

Clearview Communication Tower - CU

6-6-2013 Submittal

PLANNING & ZONING

COMMENTS AND PETITIONER REPLY (1st DRC)

Petition Name: Clearview Communication Tower Conditional Use and Variance

Petition Numbers: 2013-16 CU 1 and VAR 1 (HTE 13-42)

DRC meeting date: May 16, 2013

Project Manager: Damian Newell

Project Location: The property is located at the northeast intersection of Wellington Trace and Greenvew Shores Boulevard (13933 Wellington Trace).

Planning and Zoning Comments

1. This review is based on the documents and plans date-stamped April 17, 2013 requesting approval of a Conditional Use to allow a 140 feet wireless communication tower and Variances to increase the maximum allowed height from 120 feet to 140 feet and decrease the minimum allowed separation to a residential zoned property from 600 feet to approximately 476 feet. (COMMENT)

2. What other stealth tower designs are available for use in Florida? (CERTIFICATION)

Flagpoles are the most popular stealth tower in Florida due to aesthetic and Patriotic appeal along with the safety of less resistance for higher wind loads without heavy external attachments. Other types of stealth towers as an alternative are Pine Trees, Farm Silo, Bell Tower, Palm Tree, Cross or a Water Tower which are a little more visibly predominant in the landscape. Some types may reduce the ability to effectively co-locate as many carriers as possible that a flagpole would allow. For example a Palm tree with fronds at three levels would be more obtrusive than a flag at just one level. Attached are photos of all of the types discussed above.

We are using the flagpole design without a flag and no lighting. This will be noted on the plans and as a condition of approval if the Village requires it.

3. What coverage/capacity will be provided by a 60, 80 and 120 foot tower in the proposed area? Also what coverage/capacity will be provided by adding antennas to existing buildings/structures in the proposed area? Provide coverage maps. (CERTIFICATION)

New maps at the three requested heights are attached from both Verizon and AT&T reflecting coverage deficiency variances for our site. RF engineers from both carriers have previously submitted Statements that no existing structures exist to provide collocation in the area of the proposed tower. They will be present at the DRC to discuss the coverage capacity alternatives question.

We are working with both carriers and an independent testing firm on a simpler and more accurate mapping solution which we will have back prior to the hearing.

4. Can the coverage needs of the proposed area be accommodated by adding new technology to the existing tower/antenna locations within the area? (CERTIFICATION)

There is presently no new technology that can provide comparable coverage at this location. For existing towers the issue is distance and capacity and both carriers will

address this question at the DRC meeting. Tree cover is also a major factor with Pine trees up to sixty feet in height close to the site.

No action needed on this, both engineers gave testimony they had no alternatives.

*5. Are there federal requirements that require the proposed tower at the requested 140 feet?
(CERTIFICATION)*

There is not a federal requirement which specifically requires or mandates a 140 foot tower at the proposed location.

No action needed.

*6. This site currently has insufficient required parking spaces which will be farther reduced with the proposed tower location. A new shared parking study is required in accordance with the LDR or indicates how the required on-site parking spaces will be provided on-site.
(CERTIFICATION)*

A Wellington Marketplace Parking Study was conducted in 2011-2012 under Petition 2011-024 ASA and filed with the Village. The New Parking Study was ratified by the Village on January 4, 2012. The approved Parking Study showed excess spaces under Industry Standard formulas ranging from 14 to 19 spaces at Peak times. With a reduction of 6 spaces for our compound and one space to be used by infrequent visits the site remains above Code requirements. Our use does not add "living area" to the total square footage, no other additional uses have altered the plan since it was approved, any subsequent new study would result in the same conclusion.

We are working with both the Parking Study Engineering firm and the Site Planner to increase the gross spaces in the area and offset the newly created landscape areas with these new spaces as to have as little effect as possible on the center. We will then have an update letter from the Parking Study firm on the tower and landscape impact.

The Owner was not aware of the Parking Deck existence until the day before the hearing. We gave him several locations it could be moved to and alternative locations for the tower to the East and North. He has chose to move the parking deck to the east and the tower to the north in a conference call last night with his Property Manager and Clearview. The North Pole location chosen will not reduce our residential setback below 600 ft to the north.

