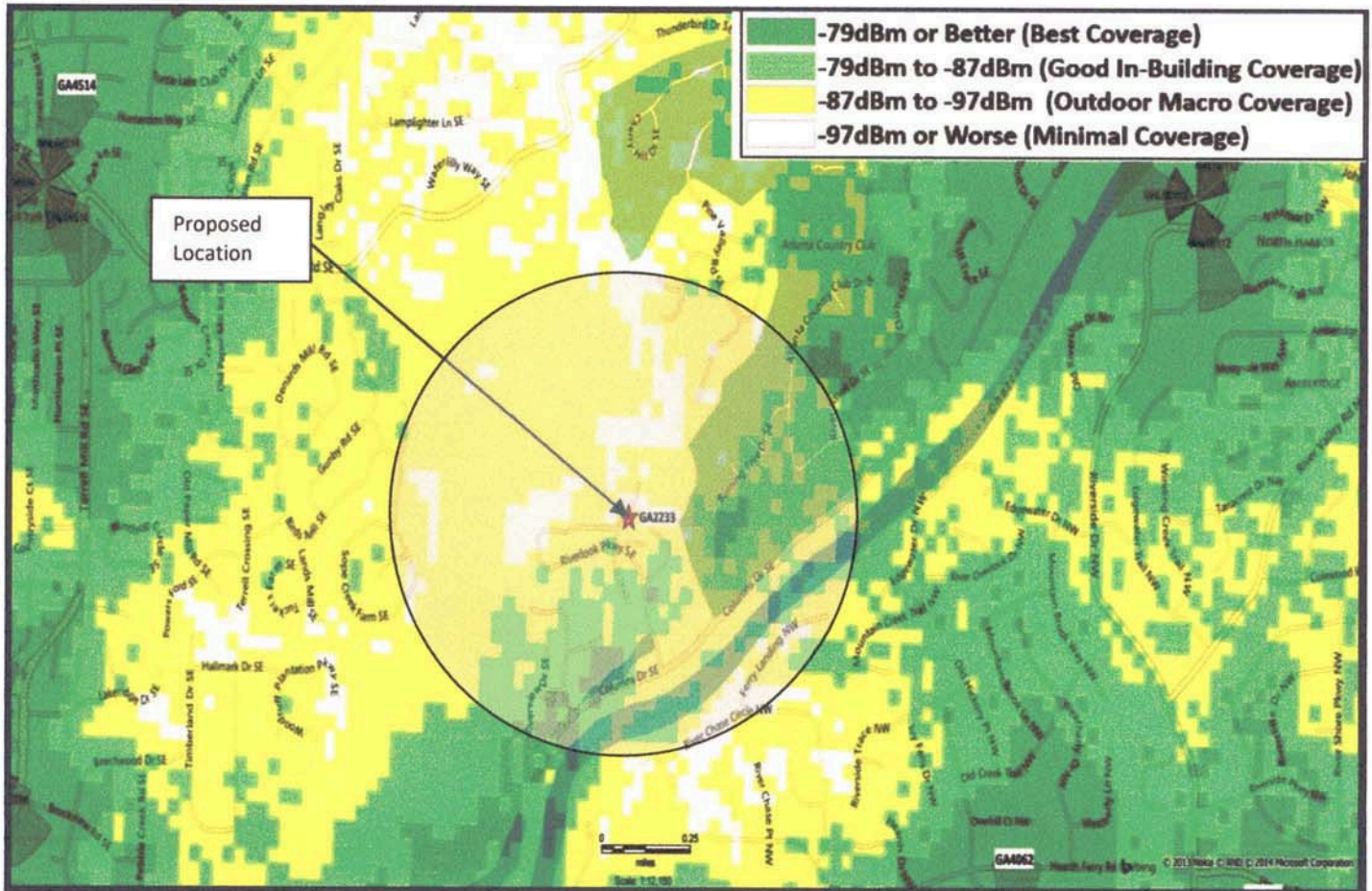


Figure 4. Existing AT&T Service Area
(Target Shown in Grey)

