



Meeting Date: May 15, 2018

AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council

Through: Bill Detweiler, Director, Development Services

From: Donna Ferguson, Planner II, Development Services

Title: Wireless Use by Special Review-Site Development Plan at Quarry Mesa Open Space

Planning Commission Recommendation

On March 22, 2018, following detailed discussion, Planning Commission found that the Wireless Use by Special Review-Site Development Plan at Quarry Mesa Open Space application did not meet the foundational criteria outlined in Sections 17.60.030 Industry Site Selection and 17.60.060 Use of Town Property of the Town Municipal Code and unanimously voted 6-0 to recommend denial of the application.

Commissioner discussion primarily focused on the unique character of the site, including Quarry Mesa's historical nature, distinctive topography and the potential negative impacts to the natural resources and uses of the open space.

In addition to presentations by Town Staff and the applicant, Planning Commission heard public comment from eight residents who raised the following issues:

1. Incompatibility with open space – Note:
2. Protection of ridgeline.
3. Impact of high frequency RF emissions on wildlife.
4. Third party review – *Note: Pursuant to the Town's wireless code, Section 17.60.140 – Third party review, Planning Commission or Town Council can require a third party technical review of the technical data submitted by the applicant. It is intended to be a site-specific review to determine whether the analysis techniques and methodologies are legitimate. The selection of a third party expert shall be by mutual agreement and be paid for by the applicant. Planning Commission did not make a request for a third party review. In addition, Town Staff does not recommend a third party review as the technical data is not in question.*
5. Co-location with Verizon.
6. Impact on property values.
7. Rezoning of Quarry Mesa Open Space to prevent future cell tower applications.
8. Impact of the cell tower on open space use due to a perception of harm.

Executive Summary

Eco-Site in conjunction with T-Mobile (the applicants) are requesting approval of a Wireless Use by Special Review-Site Development Plan (UBSR-SDP) application in order to construct a stealth cell tower (cell tower) on a parcel of land within Quarry Mesa Open Space (Figure1). The parcel is generally located north of the intersection of Crystal Valley Parkway and Mighty Oaks Street and next to an existing Town water tank within the Crystal Valley Ranch neighborhood. The applicants state that the cell tower is needed in order to address gaps in current service coverage. Applications for new cell towers are a Wireless Use by Special Review-Site Development Plan. As such, Town Council shall review and make a decision upon the application after review and a recommendation by Planning Commission.

