



Planning Commission Agenda

Development and Public Works Director,
Anette Spickard, 541-726-3697
Current Development Manager:
Greg Mott 541-726-3774
Management Specialist:
Brenda Jones 541.726.3610

City Hall
225 Fifth Street
Springfield, Oregon 97477
541.726.3610
Online at www.springfield-or.gov

Planning Commissioners:
Tim Vohs, Chair
Nick Nelson, Vice Chair
Steve Moe
Greg James
Sean Dunn
Michael Koivula
Andrew Landen

The meeting location is wheelchair-accessible. For the hearing-impaired, an interpreter can be provided with 48 hours' notice prior to the meeting. For meetings in the Council Meeting Room, a "Personal PA Receiver" for the hearing impaired is available. To arrange for these services, call 541.726.3610.

Meetings will end prior to 10:00 p.m. unless extended by a vote of the Planning Commission.

All proceedings before the Planning Commission are recorded.

October 20, 2015

**6:00 p.m. Work Session
Jesse Maine Room**

(Planning Commission work sessions are reserved for discussion between Planning Commission, staff and consultants; therefore, the Planning Commission will not receive public input during work sessions. Opportunities for public input are given during all regular Planning Commission meetings.)

CONVENE AND CALL TO ORDER THE WORK SESSION OF THE SPRINGFIELD PLANNING COMMISSION

ATTENDANCE: Chair Vohs _____, Vice Chair Nelson _____, Moe____, James _____, Dunn _____,
Koivula _____, Landen _____.

WORK SESSION ITEM(S)

1. Introduction of New Current Development Employees

**Staff: Greg Mott, Current Development Manager
Jim Donovan, Current Development Planning Supervisor
30 Minutes**

2. Verizon Wireless Monopine Cellular Tower

**Staff: Andy Limbird, Senior Planner
30 Minutes**

ADJOURN WORK SESSION OF THE SPRINGFIELD PLANNING COMMISSION

October 20 2015

**7:00 p.m. Regular Session
Council Chambers**

CONVENE AND CALL TO ORDER THE REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

ROLL CALL: Chair Vohs _____, Vice Chair Nelson _____, Moe____, James _____, Dunn _____,
Koivula _____, Landen _____.

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO THE REGULAR SESSION AGENDA

In response to a request by a member of the Planning Commission, staff or applicant; by consensus

BUSINESS FROM THE AUDIENCE

Testimony is limited to 3 minutes; testimony may not discuss or otherwise address public hearings appearing on this Regular Session Agenda

APPROVAL OF MINUTES

- June 10, 2015 Regular Meeting Minutes

PUBLIC HEARING(S)

QUASI-JUDICIAL PUBLIC HEARING –

Site Plan – Moderate Visibility Cellular Tower Site Plan – Smartlink PCS on behalf of Verizon Wireless LLC – Jo. No. TYP215-00012

**Staff: Andy Limbird
30 Minutes**

CONDUCT OF QUASI-JUDICIAL PUBLIC HEARING BEFORE THE PLANNING COMMISSION

- Staff explanation of quasi-judicial hearing process (ORS 197.763)
- Chair opens the public hearing
- Commission members declaration of potential conflicts of interest; disclosure of “ex-parte” contact
- Staff report
- Testimony from the applicant
- Testimony in support of the application
- Testimony opposed to the application
- Testimony neither in support of nor opposed to the application
- Summation by staff
- Rebuttal from the applicant
- Consideration of request for continuation of public hearing, extension of written record, or both

- Close or continue public hearing; close or extend written record (continuance or extension by motion)
- Planning Commission discussion; possible questions to staff or public
- Motion to approve, approve with conditions, or deny the application based on the information contained in the staff report, oral and written testimony, and all other evidence submitted into the record
- Final Order signed by Chair incorporating findings and reasoning to support the decision

REPORT OF COUNCIL ACTION

BUSINESS FROM THE PLANNING COMMISSION

- Upcoming Planning Commission meetings, committee assignments, appointments or other business

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DIRECTOR

ADJOURN REGULAR SESSION OF THE SPRINGFIELD PLANNING COMMISSION

AGENDA ITEM SUMMARY

Meeting Date: 10/20/2015
Meeting Type: Work Session/Reg. Mtg
Staff Contact/Dept.: Andy Limbird, DPW
Staff Phone No: 541-726-3784
Estimated Time: 30 Minutes
Council Goals: Maintain and Improve
Infrastructure and Facilities

**SPRINGFIELD
PLANNING COMMISSION**

ITEM TITLE: MODERATE VISIBILITY CELLULAR TOWER SITE PLAN APPLICATION—
SMARTLINK PCS ON BEHALF OF VERIZON WIRELESS LLC, CASE TYP215-00012

**ACTION
REQUESTED:** Conduct an initial work session, then conduct a public hearing and approve, approve with
amendments, or deny a proposal by Verizon Wireless to adjust the location of a 90-foot tall
monopine cellular tower previously approved by the City Council.

**ISSUE
STATEMENT:** The City Council granted Discretionary Use and Site Plan Review approval for a new
wireless telecommunication tower facility near South 42nd Street and Jasper Road at the
regular meeting on July 20, 2015. As a result of negotiations with an adjacent property
owner, the applicant is now proposing to adjust the location of the cellular tower. Section
4.3-145.F of the Springfield Development Code (SDC) provides standards for approving the
cellular tower placement.

ATTACHMENTS: 1. Staff Report and Recommended Conditions of Approval for Modified Site Plan
2. Verizon Wireless Application and Exhibits
3. Final Order

DISCUSSION: The tower facility is proposed for a vacant commercial property on the west side of South
42nd Street just north of the intersection with Jasper Road. The location is zoned
Community Commercial (CC) in accordance with the Springfield Zoning Map. The
surrounding properties are zoned for commercial, institutional, single-family residential,
and multi-family residential development. Moderate Visibility tower facilities are
allowable in the Community Commercial district subject to Discretionary Use approval.
The City Council granted the Discretionary Use approval for the facility at the regular
meeting on July 20, 2015 (Case TYP315-00003).

The applicant has demonstrated that there is a substantial capacity gap in the mid-Springfield area, particularly with modern data streaming demands. Additionally, the cellular facility currently providing coverage for this area of Springfield is located at the International Paper plant and is scheduled for decommissioning upon expiration of Verizon's site lease in 2016. Therefore, the proposed cellular tower facility would constitute both a relocation of an existing facility to maintain coverage and an improvement to the service capacity in the area.

The applicant is proposing to adjust the location of the cellular tower approximately 200 feet west of its original location approved by the City Council in July, 2015, to a point about 105 feet east of the boundary with Mt. Vernon Elementary School (Attachment 2). The proposed relocation brings the cellular tower facility closer to existing residential dwellings to the south and southwest of the subject site along Horace Street and Jasper Road. However, the nearest dwelling on residentially-zoned property is located on the south side of Horace Street approximately 260 feet from the tower's adjusted location.

Staff has prepared a staff report with recommended conditions of approval for the proposed modified site plan based on the criteria found in SDC Sections 4.3-145.F and 5.17-125 (Attachment 1).



TYPE II TENTATIVE SITE PLAN REVIEW, STAFF REPORT & RECOMMENDED CONDITIONS

Project Name: Verizon Wireless Site Plan Review

Project Proposal: Modify the location of a 90-foot high monopine wireless transmissions system facility approved for a mostly undeveloped commercial site

Case Number: TYP215-00012

Project Location: 4164 Jasper Road
(Map 18-02-05-23, TL 100)

Zoning: Community Commercial (CC)

Comprehensive Plan Designation:
CC (*Metro Plan*)

Overlay Districts: Drinking Water
Protection Overlay District (DWP)

Pre-Submittal Meeting Date: April 17, 2015

Application Submitted Date: May 1, 2015

Date of Approval: (*See Page 2 for dates of
initial review, approval, and appeal)

Appeal Deadline Date: November 5, 2015

Associated Applications: PRE14-00052 (Development Issues Meeting); PRE15-00019 (Pre-Submittal); TYP315-00003 (Discretionary Use)



APPLICANT'S DEVELOPMENT REVIEW TEAM

Applicant: Lauren Russell SmartLink LLC 621 SW Alder Street Suite 660 Portland, OR 97205	Property Owner: John Erving, Broker Jasper Junction LLC 85831 Parklane Circle Pleasant Hill, OR 97455	Project Engineer: Raymond Jacobson, PE Acom Consulting Inc. 1125 SE Clatsop Street Portland, OR 97202
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CITY OF SPRINGFIELD'S DEVELOPMENT REVIEW TEAM

POSITION	REVIEW OF	NAME	PHONE
Project Manager	Planning	Andy Limbird	541-726-3784
Transportation Planning Engineer	Transportation	Michael Liebler	541-736-1034
Public Works Engineer	Utilities	Kyle Greene	541-726-5750
Public Works Engineer	Sanitary & Storm Sewer	Kyle Greene	541-726-5750
Deputy Fire Marshal	Fire and Life Safety	Gilbert Gordon	541-726-2293
Building Official	Building	David Bowsby	541-736-1029

Site Information: The subject development site is a mostly vacant commercial property on the west side of South 42nd Street and north of Jasper Road. The commercial property is bisected by an undeveloped segment of Horace Street right-of-way that extends from its current terminus at the west boundary of the site to South 42nd Street. The north half of the property contains a vacant 4,000 ft² commercial shell building with gravel driveway approach from South 42nd Street. The proposed wireless telecommunications system facility – a 90-foot tall monopine tower – is located in the northwest corner of the property. The south half of the property contains an existing, non-conforming residential dwelling that faces Jasper Road.

In accordance with SDC 4.3-145.E and SDC Table 4.3-1, wireless telecommunications system facilities designed as imitation trees are classified as moderate visibility facilities. Moderate visibility facilities are allowable in the Community Commercial (CC) district subject to Discretionary Use approval. The applicant submitted a Discretionary Use request for a 90-foot tall monopine wireless telecommunications system facility under separate cover (Case TYP315-00003), and the Springfield City Council granted the Discretionary Use approval at the regular meeting on July 20, 2015. Issuance of the Discretionary Use approval was a necessary pre-requisite for the modified site plan to be approved for the subject property,

The site is zoned and designated CC in accordance with the Springfield Zoning Map and the adopted *Metro Plan* diagram. Other properties in the vicinity of the subject site are zoned Medium Density Residential (west of the site); Low Density Residential (south and east of the site); and Community Commercial (north of the site).

The site is within the mapped 20+ Year Time of Travel Zone (TOTZ) for the 16th & Q Street drinking water wellhead and, therefore, is subject to the 20+ Year TOTZ provisions of the Drinking Water Protection Overlay District, SDC 3.3-200. Provisions for water quality protection during site construction and operation have been inserted as conditions of this decision in order to protect local surface waters and groundwater resources.

DECISION: This decision grants Tentative Site Plan Approval. The standards of the Springfield Development Code (SDC) applicable to each criterion of Site Plan Approval are listed herein and are satisfied by the submitted plans unless specifically noted with findings and conditions necessary for compliance. Final Site Plans must conform to the submitted plans as conditioned herein. This is a limited land use decision made according to City code and state statutes. Unless appealed, the decision is final. Please read this document carefully.

(See Page 13 for a summary of the recommended conditions of approval.)

OTHER USES AUTHORIZED BY THE DECISION: None. Future development will be in accordance with the provisions of the Springfield Development Code, filed easements and agreements, and all applicable local, state and federal regulations.

REVIEW PROCESS: This application is reviewed under Type II procedures listed in Springfield Development Code Section 5.1-130 and the site plan review criteria of approval SDC 5.17-125.

The sequence of review and approval for the subject application is as follows:

The subject application was submitted on May 1, 2015 and initially reviewed by the Springfield Planning Commission at a public hearing meeting on June 2, 2015. At the regular meeting on June 15, 2015, the City Council elevated the applicant's Discretionary Use request (Case TYP315-00003) and the subject Site Plan Review application (Case TYP215-00012) to a Type IV land use decision by the City Council. The City Council initially reviewed the Discretionary Use and Site Plan Review applications at a public hearing meeting on July 6, 2015. The public hearing record was held open for an additional two weeks and the City Council approved the Discretionary Use on July 20, 2015. Concurrent with approval of the Discretionary Use, the City Council approved the applicant's Tentative Site Plan on July 20, 2015. A Notice of Intent to Appeal the City Council's decision was filed with the Oregon Land Use Board of Appeals (LUBA) on August 10, 2015. The applicant, Verizon Wireless, submitted a Motion to Intervene on August 25, 2015. Subsequent to the filing of the LUBA appeal and Motion to Intervene, the parties to the appeal – including the Relief Nursery (appellant), City of Springfield (respondent), and

Verizon Wireless (intervenor) – discussed the potential for a solution to the appeal issue. To facilitate a negotiated solution to the appeal, the City filed a Notice to Withdraw the Decision for Reconsideration on September 15, 2015. The City Council directed the Planning Commission to review the modified site plan at the regular meeting on September 21, 2015. Finally, on September 28, 2015 the applicant modified and re-submitted the site plan for Planning Commission consideration.

Procedural Finding: Applications for Limited Land Use Decisions require the notification of property owners/occupants within 300 feet of the subject property allowing for a 14 day comment period on the application (SDC Sections 5.1-130 and 5.2-115). The applicant and parties submitting written comments during the notice period have appeal rights and are mailed a copy of this decision for consideration (See Written Comments below and Appeals at the end of this decision).

Procedural Finding: On October 6, 2015, City staff reviewed the modified site plans (16 Sheets – SmartLink LLC and Acom Consulting Inc. Sheets T1-T2, A0-A8.1 and RF-1; and McKay Consulting LLC unnumbered topographic survey sheet) and other supporting information. City staff’s review comments have been reduced to findings and recommended conditions only as necessary for compliance with the Site Plan Review criteria of SDC 5.17-125.

Procedural Finding: In accordance with SDC 5.17-125 to 5.17-135, the Final Site Plan shall comply with the requirements of the SDC and the conditions imposed by the Planning Commission in this decision. The Final Site Plan otherwise shall be in substantial conformity with the tentative site plan reviewed. Portions of the proposal approved as submitted during tentative site plan review cannot be substantively changed during Final Site Plan approval. Approved Final Site Plans (including Landscape Plans) shall not be substantively changed during Building Permit Review without an approved Site Plan Modification Decision.

WRITTEN COMMENTS:

Procedural Finding: In accordance with SDC 5.1-130 and 5.2-115, notice of the modified site plan was sent to adjacent property owners/occupants within 300 feet of the subject site on September 29, 2015. No written comments were received prior to the public hearing meeting.

CRITERIA OF SITE PLAN APPROVAL:

SDC 5.17-125, Site Plan Review Standards, Criteria of Site Plan Approval states, “the Director shall approve, or approve with conditions, a Type II Site Plan Review Application upon determining that criteria A through E of this Section have been satisfied. If conditions cannot be attached to satisfy the criteria, the Director shall deny the application.”

A. The zoning is consistent with the *Metro Plan* diagram, and/or the applicable Refinement Plan diagram, Plan District map, and Conceptual Development Plan.

Finding 1: The site is zoned and designated Community Commercial in accordance with the Springfield Zoning Map and the adopted *Metro Plan* diagram. The applicant is not proposing to change the zoning for the site.

Conclusion: This proposal satisfies Criterion A.

B. Capacity requirements of public improvements, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Development & Public Works Director or a utility provider shall determine capacity issues.

Finding 2: Approval of this proposal would allow for construction of a 90-foot tall monopine wireless transmissions system facility (ie. camouflage cell tower) with a 312 ft² equipment shelter, fenced enclosure, and screening landscaping on a mostly vacant commercial parcel.

Finding 3: For all public improvements, the applicant shall retain a private professional civil engineer to design the site improvements in conformance with City codes, this decision, and the current *Engineering Design Standards and Procedures Manual* (EDSPM). The private civil engineer also shall be required to provide construction inspection services.

Finding 4: Staff reviewed the modified site plans on October 6, 2015. City staff's review comments have been incorporated in findings and recommended conditions contained herein.

Conclusion: The proposal satisfies this sub-element of the criterion.

Water and Electricity Improvements

Finding 5: SDC 4.3-130 requires each development area to be provided with a water system having sufficiently sized mains and lesser lines to furnish adequate supply to the development and sufficient access for maintenance. Springfield Utility Board (SUB) coordinates the design of the water system within Springfield city limits.

Finding 6: The proposed development is a non-combustible wireless telecommunications system tower with a utility enclosure that is not designed or intended for continuous occupation. There is no water service proposed to the site and none is required.

Finding 7: The applicant is proposing to install underground electricity and telecommunication lines from a connection point at the northeast corner of the property to the utility enclosure. The applicant has not clarified whether they will require high voltage or secondary voltage service to the proposed equipment enclosure. To accommodate the underground utility lines, a utility easement will be necessary. SUB Electric requests a 7-foot wide utility easement centered on a high voltage line; or 5-foot wide utility easement centered on a secondary voltage line. The easement should extend from the connection point at the edge of the South 42nd Street right-of-way to the termination point at the utility enclosure.

Finding 8: SUB Electric requests provision for access to the fenced compound to allow for meter reading or to pull the meter in the event of an emergency. Access to the compound can be provided by way of a SUB-installed lock used in tandem with a Verizon Wireless lock, or a key to the Verizon Wireless lock issued to SUB personnel. The applicant has addressed this request through a construction note on Sheet A-1 of the modified plan set.

Recommended Condition of Approval:

- 1. The Final Site Plan shall provide for a utility easement satisfactory to SUB Electric for the underground electrical and telecommunication lines serving the development site.**

Conclusion: The existing SUB Water and Electric facilities are adequate to serve the site. As conditioned herein, the proposal satisfies this sub-element of the criterion.

Sanitary Sewer and Stormwater Management Facilities

Sanitary Sewer

Finding 9: Section 4.3-105.A of the SDC requires that sanitary sewers shall be installed to serve each new development and to connect developments to existing mains. Additionally, installation of sanitary sewers shall provide sufficient access for maintenance activities.

Finding 10: The proposed wireless telecommunications system facility is designed and intended as a non-occupied utility enclosure. There is no water service or floor drains planned for the development site. Therefore, sanitary sewer service is not required.

Conclusion: The proposal satisfies this sub-element of the criterion.

Stormwater Management (Quantity)

Finding 11: SDC 4.3-110.B requires that the Approval Authority shall grant development approval only where adequate public and/or private stormwater management systems provisions have been made as determined by the Development & Public Works Director, consistent with the EDSPM.

Finding 12: SDC 4.3-110.C states that a stormwater management system shall accommodate potential runoff from its entire upstream drainage area, whether inside or outside of the development.

Finding 13: SDC 4.3-110.D requires that runoff from a development shall be directed to an approved stormwater management system with sufficient capacity to accept the discharge.

Finding 14: SDC 4.3-110.E requires new developments to employ drainage management practices that minimize the amount and rate of surface water runoff into receiving streams, and that promote water quality.

Finding 15: The proposed development will not create an appreciable amount of impervious surface requiring constructed stormwater management facilities. Rooftop drainage will be discharged to the gravel compound and either infiltrate or flow overland to the perimeter landscaping buffer. Overflow drainage from the proposed development site, if any, will not affect the public stormwater management system or adjacent properties. Therefore, no stormwater management facilities are required for the subject development.

Conclusion: The proposal satisfies this sub-element of the criterion.

Stormwater Management (Quality)

Finding 16: Under Federal regulation of the Clean Water Act (CWA), Endangered Species Act (ESA), and National Pollutant Discharge Elimination System (NPDES), the City of Springfield is required to obtain, and has applied for, a Municipal Separate Storm Sewer System (MS4) permit. A provision of this permit requires the City to demonstrate efforts to reduce the pollution in urban stormwater to the Maximum Extent Practicable (MEP).

Finding 17: Federal and Oregon Department of Environmental Quality (ODEQ) rules require the City's MS4 plan to address six "Minimum Control Measures". Minimum Control Measure 5, "Post-Construction Stormwater Management for New Development and Redevelopment", applies to the proposed development.

Finding 18: Minimum Control Measure 5 requires the City of Springfield to develop, implement and enforce a program to ensure the reduction of pollutants in stormwater runoff to the MEP. The City also must develop and implement strategies that include a combination of structural or non-structural Best Management Practices (BMPs) appropriate for the community.

Finding 19: Minimum Control Measure 5 requires the City of Springfield to use an ordinance or other regulatory mechanism to address post-construction runoff from new and re-development projects to the extent allowable under State law. Regulatory mechanisms used by the City include the SDC, the City's *Engineering Design Standards and Procedures Manual* and the *Stormwater Facilities Master Plan (SFMP)*.

Finding 20: As required in SDC 4.3-110.E, "a development shall be required to employ drainage management practices approved by the Development & Public Works Director and consistent with *Metro Plan* policies and the *Engineering Design Standards and Procedures Manual*".

Finding 21: Section 3.02 of the City's EDSPM states the Development & Public Works Department will accept, as interim design standards for stormwater quality, water quality facilities designed pursuant to the policies and procedures of the City of Eugene Stormwater Management Manual.

Finding 22: Section 3.03.3.B of the City's EDSPM states all public and private development and redevelopment projects shall employ a system of one or more post-developed BMPs that in combination are designed to achieve at least a 70 percent reduction in the total suspended solids in the runoff generated by the development. Section 3.03.4.E of the manual requires a minimum of 50 percent of the non-building rooftop impervious area on a site shall be treated for stormwater quality improvement using vegetative methods.

Finding 23: The proposed wireless telecommunications system facility (monopine tower), gravel compound, and utility enclosure will create less than 500 ft² of new non-rooftop impervious area. Therefore, no stormwater quality treatment is required or recommended as a part of the proposed site development.

Conclusion: The proposal satisfies this sub-element of the criterion.

Streets and Traffic Safety Controls

Finding 24: The subject site is on the north half of a commercial parcel that is bisected by a segment of undeveloped Horace Street right-of-way. The north half of the site has approximately 140 feet of frontage on South 42nd Street along the east boundary. Along the site frontage, South 42nd Street is a fully improved minor arterial street with striped vehicle and bicycle lanes, curb, gutter, sidewalk, street trees and street lighting. The applicant is not proposing to improve the frontage beyond the existing condition, and no public street improvements are required for the proposed development.

Finding 25: It is expected that the existing transportation facilities would be adequate to accommodate the anticipated vehicular and pedestrian traffic patterns generated by the proposed development in a safe and efficient manner.

Conclusion: The proposal satisfies this sub-element of the criterion.

