



Cell Tower Application

Louisville Metro Planning & Design Services

Case No.: 21-CELL-0001 Intake Staff: [Signature]

Date: _____ Fee: \$2500

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

Project Name: Headley Hollow – Wireless Communications Facility

Primary Project Address: 4513 Blevins Gap Road, Louisville, KY 40272

Additional Address(es): Access from parcel fronting on Blevins Gap Road

Primary Parcel ID: 1054-0013-0000

Additional Parcel ID(s): 1054-0221-0000 (access drive)

Existing Zoning District: R4 - Residential Existing Form District: N – Neighborhood

Deed Book(s) / Page Numbers²: DB 9057, Pg 876 (Tower Site & Access) / DB 8702, Pg 541 (Access)

The subject property contains 25.914 acres. Number of Adjoining Property Owners: 13

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: _____ Docket/Case #: _____

Docket/Case #: _____ Docket/Case #: _____



Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: Marvin and Laurel Wathen

Name: New Cingular Wireless PCS, LLC

Company: _____

Company: New Cingular Wireless PCS, LLC

Address: 4513 Blevins Gap Road

Address: 462 S. 4th Street, Suite 2400

City: Louisville State: KY Zip: 40272

City: Louisville State: KY Zip: 40202

Primary Phone: _____

Primary Phone: _____

Alternate Phone: _____

Alternate Phone: _____

Email: _____

Email: _____

Owner Signature (required): _____

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: David A. Pike

Name: Raphael Mohamed

Company: Pike Legal Group, PLLC

Company: MasTec Network Solutions

Address: PO Box 369

Address: 507 Airport Blvd, Suite 111

City: Shepherdsville State: KY Zip: 40165

City: Morrisville State: NC Zip: 27560

Primary Phone: 800-516-4293

Primary Phone: _____

Alternate Phone: 502-955-4400

Alternate Phone: _____

Email: dpike@pikelegal.com

Email: _____

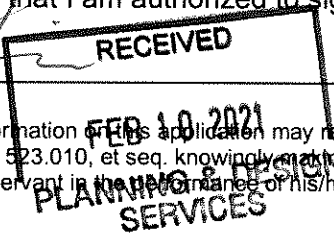
Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, David A. Pike, in my capacity as Authorized Agent, hereby *representative/authorized agent/other*

certify that Marvin and Laurel Wathen is (are) the owner(s) of the property which *name of LLC / corporation / partnership / association / etc.*

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: [Signature] Date: 2/5/2021



I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

Please submit the completed application along with the following items:

Project information

- Land Development Report¹
- A copy of the current recorded deed² (*must show "End of Document" stamp on last page*)
- Letter of explanation outlining the proposal

Supplemental information

- Six copies of all supplemental documentation listed in the General Provisions in Chapter 4.4.2 of the Land Development Code (this is in compliance with KRS 100.985 to 100.987)

Mailing labels to notify Adjoining Property Owners (APOs)³

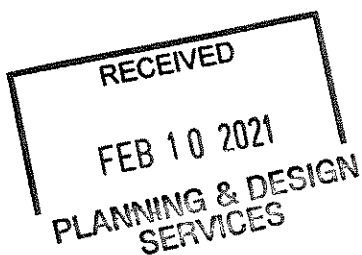
- Two sets of mailing label sheets for: 1st tier APOs
- One copy of the APO mailing label sheets

Fee (Cash, charge or check made payable to Planning & Design Services)

- Application Fee: \$ 2500

Resources:

1. Land Development Reports can be obtained online by entering the site address at: <https://www.lojic.org/lojic-online>
2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2nd floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at: <https://search.jeffersondeeds.com>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/property-search/>





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

February 8, 2021

Louisville Metro Planning and Design Services
Attn: Customer Service
Metro Development Center
444 S. 5th Street, Suite 300
Louisville, KY 40202

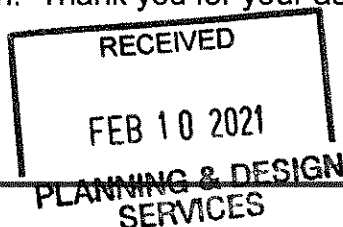
RE: New Cingular Wireless PCS, LLC d/b/a AT&T Mobility
Wireless Communications Facility Application
4513 Blevins Gap Road, Louisville, KY 40272
Site Name: Headley Hollow

To Whom It May Concern:

Please accept the enclosed Uniform Application and related filings requesting approval for a new Wireless Communications Facility. The following items are included in this submittal:

1. The Uniform Application with accompanying documentation as specified in Development Code Section 4.4.2. and in compliance with KRS 100.985 to 100.987).
2. Completed Planning and Design Application
3. The Land Development Report.
4. Copy of the Deed for the Subject Property.
5. Explanation for the Proposed Development (included as part of the Uniform Application).
6. Seven (7) 11" by 17" copies of the site development plan and survey.
7. Seven (7) 8.5" by 11" copies of the site development plan and survey.
8. Two (2) copies of labels and label matrix.
9. Notification List and Notice Letter Copies (included as part of the Uniform Application).
10. Check for application fee.

Please include this letter and enclosures in the administrative case file for the subject application. Thank you for your assistance with this matter.



Sincerely,



David A. Pike
Attorney for AT&T Mobility

Enclosures

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Land Development Report

January 27, 2021 12:00 PM

About LDC

Location

Parcel ID: 105400130000
Parcel LRSN: 269892
Address: MULTIPLE ADDRESSES

Zoning

Zoning: R4
Form District: NEIGHBORHOOD
Plan Certain #: NONE
Proposed Subdivision Name: NONE
Proposed Subdivision Docket #: NONE
Current Subdivision Name: NONE
Plat Book - Page: NONE
Related Cases: NONE

Special Review Districts

Overlay District: NO
Historic Preservation District: NONE
National Register District: NONE
Urban Renewal: NO
Enterprise Zone: NO
System Development District: NO
Historic Site: NO

Environmental Constraints

Flood Prone Area

FEMA Floodplain Review Zone: YES
FEMA Floodway Review Zone: NO
Local Regulatory Floodplain Zone or
Combined Sewer Floodprone Area: YES
Local Regulatory Conveyance Zone: NO
FEMA FIRM Panel: 21111C0122E, 21111C0123E