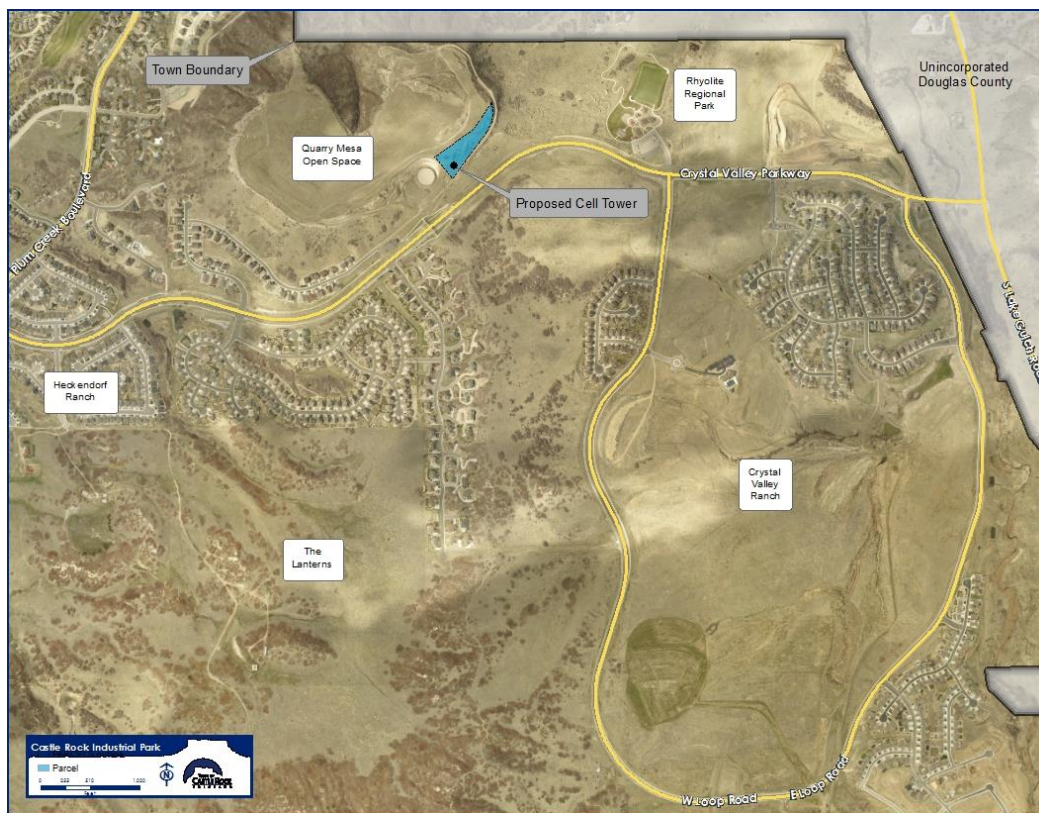


Figure 1: Vicinity Map

Wireless UBSR Discussion

Background

As part of the applicant's site selection process and pursuant to the Town's location priorities, Section 17.60.050 – Priorities, the applicants vetted multiple Town properties for the proposed cell tower. The applicant first proposed locating the cell tower on the Town water tank site located to the west of this proposed site. After considering two proposals to locate the cell tower on the water tank site, Castle Rock Water determined that the cell tower would not physically fit on the tank site because much of the site is

reserved for a future 2nd water tank or well or otherwise steeply sloped. Locating on the slope would likely require grading and retaining walls which could encroach into the reserved areas. Since the cell tower could not be accommodated on the tank site the applicants chose to pursue locating the cell tower on the adjacent open space parcel.

Proposal

Eco-site, a company which builds, owns and operates towers, is requesting to lease from the Town a 70' x 30' portion of land (the compound) and an access easement on the corner of a parcel which lies on the edge of the mesa in order to construct a cell tower which they would lease to T-Mobile and other service providers (**Attachment C**). The cell tower is designed to look like a water tower (Figure 2). The water tower is proposed to be 50-feet high with a diameter of approximately 15-feet. The lease area and tower would be designed to accommodate two carriers with the capability of being further modified to accommodate three carriers. The lease area would be enclosed by an 8-foot tall wood fence which would be further surrounded by landscaping to provide screening. In order to prepare the site for development the applicants are proposing to build a retaining wall and extend an existing service road. If the Wireless UBSR is approved Eco-Site will formalize a lease agreement with the Town.

Existing Conditions

Quarry Mesa Open Space is a Town owned public property which was the site of the Town's first rhyolite stone quarry, which opened in 1872, and is considered a Town landmark. This open space offers passive open space uses such as hiking, biking, meditation and view enjoyment. The open space is accessed from the Madge Trail

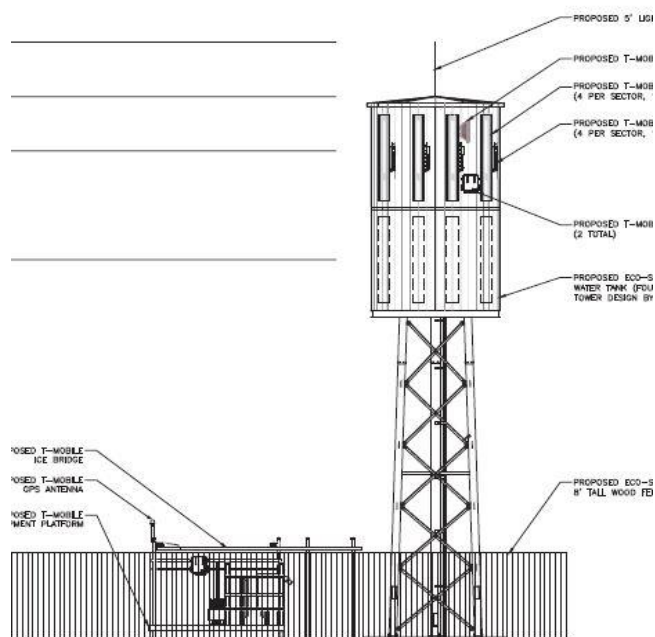
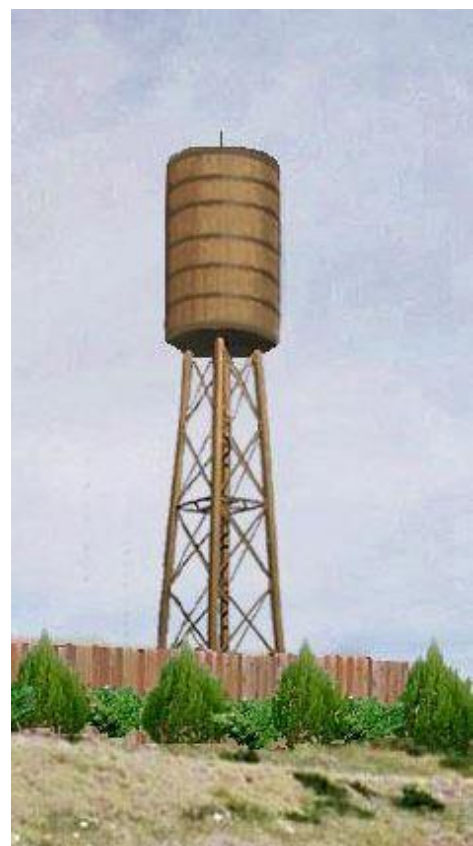


Figure 2: Proposed water tower design



head which is located southwest of the open space and next to an existing Town water tank. A majority of the open space property is encumbered by a conservation easement and/or resides within a Skyline Overlay District of which both limit development, however, Eco-Site is proposing to construct the cell tower on a portion of a parcel which is not encumbered by either.

