



May 17, 2012

File: CSU-12-04

NOTICE OF DECISION

This is official notice of action taken by the Milwaukie Planning Director on May 17, 2012.

Applicant:	Zach Phillips on behalf of AT&T Mobility
Location:	5410 SE International Way
Tax Lot:	1S2E31D 01000
Application Type:	Community Service Use—Wireless Communication Facility
Decision:	Approved with Conditions
Review Criteria:	<u>Milwaukie Zoning Ordinance:</u> <ul style="list-style-type: none">• MMC 19.904.11 Community Service Use, Standards for Wireless Communication Facilities• MMC 19.1005 Type II Review
Neighborhood:	n/a (Milwaukie Business Industrial)

This notice is issued in accordance with Milwaukie Municipal Code Section 19.1005 Type II Review. The complete case file for this application is available for review between 8:00 a.m. and 5:00 p.m. on regular business days at the Planning Department, Johnson Creek Facility, 6101 SE Johnson Creek Blvd. Please contact Brett Kolver, Associate Planner, at 503-786-7657 or kolverb@ci.milwaukie.or.us, if you wish to view this case file.

Any person who is adversely affected or aggrieved by this decision may appeal the decision by filing a written appeal. An appeal of this decision would be heard by the Milwaukie Planning Commission. The period during which an appeal can be filed expires on the date shown below. This decision becomes final on the date below if no appeal is filed during the appeal period.

Appeal period closes: 5:00 p.m., June 1, 2012

Appeals to the Planning Commission must follow the procedures of Milwaukie Municipal Code Section 19.1010 Appeals. Milwaukie Planning staff can provide information regarding forms, fees, and the appeal process at 503-786-7630 or planning@ci.milwaukie.or.us.

Findings in Support of Approval

1. Zach Phillips ("the applicant"), on behalf of AT&T Mobility, proposes to modify an existing wireless communication facility by replacing 3 existing antennas on the existing monopole at 5410 SE International Way with 3 new Long Term Evolution (LTE) panel antennas, 6

COMMUNITY DEVELOPMENT
BUILDING • ECONOMIC DEVELOPMENT • ENGINEERING • PLANNING
6101 SE Johnson Creek Blvd., Milwaukie, Oregon 97206
P) 503-786-7600 / F) 503-774-8236
www.cityofmilwaukie.org

Remote Radio Head (RRH) units, 1 GPS antenna, and 1 "squid" antenna. The installation would replace existing equipment on or near two of the three mounting structures located near the top of the monopole.

The subject property is zoned Business Industrial BI. According to Clackamas County records, the property is owned by Ran-Tech Engineering and Aerospace, Inc. Property manager John Rupp has authorized the land use application to allow the proposed installation.

2. A 100-ft-tall wooden monopole was originally approved for the subject property in 1991 (land use file #CSO-91-01). The approval included a variance to exceed the 50-ft maximum height allowed for community service uses at that time (file #VR-91-02). In 1996, the existing steel monopole was approved to replace the original wooden monopole as a minor change to CSO-91-01.

An application for a similar modification was submitted in 2011 (file # CSU-11-04). The application was approved, but no construction took place within 6 months and the approval expired according to the provision in Milwaukie Municipal Code (MMC) Subsection 19.904.11.H.

3. The proposal is subject to the following provisions of the Milwaukie Zoning Ordinance (MMC Title 19):
 - MMC 19.904.11 Community Service Use, Standards for Wireless Communication Facilities
 - MMC 19.1005 Type II Review

MMC sections that are not addressed in these findings are found to be not applicable decision criteria for the proposed development.

4. MMC 19.904.11 Standards for Wireless Communication Facilities (Community Service Use)

A. MMC 19.904.11.B Purpose

The goal of the wireless communication facilities standards is to allow for the siting of wireless communication facilities (WCFs) while preventing clutter and designs that are not consistent with existing and future land uses.

The application is consistent with the goals of MMC 19.904.11.B by proposing to (1) enhance the ability of wireless communication providers to provide comprehensive service to the community and (2) use an existing monopole as an antenna support structure instead of constructing a new tower.

B. MMC 19.904.11.C Application Process

MMC 19.904.11.C.1 establishes that modifications of WCFs not involving the construction of a new monopole shall be processed with Type II review.

The proposal involves replacement of equipment on an existing monopole. The application has been processed and public notice has been provided in accordance with MMC 19.1005.3. Properties receiving notice of this notice of tentative decision are shown on the map in Exhibit 4.

C. MMC 19.904.11.D Application Submission Requirements

MMC 19.904.11.D.2 establishes application requirements for WCFs that do not involve construction of a new monopole.

- i) MMC 19.904.11.D.2.a requires a detailed narrative description of the proposed antenna location.

The applicant submitted a project narrative as part of the application. This requirement is met.

- ii) MMC 19.904.D.2.b requires antennas to be placed so as to allow for placement of additional antennas on the same antenna support structure in the future.

The proposed LTE panel antennas would replace existing antennas on existing mounting infrastructure on the monopole. The proposed RRH units would also be installed on the existing mounting infrastructure. The proposed GPS antenna and "squid" antenna would be installed on the pole itself, near the existing mounting infrastructure. As proposed, the installations would allow room for the placement of additional antenna equipment in the future. This requirement is met.