Protected Waterways

Potential Wetland (Hydric Soil): YES
Streams (Approximate): YES
Surface Water (Approximate): NO

Slopes & Soils

Potential Steep Slope: YES
Unstable Soil: YES

Geology

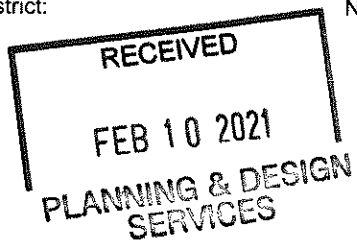
Karst Terrain: NO

Sewer & Drainage

MSD Property Service Connection: NO
Sewer Recapture Fee Area: NO

Services

Municipality: LOUISVILLE
Council District: 14
Fire Protection District: PLEASURE RIDGE PARK
Urban Service District: NO



21-CELL-0001

DEED OF TRANSFER AND CONSOLIDATION

THIS DEED between PATRICIA WINSTEAD, an unmarried widow, 4705 Blevins Gap Road, Louisville, Kentucky 40272, party of the first part; and MARVIN WATHEN and LAUREL WATHEN, his wife, 4513 Blevins Gap Road, Louisville, Kentucky 40272, parties of the second part; and MARVIN WATHEN and LAUREL WATHEN, his wife, 4513 Blevins Gap Road, Louisville, Kentucky 40272, parties of the third part (being the same as second parties).

WITNESSETH: That for a VALUABLE CONSIDERATION, being the sum of \$98,640.00 paid, the receipt of which is hereby acknowledged, the party of the first part hereby conveys, with covenant of GENERAL WARRANTY, unto the parties of the second part, for and during their joint lives with remainder in fee simple to the survivor of them, the following described real estate situated in Jefferson County, Kentucky, to-wit:

BEING the northerly portion of Tract A as shown on the minor subdivision plat attached hereto, and being more particularly described as follows:

Beginning at a point in the northwesterly corner of a tract of land conveyed to Marvin and Laurel Wathen by Deed Book 8702, Page 541, in the Office of the County Clerk of Jefferson County, Kentucky, and continuing in a northerly extension of the western line of said Wathen tract, North 4 degrees, 16 minutes, 08 seconds West 1,141.32 feet to the northwest corner of Tract A as shown on a minor subdivision plat approved by the Louisville Metro Planning Commission, Docket Number 8569, a copy of which is attached hereto and made a part hereof; running thence with the northernmost line of said Tract A, North 68 degrees, 12 minutes, 15 seconds East 723.78 feet to the northeasterly corner of Tract A; thence leaving the southeasterly boundary in common with Tract B and running South 21 degrees, 47 minutes, 45 second East 295 feet to a point at the edge of a private road known as Mary Jane Drive; thence across Mary Jane Drive South 68 degrees, 12 minutes, 13 seconds West 60.00 feet to a point at the edge of Mary Jane Drive and the northernmost corner of certain property conveyed to Blaine and Angie Kessinger by Deed Book 8215, Page 552; thence South 30 degrees, 45 minutes, 36 seconds West 265.78 feet to a point; thence South 3 degrees, 49 minutes, 14 seconds East 679.00 feet to a point in the northerly line of a tract conveyed to Brian and Melanie Davis by Deed Book 7017, Page 607; running thence with said northerly line of Davis and extending along an extension thereof across the northerly lines of property previously conveyed to Marvin and Laurel Wathen, South 69 degrees, 34 minutes, 55 seconds West 587.10 feet to the point of beginning, consisting of 16.44 acres, more or less, and being the portion of Tract A being sold off from the land of Patricia Winstead which is contained in the 23.13 acre tract depicted as Tract A on the attached minor subdivision plat.

Being a part of the same property conveyed to Marion Winstead and Patricia Winstead, his wife, by survivorship deed dated October 13, 1980, recorded in Deed Book 5193,

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Page 414, in the office aforesaid; the said Marion Winstead died testate January 12, 2007 (see W.A.B. 473, Page 395, and Probate file no. 07-P-00990).

The party of the first part further covenants that she is lawfully seized of the estate hereby conveyed, has full right and power to convey the same, and that said estate is free from all encumbrances except 2007 all subsequent *ad valorem* taxes to be assessed and payable which the parties of the second part hereby assume and agree to pay.

PROVIDED, HOWEVER, there is excepted any restrictions, stipulations, and easements of record affecting the property.

THIS DEED FURTHER WITNESSETH that, whereas, by deed dated May 24, 2004, recorded in Deed Book 8415, Page 551, and by the above conveyance hereinabove, second parties obtained title to two tracts of land comprising the hereinafter described property, and

WHEREAS, the second parties hereto desire to consolidate said property into a single parcel owned by them jointly, with right of survivorship, now this deed

WITNESSETH: That for a valuable consideration, the receipt of which is hereby acknowledged, the parties of the second part hereby convey to the parties of the third part, jointly, with remainder in fee simple to the survivor of them and with Covenant of General Warranty, the following described property located in Jefferson County, Kentucky, to-wit:

BEING Tract A on the Northerly side of Blevins Gap Road as shown on a Minor Subdivision Plat attached hereto and made a part hereof, approved June 7, 2007 by the Louisville Metro Planning Commission, Docket No. 8569.

Being the same property conveyed to second parties by this instrument and by deed dated May 24, 2004, recorded in Deed Book 8415, Page 551, in the office aforesaid.

First parties certify that the consideration for this conveyance is nominal, the fair market value of said property is \$ 346,310.00, and there is no transfer tax due on this consolidation conveyance under KRS 142.050(7)(c).

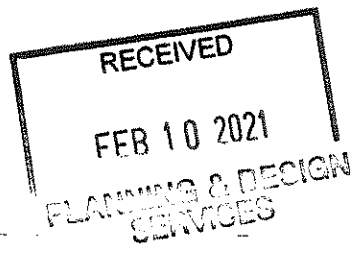
The parties state that the consideration reflected in this deed is the full consideration paid for the property.

