

AGENDA
CITY BOARD OF ZONING APPEALS
JACKSON CITY HALL—101 EAST MAIN STREET—FIRST FLOOR
GEORGE A. SMITH MEETING ROOM
January 25, 2021 – 3:30 P.M.

- I. CALL TO ORDER/DETERMINATION OF QUORUM
- II. APPROVAL OF MINUTES OF THE NOVEMBER 23, 2020 MEETING
- III. PUBLIC HEARINGS:
 - 1. Consideration of a special exception request by New Cingular Wireless PCS, LLC d/b/a AT&T Mobility to approve the construction of a 150' telecommunications tower at 285 North Parkway within the O-C (Office- Center) District.
- IV. OTHER BUSINESS
- V. ADJOURNMENT

NOTE: Please refer to the City of Jackson's Planning Page, Public Hearing Packet for additional information. If you have questions regarding any agenda item or wish to attend, please email balexander@jacksontn.gov or contact the Planning Department at (731) 425-8286.

MINUTES
CITY BOARD OF ZONING APPEALS
JACKSON CITY HALL—101 EAST MAIN STREET—FIRST FLOOR
GEORGE A. SMITH MEETING ROOM
November 23, 2020--3:30 P.M.

Members Present for Virtual Meeting:

Mamie Hutcherson, Chairwoman
Councilwoman Marda Wallace
Max Hart
Pat Ross

Staff Present:

Elvis Hollis, Senior Planner

The meeting was called to order upon Mamie Hutcherson making a determination of a quorum.

The minutes of October 26, 2020 were unanimously approved on motion of Max Hart and seconded by Pat Ross.

Consideration of a special exception request by Jackson Investors II, LLC to approve the expansion of the existing assisted living facility located at 420 Cheyenne Drive within the RG-2 (General Residential) District. Attached is a copy of the letter of justification submitted by the applicant.

Mr. Hollis presented the request to the board. He stated that the Jackson City Council will be voting on second reading to approve the rezoning of this property from the SC-1 (Planned Unit Commercial Development) District to the RG-2 (General Residential) District on December 2, 2020. The Board of Zoning Appeals may permit as special exceptions nursing homes, homes for the aged, and assisted living facilities within the RG-2 District. The existing assisted living facility contains approximately 40,452 square feet on 3.47 acres. It also has 66 beds with 34 parking spaces. The applicant has submitted a site plan that shows the proposed addition containing approximately 27,021 square feet on 2.89 acres. It would have 38 beds with 13 parking spaces. The buildings would be situated on separate lots; however, they will be connected by a fire wall. The buildings will meet all setback requirements around the perimeter of both lots. All preliminary design aspects of the driveways are acceptable to the staff. Therefore, the planning staff recommended approval of this request with the following conditions:

1. The Jackson City Council must approve the rezoning of this property from the SC-1 District to the RG-2 District.
2. There must be a zero net increase in storm water runoff from the post-development of this site.

3. The proposed development must go through the site review process.
4. The site shall be provided with a 20% minimum of green space.

Mr. Paul Eirich III, who represented the Jackson Investors II, LLC, stated that his company has owned the existing assisted living facility since 2008. They purchased the adjacent lot in 2013.

The motion was made by Max Hart seconded by Pat Ross to approve this request as recommended by the staff. Motion passed unanimously.

There being no further business, the meeting was adjourned.

PLANNING STAFF REPORT

The following is the staff report for appeals under review by the Board of Zoning Appeals at the January 25, 2021 meeting:

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility

Consideration of a special exception request by New Cingular Wireless PCS, LLC dba AT&T Mobility to approve the construction of a 150' telecommunications tower at 285 North Parkway within the O-C (Office Center) District. The Board of Zoning Appeals may permit as special exceptions Commercial Mobile Communications Services (CMCS), as regulated by the City of Jackson Zoning Ordinance Article VI, Section 26. As required by the ordinance, the applicants have submitted all the proper documentation for review. (See packet)

The applicants are proposing to construct a 150' monopole tower behind the Madison County Farm Bureau office building located at 285 North Parkway. The applicants have provided propagation maps showing the coverage area. The applicants are providing for the placement of at least three (3) additional tower arrays for future co-locations onto the tower. The applicants are proposing to landscape the perimeter around the fenced area with evergreen shrubs and trees, as required in the resolution. The proposed tower would be spaced more than 4,100 feet from the nearest existing tower.

The applicants appear to be able to meet the provisions of the zoning resolution. Therefore, the planning staff would recommend approval of the proposed tower construction at this location, as proposed by the applicants.

***SECTION 26**

COMMERCIAL MOBILE COMMUNICATION SERVICES (CMCS)

CMCS facilities shall be subject to the following standards:

- (1) Any application for a new CMCS tower shall not be approved nor shall any building permit for a new CMCS tower be issued unless the applicant certifies that the CMCS equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or other structure due to one or more of the following reasons:
 - a. The planned equipment would exceed the capacity of existing and approved structures, considering existing and planned use of those structures.
 - b. The planned equipment would result in technical or physical interference with or from other existing or planned equipment.
 - c. There are no appropriate existing or pending structures to accommodate the planned equipment, taking into account, among other factors, the applicant's system requirements.
- (2) Any proposed tower shall be structurally designed to accommodate at least one additional CMCS sectorized antenna array if under 120 feet in height, at least two additional CMCS sectorized antennas if over 130 feet in height, or at least three additional CMCS sectorized antennas if over 180 feet in height. Co-located CMCS

antennas shall be placed on a structure in such a manner as to avoid interference with or impairment of operations of existing antennas or other uses.

(3) Nothing in these rules and regulations shall obligate the owner of an existing tower to collocate additional antennas on such tower or be construed to interfere with or limit the rights of parties to set rent or establish other terms and conditions of the shared use of a CMCS tower or facility. However, the owner shall not charge rent above the fair market value or set other unreasonable terms and conditions as a means to limit the feasibility for co-locating opportunities on the tower.

(4) The maximum CMCS tower height shall be two hundred (200) feet unless the applicant can demonstrate that higher heights are needed for its intended purpose. However, in no case shall a CMCS tower exceed a height of 150 feet in a residential zoning district or within 500 feet of a residential district.

(5) Accessory facilities shall be permitted but may not include offices, long-term 190 vehicle storage, other outdoor storage, or broadcast studios, except for emergency purposes or other uses that are not needed to send or receive transmissions.

(6) Existing on-site vegetation shall be preserved to the maximum extent practicable and, shall be supplemented in accord with the landscaping provisions of this ordinance. The Board of Zoning Appeals (or Planning Commission if within a SC-1 District) may require additional landscaping, as necessary to promote the esthetic quality of the site or for buffering purposes. However, at a minimum, where the site abuts residentially developed land or zoning districts, the site perimeter shall be landscaped with at least one row of deciduous trees, not less than two inches in diameter measured three feet above the grade, spaced not more than 20 feet apart within 25 feet of the site boundary, as well as at least one row of evergreen trees and shrubs, at least 5 feet high when planted and spaced not more than 5 feet apart to form a solid shrub screen and within 40 feet of the site boundary. Alternatives such as walls or fences may be permitted based on security or other reasons.

(7) Security fencing shall be required around the base and guy anchors of any towers.

(8) Towers shall not be artificially lighted unless:

- a. required by the Federal Aviation Administration or other governmental authority;
- b. circumstances make lighting appropriate for safety or other reasons unique to a specific application that are set forth in that application, but in no case shall any lighting shine into adjacent residential structures.

(9) The application for a special exception approval by the Board of Zoning Appeals (or Planning Commission if within a SC-1 District) shall include the following:

- a. A site plan drawn showing the property boundaries, tower, guy wire anchors (if any), existing structures, proposed transmission buildings and/or other accessory uses, access, parking, fences, a landscaping plan and existing abutting land uses around the site.

b. A study from a professional engineer which specifies the tower height and design including a cross-section of the structure, demonstrates the tower's compliance with applicable structural standards, including a certification that the tower will withstand at a minimum sustained winds in accordance with the appropriate building code, and a description of the tower's capacity, including the number of type of antennas which it can accommodate.

c. Written statements that the proposed tower will comply with regulations administered by the Federal Aviation Administration, Federal Communications Commission, and all applicable governmental bodies or that the tower is exempt from those regulations.

d. A letter of intent committing the tower owner and his or her successors to allow shared use of the tower if capacity exists based on existing and planned use, and if a future applicant agrees in writing to pay any reasonable charge of shared use, the potential use is technically compatible and the future applicant is in good standing.

(10) The minimum setback requirements of the district in which the tower will be located shall apply to the equipment, structures, and other buildings which are auxiliary to functions of the CMCS tower. At the discretion of the Board of Zoning Appeals (or Planning Commission if within a SC-1 District), a greater setback for the tower may be required.

(11) In any residential district, CMCS shall be setback a minimum of 500 feet from any property line.

(12) All CMCS towers within 1,000 feet of any property zoned or used for residential purposes shall be of monopole design only.

