

SITE PLAN
SCALE: 1" = 10'

GRAPHIC SCALES



SCALE: 1" = 10'-0"

PETITION NO: SLUP-7

HEARING DATE (PC): 07-07-15

HEARING DATE (BOC): 07-21-15

PRESENT ZONING: RM-8

TITLEHOLDER: Jefferson Lakeside LP

PROPOSED ZONING: Special Land

PROPERTY LOCATION: West side of Roswell Road, south of

Use Permit

Summit Village Drive

PROPOSED USE: Expansion of Lease Area

(2085 Roswell Road)

and Collocation of Antennas

ACCESS TO PROPERTY: East Lake Parkway

SIZE OF TRACT: 42.4 acres

PHYSICAL CHARACTERISTICS TO SITE: Existing 150-foot

DISTRICT: 16

monopole tower in apartment complex

LAND LOT(S): 1061

PARCEL(S): 1

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 2

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: RM-8/Apartments and O&I/Primrose

SOUTH: GC/Auto Sales

EAST: GC/Firestone

WEST: RM-8/Apartments

OPPOSITION: NO. OPPOSED_____ PETITION NO:_____ SPOKESMAN_____

PLANNING COMMISSION RECOMMENDATION

APPROVED **MOTION BY**

REJECTED SECONDED

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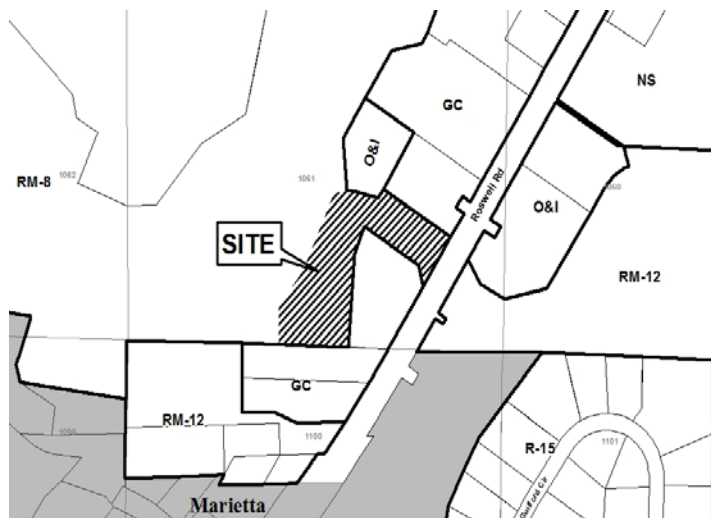
BOARD OF COMMISSIONERS DECISION