IN TESTIMONY WHEREOF, the parties hereto have hereunto subscribed their names the day and year first above written.

Patricia Winstead
PATRICIA WINSTEAD

Marvin Wathen
MARVIN WATHEN

Laurel Wathen
LAUREL WATHEN

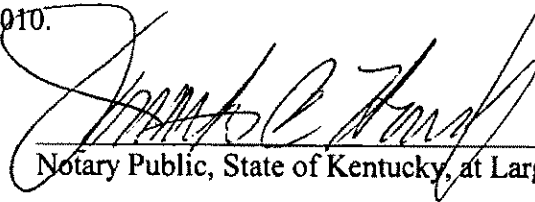


21-CELL-0001

STATE OF KENTUCKY)
(SCT.
COUNTY OF JEFFERSON)

I hereby certify that on this 20th day of June, 2007, the foregoing deed and consideration certificate were acknowledged and sworn to before me PATRICIA WINSTEAD.

My commission expires July 27, 2010.

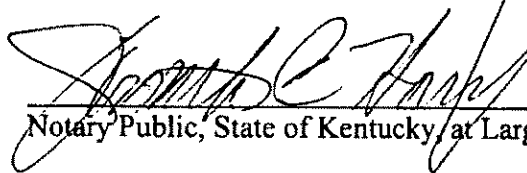


Notary Public, State of Kentucky, at Large

STATE OF KENTUCKY)
(SCT.
COUNTY OF JEFFERSON)

I hereby certify that on this 20th day of June, 2007, the foregoing deed and consideration certificate were acknowledged and sworn to before me MARVIN WATHEN and LAUREL WATHEN, his wife.

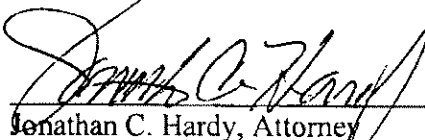
My commission expires July 27, 2010.



Notary Public, State of Kentucky, at Large

This deed was prepared by:

TITLE NOT EXAMINED



Jonathan C. Hardy, Attorney
161 St. Matthews Avenue, Suite 18
Louisville, Kentucky 40207
(502) 895-5144

Document No.: DN2007100079
Lodged By: HARDY
Recorded On: 06/25/2007 08:44:05
Total Fees: 131.00
Transfer Tax: 99.00
County Clerk: BOBBIE HOLSCLOW-JEFF CO KY
Deputy Clerk: AMASHO

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Morton & Patricia Winstead
DB 6150 Pg 231



LOCATION MAP
NOT TO SCALE

NOTES

The purpose of this plot is to shift a property line between two residual tracts.

Residual Tract A contains a protected waterway Crane Run. Any subsequent development on site is subject to the requirements of Chapter 4 section 8 of the Land Development Code.

This site contains slopes greater than 30%. Any subsequent development on site is subject to the requirements of Chapter 4 part 7 of Land Development Code.

The applicant's representative is responsible for obtaining the approval of the Pipers Ridge Fire Department.

A portion of Residual Tract A is located within Flood Plain (FEMA ZONE X Map #211110245D Map Date Feb 2, 1994.

No MSD Sewer Service available.

CERTIFICATE OF RESIDUAL LAND

The residual land of this tract A herewith being subdivided is in a single parcel of 23.13 acres and has frontage of 212 feet on Blevins Gap Road which is a public road.

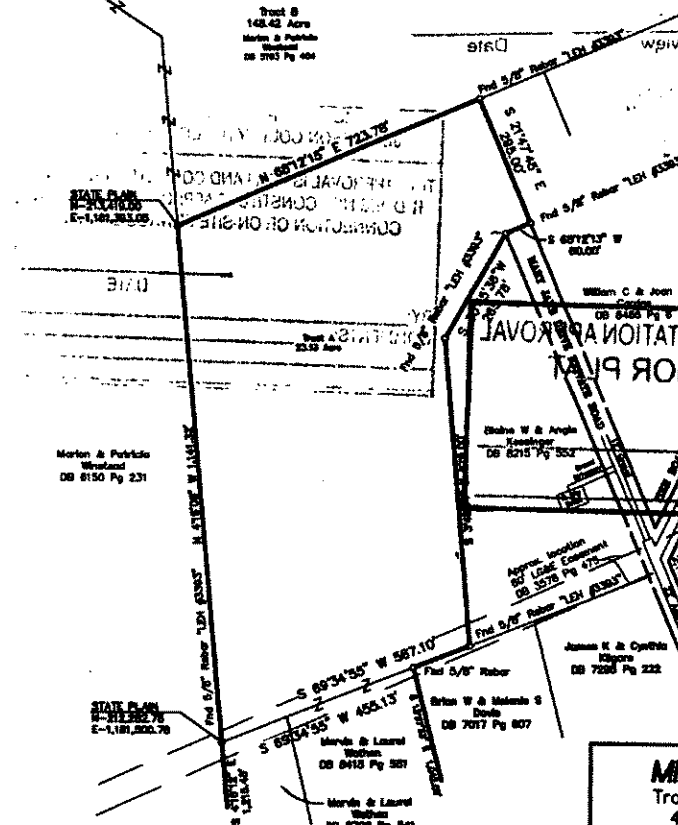
Lawrence E. Heinsohn
Professional Land Surveyor

CERTIFICATE OF RESIDUAL LAND

The residual land of this tract B herewith being subdivided is in a single parcel of 148.42 acres and has frontage of 1,110 feet on Blevins Gap Road which is a public road.

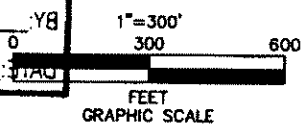
Lawrence E. Heinsohn
Professional Land Surveyor

DATE	REVIEW
DATE	REVIEW



CERTIFICATE OF APPROVAL

Approved this 14 day of April, 2007
Invalid if not recorded before this date:
4/23/07
By: *Paula S. Johnson*
Louisville Metro Planning Commission
Approval subject to attached Certificates.
Special requirement(s): N/A
Docket No. 5569



BEARING DATUM

The Bearing datum for this plot S 52°31'50" W is from the centerline of Blevins Gap Road.