(13) All CMCS towers must be spaced a minimum distance of three-thousand (3,000) feet apart, as measured from lease line to lease line.

(14) Any CMCS tower and equipment shall be removed no later than 180 days after ceasing operations.

(15) CMCS roof antennas and related equipment may be permitted on any existing structure as accessory to the principal structure or use and does not require special exception approval by the Board of Zoning Appeals. However, they shall not exceed the minimum required height to accomplish their intended function, but in no circumstances can they extend more than thirty-five (35) feet above the height of the supporting structure upon which the roof antenna is attached or affixed. In addition the antenna and equipment are required to be finished to be as closely compatible as reasonable with the color of the supporting structure upon which the antenna and equipment is attached or affixed, and in such a manner to make the roof antenna as visually unobtrusive as possible.

(16) The Board of Zoning Appeals (or Planning Commission if within a SC-1 District) may invoke other requirements as it deems necessary to protect the public health safety and welfare interests.



**BOARD OF ZONING APPEALS
APPLICATION**

NAME: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility
ADDRESS: c/o David A. Pike, Attorney, PO Box 369, Shepherdsville, KY 40165
dpike@pikelegal.com
TELEPHONE #: 800-516-4293

Type of request (please check the appropriate box):

- ☒ 1. Special Exception Request
☐ 2. Variance Request
☐ 3. Review of Action of Zoning Administrator

Address of Subject property: 285 North Parkway, Jackson, TN 38305

Tax Map #: 066 ; Block #: _____ ; Parcel #: 021.04 ; Zoning: O-C

Along with this application, the following information must be submitted:

1. A letter describing and justifying the request. **(Please write legible.)**
2. If applicable, provide any other supporting documentation relevant to appeal such as site plans, photographs, architectural elevations, plats, topographic data, etc.
3. \$100.00 Filing Fee.

SIGNATURE OF APPLICANT: _____

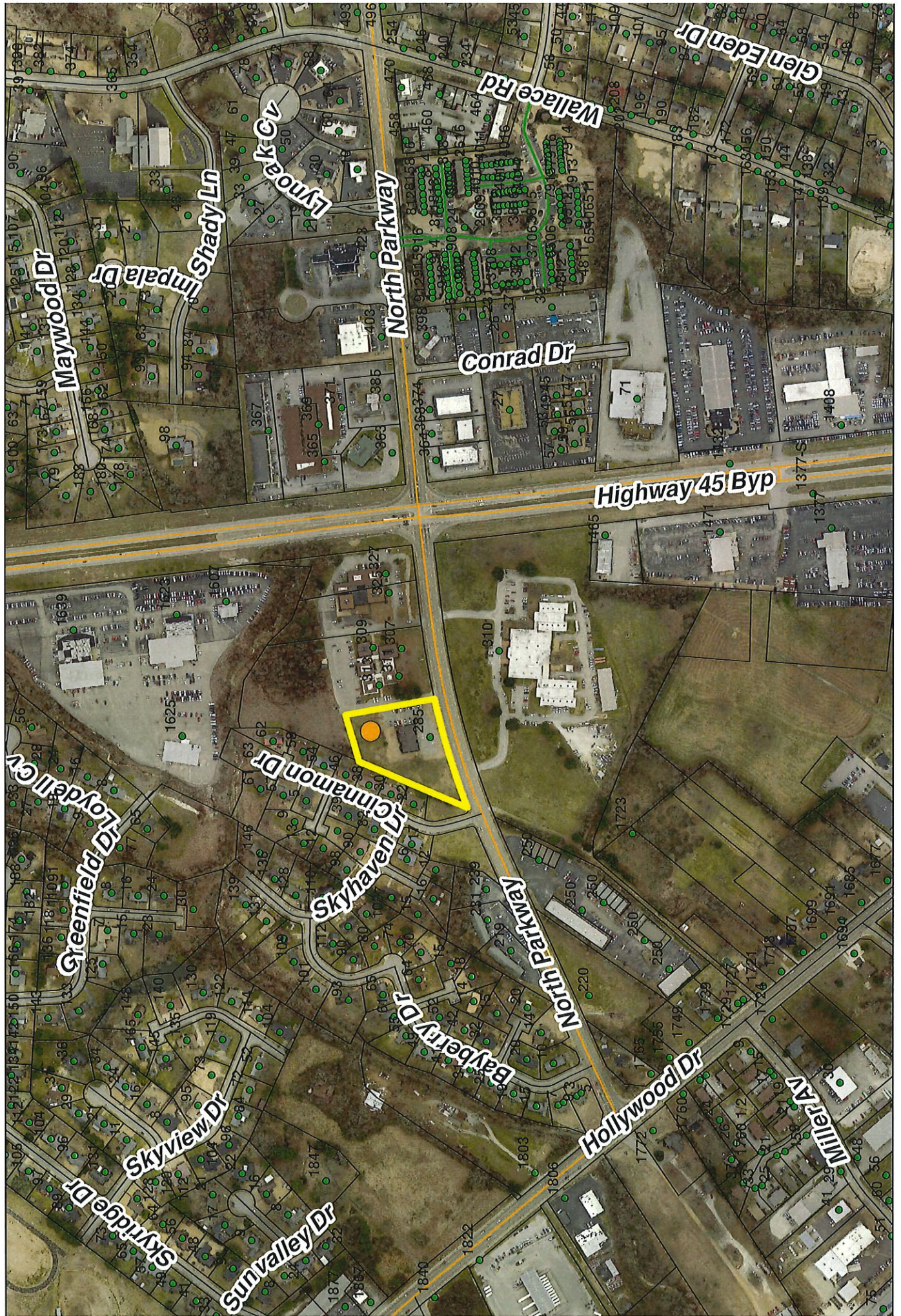
David A. Pike

IMPORTANT NOTE: A PRESUBMITTAL CONFERENCE IS REQUIRED WITH ELVIS HOLLIS PRIOR TO AND UPON SUBMITTAL OF THIS APPLICATION. FOR AN APPOINTMENT PLEASE CALL 731-425-8283.

DATE: 12/4/2020

STAFF INITIAL: E.H.

CITY B.Z.A. SITE LOCATION MAP
REQUEST FOR CONSTRUCTION OF 150' TELECOMMUNICATIONS TOWER
285 NORTH PARKWAY



IF INADVERTENT DISCOVERIES OF NATIVE AMERICAN CULTURAL MATERIALS OR HUMAN REMAINS ARE MADE DURING CONSTRUCTION, ALL WORK SHOULD CEASE AND POTENTIALLY AFFECTED TRIBES, AS WELL AS THE STATE HISTORIC PRESERVATION OFFICE SHOULD BE NOTIFIED IMMEDIATELY.

FROM AT&T W/DO: 7000 GODDLETT PARKWAY, CORDOVA, TN
TURN LEFT ON W/DO 70, TURN LEFT ON HOLLYWOOD DRIVE AND THEN LEFT ON NORTH PARKWAY. SITE WILL BE ABOUT .28 MILES
DOWN ON THE LEFT.

FROM COUNTY SEAT: 160 E MAIN ST, JACKSON, TN 38301
HEAD WEST ON E MAIN ST TOWARD N HIGHLAND AVE 0.3 MI, CONTINUE ONTO AIRWAYS BLVD 0.3 MI, TURN RIGHT ONTO
GODDLETT DR 0.2 MI, TURN RIGHT ONTO NORTH POINT DR 0.2 MI, TURN LEFT ON CUMMINGS DR DESTINATION WILL BE ON THE
RIGHT.

DRIVER NAME: CONNOR SIEHDAN PHONE: (601) 674-6709

NSB - RAWLAND ZONING DRAWINGS



FA #: 14838725 **SITE ID:** WALLACE

SITE NAME: WALLACE

SITE ADDRESS: 285 NORTH PARKWAY
JACKSON, TN 38305
(MADISON COUNTY)

GENERAL NOTES



THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, THEREFORE HANDICAP ACCESS IS NOT REQUIRED. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL. IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED. NO WORK SHALL COMMENCE WITHOUT THE APPROVED TOWER/ANTENNA MOUNT STRUCTURAL ANALYSIS REPORT SIGNED AND SEALED BY A LICENSED PROFESSIONAL ENGINEER UNDER SEPARATE COVER.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

- AMERICAN CONCRETE INSTITUTE 318
 - AMERICAN INSTITUTE OF STEEL CONSTRUCTION MANUAL OF STEEL CONSTRUCTION
 - TELECOMMUNICATIONS INDUSTRY ASSOCIATION TIA-222
 - IEEE STANDARD FOR RADIATE EMISSION TESTING OF RADIO EQUIPMENT PART 1: GENERAL REQUIREMENTS AND SUPPORTING STRUCTURES TIA-607
 - COMMERCIAL BUILDINGS GROUNDING AND BONDING
- REQUIREMENTS FOR TELECOMMUNICATIONS
 - INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS
 - IEEE-E1, IEEE 1190, IEEE CSE 421
 - ANSI T1.311, T1.317 FOR TELECOM - DC POWER SYSTEMS -
 - IEEE STANDARD FOR ENVIRONMENTAL PROTECTION
 - 2018 NRC
 - 2017 NEC

