

Moscow City Council



Regular Meeting ~Agenda~

Laurie M. Hopkins
City Clerk

www.ci.moscow.id.us

208.883.7015

**Monday
October 4, 2021**

7:00 PM

**Council Chambers
206 E. Third St.**

The Moscow Mayor, City Council and Staff welcome you to tonight's meeting. The meeting is open to the public but due to the continued presence of COVID-19 cases in our area, we encourage those that have not received the COVID-19 vaccination, to continue to keep 6-foot physical distance from non-household members and wear face coverings when distance is unable to be maintained. We appreciate and encourage public participation. The formality of procedures varies with the purpose and subject of the agenda item; therefore, the Mayor may exercise discretion in deciding when to allow public comment during the course of the proceedings and limitations may be placed on the time allowed for comments. Citizens wishing to comment on business that is not on the agenda will be provided the opportunity to do so during the public comment item on the agenda. For regular agenda items the public will usually have the opportunity for comment on that agenda item after the staff presentation. These agenda items do not include the consent agenda and reports. Please limit any remarks to three (3) minutes or less. If you plan to address the Council, you will find a list of "Tips for Addressing the Council" in the door pocket outside the City Council Chambers. Citizens wishing to comment on business on the agenda may also communicate with the City Council through email (council@ci.moscow.id.us). Please note that Moscow City Council meetings are televised, videotaped and/or recorded. The meeting is streamed on YouTube and Spectrum Cable 1301. A link to stream the meeting can be found on the City website (www.ci.moscow.id.us). Thank you for your interest in City government.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council September 20, 2021 Minutes - Laurie M. Hopkins

B. Personnel Policy Updates - Jen Pfiffner

Updates to the City of Moscow Personnel Policies continue. The On-Call policy presented includes updates to the current policies to promote consistency and equity across departments and divisions. Policy sections will continue to be presented for review.

ACTION: Approve the proposed On-Call personnel policy.

C. Moscow Police Department - OHS Highway Safety Grant FFY 2022 - Alisa Anderson / Eric Warner

The Moscow Police Department (MPD) has received a notice of award for a grant request submitted in February 2021 for the national program called Selective Traffic Enforcement Program (STEP) sponsored by the Idaho Transportation Department (ITD), Office of Highway Safety (OHS). The program addresses specific behaviors related to traffic safety priority areas and safety deficiencies within local law enforcement jurisdictions and is focused on combatting traffic crashes resulting in fatal and serious injuries. The award will reimburse the MPD for time dedicated to traffic enforcement to include problem identification, a project plan including objectives, performance measures and safety focused targets. The MPD employs a dedicated traffic enforcement officer; however, the department will form a "Traffic Enforcement Team" to fulfill the grant requirements.

The program period is October 1, 2021 to September 30, 2022 with a grant award of \$100,000 requiring a \$25,000 cash and in-kind match. The funding will cover the wages and fringe benefits for approximately 2,080 regular patrol officer wages, and/or overtime, travel, contractual services, training, and consumables. Patrol officer wages can also include hours spent providing public education, distribution of educational materials, and outreach efforts to create a general deterrence toward crash-causing behavior. The match of \$25,000 can include mileage, administrative staff hours for program management, hard costs, and overtime (not included in other grant programs) allocated to traffic patrols for special events held in Moscow to address program specific safety goals. This item was reviewed by the Public Works/Finance Committee on September 27, 2021 and recommended for approval.

ACTION: Approve the Moscow Police Department to accept the Idaho Transportation Department, Office of Highway Safety, Highway Safety Grant FFY 2022 for \$100,000.

D. Rolling Hills 9th Addition Development Agreement - Todd Drage

Ryan Itani, on behalf of Itani Land Company LLC, has submitted to the City a final plat for the development of a property east of the intersection of 3rd St. and 6th St and just south of Moser Park. On June 21, 2021, the City Council approved the preliminary plat for this property. The final plat is titled Rolling Hills 9th Addition and will be presented for City Council approval on October 4th. If the final plat is approved by the City Council, a development agreement is necessary to address construction of public improvements, parkland dedication, and as-constructed drawings. The agreement included in the packet covers these items. This item was reviewed by the Public Works Finance Committee on September 27, 2021 and was recommended for approval.

ACTION: Approve the Development Agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

E. Rolling Hills 9th Addition Monumentation Agreement - Todd Drage

Ryan Itani, on behalf of Itani Land Company LLC, has submitted to the City a final plat for the development of a property east of the intersection of 3rd St. and 6th St and just south of Moser Park. On June 21, 2021, the City Council approved the preliminary plat for this property. The final plat is titled Rolling Hills 9th Addition and will be presented for City Council approval on October 4th. If Council approves the final plat, the interior property corners will not be set until after the final plat has been filed, the earthwork has been completed, and the utilities have been installed. In such instances, an agreement obligating the establishment of these interior corners is required by Idaho Code. This item was reviewed by the Public Works Finance Committee on September 27, 2021 and was recommended for approval.

ACTION: Approve the monumentation agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

3. Mayors Appointments (ACTION ITEM)

4. Public Comment and Mayor's Response Period (limit 15 minutes)

5. Citizen Commission Report - Parks and Recreation Commission - David Schott / Robby Cooper

6. Appeal of Denial of Conditional Use Permit at 1400 E Seventh Street (ACTION ITEM) - Aimee Hennrich

On February 19, 2021, PI Tower Development LLC applied for a Conditional Use Permit (CUP) to construct an 80-foot-tall Wireless Communication Facility (WCF) that would resemble a church tower, located at 1400 E Seventh Street. The Board of Adjustment conducted a public hearing for the proposed CUP on March 29, 2021, and subsequently voted to deny the application. On April 16, 2021, the

Community Planning and Design Department received an appeal letter from Wireless Policy Group on behalf of Parallel Infrastructure, stating that they wish to appeal the Board of Adjustment's decision to City Council.

On May 3, 2021, Council heard the appeal and remanded the matter back to the Board of Adjustment with the instruction to develop additional material information. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2.

The Board of Adjustment conducted a public hearing to consider the Council's instructions and accept additional information on August 24, 2021, and subsequently voted to deny the application. On September 8, 2021, the Community Planning and Design Department received an appeal letter from Wireless Policy Group on behalf of Parallel Infrastructure, stating that they would like to appeal the Board of Adjustment's August 24, 2021, decision to deny the application to City Council.

PROPOSED ACTIONS: Sustain the decision of the Board in whole or in part; or reverse the decision of the Board in whole or in part; or remand the matter in whole or in part to the Board with comments and/or instructions for further consideration by the Board; or take other action deemed appropriate.

7. Rolling Hills 9th Addition Final Plat (ACTION ITEM) - Mike Ray

On June 21, 2021, Moscow City Council approved the Rolling Hills 9th Addition preliminary plat with two conditions. On September 13, 2021, the applicant submitted the final subdivision plat to be reviewed by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission reviewed the final subdivision plat at their meeting on September 22, 2021 and recommended approval to City Council.

PROPOSED ACTIONS: Approve the Rolling Hills 9th Addition Final Plat; or take other action as deemed appropriate.

8. Amendment to City Code to Correct Management Reorganization (ACTION ITEM) – Gary J. Riedner / Mia Bautista

On October 7, 2019, the City Council passed Resolution 2019-19 authorizing the implementation of the reorganization management model and directed staff to prepare ordinance revisions to align with said model, which included the creation of new positions, along with the elimination of specific positions. On July 19, 2021, the City Council passed Ordinance 2021-09, approved by the Mayor, providing for the amendment of various Chapters of Moscow City Code to reflect the reorganization management model of the City. While codifying the City Code, certain sections were found to have errors. The proposed ordinance will correct those errors and amend Moscow City Code Title 6, Chapter 2 by replacing Section 24 of Ordinance 2021-09 in its entirety, retain Title 3, Chapter 11 as previously codified, and amend Title 5, Chapter 11 to accurately reflect the name of the Commission, which changed from Health and Environment Commission to Sustainable Environment Commission. This was reviewed by the Public Works/Finance Committee on September 27, 2021 and recommended for approval.

PROPOSED ACTIONS: Approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

REPORTS

City Council

Mayor

Staff

ADJOURN

NOTICE: Moscow City Council and committee meetings are televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

Moscow City Council



Regular Meeting ~Minutes~

Laurie M. Hopkins
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208.883.7015

**Monday, September 20,
2021**

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Bill Lambert, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio, Anne Zabala

ABSENT: Art Bettge

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, Tyler Palmer, Mike Ray, David Schott, Amanda Argona, Todd Drage, Tamra Karl

PLEDGE OF ALLEGIANCE

Gina Taruscio led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council September 7, 2021 Minutes - Laurie M. Hopkins

B. Disbursement Report for August 2021 - Sarah Banks

Staff presented the August 2021 Accounts Payable Report to Public Works / Finance Committee on September 13, 2021. The Committee received the report and approved the disbursements as presented.

ACTION: Receive the Disbursements Report for the month of August 2021.

C. Community Development Block Grant Bid Results - Alisa Anderson / Nate Suhr

The City published an advertisement for bids on August 21 and 28, 2021 for the Community Development Block Grant - 2021 project. The Project included ADA improvements at both Mountain View and Indian Hills Parks. The Engineer's Estimate for the project was \$175,174.00. Bid opening for the project took place on September 7th, 2021, at which one (1) bid was received. The bid received was in the amount of \$286,497.48 and was submitted by Quality Contractors, LLC. A bid tabulation is included in the Committee packet. This was reviewed by the Public Works/Finance Committee on September 13, 2021 and the Committee recommended rejection of the bids.

ACTION: Reject the low bid from Quality Contractors, LLC.

D. Moscowberfest Alcohol Use Request in Entertainment District - Amanda Argona

The Moscow Chamber of Commerce is hosting the inaugural Moscowberfest on Saturday, October 2nd, from 4 pm to 8 pm on Main Street between 3rd and 5th Streets. The event is intended to be an annual event stylized in the spirit of fall folk festivals. The applicant anticipates 16 (sixteen) beer and/or wine tents/vendors and four (4) food vendor tents, face painting, chalk drawing, yodeling competition, chicken dance, sidewalk checkers, two music locations featuring traditional music, cardboard cutouts for photo opportunities. etc. The event has been reviewed and approved as of August 25, 2021. Following standard operating procedures for events with alcohol that are within the Entertainment District boundaries, Moscowberfest is requesting a temporary suspension of the open container law by resolution. Per Moscow City Code, Section 10-1-12; a draft resolution has been prepared for Council's

consideration. This was reviewed by the Administrative Committee on September 13, 2021 and recommended for approval.

ACTION: Approve the resolution allowing for the temporary suspension of the open container law within the event footprint of Moscowberfest for the duration of the event.

E. Consideration of the Meadow Brooke Second Addition Pedestrian Bridge - David Schott

The City of Moscow received a proposal from Germer Construction, Inc. who is the owner and contractor developing the Meadow Brooke Second Addition Subdivision. The proposal includes two options for the installation of a pedestrian bridge and a ten (10) foot pathway over Paradise Creek south of Meadow Brook Second Addition and north of Meadow Street. The pedestrian bridge will connect to the existing pathway at Carol Rylie Brink Nature Park north of the Moscow School District Community Playfields to West View Drive to the north. The proposal also includes a 50/50 cost share with the City. If approved, the City would be responsible for half of the cost of the bridge, which would range from \$44,528 to \$59,598. This project is currently not part of the Capital Improvement Plan and not funded in the City's FY2021 or FY2022 Budgets. The proposed shared use path provided by a pedestrian bridge is supported by the 2008 City of Moscow Paradise Path System Conceptual Master Plan in this location. This was reviewed by the Public Works/Finance Committee on September 13, 2021 and recommended for approval.

PROPOSED ACTIONS: Approve City financial participation in the construction of a pedestrian bridge over Paradise Creek with a 50/50 cost share with Germer Construction, Inc. in the amount of \$44,528 to \$59,598.

F. Professional Services Amended Agreement for Alternative Water Supply Project - Tyler Palmer

The City of Moscow is administering the contract on behalf of the Palouse Basin Aquifer Committee for the Palouse Groundwater Basin Alternative Water Supply Project. The base project anticipated the need for amendments as the project progressed. This amendment extends the work to include additional work to coordinate with fisheries, and also generate operations and maintenance estimates for alternatives 1 and 2. The proposed amendment extends the contract time to March 31, 2022, and adds \$56,605.00 to the contract, which will be transferred to the City prior to any payment on the amendment. This amendment was approved by PBAC at their August 19, 2021 meeting, contingent on the approval for the extension of administrative services by the City. This was reviewed by the Administrative Committee on September 13, 2021 and recommended for approval.

ACTION: Approve the proposed Amended Agreement for Alternative Water Supply Project.

G. AT&T Amendment to Wireless Communication Facility Agreement - Gary J. Riedner

Staff has been approached by AT&T with a request to install and operate one generator and supporting infrastructure on the Residence Street water tank. This additional equipment requires additional ground space which is also requested and included in the amended agreement. The current agreement with AT&T needs to be amended to allow additional equipment to be installed. This Amendment is in accordance with the Co-location resolution that was adopted by the City Council on February 5th 2001. The amendment has been reviewed and approved by the City Attorney, and includes construction plans that have been reviewed and approved by the City Engineering staff. This was reviewed by the Public Works/Finance Committee on September 13, 2021 and recommended for approval.

ACTION: Approve the AT&T proposal to amend the Wireless Communication Facility Agreement.

Gina moved, Maureen seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

None offered.

3. Mayors Appointments (ACTION ITEM)

None offered.

4. Public Comment and Mayor's Response Period (limit 15 minutes)

Michael Jennings said he is introducing Moscow's Ready For 100% Clean Energy petition. From a science perspective, Moscow is at zero hour which means there is no choice but to respond now. This is not a policy dispute that can be addressed at a later day. He introduced Nicole Chau and Devin Conway who are part of the Climate Justice League.

Conway said the petition is aiming to get cities to commit to a 100% clean energy goal. The campaign asks for the goal to be achieved by 2045. He acknowledged what Moscow has already done fighting climate change. He feels Moscow is in a position to once again lead in climate change.

Chau said in 2019 Boise passed first ever clean energy goal for a city, pledging 100% clean electricity in 2035. Boise also partnered with Idaho Power to transition all city operations to clean electricity by 2023. A bold clean energy commitment is ambitious and practicable and would make us a leader in northern Idaho. Avista representative Paul Kimmel has a goal of 100% clean energy by 2045. Both commitments create the opportunity for a community wide commitment. The Moscow community is supportive. Conway spoke on specific threats to the environment. Chau understands making a verbal declaration like this can be risky, but the climate induced disasters need to be acted on now. Record heat waves and spread of plant diseases negatively impacted the Palouse agriculture. Chau said the ball is in the court of the Council and urges Council, staff and Mayor Lambert to recognize the urgency of the climate crisis and commit Moscow to clean energy by 2045.

Mayor agrees it is everyone's responsibility. The City Council is very interested in Climate Change Control and we will have a workshop scheduled for September 27, 2021. The topic is in the Strategic Plan as a Tier 2 issue.

Shimrra Shai said he is also concerned with global heating. He feels 2045 sounds too late and would suggest 2035. The cost of doing nothing is going to be greater than doing something.

Paul Kimmel (Avista Utilities) thanked the Council for participating in the Palouse roundtable. He feels the community is working toward stabilizing the aquifer. The PBAC Water Summit is scheduled for October 21, 2021. The keynote speaker is Amy Vickers who wrote "The Handbook of Water Conservation." He thanked the Council for the financial support and continued encouragement.

Mayor Lambert called a recess at 7:22 p.m. The meeting reconvened at 7:24 p.m.

5. Public Hearing: Woodbury Annexation, Comprehensive Plan Land Use Designation, Zoning Designation, Preliminary Plat, and Planned Unit Development (ACTION ITEM) - Mike Ray

The applicant, Wintz Company, LLC, is requesting the annexation, Comprehensive Plan land use designation amendment, rezoning, preliminary subdivision plat, and Planned Unit Development (PUD) of a 21.73-acre property generally located north of Slonaker Drive, east of Arborcrest Road, and south of Trail Road. The current Comprehensive Plan Land Use Designation is Auto-Urban Residential and the proposal is a combination of the Auto-Urban Residential and Suburban Commercial designations. The zoning of the subject property is currently Agriculture Forestry (AF) and the proposal is to rezone to a combination of the Moderate Density, Single Family Residential (R-2) Zone and the Neighborhood Business (NB) Zone. The proposed preliminary plat and PUD contains 74 lots ranging from 3,794 to 17,973 square feet in size, referred

to as Woodbury Subdivision. The City of Moscow Planning and Zoning Commission conducted a public hearing for the proposed Comprehensive Plan Land Use Designations, Rezone, Preliminary Plat, and PUD on August 25, 2021 and recommended approval with three conditions.

PROPOSED ACTIONS: Conduct the public hearing upon the annexation, Comprehensive Plan land use designations, zoning designations, PUD, and preliminary plat and upon consideration of any testimony presented:

1. Approve the Annexation Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Annexation Ordinance on first reading; or reject the Annexation Ordinance; or take other action as deemed appropriate.
2. If the Annexation Ordinance is approved, approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or reject the proposed Comprehensive Plan Land Use Designation Resolution and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.
3. If the Annexation Ordinance is approved and the Comprehensive Plan Land Use Designation Resolution is approved, approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or consider the Zoning Ordinance on first reading; or reject the Zoning Ordinance and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other action as deemed appropriate.
4. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, and the proposed Zoning Ordinance is approved, approve the PUD for Woodbury Addition and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the PUD with conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the PUD and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.
5. If the Annexation Ordinance is approved, the Comprehensive Plan Land Use Designation Resolution is approved, the proposed Zoning Ordinance is approved, and the proposed PUD is approved, approve the preliminary plat for Woodbury Addition with conditions and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria; or approve the preliminary plat with no conditions and direct staff to prepare a Reasoned Statement of Relevant Criteria; or reject the preliminary plat and direct staff to prepare a Reasoned Statement of Relevant Criteria; or take other such action deemed appropriate.

Ray introduced the item as written above and listed the allowed uses in NB zoning, intent of the Auto-Urban Residential and Suburban Commercial designations, and zoning. The applicant has proposed a PUD to coincide with the preliminary plat and is requesting numerous Zoning Code deviations to accommodate the master-planned subdivision that is being developed to a new urbanist design. The entire property that the owner wishes to develop is approximately 82 acres in size. The first phase of the subdivision is 21.73 acres which is proposed to be annexed at this time. Ray provided a description of the different lots and visuals. The street network proposes Slonaker and Village Way becoming the main arteries and 25 off-street parking spaces. There are common open spaces throughout the development and the small neighborhoods are linked by smaller private streets, which would be maintained by a homeowner's association. A traffic impact study was conducted and concluded that the proposed subdivision is expected to result in minimal impacts to vehicle traffic conditions at the study intersections and met City operating standards under all development scenarios. A segment of Mountain View Road between the intersection of Slonaker Drive and Mountain View Road extending south to the Hamilton-Lowe Aquatics Center does not have sidewalks on either side of the street or bike lanes. The Engineering Department is recommending that the applicant be responsible for 50% of the construction costs associated with the installation of curbing, sidewalk and roadway widening in order to connect this missing segment of sidewalk. Also of concern is the sight distance after Mountain View Road makes a ninety degree turn to the east. The Engineering Department is recommending that the applicant evaluate a left turn lane from eastbound Mountain View onto Slonaker Drive to determine whether a turn lane is warranted and if so, it is recommended the applicant be responsible for the construction of the turn lane. Water and sewer service is

adequate and can be extended from Slonaker Drive. The applicant is proposing to defer the parkland dedication to phase 2 of the entire subdivision.

Questions from Council were answered: the development agreement would determine the timing of sidewalk installation on Mountain View but would be prior to any building permits being issued. A crosswalk would be reviewed with the review of which side the sidewalk will be installed on. Logos School is required to widen Mountain View and install pedestrian facilities on their segment. The Engineering Department would work with the applicants engineers on the determination whether a left turn lane is warranted. Ray's understanding is that there is a robust HOA which would maintain the private roads and parkway system. One park is proposed to be public.

Mayor Lambert opened the public hearing at 8:02 p.m.

Mark Wintz (1004 Dairy Ln, Moscow), applicant, said this project has been in the works for many years and they have worked with the Trail family and others. New Urbanism is being very thoughtful about the entire development. Seabrook Development in Seattle assisted Wintz in the design development of this project. Greenways connect so that there is a loop for walking with no streets to cross. Wintz said he is trying to promote community. From a sustainability standpoint, building standards are at that level. The development will be heavily landscaped to improve water retention and should improve animal habitat for birds and small mammals.

Mayor Lambert asked for testimony in favor of the application.

Levi Wintz, (415 n. Van Buren #4, Moscow) said he hoped the Council can see the thought that has gone into this project. Moscow is in a housing crisis and will increase with the development of Schweitzer moving to town. He said they wanted to find a more thoroughly planned development that would provide private property but also an area open to the community. The development will preserve wetland dedication to the west and with no front lawns, there will not be sprinkler systems.

Scott Sumner (106 S. Hayes, Moscow) is the project engineer and manager for this project. He said it has been a challenging project because aesthetics has been a big concern. DKS Associates in Portland was selected for the traffic study because they are the firm that put together Moscow's transportation plan. DKS will address not only whether there needs to be a left turn lane, but at what point in the development it needs to be built.

Sean Wilson (2780 N. Mt. View, Moscow) represents Trail Family LLC, who didn't take the sale of this property lightly. They agreed to sell this property to Wintz because it was a thoughtful development with a thoughtful plan.

Leah Clark (912 Public Ave, Moscow) said she has a degree in architecture and is working with the Wintz company. Much of the development utilizes the community green space rather than individual lawns which should reduce water use. Growth is inevitable in Moscow and along with growth comes traffic. The next development may not be as thoughtful.

Mayor Lambert asked for testimony in opposition or general testimony.

Lana Vensca (1246 Highland, Moscow) said she is concerned about the health of the aquifers and the rapid housing growth seen here recently. The Moscow Comprehensive Plan states that Moscow relies on groundwater for drinking water and she doesn't believe the conservation measures used recently will be enough. She requested Moscow representatives think carefully about new subdivision development and its impacts on the water supply and collect more data before future growth.

Mayor Lambert commented since 1992 Moscow has had a 35% growth and yet reduced water use by 14%.

Megan Connuscu (538 N Blaine St, Moscow) said she believes Moscow is in a water crisis now. There needs to be concrete evidence of the diminishing water supply. Wintz failed to explain sustainability for the larger lots as well as household uses. Also concerned about lack of connectivity and community with downtown. Mountain View Rd pedestrian facilities were addressed but Orchard was not. Even with costly improvements, Slonaker Drive and Lanny Lane will become arterials when they were not planned to be.

Paul Hendricks (1306 Slonaker Dr, Moscow) is directly adjacent to this development. He is concerned with traffic and believes the study is flawed by using outdated data. Logos School will influence traffic patterns in this quadrant of the city. The only people who spoke in support at the P&Z meeting are those who will benefit financially. Is timeline of developers more important than concern of citizens? Why the rush? Lanny Drive and Slonaker weren't mentioned in the traffic studies. Has the City considered impact fees on new housing? He requested the Council slow down.

Andre Costello (795 Brent Dr, Moscow), a junior at Moscow High School, said he is concerned about the water issue and the sustainability of the city. He moved to Moscow one year ago and fell in love with the clean air, greenery, etc. He fears the gaps in research about aquifers. UI Environmental Engineering and Ecology students could help fill in the research gaps. He feels this development is a mini town not a neighborhood.

Ann Hoste (1183 Wallen Rd, Moscow) said Council has had a lot of housing applications, possibly due to the Governor's new law House Bill 389 which is a win for developers by extending property tax exception. Woodbury project would take 10 years which would be a significant break for the developer. HB 389 reduces tax revenue for City by placing a cap on aggregate increase on property tax regardless of number of houses built and the demand placed on infrastructure. Artificially reduces tax bills for new homes and shifts burden to existing residences. She feels this development is not the low income housing we need and may drive up values. She requested the Council enact a moratorium on annexation.

David Hall (1334 Wallen Rd, Moscow) said the annexation would go against the Comprehensive Plan regarding preserving agricultural land adjacent to the City. Also, the potential for use of large amounts of water is against the best interest of the citizens. He requested the Council not annex the property.

Susan Kurts (966 Pheasant Run, Moscow) feels P&Z is failing to meet its responsibilities with respect to changes to the original Woodbury PUD. City Council has an opportunity to slow the process down. During March and August meetings, the construction access street was to be Mountain View via Slonaker. All the studies were based on that access. In response to Slonaker residents, Slonaker will now be blocked until infrastructure is completed. By blocking Slonaker, the traffic is moved to Orchard without conducting a traffic study for Orchard. Orchard is much longer and narrower. P&Z failed to review other potential routes. She requested the Council postpone annexation until there is a have a chance to take a look at these issues.

Kaden Bledsoe (1148 Flannigan Creek Rd, Moscow) said his main concern is there is not much research as to how quickly the aquifers recharge. He requested the Council wait for more studies to be completed and make the decision on the studies.

Mike Nielon (1215 Slonaker Dr, Moscow) desires closing Slonaker even into construction. When Lanny Lane was opened it seemed that traffic has increased four times greater. He asked the Council to consider keeping Slonaker Drove closed until the first house is sold.

Ellen Johansen (1212 Slonaker Dr, Moscow) said she is most concerned about traffic. She wants this development to be a community project and not pit one neighborhood against another. She reiterated the traffic

study using outdated data. Development on the east side feels like a lot more than 1% growth. Mountain View traffic is dangerous to school children. She agreed other options for diverting traffic wasn't looked at.