The parcel which contains the proposed compound wraps around the southeastern edge of Quarry Mesa Open Space (Figure 3). The parcel resides within the Open Space Dedication (OSD) use area of Crystal Valley Ranch Planned Development - 4th Amendment which permits cell towers as a utility facility after approval of a Wireless UBSR application. To the west of and adjacent to the parcel resides an existing Town water tank and pump house which serve the surrounding neighborhood. The existing Town water tank is approximately 28-feet in height but is set into the slope so that only 8-feet protrudes above ground. Both the water tank and pump house are located on property zoned Public Land Dedication (PLD) which permits water storage facilities. There is also an existing service road which is paved up to the water tank. Existing or planned neighborhoods reside to the south, southwest and east while Rhyolite Regional Park and a future school site reside to the northeast. While located in the Crystal Valley Ranch neighborhood the parcel is not adjacent to a residential zone district or land uses. The closest home is approximately 500-feet away.

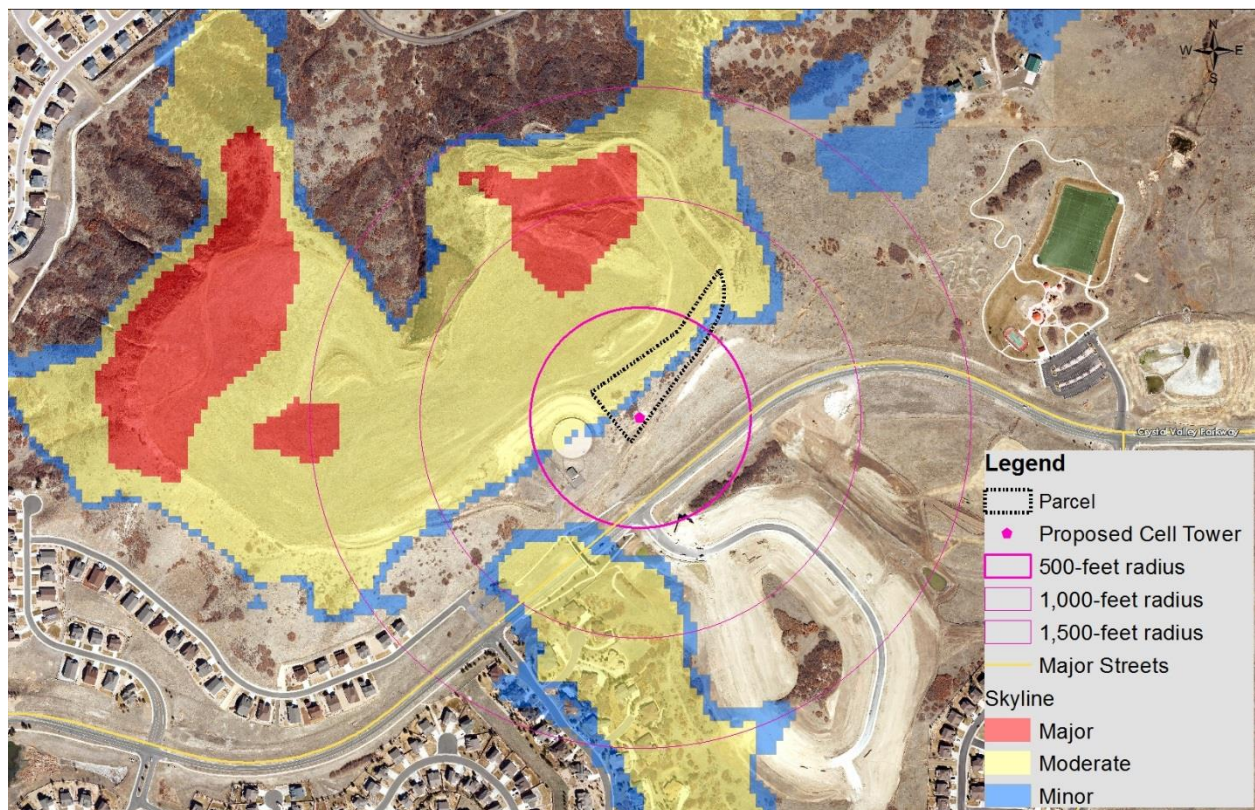


Figure 3: Existing conditions

Neighborhood Meetings

The applicants conducted a total of three neighborhood meetings; one prior to the formal submittal of the application and two during the review process.

Meeting #1: The first meeting occurred on July 7, 2016; there were approximately 50 people in attendance. At this meeting the applicants proposed to locate a 100-foot tall steel pole cell tower design at the highest elevation allowable on the parcel. The majority of attendees expressed opposition to the proposal and asked the applicants to consider alternative designs and alternative locations.