SOURCE OF TITLE

Morton & Patricia Winstead DB 5193, Pg 404 & Marvin & Laurel Wathan DB 6415, Pg 551

LAND SURVEYORS CERTIFICATE

I hereby certify that this plot and survey was made under my supervision, and that the angular and liner measurements as witnessed by monuments shown hereon are true and correct to the best of my knowledge and belief. The survey was made by random traverse and sideshots. The unadjusted precision ratio of the traverse was 1:85865 and was adjusted. The survey shown hereon is a Class A survey and meets or exceeds the minimum standards of the governing authorities.



MINOR SUBDIVISION PLAT
Tract B Marion & Patricia Winstead
4405 & 4607 Blevins Gap Road
Louisville Kentucky, 40272
Tax Block 1054, Tax Lot 225 & 16
DB 5193, Pg 404 - DB 6150, Pg 231
Tract A Marvin & Laurel Wathan
4513 Blevins Gap Road
Louisville Kentucky, 40272
Tax Block 1054, Tax Lot 13
DB 8415, Pg 551
Zoning R4, Form District - Neighborhood
Date - 11-29-06

Surveyed By: Lawrence Heinsohn
155 Plantation Drive
Shelbyville, Ky 40065
(502) 693-6267

RECEIVED MARCH 2008

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PLANNING & DESIGN SERVICES

25-69
21 CELL-0001

METROPOLITAN SEWER DISTRICT REVIEW

This plat has been reviewed for storm drainage and sanitary sewer related considerations and Metropolitan Sewer District has no objection to this plat. However, this review does not constitute any form of construction approval for work on this site

J. Ball Storm Drainage Review 6/6/07 Date
J. Ball Sanitary Drainage Review _____ Date

No Sewer Serv. Avail.,
Subject to Health
Dept. Approval

ENVIRONMENTAL HEALTH & PROTECTION JEFFERSON COUNTY HEALTH DEPARTMENT
THIS APPROVAL IS FOR LAND CONFIGURATION ONLY. IT DOES NOT CONSTITUTE APPROVAL FOR SEWER CONNECTION OR ON-SITE SEWAGE SYSTEM.
<u>6/6/07</u> DATE
BY: <u>Michael Dallen</u>
COMMENTS: _____

TRANSPORTATION APPROVAL MINOR PLAT
BY: <u>[Signature]</u>
DATE: <u>6/6/07</u>

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METROPOLITAN SEWER DISTRICT REVIEW

This plat has been reviewed for storm drainage and sanitary sewer related considerations and Metropolitan Sewer District has no objection to this plat. However, this review does not constitute any form of construction approval for work on this site

J. Baker Storm Drainage Review 6/6/07 Date
J. Baker Sanitary Drainage Review _____ Date

No Sewer Serv. Avail.,
Subject to Health
Dept. Approval

ENVIRONMENTAL HEALTH & PROTECTION JEFFERSON COUNTY HEALTH DEPARTMENT
THIS APPROVAL IS FOR LAND CONFIGURATION ONLY. IT DOES NOT CONSTITUTE APPROVAL FOR SEWER CONNECTION OR ON-SITE SEWAGE SYSTEM.
<u>6/6/07</u> DATE
BY: <u>Michael Dally</u>
COMMENTS: _____

TRANSPORTATION APPROVAL MINOR PLAT
BY: <u>[Signature]</u>
DATE: <u>6/6/07</u>

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FEB 10 2021
PLANNING & DESIGN SERVICES

CERTIFICATE OF OWNERSHIP AND DEDICATION

This is to certify that the undersigned is the owner of the land shown on this plat and hereby acknowledges the same to be the plat of

and does hereby dedicate to public use the _____ shown thereon.

Maubeta Russell Wicker
Owner

OWNER
Title

ZONING CERTIFICATE

I/We hereby certify all of the lots of this minor subdivision and any existing buildings and improvements thereon and/or any buildings and improvements included in a building permit either applied for or approved thereon, are in compliance with all of the provisions of the Zoning District Regulations. Any such buildings or improvements not in compliance with the Zoning District Regulations have been granted all necessary variances by the Board of Zoning Adjustment as described in Docket _____ or documentation of the existence of the buildings or improvements prior to the adoption of the Zoning District Regulations has been accepted by the Planning Commission staff as valid evidence of their non-conforming status.

Maubeta Russell Wicker
Owner

OWNER
Title

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF KENTUCKY,
COUNTY OF JEFFERSON

I, _____, a notary public in and for the State and County aforesaid do hereby certify that the foregoing plat of

_____ was this day presented to me by _____, known to me, who executed the Certificates in my presence and acknowledge it to be _____ free act and deed.

Witness my hand and seal this 14 day of April, 2020.

My Commission expires the _____ day of _____, 2021.

Joseph S. Hill
Notary Public, Jefferson County, KY.

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FEB 10 2021
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CERTIFICATE OF OWNERSHIP AND DEDICATION

This is to certify that the undersigned is the owner of the land shown on this plat and hereby acknowledges the same to be the plat of

_____ and does hereby dedicate to public use the _____ shown thereon.

Patricia M. Winstead

Owner

Owner

Title

ZONING CERTIFICATE

I/We hereby certify all of the lots of this minor subdivision and any existing buildings and improvements thereon and/or any buildings and improvements included in a building permit either applied for or approved thereon, are in compliance with all of the provisions of the Zoning District Regulations. Any such buildings or improvements not in compliance with the Zoning District Regulations have been granted all necessary variances by the Board of Zoning Adjustment as described in Docket N-A or documentation of the existence of the buildings or improvements prior to the adoption of the Zoning District Regulations has been accepted by the Planning Commission staff as valid evidence of their non-conforming status.

Patricia M. Winstead

Owner

Owner

Title

CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF KENTUCKY,
COUNTY OF JEFFERSON

Angela R. Gopher

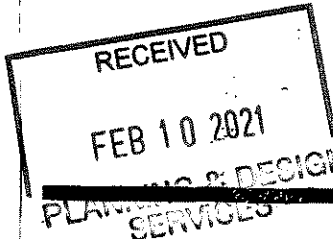
I, _____, a notary public in and for the State and County aforesaid do hereby certify that the foregoing plat of

_____ was this day presented to me by _____, known to me, who executed the Certificates in my presence and acknowledge it to be _____ free act and deed.

