

**TOWN OF ERIE**

Community Development Department – Planning Division  
 645 Holbrook Street – PO Box 750 – Erie, CO 80516  
 Tel: 303.926.2770 – Fax: 303.926.2706 – Web: [www.erieco.gov](http://www.erieco.gov)

**LAND USE APPLICATION**

Please fill in this form completely. Incomplete applications will not be processed.

**STAFF USE ONLY**

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

**PROJECT/BUSINESS NAME:** Isabelle Substation FAN Project/Public Service Company of Colorado/Xcel Energy

**PROJECT ADDRESS:** 1800 Larimer Street, Suite 400

**PROJECT DESCRIPTION:** The installation of three noncommercial wireless communication antennas on top of a new monopole located within the secured Isabelle substation yard.

**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds)

Subdivision Name: Recorded Exemption No. 1467-18-2-RE-4161

Filing #: \_\_\_\_\_ Lot #: B Block #: \_\_\_\_\_ Section: 18 Township: 1N Range: 68W

**OWNER** (attach separate sheets if multiple)

Name/Company: Public Service Company of Colorado/Xcel Energy

Contact Person: Jaxon Fagan

Address: 1800 Larimer Street, Suite 400

City/State/Zip: Denver, CO 80202

Phone: 303-571-7089 Fax: 303-294-2088

E-mail: jaxon.fagan@xcelenergy.com

**AUTHORIZED REPRESENTATIVE**

Company/Firm: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company: John Michael Sosa and Luann Sue Sosa

Address: 283 Skylark Circle

City/State/Zip: Lafayette, CO 80026

**MINERAL LEASE HOLDER** (attach separate sheets if multiple)

Name/Company: See attached sheet

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

**LAND-USE & SUMMARY INFORMATION**

Present Zoning: Public Lands and Institutions (PLI)

Proposed Zoning: No Change

Gross Acreage: 8.935

Gross Site Density (du/ac): N/A

# Lots/Units Proposed: N/A

Gross Floor Area: N/A

**SERVICE PROVIDERS**

Electric: Public Service Company of Colorado/Xcel Energy

Metro District: Erie Commons Metro District

Water (if other than Town): N/A

Gas: N/A

Fire District: Mountain View Fire

Sewer (if other than Town): N/A

**PAGE TWO MUST BE SIGNED AND NOTARIZED**

**DEVELOPMENT REVIEW FEES**

ANNEXATION		SUBDIVISION	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<input type="checkbox"/> Deannexation	\$ 1000.00	<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		<input type="checkbox"/> Road Vacation (paper)	\$ 100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		<input type="checkbox"/> Amendment (major)	\$ 1100.00
<input type="checkbox"/> Major	\$ 1000.00	<input checked="" type="checkbox"/> Amendment (minor)	\$ 350.00
<input type="checkbox"/> Minor	\$ 400.00	VARIANCE	
<input type="checkbox"/> Oil & Gas	\$ 1200.00	<input type="checkbox"/> SERVICE PLAN	\$ 10,000.00

*All fees include both Town of Erie Planning & Engineering review. These fees do not include referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.*

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Owner: [Signature] Date: 4-9-19  
 Applicant: [Signature] Date: 4-9-19

STATE OF COLORADO )  
 County of DENVER ) ss.  
 The foregoing instrument was acknowledged before  
 me this 9 day of APRIL, 2019,  
 by JAXON FAGAN.

JEFFREY A WALKER  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 NOTARY ID 20104048361  
 MY COMMISSION EXPIRES NOVEMBER 5, 2022

My commission expires: 11-5-2022  
 Witness my hand and official seal. [Signature]  
 Notary Public

**OIL & GAS OWNERSHIP & LEASEHOLD REPORT**

Dated: 8/8/2018  
 DMS Date: 7/20/2018  
 Prospect: Isabelle Substation  
 Mineral Research

**DESCRIPTION: WELD COUNTY, COLORADO**

TOWNSHIP 1 NORTH, RANGE 68 WEST, 6<sup>th</sup> P.M.

Section 18: Public Service Company of Colorado Minor Subdivision Lot B, Recorded Exemption No. 1467-18-2 RE-4161  
 Part of the NW/4 Section 18, T1N, R68W of the 6<sup>th</sup> P. M.

*Containing 10.817 acres, more or less in Weld County, Colorado.*

**MINERAL OWNERSHIP:**

OIL AND GAS OWNER	INTEREST	NET ACRES	LEASEHOLD STATUS
John Michael Sosa and Luann Sue Sosa, JT 283 Skylark Circle Lafayette, CO 80026	100%	10.817	<p>LESSOR: John Sosa and Patricia J. Sosa                      ORIGINAL LESSEE: The Vessels Company                      EFF. DATE: 3/31/1981                      RECORDED: Reception No. 1854115                      ORIGINAL TERM: 3 years                      EXPIRATION: 3/31/1984 - HBP                      ROYALTY: 1/8<sup>th</sup>                      CONTINUOUS DRILLING: 60 days                      SHUT-IN CLAUSE: N/A                      PUGH CLAUSE: No</p> <p>LEGAL DESCRIPTION:  <u>Township 1 North, Range 68 West, 6<sup>th</sup> P.M.</u>                      Section 18: Lot B of Recorded Exemption No. 1467-18-2-RE128, recorded May 8, 1974, in Book 714 as Reception No. 1636089, Weld County records, being a part of the NW/4 of Section 18, T1N-R68W.</p> <p><i>Containing 14.454 acres, more or less</i></p> <p><b>CURRENT WI / NRI (NRI to 100%):</b></p> <p><b>All Depths: (less and except the Wellbores to the Sosa 21-18, Sosa 11-18, Sosa 22-18 and Sosa 12-18 wells.)</b></p> <p>Creston Peak Resources Holdings, LLC – 98.5625% / 86.2421875% (87.5%)                      Incline Niobrara Partners, LP – 1.4375% / 1.2578125% (87.5%)</p> <p><b>ORRI:</b></p>

			<p>None</p> <p><b>Wellbores to the Sosa 21-18, Sosa 11-18, Sosa 22-18 and Sosa 12-18 wells.</b></p> <p>Creston Peak Resources Holdings, LLC – 98.5625% / 86.2421875% (87.5%)  EOG Oil Company – 1.4375% / 1.2578125% (87.5%)</p> <p><b>ORRI:</b></p> <p>None</p>
<b>TOTALS</b>	100%	10.817	

**SURFACE OWNERSHIP:**

Public Service Company of Colorado – 100%  
550 15<sup>th</sup> Street, Suite 700  
Denver CO 80202-4256

**TAXES**

Current

**WORKING INTEREST OWNERS:**

Creston Peak Resources Holdings, LLC  
370 17<sup>th</sup> Street, 21<sup>st</sup> Floor  
Denver, CO 80202

Incline Niobrara Partners, LP  
1626 Wazee Street, Suite 200b  
Denver, CO 80202

EOG Oil Company  
7090 Roaring Fork Trail  
Boulder, CO 80301-3635

**OVERRIDING ROYALTY INTEREST OWNERS:**

None

**PRODUCTION/PERMITS**

Per a search of the available COGCC online records on 8/8/2018, the following wells and permits were found affecting the leases and/or lands subject to this report:

