



**DEVELOPMENT SERVICES
CURRENT PLANNING**

410 E 5th Street • Loveland, CO 80537
(970) 962-2523 • Fax (970) 962-2904 • TDD (970) 962-2620
www.cityofloveland.org

**FINAL FINDINGS AND DETERMINATIONS
Type II Zoning Permit
Freedom Wireless Facility
Special Review #925**

Posted: December 5, 2016

TITLE: Freedom Wireless Facility –Special Review #925
(PZ #16-0102)

LOCATION: The subject property is located at the NW corner of N
Denver Avenue and E 1st Street.

APPLICANT: Calvin and Eric Kelley – Freedom LLC
Ken Merritt – JR Engineering, LLC

STAFF CONTACT: David Eisenbraun, Current Planning

APPLICATION TYPE: Special Review #926

STAFF RECOMMENDATION: Staff recommends that the Current Planning Manager
approve this special review and site development plan for the
proposal of a 100’ wireless telecommunications tower.



I. ATTACHMENTS

- 1. Vicinity Map
- 2. Special Review and Site Development Plan
- 3. Plan Renderings
- 4. Public Comment Question & Answer

II. SITE DATA

EXISTING USE Vacant
PROPOSED USE Wireless Tower
EXISTING ZONING AREA (acres)..... I – Developing Industrial (6.22 acres)

EXISTING ADJACENT ZONING & USE- North..... I – Developing Industrial, Vacant
EXISTING ADJACENT ZONING & USE - East I – Developing Industrial, Vacant
EXISTING ADJACENT ZONING & USE- South..... PUD P-86, Residential
EXISTING ADJACENT ZONING & USE - West..... PUD P-33, Residential

UTILITY SERVICE – WATER..... City of Loveland
UTILITY SERVICE – SEWER City of Loveland
UTILITY SERVICE – ELECTRIC City of Loveland

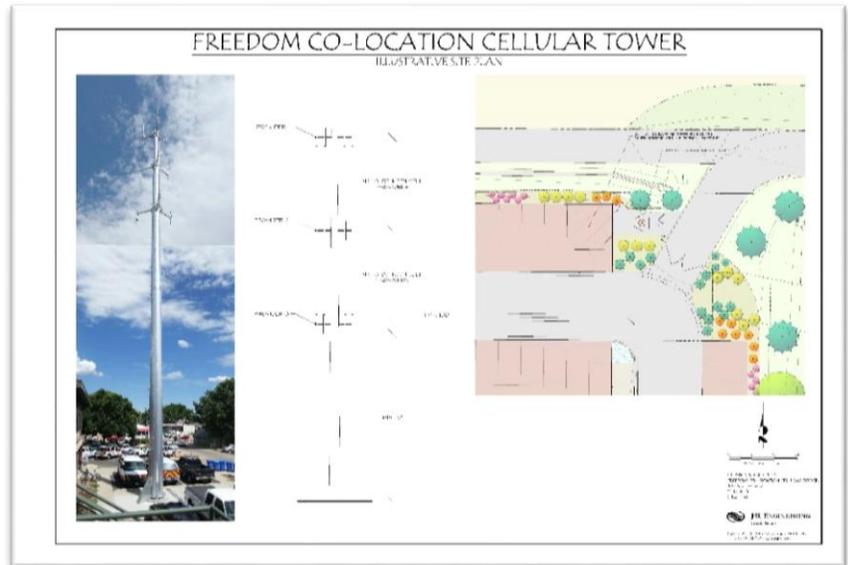
III. PROJECT DESCRIPTION

Freedom LLC and JR Engineering are proposing to develop a portion of the 6.22 acre site for a 100’ wireless telecommunications tower within the larger site context of the Freedom Self-Storage project. The tower will not exceed 100’ and shall have its equipment stored within designated storage units.

The special review/SDP plans, included as **Attachment 2** to this report, show the location and layout of the wireless facility in relation to the surrounding parcels. Due to the proposed use on this property, it must go through this special review process.

Freedom Cellular Tower

The development proposal for the wireless tower is set to be constructed on the west side of Peridot Avenue, north of E 1st Street.



In further detail, this proposed project is for the installation of a new wireless co-location tower. New landscaping will be installed on all three visible sides of the facility. No signs are proposed at this time. In terms of buffering between the adjacent uses, the focus has been set on screening the base of the tower from Peridot Avenue. The landscaping along the south and east sides are dense with the intent to screen and mitigate any negative impacts the tower may cause from a visual or aesthetics stand point. The landscaping proposed will consist of coniferous plantings ranging in size from 6-8 feet in height and deciduous/evergreen shrubs ranging in size from 3 feet to 10 feet tall when mature.



Concerns that were raised from the meeting regarding the wireless facility involved the view obstruction from surrounding residential properties. The size of the associated antennas on the co-location tower were also a concern for their visual obstruction. The City finds that the location and design of this tower are the least impacting, by being as far away as possible, with the base heavily screened by buildings and landscaping. Furthermore, all equipment associated will be housed in a storage unit specifically designated for this tower. The City of Loveland has determined that relocating or additional screening of the tower will either put more impediment on nearby residents or lack effectiveness due to the height of the structure, and feel the placement and design are amenable.

During the public comment period, staff received one letter containing concerns over the Wireless Facility proposal. The question and response from the applicant can be found as **Attachment 4**. Additionally, staff has also reviewed this project against those concerns raised during the public comment period and feel that the issues have been addressed.

Reviewed alongside the City of Loveland Municipal code, and those concerns both raised at the neighborhood meeting and during the public comment period, staff recommends approval.

IV. KEY ISSUES

Staff has reviewed this project in conjunction with the concerns raised both at the neighborhood meeting and during the public comment period and feel the project has adequately addressed them.