C. The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations.

Finding 26: Criterion C contains three different elements with sub-elements and applicable code standards. The site plan application as submitted complies with the code standards listed under each sub-element unless otherwise noted with specific findings and conclusions. The elements, sub-elements and code standards of Criterion C include but are not limited to:

1. Infrastructure Standards in accordance with SDC 4.1-100, 4.2-100 & 4.3-100
 - Water Service and Fire Protection (4.3-130)
 - Public and Private Easements (4.3-120 – 4.3-140)
 - Wireless Telecommunications System Facilities (4.3-145)
2. Conformance with standards of SDC 5.17-100, Site Plan Review, and SDC 3.2-300 Community Commercial Zoning District
 - Community Commercial Schedule of Uses (3.2-310)
 - Community Commercial District Development Standards (3.2-315)
 - Landscaping, Screening and Fence Standards (4.3-145.F.13, 4.3-145.F.25 & 4.4-100)
 - On-Site Lighting Standards (4.5-100)
 - Vehicle Parking, Loading and Bicycle Parking Standards (4.6-100)
 - Specific Development Standards for Accessory Structures (4.7-105)
3. Overlay Districts and Applicable Refinement Plan Requirements
 - Drinking Water Protection Overlay District

C.1 Public and Private Improvements in accordance with SDC 4.1-100, 4.2-100 & 4.3-100

Water Service and Fire Protection (4.3-130)

Access

Finding 27: All fire apparatus access routes are to be paved all-weather surfaces able to support an 80,000 lb. imposed load in accordance with the 2014 Springfield Fire Code (SFC) 503.2.3 and SFC Appendix D102.1. Access to the project area is afforded from South 42nd Street. The nearest responding fire station (Station #14) is located at 4765 Main Street.

Water Supply

Finding 28: The proposed equipment enclosure will be classified as a Type U (utility) building occupancy. In accordance with SFC 503.1.1, Exception 3, fire access and water supply requirements are not applicable unless there are more than two U-class occupancies on the property. The applicant is proposing to construct only one U-class building for the facility.

Finding 29: The applicant is proposing a diesel-powered backup generator which requires the Final Site Plan to incorporate any fire protection measures that are necessary to address the use and storage of diesel fuel on the site. Additionally, the proposed use of diesel fuel will trigger requirements for Fire Code operational permits and inspections and may require Drinking Water Protection Overlay District permitting for the facility design and operation, including but not limited to secondary containment requirements. The Drinking Water Protect Overlay District requirements are discussed in Section C.3 of this report.

Recommended Condition of Approval:

- 2. The Final Site Plan shall provide for any Eugene-Springfield Fire Department requirements as may be necessary to accommodate a diesel fuel powered backup generator. Any required changes to the fire protection measures for the site shall be depicted on the Final Site Plan and addressed in the applicant's response to the conditions of approval imposed by the Planning Commission with this decision.**

Conclusion: As conditioned herein, the proposal satisfies this sub-element of the criterion.

Public and Private Easements (4.3-120 – 4.3-140)

Finding 30: SDC 4.3-140.A requires applicants proposing developments to make arrangements with the City and each utility provider for the dedication of utility easements necessary to fully service the development or land beyond the development area. The minimum width for PUEs adjacent to street rights-of-way and internal to private properties shall be 7 feet, unless the Development & Public Works Director requires a larger easement to allow for adequate maintenance access.

Finding 31: The subject property has existing 7-foot wide PUEs along the South 42nd Street frontage of the site and along the north and south edges of the undeveloped Horace Street right-of-way. Therefore, no additional street side easements are required for the proposed development.

Finding 32: As stated and conditioned previously in this report, a utility easement will be required to accommodate the underground electrical and telecommunication lines serving the site.

Conclusion: Safe and efficient provision of public access and utilities requires the provision of corresponding access and utility easements. The proposal satisfies this sub-element of the criterion.

Wireless Transmissions System Facilities (4.3-145)

Finding 33: In accordance with SDC 4.3-145.E, imitation trees such as the proposed monopine tower are classified as a moderate visibility wireless telecommunications facility. In accordance with SDC Table 4.3-1, moderate visibility facilities are allowable in the Community Commercial district subject to Discretionary Use approval.

Finding 34: Specific details of the proposed wireless telecommunications system facility, including recommended modifications to the applicant's proposed monopine tower design, were reviewed and approved through the applicant's Discretionary Use request submitted under separate cover (Case TYP315-00003) and incorporated herein by reference. The Discretionary Use was approved by the City Council on July 20, 2015.

Finding 35: The Discretionary Use approval for the proposed wireless telecommunications system facility specified a three branch per foot design that would resemble a California Redwood or Sequoia tree. The applicant's modified site plan (Sheet A-2) acknowledges the requirement for a three branch per foot design.

Conclusion: The proposal satisfies this sub-element of the criterion.

C.2 Conformance with Standards of SDC 5.17-100, Site Plan Review, and SDC 3.2-300, Community Commercial Zoning District

Community Commercial Schedule of Uses (3.2-310)

Finding 36: In accordance with SDC 3.2-310, wireless telecommunications system facilities are allowable in the CC District subject to the special provisions of SDC 4.3-145. SDC Table 4.3-1 states that moderate visibility wireless telecommunications system facilities such as a monopine (ie. imitation tree) are allowable in the CC District subject to Discretionary Use approval.

Finding 37: As previously stated herein, the applicant submitted a Discretionary Use request for the subject development under separate cover (Case TYP315-00003), which is incorporated herein by reference. The Discretionary Use request was approved by the Springfield City Council on July 20, 2015.

Conclusion: The proposal satisfies this sub-element of the criterion.

Community Commercial Standards (3.2-315)

Finding 38: In accordance with SDC 3.2-315, the minimum parcel size for properties in the CC District is 6,000 ft² with at least 50 feet of public street frontage.

Finding 39: The proposed development site is approximately 85,250 ft² (1.96 acres) with about 140 feet of frontage on South 42nd Street and 510 feet of frontage on undeveloped Horace Street. The parcel size and frontages meet the requirements of SDC 3.2-315.

Finding 40: In accordance with SDC 3.2-315, the minimum setbacks for structures is 10 feet for front, rear and street side yards, and 5 feet for interior side yards. The proposed development contains an undeveloped segment of public street (Horace Street) which will be considered the street side yard for the purpose of this review. At such time as Horace Street is developed to urban standards, the setback from the edge of right-of-way would be considered the front yard setback and the setback from South 42nd Street would become the street side yard setback.

Finding 41: The proposed development has a 360-foot setback from the east (front yard) property line; a 140-foot setback from the south (street side yard) property line; a 107-foot setback from the west (rear yard) property line; and a 21-foot setback from the north (interior side yard) property line. The proposed setbacks meet the requirements of SDC 3.2-315.

Finding 42: In accordance with SDC 3.2-315, there is no maximum building height for structures within the CC District provided the development site is more than 50 feet from a residential district property line.

Finding 43: The proposed monopine tower is 90 feet high and is located more than 105 feet from the nearest residential property line, which meets the requirements of SDC 3.2-315.

Finding 44: In accordance with SDC 3.2-315, there is no maximum lot coverage for structures within the CC District provided the required building and parking lot setbacks are observed.

Finding 45: The proposed development site occupies a fractional amount of the potential site building coverage, which meets the requirements of SDC 3.2-215.

Conclusion: The proposal satisfies this sub-element of the criterion.

Landscaping, Screening and Fence Standards (4.3-145.F.13, 4.3-145.F.25 & 4.4-100)

Finding 46: In accordance with SDC 4.4-100, all required setbacks are to be landscaped. Acceptable forms of landscaping include trees, shrubs, turf grass and ground cover plants. The site is mostly vacant and there are existing trees along the north and west boundaries of the property. The applicant is not proposing to remove any of the existing trees on the site. Additionally, the proposed development site occupies only a small component of the overall commercial site. It is expected that further and more intensive commercial site development will occur in the future. At such time as the site is developed or redeveloped, provisions for landscaping will need to be incorporated into the site design.

Finding 47: In accordance with SDC 4.3-145.F.25, additional screening vegetation is required for wireless telecommunications system facilities that exceed the height limitations of the base zone. The applicant's proposed 90-foot tall monopine tower does not exceed the height limitations of the district.

Finding 48: In accordance with SDC 4.3-145.F.13, the visibility of wireless transmissions system facilities are to be minimized to the greatest extent practicable by camouflage, screening and landscaping. The applicant's proposed landscaping plan (Sheet A-1.1) provides for installation of drought-tolerant vegetation that will form a screening hedge as it matures. After an additional establishment period, the vegetation is intended to be low-maintenance and non-irrigated.

Finding 49: As part of the site landscaping plan, the applicant is proposing to plant Leyland cypress trees on the perimeter of the fenced enclosure to provide initial and long-term screening of the facility as the trees grow and mature. Leyland cypress trees are notable for being a hardy, fast-growing tree that forms a dense screen within a relatively short timeframe. The trees can reach a height of 50 feet or taller under optimal conditions.

Conclusion: The proposal satisfies this sub-element of the criterion.

On-Site Lighting Standards (4.5-100)

Finding 50: In accordance with SDC 4.5-110.B.2.b, the maximum height of a freestanding light fixture within a commercial district is the height of the principal building on the site or 25 feet, whichever is less. According to the applicant's site plan, the utility enclosure is 10.5 feet high at the roofline. The applicant is proposing to mount a security light at the 8-foot level on the south exterior wall of the utility enclosure. The light is proposed to be a downcast, pedestrian-scale light with sharp cutoff to prevent glare and light trespass onto neighboring properties. The size and positioning of the proposed building light should not have any adverse effect on neighboring residential properties.

Conclusion: The proposal satisfies this sub-element of the criterion.

Vehicle Parking, Loading and Bicycle Parking Standards (4.6-100)

Finding 51: In accordance with SDC Tables 4.6-2 and 4.6-3, there is no vehicle or bicycle parking requirement for unoccupied utility facilities. Verizon Wireless personnel visiting the site for occasional maintenance will park on the gravel driveway outside the fenced compound. There will be no impacts to public streets, adjacent commercial sites, or nearby educational facilities.

Conclusion: The proposal satisfies this sub-element of the criterion.

Specific Development Standards for Accessory Structures (4.7-105)

Finding 52: In accordance with SDC 4.7-105, provisions for structures that are incidental to principal uses on the site are intended to prevent them from becoming the predominant element on the site. Accessory structure provisions are primarily directed at residential uses, but have application for the subject proposal because there is partial commercial development on the site and more is likely to occur in the future. Additionally, the proposed development site is bounded on three sides by residential zoning districts.

Finding 53: In accordance with SDC 4.7-105.B.1, accessory structures may be located anywhere on a site if they are not within a required building setback. In accordance with SDC 4.7-105.C.4, accessory structures need to meet required building setbacks specified in SDC 3.2-315. The proposed utility enclosure meets the required building setbacks for the Community Commercial district. Therefore, this standard has been met.

Finding 54: In accordance with SDC 4.7-105.B.2, accessory structures are to be constructed in conjunction with or after construction of a primary structure. The proposed utility enclosure is behind (west of) an existing, vacant commercial shell building that faces South 42nd Street. Although vacant, the existing commercial building is considered the primary structure on the site. Therefore, this standard has been met.

Finding 55: In accordance with SDC 4.7-105.C.2, accessory structures cannot have more square footage than the primary structure. The existing primary commercial structure is 4,000 ft² and the proposed utility enclosure is about 312 ft². Therefore, this standard has been met.

Finding 56: In accordance with SDC 4.7-105.C.3, accessory structures can be as high as the primary structure provided that solar access provisions are met. The existing building is about 16 feet high and the proposed utility enclosure is 10.5 feet high. Therefore, this standard has been met.

Conclusion: The proposal satisfies this sub-element of the criterion.

C.3 Overlay Districts and Applicable Refinement Plan Requirements

Finding 57: The site is outside of an adopted Refinement Plan area so the provisions of the adopted *Metro Plan* apply. The development site is already zoned and designated CC in accordance with the *Metro Plan* diagram, which meets this requirement.

Finding 58: The subject site is located within the mapped 20+ year Time of Travel Zone (TOTZ) for the 16th & Q Street drinking water wellhead. Therefore, the site is subject to provisions of the 20+ year TOTZ Drinking Water Protection Overlay District found in SDC 3.3-235.D. The applicant's modified site plan indicates that a diesel-fired backup generator will be installed to serve the wireless telecommunications system facility. The diesel fuel system requires a review by the Fire Department and SUB Drinking Water Source Protection and may trigger the requirement for a Drinking Water Protection Overlay District Permit.

Finding 59: The applicant has submitted a Drinking Water Protection Overlay District Permit application under separate cover (Case TYP115-00025), which is incorporated herein by reference. Staff approval of the Drinking Water Protection permit or issuance of an exemption will be contingent upon Planning Commission approval of the subject Site Plan Review application, Case TYP215-00012.

Finding 60: As a “Best Practices” recommendation for this site, care must be taken during site construction and operation to prevent contamination from chemicals that may spill or leak onto the ground surface, including fuel and automotive fluids (such as lubricants and antifreeze, etc.). Fluid-containing equipment, including vehicles parked on the site, shall be monitored for leaks and spills. Any chemical spills or leaks must be cleaned up immediately and cleanup materials disposed off-site in accordance with Lane County and State DEQ requirements.

Finding 61: The applicant shall provide the following notes regarding drinking water protection on the site construction plans:

“Chemical spills or leaks at this location have the potential to contaminate Springfield’s drinking water supply. Any chemical spills or leaks shall be cleaned up immediately and clean-up materials disposed off-site in accordance with Lane County and DEQ requirements.

Chemical handling, storage, and use: Contractors/developers shall be responsible for the safe handling and storage of chemicals, petroleum products, and fertilizers and the prevention of groundwater and storm water runoff contamination. Chemicals used during construction, including paint and cleaning materials/wastes, must not enter the soil or be washed into the storm water system. All chemicals should be stored in adequate secondary containment.

Equipment maintenance and fueling: Precautions must be taken to prevent fluid-containing equipment located outside from leaking, including providing a dedicated area for fueling and maintenance of equipment. This area should be prepared and maintained in a way that prevents spills or leaks from migrating to the soil or storm water drainage system.

No fill materials containing hazardous materials shall be used on this site.”

Finding 62: The applicant will need to install a wellhead protection sign at the diesel fuel generator to remind employees of the importance of cleaning up and reporting fuel spills. Wellhead protection signs are available from SUB Drinking Water Source Protection – please contact Amy Chinitz at 541-744-3745 for further information.

Finding 63: The applicant has added a Wellhead Protection Signage sheet to the modified site plan (Sheet A-8.1) which meets the requirement stated above.

Recommended Condition of Approval:

- 3. The site construction plans shall include notes detailing drinking water protection practices to be used on the site, as detailed in Finding 61 of the Staff Report and Planning Commission Decision on the modified Site Plan Review application, Case TYP215-00012.**

Conclusion: As conditioned herein, the proposal satisfies this sub-element of the criterion.

- D. Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; minimize curb cuts on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for State highways.**

Finding 64: Installation of driveways on a street increases the number of traffic conflict points. The greater number of conflict points increases the probability of traffic crashes. Effective ways to reduce the probability of traffic crashes include: reducing the number of driveways; increasing distances between intersections and driveways; and establishing adequate vision clearance areas where driveways intersect streets. Each of these

techniques permits a longer, less cluttered sight distance for the motorist, reduces the number and difficulty of decisions that drivers must make, and contributes to increased traffic safety.

Finding 65: In accordance with SDC 4.2-120.C, site driveways shall be designed to allow for safe and efficient vehicular ingress and egress as specified in Tables 4.2-2 through 4.2-5, the City's EDSPM, and the Springfield Development & Public Works Department's Standard Construction Specifications. Ingress-egress points must be planned to facilitate traffic and pedestrian safety, avoid congestion, and minimize curb cuts on public streets.

Finding 66: The applicant is proposing to use an existing commercial driveway onto South 42nd Street at the east edge of the site. The existing site driveway is suitable for the proposed use, which is limited to construction traffic during initial installation of the wireless telecommunications system facility and occasional maintenance vehicles thereafter.

Finding 67: In accordance with SDC 4.2-120.A.1 and Table 4.2-2, driveways onto public streets that are improved with curb and gutter need to be paved at least 18 feet into the site. A paved driveway apron is particularly important on a minor arterial street such as South 42nd Street to prevent tracking of gravel and debris into the vehicle and bicycle travel lanes. According to the applicant's proposed site plan (Sheet A-0), the driveway apron will be paved about 18 feet from the edge of the curb line on South 42nd Street, but the paving does not extend 18 feet into the site itself. About eight feet of paving into the property will be required in order to meet this standard.

Recommended Condition of Approval:

- 4. The Final Site Plan shall provide for a paved driveway apron that extends at least 18 feet into the site as measured from the western edge of the South 42nd Street right-of-way.**

Conclusion: As conditioned herein, the proposal satisfies this criterion.

- E. Physical features, including, but not limited to: steep slopes with unstable soil or geologic conditions; areas with susceptibility of flooding; significant clusters of trees and shrubs; watercourses shown on the Water Quality Limited Watercourse Map and their associated riparian areas; wetlands; rock outcroppings; open spaces; and areas of historic and/or archaeological significance, as may be specified in Section 3.3-900 or ORS 97.740-760, 358.905-955 and 390.235-240, shall be protected as specified in this Code or in State or Federal law.**

Finding 68: The Natural Resources Study, the National Wetlands Inventory, the Springfield Wetland Inventory Map, Wellhead Protection Overlay and the list of Historic Landmark Sites have been consulted and there are no natural features on this site that warrant protection.

Finding 69: The applicant is not proposing to remove any qualifying trees from the property to facilitate site development. In accordance with SDC 5.19-110.A, a tree felling permit is required for removal of more than 5 trees greater than 5-inches in diameter in any 12-month period. Therefore, this requirement is not applicable.

Finding 70: Stormwater runoff from the subject site flows to the Willamette River system. This river is listed with the State of Oregon as a "water quality limited" stream for numerous chemical and physical constituents, including temperature. Provisions have been made in this decision for protection of stormwater quality. The proposed site development will not create an appreciable amount of new impervious surface requiring constructed stormwater management facilities for runoff quantity or quality control.

Finding 71: As previously noted and conditioned herein, groundwater protection must be observed during construction on the site. The applicant shall maintain the private stormwater facility on the site to ensure the continued protection of surface water and groundwater resources.

Conclusion: The proposed development provides storm and ground water quality protection in accordance with SDC 3.3-200 and receiving streams have been protected in accordance with SDC 4.3-110 and 4.3-115.

CONCLUSION: The Tentative Site Plan, as submitted and conditioned herein, complies with Criteria A-E of SDC 5.17-125. Staff recommends approval of the Tentative Site Plan subject to the recommended conditions contained herein and as summarized below.

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL:

- 1. The Final Site Plan shall provide for a utility easement satisfactory to SUB Electric for the underground electrical and telecommunication lines serving the development site.**
- 2. The Final Site Plan shall provide for any Eugene-Springfield Fire Department requirements as may be necessary to accommodate a diesel fuel powered backup generator. Any required changes to the fire protection measures for the site shall be depicted on the Final Site Plan and addressed in the applicant's response to the conditions of approval imposed by the Planning Commission with this decision.**
- 3. The site construction plans shall include notes detailing drinking water protection practices to be used on the site, as detailed in Finding 61 of the Staff Report and Planning Commission Decision on the modified Site Plan Review application, Case TYP215-00012.**
- 4. The Final Site Plan shall provide for a paved driveway apron that extends at least 18 feet into the site as measured from the western edge of the South 42nd Street right-of-way.**

WHAT NEEDS TO BE DONE BY THE APPLICANT TO OBTAIN FINAL SITE PLAN APPROVAL?

Upon approval of the Tentative Site Plan by the Springfield Planning Commission, the applicant shall submit five (5) copies of a Final Site Plan, the Final Site Plan application form and fees, and any additional required plans, documents or information as required by the Planning Commission decision to the Current Development Division within 90 days of the date of the Planning Commission decision (ie. **by January 18, 2016**). The Final Site Plan application form and fee information is available on the City's website here: <http://www.springfield-or.gov/DPW/Permits.htm#LandUsePermits>. In accordance with SDC 5.17-135 – 5.17-140, the Final Site Plan shall comply with the requirements of the SDC and the conditions imposed by the Planning Commission in this decision. The Final Site Plan otherwise shall be in substantial conformity with the tentative plan reviewed and approved. Portions of the proposal approved as submitted during tentative review cannot be substantively changed during final site plan approval. Approved Final Site Plans (including Landscape Plans) shall not be substantively changed during Building Permit Review without an approved Site Plan Decision Modification.

NOTICE & DEVELOPMENT AGREEMENT: In order to complete the review process, Notice of the Planning Commission decision on this matter shall be mailed by staff to all parties to the decision within five (5) days. A Development Agreement is also required to ensure that the terms and conditions of site plan review are binding upon both the applicant and the City. This agreement will be prepared by Staff upon approval of the Final Site Plan and must be signed by the property owner prior to the issuance of a building permit.

The applicant may submit permit applications to other City departments for review prior to final site plan approval in accordance with SDC 5.17-135 at their own risk. All concurrent submittals are subject to revision for compliance with the final site plan. A development agreement in accordance with SDC 5.17-140 will not be issued until all plans submitted by the applicant have been revised. **CONFLICTING PLANS CAUSE DELAYS.**

ADDITIONAL INFORMATION: The application, all documents, and evidence relied upon by the applicant, and the applicable criteria of approval are available for free inspection and copies are available for a fee at the Development & Public Works Department, 225 Fifth Street, Springfield, Oregon.

APPEAL: This Type II Tentative Site Plan decision is associated with the Type III Discretionary Use Request initiated by Case TYP315-00003 (approved by the Springfield City Council on July 20, 2015), and is therefore considered a Type III decision of the Planning Commission. As such, this decision may be appealed to the Springfield City Council. The appeal may be filed with the Development & Public Works Department by an affected party. Your appeal must be in accordance with **SDC 5.3-100, Appeals**. An Appeals application must be submitted with a fee of \$2,420.00. The fee will be returned to the applicant if the City Council approves the appeal application.

In accordance with SDC 5.1-135.F and 5.3-115.B which provide for a 15-day appeal period and Oregon Rules of Civil Procedures, Rule 10(c) for service of notice by mail, the appeal period for this decision expires at **5:00 PM on November 5, 2015**.

QUESTIONS: Please call Andy Limbird in the Current Development Division of the Development & Public Works Department at (541) 726-3784 or email alimbird@springfield-or.gov if you have any questions regarding this process.

