

**TOWN OF ERIE
BOARD OF TRUSTEES MEETING
Wednesday, September 24, 2019**

SUBJECT:

PUBLIC HEARING

1. Special Review Use

A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Special Review Use For A Verizon Wireless Telecommunications Facility

2. Site Plan

A Resolution Of The Board Of Trustees Of The Town Of Erie Approving A Site Plan Amendment For A Verizon Wireless Telecommunications Facility At 50 Bonanza Drive

3. Easement

A Resolution of the Board of Trustees of the Town of Erie Approving an Easement Agreement between the Town of Erie and Verizon Wireless (Vaw), LLC D/B/A Verizon Wireless Allowing Utility Access through Town Property for Construction and Use of a Verizon Telecommunication Facility Located on Adjacent Private Property

PURPOSE:

Consideration of a Special Review Use, Site Plan Amendment, and utility easement applications for A Verizon Wireless Mobile Telecommunications Facility.

CODE REVIEW:

Erie Municipal Code, Title 10

DEPARTMENT:

Planning and Development

PRESENTER:

Christopher C. LaRue, Senior Planner

STAFF RECOMMENDATION:

1. Special Review Use

Staff finds the Special Review Use application for the Verizon Wireless Telecommunication Facility in compliance with the Special Review Use Approval Criteria and recommends the Board of Trustees adopt the Resolution approving the Special Review Use

2. Site Plan

Staff finds the Site Plan Amendment for the Verizon Wireless Telecommunication Facility in compliance with the Site Plan Approval Criteria and recommends the Board of Trustees adopt the Resolution approving the Site Plan with the following conditions of approval:

- a. The approval of the Site Plan Amendment is contingent upon the approval of a Special Review Use for the telecommunications facility on the

Property; and

- b. Applicant shall make technical corrections to the Application and related documents as directed by Town staff.

3. Utility Easement

Staff finds the easement for the Verizon Wireless Telecommunication Facility necessary for the installation of the cell facility and recommends the Board of Trustees adopt the Resolution approving the easement

PLANNING COMMISSION RECOMMENDATION

The Planning Commission will hold a public hearing for the Special Review Use and Site Plan applications on September 18, 2019. Given the timing of the hearings there was insufficient time to attach the Planning Commission hearing minutes. Staff will provide an updated regarding the PC hearing at the BOT hearing.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

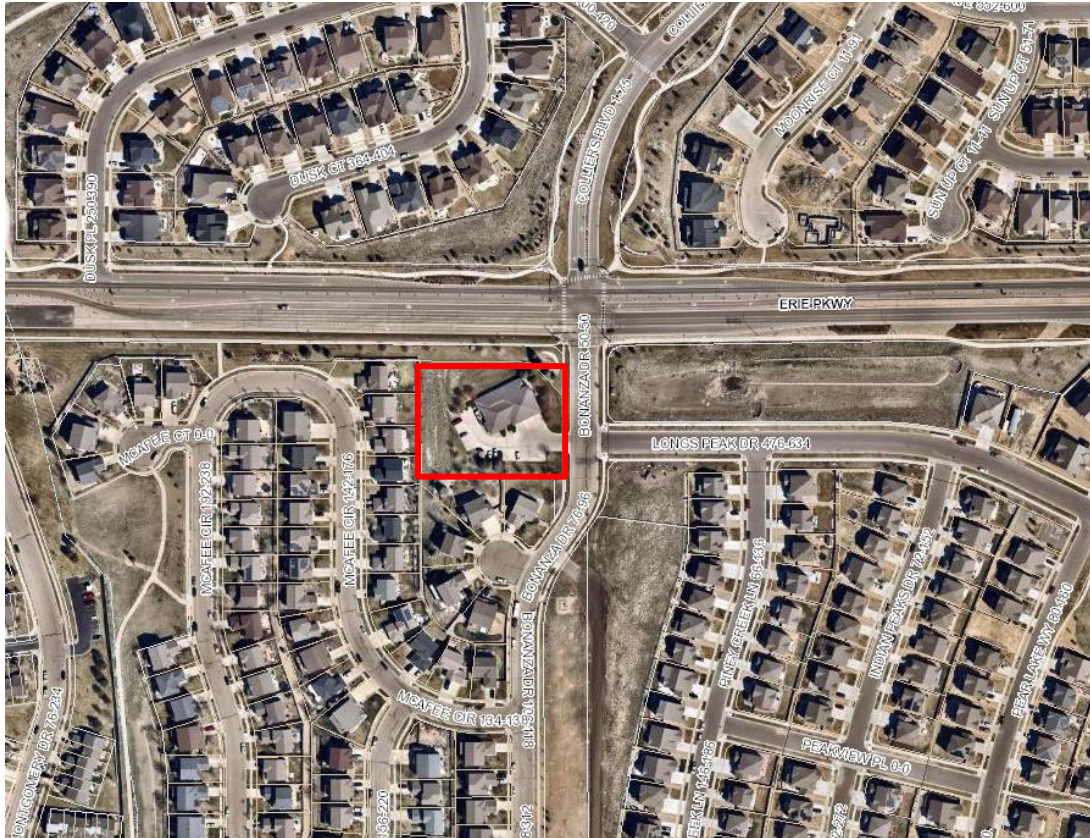
Applicant: Retherford Enterprises on Behalf of AT&T Mobility
7093 Silverhorn Drive
Evergreen CO, 80439