V. BACKGROUND

- 2016 In March, a concept review meeting was held to discuss opportunities and project viability at this location for this proposed use.
- 2016 In June, a formal Special Review/Site Development Plan was submitted for staff to review.

VI. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

- A. Notification:** A letter advertising the neighborhood meeting was sent out by the applicant, Ken Merritt, on October 31, 2016 to all neighbors within the “Neighborhood” as defined in Section 18.40.010.C of the Loveland Municipal Code. Meeting notice signs were also posted on the property on October 31, 2016.
- B. Neighborhood Response:** A neighborhood meeting was held at 6:00 on November 16, 2016 in the new Development Center Building (old Fire Administration Building) regarding this project. Five (5) members of the public were in attendance and we have received one additional letter requesting the tower be moved further west towards the residential neighborhood. All of topics of concern were addressed at the meeting without the need for further plan set corrections or edits.
- C. Project Schedule**
1. Special Review #925 was filed with the Current Planning Division on June 15, 2016.
 2. A neighborhood meeting for the special review was held on November 16, 2016. 5 neighbors attended.
 3. The staff preliminary findings and determination was posted on November 21, 2016.
 8. The public review period for the staff preliminary findings and determination is from November 21, 2016 to December 1, 2016. Staff received one letter stating concerns about placement of the tower.
 9. The final findings and determination for the Special Review will be posted on December 5, 2016 and the appeal period will be from December 5, 2016 to December 15, 2016.

VII. FINDINGS AND ANALYSIS

Finding 1. *That the proposed special review use meets the purposes set forth in Section 18.04.010 of the Loveland Municipal Code.*

The proposed development of the Freedom Co-Location Wireless Tower would meet the purposes set forth in Section 18.04.010 of the Loveland Municipal Code, by not creating unsafe or unhealthy conditions and will generally promote the health and welfare of Loveland's neighborhoods and corridors.

Finding 2. *That the effects of the proposed special review use on the surrounding neighborhood and the public in general will be ameliorated.*

The effects of this use on the surrounding property owners will be lessened through the site layout, landscaping and screening of the project. New landscaping and equipment stored inside will provide the least visual disturbance. Evergreen trees and additional landscaping along the perimeter will act as a buffer to both storage patrons and those using Peridot Avenue. Furthermore, the architecture and size of this proposal are the least obstructive and furthest away from residential development.

Finding 3. *That in assessing the potential affects of the proposed special review use, at a minimum, the following matters have been considered:*

3a. *Type, size, amount, and placement of landscaping;*

The landscape plan identifies appropriate screening with the development. Landscaping quantities exceed the bufferyard standards with a special focus along the perimeter through the use of cluster plantings in areas identified by staff as needing additional screening. Plant sizes meet or exceed the sizes required in the Municipal Code.

3b. *Height, size, placement, and number of signs;*

N/A

3c. *Use, location, number, height, size, architectural design, materials, and colors of buildings;*

The fence proposed meets our standards and does not contain barbed wire. The Tower is a reflective metal and will best mirror the sky background. No other architectural elements are proposed.

3d. *Configuration and placement of vehicular and pedestrian access and circulation;*

Emergency and maintenance entry and exit points are along Peridot Avenue, while pedestrian connections are proposed for maintenance only. Both Transportation and Fire Department staff have reviewed the special review plans and have indicated compliance with the City’s Adequate Communities Facilities Ordinance.

3e. *Amount and configuration of parking;*

N/A

3f. *Amount, placement, and intensity of lighting;*

N/A

3g. *Hours of operation;*

N/A

3h. *Emissions of noise, dust fumes, glare and other pollutants.*

N/A

Finding 4. *Except as may be varied in accordance with this special review permit, the special review site plan conforms to the restrictions and regulations set forth in the Loveland Municipal Code for the zoning district in which the special review use is located.*

The proposed special review meets this finding. Through the special review, the Freedom Co-Location Tower will enhance what is currently, a vacant property. This design proposal fits in with the future surrounding industrial character while remaining sensitive to the adjacent public streets. The proposed site, infrastructure and landscape standards comply with all normal applicable restrictions and regulations set forth in the site development performance standards and guidelines.

Finding 5. *The special review site plan meets the requirements set forth in the Section 16.41 – Adequate Community Services – of the Loveland Municipal code.*

Transportation: Staff believes that this finding can be met, due to the following:

- In accordance with the Larimer County Urban Area Street Standards (LCUASS), this wireless facility use is exempt from demonstrating compliance with the transportation criteria of the Adequate Community Facilities requirements. (No daily vehicular trips are anticipated with this unmanned wireless facility proposed on the proposed Freedom Storage property. 2 -3 site visits per month are anticipated and no pedestrians or bicyclists are anticipated with the proposed use as per the traffic worksheet received).



- The traffic volume generated by this unmanned wireless facility use is considered to be insignificant and not likely to cause less than acceptable levels of service per the Adequate Community Facilities ordinance on the adjacent streets. No pedestrian or bike activity is anticipated to be generated by this wireless facility use.
- Therefore in light of the above, the TDR Division has no objection to this proposed use.

Fire: Staff believes that this finding can be met, based on the following facts:

- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The proposed Subdivision will not negatively impact fire protection for the subject development or surrounding properties.

Water/Wastewater:

This development is situated within the City’s current service area for both water and wastewater. There are currently no water or wastewater services extended to the site. The site is proposing an irrigation meter for the proposed landscaping. The Department finds that the Development will be compliant to ACF for the following reasons:

- The proposed development will not negatively impact City water and wastewater facilities.
- The proposed public facilities and services are adequate and consistent with the City’s utility planning and provides for efficient and cost-effective delivery of City water and wastewater service.