SHEET	DESCRIPTION	REV.	REV. DATE
T-1	TITLE SHEET	1	11/16/2020
	SITE SURVEY		
M-1	500' RADIUS AND ABUTTERS MAP	1	11/16/2020
C-1	OVERALL SITE LAYOUT	1	11/16/2020
C-2	COMPOUND LAYOUT	1	11/16/2020
C-3	TOWER ELEVATION	1	11/16/2020
L-1	LANDSCAPING PLAN	1	11/16/2020

**ZONING DRAWINGS FOR:
CONSTRUCTION OF A NEW UNMANNED TELECOMMUNICATIONS FACILITY.**

FIRE DEPARTMENT:	CITY OF JACKSON FIRE DEPARTMENT PHONE: (731) 425-8347
POLICE DEPARTMENT:	CITY OF JACKSON POLICE DEPARTMENT PHONE: (731) 425-8400

SCOPE TYPE:	RAWLAND
OCCUPANCY TYPE:	TELECOMMUNICATIONS
STRUCTURE HEIGHT:	148'
OVERALL HEIGHT:	150'
STRUCTURE TYPE:	MONOPOLE
LATITUDE:	35° 35' 43.737" N (35.646882)
LONGITUDE:	-88° 51' 13.646" W (-88.853796)
PROPOSED LEASE AREA:	3.600 SQFT
JURISDICTION:	CITY OF JACKSON
COUNTY:	MADISON
POWER COMPANY:	JACKSON ENERGY AUTHORITY
TELCO COMPANY:	AT&T

NEW CINGULAR WIRELESS PCS, LLC A DELAWARE LIMITED LIABILITY COMPANY, DRIEA ART MOBILITY 402 S. CENTRAL EXPRESSWAY SUITE 200 LOUISVILLE, KY 40202	PROJECT MANAGER:	MASTEC NETWORK SOLUTIONS 1975 JOE B JACKSON PARKWAY MURFREESBORO TN 37112 MATT HILL PHONE: (615) 339-5218
APPLICANT:	SITE DESIGN:	MASTEC ENGINEERING, PLLC 507 AIRPORT BLVD, SUITE 111 MORRISVILLE, NC 27560 CRAIG WILKINSON PHONE: (919) 674-5895

RAPHAEL MOHAMED, P.E.
TENNESSEE LIC. NO. 170341
11/16/2020

DATE	DESCRIPTION	REV	ISSUED BY
11/04/2020	CONSTRUCTION	0	RM
11/16/2020	CONSTRUCTION	1	RM

DRAWN BY:	GT5
CHECKED BY:	C28
APPROVED BY:	RM
LINE PROJECT NO:	21341

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PREPARED FOR:



PREPARED BY:
Mastec
Network Solutions
507 AIRPORT BLVD., SUITE 111
MORRISVILLE, NC 27560

SITE ID:

WALLACE

SITE NAME:

WALLACE

SITE ADDRESS:

285 NORTH PARKWAY
JACKSON, TN 38305

TA LOCATION:

14838725

SHEET TITLE

TITLE SHEET

T NUMBER

T-1

THE FOLLOWING IS A DESCRIPTION OF THE PROPOSED LEASE AREA, LAYING AND BEING IN THE 5TH WARD OF THE CITY OF JACKSON, IN MARION COUNTY, TENNESSEE, BEING A PART OF THE PARCEL CONVEYED TO MADISON COUNTY FARM BUREAU INCORPORATED AS RECORDED IN BOOK 0590, PAGE 548, PARCEL ID: 066-00144, IN THE REGISTRAR'S OFFICE FOR MADISON COUNTY, TENNESSEE, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARING DATUM USED HEREIN IS BASED UPON TENNESSEE STATE PLANE COORDINATE SYSTEM, NAD 83, FROM A REAL TIME KINEMATIC GLOBAL POSITIONING SYSTEM

[illegible]

PROPOSED ACCESS & UTILITY EASEMENT "A"

THE FOLLOWING IS A DESCRIPTION OF THE PROPOSED ACCESS & UTILITY EASEMENT "A" LAYING AND BEING IN THE 5TH WARD OF THE CITY OF JACKSON IN MADISON COUNTY, TENNESSEE, BEING A PART OF THE PARCEL CONVEYED TO MADISON COUNTY FARM BUREAU INCORPORATED AS RECORDED IN BOOK D590, PAGE 548, PARCEL ID: 066-02-04, IN THE REGISTER'S OFFICE FOR MADISON COUNTY, TENNESSEE. WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARING DATUM USED HEREIN IS BASED UPON TENNESSEE STATE PLANE COORDINATE SYSTEM, NAD 83, FROM A REAL TIME KINEMATIC GLOBAL POSITIONING SYSTEM

[illegible]

PROPOSED ACCESS & UTILITY EASEMENT "B"

THE FOLLOWING IS A DESCRIPTION OF THE PROPOSED ACCESS & UTILITY EASEMENT "B" LAYING AND BEING IN THE 5TH WARD OF THE CITY OF JACKSON IN MADISON COUNTY, TENNESSEE, BEING A PART OF THE PARCEL CONVEYED TO MADISON COUNTY, TENNESSEE AS RECORDED IN BOOK 311, PAGE 170, PARCEL ID: 066-071.00, IN THE REGISTER'S OFFICE FOR MADISON COUNTY, TENNESSEE, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARING DATUM USED HEREIN IS BASED UPON TENNESSEE STATE PLANE COORDINATE SYSTEM, NAD 83, FROM A REAL TIME KINEMATIC GLOBAL POSITIONING SYSTEM

[illegible]

PROPOSED 10' UTILITY EASEMENT

THE FOLLOWING IS A DESCRIPTION OF THE PROPOSED 30' UTILITY EASEMENT LAYING AND BEING IN THE 5TH WARD OF THE CITY OF JACKSON IN MADISON COUNTY, TENNESSEE, BEING A PART OF THE PARCEL CONVEYED TO MADISON COUNTY FARM BUREAU INCORPORATED AS RECORDED IN BOOK 0590, PAGE 548, PARCEL ID: 066-0921.04, IN THE REGISTER'S OFFICE FOR MADISON COUNTY, TENNESSEE, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARING DATUM USED HEREIN IS BASED UPON TENNESSEE STATE PLANE COORDINATE SYSTEM, NAD 83, FROM A REAL TIME KINEMATIC GLOBAL POSITIONING SYSTEM

COMMENCING AT A SET 5/8" REBAR CAPED "PATTERSON RISE 3040," HEREAFTER REFERRED TO AS A "SET P/C" IN THE SOUTHEAST CORNER OF THE PROPOSED LEASE AREA COMMENCING ON THE PROPERTY CONVEYED TO MADISON COUNTY BUREAU INCORPORATED AS RECORDED IN BOOK D590, PAGE 548, PARCEL ID: 066-0213.04, SAID REBAR BEING LOCATED AT THE INTERSECTION OF THE CENTER LINE OF THE PROPOSED LEASE AREA WITH THE CENTER LINE OF THE EXISTING TOWN OF WATKINSVILLE, TENNESSEE STATE PLANE COORDINATE VALUE OF N = 490,477.4855; E = 1,120,759.118; AND THENCE N08°33'45"W 5.00' TO THE TRUE POINT OF BEGINNING; THENCE ALONG THE CENTER LINE OF THE EXISTING TOWN OF WATKINSVILLE, TENNESSEE STATE PLANE COORDINATE VALUE OF N = 490,477.4855; E = 1,120,759.118; AND THENCE N08°33'45"W 77.57' TO THE POINT OF BEGINNING CONTAINING 666.307' SQUARE FEET OF LAND.

AS SURVEY BY MARK E. PATTERSON, RLS #3010, DATED MARCH 27, 2007.

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REVISION		
REV.	DATE	DESCRIPTION
A	4.10.20	PRELIM ISSUE
B	7.14.20	ADD UTILITY EASEMENT
0	9/1/20	ISSUED AS FINAL

ADDITIONAL INFORMATION:

WALLACE
285 NORTH PARKWAY
JACKSON, TN 38305
MADISON COUNTY

TAX PARCEL NUMBER:
056-021.04
EASE AREA & EASEMENT "A"
056-021.00

EASEMENT "B"
PROPERTY OWNER:
DISON COUNTY FARM BUREAU
INCORPORATED

285 NORTH PARKWAY
JACKSON, TN 38305

JACKSON, TN 38305
SOURCE OF TITLE:
SEE FACE OF PLAT

FA NUMBER:
14020735

POD NUMBER:	20-61091
DRAWN BY:	JRS
CHECKED BY:	MEP
SURVEY DATE:	03-27-20
PLAT DATE:	04-10-20

SHEET TITLE:
SITE SURVEY
THIS DOES NOT REPRESENT A
BOUNDARY SURVEY OF THE
PARENT PARCEL

SHEET NUMBER: (2 pages)
B-1.1

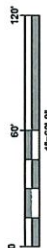
CERTIFICATE OF ACCURACY (SURVEYOR'S CERTIFICATE)
 I, **MARK E. PATTERSON, A TENNESSEE REGISTERED LAND SURVEYOR**, CERTIFY THAT THE INFORMATION SHOWN HEREON WAS COMPILED USING DATA FROM AN ACTUAL FIELD SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT THE FIELD SURVEY AND THE COMPILED INFORMATION SHOWN HEREON WERE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE AS CONTAINED IN THE RULES OF THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS.