- iii) MMC 19.904.11.D.2.c requires the applicant to provide documentation that demonstrates the proposal has been approved by the owner of the structure to which the wireless communication equipment will be attached.

The applicant provided authorization from AT&T Mobility, owner of the monopole, to conduct the proposed work. This requirement is met.

- iv) MMC 19.904.11.D.2.d requires documentation that all necessary applications, permits, agreements, and easements have been obtained.

The applicant has indicated that all necessary easements and agreements remain in place for the operation of WCFs on the existing monopole. This requirement is met.

- v) MMC 19.904.11.D.2.e requires that extensions to existing facilities provide documentation of Federal Aviation Administration (FAA) approval.

No extension to the existing monopole is proposed. This requirement is not applicable.

- vi) MMC 19.904.11.D.2.f requires a site plan that includes such details as existing and proposed landscaping and locations of proposed related base equipment.

The applicant submitted plans that show the location of the monopole and associated equipment area. No new landscaping or changes to the equipment area are proposed. No new utility connections, easements, or access drives are proposed. This requirement is met.

D. MMC 19.904.11.E Use of Existing Tower or Antenna Support Structure

- i) MMC 19.904.11.E.1 requires the applicant to attempt to co-locate on existing antenna support structures before proposing the construction of a new tower.

The proposal would attach the antennas to an existing monopole, and no new tower or pole is proposed. This requirement is met.

- ii) MMC 19.904.11.E.4 requires that support structures over 80 ft in height shall be designed to allow co-location of other antennas.

The existing monopole is approximately 101 ft tall and includes three existing mounting structures at elevations of approximately 82 ft, 90 ft, and 101 ft, designed to accommodate additional antennas. This requirement is met.

E. MMC 19.904.11.F Location and Size Restrictions

MMC 19.904.11.F.2 establishes a 100-ft height limit for monopoles in the BI zone. For co-location on existing towers, MMC 19.904.11.F.2.b allows extensions up to 120 ft.

A variance request in 1991 (File #VR-91-02) approved the original wooden monopole for a 100-ft height, an increase from the previous 50-ft standard. In 1996, a 100-ft steel monopole was approved as a replacement for the original wooden pole, though it appears that the installation resulted in a final pole height of approximately 101 ft. The highest existing antennas extend approximately 4 to 6 ft above the top of the monopole, and the proposed new antennas will extend the same approximate distance above the top of the pole. No additional extensions are proposed. This standard is met.

F. MMC 19.904.11.G Development Standards for All WCFs

- i) MMC 19.904.11.G.1 establishes standards for equipment cabinets, including a requirement to meet the vegetative screening requirements provided in MMC 19.904.11.G.6.

This requirement is addressed in Finding 4-F(iv), below.

- ii) MMC 19.904.11.G.4 establishes standards for lighting.

The equipment area is not currently lighted and no additional lighting is proposed. This standard is met.

- iii) MMC 19.904.11.G.5 establishes standards for buffering noise-generating equipment, particularly when surrounding properties are zoned for residential uses.

The subject property is adjacent to other BI-zone properties on the west, north, and east and is adjacent to right-of-way for Highway 224 on the south. This standard is not applicable. (Note: The applicant included an acoustical analysis with the application submittal, demonstrating that the proposed new equipment will not exceed the relevant standards outlined in MMC 8.08 Noise Control.)

- iv) MMC 19.904.11.G.6 establishes standards for landscaping to effectively screen the view of the base of the tower as well as equipment cabinets and any security fencing.

Around the base of the existing monopole and equipment area, the project area includes a 6-ft chain-link fence topped with three strands of barbed wire, with no landscaping or visual screening of the fenced area. A condition has been established to require that the fenced area be visually screened, either by vegetation or sight-obscuring fence slats. As conditioned, this standard is met.

- v) MMC 19.904.11.G.9 establishes a requirement that any WCF not operated for a continuous period of 6 months shall be considered abandoned and must be removed by the landowner of the subject property.

The applicant's narrative acknowledges this requirement, and a condition has been established to ensure that this standard is met.

- vi) MMC 19.904.11.G.10 establishes a requirement that WCF operators keep the City informed of any changes in the status of the WCF's operation and to provide an

annual statement verifying the continued use of the WCF and compliance with applicable State and federal regulations.

The applicant's narrative acknowledges this requirement, and a condition has been established to ensure that this standard is met.

As conditioned, the proposed development complies with all applicable standards of MMC 19.904.11.G.

G. MMC 19.904.11.H Expiration of Approval

As per MMC 19.904.11.H, approval of WCF applications shall be void after 6 months from the end of the final appeal date for the application unless substantial construction has taken place.

As conditioned, if this approval becomes void, all wireless communication equipment installed pursuant to the approval of CSU-12-04 shall be removed and the site shall be returned to its pre-existing condition. This standard is met.

As conditioned, the Planning Director finds that the proposed development complies with applicable standards of MMC 19.904.11.

5. The application was forwarded to the following City departments and related entities for review and comment: City of Milwaukie Building and Engineering Departments and Clackamas County Fire District #1. The Engineering Department confirmed that MMC 19.700 Public Facility Improvements does not apply to the proposed development. Other reviewers responded with no comments on the project.