Witness my hand and seal this 23rd day of January, 2007.

My Commission expires the 2nd day of December, 2007.

Angela R. Gopher
Notary Public, Jefferson County, KY.



**COMMONWEALTH OF KENTUCKY
BEFORE THE LOUISVILLE METRO PLANNING COMMISSION**

In the Matter of:

UNIFORM APPLICATION OF)
NEW CINGULAR WIRELESS PCS, LLC, A DELAWARE)
LIMITED LIABILITY COMPANY, D/B/A AT&T MOBILITY)
REQUESTING APPROVAL TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF JEFFERSON)

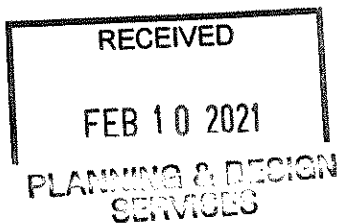
SITE NAME: HEADLEY HOLLOW

UNIFORM APPLICATION

New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Mobility ("Applicant"), by counsel and pursuant to (i) the Telecommunications Act of 1996, (ii) KRS 100.9865, KRS 100.987 and other statutory provisions, and (iii) the Land Development Code for all of Jefferson County, Kentucky ("Zoning Ordinance"), respectfully submit for review this Uniform Application ("Application") and request approval to construct, maintain and operate the wireless communications facility ("WCF") proposed herein.

I. WAIVER OF CONFIDENTIALITY

Pursuant to KRS 100.987(3), the Application contents are deemed confidential and proprietary. In order to facilitate the orderly and open discussion of the subject proposal by the Louisville Metro Planning Commission ("Planning Commission") and to provide for greater latitude in responding to inquiries from the public, Applicant, by counsel, hereby waive such confidentiality as to the contents of the within Application, including all submitted exhibit materials, and release the Planning Commission from any and all liability

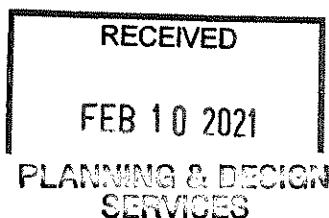


for any breach of such confidentiality. This waiver and release is freely granted as a voluntary accommodation.

II. INFORMATION AND MATERIALS SUBMITTED FOR REVIEW

In support of this Application, Applicant respectfully provides and states the following:

1. The complete name and address of the Applicant is: New Cingular Wireless PCS, LLC, a Delaware limited liability company, d/b/a AT&T Mobility, having an address of Meidinger Tower, 462 S. 4th Street, Suite 2400, Louisville, KY 40202
2. Applicant proposes to construct a WCF to be located in an area subject to the jurisdiction of the Planning Commission, and Applicant submits this Application pursuant to KRS §§ 100.9865, 100.987 and other applicable statutory authority.
3. The Certificate of Authorization issued by the Kentucky Secretary of State for the Applicant's entity is attached as part of **Exhibit A** and is hereby incorporated by reference.
4. New Cingular Wireless PCS d/b/a AT&T Mobility operates on frequencies licensed by the Federal Communications Commission ("FCC") pursuant to applicable FCC requirements. Copies of AT&T Mobility's FCC licenses to provide wireless services are attached to this Application or described as part of **Exhibit A**, and the facility will be constructed and operated in accordance with applicable FCC regulations.
5. The Application is in agreement with the applicable comprehensive plan and locally adopted zoning regulations. The construction of the proposed WCF will bring or improve AT&T Mobility's services to an area currently not served or not adequately served

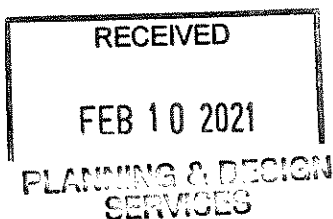


by increasing coverage or capacity and thereby enhancing the public's access to innovative and competitive wireless communications services. The WCF will provide a necessary link in the AT&T Mobility's communications network that is designed to meet the increasing demands for wireless services in the area.

6. To address the above-referenced service need, Applicant proposes to construct a WCF at 4513 Blevins Gap Road, Louisville, KY 40272 (38° 04' 28.0043" North latitude, 85° 50' 35.5304" West longitude). The proposed WCF will consist of a 195-foot tall monopole tower, with an approximately 4-foot tall lightning arrestor attached at the top, for a total height of 199'. The WCF will also include concrete foundations and cabinets to accommodate the placement of AT&T Mobility's radio electronics equipment and appurtenant equipment. The WCF compound will be fenced and all access gate(s) will be secured. The manner in which the proposed WCF will be constructed is described in the drawings attached as **Exhibit B** and **Exhibit C**.

7. A site development plan signed and sealed by a professional engineer registered in Kentucky and a site survey signed and sealed by a surveyor licensed in Kentucky are attached as **Exhibit B**. The site development plan includes a vertical profile sketch of the WCF depicting the tower height and the proposed placement for all antennas. As shown on this exhibit, the site has been designed to accommodate the co-location of future antennas for additional co-locating carriers.

8. Tower and foundation design plans and a vertical profile sketch of the WCF, signed and sealed by a professional engineer registered in Kentucky, and a description of the standards according to which the tower was designed are included as part of **Exhibit C**.



The tower design meets or exceeds the minimum requirements of applicable laws and regulations.

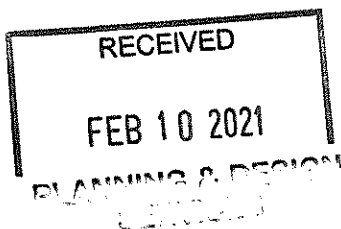
9. A geotechnical engineering firm has performed soil boring(s) and subsequent geotechnical engineering studies at the WCF site. A copy of the geotechnical engineering report, signed and sealed by a professional engineer registered in the Commonwealth of Kentucky, is attached as **Exhibit D**. The name and address of the geotechnical engineering firm and the professional engineer registered in the Commonwealth of Kentucky who supervised the examination of this WCF site are included as part of this exhibit.

