



February 2, 2010

BY HAND DELIVERY

City of Roswell
C/O Mr. Brad Townsend, AICP, Director
Planning & Zoning Division
38 Hill Street
Roswell, GA 30075

RE: Application for Wireless Facility/Letter of Intent:
T-Mobile South LLC Wireless Facility (9AT1292D/Mountain Park)
Located at Lake Charles Drive (adjacent to 1060 Lake Charles Drive)
Tax Parcel 12-1570-0261-043-7

Dear Mr. Townsend:

This Letter of Intent is submitted to the City of Roswell Planning and Zoning Division in connection with and as support for the above referenced Application for Wireless Facility submitted for consideration by the City of Roswell (application). T-Mobile South LLC (T-Mobile) respectfully submits this application for 108 foot alternative tower structure (monopine) to be located at tax parcel 12-1570-0261-043-7, the approval of which will grant the necessary zoning approval that will allow T-Mobile to install, operate, and maintain a wireless telecommunications facility and related antennas and equipment. This facility is a necessity as T-Mobile is responding to the demand of its customers, many of who no longer use their land lines, but instead use their cell phones for everyday activities and for emergencies.

Additionally wireless infrastructure is required for civic alert and emergency preparedness programs, such as the City of Roswell's recently announced NIXLE, which as stated by the City of Roswell website will "...alert residents to emergency weather events, road closings, public safety advisories, natural and manmade disasters, and general city information through email and text messaging" (please see Exhibit H). Subscribers may be able to get notifications of life-threatening emergencies via email and/or text messages on their cell phones. Without adequate and seamless wireless coverage, T-Mobile customers within this area may not be alerted.

In addition to T-Mobile's efforts to provide seamless, ubiquitous, and reliable coverage, as required by federal law, T-Mobile is making an effort to comply with the Communications and Public Safety Act of 1999 also known as the 911 Act. The 911 Act was enacted on October 26, 1999 to enhance public safety by encouraging and facilitating the prompt deployment of a nationwide, seamless communications infrastructure for emergency services that includes wireless communications. To ensure a comprehensive approach to emergency service throughout the country, the 911 Act directs the Federal Communications Commission (FCC) to make 911 the universal emergency number for wire line and wireless telephone service. It further directs the FCC to encourage and support the States in developing comprehensive emergency communications throughout the United States so that all *jurisdictions*, such as the City of Roswell, offer seamless networks for prompt emergency service. The proposed tower is not only an effort by T-Mobile to build out its wireless infrastructure to provide seamless coverage for T-Mobile's customers and to comply with the federal mandates of its FCC license, but it is also an important part of fulfilling the 911 Act goal of providing seamless emergency communications infrastructure as well.

The proposed antenna location is also needed to meet Federal Communications Commission (FCC) requirements for Enhanced 911 (E911) service. The wireless E911 program is divided into two phases. Phase I requires wireless carriers, upon request from a local Public Safety Answering Point (PSAP), to report the telephone number of a wireless 911 caller and the location of the antenna that received the call. Phase II of the E911 program requires wireless carriers to provide far more precise location information, within 50 to 100 meters in most cases. Provisions of E911 service in accordance with FCC requirements is a major component of the need for additional cell sites. Roughly half of all 911 calls are made by cell phones; in a period of 30 days between December 25 and January 25, there were 462 911 calls made by T-Mobile customers in the City of Roswell.

SITE SELECTION PROCESS/HISTORY

T-Mobile is seeking to provide seamless, ubiquitous, and reliable coverage within the area of Jones Road and Woodstock Road. To accomplish this goal T-Mobile's radio frequency Engineers studied the immediate area and determined that a suitable location would fall within an area centered on Shallowford Road just east of Whisper Wood Drive. This area is further described in the attached Exhibit A.