Meeting #2: The second meeting occurred on June 14, 2017; there were approximately 40 people in attendance. The applicant shared an alternative design which they stated was based on the feedback they received from the first neighborhood meeting. The cell tower height decreased from 100-feet to 50-feet and the design changed from a steel pole structure to a water tower structure. The location of the cell tower was also moved slightly down the slope and closer to the existing water tank.

3/4 of the attendees were opposed to the alternative design based on its adjacency to the open space while 1/4 of the attendees were in favor due to the desire for coverage and an acceptable design. The attendees implored the applicant to explore a two cell tower solution; one cell tower to cover the west side and one cell tower to cover the east side of the intended coverage area instead of one cell tower adjacent to the open space.

Meeting #3: The third and final meeting occurred on August 9, 2017; there were approximately 30 people in attendance. The applicants shared analysis information which explained why two cell towers on either side of the open space, rather than one cell tower adjacent to the open space, was not feasible.

The applicants provided google maps overlaid with coverage predictions (based on proprietary software) comparing the proposed single cell tower to the requested two cell tower option. The documents clearly showed that one cell tower 50-feet tall adjacent to the open space provided better coverage for the neighborhood and surrounding area than two cell towers 150-feet tall outside of the open space. They explained that this was due to the varying topography in the area. They also provided elevation sections of the area to demonstrate the topography constraints.

1/4 of the attendees expressed strong opposition to the proposed cell tower. They were steadfast in their opinion that the location was not compatible with the neighborhood or the objective and intent of the Town's open space values. 1/4 of the attendees expressed strong support for the proposed cell tower. They were steadfast in their opinion that there was a great need for cell coverage and the design was more than acceptable. The other 1/2 of the attendees did not openly express opposition or support for the proposal.

Neighborhood Comments

The Town also received concerns and comments via e-mail and telephone from 38 households in the surrounding neighborhood (**Attachment B**). Of the 38 households 30 were opposed to the proposed cell tower while 8 were in support of the cell tower. These concerns and comments focused on the negative public health and welfare impacts due to the cell tower's radio frequency (RF) transmissions as well as its impact on property values.

While the Town understands citizen concerns related to the impacts of RF transmissions, it is the FCC that has the exclusive authority to regulate the maximum permissible exposure. As such, the Town considers the public health and welfare of cell towers to the extent allowable by the FCC.

The Town received varying comments from residents regarding the impacts of the proposed cell tower on property values; some residents indicated that the cell tower would have negative impacts on property values due to the aesthetics of the tower and to public health and welfare concerns, while other residents indicated that the cell tower would have positive impacts on property values because it would provide much needed cell coverage where there is none.

External Referrals

External referrals were sent to various public and private utility providers as well as the Town's jurisdictional partners with no objections being reported. However, while Douglas County School District (DCSD) did not object to the application they did request that the applicants do the following: 1. commit to compliance with all relevant regulations concerning the construction and operation of the tower to permit full use by DCSD of future school sites, 2. minimize all visual impacts of the tower so as not to negatively impact views from future school sites, and 3. adequately secure the site to prevent trespass on the site that could result in injury or interference with the equipment. The applicants responded to the school district in an affirmative manner stating that all three items would be accomplished with the application.

Notices

Posted, written and published notices were performed in accordance with the Town of Castle Rock Municipal Code.

Wireless UBSR Criteria Summary

Town Staff reviewed the proposed Wireless UBSR-SDP application for Quarry Mesa Cell Tower against all of the associated Wireless UBSR Criteria. Town Staff found that the application did not meet the foundational criteria outlined in Sections 17.60.030 Industry Site Selection and 17.60.060 Use of Town Property. Therefore, the criteria for approval has not been met. For detailed criteria and analysis information please see the following section, Wireless UBSR Criteria and Analysis.

Wireless UBSR Criteria and Analysis

17.60.030 - Industry site selection criteria. In siting a new site, it is anticipated that the industry will propose locations that are technically compatible with the established network. A general area is to be identified based upon engineering constraints and the desired area of service. Specific locations within that general area will be evaluated using the following criteria which are not listed in order of priority:

- A. Topography as it relates to line of sight transmissions for optimum efficiency in service.*
- B. Availability of road access.*
- C. Availability of electric power.*
- D. Availability of land-based telephone lines or microwave link capability.*
- E. Leasable lands, and landlords who want facilities to be located on their properties consistent with zoning regulations.*
- F. Screening potential of existing vegetation, structures and topographic features.*
- G. Zoning that will allow personal wireless service facilities.*
- H. Compatibility with adjacent land uses.*
- I. The fewest number of sites to cover the desired area.*
- J. The greatest amount of coverage, consistent with physical requirements.*
- K. Opportunities to mitigate possible visual impact.*
- L. Availability of suitable existing structures for antenna mounting.*

The applicants state that the Crystal Valley Ranch neighborhood is a desired coverage area of service which is currently underserved and growing. They indicate that the proposed location is technically compatible with the established network of T-Mobile and provides the greatest amount of coverage with the fewest amount of towers.