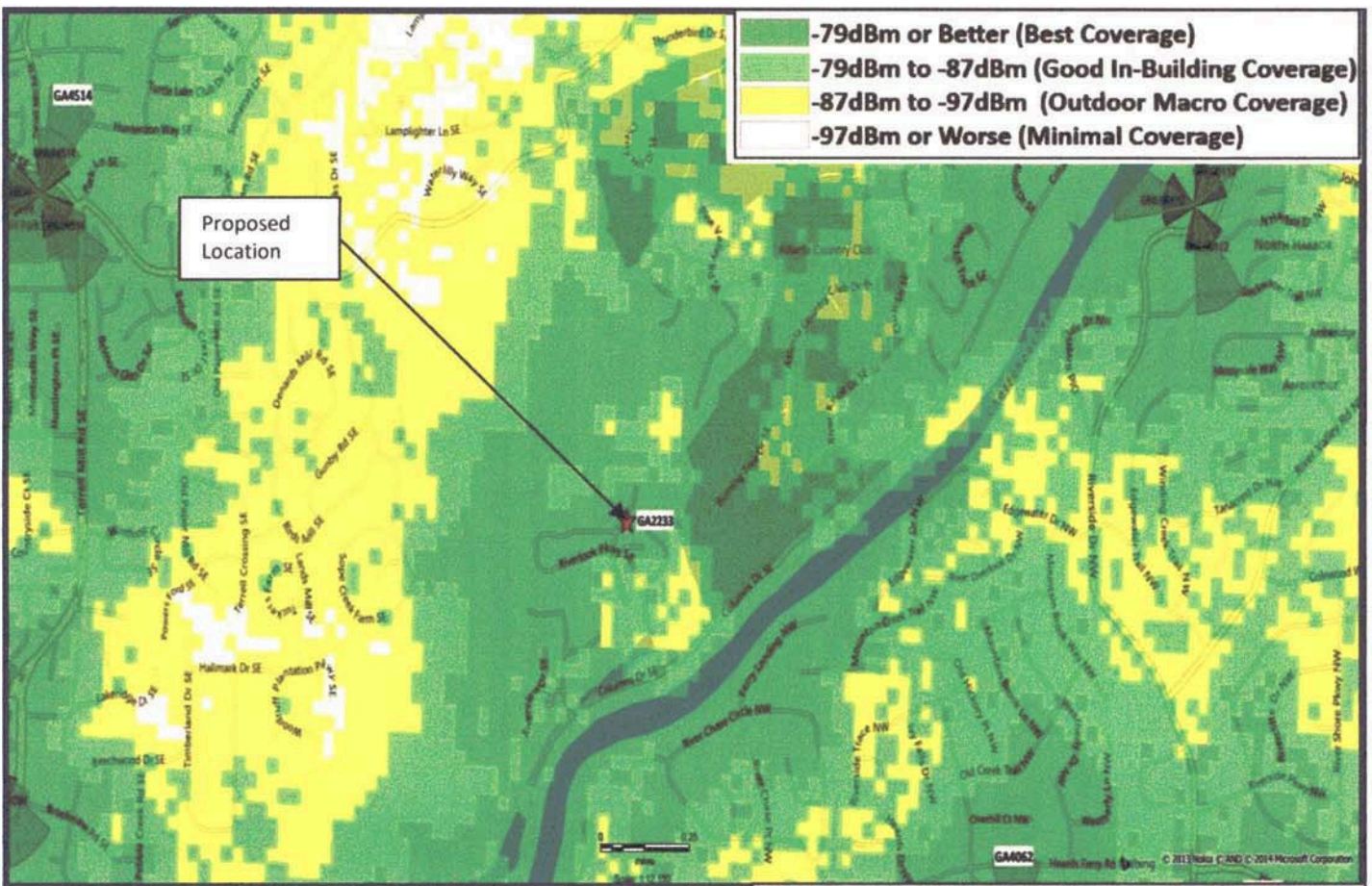


Figure 5. Proposed AT&T Propagation



Figure 6. Proposed Location

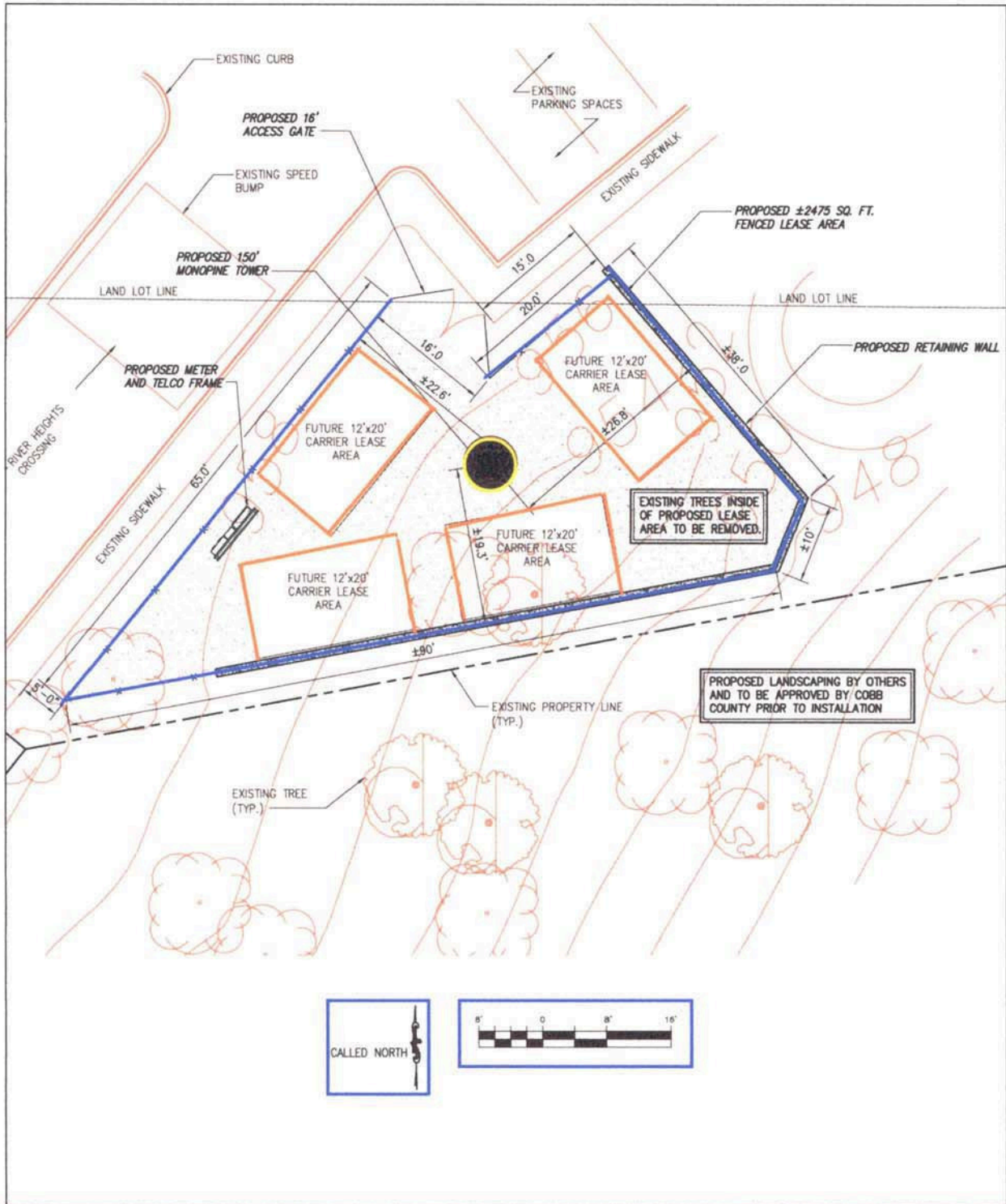


Figure 7. Ground Compound



Figure 8. Photos Showing Terrain Changes
(Arrow Points to Proposed Tower Location)



Figure 9. Proposed Parcel



July 25, 2014

Peter R. Corry
CEO
Municipal Communications, LLC
3495 Piedmont Rd
Eleven Piedmont Center Suite 411
Atlanta, GA 30305

Dear Mr. Corry:

Thank you for keeping Atlanta Country Club in the loop regarding the proposed cell tower at Walton Place Apartments.

As discussed, we could see the balloon from two areas on the Atlanta Country Club golf course – hole 8 and hole 12. The Atlanta Country Club has no objection to the proposed sight as long as the tower is a "Tree Tower" as shown in your proposal documents. Please make available any details of the tower design as soon as they are available.

Again, thank you for working with the Atlanta Country Club on this new cell tower. The members and staff are looking forward to improved service in the area.

Respectfully,

A handwritten signature in blue ink that reads 'Mark Esoda'.

Mark Esoda
Golf Course Superintendent

500 ATLANTA COUNTRY CLUB DRIVE, S.E., MARIETTA, GEORGIA 30067
(770) 953-2100 • FAX (770) 955-3586

Exhibit A. Support Letter

From: Tom Wilkes [<mailto:twilkes@WaltonCommunities.com>]
Sent: Wednesday, April 16, 2014 5:04 PM
To: John Throckmorton
Subject: Cell Tower at Walton Columns Drive

John

I am writing this to express the support of Walton Communities for the cell tower that is proposed to be constructed on Walton Columns Drive. Since we purchased the property in 2010, we have experienced consistently poor reception on 90% of the property. We commissioned an engineering study to examine solutions and there were none short of creating our own network at a cost prohibitive expense. We are excited that this cell tower will provide phone and data signal for the residents that live in our community. We view this as another improvement we can make for our residents as we have spent close to 3 million dollars in capital improvements and repairs in less than 4 years.

With the installation of the tower, I can only assume that the phone and data signals for the condominiums and surrounding homes will also be strengthened to the point of a consistent dependable signal.

According to national telephony providers, less than 30% of apartment residents opt to have a "land line" phone service. I assume that this is true for Walton Columns Drive as well. By adding this cell tower, we will be adding emergency service to a significant number of residents who do currently have a consistent usable signal.

We are long time owners in Cobb County and we are happy to speak further with any Cobb County official.

Thanks
Tom



Tom Wilkes | Principal
Walton Communities | *Neighborhoods that Matter*
2181 Newmarket Parkway | Marietta, GA 30067
678.303.4141 | www.waltoncommunities.com

Exhibit B. Support Letter