Stormwater: Staff believes that this finding can be met, due to the following:

- This project complies with the Adequate Community Services ordinance outlined in the Loveland Municipal Code, Section 16.41.140 and when designed and constructed, the development will not negatively affect City storm drainage utilities.

Power: Staff believes that this finding can be met, due to the following:

- Believes the proposed development will not negatively impact City power facilities.
- The proposed public facilities and services are adequate and consistent with the City’s utility planning and provides for efficient and cost-effective delivery of City power.

Building: Staff believes that this finding can be met, due to the following:

- The proposed development will not negatively impact surrounding properties, as the development will be required to meet building codes adopted at the time of permit review.

VIII. CONDITIONS OF APPROVAL



Planning - Review:

Conditions to be placed on the cover sheet:

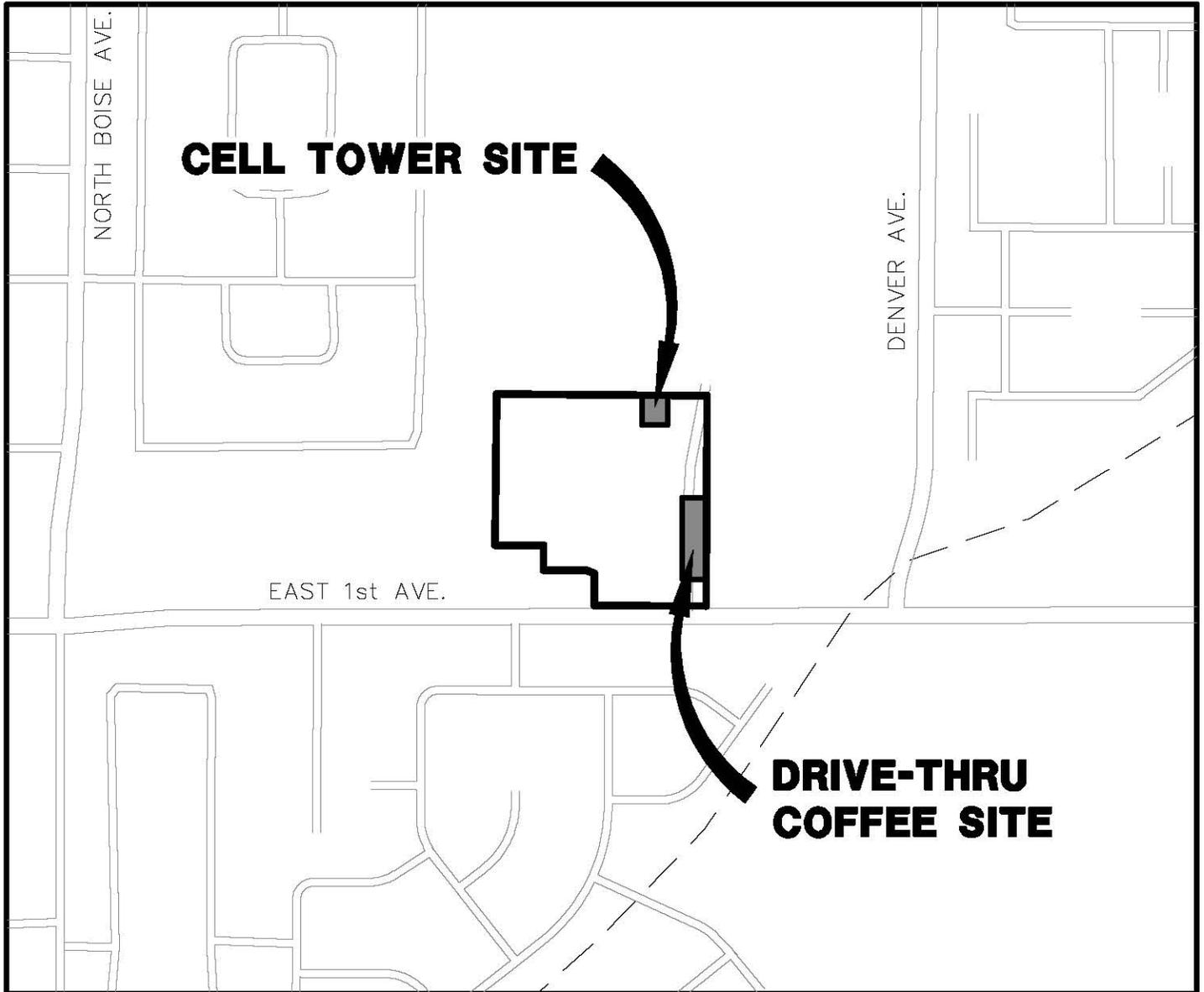
1. A 6'-8' high fence shall be constructed around the wireless tower, containing appropriate user, utility, and emergency access and safety signage.
2. Any co-location of future antennas requiring additional ground equipment outside of the original dedicated storage units shall trigger the installation of landscaping pursuant to section 18.55 of the Loveland city code and be installed by the applicant requesting the co-location.
3. All relocated plants, related to this wireless tower proposal, must be planted in adjacent spaces to provide appropriate screening from Peridot.
4. All landscaping and site improvements shall be installed prior to the erection of the first antenna or suitable financial guarantee if weather prevents planting.
5. If the current planning manager determines that additional landscaping or site improvements are required for future carriers, they shall be installed by said future carrier prior to the installation of their first antenna or escrow will be required if weather prevents planting. Landscaping, fencing, and appropriate irrigation plans shall be submitted with building permits.
6. If any conflicts between the site plan and city code exist, the more strict regulation shall apply.

Building - Review:

Work shall comply with 2012 IBC, IFC and 2014 NEC. A man door will be required with a landing and exterior light near door.

