


EL PASO COUNTY
COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Board of County Commissioners
Stan VanderWerf, Chair

FROM: Kylie Bagley, Planner II
Carlos Hernandez Martinez, Engineer I
Craig Dossey, Executive Director

RE: Project File #: VA-21-005
Project Name: ATC Falcon Tower Variance of Use Renewal
Parcel No.: 44050-00-007

OWNER:	REPRESENTATIVE:
Gary and Anita Anderson 5410 Wagon Wheel Sq. Colorado Springs, CO 80915	Hoss Consulting 302 Elati Street Denver, CO 80223

Commissioner District: 2

Planning Commission Hearing Date:	3/3/2022
Board of County Commissioners Hearing Date	3/15/2022

EXECUTIVE SUMMARY

A request by American Tower for approval of a variance of use to allow a freestanding Commercial Mobile Radio Service (CMRS) facility. The 5.74-acre property is zoned RR-5 (Residential Rural) and is located on the south side of Davis Road and one-half (1/2) mile southwest of Blaney Road and is within Section 5, Township 14 South, Range 64 West of the 6th P.M.

The subject property is currently developed with a freestanding CMRS facility. The use was previously authorized through approval of a variance of use on October 10, 1996 (PCD File No. VA-96-016), which was later renewed on February 21, 2008 (PCD File No. VA-07-002). The 2008 variance included a condition of approval setting a ten (10)

2880 INTERNATIONAL CIRCLE, SUITE 110
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
 FAX: (719) 520-6695

year expiration period from the date of the Board of County Commissioners' approval. The applicant is requesting approval of a variance of use without an expiration period in order to allow the freestanding CMRS facility to operate on the property indefinitely.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by American Tower for approval of a variance of use to allow a freestanding Commercial Mobile Radio Service (CMRS) facility.

Waiver(s)/Deviation(s): There are no waivers or deviations associated with this request.

Authorization to Sign: There are no documents associated with this application that require signing.

B. PLANNING COMMISSION SUMMARY

Request Heard: As a Consent item at the March 3, 2022 hearing.

Recommendation: Approval based on recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 9 - 0

Vote Rationale: N/A

Summary of Hearing: The applicant was represented at the hearing.

Legal Notice: N/A

C. APPROVAL CRITERIA

Pursuant to Section 5.3.4 of the Land Development Code (2019), the Planning Commission and Board of County Commissioners may consider the following criteria in approving a variance of use:

- The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship.
- The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County;
- The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project;
- The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action;

- The proposed use will not adversely affect wildlife or wetlands;
- The applicant has addressed all off-site impacts;
- The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or
- Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.

D. LOCATION

North:	A-5 (Agricultural)	Vacant
South:	RR-5 (Residential Rural)	Vacant
East:	RR-5 (Residential Rural)	Vacant
West:	RR-5 (Residential Rural)	Vacant

E. BACKGROUND

The subject property is currently developed with a freestanding CMRS facility. The use was previously authorized through approval of a variance of use on October 10, 1996 (PCD File No. VA-96-016), which was later renewed on February 21, 2008 (PCD File No. VA-07-002). The 2008 variance included a condition of approval setting a ten (10) year expiration period from the date of the Board of County Commissioners' approval. The applicant is requesting approval of a variance of use without an expiration period in order to allow the freestanding CMRS facility to operate on the property indefinitely.

The variance of use was approved in 1996 with approval limited to the CMRS facility and associated antenna(s) depicted in the applicant's letter of intent and site plan with a maximum height of 250 feet above the natural ground elevation. The approval is also limited to two equipment buildings (288 square feet each).

The renewal of the variance of use in 2008 allowed the continuation of the use of the existing 247.5-foot tall CMRS facility and one additional 288 square foot equipment building. The variance of use approval has expired; therefore, a new variance of use approval is required in order to allow for the use to be continued. If the variance of use is approved, the applicant will be required to submit and receive approval of a site development plan for any subsequent collocation or additional antenna other than that shown on the site plan.

F. ANALYSIS

1. Land Development Code Analysis

The applicant is proposing to renew the previous variance of use approval for the freestanding CMRS facility use on the property. The applicant is not proposing any changes to the existing tower and facility.

The freestanding CMRS facility is not a permitted principle use in the RR-5 (Rural Residential) zoning district pursuant to Table 5-1 of the El Paso County Land Development Code (2021).

Section 5.3.4.F of the Land Development Code states:

“Any variance of use renewal may be acted upon by the PCD Director. In renewing a variance of use, the PCD Director shall consider the record of compliance with conditions of approval, proposed modifications in the scope of the land use, criteria for approval pursuant to this Section or as may otherwise be amended, and may consider other relevant factors.”

Section 5.3.4.E of the Land Development Code states:

“If the permit expires, in order to resolve the violation, Applicant shall be required to submit a new application for a new variance of use permit.”

The variance of use expired in 2018; therefore, the variance of use application is not considered a renewal and approval of a new variance of use permit is required.

Should the variance of use be approved, approval of a site development plan will be required in order to add any subsequent co-location or additional antenna on the tower.

2. Zoning Compliance

The RR-5 (Residential Rural) zoning district density and dimensional standards are as follows:

1. Minimum zoning district area: 5 acres
2. Minimum front, side, and rear yard setback: 25 feet
3. Maximum coverage: 25 percent
4. Maximum height: 30 feet

The existing freestanding CMRS facility meets the dimensional standards of the RR-5 zoning district. Should the variance of use request be approved, approval of a site development plan will be required prior to building permit issuance of any proposed expansion of the use. The site development plan review will

include confirmation that all site improvements (existing and proposed) comply with the dimensional standards included in Chapter 5 as well as the Development Standards in Chapter 6 of the Code.

In addition to the dimensional standards identified in Table 5-4 of the Code, there are use specific standards included within Section 5.2.19, Commercial Mobile Radio Service Facility, of the Code that apply:

“Located Within 250 Feet of Residential Zoning District. A freestanding CMRS facility located within 250 feet of any property zoned for residential use shall be set back from any residential property line one foot of distance for every foot of facility height (as measured from grade elevation), plus an additional 10 feet.

A freestanding CMRS facility, including antennae, shall not exceed the maximum structure height limit in the zoning district unless otherwise specifically authorized as a part of the special use or variance of use approval. Any tower that exceeds 200 feet shall require FAA approval prior to approval of a special use or variance of use.”

The existing CMRS Facility is 241 feet in height, which means that it exceeds the 200 foot threshold requiring FAA approval. The FAA has previously approved the tower height. A referral was sent to the FAA for review of the variance of use request and no response was received.

The existing CMRS facility is setback 229 feet from the closest property line, which means that it does not meet the setback requirement of the current Code. However, the CMRS facility was in compliance with the setback requirement that was in place at the time of the initial approval in 1996. The setbacks were considered legal nonconforming at the time of the variance of use renewal in 2008. The variance of use expiring voided the setbacks being considered legal-nonconforming. Therefore, the CMRS facility is required to meet requirements of the current Code. Staff has added recommended condition number 4 requiring the applicant to request an receive approval of a dimensional variance before the Board of Adjustment (BOA) prior to building permit authorization.

G. Analysis of Your El Paso Master Plan

1. Your El Paso Master Plan

Consistency with Your El Paso County Master Plan (2021) is not a required review criterion under the current (2021) version of the Land Development Code for a variance of use request. However, for informational purposes, Your El Paso

Master Plan (2021) establishes the vision for the County's future based on the needs of the current population and anticipated growth and provides strategies needed to achieve that vision as growth and change occur. The Plan is comprehensive both in scale and scope, influencing the entire County with recommendations related to a range of topics. In addition, Your El Paso Master Plan is intended to promote the community's vision, goals, objectives, and policies; establish a process for orderly growth and development; address both current and long-term needs; and provide for a balance between the natural and built environment.

The following is an analysis of the Plan as it applies to the application being considered with a specific focus on Chapter 3, Land Use, including identifying Key Area influences and the applicable Areas of Change and Placetype designations as well as the applicable Core Principles, Goals, Objectives, and Specific Strategies of the Action Matrix included in Chapter 14, which is the Implementation chapter of the Plan.

a. Placetype: Regional Open Space

Placetype Character:

“Regional Open Space encompasses large areas of both natural environment and developed parks of varying size and function. Representing more than just County parks, areas designated as Regional Open Space are often significant in size and complement adjacent developed areas. Natural open space in the County includes large areas of land managed by federal, state, County, and city entities that are not otherwise included within the Mountain Interface placetype. This placetype includes undeveloped areas with significant ecological value as well as programmed parks accommodating passive and active recreation, both of which may function as stormwater-management facilities. The Fountain Creek corridor is a primary example of an area of significant ecological interest.”

Recommended Land Uses:

- Parks
- Open Space
- Natural Areas
- Paleontological Areas

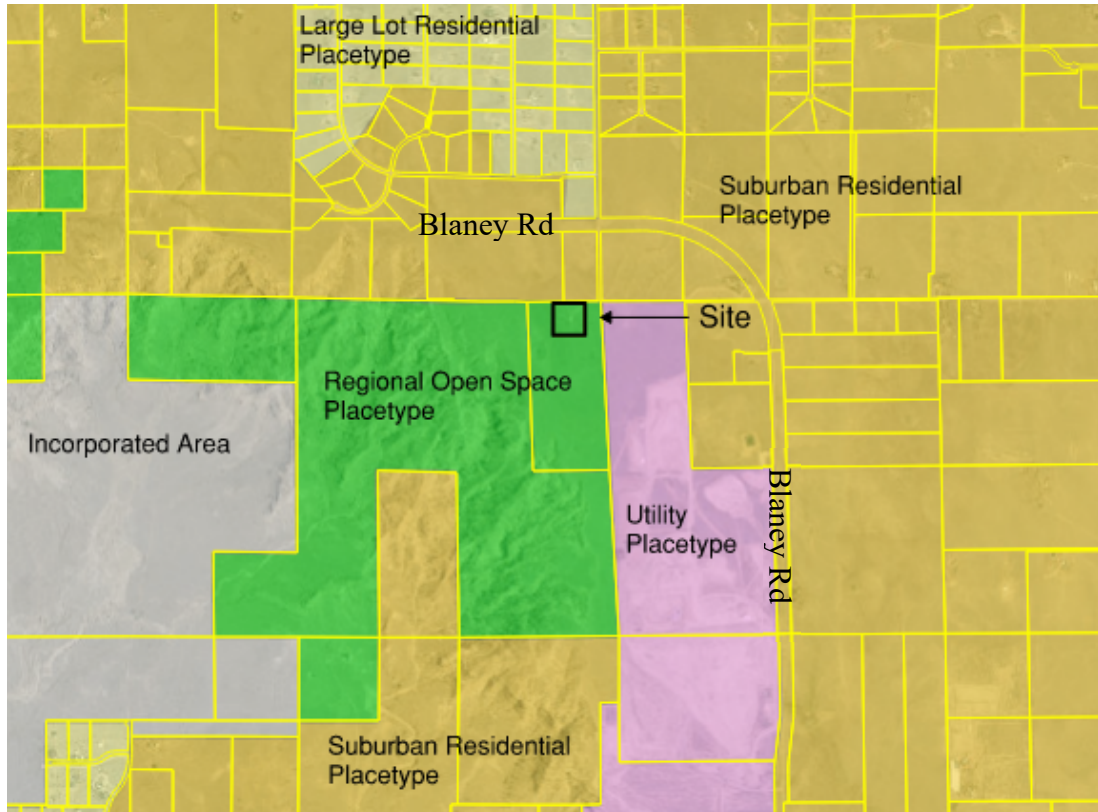


Figure G.1: Placetype Map

Analysis:

Page 108 of the Plan recognizes the need for improved cellular services in the eastern portion of the County:

“In the eastern part of the County, cellular service is more limited, with the primary coverage areas along Highway 24. Out of a total of over 235,000 occupied housing units in the County, approximately 97 percent had telephone service, while the remaining three percent (approximately 6,400 housing units) had neither landline nor cellular telephone service.”

The property included within this variance of use request is located within the eastern portion of the County. The variance of use would allow the CMRS facility to continue to provide service to this portion of El Paso County. As discussed in the placetype analysis below, the proposed variance of use complies with the character attributes and recommended land uses for the Regional Open Space placetype. The freestanding CMRS facility is an unmanned facility that does not significantly impact ecological value. Relevant goals and objectives are as follows:

- *Goal LU1*: “Ensure compatibility with established character and infrastructure capacity.”
- *Objective LU1-1*: “Some areas of the County should be planned for new development, while other areas should be preserved, protected, or see little new development.”
- *Goal CF13*: “Ensure adequate provision of utilities to manage growth and development.”
- *Specific Strategy*: Utilize the findings and recommendations from the 2019 Broadband Strategic Plan to help expand cellular service and Wi-Fi coverage throughout the region to eliminate dead spots and enhance safety, GPS navigation, and sharing of experiences on social networks. “

a. Area of Change Designation: New Development

These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built-out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.

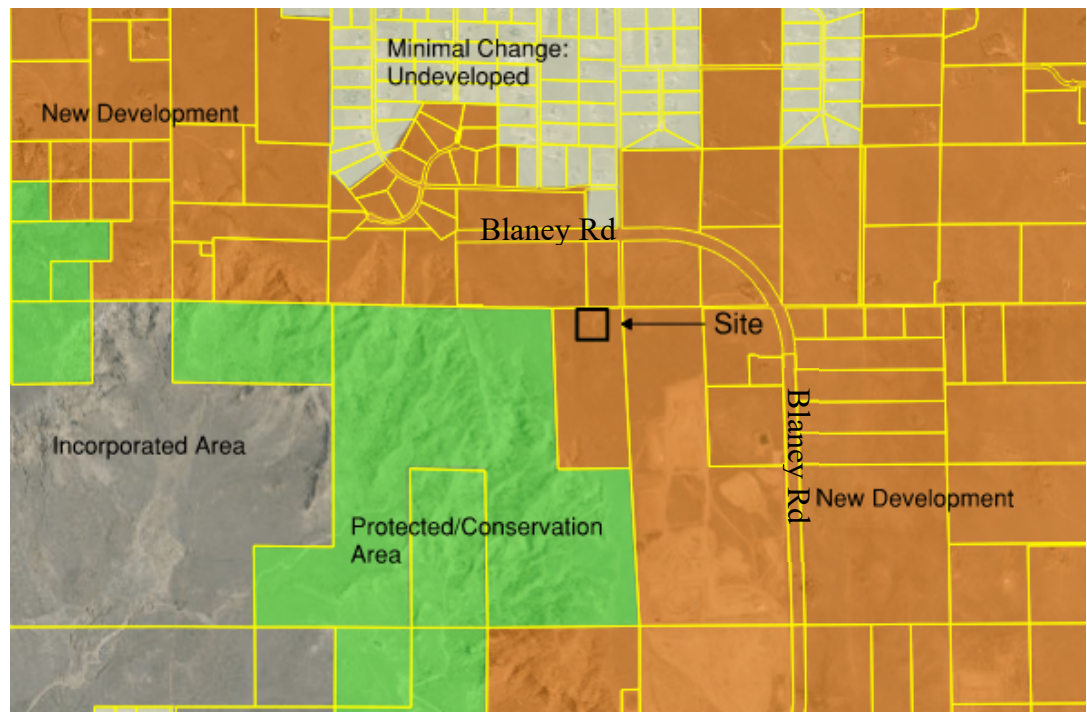


Figure G.2: Area of Change Map

Analysis:

Approval of the variance of use will allow for the existing 241-foot CMRS facility with existing carrier antennas and existing 288 square foot equipment building to continue providing necessary services to the anticipated new development in the area.

b. Key Area Influences

El Paso County represents a vast area composed of many distinct areas. These “Key Areas” have their own unique identities and are generally localized into smaller geographic areas with distinct characteristics that distinguish them from other areas of the County. The subject property is potentially influenced by two Key Areas: 1) Uncommon Natural Resources, 2) Potential Areas for Annexed.

Potential Areas for Annexation

“A significant portion of the County’s expected population growth will locate in one of the eight incorporated municipalities. As the largest municipality in El Paso County, Colorado Springs is expected to grow in population over the next several decades. As a result of this growth, Colorado Springs, and other municipalities including Fountain and Monument, will need to annex parts of unincorporated County to plan for and accommodate new development. This will either occur through new development within existing municipal limits or the annexation of subdivisions in unincorporated parts of the County.

This Key Area outlines the portions of the County that are anticipated to be annexed as development occurs. It is imperative that the County continue to coordinate with the individual cities and towns as they plan for growth. Collaboration with the individual communities will prevent the unnecessary duplication of efforts, overextension of resources, and spending of funds. The County should coordinate with each of the municipalities experiencing substantial growth the development of an intergovernmental agreement similar to that developed with Colorado Springs.”

Uncommon Natural Areas

“Uncommon Natural Areas include natural amenities within El Paso County that are more unique than a park or open space. The three identified are Corral Bluffs, Paint Mines Interpretive Park, and Ramah State Wildlife Area, all of which are prominent natural areas in El Paso County. Corral Bluffs, located just east of Colorado Springs city limits

along Highway 94, was recently discovered as having paleontological significance and Paint Mines Interpretive Park, southeast of Calhan, is a highly visited County Park with unique geologic formations. Ramah State Wildlife Area, southwest of Ramah, is another well-visited natural area in the County.

These three features bring unique opportunities for the County. As future growth and annexation occur in Colorado Springs, Corral Bluffs is situated so as to provide an excellent transition between the urban development of the City and the rural parts of unincorporated County. It should be considered as an open space buffer to preserve the character of the adjacent rural areas. Additionally, there is land around Paint Mines Park that would allow the extension of its boundaries. Extending these boundaries should be considered to help preserve this distinct County amenity and provide more public open space in the future.”

The variance of use will allow the existing CMRS facility to continue to provide service to both existing development as well as the anticipated new development within the areas anticipated to be annexed into the City of Colorado Springs. Should the area remain undeveloped, as recommended by the Uncommon Natural Areas, the existing CMRS facility is not anticipated to have a negative impact on the undeveloped surrounded areas.

Figure G.3: Key Area Map

2. Water Master Plan Analysis

Consistency with the El Paso County Water Master Plan (2018) is not a required review criterion for a variance of use request. However, for background, the Water Master Plan has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Policy 1.1.1 – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.

Goal 1.2 – Integrate water and land use planning.

The subject parcel is in Region 8 of the El Paso County Water Master Plan. Region 8 has a current central water supply of 299-acre feet per year and a current demand of 299-acre feet per year. The 2040 water supply is projected to be 299-acre feet per year and the projected demand is 396-acre feet. The 2060 water supply is projected to be 299-acre feet per year, whereas the demand is anticipated to be 484-acre feet per year; therefore, there is projected to be a deficient supply of water for central water providers in this region of the County.

The property does not have an existing groundwater well. The facility is an unmanned facility, which does not require a water supply.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high to moderate wildlife impact potential.

The Master Plan for Mineral Extraction (1996) identifies sand, gravel, and silt-clay deposits in the area of the subject parcel. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, severed mineral rights exist. The mineral rights owner has been notified of the application and hearing date.

Please see the Parks section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Please see the Transportation section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

H. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified during the review of the variance of use application which would restrict continued use or expansion of the facility.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcel as having a high wildlife impact potential.

3. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0780G, which has an effective date of December 7, 2018, indicates the property is located within Zone X, area outside of the 500-year floodplain.

4. Drainage and Erosion

This property is located within the Upper East Chico drainage basin (CHEC0400). This is a studied basin with associated drainage basin fees. No platting action is being requested; therefore, no drainage fees are due at this time.

5. Transportation

The 2016 El Paso County Major Transportation Corridors Plan Update does not depict roadway improvement projects in the immediate vicinity of the parcel.

The parcel is located on Davis Road, which is a rural collector road currently maintained by the County. No public improvements are required for this application. The parcel has an approved driveway access permit, AP2245, on file with El Paso County.

The variance requests are not subject to the El Paso County Road Impact Fee Program (Resolution 19-471), as amended.

I. SERVICES

1. Water

The existing/proposed CMRS facility is a dry use and is not served with a groundwater well.

2. Wastewater

The existing CMRS facility is an unmanned facility and does not require wastewater service.

3. Emergency Services

The parcels are within the Falcon Fire Protection District. The District was sent a referral and has no outstanding comments.

4. Utilities

Electrical service is provided by Mountain View Electrical Association and natural gas service is provided by Colorado Springs Utility.

5. Metropolitan Districts

The parcels are not located within a metropolitan district.

6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a variance of use application.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a variance of use application.