Conditions of Approval

1. Within 6 months of the approval of CSU-12-04, the applicant shall schedule a Planning Inspection to demonstrate compliance with this approval and related conditions. At the time of inspection, the following items shall be addressed:
 - a. Final site plans, elevation drawings, and equipment details shall be in substantial conformance with the plans approved by CSU-12-04, which are the plans stamped received April 25, 2012, by the Milwaukie Planning Department. As necessary, the applicant shall submit a narrative to describe any changes to the plans approved by CSU-12-04. Any such changes shall be evaluated by the Planning Director to determine whether further review is necessary.
 - b. The applicant shall demonstrate that the fenced area at the base of the monopole has been visually screened with either vegetation or sight-obscuring fence slats.
2. The operator of the wireless communication facility (WCF) shall provide an annual report to the Planning Director that verifies continued use of the facility and describes any change in the status of its operation, including the following:
 - a. Change in or loss of Federal Communication Commission license.
 - b. Receipt of notice of failure to comply with the regulations of any authority over the facility.
 - c. Loss or termination of lease for the WCF for a period of 6 months or longer.
3. Approval of this application shall be void after 6 months from the expiration of the final appeal period unless substantial construction has taken place. If this approval becomes

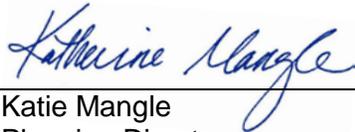
void, all wireless communication equipment installed pursuant to the approval of CSU-12-04 shall be removed and the site shall be returned to its pre-existing condition.

Exhibits

Exhibits are not attached to the decision but are available for viewing upon request. All exhibits are available for public viewing upon request.

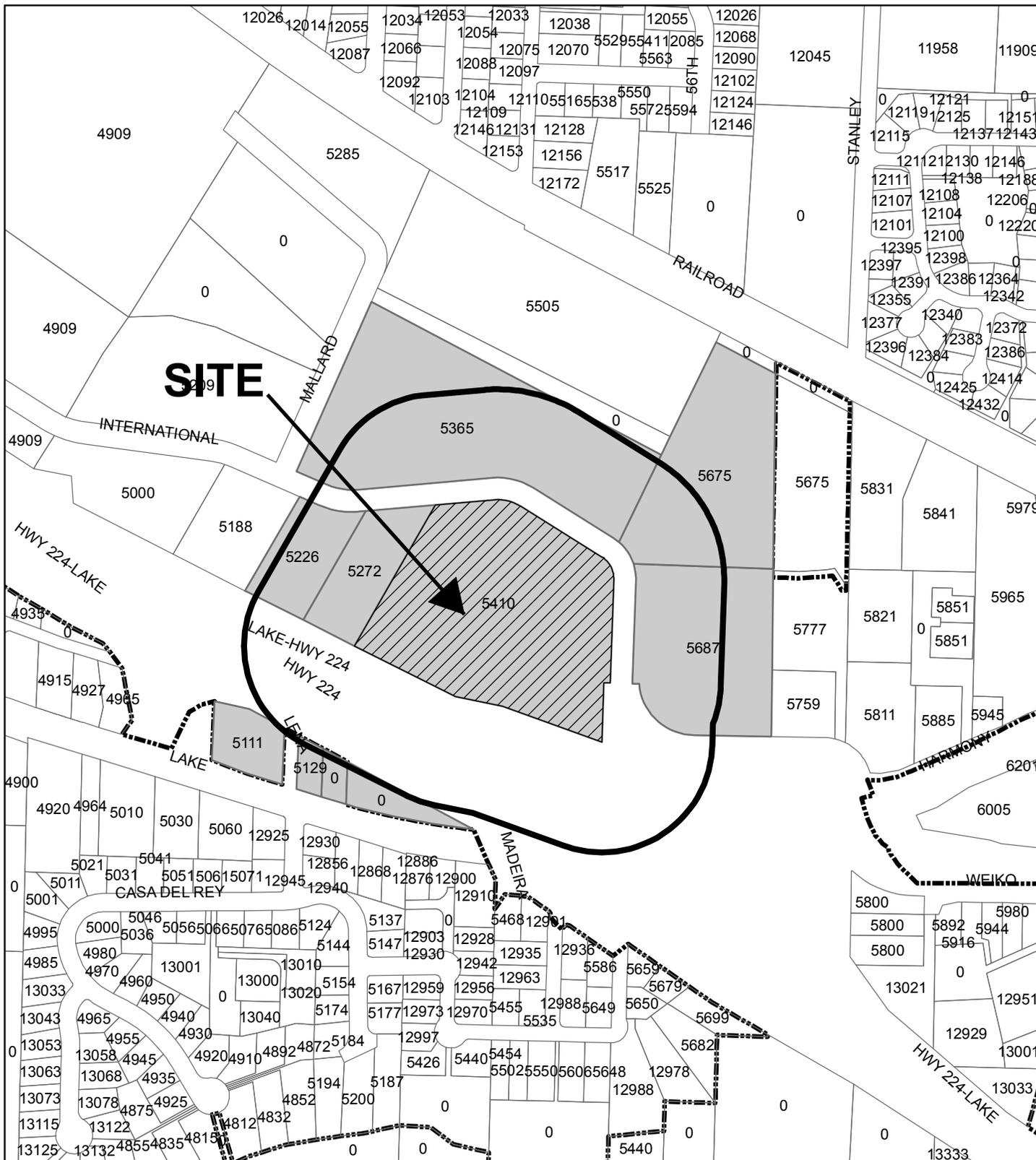
1. Notice of Decision for VR-91-02
2. 1996 Approval of Minor Change to CSO-91-01
3. Notice of Tentative Decision for CSU-11-04
4. Map of Properties Receiving Notice of Land Use Proposal (attached)
5. Applicant's Narrative
6. Applicant's Site Plans (Sheets A-4 and RF-1, attached)