PREPARED BY

Andy Limbird

Andy Limbird
Senior Planner

City of Springfield
 Development Services Department
 225 Fifth Street
 Springfield, OR 97477



Site Plan Review

Application Type		(Applicant: check one)
Site Plan Review Pre-Submittal: <input type="checkbox"/>	Major Site Plan Modification Pre-Submittal: <input type="checkbox"/>	
Site Plan Review Submittal: <input checked="" type="checkbox"/>	Major Site Plan Modification Submittal: <input type="checkbox"/>	
Required Project Information		(Applicant: complete this section)
Applicant Name: Lauren Russell		Phone: 503-241-0279
Company: Verizon Wireless c/o Smartlink LLC		Email: lauren.russell@smartlinkllc.com
Address: 621 SW Alder St Portland, OR 97205		
Applicant's Rep.:		Phone:
Company:		Email:
Address:		
Property Owner: c/o John Erving		Phone: 541-345-4860
Company: Jasper Junction LLC		Email:
Address: 85831 Parklane Cir Pleasant Hill, OR 97455		
ASSESSOR'S MAP NO: 18020523	TAX LOT NO(S): 00100	
Property Address: 4164 Jasper Rd Springfield, OR 97478		
Size of Property: 5.2	Acres <input checked="" type="checkbox"/> Square Feet <input type="checkbox"/>	Proposed No. of Dwelling Units per acre: N/A
Proposed Name of Project: EUG Clearwater		
Description of Proposal: <small>If you are filling in this form by hand, please attach your proposal description to this application.</small> See Part I of the attached narrative document		
Existing Use: Vacant building/lot		
New Impervious Surface Coverage (Including Bldg. Gross Floor Area): 377.25 sf		
Signatures: Please sign and print your name and date in the appropriate box on the next page.		
Required Project Information		(City Intake Staff: complete this section)
Associated Applications:		Signs: <i>yes</i>
Pre-Sub Case No.:	Date:	Reviewed by:
Case No.: <i>TP215-00012</i>	Date: <i>5/1/15</i>	Reviewed by: <i>L. Miller</i>
Application Fee: \$ <i>4401</i>	Technical Fee: \$ <i>220.05</i>	Postage Fee: \$ <i>163</i>
TOTAL FEES: \$ <i>4784.05</i>	Date Received:	PROJECT NUMBER: <i>PRJ14-00036</i>

Owner Signatures

This application form is used for both the required pre-submittal meeting and subsequent complete application submittal. Owner signatures are required at both stages in the application process.

An application without the Owner's original signature will not be accepted.

Pre-Submittal

The undersigned acknowledges that the information in this application is correct and accurate for scheduling of the Pre- Submittal Meeting. If the applicant is not the owner, the owner hereby grants permission for the applicant to act in his/her behalf. I/we do hereby acknowledge that I/we are legally responsible for all statutory timelines, information, requests and requirements conveyed to my representative.

Owner:

Signature **Date:** _____

Print

Submittal

I represent this application to be complete for submittal to the City. Consistent with the completeness check performed on this application at the Pre-Submittal Meeting, I affirm the information identified by the City as necessary for processing the application is provided herein or the information will not be provided if not otherwise contained within the submittal, and the City may begin processing the application with the information as submitted. This statement serves as written notice pursuant to the requirements of ORS 227.178 pertaining to a complete application.

Owner:

See attached Land Owner Authorization

Signature **Date:** _____

Print

Date Received:

MAY 01 2015

Verizon Wireless

Permit Authorization

Date: **December 15, 2014**
Property Owner: **Jasper Junction LLC c/o John Erving, Broker**
Property/Site Address: **4164 Jasper Road, Springfield, OR**

RE: EUG Clearwater: 4164 Jasper Road, Springfield, OR

To Property Owner:

Please sign and return the letter of authorization to the Real Estate Consultant at Smartlink, 621 SW Alder Street, Suite 660, Portland, Oregon, as soon as possible to assure rapid processing of this site.

This letter shall not constitute an agreement to enter a binding easement or lease, and neither party shall be bound with respect to the leasing of the property until a final Agreement is negotiated and signed by both parties.

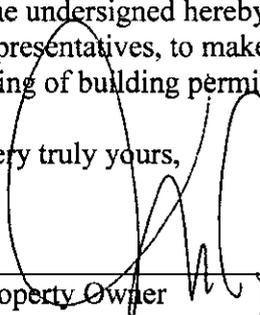
LETTER OF AUTHORIZATION

To Whom It May Concern:

The undersigned hereby authorized Verizon Wireless, its attorneys, agents or representatives, to make application for any necessary zoning petitions including the filing of building permit applications.

Very truly yours,

Property Owner


MANAGING
PARTNER
JASPER JUNCTION, LLC

Date

12/15/2014

Date Received:

MAY 01 2015

Original Submittal SM

Site Plan Review Application Process

1. Applicant Submits a Site Plan Review Application for Pre-Submittal

- The application must conform to the *Site Plan Review Submittal Requirements Checklist* on pages 4-7 of this application packet.
- A pre-submittal meeting to discuss completeness is mandatory, and pre-submittal meetings are conducted every Tuesday and Friday, from 10:00 am - noon.
- Planning Division staff strives to conduct pre-submittal meetings within five to seven working days of receiving an application.

2. Applicant and the City Conduct the Pre-Submittal Meeting

- The applicant, owner, and design team are strongly encouraged to attend the pre-submittal meeting.
- The meeting is held with representatives from Public Works Engineering and Transportation, Community Services (Building), Fire Marshall's office, and the Planning Division and is scheduled for 30 to 60 minutes.
- The Planner provides the applicant with a Pre-Submittal Checklist specifying the items required to make the application complete if it is not already complete, and the applicant has 180 days submit a complete application to the City.

3. Applicant Submits a Complete Application, City Staff Review the Application and Issue a Decision

- A complete application must conform to the *Site Plan Review Submittal Requirements Checklist* on pages 4-7 of this application packet.
- A Type II decision, made after public notice, but without a public hearing, unless appealed, is issued within 120 days of submittal of a complete application.
- Mailed notice is provided to property owners and occupants within 300 feet of the property being reviewed and to any applicable neighborhood association. In addition, the applicant must post one sign, provided by the City, on the subject property.
- There is a 14-day public comment period, starting on the date notice is mailed.
- Applications are distributed to the Development Review Committee, and their comments are incorporated into a decision that addresses all applicable approval criteria and/or development standards, as well as any written comments from those given notice.
- Applications may be approved, approved with conditions, or denied.
- At the applicant's request, the Planner can provide a copy of the draft land use decision prior to issuing the final land use decision.
- The City mails the applicant and any party of standing a copy of the decision, which is effective on the day it is mailed.
- The decision issued is the final decision of the City but may be appealed within 15 calendar days to the Planning Commission or Hearings Official.

Date Received:

MAY 01 2015

Site Plan Review Submittal Requirements Checklist

NOTE:

- ALL of the following items MUST be submitted for BOTH Pre-Submittal and Submittal.
- If you feel an item on the list below does not apply to your specific application, please state the reason why and attach the explanation to this form.

Application Fee – refer to the *Development Code Fee Schedule* for the appropriate fee calculation formula. A copy of the fee schedule is available at the Development Services Department. Any applicable application, technology, and postage fees are collected at the pre-submittal and submittal stages.

Site Plan Review Application Form

Narrative explaining the purpose of the proposed development, the existing use of the property, and any additional information that may have a bearing in determining the action to be taken. The narrative should also include the proposed number of employees and future expansion plans, if known. Density – if applicable, list the size of property (acres), maximum allowable density and the density proposed.

Copy of the Deed

Copy of the Site Plan Reduced to 8½" x 11", which will be mailed as part of the required neighboring property notification packet.

State or Federal Permits Required – The applicant must demonstrate that an application has been submitted for any required federal or state permit and provide a copy of the application upon request.

Completed Attached Scoping Sheet

Four (4) Copies of the Following Plan Sets for Pre-Submittal OR Four (4) Copies of the Following Plan Sets for Submittal:

All of the following plans must include the scale appropriate to the area involved and sufficient to show detail of the plan and related data, north arrow, and date of preparation.

All plan sets must be folded to 8½" by 11" and bound by rubber bands.

Please Note:

- **These plans must provide enough information to enable the City to determine that the proposed development is feasible, but are not necessarily required to be detailed construction level documents.**
- **The City's Engineering Design Standards Manual, while not land use criteria, may be used in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.**
- **Nothing herein should be interpreted as implying any requirement in contradiction of Oregon Statute or Oregon Administrative Regulation.**

Date Received:

MAY 01 2015

a. Site Assessment of Existing Conditions

- Prepared by an Oregon licensed Architect, Landscape Architect, Civil Engineer or Surveyor
- Vicinity Map
- The name, location and dimensions of all existing site features including buildings, curb cuts, trees and impervious surface areas, clearly indicating what is remaining and what is being removed. For existing structures to remain, also indicate present use, size, setbacks from property lines, and distance between buildings.
- The name, location, dimensions, direction of flow and top of bank of all watercourses and required riparian setback that are shown on the Water Quality Limited Watercourse Map on file in the Development Services Department
- The 100-year floodplain and floodway boundaries on the site, as specified in the latest adopted FEMA Flood Insurance Rate Maps or FEMA approved Letter of Map Amendment or Letter of Map Revision
- The Time of Travel Zones, as specified in SDC 3.3-200 and delineated on the Wellhead Protection Areas Map on file in the Development Services Department
- Physical features including, but not limited to trees 5" in diameter or greater when measured 4 1/2 feet above the ground (stands of more than five (5) trees may be shown as a cluster with mix of trees species noted), riparian areas, wetlands and rock outcroppings

b. Site Plan

- Prepared by an Oregon licensed Architect, Landscape Architect, Civil Engineer or Surveyor
- Proposed buildings: location, dimensions, size (gross floor area applicable to the parking requirement for the proposed use(s)), setbacks from property lines, and distance between buildings; measured setbacks shall be prepared by an Oregon licensed Surveyor when minimum setbacks are shown.
- Location and height of existing or proposed fences, walls, outdoor equipment, storage, trash receptacles, and signs
- Location, dimensions, and number of typical, compact and ADA parking spaces; including aisles, wheel bumpers, directional signs, and striping. ADA routes from public rights-of-way shall be designated including at grade connections
- Dimensions of the development area, as well as area and percentage of the site proposed for buildings, structures, parking and vehicular areas, sidewalks, patios, and other impervious surfaces
- Observance of solar access requirements as specified in the applicable zoning district
- On-site loading areas and vehicular and pedestrian circulation
- Access to streets, alleys, and properties to be served, including the location and dimensions of existing and proposed curb cuts and curb cuts proposed to be closed
- Location, type, and number of bicycle parking spaces
- Note location of existing and planned Lane Transit District facilities (within 1/2 mile)

Date Received:

e. Landscape Plan

- Prepared by an Architect, Landscape Architect, or other Landscape Professional approved by the Director
- Location and dimensions of landscaping and open space areas to include calculation of landscape coverage
- Where applicable, screening in accordance with SDC 4.4-110
- Location of existing and proposed street trees

f. Architectural Plans

- Where abutting residentially zoned properties, exterior elevations of all proposed structures over 140 square feet for the development site, including height, shall be shown

g. On-Site Lighting Plan

- Location, orientation, and maximum height of exterior light fixtures, both free standing and attached
- Type and extent of shielding, including cut-off angles, and type of illumination, wattage, and luminous area

Additional Materials That May be Deferred at the discretion of the applicant until Final Site Plan or Building Permit Submittal:

- List in chart form the proposed types of landscape materials (trees, shrubs, ground cover). Include in the chart genus, species, common name, quantity, size and spacing
- Where plants are proposed as part of the stormwater management system, a planting plan shall be provided.
- Irrigation Plan showing of irrigation lines, required backflow preventers and above ground utilities.
- Photometric test report for each light source.
- An applicant may submit conceptual floor plans in order to have staff address Resolution of potential nuisance conflicts

Additional Materials That May be Required by the Director:

IT IS THE APPLICANT'S RESPONSIBILITY TO DETERMINE IF ADDITIONAL STANDARDS/APPLICATIONS APPLY TO THE PROPOSED DEVELOPMENT. THE APPLICANT SHOULD CONSIDER UTILIZING PRE-DEVELOPMENT MEETINGS AS DISCUSSED IN SDC 5.1-120:

- Copy of a Preliminary Title Report issued within the past 30 days documenting ownership and listing all encumbrances.
- A developer may be required to prepare a Traffic Impact Study (TIS) to identify potential traffic impacts from proposed development and needed mitigation measures.

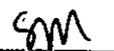
Not Received

MAY 01 2015

- Where a multi-family development is proposed, any additional materials to demonstrate compliance with SDC 3.2-240
- Riparian Area Protection Report for properties located within 150 feet of the top of bank of any Water Quality Limited Watercourses (WQLW) or within 100 feet of the top of bank of any direct tributaries of WQLW
- A Geotechnical Report prepared by an engineer must be submitted concurrently if the Soils Survey indicates the proposed development area has unstable soils and/or a high water table, or if required by the City Engineer
- Where the development area is within an overlay district, address the additional standards of the overlay district on plans and narratives
- Where physical aspects of a proposed development, including but not limited to scale, odor noise, glare or vibration, will impact less intensive surrounding uses, the Director may request submittal of conceptual floor plans or other information necessary to determine compliance with applicable standards.
- If five or more trees are proposed to be removed, a Tree Felling Permit as specified in SDC 5.19-100
- A wetland delineation approved by the Oregon Division of State Lands must be submitted concurrently where there is a wetland on the property
- The applicant must demonstrate that an application has been submitted for any required federal or state permit and provide a copy of the application upon request
- Where any grading, filling or excavating is proposed with the development, a Land and Drainage Alteration permit must be submitted prior to development
- Where applicable, any Discretionary Use or Variance as specified in SDC 5.9-100 and 5.21-100
- An Annexation shall be submitted prior to submission of application, as specified In SDC 5.7-100, where a development is proposed outside of the city limits but within the City's urban service area and can be served by sanitary sewer

Date Received:

MAY 01 2015





REQUIRED STORMWATER SCOPING SHEET USE POLICY:

The use of stormwater scoping sheets will be required for all applications which require development review. All applications submitted to the City shall provide a completed stormwater scoping sheet with the application packet.

PLEASE NOTE: SUBMITTED APPLICATIONS WILL NOW BE REQUIRED TO SUBMIT A COMPLETED STORMWATER SCOPING SHEET, STORMWATER STUDY AND PLANS IN CONFORMANCE WITH THE SCOPE REQUIREMENTS

DIRECTIONS FOR USING STORMWATER SCOPING SHEETS ARE AS FOLLOWS:

1. Obtain scoping sheet from application packet, city website, or other location
2. Fill out project information (top half of front sheet) prior to commencement of work on stormwater study (note: do not sign scoping sheet until it is received from the City with requirements checked).
3. Mail, fax, or email all pages to: City of Springfield, Public Works Dept., Attn: Matt Stouder
4. Receive completed scoping sheet (filled out by the City) indicating minimum requirements for a complete stormwater study
5. A complete scoping sheet (signed by engineer at the bottom of page 2), stormwater study and plans that comply with the minimum required scope with submittal of application packet. The scoping sheet shall be included as an attachment, inside the front cover of the stormwater study.

Stormwater scoping sheets can be found with all *application packets* (City website and the Public Works front counter) as well as on the *Public Works webpage* at either: www.ci.springfield.or.us/Pubworks/whatsnew.htm or under the link for "fillable forms" at www.ci.springfield.or.us/Pubworks/Design/start.htm . Thank you in advance for working with the City of Springfield with this new process.

Sincerely,

Matt Stouder, Civil Engineer
City of Springfield, Public Works/Engineering
Email: mstouder@ci.springfield.or.us
Phone: (541) 736-1035
Fax: (541) 736-1021

Date Received:

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Date Received:

APR 09 2015



STORMWATER MANAGEMENT SYSTEM SCOPE OF WORK

----- (Area below this line filled out by Applicant) -----
 (Please return to Matt Stouder @ City of Springfield Public Works Engineering; Fax # 736-1021, Phone # 736-1035.)

Project Name: EUG Clearwater	Applicant: Lauren Russell - Smartlink LLC
Assessor Parcel: 1802052300100	Date: 1/15/15
Land Use(s): Unmanned telecommunication facility	Phone #: 503-241-0279
Project Size (Acres): 0.64 acres / 2,800 SF	Fax #: 503-241-2204
Appro. Impervious: new - 377.25 SF	Email: lauren.russell@smartlinkllc.com

Project Description (Include a copy of Assessor's map):
 Installation of a new 85'-00" monopine wireless telecommunication facility with 12 antennas and associated equipment in a 12'-0" x 26'-0" new equipment shelter within a 40'-0" x 40'-0" wireless lease compound and a new 20'-0" wide access road to connect existing gravel access road on the property approximately 60'-0" to the lease compound.

Drainage Proposal (Public connection(s), discharge location(s), etc. Attach additional sheet(s) if necessary:
 Very little new impervious surface area would be created by this wireless telecommunication facility - 377.25 SF.
 The lease compound would be graveled so that rain water coming off the shelter can drain into the ground. The access road extension would also be graveled. There would be a landscape buffer around the lease area as well.

Proposed Stormwater Best Management Practices:
 Use of the above mentioned design elements to keep stormwater runoff minimal

----- (Area below this line filled out by the City and Returned to the Applicant) -----
 (At a minimum, all boxes checked by the City on the front and back of this sheet shall be submitted for an application to be complete for submittal, although other requirements may be necessary.)

Drainage Study Type (EDSPM Section 4.03.2): (Note, UH may be substituted for Rational Method)

- Small Site Study – (use Rational Method for calculations) None Required
- Mid-Level Development Study – (use Unit Hydrograph Method for calculations)
- Full Drainage Development Study – (use Unit Hydrograph Method for calculations)

Environmental Considerations:

- | | |
|--|---|
| <input type="checkbox"/> Wellhead Zone: <u>10 yr</u> | <input type="checkbox"/> Hillside Development: <u>N/A</u> |
| <input type="checkbox"/> Wetland/Riparia: <u>N/A</u> | <input type="checkbox"/> Floodway/Floodplain: <u>N/A</u> |
| <input type="checkbox"/> Soil Type: <u>N/A</u> | <input type="checkbox"/> Other: <u>N/A</u> |

Downstream Analysis:

- N/A
- Flow line for starting water surface elevation: _____
- Design HGL to use for starting water surface elevation: _____
- Manhole/Junction to take analysis to: _____

Return to Matt Stouder @ City of Springfield, email: mstouder@ci.springfield.or.us, FAX: (541) 736-1021

Date Received: _____

Date Received: _____

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 Attachment 2, Page 11 of 64

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Original Submittal: SM

Original Submittal: SM

COMPLETE STUDY ITEMS

For Official Use Only:

* Based upon the information provided on the front of this sheet, the following represents a minimum of what is needed for an application to be complete for submittal with respect to drainage; however, this list should not be used in lieu of the Springfield Development Code (SDC) or the City's Engineering Design Manual. Compliance with these requirements does not constitute site approval; Additional site specific information may be required. Note: Upon scoping sheet submittal, ensure completed form has been signed in the space provided below:

Interim Design Standards/Water Quality (EDSPM Chapter 3) - *No Study Required, No significant Impact*

Req'd N/A

- All non-building rooftop (NBR) impervious surfaces shall be pre-treated (e.g. multi-chambered catchbasin w/oil filtration media) for stormwater quality. Additionally, a minimum of 50% of the NBR impervious surface shall be treated by vegetated methods.
- Where required, vegetative stormwater design shall be consistent with interim design standards (EDSPM Section 3.02), set forth by the Bureau of Environmental Services (BES) or Clean Water Services (CWS).
- For new NBR impervious area less than 15,000 square feet, a simplified design approach may be followed as specified by the BES for vegetative treatment.
- If a stormwater treatment swale is proposed, submit calculations/specifications for sizing, velocity, flow, side slopes, bottom slope, and seed mix consistent with either BES or CWS requirements.
- Water Quality calculations as required in Section 3.03.1 of the EDSPM
- All building rooftop mounted equipment, or other fluid containing equipment located outside of the building, shall be provided with secondary containment or weather resistant enclosure.

General Study Requirements (EDSPM Section 4.03)

- Drainage study prepared by a Professional Civil Engineer licensed in the state of Oregon.
- A complete drainage study, as required in EDSPM Section 4.03.1, including a hydrological study map.
- Calculations showing system capacity for a 2-year storm event and overflow effects of a 25-year storm event.
- The time of concentration (Tc) shall be determined using a 10 minute start time for developed basins.

Review of Downstream System (EDSPM Section 4.03.4.C)

- A downstream drainage analysis as described in EDSPM Section 4.03.4.C. On-site drainage shall be governed by the Oregon Plumbing Specialty Code (OPSC).
- Elevations of the HGL and flow lines for both city and private systems where applicable.

Design of Storm Systems (EDSPM Section 4.04)

- Flow lines, slopes, rim elevations, pipe type and sizes clearly indicated on the plan set.
- Minimum pipe cover shall be 18 inches for reinforced pipe and 36 inches for plain concrete and plastic pipe materials, or proper engineering calculations shall be provided when less. The cover shall be sufficient to support an 80,000 lb load without failure of the pipe structure.
- Manning's "n" values for pipes shall be consistent with Table 4-1 of the EDSP. All storm pipes shall be designed to achieve a minimum velocity of three (3) feet per second at 0.5 pipe full based on Table 4-1 as well.

Other/Misc

- Existing and proposed contours, located at one foot interval. Include spot elevations and site grades showing how site drains
- Private stormwater easements shall be clearly depicted on plans when private stormwater flows from one property to another
- Drywells shall not receive runoff from any surface w/o being treated by one or more BMPs, with the exception of residential building roofs (EDSP Section 3.03.4.A). Additional provisions apply to this as required by the DEQ. Refer to the website: www.deq.state.or.us/wq/groundwa/uihome.htm for more information.
- Detention ponds shall be designed to limit runoff to pre-development rates for the 2 through 25-year storm events

**This form shall be included as an attachment, inside the front cover, of the stormwater study*

*** IMPORTANT: ENGINEER PLEASE READ BELOW AND SIGN!**

As the engineer of record, I hereby certify the above required items are complete and included with the submitted stormwater study and plan set.