J. APPLICABLE RESOLUTIONS

See Attached Resolutions

K. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

L. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.4 of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations:

CONDITIONS

1. Approval is limited to one (1) commercial tower and associated antenna(s) as depicted in the applicant's letter of intent and site plan drawing, with a maximum height of the CMRS facility of 241 feet above natural ground elevation.
2. Any subsequent co-location, additional equipment shelter or additional antenna on the tower site other than that shown on the site plan shall be subject to administrative review and approval by the Planning and Community Development Department Director.
3. The variance of use approval shall be deemed abandoned, and of no further force and effect, if the primary intended use and/or activity has been discontinued for a period of one (1) year. For the purpose of this condition, the variance of use shall be deemed discontinued if the primary intended use has not been actively and regularly conducted on the approved site.
4. A dimensional variance shall be applied for and approved prior to building permit authorization for the CMRS Facility.

NOTATIONS

1. Variance of use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or variance of use conditions/standards are being violated, preceded by notice and public hearing.

M. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified two (2) adjoining property owners on February 10, 2022, for the Board of County Commissioners meeting. Any responses received from the property owners will be provided at the hearing.

N. ATTACHMENTS

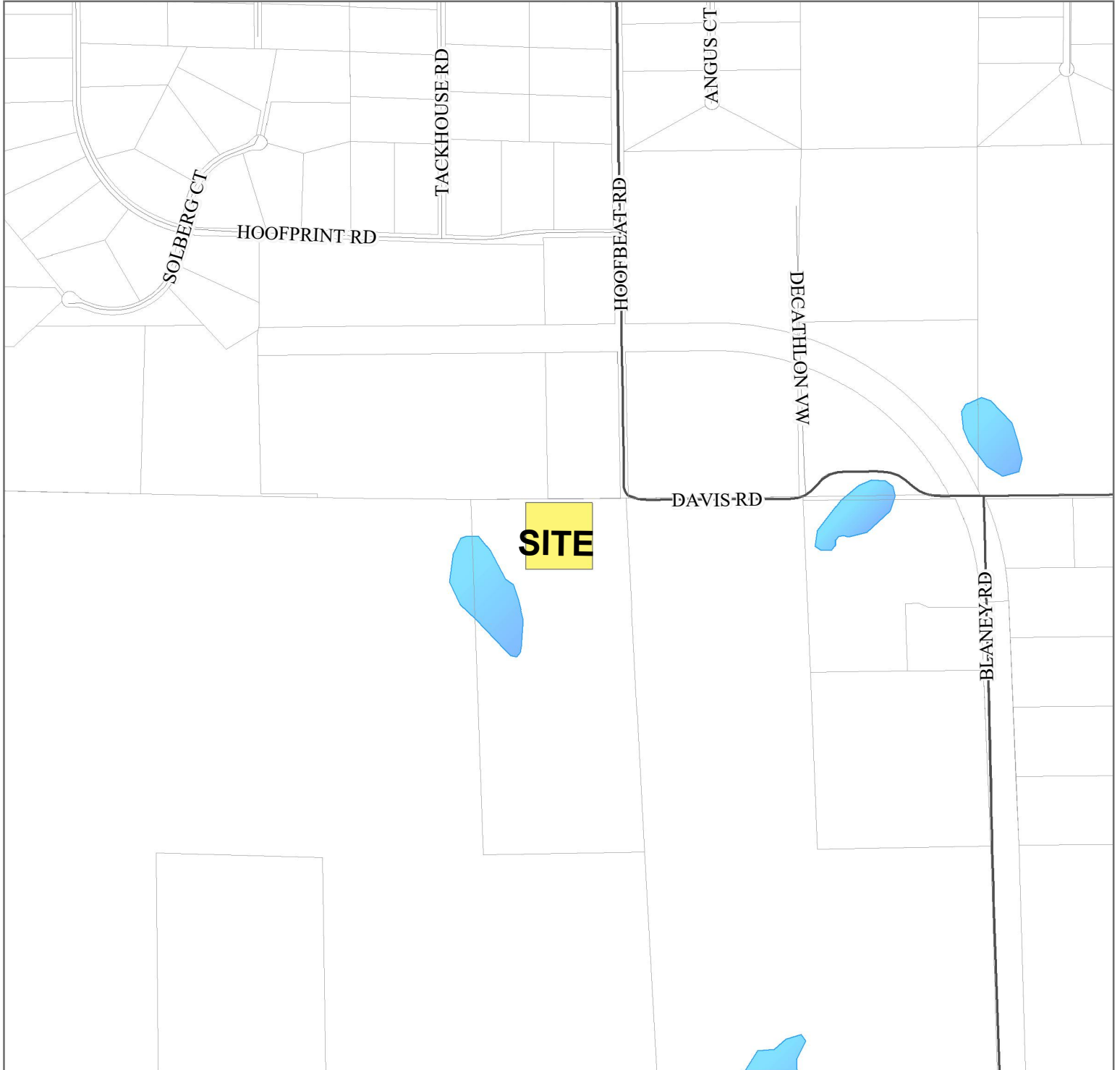
Vicinity Map
Letter of Intent
Site Plan
Elevation Drawing
Planning Commission Resolution
Board of County Commissioners' Resolution

El Paso County Parcel Information

File Name: VA-21-005

Zone Map No.: --

Date: February 10, 2022



Please report any parcel discrepancies to:
El Paso County Assessor
1675 W. Garden of the Gods Rd.
Colorado Springs, CO 80907
(719) 520-6600



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Hoss Consulting Inc.

El Paso County Planning & Community Development
2880 International Circle,
Colorado Springs, CO, 80910

Date: 1.5.2021

RE: **American Tower _ EA-21-097 _ Variance Renewal\Re-issue**

Subject Address: Unaddressed – Lot 3, NW ¼ Sect 5, T14S, R64W

County Parcel Number: 4405000007

Existing Cases: VA-07-002

Zone District: RR-5

Owner: American Tower, Asset #82093,

Attn Clare Corcoran, 781-926-7136, clare.corcoran@americantower.com

Dear El Paso County Planning,

American Tower is seeking Variance VA-07-002 renewal\re-issue for their existing 251' guyed tower at the address above. American Tower is proposing no changes to this existing tower/facility, only renewal\re-issue of their existing permit.

Responses to review criteria follows below in ***Bold Italicized text***:

- The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship. ***Interpretation of this code in any way that doesn't provide for the continued use of this facility would create an undue hardship for the facility owner, the wireless communication company(s) that utilize it, and the members of the community that rely on it for communications.***
- The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and County; ***having been an existing use at this site for over 20 years, the wireless facility has become part of the surrounding area. The facility is not detrimental to the health, safety, or welfare of the inhabitants of the area and County, to the contrary, it provides needed communications in the area and increases the safety and welfare of area inhabitants.***
- The proposed use will be able to meet air, water, odor or noise standards established by County, State or federal regulations during construction and upon completion of the project; ***This facility meets or exceeds all air, water, odor or noise standards established by County, State or federal regulations and will continue to do so.***

Hoss Consulting Inc.

- The proposed use will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action; ***the continued use of this facility will comply with all applicable requirements of this Code and all applicable County, State and federal regulations except those portions varied by this action.***
- The proposed use will not adversely affect wildlife or wetlands; ***the continued use of this facility will not adversely affect wildlife or wetlands.***
- The applicant has addressed all off-site impacts; ***this facility creates no off-site impacts, and if any were to arise, they would be timely addressed.***
- The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or ***as an existing use this facility has been shown to be provide adequate parking, traffic circulation, open space, fencing, screening, and landscaping. Furthermore, the proposed/renewed existing use will create no additional site traffic unless additional carriers co-locate their equipment on the tower, and then only monthly or bi-monthly visits from one or service vans/light trucks will be needed to maintain the site.***
- Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed. ***This is an unmanned facility that creates almost zero traffic other than occasional visits by techs and contractors for upkeep and maintenance.***
 - ***The proposed / renewed existing use, will have no impact on existing drainage patterns or adjacent properties.***
 - ***A driveway permit has been applied for.***

Please don't hesitate to call or email if you have any question.

Sincerely,
Mike Sharlow
302 Elati Street
Denver Co 80223
970-485-2996
mksharlow1@gmail.com



VICINITY MAP



AMERICAN TOWER®

SITE NAME: FALCON CO
SITE NUMBER: 82093
SITE ADDRESS: N.W. CORNER OF HWY. 94 & BLANEY ROAD. PEYTON, CO 80831



LOCATION MAP

AMERICAN TOWER®
ATC TOWER SERVICES, LLC
 3500 REGENCY PARKWAY
 SUITE 100
 CARY, NC 27518
 PHONE: (919) 468-0112

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
A	PRELIM	AV	08/23/21

ATC SITE NUMBER:
82093
 ATC SITE NAME:
FALCON CO

SITE ADDRESS:
 N.W. CORNER OF HWY. 94 & PEYTON, CO 80831

SEAL:

PRELIMINARY:
 NOT FOR
 CONSTRUCTION

DATE DRAWN: 08/23/21
 ATC JOB NO: 13329324_E1

TITLE SHEET

SHEET NUMBER:
G-001
 REVISION:
A

CONDITIONAL USE PERMIT RENEWAL

COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX					
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 1. INTERNATIONAL BUILDING CODE (IBC) 2. NATIONAL ELECTRIC CODE (NEC) 3. LOCAL BUILDING CODE 4. CITY/COUNTY ORDINANCES	<u>SITE ADDRESS:</u> N.W. CORNER OF HWY. 94 & PEYTON, CO 80831 COUNTY: EL PASO <u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 38.86713333 LONGITUDE: -104.58438611 GROUND ELEVATION: 6721' AMSL <u>ZONING INFORMATION:</u> JURISDICTION: EL PASO COUNTY PARCEL NUMBER: 44050-00-007	THIS SUBMITTAL IS FOR RE-PERMITTING WITH EL PASO COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS. NO CHANGES TO EXISTING ARE PROPOSED. PROJECT NOTES 1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. EXISTING FACILITY MEETS OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS. 4. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE. 5. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED. 6. HANDICAP ACCESS IS NOT REQUIRED.	SHEET NO:	DESCRIPTION:	REV:	DATE:	BY:	
	<u>PROJECT TEAM</u> <u>TOWER OWNER:</u> AMERICAN TOWER DELAWARE CORPORATION 10 PRESIDENTIAL WAY WOBURN, MA 01801 <u>PROPERTY OWNER:</u> PN LL NO VENDOR N.W. CORNER OF HWY. 94 & BLANEY ROAD. - PEYTON - CO - 80831 <u>ENGINEER:</u> ATC TOWER SERVICES 3500 REGENCY PARKWAY SUITE 100 CARY, NC 27518 <u>AGENT:</u> BONNIE BELAIR ATTORNEY, AMERICAN TOWER 10 PRESIDENTIAL WAY WOBURN, MA 01801	PROJECT LOCATION DIRECTIONS I-25 EXIT 141, GO EAST ON HWY 24. WHEN ROAD BENDS TOWARD NORTH, GO EAST ON SR 94. GO NORTH ON N. BLANEY RD., THEN WEST ON DAVIS RD. TOWER ACCESS GATE IS AT CORNER OF DAVIS AND HOOFBEAT RD.	G-001	TITLE SHEET	A	08/23/21	AV	
		UTILITY COMPANIES POWER COMPANY: MOUNTAIN VIEW ELECTRIC PHONE: (800) 388-9881 TELEPHONE COMPANY: QWEST PHONE: (800) 777-9594	C-101 OVERALL SITE PLAN A 08/23/21 AV	C-102	DETAILED SITE PLAN & TOWER ELEVATION	A	08/23/21	AV
		811 Know what's below. Call before you dig.	C-501 SIGNAGE A 08/23/21 AV					