10. The Construction Manager for the proposed facility is Sean Sheehan, and the identity and qualifications of each person directly responsible for design and construction of the proposed tower are contained in Exhibit B and Exhibit C. Personnel directly responsible for the design and construction of the proposed WCF are well qualified and experienced.

11. The surveyor has determined that the easement area for the tower and ground equipment is not within any flood hazard area, and a notation of this determination is included on the survey drawing attached as part of **Exhibit B**.

12. Clear directions to the proposed WCF site from the County seat are attached as **Exhibit E**. The name and telephone number of the preparer of **Exhibit E** are included as part of this exhibit.

13. Applicant, pursuant to a written agreement, has acquired the right to use the WCF site and associated property rights. The agreement includes a provision that



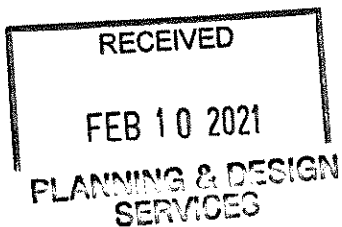
specifies, in the case of abandonment, a method and timetable for dismantling and removing the tower. A copy of the agreement (or abbreviated form of such agreement recorded with the County Clerk) is attached as **Exhibit F**.

14. **Exhibit B** includes a map drawn to an appropriate scale that shows the location of the proposed tower and identifies every owner of real estate within 500 feet of the proposed tower site (according to the records maintained by the County Property Valuation Administrator). Every structure and every easement within 500 feet of the proposed tower or within 200 feet of the access road, including intersection with the public street system, is shown in **Exhibit B**.

15. Applicant has notified every person who, according to the records of the County Property Valuation Administrator, owns property which is within 500 feet of the proposed tower or contiguous to the site property, by certified mail, return receipt requested, of the proposed construction. Each notified property owner has been provided with a map of the location of the proposed construction, the telephone number and address of the Planning Commission, and has been informed of his or her right to participate in the Planning Commission's proceedings on this Application. A list of the notified property owners and a copy of the form of the notice sent by certified mail to each landowner are attached as **Exhibit G** and **Exhibit H**, respectively.

16. Applicant has notified the Jefferson County Judge/Executive, the Mayor of Louisville, and the Jefferson County Metro Council by certified mail, return receipt requested, of the proposed construction. A copy of this notice is attached as **Exhibit I**.

17. Two notice signs measuring at least two (2) feet in height and four (4) feet in

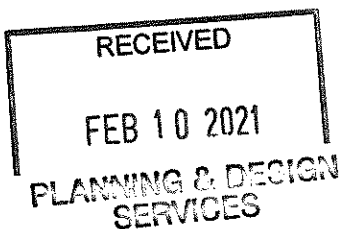


width and including all language prescribed by KRS 100.9865 have been posted in a visible location on the proposed site and on the public road nearest to the proposed site and shall remain posted until final disposition of the Application by the Planning Commission. A copy of the notice sign text is attached as **Exhibit J**. A legal notice advertisement regarding the location of the proposed facility has been published in a newspaper of general circulation in the county in which the WCF is proposed to be located. A copy of the newspaper legal notice advertisement is attached as part of **Exhibit J**.

18. KRS 100.987 requires the submission of a grid map showing the location of all existing cellular antenna towers and the general position of any proposed construction sites for new cellular antenna towers within the Planning Commission's jurisdiction and one-half mile outside the boundary of such jurisdiction (if that area contains either existing or proposed construction sites for cellular antenna towers). Information as to the locations of existing and proposed cellular antenna towers not owned by the Applicant is not always fully available from public sources. In good faith compliance with this requirement, Applicant submits as **Exhibit K** a map showing the location of the proposed tower and all existing and proposed free-standing or guyed towers within the subject area as identified from public Antenna Structure Registration information available from the FCC.

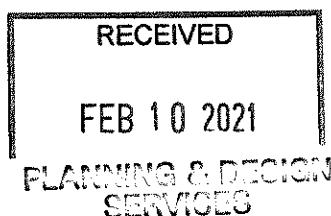
19. The general area where the proposed facility is to be located is heavily wooded with virtually no development north of the proposed site for a distance of approximately one mile. The area south of the site contains residential uses along Blevins Gap Road.

20. Applicant has considered the likely effects of the installation of the proposed



WCF on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate services can be provided, and that there are no reasonably available opportunities to co-locate Applicant antennas on an existing structure. When suitable towers or structures exist, Applicant attempts to co-locate on existing structures such as communications towers or other structures capable of supporting Applicant's facilities; however, no other suitable or available co-location site was found to be located in the vicinity of the site. A report detailing Applicant's site selection process for the subject site (including documentation as to why co-location is not possible for this site) is attached as **Exhibit L**.

21. The process that was used by the AT&T Mobility's radio frequency engineers in selecting the site for the proposed WCF was consistent with the general process used for selecting all other existing and proposed WCF facilities within the relevant network design area. AT&T Mobility's radio frequency engineers have conducted studies and tests in order to develop a highly efficient network that is designed to handle voice and data traffic in the service area. The engineers determined an optimum area for the placement of the proposed facility in terms of elevation and location to provide the best quality service to customers in the service area. A radio frequency design search area prepared in reference to these radio frequency studies was considered by AT&T Mobility when searching for sites for its antennas that would provide the coverage deemed necessary by AT&T Mobility. A map of the area in which the tower is proposed to be located which is drawn to scale and clearly depicts the necessary search area within which the site should be located pursuant to radio frequency requirements is attached as **Exhibit M**.



22. 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 a radio frequency engineer that describes the need for the proposed facility is attached as **Exhibit N**.

23. Applicant states that the tower is designed without tower lighting and will not be lighted unless required by applicable law.

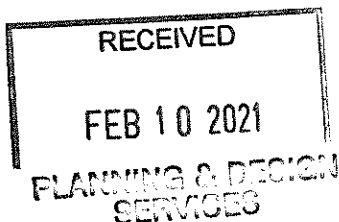
24. Applicant states that the tower is designed to accommodate co-location of at least three additional wireless communications carriers.