Chris Walker (1115 Slonaker Dr, Moscow) said he also has traffic and safety concerns. The ninety degree turn wasn't built for the increased traffic. The left hand turn lane needs to be installed prior to anything else. He asked the Council to consider how the neighborhoods were built because Slonaker wasn't meant to be a collector street for 270 homes. He agrees Orchard is not a good street to reroute traffic.

Bill Voxman (1400 Orchard Ave, Moscow) said he will be affected by increased traffic. He spent time on P&Z and Council. He is concerned about improvements on roads not being made soon enough. He likes the proposed development. Traffic is a huge issue and he feels heavy equipment should use Mountain View rather than Orchard which is hilly and does not have any sidewalks.

Wintz responded the traffic studies are more than adequate. There are six connections to the outside neighborhoods. Slonaker is a connector according to the master plan. The trail access to the north, which will lower the impact of heavy equipment wasn't a requirement from the city, but an idea from one of the neighborhood meetings. He believes this development will build equity to the Slonaker neighborhood. He wants to keep construction traffic off Slonaker and Orchard.

Mayor Lambert closed the public hearing at 9:02 p.m.

Kelly said she likes the plan and has many of the same concerns such as traffic studies not including Orchard. May not have enough to move forward yet. She is not as concerned about water because there are active steps being taken now.

Laflin asked for information on the rapid growth in Moscow. Ray provided a chart showing growth percentages from 1960 to 2020. From 2000 to 2020 there was 0.89% growth. Historically, single family growth has been 40 per year. Just because lots are approved does not mean they are developed immediately. Traditionally there is 300-400 lots in inventory and market conditions certainly contribute. Some subdivisions have been approved for many years and have yet to be developed.

Sullivan said population growth has not been very rapid. Moscow has had a large number of developments, but it will take time for them to be built up. Ray pointed out the developer is still 1-2 years out from building the infrastructure. Sullivan also said this development in regards to water is a relatively small impact. This development seems to be the first one addressing the water issues by not having lawns. In regards to traffic, she wants to be sure Moscow is moving forward in a logical way.

Zabala asked for information on why 2006 and 2017 data was used for the traffic study. Belknap explained traditionally for the intersection studies, there would be a turning movement study. Because it was the middle of summer, there would be reflective of traffic patterns during the school year. The most current turning movements done during the school year were used with a forecast of 1% per year to estimate current values. Staff anticipated that the growth factor overestimated the impact but service levels remained at A or B. Zabala said she is still concerned with the addition of Logos.

Gina Taruscio said water is an issue but Palouse Basin Aquifer Committee and others are working on it. She feels all level of housing is needs because of the major employers in Moscow. She is concerned about traffic. She feels the community needs to embrace growth and approach this as a community with our neighbor.

Discussion ensued regarding House Bill 389 and what PBAC is and their purpose.

Belknap explained the improvements to Mountain View would be completed in conjunction with the first phase of the subdivision and include a left turn lane if warranted and would be included in the development agreement, and completed prior to construction permits.

Laflin said she really appreciated all the work done on this project. It seems to move to a new level of development and she is impressed with the consciousness in creating a community. She thanked staff for all the time spent in bringing it forward. Laflin moved and Taruscio seconded to approve the Annexation Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary

Sullivan is still concerned about traffic. With school back in session, and the change in the 4-way stop at D and Mountain View, asked if there an indication to do another study. Belknap responded no, that the left turn lanes don't give much additional volume. Every vehicle still must still stop and often times adds delay. Currently staff is experimenting with the temporary removal of the left lanes and if remained permanent, it wouldn't have a significant reduction of intersection capacity. It would be different for a signaled intersection or two way stop.

Sullivan added she understands the concern about Orchard Avenue but hearing the timing and construction vehicles using Mountain View, there doesn't seem to be anything to study during this phase. Belknap added that a traffic study wouldn't conduct a study on construction activity.

Zabala said she is conflicted. There are elements she really likes such as the lots are ADU permissible but heard overwhelming public opposition.

Roll Call Vote: Ayes: Four (4). Nays: One (Zabala). Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2021-16 by title:

AN ORDINANCE OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING THAT LAND DESCRIBED IN SECTION 1 OF THIS ORDINANCE, AND GENERALLY SHOWN ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY THIS REFERENCE, BE ANNEXED TO THE CITY OF MOSCOW; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Taruscio moved and Laflin seconded to approve the proposed Comprehensive Plan Land Use Designation Resolution and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Four (4). Nays: One (Zabala). Abstentions: None. Motion carried.

The recommended conditions for approval are tied to the subdivision plat approval. The third condition is blocking off access to Slonaker until completion of public infrastructure. Completion of public infrastructure and acceptance of the public road is when staff recommends the barrier be removed. Having a public road barricaded and forcing potential home buyers and others route to Trail is not what staff would recommend. Typically, subdivisions have all had construction access right through neighborhoods as they are built.

Sullivan wants to change condition #3 where the barrier remains until first house is sold. Laflin said many houses could be sold before even built. Sullivan said it could be until the first house is occupied. Riedner said that would require staff to monitor a lot of factors and raises unreasonable expectations. Sullivan explained her point is not to have construction equipment driving through until someone is living there. Belknap said staff can look at eco blocks so there is still fire access but still recommend opening the road is opened when public infrastructure is complete.

Kelly felt like that adds things that aren't going to help and adds unnecessary work. Laflin brought up the issue of precedence and doesn't think it is necessary. Taruscio felt that would put staff in a terrible position and sends a message to developers that Moscow is difficult.

Laflin moved, Taruscio seconded to approve the proposed Zoning Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Four (4). Nays: One (Zabala). Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2021-17 by title:

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE ZONING OF A TWENTY POINT FIVE FIVE (20.55) ACRE PROPERTY, DESCRIBED IN SECTION 1, PROPERTY #1 AS MODERATE DENSITY, SINGLE FAMILY RESIDENTIAL (R-2); PROVIDING FOR THE ZONING OF A ONE POINT ONE EIGHT (1.18) ACRE PROPERTY, DESCRIBED IN SECTION 1, PROPERTY #2 AS NEIGHBORHOOD BUSINESS (NB); PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Taruscio moved and Laflin seconded to approve the PUD for Woodbury Addition and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Unanimous. Nays: One (Zabala). Abstentions: None. Motion carried.

Sullivan moved and Zabala seconded to approve the preliminary plat for Woodbury Addition with condition 1 and 2, and change condition 3 restricting access until the first house is sold. Roll Call Vote: Ayes: Two (Zabala, Sullivan). Nays: Three (Taruscio, Kelly, Laflin). Abstentions: None. Motion failed.

Taruscio moved and Kelly seconded to approve the preliminary plat for Woodbury Addition with the three recommended conditions from Planning and Zoning Commission and adopt the Planning and Zoning Commission Reasoned Statement of Relevant Criteria. Roll Call Vote: Ayes: Three (Taruscio, Kelly, Laflin). Nays: Two (Zabala, Sullivan). Abstentions: None. Motion carried.

Mayor Lambert called a recess at 9:57 p.m. The meeting reconvened at 10:02 p.m.

6. Replacement of Ordinance 2021-06 with Ordinance 2021-06A (ACTION ITEM) - Mike Ray

On June 7, 2021, City Council approved Ordinance 2021-06, which pertained to the annexation of a 235-acre property generally located south of the west Palouse River Drive ball fields property and west of the Schweitzer Engineering Laboratories property. The City subsequently received a letter from the Idaho State Tax Commission, dated August 6, 2021, stating that there were deficiencies in the exhibit map submitted by the applicant which was attached to the ordinance. The applicant has since corrected the items identified by the Tax Commission and the revised exhibit map has been attached to the replacement Ordinance 2021-06A for the Council's consideration.

PROPOSED ACTIONS: Approve the replacement of Ordinance 2021-06 with Ordinance 2021-06A; or take such other action deemed appropriate.

Ray introduced the item as written above adding there was deficiency with the metes and bounds which has been corrected in the proposed ordinance.

Kelly moved and Taruscio seconded to approve the replacement of Ordinance 2021-06 with Ordinance 2021-06A. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Mayor Lambert read Ordinance 2021-06A by title:

AN ORDINANCE OF THE CITY OF MOSCOW, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING THAT LAND DESCRIBED IN SECTION 1 OF THIS ORDINANCE, AND GENERALLY SHOWN ON EXHIBIT “A” ATTACHED HERETO AND INCORPORATED BY THIS REFERENCE, BE ANNEXED TO THE CITY OF MOSCOW; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

7. Proposed Neighborhood Traffic Calming Policy (ACTION ITEM) - Bill Belknap

Over the last year, staff has received multiple requests for the installation of traffic calming devices in different locations within the community. In order to assess the requests, staff identified the need to develop a standardized process and approach to addressing traffic calming device requests. Over the last six months, the Transportation Commission reviewed policies of other communities and worked on the development of a Neighborhood Traffic Calming Policy for the City. The proposed policy addresses the process of submitting a request, evaluation metrics, and identifies potential traffic calming measures. The proposed policy is now before the City Council for consideration and adoption.

PROPOSED ACTIONS: Approve and adopt the proposed Neighborhood Traffic Calming Policy and associated Resolution; or provide staff further direction.

Belknap introduced the item as written above adding traffic calming should be reserved for unique circumstances. Stop signs are generally not a good traffic calming device as there is often increased speed between signs. Traffic calming is most appropriate on local residential streets, not arterials except in certain circumstances such in front of schools. Metrics will be based on traffic volume, adjacent land uses, vehicle speeds, accident history etc. The application process will require signage from a percentage of neighbors, a site visit, data collection and review of the history from emergency responders. An appeal process will be available. The policy also includes an educational section of possible traffic calming devices which Belknap presented. There are financial restrictions and would anticipate a small allocation of \$20,000-30,000 to begin this program with the hopes of receiving grants as well.

Sullivan suggested adding to the three year clause the exception of unless the City Engineer has determined there are extraordinary circumstances that warrant an additional review. Zabala appreciated the change she requested to change from property owners to residents.

Sandra moved and Zabala seconded to approve and adopt the proposed Neighborhood Traffic Calming Policy and associated Resolution. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried

REPORTS

City Council

Report was postponed.

Mayor

Report was postponed.

Staff

Report was postponed.

ADJOURN TO EXECUTIVE SESSION PER IDAHO CODE 74-206 (1)(C) AND (F) - THE MEETING WILL NOT RECONVENE.

Mayor Lambert requested adjournment to executive session at 10:22 p.m. per Idaho Code 74-206 (1)(C) and (F) and that the meeting not reconvene. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

**CITY OF MOSCOW
MINUTES OF CITY COUNCIL EXECUTIVE SESSION
September 20, 2021**

Present: Mayor Lambert, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio, Anne Zabala

Also Present: Gary J. Riedner, City Supervisor; Mia Bautista, City Attorney; Bill Belknap, Deputy City Supervisor

The executive session was called to order at 10:25 p.m.

Item discussed pursuant to I.C. 74-206(1)(C) and (F)

The executive session was adjourned at 10:48 p.m.

CITY COUNCIL STAFF REPORT

DATE: Monday, October 4, 2021



AGENDA ITEM TITLE

Personnel Policy Updates - Jen Pfiffner

RESPONSIBLE STAFF

Jen Pfiffner, Deputy City Supervisor - Culture, Recreation and Employee Services

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

DESCRIPTION

Updates to the City of Moscow Personnel Policies continue. The On-Call policy presented includes updates to the current policies to promote consistency and equity across departments and divisions. Policy sections will continue to be presented for review.

Policies Proposed and Approved to Date

Hiring
Compensation & Benefit Structure
Telecommuting
Leave
Time & Attendance
Pay
Discipline, Grievance, Name Clearing

Currently Under Consideration

On-Call

Policies Updates Under Development for Future Council Review

Conduct
Performance
Work Status
Rules (i.e. cell phones in vehicles, social media, etc.)

Policy sections will continue to be presented for review. All policies are vetted by the Executive Team, Department Heads, Risk Management, Legal, and the Employee Advisory Committee prior to presentation to the City Council. Policies will be implemented as a full document once all sections are completed.

STAFF RECOMMENDATION

Approve the proposed On-Call personnel policy.

PROPOSED ACTIONS

ACTION: Approve the proposed On-Call personnel policy.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. On Call Draft

ON-CALL & CALL-BACK

The City of Moscow provides critical services to its residents. As such, employees may be required to be available and to work outside their regular schedule. The purpose of this policy is to provide a consistent method throughout all City departments to compensate employees for On-Call shifts and Call-Back responses.

Specifically, this policy sets forth status and pay guidance for non-exempt permanent employees. Temporary employees may not take On-Call shifts and do not qualify for On-Call, or Call-Back compensation. Exempt employees are paid a salary that reflects the full responsibility of the position, including being On-Call or being called back to work, and are not eligible to receive On-Call or Call-Back pay.

Compensatory time shall not be substituted for On-Call status compensation but may be taken for Call-Back compensation. As outlined in the Compensatory Time section of these Personnel Policies, compensatory time is limited to 80 hours at any given time. Specifically, the use of earned compensatory leave depends upon the department's ability to operate effectively during a requested absence.

On-Call Status

On-Call shift hours usually coincide with regular shift hours. Any employee may be assigned to an On-Call status, which requires the employee to be accessible, available, and able to report for duty if called. Such shifts may vary in beginning and ending times from department to department or division to division and are subject to change by an administrative decision as dictated by workload needs.

Supervisors are responsible for maintaining a roster of all qualified employees for On-Call, determining the need for On-Call availability, assigning employees to On-Call status, and maintaining an equitable rotation schedule. On-Call shifts are to be scheduled in 24 hour increments.

On-Call Compensation

On-Call compensation is calculated at two (2) hours of pay at time and one-half (1 ½) the regular hourly pay rate per On-Call shift; compensation may not be taken as compensatory pay.

Call-Back Status

When a non-exempt employee is called back to work from On-Call status or otherwise at a time not previously scheduled, response time for On-Call personnel should average 30 minutes but is managed operationally by each department/division.

Call-Back Compensation

A minimum of two (2) hours pay at time and one-half (1 ½) the regular hourly pay rate, even if the time spent back on the job is less than two (2) hours. Hours worked that exceed two (2) hours are also paid at time and one-half (1 ½) the regular hourly pay rate as actual hours worked. Drive time to and from the worksite is considered hours worked for Call-Back compensation. Call-Back compensation may be taken as compensatory time. Response time for On-Call personnel should average 30 minutes. Response time is included as time worked for Call-Back response.

CITY COUNCIL STAFF REPORT

DATE: Monday, October 4, 2021



AGENDA ITEM TITLE

Moscow Police Department - OHS Highway Safety Grant FFY 2022 - Alisa Anderson / Eric Warner

RESPONSIBLE STAFF

Alisa Anderson, Grants Manager, Eric Warner

REVIEWED BY

Public Works/Finance Committee

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

DESCRIPTION

The Moscow Police Department (MPD) has received a notice of award for a grant request submitted in February 2021 for the national program called Selective Traffic Enforcement Program (STEP) sponsored by the Idaho Transportation Department (ITD), Office of Highway Safety (OHS). The program addresses specific behaviors related to traffic safety priority areas and safety deficiencies within local law enforcement jurisdictions and is focused on combatting traffic crashes resulting in fatal and serious injuries. The award will reimburse the MPD for time dedicated to traffic enforcement to include problem identification, a project plan including objectives, performance measures and safety focused targets. The MPD employs a dedicated traffic enforcement officer; however, the department will form a "Traffic Enforcement Team" to fulfill the grant requirements. The program period is October 1, 2021 to September 30, 2022 with a grant award of \$100,000 requiring a \$25,000 cash and in-kind match. The funding will cover the wages and fringe benefits for approximately 2,080 regular patrol officer wages, and/or overtime, travel, contractual services, training, and consumables. Patrol officer wages can also include hours spent providing public education, distribution of educational materials, and outreach efforts to create a general deterrence toward crash-causing behavior. The match of \$25,000 can include mileage, administrative staff hours for program management, hard costs, and overtime (not included in other grant programs) allocated to traffic patrols for special events held in Moscow to address program specific safety goals. This item was reviewed by the Public Works/Finance Committee on September 27, 2021 and recommended for approval.

STAFF RECOMMENDATION

Approve the Moscow Police Department to accept the Idaho Transportation Department, Office of Highway Safety, Highway Safety Grant FFY 2022 for \$100,000.

PROPOSED ACTIONS

ACTION: Approve the Moscow Police Department to accept the Idaho Transportation Department, Office of Highway Safety, Highway Safety Grant FFY 2022 for \$100,000.

FISCAL IMPACT

\$25,000 Match - Cash and In-Kind included in FY2021-22 Budget

PERSONNEL IMPACT

Police, Finance, and Grants

ATTACHMENTS

1. OHS HSG 2022



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 7129 • Boise, ID 83707-1129
(208) 334-8000 • itd.idaho.gov

August 30, 2021

Capt. Roger Lanier
Moscow Police Department
118 East 4th St
Moscow, ID 83843

RE: OHS Highway Safety Grant FFY 2022

Dear Capt. Lanier,

In February 2021 the Office of Highway Safety (OHS) received your grant application for a Federal Fiscal Year (FFY) 2022 highway safety grant. The application has been reviewed and was recommended for approval by the Idaho Traffic Safety Commission (ITSC). The grant was included in the Highway Safety Plan and approved by the Idaho Transportation Board July 2021.

This agreement is funded under the NHTSA (National Highway Traffic Safety Administration) Federal grant program. Funding of this agreement is dependent upon the availability of federal funds as appropriated and obligated by the US Department of Transportation for FFY 2022.

The Federal Fiscal Year 2022 (FFY22) is October 1, 2021 through September 30, 2022. You will receive a formal grant agreement and upon signature of the agreement and associated documents, you will receive a notice to proceed at which time funds from the awarded grant may be expended.

The Office of Highway Safety appreciates your request and all that the Moscow Police Department does to keep Idaho's roads safe.

Sincerely,

Denise Dinnauer
Grants/Contracts Officer

Cc: Officer Eric Warner

Program Name: Moscow Police Department-Enforcement

State Program: SPT2203

Funding: \$100,000

Match: \$25,000

CFDA (Catalog Federal Domestic Assistance): 20.600

FAIN (Federal Award Identification Number): TBD

Program Description

The Idaho Transportation Department Office of Highway Safety (OHS) administers the Federal Highway Safety Grant Program, which is funded by formula, through the FAST-ACT, Fixing America's Surface Transportation Act. The goal of the program is to eliminate death and serious injuries resulting from motor vehicle crashes by implementing programs designed to address and change driver behavior. The purpose of the program is to provide grant funding at the state and community level for a highway safety program that addresses Idaho's own unique circumstances and particular highway safety needs. Any use of funds must support data-driven state traffic safety goals and highway safety countermeasures.

Development of State Highway Safety Plan

Traffic Safety Problem Identification

A "traffic safety problem" is an identifiable subgroup of drivers, pedestrians, vehicles, or roadways that is statistically higher in crash experience than is normally expected. Problem identification involves the study of relationships between crashes and the population, licensed drivers, registered vehicles and vehicle miles, as well as characteristics of specific subgroups contributing to crashes or resulting in fatalities or injuries.

The Strategic Highway Safety Plan (SHSP) is implemented and approved by the ITD Board. The SHSP is the guiding document, for the Highway Safety Plan (HSP). The strategies outlined in the SHSP will help the State of Idaho attain the goal of *"Toward Zero Deaths"*.

The statewide identification of traffic safety problems begins initially by evaluating Idaho's experience in each of the National Highway Traffic Safety Administration's (NHTSA) highway safety priority areas. These highway safety priority areas are:

- a. Impaired Driving
- b. Occupant Protection
- c. Aggressive Driving / Speeding
- d. Pedestrian & Bicycle Safety
- e. Traffic Records
- f. Police Traffic Services
- g. Motorcycle Safety
- h. Youthful and Mature Drivers
- i. Distracted Driving

These program areas are determined by NHTSA to be most effective in reducing motor vehicle crashes, injuries, and deaths. Consideration for other potential traffic safety problem areas come from problems identified by the Idaho Traffic Safety Commission (ITSC) members, OHS staff, and by research proven projects.

The OHS uses statistical analysis for problem identification. Comparison data is developed, where possible, on costs of crashes, numbers of crashes, and the numbers of deaths and injuries. Supplementary data is gathered from the Idaho State Collision Database on helmet use for motorcycles and bicycles, child safety restraint use and seat belt use, as well as from available violation, suspension, and arrest information.

Problem or focus area reduction goals and performance measures are selected on the basis of the severity of the problem, economic costs, availability of grantee agencies to conduct successful programs, and other supportable conclusions drawn from the traffic safety problem identification process.

Project Development

The annual project selection process begins by notifying state and local public agencies involved in traffic-related activities of grant funding availability. A Request for Application, reflecting the focus areas considered for funding, is released each January. Grant applicants must complete and submit the grant application in accordance with the information in the ROA.

Once the application period has closed, potential projects are sorted according to the focus area most closely fitting the project. The OHS staff develops priority and funding recommendations using a criterion for assessing each project's potential to:

- Eliminate traffic deaths and serious injuries
- Improve the operation of an important traffic safety system
- Integrate as part of a community-wide crash elimination project
- Increase the coordination of efforts between several traffic safety agencies
- Past agency performance when recommending funding for future projects

Sub-grantee funding recommendations are incorporated into the Highway Safety Plan (HSP) document and presented to the ITSC each spring for acceptance. The Idaho Transportation Department (ITD) Board approves the final HSP document in June for the NHTSA July 1 application deadline.



Month	Activity
December/January	Request for Application is published by the OHS
End of February	Grant Application is due to OHS from applicant agency
March-May	OHS staff reviews applications, and compiles a statewide program that best addresses highway safety problems within budget limitations
May	OHS staff presents recommended grants to ITSC in a Draft Highway Safety Plan for approval
June	ITD Board reviews and approves the Highway Safety Plan
July	NHTSA reviews and approves the Highway Safety Plan
October, or when funding becomes available	OHS Grant Officer completes grant documents with input from grantee, then notifies the grant recipient that funding is available to begin the grant.
15 th of Jan, April, July	Quarterly reports due
October 15	Final Evaluation Report Due and all claims submitted.

Grant Agreement and Risk Assessment

OHS staff will conduct a risk assessment of sub-grantees. Upon completion of the Risk Assessment, the Risk Assessment is signed by both parties and a copy is provided to the sub-grantee.

The grant agreement and copies of the agreement forms are provided to the sub-grantees. The sub-grantee is provided with a copy of the Grant Procedure Manual and advised of the fiscal procedures, grant controls, and management practices needed to meet federal grant requirements.

The grant manager agrees to comply with requirements of both the grant agreement and the Grant Procedure Manual. Periodic changes and additions in the manual may be necessary to meet changing federal or state laws, or to improve program management and fiscal procedures. OHS will notify the grant manager in writing of any such changes or additions.

When a grant agreement is finalized, the original document is signed by the authorizing official of the sub-grantee agency, the assigned grant manager, and then by the Highway Safety Manager (HSM) of the OHS. The signature of the authorizing official indicates the sub-grantee agency agreement adheres to the conditions set forth in the contract, and acknowledges acceptance of the terms and conditions specified in this manual as part of the grant agreement. The original copy is retained at OHS. A copy is returned to the sub-grantee grant manager. The sub-grantee agency may not proceed with any expenditure associated with the grant until the grant manager receives a “notice to proceed” to begin grant activity issued by OHS.

Grant Requirements

Once the grant has been approved and becomes effective, OHS will reimburse the sub-grantee for expenditures related to the approved grant activities. The objectives outlined in the grant document are to be accomplished during the grant period, and within the cost guidelines set forth in the budget. **Costs incurred before the effective date or after the ending date of the grant period will not be eligible for reimbursement. Reimbursement of costs claimed will not exceed the federal funds awarded.**

Reimbursement is contingent upon sub-grantee compliance with grant requirements, and sufficient funding appropriated by the federal government and obligated by the state highway safety program. The OHS makes neither representation nor guarantee regarding the availability of federal highway safety funds for first or subsequent year funding.

Federal Regulations Governing OHS Grants

The expenses and costs, which are eligible for reimbursement under the highway safety program, are those stipulated in the grant budget. To be allowable, **costs must be necessary, reasonable, and allocable**. Federal funds must be expended according to the appropriate statutes or grant regulations. Grant management rules compel governmental units to monitor sub-awards insuring compliance with applicable federal requirements and cost principles.

Grant guidelines can be found at the following website: <https://www.nhtsa.gov/highway-safety-grants-program>

Highway Safety Grants Management Resources

Federal grant management requirements are passed on to your agency when receiving highway safety funds. The OHS will be at least as restrictive as the requirements of 2 CFR Part 200. In some cases, such as the due dates for the final report and final claim, OHS is more restrictive in order to allow time for OHS to submit its reports to the federal agencies.

Audit

The Office of Management and Budget 2 CFR 200.501 provides audit requirements for agencies receiving financial assistance.