APPROVED **MOTION BY**

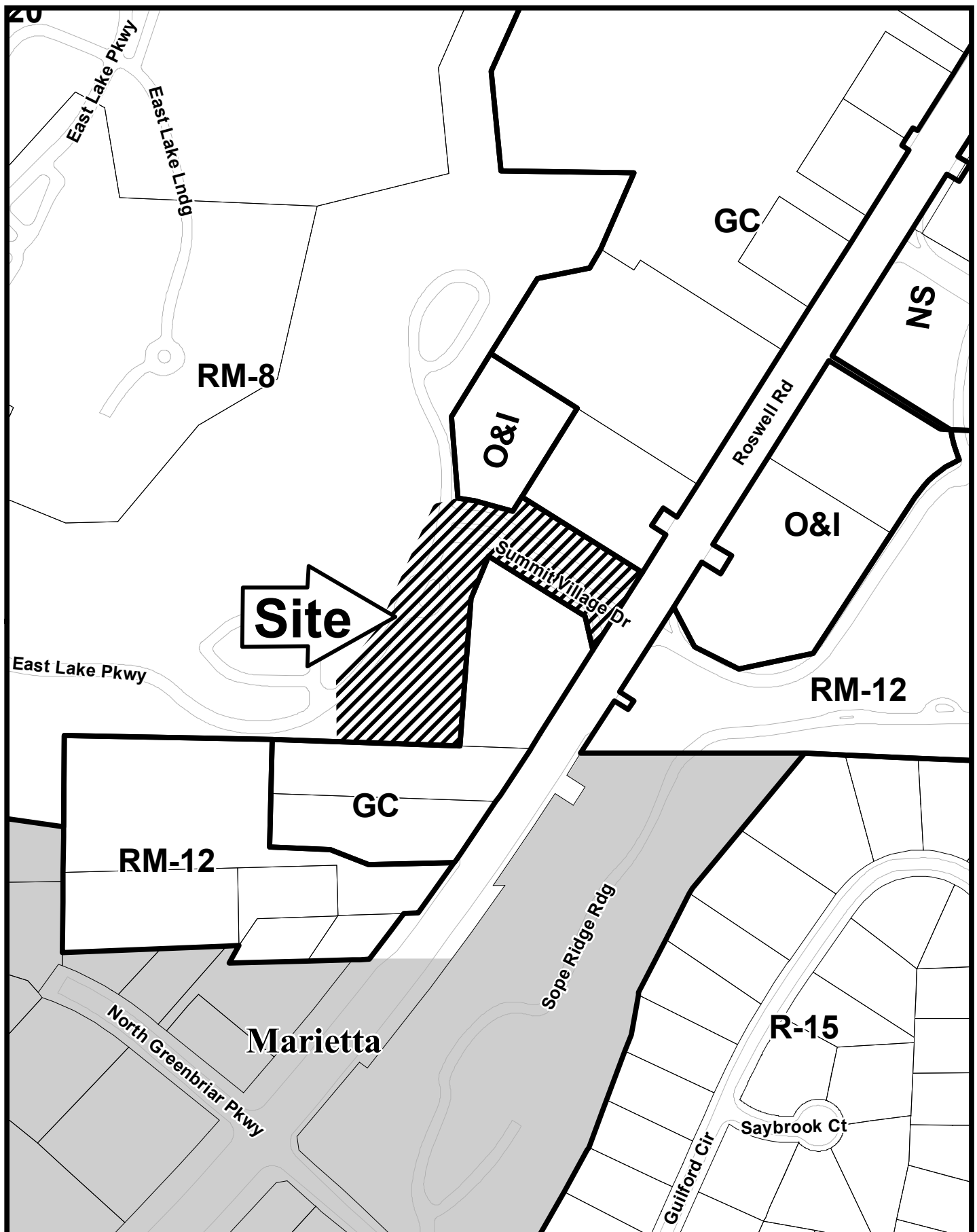
REJECTED SECONDED

HELD CARRIED

STIPULATIONS:



SLUP-7



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

0 200 400 Feet



City Boundary
Zoning Boundary

APPLICANT: David C. Kirk, on behalf of Verizon Wireless **PETITION NO.:** SLUP-7

PRESENT ZONING: RM-8 **PETITION FOR:** SLUP

ZONING COMMENTS: **Staff Member Responsible:** Jason A. Campbell

Applicant is requesting a Special Land Use Permit for the purpose of adding an 8' x 22' (176 square feet) expansion of an existing 150-foot monopole facility. The existing tower was approved as SLUP-7 in March of 1999. That SLUP stipulated a 150-foot monopole to be constructed for a minimum of three users. The proposed 176 square foot expansion is needed for the addition of a carrier's equipment shelter. As required by the Zoning Ordinance, applicants are encouraged to seek collocation sites rather than construct new towers. The proposed expansion of the lease area will allow for additional users as indicated on the submitted tower elevation.

Historic Preservation: No comment.

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: David C. Kirk, on behalf of Verizon Wireless

PETITION NO.: SLUP-7

PRESENT ZONING: RM-8

PETITION FOR: SLUP

STORMWATER MANAGEMENT COMMENTS

No comments.