**API NUMBER: 05-123-26237**

**OPERATOR:** Crestone Peak Resources Operating LLC  
**WELL NAME:** Sosa #11-18  
**SURFACE LOCATION:** NWNW of T1N-R68W SECTION 18  
**TARGET FORMATION:** Codell, J Sand and Niobrara – Unit Acreage: 320, Drill Unit: W2  
**LAST REPORTED STATUS:** SI (Shut-In)  
**STATUS DATE:** 11/1/2017

**API NUMBER:** 05-123-26239  
**OPERATOR:** Crestone Peak Resources Operating LLC  
**WELL NAME:** Sosa #12-18  
**SURFACE LOCATION:** NWNW of T1N-R68W SECTION 18  
**TARGET FORMATION:** Codell, J Sand and Niobrara – Unit Acreage: 320, Drill Unit: W2  
**LAST REPORTED STATUS:** PR (Producing)  
**STATUS DATE:** 10/1/2017

**API NUMBER:** 05-123-26238  
**OPERATOR:** Crestone Peak Resources Operating LLC  
**WELL NAME:** Sosa #22-18  
**SURFACE LOCATION:** NWNW of T1N-R68W SECTION 18  
**TARGET FORMATION:** Codell, J Sand and Niobrara – Unit Acreage: 320, Drill Unit: W2  
**LAST REPORTED STATUS:** SI (Shut-In)  
**STATUS DATE:** 11/1/2017

**API NUMBER:** 05-123-26236  
**OPERATOR:** Crestone Peak Resources Operating LLC  
**WELL NAME:** Sosa #21-18  
**SURFACE LOCATION:** NWNW of T1N-R68W SECTION 18  
**TARGET FORMATION:** Codell, J Sand and Niobrara – Unit Acreage: 320, Drill Unit: W2  
**LAST REPORTED STATUS:** SI (Shut-In)  
**STATUS DATE:** 3/1/2018

**NOTATIONS:**

None

**Disclaimer:**

- 1) This Limited Oil & Gas Ownership & Leasehold Report should not be construed as rendering a legal opinion as to any matter covered herein;
- 2) This report does not purport to cover any matters which could be determined only by an investigation upon the ground or by a survey of the land;
- 3) The above described lands may be subject to possible unrecorded changes in ownership not found in the County records;
- 4) No liability whatsoever, whether express or implied, is assumed by Examiner as to the validity of the documents examined, the accuracy or completeness of the indexes used to find those documents, or the accuracy of the information presented herein; and,
- 5) No liability whatsoever, whether express or implied, is assumed by Examiner as to the validity of the oil and gas well information or the accuracy or completeness of the information identified on the COGCC's website;
- 6) Unless otherwise specified above, this report does not purport to cover any matters which would be reasonably discovered only by a grantor-grantee index search; the only instruments reviewed are those which were properly indexed against the captioned lands by the County Clerk's Office.

**LAST DOCUMENT(S) INDEXED:**

Last Document: Memorandum of Dedication Reception Np. 4408737

Prepared by: Tammie Wertenberger

## Section 2: Project Narrative

### 2.1 Description of Development and Key Components

Public Service Company of Colorado (PSCo) is proposing the Isabelle Substation Field Area Network Project (Project), at its 8.935-acre parcel of land, which contains the Isabelle Substation located at 905 East County Line Road in the Town of Erie (Town), see **Figure 1**. The Project involves the installation of three noncommercial wireless communication antennas on top of a new monopole located within the secured substation yard. This antenna array is one of many that PSCo is installing throughout the PSCo Service Territory and together they will comprise PSCo's new Field Area Network (FAN).

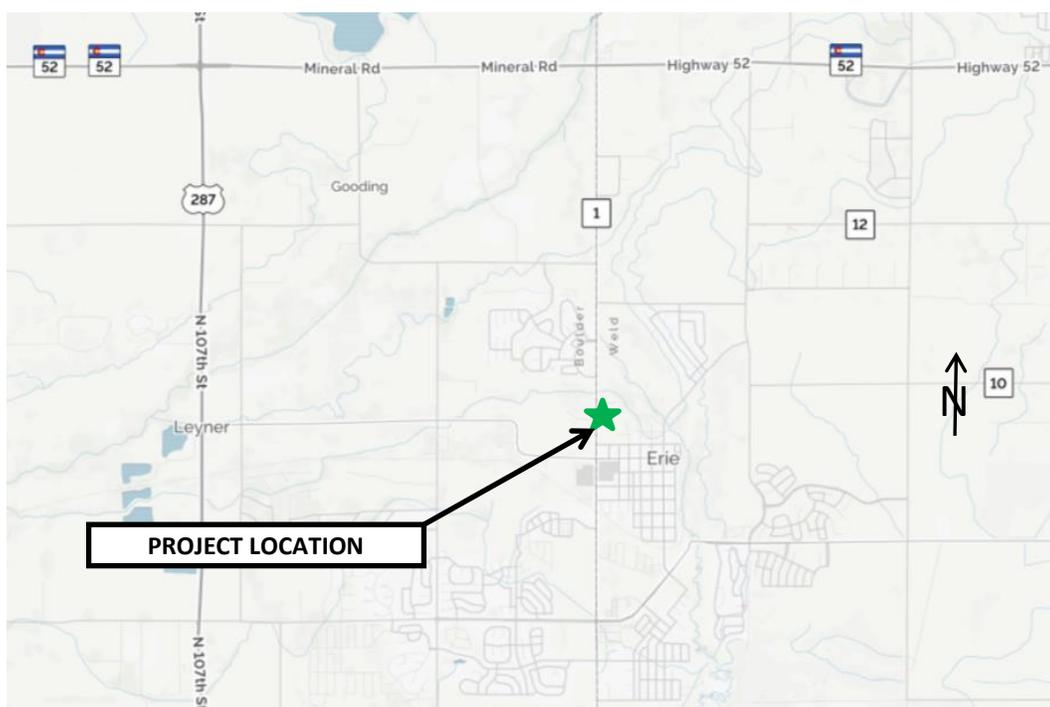


Figure 1. Vicinity Map

The 29" tall antennas would be placed atop a new 100-foot tall single steel monopole that would be located within the secured substation approximately 114 feet from the south and 114 feet from the west substation property lines, see **Appendices A and B**. A 5-foot tall lightning rod would be mounted on top of the Project monopole for an overall height of 105 feet, similar to the drawing included as **Appendix C**. More specific information on the antenna is included as **Appendix D**. A photosimulation is in **Appendix E**. Pictures of typical monopole exterior materials are included as **Appendix F**. Wires would connect the antennas with equipment mounted to a new approximately eight to ten-foot tall by ten-foot wide structure that would be placed near the base of the monopole and within the secured substation yard. The equipment located near the base of the Project monopole would then be connected by buried power and communication lines to the substation's electric equipment enclosure (EEE). The location and height of the Project monopole prevent signal interference from surrounding lands and buildings, see **Figure 2**. The equipment inside the Substation can reach 55 feet in height and the adjacent transmission

structures reach 85 feet in height. The original Site Plan permitted a transmission line structure at a height of 135 feet, however, after final design, the structure was constructed at 85 feet.

Construction of the Project is targeted for summer 2019 and will take approximately three weeks to complete.