The proposed location of the cell tower within Quarry Mesa Open Space contains very little vegetation making the screening potential of the existing vegetation inadequate. In addition, while the existing slope can be utilized to screen the cell tower it can only potentially screen 1 out of 4 aspects. As such, criteria F has not been met.

The cell tower is proposed to be constructed adjacent to Quarry Mesa Open Space. As the resource manager of open space, the Town's Parks and Recreation Department evaluated the cell tower proposal for compatibility with Quarry Mesa Open Space **(Attachment A)**. The evaluation described Quarry Mesa Open Space as a passive open space which permits uses such as hiking, biking, meditation, view enjoyment and habitat preservation. The evaluation stated that the cell tower use would introduce a 50-foot tall structure and increased vehicular traffic which would disrupt the adjacent passive open space uses and therefore not be compatible with Quarry Mesa Open Space. As such, criteria H has not been met.

It is not possible to adequately mitigate the visual impacts of the location and profile of the proposed cell tower due to the naturally sparse and open condition of the Quarry Mesa Open Space. As such, criteria K has not been met.

These criteria have not been met.

17.60.040 - Town site selection criteria.

- A. *As a fundamental element of this Chapter, the telecommunications company proposing to construct an antenna support structure, or mount an antenna on an existing structure, is required to demonstrate, using technological evidence, that the antenna must go where it is proposed in order to satisfy its function in the company's grid system. Further, the company must demonstrate by technological evidence that the height requested is the minimum height necessary to fulfill the cell site's function within the grid system.*
- B. *Applications for necessary permits will only be processed when the applicant demonstrates that it is either an FCC-licensed telecommunications provider or has in place necessary agreements with an FCC-licensed telecommunications provider for use or lease of the support structure.*
- C. *Personal wireless service facilities should be located and designed to minimize any impacts on residential property values. Sites should be placed in locations where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.*
- D. *Location and design of sites in all districts should consider the impact of the site on the surrounding neighborhood and the visual impact within the zone district. In residential districts and residential land use areas, the minimum lot size for towers shall be three acres.*

The applicants have provided technical evidence indicating that the height of the proposed cell tower is the minimum possible to achieve the desired coverage area and function in their established network. The applicant is an FCC-licensed telecommunications provider and has submitted the required documentation to the Town.

With respect to siting the cell tower on this particular parcel within Quarry Mesa Open Space, T-Mobile has located the cell tower as close as possible to an existing Town water tank and at the lowest elevation of the slope as possible as well as chosen a stealth water tank design. These design elements provide the greatest amount of screening and minimize the visual impacts on the surrounding neighborhood as much as possible.

These criteria have been met.

17.60.050 – Priorities

- A. *The following establishes the order of priorities for locating new communications facilities.*
 - 1. *Place antennas and towers on public property.*

2. *Place antennas on appropriate existing structures, such as buildings, towers, water towers and smokestacks in other zoned districts.*
3. *Place antennas and towers in districts zoned I-1.*
4. *Place antennas and towers in districts zoned B (excluding the Historic Downtown area as defined in the Downtown Overlay District) which do not adjoin or adversely impact residential neighborhoods.*
5. *Place antennas and towers on other private nonresidential property.*
6. *Place antennas and towers on multi-family residential structures exceeding 45-feet in height.*
7. *Place antennas and towers in other residential districts: (i) only if locations for which a need has been demonstrated are not available on existing structures or in nonresidential districts; and (ii) only on or in existing churches, parks (as provided in Section 17.60.060), schools, utility facilities or other appropriate public facilities.*

The applicant has proposed to place the cell tower within Town open space which is considered public property. However, Staff would highlight the fact that insofar as the Municipal Code addresses the prioritization of sites, relative to public property, the Code provision speaks to Town utility facilities or parks - where access can be accommodated in a manner more consistent with existing uses - and notably does not mention open space. The foregoing is consistent with the Town's guiding documents which place an emphasis on preserving and enhancing open space particularly, as observed by the Commissioners in this instance, given the unique character of the open space here including its proximity to a conservation easement and historical site.

These criteria have been met.

- B. An applicant for a new antenna support structure to be located in a residential zoning district shall demonstrate that a diligent effort has been made to locate the proposed communications facilities on a government structure, a private institutional structure or other appropriate existing structures within a nonresidential zoning district, and that due to valid considerations including physical constraints, or technological feasibility, no appropriate location is available. The telecommunications company is required to demonstrate that it contacted the owners of structures in excess of 45-feet within a one-half-mile radius of the site proposed, asked for permission to install the antenna on those structures and was denied for reasons other than economic ones. The information submitted by the applicant shall include a map of the area to be served by the tower, its relationship to other antenna sites in the applicant's network and an evaluation of existing buildings taller than 45-feet, towers and water tanks within one-half mile of the proposed tower.*

The antenna support structure (tower) is not proposed to be located in a residential zone district.