The application and related materials can be accessed online at <http://www.ci.milwaukie.or.us/planning/current-land-use-applications>.



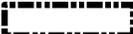
Katie Mangle
Planning Director

cc: Zach Phillips (Applicant)
Tom Larsen, Building Official (via e-mail)
Bonnie Lanz, Permit Specialist (via e-mail)
Doug Whiteley, Lieutenant Deputy Fire Marshal (via e-mail)
Zach Weigel, Civil Engineer (via e-mail)
Land Use File: CSU-12-04



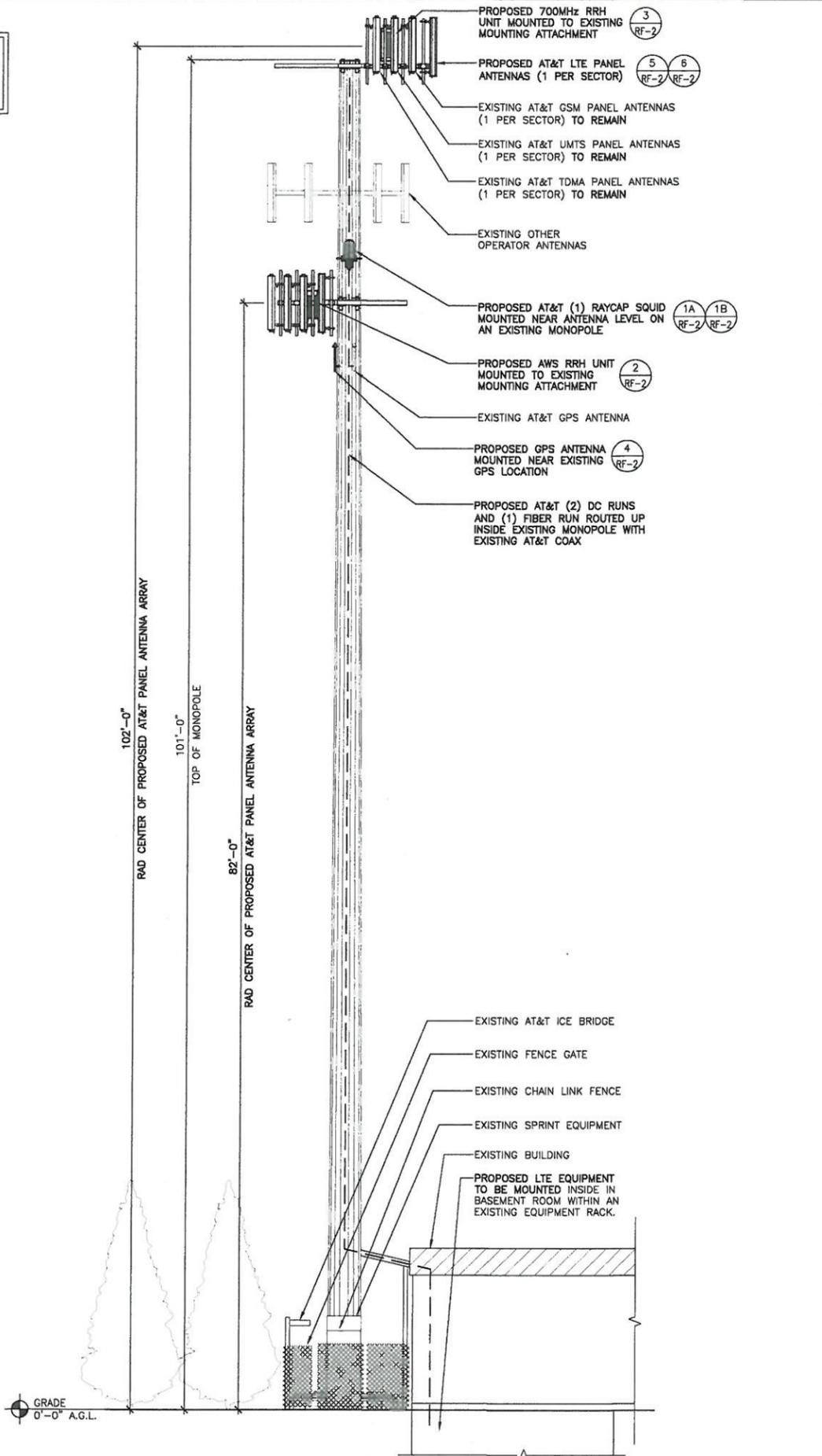
Site Map
5410 SE International Way
(Tax Lot ID 1S2E31D 01000)
File# CSU-12-04