09/01/2020

10/10/10







11/16/2020
RAPHAEL MOHAMED, P.E.
TENNESSEE LIC. NO. 110341

SUBMITTALS				CTB
DATE	DESCRIPTION	REV	ISSUED BY	
11/04/2020	CONSTRUCTION	0	RM	
11/16/2020	CONSTRUCTION	1	RM	

DRAWN BY:		CTB
CHECKED BY:		C2D
APPROVED BY:		RM
MNS PROJECT NO:		21341

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PREPARED FOR:



PREPARED BY:
Mastec
Network Solutions
507 AIRPORT BLVD, SUITE 111
MORRISVILLE, NC 27560

SITE ID:

WALLACE

SITE NAME

WALLACE

SITE ADDRESS:

**285 NORTH PARKWAY
JACKSON, TN 38305**

FA LOCATION:

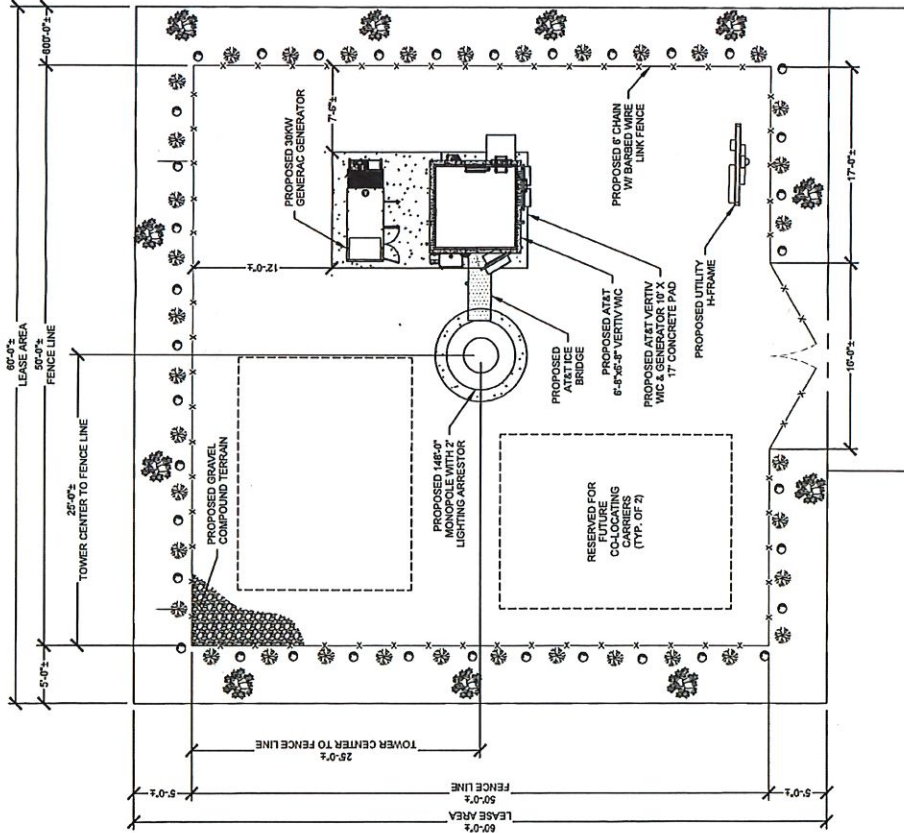
14838725

SHEET TITLE

COMPOUND LAYOUT

SHEET NUMBER

C-2

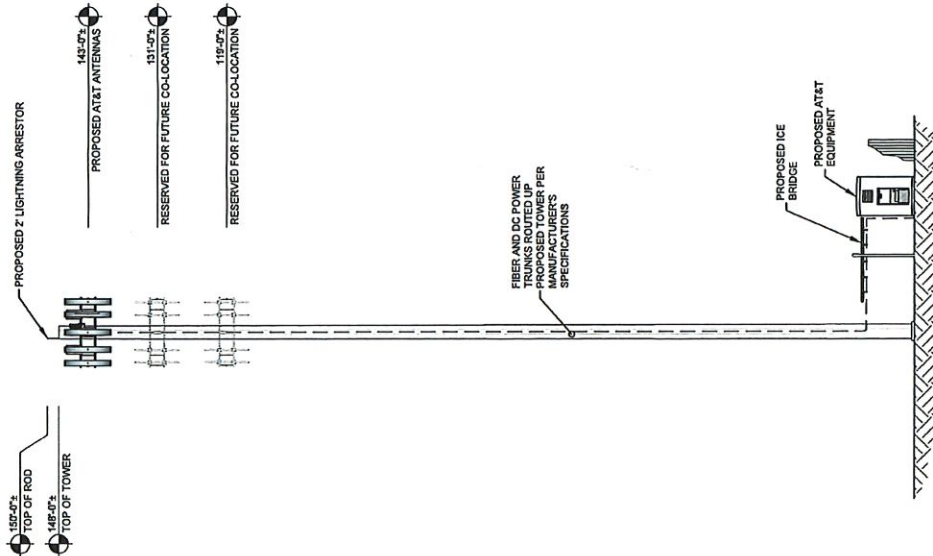


COMPOUND LAYOUT
11"x17" SCALE: 1"=10'-0"



TOWER NOTES:

1. THE PROPOSED TOWER, FOUNDATION, ANTENNA MOUNTS, AND ANTENNAS WERE/ARE DESIGNED BY OTHERS.
2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY.
3. SEE TOWER MANUFACTURER'S DRAWINGS FOR TOWER AND FOUNDATION DETAILS & SPECIFICATIONS.
4. MANUFACTURER'S DRAWINGS SUPERCEDE A&E DRAWINGS



11/16/2020
RAPHAEL MOHAMED, P.E.
TENNESSEE LIC. NO. 119041

SUBMITTALS			
DATE	DESCRIPTION	REV	ISSUED BY
11/16/2020	CONSTRUCTION	0	RM
11/16/2020	CONSTRUCTION	1	RM

DRAWN BY: CTS
CHECKED BY: CDB
APPROVED BY: RM
DATE PROJECT NO: 21341

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PREPARED FOR:



PREPARED BY:



SITE ID:

WALLACE

SITE NAME:

WALLACE

SITE ADDRESS:

285 NORTH PARKWAY
JACKSON, TN 38305

FA LOCATION:

14838725

SHEET TITLE

TOWER ELEVATION

SHEET NUMBER

C-3

TOWER ELEVATION
1"=20'-0"



SUBMITTALS			
DATE	DESCRIPTION	REV	ISSUED BY
11/04/2020	CONSTRUCTION	0	RM
11/16/2020	CONSTRUCTION	1	RM

DRAWN BY:	CTS
CHECKED BY:	C28
APPROVED BY:	RM
MNS PROJECT NO:	21341

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PREPARED BY:

Mastec
Network Solutions
507 AIRPORT BLVD, SUITE 111
MORRISVILLE, NC 27560

SITE ID: WALLACE




SITE NAME:
WALLACE

SITE ADDRESS:
285 NORTH PARKWAY
JACKSON, TN 38305

FA LOCATION:
14838725

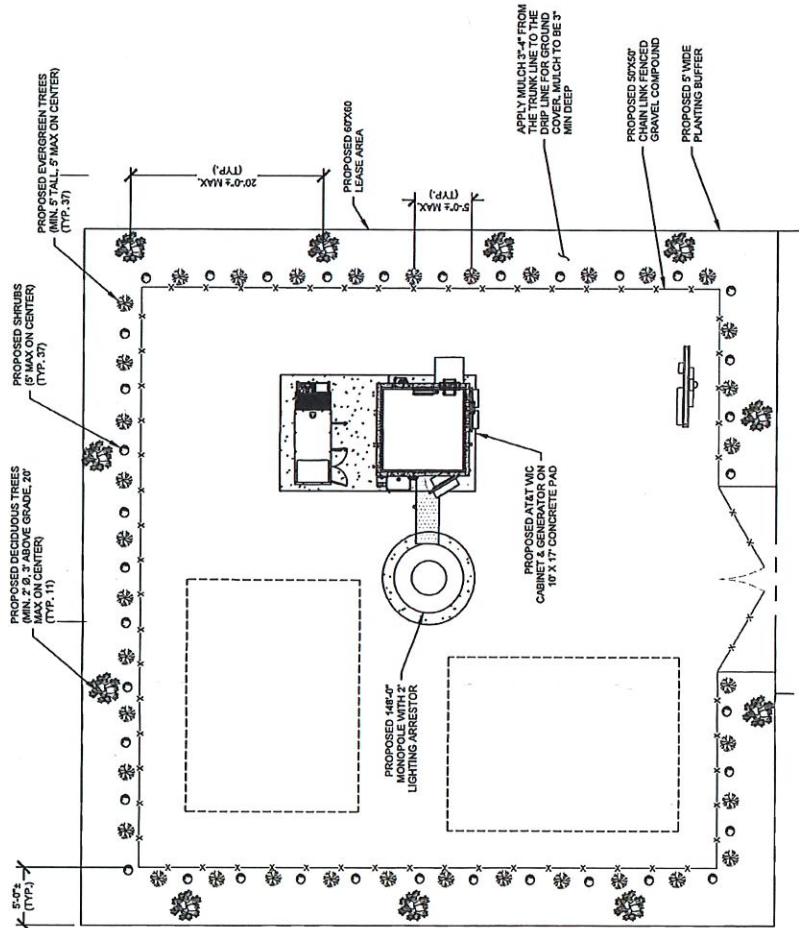
SHEET TITLE
LANDSCAPING PLAN

SHEET NUMBER
L-1

PLANTING SCHEDULE					
QTY	SIZE	TYPE	SPACING	SYMBOL	REMARKS
37	5'-0"	EVERGREEN	5' MAX		FULL TO BASE
37	N/A	SHRUB	5' MAX		
11	2'-0" Ø	DECIDUOUS	20' MAX		3' ABOVE GRADE

CONTRACTOR SHALL APPLY GRASS SEED AND MULCH TO DISTURBED AREAS AFFECTED BY CONSTRUCTION.

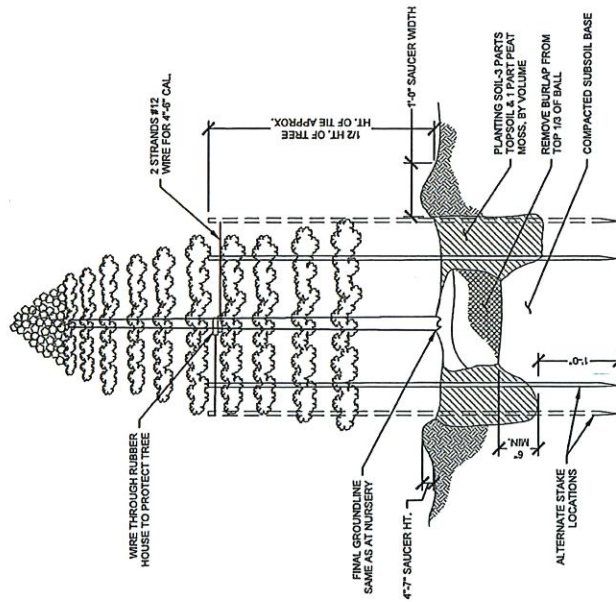
CONTRACTOR TO FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.



LANDSCAPING PLAN
11"x17" SCALE: 1"=10'-0"

GENERAL PLANTING NOTES:

1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND ALL PLANTS MUST BE HEALTHY.
2. ALL PLANTS MUST BE CONTAINER-GROWN OR BALLED AND BURLAPPED AS SPECIFIED.
3. CONTAINER-GROWN OR BALLED AND BURLAPPED AS SPECIFIED.
4. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
5. ALL TREES MUST BE GUYED OR STAKED AS SHOWN, ALL TREES MUST BE GUYED OR STAKED AS SHOWN.
6. ALL PLANTS AND PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED, ALL PLANTS AND PLANTING PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO ALL UTILITIES DURING COURSE OF THE WORK.
7. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING INCLUDING, BUT NOT LIMITED TO, WATERING, SPRAYING, MULCHING, FERTILIZATION, ETC.) OF PLANTING AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL.
8. ALL PLANTS AND PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED, ALL PLANTS AND PLANTING PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DAMAGE TO ALL UTILITIES DURING COURSE OF THE WORK.
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6' HT. USE (2) STAKES 12" HT. OF TREE +2"

PLANTING DETAIL
NOT TO SCALE

NOT TO SCALE



1578 Highway 44 East, Suite 6
P.O. Box 369
Shepherdsville, KY 40165-0369
Phone (502) 955-4400 or (800) 516-4293
Fax (502) 543-4410 or (800) 541-4410

December 4, 2020

City of Jackson Board of Zoning Appeals
c/o Elvis Hollis, City of Jackson Planning Department
111 East Main Street, Suite 201
Jackson, Tennessee 38301

RE: Special Exception Application –Communications Facility
Applicant: New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility
Site Location: 285 North Parkway, Jackson, TN 38305
Site Name: Wallace

Dear Board Members:

New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility, by counsel, respectfully submits the attached application for a Special Exception to construct, maintain, and operate a communication facility at 285 North Parkway, Jackson, Tennessee to serve the customers of AT&T Mobility with wireless communications services within Jackson, Tennessee and to provide co-location opportunities for other wireless service providers. The application is made pursuant to 47 USC § 332 ("Telecommunications Act of 1996"), Tennessee Code, and the Zoning Ordinance of the City of Jackson ("Zoning Ordinance").

I. Federal Law

AT&T has worked to comply with lawful local ordinances for thousands of towers to meet community goals and to provide needed wireless service. However, federal law limits local regulation. The Telecommunications Act of 1996 provides that local cell tower regulation "shall not prohibit or have the effect of prohibiting the provision of personal wireless services." The United States Supreme Court has stated that the 1996 Act was enacted "to promote competition and higher quality in American telecommunications services and to encourage the rapid deployment of new telecommunications technologies" by, inter alia, reducing "the impediments imposed by local governments upon the installation of facilities for wireless communications, such as antenna towers." *City of Rancho Palos Verdes v. Abrams*, 544 U.S. 113 (2005).

II. Tennessee Law

T.C. 13-24-304 authorizes planning commissions and certain legislative bodies that have adopted planning and zoning regulations to regulate the siting of wireless communication facilities. However, T.C. 13-24-305 prohibits local regulatory bodies from

acting "to prohibit or have the effect of prohibiting the provision of wireless service." This section also prohibits local regulatory bodies from requiring radio frequency justification. The overarching intent of these laws is to mirror the intent of the TCA in encouraging competition and provision of service to the citizens of the state of Tennessee.

III. Site Coverage

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. Sites must also be located with reference to other sites in the network to provide seamless mobile connectivity while also avoiding interference with one another.

IV. Growing Wireless Usage

Additionally, 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. AT&T has experienced an unprecedented increase in mobile data use on its network since the release of the iPhone in 2007. Mobile data traffic on the AT&T national wireless network increased more 250,000% from January 2007-December 2016. Looking forward to 2020, AT&T is engineering and designing for another 10X growth in volume across the network. In fact, video traffic grew over 75%, and smartphones drove almost 75% of AT&T's data traffic in 2016 alone. We expect video traffic growth to outpace overall data growth in 2020 – becoming a major driver of growth.

V. Radio Frequency Spectrum

This increased volume of data (voice, texts, e-mails, Internet traffic, etc.) travels from customers' wireless devices over limited airwaves — radio frequency spectrum — to AT&T's wireless infrastructure. Unfortunately, spectrum available and capable of being used for wireless service for commercial use is a limited resource, and AT&T and other wireless providers license those airwaves from the Federal Communications Commission (FCC). To ensure service quality as demand increases, AT&T must coordinate and use all of its spectrum assets (i.e., low band and high band spectrum, as discussed further below) efficiently in order to provide quality wireless service to its customers.

VI. Service Gap Compels a Need for a New Facility

As part of AT&T's overall plan for the area, a new facility is needed to improve coverage and eliminate a 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 infrastructure to handle call and wireless data demand in the subject area. This strain can adversely affect service quality, and capacity issues can

affect service quality even where coverage may otherwise be available. Specifically, although a customer's wireless phone may show coverage bars of signal strength, that customer may still, at times, be unable to make voice calls or download data reliably and without service interruptions because of capacity issues during high-usage periods.

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 keep up with increasing voice and data traffic demand on the network by continually upgrading and expanding network infrastructure to reduce instances of blocking or denied access caused by coverage gaps and capacity exhaustion. These measures ensure that calls will go through when needed, which is especially critical for vital emergency response communications. Deployment of necessary network infrastructure also maintains call audio quality and minimizes the instances of dropped calls for everyday users.

As wireless communications carriers have evolved, they have become a vital link as a wireless data provider in addition to providing voice communications. Phones, tablets and laptop computers 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 the "connected car," which will not only stream audio but also be able to share diagnostic information, provide real-time traffic updates, report accidents and caution its owner about speeding or aggressive driving.