Certifications and Assurances for Fiscal Year 2022 Highway Safety Grants

(23 U.S.C. Chapter 4; Sec. 1906, Pub. L. 109-59, As Amended By Sec. 4011, Pub. L. 114-94)

By submitting an application for Federal grant funds under 23 U.S.C. Chapter 4 or Section 1906, the Agency acknowledges and agrees to the following conditions and requirements. In my capacity as the Agency's Representative, I hereby provide the following Certifications and Assurances: GENERAL REQUIREMENTS The Agency will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4 – Highway Safety Act of 1966, as amended
- Sec. 1906, Pub. L. 109-59, as amended by Sec. 4011, Pub. L. 114-94
- 23 CFR part 1300 – Uniform Procedures for State Highway Safety Grant Programs
- 2 CFR part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
- 2 CFR part 1201 – Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) The Agency will comply with FFATA guidance, OMB Guidance on FFATA Subaward and Executive Compensation Reporting, August 27, 2010, (https://www.fsrs.gov/documents/OMB_Guidance_on_FFATA_Subaward_and_Executive_Compensation_Reporting_08272010.pdf) by reporting to FSRS.gov for each sub-grant awarded:
- Name of the entity receiving the award;
- Amount of the award;

Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance (CFDA) number (where applicable), program source;

•Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; and an award title descriptive of the purpose of each funding action;

•A unique identifier (DUNS);

•The names and total compensation of the five most highly compensated officers of the entity if:

(i)the entity in the preceding fiscal year received—

(I)80 percent or more of its annual gross revenues in Federal awards;

(II)\$25,000,000 or more in annual gross revenues from Federal awards; and

(ii)the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the

Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;

- Other relevant information specified by OMB guidance.

NONDISCRIMINATION

The agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination ("Federal Nondiscrimination Authorities"). These include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 78 stat. 252),(prohibits discrimination on the basis of race, color, national origin) and 49 CFR part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. 324 et seq.), and Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686)(prohibit discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 et seq.), as amended,(prohibits discrimination on the basis of disability) and 49 CFR part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 et seq.), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (Pub. L. 100-209), (broadens scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- Titles II and III of the Americans with Disabilities Act (42 U.S.C. 12131-12189)(prohibits discrimination on the basis of disability in the operation of public entities, testing) and 49 CFR parts 37 and 38; •Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (prevents discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations); and
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (guards against Title VI national origin discrimination/discrimination because of limited English proficiency (LEP) by ensuring that funding recipients take reasonable steps to ensure that LEP persons have meaningful access to programs (70 FR 74087-74100).

The agency—

- Will take all measures necessary to ensure that no person in the United States shall, on the grounds of race, color, national origin, disability, sex, age, limited English proficiency, or membership in any other class protected by Federal Nondiscrimination Authorities, be excluded from participation in, be denied

the benefits of, or be otherwise subjected to discrimination under any of its programs or activities, so long as any portion of the program is Federally-assisted;

- Will administer the program in a manner that reasonably ensures that any of its subrecipients, contractors, subcontractors, and consultants receiving Federal financial assistance under this program will comply with all requirements of the Non-Discrimination Authorities identified in this Assurance;

- Agrees to comply (and require its subrecipients, contractors, subcontractors, and consultants to comply) with all applicable provisions of law or regulation governing USDOT's or NHTSA's access to records, accounts, documents, information, facilities, and staff, and to cooperate and comply with any program or compliance reviews, and/or complaint investigations conducted by US DOT or NHTSA under any Federal Nondiscrimination Authority;

- Acknowledges that the United States has a right to seek judicial enforcement with regard to any matter arising under these Non-Discrimination Authorities and this Assurance;

- Agrees to insert in all contracts and funding agreements with other State or private entities the following clause:

"During the performance of this contract/funding agreement, the contractor/funding recipient agrees—

- a. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time;

Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in appendix B of 49CFR part 21 and herein;

- c. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the Agency, ITD, US DOT or NHTSA;
- d. That, in event a contractor/funding recipient fails to comply with any nondiscrimination provisions in this contract/funding agreement, the State highway safety agency will have the right to impose such contract/agreement sanctions as it or NHTSA determine are appropriate, including but not limited to withholding payments to the contractor/funding recipient under the contract/agreement until the contractor/funding recipient complies; and/or cancelling, terminating, or suspending a contract or funding agreement, in whole or in part; and
- e. To insert this clause, including paragraphs (a) through (e), in every subcontract and sub-agreement and in every solicitation for a subcontract or sub-agreement, that receives Federal funds under this program.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103) The agency will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;

2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –
1. Abide by the terms of the statement;
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;

Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted –

1. Taking appropriate personnel action against such an employee, up to and including termination;
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)

The agency will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds. CERTIFICATION REGARDING FEDERAL LOBBYING (applies to subrecipients as well as States) Certification for Contracts, Grants, Loans, and Cooperative Agreements The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal. CERTIFICATION REGARDING DEBARMENT AND SUSPENSION Instructions for Primary Tier Participant Certification (States)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the

department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.

4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies

available to the Federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters-Primary Tier Covered Transactions

(1) The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offense set numerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 CFR parts 180 and 1200.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded, as used in this clause, are defined in 2 CFR parts 180 and 1200. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 CFR parts 180 and 1200.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA ACT

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

SECTION 402 REQUIREMENTS

1. To the best of my personal knowledge, the information submitted in the Highway Safety Plan in support of the State's application for a grant under 23 U.S.C. 402 is accurate and complete.

2. The Governor is the responsible official for the administration of the State highway safety program, by appointing a Governor's Representative for Highway Safety who shall be responsible for a State highway safety agency that has adequate powers and is suitably equipped and organized (as evidenced by appropriate oversight procedures governing such areas as procurement, financial administration, and the use, management, and disposition of equipment) to carry out the program. (23 U.S.C. 402(b)(1)(A))
3. The political subdivisions of this State are authorized, as part of the State highway safety program, to carry out within their jurisdictions local highway safety programs which have been approved by the Governor and are in accordance with the uniform guidelines promulgated by the Secretary of Transportation. (23 U.S.C. 402(b)(1)(B))
4. At least 40 percent of all Federal funds apportioned to this State under 23 U.S.C. 402 for this fiscal year will be expended by or for the benefit of political subdivisions of the State in carrying out local highway safety programs (23 U.S.C. 402(b)(1)(C)) or 95 percent by and for the benefit of Indian tribes (23 U.S.C. 402(h)(2)), unless this requirement is waived in writing. (This provision is not applicable to the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)
5. The State's highway safety program provides adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks. (23 U.S.C. 402(b)(1)(D))
6. The State will provide for an evidenced-based traffic safety enforcement program to prevent traffic violations, crashes, and crash fatalities and injuries in areas most at risk for such incidents. (23 U.S.C. 402(b)(1)(E))
7. The State will implement activities in support of national highway safety goals to reduce motor vehicle related fatalities that also reflect the primary data-related crash factors within the State, as identified by the State highway safety planning process, including:
 - Participation in the National high-visibility law enforcement mobilizations as identified annually in the NHTSA Communications Calendar, including not less than 3 mobilization campaigns in each fiscal year to
 - Reduce alcohol-impaired or drug-impaired operation of motor vehicles; and
 - Increase use of seat belts by occupants of motor vehicles;
 - Submission of information regarding mobilization participation into the HVE Database;
 - Sustained enforcement of statutes addressing impaired driving, occupant protection, and driving in excess of posted speed limits;
 - An annual Statewide seat belt use survey in accordance with 23 CFR part 1340 for the measurement of State seat belt use rates, except for the Secretary of Interior on behalf of Indian tribes;
 - Development of Statewide data systems to provide timely and effective data analysis to support allocation of highway safety resources;

- Coordination of Highway Safety Plan, data collection, and information systems with the State strategic highway safety plan, as defined in 23 U.S.C. 148(a).(23 U.S.C. 402(b)(1)(F))
8. The State will actively encourage all relevant law enforcement agencies in the State to follow the guidelines established for vehicular pursuits issued by the International Association of Chiefs of Police that are currently in effect. (23 U.S.C. 402(j))
 9. The State will not expend Section 402 funds to carry out a program to purchase, operate, or maintain an automated traffic enforcement system. (23 U.S.C. 402(c)(4))

I understand that my statements in support of the State's application for Federal grant funds are statements upon which the Federal Government will rely in determining qualification for grant funds, and that knowing misstatements may be subject to civil or criminal penalties under 18 U.S.C. 1001. I sign these Certifications and Assurances based on personal knowledge, and after appropriate inquiry.

Signature _____ **Date** _____

Printed Name _____

Agency _____

COMMITTEE STAFF REPORT

DATE: Monday, October 4, 2021



RESPONSIBLE STAFF

Bill Belknap, Deputy City Supervisor, Community Planning and Design

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

n/a

AGENDA ITEM TITLE

Rolling Hills 9th Addition Development Agreement - Todd Drage

DESCRIPTION

Ryan Itani, on behalf of Itani Land Company LLC, has submitted to the City a final plat for the development of a property east of the intersection of 3rd St. and 6th St and just south of Moser Park. On June 21, 2021, the City Council approved the preliminary plat for this property. The final plat is titled Rolling Hills 9th Addition and will be presented for City Council approval on October 4th. If the final plat is approved by the City Council, a development agreement is necessary to address construction of public improvements, parkland dedication, and as-constructed drawings. The agreement included in the packet covers these items. This item was reviewed by the Public Works Finance Committee on September 27, 2021 and was recommended for approval.

STAFF RECOMMENDATION

Approve the Development Agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

PROPOSED ACTIONS

PROPOSED ACTIONS: Approve the Development Agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

FISCAL IMPACT

n/a

PERSONNEL IMPACT

n/a

ATTACHMENTS

1. 2021-09-21-Rolling Hills 9th - Development Agreement_final

**DEVELOPMENT AGREEMENT
BETWEEN ITANI LAND COMPANY LLC
AND CITY OF MOSCOW, IDAHO**

THIS DEVELOPMENT AGREEMENT BETWEEN ITANI LAND COMPANY LLC AND THE CITY OF MOSCOW, IDAHO is entered into this ____ day of September, 2021, by and between Itani Land Company LLC, whose address is 1515 SW Wadleigh Street, Pullman, Washington, 99163 (hereinafter “DEVELOPER”), and the City of Moscow, Idaho, a municipal corporation of the State of Idaho, 206 East Third Street, Moscow, Idaho, 83843 (hereinafter “CITY”);

W I T N E S S E T H :

WHEREAS, DEVELOPER desires to develop property to be known as Rolling Hills 9th; and

WHEREAS, DEVELOPER understands that improvements required herein are standards required pursuant to Moscow City Code Title 5, Chapter 1 and are authorized by Idaho Code Sections 67-6513 and 67-6518; and

WHEREAS, DEVELOPER and CITY believe that, without the public improvements required herein, CITY would not be able to otherwise provide for mitigation of the effects of the subdivision development on the ability of CITY to deliver services, without compromising quality of such service delivery to current City residents, or without imposing substantial additional costs upon current City residents to accommodate the proposed subdivision; and

WHEREAS, CITY desires to ensure that public improvements, consisting of water mains, fire hydrants, water services, sanitary sewer mains and stubs, storm sewer mains and stubs, storm water detention facilities, street lighting, franchise utilities, erosion control, streets, paving, curbs, traffic control devices, and sidewalks are constructed; and

WHEREAS, DEVELOPER understands that a waiver of public improvements is available pursuant to the Moscow City Code, but DEVELOPER specifically does not wish to request such a waiver and wishes to enter into this Agreement; and

WHEREAS, DEVELOPER enters into this Agreement of DEVELOPER’s own free will and accord, without coercion, without inducement, and at DEVELOPER’s request; and

WHEREAS, DEVELOPER has read this Agreement, has understood it, and has had the opportunity to avail itself of legal and other counsel prior to entering into this Agreement and prior to signing it;

NOW, THEREFORE, DEVELOPER and CITY hereby agree as follows:

I. PROPERTY AFFECTED.

This Agreement affects property to be known as Rolling Hills 9th more particularly described as follows:

A parcel of land located in the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of Section 9, Township 39 North, Range 5 West of the Boise Meridian, City of Moscow, Latah County, Idaho, described as follows:

COMMENCING at the southwest corner of Section 9; Thence N 70°59'02" E, 2414.62 feet to northeast corner of Lot 1, Block 4, Rolling Hills 8th Addition according to the recorded plat thereof, said point being the **POINT OF BEGINNING**;

Thence along the south right of way line of platted 3rd Street of said addition, S 89°32'26" E, 69.86 feet;

Thence along the east line of said Addition, N 00°05'13" E, 70.00 feet the southeast corner of Lot 10, Block 2, Rolling Hills 8th Addition, as shown on the recorded plat thereof;

Thence along the east line of said Lot, N 00°04'04" W, 114.25 feet to the northeast corner of said Lot;

Thence along the south line of the parcel described in Warranty Deed Inst. No. 540586, S 89°35'28" E, 291.80 feet to a point on the east line of the southeast quarter of the southwest quarter of Section 9;

Thence along said east line, S 00°20'03" W, 164.65 feet to the southwest corner of Moser Park as described in Deed of Dedication Inst. No. 412761, Latah County records;

Thence along the south line of Moser Park, N 60°06'22" E, 30.43 feet;

Thence leaving said parcel, S 00°24'45" W, 34.97 feet;

Thence S 04°08'16" E, 118.47 feet to a point on the north line of Lot 3, Block 1, Rolling Hills 7th Addition according to the recorded plat thereof;

Thence along the north line of said Addition, S 89°09'29" W, 54.96 feet;

Thence continuing along the north line of said Addition, N 89°29'50" W, 290.89 feet to the east corner of the parcel described in Warranty Deed Inst. No. 600631;

Thence along the northeast line of said parcel, N 53°16'58" W, 62.42 feet to the southeast corner of Lot 1, Block 4, Rolling Hills 8th Addition according to the recorded plat thereof;

Thence along the east line of said Lot, N 00°22'39" E, 81.94 feet to the **POINT OF BEGINNING**.

Containing 2.30 acres more or less.

II. PUBLIC IMPROVEMENTS.

DEVELOPER agrees to install, at DEVELOPER's expense, within the subdivision, public improvements and appurtenances required by Moscow City Code Sections 5-1-4 and 5-1-5, including, but not limited to, water mains, valves, fire hydrants, water services, sanitary sewer mains and stubs, storm sewer mains and stubs, storm water detention facilities, street lighting, franchise utilities, erosion control, streets, paving, curbs, traffic control devices (to include but not be limited to stop signs and street signs), and sidewalks; all in

accordance with CITY Standards duly adopted by Resolution of the City Council and in accordance with approved engineering plans.

III. TERM.

This Agreement shall remain in full force and effect in accordance with all of its terms and conditions as follows:

- A. Until all public improvements have been completed and accepted by CITY; and
- B. Until the warranty period for public improvements has expired; and
- C. Until all development fees, as required and assessed by CITY, have been paid in full.

IV. CITY'S COVENANT.

CITY shall issue building permits to DEVELOPER's property only after the following have occurred:

- A. Payment of all applicable developmental fees required and assessed by CITY; and
- B. CITY has determined that the construction of all required public improvements is complete or after adequate security, as described in Moscow City Code Section 5-1-10 and as described in Sections VI, VII and VIII herein, has been provided to ensure construction and warranty repairs of the required public improvements; and
- C. Compliance with applicable CITY permit issuance requirements.

V. DEVELOPER'S COVENANT.

- A. DEVELOPER agrees to construct, at DEVELOPER's expense, the public improvements described in Section II of this Agreement, all in accordance with CITY approved engineering design plans, to CITY standards, during and under the terms of this Agreement; and
- B. DEVELOPER agrees to furnish to CITY, at DEVELOPER's expense, engineering design plans (for the required public improvements) prepared by an Idaho Licensed Professional Engineer. Such plans shall be approved by the Moscow City Engineer prior to beginning any public improvements' construction; and
- C. DEVELOPER agrees that DEVELOPER shall construct the public improvements described in Section II of this Agreement, within twelve (12) months from the date of the issuance of the first building permit in the development; and
- D. If DEVELOPER fails to complete installation of the required public improvements within twelve (12) months from the date of the issuance of the first building permit, to CITY standards and as per the approved plans, CITY shall revoke occupancy of

the entire development and shall revoke any applicable permit issued to DEVELOPER by CITY.

VI. SECURITY FOR IMPROVEMENTS.

In lieu of DEVELOPER's construction and installation of all public improvements required herein, and CITY'S acceptance of such for ownership and maintenance, CITY agrees that, upon receipt of the adequate security described in Moscow City Code Section 5-1-10, it will issue building permits (upon payment of all CITY development fees and satisfaction of Moscow City Code requirements) for DEVELOPER's development. If DEVELOPER fails to complete installation of the public improvements as required by CITY within twelve (12) months from the date of the issuance of the first building permit in the development, CITY may utilize the security and cause the improvements to be made or CITY may cause improvements to be made and attach a lien on the property in the amount of CITY expense incurred as a result of DEVELOPER's failure to comply with this Agreement. Any engineering or construction costs in excess of the security shall be borne by DEVELOPER. Any additional construction services that shall be performed subject to the laws of the State of Idaho, relative to public works contracting and bidding, shall be borne by DEVELOPER.

VII. FORM OF SECURITY.

DEVELOPER agrees to provide security for the public improvements in the amount to be determined by the City Engineer. This security shall be in the form of cash, construction bond, irrevocable letter of credit from a certified bank or financial institution, or such other form of security acceptable to CITY. Such security shall be provided to CITY prior to the issuance of building permits by CITY. The security must be effective for a minimum period of one (1) year from the date of the issuance of the first building permit in the development. If this security is in the form of an irrevocable letter of credit or bond, the secured improvements shall be constructed at least ninety (90) days prior to the expiration date of the security. If the public improvements identified and described in Section II are not completed within twelve (12) months from the issuance of the first building permit in the development, CITY may claim the security and complete the said improvements using the security. The amount of the security may, from time to time, be modified as deemed appropriate by the City Engineer as conditions warrant.

If for any reason the security for such improvements shall be withdrawn by DEVELOPER or the security or financial institution, or the value or terms thereof shall be compromised in any way, CITY shall immediately cease issuing building permits and shall revoke any building permits and/or occupancy permits issued pursuant to the terms contained herein, and further, DEVELOPER shall hold CITY harmless for any and all causes of action or damages alleged to have been sustained because of the revocation of such building permits. If any building permits and/or occupancy permits are revoked pursuant to this Section, such building permits and/or occupancy permits shall be re-issued upon receipt by CITY of new or additional security as required herein.

VIII. WARRANTY.

- A. All required public improvements, once constructed and accepted by CITY for ownership and maintenance, shall remain free of defects in materials and workmanship for a period of one (1) year following the date of CITY's written acceptance of such required public improvements (i.e., warranty period).
- B. DEVELOPER shall be responsible for correcting any and all deficiencies which occur within the one (1) year warranty period.
- C. Prior to issuance of any building permit in the development, a warranty Security or performance bond in the amount of fifteen percent (15%) of the estimated value of the required public improvements, as determined by the City Engineer, shall be furnished to CITY by the DEVELOPER. This warranty Security shall be held by the CITY, or shall name the CITY as a holder of the warranty or as the beneficiary of the bond, and shall be in effect for a minimum period of one (1) year from the date of CITY's written acceptance of the public improvements described in Section II of this Agreement.
- D. If DEVELOPER fails to correct all deficiencies within a reasonable amount of time, CITY may claim the warranty Security and correct the deficiencies.
- E. The warranty Security may be in any form allowed under Section VII of this Agreement.

IX. PARKLAND DEDICATION.

As part of the subdivision process, this proposed lot division falls under the following requirements of parkland dedication codes of the City:

Parkland dedication has been previously satisfied for this subdivision with the previous dedication of Itani Park.

X. PHASING.

No phasing has been proposed for this addition.

XI. AS-CONSTRUCTED DRAWINGS.

DEVELOPER agrees to furnish, prior to acceptance by CITY of the public improvements as required herein, one (1) set of complete, mylar, final as-constructed drawings for the public improvements described herein, unless such requirement is waived by the City Engineer.

XII. FAILURE TO COMPLY.

DEVELOPER agrees to pay all expenses incurred by CITY in enforcing this Agreement.

XIII. BINDING ON HEIRS, ASSIGNS AND PURCHASER.

This Agreement shall be binding upon the heirs, executors, administrators, and assignees of the Parties, and subsequent purchasers of and/or within the property described herein.

XIV. OCCUPANCY.

DEVELOPER agrees that no person shall be allowed to occupy any part of the development for any purpose until the described public improvements are completed and accepted by CITY for maintenance or as otherwise provided for by a subsequent development agreement between the Parties.

XV. VENUE AND ATTORNEY FEES.

The Parties agree that, should any provision of this Agreement be litigated in the future, venue for such litigation shall be with the District Court of the Second Judicial District of the State of Idaho in and for the County of Latah. In the event either Party incurs legal expenses to enforce the terms and conditions of this Agreement, the prevailing Party is entitled to recover attorney's fees and other costs and expenses, whether the same are incurred with or without a lawsuit.

XVI. MODIFICATION.

DEVELOPER and CITY agree that the provisions of this Agreement may be modified only upon request of DEVELOPER accompanied by a complete set of development plans, and acceptance of such modification by the Moscow City Council or by a subsequent development agreement between the Parties.

XVII. COVENANTS TO RUN WITH LAND.

This Agreement shall run with the land affected hereby, as shall all covenants contained herein, and shall be to the benefit of CITY, its successors and assigns. This Agreement shall be recorded with the Latah County Recorder.

XVIII. NOTICES.

Any notice required or called for by this Agreement shall be deemed served upon the Party to whom it is sent when delivered by certified United States mail to the following addresses:

DEVELOPER

Itani Land Company LLC
1515 Wadleigh St.
Pullman, WA, 99163
Phone: 509-338-5147

CITY

City of Moscow, Idaho
Scott Bontrager, City Engineer
P O Box 9203
Moscow, ID 83843

Phone: (208) 883-7000
Facsimile: (208) 883-7018

XIX. UNDERSTANDING.

DEVELOPER has read and understood this Agreement and agrees with the contents and conditions thereof. DEVELOPER understands that the terms of this Agreement are contractually and legally binding and that no verbal statement to the contrary, by any person, can void or alter the terms of this Agreement. Specifically, DEVELOPER has had the opportunity to avail itself of legal counsel and of other counsel before entering into this Agreement and before signing it, and hereby enters into it knowingly, voluntarily, willingly, and without inducement.

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective the date first above written.

DEVELOPER:
Itani Land Company LLC

CITY:
City of Moscow, Idaho

Rafik Itani, Manager

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

STATE OF _____)
) ss:
COUNTY OF _____)

On this ____ day of _____, 2021, before me, the undersigned, a Notary in and for said State, personally appeared Rafik Itani known to me to be the owner of the affected property.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year herein above written.

Notary Public for the State of Idaho
Residing at _____
My commission expires _____

Attachment A

T 39 N, R 5 W, S 9

ROLLING HILLS 9th ADDITION

LOTS 1-4 BLK 1, LOTS 1-6 BLK 2,
SW 1/4 OF SECTION 9, T39N, R5W, BOISE MERIDIAN
CITY OF MOSCOW, LATAH COUNTY, IDAHO

LEGAL DESCRIPTION

A parcel of land located in the southeast quarter of the southwest quarter of the southeast quarter of Section 9, Township 39 North, Range 5 West of the Boise Meridian, City of Moscow, Latah County, Idaho, described as follows:

COMMENCING at the southwest corner of Section 9, Thence N 70°59'02" E, 241.42 feet to northeast corner of said section, thence along the north line of said section to the recorded plat thereof, said point being the **POINT OF BEGINNING**.

Thence along the south right of way of lot 3 of said section, S 89°42'26" E, 69.86 feet; Block 2, Rolling Hills 9th Addition, as shown on the recorded plat thereof.

Thence along the east line of said lot, N 00°04'04" W, 114.25 feet to the northwest corner of said lot; thence along the north line of said lot, S 89°42'26" E, 69.86 feet to the northeast corner of said lot; thence along said east line, S 00°20'03" W, 164.65 feet to the southwest corner of Mosier Park as shown on the recorded plat thereof.

Thence along the south line of Mosier Park, N 00°02'22" E, 30.03 feet; Thence leaving said parcel, S 00°24'40" W, 34.97 feet;

Thence along the north line of said Addition, S 89°03'29" W, 54.96 feet;

Thence continuing along the north line of said Addition, S 89°29'57" W, 250.00 feet to the east corner of said Addition, thence along the east line of said Addition, S 89°29'57" W, 250.00 feet to the southeast corner of lot 1, Block 4, Rolling Hills 9th Addition according to the recorded plat thereof;

Thence along the east line of said lot, N 00°22'39" E, 61.94 feet to the **POINT OF BEGINNING**.

Containing 2.30 acres more or less.

CITY OF MOSCOW COUNCIL

Examined and approved by action of the Moscow City Council at a regular meeting with a quorum present and held on the _____ day of _____, 2021, and the foregoing plat was duly recorded and provided thereunto in accordance with Section 50-1313, Idaho Code.

Mayor, City of Moscow _____

City Clerk _____

LATAH COUNTY SURVEYOR

This plat has been checked and meets the requirements of Title 50, Chapter 30, Idaho Code. Examined and approved by the Latah County Surveyor this _____ day of _____, 2021.

Latah County Surveyor _____

LATAH COUNTY TREASURER

I hereby certify that taxes and assessments on property shown hereon have been paid for 2021 and preceding years as of this _____ day of _____, 2021.

Latah County Treasurer _____

NORTH CENTRAL HEALTH DISTRICT

Sanitary Restriction satisfied, Title 50, Chapter 13, Idaho Code.

North Central Health District _____

Date _____

CITY OF MOSCOW ENGINEER

Examined and approved by the City of Moscow Engineer this _____ day of _____, 2021.

City Engineer, City of Moscow _____

VICINITY MAP
Not to Scale

DEDICATION

Know by all these persons that the Development IV, Inc., a Washington Corporation, has dedicated the land and premises included in this plat as an addition to the City of Moscow, Idaho, to be known as ROLLING HILLS No. 9 ADDITION. The undersigned do hereby declare their intention to dedicate for the use and benefit of the City of Moscow, Idaho, the land shown hereon and to receive water service from the City of Moscow's municipal water system, per Chapter 50-1313(4)(2), Idaho Code.