Signature: _____

Date: _____

Date Received: _____

Date Received: _____

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Attachment 2, Page 12 of 64^{11 of 11}

Original Submittal SM

Original Submittal SM

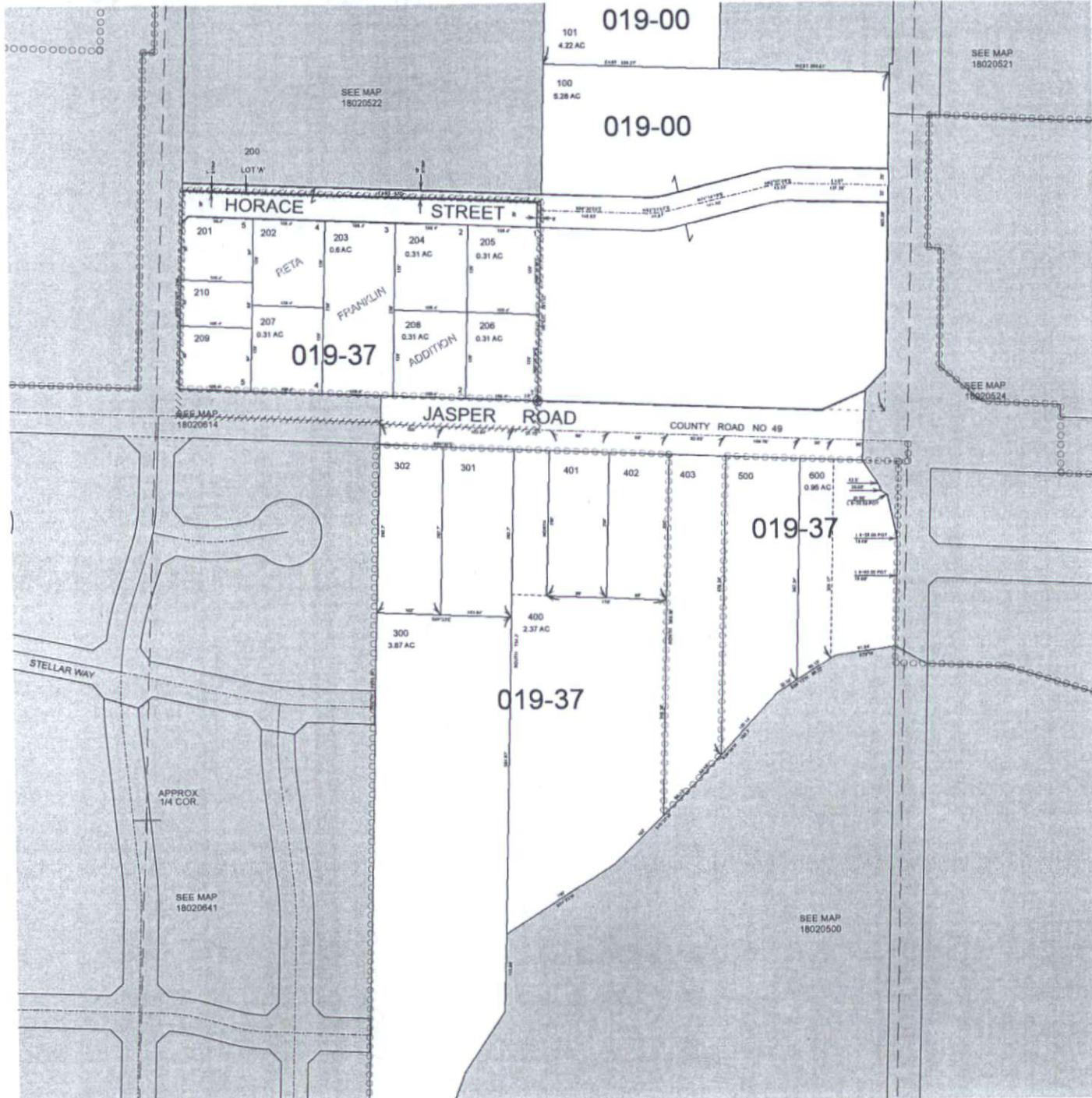
FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4 N.W.1/4 SEC.5 T.18S. R.2W. W.M.
Lane County
1" = 100'

18020523
SPRINGFIELD

GIS DATA
8/18/2009 9:32:39 AM : kscab

CANCELLED.



REVISIONS
8/17/2009 - LCAT115 - CONVERT MAP TO GIS

SPRINGFIELD
18020523

Date Received:

MAY 01 2015

Original Submittal *SMM*

Date Received:

APR 09 2015

Original Submittal *SMM*

Prepared for Verizon Wireless

Discretionary Use and Site Plan Review Application for Verizon Wireless's EUG Clearwater Wireless Communication Facility

A Proposal Submitted to Springfield, OR

Prepared by
Smartlink, LLC
621 SW Alder St Ste 660
Portland, OR 97205
5/1/2015

Date Received:

MAY 01 2015

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I. PROPOSAL SUMMARY INFORMATION

Verizon Wireless File No.: EUG Clearwater

Applicant: Verizon Wireless
c/o Smartlink, LLC
621 SW Alder St Ste 660
Portland, OR 97205

Preparer for Applicant: Lauren Russell
Verizon Wireless
c/o Smartlink, LLC
621 SW Alder St Ste 660
Portland, OR 97205

Property Owner: Jasper Junction LLC
c/o John Erving, Broker
85831 Parklane Cir
Pheasant Hills, OR 97455

Request: Discretionary Use and Site Plan Review approval to install a new 85'-0" monopine wireless communication facility with 12 antennas and associated equipment in a 12'-0" x 26'-0" new equipment shelter within a 40'-0" x 40'-0" wireless lease compound and a new 20'-0" wide access road to connect existing gravel access road on the property approximately 60'-0" to the lease compound.

Location: 4164 Jasper Rd
Springfield, OR 97478
Parcel: 18020523-100

Zoning: Community Commercial (CC)

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II. INTRODUCTION

Verizon Wireless is in the process of expanding its wireless communications network in Oregon and many other western states. Verizon Wireless's telecommunication devices represent the next generation of wireless devices, including LTE (Long Term Evolution) technology. LTE, also known as 4G, is designed for the most advanced technologies of wireless devices, such as smart phones with high speed data transfer, streaming videos and music, turn-by-turn navigation, GPS, email, web browsing, mobile apps, and video messaging, which are essential capabilities in the information age.

In order to improve these services, Verizon Wireless is expanding its wireless network. Verizon Wireless's network functions by splitting a region into smaller geographic areas called cells. Each cell is served by a transmitter and receiver or base station. As a caller moves across the landscape, the call is passed, or "handed-off," from one base station to another. Each base station is connected to a mobile telephone switching office, which is linked to the land based phone network serving your home or office.

Individual base station site locations, such as the proposed site, are selected based on a number of considerations related to topography, distance from other base stations, proximity to traffic corridors, and other technical features. Verizon Wireless's engineers utilize computer modeling and radio testing to determine potential sites. Because each base station consists of very low powered transmitters, which cover a relatively small geographic area, there is limited flexibility in site selection.

Verizon Wireless's proposed new wireless communication facility at 4164 Jasper Road is needed to close a significant gap in both service coverage and capacity. Currently Verizon Wireless has one site with a single sector pointed toward the area of concern and the data usage demands exceed the existing capacity. This existing site, EUG Springfield, will soon be decommissioned, which will create a coverage gap on top of the capacity gap. With the installation of the proposed wireless facility, Verizon Wireless is committed to providing quality wireless services to Springfield for years to come.

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III. COMPLIANCE WITH SPRINGFIELD ORDINANCE NUMBER 4.3-145 WIRELESS TELECOMMUNICATIONS SYSTEM (WTS) FACILITIES

A. Purpose

This section is intended to:

1. *Implement the requirements of the Federal Telecommunications Act of 1996;*
2. *Provide a uniform and comprehensive set of standards and review procedures for the placement, operation, alteration, and removal of WTS facilities;*
3. *Allow new WTS facilities where necessary to provide service coverage and there is a demonstrated need that cannot be met through existing facilities;*
4. *Maximize the use of existing facilities in order to minimize the need to construct additional facilities;*
5. *Encourage the siting of new WTS facilities in preferred locations;*
6. *Lessen impacts of new WTS facilities on surrounding residential areas; and*
7. *Minimize visual impacts of new WTS facilities through careful design, configuration, screening, and innovative camouflaging techniques.*

Response: The Applicant's proposed project comports with the purposes of this ordinance. The Applicant is requesting the approval of a new WTS facility because there is a demonstrated need that cannot be met through existing facilities. The proposed WTS facility would be designed to lessen its impact on surrounding areas.

B. Applicability/Conflicts

1. ***Applicability.*** *This Section applies within Springfield's city limits and its Urban Services Area. No WTS facility may be constructed, altered (to include co-locations,) or replaced, unless exempt, without complying with the requirements of this Section. Exempt facilities are listed in Subsection D below.*

Response: The proposed WTS facility is not listed as exempt under Subsection D. Therefore it must comply with the requirements of this Section.

2. ***Conflicts.*** *In cases where:*
 - a. *The development standards of this Section conflict with other Sections of this Code, these standards will prevail.*
 - b. *These development standards conflict with Federal and/or State regulation, the Federal and/or State regulations will prevail.*

Response: The Applicant will comply with this standard.

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C. Pre-Existing WTS Facilities

- A. WTS facilities that lawfully existed prior to the adoption of this Ordinance codified in this Section shall be allowed to continue their use as they presently exist.**
- B. Routine maintenance will be permitted on lawful pre-existing WTS facilities as specified in Subsection D.1.**
- C. Lawfully existing WTS facilities may be replaced as specified in Subsection D.2..**

Response: Not applicable. The proposed WTS facility is a new monopine that did not exist prior to the adoption of this Ordinance codified in this Section.

D. Exemptions

The following shall be considered exempt structures or activities, however, all other applicable Federal, State, and City permits will be required:

- A. Emergency or routine repairs or routine maintenance of previously approved WTS facilities.**
- B. Replacement of existing previously approved WTS facilities.**
 - a. A WTS facility may be replaced if it:**
 - i. Is in the exact location of the facility being replaced;**
 - ii. Is of a construction type identical in height, size, lighting, and painting;**
 - iii. Can accommodate the co-location of additional antennas or arrays;**
 - iv. Does not increase radio frequency emission from any source; and**
 - v. Does not intrude or cause further intrusion into a setback area.**
 - b. Those WTS facilities that cannot meet the replacement standard in Subsection D.2.a. will be treated as new construction, requiring Type I or III review as specified in Subsection H.**
- C. Industrial, scientific, and medical equipment operating at frequencies designated for that purpose by the Federal Communications Commission.**
- D. Essential public telecommunications services: military, Federal, State, and local government telecommunications facilities.**
- E. Amateur and citizen band radio transmitters and antennas.**
- F. Military or civilian radar operating within the regulated frequency ranges for the purpose of defense or aircraft safety.**
- G. Antennas (including, but not limited to: direct-to-home satellite dishes; TV antennas; and wireless cable antennas) used by viewers to receive video programming signals from direct broadcast facilities, broadband radio service providers, and TV broadcast stations.**
- H. Low-powered networked telecommunications facilities including, but not limited to, microcell radio transceivers located on existing utility poles and light standards within public right-of-way.**

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- I. Cell on Wheels (COW,) which are permitted as temporary uses in nonresidential Metro Plan or 2030 Springfield Refinement Plan designations for a period not to exceed 14 days, or during a period of emergency as declared by the City, County, or State.*

Response: The proposed WTS facility is not listed as an exempt structure.

E. Definitions

*The words and phrases used in this Section shall have the following meanings:
[The remainder of this subsection was intentionally excluded because it does not prompt an Applicant response.]*

Response: No response necessary.

F. General Standards

The Federal Telecommunications Act of 1996 establishes limitations on the siting standards that local governments can place on WTS facilities. Section 704 of the Act states that local siting standards shall not:

- 1) “unreasonably discriminate among providers of functionally equivalent services”*
- 2) “prohibit or have the effect of prohibiting the provision of personal wireless services.”*

All applications for WTS facilities are subject to the standards in this Section to the extent that they do not violate Federal limitations on local siting standards. Where application of the standards found in this Section constitutes a violation, the least intrusive alternative for providing coverage shall be allowed as an exception to the standards.

- 1. Design for Co-Location. All new towers shall be designed to structurally accommodate the maximum number of additional users technically practicable.*

Response: As illustrated in the “Proposed Tower Load Elevation” on Sheet A-2 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility would be designed to structurally accommodate two additional users.

- 2. Demonstrated Need to New WTS Facilities. Applications shall demonstrate that the proposed WTS facility is necessary to close a significant gap in service coverage or capacity for the carrier and is the least intrusive means to close the significant gap.*

Response: As described in the attached letter from the radio frequency engineer (Exhibit B – RF Justification Letter,) the proposed WTS facility is needed to close a significant gap in

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both service coverage and capacity. Currently Verizon Wireless has one site with a single sector pointed toward the area of concern and the data usage demands exceed the existing capacity. This existing site, EUG Springfield, will soon be decommissioned, which will create a coverage gap on top of the capacity gap.

As described in the attached letter from the radio frequency engineer (Exhibit B – RF Justification Letter,) the search area assigned by the radio frequency engineer to the real estate consultant was determined by the current coverage provided by the to-be-decommissioned EUG Springfield site, the terrain, and the population density distribution. This need excluded all existing towers due to their distance from the coverage need and thus a new tower is necessary. The attached inventory of existing towers map (Exhibit C – Inventory of Existing Towers) shows all existing towers within five miles of the proposed WTS facility, none of which fall within the assigned search area.

The nearest existing tower at 4680 Main Street is 0.85 mile north of the proposed WTS facility, which is too far north from the assigned search area to adequately meet the coverage objective. The next nearest tower at 693 36th Street is 1.27 miles northwest of the proposed WTS facility is already a Verizon site – EUG Aster. The only other existing tower that is fewer than 2 miles from the proposed WTS facility is the tower at 3950 Kathryn Avenue, which is 1.64 miles northwest and very close to Verizon’s EUG Aster site. This tower would provide very similar coverage to the EUG Aster site and would also not adequately meet the coverage objective.

There are no existing buildings within the search area that could be used for co-location opportunities. The majority of the search area is zoned Low Density Residential and there are also 2 properties zoned Community Commercial and 3 properties zoned Neighborhood Commercial. Existing buildings on the non-residential properties are one- and two-story buildings, which is too short to meet the engineer’s minimum antenna centerline height of 75 feet.

- 3. Lack of Coverage and Lack of Capacity. The application shall demonstrate that the gap in service cannot be closed by upgrading other existing facilities. In doing so, evidence shall clearly support a conclusion that the gap results from a lack of coverage and not a lack of capacity to achieve adequate service. If the proposed WTS facility is to improve capacity, evidence shall further justify why other methods for improving service capacity are not reasonable, available, or effective.**

Response: As described in the attached letter from the radio frequency engineer (Exhibit B – RF Justification Letter,) the decommissioning of the EUG Springfield site will create a gap from a lack of coverage in an area that is already experiencing a gap from a lack of capacity.

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4. ***Identify the Least Intrusive Alternative for Providing Coverage. The application shall demonstrate a good faith effort to identify and evaluate less intrusive alternatives, including, but not limited to, less sensitive sites, alternative design systems, alternative tower designs, the use of repeaters, or multiple facilities. Subsection F.5. defines the type of WTS facilities that are allowed in each zoning district.***

Response: As described in the attached letter from the radio frequency engineer (Exhibit B – RF Justification Letter,) the search area assigned by the radio frequency engineer to the real estate consultant was determined by the current coverage provided by the to-be-decommissioned EUG Springfield site, the terrain, and the population density distribution. This need excluded all existing towers due to their distance from the coverage need and thus a new tower is necessary. The attached inventory of existing towers map (Exhibit C – Inventory of Existing Towers) shows all existing towers within five miles of the proposed WTS facility, none of which fall within the assigned search area.

The nearest existing tower at 4680 Main Street is 0.85 mile north of the proposed WTS facility, which is too far north from the assigned search area to adequately meet the coverage objective. The next nearest tower at 693 36th Street is 1.27 miles northwest of the proposed WTS facility is already a Verizon site – EUG Aster. The only other existing tower that is fewer than 2 miles from the proposed WTS facility is the tower at 3950 Kathryn Avenue, which is 1.64 miles northwest and very close to Verizon’s EUG Aster site. This tower would provide very similar coverage to the EUG Aster site and would also not adequately meet the coverage objective.

There are no existing buildings within the search area that could be used for co-location opportunities. The majority of the search area is zoned Low Density Residential and there are also 2 properties zoned Community Commercial and 3 properties zoned Neighborhood Commercial. Existing buildings on the non-residential properties are one- and two-story buildings, which is t

Because the to-be-decommissioned site’s antennas had a centerline of 160 feet, the replacement site would either need to match that height or be as tall as permissible. Instead of proposing a new 160-foot tall tower, Verizon proposes to make use of multiple less intrusive facilities. The replacement plan includes the proposed WTS facility and EUG Aster, a co-location on the existing tower located at 693 36th Street (permit #811-SPR2014-02174.) By using multiple facilities, the proposed WTS facility antennas would have a centerline of 90 feet, which would provide an acceptable replacement signal strength, allowing the current customers to maintain service.

5. ***Location of WTS Facilities by Type. Subsection E. defines the various types of WTS facilities by their visual impact. These are: high visibility, moderate visibility, low***

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visibility, and stealth facilities. Table 4.3-1 lists the type of WTS facilities allowed in each of Springfield's zoning districts.

Response: The proposed WTS facility would be a monopine, which is a moderate visibility facility. Moderate visibility facilities are allowed in the subject property's Community Commercial zoning district.

6. Maximum Number of High Visibility WTS Facilities. No more than 1 high visibility facility is allowed on any 1 lot/parcel.

[The remainder of this subsection was intentionally excluded because it discusses high visibility facilities and thus does not apply to this project.]

Response: Not applicable. The proposed WTS facility would be a moderate visibility facility. There are no existing WTS facilities on the subject property.

7. Separation between Towers. No new WTS tower may be installed closer than 2,000 feet from any existing tower unless supporting findings can be made under Subsections F.2., 3., and 4. By the Approval Authority.

Response: As illustrated in the attached inventory of existing towers map (Exhibit C – Inventory of Existing Towers,) the nearest existing tower is 0.85 mile, or 4,488 feet, away from the proposed WTS facility.

8. WTS Facilities Adjacent to Residentially Zoned Property. In order to ensure public safety, all towers located on or adjacent to any residential zoning district shall be set back from all residential property lines by a distance at least equal to the height of the facility, including any antennas or other appurtenances. The setback shall be measured from the part of the WTS tower that is closest to the neighboring residentially zoned property.

Response: As illustrated in the "Proposed Site Plan" on Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility would be set back more than 267 feet from the residential property to the west and more than 322 feet from the from the residential property to the east, which is greater than the 90-foot antenna tip height.

9. Historic Buildings and Structures. No WTS facility shall be allowed on any building or structure, or in any district, that is listed on any Federal, State, or local historic register unless a finding is made by the Approval Authority that the proposed facility will have no adverse effect on the appearance of the building, structure, or district. No change in architecture and no high or moderate visibility WTS facilities are permitted on any building or any site within a historic district. Proposed WTS facilities in the Historic Overlay District are also subject to the applicable provisions of Section 3.3-900.

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Response: Not applicable. The proposed WTS facility would not be located on a historic building or structure.

10. Equipment Location. The following location standards shall apply to WTS facilities:

a. No WTS facility shall be located in a front, rear, or side yard building setback in any base zone and no portion of any antenna array shall extend beyond the property lines;

Response: As illustrated in the “Proposed Site Plan” on Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility would be located more than 53 feet from the nearest property line, which is greater than the required 10-foot interior setback.

b. Where there is no building, the WTS facility shall be located at least 30 feet from a property line abutting a street;

Response: As illustrated in the “Proposed Site Plan” on Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility would be located 111 feet from the nearest property line abutting a street.

c. For guyed WTS towers, all guy anchors shall be located at least 50 feet from all property lines.

Response: Not applicable. The proposed WTS facility would not include any guy wires.

11. Tower Height. Towers may exceed the height limits otherwise provided for in this Code. However, all towers greater than the height limit of the base zone shall require Discretionary Use approval through a Type III review process, subject to the approval criteria specified in Subsection I.

Response: There is no maximum building height in the Community Commercial zoning district except within fifty feet of a Low Density Residential or Medium Density Residential zoning district to the east, west, or south, where the maximum height is no greater than that permitted within the residential zoning district. Because the proposed WTS facility is located more than 50 feet from the adjacent properties zoned Low Density Residential and Medium Density Residential to the east and west, respectively, there is no height limit.

12. Accessory Building Size. All accessory buildings and structures built to contain equipment accessory to a WTS facility shall not exceed 12 feet in height unless a greater height is necessary and required by a condition of approval to maximize architectural integration. Each accessory building or structure located on any residential or public land and open space zoned property is limited to 200 square feet, unless approved through the Discretionary Use process.

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Response: As illustrated in the “Shelter Details” on Sheet A-6 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility’s accessory equipment shelter would be 10’-6” in height. Because the subject property is zoned Community Commercial, the accessory equipment structure is not limited in square footage.

13. *Visual Impact.* *All new WTS facilities shall be designed to minimize the visual impact to the greatest extent practicable by means of placement, screening, landscaping, and camouflage. All facilities shall also be designed to be compatible with existing architectural elements, building materials, and other site characteristics. The applicant shall use the least visible antennas reasonably available to accomplish the coverage objectives. All high visibility and moderate visibility facilities shall be sited in a manner to cause the least detriment to the viewshed of abutting properties, neighboring properties, and distant properties.*

Response: The proposed WTS facility would be designed to minimize the visual impact to the greatest extent practicable by means of placement, screening, landscaping, and camouflage.

Placement: As illustrated in the “Proposed Site Plan” on Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility would be located on a large parcel more than 240 feet from S 42nd Avenue, more than 110 feet from the Horace Street right-of-way, more than 267 feet from the school property to the west, and more than 50 feet from the commercial property to the north. As illustrated in attached photo simulation looking west (Exhibit D – Visual Impact Study,) the proposed WTS facility would be located near existing trees of various sizes, which would help the facility blend in with the context of the site.

Screening and landscaping: The proposed WTS facility would be surrounded by a 6-foot tall chain link fence with barbed wire and a 5-foot wide landscape buffer. As illustrated on Sheet A-1.1 of the attached drawings (Exhibit A – Site Plan and Elevations,) the landscaping surrounding the proposed WTS facility would comply with the landscaping, screening, and fence standards. The proposed screening and landscaping would minimize the visual impact of the equipment area and tower base.

Camouflage: The proposed WTS facility would be a monopine. As illustrated in the “Proposed East Elevation” on Sheet A-2 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed tower would be designed to look as much like a tree as possible, with branches, low-profile antennas colored green to blend with the branches, and a pole colored to match the trunks of the surrounding trees. The attached photo simulations (Exhibit D – Visual Impact Study) also illustrate the proposed monopine design. Compared to an unstealthed monopole, the proposed facility would better blend with the context of the site and thus minimizes the visual impact.

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14. Minimize Visibility. Colors and materials for WTS facilities shall be nonreflective and chosen to minimize visibility. Facilities, including support equipment and buildings, shall be painted or textured using colors to match or blend with the primary background, unless required by any other applicable law.

