



Development Review Center
Planning Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522-0580
970-221-6689
fcgov.com/DevelopmentReview

NOTICE OF HEARING DECISION

August 9, 2019

Dear Public Hearing Attendee:

This letter is being sent to you because you signed in at a recent Administrative Hearing for the **Summitview Church Wireless Telecommunication Facility, #PDP180016**. Attached to this letter you will find a copy of the Type 1 Administrative Hearing Decision approving the project.

This final decision of the Administrative Hearing Officer may be appealed to the City Council, in accordance with Chapter 2, Article II, Division 3 of the City Code, within 14 calendar days of the decision dated (August 6, 2019) by the Hearing Officer. The deadline to file an appeal is 5:00 p.m. on August 20, 2019. An Appeal Form and Guidelines explaining the appeal process, including the Code provisions noted above, can be found online at fcgov.com/cityclerk/appeals.php, or may be obtained in the City Clerk's Office at 300 Laporte Avenue.

As previously mentioned, this decision letter was sent because you signed in at the public hearing. There may be an instance where someone may have attended the hearing but did not sign in and therefore will not receive this letter. Please feel free to share this information with them. Additionally, you may contact Sylvia Tatman-Burruss, Neighborhood Development Review Outreach Specialist, at 970-224-6076 or statman-burruss@fcgov.com or me with any questions. Sylvia is available to assist residents who have questions about the review process, hearing officer decisions or how to appeal a decision to City Council. Thank you for participating in the development review process.

Sincerely,

Kai Kleer, AICP | City Planner
p. 970-416-4284 e. kkleer@fcgov.com

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Auxiliary aids and services are available for persons with disabilities. V/TDD: Dial 711 for Relay Colorado.

Esta es una notificación sobre la reunión de su vecindario o sobre una audiencia pública sobre el desarrollo o proyecto en la propiedad cerca de donde usted es el dueño de propiedad. Si usted desea que esta notificación sea traducida al español sin costo alguno, favor enviar un correo electrónico en español a la siguiente dirección electrónica: translate@fcgov.com.

HEARING TIME AND LOCATION

Wednesday, July 24, 2019

5:30 P.M.

281 N. College Avenue
Conference Rooms A-D

PROPOSAL NAME & LOCATION

Summitview Church Wireless

Telecommunication Facility,

PDP180016

1601 W. Drake Rd, Fort Collins, CO
80526 (Please see map on back)

PROPOSAL DESCRIPTION

- This is a proposal to relocate two existing wireless telecommunication antennas (T-Mobile & AT&T) from nearby high-tension power lines onto a newly proposed wireless telecommunication tower.
- The proposed location for the tower is on the south edge of the Summitview Church parking lot that is located at 1601 W. Drake Road
- The applicant proposes a 75' faux pine tree with textured bark pole.
- The project will require the removal of two existing Ash trees and the installation of nine (9) trees on site.
- Accessory infrastructure will be located at the base of the tower and screened by a 6-foot wood fence with brick columns.
- Landscape beds will be added to the east and west side of the fenced area to provide additional visual screening.

HELPFUL RESOURCES

- Hearing Notice, Plans, and Staff Report: fcgov.com/ReviewAgendas
- Appeals Process: www.fcgov.com/appeals
- Appeal Guidelines: <http://www.fcgov.com/cityclerk/pdf/appeal-guidelines.pdf>
- Information About the Review Process: fcgov.com/CitizenReview

**CITY OF FORT COLLINS
TYPE 1 ADMINISTRATIVE HEARING**

FINDINGS AND DECISION

HEARING DATE: July 24, 2019

PROJECT NAME: Summitview Community Church
Wireless Telecommunication Facility

CASE NUMBER: PDP #180016

APPLICANT: Tom Johnson
TSJ Consulting Inc.
on behalf of Mobilitie
31878 Del Obispo St., #118-454
San Juan Capistrano, CA 92675

OWNER: Summitview Community Church
1601 W. Drake Road
Fort Collins, CO 80526

HEARING OFFICER: Marcus A. McAskin

PROJECT DESCRIPTION: This is a request to construct a wireless telecommunications facility consisting of a 75-foot high stealth wireless telecommunication tower resembling an evergreen tree (monopine) and capable of supporting antenna equipment for multiple wireless carriers (the “Application”). The Application proposes that the monopine structure be located in the northern parking lot of Summitview Church located at 1601 West Drake Road, specifically on a portion of Lot 1, Faith Evangelical Free Church North Parking Lot (less that portion conveyed to the City of Fort Collins) (the “Subject Property”). The Application was filed and is being processed by Mobilitie (“Applicant”). In addition to the monopine, a fenced area would be constructed to screen ground equipment, and the site will be enhanced with the planting of new trees, shrubs, and grasses. The Subject Property is located in the Public Open Lands (P-O-L) zone district.

The Subject Property is owned of record by Summitview Community Church, a registered tradename of Summit View Community Church, a Colorado nonprofit corporation. City Staff is recommending conditional approval of the Application.

BACKGROUND: This project was originally submitted on or about September 9, 2017 and was processed under a previous Project Development Plan (PDP170037). The project has since expired and was denied a request for project extension. A new Project Development Plan application (PDP180016) was submitted to the City on or about December 21, 2018.

The Planning Department Staff Report submitted to the Hearing Officer in this matter summarizes the original proposal (100’ monopine) and several other design iterations and alternative sites that were considered by the Applicant and City Staff.

As set forth in Section 4.13(B)(2)(c)(2) of the Land Use Code (“LUC” or “Code”), *wireless telecommunications facilities* are permitted in the Public Open Lands District (P-O-L), subject to administrative review.

“*Wireless telecommunication facility*” is defined in Section 5.1.2 of the LUC as “. . . any freestanding facility, building, pole, tower or structure used to provide only wireless telecommunication services, and which consists of, without limitation, antennae, equipment and storage and other accessory structures used to provide wireless telecommunication services.”

The surrounding zoning and land uses to each side of the Subject Property are as follows:

	North	South	East	West
Zoning	Public Open Lands (P-O-L)	Low Density Residential (R-L)	Medium Density Mixed Use Neighborhood (M-M-N)	Low Density Residential (R-L)
Land Use	Ross Natural Area, Rolland Moore Community Park	Place of Worship (Summitview Church), Single-Family Residential (Cedar Village, Kensington)	Multi-family Residential (The Pavilions at Silver Sage)	Single-family Detached (Lexington Green)

SUMMARY OF DECISION: Approved with Conditions

ZONE DISTRICT: Public Open Lands District (P-O-L)

HEARING: The Hearing Officer opened the hearing on Wednesday, July 24, 2019, in Conference Rooms A-D, 281 North College Avenue, Fort Collins, Colorado at approximately 5:30 PM.

EVIDENCE: Prior to or at the hearing, the Hearing Officer accepted the following documents as part of the record of this proceeding:

1. Project Vicinity and Zoning Map.
2. Summitview Community Church Plan Set.
3. AT&T Co-location Letter dated August 29, 2018.
4. PRPA Pole Attachment Status (Redacted) dated October 23, 2017.
5. FC Skills Hub – Sign and Striping Plan dated June 16, 2017.
6. AT&T Previously Approved Site Plan.
7. Neighborhood Meeting Notes, March 1, 2018.
8. Communication Memo, March 23, 2018.
9. Original Notification Boundary.
10. Updated Notification Boundary.

11. Neighborhood Meeting Sign-in Sheet.
12. Extension Request Memo, November 6, 2018.
13. Extension Request Form, October 31, 2018.
14. Ecological Characterization Study completed by Blue Mountain Environmental Consulting, LLC dated August 14, 2017.
15. Spring Creek 100-Foot Buffer Zone.
16. Engineering Fall Zone Letter completed by Vector Structural Engineering, LLC dated April 4, 2019.
17. 2014 Laser Imagery Existing Tree Analysis.
18. T-Mobile Site Justification Correspondence (three pages).
19. Arborist Site Report.
20. Copy of email from Erik Thompson (City resident) dated July 24, 2019 objecting to proposed monopine structure.
21. Planning Department Staff Report prepared for Summitview Community Church (PDP #180016). A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.
22. Copy of Notice of Public Hearing published in the Fort Collins Coloradan on July 16, 2019.
23. Notice of Public Hearing dated July 10, 2019.
24. The PowerPoint presentation prepared by City Staff for the July 24, 2019 hearing.
25. Administrative (Type 1) Hearing: Order of Proceedings.
26. Rules of Conduct for Administrative Hearings.
27. The City's Comprehensive Plan, Code, and the formally promulgated polices of the City are all considered part of the record considered by the Hearing Officer.

TESTIMONY: The following persons testified at the hearing:

From the City:	Kai Kleer, City Planner
From the Applicant:	Tom Johnson Mobilitie 31878 Del Obispo St., #118-454 San Juan Capistrano, CA 92675
From the Owner:	None
From the Public:	Annette Miller, 1416 Hastings Drive, Fort Collins 80526 Craig Stumbough, 2549 Newport Dr., Fort Collins 80526

The hearing on this matter was closed at approximately 6:50 p.m.

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that notice of the public hearing was properly posted, mailed and published.
2. Based on testimony provided at the public hearing and a review of the materials in the record of this case, the Hearing Officer concludes as follows:
 - A. the Application complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code;
 - B. the Application complies with the applicable General Development Standards contained in Article 3 of the Land Use Code with the exception of Section 3.6.6 (Emergency Access) for which Staff has recommended a condition of approval; and
 - C. the Application complies with the relevant standards located in Division 4.13 Public Open Lands District (P-O-L) of Article 4 – Districts.
3. The Application’s satisfaction of the applicable Article 2, 3 and 4 requirements of the Land Use Code is sufficiently detailed in the Staff Report, a copy of which is attached as **ATTACHMENT A** and is incorporated herein by reference.

DECISION

Based on the findings set forth above, the Hearing Officer approves the Summitview Community Church – Wireless Telecommunication Facility Project Development Plan (PDP #180016) as submitted, subject to the following three (3) conditions:

- (1) The Applicant or representative thereof shall submit all necessary documents to comply with Chapter 9, Fire Department Access and Water Supply – Fire Prevention and Protection and the associated International Fire Code, 2018 Edition, amendments, additions and deletions. Specifically, the Applicant or representative thereof must amend the plan set to properly reflect a 26’ wide tenant access easement (the “revised access easement”) in order to adequately support all of the emergency response equipment of the Poudre Fire Authority. The revised access easement shall be in a form acceptable to City Staff and shall be recorded in the real property records of Larimer County, Colorado prior to final plan approval.
- (2) If construction is to occur any time during the raptor nesting season (February 15 through July 15), the Applicant or representative thereof shall submit a raptor survey to the City that includes a raptor survey including raptor nesting activity in the trees adjacent to Spring Creek. The survey, if construction is scheduled to coincide with the nesting season, shall be completed no more than two weeks prior to the start date of the project.

- (3) The Applicant or representative thereof shall submit to the City a letter signed by a licensed engineer indicating the proposed structure has been designed to collapse rather than topple prior to final plan approval.

DATED this 6th day of August, 2019.



Marcus A. McAskin
Hearing Officer

ATTACHMENT A

Staff Report
Summitview Church - Wireless Telecommunications Facility
(PDP# 180016)

Development Review Staff Report

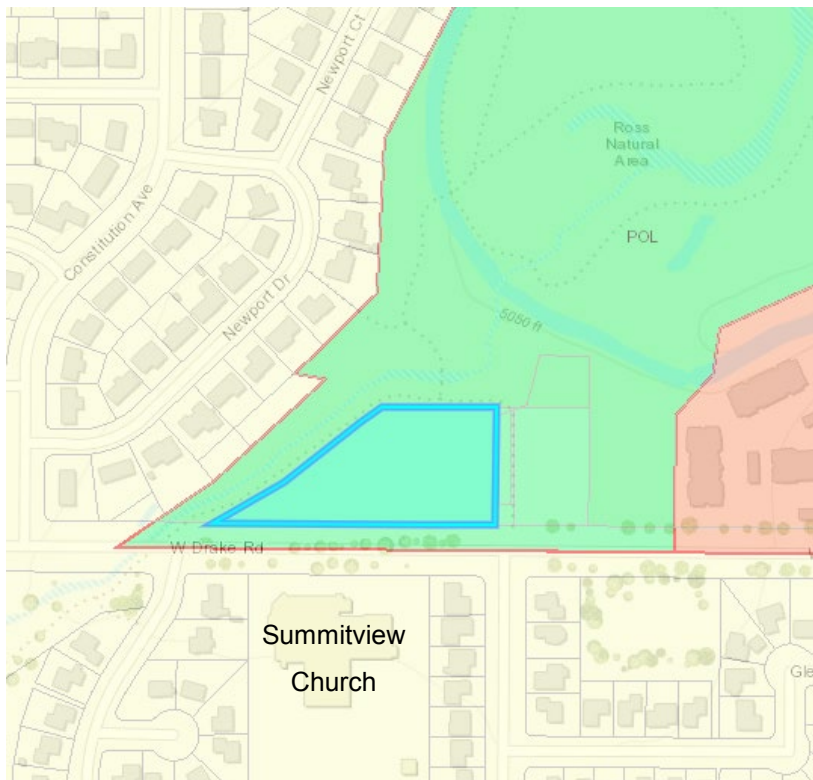
Administrative Hearing: July 24, 2019

Summitview Church – Wireless Telecommunication Facility

Summary of Request

This is a request to construct a 75-foot monopine in the northern parking lot of Summitview Church located at 1600/1601 West Drake Road. The request will require a modification of standards to meet the 1:1 setback requirement and is located in the Public Open Lands (P-O-L) zone district.

Zoning Map (ctrl + click map to follow link)



Next Steps

If approved by the decision maker, the applicant will be eligible to submit for Final Development Plan which must be consistent with the Project Development Plan and any associated conditions. The Final Plan submittal is subject to additional review and can be approved, approved with conditions or denied based on the consistency with the Project Development Plan. After final review and approval all documents can be submitted for recordation and the project will be eligible to apply for a building permit.

Site Location

Located on the northeast corner of W Drake Road and Dunbar Road and on the Southwestern edge of Ross Natural Area.

Zoning

Public Open Lands District (P-O-L)

Property Owner

Summitview Community Church
1601 W Drake Road
Fort Collins, CO 80526

Applicant/Representative

Tom Johnson
Mobilitie
31878 Del Obispo St #118-454
p. (925)785.3727 e. tom@tsjconsultinginc.com

Staff

Kai Kleer, City Planner
p. (970) 416-4284 e. kkleer@fcgov.com

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1. Project Introduction.....
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Staff Recommendation

Conditional Approval

1. Project Introduction

A. PROJECT DESCRIPTION

- 76,752 square foot site (1.76 acres), Lot One of the Faith Evangelical Free Church North Parking Lot.
- 75-foot, faux monopine, wireless telecommunication facility.
- Branch density of 3 branches per foot, textured bark pole, and evergreen simulated antenna socks.
- 24'x16' (384 sq. ft) ground mounted equipment enclosure consisting of a 6-foot fence and brick piers.
- Landscape screening with deciduous trees and shrubs located on south east and west sides of equipment enclosure.
- Replacement of four, previously removed and missing, landscape island trees in primary drive aisle located north of Dunbar Avenue.
- This proposal will relocate the existing T-Mobile wireless telecommunication facility located approximately 1,000 feet east on existing Platte River Power Authority high tension power lines.
- Includes a co-location agreement from AT&T to relocate the existing AT&T wireless telecommunication facility located on the east side of the site. (Attachment 3).
- Both T-Mobile & AT&T who have attachments on the adjacent Platte River Power Authority infrastructure have co-location leases which have expired (Attachment 4).
- Modification

B. SITE CHARACTERISTICS

1. Development Status/Current Conditions

The site was originally developed as a parking lot as part of the *Faith Evangelical Free Church North Parking Lot* development plan (1990). Today, the site contains:

- Mature coniferous and deciduous landscaping around the interior and perimeter of the site.
- Parking area containing approximately 195 spaces.
- Fort Collins Walk and Wheel Skills Hub (Attachment 5), established Fall 2017, on the eastern most edge of the parking lot. This space is leased by FC Moves for a 'safety town' with bike lanes, streets and traffic signs.
- AT&T wireless telecommunication facility (Attachment 6) co-located on Platte River Power Authority high tension power line with an adjacent equipment enclosure.

The lot slopes from its high point along West Drake Road to the northwest with the most significant grade change of approximately four feet between the existing sidewalk and parking surface. The northwest end of the site also contains a portion of the Spring Creek Floodplain and Floodway.

2. Surrounding Zoning and Land Use

	North	South	East	West
Zoning	Public Open Lands (P-O-L)	Low Density Residential (R-L)	Medium Density Mixed Use Neighborhood (M-M-N)	Low Density Residential (R-L)
Land Use	Ross Natural Area, Rolland Moore Community Park	Place of Worship (Summitview Church), Single-Family Residential (Cedar Village, Kensington)	Multi-family Residential (The Pavilions at Silver Sage)	Single-family Detached (Lexington Green)

C. OVERVIEW OF MAIN CONSIDERATIONS

The main site planning have been the location, landscape screening, co-location of AT&T and overall monopine height. Iterative design, neighborhood input and multiple on-site meetings have led to the location of the monopine mid-site, overall height of 75-feet, evergreen plantings around the base of the equipment enclosure and monopine, and a signed agreement from AT&T to co-locate on the proposed structure. This Project Development Plan has gone through 3 rounds of staff review.

Other key issues that have been explored and addressed are;

- Location of monopine in proximity to the Platte River Power Authority high tension power lines and utility easement.
 - Resolution: PRPA requires a minimum of a 20-foot setback from the closest transmission line, the applicant has proposed 29'1".
- Setback from Spring Creek Trail and avoiding viewsheds from the trail and Dunbar Avenue and residential properties on the south side of West Drake Road.
 - With public input and after multiple site visits by staff, forestry, applicant and property owner it was determined that the best and least visually impactful location would be centered in the southern most portion of the parking lot. This location is offset from where the Spring Creek Trail ties into an east west connection and is tucked within a mature stand of trees which is out of any direct line of sight from northbound traffic on Dunbar Avenue.
- Locating the facility next to Summitview Church (south side of street) in an established grove of evergreen trees or in rear of site as a bell tower.
 - It was communicated by the applicant that locating in an existing grove of evergreens would cause shadowing to the wireless signal and create an issue for adequately serving customers.
- Alternative design consideration to co locate on roof as a steeple or bell tower in the parking lot.
 - It was communicated by the applicant that colocation on the roof would not provide adequate space for an antenna array and that it could not be deployed at a height to overcome interference from nearby trees.
- Locating facility on another site closer to the intersection of two arterials (Taft Hill & West Drake, Shields & West Drake) where facilities already exist.
 - It was communicated by the applicant that the nearby intersections already have adequate service and that the location would be too far to replace the current service provided by the array located on Platte River Power Authority high-tension power lines.
- Different design iterations such as a slimline to mimic the existing character of the adjacent high-tension power lines.

- The 'slimline' design would restrict the ability to provide adequate service and co-location space for any additional carriers. This design restricts the number of antennas that can be mounted at a single axis and requires a provider to split antennas into two different levels.
- Location on the most eastern side of the site (Lot 2) where the FCMoves safety town and current AT&T equipment enclosure exist).
- Because of the construction timeline and impact that the wireless facility would have to safety town that would potentially obstruct their current layout and programming of the site, FCMoves did not respond favorably to any of the applicant's proposed locations within this area.

Staff has evaluated the request under the applicable sections of the Land Use Code and finds that all issues have been addressed in compliance with the code with exception to 3.6.6 Emergency Access.

2. Public Outreach

A. NEIGHBORHOOD MEETING

A neighborhood meeting was held on March 1, 2018. Though this is not required for Administrative (Type 1) projects, staff requested a neighborhood meeting be held due to the significant over-the-phone and email interest early on in the project. Though the meeting was not well attended, constructive conversation helped establish the proposed location of the wireless facility.

B. PUBLIC COMMENTS:

Several public comments were received during the neighborhood meeting, over-the-phone and through email (Attachments 7 and 8). Concerns and comments included:

- Location of proposed monopine and equipment in relation to the Spring Creek trail and Ross Natural Area and a desire to locate the pole as far away from the trail and natural area as possible.
- Visual impact to the adjacent trail system (Spring Creek Trail).
- A request to expand the notification area. City staff expanded the notification area which increased the mailing list from 204 to 1,029 addresses. (Attachments 9 and 10).
- Preference to lower the pole height and potentially have other deployments at a neighborhood scale.
- Viewshed looking north at the intersection of Dunbar and W Drake Road.
- Impact of lighting and noise of the ground mounted equipment.
- Combining both existing wireless facilities that exist on adjacent Poudre Valley Power high-tension power lines onto a single site (co-location).

3. Article 2 – Applicable Standards

A. BACKGROUND

This project was submitted on September 9, 2017 under a previous Project Development Plan (PDP170037). The project has since expired and was denied a request for project extension. A new Project Development Plan (PDP180016) was submitted on December 21, 2018.

B. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Review # CDR170047 (July 10, 2017)

A conceptual review meeting was held on July 14, 2017. The original proposal consisted of a 100-foot monopine located in the landscape island of the drive aisle that aligns with Dunbar Road to the South.

2. First Submittal (PDP170037)

As previously mentioned, the first submittal of this project was completed on September 9, 2017.

3. Neighborhood Meeting (March 1, 2018)

A neighborhood meeting was held at Fort Collins Bible Church on March 1, 2018. There were 204 addresses mailed, however, only two community members signed in (Attachment 11) at the meeting and approximately four people were present.

4. Project Expiration

On November 16, 2018, The Development Review Manager denied the extension request; however, the director approved a reduced fee schedule for resubmittal. This means that the typical \$3,887 fee was reduced to \$200. In total, application fees amounted to \$515.00 instead of \$4,252.00 (Attachment 12 and 13).

5. Second Submittal (PDP180016)

The submittal of the project occurred on November 27, 2018 and was deemed complete on December 21, 2018. The project was subsequently routed to all reviewing departments.

The project has gone through three rounds of staff review since the creation of PDP180016.

6. Notice (Posted, Written and Published)

Posted Notice (PDP170037 & PDP180016): November 16, 2017, Sign # 389

Written notice: July 10, 2019, 1,029 letters sent

Published Notice: July 16, 2019, Coloradoan confirmation #0003683533

4. Article 3 - Applicable Standards

A. DIVISION 3.2 - SITE PLANNING AND DESIGN

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.2.1 Landscaping and Tree Protection	<p>The intent of this Section is to require a fully developed landscape plan that addresses relationships of landscaping to the circulation system and parking, the building, abutting properties, and users of the site in a manner appropriate to the neighborhood context.</p> <p>The plan provides the following main components:</p> <ul style="list-style-type: none"> Parking lot landscaping, bringing two landscape islands into compliance with the planting of four trees. Installation of two new landscape islands which act as bookends to the proposed ground mounted equipment enclosure. Each planted with one Southwestern White Pine and 12 Dwarf Mugo Pines. Additional trees to screen the southern portion of the equipment enclosure. Mitigation of the Removal of two Green Ash trees with the installation of five upsized (from 6 to 8 foot) Southeastern White Pine trees. <p>As part of this project City Forestry required an Arborist Site Report (Attachment 20) to determine how the construction of the wireless facility would impact two adjacent trees. After review of this report Forestry Services determined that the trees should be removed and mitigated.</p>	<p>Complies</p>

B. DIVISION 3.4 - ENVIRONMENTAL, NATURAL AREA, RECREATIONAL & CULTURAL RESOURCES

The purpose of this Section is to ensure that when property is developed consistent with its zoning designation, the way in which the proposed physical elements of the development plan are designed and arranged on the site will protect the natural habitats and features both on the site and in the vicinity of the site.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.4.1 Natural Habitats and Features	<p>An Ecological Characterization Report is required because the project is within 500 feet of an area identified as a natural habitat or feature on the City's Natural Habitats and Features Inventory Map (Spring Creek and Ross Natural Area).</p> <p>Though the Ecological Characterization Report has dated information about the height and location of the proposed facility (previously 100ft and just north of the intersection of Dunbar and Drake). The newly proposed location does not lie within the required 100-foot Spring Creek Buffer (Attachment 15).</p> <p>The conclusion of the report indicates that the proposed project will not have any effect on adjacent ecological resources and the need for a raptor survey along Spring Creek if construction is to occur any time during the nesting season (February 15 through July 15). If construction is scheduled to coincide with the nesting season, the survey should be conducted two weeks prior to the start date of the project. The primary concern for the timing of development is protection of nesting birds adjacent to the Property.</p> <p>If construction does not coincide with the nesting season, a raptor survey is unnecessary (Attachment 14).</p> <p>To ensure the completion of a raptor survey, staff recommends a condition of approval that will require the applicant or representative thereof to complete aforementioned study if construction takes place during nesting season.</p>	Conditionally Complies

A. DIVISION 3.6 – TRANSPORTATION AND CIRCULATION

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.6.6 Emergency Access	<p>All developments must provide adequate access for emergency vehicles and for those persons rendering fire protection and emergency services.</p> <p>The plan as proposed allows for a 12-foot emergency access easement through the parking lot. Poudre Fire Authority has indicated that a 26-foot will be needed and can be accommodated within the existing drive aisle.</p> <p>To meet this standard staff recommends that any approval be conditioned and require the submittal of all necessary documents to comply with Chapter 9 – Fire Prevention and Protection and the associated International Fire Code, 2018 Edition, amendments, additions and deletions. Specifically, as it relates to a 26-foot aerial apparatus fire lane.</p>	Conditionally Complies

B. DIVISION 3.8 - SUPPLEMENTARY

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.8.13(B) Co-location	The project achieves co-location by providing additional antenna space within the wireless telecommunication facility to house another provider. The applicant has also cooperated in good faith to achieve co-location by AT&T and has a co-location commitment dated August 29, 2018 (Attachment 3).	Complies
3.8.13(C)(1) Setbacks	<p>It is required that any wireless telecommunication facility that is a tower or monopole maintain a setback of the facility from any property line of one foot for every foot in height (71-foot setback). However, to the extent that it can be demonstrated that the structure will collapse rather than topple, this requirement can be waived by the director.</p> <p>The project proposes an approximate setback of 26 feet from West Drake Road Right-of-Way. The applicant has provided a letter from a certified engineer that attests to the pole being designed in a way that the highest stress rating of all structural elements is 80% of capacity or less.</p> <p>This analysis has been reviewed and has been determined to adequately satisfy the intent of the setback code requirement (Attachment 16).</p>	Complies
3.8.13(C)(2) Wireless Telecommunication Facilities	<p>The selection of a stealth tower design for the wireless telecommunication facility is consistent with the project vicinity near the edge of a mature landscape area between the street/parking lot and natural area to the north.</p> <p>As previously mentioned, 70-foot high tension power lines exist to the south of the site and have been factored into the design and location of the proposed monopine.</p>	Complies
3.8.13(C)(4) Landscaping	Of the 9 new trees to be planted, 5 will be located surrounding the fenced equipment compound to provide substantial screening of the monopine base. The new trees will be Southwestern White Pine to provide year-round screening and ground-level and mid-level contextual landscaping to the tower. The final location of the trees will be completed during the Final Development Plan review process.	Complies
3.8.13(C)(5) Fencing	The proposed ground equipment compound fencing will be a solid 6-foot high wood fence interspersed with brick columns, in compliance with this Land Use Code section's requirement for height and materials.	Complies
3.8.13(C)(7) Irrigation	A new irrigation system will be installed to support the establishment and growth of new site landscaping.	Complies
3.8.13(C)(8) Color	Colors for the stealth tower structure and associated equipment have been selected to match the nearby context with subdued, earth toned colors. The 'trunk' is to be painted brown with a simulated bark texture, antennas are to be hidden within green antenna socks with matching simulated needles, and the stealth tower will feature a range of brown-to-green needles to create a more realistic depiction of an evergreen tree.	Complies
3.8.13(C)(11) Lighting	The tower and equipment are not proposed to be lit. Lighting will be provided for service reasons only.	Complies
3.8.13(C)(11) Access Roadways	Situated adjacent to existing parking lot and connected to the public street system, the site features proper emergency access capable of supporting fire equipment.	Complies
3.8.13(C)(15) Stealth Technology	The wireless facility proposes to utilize a stealth design mimicking characteristics of an evergreen tree to disguise/hide the wireless antenna. The monopine design as chosen due to the more natural character and feel of the site and in response to input and discussions over the phone and at the neighborhood meeting.	Complies

5. Article 4 – Applicable Standards:

A. SUMMARY

The Public Open Lands District is for large publicly owned parks and open lands which have a community-wide emphasis or other characteristics which warrant inclusion under this separate designation rather than inclusion in an adjoining neighborhood or other District designation.

The proposed wireless telecommunication facility is permitted subject to Administrative Review in this district.

B. DIVISION 4.13 – PUBLIC OPEN LANDS DISTRICT (P-O-L)

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
4.13(B) Permitted Uses	The proposed wireless telecommunication facility is a permitted use in the Public Open Lands (P-O-L) zone district.	Complies

6. Findings of Fact/Conclusion

In evaluating the request for the Summitview Church Project Development Plan, PDP180016, staff makes the following findings of fact:

- The P.D.P. complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- The P.D.P. complies with relevant standards located in Article 3 – General Development Standards with exception to 3.6.6.
- The P.D.P. complies with relevant standards located in Division 4.13, Public Open Lands (P-O-L) of Article 4

7. Recommendation

Staff recommends approval of the Summitview Church Wireless Telecommunication Facility, PDP180016 with the following conditions:

- The applicant or representative thereof shall submit all necessary documents to comply with Chapter 9 – Fire Prevention and Protection and the associated International Fire Code, 2018 Edition, amendments, additions and deletions. The applicant or representative must specifically address the 26-foot aerial apparatus fire lane.
- If construction is to occur any time during the raptor nesting season (February 15 through July 15). The applicant or representative thereof shall submit a raptor survey that includes trees adjacent to Spring Creek. The survey, if construction is scheduled to coincide with the nesting season, shall be conducted two weeks prior to the start date of the project.

8. Attachments

1. Vicinity & Zoning Map
2. Plan Set
3. AT&T Colocation Letter
4. PRPA Lease Tracking Redacted
5. Walk & Wheel Site Plan
6. AT&T Previously Approved Site Plan
7. Neighborhood Meeting Notes
8. Communication Memo
9. Original Notification Boundary
10. Updated Notification Boundary
11. Neighborhood Meeting Sign-in Sheet
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