

CITY PLANNING COMMISSION AGENDA  
NOVEMBER 9, 2022

STAFF: MATTHEW ALCURAN

FILE NO:  
CPC CM1 22-00080 – QUASI-JUDICIAL

PROJECT: OUTLAW CANYON  
OWNER: GALLEY PROPERTIES, INC.  
DEVELOPER: CROWN CASTLE INTERNATIONAL  
CONSULTANT: COMMSCAPES, LLC – TODD E DAoust



**PROJECT SUMMARY:**

- Project Description: This project application is for approval of a Wireless Communication Facility (WCF) Conditional Use Development Plan. If approved the proposed application will allow for the installation of a new antenna array on an 80-foot-high non-stealth monopole with associated ground-mounted equipment. The site is currently zoned PIP1/AO/APZ2/SS (Planned Industrial Park/Airport Overlay/Accident Potential Zone/Streamside Overlay) located at 4575 Galley Road consisting of approximately 1.47 acres (see “**CM1 Conditional Use Development Plan**” attachment).
- Applicant’s Project Statement: (see “**Project Statement**” attachment).
- Planning and Development Department Recommendation: City Planning staff recommends approval of the application.

## **BACKGROUND:**

- **Site Address:** The property address is 4575 Galley Road
- **Existing Zoning/Land Use:** The subject property is currently zoned PIP1/AO/APZ2/SS (Planned Industrial Park/Airport Overlay/Accident Potential Zone/Streamside Overlay) and includes a one-story 21,600 square foot commercial building.
- **Surrounding Zoning/Land Use:**
  - North: R2/AO/APZ2 (Two-Family Residential/Airport Overlay/Accident Potential Zone) across Galley Road and residentially developed.
  - South: PIP1/SS/AO/APZ2 (Planned Industrial Park/Streamside Overlay/Airport Overlay/Accident Potential Zone) across Sand Creek West Fork and is vacant land.
  - East: PIP2/CR/SS/APZ2/AO (Planned Industrial Park/Condition of Record/Streamside Overlay/Accident Potential Zone/Airport Overlay) and is commercially developed.
  - West: PIP1/UV/APZ2/AO/SS (Planned Industrial Park/Use Variance/Accident Potential Zone/Airport Overlay/Streamside Overlay) and is commercially developed.
- **PlanCOS Vision:** According to the PlanCOS Vision Map (**see “PlanCOS Vision Map” attachment**), the project site is identified as an Established Suburban Neighborhood.
- **Annexation:** The subject property was annexed into the City on December 1, 1963, under the Smartt's Addition # 9.
- **Master Plan/Designated Master Plan Land Use:** The project site is not a part of a Master Plan.
- **Subdivision:** The property is currently platted as Lot 1 of the Rustic Hills Sub 6 Fil. 3.
- **Zoning Enforcement Action:** None
- **Physical Characteristics:** The 1.47-acre property is located near the southwest corner of Galley Road and Wooten Road adjacent to established commercial development and across the street from a residential neighborhood.

## **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process consisted of providing notice to adjacent property owners within 1,000 feet of the site, which included the mailing of postcards to 176 property owners on two occasions -at the internal review stage and prior to the Planning Commission hearing. The site was also posted during the two occasions noted above. No written correspondence regarding the proposal were received by Planning staff.

Staff input is outlined in the following section of this report. Staff sent plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Stormwater, City Parks and Recreation, Engineering, City Traffic, City Fire, and Police. Agreements between the City of Colorado Springs and the surrounding military installations establish a two-mile buffer for land use application review. This application is within the two-mile buffer for military notification (Peterson AFB) and did not receive any comments or concerns. City Planning staff notes that the following review agencies provided project specific comments:

- **City Traffic** – The City's Traffic Engineering Division stated they have no comments on the conditional use development plan application.
- **City Fire** – The City's Fire Department (CSFD) stated they did not have any exceptions with the conditional use development plan application as submitted.
- **City Engineering** – The City's Engineering Development Review (EDRD) stated they have no comments on the conditional use development plan application.

- SWENT – Stormwater Enterprise (SWENT) had no major review comments for this project. SWENT confirmed that the proposed new wireless communications facility did not require a Drainage letter.
- CSU – Colorado Springs Utilities (CSU) required an existing pipe and easement to be shown on the site plan which was reviewed and accepted. The review comments issued by CSU have been addressed.
- City Landscape Architect – City Landscape Architect has no further comments based on the resubmittal.
- City Streamside Overlay – This lot is within the Streamside Overlay however after further review and with this level of development, it is determined that additional vegetation is currently not required for this proposal. However, any future development on site is subject to Streamside development review criteria including landscaping.

### **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

#### 1. Review Criteria / Design & Development Issues:

##### a. Conditional Use Development Plan

The proposed Conditional Use (CU) Development Plan (DP) application will allow for the installation of a new wireless communications facility (WCF) designed as an 80-foot-high non-stealth monopole within a new 60-foot by 60-foot ground-mounted equipment enclosure (see “**CM1 Conditional Use Development Plan**” attachment). This request is necessitated by the demolition of the existing 55-foot-high stealth facility designed as a flagpole located west at 805 Emory Circle. The new tower design follows the aesthetic requirements, which were adopted in 2020. Requirements include that the monopole will be painted with a non-reflective beige paint and all new cables for antenna arrays will be routed inside the new monopole. The new ground-mounted enclosure will be screened by an 8-foot-high CMU enclosure with color and texture to match the existing commercial building to the north. The proposed enclosure will support the relocated T-Mobile equipment and new DISH Wireless equipment.