**Figure 2. View of Isabelle Substation, Looking to the East.**

## ***2.2 Purpose and Need***

The purpose of the FAN is to provide the first step and key component to PSCo's new intelligent, integrated grid called the Advanced Grid that brings greater value to the experience of PSCo's customers. The Advanced Grid meets the needs of the customers by providing faster, more efficient service and shorter, better-managed outages by connecting the electric grid with new energy devices and technologies. The FAN uses multiple layers of secure radio networks to provide wireless coverage across PSCo's electric grid. Intelligent devices installed on the grid connect to the wireless network and send information about current grid conditions to PSCo's control centers. In turn, the control centers can respond to changing grid conditions by sending commands to intelligent, integrated field devices.

## 2.3 Zoning and Adjacent Properties

### 2.3.1 Substation Parcel

The Isabelle Substation property is zoned Public Lands and Institutions (PLI), as shown on the Town of Erie Zoning Map and defined in the Town of Erie Unified Development Code (UDC), see Figure 3. In addition to the Substation, there are oil and gas facilities on the parcel.

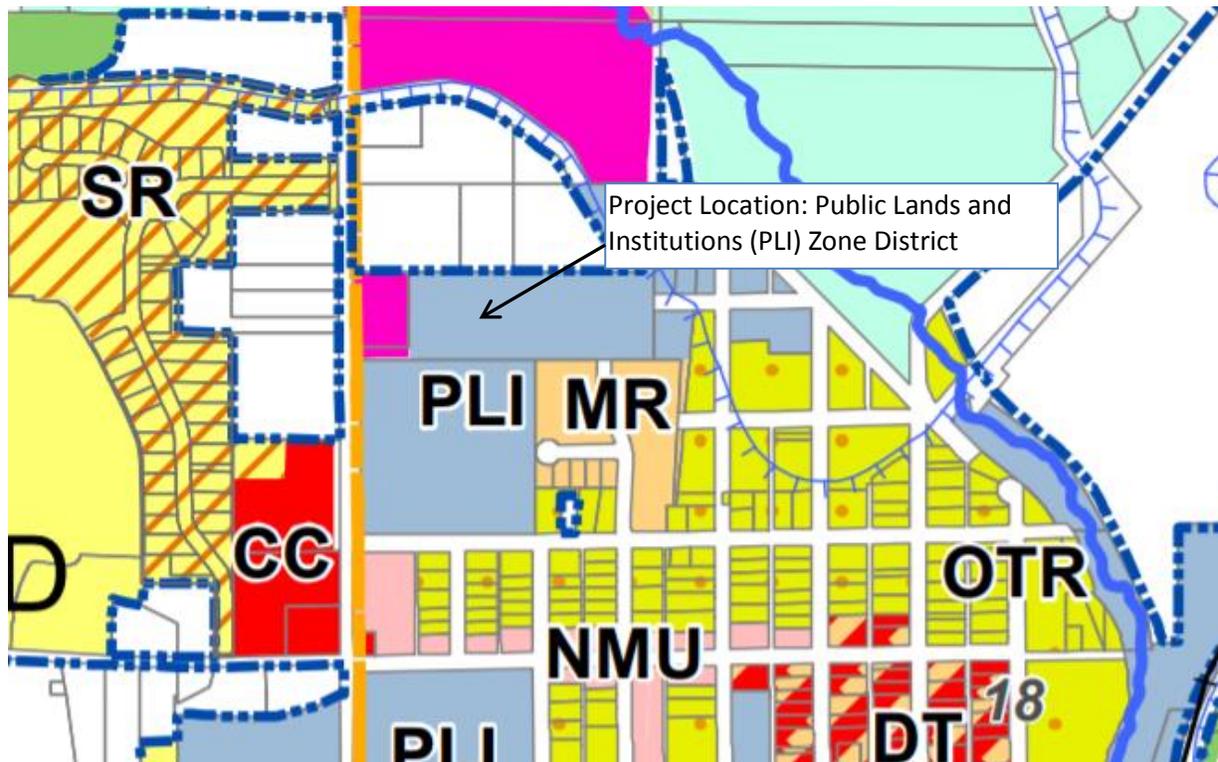


Figure 3. Adjoining Properties Zoning Classifications

### 2.3.2 Adjoining Properties

As shown on **Figure 3**, the properties surrounding the substation parcel are as follows:

- The land use of the property to the north is residential, is in Weld County and is zoned A (Agricultural).
- The land use of the property to the east is crossed by an irrigation ditch. The Town's wastewater treatment plant just east of the ditch and is zoned PLI within the Town.
- The land use of the property to the southeast is undeveloped land that is zoned Medium-Density Residential (MR) and the property directly to the south is a church which is zoned PLI within the Town.
- The land use of the property to the west is undeveloped and is zoned Business (B) within the Town. This parcel is also owned by PSCo.

## *2.4 Color and Screening*

The Project monopole would have a galvanized treatment, which is grey in color. The finished color is neutral since it is compatible with the surface treatment and color of the existing transmission structures and equipment and facilities within the substation yard. The monopole will blend somewhat with the 55 foot Substation equipment and 85 foot transmission structures. Pictures of typical monopole exterior materials are included as **Appendix F**.

## *2.5 Lighting*

The Project will not require any additional lighting.

## *2.6 Landscaping and lot description*

The Substation property is approximately 8.935 acres. The walled area of the Substation consists of approximately 1.6 acres. There are no existing or proposed buildings. The access and entrance to the Substation is graveled. The walled area of the Substation is dirt with some gravel. The area outside the walled Substation is landscaped per a Town approved landscape plan.

## *2.7 Employment*

There are no full time and/or part time employees permanently working at the existing Substation, and the Project will not require and additional permanent employees. One to two workers per month may visit the Substation and/or Project periodically for maintenance and operations activities. During the three-week construction period of the wireless communications monopole there will 5-10 workers per day on average.

## *2.8 Mineral ownership and restrictions*

Minerals are severed and owned by John Michael Sosa and Luann Sue Sosa. Exhibit A in **Appendix H**, Proof of Ownership lists the restrictions on the property.

## *2.9 Alternatives*

The exact location and height of this Project is strategic to the overall FAN Program. PSCo evaluated the use of existing transmission or distribution structures but determined they are not feasible because of safety concerns and insufficient elevations for signal coverage. PSCo did not consider other communication structures due to cyber and physical security concerns. PSCo must consider cyber-security, performance and operation of the FAN network and how these fit with North American Electric Reliability Corporation critical infrastructure protection federal regulations. The substation property provides the opportunity to place the Project monopole within an existing substation setting on property owned by PSCo. The placement of the Project at other nearby locations would require a potentially similar height structure in a setting potentially less compatible and on property that would need to be purchased by PSCo. For these reasons, this substation site is the preferred location for the Project. As shown in **Appendix G**, Feasibility Study, PSCo evaluated the heights of the pole and determined that a lower monopole reduces the signal coverage to an unacceptable level.

Within the substation yard, there are many overhead and buried lines that substantially limit where the Project monopole can be placed. Each of these lines has certain clearance requirements for maintenance purposes and to prevent electric flash over. Adding to the challenge of the site selection within the substation yard is that the communication and power lines connecting the antennas to the existing sources within the EEE must provide a path that does not cross any buried facilities.

### *2.10 Conclusion*

PSCo strives to maintain safe, reliable electric service to its customers. The installation of the Project supports PSCo's new intelligent, integrated grid that will provide customers with faster, more efficient service and shorter, better-managed outages. As shown in this narrative, the Project meets the Site Plan Criteria in 10.7.12.E.9 of the Town of Erie UDC. By granting the approval of this Project, PSCo would be able to improve its existing electric and gas distribution reliability and response with the minimal potential impact to the greater community.

