CITY OF
West Linn
PLANNING AND DEVELOPMENT

STAFF REPORT

PLANNING DIRECTOR DECISION

DATE: June 7, 2010

FILE NO.: DR-10-07 (Planning Director's Decision)

SUBJECT: The applicant seeks approval to co-locate cellular equipment on an existing stealth tower at Emmanuel Presbyterian church property plus base equipment within an approved lease area.

PLANNER: Peter Spir, Associate Planner

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Specific Data

DESCRIPTION:	This application proposes to co-locate cellular equipment (antenna) on an existing stealth tower. The tower was recently approved by the Planning Commission for a ten foot tall addition.
APPLICANT:	Verizon Wireless 5430 NE 122nd Ave., Portland , OR 97230
OWNER:	Emmanuel Presbyterian Church
SITE LOCATIONS:	19200 Willamette Drive. The site is triangular in shape surrounded by Willamette Drive, Cedaroak Drive, and Old River Drive. It is located in the Robinwood neighborhood.
SITE SIZE:	The total church property comprises 2.4 acres but the lease for the tower and base equipment covers a relatively small area (approximately 40 X 40 feet) at the south corner of the site (see drawing A-1.1).
COMP PLAN DESIGNATION:	Medium Density Residential
ZONING:	Single family residential-R-10 (10,000 square foot minimum lot size)
APPROVAL CRITERIA:	Chapter 57 of the West Linn Community Development Code (CDC) lists the applicable approval standards as they pertain to co-locates.
120-DAY RULE:	The application was declared complete on May 19, 2010; therefore the 120-day period ends on September 16, 2010.
PUBLIC NOTICE:	Affected property owners, neighborhood associations, and other appropriate recipients were noticed on May 24, 2010. The notice was also posted on the City's website. The notice requirements have been met.

Summary:

The applicant proposes to co-locate an antenna array within the screened area of the existing stealth tower per drawing A-3. Per Table 57.040 in CDC Chapter 57 (WCFs), stealth designs inside buildings require Class I Design Review in the R-10 zone. This is a Planning Director's decision. There is no public hearing.

A recent 2010 approval by the Planning Commission for a 10-foot increase in the height of the 80-foot tall stealth tower established a lease area that will allow for the screened and fenced placement of base equipment for this application without having to go beyond or expand the lease area.

The stealth tower has been in place since 1997. Staff finds that the parcel is large enough to mitigate the limited impacts expected. Visually, the current tower is "lost in the forest" created by the tall wall of Douglas Fir trees of Mary S. Young and the Oak trees of the Emmanuel Church site. The base equipment does not generate noises that exceed the noise levels allowed by CDC Chapter 55. The distance to the nearest home across Old River Road is 115 feet.

The fact that the tower has operated for 12 years with no specific complaints known to staff constitutes evidence that the site is well suited to the proposed use.

Public Comments:

None

Decision:

Based on findings contained in the applicant's submittal, which are hereby adopted, the Planning Director finds that there are sufficient grounds to **approve** this application (DR-10-07) subject to the following conditions of approval:

1. All base equipment shall be contained in the lease area, fenced and effectively screened with landscaping per drawing A-1.1 and A-3.

2. The co-locate antennas shall be placed per submitted drawings A-1.1, A-2 and A-3 of the application.

I declare to have no interest in the outcome of this decision due to some past or present involvement with the applicant, the subject property, or surrounding properties, and therefore, can render an impartial decision. The Planning Director reserves the right to expand on the adopted findings in the event of an appeal. The provisions of the Community Development Code Chapter 99 have been met.

John Sonnen
JOHN SONNEN, Planning Director

6/7/2010
DATE

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is $400. The appeal must be filed by an individual who has established standing by submitting written comments prior to or on June 7, 2010.

Mailed this 9 day of JUNE, 2010.
Therefore, the 14-day appeal period ends at 5 p.m., on

JUNE 23, 2010.

