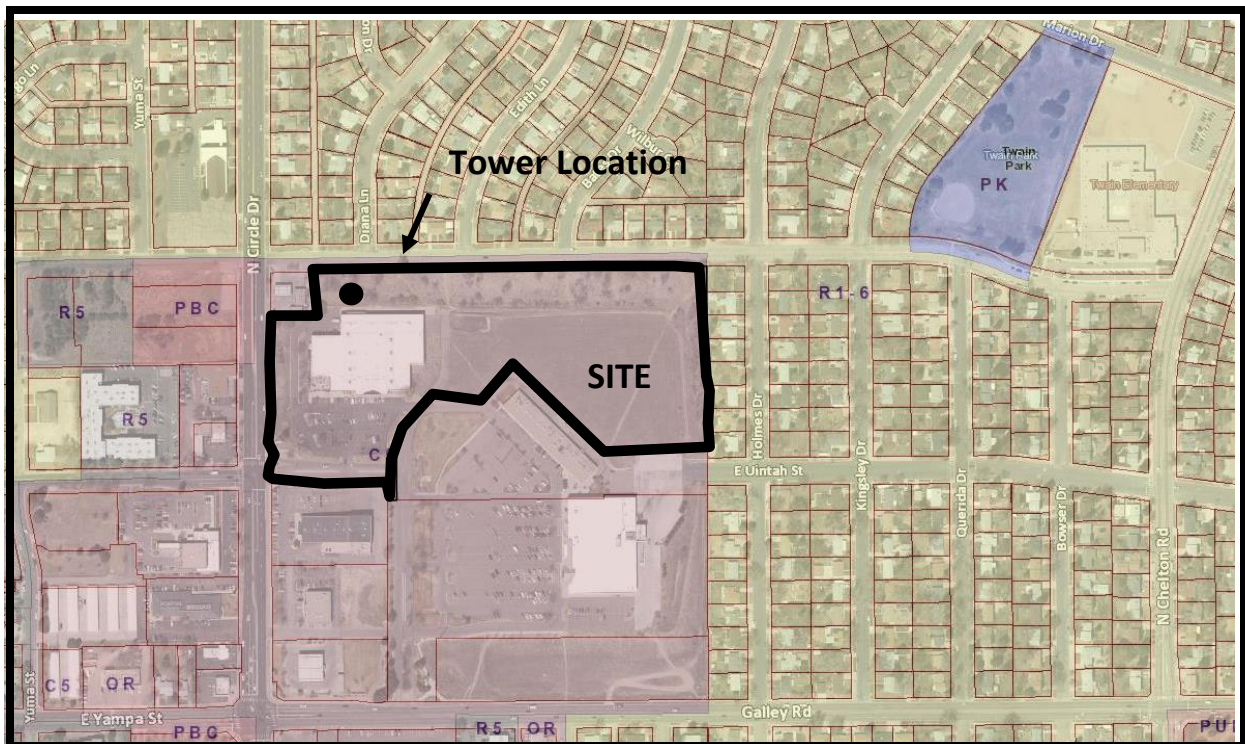


## CITY PLANNING COMMISSION AGENDA

**STAFF: RACHEL TEIXEIRA**

**FILE NO:**  
**CPC CM1 17-00141 – QUASI-JUDICIAL**

**PROJECT:** STEALTH CMRS CELLULAR TOWER – 1225 NORTH CIRCLE DRIVE  
**APPLICANT:** SELECTIVE SITE CONSULTANTS  
**OWNERS:** DWB PIONEERS LLC



### **PROJECT SUMMARY**

1. **Project Description:** The application proposes a 55-foot freestanding stealth tower commercial mobile radio service (CMRS), or cellular tower, in the C5 (Intermediate Business) zone district. The CMRS facility is designed as a monopine tower accompanied with ground equipment screened within a chain-link fence with vinyl green slats. The 13.72-acre site consists of a retail store, a parking area, and undeveloped land located at 1225 North Circle Drive. **(FIGURE 1)**
2. **Applicant's Project Statement:** **(Refer to FIGURE 2)**
3. **Planning and Development Team's Recommendation:** Staff recommends approval of the application.

### **BACKGROUND**

1. **Site Address:** 1225 North Circle Drive
2. **Existing Zoning/Land Use:** C5 (Intermediate Business)/Retail & Undeveloped

3. Surrounding Zoning/Land Use:  
 North (of East San Miguel Street): R1-6000/Single-Family Residential  
 East: R1-6000/Single-Family Residential  
 West (of North Circle Drive): PBC/Undeveloped  
 South: C5/Retail & Market
4. Comprehensive Plan/Designated 2020 Land Use: Community Activity Center
5. Annexation: Stums Addition, September 1963
6. Master Plan/Designated Master Plan Land Use: No Master Plan
7. Subdivision: Safeway Marketplace Filing No 2
8. Zoning Enforcement Action: None
9. Physical Characteristics: The 13.72-acre site is improved with an Ace Hardware store, associated parking, and undeveloped land.

### **STAKEHOLDER PROCESS AND INVOLVEMENT**

Staff noticed 431 property owners within a 1,000 foot buffer distance. Twelve e-mails opposing the proposal were received in response to the postcard mailing and the property posting. A neighborhood meeting was held on January 8, 2018 and over thirty property owners and neighbors were in attendance.