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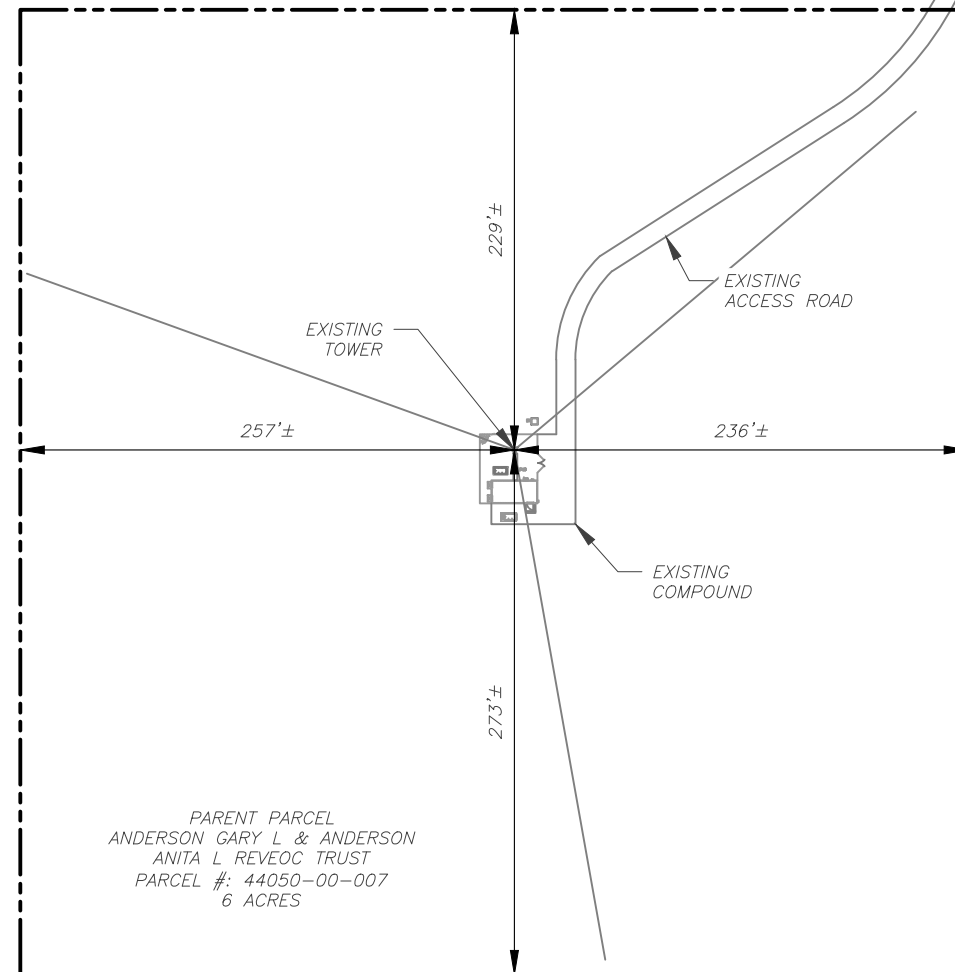
NOTES:

1. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
2. BOUNDARY INFORMATION OBTAINED FROM: DATATREE ONLINE GIS

N/F
WASTE MANAGEMENT OF COLO INC
PARCEL #: 43320-00-021
54 ACRES

N/F
WASTE MANAGEMENT OF COLO INC
PARCEL #: 43320-00-022
13 ACRES


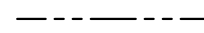



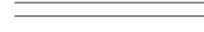
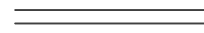
HOOFBEEAT ROAD

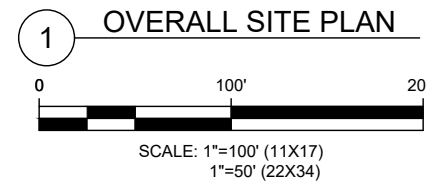


N/F
CITY OF COLORADO SPRINGS
PARCEL #: 40050-00-006
75 ACRES

PARENT PARCEL
ANDERSON GARY L & ANDERSON
ANITA L REVEOC TRUST
PARCEL #: 44050-00-007
6 ACRES

SURVEY LEGEND

-  EXISTING PROPERTY
-  EXISTING ADJ. PROPERTY
-  EXISTING CHAINLINK FENCE
-  EXISTING BUILDING
-  EXISTING ROAD (STONE)
-  EXISTING ROAD (PAVED)
-  EXISTING CONCRETE



THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATION AS INSTRUMENTS OR SERVICE ARE THE EXCLUSIVE PROPERTY OF AMERICAN TOWER. THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO AMERICAN TOWER OR THE SPECIFIED CARRIER IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER WHETHER OR NOT THE PROJECT IS EXECUTED. NEITHER THE ARCHITECT NOR THE ENGINEER WILL BE PROVIDING ON-SITE CONSTRUCTION REVIEW OF THIS PROJECT. CONTRACTOR(S) MUST VERIFY ALL DIMENSIONS AND ADVISE AMERICAN TOWER OF ANY DISCREPANCIES. ANY PRIOR ISSUANCE OF THIS DRAWING IS SUPERSEDED BY THE LATEST VERSION ON FILE WITH AMERICAN TOWER.

REV.	DESCRIPTION	BY	DATE
A	PRELIM	AV	08/23/21

ATC SITE NUMBER:
82093

ATC SITE NAME:
FALCON CO

SITE ADDRESS:
N.W. CORNER OF HWY. 94 &
PEYTON, CO 80831

SEAL:

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

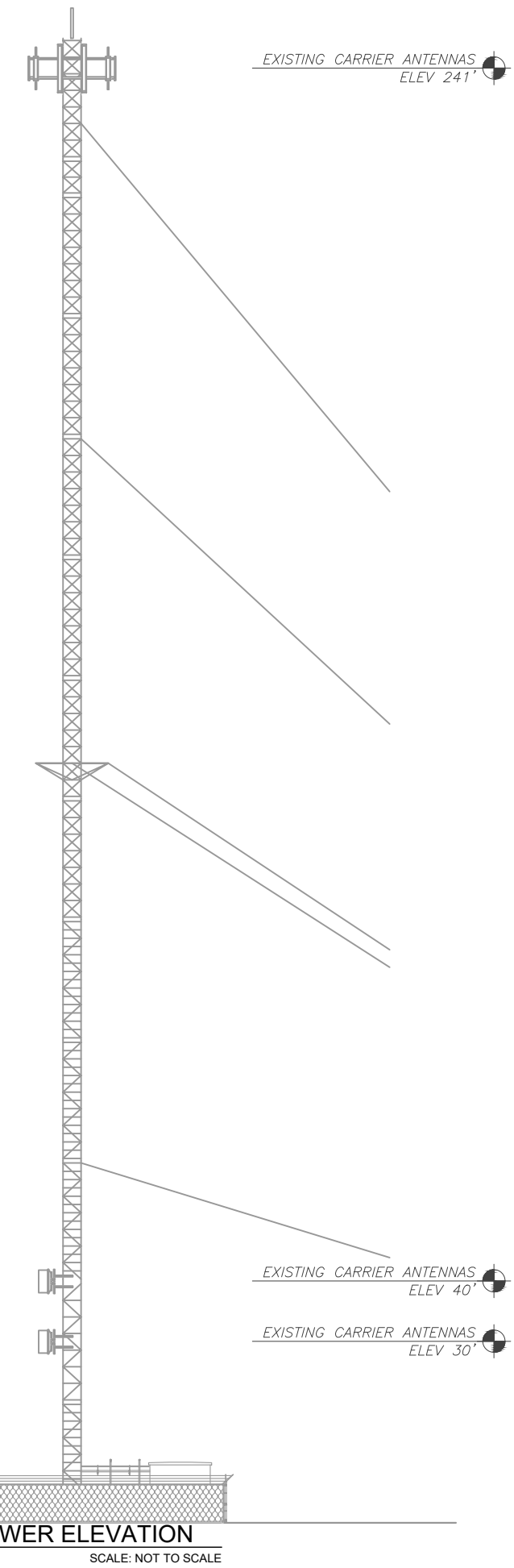
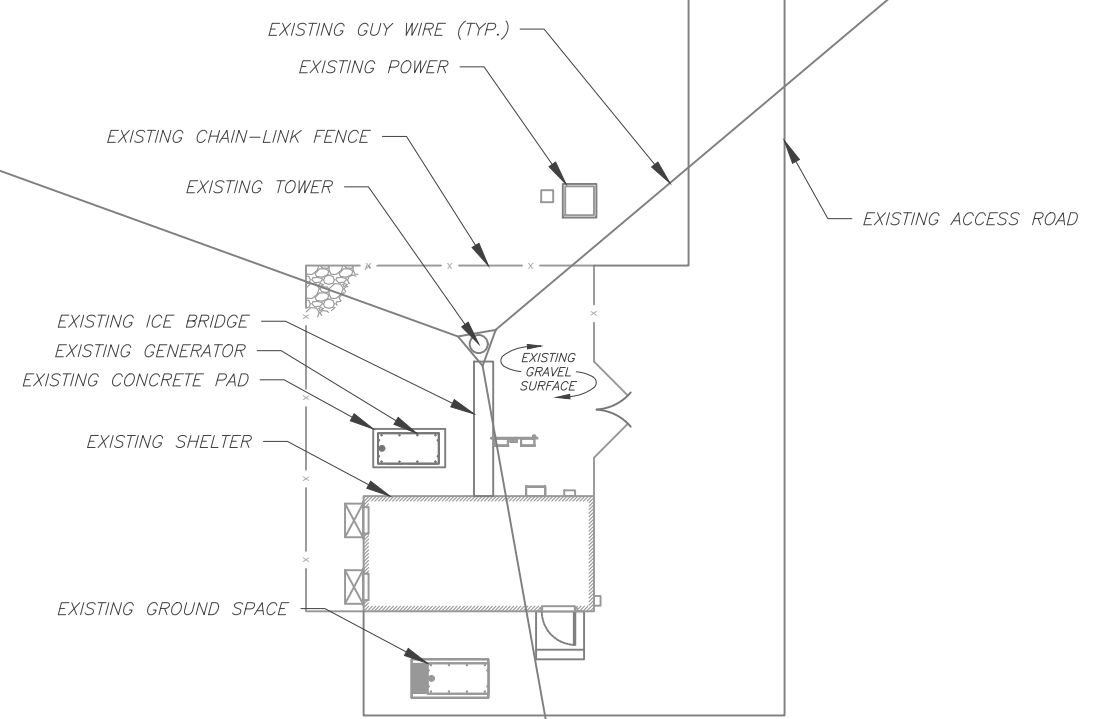
DATE DRAWN: 08/23/21
ATC JOB NO: 13329324_E1