Existing Conditions:

Zoning: Planned Development (Grandview Planned Development)
Project Size: 1.19 Acres total property size (320 square feet ground lease area / 248 square feet rooftop cupola area)
Existing Use: Mountain View Fire Station

Location:

The property is located on the southwest corner of Erie Parkway and Bonanza Drive. The property is highlighted in red below:



Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	PUD – Colliers	Residential
EAST	PUD – Erie Highlands	Residential
SOUTH	PD – Grandview	Residential
WEST	PD – Grandview	Residential

General Information:

The applicant is proposing to construct a cupola addition to the existing Mountain View Fire station in order to house and conceal a Verizon Wireless Telecommunication Facility. The addition is proposed at a maximum of 34 feet in height and will match the architecture, texture, and color of the existing structure. Housed within the structure will be the support structure, antenna, and remote radio head units. Associated equipment cabinets will be located at ground level on the east side of the fire station. The ground equipment is

proposed to be screened by an enclosure wall to match the fire station building.

After the anticipated two week construction period, the facility will be unmanned and thus does not require water or sewer facilities. Scheduled maintenance would occur monthly.

The application materials indicate that Verizon Wireless must construct a facility in this area to fill a gap in network coverage for voice and data demands.

A five foot easement is needed for the installation of telecommunication lines in the Town of Erie Grandview Subdivision Tract B, which is between the fire station property and the Bonanza right of way. It should be noted that access through Town right-of-way would require approval of an access permit from the Town.

The proposal is classified in Municipal Code Title 10, Table 3-1 Table of Permitted Uses as a Telecommunication Facility, Concealed Antenna and Tower. This use type requires a Special Review Use application approval in addition to a Site Plan application approval.

Site Plan Analysis:

The Site Plan was reviewed for conformance with Municipal Code 10.7.12.F.9 Approval Criteria. Staff finds the Site Plan in compliance with the Site Plan Approval Criteria as listed below.

- a. The Site Plan is generally consistent with the Town's Comprehensive Master Plan;

The site plan is generally consistent with the Comprehensive Master Plan.

- 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 site plan is consistent with the approved Planned Development (PD), subdivision plat, and Site Plan.

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

The site plan generally complies with the development and design standards of the Code.

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

Adverse impacts are not anticipated.

- 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 proposed Telecommunications Facility is compatible with the adjacent uses. The long term potential impact of Telecommunications Facilities is the visual impact however, in this case the visual impact has been mitigated by concealing the facility within a cupola.

Special Review Use Analysis:

The Special Review Use was reviewed for conformance with Municipal Code, Title 10, Section 7.13.C.9, Approval Criteria and Section 3.2.B.2.b specific to a Telecommunication Facility that is a Concealed Building Mounted Antenna or Tower. Staff finds the Special Review Use for the Telecommunication Facility in compliance with the Special Review Use Approval Criteria as listed below.

- a. The proposed use is generally consistent with the Town's Comprehensive Master Plan and all applicable provisions of this UDC and applicable State and Federal regulations;

Per the UDC, this proposal also requires an amendment to the existing site plan therefore approval of the Special Review Use is conditioned on the approval and execution of the previously discussed Site Plan Amendment.

The applicant is required to comply with all Federal Communications Commission (FCC) regulations related to telecommunications facilities.

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

The intent described in the relevant PD documents indicate that Grandview was developed for residential, fire station and associated purposes. Wireless service demands in the area are currently unmet and thus Verizon is attempting to improve service to area residents. The proposed use is thus consistent with the residential purpose of the Grandview PD zoning. A Telecommunication Facility is permitted in every Town zone district through the Special Review process.

- c. The proposed use is generally consistent with any applicable use-specific standards set forth in Section 3.2;

Use Specific Standards (10.3.2.B.2.c)

If a concealed antennae or tower is placed on a building it shall be in scale with the building upon which it is placed.

The proposed cell facility will be hidden within a cupola that will be in scale with the existing structure.

The antennae or tower shall be fully concealed within an element of the building that is designed to be of the same or similar materials and colors as the structure it is located on.

The antennae shall be fully concealed within a proposed cupola that will match the architectural style, materials, and colors of the existing fire station.

The element that conceals the antennae or tower shall be in scale with the building and shall not look like an add-on that is not integrated with the building.

The proposed cupola will blend in with the existing fire station structure so as to be integrated with the building's scale and design.

- 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 proposed Telecommunications Facility is compatible with the adjacent uses. The long term anticipated impact of the facility is the potential visual impact

however, in this case the visual impact will be mitigated by concealing the cell facility within a cupola that will be integrated into the existing structure.

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

Significant adverse impacts are not anticipated for this use.

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

Necessary utilities and services are readily available on the site.

- g. Adequate assurances of continuing maintenance have been provided; and

The applicant's narrative states that routine maintenance occurs approximately monthly.

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

Adverse impacts on the natural environment are not anticipated.

Neighborhood Meeting:

As required by the Municipal Code a Neighborhood Meeting was held on February 12, 2019 at 5:30 p.m. in the Erie Community Center. The required notice for the Neighborhood Meeting was provided.

Public Notice:

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	September 4, 2019
Property Posted as required:	September 6, 2019
Letters to Adjacent Property Owners:	September 6, 2019

Public Comments:

No written public comment has been received for these applications.