

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission

Jim Egbert, Chair

FROM: Nina Ruiz, PM/Planner II

Jeff Rice, PE Engineer III

Craig Dossey, Executive Director

RE: Project File #: VA-17-005

Project Name: Woodmen Hills School Tower

Parcel No.: 43061-02-001

OWNER:	REPRESENTATIVE:	
Falcon School District No. 49	Centerline Solutions	
10850 E Woodmen Road	16035 Table Mountain Parkway	
Peyton, CO 80831	Golden, CO 80403	

Commissioner District: 2

Planning Commission Hearing Date:	12/5/2017
Board of County Commissioners Hearing Date	12/26/2017

EXECUTIVE SUMMARY

A request by Centerline Solutions for approval of a variance of use for a 93 foot tall freestanding commercial mobile radio service facility (CMRS) located on 30.79 acres zoned RR-0.5 (Residential Rural) on which Woodmen Hills Elementary school is currently located. The proposed freestanding CMRS will replace an existing CMRS facility that was constructed without approval of the Board of County Commissioners. The property is located east of North Meridian Road and south of Woodmen Hills Drive, and is within Section 6, Township 13 South, Range 64 West of the 6th P.M. The property is included within the Falcon/Peyton Small Area Master Plan (2008).



A. REQUEST/WAIVERS/AUTHORIZATION

Request: A request by Centerline Solutions for approval of a variance of use for a 93 foot tall freestanding commercial mobile radio service facility (CMRS).

Waiver(s): There are no waivers requested with this application.

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

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a variance of use, the following criteria may be considered:

- 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: RR-0.5 (Residential Rural)

South: RR-0.5 (Residential Rural)

East: RS-5000 (Residential Suburban)

West: RR-0.5 (Residential Rural)

Residential

Residential

E. BACKGROUND

The property was zoned RR-1 (Rural Residential) on April 8, 1999. Due to changes in the nomenclature of the El Paso County Land Development Code, the RR-1 zoning district was renamed as the RR-0.5 (Rural Residential) zoning district. The property was platted as Tract A of the Woodmen Hills Filing No. 8 on July 29, 1999. Tract A was dedicated to Falcon School District No. 49 as a school site. Schools may not need to obtain a building permit from the local jurisdiction if they have otherwise obtained approval from the State Board of Education. This exemption does not extend to CMRS facilities located on the same property as a school. The existing 100 foot tall freestanding CMRS facility was constructed around the same time as the school but was not approved by El Paso County prior to being constructed.

The existing tower no longer has the structural capacity for additional carriers. The applicant is proposing to remove this existing tower and replace it with a 93 foot tall freestanding CMRS facility designed to allow for additional co-location. The proposed tower would meet all setback requirements. Should the variance of use request be approved, a site development plan will be required prior to authorization of a building permit to construct the tower and associated equipment.

F. ANALYSIS

1. Land Development Code Analysis

The property is currently zoned RR-0.5 (Residential Rural). The RR-0.5 zoning district is primarily rural residential in nature. There is an existing approximately 90 foot tall freestanding CMRS facility on the subject parcel. Section 5.2.19 of the Code allows for a CMRS facility to exceed the allowed height of the zoning district up to 120 feet in height. The proposed tower will replace the existing tower, which has become a part of the visual landscape in the area.

2. Zoning Compliance

The property is within the RR-0.5 (Residential Rural) zoning district, which does not allow for a freestanding CMRS facility. Only if the variance of use and site development plan are approved will the proposed CMRS facility be allowed and authorized for construction.

3. Policy Plan Analysis

Consistency with the El Paso County Policy Plan (1998) is not a required review criteria for a variance of use request. For background, the El Paso County Policy

<u>Plan</u> (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County master plan. Relevant policies are as follows:

Policy 6.3.8 Recognize the need and allow for the reasonable accommodation of adequate amounts of land with sufficient infrastructure for land uses of a heavy industrial nature and/or considered to be "locally undesirable" within all subareas of the County provided the adequate facilities and services will be available. Consider the environmental, visual and land use compatibility impacts and incorporate, where possible, buffering and screening techniques to address compatibility with surrounding uses.

Goal 7.1 Reasonably accommodate unique and special uses which provide value to the greater community and which can be made consistent with surrounding uses.

Policy 7.1.2 Consider future combined impact of potential additional land use requests when considering individual applications for special or unique land uses.

Goal 7.5 Allow for towers, transmission lines, and related facilities that provide a benefit to County residents in a manner which balances considerations of economics, equity, and environmental sensitivity and provides equitable compensation to private land owners for impacts caused by these facilities.

A tower is identified as one of several uses listed in the <u>Policy Plan</u> that may be considered "ancillary to traditional land uses" (General Policies page 45). Other "ancillary uses" identified in the <u>Plan</u> include institutional uses, mining operations, agriculture-oriented business, and outdoor recreational facilities. The <u>Plan</u> recognizes the difficulties in siting these types of special or unique land uses. These uses can sometimes be considered "locally undesirable" and can be controversial in nature. The <u>Plan</u> also recognizes that "the location of these lines and facilities is often governed by geographic factors such as the need to respond to topography, make linear connections or serve defined areas" (Minimizing Impacts of Towers, Transmission Facilities and Related Facilities Page 50).

As demonstrated in the applicant's coverage maps, there is no coverage for T-Mobile subscribers in the vicinity of the proposed tower. This tower will provide coverage to T-Mobile's customers and allow for co-location of other carriers. The applicant has submitted photo simulations to demonstrate the potential visual

impact to surrounding parcels. The proposed 93 foot tall freestanding CMRS facility will be visible to most surrounding parcels in the vicinity. Attempts at a stealth design for a facility of this height are not practical.

Should the Board of County Commissioners determine the freestanding CMRS facility provides a benefit to County residents in a manner which balances considerations of economics, equity, and environmental sensitivity, consistency with the Plan could be found.

4. Small Area Plan Analysis

The property is within the <u>Falcon/Peyton Small Area Master Plan</u> (2008). The plan shows this area as a potential node and corridor of activity. The surrounding area has been developed as residential rural lots with lot sizes averaging one- half acre in size. The <u>Plan</u> does not include any discussion or recommendations specific to commercial towers or other similar uses.

5. Other Master Plan Elements

The <u>El Paso County Wildlife Habitat Descriptors</u> (1996) identifies the property as having a high wildlife impact potential. The proposed freestanding CMRS facility is not expected to have an impact upon the wildlife in the area.

The <u>Master Plan for Mineral Extraction</u> (1996) identifies potential upland deposits in the area of the subject property. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No physical hazards were identified in the review of the variance of use.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the property as having a high wildlife impact potential. The proposed freestanding CMRS facility is not expected to have an impact upon the wildlife in the area.

3. Floodplain

As indicated on FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0575F, the tower lease area is located entirely outside of the current 100-year regulatory floodplain.

4. Drainage And Erosion

The property is located within the Falcon drainage basin. Since the property is not being platted with this application, drainage and bridge fees are not applicable. A drainage report was not required since the proposed freestanding CMRS facility is anticipated to have no significant drainage impact.

5. Transportation

The property is accessed via McClure Road. A traffic impact study was not required and the County road impact fee does not apply to this request because the variance of use is not expected to generate 100 more daily vehicle trips than the property would be expected to generate currently. If the variance is approved, the applicant will be required to obtain an access permit if Woodmen Hills Elementary School has not already obtained one.

H. SERVICES

1. Water

The existing school is served by Woodmen Hills Metropolitan District for water. There is no need for additional water as the proposed freestanding CMRS facility is to be unmanned.

2. Sanitation

The existing school is served by Woodmen Hills Metropolitan District for sanitation. There is no need for additional sanitation as the proposed freestanding CMRS facility is to be unmanned.

3. Emergency Services

The parcel is located within the Falcon Fire Protection District. The District was sent a referral and has no outstanding comments.

4. Utilities

Mountain View Electrical Association will serve the freestanding CMRS facility.

5. Metropolitan Districts

The property is within the Woodmen Hills Metropolitan District. The district was sent a referral and did not respond.

6. Parks/Trails

There are no planned parks/trails on the subject parcel. No park fees or land dedication in lieu of fees are required for this application.

7. Schools

The property is located within Falcon School District No. 49. No school fees or land dedication in lieu of fees are required with this application.

I. APPLICABLE RESOLUTIONS

Approval Page 51 Disapproval Page 52

J. STATUS OF MAJOR ISSUES

There are no outstanding issues.

K. CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in 5.3.4 (Variance of Use) of the <u>El Paso County Land Development Code</u> (2016), staff recommends the following conditions and notations:

- 1. Approval is limited to the one (1) freestanding CMRS facility 93 feet in height as discussed and depicted in the applicant's letter of intent and site plan drawings.
- 2. The freestanding CMRS facility shall remain designed to allow for colocation of other antennae.
- 3. Any subsequent co-location or additional antenna on the Freestanding CMRS Facility other than that shown on the site plan shall be subject to administrative review, and if it is the opinion of the Planning and Community Development Director it constitutes a substantial increase in the size of the Freestanding CMRS Facility, it shall be subject to review and approval by the Board of County Commissioners. The Variance of Use approval for the tower also includes giving the Planning and Community Development Director the authority to administratively approve minor modifications and a non-substantial increase in the size of the tower as provided by the Nationwide Collocation Agreement, as amended.
- 4. Prior to authorization of a building permit, a guarantee of financial surety shall be provided to El Paso County for the removal of the tower in the event of abandonment.
- 5. The freestanding CMRS facility shall not be lighted except in accordance with the requirements of the Federal Aviation Administration (FAA).
- 6. The tower shall be painted and maintained in a suitable color to fit the natural surroundings, as determined by the Planning and Community Development Department.

NOTATIONS

- 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 <u>Land Development Code</u>.
- 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.
- 3. If the Variance of Use is discontinued or abandoned for two (2) years or longer, the Variance of Use shall be deemed abandoned and of no further force and effect.

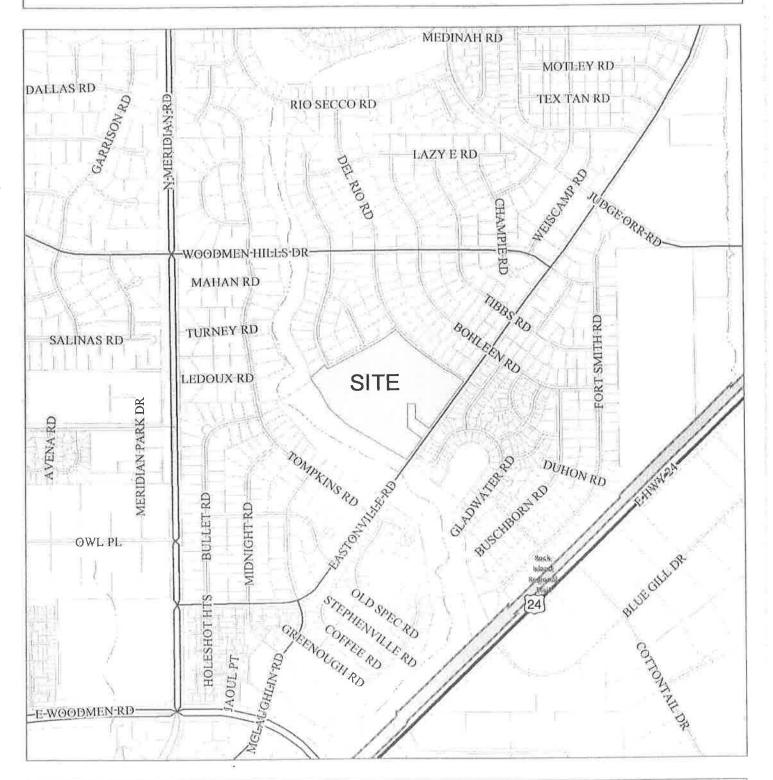
L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 52 adjoining property owners on November 14, 2017, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Site Development Plan
Coverage Maps

El Paso County Parcel Information PARCEL NAME 4306102001 FALCON SCHOOL DISTRICT NO 49 ADDRESS CITY STATE ZIP ZIPLUS 10850 E WOODMEN RD PEYTON CO 80831 8127 Date: November 14, 2017









10/12/2017

Letter of Intent

Applicant on behalf of property and tower owner:

Centerline Solutions 16035 Table Mtn. Pkwy, Golden, CO 80403 Darren Hunter 913-634-1245 dhunter@centerlinesolutions.com

Property Owner:

Falcon School District No 49 10850 E. Woodmen Rd., Peyton, CO 80831 Jim Rohr 719-495-1166

Tower Owner:

Vertical Bridge 750 Park of Commerce Dr., Ste. 200, Boca Raton, FL 33478 Matthew Grugan 678-488-1866

Re: Proposed CMRS Facility at Woodmen Hills Elementary School 8308 Del Rio Rd., Falcon, CO 80831. The lot size is 30.79 acres and the property is zoned RR-0.5. The new address for the proposed tower is 12119 McClure Rd.

To whom it may concern,

In an effort to improve telecommunications quality and capacity, Vertical Bridge has identified the above-named property for which it desires to replace an existing monopole tower with a new 90' telecommunications facility to service Falcon, CO and the surrounding areas of El Paso County. The proposed site is located near the intersection of Del Rio and McClure Rd. on property owned by Falcon School District No 49. This site will provide wireless coverage to the steady-growing population of residents in this vicinity as well as provide improved E911 services to the area.

It was determined by T-Mobile that they need a site located in this area to meet the objectives noted above. We studied the area and identified the subject property, Woodmen Hills Elementary School, where an existing tower exists, as an ideal location for servicing the community's wireless needs and the coverage objectives of T-Mobile. Vertical Bridge then entered into an agreement with the property owner to lease land to construct a 90' monopole tower to replace the existing tower of similar height with one that has greater capacity for T-Mobile and additional cellular carriers. Please refer to the propagation maps included in the application that show how we greatly improve coverage to the area by replacing the old tower with a new tower of the same height vs a shorter, 65' tower. With the 90' tower we're able to tie into T-Mobile's network to the south where they have an existing site and we can't accomplish this with a shorter structure. Lowering the height of the tower also reduces the number of other carriers that can collocate on the tower, requiring more towers in the future. The leased area for the tower is .052 acres. The closest residence to the proposed structure is approximately 455'. This structure is not located on a ridgeline and does not obstruct any views to significant landforms or impact scenic viewsheds from any residence. The entire structure will be made of non-reflective galvanized steel (the same as a standard monopole or self-support tower) and the equipment compound will be screened with a 6' chain link fence.



16035 Table Mountain Pkwy. Golden, CO 80403 303-993-3293

The site will be unmanned and will require electrical and telephone and/or fiber optic services if available. It will not require potable water or wastewater services. There were no other existing towers or structures with similar height within the search ring that meet the objectives for T-Mobile to collocate on. Additional details regarding our proposed tower location are noted below:

- 35'x70' Tower Lease Area totaling 2,450 S.F.
- Proposed 35'x70' chain link fenced compound to secure the tower and equipment
- Proposed 15' wide access road to the property's existing access road

Respectfully,

Darren Hunter

Darren Hunter 913-634-1245 Centerline Solutions, Inc. on behalf of Vertical Bridge & Falcon School District No 49, Property Owner



T-MOBILE SITE NAME:

WOODMEN ELEMENTARY

WOODMEN HILLS ELEMENTARY

DN04333A

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verticalbridge

750 Park of Commerce Drive Mile 500 Drive Reform PL 3247 Office # 5511 - 65-635

SHEET TITLE DRAWING INDEX

SHEET & PROJECT DATA

SELE SPECIFICATIONS

THESE DOCUMENTS ARE CONFIDENTIAL AND ARE THE SOLE PROPERTY OF T-MOBILE AND MAY NOT BE REPRODUCED, DOSSEMINATED OR REDISTRIBUTED WITHOUT THE EXPRESS WRITTEN CONSENT OF T-MOBILE.