Legend

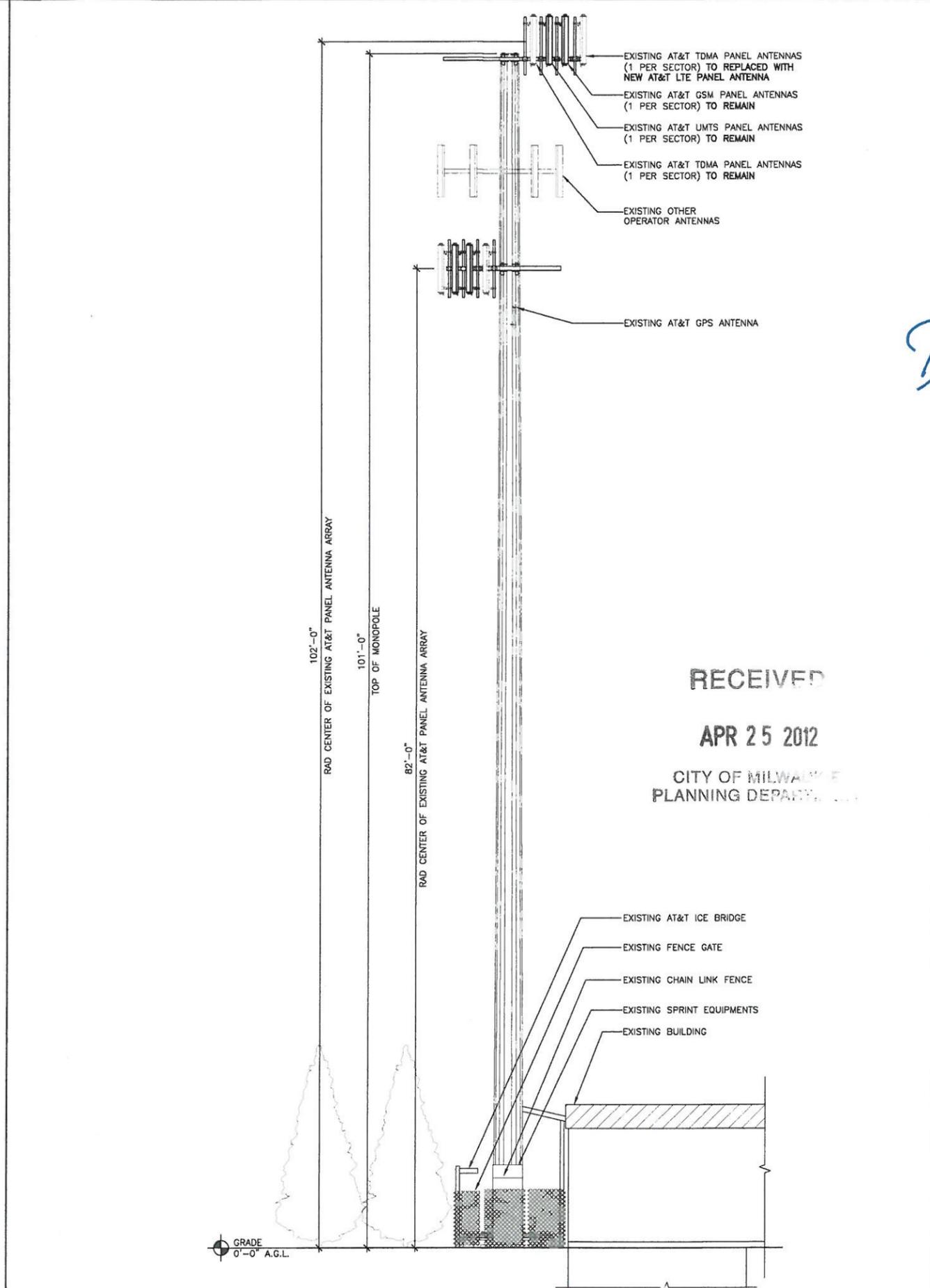
-  CSU-12-04 site
-  300-ft notice boundary
-  Tax lots receiving notice
-  Other tax lots
-  City Limit



NOTE:
PROPOSED AT&T LTE ANTENNAS,
MOUNTING HARDWARE AND
EQUIPMENT CABINETS TO BE
PAINTED TO MATCH EXISTING



PROPOSED SOUTH ELEVATION 2



RECEIVED
APR 25 2012
CITY OF MILWAUKEE
PLANNING DEPARTMENT



REGISTERED ARCHITECT
RICHARD B. HALL
SEATTLE, WA
5008
STATE OF OREGON
EXPIRATION DATE OF THE LICENSE: 06/30/12

HIGHWAY 224
PR62
5410 SE INTERNATIONAL WAY
MILWAUKIE, OR 97222

REVISIONS			
NO.	DATE	DESCRIPTION	INITIAL
A	12/16/10	ISSUED FOR PCD REVIEW	BF
D	06/12/11	ISSUED FOR CONSTRUCTION	RC

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
EXISTING & PROPOSED SOUTH ELEVATIONS