OVERALL SITE PLAN

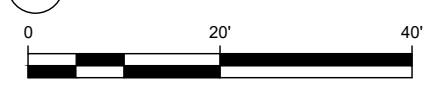
SHEET NUMBER: **C-101** REVISION: **A**

TOP OF EXISTING
HIGHEST APPURTENANCE
ELEV. 251'
TOP OF EXISTING TOWER
ELEV. 246'

EXISTING CARRIER ANTENNAS
ELEV 241'



1 DETAILED SITE PLAN



SCALE: 1"=20' (11X17)
1"=10' (22X34)



GRADE LEVEL
ELEV. 0'

2 TOWER ELEVATION
SCALE: NOT TO SCALE

AMERICAN TOWER®
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

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A	PRELIM	AV	08/23/21

ATC SITE NUMBER:
82093
ATC SITE NAME:
FALCON CO

SITE ADDRESS:
N.W. CORNER OF HWY. 94 &
PEYTON, CO 80831

SEAL:

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

DATE DRAWN: 08/23/21
ATC JOB NO: 13329324_E1

**DETAILED SITE PLAN &
TOWER ELEVATION**

SHEET NUMBER:
C-102
REVISION:
A

CAUTION



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b)

NO TRESPASSING

ATC CAUTION AND NO TRESPASSING SIGN

WARNING



Beyond this point:
Radio frequency fields at this site may exceed FCC rules for human exposure.

For your safety, obey all posted signs and site guidelines for working in radio frequency environments.

In accordance with Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION #

1001987

Posting of sign required by law

ATC STAND-ALONE FCC TOWER REGISTRATION SIGN



EXISTING SIGNAGE PHOTO

NOTICE
GUIDELINES FOR WORKING IN RADIOFREQUENCY ENVIRONMENTS

- All personnel should have electromagnetic energy (EME) awareness training.
- All personnel entering this site must be authorized.
- Obey all posted signs.
- Assume all antennas are active.
- Before working on antennas, notify owners and disable appropriate transmitters.
- Maintain minimum 3 feet clearance from all antennas.
- Do not stop in front of antennas.
- Use personal RF monitors while working near antennas.
- Never operate transmitters without shields during normal operation.
- Do not operate base station antennas in equipment room.

ATC RF PROGRAM NOTICE SIGN

AMERICAN TOWER®
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

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△	PRELIM	AV	08/23/21
△			
△			
△			
△			

ATC SITE NUMBER:
82093

ATC SITE NAME:
FALCON CO

SITE ADDRESS:
N.W. CORNER OF HWY. 94 &
PEYTON, CO 80831

SEAL:

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

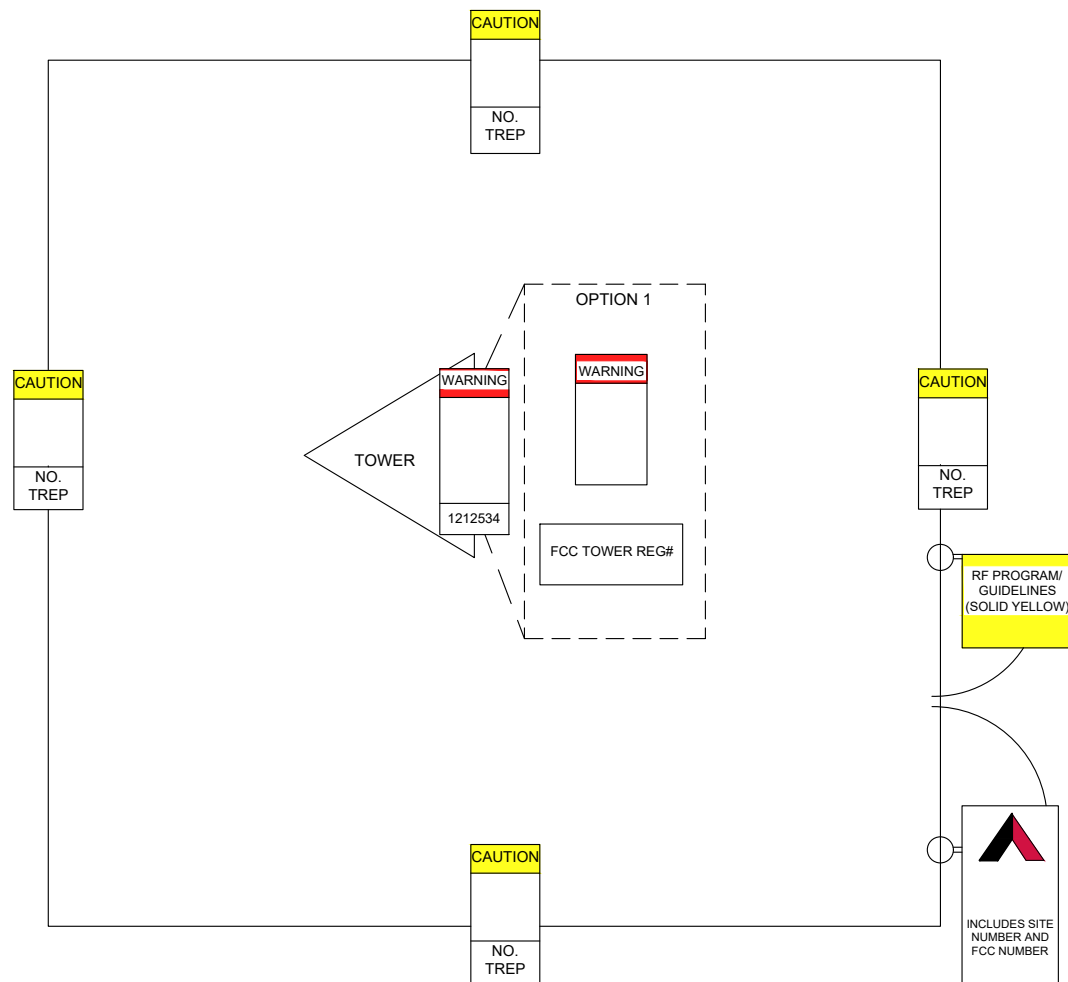
DATE DRAWN:	08/23/21
ATC JOB NO:	13329324_E1

SIGNAGE

SHEET NUMBER:
C-501

REVISION:
A

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER REGISTRATION NUMBERS AT THE BASE OF THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAINT PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A ZEBRA LABEL PRINTER WILL BE ACCEPTED.

SITE NAME : FALCON CO
SITE NUMBER : 82093
FCC REGISTRATION # : 1001987

FOR LEASING INFORMATION: **877-282-7483**
877-ATC-SITE

FOR EMERGENCIES CALL: **877-518-6937**
877-51-TOWER

NO TRESPASSING

www.americantower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 60 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY. NO HIGH-VOLTAGE EQUIPMENT PRESENT.



VICINITY MAP



AMERICAN TOWER®

SITE NAME: FALCON CO
SITE NUMBER: 82093
SITE ADDRESS: N.W. CORNER OF HWY. 94 & BLANEY ROAD. PEYTON, CO 80831



LOCATION MAP

AMERICAN TOWER®
ATC TOWER SERVICES, LLC
 3500 REGENCY PARKWAY
 SUITE 100
 CARY, NC 27518
 PHONE: (919) 468-0112

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REV.	DESCRIPTION	BY	DATE
A	PRELIM	AV	08/23/21

ATC SITE NUMBER:
82093
 ATC SITE NAME:
FALCON CO

SITE ADDRESS:
 N.W. CORNER OF HWY. 94 & PEYTON, CO 80831

SEAL:

PRELIMINARY:
 NOT FOR
 CONSTRUCTION

DATE DRAWN: 08/23/21
 ATC JOB NO: 13329324_E1

TITLE SHEET

SHEET NUMBER: **G-001** REVISION: **A**

CONDITIONAL USE PERMIT RENEWAL

COMPLIANCE CODE	PROJECT SUMMARY	PROJECT DESCRIPTION	SHEET INDEX				
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNMENT AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES. 1. INTERNATIONAL BUILDING CODE (IBC) 2. NATIONAL ELECTRIC CODE (NEC) 3. LOCAL BUILDING CODE 4. CITY/COUNTY ORDINANCES	<u>SITE ADDRESS:</u> N.W. CORNER OF HWY. 94 & PEYTON, CO 80831 COUNTY: EL PASO <u>GEOGRAPHIC COORDINATES:</u> LATITUDE: 38.86713333 LONGITUDE: -104.58438611 GROUND ELEVATION: 6721' AMSL <u>ZONING INFORMATION:</u> JURISDICTION: EL PASO COUNTY PARCEL NUMBER: 44050-00-007	THIS SUBMITTAL IS FOR RE-PERMITTING WITH EL PASO COUNTY. THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS. NO CHANGES TO EXISTING ARE PROPOSED. PROJECT NOTES 1. THE FACILITY IS UNMANNED. 2. A TECHNICIAN WILL VISIT THE SITE APPROXIMATELY ONCE A MONTH FOR ROUTINE INSPECTION AND MAINTENANCE. 3. EXISTING FACILITY MEETS OR EXCEEDS ALL FAA AND FCC REGULATORY REQUIREMENTS. 4. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT LAND DISTURBANCE OR EFFECT OF STORM WATER DRAINAGE. 5. NO SANITARY SEWER, POTABLE WATER OR TRASH DISPOSAL IS REQUIRED. 6. HANDICAP ACCESS IS NOT REQUIRED.	SHEET NO:	DESCRIPTION:	REV:	DATE:	BY:
	<u>PROJECT TEAM</u> <u>TOWER OWNER:</u> AMERICAN TOWER DELAWARE CORPORATION 10 PRESIDENTIAL WAY WOBURN, MA 01801 <u>PROPERTY OWNER:</u> PN LL NO VENDOR N.W. CORNER OF HWY. 94 & BLANEY ROAD. - PEYTON - CO - 80831 <u>ENGINEER:</u> ATC TOWER SERVICES 3500 REGENCY PARKWAY SUITE 100 CARY, NC 27518 <u>AGENT:</u> BONNIE BELAIR ATTORNEY, AMERICAN TOWER 10 PRESIDENTIAL WAY WOBURN, MA 01801	PROJECT LOCATION DIRECTIONS I-25 EXIT 141, GO EAST ON HWY 24. WHEN ROAD BENDS TOWARD NORTH, GO EAST ON SR 94. GO NORTH ON N. BLANEY RD., THEN WEST ON DAVIS RD. TOWER ACCESS GATE IS AT CORNER OF DAVIS AND HOOFBEAT RD.	G-001	TITLE SHEET	A	08/23/21	AV
			C-101	OVERALL SITE PLAN	A	08/23/21	AV
			C-102	DETAILED SITE PLAN & TOWER ELEVATION	A	08/23/21	AV
C-501	SIGNAGE	A	08/23/21	AV			



Know what's below.
 Call before you dig.

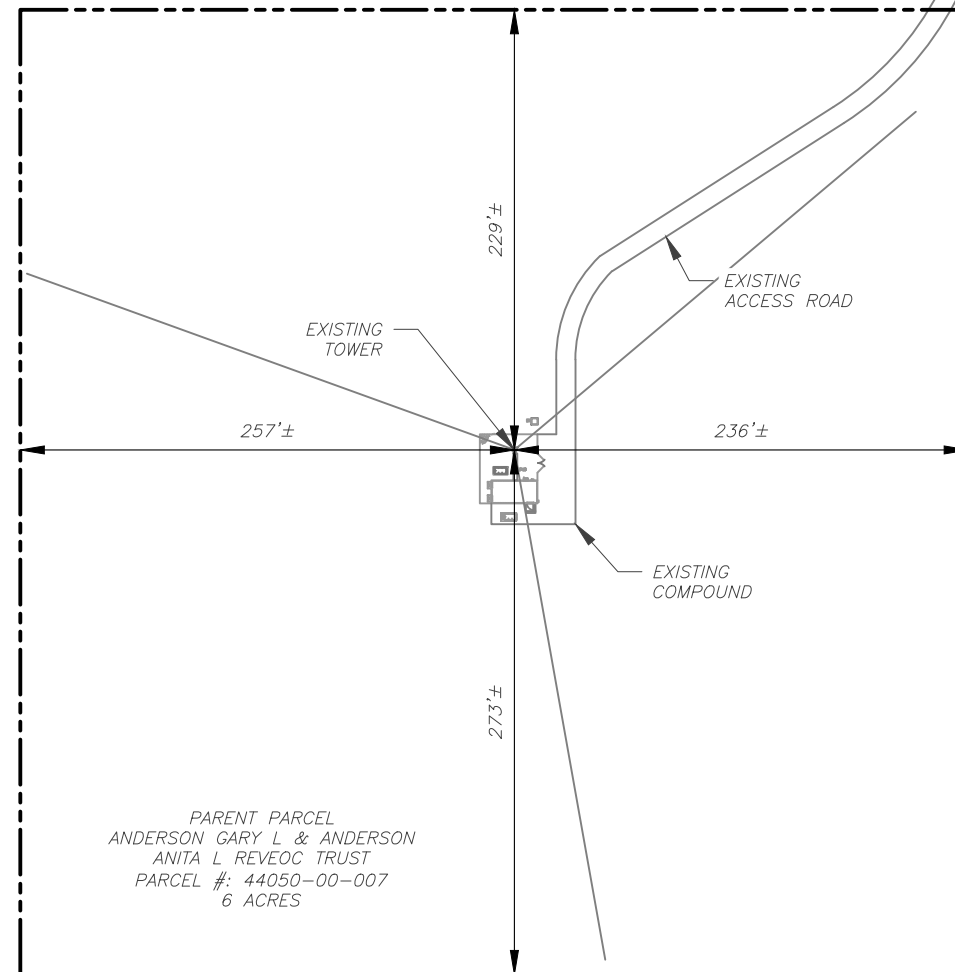
NOTES:

- THIS SET OF DRAWINGS IS INTENDED TO DEPICT EXISTING SITE CONDITIONS ONLY. THE PROJECT WILL NOT RESULT IN ANY PROPOSED WORK.
- BOUNDARY INFORMATION OBTAINED FROM: DATATREE ONLINE GIS

N/F
WASTE MANAGEMENT OF COLO INC
PARCEL #: 43320-00-021
54 ACRES

N/F
WASTE MANAGEMENT OF COLO INC
PARCEL #: 43320-00-022
13 ACRES

HOOFBEAT ROAD

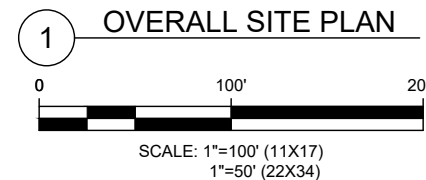


N/F
CITY OF COLORADO SPRINGS
PARCEL #: 40050-00-006
75 ACRES

PARENT PARCEL
ANDERSON GARY L & ANDERSON
ANITA L REVEOC TRUST
PARCEL #: 44050-00-007
6 ACRES

SURVEY LEGEND

- EXISTING PROPERTY
- EXISTING ADJ. PROPERTY
- EXISTING CHAINLINK FENCE
- EXISTING BUILDING
- EXISTING ROAD (STONE)
- EXISTING ROAD (PAVED)
- EXISTING CONCRETE



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REV.	DESCRIPTION	BY	DATE
A	PRELIM	AV	08/23/21

ATC SITE NUMBER:
82093
ATC SITE NAME:
FALCON CO

SITE ADDRESS:
N.W. CORNER OF HWY. 94 &
PEYTON, CO 80831

SEAL:

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

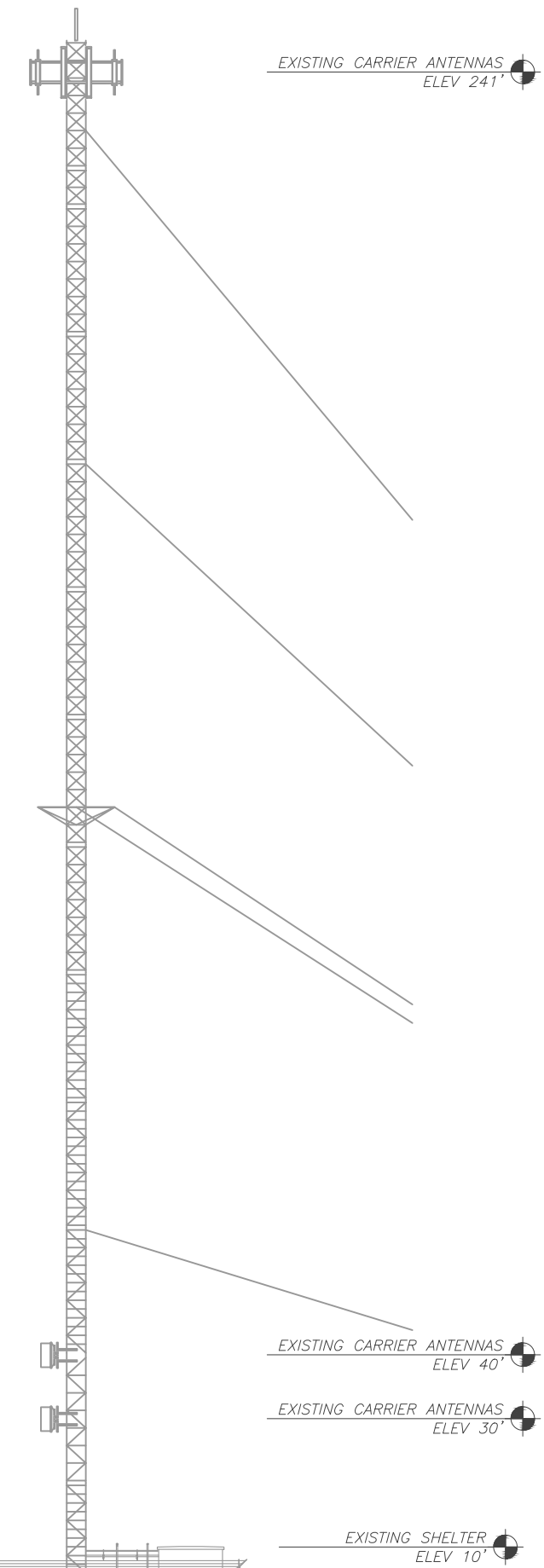
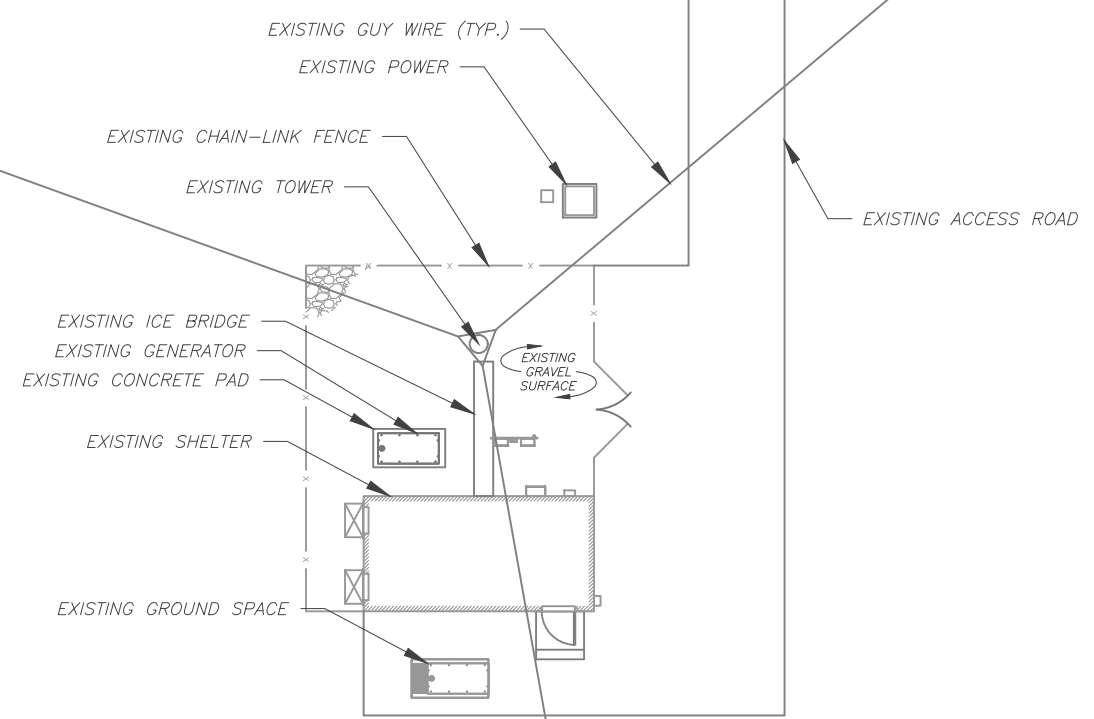
DATE DRAWN: 08/23/21
ATC JOB NO: 13329324_E1

OVERALL SITE PLAN

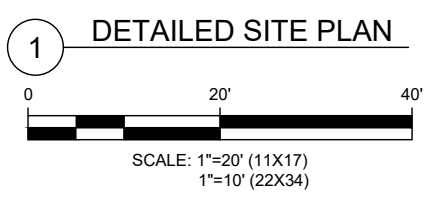
SHEET NUMBER: **C-101** REVISION: **A**

TOP OF EXISTING
HIGHEST APPURTENANCE
ELEV. 251'
TOP OF EXISTING TOWER
ELEV. 246'

EXISTING CARRIER ANTENNAS
ELEV 241'



EXISTING FENCE
ELEV. 8'
GRADE LEVEL
ELEV. 0'



AMERICAN TOWER®
ATC TOWER SERVICES, LLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112

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DATE DRAWN: 08/23/21
ATC JOB NO: 13329324_E1

**DETAILED SITE PLAN &
TOWER ELEVATION**

SHEET NUMBER: **C-102** REVISION: **A**

CAUTION



**Beyond this point:
Radio frequency fields at this site
may exceed FCC rules for human
exposure.**

**For your safety, obey all posted signs
and site guidelines for working in radio
frequency environments.**

In accordance with Federal Communications
Commission rules on radio frequency emissions 47 CFR 1.1307(b)

NO TRESPASSING

ATC CAUTION AND NO TRESPASSING SIGN

WARNING



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frequency environments.**

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Commission rules on radio frequency emissions 47 CFR 1.1307(b)

ATC RF WARNING AND FCC NUMBER SIGN

FCC TOWER REGISTRATION #

1001987

Posting of sign required by law

ATC STAND-ALONE FCC TOWER
REGISTRATION SIGN



EXISTING SIGNAGE PHOTO

NOTICE
**GUIDELINES FOR WORKING IN
RADIOFREQUENCY ENVIRONMENTS**

- ⚠ All personnel should have electromagnetic energy (EME) awareness training.
- ⚠ All personnel entering this site must be authorized.
- ⚠ Obey all posted signs.
- ⚠ Assume all antennas are active.
- ⚠ Before working on antennas, notify owners and disable appropriate transmitters.
- ⚠ Maintain minimum 3 feet clearance from all antennas.
- ⚠ Do not stop in front of antennas.
- ⚠ Use personal RF monitors while working near antennas.
- ⚠ Never operate transmitters without shields during normal operation.
- ⚠ Do not operate base station antennas in equipment room.

ATC RF PROGRAM NOTICE SIGN

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ATC TOWER SERVICES, LLC
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PHONE: (919) 468-0112

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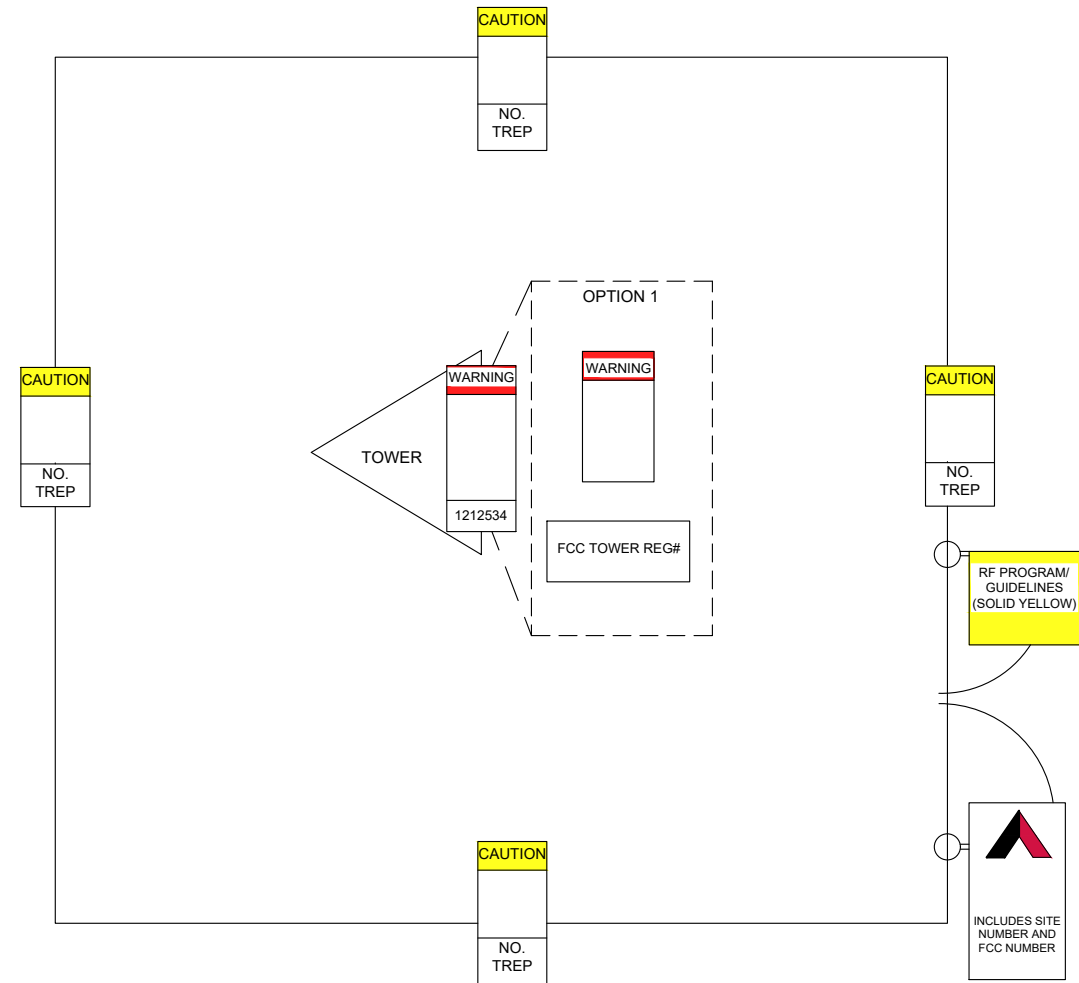
**PRELIMINARY:
NOT FOR
CONSTRUCTION**

DATE DRAWN:	08/23/21
ATC JOB NO:	13329324_E1

SIGNAGE

SHEET NUMBER: **C-501** REVISION: **A**

A "NO TRESPASSING" SIGN MUST BE POSTED A MINIMUM OF EVERY 50'.



THERE MUST BE AN ATC SIGN WITH SITE INFORMATION AND FCC REGISTRATION NUMBER AT BOTH THE ACCESS ROAD GATE (GATE OFF OF MAIN ROAD, IF APPLICABLE) AND COMPOUND FENCE (IF NO COMPOUND FENCE, THEN IN A CONSPICUOUS PLACE UPON DRIVE UP). IN ADDITION, PLEASE LOOK AT DIAGRAM FOR ALL ADDITIONAL SIGNS REQUIRED.

OPTION 1 MAY BE USED TO POST TOWER REGISTRATION NUMBERS AT THE BASE OF THE TOWER IF A WARNING SIGN DOES NOT HAVE SPACE FOR THE TOWER REGISTRATION NUMBER.

IMPORTANT: FOR ANY ATC SIGN THAT DOES NOT MEET THE ATC SPECIFICATION FOR SIGNAGE (I.E., SHARPIE/PAINT PEN, WORN LABELS, ETC.), BRING IT INTO COMPLIANCE (RE-WRITE IF WORN) AND FLAG FOR REPLACEMENT ASAP WITH THE APPROPRIATE PERMANENT SIGN (YOU CAN ORDER THESE THROUGH THE WAREHOUSE).

ONLY LABELS PRINTED BY A ZEBRA LABEL PRINTER WILL BE ACCEPTED.

SITE NAME : FALCON CO
SITE NUMBER : 82093
FCC REGISTRATION # : 1001987

FOR LEASING INFORMATION: **877-282-7483**
877-ATC-SITE

FOR EMERGENCIES CALL: **877-518-6937**
877-51-TOWER

NO TRESPASSING

www.americantower.com

POSTING OF THIS SIGNAGE REQUIRED BY LAW

ATC SITE SIGN

REPLACEMENT OF SIGNAGE:

AS SIGNAGE BECOMES STOLEN, DAMAGED, BRITTLE OR FADED, IT SHOULD BE REPLACED WITH SIGNAGE PER THIS SPECIFICATION. ANY ACQUIRED SITE SHOULD HAVE NEW SIGNS POSTED WITHIN 60 DAYS UNLESS OTHERWISE SPECIFIED. ANY SITE SOLD SHOULD HAVE THE ATC SIGNS REMOVED WITHIN 30 DAYS UNLESS OTHERWISE SPECIFIED. ALL FCC OR REGULATORY SIGNAGE MUST BE INSTALLED OR REPLACED AS REQUIRED TO MEET OUR STANDARD. SIGNS SHOULD BE REPLACED ON NORMAL, QUARTERLY MAINTENANCE VISITS BY CONTRACTORS OR SITE MANAGERS, UNLESS OTHERWISE REQUIRED ON A CASE-BY-CASE BASIS.