In witness thereof, the undersigned have set their hand,

_____ Date _____
Ralph Horn, President

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF LATAH

On this _____ day of _____, 2021, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared _____

known by me to be the person whose name is subscribed to the foregoing, and acknowledged to me that he executed this same.

Notary Public _____

Residing in _____

My commission expires _____

CITY OF MOSCOW PLANNING & ZONING

Approval of this plat by the City of Moscow certifies agreement to allow dedication and dedication of the property to the municipal water system and satisfies Section 50-1334, Idaho Code.

Examined and approved by action of the Moscow Planning and Zoning Commission at a regular meeting with a quorum present this _____ day of _____, 2021.

Chairperson, Planning & Zoning Commission _____

SURVEYOR CERTIFICATION

This map correctly represents a survey made by me or under my direct supervision in accordance with the provisions of the Idaho Surveying Act, and the survey was completed on the _____ day of _____, 2021.

Professional Land Surveyor

Michael J. Horn - Latah Professional Land Surveyor

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF LATAH

RECORDED AT THE REQUEST OF _____

AT _____ THIS _____ DAY OF _____

RECORDER _____

DEPUTY _____

SHEET

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2

OF

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OF

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OF

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OF

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COMMITTEE STAFF REPORT

DATE: Monday, October 4, 2021



RESPONSIBLE STAFF

Bill Belknap, Deputy City Supervisor, Community Planning and Design

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

n/a

AGENDA ITEM TITLE

Rolling Hills 9th Addition Monumentation Agreement - Todd Drage

DESCRIPTION

Ryan Itani, on behalf of Itani Land Company LLC, has submitted to the City a final plat for the development of a property east of the intersection of 3rd St. and 6th St and just south of Moser Park. On June 21, 2021, the City Council approved the preliminary plat for this property. The final plat is titled Rolling Hills 9th Addition and will be presented for City Council approval on October 4th. If Council approves the final plat, the interior property corners will not be set until after the final plat has been filed, the earthwork has been completed, and the utilities have been installed. In such instances, an agreement obligating the establishment of these interior corners is required by Idaho Code. This item was reviewed by the Public Works Finance Committee on September 27, 2021 and was recommended for approval.

STAFF RECOMMENDATION

Approve the monumentation agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

PROPOSED ACTIONS

PROPOSED ACTIONS: Approve the monumentation agreement with Itani Land Company LLC for Rolling Hills 9th Addition.

FISCAL IMPACT

n/a

PERSONNEL IMPACT

n/a

ATTACHMENTS

1. 2021-09-21-Rolling Hills 9th - Monumentation Agreement_final

**MONUMENTATION AGREEMENT
BETWEEN ITANI LAND COMPANY LLC., AND
CITY OF MOSCOW, IDAHO**

THIS MONUMENTATION AGREEMENT (hereinafter "Agreement") is entered into this ____ day of _____, 2021 by and between Itani Land Company LLC., an Idaho Limited Liability Company, 1515 SW Wadleigh Street, Pullman, Washington, 99163 (hereinafter "DEVELOPER"), and the City of Moscow, Idaho, a municipal corporation of the State of Idaho, 206 East Third Street, Moscow, Idaho, 83843 (hereinafter "CITY") for the purpose of subdividing real property within CITY.

W I T N E S S E T H :

WHEREAS, DEVELOPER is the owner of certain premises located in CITY, commonly known as Rolling Hills 9th; and

WHEREAS, DEVELOPER has not, at this time, set interior monuments as required by Idaho Code Section 50-1303; and

WHEREAS, DEVELOPER desires to record the final plat of Rolling Hills 9th; and

WHEREAS, Idaho Code Sections 50-1331 through 50-1333 allow the setting of interior monuments for subdivisions following the recording of the final plat; and

WHEREAS, the Parties mutually desire to ensure that such monuments be installed;

NOW THEREFORE, for and in consideration of the following mutual promises, DEVELOPER and CITY hereby agree and covenant as follows:

1. **PROPERTY AFFECTED:** Property which is subject to this Agreement is described as Rolling Hills 9th (hereinafter "Subdivision"), as shown by the plat herein incorporated by reference, see Attachment 'A'.
2. **PROFESSIONAL LAND SURVEYOR:** For the purpose of this Agreement, the Professional Land Surveyor (hereinafter "Surveyor") for the platting of Subdivision is Michael E. Dahlin, Idaho, PE/LS No. 17534 of Rim Rock Consulting, Moscow, Idaho
3. **CONDITIONS OF RECORDING WITHOUT MONUMENTATION:** Pursuant to Idaho Code Section 50-1333, DEVELOPER may record the final plat of Subdivision if:
 - A. The exterior monuments have been set;
 - B. The Subdivision plat includes a certification by Surveyor that the interior monuments for Subdivision shall be set in accordance with Idaho Code Section 50-1303, on or before a specified date and the said interior monuments shall be referenced on the

Subdivision plat with a unique symbol. The time for setting the interior monuments shall not exceed one (1) calendar year from the date the Subdivision plat is recorded or as otherwise specified by written agreement with CITY; and

- C. DEVELOPER furnishes to CITY a cash deposit in the amount equal to one hundred twenty percent (120%) of the estimated cost of performing the work for the interior monumentation for Subdivision. The estimated cost of performing such work will be determined by the Surveyor.
4. DEVELOPER'S COVENANT. DEVELOPER agrees as follows:
- A. To have installed, at DEVELOPER's expense, all interior monuments within the Subdivision, as required by Idaho law;
 - B. To have the interior monuments set by Surveyor, except as allowed otherwise under Section 7 of this Agreement;
 - C. To have installed all required interior monuments on or before the date specified on the Subdivision plat; and
 - D. To furnish CITY with a cash deposit in the amount of Three Thousand Four Hundred and Seventy One Dollars (\$3,471.00), which is equal to the one hundred twenty percent (120%) of the Two Thousand Eight Hundred Ninty Two Dollars and fifty cents (\$2,892.50) estimated by Surveyor to set Subdivision interior monuments.
5. CITY COVENANT. That upon the compliance of DEVELOPER with the terms and conditions of this Agreement, CITY shall advise the Latah County Recorder that the requirements of Idaho Code Sections 50-1331 through 50-1333 have been met and security in the amount of Three Thousand Four Hundred and Seventy One Dollars (\$3,471.00) has been deposited with CITY as required by Section 4. D. of this Agreement.
6. RETURN OF DEPOSIT. If DEVELOPER pays Surveyor for performing the interior monumentation work and furnishes CITY with proof of such payment, CITY shall, within two (2) months after such notice, return the cash deposit upon a finding that such payment has been made, or CITY may, upon written request of DEVELOPER, pay Surveyor from moneys within a cash deposit held by CITY for such purpose, and return the excess amount of the cash deposit, if any, to DEVELOPER.
7. FAILURE OF SURVEYOR TO PERFORM MONUMENTATION. In the event that the death, disability, retirement of Surveyor, or upon the failure of Surveyor to set such monuments in accordance with law, CITY may direct the County Surveyor in his or her official capacity, or may contract with an Idaho professional land surveyor in private practice, to set such monuments and reference such monuments for recording as provided in Idaho Code Sections 50-1331 through 50-1333. The fees of the County Surveyor or private surveyor shall be paid by DEVELOPER in accordance with the terms of this Agreement.

8. FAILURE OF DEVELOPER TO PAY FOR MONUMENTATION. In the event DEVELOPER fails or refuses to authorize the payment for interior monumentation, Surveyor may request payment from CITY, and upon inspection by CITY of such interior monumentation, CITY shall pay Surveyor from the proceeds of the cash deposit. Any costs associated with the installation of such monuments in excess of the security shall be borne by DEVELOPER.
9. TERM. This Agreement shall remain in effect until all monuments as described herein have been installed and accepted by CITY.
10. COVENANTS TO RUN WITH LAND. This Agreement shall run with the land and benefits and burdens herein described shall be binding on the parties, heirs, assigns and successors and interest.

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective the date first above written.

Developers

City of Moscow:

Rafik Itani
Itani Land Company LLC.

Bill Lambert, Mayor

ATTEST:

Laurie M. Hopkins, City Clerk

ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
COUNTY OF LATAH)

On this _____ day of _____, 2021, before me, the undersigned, a Notary in and for said State, personally appeared Rafik Itani, owner of the affected property.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove written.

NOTARY PUBLIC for the State of _____
Residing at _____
My Commission expires: _____

Attachment A

[illegible]

CITY COUNCIL STAFF REPORT

DATE: Monday, October 4, 2021



AGENDA ITEM TITLE

Appeal of Denial of Conditional Use Permit at 1400 E Seventh Street (ACTION ITEM) - Aimee Hennrich

RESPONSIBLE STAFF

Aimee Hennrich

REVIEWED BY

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

DESCRIPTION

On February 19, 2021, PI Tower Development LLC applied for a Conditional Use Permit (CUP) to construct an 80-foot-tall Wireless Communication Facility (WCF) that would resemble a church tower, located at 1400 E Seventh Street. The Board of Adjustment conducted a public hearing for the proposed CUP on March 29, 2021, and subsequently voted to deny the application. On April 16, 2021, the Community Planning and Design Department received an appeal letter from Wireless Policy Group on behalf of Parallel Infrastructure, stating that they wish to appeal the Board of Adjustment's decision to City Council.

On May 3, 2021, Council heard the appeal and remanded the matter back to the Board of Adjustment with the instruction to develop additional material information. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2. The Board of Adjustment conducted a public hearing to consider the Council's instructions and accept additional information on August 24, 2021, and subsequently voted to deny the application. On September 8, 2021, the Community Planning and Design Department received an appeal letter from Wireless Policy Group on behalf of Parallel Infrastructure, stating that they would like to appeal the Board of Adjustment's August 24, 2021, decision to deny the application to City Council.

STAFF RECOMMENDATION

Sustain the decision of the Board in whole or in part; or reverse the decision of the Board in whole or in part; or remand the matter in whole or in part to the Board with comments and/or instructions for further consideration by the Board; or take other action deemed appropriate.

PROPOSED ACTIONS

PROPOSED ACTIONS: Sustain the decision of the Board in whole or in part; or reverse the decision of the Board in whole or in part; or remand the matter in whole or in part to the Board with comments and/or instructions for further consideration by the Board; or take other action deemed appropriate

FISCAL IMPACT

No fiscal impact.

PERSONNEL IMPACT

ATTACHMENTS

1. Application Materials.1
2. pktBOA20210824

3. minBOA20210824
4. RCS -LUP2021-0017 - 1400 E 7th CUP Remand - BOA 08-24-21
5. minBOA20210830
6. NPH LUP2021-0017 - Remand 1400 E Seventh St CUP - BOA 8-24-21
7. NPM LUP2021-0038 -1400 7th St APP - CC 10-04-21
8. minBOA20210824 verbatim hearing only



VIA EMAIL AND OVERNIGHT DELIVERY

September 9, 2021

City Clerk
City of Moscow
206 E. 3rd St.
Moscow, ID 83843

Re: Appeal LUP2021-0017 – 1400 E 7th St Wireless Communication Facility – CUP - Remand

To the Moscow City Council:

Parallel Infrastructure (“**Applicant**”) appeals the Moscow Board of Adjustment’s (“**Board**”) Reasoned Statement of Relevant Criteria and Standards for the above noted matter, dated August 30, 2021 (“**Decision**”), in which the Board again denied Applicant’s request for a Conditional Use Permit (“**CUP**”) for an eighty-foot (80’) wireless telecommunications facility (“**WCF**”) camouflaged as a church bell tower.

Pursuant to Moscow City Code (“**MCC**”) 4-8-5(B)(2), Applicant respectfully requests the Council to reverse the Decision in whole because it is not founded upon facts in the record or sound reason and practical application of recognized principles of law.

Basis for Appeal

The single basis for the Board’s second denial of Applicant’s WCF Conditional Use Permit is that “... the proposed WCF is not consistent with

the existing character of the uses within the surrounding neighborhood." When the Applicant appealed the Board of Adjustment's first denial to the Moscow City Council, the Council remanded the matter back to the Board of Adjustment to take evidence on one issue: **"To develop additional material information. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2".**

The Applicant researched the feasibility of the Council's requests and presented the following to the Board of Adjustment at the remand hearing:

DIAMETER- As the overview diagram of the interior of the tower (attached as Exhibit 1) shows, the antennas anticipated to be installed by AT&T are arrayed in a traditional 3-sided configuration. They are secured to a triangular platform with mounts that allow the antennas to be tilted up and down and side to side to direct the signal where that particular carrier needs to aim it to address their coverage objectives. The coverage from this AT&T configuration is focused to the north, the southwest and the southeast. As the diagram illustrates, the edges of the antennas are nearly flush with the outer walls of the tower structure, giving no room to reduce the overall diameter of the tower. Having a four-sided tower, as is currently proposed, is also important because each carrier has a different network configuration which may require that triangular platform to be rotated differently from the AT&T configuration shown. This rotation capability would be needed if, for example, the next carrier's coverage objectives were south, northwest and northeast. Having a three-sided tower would make it difficult to accommodate these directional needs of additional carriers.

The city's goal of requiring space for collocation to reduce the overall number of towers needed could be negatively impacted if the tower is too narrow to allow for the different directional antenna configurations discussed above. The goal of the Applicant and the city is to have the additional collocation spaces be technically and commercially viable so that additional carriers can use those spaces as an alternative to a new tower for each.

HEIGHT- As the tower elevation drawing illustrates, the tower needs to be built to a height where there is room for vertical separation between 3 carriers' antennas, plus the height of the antennas. There also needs to be room for each carrier to provide antenna separation between its own various antennas based on the different frequencies being used, to prevent interference. Finally, the overall tower height needs to be tall enough to accommodate all of that and still have the lower 2 collocation spaces remain high enough to be technically viable for other carriers. That is why Parallel Infrastructure requires the 80-foot height allowed under the code.

PROXIMITY TO THE CHURCH- Applicant reached out to the church to see if it was possible to move the tower closer to the church. We attach, as Exhibit 2, a letter from the church explaining that there are underground utilities, a fire hydrant and concerns about blocked access that make it infeasible to locate the tower closer to the church. Additionally, the proposed placement on the site provides a greater level of natural screening by trees and other vegetation than other site locations.

ALTERNATIVE DESIGNS- Because it was found to be infeasible to mitigate the visual impact of the proposed tower design by physically reducing the size, Applicant instead proposed three additional alternative designs that either reduce the visual impact of bulk or actually reduces the diameter of the alternative structure. (Attached as Exhibit 3) All of these alternative designs proposed would need to be the same height of the currently proposed tower structure to allow for collocation of three carriers' antennas with the required separation to avoid signal interference. The designs proposed are described below and attached to this letter as exhibits:

1. Current tower design with cut outs. As Exhibit 3 shows, the church bell tower design can be altered to add cut outs or windows from 40 feet to the ground. In the illustration, the church has placed racks of decorative bells horizontally in that space. This alternative allows a view through the structure which provides visual mitigation of the actual bulk of the current design by providing the appearance of reduced bulk. There is also an option

for additional decorative detailing on either of the four-sided tower designs to incorporate more of the visual elements of the church.

This is the preferred design for the applicant because the four-sided design allows flexibility in directional placement of different carriers' antennas within the structure.

2. Three-legged tower design. While this design reduces the actual bulk of the support structure by 1280 square feet, the three-sided design will also potentially reduce the collocation opportunities on the tower because there is less flexibility for directional antenna positioning. For that reason, this is not a preferred alternative, although if it is preferred by the Council, the applicant will accept this design and work to maximize its utility.

3. Monopole. As the Church mentions in its letter, the traditional monopole design can be far less bulky than the enclosed tower structure and can be painted to match the prevailing background to further reduce the visual impact. The diameter for the monopole's antenna platforms would be consistent with the proposed bell tower diameter but the support pole would be slimmer. (22 inches at the top tapering to approximately 35 inches at the base.)

All of these design alternatives were considered by the Board but, at the remand hearing, the Board again found that "the proposed WCF is [still] not consistent with the existing character of the uses within the surrounding neighborhood. Additionally, the Board found that the cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Nazarene Church. The surrounding neighborhood is primarily residential with few commercial uses nearby. The scale of the proposed tower is significantly larger than other structures or trees in the surrounding area." (Relevant Criteria and Standards, Paragraph 2).

The Board considered the alternative designs and found them to be an improvement on the original proposed design, conceding that the alternatives did mitigate the visual appearance of bulk but ultimately concluding that a cell tower in any of the forms proposed was not in harmony with the residential uses in the neighborhood, despite the fact that

the code allows 80-foot wireless facilities as a permitted use in this zone. One Board member questioned whether any wireless facility could ever be approved near residential uses.

ANALYSIS- The Board's denial is not supported by the MCC, Comprehensive Plan, state statutes or the evidence in the record. Accordingly, Applicant requests that the Board's decision be reversed in whole.

The Board cited the following factors in support of the above finding on Relevant Criterion 2:

1. The cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Church of the Nazarene.
2. The surrounding neighborhood is primarily residential with few commercial uses nearby.
3. The scale of the proposed tower designs is significantly larger than other structures or trees in the surrounding area.
4. Public testimony in opposition to the proposed WCF was heard from a total 6 of individuals. Concerns included sound from the proposed weekly generator testing, height of the structure, no need for additional cell phone coverage, and the proposed tower does not fit the character of the existing neighborhood. Applicant offered that the generator would be tested approximately once a month for 15-20 minutes and the timing could be coordinated with neighbors.
5. Public testimony in favor of the proposed WCF was heard from a total of 5 individuals who described the need for additional service in this area, an inability to get a reliable cell signal to keep in regular contact with elderly relatives living in the proposed coverage area, and spotty service in general. The resident who is directly next to the proposed tower location expressed support and need for the tower.

It is important to note that, on remand, the Board again found that Applicant's proposed WCF designs met *all* of the regulations and development standards in MCC 4-3-5(H), Telecommunications Facilities,

which includes regulations and standards for noise and aesthetics. Additionally, the Board found that Applicant's proposed WCF met *all* of the other six criteria for approval of a conditional use permit under MCC 4-8-4(B), Conditional Uses.

The Board's finding that the designs of the proposed tower structures are not in harmony with the surrounding uses, including the Church of the Nazarene is not supported by adequate evidence in the record. The drawings and photosimulations submitted by the Applicant show the bell tower structure was designed to reflect and compliment the design of the church, with a topper similar to that one on the church and materials and colors consistent with the existing church. Alternative design 1 would reduce the visual impact with cut outs or windows that allow a view through the structure for the lower 40 feet of the tower height. Alternative design 2 would also be consistent with the church use of the property and could be also designed to complement the existing church's design. A bell tower is a common feature on church properties which would not be out of place on this church property. Church properties such as this are often located in areas with residential uses and coexist in harmony with those uses.

Moreover, there are utility poles and transmission lines running through this neighborhood at similar heights to the proposed tower. The monopole design of Alternative 3 with a paint scheme that blends it into the landscape would be similar to the other infrastructure in the area. Those lines and poles are a necessity, like the new wireless facility, and provide needed service to those residences. Applicant submits that a well-designed stealth tower or monopole is in harmony with the surrounding uses, given the other utility infrastructure already present and accepted in the viewshed.

The term "harmony" is subjective and the Board struggled with applying that standard here. Some members expressed a need for a code revision to exempt cell towers from meeting this test. Because the term is subjective, and the City Council is the final arbiter of the meaning of the code in this context, the Council may offer its own interpretation of the requirement for harmony with surrounding uses. In music, the term "harmony" does not mean that every musician is playing the same note, rather a variety of tones

are heard simultaneously to create the desired sound. Likewise, the infrastructure uses needed to support the residential uses, if well designed, should be found to be harmonious and supportive of the surrounding uses.

The Board's finding that the neighborhood is primarily residential with few commercial uses nearby is not relevant to the applicable code criteria for WCF. Pursuant to MCC 4-3-4, WCF are considered a Public/Institutional Use and are a conditionally permitted use in the NB zone. Additionally, the WCF meets all required setback requirements from neighboring uses. The Board's findings regarding the lack of neighboring commercial uses are in error and should be reversed.

The Board's finding concerning the scale of the proposed facility is subjective and not supported by the record or the code. The height of the proposed wireless communications facility is generally consistent with the height of surrounding utility structures and trees. The roof of the Church is fifty-feet (50) tall and has substantially greater bulk than the proposed bell tower. One Board member noted that the height of the cross on the existing church is approximately sixty-six (66) feet, which is not out of scale with an 80-foot bell tower. One member noted that the transmission lines in the area looked to be 60-70 feet tall, which would not be out of scale with the proposed 80-foot tower.

It is important to note that the MCC allows an eighty-foot (80') tall telecommunications facility in the NB Zone as a conditional use. The MCC does not place any restrictions on the height or diameter of telecommunications facilities when they are located adjacent to R-3 Zones; the MCC only restricts the height of conditional uses when they are near Highways 95 or 8. There are no restrictions for diameter in any zone.

The City Council, in its legislative capacity when it adopted the code, agreed that a WCF is a permitted use and that 80 feet is the allowable height in all zones. Had the Council wished to require a lower height in some zones, it certainly could have, just as it restricted the height of WCF's adjacent to Highways 95 or 8. The Council could have included diameter restrictions but did not do so. It would therefore be inconsistent with the City's

expressed intent in the MCC, which was relied on by the Applicant, to allow the Board to deny Applicant's CUP application for a WCF within the code's permitted height. The visual bulk of the proposed structure can be mitigated by the proposed design alternatives. The Council should find this conclusion regarding scale in error and not supported by the record.

CONCLUSION- Such a narrow reading of the compatibility requirements of the code is unwarranted and has acted as an effective prohibition of service delivery for many providers in the city of Moscow, in violation of federal law. During a multi-year effort to obtain permits, the Applicant has presented 5 alternative designs (including the original monopine) in an effort to offer the least intrusive means to serve this area. Other locations on city owned assets were denied and there are no locations in the search ring that are available and technically feasible. There are also no available colocation options in the search ring. There have been no new wireless towers approved in the city of Moscow since 2006, since before the introduction of the iPhone. The population of the city and need for coverage and data capacity has steadily increased for all the carriers but no new infrastructure to address that growth has been approved. First responder and public safety employees depend on the wireless networks to move data and respond in real time to emergencies. Updating these networks is critical and approval of this facility would allow three carriers to address their network needs with one well stealthed facility.

The city is growing and with it comes a need for increased capacity and coverage to serve the people at major institutions like the University of Idaho with nearly 10,000 undergrad students, plus faculty. Washington State University is only 8 miles away and also contributes population and visitors to the city. Residents and businesses in the city rely on the wireless networks to conduct their daily lives and operations and they expect robust and reliable service. The Council can and should find that the infrastructure needed by the city's residents and businesses is in harmony with other uses, especially when it is well designed.

September 8, 2021
Page 9

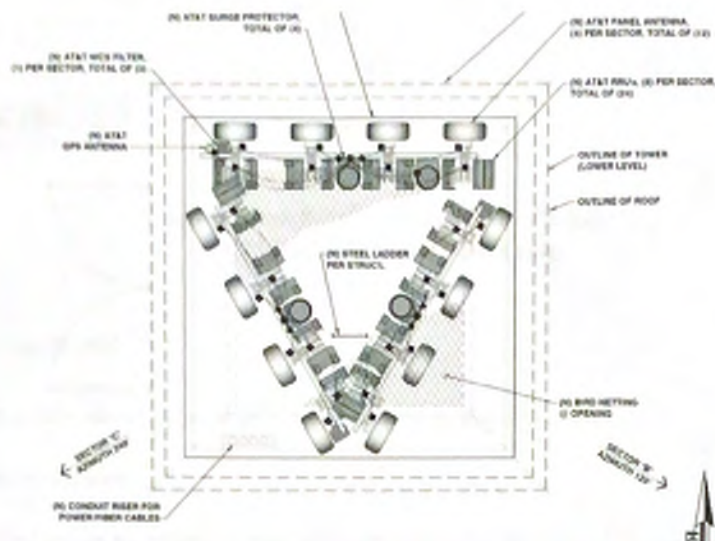
Pursuant to the record considered by the Board and the analysis provided above, Applicant respectfully requests that the City Council reverse the Board's Decision and approve Applicant's CUP for this much needed facility. Thank you for considering this, Appeal.

Sincerely,

A handwritten signature in black ink, appearing to be 'Kim Allen', with a stylized, cursive script.

Kim Allen, Wireless Policy Group LLC, for Appellant Parallel Infrastructure

EXHIBIT 1



BW

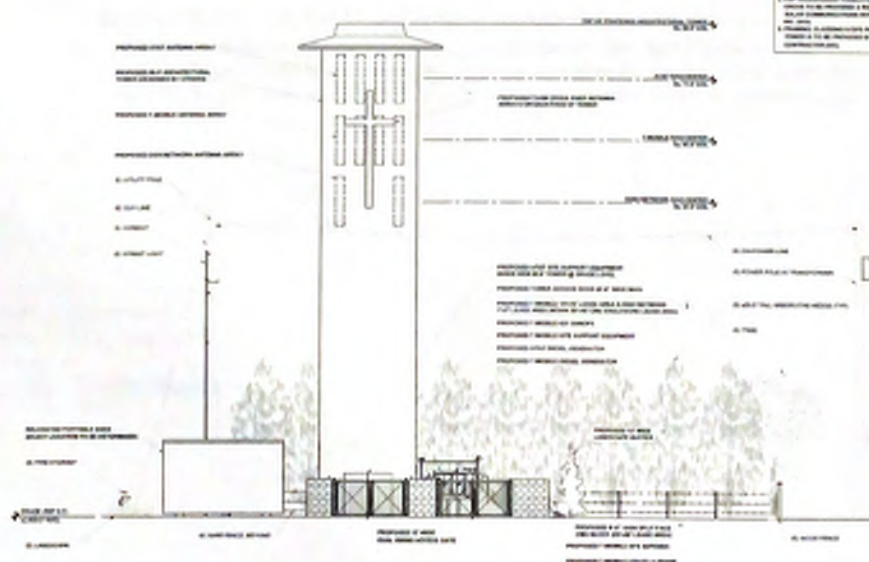


EXHIBIT 2

Church Staff:

Ed Eby

Senior Pastor

edeby@moscownaz.org

Brian McGee

Children & Families Pastor

bmcgee@moscownaz.org

Diane Bussanich /

Office

Communications

Church Address:

1400 E 7th St.

Moscow, ID 83843

Phone:

208.882.4332

Web:

moscownaz.org

Email:

office@moscownaz.org

MOSCOW

Where CHURCH Meets LIFE!