Concerns voiced by the neighbors included

- Health implications for neighborhood,
- Negative effects from the towers' electromagnetic radiation,
- Better location for the tower; view of Pikes Peak obstructed; It's an eyesore,
- Negative effects on property value(s),
- Interference with pace maker,
- Loss of jobs with Ace Hardware and Cheers Liquor Mart,
- Increase traffic in the neighborhood, and
- Don't want a cellular tower in the neighborhood. (**FIGURE 3**)

Only one property owner provided a response to City Planning in opposition to the monopine tower project after the neighborhood meeting. (**FIGURE 4**) The applicant provided a response to the concerns indicated by the neighborhood and also submitted additional information on radio frequency and interference control and standards compliance. (**FIGURE 5**)

The property will be posted and mailing notification sent prior to the February 15<sup>th</sup> City Planning Commission Hearing.

Staff sent the plans to the standard internal reviewing agencies for comments. Those commenting agencies included Colorado Springs Utilities, Traffic Engineering, City Engineering Development Review, and Water Resources Engineering. All agency comments have been addressed for this project.

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

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

The conditional use request is for the installation of a 55-foot stealth monopine structure with ground based facilities situated 51 feet away from East San Miguel Street and over 20 feet away from the existing Ace Hardware building located at 1225 North Circle Drive. A monopine is mobile phone tower designed to look like a pine tree. It's fitted with antennae that resemble branches, and its tower is synthetic bark.

A "stealth freestanding CMRS facility" or a cellular tower designed to blend into the surroundings, is permitted in all commercial zone districts. However, when the request is that the CMRS stealth facility exceeds the height for the zone district a conditional use approval from the City Planning Commission is required. This C5 zoned property has a maximum building height of 45 feet and the project

proposes a 55-foot stealth monopine tower with ground based facilities, and in comparison, the Ace Hardware building has a height of approximately 30 feet.

The cell tower company determined that cellular coverage was poor in home coverage for most of the area, and average in vehicle coverage. The monopine's designed was to match the adjacent trees and shrubs, and to locate the equipment away from the street view. The design has incorporated landscaping shrubs adjacent to the base of the tower, to further screen the tower base from public view.

This 55-foot stealth monopine is to include twelve panel antennas, and related equipment at a centerline height of 48 feet outside the tower. The stealth tower is located 12 feet away outside of the ground equipment facility area and the 6 foot high equipment compound is screened with a chain-link fence with vinyl green slats.

There were twelve letters in opposition from property owners pertaining to the stealth tower proposal. **(FIGURE 3)** Those concerns were noted and responded to by the applicant under 'Applicant Response' on Page 1 of Figure 5. The CMRS stealth facility project consists of an equipment compound and a monopine structure designed to complement the existing trees.

Installation of the 55-foot stealth tower and ground based facilities are to improve the existing service coverage in the central area of Colorado Springs, and to add capacity and service quality to existing service coverage for this neighborhood. The project will also allow for two other network carriers to co-locate and provide service to cellular phone users in this area.

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 City is prohibited from denying CMRS telecommunications facilities on the basis of health concerns. The wireless providers operates with the strict frequencies and guidelines established by the FCC under the Telecommunications Act of 1996.

Staff finds that the proposed conditional use meets the conditional use findings as set forth in City Code Section 7.5.704.

2. Conformance with the City Comprehensive Plan

The Comprehensive Plan's 2020 Land Use Map designates this area as Community Activity Center. The services provided by the proposed stealth tower and ground equipment facility support the existing residential and commercial neighborhood and are critical to surrounding community.

Objective CCA 1: Maintain a Positive Relationship between the Built Environment and the Natural Setting

Colorado Springs is a uniquely identifiable community due to its spectacular natural setting at the base of Pikes Peak. One of the greatest challenges facing the community is to develop a city worthy of that setting. Thoughtful design and enhancement of the community's civic buildings, public and private places, residential areas, gateways, and streets strengthen the community's identity and convey a positive visual image. Colorado Springs will maintain a positive relationship between its built environment and its natural setting and scenic qualities.

Policy CCA 101: Preserve the Character of the Community's Natural Setting

Preserve and enhance the character of the community through design that maintains views to the Front Range and other significant landmarks and integrates natural features into the land use pattern.

Strategy CCA 101b: Protect Significant Views

Protect views and view sheds of significant natural features, including stream corridors, prominent landforms and the foothills. Utilize a combination of incentives, acquisition where appropriate, and regulations such as height controls, site location criteria, and design standards.

Objective CCA 6: Fit New Development into the Character of the Surrounding Area

Often the overall character of a new development is not realized until the project is completed. This can lead to unintended impacts and incompatible development. Applicants for new developments need to clearly identify how their projects will fit into the character of the surrounding area and the community as a whole with respect to height, scale, bulk, massing, roof forms, signage, overall site design, pedestrian and vehicular access, and relation to the public right-of-way.

Policy CCA 601: New Development Will be Compatible with the Surrounding Area

New developments will be compatible with the surrounding land uses and will complement the character and appearance of adjacent land uses.

Strategy CCA 601a: Require New Developments to Provide a Description of Project Character

Development plans will include a description and visual depiction of the existing or planned physical context and character of the proposed development, including preliminary architectural design, natural features, transportation systems, and functional and visual impacts. In addition, development plans will demonstrate conformance with the intent of the applicable design standards and guidelines, as they are adapted to the specific site and context.

Staff finds that the requested conditional use conforms to the City's Comprehensive Plan 2020 Land Use Map and the Plan's objectives, policies, and strategies.

3. Conformance with the Area's Master Plan

There is no Master Plan.

STAFF RECOMMENDATION:

CPC CM1 17-00141 – CMRS CONDITIONAL USE

Approve the conditional use for the CMRS at 1225 North Circle Drive Conditional Use Development Plan, based upon the findings that the CMRS 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 CMRS location and design criteria as set forth in City Code Sections 7.4.607 and 7.4.608.