Response: As illustrated in the “Proposed East Elevation” on Sheet A-2 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed tower would be designed to look as much like a tree as possible, with branches, low-profile antennas colored green to blend with the branches, and a pole colored to match the trunks of the surrounding trees. As illustrated in the “Shelter Details” on Sheet A-6 of the attached drawings (Exhibit A – Site Plan and Elevations,) the shelter would have an exposed brown aggregate finish. Additionally, the proposed fence and landscaping would further minimize the visibility of the facility.

15. Camouflaged Facilities. All camouflaged WTS facilities shall be designed to visually and operationally blend into the surrounding area in a manner consistent with existing development on adjacent properties. The facility shall also be appropriate for the specific site. In other words, it shall no “stand out” from its surrounding environment.

Response: The proposed WTS facility would be a monopine. As illustrated in the “Proposed East Elevation” on Sheet A-2 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed tower would be designed to look as much like a tree as possible, with branches, low-profile antennas colored green to blend with the branches, and a pole colored to match the trunks of the surrounding trees. As illustrated in attached photo simulation looking west (Exhibit D – Visual Impact Study,) the proposed WTS facility would be located near existing trees of various sizes, which would help the facility blend in with the context of the site.

16. Façade-Mounted Antenna. Façade-mounted antennas shall be architecturally integrated into the building design and otherwise made as unobtrusive as possible. If possible, antennas shall be located entirely within an existing or newly created architectural feature so as to be completely screened from view. Façade-mounted antennas shall not extend more than 2 feet out from the building face.

Response: Not applicable. The proposed WTS facility would not be mounted to an existing structure.

17. Roof-Mounted Antenna. Roof-mounted antennas shall be constructed at the minimum height possible to serve the operator’s service area and shall be set back as far from the building edge as possible or otherwise screened to minimize visibility from the public right-of-way and adjacent properties.

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Response: Not applicable. The proposed WTS facility would not be mounted to an existing structure.

18. Compliance with Photo Simulations. As a condition of approval and prior to final staff inspection of the WTS facility, the applicant shall submit evidence, e.g., photos, sufficient to prove that the facility is in substantial conformance with photo simulations provided with the initial application. Nonconformance shall require any necessary modification to achieve compliance within 90 days of notifying the applicant.

Response: The Applicant will comply with this standard.

19. Noise. Noise from any equipment supporting the WTS facility shall comply with the regulations specified in OAR 340-035-0035.

Response: As described in the attached noise report (Exhibit E – Noise Report,) the equipment supporting the proposed WTS facility would comply with the regulations specified in OAR 340-035-0035.

20. Signage. No signs, striping, graphics, or other attention-getting devices are permitted on any WTS facility except for warning and safety signage that shall:

- a. Have a surface area of no more than 3 square feet;**
- b. Be affixed to a fence or equipment cabinet; and**
- c. Be limited to no more than 2 signs, unless more are required by any other applicable law.**

Response: As illustrated on Sheet A-8 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility would contain only the required warning and safety signage.

21. Traffic Obstruction. Maintenance vehicles servicing WTS facilities located in the public or private right-of-way shall not park on the traveled way or in a manner that obstructs traffic.

Response: Not applicable. The proposed WTS facility would not be located in the public or private right-of-way.

22. Parking. No net loss in required on-site parking spaces shall occur as the result of the installation of any WTS facility.

Response: Because there are currently no required on-site parking spaces on the subject property, there would be no net loss in required on-site parking spaces as a result of the installation of the proposed WTS facility.

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23. Sidewalks and Pathways. Cabinets and other equipment shall not impair pedestrian use of sidewalks or other pedestrian paths or bikeways on public or private land.

Response: As illustrated in the “Proposed Compound Plan” on Sheet A-1 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed WTS facility’s equipment would all be located within the fenced lease area and would not impair the use of sidewalks, pedestrian paths, or bikeways.

24. Lighting. WTS facilities shall not include any beacon lights or strobe lights, unless required by the Federal Aviation Administration (FAA) or other applicable authority. If beacon lights or strobe lights are required, the Approval Authority shall review any available alternatives and approve the design with the least visual impact. All other site lighting for security and maintenance purpose shall be shielded and directed downward, and shall comply with the outdoor lighting standards in Section 4.5-100, unless required by any other applicable law.

Response: As described in the attached letter from the Oregon Department of Aviation (Exhibit F – FAA/ODA Determinations,) no marking or lighting are necessary for aviation safety. As illustrated in the “Shelter Details” on Sheet A-6 of the attached drawings (Exhibit A – Site Plan and Elevations,) the light fixture on the proposed WTS facility’s equipment shelter would have a sharp cutoff in order to comply with the outdoor lighting standards.

25. Landscaping. For WTS facilities with towers that exceed the height limitations of the base zone, at least 1 row of evergreen trees or shrubs, not less than 4 feet high at the time of planting and spaced out no more than 15 feet apart, shall be provided in the landscape setback. Shrubs shall be of a variety that can be expected to grow to form a continuous hedge at least 5 feet in height within 2 years of planting. Trees and shrubs in the vicinity of guy wires shall be of a kind that would not exceed 20 feet in height or would not affect the stability of the guys. In all other cases, the landscaping, screening, and fence standards specified in Section 4.4-100 shall apply.

Response: As illustrated on Sheet A-1.1 of the attached drawings (Exhibit A – Site Plan and Elevations,) the landscaping surrounding the proposed WTS facility would comply with the landscaping, screening, and fence standards.

26. Prohibited WTS Facilities.

- a. Any high or moderate visibility WTS facility in the Historic Overlay District.**
- b. Any WTS facility in the public right-of-way that severely limits access to abutting property, which limits public access or use of the sidewalk, or which constitutes a vision clearance violation.**

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c. Any detached WTS facility taller than 150 feet above finished grade at the base of the tower.

Response: The proposed WTS facility is not within the Historic Overlay District or the public right-of-way and would not be taller than 150 feet. Therefore it is not a prohibited facility.

27. Speculation. No application shall be accepted or approved for a speculation WTS tower, i.e., from an applicant that simply constructs towers and leases tower space to service carriers, but is not a service carrier, unless the applicant submits binding written commitment or executed lease from a service carrier to utilize or lease space on the tower.

Response: The Applicant represents Verizon Wireless and is not proposing a speculation WTS facility.

G. Application Submittal Requirements

All applications for a WTS facility shall provide the following reports, documents, or documentation:

1. Submittal Requirements for Low Visibility and Stealth Facilities (Type I Review). All applications for low visibility and stealth WTS facilities shall submit the following reports and documentation:

Response: Although the proposed WTS facility is a moderate visibility facility, per Subsection G(2) below, this application must include all of the required materials for low visibility and stealth WTS facilities.

a. Narrative. The application shall include a written narrative that describes in detail all of the equipment and components proposed to be part of the WTS facility, including, but not limited to, towers, antennas and arrays, equipment cabinets, back-up generators, air conditioning units, lighting, landscaping, and fencing.

Response: The equipment and components proposed to be part of the proposed WTS facility include:

- 85-foot monopine stealth pole
- 12 panel antennas
- 12 RRUs
- 3 splitters/surge suppressors
- 12 coax cables
- 2 hybrid cables
- 1 utility H-frame
- 1 ice bridge

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- 1 GPS antenna
 - 12'-0" x 26'-0" concrete equipment slab
 - 12'-0" x 26'-0" pre-fabricated equipment shelter with 8 cabinets, 1 30kVa natural gas generator, and 2 air conditioning units
 - 1 150 watt light fixture with sharp cutoff on shelter exterior
 - 1 LED light fixture tilted down attached to H-Frame
 - 6-foot tall chain link fence with barbed wire surrounding the 40'-0" x 40'-0" lease area with a 12-foot wide chain link gate
 - 5-foot wide landscaping buffer surrounding the lease compound including Gold Leyland Cypress trees and Blue Blossom and Oregon Grape shrubs
- b. Geographic Service Area. The applicant shall identify the geographic service area for the proposed WTS facility, including a map showing all of the applicant's and any other existing sites in the local service network associated with the gap the facility is meant to close. The applicant shall describe how this service area fits into and is necessary for the service provider's service network. The service area map for the proposed WTS facility shall include the following:**
- i. The area of significant gap in the existing coverage area;**
 - ii. The service area to be effected by the proposed WTS facility;**
 - iii. The locations of existing WTS tower facilities where co-location is possible within a 5-mile radius of the proposed WTS facility.**

Response: The attached letter from the Radio Frequency Engineer (Exhibit B – RF Justification Letter) explains the area of significant gap in the existing coverage area and the service area to be effected by the proposed WTS facility. The attached inventory of existing towers map (Exhibit C – Inventory of Existing Towers) includes all existing WTS tower facilities where co-location is possible within a 5-mile radius of the proposed WTS facility.

- c. Co-Location. An engineer's analysis/report of the recommended site location area is required for the proposed WTS facility. If an existing structure approved for co-location in within the area recommended by the engineer's report, reasons for not collocating shall be providing demonstrating at least one of the following deficiencies:**
- i. The structure is not of sufficient height to meet engineering requirements;**
 - ii. The structure is not of sufficient structural strength to accommodate the WTS facility, or there is a lack of space on all suitable existing towers to locate proposed antennas;**
 - iii. Electromagnetic interference for one or both WTS facilities will result from co-location.**

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iv. The radio frequency coverage objective cannot be adequately met.

Response: As described in the attached letter from the radio frequency engineer (Exhibit B – RF Justification Letter,) the search area assigned by the radio frequency engineer to the real estate consultant was determined by the current coverage provided by the to-be-decommissioned EUG Springfield site, the terrain, and the population density distribution. This need excluded all existing towers due to their distance from the coverage need and thus a new tower is necessary. The attached inventory of existing towers map (Exhibit C – Inventory of Existing Towers) shows all existing towers within five miles of the proposed WTS facility, none of which fall within the assigned search area.

The nearest existing tower at 4680 Main Street is 0.85 mile north of the proposed WTS facility, which is too far north from the assigned search area to adequately meet the coverage objective. The next nearest tower at 693 36th Street is 1.27 miles northwest of the proposed WTS facility is already a Verizon site – EUG Aster. The only other existing tower that is fewer than 2 miles from the proposed WTS facility is the tower at 3950 Kathryn Avenue, which is 1.64 miles northwest and very close to Verizon’s EUG Aster site. This tower would provide very similar coverage to the EUG Aster site and would also not adequately meet the coverage objective.

There are no existing buildings within the search area that could be used for co-location opportunities. The majority of the search area is zoned Low Density Residential and there are also 2 properties zoned Community Commercial and 3 properties zoned Neighborhood Commercial. Existing buildings on the non-residential properties are one- and two-story buildings, which is too short to meet the engineer’s minimum antenna centerline height of 75 feet.

d. Plot Plan. A plot plan showing: the lease area, antenna structure, height above grade and setback from property lines, equipment shelters and setback from property lines, access, the connection point with the land line system, and all landscape areas intended to screen the WTS facility.

Response: The plot plan is illustrated in the “Proposed Site Plan” on Sheet A-0 and the “Proposed Compound Plan” on Sheet A-1 of the attached drawings (Exhibit A – Site Plan and Elevations.)

e. RF Emissions. An engineer’s statement that the RF emissions at grade, or at the nearest habitable space when attached to an existing structure, complies with FCC rules for these emissions; the cumulative RF emissions if co-located. Provide the RF range in megahertz and the wattage output of the equipment.

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Response: The attached Non-Ionizing Electromagnetic Exposure Analysis (Exhibit G – NIER Report) verifies the proposed facility’s compliance with FCC rules for emissions.

f. Description of Service. A description of the type of service offered, including, but not limited to: voice, data, video, and the consumer receiving equipment.

Response: The proposed antennas include 700 MHz, 800 MHz, AWS (advanced wireless service,) and PCS (personal communication service,) which would provide voice and data service needed to support smart phones and tablets with high speed data transfer, streaming videos and music, turn-by-turn navigation, GPS, email, web browsing, mobile apps, and video messaging.

g. Provider Information. Identification of the provider and backhaul provider, if different.

Response: The provider is Verizon Wireless (VAW) LLC, whose contact information is:

One Verizon Way
Mail Stop 4AW100
Basking Ridge, NJ 07920

h. Zoning and Comprehensive Plan Designation. Provide the zoning and applicable comprehensive plan (e.g., Metro Plan, 2030 Springfield Refinement Plan) designation of the proposed site and the surrounding properties within 500 feet.

Response: The subject property is zoned Community Commercial and is designated as commercial by the comprehensive plan. The zoning designations of the surrounding properties can be found in the “Proposed Site Plan” on Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations.)

i. FCC, FAA, or Other Required Licenses and Determinations. Provide a copy of all pertinent submittals to the FCC, FAA, or other State or Federal agencies including environmental assessments and impact statements and the data, assumptions, calculations, and measurements relating to RF emissions safety standards.

Response: Verizon Wireless’s FCC licenses for the Springfield market are attached as Exhibit H – FCC Licenses. Determinations by the Oregon Department of Aviation and the Federal Aviation Administration are attached as Exhibit F - FAA and ODA Determinations.

2. Submittal Requirements for Moderate and High Visibility Facilities (Type III Review.) Applications for moderate and high visibility WTS facilities shall require

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all of the required materials for low visibility and stealth WTS facilities specified in Subsection G.1. In addition to the applicable Site Plan and Discretionary Use application requirements, WTS applications shall require the application to address the following:

Response: The proposed WTS facility is a moderate visibility facility. Therefore the following submittal requirements apply.

- a. Height. Provide an engineer’s diagram showing the height of the WTS facility and all of its visible components, including the number and types of antennas that can be accommodated. Carriers shall provide evidence that establishes that the proposed WTS facilities are designed to the minimum height required from a technological standpoint to meet the carrier’s coverage objectives. If the WTS facility tower height will exceed the height restrictions of the applicable base zone, the narrative shall include a discussion of the physical constraints, e.g., topographical features, making the additional height necessary. The narrative shall include consideration of the possibility for design alternatives, including the use of multiple sites or microcell technology that would avoid the need for the additional height for the proposed WTS facility.***

Response: The number and types of antennas that could be accommodated on the proposed WTS facility is illustrated in the “Proposed Tower Load Elevation” on Sheet A-2 of the attached drawings (Exhibit A – Site Plan and Elevations.)

As described in the attached letter from the radio frequency engineer (Exhibit B – RF Justification Letter,) the search area assigned by the radio frequency engineer to the real estate consultant was determined by the current coverage provided by the to-be-decommissioned EUG Springfield site, the terrain, and the population density distribution. This need excluded all existing towers due to their distance from the coverage need and thus a new tower is necessary. The attached inventory of existing towers map (Exhibit C – Inventory of Existing Towers) shows all existing towers within five miles of the proposed WTS facility, none of which fall within the assigned search area.

The nearest existing tower at 4680 Main Street is 0.85 mile north of the proposed WTS facility, which is too far north from the assigned search area to adequately meet the coverage objective. The next nearest tower at 693 36th Street is 1.27 miles northwest of the proposed WTS facility is already a Verizon site – EUG Aster. The only other existing tower that is fewer than 2 miles from the proposed WTS facility is the tower at 3950 Kathryn Avenue, which is 1.64 miles northwest and very close to Verizon’s EUG Aster site. This tower would provide very similar coverage to the EUG Aster site and would also not adequately meet the coverage objective.

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There are no existing buildings within the search area that could be used for co-location opportunities. The majority of the search area is zoned Low Density Residential and there are also 2 properties zoned Community Commercial and 3 properties zoned Neighborhood Commercial. Existing buildings on the non-residential properties are one- and two-story buildings, which is too short to meet the engineer's minimum antenna centerline height of 75 feet.

Because the to-be-decommissioned site's antennas had a centerline of 160 feet, the replacement site would either need to match that height or be as tall as permissible. Instead of proposing a new 160-foot tall tower, Verizon proposes to make use of multiple less intrusive facilities. The replacement plan includes the proposed WTS facility and EUG Aster, a co-location on the existing tower located at 693 36th Street (permit #811-SPR2014-02174.) By using multiple facilities, the proposed WTS facility antennas would have a centerline of 90 feet, which would provide an acceptable replacement signal strength, allowing the current customers to maintain service.

b. Construction. Describe the anticipated construction techniques and timeframe for construction or installation of the WTS facility to include all temporary staging and the type of vehicles and equipment to be used.

Response: Total construction for this project is estimated at one month and is anticipated to exclude any night construction activities. Construction personnel would fluctuate between 4 to 8 members depending on the activity. Utilities for the site would be coordinated with local utilities and would be extended to the construction site via a 36-inch deep underground trench. Trenching would be completed with a standard walk behind unit. A Caterpillar 325 Series or equivalent excavator would be required for 2 to 3 days to complete ground preparation for the tower and shelter foundation. Concrete for the foundation would be delivered in a single day and would require only standard concrete delivery trucks for installation. The tower and equipment shelter are pre-fabricated and would be delivered by truck. A 100-foot crane would be utilized on site for 2 to 3 days to complete the shelter placement and tower erection. Construction personnel would require approximately 2 weeks to complete the installation of coaxial cable, antennas, equipment, and electronics. Full-size pickup trucks would facilitate construction during this phase. All construction would be completed with respect to the surrounding environment and with a focus on minimizing impact to the surrounding community.

c. Maintenance. Describe the anticipated maintenance and monitoring program for the antennas, back-up equipment, and landscaping.

Response: It is anticipated that there would be one maintenance visit per month.

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- d. ***Noise/Acoustical Information.*** Provide the manufacturer's specifications for all noise-generating equipment including, but not limited to, air conditioning units and back-up generators, and a depiction of the equipment location in relation to abutting properties.

Response: As described in the attached noise report (Exhibit E – Noise Report,) the equipment supporting the proposed WTS facility would comply with the regulations specified in OAR 340-035-0035.

- e. ***Landscaping and Screening.*** Discuss how the proposed landscaping and screening materials will screen the site at maturity.

Response: As illustrated on Sheet A-1.1 of the attached drawings (Exhibit A – Site Plan and Elevations,) the landscaping surrounding the proposed WTS facility would comply with the landscaping, screening, and fence standards.

- f. ***Co-Location.*** In addition to the co-location requirements specified in Subsection G.1.c., the applicant shall submit a statement from an Oregon registered engineer certifying that the proposed WTS facility and tower, as designed and built, will accommodate co-locations and that the facility complies with non-ionizing electromagnetic radiation emission standards as specified by the FCC. The applicant shall also submit:

- i. A letter stating the applicant's willingness to allow other carriers to co-locate on the proposed facilities wherever technically and economically feasible and aesthetically desirable;
- ii. A copy of the original Site Plan for the approved WTS facility updated to reflect current and proposed conditions on the site; and
- iii. A depiction of the existing WTS facility showing the proposed placement of the co-located antenna and associated equipment. The depiction shall note the height, color, and physical arrangement of the antenna and equipment.

Response: The proposed WTS facility would be designed to accommodate two additional carriers, which will be confirmed by a structural analysis to be supplied as part of the building permit application. The attached Non-Ionizing Electromagnetic Exposure Analysis (Exhibit G – NIER Report) verifies the proposed facility's compliance with FCC rules for emissions.

A letter stating Verizon Wireless's willingness to allow other carriers to co-locate on the proposed WTS facility wherever technically and economically feasible and aesthetically desirable is attached as Exhibit I – Co-location Agreement.

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The Applicant will submit a copy of the original site plan for the approved WTS facility updated to reflect current and proposed conditions on the site upon approval of the site plan review.

The number and types of antennas that could be accommodated on the proposed WTS facility is illustrated in the “Proposed Tower Load Elevation” on Sheet A-2 of the attached drawings (Exhibit A – Site Plan and Elevations.)

- g. Lease. If the site is to be leased, a copy of the proposed or existing lease agreement authorizing development and operation of the proposed WTS facility.***

Response: An excerpt of the draft lease is attached as Exhibit J – Lease Excerpt.

- h. Legal Access. The applicant shall provide copies of existing or proposed easements, access permits, and/or grants of right-of-way necessary to provide lawful access to and from the site to a City street or State highway.***

Response: The attached lease (Exhibit J – Lease Excerpt) includes information on a proposed easement and the attached title report (Exhibit K – Title Report) includes information on existing easements.

- i. Lighting and Marking. Any proposed lighting and marking of the WTS facility, including any required by the FAA.***

Response: As described in the attached letter from the Oregon Department of Aviation (Exhibit F – FAA/ODA Determination,) no marking or lighting is necessary for aviation safety. As illustrated in the “Shelter Details” on Sheet A-6 of the attached drawings (Exhibit A – Site Plan and Elevations,) the light fixture on the proposed WTS facility’s equipment shelter would have a sharp cutoff and the light fixture on the proposed H-Frame would tilt down in order to comply with the outdoor lighting standards.

- j. Utilities. Utility and service lines for proposed WTS facilities shall be placed underground.***

Response: As illustrated in the “Proposed Site Plan” on Sheet A-0 and the “Proposed Compound Plan” on Sheet A-1 of the attached drawings (Exhibit A – Site Plan and Elevations,) the utility and service lines for the proposed WTS facility would be placed underground.

- k. Alternative Site Analysis. The applicant shall include an analysis of alternative sites and technological design options for the WTS facility within and outside of the City that are capable of meeting the same service objectives as the proposed site with an equivalent or lesser visual***

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or aesthetic impact. If a new tower is proposed, the applicant shall demonstrate the need for a new tower and why alternative locations and design alternatives, or alternative technologies including, but not limited to microcells and signal repeaters, cannot be used to meet the identified service objectives.

Response: As described in the attached letter from the radio frequency engineer (Exhibit B – RF Justification Letter,) the search area assigned by the radio frequency engineer to the real estate consultant was determined by the current coverage provided by the to-be-decommissioned EUG Springfield site, the terrain, and the population density distribution. This need excluded all existing towers due to their distance from the coverage need and thus a new tower is necessary. The attached inventory of existing towers map (Exhibit C – Inventory of Existing Towers) shows all existing towers within five miles of the proposed WTS facility, none of which fall within the assigned search area.

The nearest existing tower at 4680 Main Street is 0.85 mile north of the proposed WTS facility, which is too far north from the assigned search area to adequately meet the coverage objective. The next nearest tower at 693 36th Street is 1.27 miles northwest of the proposed WTS facility is already a Verizon site – EUG Aster. The only other existing tower that is fewer than 2 miles from the proposed WTS facility is the tower at 3950 Kathryn Avenue, which is 1.64 miles northwest and very close to Verizon’s EUG Aster site. This tower would provide very similar coverage to the EUG Aster site and would also not adequately meet the coverage objective.

There are no existing buildings within the search area that could be used for co-location opportunities. The majority of the search area is zoned Low Density Residential and there are also 2 properties zoned Community Commercial and 3 properties zoned Neighborhood Commercial. Existing buildings on the non-residential properties are one- and two-story buildings, which is too short to meet the engineer’s minimum antenna centerline height of 75 feet.