SHEET NUMBER
A-4

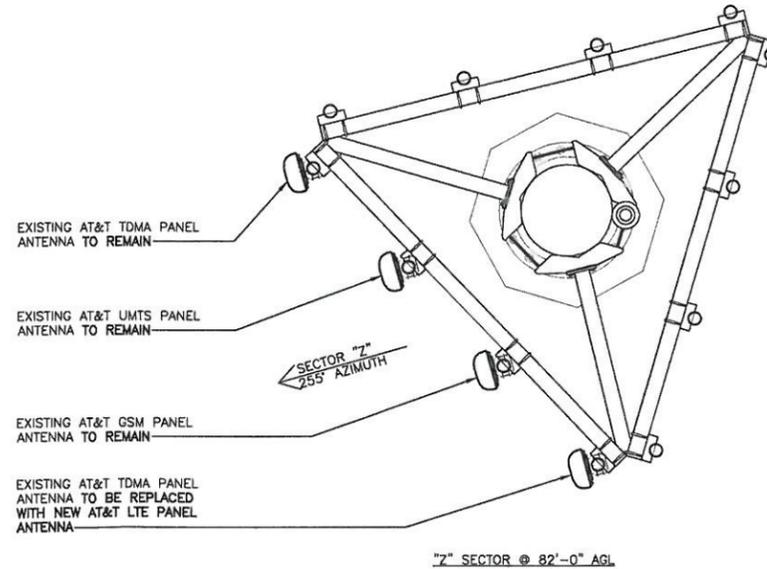
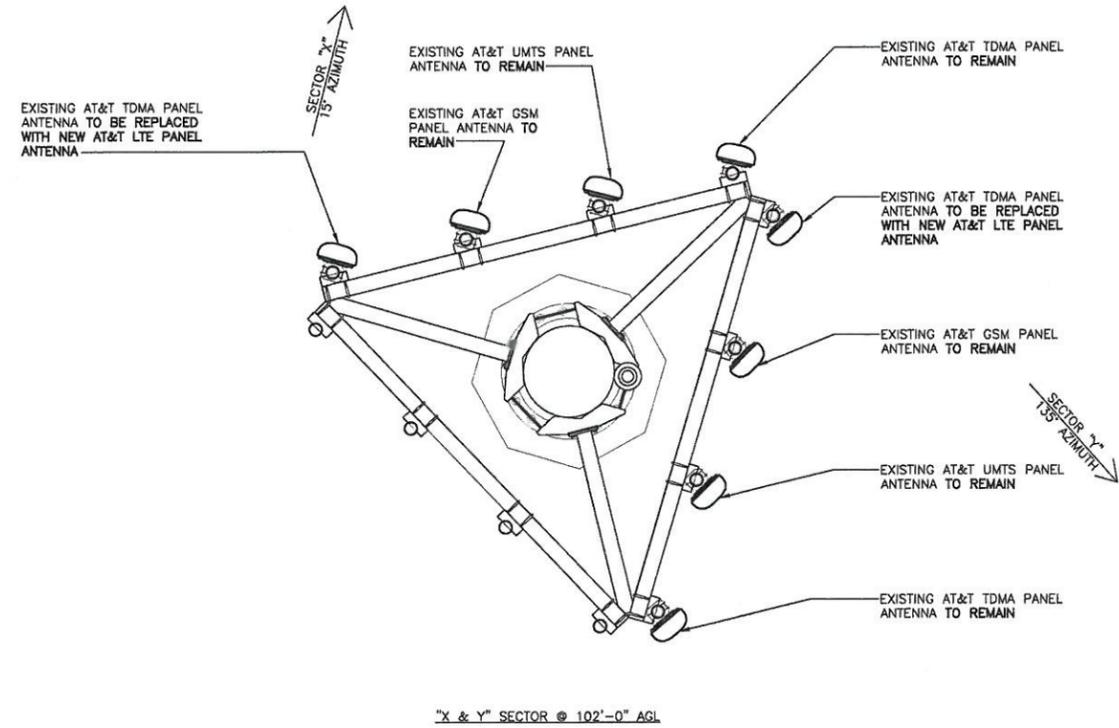
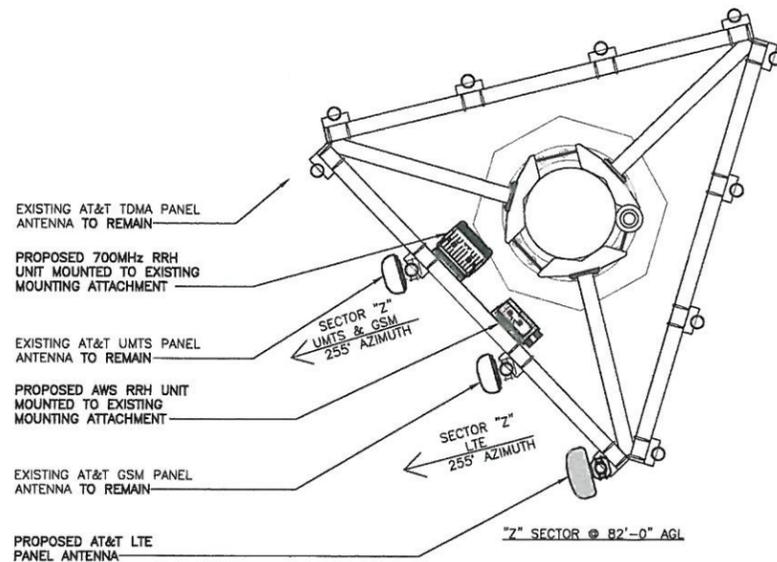
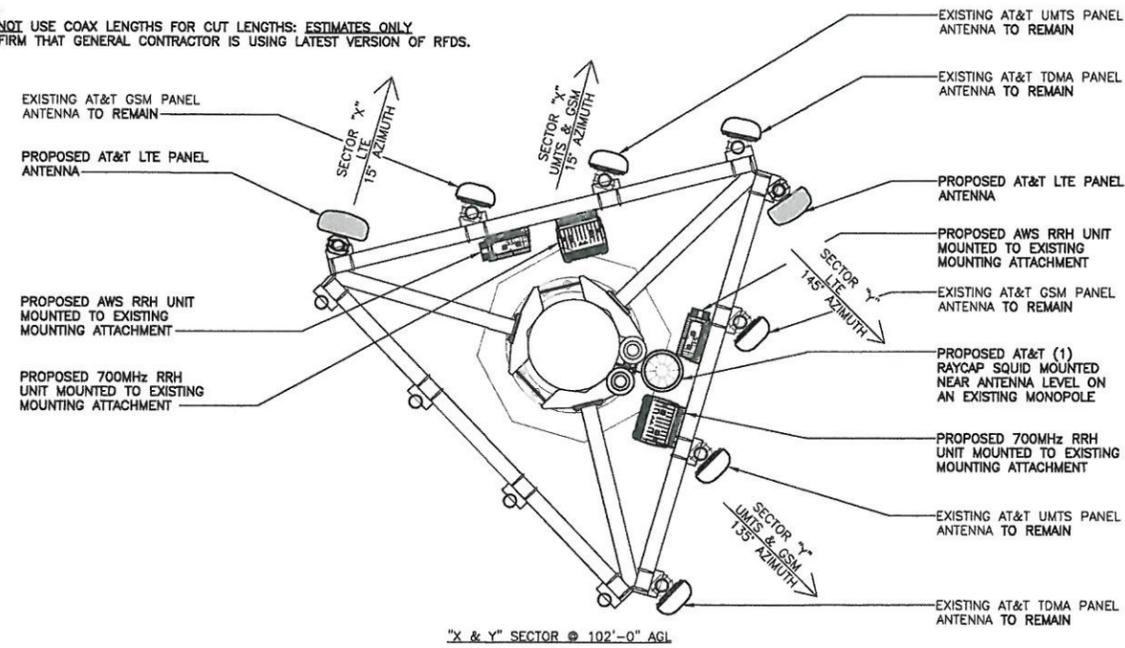
24"x36" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