June 15, 2021

Dear Neighbors and Interested Parties:

It has been suggested that the concealed tower be placed closer to our building. While we understand the concern, I'd like to address our congregation's perspective and needs.

As a congregation we considered all of the possible locations on our property and agreed to the current location because it is out of the way of our pedestrian and vehicle traffic. Placing it near the building would hinder movement around our building and potentially block windows or walkways. We also have major utilities running underground and a fire hydrant which would need to be rerouted if the tower were moved toward our building.

In addition, we placed the tower in the designed location because it would be near the trees to provide a visual buffer.

We consider this a much-used utility by the community, similar to power, cable and phone lines. In our attempt to "hide" the utility, it has increased in size and if, as a community, we would like it to make a smaller impact, a simple metal pole seems to be the smallest and least obtrusive design there is. I would suggest that monopoles are all around and we've grown so accustomed to them we don't even notice them. If it is essential to decrease the towers footprint we are agreeable to a monopole because it will require less space on our property.

Through this opportunity, not only are we hosting the wireless utility so that our neighbors have quality coverage, but we will have additional funds to bless our members and community.

In conclusion, we are grateful for this opportunity. We have been involved in the design and placement of the tower and it has been approved by the many members of our congregation. We hope that we can come together and resolve this matter as a community.

Yours to Count On,

A handwritten signature in dark ink that reads "Pastor Ed". The signature is written in a cursive, flowing style.

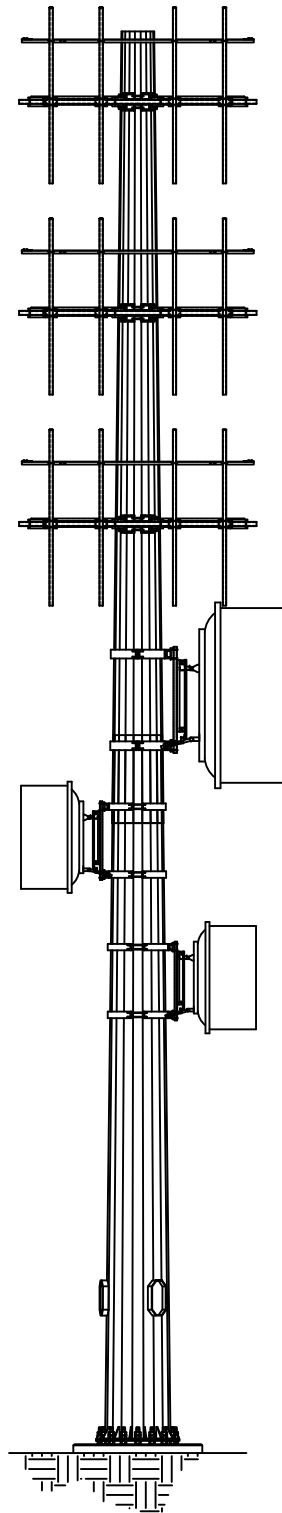
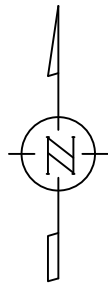
Pastor Ed Eby

EXHIBIT 3









ELEVATION 80'
ELEVATION DETAIL

DESCRIPTION	GALV.
POLE SECTION ONE	5,079 lbs
POLE SECTION TWO	2,729 lbs

MONOPOLE DRAWINGS

INDEX OF DRAWINGS			
DESCRIPTION		DWG#	
EEI-NOTES		107430N1	
SPECIAL INSPECTION STATMENT		107430SI	
POLE ASSEMBLY DATA		107430E01	
FOUNDATION DESIGN		107430E02	
ANCHOR BOLT TEMPLATE INSTATLLATION		107430E03	
DESCRIPTION		DWG#	
WAVEGUIDE ENTRY PORT INSTALLATION		107430E04	
UPPER HAND HOLE INSTALLATION		107430E05	
80' SAFETY CLIMB INSTALLATION		107430E06	
LIGHTNING ROD INSTALLATION		107430E07	

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF EHRESMANN ENGINEERING, INC. AND SHALL NOT BE REPRODUCED OR USED IN WHOLE OR IN PART AS THE BASIS OF THE MANUFACTURE OR SALE OR ITEM(S) WITHOUT WRITTEN PERMISSION.

7				NAME	Ehresmann Engineering, Inc.  4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	TITLE: 80' MONOPOLE INDEX SHEET	
6			DRAWN BY:	GE			
5			CHECKED BY:				
4			ENG APPR.				
4			MFG APPR.				
3			Q.C.				
2			Site:				
1			WA-SPOKANE VALLEY-GREENACRES				
0	DRAWING CREATED	03/17/21	Job# 107430				
REV	DESCRIPTION	DATE	Job# 107430				
			DWG. NO.		107430C01	Sheet NO. C01	Rev. 1A

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
BOA@ci.moscow.id.us

Public Hearing
~ Agenda ~

Aimee Hennrich
Staff Liaison
208.883.7095

<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

Tuesday
August 24, 2021

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Approval of August 9, 2021 Minutes (ACTION ITEM)

PROPOSED ACTIONS: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. Public Hearing: City Council remand in part of a Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower per MCC 4-3-5(H) (ACTION ITEM)

The Board of Adjustment conducted a public hearing on this matter on March 29, 2021 and denied the Conditional Use Permit. The Conditional Use Permit was subsequently appealed to City Council at which time the Council remanded the matter in part to the Board for the inclusion of additional information into the record. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2, of the Board's Reasoned Statement of Relevant Criteria and Standards document signed on April 7, 2021. The purpose of the public hearing is to enter this specific additional information into the record.

PROPOSED ACTIONS: Open the public hearing to receive additional information and testimony as instructed by the Council, review the applicant's response to reducing the horizontal footprint and width of the proposed Wireless Communication Facility as well as the three alternative designs, and in light of the new information presented, reconsider Criterion #2 of the Reasoned Statement of Relevant Criteria and Standards approved by the Board on April 7, 2021; or take such other action deemed appropriate.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

Next Public Hearing scheduled for August 30, 2021.

ADJOURN

NOTICE: Moscow City Council and Commission meetings can be televised, videotaped, and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
BOA@ci.moscow.id.us

Public Meeting
~ Minutes ~

Aimee Hennrich
Staff Liaison
208.883.7095

<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

Monday
August 9, 2021

5:30 PM

Mayor's Conference Room
206 E Third Street

Monson called the meeting to order at 5:33 PM

MEMBERS PRESENT: Mark Monson, Vice Chair; Steve Bush, Tim Thomson
MEMBERS ABSENT: Joe Bazzoli, Annette Bieghler, Marshall Comstock
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of August 3, 2021 Minutes

Thomson moved for approval of the minutes as presented, seconded by Bush. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

2. Approval of Reasoned Statement of Relevant Criteria and Standards

Conditional Use Permit application for a Large Child Care Facility (21 or more children) located at 225 E Palouse River Drive within the Motor Business Zoning District (MB) per MCC 4-3-4.

Bush moved to approve the Relevant Criteria and Standards as presented, seconded by Thomson. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

Next Public Hearing scheduled for August 24, 2021.

The meeting adjourned at 5:35 PM

Joe Bazzoli, Chair

Date

NOTICE OF PUBLIC HEARING

Remand in Part of a Conditional Use Permit at 1400 E Seventh Street in the City of Moscow,
Permit Application LUP2021-0017

A public hearing at which you may be present will be conducted before the Board of Adjustment of the City of Moscow at which time the following proposal will be considered:

City Council remand in part of a Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower per MCC 4-3-5(H).

The Board of Adjustment conducted a public hearing on this matter on March 29, 2021 and denied the Conditional Use Permit. The Conditional Use Permit was subsequently appealed to City Council at which time the Council remanded the matter in part to the Board for the inclusion of additional information into the record. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2, of the Board's Reasoned Statement of Relevant Criteria and Standards document signed on April 7, 2021. The purpose of the public hearing is to enter this specific additional information into the record.

HEARING DATE: Tuesday, August 24th, 2021

HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00pm

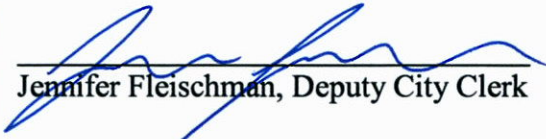
Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting. The file containing information on this matter is available for public review at the Community Planning & Design Department located in the Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as

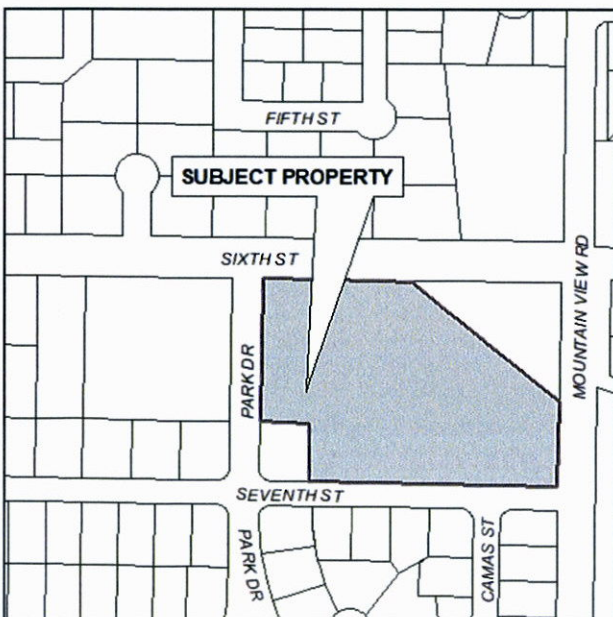
determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. You may obtain further information about the public hearing process and procedures on the City's Website at:

<https://www.ci.moscow.id.us/593/Public-Hearing-Notices>

Laurie Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, August 7, 2021



**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

**ORDER OF REMAND WITH INSTRUCTIONS FOR FURTHER CONSIDERATION
AND DECISION REGARDING A CONDITIONAL USE PERMIT APPLICATION TO
CONSTRUCT AN 80-FOOT-TALL WIRELESS COMMUNICATION FACILITY (WCF)
LOCATED AT 1400 E SEVENTH STREET IN THE CITY OF MOSCOW, IDAHO
WITHIN THE NEIGHBORHOOD BUSINESS (NB) ZONING DISTRICT PER MOSCOW
CITY CODE 4-3-4.**

WHEREAS, PI Tower Development, the applicant, filed an application for a Conditional Use Permit (LUP2021-0004) to construct an 80-foot-tall Wireless Communication Facility (WCF) on February 19, 2021; and

WHEREAS, the Moscow Board of Adjustment conducted a duly noticed public hearing upon the subject Conditional Use Permit application on March 29, 2021; and

WHEREAS, having considered the matter including all materials presented and testimony received, the Moscow Zoning Board of Adjustment denied the proposed Conditional Use Permit, based on Criterion #2, finding the WCF was not consistent with the existing character of the uses within the surrounding neighborhood and instructed Staff to prepare the Reasoned Statement of Relevant Criteria for the Board's review and approval; and

WHEREAS, on April 7, 2021, the Moscow Zoning Board of Adjustment met and approved the Reasoned Statement of Relevant Criteria and Standards establishing the Board's written decision upon the request and serving as the Board's final action upon the matter; and

WHEREAS, on April 16, 2021, Wireless Policy Group, filed a timely appeal to the decision of the Moscow Zoning Board of Adjustment in accordance with the requirements of Moscow City Code Section 4-8-5; and

WHEREAS, the Moscow City Council considered the appeal during a public meeting conducted on May 3, 2021; and

WHEREAS, the Moscow City Council reviewed the record established by the Board of Adjustment, did not consider any new or additional evidence, and heard appellant's argument on the appeal; and

WHEREAS, having considered the record established by the Board of Adjustment, and having considered the issues presented by the appellant and the applicant, the Council decided to remand the matter in part to the Zoning Board of Adjustment with instructions to consider retaining the architectural style, but reducing the diameter and overall massing of the proposed WCF to make it less intrusive to the neighborhood and surrounding uses.

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION OF THE RECORD ESTABLISHED BY THE MOSCOW ZONING BOARD OF ADJUSTMENT AND HAVING CONSIDERED THE ISSUES PRESENTED BY THE APPELLANT AND THE APPLICANT, HEREBY CONCLUDES:

DECISION

The Moscow City Council hereby **REMANDS** the matter in part to the Zoning Board of Adjustment for the following sole and specific purpose:

1. To develop additional material information. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2.

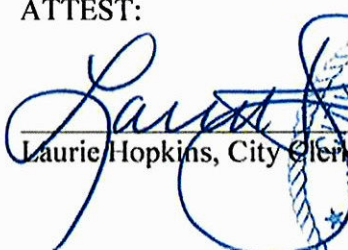
PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW THE 17th DAY OF May, 2021.

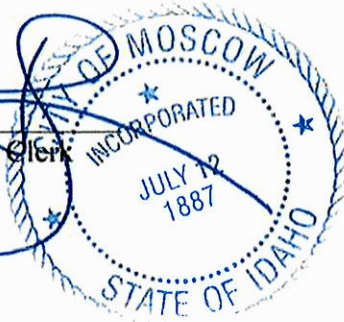


Bill Lambert, Mayor

CERTIFICATION. I hereby certify that the above is a true copy of the Council decision passed at a regular meeting of the City Council, City of Moscow, held on May 3, 2021.

ATTEST:


Laurie Hopkins, City Clerk



Moscow City Council



Regular Meeting ~Minutes~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, May 3, 2021

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Bill Lambert, Art Bettge, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio, Anne Zabala (virtual)

STAFF: Gary J. Riedner, Mia Bautista, Bill Belknap, Aimee Hennrichs, Bill Belknap, Mike Ray, David Schott, Tyler Palmer, Jen Pfiffner, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Councilmember Taruscio led the Pledge of Allegiance.

PROCLAMATION - BIKE MONTH

Mayor Lambert read the Bike Month proclamation.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council April 19, 2021 Minutes - Laurie M. Hopkins

B. Public Art Guidelines 2021 - Megan Cherry

The Moscow Arts Commission and City staff propose updates to the Public Art Guidelines, which were originally created in 2011. During the intervening years, MAC and Arts staff have recognized the need for greater clarity in the areas of location prioritization as well as selection processes and criteria for each part of the Public Art Collection. Additionally, the City of Moscow Legal Department has provided updates to ensure that the document is in alignment with City code. Following development by the Public Art Subcommittee of the Moscow Arts Commission (MAC), the full MAC discussed these proposed updates during their March 9, 2021 meeting, and voted to recommend the guidelines on April 13, 2021. This was reviewed by the Administrative Committee on April 26, 2021 and recommended for approval.

ACTION: Approve the 2021 Public Art Guidelines.

C. Personnel Policy Updates, Pay and Leave Sections - Jen Pfiffner

Updates to the City of Moscow Personnel Policies continue. Leave, time and attendance, and pay policy drafts include updates to current policies and a new proposed policy. Updates to language throughout are included in the presented drafts, with significant changes to Military Leave and Sick Leave Bank policies. A new proposed Paid Parental Leave Policy is also included for consideration. The Administrative Committee reviewed the policies on April 26, 2021 and recommended approval of the policies with the changes noted below.

Changes made per the Administrative Committee's direction include:

- Paid Parental Leave -added language to read, "birth, adoption, or permanent full-time custody of a child nor previously under the employee's care"; "caregiver" with mention of parents; and "domestic partner" and "caregiver" as well as "assuming significant parental and financial responsibility for a child"
- Compensatory Pay - added "or if repeated requests to use compensatory time are unable to be scheduled and reasonable opportunities to use such time are unavailing.
- Compensatory Time - added In the event the supervisor or employee feel repeated requests for time have not been met or are not able to be accommodated, a request for such payout is to be directed to Human Resources for review.
- Holidays - "Columbus Day" corrected to "Indigenous People's / Columbus Day"

All changes are noted in track changes in the attached document. Policy sections will continue to be presented for review. As policies are approved, each section will become the current version for use. Timeline for completion for all policies to be updated, reviewed and approved is estimated to be completed by July 2021.

ACTION: Approve the leave, time and attendance, and pay policy drafts as presented.

D. Paradise Pathway Lighting Project - 2021 Bid Results and Contract Award - Nate Suhr

The City published an advertisement for bids on April 2nd, 2021 for the Paradise Pathway Lighting Project. The bid for the project includes the installing an electrical service connection, eighteen (18) lighted bollards, and twenty-nine (29) overhead lighting fixtures along the Paradise Pathway between Main Street and Styner Avenue located in Moscow, Idaho. Work also consists of the trenching and installation of approximately two thousand eight hundred and fifty (2,850) feet of conduit, accompanying electrical wire, and installing seven (7) junction boxes to power the lighting system. The Engineer's estimate for the project was \$178,035.40. Bid opening for the project took place on April 20th, 2021, at which one (1) bid was received. The bid received was in the amount of \$358,458.00 and was submitted by Germer Construction, Inc. A bid tabulation is attached. This was considered by Public Works/Finance Committee on April 26th and the Committee made the recommendation to reject all bids.

ACTION: Reject all bids.

E. Slurry Seal - 2021 Bid Results and Contract Award - Nate Suhr

The City published an advertisement for bids on April 2nd, 2021 for the Slurry Seal -2021 Project. The bid for the project consists of applying an Asphalt Slurry Seal Coat (Type II) at the following locations: Area 1 - Concord, Eisenhower, and Moser (56,717 SY); Area 2 – Adams, Spotswood, and Styner (44,320 SY); Area 3 – Jackson and "D" Street (3,186 SY). On April 12, 2021 an addendum was issued adding Area 4 - Lanny, Highland, and Kirk Drive (11,844 SY). The Engineer's estimate for the project, including the addendum, was \$197,313.90. Bid opening for the project took place on April 16th, 2021, at which four (4) bids were received. Of the responsive bids received, numbers ranged from \$207,759.93 to \$247,222.71. Blackline, Inc. was the low bidder on the project and a bid tabulation is attached. This was considered by the Public Works/Finance Committee on April 26, 2021 and recommended for approval.

ACTION: Accept the low bid from Blackline, Inc. and award the contract in the amount of \$207,759.93, and authorize staff approval for construction change orders in an amount not to exceed 10% (\$20,775.99) of the contract amount.

F. Acceptance of the Southview Extension Right-of-way Dedication - Bob Buvel

On June 17, 2019, the City Council approved a lot division on the parcel of land east of the Southview Avenue / Alice Street intersection. Every buildable lot is required by city code to abut public right-of-way so the lot split required a dedication of right-of-way that would extend Southview Avenue approximately

128 feet. The public improvements associated with the lot split have been completed and the right-of-way containing those improvement needs to be accepted by City Council per state code. The dedication was reviewed by the Public Works / Finance Committee on April 26, 2021 and recommended for acceptance.

ACTION: Accept the right-of-way dedication extending Southview Avenue.

Bettge moved and Taruscio seconded approval of the consent agenda as presented. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

None offered.

3. Mayors Appointments (ACTION ITEM)

Mayor Lambert presented appointments of Drew Davis to the Planning & Zoning Commission and Rebecca Couch to the Transportation Commission. Taruscio moved and Bettge seconded to approve the two appointments. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

4. Public Comment and Mayor's Response Period (limit 15 minutes)

Schott presented a few pictures of the Arbor Day celebration and presented Mayor Lambert with the 2021 Tree City growth award for the 21st year.

5. Citizen Commission Report – Moscow Pathways Commission – David Schott / Jonathan Gradin

Schott introduced Jonathan Gradin, chair of the Moscow Pathways Commission. Gradin presented the mission statement and members of the Commission. Over the last two years, the Commission had an over/under community bike ride and grand opening, a socially distanced path tour and discussed memorial naming opportunities for pathway sections. The Commission also updated a brochure for the public, updated display banners with an updated map, and requested money for lighting from US95 to Styner Ave. Future goals include safety improvements at road crossings, continue to pursue an underpass at US-95, and pathway planning in new developments. The Commission continues to foster increased inclusivity and accessibility in the pathway system, organize volunteer cleanup project, and explore Highway 8 underpass beautification options.

6. Appeal of Conditional Use Permit at 1400 E Seventh Street (ACTION ITEM) - Aimee Hennrich

On February 19, 2021, PI Tower Development LLC applied for a Conditional Use Permit (CUP) to construct an 80-foot-tall Wireless Communication Facility (WCF) that would resemble a church tower, located at 1400 E Seventh Street. The Board of Adjustment (BOA) conducted a public hearing for the proposed CUP on March 29, 2021, and subsequently voted to deny the application. On April 16, 2021, the Community Planning and Design Department received an appeal letter from Wireless Policy Group on behalf of Parallel Infrastructure, stating that they wish to appeal the Board of Adjustment's decision to City Council.

PROPOSED ACTIONS:

1. After considering the record and appeal request; sustain the decision of the Board in whole or in part; reverse the decision of the Board in whole or in part; or remand the matter in whole or in part to the Board with comments and/or instructions for further consideration by the Board; or take other such action deemed appropriate.
2. Direct staff to prepare a written decision based on the Council's action.

Hennrich introduced the item by giving a history of the application and appeal. Height and location details were given. A site analysis of alternate locations was conducted and included the Vista water tower, Carol Ryrie Nature Park, 8th Street water tower, and East City Marketplace. The application met all development standard requirements. Three emails were received in opposition and 5 individuals testified in person, in which one was neutral. The BOA denied the application finding that the proposal did not meet Criteria #2: the character of the

proposed use will be in harmony with the neighborhood and surrounding land use.

Kim Allen, Wireless Policy Group and represents the applicant Parallel Infrastructure. Allen explained the decision of the BOA is unsupported by substantial information, not supported by the City Code, Comprehensive Plan, State Statutes or the evidence in the record. The BOA did find the application met all the other six criteria for CUP approval. The factors the BOA cited for Criteria 2 were cell tower looked out of place and not in harmony with surrounding neighborhood; surrounding neighborhood is primarily residential; scale of the proposed tower is significantly larger than other structures/trees in the surrounding neighborhood; public comment concern was regarding scale, noise and aesthetics; and lack of in-person testimony support from AT&T customers.

Kelly explained each: the bell tower structure was designed to reflect and compliment the design of the church and is a common feature on church properties; wireless facilities are a conditionally permitted use in the NB Zone and meets all the required setback requirements; the scale of the proposed facility is subjective and not supported by the record; citizen concerns regarding noise and aesthetics for denial were found to meet criteria 3 and 9 in regards to noise reduction and aesthetics, including the option for a decibel reading should there be a complaint; AT&T was not the applicant so their customers would not have known about the application.

Reasons the alternate sites were not chosen varied from site being too low, lack of availability, zoning, too far south to provide coverage for the needed area, etc. Staff added attaching directly to a water tower has adverse effects on the water and constructing a tower next to the tower would go beyond 80 feet and be in a residential area.

Taruscio felt there was improvement from the tree design to church tower however still has an issue with the scale of the tower. Two generators are proposed, one for AT&T and one for T-Mobile. A generator is in a double wall container and if noise became an issue, remediation can occur. Maintenance of the generators can be scheduled at whatever time during the day to not intrude on residents. Laflin also had an issue with the scale of the tower. The towers need a minimum height in order to accommodate three carriers with spacing between each.

Sullivan felt the tower had a larger presence than the tree and was more separate from the church. She asked if locating it closer to the church would be a possibility. Allen responded the position was based on the availability of power as well as church service parking. Sullivan asked if the council can remand for sizing and location. Bautista said if there is additional evidence that wasn't able to be presented at the BOA meeting and could have changed their decision, Council could remand with instructions. She explained further the BOA had the opportunity and could have addressed the issue of standards and design. Zabala asked for clarification on the height of the towers. Belknap explained a tower 80 feet or taller must allow for co-location of three carriers. A shorter tower can be approved but the applicant would be required to enter into an agreement to swap the existing tower for a taller one to accommodate additional carriers in the future should they desire to locate at that site. The City Code was intended to minimum the amount of structures and encourage co-location.

Kelly doesn't feel it meets the criteria for being aesthetically pleasing and common ground with neighborhood. She felt it is very large and looks like a guard tower. She understood the BOA decision because it should be pleasing to the entire neighborhood and she doesn't feel it is welcoming.

Laflin asked if there will ever be a tower at 80 feet tall that will ever be acceptable?

Bettge felt the application was much better thought out than the tree design. Churches everywhere tend to have steeples and bell towers, but he felt the robustness of the structure is in excess of what is needed. If the proposed tower could be slimmed down, Bettge feels it would be able to fit in. Taruscio agreed it is robust but it is within the Code and what was asked for. Bettge added that a motion could include directing staff to require reduction of the

robustness of the building during the development and permitting process. Belknap suggested the Council establish a specific standard so staff isn't determining "skinny enough". Any new design would be new information would be better to remand it to the BOA for a different proposal, new record, new hearing. Bautista read from the City Code and advised the Council to provide enough information to present and anticipate what is required. Riedner said if the Council wanted a percentage reduction of the footprint of the tower and the applicant needs to go back to the clients, the Council is not a fact finding body, so the only option is to remand.