Devrev.projects-DR-10-07-PD decision

Exhibit PD-1
Applicant's Submittal

ROBINWOOD WIRELESS TELECOMMUNICATION FACILITY

POR Robinwood

APPLICATION FOR TYPE I DESIGN REVIEW

Application to City of West Linn
Planning/Development Department

Requested By:
Verizon Wireless
5430 NE 122nd Ave
Portland, OR 97230
Heather Campbell, Real Estate Specialist
P: 503-408-3450
Heather.Campbell3@VerizonWireless.com

Prepared By:
Jim Barta
Permit Consultant
2317 NE 12th Ave
Portland, OR 97212
P: 503-544-2429
Jim.barta@yahoo.com

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APPENDIX

Exhibit A **ARCHITECTURAL DRAWINGS OF THE PROPOSED FACILITY**

Exhibit B **PHOTO SIMULATION**

I. PROPOSAL SUMMARY

Applicant:	Verizon Wireless 5430 NE 122nd Ave Portland, OR 97230
Applicant's Project:	POR Robinwood
Prepared By:	Jim Barta 2317 NE 12th Ave. Portland, OR 97212 P:503.544.2429 Jim.barta@yahoo.com
Property Owner:	Presbytry of Portland 19200 Willamette Dr. West Linn, OR 97068
Request:	Verizon Wireless proposes to collocate an unmanned Wireless Telecommunications Facility consisting of a three-sector antenna array with three antennas per sector at the 63 ft. level of an existing 80-ft. stealth structure with related ground-mounted equipment mounted on a 15-foot by 14-foot by 6-inch thick concrete pad at the base of the structure adjacent to the existing ground equipment at the site.
Location:	19200 Willamette Dr West Linn, OR 97068
Jurisdiction:	City of West Linn
Land Use Designation:	Residential R-10

II. GENERAL INFORMATION

Verizon Wireless Corporation is a leading provider of wireless communications in the Pacific Northwest. Verizon Engineers have determined additional wireless coverage is required in the subject area.

Selection of individual base station sites--such as the one proposed--is based on numerous considerations, including topography, distance from other base stations, and the capacity and service needs of the surrounding area. Radio signals must travel in an unobstructed path from the antennas to the user. The height and location of each site is carefully selected to provide the fewest obstacles to that path.

Verizon Radio Frequency (RF) engineers, Site Acquisition, Land Use, and Construction Managers select sites after extensive analysis to determine the best candidate to provide adequate coverage to the surrounding area. Propagation studies and computer models determine the required site locations and antenna heights by evaluating the expected RF signal from a proposed site at a given location and height.

The proposed Robinwood site will reduce wireless congestion, increase capacity for future growth and improve signal coverage in the surrounding area. When developed, this site will connect with existing facilities to allow uninterrupted service in this area

III. DESCRIPTION OF PROJECT

Verizon is requesting approval to install a Wireless Telecommunications Facility (WTF) consisting of a three-sector antenna array with three antennas per sector mounted at the 63 ft. level of an existing 80-ft. stealth structure with related ground-mounted equipment mounted on a 15-foot by 14-foot by 6-inch thick concrete pad at the base of the structure adjacent to the existing ground equipment at the site.

Site at Present

The subject property is approximately 2.3 acres in size. It is irregular in shape is relatively level. The property contains a church, associated paved surface parking, and the existing stealth wireless facility. The existing wireless site and lease area are located approximately 150 feet southeast of the existing church on the subject property.

Proposal

Verizon proposes to collocate a three-sector antenna array with three antennas per sector mounted at the 63-foot level on the existing 80-ft stealth strucure with new ground-mounted equipment mounted on a 14-foot by 14-foot by 6-inch thick concrete pad at the base of the existing structure. The site would be in operation seven days a week, 24 hours per day. The proposed site would be unmanned. It would not require water or wastewater treatment. No hazardous wastes would be generated. No odors or vibration would be generated.

IV. RESPONSES TO COMMUNITY DEVELOPMENT CODE.

57.040 Wireless Communications Facility Type:

Per the table in section 57.040 of the Development Code, this stealth design will require a Type I Design Review.

57.080 APPROVAL CRITERIA

(2). For WCF allowed by Design Review Class I, the applicable approval criteria of CDC Chapter 55 and applicable criteria of Section **(5-14),** below, shall apply.

5. Aesthetics.

a. New towers shall maintain a galvanized steely grey finish or other accepted contextual or compatible color or, if required by the FAA, be painted pursuant to the FAA's requirements.

Does not apply, a new tower is not proposed.

b. If co-location on an existing tower is requested, the design of any antenna, accessory structure, or equipment shall, to the greatest extent possible, use materials, colors, and textures that will match the existing tower, building, or other existing structures.

Does not apply

c. If co-location on an existing non-tower structure is requested, the antenna and supporting electrical and mechanical equipment shall be a neutral color that is the same as the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible

The proposed antennas will be screened by materials and colors that match the existing structure. The requirement is met.

6. Setbacks.

a. Towers designed to collapse within themselves shall be set back in accordance with the setbacks contained in the zone.

Does not apply

b. Towers not designed to collapse within themselves shall be setback from the property line by a distance equal to one-half the height of the tower.