## Section 3: Conformance with Town of Erie Site Plan Minor Amendment Criteria

Based on information shared by the Town of Erie on February 5, 2019, the Project requires approval of a Site Plan Minor Amendment.

Responses to applicable Town of Erie standards and submittal requirements are listed below in Sections 3.1 and 3.2. County standards are referenced in ***bold italic text***, and PSCo responses are listed in regular text. The Site Plan Review User's Guide (Guide) states that the Guide should also be used for Site Plan Minor Amendments. Although the bold font below references sections of the UDC pertaining to Site Plan requirements, the intent is that these requirements also apply to Site Plan Minor Amendments.

### *3.1 Site Plan Approval Criteria (10.7.12.E.9 of the UDC)*

#### ***a. The Site Plan is generally consistent with the Town's Comprehensive Master Plan.***

The Project is consistent with the purpose of the UDC, which promotes the health, safety, and general welfare of the Town of Erie. The Project is also consistent with the Vision Guiding Principles in the Comprehensive Plan as described below.

##### *Overall Economic Vitality/Downtown Vitality*

The Project benefits the general welfare and economic prosperity of the Town of Erie and the immediate neighborhood. The Project provides faster, more efficient service to support the existing and future electrical needs of the businesses, community and the economy.

##### *Stewardship of the Natural Environment*

The Project is within the existing substation and does not require any new disturbance of vegetated lands. The monopole would have a galvanized treatment, which is grey in color. The finished color is neutral since it is compatible with the surface treatment and color of the existing transmission structures and equipment and facilities within the substation yard. The monopole will blend somewhat with the 55-foot Substation equipment and 85-foot transmission structures. By installing the monopole at a PSCo owned property, which already contains considerable electrical infrastructure, it creates a positive impact by avoiding the need for new disturbance of the natural environment.

##### *Provide Infrastructure and Public Services Efficiently and Equitably*

The Project benefits the general welfare and economic prosperity of the Town of Erie and the immediate neighborhood. The purpose of the FAN is to provide the first step and key component to PSCo's new intelligent, integrated grid called the Advanced Grid that brings greater value to the experience of PSCo's customers. The Advanced Grid meets the needs of

the customers by providing faster, more efficient service and shorter, better-managed outages by connecting the electric grid with new energy devices and technologies. The FAN uses multiple layers of secure radio networks to provide wireless coverage across PSCo's electric grid. Intelligent devices installed on the grid connect to the wireless network and send information about current grid conditions to PSCo's control centers. In turn, the control centers can respond to changing grid conditions by sending commands to intelligent, integrated field devices.

The Project is consistent with the future land use. According to the Comprehensive Plan – 2015 Update (Comprehensive Plan), Land Use Plan Map, the Project is located in the area defined as "Public/Quasi Public". The purpose of this land use area is to primarily support "... essential public services such as electrical substations, water and wastewater facilities, and other similar uses."

- b. The Site Plan is generally consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable.***

The FAN Project is shown on the previously approved Public Service Company of Colorado Minor Subdivision Plat. The recorded plat for the Isabelle Substation was recorded May 7, 2008 is shown in **Appendix I**.

- c. The Site Plan complies with all applicable development and design standards set forth in this UDC, including but not limited to the provisions in Chapter 2, Chapter 3, Chapter 4, and Chapter 6.***

**Compliance with Chapter 2**

The property is zoned PLI. According to Chapter 2, Zoning Districts, the purpose of PLI is to "provide areas for the development of public or quasi-public facilities or private facilities of a non-commercial character, including churches, schools, libraries, and cultural facilities."

**Compliance with Chapter 3**

Based on review of the use table in the UDC in Chapter 3, a Non-Concealed Freestanding Tower are permitted in the PLI zone district only if reviewed and approved as a Special Review Use in accordance with the procedures of Section 10.7.13 and the Use Specific Design standards in 10.3.2.B.2, Institutional and Public Uses. The following describe how the Project meets the use-specific standards outlined in 10.3.2.B.2.d.

***10.3.2.B.2.d.i. Height***

According to the 10.3.2.B.2.d.i (A), the allowable base height, without the bonus height is 75 feet. As referenced in Section 10.3.2.B.2.d.i (D), Additional height beyond the maximum

permitted in this Section may be approved by Special Review Use. PSCo requests that the height of the monopole be approved for 100 feet with a 5-foot lightning rod. The exact location and height of this Project is strategic to the overall FAN Program. As shown in **Appendix G**, Feasibility Study, PSCo evaluated the heights of the pole and determined that a lower monopole reduces the signal coverage to an unacceptable level.

#### **10.3.2.B.2.d.ii. Collocation Required**

The possibility of collocation is not feasible for the following reasons:

1. **Safety and access concerns:** The monopole would be located within the secured substation yard. To allow co-location on the monopole would require allowing access to the yard that contains high voltage electrical equipment. To meet National Electric Safety Code and PSCo safety standards, the co-locator's personnel would have to go through specific training and be escorted any time they would be in the yard. This would require making PSCo personnel available for these activities, which may be problematic due to work loads and schedules.
2. **Cyber Security:** When determining the placement of these components, PSCo must consider cyber-security, performance and operation of the FAN network and how these fit with North American Electric Reliability Corporation critical infrastructure protection (NERC-CIP) federal regulations. PSCo feels that the interest of these components is best served by the security and ownership of the Isabelle Substation. Placement of the antenna and supporting equipment at a co-located structure would require physical access to the Project's high security components by non-PSCo employees.
3. **Interference with electric equipment in the substation:** Any ground based equipment required by the co-locator could potentially conflict with the needs of PSCo for the operation and maintenance of the substation.
4. **Engineering limitations of the monopole design:** The monopole and foundation were not designed for any other uses than PSCo's. Redesigning the monopole and its foundation would require additional costs and time, and the load requirements would be unknown.
5. **In the event PSCo is required to allow co-location,** the co-locator would be required to enter into an access and lease agreement, bear all costs associated with any monopole/foundation redesign costs, bear PSCo's costs associated with training and escort needs and meet all safety protocol with the substation operation and maintenance, both current and future.
6. **Maintenance Coordination:** Co-locating on poles with existing PSCo communication equipment requires the coordination of engineering efforts. In addition, any maintenance performed by a colocator on their facilities may impact PSCo's capabilities to use their own equipment.

#### **10.3.2.B.2.d.iii. Setbacks**

According to 10.3.2.B.d.iii, it states “towers shall be set back from the property boundary a distance equal to the height of the proposed tower.” The location of the monopole within the substation is was adjusted to meet the 1:1 setback ratio to all property lines.

Section 10.3.2.B.d.iii also requires that “freestanding towers shall be set back from all existing dwelling units and property zoned residential or mixed use by a minimum of 200 feet, or at least 2 times the height of the proposed tower, whichever is greater.” The property 210 feet north of the telecommunication tower is in Weld County and contains residences. The location of the monopole was adjusted and the height of the monopole was lowered to meet this setback criteria.

### **10.3.2.B.2.d.iv. General Development Standards**

#### **A. Design and Neighborhood Compatibility**

The monopole would have a galvanized treatment, which is grey in color. The finished color is neutral since it is compatible with the surface treatment and color of the existing transmission structures and equipment and facilities within the substation yard. The monopole will blend somewhat with the 55 foot Substation equipment and 85 foot transmission structures.