T-Mobile first attempts to search out possible co-location opportunities. This is not only preferred by the City of Roswell but also by T-Mobile in that it is less expensive and less time consuming. Unfortunately there are no existing tower facilities or tall structures within the area capable of accommodating T-Mobile's antennas and equipment. When a search area is initially researched, the area is driven and possible structures including buildings and existing towers are sought. If there are none, we will then confirm that there are no existing towers within the area by utilizing the FCC database to search for registered structures within an area. There are no structures registered with the FCC that are within a one mile radius (1.6 km) of the proposed location. This search is submitted as Exhibit D.

T-Mobile attempted to provide the required coverage by proposing a facility at a Fire Station #3 located at 740 Jones Road. This property had been listed as a potential cell phone tower site pursuant to the 2003 City of Roswell Wireless Facilities Siting Map. T-Mobile made a proposal to lease property under the guidelines set forth by **Section 21.2.12 Lease Application of Article 21.2 Standards for Wireless Communications Facilities** of the City Ordinance. After review of the proposal and community input in a meeting of November 19, 2008, the City of Roswell subsequently rejected the proposal and on February 9, 2009 removed the property from consideration for a wireless facility.

T-Mobile then sought other potential candidates that would meet **Article 21.2 Standards for Wireless Communications Facilities** and the required wireless coverage objectives. These properties are shown on the attached Exhibit A. Generally the search area includes typical single-family residential lots. The closest non-residential lots are to the east along Woodstock Road, however, these parcels were too far to the east to provide seamless, ubiquitous, and reliable coverage for T-Mobile customers. Additionally, this area is too close to an existing T-Mobile facility denoted as 9AT0023B and 9AT1129, a site currently under construction at Crabapple Middle School, on the attached coverage maps submitted as Exhibit B.

The search area consists of residentially zoned parcels which are developed as such. T-Mobile seeks to minimize the perceived impacts that a wireless facility has on residential areas. Typically T-Mobile will seek larger and more commercial or agricultural properties. Since there are no commercial or agricultural lots within the area of need, T-Mobile sought properties within the area that would meet the requirements for wireless facilities set forth by the City of Roswell. The proposed wireless facility meets these standards.

THE SUBJECT PROPERTY

The subject site was selected because a facility can be configured on the property and meet the requirements set forth by the City of Roswell and will also provide seamless, ubiquitous, and reliable coverage.

The E-2, Single Family Residential District, zoned parcel is located at Lake Charles (adjacent to 1060 Lake Charles Drive) and is approximately 2.8019 acres. The property is currently undeveloped. The facility will be located within a cleared area toward the center of the parcel. The proposed facility will be accessed from Lake Charles Drive and will utilize an existing paved driveway. Properties adjoining the subject site are zoned for residential uses and include occupied single-family residential homes. Due to the location of the facility on the subject site, the proposed facility will be well screened from adjoining properties.

THE FACILITY

T-Mobile has an option to lease a 2,500 square foot area for the construction and permanent location of the proposed facility, plus the right to use the property for accompanying utilities and access to the facility. T-Mobile plans to construct a 108 foot "monopine" structure at the facility. A monopine facility is designed to look like a coniferous tree, the kind that are found all over this area of Georgia. The structure will be designed to meet all wind loading requirements for this area of Fulton County. Additionally the facility will meet all local, state, and federal requirements in its design, construction, and operation. The proposed facility, including the structure and ground area, will be designed for a total of three wireless service providers (including T-Mobile). This will help in providing the infrastructure necessary for adequate wireless services for residential areas in this area of City of Roswell.

T-Mobile will need only electric and telephone utilities for the facility and will therefore have little impact on City and/or County services. Once constructed the facility will be unmanned, there will be minimal site visits to the site, therefore the facility will not have an impact on the traffic along Lake Charles Drive or surrounding neighborhood roads. This facility, since designed at 108 feet in overall height, will not be required to be outfitted with artificial lighting according to FAA standards; no strobe, beacon or other lighting devices will be placed on this facility.