24"x36" SCALE: 3/16" = 1'-0"
11"x17" SCALE: 3/32" = 1'-0"

PROPOSED ANTENNA CONFIGURATION AND SCHEDULE													
SECTOR X	AZIMUTH	RADCENTER	NUMBER OF ANTENNAS	VENDOR	MODEL	ELEC. TILT	MECH. TILT	RET	TMA	NUMBER OF COAX	COAX #	COAX LENGTH	DIPLEXED
GSM 850	15°	102'-0"	1	KATHREIN	742-264	4°	0°	YES	NONE	2	7/8"	100'-0"	NO
GSM 1900	15°	102'-0"	1	KATHREIN	742-264	4°	0°	YES	(2) MHA CS72993.08	2	7/8"	100'-0"	NO
UMTS 850	15°	102'-0"	1	KATHREIN	742-264	2°	0°	NO	NONE	2	7/8"	100'-0"	YES
UMTS 1900	15°	102'-0"	1	KATHREIN	742-264	4°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9
LTE 700	15°	102'-0"	1	POWERWAVE	P65-17-XUH-RR	0°	0°	YES	-	0	FIBER	100'-0"	NO
SECTOR Y	AZIMUTH	RADCENTER	NUMBER OF ANTENNAS	VENDOR	MODEL	ELEC. TILT	MECH. TILT	RET	TMA	NUMBER OF COAX	COAX #	COAX LENGTH	DIPLEXED
GSM 850	135°	102'-0"	1	KATHREIN	742-264	0°	0°	YES	NONE	2	7/8"	100'-0"	NO
GSM 1900	135°	102'-0"	1	KATHREIN	742-264	0°	0°	YES	(2) MHA CS72993.08	2	7/8"	100'-0"	NO
UMTS 850	135°	102'-0"	1	KATHREIN	742-264	6°	0°	NO	NONE	2	7/8"	100'-0"	YES
UMTS 1900	135°	102'-0"	1	KATHREIN	742-264	0°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9
LTE 700	145°	102'-0"	1	KMW	AH-X-03-16-65-007-RET	11°	0°	YES	-	0	FIBER	100'-0"	NO
SECTOR Z	AZIMUTH	RADCENTER	NUMBER OF ANTENNAS	VENDOR	MODEL	ELEC. TILT	MECH. TILT	RET	TMA	NUMBER OF COAX	COAX #	COAX LENGTH	DIPLEXED
GSM 850	255°	82'-0"	1	KATHREIN	742-264	2°	0°	YES	NONE	2	7/8"	100'-0"	NO
GSM 1900	255°	82'-0"	1	KATHREIN	742-264	2°	0°	YES	(2) MHA CS72993.08	2	7/8"	100'-0"	NO
UMTS 850	255°	82'-0"	1	KATHREIN	742-264	6°	0°	NO	NONE	2	7/8"	100'-0"	YES
UMTS 1900	255°	82'-0"	1	KATHREIN	742-264	2°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9
LTE 700	255°	82'-0"	1	POWERWAVE	P65-17-XUH-RR	1°	0°	YES	-	0	FIBER	100'-0"	NO