Does not apply

7. Tower location. Co-location or placement on existing structures or buildings is the preferred siting choice. If co-location cannot be accommodated, new WCFs shall be placed as close as possible to existing WCFs so that the impacts are concentrated rather than spread out or dispersed.

The proposal is collocation on an existing structure. The requirement is met.

8. Height. New towers shall not exceed 120 feet in height in the GI zone, and 40 feet in height in the GC, OBC, CI, R-2.1, R-3 zones except by Class II variance. Antennas, etc. may not extend above these heights.

The proposal is collocation below the height of an existing structure. The requirement is met.

9. Lighting. None allowed except as required by the FAA.

No lighting is proposed. The requirement is met.

10. Points of visual interest shall be protected. Long range views from the I-205 rest area towards Mt. Hood shall be protected pursuant to Section 57.080(11). Views from residential structures located within 250 feet of the proposed wireless communication facility to the following points of visual interest shall be protected to the greatest practical extent:
a. Mountains.
b. Significant public open spaces.
c. Historic structures

The proposal is to locate antennas below the top level on an existing structure. The antennas will be screened by material that matches the existing structure. The ground equipment will be screened by a matching fence. The requirement is met.

11. Methods for protecting points of visual interest. The following standards, and only the following standards, shall be used to protect the above identified points of visual interest to the greatest practical extent if views from a residential structure located within 250 feet from a proposed wireless communication facility to a point of visual interest specifically identified above, are significantly impacted. The standards shall also apply to preserving long range views of Mt. Hood from the northbound I- 205 rest area. The applicant shall:
a. Investigate other locations within the same lot where such visual impacts can be minimized overall.
b. Investigate alternative tower designs that can be used to minimize the interruption of views from the residents/public to the points of visual interest.

c. Minimize visual impacts to the point of visual interest referred to above, by demonstrating that co-location or the use of other structures within the service area is not feasible at this time.
d. Minimize visual impacts by varying the setbacks or landscape standards that would otherwise be applicable, so long as the overall impact of the proposed development is as good or better than that which would otherwise be required without said variations.

The proposal is to locate antennas below the top level on an existing structure. The antennas will be screened by material that matches the existing structure. The ground equipment will be screened by a matching fence. The requirement is met.

12. Fencing and security. For security, tower(s) and ancillary facilities shall be enclosed by a fence up to eight feet high. No fence height variances shall be required

The proposal is to enclose the ground equipment with fencing that matches the existing fencing at the site. The requirement is met.

13. Landscaping and screening. Landscaping shall be placed outside the fence and shall consist of a fast growing vegetation with a minimum planted height of six feet placed densely so as to form a solid hedge. Landscaping shall be properly maintained.

The proposal will include vegetation that matches existing vegetation surrounding the site. The requirement is met.

14. Noise. Noise generating equipment shall be sound buffered by means of baffling, barriers, or other suitable means to reduce sound level to meet CDC Section 55.100(D)(3) noise standards.

The proposed equipment at the site will meet the standards of CDC 55.100(D)(3).

55.090 APPROVAL STANDARDS - CLASS I DESIGN REVIEW

The Planning Director shall make a finding with respect to the following criteria when approving, approving with conditions, or denying a Class I design review application:

A. The provisions of the following sections shall be met:

1. Section 55.100 B (1-4) "Relationship to the natural physical environment" shall apply except in those cases where the proposed development site is substantially developed and built out with no remaining natural physical features that would be impacted.

The proposal is to locate antennas below the top level on an existing structure. The antennas will be screened by material that matches the existing structure. The ground equipment will be screened by a matching fence. The requirement is met.

2. Section 55.100 B (5-6) "Architecture, et al" shall only apply in those cases that involve exterior architectural construction, remodeling, or changes.

The proposal is to locate antennas below the top level on an existing structure. The antennas will be screened by material that matches the existing structure. The ground equipment will be screened by a matching fence. The requirement is met.

3. Pursuant to Section 55.085, the Director may require additional information and responses to additional sections of the approval criteria of this section depending upon the type of application.

The applicant understands additional information may be required for the proposal, and will submit additional information if requested.

B. An application may be approved only if adequate public facilities will be available to provide service to the property at the time of occupancy. (ORD. 1544)

The site is fully served by existing roads, water and sewer services, electricity and phone service. The requirement is met.

C. The Planning Director shall determine the applicability of the approval criteria in 55.090(A), above. (ORD. 1408) (ORD.1544)

The applicant understands and will comply with this requirement.