Bettge moved to remand to BOA with instructions to consider a plan with reduced horizontal area of the cell phone tower and wait and see if applicant can fulfill that obligation. Motion died for the lack of a second. Taruscio moved to reverse the decision of the BOA in favor of the appellant. Bettge seconded.

Laflin said approving it as is doesn't answer whether it can be reduced in size. Kelly agrees coverage is needed but she feels now is the time to help the carriers to make towers more aesthetically pleasing. Roll Call Vote: Ayes: Two (Bettge, Taruscio). Nays: Four (4). Abstentions: None. Motion failed.

Laflin moved to remand the decision back to the BOA for purpose of determining whether or not the structure can be reduced in diameter. Kelly seconded. Belknap said that is difficult guidance to the BOA and wants to make sure the application is not in limbo. Laflin understood the concern but doesn't think people are comfortable with "what we have is what we need". She would like to know whether the applicant can scale the structure any further. Bettge commented something that reflects the design or appearance of the religious facility but something without that much mass. Sullivan added, because of that mass and distance from the main structure, the tower doesn't appear to be part of the church.

Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried. It is understood the motion included direction to staff to draft the instructions of remand to the BOA.

Mayor called a recess at 8:28 p.m. The meeting reconvened at 8:35 p.m.

7. BBC LLC Developer Participation Request (ACTION ITEM) - Bill Belknap

On April 8th of this year, City Staff received a request from Rich Beebe, representative of BBC LLC, owner of 232 acres located to the south of the City's playfield property located on W. Palouse River Drive, requesting the City's financial participation in the construction of the extension of Conestoga Road and the accompanying bridge construction as it provides mutual benefit to both parties. The total cost of the construction of the roadway, bridge and attendant utilities to the southerly boundary of the City's property is estimated at \$2,372,062. Staff will present information on the history of the City's property and prior proposed playfield development of the property for the Council's consideration.

PROPOSED ACTIONS: Review request and provide Staff direction.

Belknap introduced the item as written above and gave a brief history of the Palouse River Drive property and project cost breakdown for each segment in 2011. At the time, the City Council felt it was cost prohibitive to develop the property and suggested working with the MSD for the Joseph Street property. Staff determined that with an additional \$526,707 of allocation, the City would be able to fund all planned projects within FY2021 and continue to fund the anticipated future projects on the City's CIP. Staff recommends the City condition the financial contribution upon the requirement that BBC LLC improve West Palouse River Drive from the intersection with Conestoga Drive east to US95 to a minimum width of 34' with curbing and sidewalk on the south side of the roadway to the minor arterial standard. Improvements would accommodate the anticipated vehicle traffic that will result from the future development of the playfield property and the proposed residential development to the south.

Sullivan was concerned regarding additional traffic on Conestoga to the north. Bettge said having someone cooperate on Palouse River Drive is an advantageous proposal. Taruscio confirmed the participation wouldn't negatively impact the street improvement line in which Riedner explained when opportunities present themselves, monies can be reallocated and he gave an example. The ball field property has not in the capital improvement plan due to the cost and prioritization of others parks in the city. If done in a phased approach, it could be development within seven to ten years but development of ballfields on the property is not set in stone, it is at the discretion of the City Council. Concerns from 2011 were primarily the cost of development. Sullivan said this is investing money now but is long term planning and could be a better opportunity with BBC LLC stating in his letter his interest in affordable housing development. Sullivan suggested a fair housing incentive for developers.

Taruscio moved the City's financial contribution would be limited to no more than 50% of the actual cost of construction, shall not to exceed a total amount of \$1,078,210, and shall not be disbursed until completion and city acceptance of the Conestoga extension, bridge, and improvements to West Palouse River Drive. Bettge seconded. Riedner clarified staff prefers Council give staff direction to meet with the developer to move forward with an agreement with the above criteria. Taruscio amended her motion and Bettge accepted the amendment.

Zabala said fair housing discussion is pertinent now and supports the proposal. Kelly asked if this was a good time to direct staff to find chances to work with the developer to look at ways for incentives. Mayor Lambert and Taruscio feel it is a needed discussion but don't feel this is the time. Laflin would like more details about the BBC LLC April 8 letter in regards to the affordable housing comment. Bettge said the sequencing of discussion is important and negotiations should come along during the platting phase. This is the opportunity to develop infrastructure and premature to discuss at this point. Zabala didn't see a sense of urgency and want to discuss more. Sullivan pointed out the City has a developer that has same goal for affordable housing. Infrastructure participation is a tool for incentivizing.

Belknap explained the reason why affordable housing is mentioned in the letter is that BBC LLC does know affordable housing is a goal of the City Council. BBC LLC has talked with the Affordable Housing Trust about a particular parcel. Sullivan supports this proposal but wants to incentivize affordable housing and have staff explore options for that to be ensured. Roll Call Vote: Ayes: Two (Bettge, Taruscio). Nays: Four (4). Abstentions: None. Motion failed.

Riedner suggested there could be a motion along the same lines and include negotiation with the developer on an affordable housing proposal. Sullivan said she would move to direct staff to engage with the developer and Moscow Affordable Housing Trust to see if there are options that staff would recommend. Taruscio said this item is only a road improvement.

Belknap explained this is a unique circumstance as the only reason the City is entertaining the idea of participation is because it involves City property and provides access to that City property. By paying for improvements in exchange for housing, it could open the door for any private developer to ask the City to participate because they are providing some sort of reduced housing. Zabala doesn't see that as a risk as the City Council can always say no. Taruscio cautioned this could be perceived as a requirement and is not the time. Bettge pointed out Palouse River Drive is not infrastructure that would have been included in BBC's development which means they are participating in City property improvements. He feels negotiations for affordable housing should be when a plat is submitted. Sullivan reiterated her desire for incentives for affordable housing.

Taruscio moved Council give staff direction to meet with the developer to move forward with an agreement for Council consideration recommending that the City's financial contribution would be limited to no more than 50% of the actual cost of construction, shall not to exceed a total amount of \$1,078,210, and shall not be disbursed

until completion and city acceptance of the Conestoga extension, bridge, and improvements to West Palouse River Drive and direct staff to negotiate with the developer the potential for affordable housing participation, and report back to council. Sullivan seconded. Staff suggested the motion be phrased “direct staff to prepare an agreement for the financial contribution as outlined by staff and to include exploration of an affordable housing component for Council consideration.” The amendment was accepted by both Taruscio and Sullivan. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

REPORTS

City Council

PBAC workshop – Taruscio said the workshop was for an interim update from consultants of project management of alternatives. The bulk of the discussion was around construction costs. A technical memo from the consultants will be ready in June and Council should see the memo shortly thereafter.

Parks & Recreation Commission – Sullivan said the Commission discussed the Palouse River Drive property and a proposal for delaying parkland dedication to a later phase in development.

Planning & Zoning Commission – Laflin said the Commission discussed Harvest Hills Addition.

Mayor

Mayor Lambert said the Airport Board is still discussing a Boise flight and U of I is helping with that. The AIC Legislative Session met and the legislature continues. He attended an Arbor Day celebration, Farmers Market, and the Martin Luther King essay and art awards.

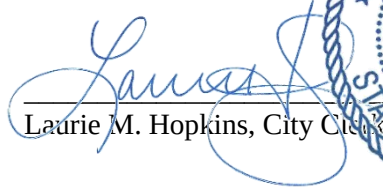
Staff

No report.

ADJOURN

The meeting adjourned at 9:40 p.m.

ATTEST:


Laurie M. Hopkins, City Clerk




Bill Lambert, Mayor

JULY 29, 2021

SUPPLEMENTAL REMAND NARRATIVE PACKET-PARALLEL INFRASTRUCTURE TOWER

SUBMITTED BY KIM ALLEN, WIRELESS POLICY GROUP, LLC FOR APPLICANT

When the Applicant appealed the Board of Adjustment's appeal to the Moscow City Council, the Council asked the Applicant to do some research to see if the tower structure's could be reduced and whether the tower could be moved closer to the church.

As the attached material illustrates, the proposed bell tower structure presented to the Board and the City Council cannot be reduced physically in height or diameter. We present some alternative ideas to mitigate the bulk concern.

DIAMETER- As the overview diagram of the interior of the tower shows, the antennas anticipated to be installed by AT&T are arrayed in a traditional 3 sided configuration. They are secured to a triangular platform with mounts that allow the antennas to be tilted up and down and side to side to direct the signal where that particular carrier needs to aim it to address their coverage objectives. The coverage from this illustrated AT&T configuration is focused to the north, the southwest and the southeast.

As you can see, the edges of the antennas are nearly flush with the outer walls of the structure, giving no room to reduce the overall diameter of the tower. Having a 4 sided tower, as currently proposed, is also important because each carrier has a different network configuration which may require that triangular platform to be rotated differently from the AT&T configuration shown. This rotation capability would be needed if, for example, the next carrier's coverage objectives were south, northwest and northeast. Having a 3 sided tower would make it difficult to accommodate these directional needs of additional carriers.

The city's goal of requiring space for collocation to reduce the overall number of towers needed could be negatively impacted if the tower is too narrow to allow for the different directional antenna configurations discussed above. The goal of the Applicant and the city is to have the additional collocation spaces be technically and commercially viable so that additional carriers can use those spaces as an alternative to a new tower for each.

HEIGHT-As the tower elevation drawing illustrates, the tower needs to be built to such a height that there is room for vertical separation between 3 carriers' antennas. There also needs to be room for each carrier to provide antenna separation between its own various antennas based on the different frequencies being used, to prevent interference. Finally, the overall tower height needs to be tall enough to accommodate all of that and still have the lower 2 collocation spaces remain tall enough to be technically viable for other carriers. That is why Parallel Infrastructure has requested the 80 foot height allowed under the code.

PROXIMITY TO THE CHURCH-Applicant reached out to the church to see if it was possible to move the tower closer to the church. We attach a letter from the church explaining that there are underground utilities, a fire hydrant and concerns about blocked access that make it infeasible to locate the tower closer to the church. Additionally, the proposed placement on the

site provides a greater level of natural screening by trees and other vegetation than other site locations.

ALTERNATIVE DESIGNS

We have included some alternative designs that could work and which would arguably reduce the visual impact of the tower's bulk. Any of these designs would be the same height and diameter of the currently proposed tower structure for the reasons discussed above.

1. Current tower with cut outs. As the attached photo shows, we can design the tower to have cut outs or windows from 40 feet to the ground. In the illustration, the church has placed racks of decorative bells horizontally in that space. This alternative allows a view through the structure provides visual relief from the current design and provides an appearance of reduced bulk. There is also an option for additional decorative detailing on either of the 4 sided tower designs to incorporate more elements of the church design.
2. 3 legged tower design. As discussed above, while this design reduces the visual bulk, the 3 sided design will also potentially reduce the collocation opportunities on the tower. For that reason, this is not a preferred alternative.
3. Monopole. As the Church mentions in its letter, the traditional monopole design can be far less bulky than the enclosed tower structure and can be painted to match the prevailing background to further reduce the visual impact. The diameter for the antenna platforms would be consistent with the proposed tower diameter but the support pole would be slimmer. (22 inches at the top tapering to approximately 35 inches at the base.)

CONCLUSION

Parallel Infrastructure has worked in good faith with the city to provide numerous alternatives to choose from that address the Board's concerns regarding bulk and visual impact. We explored options to reduce the original design and, when it was clear that was not technically feasible, we found some alternatives that will look and feel less bulky. Parallel Infrastructure can pursue whichever the Board chooses but asks the Board to approve one of them so the project can go forwards and bring the additional wireless capacity and coverage the community needs.



*Application for Conditional Use Permit
LM0572 East Moscow Hathaway
SE MOSCOW*

Tuesday, June 22, 2021

Re: Request to relocate cell site structure and decrease the footprint of structure

To whom it may concern:

Since the last hearing, we reviewed every possible means to reduce the footprint or the height of the proposed tower and/or move the tower closer to the church itself, as members of the Board of Adjustment requested. After careful study, we regret that it is not feasible or possible to make the requested changes for the following reasons:

Relocation of structure: The church is not able to accommodate the request to move the structure closer to the church building. Please see attached email per the Church decision

Reduction of footprint of structure:

- Due to the way the RF radio equipment needs to be staged within the interior of the structure we are unable to reduce the exterior footprint of 16'x 16'/interior to approximately 13'x13 as the equipment to be installed requires sufficient room for the power and RF cabinets currently needed, as well as future space for collocators' additional equipment.
- The 4 antennas to be installed for each sector are approximately 1' wide. The required separation between the antennas needs to be 3' to mitigate interference. The face of the tower exterior at 16' requires the steel frame to be a minimum 15' to accommodate the 4 antennas per sector. We currently have no more tolerance available to reduce the diameter. Please see exhibits below.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Mullen", written over a light blue horizontal line.

Bryan Mullen
Parallel Infrastructure
Western Market Project Manager
Contractor
Bryan.Mullen@PItower.com
503-849-3288

Church Staff:

Ed Eby

Senior Pastor

edeby@moscownaz.org

Brian McGee

Children & Families Pastor

bmcgee@moscownaz.org

Diane Bussanich /

Office

Communications

Church Address:

1400 E 7th St.

Moscow, ID 83843

Phone:

208.882.4332

Web:

moscownaz.org

Email:

office@moscownaz.org

MOSCOW

Where CHURCH Meets LIFE!



June 15, 2021

Dear Neighbors and Interested Parties:

It has been suggested that the concealed tower be placed closer to our building. While we understand the concern, I'd like to address our congregation's perspective and needs.

As a congregation we considered all of the possible locations on our property and agreed to the current location because it is out of the way of our pedestrian and vehicle traffic. Placing it near the building would hinder movement around our building and potentially block windows or walkways. We also have major utilities running underground and a fire hydrant which would need to be rerouted if the tower were moved toward our building.

In addition, we placed the tower in the designed location because it would be near the trees to provide a visual buffer.

We consider this a much-used utility by the community, similar to power, cable and phone lines. In our attempt to "hide" the utility, it has increased in size and if, as a community, we would like it to make a smaller impact, a simple metal pole seems to be the smallest and least obtrusive design there is. I would suggest that monopoles are all around and we've grown so accustomed to them we don't even notice them. If it is essential to decrease the tower's footprint we are agreeable to a monopole because it will require less space on our property.

Through this opportunity, not only are we hosting the wireless utility so that our neighbors have quality coverage, but we will have additional funds to bless our members and community.

In conclusion, we are grateful for this opportunity. We have been involved in the design and placement of the tower and it has been approved by the many members of our congregation. We hope that we can come together and resolve this matter as a community.

Yours to Count On,

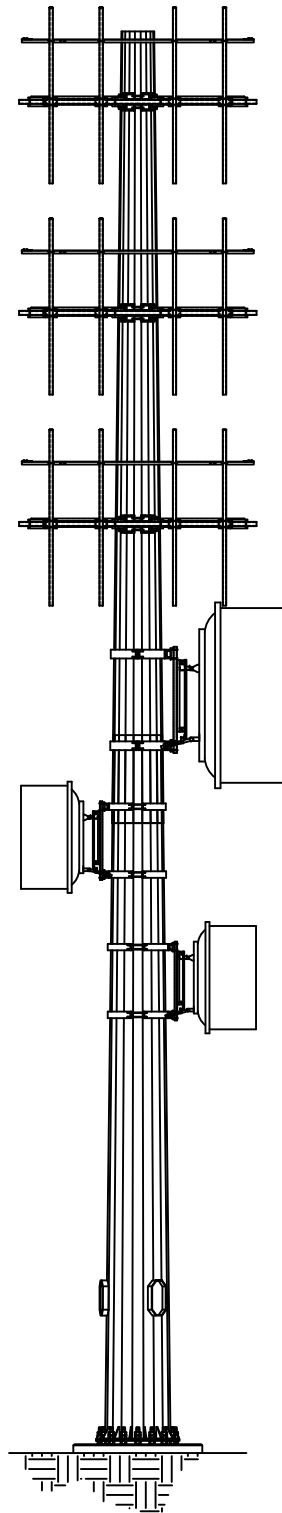
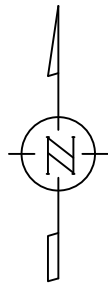
A handwritten signature in dark ink that reads "Pastor Ed".

Pastor Ed Eby









ELEVATION 80'
ELEVATION DETAIL

DESCRIPTION	GALV.
POLE SECTION ONE	5,079 lbs
POLE SECTION TWO	2,729 lbs

MONOPOLE DRAWINGS

INDEX OF DRAWINGS

DESCRIPTION	DWG#	DESCRIPTION	DWG#
EEI-NOTES	107430N1	WAVEGUIDE ENTRY PORT INSTALLATION	107430E04
SPECIAL INSPECTION STATMENT	107430SI	UPPER HAND HOLE INSTALLATION	107430E05
POLE ASSEMBLY DATA	107430E01	80' SAFETY CLIMB INSTALLATION	107430E06
FOUNDATION DESIGN	107430E02	LIGHTNING ROD INSTALLATION	107430E07
ANCHOR BOLT TEMPLATE INSTATLLATION	107430E03		

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF EHRESMANN ENGINEERING, INC. AND SHALL NOT BE REPRODUCED OR USED IN WHOLE OR IN PART AS THE BASIS OF THE MANUFACTURE OR SALE OR ITEM(S) WITHOUT WRITTEN PERMISSION.

△				NAME	Ehresmann Engineering, Inc.  4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	TITLE: 80' MONOPOLE INDEX SHEET	
△			DRAWN BY:	GE			
△			CHECKED BY:				
△			ENG APPR.				
△			MFG APPR.				
△			Q.C.				
△			Site:				
△			WA-SPOKANE VALLEY-GREENACRES			DWG. NO. 107430C01	
△	DRAWING CREATED	03/17/21	Job# 107430				Sheet NO. C01
REV	DESCRIPTION	DATE				Rev. 1A	

GENERAL:
Ehresmann Engineering, Inc. (EEI) designs and manufactures steel towers/poles and tower components to the most stringent industry standards, and uses the highest quality materials. However, certain hazards are inherent in tower work. For this reason, it is imperative that erection of towers and installation of tower components be accomplished in a safe and workmanlike manner, and only by experienced and professional contractors. Unless the customer specifies otherwise in writing, or unless otherwise noted in our design documents or on our installation drawings, design of and/or fabrication of items by Ehresmann Engineering, Inc. shall meet the conditions outlined in these notes.

1. All tower designs and/or work shall be in accordance with TIA-222-G, "Structural Standards for Steel Antenna Tower and Antenna Supporting Structures" or as otherwise specified in writing by the customer.
2. Purchasers shall verify the installation is in conformance with all local, state, and federal requirements. This also includes requirements for obstruction marking and lighting.
3. If towers, tower components, mounts, foundations or modification materials are not installed in accordance with Ehresmann Engineering, Inc. installation drawings and specifications, then all designs are considered invalid, and EEI disclaims any responsibly for said design and/or certification.
4. The purchaser shall be responsible to inspect condition of underground anchors prior to work on towers, and to furnish any and all soils reports, where required.
5. All items must be inventoried at the time of delivery to the job site/storage facility. Any shortages reported after this delivery will be the responsibility of the Contractor/Owner.
6. Any problems that occur with scheduling, transportation, delivery, foundation installation, erection or any items furnished by EEI must be reported immediately to allow EEI time to take corrective measures. EEI will make every effort to repair/replace necessary items in an expedited manner and/or will pursue corrective measures in the most economical way possible at our discretion. However, under no circumstances will EEI pay for or be responsible for any down time or expenses incurred due to down time.
7. EEI will make every effort to deliver materials at the requested time. However, we cannot and will not be responsible for delays caused by breakdowns, weather and/or other factors out of our control once the materials have left our facility. We strongly suggest that cranes, tower crews, etc... not be scheduled until delivery is verified to be on time. EEI will not be responsible for any costs incurred due to these possible delays.
8. Any and all permits, licenses, or payment of taxes required for construction are the sole responsibility of the purchaser.
9. Manufacturer Assistance: Contractors / Erectors may contact Ehresmann Engineering, Inc. at (605) 665-7532 for questions on design, materials, or installation regarding items furnished by Ehresmann Engineering, Inc.
10. Ehresmann Engineering, Inc. is available, upon request, to supervise installation and/or completion of modifications, or to provide on-site inspection after project completion.

****Please also reference site specific design documents and drawings for additional notes.**

Anchor Rod Tightening:
Prior to placing anchor rods in the concrete, it is recommended that an anchor rod rotation capacity test be run with at least one anchor rod. This test may be run in a Skidmore-Wilhelm device or in a mockup of the base plate using a small piece of plate with one hole of equivalent grade, thickness, and finish. The test consists of steps 2 through 12 as outlined below and adapted as necessary for the mock set-up. It is recommended that the nut be rotated at least to the required rotation as given in step 11. After the test, the nuts should be removed and all threads (rod and nut) inspected for damage. Once the anchor rod is removed from the test plate, the nuts shall again be turned onto the rod well past the location of the leveling nut and backed off by one worker using an ordinary wrench with no cheater bar. The threads are considered damaged if more than minimal effort is required to turn the nut. Please note that nuts should be turned onto ALL anchor rods and backed off with minimal effort as outlined above to verify threads of ALL anchor rods and nuts prior to placement in concrete.

Recommended Steps for Anchor Rod Tightening:

1. Verify proper position of anchor rods.
2. Verify that all nuts can be turned onto the rods well past the elevation of the bottom of the leveling nut and backed off by one worker using an ordinary wrench without a cheater bar.
3. If threads of anchor rods were lubricated more than 24 hours before placing the leveling nut or have been wet since they were lubricated, the exposed threads of the anchor rods should be relubricated (Beeswax and toilet-ring wax have been shown to provide good lubrication).
4. Place leveling nuts on anchor rods and level.
5. Place leveling nut washers.
6. Set pole or tower legs.
7. Plumb pole or legs and/or level base plates.
8. Place top nut washers.
9. Threads and bearing surfaces of the top nuts should be lubricated, placed and tightened to the snug-tight condition in a star pattern. Reference TABLE 1 for snug-tight torque values.
10. Tighten leveling nuts to the snug-condition (as outlined for top nuts) in a star pattern.
11. Mark the reference position of the top nut in the snug-tight condition with a suitable marking on one flat with a corresponding reference mark on the base plate at each bolt. Top nuts should be turned in increments in a star pattern (at least two full tightening cycles) to the appropriate nut rotation specified below.

Anchor Rod Diameter, in.	Nut Rotation from Snug-Tight Condition
less than 1 1/2"	1/3 turn
greater than or equal to 1 1/2"	1/6 turn

12. A torque wrench should be used to verify that a torque at least equal to the computed verification torque Tv, is required to additionally tighten the leveling nuts and the top nuts. Reference TABLE 1 for verification torque values. An inability to achieve this torque should be interpreted to indicate that the threads have stripped and should be reported to the Engineer of Record.
13. Locking nuts are to be installed over all top nuts when tightening is completed.

TABLE 1

ANCHOR ROD DIAMETER (INCHES)	SNUG-TIGHT TORQUE (FT-LBS)	VERIFICATION TORQUE (FT-LBS)
3/4	38-56	188
1	91-136	454
1 1/4	182-272	908
1 1/2	316-474	1581
1 3/4	499-748	2494
2	750-1125	3750
2 1/4	921-1382	4607

VALUES AS SHOWN IN TABLE 1 ARE BASED ON ASTM F1554 GRADE 105 ANCHOR RODS WITH MINIMUM ULTIMATE TENSILE STRENGTH OF 125 KSI FOR ROD DIAMETERS UP TO 2" AND ASTM A615 GR. 75 ANCHOR RODS WITH MINIMUM ULTIMATE TENSILE STRENGTH OF 105 KSI FOR 2 1/4" ANCHOR RODS.

Erection / Installation:
When installing items provided by Ehresmann Engineering, Inc., the contractor (person performing the erection or modification) shall comply with the following:

1. All structural work shall be performed in relatively calm weather, with wind velocities not exceeding 15 MPH at any height of the tower. Additionally it is recommended that work be completed in accordance with ANSI/TIA-322 and ANSI/ASSE A10.48.
2. All structural work shall be performed by a competent and reputable contractor with experience in similar tower work.
3. Our drawings indicate the major operations to be performed, but do not show every field condition that may be encountered. Prior to beginning work, the contractor should survey the job thoroughly to eliminate future field problems.
4. It is the contractor's sole responsibility to determine the erection procedure and sequence to insure the stability and safety of the tower and adequacy of temporary or incomplete connections during construction.
5. All nuts for bearing type connections shall be tightened to a "snug tight" condition as defined by AISC. All nuts for direct tension/fully pre-tensioned or slip critical connections shall be tightened per the "turn-of-the-nut" method in accordance with AISC.
6. It shall be the contractor's responsibility to ensure that all practices and procedures used during assembly, installation and erection work required on the tower or foundations do not endanger the safety of any personnel nor the structural integrity of the tower.
7. The contractor shall use only safe and workmanlike procedures when modifying a tower.
8. The contractor shall not correct any errors in manufacturing or design without special permission and written instructions from Ehresmann Engineering, Inc. This means straightening, relocation or reaming of bolt holes, drifting or any other application of force to make the members fit. (This restriction does not apply to diagonal members designed for initial tension or specific "draw.") The contractor shall immediately notify Ehresmann Engineering, Inc., through the appropriate channels to effect correction.
9. The contractor shall immediately notify Ehresmann Engineering, Inc. of any material which is damaged during erection or installation. The contractor shall not correct or substitute any member damaged during installation without written consent and instructions from Ehresmann Engineering, Inc.
10. The contractor shall refrain from exerting excessive forces on the tower or on modification material during installation. Tower member design does not include stresses due to erection since erection equipment and conditions are unknown. Our design assumes that the services of competent and qualified personnel will be utilized to develop proper procedures and rigging plans. Our design also assumes that competent and qualified personnel will be hired to perform the work.
11. All field-punched holes shall be touched up with cold galvanizing. Under no circumstances shall the torching of holes be allowed.
12. All factory installed bracing placed within monopole tube sections is to remain in place until erection is complete. Do not remove bracing without prior consultation with EEI.