IX. CORRECTIONS

General: None



VICINITY MAP

SCALE : 1"=500'



SPECIAL REVIEW #925 & SITE DEVELOPMENT PLAN
FREEDOM CO-LOCATION CELLULAR TOWER
 LOT 1, BLOCK 1 OF THE ANDERSON FARM TWELFTH SUBDIVISION,
 115 PERIDOT AVENUE, CITY OF LOVELAND

PROPERTY OWNER

FREEDOM, LLC
 ATTN: CALVIN KELLEY & ERIC KELLEY
 2153 VIRGO CIRCLE
 LOVELAND, CO 80537
 P--970.405.3961
 KELLEYINC20@GMAIL.COM

PLANNER/LANDSCAPE ARCHITECT

JR ENGINEERING, LLC
 ATTN: KEN MERRITT, APA RLA
 2900 SOUTH COLLEGE AVE, SUITE 3D
 FORT COLLINS, CO 80525
 C--970-305-6754 P--970.491.9888
 KMERRITT@JRENGINEERING.COM

ARCHITECT

HAUSER ARCHITECTS
 ATTN: AL HAUSER
 3780 EAST 15TH STREET, SUITE 201
 LOVELAND, CO 80538
 P--970.669.8220
 AL@HAUSERARCHITECTSPC.COM

ENGINEER

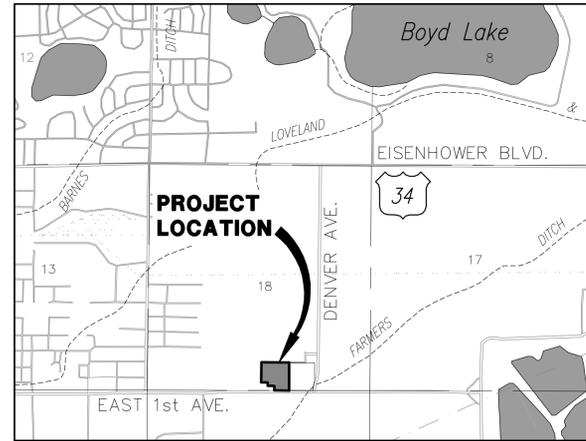
JR ENGINEERING, LLC
 ATTN: TIM HALOPOFF, PE
 2900 SOUTH COLLEGE AVE, SUITE 3D
 FORT COLLINS, CO 80525
 P--970.491.9888
 THALOPOFF@JRENGINEERING.COM

TRAFFIC ENGINEER

DELICH ASSOCIATES
 ATTN: MATHEW J. DELICH, PE
 2272 GLEN HAVEN DRIVE
 LOVELAND, CO 80538
 P--970.669.2061

SURVEYOR

JR ENGINEERING, LLC
 ATTN: JARROD ADAMS, PLS
 7200 S ALTON WAY, SUITE C400
 CENTENNIAL, CO 80112
 P--303.740.9393
 JADAMS@JRENGINEERING.COM



VICINITY MAP
 SCALE: 1"=2000'

LEGAL DESCRIPTION

LOT 1, BLOCK 1 OF THE ANDERSON FARM TWELFTH SUBDIVISION, CITY OF LOVELAND A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO.

PURPOSE

THE PROPOSED CO-LOCATION CELL TOWER WILL BE LOCATED ON THE WEST SIDE OF PERIDOT AVENUE APPROXIMATELY 620' NORTH OF EAST 1ST STREET. THE PROPOSED TOWER WILL BE LOCATED APPROXIMATELY 500' EAST OF THE BOISE VILLAGE SUBDIVISION RESIDENTIAL PROPERTIES. THE PROPOSED TOWER WILL BE APPROXIMATELY 75' - 100' TALL AND PROVIDE SERVICE FOR UP TO THREE CELL PHONE CARRIERS. FREEDOM SELF-STORAGE WILL RESERVE SPACE FOR COMMUNICATION & ELECTRICAL EQUIPMENT WITHIN THE ADJACENT STORAGE BUILDING. 24 HOUR ACCESS WILL BE PROVIDED TO PROVIDERS TO ENSURE THE BEST POSSIBLE SERVICE COVERAGE TO THE SURROUNDING AREA.

LAND USE DATA

EXISTING ZONING	I - INDUSTRIAL	
GROSS LAND AREA (LOT 1)	6.22 ± AC	271,107 SF
EXISTING LAND USE	SELF-STORAGE	
PROPOSED LAND USE	REQUEST TO ADD CO-LOCATION CELL TOWER	
PROPOSED NUMBER OF BUILDINGS	NO NEW BUILDINGS	

NO PORTION OF THIS PROPERTY IS WITHIN A FEMA FLOODPLAIN

CONDITIONS OF SPECIAL REVIEW

PLANNING CONDITIONS:

1. A 6'-8" HIGH SOLID MATERIAL FENCE (WOOD OR MASONRY) SHALL BE CONSTRUCTED AROUND THE WIRELESS TOWER, CONTAINING APPROPRIATE USER, UTILITY, AND EMERGENCY ACCESS AND SAFETY SIGNAGE.
2. ANY CO-LOCATION OF FUTURE ANTENNAS REQUIRING ADDITIONAL GROUND EQUIPMENT OUTSIDE OF THE ORIGINAL DEDICATED STORAGE UNITS SHALL TRIGGER THE INSTALLATION OF LANDSCAPING PURSUANT TO SECTION 18.55 OF THE LOVELAND CITY CODE AND BE INSTALLED BY THE APPLICANT REQUESTING THE CO-LOCATION.
3. ALL RELOCATED PLANTS, RELATED TO THIS WIRELESS TOWER PROPOSAL, MUST BE PLANTED IN ADJACENT SPACES TO PROVIDE APPROPRIATE SCREENING FROM PERIDOT.
4. ALL LANDSCAPING AND SITE IMPROVEMENTS SHALL BE INSTALLED PRIOR TO THE ERECTION OF THE FIRST ANTENNA OR SUITABLE FINANCIAL GUARANTEE IF WEATHER PREVENTS PLANTING.
5. IF THE CURRENT PLANNING MANAGER DETERMINES THAT ADDITIONAL LANDSCAPING OR SITE IMPROVEMENTS ARE REQUIRED FOR FUTURE CARRIERS, THEY SHALL BE INSTALLED BY SAID FUTURE CARRIER PRIOR TO THE INSTALLATION OF THEIR FIRST ANTENNA OR ESCROW WILL BE REQUIRED IF WEATHER PREVENTS PLANNING. LANDSCAPING, FENCING, AND APPROPRIATE IRRIGATION PLANS SHALL BE SUBMITTED WITH BUILDING PERMITS.
6. IF ANY CONFLICTS BETWEEN THE SITE PLAN AND CITY CODE EXIST, THE MORE STRICT REGULATION SHALL APPLY.

BUILDING CONDITIONS:

1. WORK SHALL COMPLY WITH 2012 IBC, IFC AND 2014 NEC. A MAN DOOR WILL BE REQUIRED WITH A LANDING AND EXTERIOR LIGHT NEAR DOOR.

SHEET INDEX

1	COVER SHEET
2	SITE PLAN
3	LANDSCAPE PLAN

PROPERTY OWNER

THE UNDERSIGNED AGREE THAT THE REAL PROPERTY DESCRIBED IN THE APPLICATION FOR SPECIAL REVIEW FILED HERewith, AND AS SHOWN ON THE SITE PLAN, SHALL BE SUBJECT TO THE REQUIREMENTS OF CHAPTER 18.40 OF THE MUNICIPAL CODE OF THE CITY OF LOVELAND, COLORADO, AND ANY OTHER ORDINANCES OF THE CITY OF LOVELAND THERETO. THE UNDERSIGNED UNDERSTANDS THAT IF CONSTRUCTION OF ALL IMPROVEMENTS IS NOT COMPLETED AND IF THE SPECIAL REVIEW USES ARE NOT ESTABLISHED WITHIN THREE YEARS OF THE DATE OF APPROVAL, OR OTHER COMPLETION DATE OR DATES ESTABLISHED IN A DEVELOPMENT AGREEMENT APPROVED BY THE CITY, THE CITY MAY TAKE AN ACTION TO DECLARE THE PERMIT AND SPECIAL REVIEW PLANS ABANDONED AND NULL AND VOID.

 (OWNERS SIGNATURE)

 (TITLE)

STATE OF COLORADO)
) SS
 COUNTY OF LARIMER)

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____

WITNESS MY HAND AND OFFICIAL SEAL.
 MY COMMISSION EXPIRES _____

 NOTARY PUBLIC

CURRENT PLANNING MANAGER APPROVAL CERTIFICATE

THIS SPECIAL REVIEW IS APPROVED, SUBJECT TO ALL CONDITIONS SET FORTH HEREON, BY THE CURRENT PLANNING MANAGER OF THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO, THIS _____ DAY OF _____, 20____.