Because the to-be-decommissioned site’s antennas had a centerline of 160 feet, the replacement site would either need to match that height or be as tall as permissible. Instead of proposing a new 160-foot tall tower, Verizon proposes to make use of multiple less intrusive facilities. The replacement plan includes the proposed WTS facility and EUG Aster, a co-location on the existing tower located at 693 36th Street (permit #811-SPR2014-02174.) By using multiple facilities, the proposed WTS facility antennas would have a centerline of 90 feet, which would provide an acceptable replacement signal strength, allowing the current customers to maintain service.

I. Visual Impact Study and Photo Simulations. The applicant shall provide a visual impact analysis showing the maximum silhouette, viewshed

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analysis, color and finish palette, and screening for all components of the proposed WTS facility. The analysis shall include photo simulations and other information necessary to determine visual impact of the facility as seen from multiple directions. The applicant shall include a map showing where the photos were taken.

Response: The maximum silhouette of the proposed WTS facility is illustrated in the attached shadow analysis drawing (Exhibit D – Visual Impact Study.) The attached photo simulations (Exhibit D – Visual Impact Study) show three views of the proposed WTS facility and include a map showing where the photos were taken.

3. Independent Consultation Report.

a. Review and approval of WTS facilities depends on highly specialized scientific and engineering expertise not ordinarily available to Springfield staff or to residents who may be adversely impacted by the proposed development of these facilities. Therefore, in order to allow the Approval Authority to make an informed decision on a proposed WTS facility, the Director may require the applicant to fund an independent consultation report for all new moderate and high visibility facilities. The consultation shall be performed by a qualified professional with expertise pertinent to the scope of the service requested.

Response: The Applicant will comply with this standard.

b. The scope of the independent consultation shall focus on the applicant's alternatives analysis. The consultant will evaluate conclusions of the applicant's analysis to determine if there are alternative locations or technologies that were not considered or which could be employed to reduce the service gap but with less visual or aesthetic impact. There may be circumstances where this scope may vary but the overall objective shall be to verify that the applicant's proposal is safe and is the least impactful alternative for closing the service gap.

Response: The Applicant will comply with this standard.

c. The applicant shall be informed of the Director's decision about the need for an independent consultation at the time of the Pre-Submittal Meeting that is required under Section 5.1-120(C.) It is anticipated that the independent consultation will be required when the applicant proposes to locate a moderate or high visibility WTS facility in a residential zoning district or within 500 feet of a residential zoning district. Other instances where a proposed WTS facility may have a visual or aesthetic impact on

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sensitive neighborhoods could also prompt the Director to require an independent consultation.

Response: The Applicant will comply with this standard.

H. Review Process

The review process is determined by the type of WTS facility or activity that is proposed. High or moderate visibility WTS facilities, defined in Subsection E, require Type III Planning Commission or Hearing Official review. Low visibility or stealth facilities and the co-location of new equipment on existing facilities are allowed under a Type I staff review with applicable building or electrical permits. Routine equipment repair and maintenance do not require planning review; however, applicable building and electrical permits are required.

1. Development Issues Meeting. *A Development Issues Meeting (DIM) as specified in Subsection 5.1-120(A) is required only for high and moderate visibility WTS facility applicants. Applicable development standards as specified in Subsection F and submittal requirements as specified in Subsection G will be discussed at the DIM.*

Response: A Development Issues Meeting was held on January 15, 2015. A letter confirming this meeting is attached as Exhibit L – Development Issues Meeting Letter.

2. Type I Review Process. *The following WTS facilities are allowed with the approval of the Director with applicable building and electrical permits:
[The remainder of this subsection was intentionally excluded because it is about WTS facilities subject to the Type I review process and thus does not apply to the proposed project.]*

Response: Not applicable. Because the proposed WTS facility is a moderate visibility facility, it is not subject to the Type I review process.

3. Type III Review Process. *The Planning Commission or Hearings Official review and approve a Discretionary Use application and a concurrently processed Site Plan Review application for the following WTS facilities:*

- a. High visibility and moderate visibility WTS facilities.*
- b. All other locations and situations not specified in Subsections H(2) and (3.)*
- c. The Planning Commission or Hearings Official will use the applicable criteria specified in Subsection I in place of the Discretionary Use criteria in Section 5.9-120 to evaluate the proposal.*

Response: Because the proposed WTS facility is a moderate visibility facility, it subject to a Type III review of a Discretionary Use and a Site Plan Review applications.

4. Council Notification and Possible Review.

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- a. *A briefing memorandum shall be prepared and submitted to the City Council upon receipt of an application for a high or moderate visibility or any other WTS facility subject to review by the Planning Commission. By action of the City Council, an application for a facility proposed within the city limits may be evaluated for direct City Council review. In those instances where an application is elevated for direct review, the City Council shall be the Approval Authority and will use the applicable criteria specified in Subsection I in place of the Discretionary Use criteria in Section 5.9-120 to evaluate the proposal.*
- b. *By agreement with Lane County, the Hearings Official shall be the Approval Authority for applications outside of the city limits but inside of the Springfield Urban Growth Boundary. The Hearings Official will use the applicable criteria in Subsection I in place of the Discretionary Use criteria in Section 5.9-120 to evaluate the proposal.*

Response: The Applicant will comply with this standard.

I. Approval Criteria

1. ***Low Visibility and Stealth WTS Facility Applications.** The Director shall approve the low visibility and stealth facility applications upon determination that the applicable standards specified in Subsection G are met.*

Response: Not applicable. The proposed WTS facility is a moderate visibility facility.

2. ***Moderate and High Visibility WTS Facility Applications.** The Approval Authority shall approve moderate visibility and high visibility WTS facility applications upon a determination that the applicable standards specified in Subsection G are met. Through the Discretionary Use review, the Approval Authority shall also determine if there are any impacts of the proposed WTS facility on adjacent properties and on the public that can be mitigated through application of other Springfield Development Code standards or conditions of approval as specified in Subsection J.*

Response: Compliance with the applicable standards specified in Subsection G begins on page 14 of this document.

J. Conditions of Approval

For Type III applications, the Approval Authority may impose any reasonable conditions deemed necessary to achieve compliance with the approval criteria as allowed by Section 5.9-125.

Response: The Applicant will comply with this standard.

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K. Maintenance

The property owner and carrier in charge of the WTS facility and tower shall maintain all equipment and structures, landscaping, driveways, and mitigating measures as approved. Additionally:

- 1. All WTS facilities shall maintain compliance with current RF emission standards of the FCC, the National Electric Safety Code, and all State and local regulations.*

Response: The Applicant will comply with this standard.

- 2. All equipment cabinets shall display a legible operator's contact number for reporting maintenance problems.*

Response: The Applicant will comply with this standard.

L. Inspections

- 1. The City shall have the authority to enter onto the property upon which a WTS facility is located to inspect the facility for the purpose of determining whether it complies with the Building Code and all other construction standards provided by the City and Federal and State law.*

Response: The Applicant will comply with this standard.

- 2. The City reserves the right to conduct inspections at any, upon reasonable notice to the WTS facility owner. In the event the inspection results in a determination that violation of applicable construction and maintenance standards established by the City has occurred, remedy of the violation may include cost recovery for all City costs incurred in confirming and processing the violation.*

Response: The Applicant will comply with this standard.

M. Abandonment or Discontinuation of Use

The following requirements apply to the abandonment and/or discontinuation of use for all WTS facilities:

- 1. All WTS facilities located on a utility pole shall be promptly removed at the operator's expense at any time a utility is scheduled to be placed underground or otherwise moved.*

Response: Not applicable. The proposed WTS facility would not be located on a utility pole.

- 2. All operators who intend to abandon or discontinue the use of any WTS facility shall notify the City of their intentions no less than 60 days prior to the final day of use.*

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IV. COMPLIANCE WITH SPRINGFIELD ORDINANCE NUMBER 5.9-100 DISCRETIONARY USES

5.9-105. Purpose

There are certain uses which, due to the nature of their impact on nearby uses and public facilities, require a case-by-case review and analysis at the Planning Commission or Hearing Official level. These impacts include, but are not limited to, the size of the area required for the full development of a proposed use, the nature of the traffic problems incidental to operation of a use, and the effect the use may have on any nearby existing uses. To mitigate these and other possible impacts, conditions may be applied to address potential adverse effects associated with the proposed use. This Section provides standards and procedures under which a Discretionary Use may be permitted, expanded, or altered.

Response: According to Section 4.3-145(H)(3) a moderate visibility WTS facility is subject to Discretionary Use review.

5.9-110. Siting of Schools

*Schools are identified in the Metro Plan as key urban services, which shall be provided in an efficient and logical manner to keep pace with demand.
[The remainder of this subsection was intentionally excluded because it is about schools and thus does not relate to the proposed project.]*

Response: Not applicable. No school is part of the proposed project.

5.9-115. Review

A. *New Discretionary Uses are reviewed under Type III procedure. Typically, a Discretionary Use application is reviewed concurrently with a Site Plan application. However, upon request from the applicant, the Director may allow the Discretionary Use application to be processed first.*

Response: The Applicant will comply with this standard.

**B. *Expansions and alterations are reviewed under:
[The remainder of this subsection was intentionally excluded because it is about expansions and alterations while the proposed project is a new use.]***

Response: Not applicable. No expansion or alteration is part of the proposed project.

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5.9-120. Criteria

A Discretionary Use may be approved only if the Planning Commission or Hearings Official finds that the proposal conforms with the Site Plan Review approval criteria specified in Section 5.17-125, where applicable, and the following approval criteria:

A. The proposed use conforms with applicable:

1. Provisions of the Metro Plan;

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

2. Refinement plans;

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

3. Conceptual Development Plans; or

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

4. Specific Development Standards in this Code.

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

B. The site under consideration is suitable for the proposed use, considering:

1. The location, size, design, and operations characteristics of the use (operating characteristics include but are not limited to parking, traffic, noise, vibration, emissions, light, glare, odor, dust, visibility, safety, and aesthetic considerations, where applicable;)

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

2. Adequate and safe circulation exists for vehicular access to and from the proposed site and on-site circulation and emergency response as well as pedestrian, bicycle, and transit circulation;

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Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

- 3. *The natural and physical features of the site including, but not limited to, riparian areas, regulated wetlands, natural stormwater management/drainage areas, and wooded areas shall be adequately considered in the project design; and***

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

- 4. *Adequate public facilities and services are available including, but not limited to, utilities, streets, storm drainage facilities, sanitary sewer, and other public infrastructure.***

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

C. *Any adverse effects of the proposed use on adjacent properties and on the public can be mitigated through the:*

- 1. *Application of other Code standards (including, but not limited to, buffering from less intensive uses and increased setbacks;)***
- 2. *Site Plan Review approval conditions, where applicable;***
- 3. *Other approval conditions that may be required by the Approval Authority; and/or***
- 4. *A proposal by the applicant that meets or exceeds the cited Code standards and/or approval conditions.***

Response: Not applicable. According to Subsection D below, wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.

D. *Applicable Discretionary Use criteria in other Sections of this Code:*

- 1. *Wireless telecommunications systems facilities requiring a Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.3-145.***
- 2. *Alternative design standards for multifamily development are exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 3.2-245.***

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3. *Fences requiring Discretionary Use approval are exempt from Subsections A – C above but shall comply with the approval criteria in Section 4.4-115C.*
4. *The siting of public elementary, middle, and high schools requiring Discretionary Use approval is exempt from Subsections A – C above but shall comply with the approval criteria specified in Section 4.7-195.*

Response: Compliance with the approval criteria specified in Section 4.3-145 can be found in Part III of this document beginning on page 14.

5.9-125. *Conditions*

The Approval Authority may attach conditions as may be reasonably necessary in order to allow the Discretionary Use approval to be granted.

Response: The Applicant will comply with this standard.

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V. COMPLIANCE WITH SPRINGFIELD ORDINANCE NUMBER 5.17-100 SITE PLAN REVIEW

5.17-105. Purpose and Applicability

A. The purpose of Site Plan Review is to: facilitate and enhance the value of development; regulate the manner in which land is used and developed; ensure the provision of public facilities and services; maintain the integrity of the City's watercourses by promoting bank stability, assisting in flood protection and flow control, protecting riparian functions, minimizing erosion, and preserving water quality and significant fish and wildlife areas; provide for connectivity between different uses; utilize alternative transportation modes including walking, bicycling, and mass transit facilities; implement the Metro Plan, applicable refinement plans, and specific area plans and development plans; minimize adverse effects on surrounding property owners and the general public through specific approval conditions; and otherwise protect the public health and safety.

Response: According to Section 4.3-145(H)(3) a moderate visibility WTS facility is subject to Site Plan Review.

B. Site Plan Review is required for:

1. Single-family and duplex dwellings on properties zoned Medium Density Residential and High Density Residential in order to meet the minimum density requirements of these zones;

[The remainder of this subsection was intentionally excluded because it is about dwellings and thus does not relate to the proposed project.]

Response: Not applicable. No dwelling is part of the proposed project.

2. Multifamily residential, commercial, public and semi-public, and industrial development or uses, including construction of impervious surfaces for parking lots and storage areas, including:

a. New development on vacant sites and redevelopment as a result of demolition and removal of existing buildings and impervious surfaces on a formerly occupied site, except where a proposed development qualifies as an MDS Application in accordance with SDC Section 5.15.

b. Additions or expansions that exceed either 50 percent of the existing building gross floor area or 5,000 square feet or more of new building gross floor area and/or impervious surface area, except where a proposed development qualifies as an MDS Application in accordance with SDC Section 5.15.

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- c. Additions, expansions, and changes in use, regardless of size or intervening use, that:**
[The remainder of this subsection was intentionally excluded because it is about additions and expansions and thus does not relate to the proposed project.]
- d. Discretionary Uses, where applicable.**
- e. Development within the area of adopted Development Area Plans and Conceptual Development Plans.**
- f. Any uses listed in the applicable zoning, overlay, or plan district, which specifically requires Site Plan Review.**
- g. Certain wireless telecommunications systems facilities. See Section 4.3-145 for siting standards and review process for applicable underlying zoning district.**

Response: According to Section 4.3-145(H)(3) a moderate visibility WTS facility is subject to Site Plan Review.

C. No development permit will be issued by the City prior to approval of the Preliminary Site Plan application.

Response: The Applicant will comply with this standard.

5.17-110. Review

A. Pre-Application Options. Although voluntary, prospective applicants are generally encouraged to request a Development Issues Meeting (informal process) or Pre-Application Report (formal process) as specified in Section 5.1-120.

Response: A Development Issues Meeting was held on January 15, 2015. A letter confirming this meeting is attached as Exhibit L – Development Issues Meeting Letter.

B. Site Plans are reviewed under Type II procedure, unless otherwise specified elsewhere in this Code.

Response: The Applicant will comply with this standard.

5.17-115. Phased Development

The Director may approve phasing of development with the Site Plan Review application, subject to the following standards and procedures:

[The remainder of this subsection was intentionally excluded because it is about phased development and thus does not relate to the proposed project.]

Response: Not applicable. The proposed project does not include any phasing of development.

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5.17-120. Submittal Requirements

All Site Plan applications shall be prepared by an Oregon licensed Architect, Landscape Architect, Civil Engineer, or Surveyor as determined by the Director. A Site Plan shall contain all the elements deemed necessary by the Director to demonstrate that provisions of this Code are being fulfilled and may include, but not be limited to, the following:

A. General Requirements. A Site Plan shall be drawn in ink on quality paper and shall contain the following information:

- 1. The scale (appropriate to the area involved and sufficient to show detail of the plan and related data, for example: 1" = 30', 1" = 50', or 1" = 100',) north arrow, and date of preparation;**
- 2. The street address and assessor's map and tax lot number;**
- 3. The dimensions (in feet) and size (either square feet or acres) of the development area;**
- 4. Proposed and existing buildings: location, dimensions, size (gross floor area,) conceptual floor plan, setbacks from property lines, distance between buildings, and height;**
- 5. The location and height of proposed or existing fences, walls, outdoor equipment and storage, trash receptacles, and signs;**
- 6. Proposed number of employees and future expansion plans;**
- 7. Area and percentage of the site proposed for buildings, structures, driveways, sidewalks, patios, and other impervious surfaces. This information is necessary to allow staff to determine the Site Plan Review fee;**
- 8. Observance of solar access requirements as specified in the appropriate zoning district;**
- 9. Exterior elevations of all buildings and structures proposed for the development site;**
- 10. Area and dimensions of all property to be conveyed, dedicated, or reserved for common open spaces, recreational areas, and other similar public and semi-public uses.**

Response: The site plan is on Sheets A-0 and A-1 of the attached drawings (Exhibit A – Site Plan and Elevations.)

B. A Site Assessment of the entire development area prepared by an Oregon licensed Landscape Architect or Engineer and drawn to scale with existing contours at 1-foot intervals and percent of slope that precisely maps and delineates the areas described below. Proposed modifications to physical features shall be clearly indicated. The Director may waive portions of this requirement if there is a finding that the proposed development will not have an adverse impact on physical

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features or water quality, either on the site or adjacent to the site. Adjacent properties include those within the distances specified in Section 5.17-105. Information required for adjacent properties may be generalized to show the connections to physical features. A Site Assessment shall contain the following information:

- 1. The name, location, dimensions, direction of flow, and top of bank of all watercourses that are shown on the Water Quality Limited Watercourse Map on file in the Development Services Department;*
- 2. The 100-year floodplain and floodway boundaries on the site, as specified in the latest adopted FEMA Flood Insurance Rate Maps or FEMA approved Letter of Map Amendment or Letter of Map Revision;*
- 3. The Time of Travel Zones, as specified in Section 3.3-200 and delineated on the Wellhead Protection Areas Map on file in the Development Services Department;*
- 4. Physical features including, but not limited to, significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourse Map and their riparian areas, wetlands, and rock outcroppings;*
- 5. Soil types and water table information as mapped and specified in the Soils Survey of Lane County; and*
- 6. Natural resource protection areas as specified in Section 4.3-117.*

Response: This information can be found on the topographic survey sheet of the attached drawings (Exhibit A – Site Plan and Elevations.)

C. An Access, Circulation, and Parking Plan complying with the provisions of this Code and containing the following information:

- 1. The location, dimensions, and number of typical, compact, and disabled parking spaces, including aisles, landscaped areas, wheel bumpers, directional signs, and striping;*
- 2. On-site vehicular and pedestrian circulation;*
- 3. Access to streets, alleys, and properties to be served, including the location and dimensions of existing and proposed driveways and driveways proposed to be closed;*
- 4. Exterior lighting as specified in Subsection H below;*
- 5. The location, type, and number of bicycle spaces;*
- 6. The amount of gross floor area applicable to the parking requirement for the proposed use;*
- 7. The location of off-street loading areas;*
- 8. Existing and proposed transit facilities;*

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9. *A copy of a Right-of-Way Approach Permit application, where the property has frontage on an Oregon Department of Transportation (ODOT) facility; and*
10. *A Traffic Impact Study prepared by a Traffic Engineer as specified in Section 4.2-105(A)(4.)*

Response: This information can be found on Sheets A-0 and A-1 of the attached drawings (Exhibit A – Site Plan and Elevations.)

D. A Landscape Plan, drawn by a Landscape Architect or other professional approved by the Director, complying with the provisions of this Code that contains the following information:

1. *Screening as specified in Section 4.4-110;*
2. *The use of plantings in erosion control and stormwater treatment facilities, if any;*
3. *A permanent irrigation system, unless specifically exempted as specified in Section 4.4-100;*
4. *Street trees as specified in Section 4.2-140;*
5. *A specifications list for all materials to be used shall accompany the Planting Plan. Plant sizes shall be listed at the time of installation and shown on the Planting Plan at mature size; and*
6. *A description of planting methods as specified in Section 4.4-100.*

Response: The landscape plan is on Sheet A-1.1 of the attached drawings (Exhibit A – Site Plan and Elevations.)

E. An Improvements Plan complying with the standards of Sections 4.1-100, 4.2-100, and 4.3-100 that contains the following information:

1. *The name and location of all existing and proposed public and private streets within or on the boundary of the proposed development site including the right-of-way and paving dimensions and the ownership and maintenance status, if applicable;*
2. *Location of existing and required traffic control devices, fire hydrants, streetlights, power poles, transformers, neighborhood mailbox units, and similar public facilities;*
3. *The location, width, and construction material of all existing and proposed sidewalks, sidewalk ramps, pedestrian access ways, and trails; and*
4. *The location and size of existing and proposed utilities and necessary easements and dedications on and adjacent to the site including sanitary sewer mains, stormwater management systems, water mains, gas, telephone, and cable TV. Indicate the proposed connection points.*

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Response: This information can be found on Sheets A-0 and A-1 of the attached drawings (Exhibit A – Site Plan and Elevations.)

F. A Grading, Paving, and Stormwater Management Plan drawn to scale with existing contours at 1-foot intervals and percent of slope that precisely maps and addresses the information described below. In areas where the percent of slope is 10 percent or more, contours may be shown at 5-foot intervals. This plan shall show the stormwater management system for the entire development area. For Site Plans with more than 5,000 square feet of new paving area, an Oregon licensed Civil Engineer shall prepare the plan. Where plants are proposed as part of the stormwater management system, an Oregon licensed Landscape Architect may be required. The plan shall include the following components:

- 1. Roof drainage patterns and discharge locations;**
- 2. Pervious and impervious area drainage patterns;**
- 3. The size and location of stormwater management systems components including, but not limited to: drain lines, catch basins, dry wells and/or detention ponds, stormwater quality measures, and natural drainageways to be retained;**
- 4. Existing and proposed elevations, site grade, and contours; and**
- 5. A stormwater management system plan with supporting calculations and documentation as required in Section 4.3-110 shall be submitted supporting the proposed system. The plan, calculations, and documentation shall be consistent with the Engineering Design Standards and Procedures Manual to allow staff to determine that the proposed stormwater management system will accomplish its purposes.**

Response: This information can be found on the topographic survey sheet and Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations.)

G. A Phased Development Plan, where applicable, that indicates any proposed phases for development, including the boundaries and sequencing of each phase as specified in Section 5.17-115.

[The remainder of this subsection was intentionally excluded because it is about phased development and thus does not relate to the proposed project.]

Response: Not applicable. The proposed project does not include any phasing of development.

H. An On-site Lighting Plan showing the location, orientation, and maximum height of all proposed exterior light fixtures, both free standing and attached. The lighting plan shall also detail the type and extent of shielding, including cut-off angles and the type of illumination, the wattage, luminous area, and a photometric test report for each light source.

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Response: This information can be found on Sheets A-4 and A-6 of the attached drawings (Exhibit A – Site Plan and Elevations.)

1. Additional information and/or applications required at the time of Site Plan Review applications submittal shall include the following items, where applicable:

1. A brief narrative explaining the purpose of the proposed development and the existing use of the property.

Response: The purpose of the proposed development is explained in Parts I and II of this document beginning on pages 1 and 2, respectively.