HISTORICAL AND SCENIC CORRIDIORS

The proposed facility is located approximately 1.5 mile northwest of the downtown area of the City of Roswell. This location should have no impact upon historic sites or corridors. Additionally the proposed site will be submitted for review by the State Historical Preservation Office. The final review can be made available to the City of Roswell prior to the receipt of any building permits. There does not appear to be any scenic corridors in close proximity to the proposed facility.

STATEMENTS REGARDING ARTICLE 21.2 STANDARDS FOR WIRELESS COMMUNICATIONS FACILITIES

In regards to **Section Article 21.2 Standards for Wireless Communications Facilities 21.2.4 General Requirements** the following is submitted:

(a) An application shall be required for the construction or placement of all new wireless transmission facilities and new co-location facilities, antennas or towers within the city limits. Approval of any application for the construction of a tower or placement of an antenna shall be based on consideration of the following factors:

(1) Proximity to residential structures and residential district boundaries;

Site meets the required height of tower setbacks from residential property lines. The location of property setbacks is submitted as Exhibit E.

(2) The proposed height of the tower;

The proposed height is 108 feet; the minimum necessary to provide seamless, ubiquitous, and reliable coverage.

(3) Nature of uses on adjacent properties;

Adjacent uses are single-family residential. The proposed structure is allowable within this area, pursuant to the approval by the City of Roswell and the meeting of certain criteria outlined in **Article 21.2 Standards for Wireless Communications Facilities Section 21.2.4 general Requirements**. This site meets all applicable criteria.

(4) Surrounding topography, tree coverage and foliage;

The area is rolling terrain and includes tall pine trees, some of which are noted on the proposed landscape plan and the location of some of the existing trees with heights are noted on sheet L1 of the submitted site plans. The proposed 108 foot monopine structure would blend in with the existing topography, pine tree coverage and pine tree foliage.

(5) Design of the facility, with particular reference to design characteristics which have the effect of reducing or eliminating visual obtrusiveness;

The proposed facility will be visually screened from adjacent properties through the use of a landscaping and the utilization of existing natural vegetation. Additionally the proposed structure is a monopine structure. There are currently pine trees on the property with heights of approximately 80'. The proposed landscape plan and the location of some of the existing trees with heights are noted on sheet L1 of the submitted site plans.

(6) Proposed ingress and egress;

The proposed access will utilize an existing drive and some improvements to a cleared area of the property. Please see sheet C3 of the submitted site plans.

(7) Availability of suitable existing towers, other structures, or alternative technologies (microcells) not requiring the use of towers or structures;

There are currently no suitable existing towers, other structures, or alternative technologies that would eliminate the need for this proposed facility.

(8) Demonstrated need for the telecommunications facility at the specified site;

The need for this facility is demonstrated by this application and supporting documentation, including the Radio Frequency analysis and affidavit stating need.

(9) Utilization of the City of Roswell Master Siting Plan, as amended.

The initial proposal for a facility was to use a city property that was noted on the City of Roswell Master Siting Plan and is noted above as Fire Station #3. This proposal was rejected by the City after community input.

(b) All applications submitted to the community development department shall include a complete inventory of the applicant's existing wireless transmission facilities including towers and receivers/transmitters located within the City of Roswell or a one-half-mile radius surrounding the city limits, including each asset's location (plane coordinates), height and co-location usage or capabilities, and any special design features. The city shall utilize such information, subject to any restrictions on disclosure requested by the applicant, to promote co-location alternatives for other applicants.

Submitted as Exhibit F. The design capabilities can only be determined upon a determined load. In most cases a structure can be modified to accommodate additional loads and therefore co-location capabilities can only be determined upon the type of proposed loading.

(c) At the time of filing the application for construction or placement of a wireless transmission facility, the applicant shall provide a site plan and information regarding tower or accessory structure location, neighboring uses and proposed landscaping as described below. Additional documentation to be submitted with the site plan and certified by an experienced radio frequency engineer shall delineate coverage and propagation zones, identify type of antenna and mounting location, specify type of band currently in use, and state co-location capabilities.

Coverage Maps are submitted as Exhibit B; antenna type and mounting location is submitted as sheet C4 of the submitted site plans; band use is submitted in the RF Statement submitted as Exhibit C.

The proposed structure will be designed for a total of three wireless antenna arrays.

(1) The scaled site plan shall clearly indicate the location, type and height of the proposed tower or accessory structure to be utilized, on-site land uses and zoning, adjacent land uses and zoning including proximity to historic or scenic view corridors, adjacent roadways, proposed means of access, setbacks for property lines, elevation drawings of the proposed tower, accessory structure and any other structures, topography, parking, and other information deemed necessary by council to assess compliance with this ordinance.

Included with the construction drawings, submitted as a part of this application, as required.

(2) Legal description of the parent tract and leased parcel (if applicable).

Submitted as a part of the application, as required.

(3) A definition of the area of coverage and radio frequency goals to be served by the antenna or tower and the extent to which such antenna or tower is needed for coverage and/or capacity.

Submitted as Exhibit B and Exhibit C.

(4) The setback distance between the proposed wireless transmission facility and the nearest residential unit or residentially used structure.

Submitted as Exhibit E.

(5) Structural integrity analysis where antennas and equipment will be attached to an existing structure

Upon approval and prior to the submittal for a building permit, the tower and foundation will be designed by a Georgia Licensed Professional Engineer. The design will indicate the location of antennas to be placed on the monopine.

(6) Landscaping shall be designed in such a way as to preserve existing mature growth and to provide in the determination of the design review board, a suitable buffer of plant materials that mitigates the view of the telecommunications facility and accessory structures from surrounding property.

Please see sheet L.1 of the submitted site plans

(d) Each application shall be accompanied by a fee of \$1,000.00 to offset the costs associated with processing such application. In addition, applicants shall be responsible for independent engineering costs incurred by the city which exceed such fee up to an additional \$2,000.00, if requested by the city. The applicant shall be responsible for additional fees throughout the process as described further within this ordinance. All fees are subject to change as amended by the mayor and city council by resolution.

A check in the amount of \$1,000.00 is included with this application.

(e) Landscaping plans and the design and placement of the wireless transmission facility on an approved site shall require review and approval of the Roswell Design Review Board prior to issuance of a building permit to insure architectural and aesthetic compatibility with the surrounding area.

Concur.

(f) Prior to issuance of a building permit, compliance with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 461 et seq. shall be demonstrated.

Concur.

(g) In approving any application, the zoning director, design review board, or council may impose additional conditions to the extent determined necessary to minimize adverse effects on adjoining properties.

Concur.

In regards to **Section 21.2.5 Development Requirements for Towers**, the following is submitted for review:

(a) Towers may be located only in the following zoning districts subject to the restrictions and standards contained herein:

**I-1 Office and Business Distribution District
C-3 Highway Commercial**

Wireless transmission facilities in the OCMS (Office-Commercial Multi-Story Mixed Use), and any other districts shall be alternative tower structures only; provided however, towers may be allowed on publicly owned property regardless of zoning district.

E-2

Property is zoned ~~E-1~~ and as a "monopine" meets the requirements of "alternative design structure" on residentially zoned property.

(b) No new wireless transmission facilities shall be located within two thousand five hundred (2,500) feet of any preexisting wireless transmission site unless such new facility is concealed through use of alternative tower structures or is otherwise camouflaged, and a variance is granted by the mayor and council of the City of Roswell.

There are no preexisting wireless transmission sites within a one mile (1.6 km) radius of the proposed facility. A search utilizing the FCC website demonstrates this search and is included as Exhibit D.

(c) All applicants seeking to erect a tower must demonstrate that no existing tower or structure can accommodate the proposed antenna(s). Evidence of an engineering nature shall be documented by the submission of a certification by an engineer. Such evidence may consist of the following:

(1) No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.