 CURRENT PLANNING MANAGER

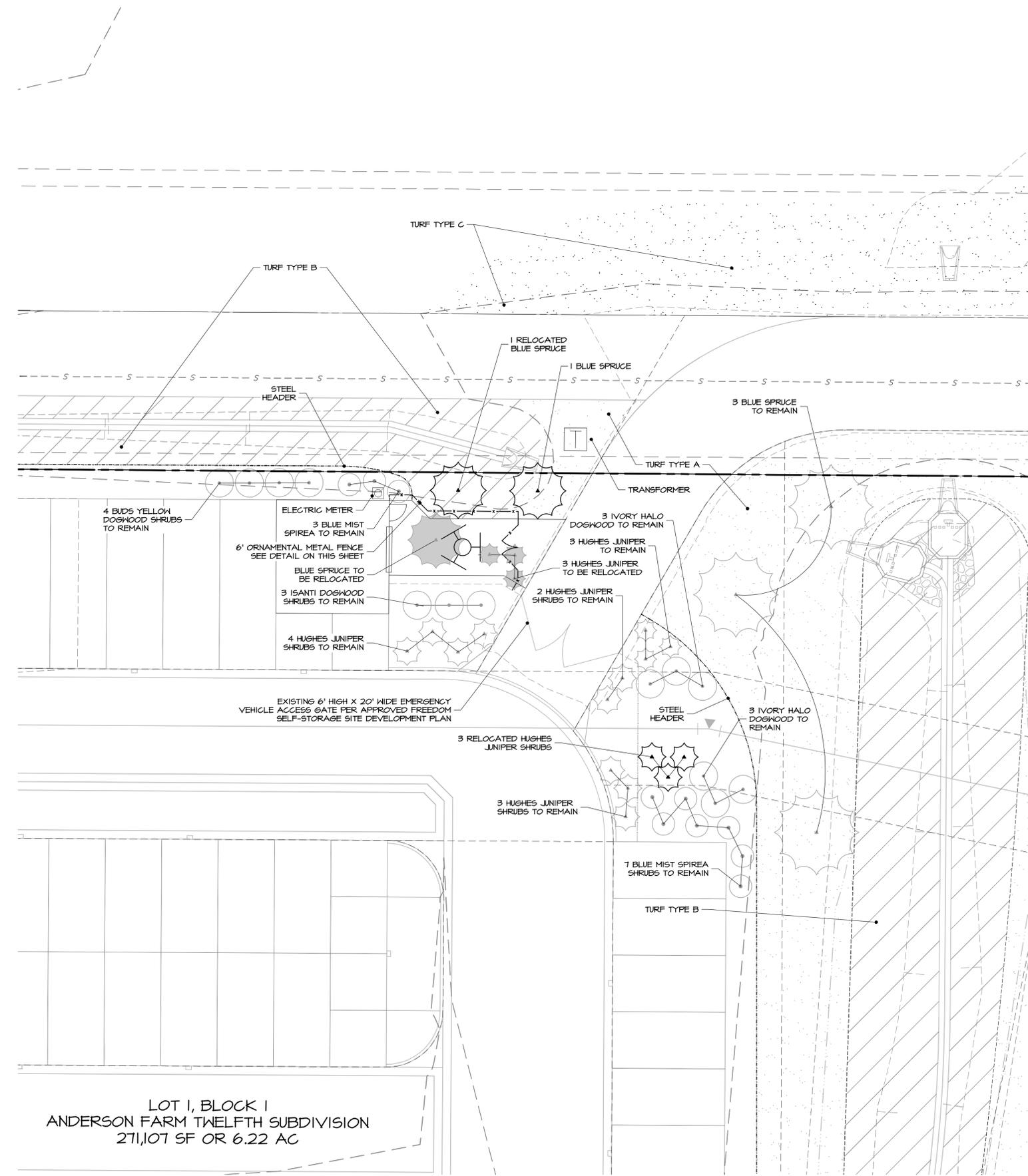
PLANNING COMMISSION APPROVAL CERTIFICATE

THIS SPECIAL REVIEW IS APPROVED, SUBJECT TO ALL CONDITIONS SET FORTH HEREON, BY THE PLANNING COMMISSION OF THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO, THIS _____ DAY OF _____, 20____.

 PLANNING COMMISSION CHAIR

COVER SHEET
 FREEDOM CO-LOCATION CELLULAR TOWER
 JOB NO. 39715.00
 07/27/16
 SHEET 1 OF 3





PLANT LIST

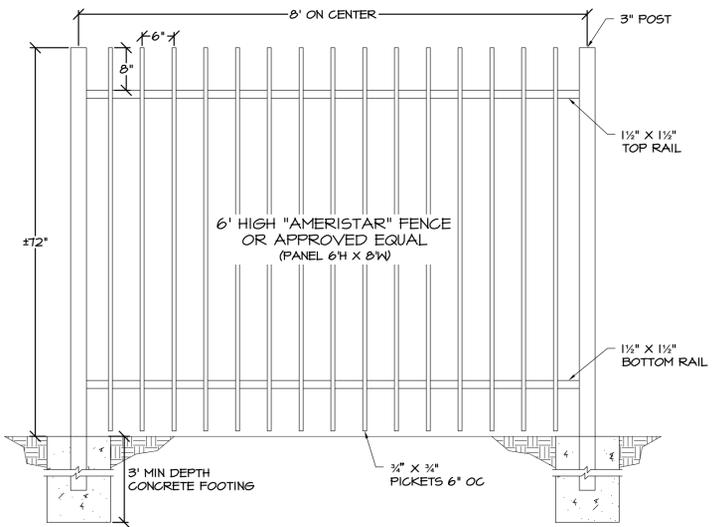
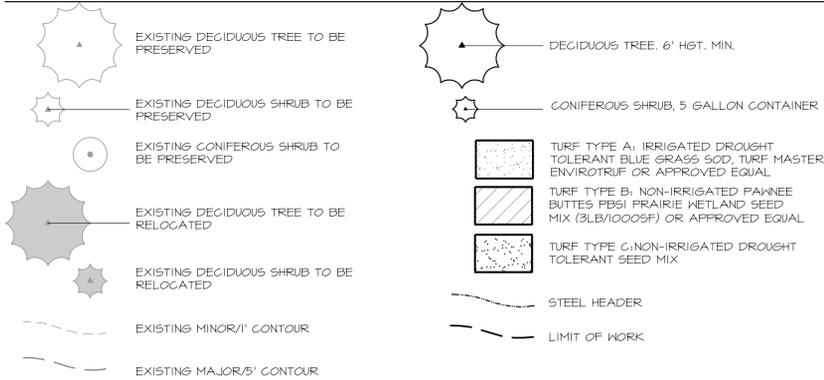
ADDITIONAL TREES

Quantity	Symbol	Common Name	Botanical Name	Size	Cont.	Ke Value
1	BS	Colorado Blue Spruce	Picea Pungens 'Colorado Blue'	6' Hgt. Min.	B4B	L

RELOCATED PLANTS

Quantity	Symbol	Common Name	Botanical Name	Size	Cont.	Ke Value
3	HJ	Hughes Juniper	Juniperus Horizontalis 'Hughes'	6' Hgt. Min. 5 Gal.	B4B Cont.	L

LEGEND



6' HIGH ORNAMENTAL METAL FENCE DETAIL
SCALE: N.T.S.



Know what's below.
Call before you dig.

UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES, OR ENGINEERING APPROVES THEIR USE, THESE DRAWINGS ARE DESIGNATED BY WRITTEN AUTHORIZATION.