2. If the applicant is not the property owner, written permission from the property owner is required as specified in Subsection 5.4-105(B)(2.)

Response: Written permission from the property owner is attached as Exhibit M – Land Owner Authorization.

3. A Vicinity Map drawn to scale showing bus stops, streets, driveways, pedestrian connections, fire hydrants, and other transportation/fire access issues within 200 feet of the proposed development area.

Response: This information can be found on Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations.)

4. How the proposal addresses the standards of the applicable overlay district, where applicable.

Response: To avoid any issues with drinking water protection, the proposed WTS facility would utilize a natural gas-powered emergency generator.

5. How the proposal addresses Discretionary Use criteria, where applicable.

Response: Compliance with the Discretionary Use criteria specified in Section 4.3-145 can be found in Part III of this document beginning on page 14.

6. A Tree Felling Permit as specified in Section 5.19-100.

Response: Not applicable. No trees would be felled as part of the proposed project.

7. An Annexation application, as specified in Section 5.7-100, where a development is proposed outside of the city limits but within the City's urban service area and can be serviced by sanitary sewer.

Response: Not applicable. Annexation is not part of the proposed project.

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8. A wetland delineation approved by the Department of State Lands shall be submitted concurrently, where there is a wetland on the property.

Response: Not applicable. There is no wetland on the subject property.

9. Evidence that any Federal or State permit has been applied for or approved shall be submitted concurrently.

Response: Not applicable. No federal or state permits are required for the proposed project.

10. A Geotechnical Report prepared by an Engineer shall be submitted concurrently if the required Site Assessment specified in Section 5.17-120 indicates the proposed development area has unstable soils and/or a high water table as specified in the Soils Survey of Lane County. (6274; 6211)

Response: Not applicable. The proposed development area was not found to have unstable soils or a high water table.

5.17-125. Criteria

The Director shall approve or approve with conditions a Type II Site Plan Review application upon determining that approval criteria in Subsections A through E below have been satisfied. If conditions cannot be attached to satisfy the approval criteria, the Director shall deny the application.

A. The zoning is consistent with the Metro Plan diagram and/or the Refinement Plan diagram, Plan District map, and Conceptual Development Plan.

Response: According to the Eugene-Springfield Metropolitan General Plan "Plan Diagram," the subject property is designated as Commercial. According to the Springfield Zoning Map dated May 2014, the subject property is zoned CC – Community Commercial. The proposed WTS facility would be a monopine, which is a moderate visibility facility. Moderate visibility facilities are allowed in the subject property's Community Commercial zoning district, as stated in Table 4.3-1 of Section 4.3-145.

The subject property is not part of a Refinement Plan or Conceptual Development Plan.

B. Capacity requirements of public and private facilities including, but not limited to, water and electricity, sanitary sewer and stormwater management facilities, and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Public Works Director or a utility provider shall determine capacity issues.

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Response: The only utilities required for the proposed WTS facility are power and fiber. Sheet A-0 of the attached drawings (Exhibit A – Site Plan and Elevations) shows where the nearest existing power and fiber utilities are.

The amount of new impervious surface that would be created by the installation of the proposed WTS facility is 712 square feet. Compared to the existing property square footage of 85,490 square feet, the new impervious surface would make up 0.83% of the property's total square footage. This amount should not overwhelm the existing storm drain catch basin on the property.

The proposed WTS facility is a passive, unstaffed use, which would generate only one maintenance trip per month.

C. *The proposed development shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations.*

Response: As illustrated on Sheet A-1.1 of the attached drawings (Exhibit A – Site Plan and Elevations,) the proposed landscaping and screening will comply with the landscaping, screening, and fence standards. As illustrated in the "Shelter Details" on Sheet A-6 of the attached drawings (Exhibit A – Site Plan and Elevations,) the light fixture on the proposed WTS facility's equipment shelter would have a sharp cutoff in order to comply with the outdoor lighting standards.

D. *Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle, and pedestrian safety to avoid congestions; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial, and public areas; minimize driveways on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for State highways.*

Response: The proposed WTS facility is a passive, unstaffed use, which would generate only one maintenance trip per month. Access to the site would utilize the existing gravel drive from S 42nd Street. The extension of that drive to the proposed lease compound would provide the parking space required during these monthly maintenance visits.

E. *Physical features including, but not limited to: steep slopes with unstable soil or geologic conditions; areas with susceptibility of flooding; significant clusters of trees and shrubs; watercourses shown on the WQLW Map and their associated riparian areas; other riparian areas and wetlands specified in Section 4.3-117; rock outcroppings; open spaces; and areas of historic and/or archaeological significance, as may be specified in Section 3.3-900 or ORS 97.740-760, 358.905-*

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955, and 390.235-240, shall be protected as specified in this Code or in State or Federal law.

Response: According to the survey sheet of the attached drawings (Exhibit A – Site Plan and Elevations,) the subject property does not contain any of the listed physical features, inventoried natural resources, or watercourses.

5.17-130. Conditions

To the extent necessary to satisfy the approval criteria of Section 5.17-125, comply with all applicable provisions of this Code, and to mitigate identified negative impacts to surrounding properties, the Director may impose approval conditions. Conditions imposed to satisfy the Site Plan application approval criteria shall not be used to exclude “needed housing” as defined in OAR 660-08-015. All conditions shall be satisfied prior to Final Site Plan approval. Approval conditions may include, but are not limited to:

- A. Dedication of right-of-way and/or utility easements.**
 - 1. Right-of-way, when shown in: TransPlan, transportation elements of refinement plans, or on the most recent Conceptual Local Street Plan Map, and as specified in Table 4.2-1.**
 - 2. Easements as specified in Section 4.3-140, when necessary to provide services including, but not limited to: sanitary sewers, stormwater management, water and electricity to the site and neighboring properties. The dedication of easements shall also include any easements required to access and maintain watercourses or wetlands that are part of the City’s Stormwater Management System.**
- B. Installation of sight obscuring fence and/or vegetative screen whenever a party of record or the Director identifies a land use conflict.**
- C. Installation of medians, traffic signals and signs, restricting access to and from arterial or collector streets, requiring a frontage road, restricting and strategically locating driveways, and/or requiring the joint use of driveways to serve 2 or more lots/parcels through a Joint Use/Access Agreement when transportation safety issues are identified by the Transportation Planning Engineer and/or a Traffic Impact Study.**
- D. Modification of the layout of structures caused by the location of streets, required stormwater management systems including, but not limited to, swales and detention basins or when required by the Geotechnical report specified in Section 5.17-120.**
- E. Installation of a noise attenuating barrier, acoustical building construction, and/or site modifications as specified in Section 4.4-110 or similar measures approved by an acoustical engineer registered in the State of Oregon to minimize negative effects on noise sensitive property from noise found to exceed acceptable noise**

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- levels prescribed in the Oregon Administrative Rules or the Federal Highway Administration Noise Abatement Criteria.*
- F. Limiting the hours of operation whenever a land use conflict is identified by the Director or a party or record including, but not limited to, noise and traffic generation.**
 - G. Phasing of development to match availability of public facilities and service including, but not limited to, water and electricity, sanitary sewer and stormwater management facilities, and streets and traffic safety controls when the facilities and services are near capacity, as determined by the Public Works Director or the utility provider.**
 - H. Submittal of a Land and Drainage Alteration Permit.**
 - I. Retention and protection of existing physical features and their functions including, but not limited to: significant clusters of trees and shrubs and watercourses shown on the WQLW Map and their riparian areas and wetlands by:**
 - 1. Planting replacement trees where encroachment is allowed into riparian areas shown on the WQLW Map on file in the Development Services Department;**
 - 2. Re-vegetation including, but not limited to: trees and native plants of slopes, ridgelines, and stream corridors;**
 - 3. Restoration of natural vegetation;**
 - 4. Removal of invasive plant species, based upon the Invasive Plan List on file in the Development Services Department;**
 - 5. Relocating the proposed development on another portion of the site;**
 - 6. Reducing the size of the proposed development; and/or**
 - 7. Mitigation of the loss of physical features caused by the proposed development with an equivalent replacement either on site or on an approved site elsewhere within the City's jurisdiction, as approved by the Director.**
 - J. Installation of lighting for outdoor circulation, parking, and safety, including approval of the type and placement of the outdoor lighting as specified in Section 4.5-100.**
 - K. The Director may waive the requirements that buildable City lots/parcels have frontage on a public street when the following apply:**
 - 1. The lots/parcels have been approved as part of a Subdivision or Partition application; and**
 - 2. Access has been guaranteed via a private street to a public street or driveway by an irrevocable joint use/access agreement.**
 - L. The applicant shall submit copies of required permits to demonstrate compliance with the applicable: Federal programs, regulations, and statutes; State programs, regulations, and statutes; and/or local programs, regulations, and statutes prior to the approval of the Final Site Plan. When a Federal or State agency issues a**

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permit that substantially alters an approved Preliminary Site Plan, the Director shall require the applicant to submit a Site Plan Modification as specified in Section 5.17-145.

- M. Approval of a Stormwater Management Plan for the development demonstrating compliance with the applicable provisions of Section 4.3-110 and the Engineering Design Standards and Procedures Manual.**

Response: The Applicant will comply with this standard.

5.17-135. Final Site Plan/Final Site Plan Equivalent Map

- A. Final Site Plan, Generally.** *Within 90 days of an affirmative decision by the Approval Authority, a complete Final Site Plan shall be submitted to the Development Services Department. The Final Site Plan submittal shall incorporate all approval conditions listed in the staff report. The Final Site Plan shall become null and void if construction has not begun within 2 years of the signing of the Development Agreement required in Section 5.17-140.*
- B. Final Site Plan Equivalent Map.** *In case of developed or partially developed industrial properties more than 5 acres in size that did not receive Final Site Plan approval prior to the adoption of this Code, the Director may approve a Final Site Plan Equivalent Map to allow the property owner to use the Site Plan Modification process specified in Section 5.17-145 for future additions and expansions.*

[The remainder of this subsection was intentionally excluded because it is about final site plan equivalent maps and thus does not relate to the proposed project.]

Response: The Applicant will comply with this standard.

5.17-140. Development Agreement

- A. To complete the Site Plan Review Process, a Development Agreement shall be prepared by the Director to be signed by the applicant. The purpose of the Development Agreement is to ensure that the terms and conditions of Site Plan Review approval are understood and binding upon both the applicant and the City. The Development Agreement and the Final Site Plan approval are valid for 2 years from the date the document is signed. If construction does not begin within the time line, both the Final Site Plan and the Development Agreement shall become null and void. However, 1 extension, not to exceed 1 year, may be granted by the Director upon receipt of a written request by the applicant, including an explanation of the delay. Work under progress shall not be subject to Final Site Plan or Development Agreement expiration**
EXCEPTION: No Development Agreement shall be required for a Final Site Plan Equivalent Map application that is approved as specified in Section 5.17-135.

Date Received:

Land Use Application

- B. A Building Permit may be issued by the Building Official only after the Development Agreement has been signed by the applicant.**
- C. No building or structure shall be occupied until all improvements are made as specified in this Section, unless otherwise permitted in Section 5.17-150.**
- D. Upon satisfactory completion of site development, as determined by a Final Site Inspection (prior to the final building inspection,) the City shall authorize the provision of public facilities and services and issue a Certificate of Occupancy.**

Response: The Applicant will comply with this standard.

5.17-145. Modifications

- A. The Site Plan Modification process establishes procedures to allow certain adjustments to an approved Site Plan, either after Preliminary Approval or after Final Approval. This process shall assure that any proposed Major Site Plan Modification continues to comply with the approval criteria in Section 5.17-125.**
- B. The Site Plan Modification process shall only apply to Site Plan applications approved after June 5, 1986.**
[The remainder of this subsection was intentionally excluded because it is modifications and thus does not relate to the proposed project.]
- C. The Director shall determine whether the Site Plan Modification will be processed under a Type I or Type II review process as follows:**
[The remainder of this subsection was intentionally excluded because it is about modifications and thus does not relate to the proposed project.]
- D. The criteria of approval for a Site Plan Modification application shall be in compliance with the applicable standard and/or criteria of approval specified in Section 5.17-125.**
- E. The Director may require approval conditions as specified in Section 5.17-130.**
- F. A Final Site Plan and Development Agreement is required as specified in Sections 5.17-135 and 5.17-140.**

Response: Not applicable. No site plan modification is part of the proposed project.

5.17-150. Security and Assurances

All required improvements shall be installed prior to the issuance of a Certificate of Occupancy or Final Building Inspection for the development, unless specified in Section 5.15-100 or improvements may be deferred for good cause by the Director if security as specified in Subsection C below is approved to the satisfaction of the City Attorney.

- A. A Temporary Certificate of Occupancy may be issued prior to complete installation and approval of improvements, if security is filed with the City.**

Date Received:

Land Use Application

- B. Required security shall equal 110 percent of the cost of design, materials, and labor as determined by the Director. Required security may consist of cash, certified check, time certificate or deposit, or lending agency certification to the City that funds are being held until completion.**
- C. If the installation of improvements is not completed within the period stipulated by the Director or if the improvements have been improperly installed, the security may be used by the City to complete the installation or the security may be held by the City and other enforcement powers employed to prevent final occupancy until the improvements are completed.**
- D. Upon completion of the improvements as certified by the Director, any portion of the remaining security deposit with the City, including any accrued interest, shall be returned.**

Response: The Applicant will comply with this standard.

5.17-155. Maintaining the Use

Once a Certificate of Occupancy has been granted or a Final Building Inspection has taken place:

- A. The building and site shall be maintained as specified in this Code in order to continue the use.**
- B. It shall be the continuing obligation of the property owner to maintain the planting required by Section 4.4-100 in an attractive manner free of weeds and other invading vegetation. Plantings in the vision clearance area shall be trimmed to meet the 2.5 foot height standard as specified in Section 4.2-130.**
- C. Parking lots shall be maintained by the property owner or tenant in a condition free of litter and dust and deteriorated pavement conditions shall be improved to maintain conformance with these standards.**
- D. Undeveloped land within a development area shall be maintained free of trash and stored materials in a mowed and attractive manner. Undeveloped land shall not be used for parking.**

Response: The Applicant will comply with this standard.

Date Received:

VI. CONCLUSION

Based on the foregoing analysis and findings, the Applicant requests Discretionary Use and Site Plan Review approval of the proposed WTS facility. The application meets all applicable criteria for approval.

Date Received:

5/1/2015

MAY 01 2015

VII. EXHIBITS

- A. Site Plan and Elevations
- B. RF Justification Letter
- C. Inventory of Existing Towers
- D. Visual Impact Study
- E. Noise Report
- F. FAA and ODA Determinations
- G. NIER Report
- H. FCC Licenses
- I. Co-location Agreement
- J. Lease Excerpt
- K. Title Report
- L. Development Issues Meeting Letter
- M. Land Owner Authorization

Date Received:

Prepared by Smartlink, LLC

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MAY 01 2015

5/1/2015

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF ACOM CORPORATION.



SIGNED: 08/21/15

No.	Date	Revision
A	10/20/14	90% PZD REVISION
B	12/11/14	100% PZD FINAL SET
0	04/27/15	ZONING SUBMITTAL
1	05/26/15	GENERATOR REVISION
3	08/21/15	COMPOUND REVISION

Client:

Implementation Team:

A&E Team:

Project Info:

EUG CLEARWATER
4164 JASPER RD
SPRINGFIELD, OR 97478

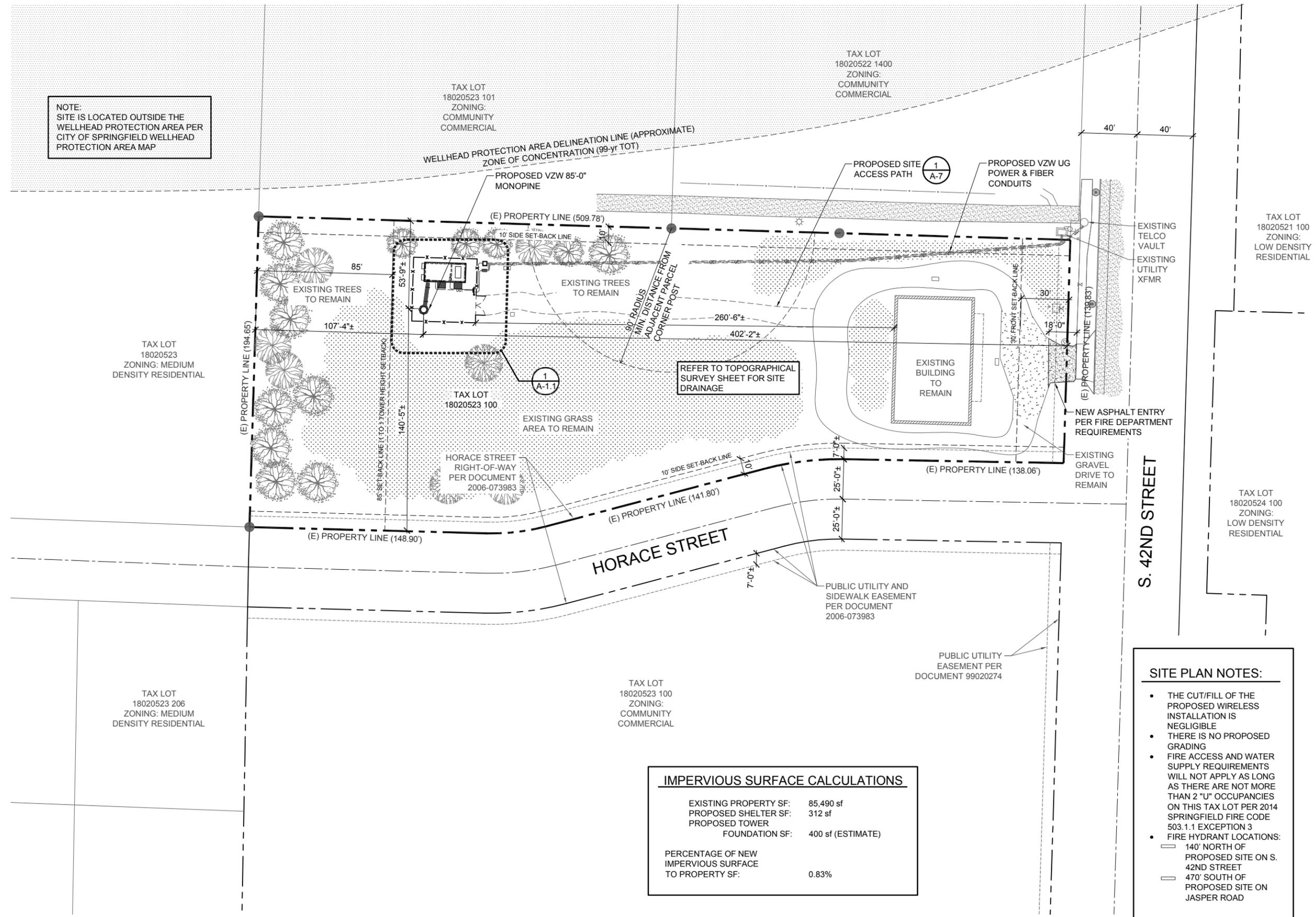
Drawing Title:

PROPOSED SITE PLAN

Project Number:	Date:
08/21/15	
Drafter:	Designer:
RM	RM
Project Manager:	Professional of Record:
AM	RJ
Revision No:	Sheet No:

3

A-0



NOTE:
SITE IS LOCATED OUTSIDE THE WELLHEAD PROTECTION AREA PER CITY OF SPRINGFIELD WELLHEAD PROTECTION AREA MAP

IMPERVIOUS SURFACE CALCULATIONS	
EXISTING PROPERTY SF:	85,490 sf
PROPOSED SHELTER SF:	312 sf
PROPOSED TOWER FOUNDATION SF:	400 sf (ESTIMATE)
PERCENTAGE OF NEW IMPERVIOUS SURFACE TO PROPERTY SF:	0.83%

- SITE PLAN NOTES:**
- THE CUT/FILL OF THE PROPOSED WIRELESS INSTALLATION IS NEGLIGIBLE
 - THERE IS NO PROPOSED GRADING
 - FIRE ACCESS AND WATER SUPPLY REQUIREMENTS WILL NOT APPLY AS LONG AS THERE ARE NOT MORE THAN 2 "U" OCCUPANCIES ON THIS TAX LOT PER 2014 SPRINGFIELD FIRE CODE 503.1.1 EXCEPTION 3
 - FIRE HYDRANT LOCATIONS:
 - 140' NORTH OF PROPOSED SITE ON S. 42ND STREET
 - 470' SOUTH OF PROPOSED SITE ON JASPER ROAD

**BEFORE THE PLANNING COMMISSION
OF THE
CITY OF SPRINGFIELD, OREGON**

SITE PLAN REVIEW

+
+
+

**CASE NO. TYP215-00012
FINDINGS, CONCLUSIONS,
AND ORDER**

NATURE OF THE APPLICATION

The applicant submitted a modified Site Plan Review application for construction of a 90-foot tall monopine tower (a moderate visibility wireless telecommunications facility) with fenced enclosure and equipment shelter at 4164 Jasper Road (Assessor's Map 18-02-05-23, Tax Lot 100). The site is within the Community Commercial (CC) District and the Springfield Development Code (SDC) Sections 4.3-145.H and 5.17-105.B.2.g list moderate visibility wireless telecommunications system facilities as requiring Discretionary Use and Site Plan Review in the CC District. The Springfield City Council approved a Discretionary Use request for the property on July 20, 2015 thereby enabling a decision on the modified Site Plan by the Planning Commission.

1. On May 1, 2015 the following application for Site Plan Review was accepted:
Allow for a 90-foot tall wireless telecommunications system facility (cellular tower) with fenced enclosure and equipment shelter in the Community Commercial District, Case Number TYP215-00012, Lauren Russell, Smartlink LLC, applicant. On September 28, 2015 the applicant submitted a modified Site Plan that repositions the cellular tower approximately 200 feet to the west of the original location.
2. The application was submitted in accordance with Section 5.4-105 of the Springfield Development Code. Public notification and request for comments, pursuant to Section 5.1-130.B of the Springfield Development Code, has been provided.
3. On October 20, 2015 the Planning Commission reviewed the subject application for Site Plan Review with the adjusted tower and compound location. The Development & Public Works Department staff notes including criteria of approval, findings, and recommended conditions of approval, along with the testimony received at the public hearing, have been considered and are part of the record of this proceeding.

CONCLUSION

On the basis of this record, the requested Site Plan Review application is consistent with the criteria of Section 5.17-125 of the Springfield Development Code. This general finding is supported by the specific findings of fact, conclusions, and conditions of approval in the attached staff report (Exhibit A) attached hereto.