25. Applicant states that the tower shall be designed with a galvanized steel finish or painted light gray or light blue.

26. All Exhibits to this Application are hereby incorporated by reference as if fully set out as part of the Application.

27. All responses and requests associated with this Application may be directed to:

David A. Pike
Pike Legal Group, PLLC
1578 Highway 44 East, Suite 6
P. O. Box 369
Shepherdsville, KY 40165-0369
Telephone: (502) 955-4400
Telefax: (502) 543-4410
Email: dpike@pikelegal.com
Attorney for Applicant

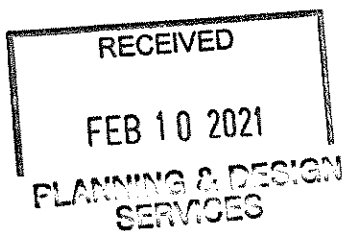


WHEREFORE, Applicant respectfully requests that the Planning Commission accept the foregoing Application for filing, and having met the applicable requirements of the Zoning Ordinance and all applicable law, approve Applicant's request to construct and operate the proposed WCF at the location set forth herein.

Respectfully submitted,



David A. Pike
Pike Legal Group, PLLC
1578 Highway 44 East, Suite 6
P. O. Box 369
Shepherdsville, KY 40165-0369
Telephone: (502) 955-4400
Telefax: (502) 543-4410
Email: dpike@pikelegal.com
Attorney for Applicant



LIST OF EXHIBITS

- A - Certificate of Authority and FCC License Documentation
- B - Site Development Plan:
 - 500' Vicinity Map
 - Legal Descriptions
 - Flood Plain Certification
 - Site Plan
 - Vertical Tower Profile
- C - Tower and Foundation Design
- D - Geotechnical Report
- E - Directions to Site
- F - Copy of Real Estate Agreement
- G - Notification Listing
- H - Copy of Property Owner Notification
- I - Copy of Chief Executive Officer and Legislative Body Notice
- J - Notice Sign Text and Newspaper Notice Advertisement
- K - Grid Map
- L - Site Selection Report
- M - Radio Frequency Design Search Area
- N - Radio Frequency Engineer Report

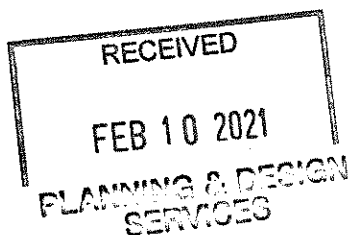


EXHIBIT A
CERTIFICATE OF AUTHORITY AND FCC LICENSE DOCUMENTATION

RECEIVED
FEB 10 2021
PLANNING & DESIGN
SERVICES

21-LELL-0001

Commonwealth of Kentucky
Alison Lundergan Grimes, Secretary of State

Alison Lundergan Grimes
Secretary of State
P. O. Box 718
Frankfort, KY 40602-0718
(502) 564-3490
<http://www.sos.ky.gov>

Certificate of Authorization

Authentication number: 216299
Visit <https://app.sos.ky.gov/ftshow/certvalidate.aspx> to authenticate this certificate.

I, Alison Lundergan Grimes, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

NEW CINGULAR WIRELESS PCS, LLC

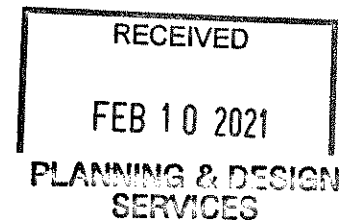
, a limited liability company authorized under the laws of the state of Delaware, is authorized to transact business in the Commonwealth of Kentucky, and received the authority to transact business in Kentucky on October 14, 1999.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that an application for certificate of withdrawal has not been filed; and that the most recent annual report required by KRS 14A.6-010 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 28th day of May, 2019, in the 227th year of the Commonwealth.



Alison Lundergan Grimes
Alison Lundergan Grimes
Secretary of State
Commonwealth of Kentucky
216299/0481848



21-CELL-0001

Cellular License - KNKA245 - NEW CINGULAR WIRELESS PCS, LLC

Call Sign	KNKA245	Radio Service	CL - Cellular
Status	Active	Auth Type	Regular
Market			
Market	CMA037 - Louisville, KY-IN	Channel Block	B
Submarket	0	Phase	2
Dates			
Grant	09/03/2014	Expiration	10/01/2024
Effective	08/31/2018	Cancellation	

Five Year Buildout Date

12/03/1989

Control Points

1 3503 College Drive, Jeffersontown, KY

Licensee

FRN	0003291192	Type	Limited Liability Company
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Licensee

NEW CINGULAR WIRELESS PCS, LLC 208 S Akard St., RM 1016 Dallas, TX 75202 ATTN Leslie Wilson	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
--	---

Contact

AT&T MOBILITY LLC Cecil J Mathew 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN Michael P. Goggin	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
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Ownership and Qualifications

Radio Service Type	Mobile		
Regulatory Status	Common Carrier	Interconnected	Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Demographics

Race	
Ethnicity	Gender

PCS Broadband License - KNLF251 - New Cingular Wireless PCS, LLC

PA This license has pending applications: 0008881021

Call Sign	KNLF251	Radio Service	CW - PCS Broadband
Status	Active	Auth Type	Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market	MTA026 - Louisville-Lexington-Evansvill	Channel Block	A
Submarket	15	Associated Frequencies (MHz)	001850.00000000-001865.00000000-001930.00000000-001945.00000000

Dates

Grant	06/02/2015	Expiration	06/23/2025
Effective	12/20/2018	Cancellation	

Buildout Deadlines

1st	06/23/2000	2nd	06/23/2005
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Notification Dates

1st	07/07/2000	2nd	02/18/2005
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Licensee

FRN	0003291192	Type	Corporation
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Licensee

New Cingular Wireless PCS, LLC 208 S Akard St., RM 1016 Dallas, TX 75202 ATTN Cecil J. Mathew	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
--	---

Contact

AT&T Mobility LLC Dee Coker 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN FCC Group	P:(855)699-7073 F:(214)757-3706 E:FCCMW@att.com
--	---

Ownership and Qualifications

Radio Service Type	Mobile		
Regulatory Status	Common Carrier	Interconnected	Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