PREPARED FOR
FREEDOM, LLC
2153 VIRGO CIRCLE
LOVELAND, CO 80537
P: (970) 405-3961

J.R. ENGINEERING
A Westman Company
Central 303-740-9883 • Colorado Springs 719-588-2583
Fort Collins 970-491-9888 • www.jrengineering.com

No.	REVISION	BY	DATE

H-SCALE	1" = 40'
V-SCALE	1" = 8'
DATE	07/27/16
DESIGNED BY	KEM
DRAWN BY	JMF
CHECKED BY	

FREEDOM CO-LOCATION CELL TOWER
LANDSCAPE PLAN
SITE DEVELOPMENT PLAN & SPECIAL REVIEW #925

FREEDOM SELF-STORAGE & DRIVE-THRU COFFEE SHOP

OVERALL ILLUSTRATIVE SITE PLAN



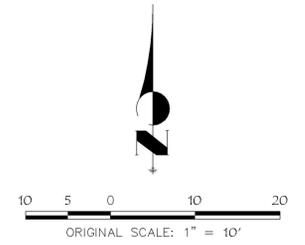
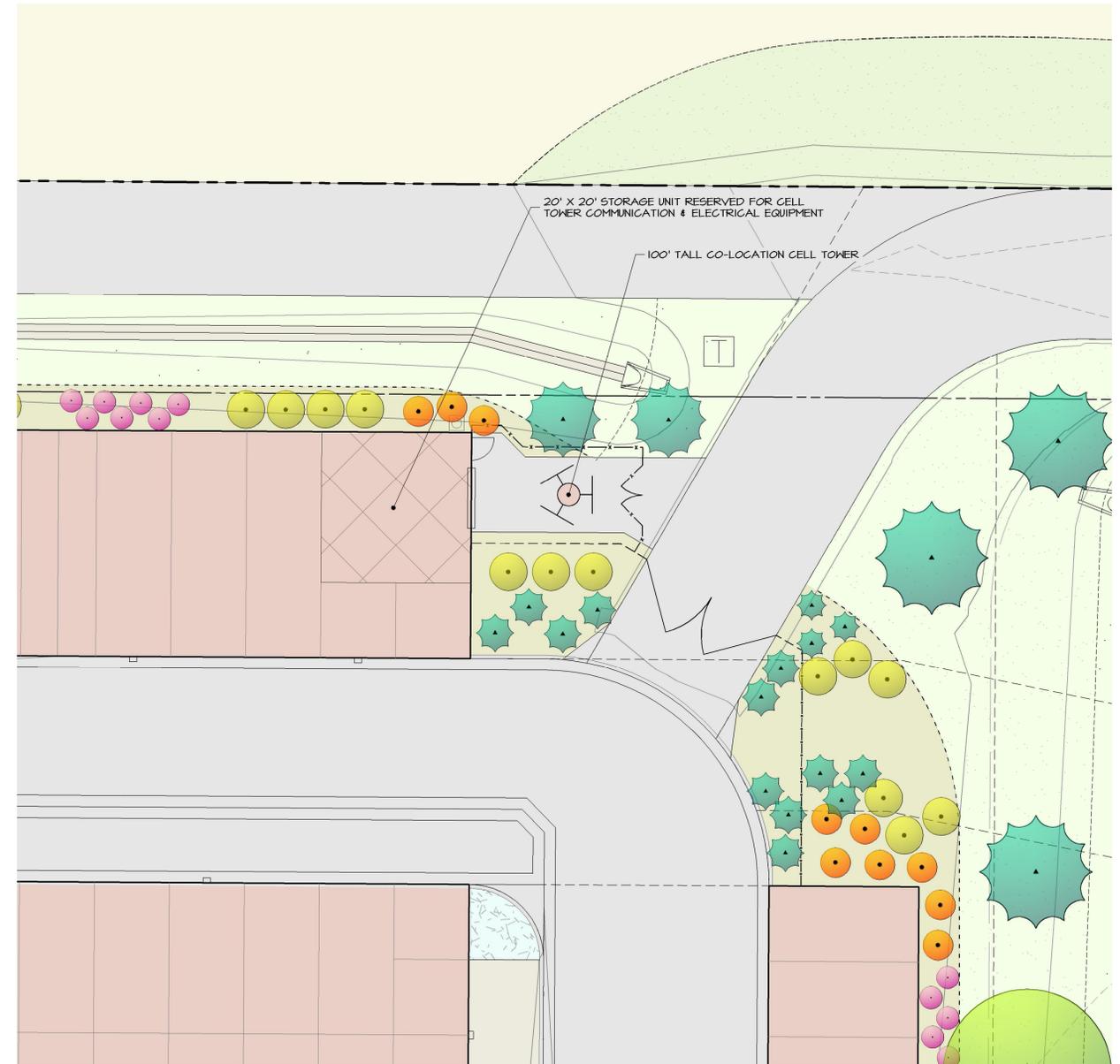
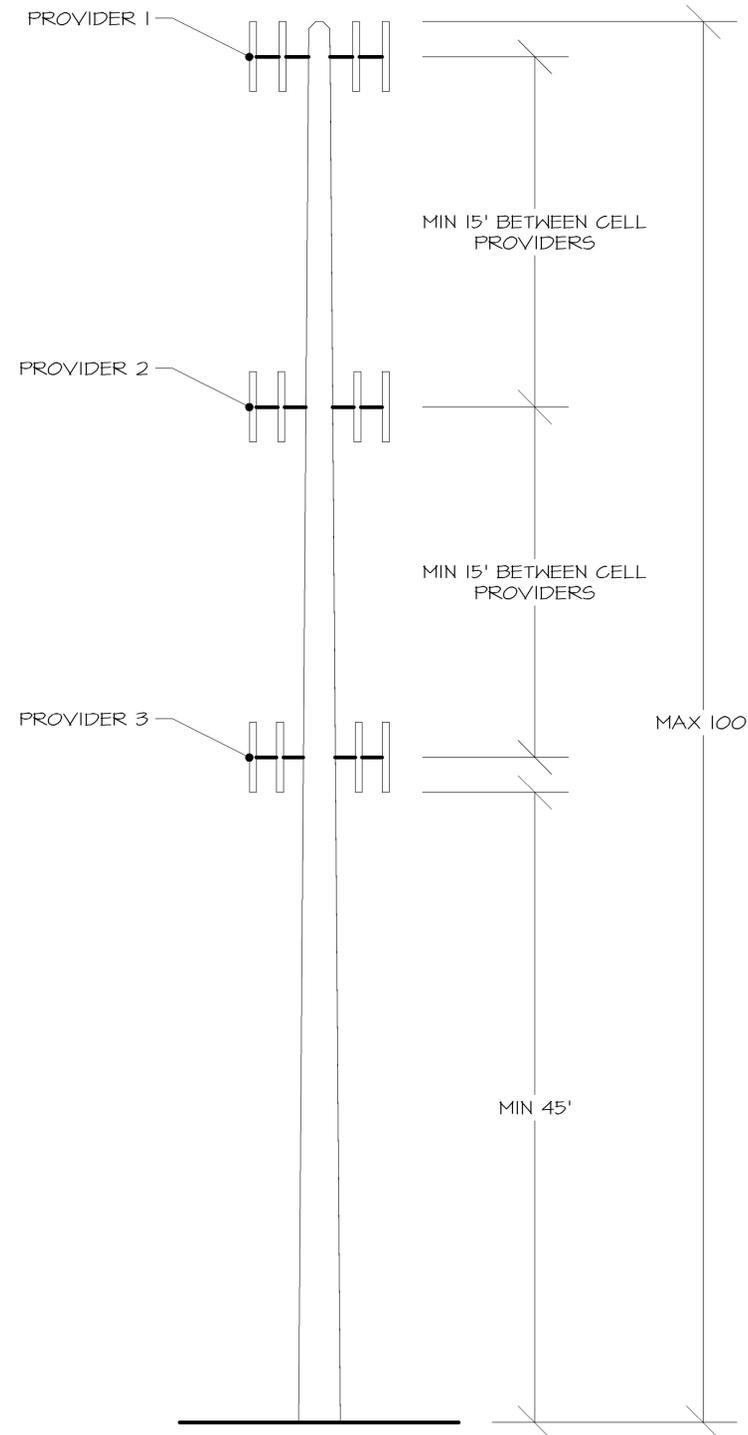
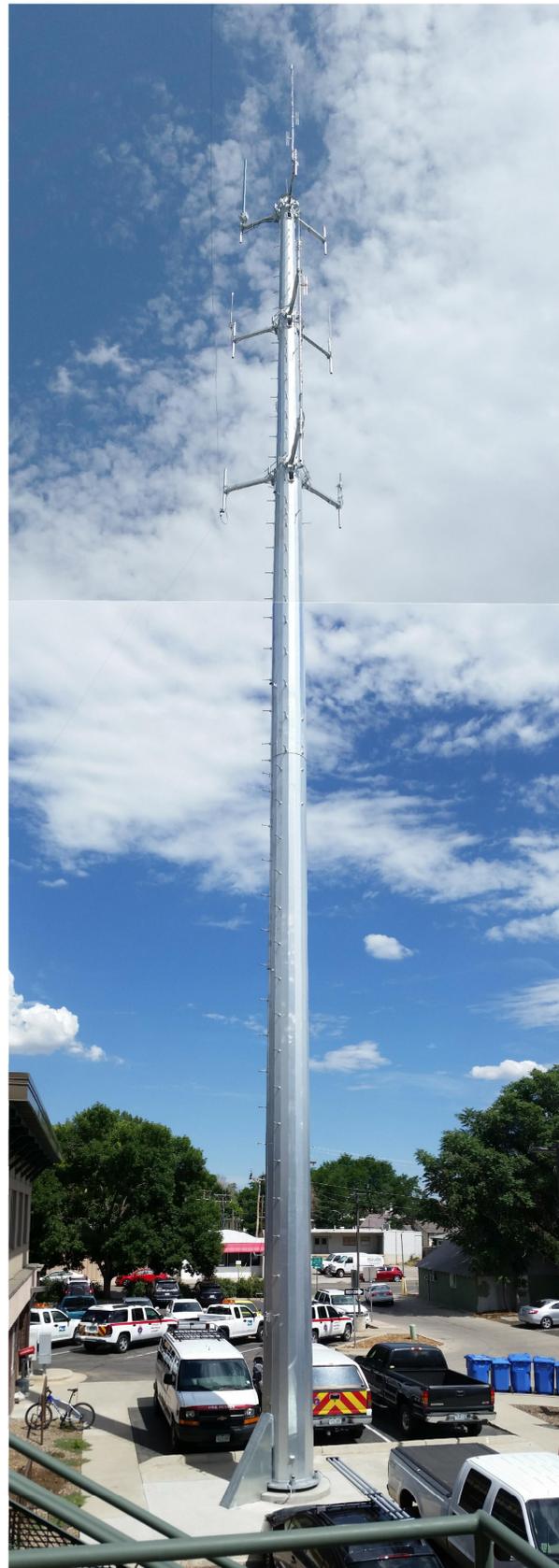
ILLUSTRATIVE SITE PLAN
 FREEDOM, LLC
 JOB NO. 39715.00
 11/16/16
 SHEET 1 OF 1



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FREEDOM CO-LOCATION CELLULAR TOWER

ILLUSTRATIVE SITE PLAN



ILLUSTRATIVE SITE PLAN
FREEDOM CO-LOCATION CELLULAR TOWER
JOB NO. 39715.00
11/16/2016
SHEET 1 OF 1



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Attachment 4

Below were the key issues raised during the public comments period with responses from the applicant.

1. Can the tower be relocated further west or south?

As for relocating the Cell Tower it is our opinion that the Tower is best located to the far north east side of the property within the I-Industrial Zoning District so that it has as minimal impact on the residential property located to the west of the Freedom Self-Storage Facility.