#### **B. Buffering and Screening**

Buffering and screening is addressed in Section 2.4

#### **C. Technologic Requirements**

The construction and operation of the Project is subject to Federal Communication Commission (FCC) oversight. PSCo is currently working with them on their review of the Project.

#### **D. Existing Towers**

PSCo evaluated the use of existing transmission or distribution structures, but determined they are not feasible because of safety concerns and insufficient elevations for signal coverage.

### **Compliance with Chapter 4**

Table 4-3 of Chapter 4, Dimensional Standards, which is intended for buildings or other improvements, states that the in this zone district the “minimum setback front, side and rear yard setbacks shall be 25 feet when the abutting district is AG/OS, or any residential property. Otherwise, the setbacks shall be equal to the analogous minimum setback in the abutting district.” The monopole conforms with the setbacks for buildings as it is located within the secured substation approximately 114 feet from the south and 114 feet from the west substation property lines, however, Table 4-3 also indicates that Use-Specific Standards may also apply. Compliance with those Use-Specific Standards are addressed 3.1.c (i-iv) of Section.

### **Compliance with Chapter 6**

Chapter 6, Development and Design Standards outline requirements for Natural and Scenic Resource Protection, Parks and Open Space, Landscaping/Screening and Fencing, Transportation/Access, Off Street Parking and Loading as well as specific Public/Institutional Design Standards. Compliance with each of the respective requirements are addressed below.

***Natural and Scenic Resource Protection (10.6.2 of UDC)***

Because the Project is within a substation and adjacent to above ground transmission lines, it will blend with the existing environment. The equipment inside the Substation can reach 55 feet in height and the adjacent transmission structures reach 85 feet in height.

***Parks and Open Space (10.6.3 of UDC)***

The Project will not impact Parks and Open Space.

***Landscaping/Screening and Fencing, (10.6.4 of UDC)***

No landscaping or screening is proposed for the Project since it is located within an electrical substation. The existing substation is surrounded by a wall and landscaping.

***Transportation/Access (10.6.5 of UDC)***

There is no impact to Transportation/Access since the substation has secure access.

***Off Street Parking and Loading (10.6.6 of UDC)***

No off-street parking or loading is required for the Project.

***Commercial and Public/Institutional Use Categories, Mixed Use Design Standards (10.6.8 of UDC)***

The design standards for the PLI zone district in Chapter 6 are intended for buildings. The criteria for building orientation, massing, wall articulation, building heights, entrances, roofs and building materials are not applicable to the Project. The monopole would have a galvanized treatment, which is grey in color. The finished color is neutral since it is compatible with the surface treatment and color of the existing transmission structures and equipment and facilities within the substation yard.

***d. Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent reasonably practicable.***

No significant adverse impacts are anticipated from the Project. The installation of the Project supports PSCo's new intelligent, integrated grid that will provide customers with faster, more efficient service and shorter, better-managed outages.

***e. The development proposed on the Site Plan and its general location is or will be compatible with the character of surrounding land uses.***

The monopole would be located within the walled Substation. The equipment inside the Substation can reach 55 feet in height and the adjacent transmission structures reach 85 feet in height. The adjacent transmission line was permitted to be constructed at 135 feet tall,

however, after final design it was constructed at 85 feet tall. The land use of the property to the north is residential, is in Weld County and is zoned A (Agricultural). The land use of the property to the east is crossed by an irrigation ditch, with the Town's wastewater treatment plant just east of the ditch and is zoned PLI. The land use of the property to the southeast is undeveloped land that is zoned Medium-Density Residential (MR) and the property directly to the south is a church which is zoned PLI. The land use of the property to the west is undeveloped and is zoned Business (B). PSCo also owns this parcel.

The Project will not require parking or lighting, nor will it create any impacts to traffic, stormwater or public safety. The Project does not create noise or odor and will not result in any emissions or fugitive dust. The Project will be constructed using the existing Substation driveway.

## 3.2

### ***3.2 Site Plan Submittal Requirements (Site Plan Review User's Guide)***

#### **1. Completed application.**

The Site Plan Minor Amendment application is included in Section 1.

#### **2. Application fee**

The \$350.00 fee for a Site Plan Minor Amendment was included with this submittal.

#### **3. Written narrative, describing the proposed development**

##### ***a. General project concept and purpose of the request.***

A written narrative is provided in Section 2 of this application. Sections 2.1 and 2.2 describes the general project concept and purpose of the request.

##### ***b. Discuss how the proposed development is in compliance with the five approval criteria of the Municipal Code Title 10 - UDC for Site Plan review.***

Section 3.1 includes a description of how the proposed development is in compliance with the five approval criteria of the Municipal Code Title 10 - UDC for Site Plan review.

##### ***c. Discuss how the proposed building architecture provides visual interest consistent with the community's identity, character and scale. Explain how building facades and rooflines are articulated to reduce the mass, scale, uniform and monolithic appearances of large buildings. Describe how architectural features, patterns and details provide visual interest at the scale of the pedestrian.***

Sections 2.6 of the narrative describes the visual components of the Project.

- d. Provide a development schedule indicating the approximate date when construction of the proposed development, and when applicable, phases of the proposed development can be expected to begin and be completed;**

Construction of the Project is targeted for summer 2019 and will take approximately three weeks to complete.

- e. Provide general business related data including the total number of employees, the square footage of building(s), lot area, and total project value (building and site development costs excluding land value);**

A written narrative is provided in Section 2 of this application. Sections 2.6 and 2.7 describe the total number of employees, the square footage of building(s) and lot area. The Project value is \$322,000.

- f. If residential units are proposed, the number of units and how they are being integrated into the proposed development;**

Residential units are not proposed as part of this Project.

- g. A brief description regarding the location, function and ownership/maintenance of public and private open space, parks, trails, common areas, common buildings; and**

The maintenance at the property will be unchanged. The Project involves the installation of three noncommercial wireless communication antennas on top of a new monopole located within the secured substation yard. The Project does not include or affect any public and private open space, parks, trails, common areas, common buildings.

- h. A brief description regarding the status of mineral rights and the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision.**

Minerals are severed and owned by John Michael Sosa and Luann Sue Sosa. Exhibit A in **Appendix H**, Proof of Ownership lists the restrictions on the property. Property restrictions are listed in Exhibit A of **Appendix H**, Proof of Ownership. There are no other special agreements, oil/gas surface use agreements, conveyances, restrictions, or covenants that will govern the use and/or maintenance of the proposed development.

- 4. Proof of ownership that includes an updated or current title insurance policy or title commitment issued no more than thirty days prior to the date of application.**

The Proof of Ownership is provided in **Appendix H**.

- 5. A notarized letter of authorization from the landowner(s) permitting a representative to process the application, when the landowner is not the applicant.**

PSCo is the property owner and the applicant for the FAN Project.

6. ***6. Copies of any special agreements, oil/gas surface use agreements, conveyances, restrictions, or covenants that will govern the use and/or maintenance of the proposed development.***

Property restrictions are listed in Exhibit A of **Appendix H**, Proof of Ownership. There are no other special agreements, oil/gas surface use agreements, conveyances, restrictions, or covenants that will govern the use and/or maintenance of the proposed development.