EXISTING ANTENNA CONFIGURATION AND SCHEDULE													
SECTOR X	AZIMUTH	RADCENTER	NUMBER OF ANTENNAS	VENDOR	MODEL	ELEC. TILT	MECH. TILT	RET	TMA	NUMBER OF COAX	COAX #	COAX LENGTH	DIPLEXED
GSM 850	15°	102'-0"	1	KATHREIN	742-264	4°	0°	YES	NONE	2	7/8"	100'-0"	NO
GSM 1900	15°	102'-0"	1	KATHREIN	742-264	4°	0°	YES	(2) MHA CS72993.08	2	7/8"	100'-0"	NO
UMTS 850	15°	102'-0"	1	KATHREIN	742-264	2°	0°	NO	NONE	2	7/8"	100'-0"	YES
UMTS 1900	15°	102'-0"	1	KATHREIN	742-264	4°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9_1
UMTS 1900_1	15°	102'-0"	1	KATHREIN	742-264	4°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9_1
SECTOR Y	AZIMUTH	RADCENTER	NUMBER OF ANTENNAS	VENDOR	MODEL	ELEC. TILT	MECH. TILT	RET	TMA	NUMBER OF COAX	COAX #	COAX LENGTH	DIPLEXED
GSM 850	135°	102'-0"	1	KATHREIN	742-264	0°	0°	YES	NONE	2	7/8"	100'-0"	NO
GSM 1900	135°	102'-0"	1	KATHREIN	742-264	0°	0°	YES	(2) MHA CS72993.08	2	7/8"	100'-0"	NO
UMTS 850	135°	102'-0"	1	KATHREIN	742-264	6°	0°	NO	NONE	2	7/8"	100'-0"	YES
UMTS 1900	135°	102'-0"	1	KATHREIN	742-264	0°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9_1
UMTS 1900_1	135°	102'-0"	1	KATHREIN	742-264	0°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9_1
SECTOR Z	AZIMUTH	RADCENTER	NUMBER OF ANTENNAS	VENDOR	MODEL	ELEC. TILT	MECH. TILT	RET	TMA	NUMBER OF COAX	COAX #	COAX LENGTH	DIPLEXED
GSM 850	255°	82'-0"	1	KATHREIN	742-264	2°	0°	YES	NONE	2	7/8"	100'-0"	NO
GSM 1900	255°	82'-0"	1	KATHREIN	742-264	2°	0°	YES	(2) MHA CS72993.08	2	7/8"	100'-0"	NO
UMTS 850	255°	82'-0"	1	KATHREIN	742-264	6°	0°	NO	NONE	2	7/8"	100'-0"	YES
UMTS 1900	255°	82'-0"	1	KATHREIN	742-264	2°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9_1
UMTS 1900_1	255°	82'-0"	1	KATHREIN	742-264	2°	0°	YES	(2) LGP 21401	2	7/8"	100'-0"	UB U9_1

NOTES:
 * DO NOT USE COAX LENGTHS FOR CUT LENGTHS: ESTIMATES ONLY
 * CONFIRM THAT GENERAL CONTRACTOR IS USING LATEST VERSION OF RFDS.



RECEIVED
 APR 25 2012
 CITY OF MILWAUKEE
 PLANNING DEPARTMENT



REGISTERED ARCHITECT
 RICHARD B. HALL
 SEATTLE, WA
 5008
 STATE OF OREGON
 EXPIRATION DATE OF THE
 LICENSE: 06/30/12

HIGHWAY 224
 PR62
 5410 SE INTERNATIONAL WAY
 MILWAUKIE, OR 97222

REVISIONS			
NO.	DATE	DESCRIPTION	INITIAL
A	12/16/10	ISSUED FOR PCD REVIEW	BF
O	05/12/11	ISSUED FOR CONSTRUCTION	RC

SHEET TITLE
 ANTENNA CONFIGURATIONS

SHEET NUMBER
 RF-1

24"x36" SCALE: 3/4" = 1'-0"
 11"x17" SCALE: 3/8" = 1'-0"

PROPOSED ANTENNA CONFIGURATION 2

24"x36" SCALE: 3/4" = 1'-0"
 11"x17" SCALE: 3/8" = 1'-0"

EXISTING ANTENNA CONFIGURATION 1