PCS Broadband License - KNLG209 - New Cingular Wireless PCS, LLC

Call Sign	KNLG209	Radio Service	CW - PCS Broadband
Status	Active	Auth Type	Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market	BTA263 - Louisville, KY	Channel Block	D
Submarket	0	Associated Frequencies (MHz)	001865.00000000- 001870.00000000- 001945.00000000- 001950.00000000

Dates

Grant	04/12/2017	Expiration	04/28/2027
Effective	08/31/2018	Cancellation	

Buildout Deadlines

1st	04/28/2002	2nd	
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Notification Dates

1st	04/25/2002	2nd	
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Licensee

FRN	0003291192	Type	Limited Liability Company
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Licensee

New Cingular Wireless PCS, LLC 208 S Akard St., RM 1016 Dallas, TX 75202 ATTN Leslie Wilson	P:(855)699-7073 F:(214)746-6410 E:FCCMW@ATT.COM
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Contact

AT&T Mobility LLC Cecil J Mathew 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN FCC Group	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
---	---

Ownership and Qualifications

Radio Service Type	Mobile		
Regulatory Status	Common Carrier	Interconnected	Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

ULS License

PCS Broadband License - WPOI255 - NEW CINGULAR WIRELESS PCS, LLC

PA This license has pending applications: 0008904563

Call Sign	WPOI255	Radio Service	CW - PCS Broadband
Status	Active	Auth Type	Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market	MTA026 - Louisville-Lexington-Evansvill	Channel Block	A
Submarket	19	Associated Frequencies (MHz)	001850.00000000-001865.00000000-001930.00000000-001945.00000000

Dates

Grant	05/27/2015	Expiration	06/23/2025
Effective	08/31/2018	Cancellation	

Buildout Deadlines

1st	06/23/2000	2nd	06/23/2005
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Notification Dates

1st	07/07/2000	2nd	02/17/2005
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Licensee

FRN	0003291192	Type	Limited Liability Company
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Licensee

NEW CINGULAR WIRELESS PCS, LLC 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN Cecil J Mathew	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
---	---

Contact

AT&T MOBILITY LLC Cecil J Mathew 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN FCC Group	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
---	---

Ownership and Qualifications

Radio Service Type Mobile

Regulatory Status Common Carrier Interconnected Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

PCS Broadband License - WQDI528 - New Cingular Wireless PCS, LLC

Call Sign	WQDI528	Radio Service	CW - PCS Broadband
Status	Active	Auth Type	Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market	BTA263 - Louisville, KY	Channel Block	C
Submarket	7	Associated Frequencies (MHz)	001895.00000000- 001910.00000000 001975.00000000- 001990.00000000

Dates

Grant	08/17/2015	Expiration	09/06/2025
Effective	12/11/2019	Cancellation	

Buildout Deadlines

1st	09/06/2010	2nd	
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Notification Dates

1st	12/07/2006	2nd	
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Licensee

FRN	0003291192	Type	Limited Liability Company
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Licensee

New Cingular Wireless PCS, LLC 208 S Akard St., 21st FL Dallas, TX 75202 ATTN Cecil Mathew	P:(855)699-7073 E:FCCMW@att.com
---	------------------------------------

Contact

AT&T Mobility LLC Cecil J Mathew 208 S Akard St., 21st FL Dallas, TX 75202 ATTN FCC Group	P:(855)699-7073 E:FCCMW@att.com
---	------------------------------------

Ownership and Qualifications

Radio Service Type	Mobile		
Regulatory Status	Common Carrier	Interconnected	Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

ULS License

AWS (1710-1755 MHz and 2110-2155 MHz) License - WQGD483 - New Cingular Wireless PCS, LLC

Call Sign	WQGD483	Radio Service	AW - AWS (1710-1755 MHz and 2110-2155 MHz)
Status	Active	Auth Type	Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market	CMA037 - Louisville, KY-IN	Channel Block	A
Submarket	0	Associated Frequencies (MHz)	001710.00000000-001720.00000000-002110.00000000-002120.00000000

Dates

Grant	12/18/2006	Expiration	12/18/2021
Effective	08/31/2018	Cancellation	

Buildout Deadlines

1st	2nd
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Notification Dates

1st	2nd
-----	-----

Licensee

FRN	0003291192	Type	Limited Liability Company
-----	------------	------	---------------------------

Licensee

New Cingular Wireless PCS, LLC 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN Cecil J Mathew	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
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Contact

AT&T Mobility LLC Cecil J Mathew 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN Michael P. Goggin	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
---	---

Ownership and Qualifications

Radio Service Type	Fixed, Mobile	Interconnected	No
Regulatory Status	Non-Common		

Carrier

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

ULS License

AWS (1710-1755 MHz and 2110-2155 MHz) License - WQGD757 - New Cingular Wireless PCS, LLC

Call Sign	WQGD757	Radio Service	AW - AWS (1710-1755 MHz and 2110-2155 MHz)
Status	Active	Auth Type	Regular

Rural Service Provider Bidding Credit

Is the Applicant seeking a Rural Service Provider (RSP) bidding credit?

Reserved Spectrum

Reserved Spectrum

Market

Market	BEA070 - Louisville, KY-IN	Channel Block	C
Submarket	0	Associated Frequencies (MHz)	001730.00000000-001735.00000000-002130.00000000-002135.00000000

Dates

Grant	12/18/2006	Expiration	12/18/2021
Effective	02/20/2019	Cancellation	

Buildout Deadlines

1st	2nd
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Notification Dates

1st	2nd
-----	-----

Licensee

FRN	0003291192	Type	Limited Liability Company
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Licensee

New Cingular Wireless PCS, LLC 208 S Akard St. RM 1015 Dallas, TX 75202 ATTN Cecil J Mathew	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
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Contact

AT&T Mobility LLC Cecil J Mathew 208 S Akard St., RM 1015 Dallas, TX 75202 ATTN Michael P. Goggin	P:(855)699-7073 F:(214)746-6410 E:FCCMW@att.com
---	---

Ownership and Qualifications

Radio Service Type	Mobile
Regulatory Status	Common Carrier Interconnected Yes

Alien Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender