



MEMO

TO: Bill Detweiler, Development Services Director
THRU: Jeff Brauer, Parks and Recreation Director
FROM: Jeff Smullen, Assistant Parks and Recreation Director
DATE: April 13, 2018
RE: Use by Special Review Application for the Placement of a Stealth Cell Tower on a Portion of Quarry Mesa Open Space

This memorandum addresses whether or not the Use by Special Review application for placement of a stealth cell tower on a portion of the Quarry Mesa Open Space ("the Property") has met the foundational requirements for granting such use on Town-owned property under Chapter 17.60 (Personal Wireless Service Facilities) of the Castle Rock Municipal Code.

Staff has evaluated the Use by Special Review Application and found that it does not comply with all the approval standards contained in Chapter 17.60 and as detailed in this memorandum. Specifically, staff finds that the application fails to meet section 17.60.060.B.1 and does not comply with the Town's Comprehensive Master Plan or Parks and Recreation Master Plan.

The Parks and Recreation Department is recommending denial because the development of a macro cell tower site is not consistent with the property's open space values. The majority of Town owned open space has been acquired through open space dedication; however, the Town has acquired open space property through fee simple acquisition for truly special areas with high resource values. Quarry Mesa was initially approved for resort commercial development. When the previous property owner planned to rezone the mesa to residential development, the Town moved to purchase the property to protect the historical, scenic and open space values that define Castle Rock, as detailed within the Town's Comprehensive Master Plan and Parks and Recreation Master Plans. The property was so significant, that the Town was awarded a Great Outdoors Colorado Grant and additional funding assistance from Douglas County. A conservation easement was placed over the area purchased for further protection. The side slopes which complete the whole of the mesa were already zoned open space, so purchase of this area was not required and as a result, the conservation easement was not extended. However, the intent was to protect the mesa in its entirety, not to introduce new grading, retaining walls and a significant structure along steep its steep side slopes. Only two other properties of the nearly 3,000 acres of Town owned open space properties are encumbered by a conservation easement, which adds an additional level of protection from development for significant open space areas.

Additionally, the Town has not permitted macro cell tower sites within any other Town-owned open space areas. While the Parks and Recreation Department does have experience with one macro

tower site, located at Gateway Mesa Open Space, that site was already in place when the property was purchased over twenty years ago. Gateway Mesa remains agriculturally zoned in unincorporated Douglas County. Since acquisition, the Town of Castle Rock has spent considerable staff time and money on repairing the access road and restoring open space as a result of multiple providers that often cut locks, drive off the access road during wet conditions as they have continued to add poles, antenna's, transformers and other equipment to the facility. The macro tower site at Gateway Mesa does not enhance open space values on the property.

Staff is also concerned with the impacts of the facility to trail users and on wildlife access to the proposed macro site and tower crosses trail access to the top of the quarry. Currently, vehicular access is limited to occasional Town maintenance access. The macro site will introduce additional vehicle interaction between trail users and the vehicles of Eco-Site and its providers, not only during construction, but for regular service and additions to the facility. The proposed impact of a macro cell tower operations is not consistent with the existing trail use and minimizing impacts to wildlife.

- **In addition to the concerns listed above, the proposal does not meet the minimum requirements of 17.60.060.B.1**

17.60.060 Use of Town Property.

B. Minimum requirements. The placement of wireless telecommunication antennas or towers on Town-owned property must comply with the following requirements:

1. The antennas or tower will not interfere with the purpose for which the Town-owned property is intended.

The intended use of the Property is open space. In 2007, the Town purchased the Property from the Crystal Valley Ranch developer for \$2 million for the purpose of passive open space, which includes uses for hiking, biking, meditation, view enjoyment and habitat preservation. The side slopes are important component of the overall property and accessory to the top of the mesa. Development of the side slopes will disrupt the connectivity and continuity of the open space as a whole. The property received over 3,000 visits to the top of the mesa in 2014 and use will continue to increase as Crystal Valley Ranch, the Lanterns and Heckendorf Ranch develop additional residential housing within walking distance to the mesa. . It should also be noted that the water tank located on the Property was in place at the time of the Town's acquisition—this was not a new use created by the Town. Preservation of significant open space areas are also supported by the 2015 Parks, Trails and Open Space Master Plan and the 2030 Comprehensive Master Plan adopted by the Town Council.

- **The proposal does not meet the criteria set forth in Principal D1 of the 2015 Castle Rock Parks, Trails and Open Space Master Plan**

Principal D1: Preserve Open Space properties that define and contribute to the Town of Castle Rock's uniqueness.

- a. Maintain and enhance a unique identity for the Town of Castle Rock by preserving open space buffers between it and adjacent communities.

b. Identify and preserve the important landmarks that make the Town of Castle Rock a special place to live, including significant buttes, ridgelines, rock formations, agricultural lands, and water features; scenic vistas viewed from I-25, the county's major road network and key public places.

The proposal does not preserve the intended natural conditions along the slopes of this significant butte. The proposal introduces a new, manufactured structure, creates significant cuts into the side of the property, requires construction of a paved roadway to the proposed site and creates the need for fencing and extensive retaining walls, which all affect the scenic vistas from key public locations, such as the Town right-of-way and the historic mesa.

c. Preserve lands for the benefit of wildlife through the preservation of ecosystems, habitats, and corridors.

The proposal would cause disturbance to the existing ecosystem and habitat located on the property. The construction of the tower and support facilities as well as regular maintenance access at all hours from a variety of providers will inevitably impact wildlife. The rhyolite-capped upland mesa and surrounding side slopes with scrub oak, mountain mahogany, juniper and rabbit brush provide habitat to a variety of wildlife species, including mule deer, porcupine, coyote, fox, raptors and numerous grassland bird species. All of which, have been observed on the property by staff and neighbors.

Attachment: Historic photo of Quarry Mesa