VII. Emergency Services Uses

Wireless carriers also provide real-time internet access for law enforcement, fire and medical transport vehicles, which not only allows immediate access to information when needed, but can also help determine the closest unit to an area of need and help determine the fastest route to the site of an emergency based on current conditions.

VIII. Business Uses

Expanded wireless communications services are also important to businesses that use these services to support their operations. It is becoming common for AT&T to receive service quality inquiries from businesses when they are planning to locate to a new area. They want to know what infrastructure and technology is in place prior to making a move decision. This has also been the case with convention groups when planning future meetings and expositions.

IX. 4G LTE High Speed Data Services

In addition to expanding capacity for voice service in the subject area, AT&T is also expanding its 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 mobile broadband speeds up to 10 times faster than industry-

average 3G speeds and features 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. 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

I. Request Pursuant to Zoning Ordinance

Pursuant to the Zoning Ordinance, the applicant respectfully requests a Special Exception under Section 26 (Commercial Mobile Communication Services – CMCS). The Special Exception application is filed in order to construct a wireless communications facility, including a 148-foot monopole tower with a 2-foot lightning arrestor for a total height of 150-feet, in an O-C (Office Center) District.

Applicant has enclosed an application for a Special Exception with the following supporting information:

1. The complete names and addresses of the Applicant is:

New Cingular Wireless PCS, LLC
a Delaware Limited Liability Company,
d/b/a AT&T Mobility
Meidinger Tower
462 S. 4th Street, Suite 2400
Louisville, Kentucky 40202

2. An Application for Special Exception – Commercial Mobile Communication Services (CMCS) as required by the Zoning Ordinance is included as part of **EXHIBIT A**. This submittal letter, attachments and **EXHIBIT A** together constitute the "Application" for a communication facility.
3. AT&T Mobility is licensed by the Federal Communications Commission (FCC) to build and operate a wireless communications network in Jackson, Tennessee and the proposed facility will be constructed and operated in accordance with applicable FCC regulations. Copies of the Applicant's licenses are submitted herewith as **EXHIBIT B**.
4. The construction of the proposed telecommunications facility will bring or improve AT&T Mobility's services to an area currently not served or not adequately served by increasing coverage or capacity and thereby enhancing the public's access to innovative and competitive wireless communications services. The proposed telecommunication facility will provide a necessary link in AT&T Mobility's communications network that is designed to meet the

increasing demands for wireless services in the area. The tower must be located at the proposed location and proposed height to provide necessary service to wireless communications users in the subject area. A report prepared by AT&T Mobility radio frequency engineer discussing the need for the facility and the improvement in service the facility will provide to Jackson, Tennessee is attached as **EXHIBIT C**.

5. AT&T Mobility's radio frequency engineers first identified a growing coverage and/or capacity gap in Jackson, Tennessee. To help guide the site development team's task of identifying a suitable location for a new wireless communications facility site, AT&T Mobility's radio frequency engineers identified the geographic area where the antenna site must be located in order to close the gap and issued a map (called a "Search Area") that identified the general area in which a new site must be located. The Search Area for this site is included as part of **EXHIBIT C**.
6. AT&T Mobility is committed to co-location and frequently locates equipment on existing towers and buildings. This practice saves time and capital compared to building a new tower. AT&T Mobility has reciprocal agreements with other wireless carriers regarding co-location and allows co-location on its towers.
7. In compliance with Section 26 (1) of the Zoning Ordinance, the site development team first reviewed the Search Area for a suitable tall structure for co-location as discussed in the site selection report attached as **EXHIBIT D**. In this case, there are no existing towers or tall structures located within or near the Search Area where a new facility must be located to meet the engineering objectives of the project and resolve the service issues in this area of the City of Jackson, Tennessee. In compliance with Section 26 (13) of the Zoning Ordinance, the nearest FCC registered tower is owned by Pinnacle Towers, LLC (ASR# 1203138) at 200 Commerce Center Circle which is approximately 4,100' to the south of the area where a new facility must be located to close the gap in coverage.
8. As discussed in **EXHIBIT D**, once the site development team determined that there are no available existing tall structures which are technically feasible and suitable for co-location, the team reviewed the Zoning Ordinance and parcel map to evaluate raw land sites for new tower construction.
9. In this instance, the search area is a mix of commercial and residential parcels where new communication towers are permitted as a Special Exception. As discussed in **EXHIBIT D**, the site

acquisition team searched for the least intrusive available site in the area where a new facility would resolve coverage issues. The team eliminated small parcels from consideration and focused their search on larger parcels with sufficient land space to buffer the facility from surrounding land uses and meet setback requirements. The team eliminated any sites with recognized environmental conditions such as flood prone areas or parcels with construction issues. Finally, the team sought a property owner willing to lease space for a new tower.

10. To address the above-referenced service need, Applicant proposes to construct a 150' wireless communications facility (148' tower with a 2' lightning arrestor atop) at 285 North Parkway, Jackson, TN 38305 (35°38'48.7739"N, 88°51'13.6649"W). In compliance with Section 26 (12) of the Zoning Ordinance, the proposed structure is a monopole. The property on which the wireless communications facility will be located is owned by Madison County Farm Bureau Incorporated by means of a Deed recorded at Deed Book 548, Page 153. The parcel identification number of the subject property is 066-021.04. A copy of the deed is attached as part of **EXHIBIT A**. The parcel is located within an O-C (Office Center) District where new communication towers are permitted as a Special Exception.
11. In compliance with Section 26 (9)(a) of the Zoning Ordinance, site plans, elevation drawings and surveys depicting proposed improvements (including property boundaries, setbacks, topography, elevation sketch and dimensions of improvements), prepared and stamped by a Professional Engineer licensed in the state of Tennessee, are attached as **EXHIBIT E**. As shown on the site plan, the proposed site location and design meet all applicable regulations related to site design. A site survey showing the proposed compound location on the subject property and an overall site layout are also attached as **EXHIBIT E**. The overall site layout demonstrates that the tower complies with all applicable setback requirements. Further, the accessory structures associated with the tower comply with the applicable setback requirements.
12. Pursuant to a written agreement, Applicant has acquired the right to use the communication site and associated property rights ("Lease"). A copy of the Agreement is attached as **EXHIBIT F**.
13. In compliance with Section 26 (4) of the Zoning Ordinance, the proposed wireless communications facility will consist of a 155' tower with a 4' lightning arrestor for a total structure height of 159'.

14. In compliance with Section 26 (5) of the Zoning Ordinance, the wireless communications facility will include concrete foundations to accommodate the placement of the Applicant's proprietary radio electronics equipment and other necessary appurtenances in prefabricated cabinets or shelters.
15. In compliance with Section 26 (6) of the Zoning Ordinance, a landscape plan is included as part of **EXHIBIT E**. Existing on-site vegetation has been preserved to the maximum extent practical. The facility will not include offices, long term vehicle storage, other outdoor storage, or broadcast studios, except for emergency purposes or other uses that are not needed to send or receive transmissions in compliance with Section 26 (5).
16. In compliance with Section 26 (7) of the Zoning Ordinance, the ground equipment and all appurtenances will be located within a lease area and enclosed by a 6' security fence with barbed wire atop. A description of the manner in which the proposed wireless communications facility will be constructed is included as a part of **EXHIBIT E**.
17. In compliance with Section 26 (9)(b) of the Zoning Ordinance, engineering drawings, signed and sealed by a professional engineer registered in the State of Tennessee, depicting the design of the tower and foundation for this site are attached as **EXHIBIT G**. The tower has been designed with a zero-foot fall zone. The drawings include depictions of the number and type of proposed antennas and their height above ground level.
18. A geotechnical engineering firm has performed soil boring(s) and subsequent geotechnical engineering studies at the communication site. A copy of the geotechnical engineering report, signed and sealed by a professional engineer registered in the State of Tennessee, is attached as **EXHIBIT H**. The name and address of the geotechnical engineering firm and the professional engineer registered in the State of Tennessee who supervised the examination of this communication site are included as part of this exhibit.
19. In compliance with Section 26 (8) of the Zoning Ordinance, the tower will not be lit. A copy of the documentation that FAA approval is not required is attached as **EXHIBIT I**.
20. In compliance with Section 26 (2) of the Zoning Ordinance, the tower is designed to support the antennas of a minimum three service providers as shown on **EXHIBIT E** and **EXHIBIT G**. Upon

completion of construction, the proposed tower will be made available for co-location. In compliance with Section 26 (9)(d) a letter of intent that the proposed wireless communications facility ("WCF") will be designed and constructed to accommodate collocation of additional wireless communication service providers' equipment and antennas as specified in accompanying drawings. Furthermore, following construction of the proposed WCF, Applicant agrees to provide collocation opportunities to other wireless communication facility, subject to structural feasibility and reasonable business terms and conditions is attached as **EXHIBIT J**.