This criteria is not applicable.

17.60.060 - Use of Town property

A. Priority of users. Priority for the use of Town-owned land for wireless telecommunication antennas and towers will be given to the following entities in descending order:

- 1. The Town;*
- 2. Public safety agencies, including law enforcement, fire and ambulance services, which are not part of the Town, and private entities with a public safety agreement with the Town;*
- 3. Other governmental agencies, for uses which are not related to public safety; and*
- 4. Entities providing licensed, and unlicensed (where permitted by law), commercial wireless telecommunications services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), data, internet, paging and similar services that are marketed to the general public.*

There are no competing users for the Town-owned land.

These criteria have been met.

C. Minimum Requirements. The placement of wireless communication facilities on Town-owned property must comply with eight requirements:

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

The cell tower is proposed to be constructed within the Town's Quarry Mesa Open Space. Open space is valued for its conservational, educational, cultural, and scenic and recreation values. Quarry Mesa Open Space was the site of the Town's first Rhyolite stone quarry, which opened in 1872 and is considered a Town landmark. Preservation of important landmarks is a stated policy in the Town's Park and Recreation Master Plan 2015. The proposed cell tower will interfere with the purpose and values of the Quarry Mesa Open Space by introducing a structure that will require major slope disturbance which is contrary to preserving the natural condition of the open space.

This criterion has not been met.

- 2. The antennas or tower will have no adverse impact on surrounding private property;*

The surrounding private property owners have an expectation that the passive open space will be used in a manner which is consistent with unobtrusive recreational activity during the day with little vehicular traffic. The cell tower introduces a more obtrusive use requiring 24-hour access with increased vehicular traffic due to use of the site by Eco-Site and potentially three carriers for routine maintenance, storm events and technical upgrades. As such, the neighbors in proximity to the passive open space believe the cell tower will have adverse impacts on the surrounding private property because it will decrease their expected passive open space enjoyment.

This criterion has not been met.

3. *The applicant is willing to obtain adequate liability insurance and commit to a lease agreement which includes equitable compensation for the use of public land and other necessary provisions and safeguards. The fees shall be established by the Town Council after considering comparable rates in other cities, potential expenses, risks to the Town and other appropriate factors;*

This criterion has been met.

4. *The applicant will submit a letter of credit, performance bond or other security acceptable to the Town to cover the costs of antenna or tower removal;*

This criterion has been met.

5. *The antennas or tower will not interfere with other users who have a higher priority;*

This criterion has been met.

6. *The applicant must reimburse the Town for any costs which it incurs because of the presence of the applicant's antennas or tower;*

This criterion has been met.

7. *The user must obtain all necessary land use approvals;*

This criterion is under review with this land use application.

8. *The applicant will cooperate with the Town's objective to promote co-locations and thus limit the number of separate antenna sites requested.*

This criterion has been met.

17.60.080 Design and Review Criteria

The following criteria shall be used by Staff, Planning Commission and Town Council to review all new towers:

- A. New towers and antenna support structures shall be designed to accommodate co-location for antenna for more than one user throughout the Town in zoning districts as permitted, unless the applicant demonstrates why such design is not feasible for economic, technical or physical reasons.*

The proposed cell tower is being designed to accommodate co-location for two carriers with the capability of being further modified to accommodate three carriers.

This criterion has been met.

- B. Facilities should be architecturally compatible with the surrounding buildings and land uses in the zoning district or otherwise integrated, through location and design, to blend in with the existing characteristics of the site to the extent practical.*

- 1. Setback: Tower setbacks shall be measured from the base of the tower to the property line of the parcel on which it is located. Unless there are unusual geographic limitations or other public policy considerations as determined in the Town's sole discretion, in residential districts and residential land use areas, where permitted, towers shall be set back from all property lines a distance equal to 300% of tower height as measured from ground level. Except as provided herein and except for unusual geographic limitations or other public policy considerations, as determined in the Town's sole discretion, towers shall comply with the minimum setback requirements of the area in which they are located in all other zoning districts.*

The proposed cell tower is setback from the closest property line of the parcel at 33' 11". The parcel resides within the OSD use area of Crystal Valley Ranch Planned Development - 4th Amendment; the OSD use area which does not have a minimum setback requirement.

This criterion has been met.

- 2. Color: Towers shall have a color generally matching the surroundings or background that minimizes their visibility, unless a different color is required by the FCC or FAA.*

The proposed tower utilizes earth tone colors and materials in earth tones which generally match the surrounding open space.

This criterion has been met.

3. *Lights, signals and signs: No signals, lights or signs shall be permitted on towers unless required by the FCC or the FAA. Should lighting be required, at the time of construction of the tower in cases where there are residential users located within a distance which is 300% of the height of the tower from the tower, then dual mode lighting shall be requested from the FAA.*

No signals, lights or signs are proposed for the cell tower, however, the site plan does propose overhead work lighting (50 watt LED) for the ice bridge. The lighting will be required to meet all standards outlined in the Town's Illumination Code.