ORDER

It is ORDERED by the Planning Commission of Springfield that Case Number TYP215-00012, Site Plan Review application, be approved. This ORDER was presented to and approved by the Planning Commission on October 20, 2015. It is effective the date it is mailed to all parties to the decision, which in this case is October 21, 2015.

EXPIRATION OF APPROVAL

This approval expires two (2) calendar years after the Notice of Decision issued by the Planning Commission unless extended in accordance with the provisions of SDC Section 5.17-140.

APPEAL

Pursuant to SDC Sections 5.1-135 and 5.2-155, this Type II decision is final unless appealed to the Springfield City Council in accordance with SDC Section 5.3-120. Only those persons who participated either orally or in writing have standing to appeal the Planning Commission’s decision. An appeal application shall be filed with the Director within 15 calendar days of the Planning Commission’s decision being mailed out (ie. by 5:00 pm on November 5, 2015) to be considered valid. The appeal application shall be accompanied by the fee prescribed by the City Council (\$250.00). The filing fee will be refunded to the appellant if one or more of the appeal allegations are upheld by the City Council, or if the decision is amended, remanded or reversed.

Planning Commission Chairperson

ATTEST

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

MINUTES OF THE REGULAR SESSION MEETING OF
THE SPRINGFIELD PLANNING COMMISSION HELD
TUESDAY, June 2, 2015

The City of Springfield Planning Commission met in a regular session in the City Council Chambers, 225 Fifth Street, Springfield, Oregon, on Tuesday, June 2, 2015 at 7:00 p.m., with Commissioner Vohs presiding.

ATTENDANCE

Present were Chair Tim Vohs, Vice Chair Nelson, Commissioners James, Moe, Koivula and Landen. Also present were, Senior Planner Andy Limbird, Assistant City Attorney Lauren King, and Management Support Specialist Brenda Jones and members of the staff.

ABSENT

- Sean Dunn

PLEDGE OF ALLEGIANCE

- Chair Tim Vohs led the Pledge of Allegiance.

EXPLANATION OF QUASI-JUDICIAL HEARING PROCESS (ORS. 197.763)

- Lauren King, Assistant City Attorney read the process into the record.
 - Record will be held open to June 16, 2015

CHAIR OPENS THE PUBLIC HEARING

COMMISSION MEMBERS DECLARATION OF CONFLICT

- There was no conflict of interest by any of the Planning Commissioners.

QUASI-JUDICIAL PUBLIC HEARING

STAFF REPORT

1. Moderate Visibility Cellular Tower Application – SmartLink PCS on behalf of Verizon Wireless LLC, Cases TYP315-00003 and TYP215-00012-

Andy Limbird Senior Planner presented application TYP315-0003, a Discretionary Use permit for siting a Moderate Visibility Wireless Telecommunications System Facility submitted by Smartlink PCS on behalf of Verizon Wireless. The application was submitted on May 1, 2015, and it affects a vacant commercial property that is located west of South 42nd Street and north of Jasper Road. The proposed facility is located just south of the Springfield Relief Nursery and east of Mt. Vernon Elementary School. The general location is depicted on diagram Attachment 1; page 1 of 20, and the more specific location is just west of the existing shell commercial building. The site is zoned and designated as Community Commercial and is currently vacant. There is an undeveloped segment of Horace Street that extends through the site, also depicted on the map, and the tower location is more or less where the red box is depicted on Attachment 1 page 2 of 20. The selected location is for a 90' Monopine design Wireless Facility or cell tower.

The applicant's proposal is within the commercially zoned property and the design of the cell tower is as depicted in Attachment 1 page 13 of 20, which is a two branch per foot Monopine design. Staff has reviewed the available designs as provided by the manufacturer and is recommending a three branch per foot design which mimics a Sequoia or California Redwood type tree that are found in the area. Sequoias and Redwoods are planted as ornamentals and are not native to the area, but they are more commonly found than the Pine tree design.

With the exception of this specific recommendation for the Discretionary Use staff is recommending that the application meets the criteria of approval for Discretionary Use and therefore warrants consideration by the Planning Commission for approval.

There is an accompanying Site Plan, which is contingent on issuance of the Discretionary Use permit, and staff is also recommending approval of the Site Plan subject to conditions as outlined in the report. The applicant has changed the type of back-up power generator from a natural gas fired design to a diesel generator. As a result, there is a requirement for the Drinking Water Protection permit and the applicant has submitted a permit application under a separate cover. The change to the backup power generator came subsequent to the initial application, and actually following the initial preparation of the staff report, so changes were made in the staff report to accommodate the proposed diesel generator design. Staff will be reviewing the Drinking Water Protection application in conjunction with Springfield Drinking Water Source Protection.

Standard conditions apply to the Site Plan Review including the installation of the driveway, maintenance access for the site, and maintaining visibility at the corners of the site driveway to allow for access onto South 42nd Street.

Andy mentioned to the Planning Commission that the applicant is in attendance and will be providing more technical information, but staff wanted to clarify that this represents the relocation of an existing facility from the International Paper Plant. There is a water tower on the International Paper site and staff understands that this will be removed at some point. The applicant is looking to not only accommodate the relocation of the existing facility to maintain service coverage, but also to ensure that there is capacity coverage in this of Mid-Springfield. Both coverage and capacity have been determined to be an issue, hence the reason that Verizon Wireless is seeking approval this evening.

Commissioner Landen asked if the plants listed are native to the area and not invasive plants. Andy Limbird responded that Oregon Grape is native and the others are not native, but are commonly planted ornamentals that are designed to be drought tolerant. Once they are established they would be essentially allowed to grow without irrigation. Staff researched the Leland Cypress, which are commonly planted as a wind break or a hedgerow type of tree. Under optimal conditions they can get up to 50 feet high and have a large spread to them. The intent is to provide visual screening of the equipment shelter and fence that are proposed at the base of the tower. Because the proposed screening vegetation is evergreen it would be a permanent, year-round vegetative screen.

Commissioner Landen asked if the tree branch design affects the tower efficiency capability. Andy responded that not to his knowledge, but he would rely on the applicant's expertise as to the type of capability of the design. It is his understanding that the branch design is essentially a visual influence only, and there are no limitations as to its technical capabilities.

Commissioner Koivula asked if the applicant had been asked if there was a chance to leave or build another tower at the existing plywood mill. He also observed the topographic survey that was done doesn't clearly show the existing storm drain system, although it does show that there is storm drain very close to the tower compound. He stated that details of the stormwater drainage system will need to be provided by the applicant to show where the existing drain goes to and whether it would be close to the diesel storage tank.

In response to Commissioners Koivula's questions, Andy stated that he will rely on the applicant to confirm the need to relocate the existing facility from the International Paper water tower. It is staff's understanding that International Paper desires to be a secure site, and all visitors and contractors are required to go through security measures when arriving at their facility. Andy suspects, but cannot specifically confirm, that a third party facility on the International

Paper site presents a risk and perhaps a concern to them and they might be reluctant to maintain it on their site. Andy acknowledged that this is all speculation, but staff has visited International Paper a number of times for work that is occurring on the site and has been required to go through training and certification for site safety before entering the site. Verizon Wireless would need to have easy maintenance access to these types of facilities, but the existing site is within the secure International Paper site, which could be an issue for both parties.

TESTIMONY FROM THE APPLICANT

Lauren Russell; 621 SW Alder St., Ste 660; Portland, Oregon 97205 503-241-0279

Lauren started by addressing the questions from the Planning Commissioners before presenting her PowerPoint.

- When the applicant is at the point of ordering the tower they will perform a load study, this is in reference to the 2 or 3 branch trees. From her understanding the only difference between the 2 to 3 branch trees is mostly cost, because you are adding 50% more branches. The three branches per foot design is doable, but Verizon prefers the two branch per foot tower design. If it is the recommendation of the Planning Commission that they install the three branch per foot tower then Verizon will comply.
- Existing site decommissioning. The way leases are set up there is an initial lease period and then it renews every 5 to 10 years depending on how it was originally negotiated. It is the discretion of both the landlord and the tenant, which was Verizon at that time, if they want to end the lease. In this situation the landlord, International Paper, does not want to continue letting Verizon lease part of their space and has asked them to decommission their site, which will be happening soon.
- Storm drain. This is something Lauren will need to have one of her Engineers look into, but will have this done before the next session. Commissioner Koivula added that there is a storm drain facility roughly 80' east of the proposed tower, and it has no connection point.

Ms. Russell presented a PowerPoint presentation that will be submitted in hard copy to staff for the record.

The first map shows the EUG Springfield location, the site that is being decommissioned. In order to replace that tower, there is Aster which is west of the site and that is a co-location site which has been approved through the building permit process and then the Clearwater, which is to the south of the site that is being discussed tonight. Springfield has three different sectors, covering three different directions. Aster will replace one of those sectors that will be missing after the decommissioning, and Clearwater will be another site and will also increase the coverage for the direct vicinity, once the site has been decommissioned.

Next map shows the current capacity with the Springfield site that has not yet been decommissioned:

- Pink, red and purple colors are good indoors and outdoors
- Yellow is good data speeds outdoors and fair speeds indoors
- Green has fair outdoor speeds abut indoor speeds are marginal.

Factors that determined the search area:

- Current coverage provided by the site to be decommissioned
- Terrain
- Population density distribution

The preferred candidate location is the smaller polygon, but because of the site selection factors such as the availability of existing towers, the willingness of landowners to lease land, and also the jurisdiction's requirements for where cellular facilities are allowed, most of this was off limits. Much of the search area is Medium/Low Density Residential where you cannot have any towers, so this left a few commercial properties. Only one of the properties

has a landlord that was interested. Verizon contacted the school district, but they did not want to have any facilities on the buildings and that would be the only ones allowed in the Medium Density Residential district, so Verizon was left with one candidate which is the property at hand.

- Network traffic requirements
- Availability of existing towers
- Willingness of landowners whose properties meet both Verizon's needs and specifications of the local jurisdiction.

Map: EUG Clearwater search area and towers within 5 miles of the proposed site, which shows:

- RF Search Area;
- 5 mile radius from EUG Clearwater tower locations;
- EUG Clearwater;
- Existing Tower;
- Verizon site

The dark blue is the search area that was just discussed, which shows the 5-mile radius of all existing towers in the area. Verizon starts by checking to see what might be available in the area where they need to build, including co-location sites. The nearest tower is almost 1 mile away, which would not give the coverage necessary. The next nearest location is the Aster location, which would provide duplicate coverage. The third nearest which was the only other site under 2 miles, is very close to the Aster co-location site, again providing duplicate coverage.

Capacity/Coverage improvements: Before and After diagrams:

- Red/Pink: Excellent to good data coverage both indoors and outdoors;
- Yellow: Good data speeds outdoors and fair speeds indoors
- Green: Fair outdoor speeds but indoor speeds are marginal

The Clearwater area is in the Red/Pink, which shows they are achieving the goals for coverage. Because they are going into Community Commercial zoned property, they did need to create a stealth design.

Photo of the Proposed Monopine Design - 2 branches per foot. They will accept the recommendation that a 3-branch per foot tree is installed.

Photo Simulations - Overview, which is accurate to the actual tower that will be installed.

Photo looking NE from Jasper Road: Before and After

Photo looking East of Horace Street: Before and After

Photo looking SW from South 42nd Street: Before and After

The most important items for Verizon in designing this tower is to make sure it looks like a real tree with the taper at the top so it doesn't end up flat. They want to make sure that the antennas are flush mounted against the pole so the branch extends beyond it, so it makes the tree look as much like a tree as possible.

- End of PowerPoint

Commissioner Nelson asked about the co-location site on Main Street, why wouldn't this be a good co-location? Lauren responded that this specific assignment was not just to provide coverage that would just appear but to extend the coverage more south into this area of Springfield, which would be Jasper. The location just south of the decommissioned site does not fulfill their objective.

Commissioner James responded that he knows there are many manufacturers for the steel cell towers and some that don't really look like a tree, which he added Lauren had covered. He would like to add that he appreciates Verizon's stance to find a tree where the antennas don't protrude through the branches. The examples Lauren has given the Planning Commission are good examples of newer technology that is much more pleasing to look at, more natural looking. Lauren responded that this was the goal of Verizon.

TESTIMONY IN SUPPORT

None

TESTIMONY OF THOSE OPPOSED

- Scott Jackson, 4105 Jasper Road Springfield, Oregon 97478 541-726-5880
His father lives at 4123 Jasper Road, he also has a rental at 804 South 42nd Street, which is one lot away from the Relief Nursery. Mr. Jackson and his father have spoken to both Andy Limbird and the applicant Lauren Russell to talk through the issues that they have with this siting. They also visited the site in Glenwood that has a monopine tree. Lauren indicated to both Mr. Jackson and his father that the tree in Glenwood is not the same as Verizon is submitting for this project. Mr. Jackson asked Lauren where one might be located that they are recommending for this new site. Lauren located one in Central Point that they could go look at. Mr. Jackson and his father went to Central Point on Saturday May 30. The site is located on property owned by the Boy Scouts of America and it has a 100' tree, which he believes is the 2-branch per foot tree. Mr. Jackson advised they were not impressed with the needles on the tree, it looked like a pine tree. Lauren sent Mr. Jackson and his father a copy of Larson's product outline and he would ask to see a sample of the Sequoia Tree, he would love to go and personally see one, he doesn't really know where one is located.

He would prefer that this be located in more of a Commercial Zoned area. There are a lot of homes in this area, the City of Springfield has built 100's of homes since the Jasper Road and the 42nd Street improvements, property owners have given up 15' of property, they pay for sidewalk improvements and they believe it is a residential neighborhood even though they understand that it is really zoned community commercial.

He also indicated that the pictures of SIM 1 and SIM 2 and the angles are just not accurate, the only one that he saw as accurate was SIM 3.

They asked if they could get some addresses that this type of Mono-pine so they could go and see what they look like. They were intending to visit California the following week and could look at some along the way, if possible.

- James (Jim) Jackson 4123 Jasper Road, Springfield, Oregon 97478 541-337-1369
Supports his son regarding this topic. He thinks it's important that we have a facility that people can see. He supports his son.

TESTIMONY OF THOSE NEUTRAL

- Kelly Sutherland executive director at the Relief Nursery 850 South 42nd Street; Springfield, Oregon 97478; 541-343-9706

Ms. Sutherland wants the Commission to understand the location of the tower, and that the Relief Nursery building is the closest structure to the tower. There is also a path that runs adjacent to the Relief Nursery building and connects to the Mt. Vernon Pre-school. Parents and their children walk up and down this path every single day for pre-school, and our children play in the playground next to the building. She understood from Andy that there is no real cause to make the medical issue or health concerns as part of any contrary argument for this siting, but she also knows that we don't test on children. There have been no tests on the effects of these towers on children that are outside near these towers on a regular basis, either living nearby or being cared for. She wants to

make sure that everybody at the meeting understands how close this facility will be to the Relief Nursery, and the children that will be playing nearby.

Another issue that was noted at the meeting is the diesel back-up generator. Her question is related to the drinking water which is hugely significant for those in that area. The other concern is the noise this generator would make and she has no idea how loud it could be. She would hope that the applicant could adequately address these issues before making any decisions.

She also wants to urge the Commission to consider other locations, and if there any other locations available. She's not suggesting that it's a problem, and she's not here to petition the applicant, but rather here to raise these issues to make sure that everyone knows the siting of this tower is right there, looking right out the window of the building. Perhaps even on the same plot there is a way to position the tower so it is just a little farther away.

SUMMATION BY STAFF

Andy in summation reiterated that staff is recommending approval, consistent with the report in front of the Commission. A recommended condition of approval is to modify the design from a 2 branch per foot to a 3 branch per foot style which is intended to address the compatibility with other actual trees that are found in the vicinity and the community. It will address some of the concerns about being conspicuous and visible from areas in the perimeter. Staff's observation is that the intent of this facility is to become integrated with future commercial development on the street frontages of Horace Street, Jasper Road, and South 42nd Street. Having the facility sited as it is will allow it to be in the back of future development that will be occurring on these sites.

The applicant has located the facility such that it does not prevent future development to the remainder of the site. There are constraints to relocating it, and presumably property owners would express the same concerns about affecting future land development potential if it is relocated. There is some adjustment potential but the location has been selected to allow for future development on the north side of Horace Street at such time as the street connects through. The most viable commercial development space would be immediately accessible portions along both sides of the street.

Staff recommends approval of the Discretionary Use permit, with attached conditions. The applicant does have a noise study that was submitted as part of the application materials and the noise study found that the generation of noise by the cooling fans that are required for the electronic equipment shelter would not create a noise above allowable levels. The noise study that was done determined that there is a certain amount of traffic associated with South 42nd Street and Jasper Road, and these elevate some of the ambient noise levels in the area. A cooling fan similar to a household air conditioning unit does not present a noise that would be untoward in the neighborhood, and because it is separated by distance from the nearest residence this also diminishes the noise.

The applicant is also looking to plant vegetation surrounding the facility, which will offer deadening of the noise as the vegetation matures. All of these factors in the siting and design of the facility are intended to address the criteria, which include the noise and some nearby properties.

Andy pointed out that there was a question about the Drinking Water Protection Plan, through this staff review and Springfield Utility Board (SUB) review of the Drinking Water Protection Permit they will be requirement for a secondary area containment on site, so in the event that there is a diesel fuel spill or s breach of the tank, there will be provision for it to be kept on site and to be cleaned up. There will also be a requirement that the applicant will need to periodically run the generator in order to refresh the diesel, and to maintain the system, this would not be dis-similar to an engine of a vehicle operating a diesel truck in their driveway, as an example.

Staff is recommending continuance of the hearing to June 16, 2015.

Commissioner James asked what the setback from the trail that runs from South 42nd Street between the Relief Nursery? Andy answered that he believes it is 55' to 60' from the tower. James also asked how big the fenced enclosure is? Andy

responded that the applicant's proposed lease area will be approximately a 45' x 40' site. According to a diagram the tower is about 54' from the property line and the path is setback into the property approximately 8' to 10', so it should be about 60-plus feet between the tower itself and the path. The fenced enclosure is closer at 40' away from the fence line. The equipment enclosure is within the fenced compound. Andy added that he doesn't believe the fence is the area of concern, he believes it's the tower itself.

Commissioner Landen asked about the diesel generator noise and asked if there are any plans to suppress the noise made by the diesel engines. Andy believes that the applicant's noise study includes provision for muffling of the noise. The exhaust equipment will be equipped with mufflers to mitigate the noise from the generating being fired. He doesn't know the difference of the noise output for the diesel versus natural gas fired generators; he suspects that they are similar but not identical. The natural gas fired generator would also produce noise. The concern was less about the noise as the fuel from the Fire Department and the SUB Water perspective as well as staff's perspective.

Commissioner James asked if Andy indicated that the generator would be fired on a periodical regular basis to keep the fuel fresh. Commissioner James remembers in the staff report that it would be done weekly. One of the pieces that he is concerned about is when that should occur, this should not be done when the children are exiting or entering the school along the pathway, or during times when it would be disruptive to kids on playground and things of that nature because of its proximity. Andy responded that he does not have information as to the maintenance schedule. He imagined that it would be day time hours because it would be limited by the City's noise regulations. There might be an opportunity here for the applicant to look at the timing to minimize disruption in the neighborhood. The intent would be to minimize conflicts with passersby, children in the area, operating hours of both the schools and the Relief Nursery, so there might be windows of time where there won't be the same conflicts.

Commissioner Moe, his thoughts are that the only time the generator would be running would be during an emergency, testing or scheduled maintenance, so he doesn't feel there would be much conflict.

REBUTTAL FROM APPLICANT

The applicant Lauren Russell clarified the noise of the generator because Verizon went back and forth between natural gas and diesel so they actually have a report for both. The difference per decibels that each produce is negligible. The most that the generator would produce is 76 decibels at 23' with a critical grade muffler, but because of the way it's being located the actual decibels that would be received on the north property line, which is the Relief Nursery, would be lower. The generator is within the shelter and the engine air discharge around the exhaust would be on the south side and not facing the north side where the Relief Nursery is located. The generator's air intake is on the east side. Based on the design considerations and the distance between its location and the property to the north, the decibel level will be 55 which is below the 60 dBA which is required by the Springfield Development Code. Generally they test once every week for 15 minutes. This is a cycle and it's often scheduled for 10:00 a.m., but Lauren knows in situations where there is a location that could be concerned with the noise, they can change the time of day to make sure it does not cause disturbances.

CONSIDERATION OF REQUEST FOR CONTINUATION OF PUBLIC HEARING, EXTENSION OF RECORD

Commissioner James motioned that the record and hearing be continued to June 16, 2015. Seconded by Commissioner Moe. 6:0:1 absent.

Ms. King confirmed that the Planning Commission could take additional testimony, since the Commission has not taken a vote.

ADDITIONAL TESTIMONY

- Scott Jackson asked for clarification regarding the Sequoia Branches, he would like clarification on whether or not the picture in the staff report is the exact tree the applicant is referring to, and also asked Lauren to be able to

find a site where he and his father can go see one of the monopines that have been installed. He would like to get clarification on all these items.

- Kelly Sutherland, wanted to say thank you for the Commission's remarks and considering the children. It's clear that the children are important to the Commission. The 10:00 a.m. backup generator test and changing that to a later time during the day would be beneficial, even though it is only 15 minutes at 10:00 once a week. This is the time the children are scheduled to be outside, so this would be extremely helpful.

Lauren indicated that because the Planning Commission allowed additional testimony, they would need to make and vote on the hearing and a motion to approve, approve with conditions, deny, or continue the hearing.

REDO of MOTION TO APPROVE, APPROVE WITH CONDITIONS, OR DENY

MOTION TO RECOMMEND APPROVAL OR APPROVAL WITH CONDITIONS OR DENIAL OF THE REQUEST BASED ON STAFF REPORT AND ORAL/WRITTEN TESTIMONY.

MOTION:

Commissioner James motioned that the record and the hearing remain open until June 16, 2015, seconded by Commissioner Moe. 6:0:1 absent

ADDITIONAL COMMENTS FROM COMMISSION

Commissioner James thinks it is important that the Commission addresses the issue and enter into the public record the drawing of the tree and the concerns voiced by Mr. Jackson, and reassured Mr. Jackson that it is part of this public record. The Commission will be having the subsequent hearing on June 16, 2015 and realizes that it is important that the applicant bring forward more information regarding on how the proposed tree is going to look.

REPORT OF COUNCIL ACTION:

- None

BUSINESS FROM THE PLANNING COMMISSION

- None

BUSINESS FROM THE DEVELOPMENT AND PUBLIC WORKS DIRECTOR

- None

ADJOURNMENT

The meeting adjourned at 7:46 p.m.

Minutes Recorder – Brenda Jones

Tim Vohs
Planning Commission Chair

Attest:

Brenda Jones
Management Support Specialist