21. The requested Special Exception should be approved as it is consistent with the requirements for approval of a Special Exception under the Zoning Ordinance. The proposed tower is necessary public utility communication infrastructure. There is a huge growth in data demand that is driving the need for additional antenna sites. As discussed in the report attached as **EXHIBIT K**, in 2019, wireless data traffic reached yet another record high. In all, traffic totaled 28.5 trillion MBs, an increase of 12.89 trillion megabytes over 2018. Driving this growth is a decades-long and continuing increase in the number of mobile devices. With over 400 million mobile devices, there are more wireless devices than Americans—in fact, about 1.3 devices for every person in the country. More than 68% of these devices are data-intensive smartphones. On average last year, a smartphone generated more than 6.6 GB of data every month. This represents a 2,844% increase between 2010-18 as networks have become faster, phones have become more sophisticated, and new services and apps have launched. We first used mobile phones to make calls on the go, then came text messaging for quick messages, photos, and videos. Today, Americans are using their wireless devices for even more. Americans are doing more with their mobile service now than they were five years ago, including, mobile banking, health apps, browsing the web, shopping, finding entertainment, connecting with their car and home, and more. Additionally, American businesses rely on wireless more than ever, viewing this connectivity as a strategic resource for their companies and employees. 87% of executives view wireless technology as important to their business. Wireless plays a pivotal role in driving our economy today. The wireless industry contributes \$4.7 billion to the U.S. economy annually, 2.6% of 2016 U.S. GDP.

22. The Special Exception will not be injurious to the public health, safety, moral, and general welfare of the community. The proposed facility is essential to the promotion of the public health, safety,

moral and general welfare. The proposed wireless communications facility is vital to the delivery of emergency communications services, especially to police, fire departments, and other first responders.

23. A publication by the Federal Communications Commission (FCC) regarding E-911 Wireless Services is attached as **EXHIBIT L**. National statistics compiled by the FCC indicate that approximately 70% of E-911 calls to police and fire departments are now made using wireless phones. That percentage grows each year. For many Americans, the ability to call E-911 for help in an emergency is one of the main reasons they own a wireless phone. Other wireless E-911 calls come from "Good Samaritans" reporting traffic accidents, crimes or other emergencies.
24. The prompt delivery of wireless E-911 calls to public safety organizations benefits the public by promoting safety of life and property. The public relies on wireless communications for emergency access to law enforcement and public safety services. Many police departments also rely on wireless data services between patrol cars and law enforcement databases. Wireless data services help police departments utilize their limited resources more effectively to better protect the public. It is in the public's interest to ensure that robust and reliable emergency voice and data services remain available to everyone in our service areas. The emergency services factor is an important consideration as voice and data services will soon utilize LTE throughout the country.
25. The construction of the proposed telecommunications tower will bring or improve the Applicant's services to an area currently not served or not adequately served by the Applicant by increasing coverage and thereby enhancing the public's access to innovative and competitive wireless communications services. The proposed telecommunications tower will provide a necessary link in the Applicant's communications network that is designed to meet the increasing demands for wireless services in the area.
26. A U.S. Government Semi-Annual Report showing that as of June 2019, 59.12% of American homes have only wireless phones to make emergency 911 calls is attached as **EXHIBIT M**. Applicant provides essential services to individuals and businesses within the City. The public requires reliable and state-of-the-art communications infrastructure to deliver expected service. Large numbers of people have "cut the cord" from traditional wireline service, and now rely exclusively on wireless services to connect to

the national telephone system. The federal report reveals that wireless communication is an essential means of emergency communications and other communications for nearly half of the general population. This dependence upon the availability of wireless service by a significant proportion of the population clearly demonstrates a public need for ensuring the availability of reliable wireless communications services, including residential areas of the City. The use is essential to public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, and general welfare.

27. The use as developed will not adversely affect the surrounding area. The proposed facility is necessary to provide an essential public utility service to wireless communication users in Jackson, Tennessee that cannot be established in any other manner. The construction and integration of this site into Applicant's existing network will provide or improve access to essential services (like mobile voice and wireless data services) previously unavailable, and support Homeland Security through enhanced 911 services.
28. The proposed site will not be a nuisance or serious hazard to vehicles, pedestrians, or residents. The tower has been constructed in compliance with all applicable design standards. Moreover, the tower has been constructed to a "zero radius fall zone" so that in the unlikely event of structural failure, the tower will lean over and remain in a permanently deformed condition as opposed to falling to the ground. Further, the tower will not be lit under current aviation regulations. The tower will have a de minimis impact on traffic because the facility is not occupied on a daily basis and will only be visited for occasional maintenance or repair.
29. The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses. The proposed telecommunication facility complies with all development standards outlined in the Zoning Ordinance.
30. The proposal will provide for adequate, reliable public and private telecommunications service in a manner that minimizes the adverse, undesirable visual impact of the proposed tower through careful design and siting, and screening in an area of the City of Jackson.
31. The proposed telecommunication facility will allow the City of Jackson to manage anticipated growth by providing new citizens with access to essential wireless communication services. The

availability of wireless communication service will enhance economic activities by providing more citizens and businesses access to communication and internet services. The proposed facility will also increase the City's utility infrastructure and capacity to accommodate additional citizens. Further, the facility has been sited and designed to preserve and protect the community's beauty to the maximum extent possible. The proposed Special Exception is required to provide adequate infrastructure to the City.

- 32. All exhibits required by the Zoning Ordinances have been submitted.
- 33. All exhibits attached to this Application are hereby incorporated by reference as if fully set out as part of the Application.
- 34. Applicant reserves the right to supplement the Application with additional exhibits and expert testimony as necessary.
- 35. All correspondence associated with this Application may be directed to:

David A. Pike
Pike Legal Group, PLLC
P. O. Box 369
Shepherdsville, KY 40165-0369
Telephone: (800) 516-4293
Telefax: (800) 541-4410

Applicant respectfully requests that this matter be docketed for review and decision at the earliest possible date, and having met the requirements of Telecommunications Act of 1996, Tennessee Code and the Zoning Ordinance, the Applicant further requests that the subject Special Exception to construct and operate the proposed communications facility at the proposed location be approved. Please do not hesitate to contact us if you or the Board have any questions or require any additional information concerning this matter.

Sincerely,



David A. Pike
Attorney for Applicant



October 13, 2020

Planning Department
City of Jackson
111 East Main St.
Suite 201
Jackson, TN 38301

RE: Site Selection Report
Special Exception – Commercial Mobile Communication Services (CMCS)
Applicant: New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility
Site Location: 285 North Parkway, Jackson, TN
Site Name: Wallace

Dear Board Members:

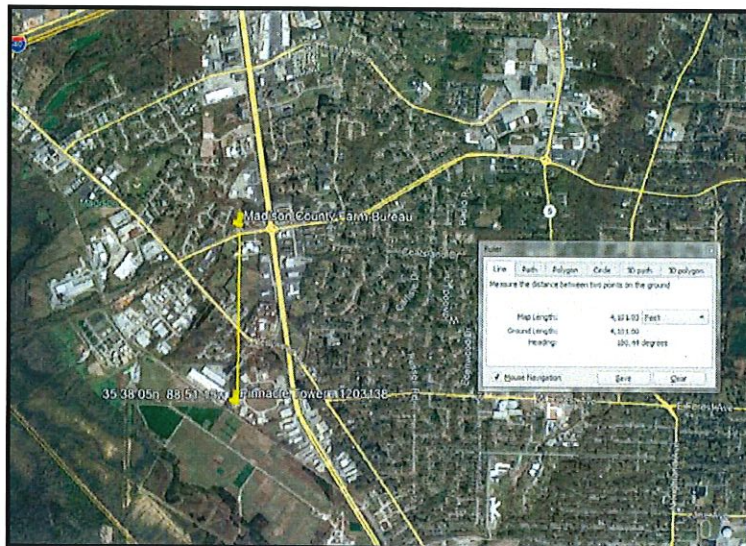
This report is provided to explain the site development process used by the Applicant to identify the site selected for the new wireless communications facility proposed in the accompanying Application.

New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility
Site Development Process

Step 1: Problem Identification. New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility ("AT&T Mobility") provides essential wireless voice and data services to Jackson, TN. Radio frequency engineers identified a growing coverage and/or capacity gap in AT&T Mobility's communications network in the area. The gap exists because there is insufficient wireless service infrastructure in the subject area. To remedy this problem, new wireless communications antennas and associated equipment must be located in the area to be served.