7. ***A Site Plan Agreement will be drafted by staff after the staff review is complete.***

Based on communication from the Town of Erie Planning staff, this Project does not require a Site Plan Agreement.

8. ***A product/material sample board(s) which specifies all manufacturer colors and numbers. The sample board shall be 11" x 17" or smaller.***

A product/material sample boards is included in **Appendix F**. The monopole would have a galvanized treatment, which is grey in color. The finished color is neutral since it is compatible with the surface treatment and color of the existing transmission structures and equipment and facilities within the substation yard. The manufacturer does not have a manufacturer color or number for this material.

9. ***A colored rendering of the elevations.***

An elevation drawing of the monopole is included on Sheet 8 in **Appendix B**. A photosimulation is included in **Appendix E**.

10. ***A full scale paper copy of the recorded final plat for which the Site Plan is proposed or a full scale certified boundary survey if the proposed Site Plan is on unplatted property.***

The FAN Project is shown on the previously approved Public Service Company of Colorado Minor Subdivision Plat. The recorded plat for the Isabelle Substation was recorded May 7, 2008 is shown in **Appendix I**.

11. ***Site Plan exhibits***

A Site Plan Minor Amendment Sheets are included in **Appendix B**.

12. ***Additional graphic aids may be requested such as, building floor plans, elevation/sectional drawings, perspective drawings, axonometric drawings, 3-dimensional models, and color photo/video simulations when the impacts of a proposal warrant such information.***

A photosimulation is included in **Appendix E**.

13. ***Development Reports/Studies/Plans: The following development reports, studies and plans shall be prepared to adequately portray the physical characteristics of the property.***

- a. ***Phase III Drainage Report and Plan***
- b. ***Final Erosion Control Study and Plan***
- c. ***Final Grading Plan***

- d. Final Road Construction Plans prepared in accordance with the Town of Erie Standards and Specifications for Design and Construction of Public Improvements.**
- e. Final Landscape Construction Plans**
- f. A Geological Report**
- g. A Traffic Impact Study**

A Phase III Drainage Report and Plan, Final Erosion Control Study, Grading Plan were not prepared for the Project since the installation of the monopole will not affect the current drainage, erosion or grading of the property.

A Final Road Construction Plan and Traffic Impact Report were not created because there are no significant long-term impacts to roads or traffic from the Project. The existing Substation driveway will be used during construction. It is anticipated that construction trips will occur between 7:00 a.m. and 5:00 p.m. Monday through Friday. Over the three-week construction period, it is estimated that there will be three round trips/day by cars or pickups, three round trips/day by tandem trucks and two round trips/day by a semi-truck or trailer. After construction is complete, maintenance and operation of the wireless communications monopole will be accomplished with a passenger pickup as needed.

Landscape Construction Plans were not prepared because no additional landscaping is proposed for the Project. A Geologic Report was not developed because the Project site is not located in any mapped geological hazard areas and does not present any known unique environmental considerations.

**14. 14. Any additional information, as requested by the Community Development Director, in order to thoroughly review the impacts of the proposed development.**

Additional information was not requested by the Community Development Director.

**TOWN OF ERIE**

Community Development Department – Planning Division  
 645 Holbrook Street – PO Box 750 – Erie, CO 80516  
 Tel: 303.926.2770 – Fax: 303.926.2706 – Web: [www.erieco.gov](http://www.erieco.gov)

**LAND USE APPLICATION**

Please fill in this form completely. Incomplete applications will not be processed.

**STAFF USE ONLY**

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

**PROJECT/BUSINESS NAME:** Isabelle Substation FAN Project/Public Service Company of Colorado/Xcel Energy

**PROJECT ADDRESS:** 1800 Larimer Street, Suite 400

**PROJECT DESCRIPTION:** The installation of three noncommercial wireless communication antennas on top of a new monopole located within the secured Isabelle substation yard.

**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds)

Subdivision Name: Recorded Exemption No. 1467-18-2-RE-4161

Filing #:

Lot #: B

Block #:

Section: 18Township: 1NRange: 68W

**OWNER** (attach separate sheets if multiple)

Name/Company: Public Service Company of Colorado/Xcel Energy

Contact Person: Jaxon Fagan

Address: 1800 Larimer Street, Suite 400

City/State/Zip: Denver, CO 80202

Phone: 303-571-7089

Fax: 303-294-2088

E-mail: jaxon.fagan@xcelenergy.com

**AUTHORIZED REPRESENTATIVE**

Company/Firm:

Contact Person:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company: John Michael Sosa and Luann Sue Sosa

Address: 283 Skylark Circle

City/State/Zip: Lafayette, CO 80026

**MINERAL LEASE HOLDER** (attach separate sheets if multiple)

Name/Company: See attached sheet

Address:

City/State/Zip:

**LAND-USE & SUMMARY INFORMATION**

Present Zoning: Public Lands and Institutions (PLI)

Proposed Zoning: No Change

Gross Acreage: 8.935

Gross Site Density (du/ac): N/A

# Lots/Units Proposed: N/A

Gross Floor Area: N/A

**SERVICE PROVIDERS**

Electric: Public Service Company of Colorado/Xcel Energy

Metro District: Erie Commons Metro District

Water (if other than Town): N/A

Gas: N/A

Fire District: Mountain View Fire

Sewer (if other than Town): N/A

**PAGE TWO MUST BE SIGNED AND NOTARIZED**

DEVELOPMENT REVIEW FEES			
<b>ANNEXATION</b>		<b>SUBDIVISION</b>	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<input type="checkbox"/> Deannexation	\$ 1000.00	<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
<b>COMPREHENSIVE PLAN AMENDMENT</b>		<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Road Vacation (constructed)	\$ 1000.00
<b>ZONING/REZONING</b>		<input type="checkbox"/> Road Vacation (paper)	\$ 100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre	<b>SITE PLAN</b>	
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
<b>SPECIAL REVIEW USE</b>		<input type="checkbox"/> Amendment (major)	\$ 1100.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (minor)	\$ 350.00
<input checked="" type="checkbox"/> Minor	\$ 400.00	<b>VARIANCE</b>	\$ 600.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	<b>SERVICE PLAN</b>	\$ 10,000.00
All fees <b>include</b> both Town of Erie Planning & Engineering review. These fees <b>do not include</b> referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.			

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: \_\_\_\_\_  
 Owner: [Signature]  
 Applicant: [Signature]

Date: \_\_\_\_\_  
 Date: 4-9-19  
 Date: 4-9-19

STATE OF COLORADO )  
 County of DENVER ) ss.  
 The foregoing instrument was acknowledged before  
 me this 9 day of APRIL, 2019  
 by JAXON FAGAN

JEFFREY A WALKER  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 NOTARY ID 20104048361  
 MY COMMISSION EXPIRES NOVEMBER 5, 2022

My commission expires: 11-5-2022  
 Witness my hand and official seal.

[Signature]  
 Notary Public

## Section 3: Conformance with Town of Erie Special Review Use Criteria

Based on information shared by the Town of Erie on February 5, 2019, the Project requires approval of a Special Review Use Application.

Responses to applicable Town of Erie standards and submittal requirements are listed below in Sections 3.1 and 3.2. County standards are referenced in **bold italic text**, and PSCo responses are listed in regular text.