STAFF RECOMMENDATIONS

SLUP-7 DAVID C. KIRK, ON BEHALF OF VERIZON WIRELESS

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.*
The property is developed as apartments with the additional use of an existing 150-foot tall monopole tower, approved as SLUP-7 in March 1999. The proposed 176 square-foot expansion will be fenced and landscaped as is the existing lease area.
- (2) *Whether or not the use is otherwise compatible with the neighborhood.*
The expansion should not be noticeable on the ground. The existing tower was already approved for a minimum of three users.
- (3) *Whether or not the use proposed will result in a nuisance as defined under state law.*
The expansion will be a small area of an existing communications tower lease area and will be fenced and landscaped.
- (4) *Whether or not quiet enjoyment of surrounding property will be adversely affected.*
The small expansion should adversely affect the surrounding property since the overall use has been in existence for many years. The tower is located in a developed apartment complex.
- (5) *Whether or not property values of surrounding property will be adversely affected.*
Property values should be the same because the use will continue to be an apartment complex and a communications tower.
- (6) *Whether or not adequate provisions are made for parking and traffic considerations.*
The site will accommodate maintenance visits from the various communications carriers.
- (7) *Whether or not the site or intensity of the use is appropriate.*
The communications tower is existing and the proposal is for a small expansion that will be fenced and landscaped.
- (8) *Whether or not special or unique conditions overcome the board of commissioners' general presumption that residential neighborhoods should not allow noncompatible business uses.*
The Zoning Ordinance allows cell towers in varying zoning categories with a Special Land Use Permit. The existing tower was approved in its current RM-8 multi-family zoning in 1999. Expanding a lease area requires a new SLUP.
- (9) *Whether or not adequate provisions are made regarding hours of operation.*
The location will have regularly scheduled site maintenance visits. Otherwise, the tower area will not be occupied.

SLUP-7 DAVID C. KIRK, ON BEHALF OF VERIZON WIRELESS (Continued)

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

N/A

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

The submitted plans do not include a landscape plan, but the lease area has a buffer of trees.

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

The existing property has been utilized as an apartment complex and the existing tower has been there since 1999. The apartment complex is in the same area as retail, office, multifamily and single family uses.

(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.

This request does meet the requirements because it is collocation instead of an application for a new tower. Applicants are encouraged to collocate.

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

The applicant has provided sufficient information and may need to submit a landscape plan indicating the existing tower with the expanded lease area and required landscaping and fencing for approval.

(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.

This property was approved for the existing tower with a minimum of three users in March of 1999. Extra equipment is needed at this time in order to allow another collocation of a particular carrier. The expansion area is 176 square feet. As previously stated, applicants are encouraged to collocate on existing towers. The Zoning Division is not aware of any problems with the existing tower.

Based upon the above analysis, Staff recommends APPROVAL subject to the following conditions:

- Site plan received by the Zoning Division on May 6, 2015, with the District Commissioner approving minor modifications;
- Landscape plan to be approved by the County Arborist; 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.

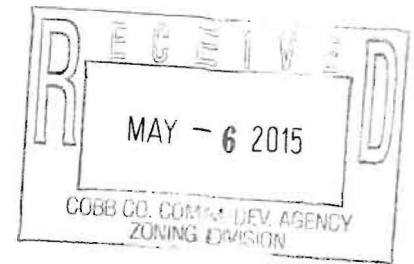
DAVID C. KIRK, FAICP
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TROUTMAN SANDERS

SLUP-7 (2015)
Applicant's Letter

TROUTMAN
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May 6, 2015



VIA HAND DELIVERY

Mr. Rob Hosack, AICP, Director
Cobb County Community Development
1150 Powder Springs Street, Suite 400
Marietta, Georgia 30064

RE: Special Land Use Permit Application to Allow for Collocation and the Expansion of an Existing Telecommunications Compound Located at 2085 Roswell Road, Cobb County, Georgia

Dear Mr. Hosack:

I am pleased to submit on behalf of Verizon Wireless (VAW) LLC, ("Verizon Wireless") the following application for a Special Land Use Permit to allow for the collocation of antennas and expansion of the compound area for the existing telecommunications facility located at 2085 Roswell Road (Parcel ID 16106200010), Cobb County, Georgia. Pursuant to the requirements of the applicable sections of the Cobb County Zoning Ordinance (the "Ordinance"), this Letter of Intent and the attached exhibits provide all basic and supplementary information requested by the County in consideration of this request. Included among these exhibits are the following:

- A completed Special Land Use Permit Application (Exhibit "A");
- A properly executed Property Owner's Authorization Form (Exhibit "B");
- A complete Construction Design package, which includes a Survey, Overall Site Plan, Detailed Site Plan, Tower Elevation and Antenna Schedule, Grading and Sediment Control Plan, Electrical Site Plan, and Grounding Site Plan. (Exhibit "C");
- A copy of the Warranty Deed for the subject property (Exhibit "D");
- A copy of the paid 2014 tax receipt for the subject property (Exhibit "E");
- A copy of the letters sent to all adjacent property owners requesting signature of the Consent to Contiguous Occupants or Land Owners to Accompany Application for Special Land Use form, as well as copies of the return receipts (Exhibit "F"); and

TROUTMAN SANDERS LLP
ATTORNEYS AT LAW
A LIMITED LIABILITY PARTNERSHIP

Mr. Rob Hosack
May 6, 2015
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- Checks in the amount of \$1,000.00 for the Special Land Use Permit application fee and \$300.00 for the sign deposit.

For this proposed facility, Verizon Wireless intends to collocate onto the existing 150-foot monopole tower owned by Crown Castle at a height of 138 feet. An 8' x 22' expansion of the existing compound area is needed to allow for the location of Verizon Wireless' equipment shelter, for a total compound area expansion of 176 feet. Section 134-273(6)(c) of the Ordinance allows for administrative approval of the collocation of additional antennas on existing towers. However, Section 134-273(2) of the Ordinance requires a Special Land Use Permit for the expansion of the existing tower compound.

The compound expansion is needed to allow for the location of Verizon Wireless' equipment shelter. Currently there is not enough ground space within the existing compound to allow for the equipment shelter. The requested Special Land Use Permit would allow for the expansion of the existing compound area 8' x 22' to the east, for a total expansion area of 176 feet.

The proposed collocation supports the County's preference for the collocation of antennas onto existing tower versus the construction of new towers. Verizon Wireless selected this site to ensure increasingly relied upon wireless service is provided in a safe and uniform manner throughout this portion of Cobb County. The proposed collocation and compound area expansion will significantly improve service to the businesses and residences in this area.

Verizon Wireless ensures that the proposed collocation will be maintained in compliance with the standards contained in applicable local building codes and the applicable standards for such telecommunications facilities. Verizon Wireless will obtain all necessary Federal Communications Commission ("FCC") and Federal Aviation Administration ("FAA") approvals for the construction and operation at this location. As with all Verizon Wireless facilities, Verizon Wireless will construct and operate this facility in accordance with all applicable FCC and FAA regulations.

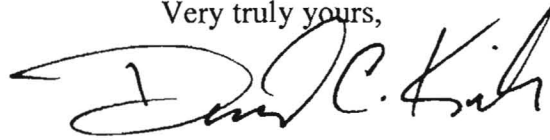
Accordingly, Verizon Wireless respectfully requests approval of the Special Land Use Permit application to allow for the collocation of antennas and the 8' x 22' expansion of the existing telecommunications facility compound area, which will allow Verizon Wireless to continue to provide the most reliable wireless network to the citizens of Cobb County. I appreciate your thoughtful consideration of this request, I encourage you to contact me should you have any questions or require any additional information, and I look forward to working with you on this important matter.

[Signature on Following Page]

TROUTMAN SANDERS LLP
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Mr. Rob Hosack
May 6, 2015
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Very truly yours,

A handwritten signature in black ink, appearing to read "D.C. Kirk", with a large, stylized initial "D" and "K".

David C. Kirk

/dck
Enclosures