This criterion has been met.

4. *Equipment structures: Ground level equipment and buildings and the tower base shall be screened from public streets and residentially zoned properties. The standards for the equipment buildings are as follows: All applicable*
- a. *The maximum floor area is 350 square feet per provider and the maximum height is 12 feet. Depending upon the aesthetics and other issues, the Town, in its sole discretion, may approve multiple equipment structures or one or more larger structures.*

The site plan proposes to accommodate two provider areas with the capability of being further modified to accommodate three for ground level equipment and buildings at 150 square feet each.

This criterion has been met.

- b. *Ground-level buildings shall be screened from adjacent properties by landscape plantings, fencing and other appropriate means, as specified herein or in this CRMC.*

The site plan proposes fencing and landscape plantings for screening.

This criterion has been met.

- c. *Equipment buildings mounted on a roof and other roof-mounted equipment shall have a finish similar to the exterior building walls. Equipment for roof-mounted antenna may also be located within the building on which the antenna is mounted.*

This criterion is not applicable.

- d. *Equipment buildings, antenna and related equipment shall occupy no more than 25% of the total roof area of a building, which may vary in the Town's sole discretion if co-location and an adequate penthouse type structure are used.*

This criterion is not applicable.

- e. *Antenna or equipment buildings not meeting these standards require a special exception in addition to the special use permit. The special exception must be approved on a comprehensive sketch plan or final development plan, as applicable.*

This criterion is not applicable.

- C. *Federal requirements. All towers must meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this Chapter shall bring such towers and antennas into compliance with such revised standards and regulations in accordance with the compliance deadlines/requirements of such standards and regulations. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.*

The Applicants indicate that the tower will meet all FAA and FCC standards.

This criterion has been met.

- D. *Building codes; safety standard. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable Town building codes and the applicable standards for towers that are published by the Electronic Industries Association ("EIA"), as amended from time to time. If, upon inspection, the Town concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. If the owner fails to bring such tower into compliance within said thirty (30) days, the Town may remove such tower at the owner's expense.*

The Applicants indicate that the cell tower will meet all Town building codes and EIA standards.

This criterion has been met.

- E. Structural design. Towers shall be constructed to the EIA Standards, which may be amended from time to time, and all applicable construction/building codes. Further, any improvements and/or additions to existing towers shall require submission of site plans sealed and verified by a professional engineer which demonstrate compliance with the EIA Standards and all other good industry practices in effect at the time of said improvement or addition. Said plans shall be submitted to and reviewed at the time building permits are requested.*

The Applicants indicate that the cell tower will meet all Town building codes and EIA standards.

This criterion has been met.

- F. Fencing. A well-constructed masonry or stone wall, or chain-link in an I-I zone, not less than 8-feet in height from finished grade, shall be provided around each tower. Access to the tower and equipment structures shall be through a locked gate.*

The site plan proposes an 8-feet tall wood fence that will surround the entire compound and includes a locked gate.

This criterion has been met.

- G. Antenna height. The applicant shall demonstrate that the antenna is the minimum height required to function satisfactorily. No antenna that is taller than this minimum height shall be approved.*

The applicants have provided technical evidence that the height of the proposed cell tower is the minimum possible to achieve the desired coverage area and function in their established network.

This criterion has been met.

- H. Antenna support structure safety. The applicant shall demonstrate that the proposed antenna and support structure are safe and the surrounding areas also will not be negatively affected by interference. All support structures shall be fitted with anti-climbing devices, as approved by the manufacturers.*

The site plan proposes a 3-strand barbed wire atop an 8-feet tall wood fence to prevent climbing.

This criterion has been met.

- I. Required parking. If the cell site is fully automated, adequate parking shall be required for maintenance workers. If the site is not automated, arrangements for*

adequate off-street parking shall be made and documentation thereof provided to the Town. Security fencing should be colored or should be of a design which blends into the character of the existing environment.

The site plan proposes one parking space for maintenance workers which is outside the compound but within the access easement. The parking space will be surfaced with asphalt.

This criterion has been met.

J. Antenna criteria. Antenna on or above a structure shall be subject to the following:

- 1. The antenna must be architecturally compatible with the building and wall on which it is mounted and designed and located so as to minimize any adverse aesthetic impact.*

The architectural plans proposes a water tank design which has the antennas built into the water tank design as vertical slat features which are architecturally compatible.

This criterion has been met.

- 2. The antenna shall be mounted on a wall of an existing building in a configuration as flush to the wall as technically possible and shall not project above the wall on which it is mounted unless for technical reasons the antenna needs to project above the roofline. In no event shall an antenna project more than 10-feet above the roofline.*

This criterion is not applicable.

- 3. The antenna shall be constructed, painted or fully screened to match as closely as possible the color and texture of the building and wall on which it is mounted.*

The architectural plans propose antennas that will be painted a color and design to match the water tank design.