### *3.1 Special Review Use Approval Criteria (10.7.13. C. 9 of the UDC)*

***a. The proposed use is consistent with the Town's Comprehensive Master Plan and all applicable provisions of the Municipal Code Title 10 -UDC and applicable State and Federal regulations.***

The Project is consistent with the purpose of the UDC, which promotes the health, safety, and general welfare of the Town of Erie. The Project is also consistent with the Vision Guiding Principles in the Comprehensive Plan as described below.

#### *Overall Economic Vitality/Downtown Vitality*

The Project benefits the general welfare and economic prosperity of the Town of Erie and the immediate neighborhood. The Project provides faster, more efficient service to support the existing and future electrical needs of businesses, the community and the local economy.

#### *Stewardship of the Natural Environment*

The Project is within the existing substation and does not require any new disturbance of vegetated lands. The Project monopole would have a galvanized treatment, which is grey in color. The finished color is neutral since it is compatible with the surface treatment and color of the existing transmission structures and equipment and facilities within the substation yard. The monopole will blend somewhat with the 55-foot Substation equipment and 85-foot transmission structures. Installing the monopole at a PSCo owned property, which already contains considerable electrical infrastructure creates a positive impact by avoiding the need for a new monopole at a greenfield location.

#### *Provide Infrastructure and Public Services Efficiently and Equitably*

The Project benefits the general welfare and economic prosperity of the Town of Erie and the immediate neighborhood. The purpose of the FAN is to provide the first step and key component to PSCo's new intelligent, integrated grid called the Advanced Grid that brings greater value to the experience of PSCo's customers. The Advanced Grid meets the needs of the customers by providing faster, more efficient service and shorter, better-managed outages by connecting the electric grid with new energy devices and technologies. The FAN uses multiple layers of secure radio networks to provide wireless coverage across PSCo's electric grid. Intelligent devices installed on the grid connect to the wireless network and

send information about current grid conditions to PSCo's control centers. In turn, the control centers can respond to changing grid conditions by sending commands to intelligent, integrated field devices.

The Project is consistent with the Town of Erie's planned future land use. According to the Comprehensive Plan – 2015 Update (Comprehensive Plan), Land Use Plan Map, the Project is in the area defined as "Public/Quasi Public". The purpose of this land use area is to primarily support "... essential public services such as electrical substations, water and wastewater facilities, and other similar uses."

***b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located.***

According to the UDC, the Project site is located within the Town of Erie and is zoned "Public Lands and Institutions (PLI). According to the Erie Development Plan, the area is intended "To provide areas for the development of public or quasi-public facilities or private facilities of a non-commercial character, including churches, schools, libraries, and cultural facilities." According to the UDC the Project meets the definition of a Non-Concealed Freestanding Tower, which states "Any structure that is designed and constructed primarily for the purpose of supporting 1 or more antennae, including guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like."

Based on review of the use table in the UDC, a Non-Concealed Freestanding Tower is permitted in the PLI zone district only if reviewed and approved as a Special Review Use in accordance with the procedures of Section 7.13 and the Use Specific Design standards in 10.3.2.B.2, Institutional and Public Uses.

***c. The proposed use is consistent with any applicable use-specific standards set forth in Section 3.2 of the Municipal Code Title 10 –UDC.***

Based on review of the use table in the UDC, a Non-Concealed Freestanding Tower is permitted in the PLI zone district only if reviewed and approved as a Special Review Use in accordance with the procedures of Section 7.13 and the Use Specific Design standards in 10.3.2.B.2, Institutional and Public Uses. The Project meets the definition of a Non-Concealed Freestanding Tower. The following describes how the Project meets the use-specific standards outlined in 10.3.2.B.2.d.

***10.3.2.B.2.d.i. Height***

According to the 10.3.2.B.d.i (A), the allowable base height, without the bonus height is 75 feet. As referenced in Section 10.3.2.B.d.i (D), Additional height beyond the maximum permitted in this Section may be approved by Special Review Use. PSCo requests that the height of the monopole be approved for 100 feet with a 5 foot lightning rod. The exact location and height of this Project is strategic to the overall FAN Program. As shown in **Appendix F**, Feasibility Study, PSCo evaluated the heights of the pole and determined that a lower monopole reduces the signal coverage to an unacceptable level.

#### **10.3.2.B.2.d.ii. Collocation Required**

The possibility of collocation is not feasible for the following reasons:

1. Safety and access concerns: The monopole would be located within the secured substation yard. To allow co-location on the monopole would require allowing access to the yard that contains high voltage electrical equipment. To meet National Electric Safety Code and PSCo safety standards, the co-locator's personnel would have to go through specific training and be escorted any time they would be in the yard. This would require making PSCo personnel available for these activities, which may be problematic due to work loads and schedules.
2. Cyber Security: When determining the placement of these components, PSCo must consider cyber-security, performance and operation of the FAN network and how these fit with North American Electric Reliability Corporation critical infrastructure protection (NERC-CIP) federal regulations. PSCo feels that the interest of these components is best served by the security and ownership of the Isabelle Substation. Placement of the antenna and supporting equipment at a co-located structure would require physical access to the Project's high security components by non-PSCo employees.
3. Interference with electric equipment in the substation: Any ground based equipment required by the co-locator could potentially conflict with the needs of PSCo for the operation and maintenance of the substation.
4. Engineering limitations of the monopole design: The monopole and foundation were not designed for any other uses than PSCo's. Redesigning the monopole and its foundation would require additional costs and time, and the load requirements would be unknown.
5. In the event PSCo is required to allow co-location, the co-locator would be required to enter into an access and lease agreement, bear all costs associated with any monopole/foundation redesign costs, bear PSCo's costs associated with training and escort needs and meet all safety protocol with the substation operation and maintenance, both current and future.
6. Maintenance Coordination: Co-locating on poles with existing PSCo communication equipment requires the coordination of engineering efforts. In addition, any maintenance performed by a collocator on their facilities may impact PSCo's capabilities to use their own equipment.

#### **10.3.2.B.2.d.iii. Setbacks**

According to 10.3.2.B.2.d.iii, it states "towers shall be set back from the property boundary a distance equal to the height of the proposed tower." The location of the monopole within the substation was adjusted to meet the 1:1 setback ratio to the property lines. Section 10.3.2.B.2.d.iii also requires that "freestanding towers shall be set back from all existing dwelling units and property zoned residential or mixed use by a minimum of 200 feet, or at least 2 times the height of the proposed tower, whichever is greater." The property 210 feet north of the telecommunication tower is in Weld County and contains residences. The location of the monopole was adjusted and the height of the monopole was lowered to meet this setback criteria.

### **10.3.2.B.2.d.iv. General Development Standards**

#### **A. Design and Neighborhood Compatibility**

The monopole would have a galvanized treatment, which is grey in color. The finished color is neutral since it is compatible with the surface treatment and color of the existing transmission structures and equipment and facilities within the substation yard. The monopole will blend somewhat with the 55-foot Substation equipment and 85 foot transmission structures.

#### **B. Buffering and Screening**

Buffering and screening is addressed in Section 2.4 of this Narrative.

#### **C. Technologic Requirements**

The construction and operation of the Project is subject to Federal Communication Commission (FCC) oversight. PSCo is currently working with them on their review of the Project.

#### **D. Existing Towers**

PSCo evaluated the use of existing transmission or distribution structures, but determined they are not feasible because of safety concerns and insufficient elevations for signal coverage.