WOODMEN ELEMENTARY

COMPOUND UTILITY LAYBUT EQUIPMENT UTILITY LAYBUT

DN04333A

12119 McCLURE ROAD FALCON, CO 80831

US-CO-5052

TITLE SHEET & PROJECT DATA

T-1

VERTICAL BRIDGE SITE NAME: T-MOBILE SITE NUMBER: SITE ADDRESS:

VERTICAL BRIDGE SITE NUMBER: US-CO-5052

12119 McCLURE ROAD FALCON, CO 80831

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APPLICANT: 1-MOBILE 2323 DELCANY STREET DENVER, CO 80216

CONTACT: JOHN WABISZCZEWICZ (303) 313-6930

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LOCATION MAP

ZONING JURISDICTION: EL PASO COUNTY

COUNTY:

POWER COMPANY: MOUNTAIN VIEW ELECTRIC (719) 775-2861

TELCO PROVIDER:

I-MOBILE CM: CENTURYLINK (303) 343-0861

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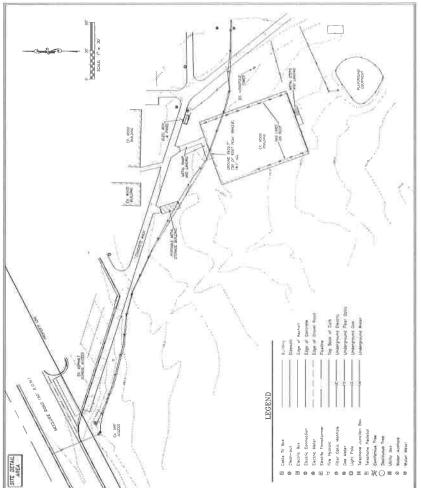
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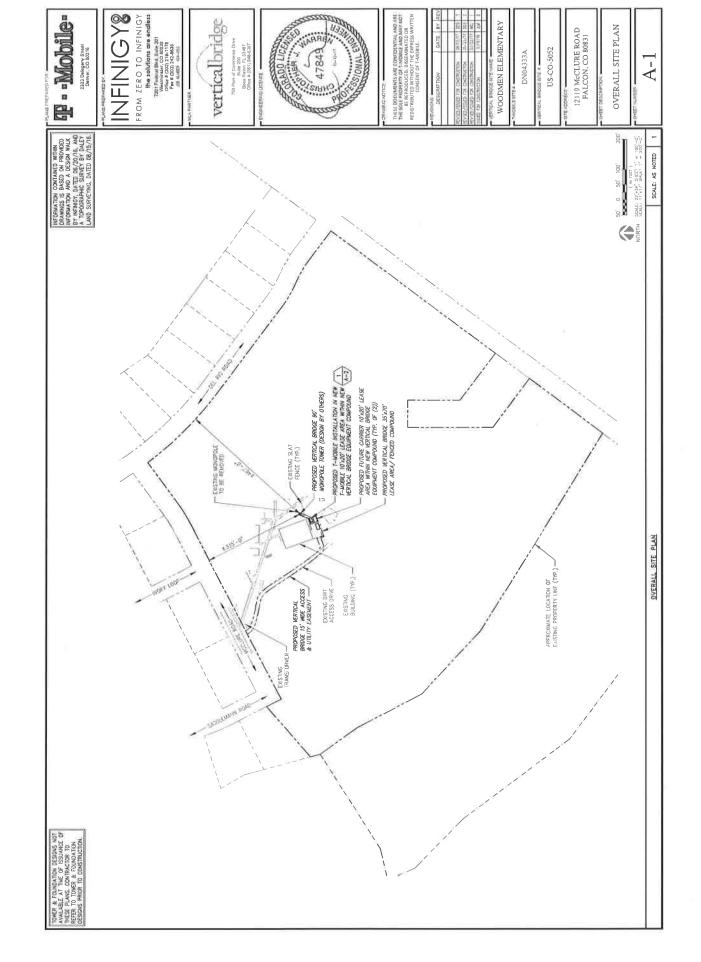
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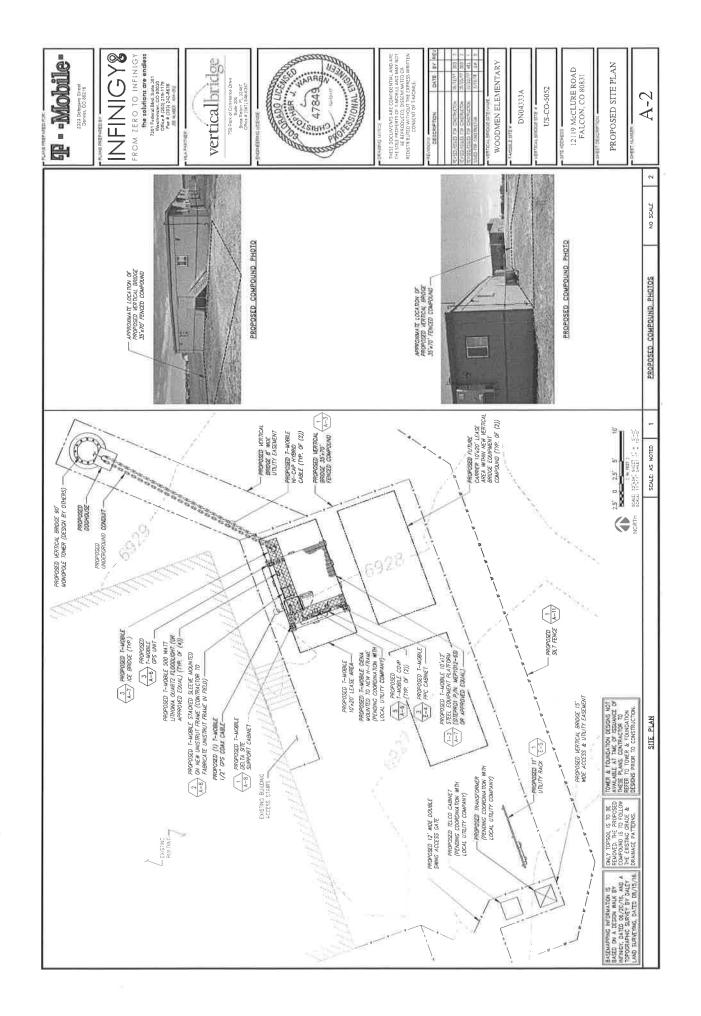
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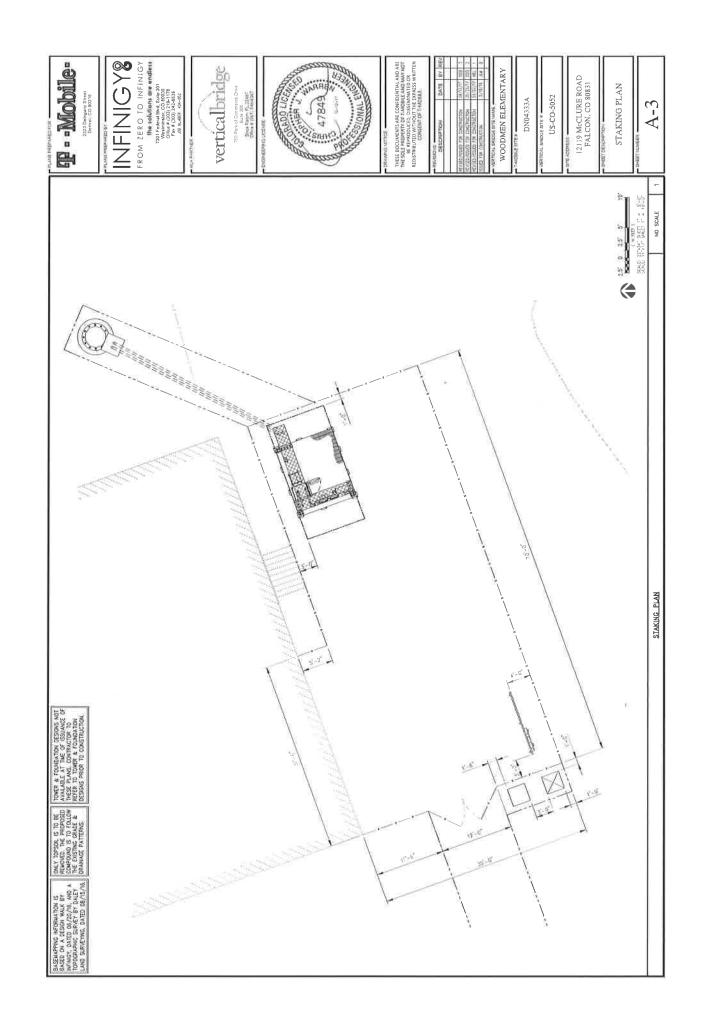
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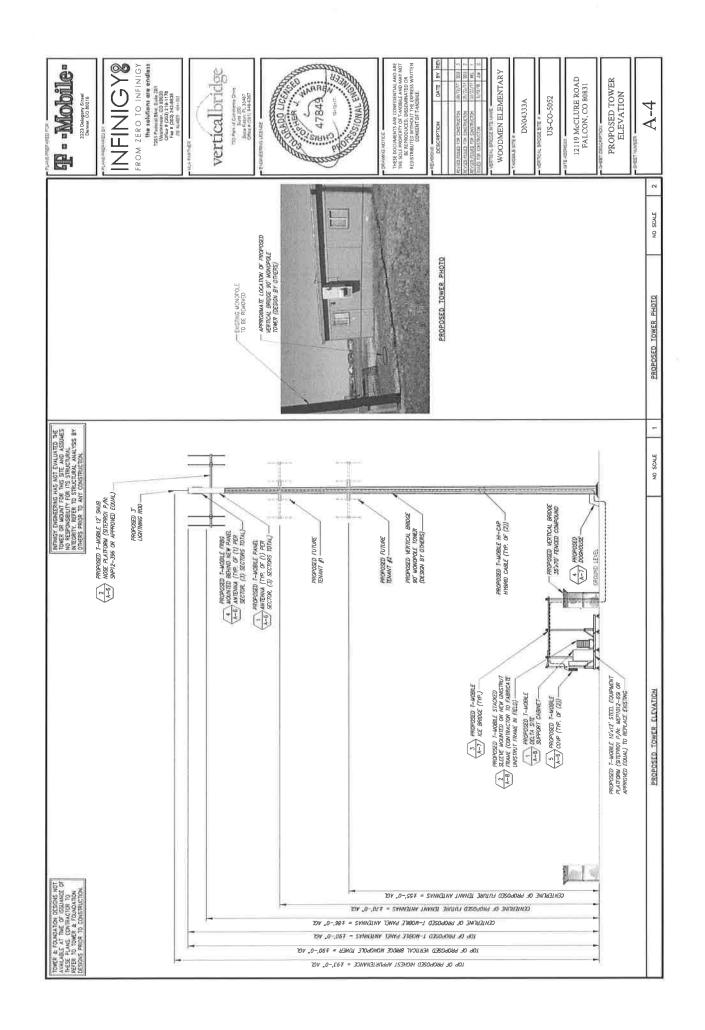
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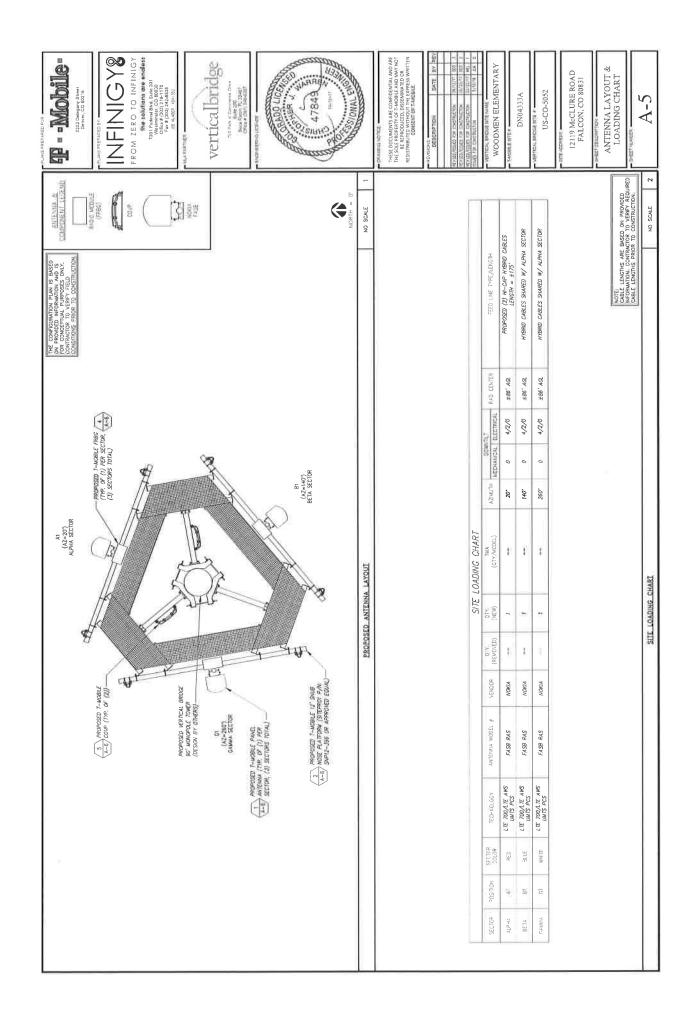
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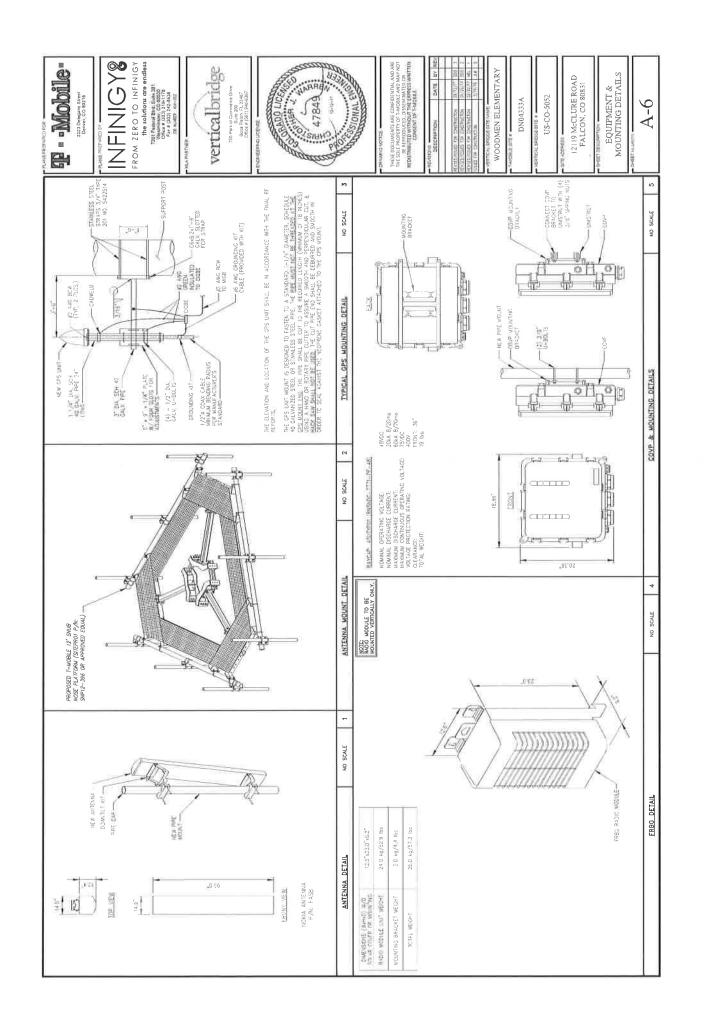