7. A minimum 10 feet wide landscaped buffer is required outside the perimeter of the tower compound. (CERTIFICATION)

We have patterned our enclosure to match the existing Dumpster enclosure a few feet from our compound, We would like to request the same buffering exception granted to the adjacent similar enclosure. Our compound is located on an internal leasehold, it is not visible from any zoning district but C-N.

We are following the suggestion of staff to redesign the parking area from straight- in with two-way traffic aisles to one-way diagonal spaces bringing more spaces into the center totals. We in turn will use those for the compound and landscape areas.

8. A Site Plan Amendment Application with supportive plans shall be submitted to amend the previously approved site plan for this project.

Our filings have been with the Advice and direction of Staff to accomplish our CU and Variance, if an additional process is needed prior to or after approval we will cooperate and file any necessary applications.

No action now, this is to be done after Tower approval.

9. Are any proposed uplights for the flag or safety lights to be provided?

We presently do not plan to provide lighting for the tower making it only visible within daytime hours. As far as Tower lighting, it is below the height threshold for FAA, our FAA Federal approval does not require any lighting whatsoever.

We are using the flagpole design without a flag and no lighting. This will be noted on the plans and as a condition of approval if the Village requires it.

Engineer Comments

1. Easements appear to be inadequate for maintenance activities. Provide list of maintenance activities and required equipment. Certification issue. Land Development Regulations (LDR's) require adequate facilities – including easements for maintenance.

Our lease (In Section 4 Access Rights, attached) grants us non-exclusive easements for utilities and access, our access clearly defines routine maintenance. If needed we can amend the site plan and show Maintenance Plan designated work area for the two following types of Maintenance.

Type 1- Compound Work

Ground level, inside the compound is the most common type of maintenance usually is a single cell technician with a laptop for updates to software for the tower. All of the electronics are in the

shelter or equipment cabinet, they are not exposed to the elements which creates low maintenance. Small truck traffic (SUV or Van) is used on average of 1 day per month

Type 2- Pole Work

Maintenance would be done if necessary by placing a crane for work above the 100 feet level. When the antennas are mounted at less than 100' a basket lift is used.

Pole maintenance and Antenna maintenance work will be accomplished by temporarily closing the western non-essential traffic aisle for any crane or basket work needed. This is usually completed within one day and on average it is a 4-5 hour process. Tower maintenance within a flagpole is very extreme minimum since all of the antennas are within the stealth enclosure.

We are adding a Maintenance Staging area to the site plan on the west side that will resolve this concern and we received approval for it from the owner last night.

2. Block enclosure creates line of sight issues at intersection in parking lot. Certification issue. LDR's require minimum line of sight distances for traffic.

Section 6.6.6 G 4 b. The Village Engineer shall establish minimum standards for safe sight triangles.

We have reviewed Section 6.6.6 G 4 B to do with safe sight lines and need the safe sight triangle criteria.

We are shifting the compound to the north and away from the intersection, we are also reducing the width of the fence walls from 10 inch block to 4 inch Lifetime Pro Vinyl Panels and will landscape with heights that will preserve the line of sight from the south.

3. Block enclosure encumbers driveway/ises. Certification issue. LDR's require minimum width for drive aisles.

Our site plan does not encumber any driveway nor are we located within one; all ingress/egress lane's width sizes remain the same. We do have Compound gates open into the curbed grass isle for access as to not encumber any other parking spaces.

All new aisles and parking spaces will fully meet Wellington codes in their design and block fence has been changed.

4. Fall zone impacts 3 structures. Certification issue. LDR's basically require applicant to submit any and all engineering data required. Need full set of calculations (assumptions, loads, material data, connection details, calc's, etc.) and construction details to allow verification of structure stability, etc.

We have previously submitted signed and PE sealed Tower plans for the tower and the Fall zone, I am re-attaching them as our reply. Stability is a construction issue not a zoning issue and we will agree to comply at BP process with full soil borings and exact precise calculations.

We have contacted and requested the computer generated calculations for the fall zones from the Tower manufacturer.