V. CONCLUSION

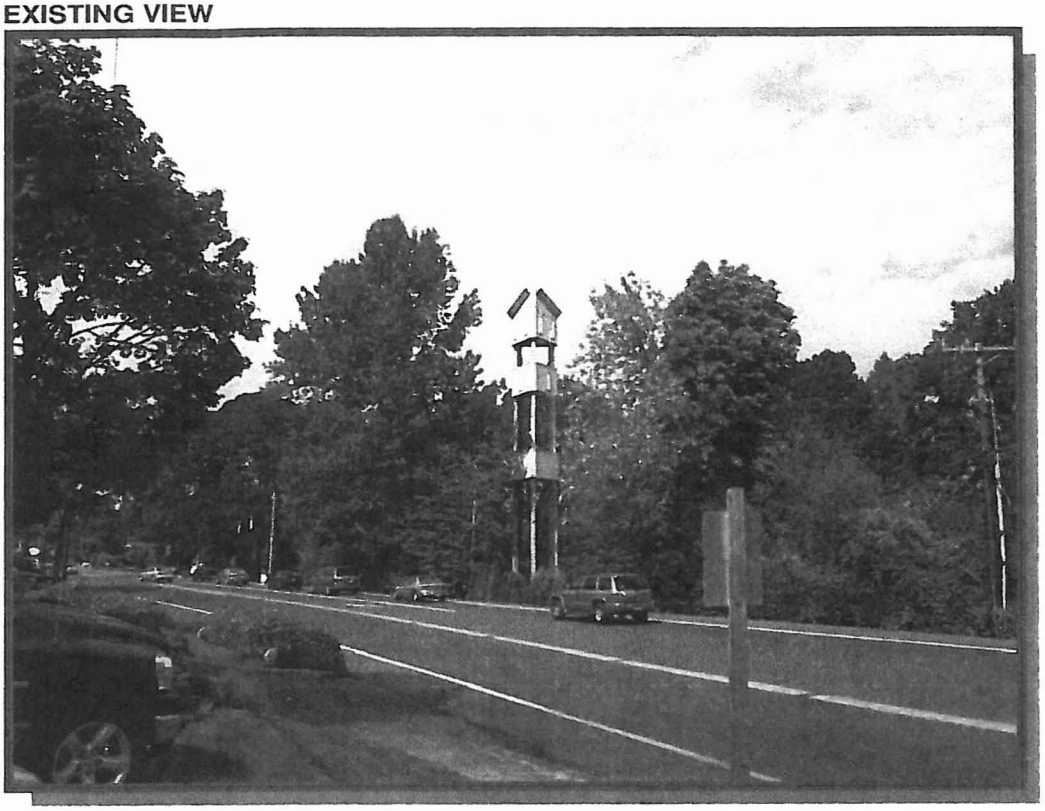
As described above, and shown in the attached drawings, Verizon Wireless has met the applicable approval criteria for a Primary Use Wireless Telecommunications Facility. Verizon Wireless requests Primary Use approval for the proposed wireless telecommunications facility.