Based on the location of the new WCF facility and equipment enclosure behind the existing commercial building the visual impact will be minimal. As such, pursuant to City Code Section 7.4.610.F, the landscaping requirement was waived by the Manager. The WCF facility and equipment enclosure is approximately 332 feet setback from the public right-of-way. The WCF monopole is setback a distance of approximately 168 feet from the western property line, approximately 124 feet from the southern property line and approximately 139 feet from the eastern property line. In addition, the nearest residential zoning designation or land use is approximately 487 feet to the north (R2 (Two-Family Residential)).

The site is currently zoned PIP1/AO/APZ2/SS (Planned Industrial Park/Airport Overlay/Accident Potential Zone/Streamside Overlay), which per City Code Section 7.3.203, a non-stealth freestanding facility requires review and approval of a CU DP application by the City Planning Commission. In addition, within the PIP1 (Planned Industrial Park) zone district, the City Code Section 7.3.204 permits a maximum height of 45-feet. Per City Code Section 7.4.604, a freestanding facility, exceeding the maximum height of the zone district, requires review and approval of a WCF CU application by the City Planning Commission.

Furthermore, the approval of this application will allow other wireless carriers the potential to collocate to meet the service demands of this area. The development of a taller replacement site with sufficient setback distances maximizes on the site's location and increases the coverage from this location. The proposed site is the least intrusive to the

community, will improve existing coverage, and will avoid a gap in service if the existing facility were to be removed permanently.

The location and design of the site is a critical component of the Crown Castle network, providing continuity for the public interest, emergency 911-call services, and reliable long-term stability for wireless service in the Colorado Springs Community. Crown Castle conducts annual safety inspections on all towers and employs a national operations center monitoring all critical systems 24-hours a day, 7-days a week. The 60-foot by 60-foot equipment compound will allow additional carriers to locate in the compound and on the 80-foot-tall monopole to improve the coverage and capacity of their networks. The City Code encourages the co-location of WCF equipment of various carriers on the same structure where feasible and where the visual impact of having one taller facility is determined to be more desirable than having additional tower facilities constructed in the same vicinity. The proposed 80-foot-tall monopole will be painted a flat, non-metallic beige color, in compliance with camouflaging requirements outlined in City Code Section 7.4.610 'Design Standards'.

In general, City zoning can only regulate the visual impact, the location, and the height and type of the cellular telecommunications facilities. The Federal Communications Commission (FCC) has the exclusive power to set the standards for radio frequency emission. - The wireless providers operate within the strict frequencies and guidelines established by the FCC under the Telecommunications Act of 1996 and the Middle-Class Tax Relief and Job Creation Act of 2012 through the federal regulatory process.

Staff finds that the proposed WCF conditional use development plan meets the review criteria for granting a conditional use as set forth in City Code Section 7.5.704, and the Wireless Communication Facility application and location as set forth in City Code Sections 7.4.607 and 7.4.608.

2. Conformance with the City Comprehensive Plan:

Staff has evaluated the proposed application for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"). According to PlanCOS, the project site is identified under the Vibrant Neighborhood section (**see "PlanCOS Vision Map" attachment**) as an Established Suburban Neighborhood which is stable and expects some degree of infill and redevelopment. The Wireless Communication Facility Conditional Use Development Plan application appears to be consistent with the envisioned land use patterns for the subject parcel as it relates to two themes in PlanCOS. These two themes are especially pertinent to this project, Unique Places, and Vibrant Neighborhoods.

Vibrant Neighborhoods

The Vibrant Neighborhoods Chapter of PlanCOS identifies the associated area for development as Changing Neighborhoods within the Vision Map. The Plan's first goal of Vibrant Neighborhoods (VN-1), "Increase neighborhood identity, inclusion, and participation throughout the city for residents, employees, and visitors". - It is located within a diverse neighborhood comprising of industrial development, residential uses, and a variety of other commercial land uses. PlanCOS also indicates reinvestment in order to create community, vibrancy, and address the community's specific vision and needs (Goal VN-3), which this proposal does satisfy.

Unique Places

PlanCOS lists ten common desired elements for Unique Places, such as "a uniquely identifiable character and design that reinforces a sense of identity, focus, and place". The goal is to take advantage of the capacity and potential of these corridors to create unified, vital, connected, and more transit-supportive urban places, each with its unique character, identity, and design. The Wireless Communication Facility Conditional Use Development Plan project will continue to connect with industrial and residential areas to support and balance commercial. The project also represents the mature/redevelopment corridor type as a significant infill and redevelopment

opportunities. This Wireless Communication Facility proposal meets these recommendations as it supports the surrounding and existing industrial, residential, and commercial land uses.

3. Conformance with the Area's Master Plan:

The project site is not located within an adopted area master plan. The neighborhoods surrounding the project are also not master-planned and developed with a mix of commercial and residential land uses. The applicant's WCF proposal is complementary and a community benefit to the surrounding residential and commercial uses. The proposed WCF will be located outside of the streamside buffer zone protecting the adjacent Sand Creek, a significant natural feature. In addition, the proposed WCF project meets the goals and objectives of the SmartCOS Master Plan because it will provide better services through smart solutions. The taller WCF will prevent the need for additional sites in the immediate area.

**STAFF RECOMMENDATION:**

**CPC DP 22-00088 – CONDITIONAL USE DEVELOPMENT PLAN**

Approve the conditional use development plan for the Wireless Communications Facility based upon the findings that the plan meets the review criteria for granting a Conditional Use as set forth in City Code Section 7.5.704 (A, B, and C), meets the review criteria for granting a Development Plan as set forth in City Code Section 7.5.502. (E), and the Wireless Communication Facility location and design criteria as set forth in City Code Sections 7.4.607 and 7.4.608.