There are no structures within the geographic area to meet T-Mobile's engineering requirements. This is explained in greater detail in the Radio Frequency Statement submitted as Exhibit C.

(2) No existing structure is of sufficient height to meet the applicant's engineering requirements.

There are no structures within the geographic area to meet T-Mobile's engineering requirements.

(3) No existing tower or structure has sufficient structural strength to support applicant's proposed antenna(s) and related equipment.

Not applicable

- (4) Applicant's proposed antenna(s) would cause electromagnetic interference with the antenna(s) on the existing tower or structure.

Not applicable.

- (5) Such other limiting factor(s) as may be demonstrated by the applicant and verified by an engineer of the city's choosing.

Not applicable.

(d) **Setbacks:** Setbacks for towers and above-ground transmission facilities shall be as follows:

- (1) All transmission facilities, except buried portions, shall be set back from all adjoining properties zoned non-residential a distance equal to the underlying setback requirement in the applicable zoning district.

Not applicable

- (2) When a tower is adjacent to a residential use, the tower and entire transmission facility must be set back from the nearest residential lot line a distance equal to the height of the tower.

The tower will meet **21.2 Standards for Wireless Communications Facilities Section 21.2.5 Development Requirements for Towers (d)** with a setback of 108 feet to the northerly property line; 126' to the southerly property line; 119 feet to the easterly property line; and 401 feet to the westerly property line. Additionally the closest residential structure to the proposed tower is located over twice the tower height at 217 feet to the south and shown on Exhibit E.

The equipment is setback to the closest residential property lines a distance of 108 feet to the northerly property line and 109.1 feet to the southerly property line.

- (e) Unless otherwise specified by community development staff and the design review board, towers shall be enclosed by vinyl chain link security fencing not less than six (6) feet in height and shall be equipped with an appropriate anti-climbing device.

Please see sheet C-7 of the submitted site plans.

- (f) All new towers in excess of one hundred (100) feet which do not incorporate alternative design features must be designed and built in a manner that allows other entities to co-locate on the structure using the following guidelines:

MAXIMUM TELECOMMUNICATIONS TOWER HEIGHTS

TABLE INSET:

Zoning District	Two Users	Three Users	Four Users
I-1	120'	150'	180'
C-3	120'	150'	150'

The proposed 108 foot structure will be designed for a total of three users.

(g) All towers and their related structures shall maximize the use of building materials, colors, textures, screening and landscaping that, in the opinion of the design review board and staff, effectively blend the tower facilities within the surrounding natural setting and built environment. Where appropriate, towers shall be painted so as to reduce their visual obtrusiveness, subject to any applicable standards of the Federal Aviation Administration (FAA).

The proposed structure is a stealth monopine and will be designed to blend with the surrounding natural setting and built environment.

In support of this application, T-Mobile South LLC includes the following:

1. Special Land Use Permit Application
2. Legal Descriptions
3. Survey
4. Property Deed
5. Exhibit A – Tax Map/Search area Analysis
6. Exhibit B – Description of Proposed Tower's Area of Service: Coverage Maps (two)
7. Exhibit C – Radio Frequency Engineer's Statement Regarding Facility
8. Exhibit D – FCC Registration Search
9. Exhibit E – Setbacks to Property Lines & Residential Structures
10. Exhibit F – Inventory of T-Mobile Sites
11. Exhibit G – FCC License
12. Exhibit H - NIXLE
13. Exhibit I – 911 Act Fact Sheet
14. Exhibit J – Copy of check made payable to City of Roswell in the amount of \$1,000.00
15. Exhibit K - Constitutional Challenge
16. Sets of plans

I am happy to answer any questions or provide any additional information that the City of Roswell may have with regards to this application. Please feel free to call me at (678) 920 - 1262, if you have any questions.

Sincerely,



Lannie Greene, SAI Communications
Agent for T-Mobile South LLC