

NEIGHBORHOOD INFORMATION MEETING

Project: 1127 W Prospect Wireless Telecommunications Facility

Date: June 30th, 2014

Project Planner: Ryan Mounce

City & Applicant Presentation Summary:

The neighborhood meeting began at approximately 6:05 and was attended by City staff represented by Ryan Mounce, Noah Beals and Sarah Burnett, along with the applicant, Ken Bradtke, and three members of the community.

The meeting began with a brief overview of the City's development review process and where this proposal is located in this process. To date, the applicant has held a conceptual review meeting with the City, but no formal development application has yet been submitted.

In the Neighborhood Commercial (N-C) Zone District, wireless telecommunication facilities are subject to Administrative (Type 1) review. The decision maker for the project would be an administrative hearing officer. If you received written notice of tonight's neighborhood meeting, you will also receive written notification prior to the public hearing for this project.

The applicant then gave a brief presentation about the proposal. The proposed site is located at 1127 West Prospect Road, behind the existing shopping center, on an existing asphalt pad. The proposed tower is 85 feet tall. Several designs are being considered for the facility, including disguising the facility as a monopine (evergreen tree), flagpole or a clock tower.

The applicant presentation also addressed issues relating to why the tower needed to be of a certain height, property value impacts and health concerns.

Height/Location: Height is one consideration for the antenna as they work off line of sight; taller facilities can provide greater coverage and can reduce the need for fewer but shorter cell sites. For location we look at sites based on existing coverage. We are leasing a 50x50 foot area for room of the facility and equipment shelter.

Property Values: In commercial and multifamily residential areas, property values are not affected by cell towers, but it could have an effect next to single family homes.

Health Impacts: The radiofrequency emissions are regulated by international standards organizations and have not been shown to have health impacts. If you were to stick your face immediately in front of the antenna for 24 hours that could cause some damage, but impacts increase greatly as distance increases.

Questions, Comments & Responses:

Question (Citizen): Why did you send the meeting invitation so early if you wanted people to come?

Response (Staff): It is the process for a neighborhood meeting to provide at least 14 days advance notice. For development project neighborhood meetings, Fort Collins chooses to hold meetings early in the process to allow the opportunity for concerns and potential solutions to be addressed.

Question (Citizen): Who owns the land?

Response (Applicant): An LLC, Pumbaa Properties.

Questions (Citizen): Do you have a name?

Response (Applicant): I think it is Doug Johnson.

Question (Citizen): I missed that, has it changed, wasn't the original owner a Donaldson?

Response (Applicant): I am not sure

Comment (Citizen): I have been aware of this project and retail center from day one. As it was originally proposed there were supposed to be various stores and features it sounded like it was going to be Disneyland, but it hasn't turned out that way.

Question (Citizen): Is your position as advocates for the neighborhood?

Response (Staff): As the neighborhood development review liaison yes, I work closely with citizens and neighborhoods to provide information and facilitate engagement.

Comment (Citizen): Historically planners were not seen as that. Planners for decades have been seen as advocates for projects, because they became so invested with the project as it went through review. As both a former Mayor and Councilmember I have seen this happen many times.

Question (Citizen): Who decides if this will be a Type 1 or Type 2 project?

Response (Staff): The Land Use Code spells out the process based on the use. For this particular use (wireless telecommunications facility) in this zone district, the proposal is subject to Type 1 review. That means a hearing officer is the decision maker and not the Planning & Zoning Board.

Comment (Citizen): The City has to look at the fencing for the cell tower and a chain link fence would make it worse and even more of an eyesore.

Response (Staff): The Land Use Code does not allow chain link fencing or chain link with slats for screening purposes. At the conceptual review meeting, we informed the application fencing and landscape screening would be required. The fencing will have to be a high-quality, durable material.

Comment (Citizen): it is not the community's job to minimize cost of a project. The City should be protecting the community. I once had a city staff member tell me "If we all use them shouldn't a cell tower be allowed anywhere?" I do not agree with this statement. We all use cars and we have plenty of laws that regulate them.

Comment (Citizen): I'll start with the camouflage; I don't like the flag pole because it is degrading and demeaning to the Flag. The US Flag should not be used to sell automobiles or disguise cell towers. Some people may say it is patriotic, but I don't believe the Flag should be used for these purposes. The tree one, someone in the city told me that the one recently installed is not working aesthetically in its location and I was disappointed to hear this.