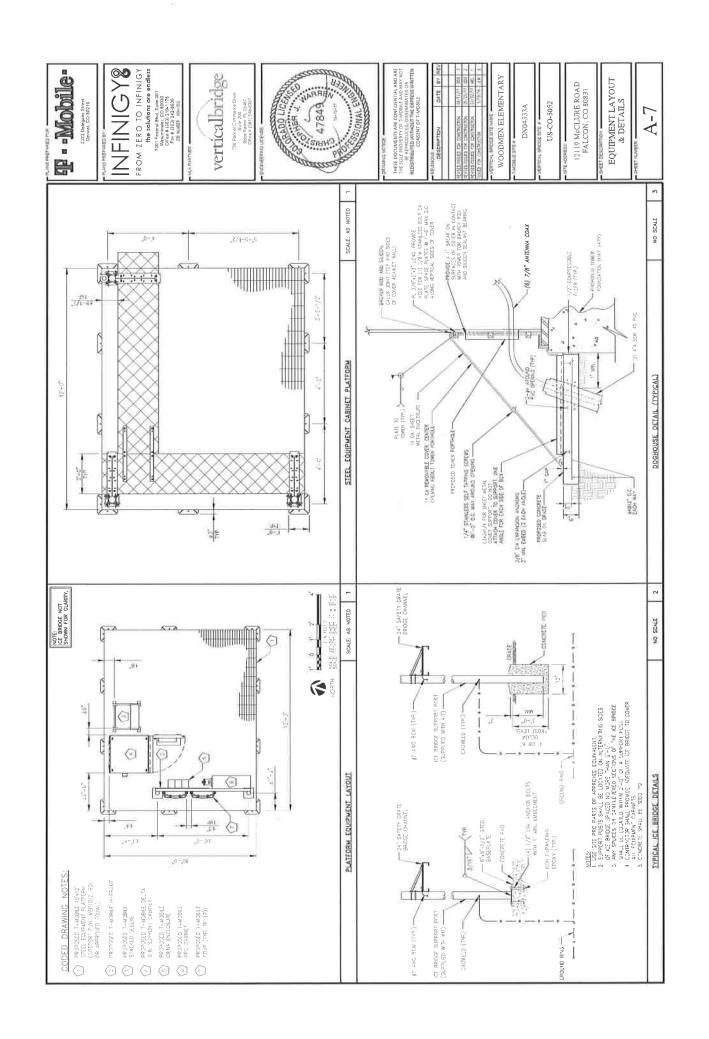


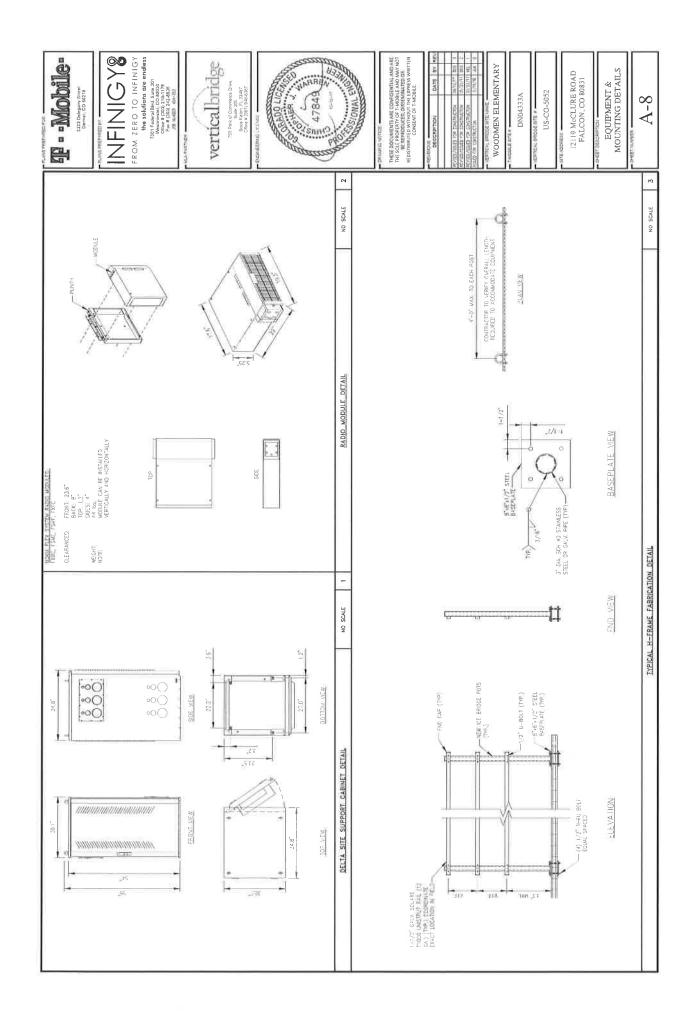


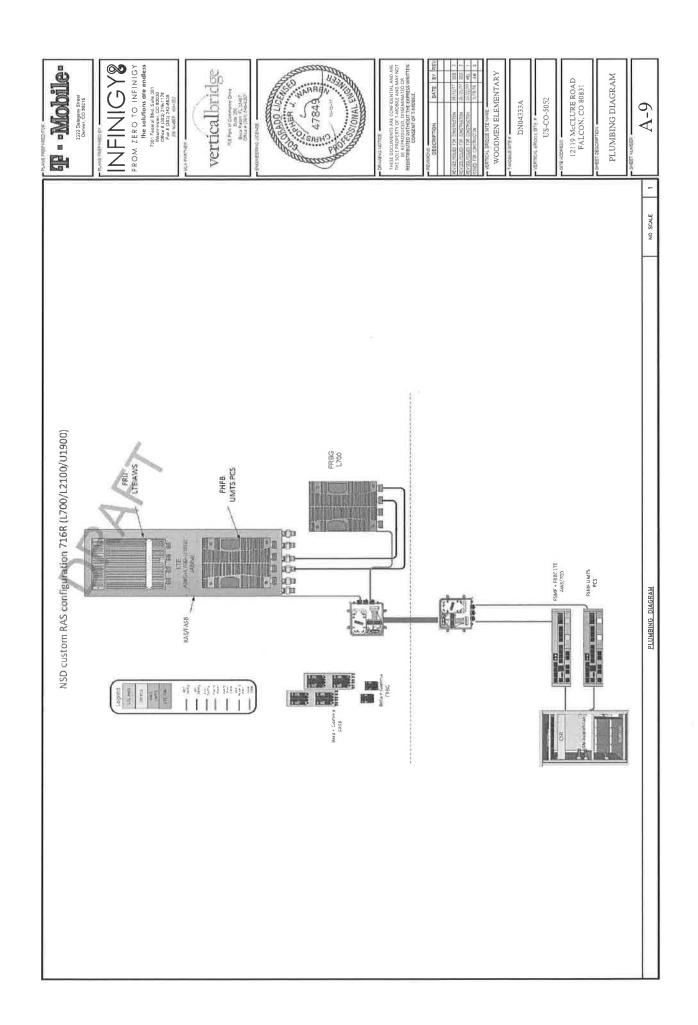


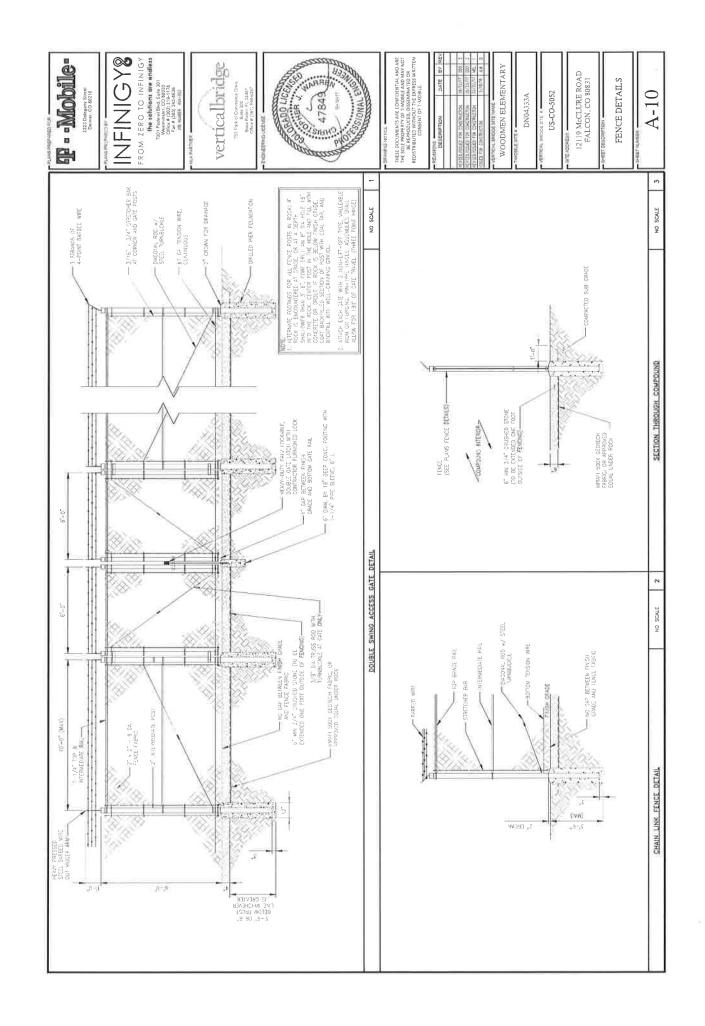


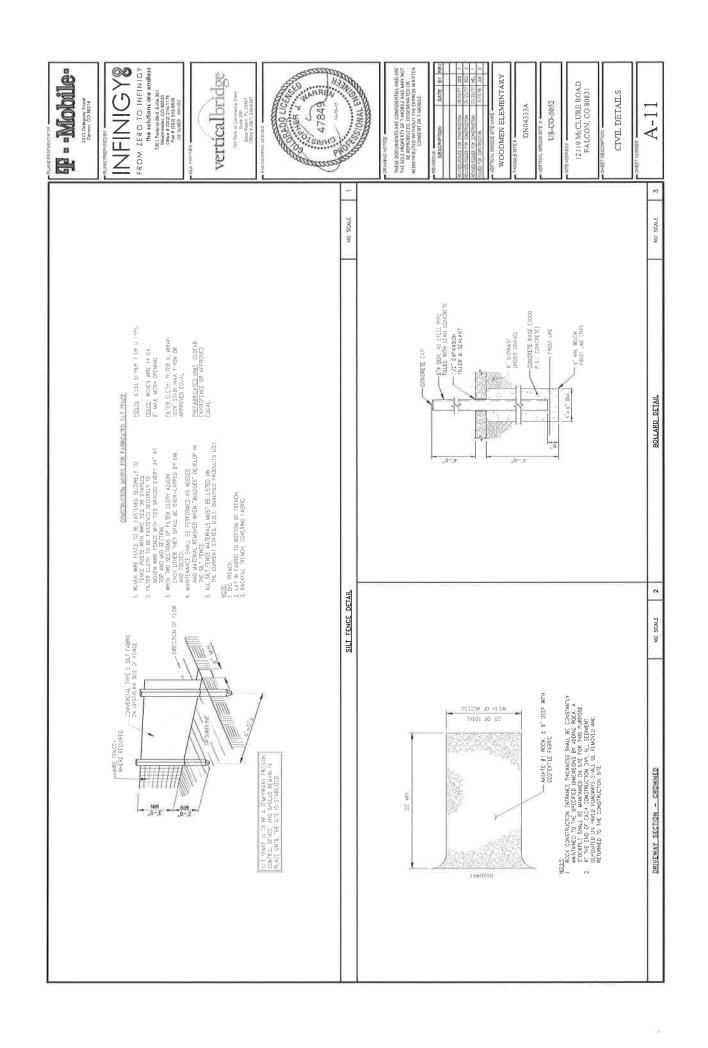


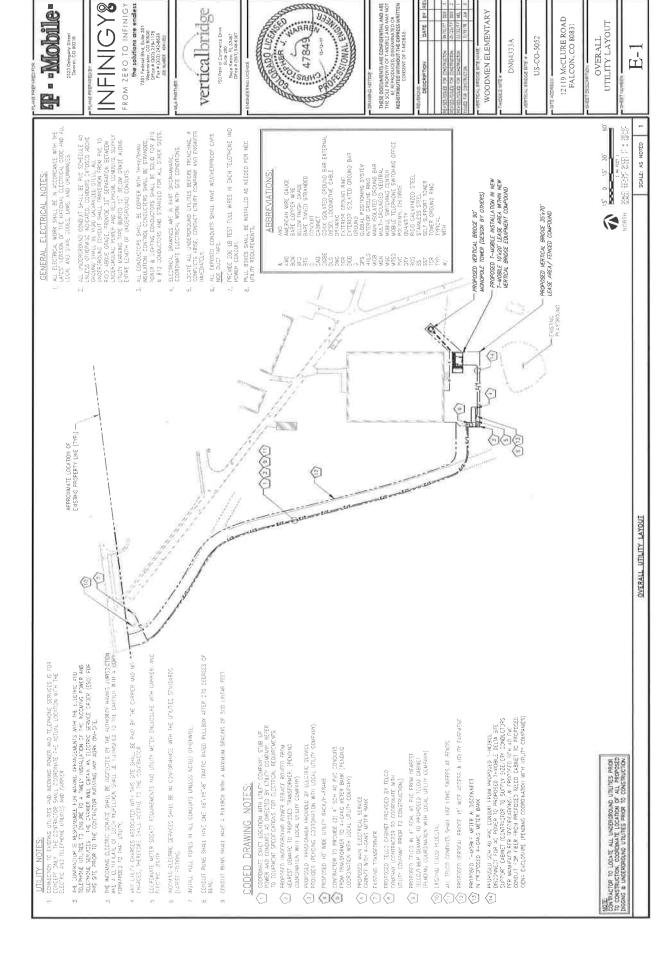


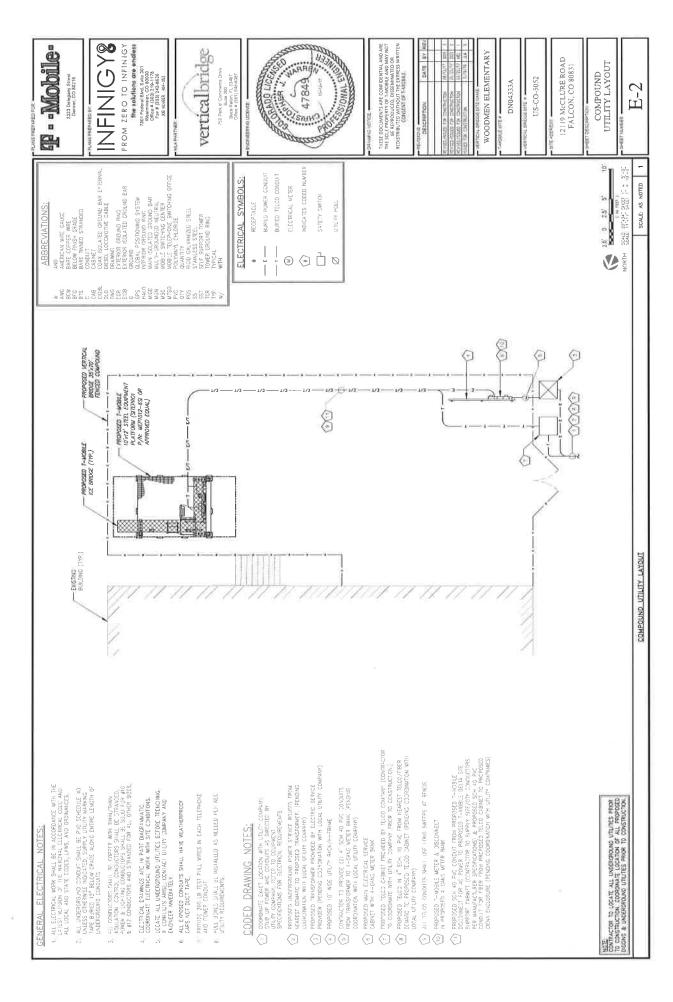


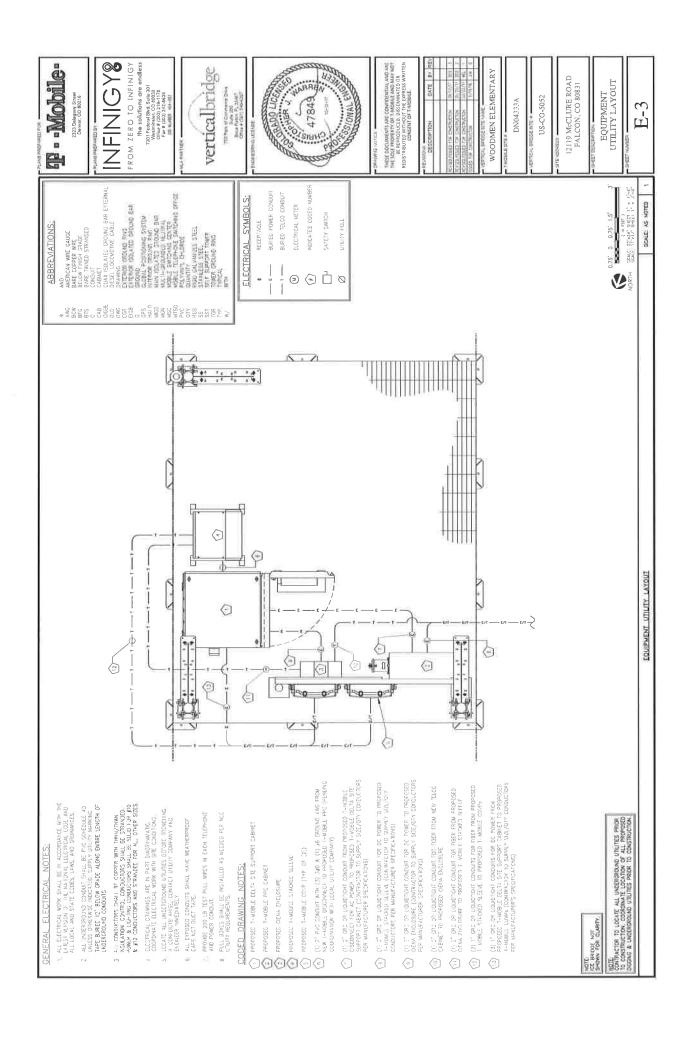


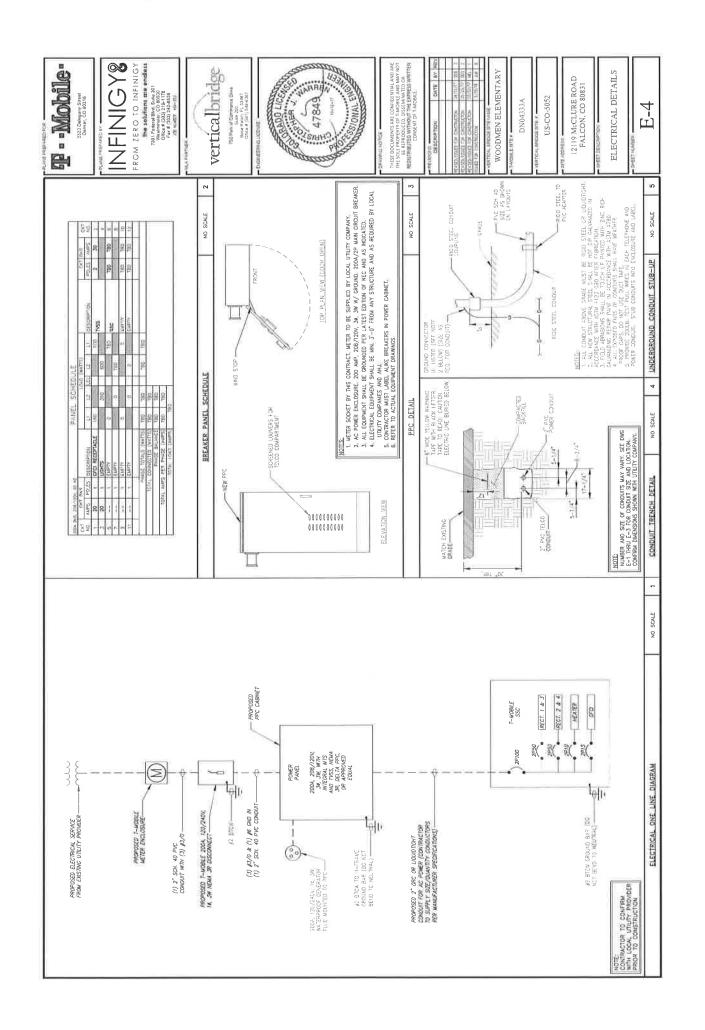


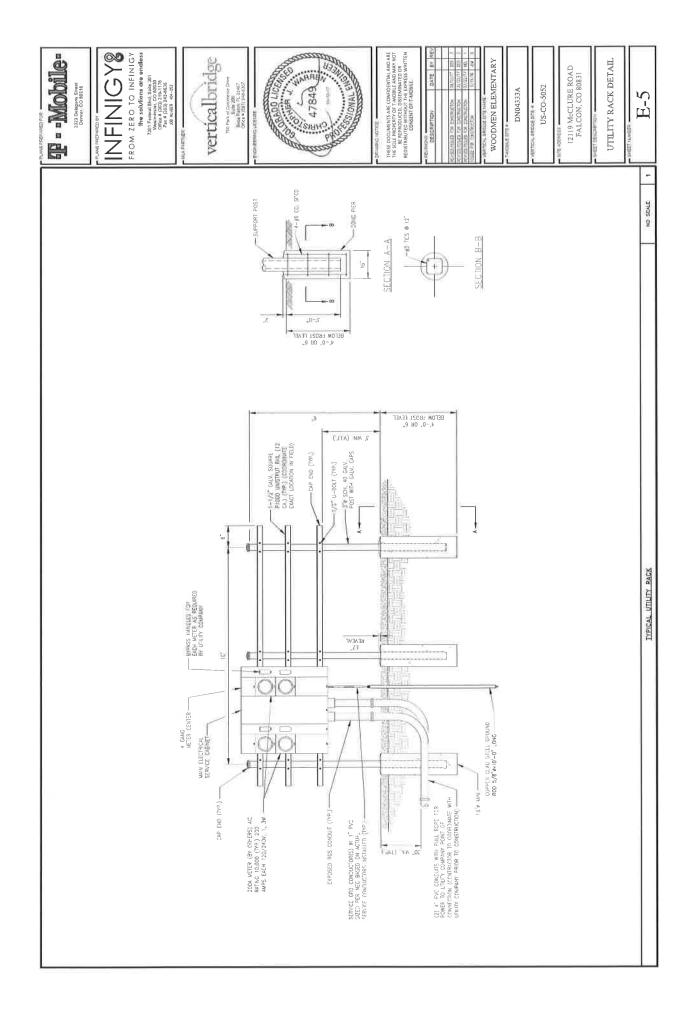




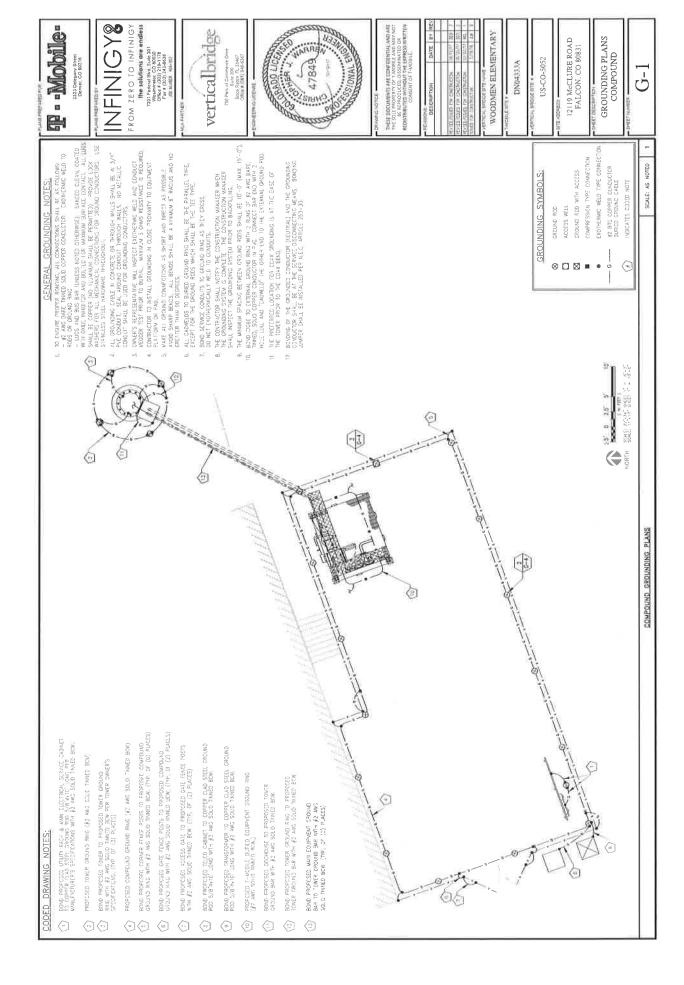