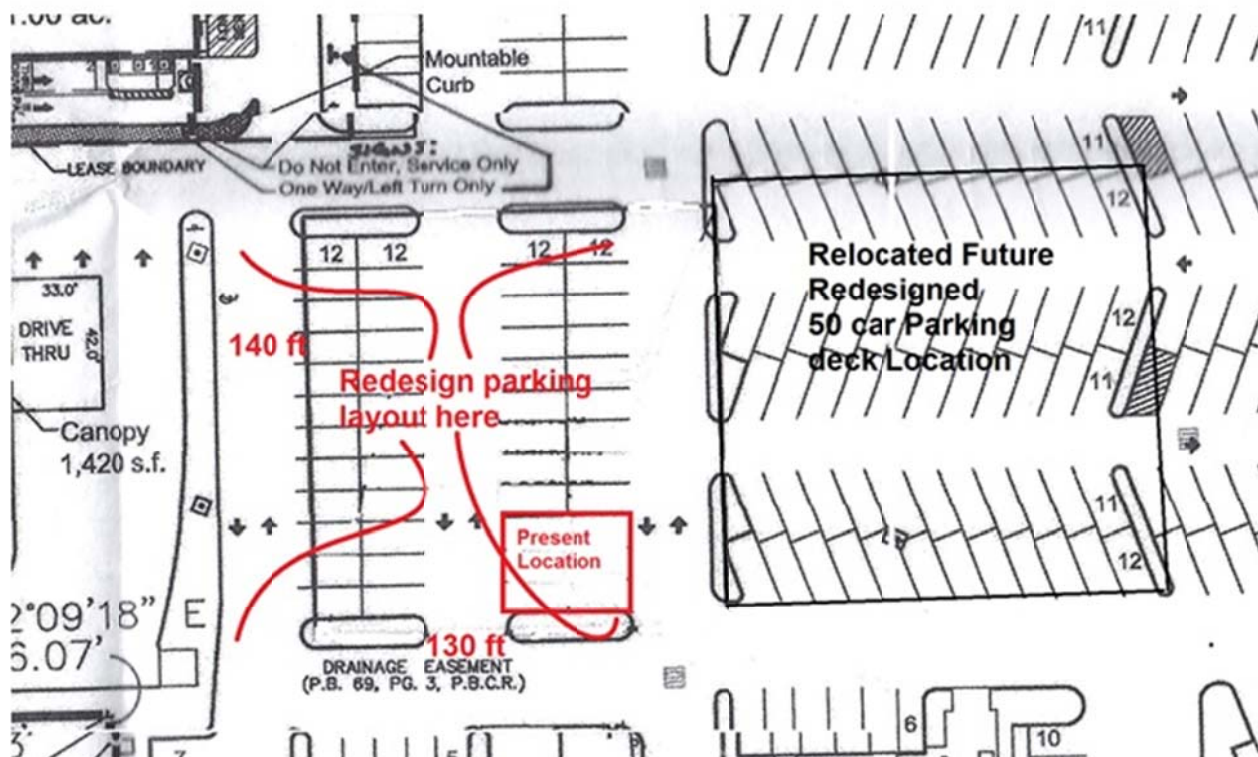
5. Six (6) parking spaces and possibly eight (8) will be eliminated. Need updated parking analysis for entire shopping center. Certification issue. LDR's require adequate facilities (in this case parking) not only for the tower, but also for the shopping center.

A Wellington Marketplace Parking Study was conducted in 2011-2012 under Petition 2011-024 ASA and filed with the Village. The New Parking Study was ratified by the Village on January 4, 2012. The approved Parking Study showed excess spaces under Industry Standard formulas ranging from 14 to 19 spaces at Peak times. With a reduction of 6 spaces for our compound and one space to be used by infrequent visits the site remains above Code requirements. Our use does not add "living area" to the total square footage, no other additional uses have altered the Parking Study since it was approved, any subsequent new study would result in the same conclusion. A current rent roll calculation is attached as evidence of no change in the utilization since the Study was accepted.