NOTE:

EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC. ALL EXISTING SIGNAGE AND ANY FUTURE SIGNAGE WILL BE COMPLIANT WITH STATUTE 164-43.4 NO HIGH-VOLTAGE SIGNAGE IS NECESSARY. NO HIGH-VOLTAGE EQUIPMENT PRESENT.

VARIANCE OF USE (Approved)

Commissioner Carlson moved that the following Resolution be adopted:

**BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF EL PASO
STATE OF COLORADO
RESOLUTION NO. VA-21-005
ATC FALCON TOWER VARIANCE OF USE RENEWAL**

WHEREAS, American Tower, did file an application with the Planning and Community Development Department of El Paso County for approval of a variance of use within the RR-5 (Residential Rural) zone district to allow a freestanding Commercial Mobile Radio Service (CMRS) facility where such use is not permitted; and

WHEREAS, a public hearing was held by this Commission on March 3, 2022; and

WHEREAS, based on the evidence, testimony, exhibits, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the Planning Commission Members during the hearing, this Commission finds as follows:

1. That the application was properly submitted for consideration by the Planning Commission.
2. That proper posting, publication and public notice were provided as required by law for the hearing before the Planning Commission.
3. That the hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons and the general public were heard at that hearing.
4. That all exhibits were received into evidence.
5. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor.
6. That the proposed variance of use conforms to Chapter 5, Use and Dimensional Standards, Section 5.3.4, Variance of Use, of the El Paso County Zoning Resolutions.

7. That for the above-stated and other reasons, the proposed variance of use is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County, and

WHEREAS, pursuant to Section 5.3.4 of the El Paso County Land Development Code, as amended, in approving this variance of use, the Planning Commission considered one or more of the following criteria:

1. The strict application of any of the provisions of the Land Development Code would result in peculiar and exceptional practical difficulties or undue hardship on either the owner or the contract purchaser of the property;
2. The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County;
3. The proposed use will be able to meet air, water, odor or noise standards established by County, State or Federal regulations during construction and upon completion of the project;
4. The proposed use will comply with all applicable requirements of the Land Development Code and all applicable County, State and Federal regulations except those portions varied by this action;
5. The proposed use will not adversely affect wildlife or wetlands;
6. The applicant has addressed all off-site impacts;
7. The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or
8. Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designed and proposed.

NOW, THEREFORE, BE IT RESOLVED that the application of American Tower for a variance of use within the RR-5 (Residential Rural) zoning district allow a freestanding Commercial Mobile Radio Service (CMRS) facility for the following described unincorporated area of El Paso County be approved:

AND BE IT FURTHER RESOLVED that the Planning Commission recommends the following condition(s) and notation(s) shall be placed upon this recommendation:

CONDITIONS

1. Approval is limited to one (1) commercial tower and associated antenna(s) as depicted in the applicant’s letter of intent and site plan drawing, with a maximum height of the CMRS facility of 241 feet above natural ground elevation.
2. Any subsequent co-location, additional equipment shelter or additional antenna on the tower site other than that shown on the site plan shall be subject to administrative review and approval by the Planning and Community Development Department Director.
3. The variance of use approval shall be deemed abandoned, and of no further force and effect, if the primary intended use and/or activity has been discontinued for a period of one (1) year. For the purpose of this condition, the variance of use shall be deemed discontinued if the primary intended use has not been actively and regularly conducted on the approved site.
4. A dimensional variance shall be applied for and approved prior to building permit authorization for the CMRS Facility.

NOTATIONS

1. Variance of use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or variance of use conditions/standards are being violated, preceded by notice and public hearing.

AND BE IT FURTHER RESOLVED that this Resolution and recommendations be forwarded to the El Paso County Board of County Commissioners for its consideration.

Commissioner Lucia-Treese seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Fuller	aye
Commissioner Lucia-Treese	aye
Commissioner Brittain Jack	aye
Commissioner Carlson	aye
Commissioner Moraes	aye

Commissioner Schuettpelz
Commissioner Whitney

aye
aye

The Resolution was adopted by a vote of 9 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DATED: March 3, 2022

Brian Risley, Chair

EXHIBIT A

Property located in El Paso County, Colorado
Gary L. Anderson and Anita L. Anderson Revocable Trust

All that real property situated in City of Colorado Springs, County of EL Paso, State of Colorado, described as follows:

A parcel of land being a portion of Lot 3 in the Northwest One-quarter of Section 5, Township 14 South, Range 64 West of the Sixth Principal Meridian, County of El Paso, State of Colorado, more particularly described as follows:

Commencing at the North One-quarter corner of said Section 5:

Thence South 89° 54' 00" West along the North line of the Northwest One-quarter of said Section 5 a distance of 250.00 feet; thence South 00° 06' 00" East a distance of 30.00 feet to a point on the South line of the 30 foot road right-of-way established by the County commissioners of said El Paso County in the Document recorded in Book A at Page 78, said point being the true point of beginning; thence continuing South 00° 06' 00" East a distance of 500.00 feet; thence South 89° 54' 00" West a distance of 500.00 feet; thence North 00° 06' 00" West a distance of 500.00 feet to a point on the South line of said 30 foot road right-of-way; thence North 89° 54' 00" East along said South right-of-way line a distance of 500.00 feet to the true point of beginning.

Containing 250,000 Square feet or 5.7392 acres, more or less, (5.74 acres, more or less)

AND BEING the same property conveyed to Gary L. Anderson from Gary L. Anderson, Trustee of the Declaration of Trust of Marvin R. Anderson and Ethel M. Anderson dated November 14, 1998 recorded as Reception No. 98172029, as amended by Marvin R. Anderson on February 6, 2013, Recorded as Reception No. 213033516 by Warranty Deed dated May 21, 2014 and recorded May 03, 2014 in Instrument No. 214047186.

AND BEING the same property conveyed to Gary L. Anderson and Anita L. Anderson Revocable Trust from Gary L. Anderson by Quitclaim Deed dated June 22, 2017 and recorded June 27, 2017 in Instrument No. 217074641.

Tax Parcel No. 4405000007

RESOLUTION NO. 22-

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO**

**APPROVE VARIANCE OF ATC FALCON TOWER VARIANCE OF USE
RENEWAL (VA-21-005)**

WHEREAS, American Tower, did file an application with the Planning and Community Development Department of El Paso County for approval of a variance of use within the RR-5 (Residential Rural) district to allow a freestanding Commercial Mobile Radio Service (CMRS) facility where such is not permitted for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by this reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on March 3, 2022, upon which date the Planning Commission did by formal resolution recommend approval of the subject variance of use; and

WHEREAS, a public hearing was held by this Board on March 15, 2022; and

WHEREAS, based on the evidence, testimony, exhibits, recommendations of the El Paso County Planning Commission, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the County Commissioners during the hearing, this Board finds as follows:

1. That the application for the variance of use was properly submitted for consideration by the Board of County Commissioners.
2. That proper posting, publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted, and that all interested persons and the general public were heard at those hearings.
4. That all exhibits were received into evidence.

5. That the proposed land use does permit the use of any area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor.
6. That for the above-stated and other reasons, the proposed variance of use is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

WHEREAS, pursuant to Section 5.3.4 of the El Paso County Land Development Code, as amended, in approving this variance of use, the Board of County Commissioners considered one or more of the following criteria:

1. The strict application of any of the provisions of the Land Development Code would result in peculiar and exceptional practical difficulties or undue hardship on either the owner or the contract purchaser of the property;
2. The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the surrounding area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County;
3. The proposed use will be able to meet air, water, odor or noise standards established by County, State or Federal regulations during construction and upon completion of the project;
4. The proposed use will comply with all applicable requirements of the Land Development Code and all applicable County, State, and Federal regulations except those portions varied by this action;
5. The proposed use will not adversely affect wildlife or wetlands;
6. The applicant has addressed all off-site impacts;
7. The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening, and landscaping; and/or
8. Sewer, water, storm water drainage, fire protection, police protection, and roads will be available and adequate to serve the needs of the proposed Variance of Use as designed and proposed.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the application by American Tower, for a variance of use to allow a freestanding Commercial Mobile Radio Service (CMRS) facility where such is not a permitted use for the unincorporated area of

El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by this reference;

BE IT FURTHER RESOLVED the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. Approval is limited to one (1) commercial tower and associated antenna(s) as depicted in the applicant's letter of intent and site plan drawing, with a maximum height of the CMRS facility of 241 feet above natural ground elevation.
2. Any subsequent co-location, additional equipment shelter or additional antenna on the tower site other than that shown on the site plan shall be subject to administrative review and approval by the Planning and Community Development Department Director.
3. The variance of use approval shall be deemed abandoned, and of no further force and effect, if the primary intended use and/or activity has been discontinued for a period of one (1) year. For the purpose of this condition, the variance of use shall be deemed discontinued if the primary intended use has not been actively and regularly conducted on the approved site.
4. A dimensional variance shall be applied for and approved prior to building permit authorization for the CMRS Facility.

NOTATIONS

1. Variance of use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or variance of use conditions/standards are being violated, preceded by notice and public hearing.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 15th day of March 2022, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

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Commencing at the North One-quarter corner of said Section 5:

Thence South 89° 54' 00" West along the North line of the Northwest One-quarter of said Section 5 a distance of 250.00 feet; thence South 00° 06' 00" East a distance of 30.00 feet to a point on the South line of the 30 foot road right-of-way established by the County commissioners of said El Paso County in the Document recorded in Book A at Page 78, said point being the true point of beginning; thence continuing South 00° 06' 00" East a distance of 500.00 feet; thence South 89° 54' 00" West a distance of 500.00 feet; thence North 00° 06' 00" West a distance of 500.00 feet to a point on the South line of said 30 foot road right-of-way; thence North 89° 54' 00" East along said South right-of-way line a distance of 500.00 feet to the true point of beginning.

Containing 250,000 Square feet or 5.7392 acres, more or less, (5.74 acres, more or less)

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Tax Parcel No. 4405000007