POR-ROBI. VOOD VIEW FROM SOUTH

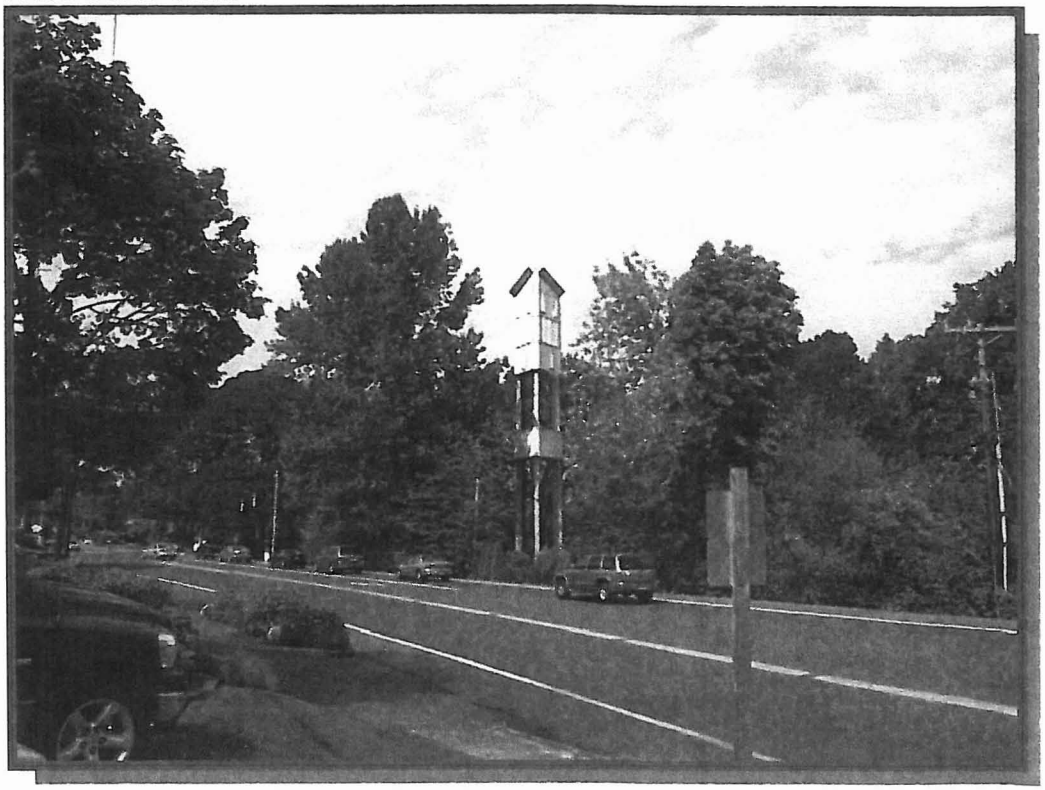
KDC
ARCHITECTS.ENGINEERS, P.C.
4720 200TH STREET SW SUITE 200
LYNNWOOD WA 98036
PHONE 425.670.8651
FAX 425.712.0846

verizon wireless

EXISTING VIEW



PROPOSED VIEW



CITY OF WEST LINN
22500 Salamo Rd.
West Linn, OR. 97068
(503) 656-4211

PLANNING RECEIPT
Receipt: # 935710
Date : 05/17/2010
Project: #DR-10-07
BY: JN

****

NAME : ODELIA PACIFIC/JIM BARTA

ADDRESS : 2317 NE 122ND AVE

CITY/STATE/ZIP: PORTLAND OR 97212

PHONE # : 544-2429

SITE ADD. **: 19200 WILLAMETTE DR**

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TYPE I HOME OCCUPATIONS		HO	$
PRE-APPLICATIONS	Level I ( ), Level II ( )	DR	$
HISTORIC REVIEW	Residential Major ( ), Minor ( ), New ( )	DR	$
	Commercial Major ( ), Minor ( ), New ( )		
SIGN PERMIT	Face ( ), Temporary ( ), Permanent ( )	DR	$
SIDEWALK USE PERMIT		DR	$
APPEALS	Plan. Dir. Dec. ( ), Subdivsion ( ), Plan Comm./City Coun. ( ), Nbhd ( )	DR	$
LOT LINE ADJUSTMENT		LA	$
CITY/METRO BUSINESS LICENSE		BL	$

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The following items are paid by billing against the up-front deposit estimate. If the amount of time billed to your project exceeds the amount coverered by the deposit, additional payment may be required.

DESIGN REVIEW	Class I (X), Class II ( )	RD	$	850.00
VARIANCE	Class I ( ), Class II ( )	RD	$	
SUBDIVISION	Standard ( ), Expedited ( )	RD	$	
ANNEXATION	"Does Not Include Election Cost"	RD	$	
CONDITIONAL USE		RD	$	
ZONE CHANGE		RD	$	
MINOR PARTITION		RD	$	
MISCELLANEOUS PLANNING		RD	$	

Boundry Adjustments	( )		
Modification to approval	( )	Water Resource Area Protection	( )
Code Amendments	( )	Street Vacations	( )
Comp. Plan Amendments	( )	Easement Vacations	( )
Temporary Permit Admin.	( )	Will. River Greenway	( )
Temporary Permit Council	( )	Tualatin River Grwy.	( )
Flood Management	( )	Street Name Change	( )
Inter-Gov. Agreements N/C	( )	Code Interpretations	( )
Alter Non-Conforming Res.	( )	Type II Home Occ.	( )
Alter Non-Conforming Comm.	( )		

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850.00

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DESIGN REVIEW Class I (X), Class II ( ) RD $
VARIANCE Class I ( ), Class II ( ) RD $
SUBDIVISION Standard ( ), Expedited ( ) RD $
ANNEXATION "Does Not Include Election Cost" RD $
CONDITIONAL USE RD $
ZONE CHANGE RD $
MINOR PARTITION RD $
MISCELLANEOUS PLANNING RD $

Boundry Adjustments ( )
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