#### **d. *The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).***

The monopole would be located within the walled Substation. The equipment inside the Substation can reach 55 feet in height and the adjacent transmission structures reach 85 feet in height. The adjacent transmission line was permitted to be constructed at 135 feet tall, however, after final design it was constructed at 85 feet tall. The land use of the property to the north is residential, is in Weld County and is zoned A (Agricultural). The land use of the property to the east is vacant and is zoned PLI. The land use of the property to the southeast is undeveloped land that is zoned Medium-Density Residential (MR) and the property directly to the south is a church which is zoned PLI. The land use of the property to the west is undeveloped and is zoned Business (B). PSCo also owns this parcel.

##### *Hours of operation*

The Substation and wireless communications monopole operate continuously for seven days a week and 24 hours per day.

##### *Traffic*

Over the three-week construction period, it is estimated that there will be three round trips/day by cars or pickups, three round trips/day by tandem trucks and two round trips/day by a semi-truck or Trailer. It is anticipated that construction trips will occur

between 7:00 a.m. and 5:00 p.m. Monday through Friday. After construction is complete, maintenance and operation of the wireless communications monopole will be accomplished with a passenger pickup as needed.

#### *Lighting and Noise*

There will be no lights on the wireless communications monopole. There will be no noise beyond the property line in association with the Project after it is constructed. During construction, noise will meet the daytime noise limits under the Colorado Noise Statues.

#### *Odor and Dust*

The Project does not create odor and will not result in any emissions or fugitive dust.

- e. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable.***

No significant adverse impacts are anticipated from the Project. The installation of the Project supports PSCo's new intelligent, integrated grid that will provide customers with faster, more efficient service and shorter, better-managed outages.

- f. Facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development.***

The Project will not require a level of community facilities or services greater than what is presently available. The Project does not require drinking water facilities because the Substation is unoccupied and unmanned. During the three-week Project monopole construction period, construction personnel will supply their own commercial drinking water. The Project does not require sewage disposal facilities because Substation is unoccupied and unmanned. During the three-week wireless Project construction period, construction personnel will use portable sanitary units while construction is in progress at the Project site. Due to the sensitive nature of the facility, PSCo will be responsible for fire suppression within the walled security area of the Substation site.

- g. Adequate assurances of continuing maintenance have been provided.***

One to two workers per month may visit the Substation and Project periodically for maintenance and operations activities. Public Service Company maintains and operates its system facilities in a fiscally prudent manner that minimizes the impact on electric and gas customers.

- h. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practicable.***

No significant adverse impacts are anticipated on the natural environment the Project, since it is wholly within the existing substation yard. The primary potential impact of the Project is the visibility of the Project monopole. The proposed surface treatment of the monopole is a galvanized coating to prevent deterioration of the structure. This will result in a grey/silver color that will fade to a flat grey color over time. This surface treatment and color are consistent with the existing Substation facilities and existing transmission line structures. PSCo feels this will provide the best visual mitigation of the Project; see the photosimulations included as Appendix D.

### ***3.2 Special Review Use Submittal Requirements (Special Review Use Users Guide)***

#### ***1. Completed application***

The Special Review Use land use application is included in Section 1.

#### ***2. Application fee***

The \$400.00 fee for a Minor Special Review Use was included with this submittal.

#### ***3. Proof of ownership that includes a warranty deed or current title insurance policy or title commitment issued no more than thirty days prior to the date of application, for all of the property within the request.***

The Proof of Ownership is provided in **Appendix G**.

#### ***4. A notarized letter of authorization from the landowner(s) permitting a representative to process the application, when the landowner is not the applicant.***

PSCo is the property owner and the applicant for the FAN Project.

#### ***5. 5. Copies of any special agreements, oil/gas surface use agreements, conveyances, restrictions, or covenants that will govern the use and/or maintenance of the site.***

Property restrictions are listed in Exhibit A of **Appendix G**, Proof of Ownership. There are no other special agreements, oil/gas surface use agreements, conveyances, restrictions, or covenants that will govern the use and/or maintenance of the proposed development.

#### ***6. Written narrative, describing the proposed development***

A written narrative is provided in Section 2 of this application.

**7. A Management/Operational Plan shall be provided that addresses all aspects of the day-to-day operation of the Special Review Use. The degree of detail will depend upon the specific use. At a minimum the plan shall include:**

- a. The number of clients, boarders, parishioners, animals etc.;**
- b. The hours of operation, whether the use is seasonal and the number of days per week;**
- c. Number of employees;**
- d. The required outside storage, parking and loading area; and**
- e. The permit requirements from County, State or Federal agencies.**

The monopole and Substation are unoccupied and unmanned. The equipment is walled and the public is not allowed to enter the property. The Substation and monopole operate continuously for seven days a week and 24 hours per day. Outside storage, parking and loading are not required for the Project.

The construction and operation of the Project is subject to Federal Aviation Administration (FAA) and FCC oversight, review and approval. PSCo is currently working with both agencies on their respective reviews. A component of the FCC approval is compliance with Section 106 of the National Historic Preservation Act. As the lead agency, the FCC is currently conducting the necessary tribal and Colorado State Historic Preservation Officer consultation to assure no adverse effects to historic properties will occur as a result of the Project.

**8. If applicable, Site Plan exhibits and other Site Plan submittal requirements shall be prepared in accordance with the Site Plan User's Guide.**

A Site Plan Minor Amendment was submitted concurrently with the Special Review Use Application. All required Site Plan exhibits are included in that application.

**9. Development Reports/Studies: The following development reports, studies and plans shall be prepared to adequately portray the physical characteristics of the property unless waived by the Community Development Director:**

- a. An Assessment of Impact Report, detailing the impact the proposed development may have on Town, County, Special District, and utility facilities and services, including but not limited to: water and wastewater; open space and recreation; law enforcement and fire protection; schools; and general utilities (electric, gas, telephone).**
- b. A Phase III Drainage Report and Plan prepared by a registered professional engineer showing the final proposed drainage system, design details and calculations.**
- c. A Traffic Impact Study or narrative detailing the transportation network and establishing the availability and adequacy of the system consistent with the Town of Erie's Comprehensive Master Plan and Transportation Plan.**

An Assessment of Impact Report was not prepared, because the Project will not require a level of community facilities or services greater than what is presently available. The Project does not require drinking water facilities because the Substation is unoccupied and

unmanned. During the three week wireless communication monopole construction period, construction personnel will supply their own commercial drinking water. The Project does not require sewage disposal facilities because Substation is unoccupied and unmanned. During the three week monopole construction period, construction personnel will use portable sanitary units while construction is in progress at the Project site. Due to the sensitive nature of the facility, PSCo will be responsible for fire suppression within the walled security area of the Substation site.

A Phase III Drainage Report and Plan and a Traffic Impact Study was not prepared for the monopole. The Project will not affect the current drainage on the property. There are no significant long term impacts to traffic from the Project. It is anticipated that construction trips will occur between 7:00 a.m. and 5:00 p.m. Monday through Friday. Over the three week construction period, it is estimated that there will be three round trips/day by cars or pickups, three round trips/day by tandem trucks and two round trips/day by a semi-truck or trailer. After construction is complete, maintenance and operation of the wireless communications monopole will be accomplished with a passenger pickup as needed.

***10. Any additional information, as requested by the Community Development Director, in order to thoroughly review the impacts of the proposed development***

Additional information was not requested by the Community Development Director.