Response (Staff): We have pictures of the recent monopine example at Vine & Shields we can share [shows pictures on projector].

Comment (Citizen): That doesn't have to be so symmetrical; there needs to be branches of different alignments and lengths.

Comment/Question (Staff): As part of any submittal, the applicants will have to provide standard elevations and photo simulations of what they are proposing and we will have to closely examine these resources to make sure the design is contextual and appropriate. We have one requirement that one viewpoint of the photo simulations should be to the west and examining the impact of views of the mountains, are there any other views people are interested in?

Comment (Citizen): I would like the planners to at least require simulations be taken from the citizen standpoint and perspective. I am not looking to drive cost but I am sure there are other designs besides the three shown. I am not sure how the tree would be in context with this site, but there is no context for a flag pole.

Comment (Staff): The Land Use Code does mention that there should be contextual basis for stealth designs.

Comment (Applicant): Some the other options could be; a sculpture, there are trees, clock towers, grain silos, or bell towers.

Comment (Citizen): I would not have any problems with the American flag anywhere.

Comment (Staff): Our job is to look for possibilities for co-location. One submittal requirement for wireless telecommunication facilities is that they provide documentation of good-faith efforts to locate at other location or provide reasons they are unable to do so.

Response (Applicant): It is our preference too. We had a vicinity map we work with but we would be happy to look at the location again.

Comment (Citizen): I came here mostly out of concern for my safety. It is very concerning to me that for every report that states it cell sites and emission are okay, there is another report stating it's not. It seems the verdict is still out.

Response (Applicant): We have information we can provide you on the subject. We have some pretty solid information.

Question (Citizen): Is it the city's charge on determining if the project passes mustard? I am not completely convinced that this is safe. What recourse do we have? Can any kind of ground swell of support for not building it be acknowledged?

Response (Staff): We evaluate it based on the Land Use Code and other Municipal codes that other departments use and then we write a staff report to the decision maker. You will receive notification of the public hearing and you can attend and offer comments then too. There is also the opportunity to appeal the decision.

Comment (Citizen): The appeal would go to City Council.

Response (Staff): Yes, appeals go to City Council. As to a groundswell; we can't prevent the applicant from submitting a development application based on a large group of people that do not like a project. What is helpful is providing written comments about specific concerns you have so we can try and address or mitigate project impacts.

Comment (Citizen): The average citizen does not know what a hearing officer is. We hire them from outside of Fort Collins. It has been my observation they usually back the City's recommendation. They appear to be a rubber stamp. The Planning & Zoning Board also seems like it can be a rubber stamp, but at least members are appointed by City Council and are local. You can appeal the hearing officer's decision to City Council and I can too if I attend the hearing. And I will be if this project isn't designed and reviewed appropriately. If I like the design I may not show up.

Comment (Citizen): They are now saying the Food Pyramid is wrong and upside down. We're always getting different information. Those reports on cell tower emissions may change 20 years from now.

Comment (Citizen): They're already saying you shouldn't have your cell phones next to your head or near your heart. I am a pro government guy, but there is a long history of government saying one thing at one point in time, and then later saying something is unsafe. DEET is just one example.

Comment (Citizen): For every report there are no problems there are the same number of reports that are state yes there are problems.

Response (Applicant): You could find that for anything on the internet.

Comment (Citizen): It is not without issues. They are now saying that wifi should be removed from your home.

Comment (Citizen): I am not a conspiracy guy much, but I have been doing it way to long. The radio frequency and its health impact is not my thing I do not live next to the site, I will leave those concerns to the residents who live nearby.

Response (Staff): I received several phone calls prior to the meeting about this issue of health impacts, and I have a resource page for anyone who is interested so you can read about standards issued by the government and studies that have been conducted. This information has been compiled by the American Cancer Society and World Health Organization.

I also need to point out that in 1996, the Telecommunications Act was passed at the federal level, and it limits state and local jurisdictions ability to evaluate proposals on the basis of the environmental impacts of radio frequency emissions.

Question (Citizen): There won't be environmental considerations?

Response (Staff): Environmental in this context meaning more the health impacts of the emissions. For this site there are other environmental/natural area considerations. We are requiring the applicant to complete an Ecological Characterization Study prior to submitting as this site is adjacent to wetlands.

