


EL PASO COUNTY
COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Brian Risley, Chair

FROM: Lindsay Darden, Planner II
Elizabeth Nijkamp, PE Engineering Manager
Craig Dossey, Executive Director

RE: Project File #: AL-19-025
Project Name: Verizon Higby Stealth Tower Special Use
Parcel No.: 61000-00-298

OWNER:	REPRESENTATIVE:
Aspen Willow Estates 1480 Higby Road Monument, CO 80132	Perry Carrol J5 Infrastructure Partners 8392 S. Continental Divide Road #101 Littleton, CO 80127

Commissioner District: 1

Planning Commission Hearing Date:	6/16/2020
Board of County Commissioners Hearing Date	7/14/2020

EXECUTIVE SUMMARY

A request by J5 Infrastructure Partners for approval of a special use for a 75 foot tall stealth commercial mobile radio service (CMRS) facility. The 35 acre property is zoned A-5 (Agricultural) and is located at the southeast corner of the Higby Road and Happy Landing Drive intersection and within Section 20, Township 11 South, Range 66 West of the 6th P.M. The subject parcel is located within the Tri-Lake Small Area Comprehensive Master Plan (2000) area.

2880 INTERNATIONAL CIRCLE, SUITE 110
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
 FAX: (719) 520-6695

The stealth CMRS facility is proposed to address a lapse in Verizon cellular service that generally extends along the Roller Coaster Road corridor from Highway 105 to Hodgen Road. The tower is proposed to be located within a stand of existing trees in the southwest corner of the site and, as reflected in the photo simulations (see attached), will extend approximately 30 feet above the height of the existing trees, which may make it difficult for the tower to fully blend in with the existing landscape. Section 5.3.2(H) of Code specifies that "Any special use may be acted upon by the PCD Director.... The PCD Director, in his sole discretion, is authorized to elevate a special use application to a public hearing". In this case, a letter of opposition was received and the special use application was elevated by the Director on April 27, 2020.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by J5 Infrastructure Partners for approval of a special use for a 75 foot tall stealth commercial mobile radio service (CMRS) facility.

Waiver(s)/Deviation(s): No waivers are requested with this request.

Authorization to Sign: There are no documents associated with this application that require signature.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

Pursuant to Section 5.3.2.C of the Land Development Code, the Planning Commission and Board of County Commissioners may consider the following criteria in approving a special use:

- The special use is generally consistent with the applicable Master Plan;
- The special use will generally be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area;

- The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner;
- The special use will not create unmitigated traffic congestion or traffic hazards on the surrounding area, and has adequate, legal access;
- The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;
- The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County; and/or
- The special use conforms or will conform to all other applicable County rules, regulations or ordinances.

D. LOCATION

North:	RR-2.5 (Residential Rural)	Detached Single Family
South:	RR-5 (Residential Rural)	Detached Single Family
East:	RR-5 (Residential Rural)	Agricultural
West:	RR-5 (Residential Rural)	Detached Single Family

E. BACKGROUND

The parcel was created on January 17, 1984 by deed. The parcel was initially zoned RR-3 (Residential Rural) on January 3, 1955 when that portion of El Paso County was initially zoned. On July 22, 1999, the parcel was rezoned to A-1 (Agricultural) to allow for a commercial stable and riding academy as a special use (PCD file no. P-96-015). The special use for the commercial stable and riding academy (PCD file no. AL-96-023) was also approved on July 22, 1999. A new special use was later obtained in 2002 to permit equine veterinary care in addition to the other uses (PCD file no. AL-01-012).

The CMRS facility is proposed to address a gap in Verizon cellular coverage that generally extends along the Roller Coaster Road corridor from Highway 105 to Hodgen Road. At the tallest point, the proposed tower will measure 75 feet above finished grade and will be approximately 20 feet wide, which represents the widest extent of the faux pine branches. At the base of the tower a 44 foot x 20 foot fenced lease area is proposed to house a generator and equipment shelters that are accessory to the tower.

Per the applicant's letter of intent, the site location was chosen "because of the large acreage, the existing trees surrounding the proposed location of the tower, and because of the existing non-residential use on the parcel." The tower is proposed to

be located within a stand of existing trees on the southwest corner of the site and will extend approximately 30 feet above the height of the existing trees as reflected in the photo simulations (see attached). The Code permits special use requests for stealth CMRS facilities to be approved administratively by the Planning and Community Development (PCD) Director. Pursuant to this allowance in the Code, a special use application was submitted by the applicant seeking administrative approval. PCD sent a notice to the adjacent property owners notifying them of the anticipated administrative decision date. PCD staff received one (1) letter of opposition in response to the administrative notification. The letter outlined concerns regarding impacts of radio-frequency radiation (RFR) on the nearby parcels. The PCD Director elevated the special use request to public hearing based upon the opposition received pursuant to Section 5.3.2 (H) of the Code. One (1) phone call has been received in support of the proposed CMRS stealth tower to expand reliable cellular service in the vicinity of the proposed tower.

F. ANALYSIS

1. Land Development Code Analysis

The property is zoned A-5 (Agricultural), which is intended to conserve agricultural resources and ranching operations and accommodate limited residential use. The current existing uses that are approved for the property are a commercial stable, riding academy, and equine veterinary services. These uses were approved by special use (PCD file nos. AL-96-023 and AL-01-012). The proposed tower is a low impact use in regard to traffic generation and will not require water as it is an unmanned facility.

The greatest impact of these types of uses are typically visual due the height required to provide adequate coverage. The Code defines a stealth CMRS facility as:

“A CMRS facility with an alternative design which camouflages or conceals the presence of antennae or towers such the CMRS facility is consistent with and difficult to distinguish from existing natural and manmade features in the vicinity where the proposed CMRS facility is to be located”

The tower has been designed to mimic a large pine tree, with faux branches proposed to conceal the antennae, and per the applicant’s letter of intent, “the proposed monopine location is surrounded with existing pine trees and is the least obtrusive design to meet objectives and be compatible with surrounding area” However, the tower is expected to extend approximately 30 feet above the height of the existing trees, which may make it difficult to fully blend into the existing

landscape. To justify that the 75 foot height is the minimum height required to meet Verizon's cellular coverage objectives, the applicant indicated in the letter of intent that "antennae must be located above the existing trees to provide the best coverage" and that "the site is designed to be co-locatable for future carriers whose antennas will need to be above existing trees" and "although the antennas are located at a height of 65', ten additional feet is required to provide a tapered effect resulting in a more tree like appearance". The antennae are concealed by the faux branches of the monopine but the overall height of the tower will be visible above the height of the trees. The photo simulations show the visual impact of the tower above the trees. The color and design of the proposed monopine could help it to blend in visually with the surrounding vegetation and provide greater compatibility than a freestanding CMRS facility, which has exposed antennae. The Code (Section 5.2.18(B)(1) requires that "all facilities be designed to allow for co-location of a minimum of 2 users". A condition of approval is proposed to require that the tower owner perform ongoing maintenance of the monopine tower to ensure that it continues to appear as designed.

The tower will comply with the use specific standards of Section 5.2.18 of the Code for a stealth CRMS. The applicant has provided coverage maps and a collocation analysis (both attached) that detail why collocation on existing towers and/or other structures in the vicinity of the subject site is not feasible. Setbacks for the tower, discussed in detail in the zoning compliance section below, ensure that the proposed CMRS facility is sited such that any structural failure such as freefall or icefall shall be contained on the subject property. Finally, the tower is not required by the FAA to have lighting and, therefore, will not contribute to light pollution in the vicinity of the tower. Based on the above, staff recommends that the proposed CMRS facility will not be otherwise detrimental to the public health, safety and welfare of the present or future residents of El Paso County.

2. Zoning Compliance

Stealth CMRS facilities require approval of a special use and a site development plan to be located in the A-5 (Agricultural) zoning district. The A-5 (Agricultural) zoning district density and dimensional standards are as follows:

- Minimum lot size – 5 acres
- Setbacks – 25 feet on all sides
- Maximum building height – 30 feet
- Maximum lot coverage – none

The existing structures associated with the commercial stable, riding academy, and veterinary clinic comply with the dimensional standards of the A-5 (Agricultural) zoning district listed above.

The proposed 75 foot tall monopine CMRS tower will exceed the maximum height of the zoning district; however, Section 5.2.18(B)(6) of the El Paso Land Development Code (2019) specifies that:

“A freestanding CMRS facility, including antennae, shall not exceed the maximum structure height limit in the zoning district unless otherwise specifically authorized as part of the special use approval.”

In the letter of intent, the applicant requested approval of a 75 foot height allowance for the proposed stealth tower to accommodate the proposed Verizon equipment and the future equipment of two additional carriers above the height of the adjacent trees to ensure that the cellular coverage objectives are met. If the additional height is approved as part of the special use, then proposed stealth CMRS facility would be in compliance with the Code.

The Code specifies setbacks for freestanding CMRS facilities that are greater than the building setbacks for the applicable zoning district to allow for any structural failure of the tower, such as free fall or icefall, to be completely contained on the property where the tower is located. Section 5.3.2(H) of the Code states:

“A proposed freestanding CMRS tower located within 250 feet of property zoned for residential use, shall be setback from any residential property line one foot of distance for every foot of facility height (as measured from finished grade elevation), plus an additional 10 feet.”

Applying the additional setback described above, the setback requirement for the proposed stealth CMRS tower would be calculated as follows:

75 feet (required distance from any residential property line) + 10 feet (additional setback required) = 85 feet minimum setback required for the freestanding CMRS facility.

The stealth CMRS tower is proposed to be located a minimum of 85 feet from the nearest property line. The tower, as proposed, would be compliant with the minimum setbacks for freestanding CMRS facilities specified in the Code.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

Policy 6.3.8 – Recognize the need and allow for the reasonable accommodation of adequate amounts of land with sufficient infrastructure for land uses of a heavy industrial nature and/or considered to be “locally undesirable” within all subareas of the County provided the adequate facilities and services will be available. Consider the environmental, visual, and land use compatibility impacts and incorporate, whenever possible, buffering and screening techniques to address compatibility with surrounding uses.

Goal 7.1 – Reasonably accommodate unique and special uses which provide value to the greater community and which can be made consistent with surrounding uses.

Policy 7.1.2 – Consider future combined impact of potential additional land use requests when considering individual applications for special or unique land uses.

Goal 7.5 – Allow for towers, transmission lines, and related facilities that provide a benefit to County residents in a manner which balances considerations of economics, equity, and environmental sensitivity and provides equitable compensation to private landowners for impacts caused by these facilities.

A tower is identified as one of several uses listed in the Policy Plan that may be considered “ancillary to traditional land uses” (General Policies Page 45). Other “ancillary uses” identified in the Plan include institutional uses, mining operations, agricultural-oriented businesses, and outdoor recreational facilities. The Plan recognizes the difficulties in siting these types of special or unique land uses. These uses can sometimes be considered “locally undesirable” and can be controversial in nature. The Plan also recognizes that “the location of these lines and facilities is often governed by geographic factors such as the need to respond to topography, make linear connections, or serve defined areas” (Minimizing Impacts of Towers, Transmission Facilities and Related Facilities Page 50).

As demonstrated in the coverage maps included with this request, this facility will increase Verizon's cellular coverage to nearby areas within the County and the City of Colorado Springs and will become a vital part of the existing network while meeting the requirements for the service area as it pertains to geographic elevation, alignment with neighboring sites, and customer demand. The applicant has also submitted a collocation analysis (see attached) detailing why collocating on existing towers in the area would not resolve the lapse in Verizon's cellular service in an effort to justify why a new tower is required. The proposed stealth tower will accommodate future collocation of antennae for other providers that might also benefit from providing expanded cellular coverage in the area and could provide value to the greater community by providing more reliable cellular service in vicinity.

The applicant has made an effort to minimize visual impact to adjacent properties with the stealth design of the facility as a monopine located within an existing stand of trees. Due to the required height to provide adequate coverage, the tower will extend approximately 30 feet above the height of the existing trees as shown in the attached photo simulations. Section 1.15 of the Code defines a stealth CMRS facility as:

"A CMRS facility with an alternative design which camouflages or conceals the presence of antennae or towers such the CMRS facility is consistent with and difficult to distinguish from existing natural and manmade features in the vicinity where the proposed CMRS facility is to be located"

The tower has been designed to appear as a large pine tree, with faux branches to conceal the antennae, and is proposed to be located within a stand of existing trees to better blend in with the existing landscape of the area. Due to the required height to provide adequate cellular coverage, the tower is expected to extend approximately 30 feet above the height of the existing trees as shown in the attached photo simulations.

The visual impact of the tower is apparent; however, due to the required tower height to provide adequate coverage, it can often be impractical to fully camouflage or blend stealth CMRS facilities with the surrounding landscape. The color and design of the proposed monopine could allow it to blend in visually with the surrounding vegetation and provide greater compatibility than a freestanding CMRS facility with exposed antennae. If the Planning Commission and Board of County Commissioners find the design of the facility to be stealth, pursuant to the

Code definition discussed above, and that such design effectively mitigates the anticipated visual impacts to the surrounding properties, then a finding of consistency with the El Paso County Policy Plan (1998) could be made.

4. Small Area Plan Analysis

The subject parcel is located within the Tri-Lakes Comprehensive Master Plan (2000), specifically in the West Cherry Creek Sub-Area. Per the Plan, this sub area was zoned to allow for the subdivision of large previously agricultural lands into residential lots with a minimum lot size of five (5) acres. Applicable recommendations for the Cherry Creek Sub Area can be found on pages 125 and 126 of the Plan and are as follows:

- Consider commercial and non-residential type development only if they serve a local need and complement the rural character of the sub-area. Strongly discourage commercial and non-residential uses that depend on regional and non-local traffic.
- Encourage creative site planning to ensure that structures will enhance rather than compete with, detract from, or dominate their surroundings.

The relevant policies from the Tri-Lakes Plan that are not specific to the sub area include:

Objective 2.3.1 Encourage site design and development standards that protect and preserve the character of the natural landscape.

Objective 3.4.2 Plan for future utilities and services that will be necessary to serve the needs of the Planning Area

Objective 7.1.8 – Recognize the need for reasonable accommodation of land uses for industrial-type uses and/or that might be considered to be “locally undesirable” within defined Sub Areas provided that adequate facilities and services are available, and the proposed uses will not substantially detract from adjacent property values.

In regard to commercial development, the Plan indicates:

“There is strong local opposition to any type of commercial development. Of local concern are the impacts associated with commercial development, including traffic congestion, increased light levels, and

crime. Of even greater concern, is the potential that such uses could destroy the overall rural character of West Cherry Creek”.

However, the Plan further details that:

“Commercial uses that serve the needs of local residents could potentially be compatible if they are designed in a manner which is consistent with the rural character of the sub-area”.

Chapter IV, Section 3.0 of the Plan guiding principle 3.1 states “Ensure that adequate services are available to all residents in the Planning Area.” This section generally references the importance of providing services such as fire protection and other emergency services, communication, utilities, public safety, water and sanitation within the Tri-Lakes Planning area and Table 3.1 includes transmission/receiving facilities and various electronic networking options. The Plan also echoes the need for accommodation of locally undesirable uses similarly to the El Paso County Policy Plan.

As documented in the coverage maps, there is a lapse in Verizon’s service extending along the Roller Coaster Road corridor generally from Highway 105 south to Hodgen Road. The proposed CMRS tower would serve a local need by providing contiguous Verizon coverage, as well as coverage for any other carriers who may choose to collocate on the facility in the future which supports guiding principle 3.1 and objective 3.4.2 of providing necessary services to the Tri-Lakes Planning Area.

It is often impractical to fully screen CMRS facilities from view due to the height required to provide adequate coverage; however, selecting a strategic location can minimize visual impacts. In this case, the tower is expected to extend approximately 30 feet above the height of the existing trees as shown in the attached photo simulations. The visual impact of the tower is apparent in the photo simulations; however it does not appear to dominate the existing landscape. The color and design of the proposed monopine could allow it to blend in visually with the surrounding vegetation and provide greater compatibility, thus competing less with the surroundings than a CMRS facility with exposed antennae. When expansion of services is needed and a visually obtrusive use is required to provide those services, a compromise is required to achieve the conflicting objectives of the plan to preserve the visual character of the area and to provide necessary services within the planning area. If the Planning Commission and Board of County Commissioners find the proposed

tower to provide necessary services to the planning area such design effectively mitigates the anticipated visual impacts to the surrounding properties without detracting from the rural character of the area, then a finding of consistency with the Tri-Lakes Comprehensive Master Plan (2000) could be made.

5. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes.

The proposed CMRS facility is unmanned and will not utilize water. If approved, the CMRS facility will not negatively impact ongoing implementation of the goals and policies of the Water Master Plan.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential. The El Paso County Community Services Environmental Division was sent a referral and specified that it is the applicant's responsibility to ensure compliance with all applicable laws and regulations, including but not limited to, the Endangered Species Act and the Migratory Bird Treaty Act.

The Master Plan for Mineral Extraction (1996) identifies no potential mineral deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, severed mineral rights exist. The mineral rights owner has been notified of the application and hearing date.

Please see the Parks Section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Staff did not identify any inconsistencies with the 2016 Major Transportation Corridor Plan (MTCP) as the facility is proposed to be unmanned.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No physical hazards were identified in the review of the special use.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcel as having a moderate wildlife impact potential. The El Paso County Community Services Environmental Division was sent a referral and specified that it is the applicant's responsibility to ensure compliance with all applicable laws and regulations, including but not limited to, the Endangered Species Act and the Migratory Bird Treaty Act.

3. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel 08041C02985G, dated December 7, 2018 shows that the property lies within Zone X, an area determined to be outside the 500-year floodplain.

4. Drainage and Erosion

The property is located within the West Cherry Creek (CYCY0400, unstudied) drainage basin. No drainage or bridge fees are required with a special use. Minimum impact, less than one acre, is anticipated during construction, therefore no formal Grading plan will need to be submitted or approved by El Paso County. The applicant is still responsible for construction best management practices (BMP's) during construction. Also, due to minimal permanent impact, permanent best management practices are not required. No public drainage improvements will be required due to there being no significant anticipated impact to stormwater flows.

5. Transportation

The property is accessed via Higby Road. This site will require an access permit, to be obtained from the Planning and Community Development Department. A traffic impact study was not required due to the fact that the special use is not expected to generate 100 daily vehicle trips more than the property would be expected to generate without the approval of the special use request as the proposed facility is unmanned. Because no additional daily vehicle trips are anticipated, and the road is adequate as it exists, no public roadway improvements will be required.

H. SERVICES

1. Water

Water is provided by individual well and septic for the existing commercial stable, riding academy, and veterinary clinic. The proposed CMRS facility will not utilize water because it is proposed to be an unmanned facility.

2. Sanitation

Wastewater is provided to the parcel by an onsite wastewater treatment system that supports the existing commercial stable, riding academy, and veterinary clinic. The proposed CMRS facility will be an unmanned facility, which will not require or utilize sanitation facilities.

3. Emergency Services

The property is located within the Tri-Lakes Monument Fire Protection District. A referral was sent to the District and a response was received indicating the district has no comments at this time.

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA). A referral was sent to MVEA during the review process. Per the response received, MVEA will continue to service the subject parcel and has no objection to the telecommunication tower. Black Hills Energy provides natural gas in this area of the County. A referral was sent to Black Hills Energy. No comments were received in response to the referral.

5. Metropolitan Districts

The subject parcel is not located within a metropolitan district.

6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a special use application. Fox Run Regional Park and Trail are located approximately a half mile from the subject parcel. The El Paso County Parks Master Plan (2013) does not show any new parks or trails proposed on the subject parcel.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a special use application.

I. APPLICABLE RESOLUTIONS

Approval Page 39
Disapproval Page 40

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.2 of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations:

CONDITIONS

1. The approval is limited to one (1) freestanding CMRS stealth facility seventy-five (75) feet in height as discussed and depicted in the applicant's letter of intent, site plan drawings, and elevations.
2. Any subsequent co-location or additional antennae on the stealth CMRS facility other than shown on the site plan shall be subject to administrative review, and if it is the opinion of the Planning and Community Development Director it constitutes a substantial increase in the size of the freestanding CMRS facility, it shall require a new special use.
3. The freestanding CMRS facility shall not be lighted except in accordance with the requirements of the Federal Aviation Administration (FAA).
4. The freestanding CMRS facility shall comply with FCC standards for prohibiting interference with localized television and radio broadcasts and with the current standards for cumulative field measurements of radio frequency power densities and electromagnetic fields.
5. The tower shall be painted and maintained in a suitable color and condition to fit the natural surroundings, as determined by the Planning and Community Development Department.
6. Maintenance of the tower shall be in accordance with the stealth CMRS designed as approved with the special use and the associated Site Development Plan. Failure to properly maintain the stealthing treatments to the CMRS facility may result in the Board of County Commissioners revoking and/or suspending the special use approval, preceded by notice and public hearing.

NOTATIONS

1. Special use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.

2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or special use conditions/standards are being violated, preceded by notice and public hearing.
3. If the special use is discontinued or abandoned for two (2) years or longer, the special use shall be deemed abandoned and of no further force and effect.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified fourteen (14) adjoining property owners on May 28, 2020, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Coverage Maps
Collocation Analysis
Site Plan
Elevations
Photo Simulations
Letter of Opposition

El Paso County Parcel Information

File Name: **AL-19-025**

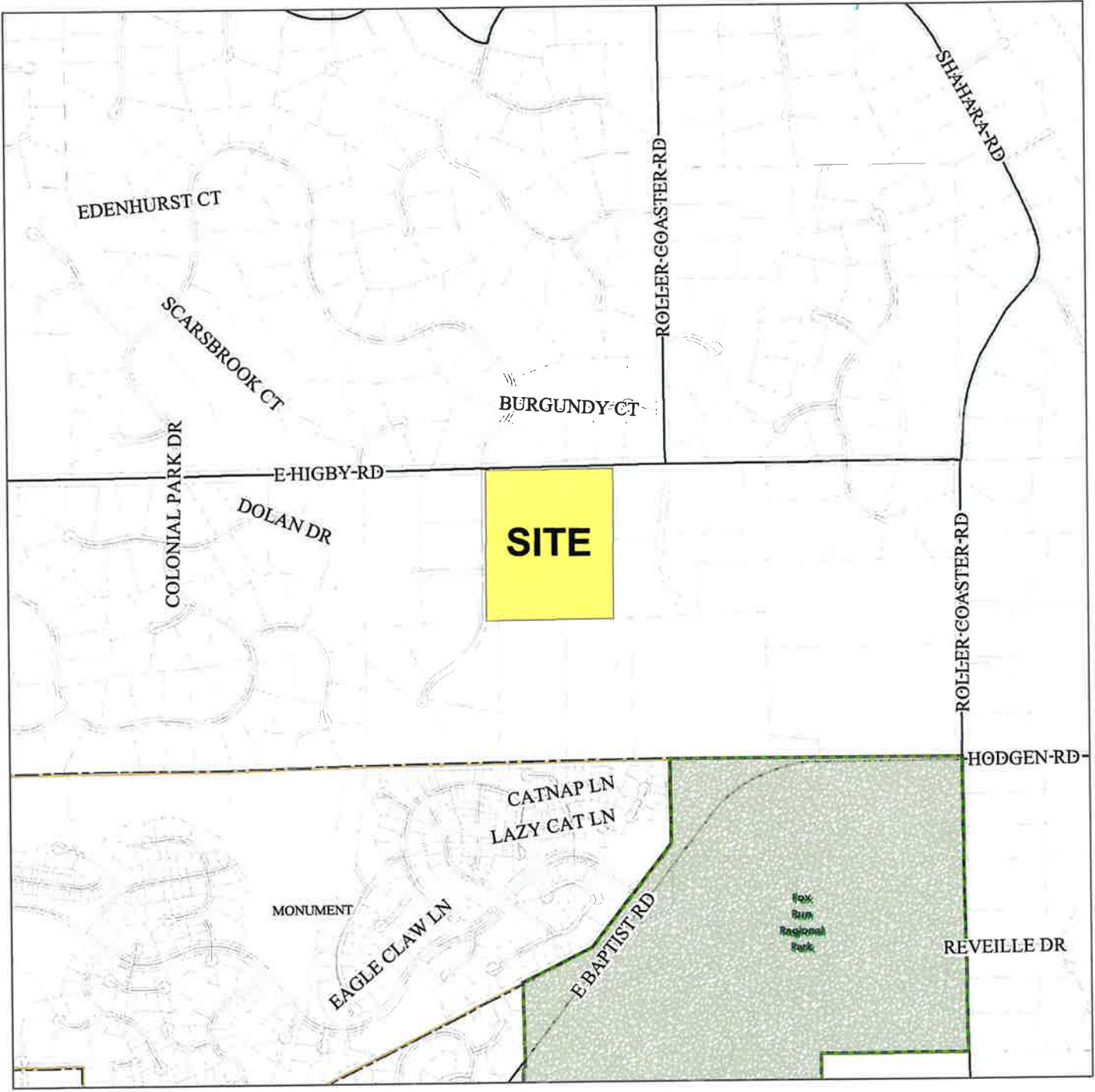
PARCEL	NAME
6100000298	ASPEN WILLOW ESTATES LLC

Zone Map No. **--**

ADDRESS	CITY	STATE
1480 HIGBY RD	MONUMENT	CO

ZIP	ZIPLUS
80132	8357

Date: **May 27, 2020**



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd
 Colorado Springs, CO 80907
 18 520-6600



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October 21, 2019

Lindsay Darden,
El Paso County Planning and Community Development Department
2880 International Circle
Colorado Springs, CO 80910

Re: Letter of Intent/Project Description Verizon CSP HIGBY (ALT A) Added responses to comments dated 10/17/19 from PCD Project Manager.

Verizon Wireless is requesting approval for a new Telecommunication Site with a 75-foot Monopine

Property Owner/Applicant and Consultant Information

Applicant and Authorized Representative Information:

Verizon Wireless c/o J5 Infrastructure Partners
Lance Bleyhl – Site Acq and Zoning Consultant
8392 S. Continental Divide Rd. #101
Littleton, CO 80127
Phone – 720-201-7385
Email – lbleyhl@j5ip.com

Property Owner/Rep Information:

Aspen Willows Estates, LLC
1480 E. Higby Road
Monument, CO 80132
Phone-

The property is located at 1480 East Higby Road and is zoned A-5 and currently has residential house and veterinary hospital with a 35 Acres lot.

Verizon is requesting a new telecommunications site in the southwest corner of the property. The new telecommunication site will have a 22' x 44' fenced lease area that will contain a 75-foot stealth monopine that will conceal 12 panel antennas. The equipment compound will have a covered equipment platform for the equipment cabinets and a diesel generator for back power. Access to the site will be a new 12-foot x 95-foot access road from Happy Landing Drive road to the new equipment compound. A 5-foot Utility Route will be next to the access road to bring fiber and power to the site.

The Justification for the new site is to improve Verizon cell phone coverage in the area. Existing coverage/capacity in the area is insufficient to meet Verizon objectives. The need for improved coverage and capacity is due to increased development, traffic and customer usage. Verizon collocated

on an existing site north of this location on Hwy 105 but that location by itself does not meet Verizon's requirements for the entire area.

The Maximum height for a A-5 zone is 30 feet. Verizon is requesting a height waiver for the 75 foot monopine. The 75-foot height is needed for multiple reasons. First, the antennas must be located above the existing trees to provide the best coverage. Second, the site is designed to be co-locatable for future carriers whose antennas will need to be above existing trees. Third, although the antennas are located at a height of 65', ten additional feet is required to provide a tapered effect resulting in a more realistic tree like appearance.

No Grading Plan will be needed the total impact area will be less than one acre. Vehicle tracking control pad will be installed during construction. The contractor will take steps to keep Happy Landing Drive free of dirt and will clean all dirt of the road before they leave.

A County Access Permit will be acquired from El Paso County to access the site from Happy Landing Drive

There will be no impact to drainage during and after construction and there will be less than 100 average daily traffic during and after construction.

5.2.18. Commercial Mobile Radio Service Facility (CMRS) Facilities

General Standards.

1. Co-Location.

The new Monopine is designed for co-location

2. Compliance with FCC Standards.

The new Verizon site will comply all FCC Standards

3. Abandonment and Expiration.

A. If the CMRS facility ceases operation for any reason for a period of one year Verizon will remove the CMRS facility.

B. Verizon will remove the CMRS facility within 6 months of the expiration of any permit or approval authorizing the CMRS facility shall be considered expired.

4. Change in Ownership

In the event there is a change in either the owner or operator of a CMRS facility, the new owner or operator shall notify the PCD of the change in identity of the owner or operator within 15 days after the date the change becomes effective by providing the name and business address of the new owner or operator and verifying in writing that the new owner or operator has fully reviewed the applicable permit or approval and is familiar with its terms; and shall ensure that any required financial assurance is transferred. After receipt of notification of a change in the owner or operator of a CMRS facility, the PCD may inspect the

property to make certain that the new owner or operator is complying with all of the terms and conditions of the permit or approval. The PCD may charge the owner an inspection fee authorized in the adopted fee schedule.

Verizon will comply with the change in ownership code.

5. Application Approval or Denial

Proposed CMRS facility meets the design standards set forth in the land development code 5.2.18 CMRS Facility

6. Standards for Freestanding CMRS Facilities.

A. Financial Assurance.

Prior to commencing construction of a CMRS facility, the owner of a freestanding CMRS facility shall be required to provide the County with adequate financial assurance to cover removal of the facility if abandoned. The form of financial assurance shall be approved by the PCD Director.

Verizon will provide the required financial assurance to cover the removal of the facility.

B. Minimum Setbacks for Freestanding CMRS Facilities.

The new monopine meets all required setbacks from all residential zoning districts.

C. Maximum Height for Freestanding CMRS Facilities.

The Maximum height for a A-5 zone is 30 feet. Verizon is requesting a height waiver for the 75-foot monopine. It will have the capacity for at least two other carriers to collocate on it.

D. Design Standards for Freestanding CMRS Facilities.

A freestanding CMRS facility shall adhere to the following design standards to minimize impacts:

1. The proposed monopine location is surrounded with existing pine trees and is the least obtrusive design to meet objectives and be compatible with surrounding area.
2. Existing trees and natural vegetation will screen the equipment area from normal view. To the extent practical, existing vegetation shall be preserved.
3. Landscaping. The facility shall be landscaped in accordance with the requirements of Chapter 6.

As noted in section 6.2.2. (E) (i) landscaping is site specific and in this case landscaping should not be required. Verizon is requesting a landscape waiver since the area already has natural pine trees and the equipment compound set back 45' from

property line to the west and 65' from the property line to the south and will not be visible to normal view.

4. Equipment Storage Shelters.

All equipment is located within the lease area for the CMRS facility. No equipment exceeds 15 feet in height. Equipment is grouped as closely together as practical, to minimize impact on adjoining properties. Although the lease area is 20' x 44' the equipment sq ft calculation is roughly 142 sq. ft. The two components of that calculation are the platform (102 sq. ft.) and the generator (40 sq. ft.). The 400 sq. ft. limitation was originally implemented when the old style "shelters" were used which generally ran close to 400 sq. ft. These are not used any more so our sq. ft calcs are much less. The two "boxes" outside the fenced area are the fiber box (underground) and the transformer Mountain View electric will set.

5. The monopine shall not be lighted unless required by the FAA and authorized by the permit or approval. There is a technician light available for them to use in a night scenario. But it faces the equipment and has a timer with automatic shutoff. It would only be used in an emergency.

6. Attractive Nuisance/Fencing.

The site is set back 45' feet from the Happy Landing Rd. There is an existing fence surrounding the property. The compound will be fenced at the property owner request by 4-foot-high galvanized barbless fence that matches existing fence in the area. The style of fence is to protect the horses (no barb wire is located anywhere on the property) and to deter entry into the equipment area. The attractive nuisance potential is minimized by the monopine design. The equipment area is not dangerous. The only aspect dangerous to a person would be climbing the monopine. To discourage climbing the "branches" start at a 20' height. The combination of multiple fences and the 20' height of first branches protects the horses and discourages climbing.

7. The diameter of the future microwave dish antenna will not exceed 4 feet.

Section 5.3.2 (c)

- **The Special Use is generally consistent with the applicable Master Plan;** This request for Special Use is generally consistent with the applicable Master Plan. Our request is consistent with the purpose of promoting the health, safety, convenience, and welfare of the general public and our design is consistent with standards which encourage the development of sound, economical, stable neighborhoods and create a healthy environment for present and future inhabitants of El Paso County.

- **The Special Use will be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area;** This Special Use request is harmonious with the neighborhood and is compatible with the existing land and allowable land uses. The main reason for picking this specific location was the large acreage, trees surrounding the location, and an existing use other than rural residential. But we could have made this request on most any other neighborhood parcel since the majority of surrounding land uses allow for this same request. The monopine design, the location set back in the trees, and the trees themselves all provide significant camouflage.
- **The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner;** This Special Use does not overburden any public facilities or services. The only services required to operate the facility is power and fiber which is easily provided. The Special Use request relieves a current burden by providing increased wireless service to the area.
- **The Special Use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access;** The site is unmanned, and once built will experience less than 20 visits per year by a tech. There is a parking spot for techs so they are off the road, and will have legal access.
- **The Special Use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;** The Special Use does not affect any water, air, noise or light pollution. A single light is located in the equipment area for the sole purpose of providing light for a technician should he/she need to visit the site during non daylight hours. The light is on a timer and as automatic shut off.
- **The Special Use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County;** The Special Use will not be detrimental public health, safety and welfare. It will be a benefit to all the above.
- **The Special Use will conform to all other applicable County rules, regulations or ordinances;** This Special Use will conform to all other applicable County rules, regulations or ordinances.

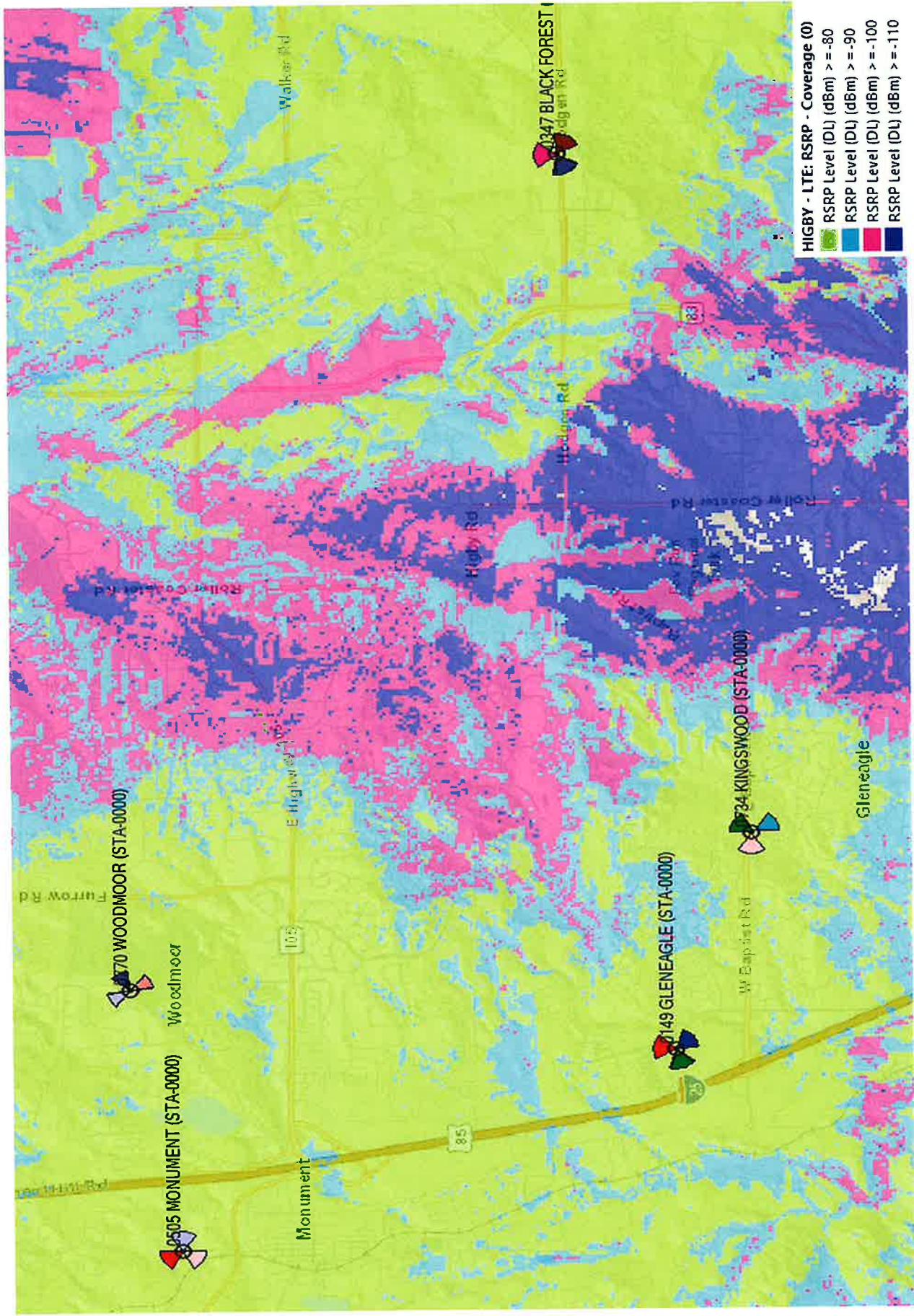
If you have any questions please call or email me 720-201-7385, LBLEYHL@J5IP.com

Sincerely,

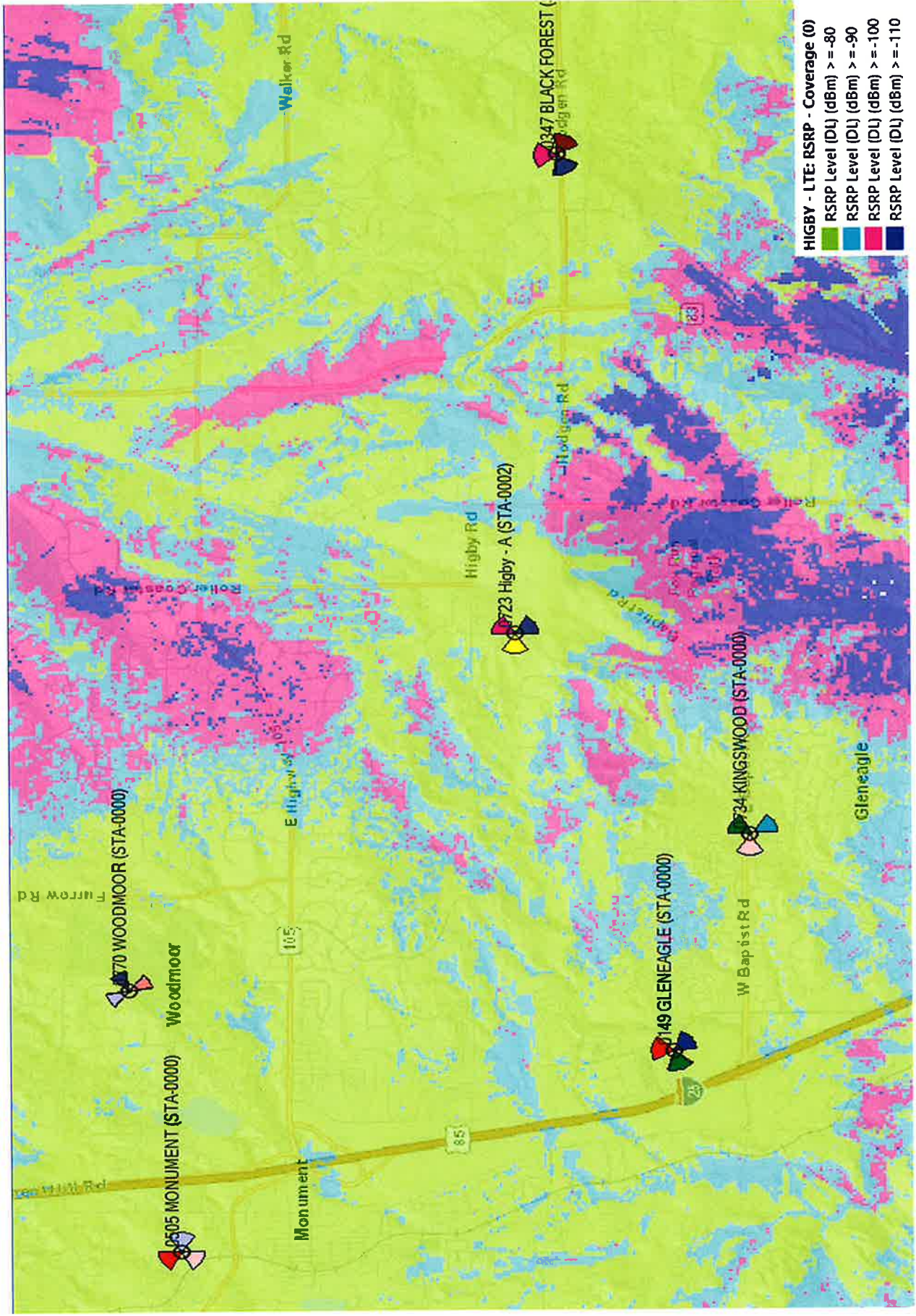
Lance Bleyhl

Lance Bleyhl
Site Acq and Zoning Consultant
J5 Infrastructure Partners

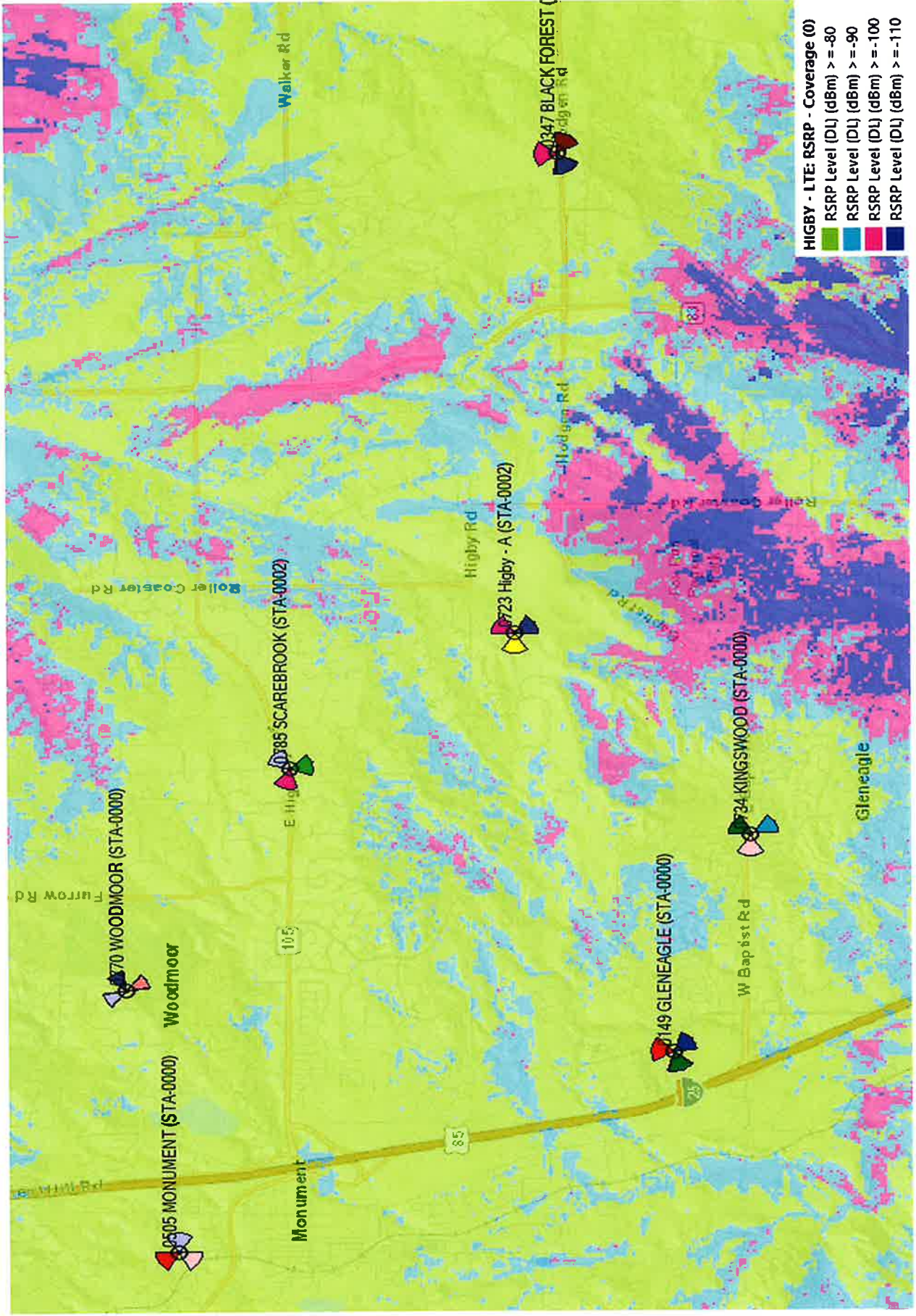
Existing Coverage Without Proposed Higby



Existing Coverage With Proposed Higby



Existing Coverage With Proposed Higby and Scarebrook



August 29, 2019

Len Kendall, Planner
El Paso County Planning and Community Development Department
2880 International Circle
Colorado Springs, CO 80910

Re: Colocation Analysis / Project Description Verizon CSP HIGBY (ALT A)

Verizon Wireless is requesting approval for a new Telecommunication Site with a 75-foot Monopine

The property is located at 1480 East Higby Road and is zoned A-5 and currently has residential house and veterinary hospital with a 35 Acres lot.

Verizon has looked for colocation possibilities in the area. The nearest tower in the area is a 1 ½ mile to the northwest near the intersection of highway 105 and West Forest Drive. Verizon has been approved to collocate on that existing tower. Due to the low antenna height, terrain and the large pine trees, that site will not meet coverage objectives for the area of the new proposed monopine. Applicant has also reached out to Tri-State Generation and Transmission Association, Inc. to see if it was possible to collocate on the existing transmission line that is on the south side of Higby Road. Tri-State does not allow wireless antennas on their transmission towers. Verizon consider collocating in the power substation to the east of the proposed site on Higby Road but it is at a lower elevation and the power companies that are in that substation will not allow anyone inside the substation who are trained to be around high voltage equipment. Verizon also looked at a building mounted design on the existing veterinary hospital on the same property but it was determined it would not meet Verizon's coverage object due to the height of the existing veterinary hospital.

The subject property was chosen for the new Verizon monopine because the search area around the A-5 property is surrounded by residential zoned properties. A stealth CMRS facility is more compatible in the A-5 zone district due to the use, classification, and acreage. The location of the proposed monopine on the A-5 zone property will provide the best concealment option from the residential properties in the area.

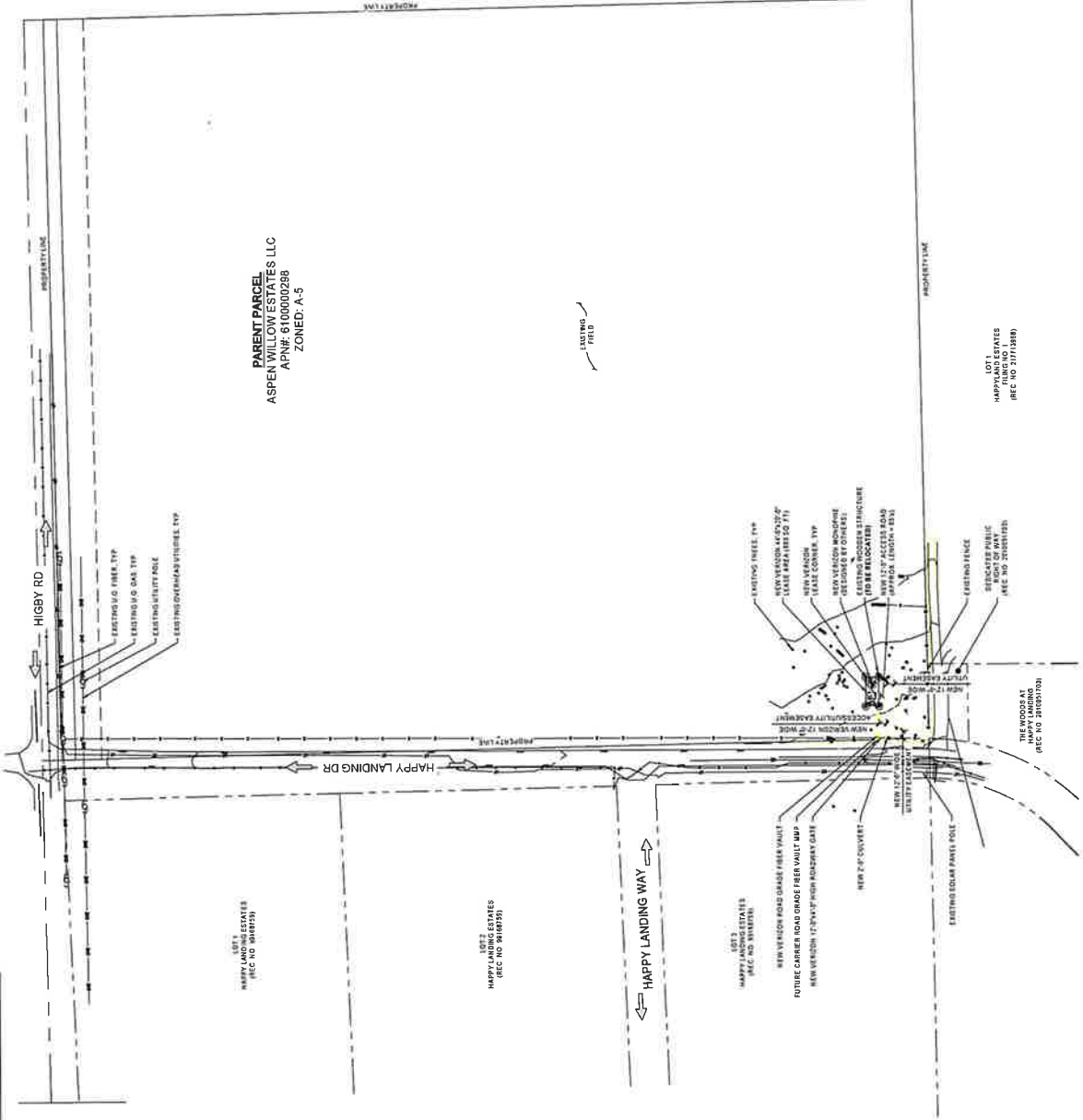
If you have any questions please call or email me 720-201-7385, LBLEYHL@J5IP.com

Sincerely,

Lance Bleyhl
Site Acq and Zoning Consultant
8392 S. Continental Divide Rd. #101
Littleton, CO 80127

SITE NOTES:
 1. SITE WILL REQUIRE A PROPOSED PARCEL MAP AND COMMUNITY DEVELOPMENT DEPARTMENT, AND CAN BE APPLIED FOR ONLINE.

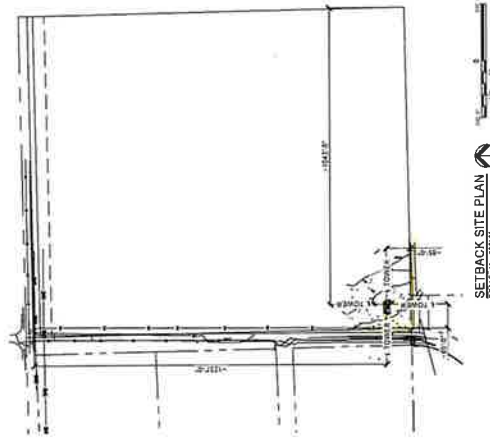
LEGEND: PERMITS (RED), EXISTING (GREY), LEASE AREA (PURPLE), RAMP/BU (BLUE), ALTIMANS (BROWN), FIBER (ORANGE), DC POWER (GREEN), RAMP/DORMERS (DARK BLUE), ACCESSIBILITY (LIGHT GREY), NEW WORK (YELLOW), WALL HATCH (DASHED), EXISTING (DOTTED).



PARENT PARCEL
 ASPEN WILLOW ESTATES LLC
 APN#: 6100000288
 ZONED: A-5

SETBACK TABLE:

TYPE	SETBACK TO PARENT	LEASE REQUIREMENT TO PARENT
FRONT	10' MIN	10' MIN
REAR	10' MIN	10' MIN
LEFT	10' MIN	10' MIN
RIGHT	10' MIN	10' MIN



HAPPY LANDING ESTATES
 (REC NO 211023)

THIS DOCUMENT WAS PREPARED BY THE COMPANY, ENGINEER AND ARCHITECT FOR THE USE OF OUR CLIENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN CONSENT OF JFS INFRASTRUCTURE PARTNERS.

verizon
 3131 SOUTH WAUGHWAY, SUITE 500
 DENVER, COLORADO 80201

JFS INFRASTRUCTURE PARTNERS
 CSP HIGHWAY
 NEW MONROPIRE
 (OVERALL HEIGHT: 70' O.A.C.L.)
 PARKLAND COMMUNICATION SITE

680 EAST HIGBY ROAD
 MONUMENT, COLORADO 80132
 EL PASO COUNTY

SITE PLAN & SETBACK SITE PLAN

DATE: 08/11/2023
 DRAWN BY: JFS
 CHECKED BY: JFS
 APPROVED FOR ISSUANCE: JFS
 PROJECT NO: 230001
 SHEET NO: 21

SITE PLAN
 SCALE: 1" = 80'
 NORTH

HAPPY LANDING ESTATES
 (REC NO 211023)

SITE PLAN
 SCALE: 1" = 80'
 NORTH

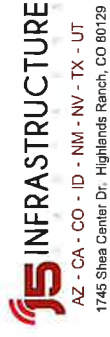


3131 S. Vaughn Way, Ste 550 Aurora, CO 80014

CSP HIGBY

RAWLAND COMMUNICATION SITE

1480 EAST HIGBY ROAD MONUMENT, CO 80132



AZ - CA - CO - ID - NM - NV - TX - UT
1745 Shea Center Dr. Highlands Ranch, CO 80129



Disclaimer: These photographic simulations have been provided to aid in visualizing how the proposed wireless telecommunications facility shown herein would appear if constructed. While these renderings are not an exact science, they have been prepared diligently to accurately reflect dimensions, scale, depth, coloring, texture, and other important elements in the proposed design insofar as the digital medium allows. Taken together with the engineering drawings and other materials submitted with the application, they are fair and reasonable visual depictions of how the proposed site would appear.



3131 S. Vaughn Way, Ste 550 Aurora, CO 80014

CSP HIGBY

RAWLAND COMMUNICATION SITE

1480 EAST HIGBY ROAD MONUMENT, CO 80132



AZ - CA - CO - ID - NM - NV - TX - UT
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PROPOSED NORTHEAST ELEVATION (LOOKING SOUTHWEST)

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CSP HIGBY

RAWLAND COMMUNICATION SITE

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EXISTING SOUTHWEST ELEVATION (LOOKING NORTHEAST)

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CSP HIGBY

RAWLAND COMMUNICATION SITE

1480 EAST HIGBY ROAD MONUMENT, CO 80132



PROPOSED SOUTHWEST ELEVATION (LOOKING NORTHEAST)

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CSP HIGBY

RAWLAND COMMUNICATION SITE

1480 EAST HIGBY ROAD MONUMENT, CO 80132



AZ - CA - CO - ID - NM - NV - TX - UT
1745 Shea Center Dr. Highlands Ranch, CO 80129



EXISTING NORTH ELEVATION (LOOKING SOUTH)

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3131 S. Vaughn Way, Ste 550 Aurora, CO 80014

CSP HIGBY

RAWLAND COMMUNICATION SITE

1480 EAST HIGBY ROAD MONUMENT, CO 80132



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Lindsay Darden

From: steve@specializedcpt.com
Sent: Wednesday, February 5, 2020 1:40 PM
To: Lindsay Darden
Subject: RE: administrative special use request for verizon higby stealth tower
Attachments: scan0322.pdf

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Lindsay,

We received your letter indicating the "special use request for the Verizon Higby Stealth tower."

We object to the location of the tower as it is too close to the Higby Estate Residential area. We would propose that it should be relocated to another area. Attached on exhibit 'A' is a location that looks like from the aerial, obtained from Google Earth, a utility building. Please look into the possibility of this area being used. If it is owned by the city, then that may be advantages to the city as well. It seems as if there are no residential homes in that area, like there are near the current selected location.

In the event that the planning board would like to see the tower built on the proposed property, it should be done so at the very southeast corner so as to have the least impact, if any, on the residential neighborhood. Please see attached exhibit 'B'.

Thank you for your attention to this request.

Thank you,

Steve Bugay
Resident of Higby Estates
17025 colonial park dr.
Monument, CO

Steve Bugay, RA CGC
Project Director
Specialized CPT
Concrete Post Tension
Website: <http://www.specializedcpt.com>
Office: 708.888.1155
Direct: 630-689-8133

For the Lord sees every heart and understands and knows every plan and thought.
If you seek Him, you will find Him.

1 Chronicles 28:9



17025 Colonial Park Dr X
Monument # CO 80132
39.08°N, 104.80°W

utility bldg area option?

Proposed property for tower

17025 Colonial Park Dr

100%

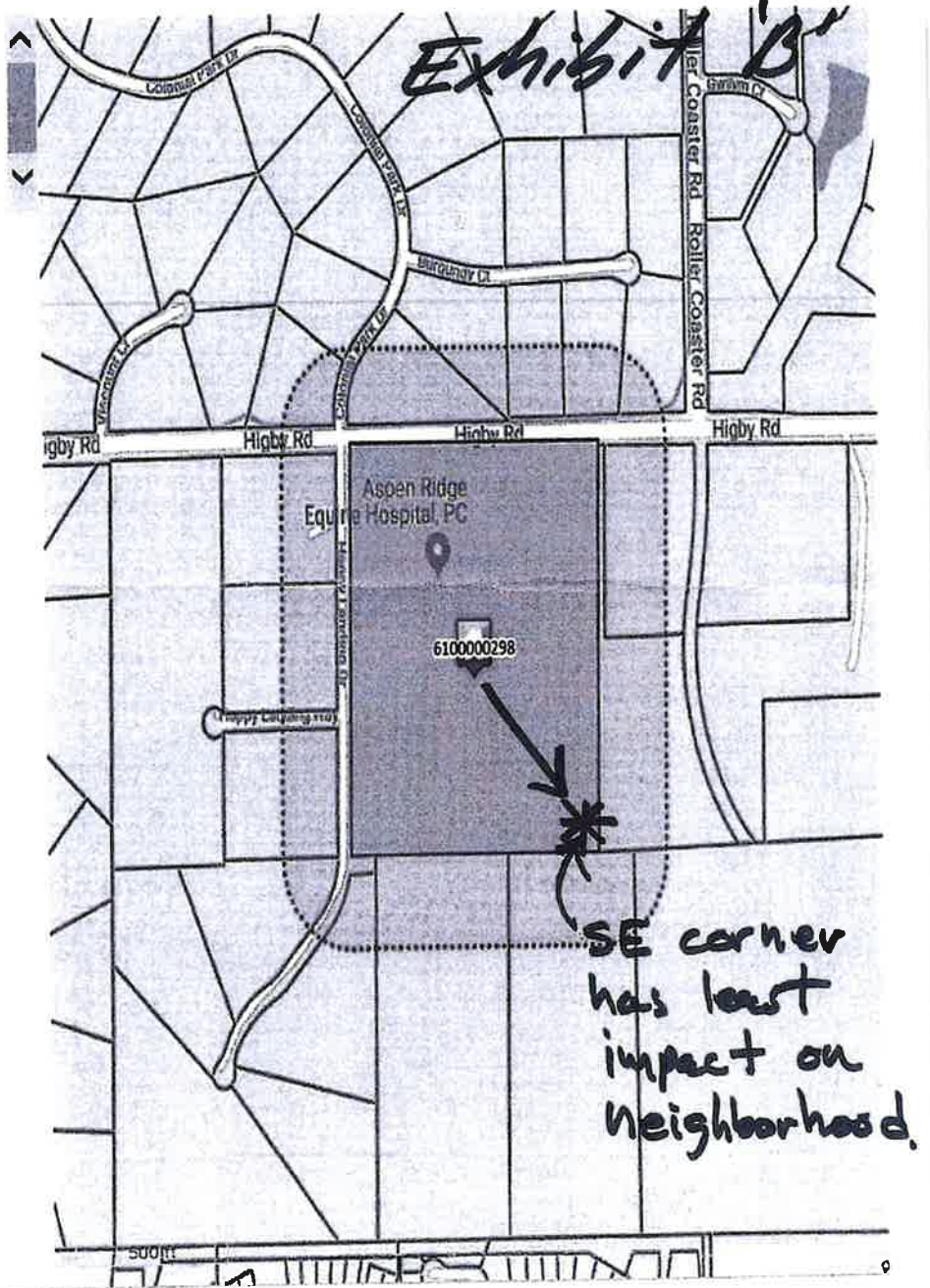
Camera: 3,846 m 39°04'04"N 104°48'39"W 2,235 m

El Paso County - Colorado
1480 E HIGBY RD

Market Value
\$1,000,206



6100000298
ASPEN
WILLOW
ESTATES
LLC



Disclaimer

We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Assessor's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.

EL PASO COUNTY



COMMISSIONERS:
MARK WALLER (CHAIR)
LONGINOS GONZALEZ, JR. (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

1/23/2020

RE: Administrative Special Use Request for Verizon Higby Stealth Tower

File: AL-19-025
Parcel ID No.:6100000298

To Whom It May Concern:

This letter is to inform property owners adjacent to 1480 E Higby Road that the applicant, J5 Infrastructure Partners, has requested approval of a special use application to allow for a stealth CMRS tower within the A-5 (Agricultural) zoning district. The Planning and Community Development Director may make a formal decision regarding the request on 2/10/2020. Any comments or questions may be forwarded to me prior to that decision. At the discretion of the Planning and Community Development Director, the approval process may be elevated to the Board of County Commissioners for consideration. All administrative decisions, such as this one, may be appealed to the Board of County Commissioners within 30 days of the date of the decision.

You may view the application documents online at www.epcdevplanreview.com. Please feel free to contact me with any questions, comments, or concerns you may have prior to the decision.

Sincerely,

Lindsay Darden, Planner II
El Paso County Planning and Community Development
719-520-6302
Lindsaydarden@elpasoco.com

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695