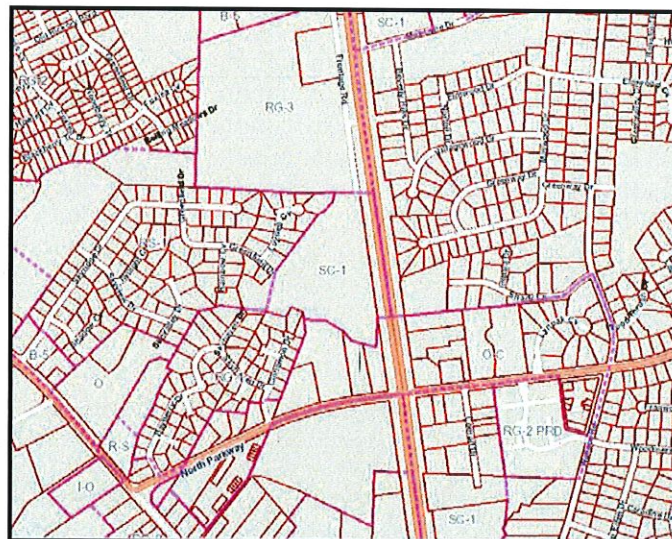
Step 2: Search Area. To help guide the site development team's task of identifying a suitable location for a new wireless communications facility site, AT&T Mobility radio frequency engineers first identified the geographic area where the antenna site must be located in order to close the gap and issued a map (called a Search Area) that identified the general area in which a new site must be located. In this instance, the search area coordinate center is 35.6469715, -88.8508118 near the intersection of Hwy 412 and the US 45 Bypass North. A map of the search area is shown below:

13804 Lake Point Circle, Unit 101
Louisville, KY 40223
502-253-0878 Phone
502-849-0449 Fax



There are no available, suitable structures that are capable of supporting the equipment required to resolve the existing coverage gap in this area. The equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or other structure taking into account AT&T's system requirements.

Step 4: Review of the Area's Zoning Classification. Once the site development team determined that there are no available existing tall structures which are technically feasible and suitable for co-location, the team next reviewed the zoning regulations for the most suitable site that meets the engineering needs of the project and complies with the requirements of the zoning ordinance. A zoning map of the search area is shown below:



13804 Lake Point Circle, Unit 101
Louisville, KY 40223
502-253-0878 Phone
502-849-0449 Fax



In this instance, the area to be served is a mix of commercial and residential parcels. Section 26 of Zoning Ordinance of the City of Jackson establishes the following siting standards for new communication towers.

--The minimum setback requirements of the district in which the tower is located applies to the equipment, structures, and other buildings which are auxiliary to functions of the communication tower.

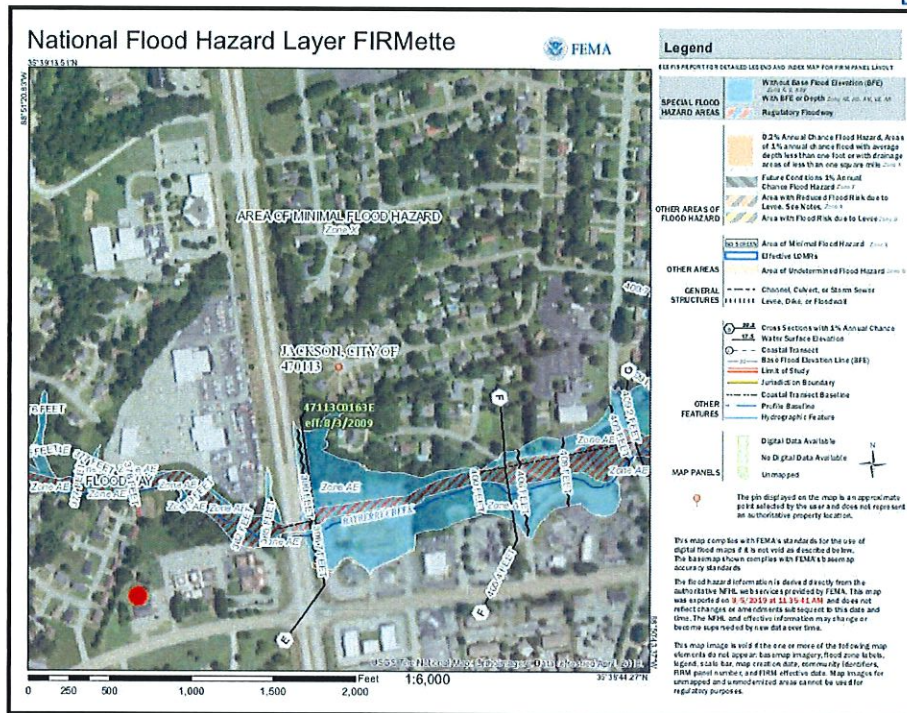
--In any residential district, a communication tower must be setback a minimum of 500 feet from any property line.

--Towers must be spaced a minimum distance of three thousand (3,000) feet apart, as measured from lease line to lease line.

Step 5: Preliminary Inspection and Assessment of Suitable Parcels. Once suitably zoned parcels are identified, the site development team visits the parcels and performs a preliminary inspection. The purpose of the preliminary inspection is: (1) to confirm the availability of sufficient land space for the proposed facility; (2) to identify a specific location for the facility on the parcel; (3) to identify any recognized environmental conditions that would disqualify the parcel from consideration; (4) to identify any construction issues that would disqualify the candidate; and, (5) to assess the potential impact of the facility on neighboring properties.

Rawland Alternatives Investigated

The site acquisition team performed a site analysis for the location that AT&T is considering building a new telecommunications tower. The team eliminated from consideration the small residential and small commercial parcels that do not have sufficient land space to locate a new tower facility. The flood areas shown on the map below were avoided:



Parcels within search area that were removed from consideration based on communications with landowner:

Landowner: Dwight Hawks/ Parcel #: 066-028.00
Landowner: Jayshree, LLC/ Parcel #: 066K-016.02

Parcels within search area that were removed from consideration based on superiority of site parcel:

Landowner: ALV Properties/Parcel #: 066-015.00
Landowner: Madison County/Parcel #: 066-021.00

Step 6: Candidate Evaluation and Selection. After the preliminary site assessments were performed, the site development team ranked the candidates based on compliance with zoning regulations, the availability of ground space, topography, applicable environmental conditions, construction feasibility and the potential impact of the facility on neighboring properties. In this case, the proposed tower is located on Parcel #: 066-021.04 owned by Madison County Farm Bureau and located at 285 North Parkway, Jackson, TN. This is a large commercial parcel with an existing office building and mature vegetation that help buffer the site from surrounding land uses. Below is a photograph of the site:

13804 Lake Point Circle, Unit 101
Louisville, KY 40223
502-253-0878 Phone
502-849-0449 Fax



Step 7: Leasing and Due Diligence. Once a suitable candidate was selected, lease negotiations were commenced, and site due diligence steps were performed, as described below.

Leasehold Due Diligence:

- A Title Report was obtained and reviewed to ensure that there are no limitations on the landowner's capacity to lease and to address any title issues.
- A site survey was obtained to identify the location of parcel features, boundaries, easements and other encumbrances revealed by the title search.
- Review of environmental conditions.

Engineering Due Diligence:

- Utility access identified.
- Grounding plan designed.
- Geotechnical soil analysis performed to determine foundation requirements.
- Foundations designed to meet the Building Code lateral and subjacent support requirements.
- Site plan developed.

Federal Regulatory Due Diligence

- Federal Aviation Administration ("FAA")
- Federal Communication Commission ("FCC")



Step 8: Application. Once a lease is obtained and all site due diligence is completed, New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility prepared and filed the accompanying application to construct, maintain and operate a communications facility.

Conclusion

Applicant's site identification and selection process aims to identify the least intrusive of all the available and technically feasible parcels in a service need area. In this case, a tower located on Parcel #: 066-021.04 owned by Madison County Farm Bureau and located at 285 North Parkway, Jackson, TN will resolve the existing coverage or capacity gap in this area. The site is located on a large parcel that provides good separation and mature vegetation to help buffer the site from surrounding land uses.

Thank you!

Lisa Crammer

Lisa Crammer
Blue Wave Deployment
Site Acq. Rep.



Collocation Statement

AT&T Site Name: Wallace

To Whom It May Concern:

Applicant states that the proposed wireless communications facility ("WCF") will be designed and constructed to accommodate collocation of additional wireless communication service providers' equipment and antennas as specified in accompanying drawings. Furthermore, following construction of the proposed WCF, Applicant agrees to provide collocation opportunities to other wireless communication facility, subject to structural feasibility and reasonable business terms and conditions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Tharp".

Chris Tharp
New Cingular Wireless PSC, LLC
Area Manager - KY/TN Market
RAN Construction

November 24, 2020

Mr. Cody Knox
AT&T
1975 Joe B Jackson Pkwy
Murfreesboro, TN 37127

RE: 148' Sabre Monopole for FA#14838725 Wallace, TN

Dear Mr. Knox,

Upon receipt of order, we propose to design a monopole for the above referenced project for a Basic Wind Speed of 105 mph and 30 mph with 1.5" radial ice, Structure Class II, Exposure C, Topographic Category 1 in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H, "Structural Standard for Antenna Supporting Structures and Antennas".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. **Please note that this letter only applies to the above referenced monopole designed and manufactured by Sabre Industries.** This would effectively result in a zero foot fall radius.

Sincerely,

Amy R. Herbst, P.E.
Senior Design Engineer