Comment (Staff): I was also asked prior to this evening if we could share recent examples of cell tower sites and types of stealth the City has seen. [Showing pictures on projector]

This first picture is of a pole and triangular antenna arrays, some of the first built in the City. These no longer meet current Land Use Code standards. This next picture is a church site bell tower and the steeple, with antennas hidden and integrated at a church site. The next pictures showed various canister designs.

Comment (Citizen): I hate that one. That is on a friend's property. I don't know how it got there, it looks ridiculous.

Question (Citizen): Is there another tower in town that is 85' tall?

Response (Staff): Yes, this flag pole example is 85' tall, same as this proposal.

Comment (Citizen): This information and these pictures would be good information to have at the hearing.

Comment (Staff): This picture is on Drake of a canister placed atop an existing transmission line. You can see various colors used to help mitigate visual impacts.

Response (Citizen): I at least get that one, it's ugly on ugly.

Comment (Staff): This picture is the mono-pine that is at Shields and Vine.

Question (Citizen): Is that inside city limits yes?

Response (Staff): Yes that is in the city limits.

Question (Citizen): Is there a requirement that you have to put a flag up there or could just end up a big pole?

Response (Staff): No there is not a requirement to display the flag; it could just be a pole.

Comment (Citizen): The city approved this flag pole installation next to an 85 million dollar public improvement project (MAX & Mason Corridor)? That doesn't work for me.

Comment (Staff): Most of the antenna sites in the City are actually not located on poles, but rather attached to existing buildings. One example is at Lemay and Riverside. There are antennas attach the old smoke stack of the blonde brick building.

Comment (Staff): These are pictures are of the site as it exists today from various angles looking out from the site or looking nearby towards the site.

Comment (Applicant): There are pretty dense trees and that is why we were thinking a monopine.

Question (Staff): Having seen these examples, or other sites you may be familiar with, is there any input on contextually what may fit best at the site?

Response (Citizen): Something that didn't look like a Christmas tree from 1955. I hope the city is not just in reacting mode and taking everything you are fed. You need to really work on the design; the City's job is not to minimize cost for the developers.

Comment (Citizen): One of my goals would be to get the height reduced and designed contextual to the area.

Question (Staff): There seems to be more interest in the monopine versus other examples shared tonight, is that accurate to say?

Response (Citizen): It depends on the perspective.

Comment (Staff): I feel we missed on vine and shields because it is in the middle of a field and not currently surrounded by trees; there wasn't much opportunity to blend with nearby vegetation.

Question (Citizen): This doesn't mean I am for it, but how much of that pad do you need? Could you remove some of the asphalt and do something at the base?

Response (Staff): We are going to look at that in terms of the required buff area around the wetlands and improvements that can be made to the natural environment.

Comment (Citizen): You've really piqued my interest with this - I will be out with my tape measure to make sure the buffer area is implemented correctly.

Question (Applicant): Didn't we get comments on the buffer area already?

Response (Staff): Yes from the conceptual review, but there still needs to be a determination as to where the buffer area is in relation to the wetlands, there has to be a determination of the extent of the wetlands.

Question (Citizen): Did the City require this meeting?

Response (Staff): For this type of proposed use, meetings are required, but we requested the applicant hold one.

Comment (Citizen): Nevertheless thanks to both parties for participating

Question (Citizen): Is that tree you are showing 85' in height?

Response (Applicant): I am not sure that it is 85' tall.

Response (Staff): For reference, the tree at Vine & Shields is 75'.

Question (Citizen): Do you not need to get 100 percent approval?

Response (Staff): The hearing officer makes the decision. The hearing officer is just one person, there isn't the potential for a split or dissenting votes like on the Planning & Zoning Board. The decision can be appealed.

Question (Applicant): Do the City Council have regulations on what they can base their decision on?

Response (Staff): The hearing officer primarily basis their decision off the Land Use Code.

Response (Citizen): The City Council can be broader.

Comment (Citizen): My biggest concern is my health not aesthetics. I can choose not to look that direction, but I can't get away from any health impacts caused by living next to this.

Response (Staff): I can send you the information from the FCC.

Comment (Citizen): I didn't see anything that would set my mind at ease.

Comment (Citizen): We just went to the new smart meters, and we still heard from citizens on the smart meters about their potential health impacts. People don't believe these types of uses are completely benign.

Question (Citizen): Are there micro-wave dishes on the towers?

Response (Applicant): They have been put on towers before but those are used by a cell tower site to community with other sites; the towers are primarily for the antenna to provide general coverage.

The meeting ended at approximately 7:14 p.m.