This criterion has been met.

- 4. The antenna may be attached to an existing conforming mechanical equipment enclosure which projects above the roof of the building, but may not project any higher than the enclosure.*

This criterion is not applicable.

5. *If an accessory equipment shelter is present, it must blend with the surrounding buildings in architectural character and color.*

The site plan proposes two provider areas for ground level equipment and buildings which are screened by an 8-foot tall wood fence and landscape plantings for screening

This criterion has been met.

6. *The antenna, facilities and accessory equipment shelter must be architecturally and visually (color, size, bulk) compatible with surrounding existing buildings, structures, vegetation and/or uses or those likely to exist under the terms of the underlying zoning. Such antenna, facilities and accessory equipment shelter will be considered architecturally and visually compatible if they are camouflaged to disguise the facility.*

The site plan proposes a cell tower with antenna that are camouflaged to look like a water tower. The wireless cell facility is compatible with its surroundings in that the design mimics a use, a water tank that is in the immediate vicinity.

This criterion has been met.

7. *Site location and development shall preserve the pre-existing character of the site as much as possible. Existing vegetation should be preserved or improved, and disturbance of the existing topography of the site should be minimized, unless such disturbance would result in less visual impact of the site on the surrounding area. The effectiveness of visual mitigation techniques must be evaluated by the Town, in the Town's sole discretion, taking into consideration the site as built.*

The proposed site is steeply sloped with little vegetation and also adjacent to an existing water tank and pump house. In order to stabilize the site for development the applicant proposes to build a 12-foot tall block retaining wall with earth tone color. In addition, the applicant must grade the property in order to construct the road. These improvements are necessary for the execution of the plan and as much as possible preserve the pre-existing character of the site.

This criterion has been met.

8. *For installations on buildings greater than 45-feet in height, see Section 17.60.090 and other applicable provisions of this Chapter. In addition to the other requirements of this Chapter, on buildings 45-feet or less in height, the antenna may be mounted on the roof if the following additional criteria are satisfied:*

- a. *The Town finds that it is not technically possible or aesthetically desirable to mount the antenna on a wall.*
- b. *No portion of the antenna or base station causes the height of the building to exceed the limitations set forth herein.*
- c. *The antenna or antennas and related base stations cover no more than an aggregate total of 25% of the roof area of a building, which may vary in the Town's sole discretion, if co-location and an adequate penthouse type structure are used.*
- d. *Roof-mounted antenna and related base stations must be appropriately camouflaged or substantially screened from view by materials that are consistent and compatible with the design, color and materials of the building.*
- e. *No portion of the antenna may exceed 10-feet above the height of the existing building.*

This criterion is not applicable.

- 9. *If a proposed antenna is located on a building or a lot subject to a site review, special use approval is still required prior to the issuance of a building permit.*

This criterion has been met.

- 10. *No antenna shall be permitted on property designated as an individual landmark or as a part of the Craig and Gould portion of the Historic Downtown Area.*

This criterion is not applicable.

- 11. *No antenna owner or lessee or officer or employee thereof shall fail to cooperate in good faith to accommodate other competitors in their attempts to use the same tower or building for other antennas. If a dispute arises about the feasibility of accommodating another competitor, the Town Manager may require a third-party technical study, at the expense of either or both parties, to resolve the dispute.*

This criterion has been met.

- 12. *No antenna owner or lessee shall fail to assure that the antenna complies at all times with the then-current applicable ETA or FCC standards, or other applicable federal standards, whichever standard is more stringent. After installation, but prior to putting the antenna in service, each antenna owner shall provide a notarized statement signed by a qualified engineer to that effect.*

This criterion has been met.

13. *No antenna shall cause localized interference with the reception of any other communications signals, including but not limited to public safety signals, and television and radio broadcast signals.*

This criterion has been met.

14. *No person shall locate an antenna or tower for wireless communications services upon any lot or parcel except as provided in this Chapter.*

This criterion has been met.

Budget Impact

If approved Eco-Site will be required to enter into a lease agreement with the Town that will produce yearly revenue for the Town.

Recommendation

Planning Commission and Staff recommend denial of the Use by Special Review-Site Development Plan for a Personal Wireless Service Facility at Quarry Mesa Open Space as presented based upon the criteria listed above and the proposed resolution for denial.

Motion Options

1. MOTION TO DENY: I move to approve a resolution denying an application by T-Mobile West, LLC and Eco-Site, LLC for a Use by Special Review-Site Development Plan for a personal wireless service facility (Attachment D)
2. MOTION TO APPROVE: I move to approve a resolution approving an application by T-Mobile West, LLC and Eco-Site, LLC for a Use by Special Review-Site Development Plan for a personal wireless service facility (Attachment E)

Attachments

Attachment A: Parks and Recreation Department Memo
Attachment B: Neighborhood Comments
Attachment C: Use by Special Review-Site Development Plan
Attachment D: Resolution – Denial
Attachment E. Resolution - Approval