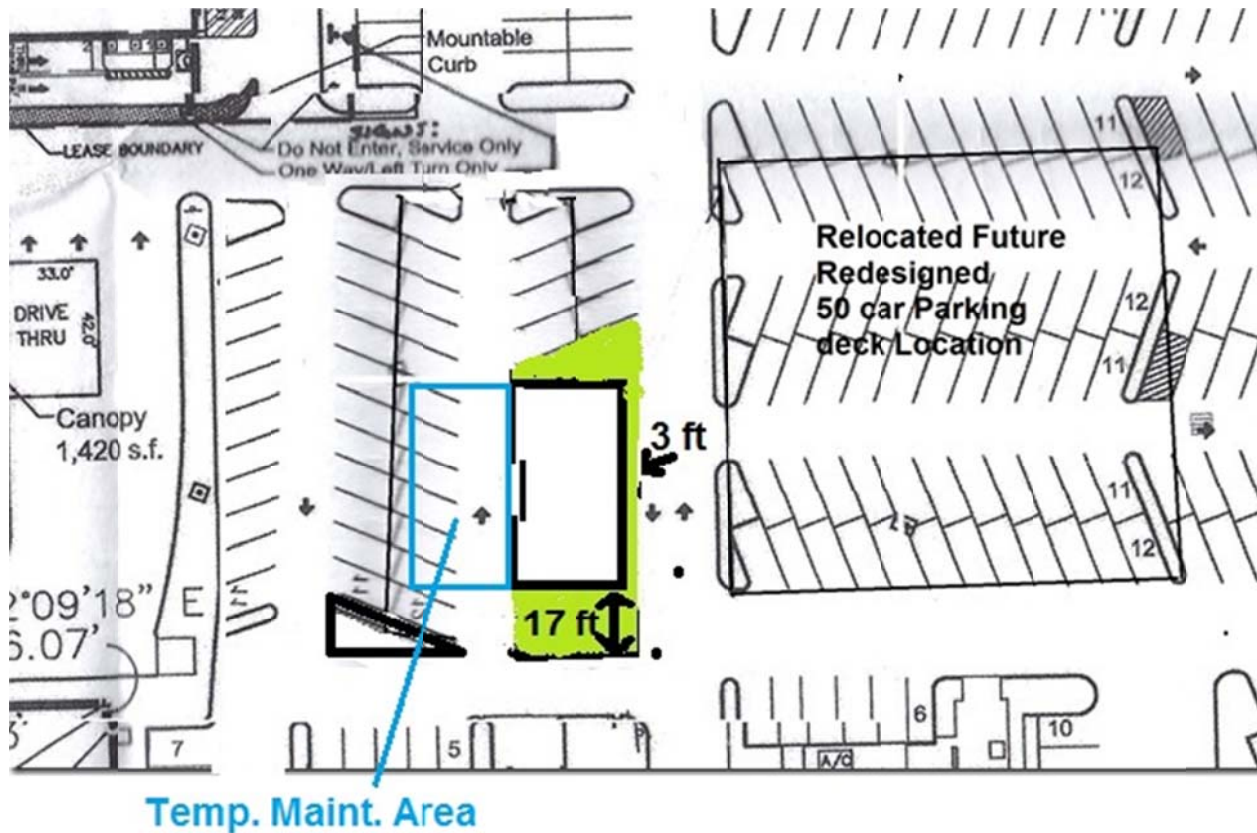
We will have an updated Parking Study prior to the next hearing based on our parking lot re-design.

Rough Conceptual plans

Basically moving the deck to the east to this location and redesigning this area, moving the tower compound to the North.



To something like this:



We are increasing the area to the south to 17 ft, with 7 ft over code for landscaping to offset the width of the East side of 3 ft. and net the same required landscaping (per Mr. Flinchum's comments on transferring between sides)

On the north side it will be a variable width but provide the total sq. ft. needed for code. (plus and minus ten ft to average ten feet due to angle.)

On the West side due to shrinking of the width of the compound and the specified work area for Maintenance we propose three pocket sliding gates for access from the newly designed Temp Maintenance area as shown. This side of the fence will be fully gated therefore no landscaping would be required since any landscaping would obstruct us from the designated work area the City Engineer requested.