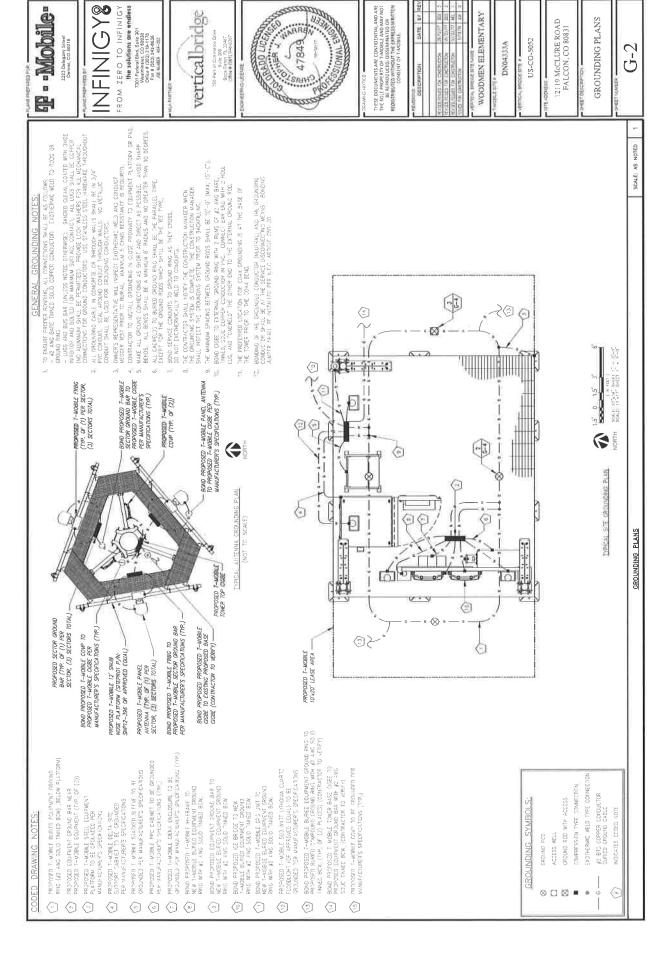


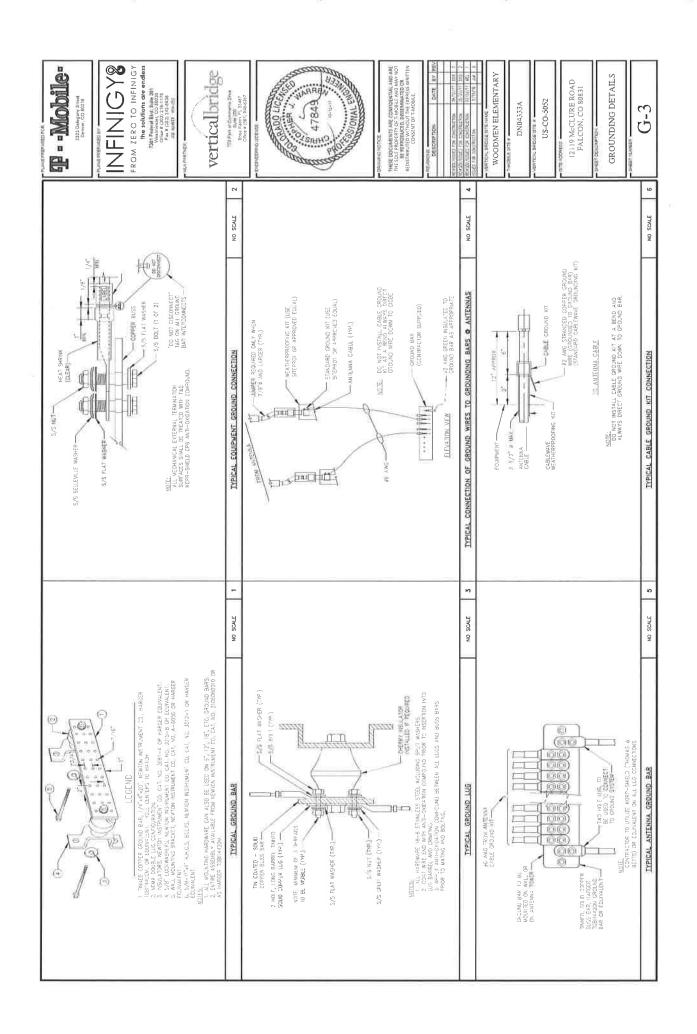


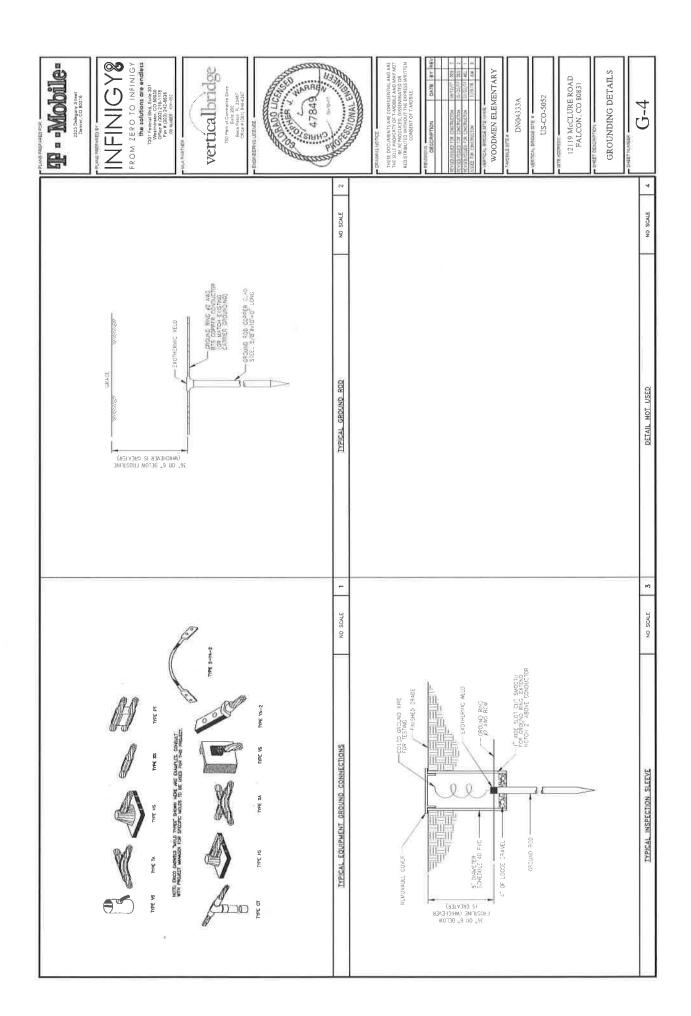


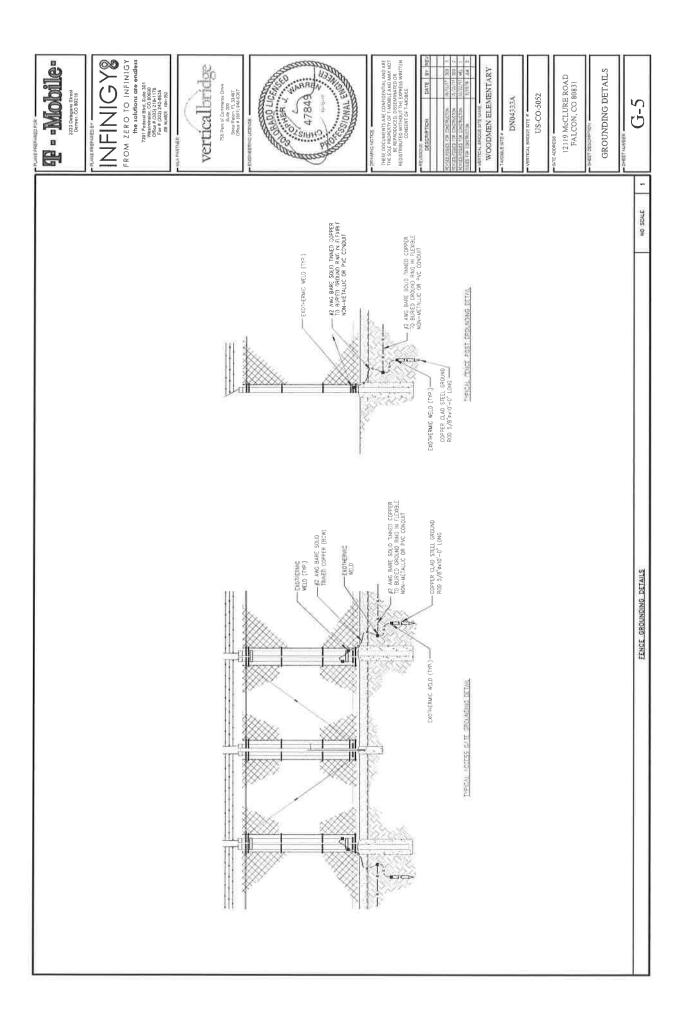
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T - Mobile

DN04333 WOODMEN ELEMENTARY RF PROPOGATION STUDY

The Right Results

The Right Way"

T - Mobile

residential areas near Hwy 24. The accompanying coverage prediction plots exhibit the need for this Vertical Bridge is requesting to build a site at 8308 Del Rio Road with an overall height of 93' and a T-Mobile antenna centerline of 86' AGL to add coverage and improve existing service in the Falcon height. The colored shade shows "In building" quality coverage.

The Right Results
The Right Way*

T - Mobile EXISTING T-MOBILE COVERAGE - WITHOUT

SITE DN04333 WOODMEN ELEMENTARY

Existing T-Mobile Coverage

There is no in-building coverage currently in proposed tower. the area of the

PROPOSED T-MOBILE COVERAGE - AT 60' RAD T.-Mobile

Proposed Coverage at 60' SITE DN04333 WOODMEN ELEMENTARY

proposed site but coverage service quality around the There is improvement in residential areas along gaps still exist in the

PROPOSED T-MOBILE COVERAGE - AT 86' RAD #--Mobile - SITE DN04333 WOODMEN ELEMENTARY

Proposed Coverage at 86' DN04333A

provides an improved area of service in all directions but the largest area of improvement can be seen The greater height (86') along Highway 24 and adjacent residential neighborhoods near Meridian Road.