- Concrete & Foundation Installation:**
1. All rebar shall have 3' minimum cover, unless specified otherwise, and shall conform to ASTM A615. Rebar grade to be as specified on site drawings.
 2. Tie and secure all rebar and anchor bolts/shafts before placing concrete.
 3. Hook length as specified for vertical bars is from back side of bend. Minimum straight length of hook after bend shall be 12x bar diameter.
 4. Bending of rebar to be in accordance with ACI-318 latest edition.
 5. Sides of excavation may need to be braced or sloped back as required for stability and in accordance with all applicable safety regulations.
 6. Base of excavation shall be clean and free of all debris.
 7. All excavation, backfill and soil compaction to be completed in accordance with Geotechnical Engineer's recommendations. However, compacted density of all backfill must meet minimum unit weight as specified on site drawings.
 8. Attention shall be given to final site drainage and compaction of the fill placed around the foundation to minimize surface water infiltration around the foundation.
 9. Concrete strength and mix values to be listed on site specific foundation drawings. Alternate values may be acceptable and could be dependent on placement methods. However, use of alternate values must be approved by EOR prior to installation. EEI will not be responsible for any delays due to request for approval of alternate values. It is the Contractor's responsibility to allow adequate time for approval.
 10. Use of water reducers may be required for some placement methods to achieve necessary slump and/or flow without exceeding maximum water/cement ratios. It is Contractor's responsibility to utilize proper mix to ensure proper placement of concrete for the method of placement chosen.
 11. Exposed edges of all foundations to be chamfered 1' x 45°.
 12. Use steel top and bottom anchor bolt templates provided by EEI for proper anchor bolt spacing and placement.
 13. All concrete work shall be in accordance with ACI 318 (Latest Edition). ACI specifications for "Cold Weather" or "Hot Weather" concreting shall be followed as applicable.

Structural Steel & Hardware:

1. All fabricated steel shall have a minimum yield strength of 36 ksi. Use of higher strength steel for some members/items will be noted in design documents or drawings as applicable.
2. All fabricated steel shall be hot dip galvanized per ASTM A123.
3. All structural fasteners shall be ASTM F3125 Gr. A325 unless specified otherwise.
4. U-Bolts to be ASTM A36, A572 Gr. 50, or A193 Gr. B7 depending on size and application. Reference site specific drawings for additional details.
5. Step Bolts to be ASTM A449
6. All hardware shall be hot dip galvanized per ASTM A153.
7. Welded connections shall conform to the latest revision of the American Welding Society, A.W.S. D1.1.
8. All structural components shall be verified for proper assembly by the field crew prior to installation.

△				NAME
△			DRAWN BY:	EJH
△			CHECKED BY:	
△			ENG APPR.	
△			MFG APPR.	
△			Q.C.	
△	TUBE BRACING NOTE	10/29/19	Site:	
△	U-BOLT/STEP-BOLT GR.	10/16/19	WA-SPOKANE VALLEY-GREENACRES	
△	DRAWING CREATED	03/13/17		
REV	DESCRIPTION	DATE	Job# 107430	



Ehresmann Engineering, Inc.

4400 West 31st Street
Yankton, SD 57078
605-665-7532
605-665-9780

TITLE:

**STD TOWER &
TOWER FOUNDATION NOTES**

DWG. NO.

107430N1

Sheet NO. **N1**

Rev. 1A

SPECIAL INSPECTION STATEMENT IN ACCORDANCE WITH IBC SECTION 1704.3

VERIFICATION AND TESTING SHALL BE COMPLETED AS FOLLOWS:

REINFORCED CONCRETE CONSTRUCTION (MONOPOLE FOUNDATION):

- VERIFY PROPER DIMENSIONS AND DEPTH OF FOUNDATION
- INSPECTION OF REINFORCING STEEL TO INCLUDE VERIFICATION OF PROPER MATERIAL GRADE, QTY, SIZE AND PLACEMENT
- VERIFY PROJECTION LENGTH OF ANCHOR BOLTS ABOVE TOP OF CONCRETE PRIOR TO CONCRETE SETTING
- VERIFY USE OF APPROVED CONCRETE MIX DESIGN
- VERIFY PROPER CONCRETE SLUMP AND AIR CONTENT BY TESTING AT THE TIME FRESH CONCRETE IS SAMPLED FOR STRENGTH TESTS
- VERIFY PROPER PLACEMENT OF CONCRETE IN ACCORDANCE WITH APPROVED TECHNIQUES.
- VERIFY CONCRETE COMPRESSIVE STRENGTH BY MEANS OF STANDARD TEST CYLINDERS TO BE BROKE AT 7 DAYS AND 28 DAYS MINIMUM.

STRUCTURAL STEEL CONSTRUCTION (MONOPOLE STRUCTURE):

INSPECTION OF HIGH-STRENGTH BOLTED CONNECTIONS:

- VERIFY IDENTIFICATION MARKINGS/GRADE, QTY AND SIZE OF BOLTS, NUTS & WASHERS
- VISUALLY INSPECT SNUG-TIGHT BOLTED JOINTS TO VERIFY ALL PLIES IN CONTACT AND LOCK-WASHERS COMPRESSED
- VERIFY PROPER TIGHTENING OF PRETENSIONED CONNECTIONS USING TURN-OF-NUT METHOD WITH MATCHMARKING

STRUCTURAL OBSERVATION:

- VERIFY PROPER INSTALLATION/ERECTION OF MONOPOLE PER DESIGN SPECIFICATIONS UPON COMPLETION OF INSTALLATION. VERIFICATION TO INCLUDE THE FOLLOWING:
 - MINIMUM SLIP JOINT OVERLAPS
 - STRUCTURE PLUMB IN ACCORDANCE WITH TIA-222
 - MAXIMUM CLEAR DISTANCE BETWEEN TOP OF FOUNDATION AND LEVELING NUT

VERIFICATION OF ALL ITEMS AS OUTLINED ABOVE SHALL BE BASED ON DESIGN SPECIFICATIONS AND INSTALLATION DETAILS AS COMPLETED BY EHRESMANN ENGINEERING, INC.

SPECIAL INSPECTOR SHALL IDENTIFY AND DOCUMENT RESULTS OF ALL INSPECTIONS AND MATERIAL TESTING AS OUTLINED. INSPECTION REPORTS SHALL BE SUBMITTED AS SOON AS POSSIBLE UPON COMPLETION OF INSPECTION BUT NO MORE THAN 5 WORKING DAYS UNLESS OTHERWISE AGREED BY PROJECT OWNER.

DEVIATION OR NON-COMPLIANCE SHALL BE CORRECTED BY CONTRACTOR. ANY DEVIATIONS NOT CORRECTED ARE TO BE CLEARLY IDENTIFIED IN FINAL REPORTS AND EHRESMANN ENGINEERING, INC. SHOULD BE NOTIFIED IMMEDIATELY FOR CONSULTATION.

THE PROJECT OWNER OR AN AGENT OF THE OWNER IS RESPONSIBLE FOR SCHEDULING AND FUNDING ALL SPECIAL INSPECTION SERVICES.

SPECIAL INSPECTIONS REQUIRED:		
REINFORCED CONCRETE:	CONTINUOUS	PERIODIC
PIER/PAD FOUNDATION		X
REINFORCING STEEL		X
CONCRETE PLACEMENT	X	
SAMPLING & TESTING		X
ANCHORS/BOLTS CAST IN CONCRETE		X
SOILS		X
STRUCTURAL STEEL:		
HIGH-STRENGTH BOLTS		X
STRUCTURAL OBSERVATION:		
YES		X

△ △ △ △ △ △ △ △ △ △				NAME GE	Ehresmann Engineering, Inc.  4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	TITLE: 80' MONOPOLE SPECIAL INSPECTION STATEMENT	
			DRAWN BY:			DWG. NO. 107430SI	
			CHECKED BY:				
			ENG APPR.				
			MFG APPR.				
			Q.C.				
			Site:				
			WA-SPOKANE VALLEY-GREENACRES				
	DRAWING CREATED	10/09/20					
REV	DESCRIPTION	DATE	Job# 107430				Sheet NO. SI

MONOPOLE DESIGN CRITERIA: DESIGN PER TIA-222-G
85 MPH WIND & NO ICE (Vasd)
(Vult = 110 MPH WIND)
40 MPH WIND & 1/4" ICE (Vasd)
60 MPH WIND & NO ICE (SERVICE)
STRUCTURE CLASS II
EXPOSURE CATEGORY C
TOPOGRAPHIC CATEGORY 1
SEISMIC DESIGN CATEGORY B
SITE CLASS C

- NOTES:**
1. ORIENT V-NOTCH ON TOP OF TEMPLATE AND REFERENCE TAB ON BASE PLATE @ 0°.
 2. STAMP "EEI 107430" ON TOP OF BASE PLATE (NEAR NORTH TAB) WITH 1/2" STEEL STAMPS.

SITE INFORMATION:

COORDINATES: LATITUDE: 47° 41' 15.61" N
LONGITUDE: 117° 10' 04.48" W

ADDRESS: 3224 N TSCHIRLEY RD
SPOKANE VALLEY, WA 99216

COUNTY: SPOKANE COUNTY, WASHINGTON

MAXIMUM BASE MOMENT & FORCES		
MOMENT (FT-KIPS)	SHEAR (KIPS)	AXIAL (KIPS)
1,842	31	33

ELEV.	ITEM	RAD.	FEEDLINES
76'	40,000 SQ IN X Ka (Ka=0.8)	—	(12) 1 5/8" (INSIDE POLE) (3) HYBRID CABLE (INSIDE POLE)
64'	40,000 SQ IN X Ka (Ka=0.8)	—	(12) 1 5/8" (INSIDE POLE) (3) HYBRID CABLE (INSIDE POLE)
52'	30,000 SQ IN X Ka (Ka=0.8)	—	(3) HYBRID CABLE (INSIDE POLE)
42'	ANDREW HP10 (2 GHz)	—	(1) 1 5/8" (INSIDE POLE)
34'	ANDREW HP6 (2 GHz)	—	(1) 1 5/8" (INSIDE POLE)
26'	ANDREW HP6 (2 GHz)	—	(1) 1 5/8" (INSIDE POLE)

POLE DATA					
POLE___65___KSI 18 SIDED					
ELEV.	WALL THICKNESS	TAPER	TUBE LENGTH	TOP DIA.	BASE DIA.
35'-80'	3/16"	.280"/FT.	45'-0"	22"	34 5/8"
0'-40'	1/4"	.280"/FT.	40'-0"	32 13/16"	44"

ANCHOR BOLT DATA:

(16x) 1 1/2"Ø F1554 GRADE 105 KSI
X 6'-0" LG ON A 50"Ø BOLT CIRCLE
TEMPLATE O.D. = Ø54" A36

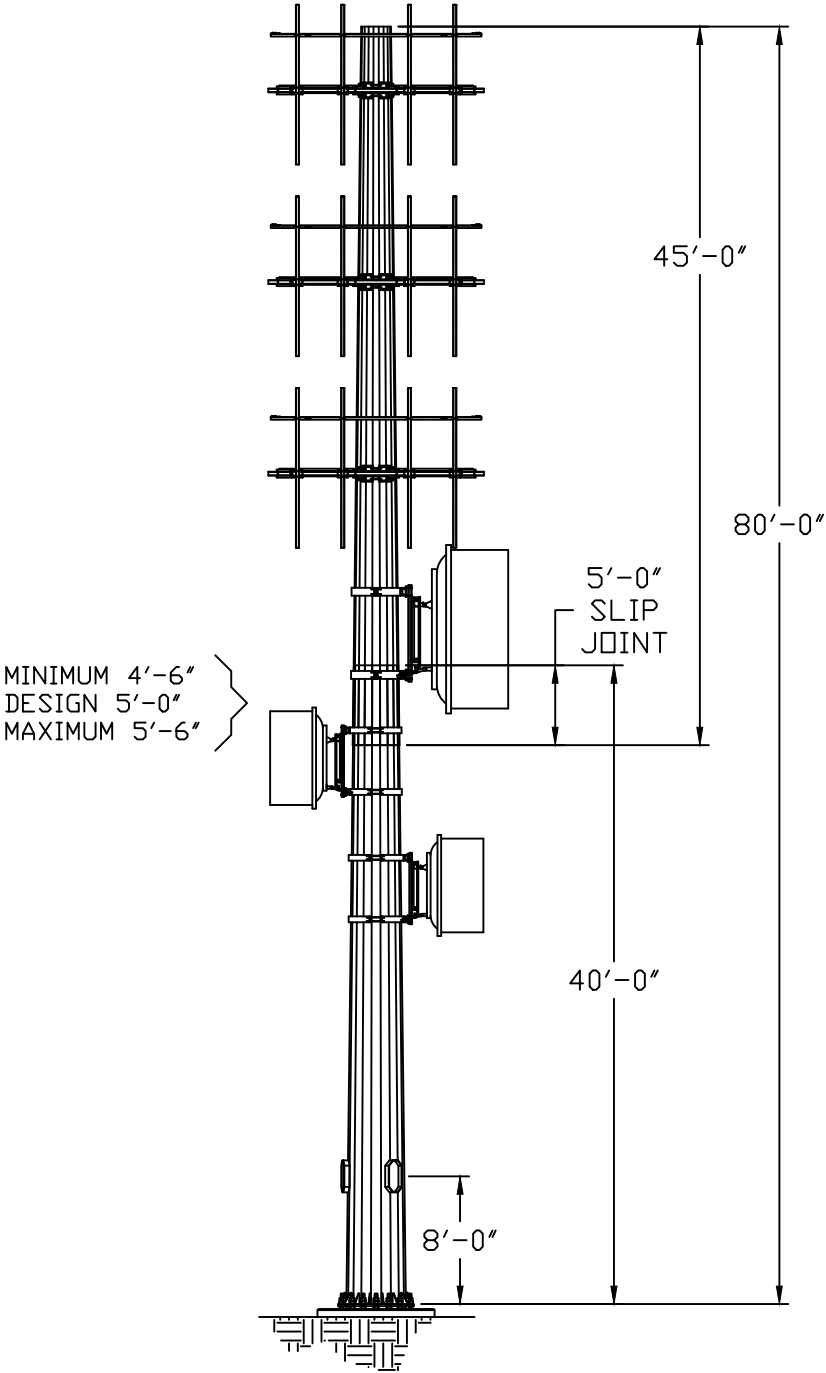
BASE PLATE DATA:

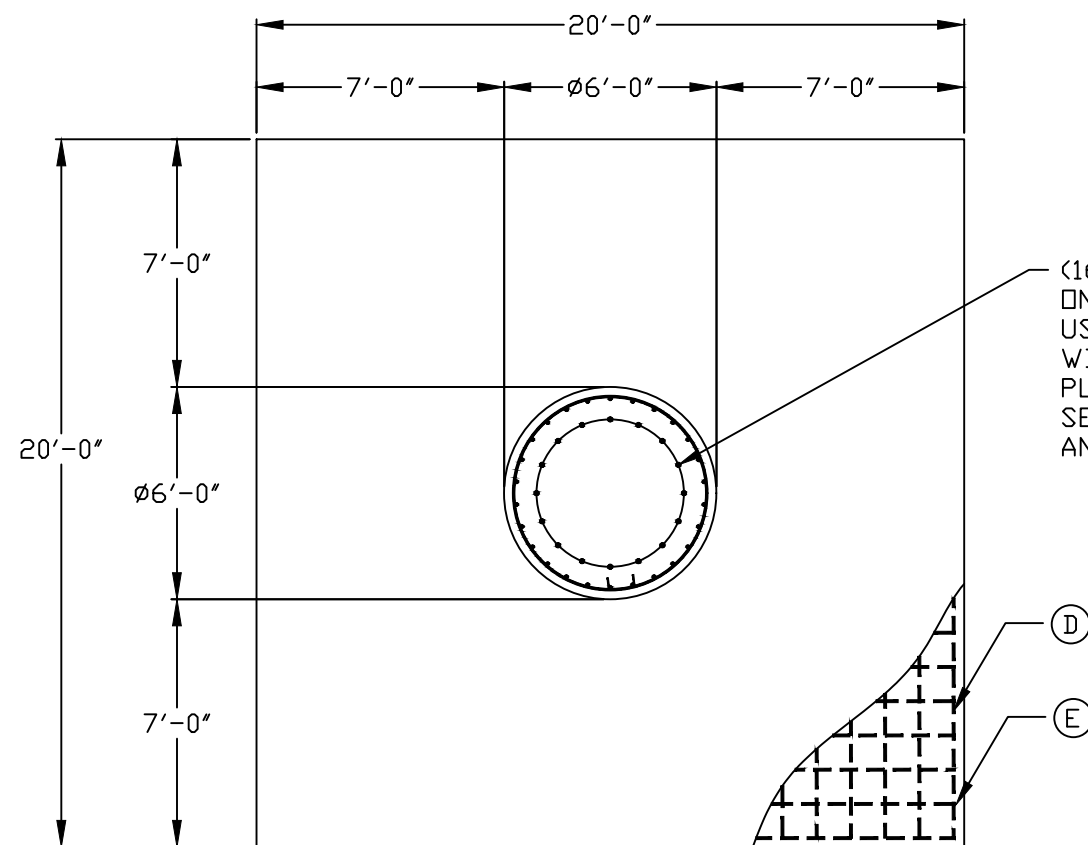
56Ø, 1 1/2" THICK, ROUND
ASTM A572 50 KSI

(16x) 3/8" THICK X 9" TALL GUSSETS
ASTM A572 65 KSI

△			NAME	
△			DRAWN BY:	GE
△			CHECKED BY:	
△			ENG APPR.	
△			MFG APPR.	
△			Q.C.	
△			Site:	
△			WA-SPOKANE VALLEY-GREENACRES	
△	DRAWING CREATED	10/08/20	Job#	107430
REV	DESCRIPTION	DATE		

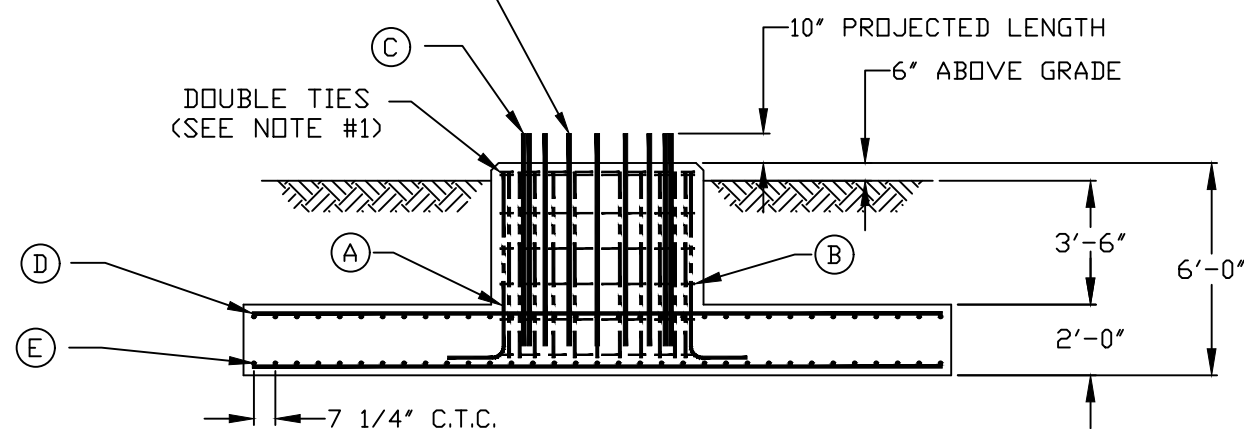
Ehresmann Engineering, Inc.	
	
4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	
TITLE: 80' MONOPOLE	
DWG. NO. 107430E01	
Sheet NO.	Rev. 1A





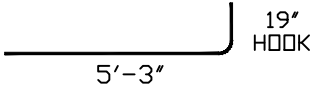
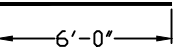
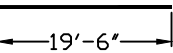
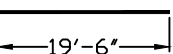
TOP VIEW

THE CLEAR DISTANCE FROM THE TOP OF CONCRETE TO THE BOTTOM LEVELING NUT IS NOT TO EXCEED 1.0 TIMES THE DIAMETER OF THE ANCHOR BOLT



ELEVATION VIEW

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF EHRESMANN ENGINEERING, INC. AND SHALL NOT BE REPRODUCED OR USED IN WHOLE OR IN PART AS THE BASIS OF THE MANUFACTURE OR SALE OF ITEM(S) WITHOUT WRITTEN PERMISSION.

MATERIAL LIST				
ITEM	QTY	GRADE	DESCRIPTION	
A	26	60	#8 BARS	 5'-3" 19" HOOK
B	7	60	#4 BARS	 4" HOOKS 8 7/8" LAP (STAGGERED) 5'-6"
* C	16	105	1 1/2"Ø X 6'-0"	 6'-0"
D	66	60	#9 BARS (33) EACH WAY-TOP	 19'-6"
E	66	60	#9 BARS (33) EACH WAY-BOTTOM	 19'-6"

* SUPPLIED BY EEI, ALL OTHER MATERIAL TO BE SUPPLIED BY THE CONTRACTOR.

NOTES:

- LATERAL REINFORCEMENT, CONSISTING OF TWO (2) HORIZONTAL TIES SHALL BE DISTRIBUTED WITHIN 5" OF TOP OF CONCRETE PER ACI 318. THE ENDS OF ALL CIRCULAR TIES SHALL TERMINATE WITH STANDARD HOOKS THAT ENGAGE A LONGITUDINAL COLUMN BAR.
- FOUNDATION DESIGN BASED ON SOILS REPORT BY GEOPROFESSIONAL INNOVATION DATED SEPTEMBER 2, 2020; FILE NO. PU20197A. CONTRACTOR TO REVIEW SOILS REPORT FOR POSSIBLE SPECIAL INSTRUCTIONS BY GEOTECHNICAL ENGINEER.
- MINIMUM COMPACTED UNIT WEIGHT OF ALL BACKFILL TO BE 130 PCF.
- 33.82 CUBIC YARDS CONCRETE REQUIRED THIS FOUNDATION.
- MONOPOLE BASE REACTIONS;
MOMENT = 1,842 FT-KIPS
SHEAR = 31 KIPS
AXIAL = 33 KIPS

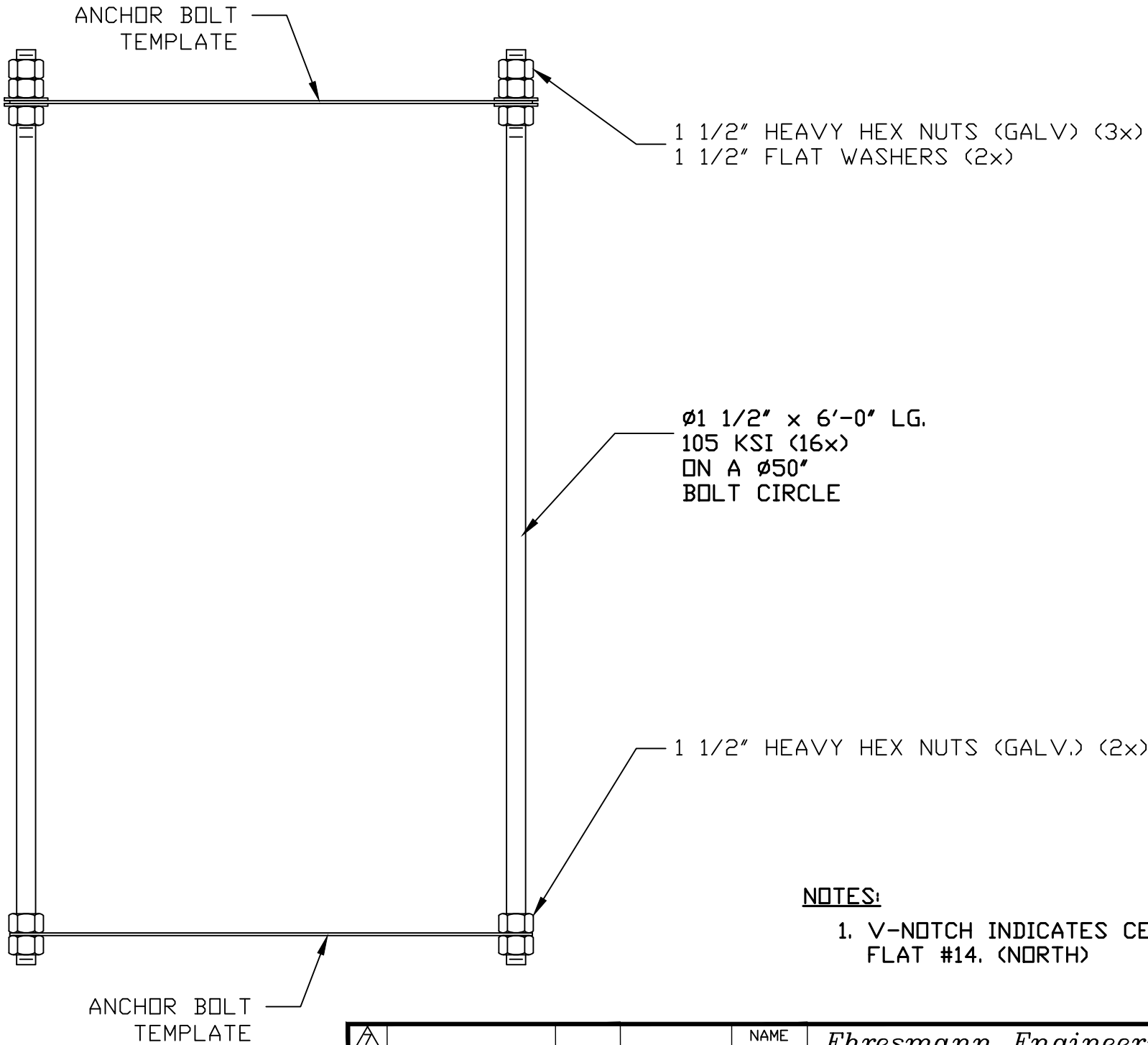
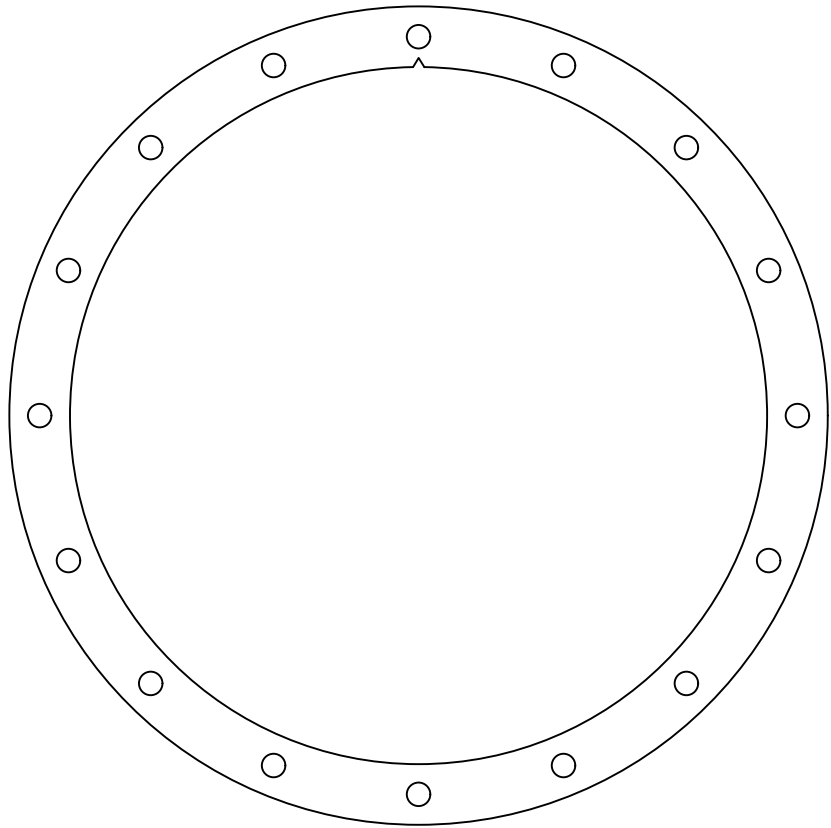
CONCRETE MIX REQUIREMENTS:

CEMENT: TYPE I/II PORTLAND CEMENT
28 DAY COMPRESSIVE STRENGTH = 4500 PSI
MAXIMUM WATER/CEMENT RATIO = 0.45
SLUMP = 4"-6"
ENTRAINED AIR CONTENT = 5%-7%

△			NAME	 Ehresmann Engineering, Inc. 4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780		TITLE: 80' MONOPOLE MAT TYPE FOUNDATION DESIGN	
△			DRAWN BY:				
△			CHECKED BY:				
△			ENG APPR.				
△			MFG APPR.			DWG. NO. 107430E02	
△			Q.C.				
△			Site:	WA-SPOKANE VALLEY-GREENACRES		Sheet NO. E02	
△							
△	DRAWING CREATED	10/9/20	Job#	107430		Rev. 1A	
REV	DESCRIPTION	DATE					

Weldment	Part	Qty	Description	Weight
	107430	2	1/4" TEMPLATE X Ø54" O.D. (Ø50" B.C.)	85
	578614	16	Ø1 1/2" X 6'-0" LG ANCHOR BOLT KIT (ASSEMBLED)	712
	---	80	1 1/2" HEAVY HEX NUT. A563 (GALV.)	---
	---	32	1 1/2" FLAT WASHER. F436 (GALV.)	---

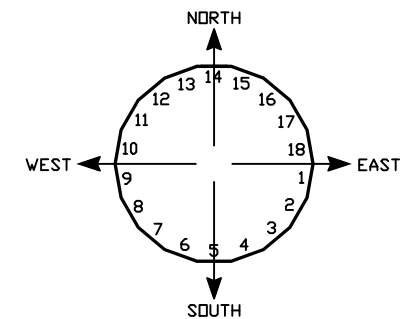
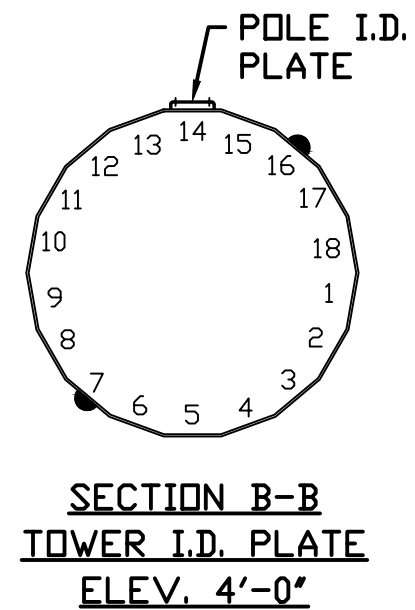
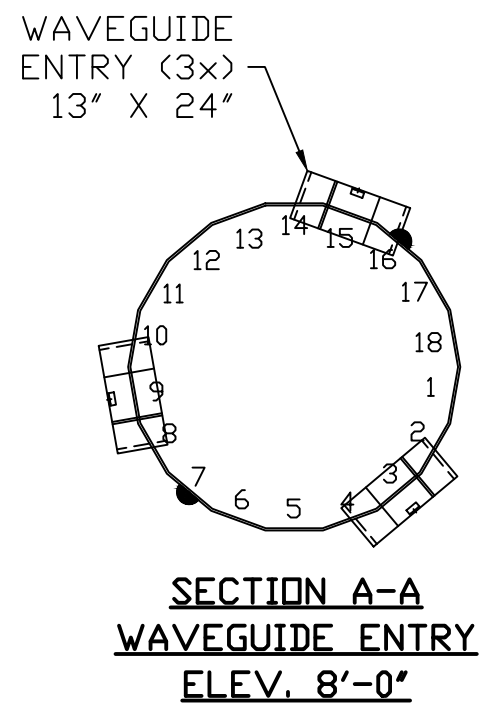
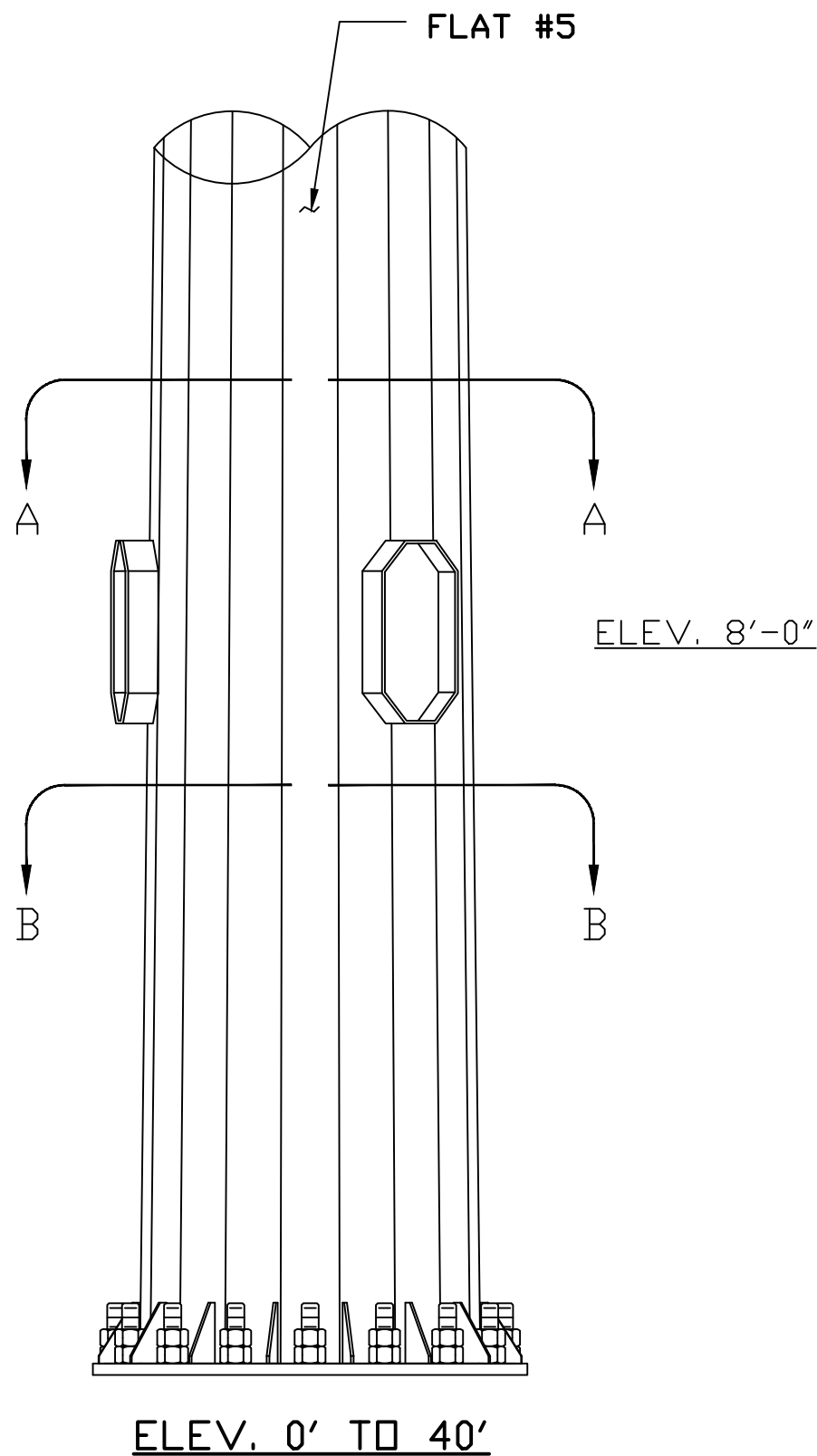
BLACK IRON WT = 797#



- NOTES:**
1. V-NOTCH INDICATES CENTERLINE
FLAT #14. (NORTH)

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WHOLE OR IN PART AS THE BASIS OF THE
MANUFACTURE OR SALE OR ITEM(S) WITHOUT
WRITTEN PERMISSION.

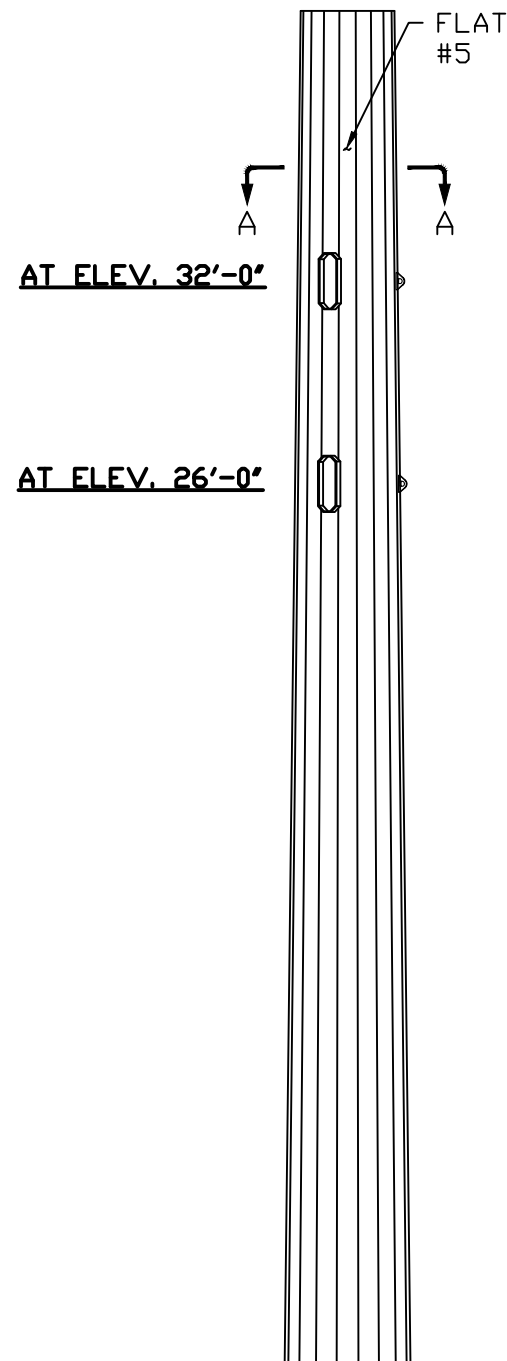
				NAME	 <i>Ehresmann Engineering, Inc.</i> 4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	TITLE: <i>ANCHOR BOLT & TEMPLATES TYPICAL INSTALLATION</i>	
			DRAWN BY:	<i>GE</i>			
			CHECKED BY:				
			ENG APPR.				
			MFG APPR.				
			Q.C.				
			Site:				
			<i>WA-SPOKANE VALLEY-GREENACRES</i>				
	DRAWING CREATED	<i>03/03/21</i>					
							
REV	DESCRIPTION	DATE	Job#	<i>107430</i>		Sheet NO. <i>E03</i>	Rev. 1A



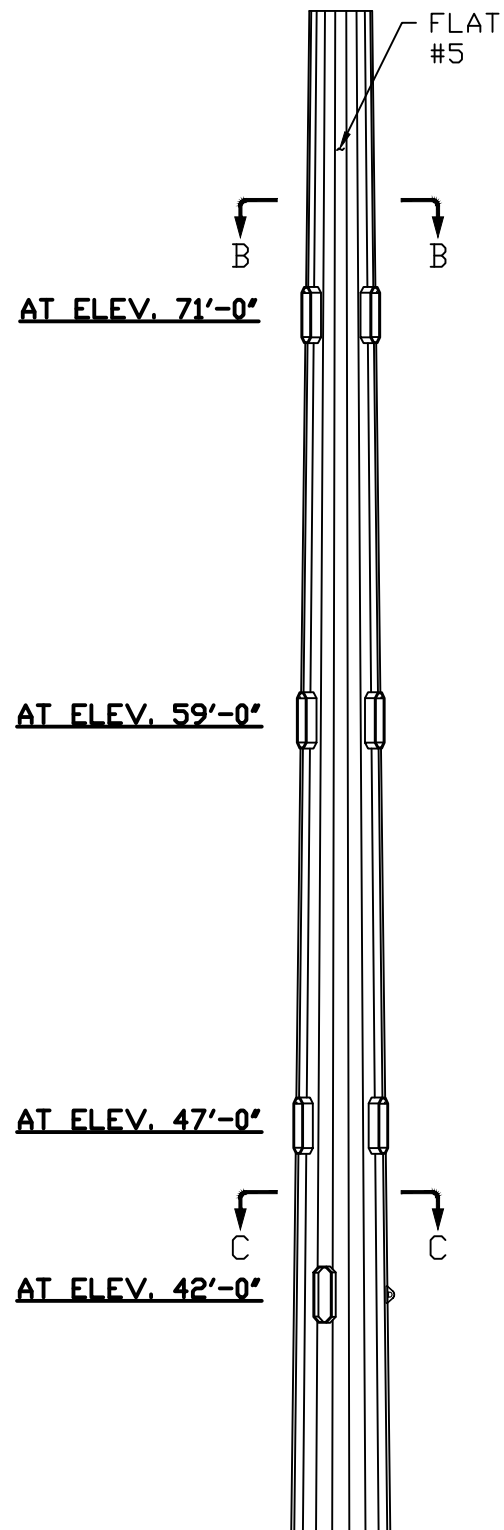
- NOTES:
1. FLAT #14 IS NORTH.

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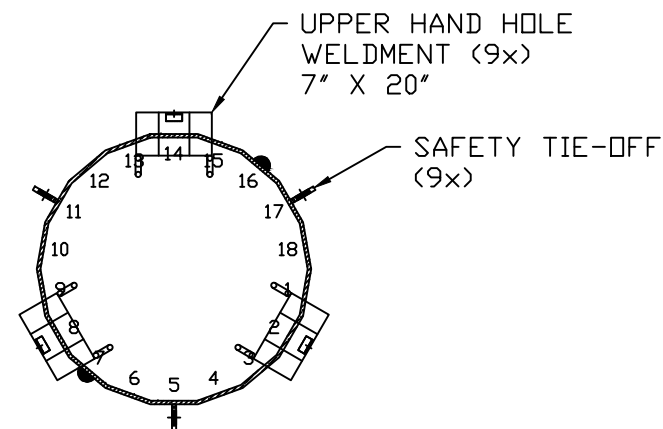
△				NAME	Ehresmann Engineering, Inc.  4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	TITLE: ENTRY PORT, ID PLATE INSTALLATION
△			DRAWN BY:	GE		
△			CHECKED BY:			
△			ENG APPR.			
△			MFG APPR.			
△			Q.C.			
△			Site:		DWG. NO. 107430E04	
△			WA-SPOKANE VALLEY-GREENACRES			
△	DRAWING CREATED	03/17/21	Job# 107430			
REV	DESCRIPTION	DATE			Sheet NO. E04	Rev. 1A



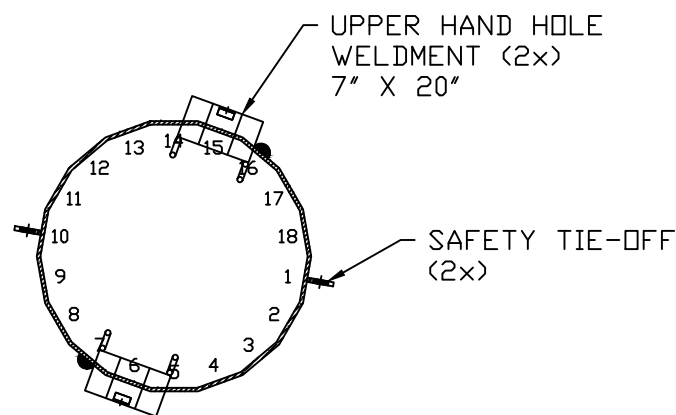
POLE SECTION #1
ELEV. 0' TO 40'



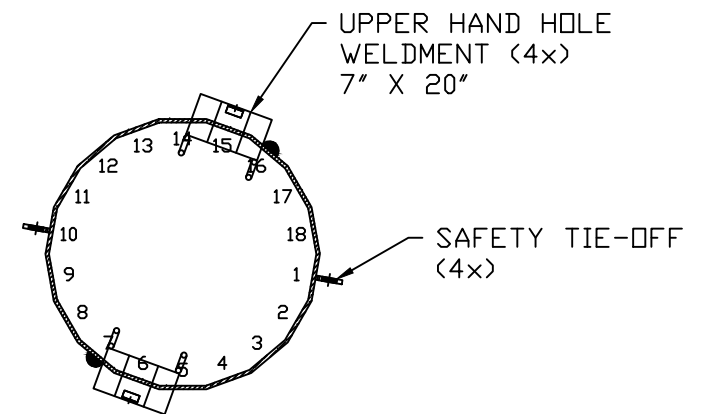
POLE SECTION #2
ELEV. 35' TO 80'



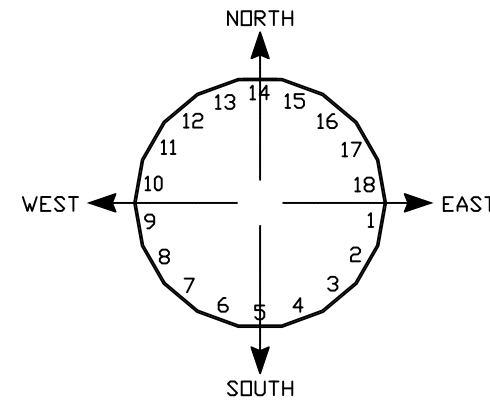
SECTION B-B
ELEV. 71'-0"
ELEV. 59'-0"
ELEV. 47'-0"



SECTION C-C
ELEV. 42'-0"



SECTION A-A
ELEV. 32'-0"
ELEV. 26'-0"



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△			NAME
△		DRAWN BY:	GE
△		CHECKED BY:	
△		ENG APPR.	
△		MFG APPR.	
△		Q.C.	
△		Site:	
△		WA-SPOKANE	
△		VALLEY-GREENACRES	
△	DRAWING CREATED	03/17/21	Job# 107430
REV	DESCRIPTION	DATE	

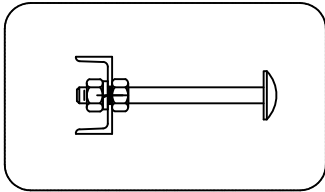
Ehresmann Engineering, Inc.

4400 West 31st Street
Yankton, SD 57078
605-665-7532
605-665-9780

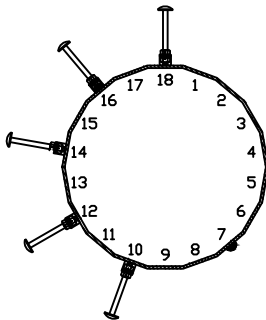
TITLE: UPPER HAND HOLE INSTALLATION	
DWG. NO. 107430E05	Rev. 1A



Weldment	Part	Qty	Description	Weight
	TTCSCS-80'WP	1	SAFETY CLIMB KIT 80' (2 CABLE GUIDES)	---
	575300	116	STEP BOLT 5/8"Ø X 7", A394 W/ HARDWARE	---

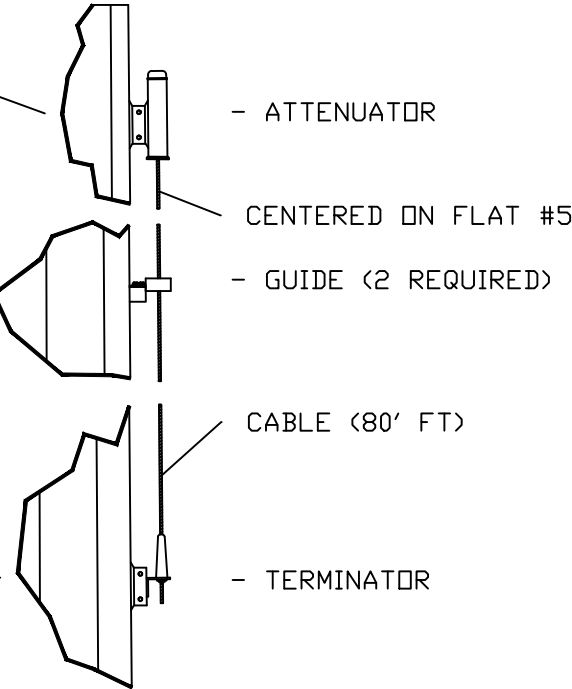
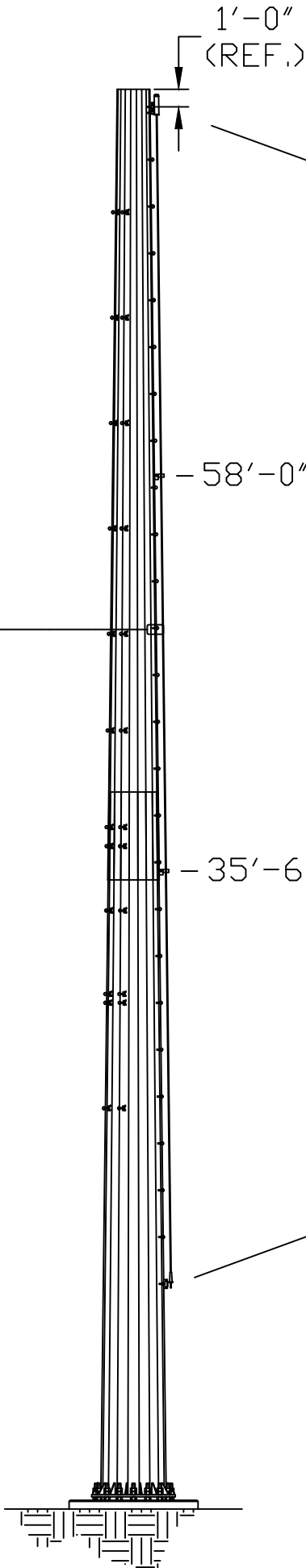


TYPICAL STEP BOLT
INSTALLATION



SECTION A-A
WRAP AROUND ELEVATIONS

ELEV. 73'-0"
ELEV. 67'-0"
ELEV. 61'-0"
ELEV. 55'-0"
ELEV. 49'-0"
ELEV. 43'-6"
ELEV. 38'-0"
ELEV. 36'-11"
ELEV. 33'-3"
ELEV. 28'-6"
ELEV. 28'-0"
ELEV. 22'-0"



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WHOLE OR IN PART AS THE BASIS OF THE
MANUFACTURE OR SALE OR ITEM(S) WITHOUT
WRITTEN PERMISSION.

△			NAME
△			DRAWN BY: GE
△			CHECKED BY:
△			ENG APPR.
△			MFG APPR.
△			Q.C.
△			Site:
△			WA-SPOKANE VALLEY-GREENACRES
△	DRAWING CREATED	03/17/21	Job# 107430
REV	DESCRIPTION	DATE	



Ehresmann Engineering, Inc.
4400 West 31st Street
Yankton, SD 57078
605-665-7532
605-665-9780

TITLE:

**SAFETY CLIMB
INSTALLATION**

DWG. NO.

107430E06

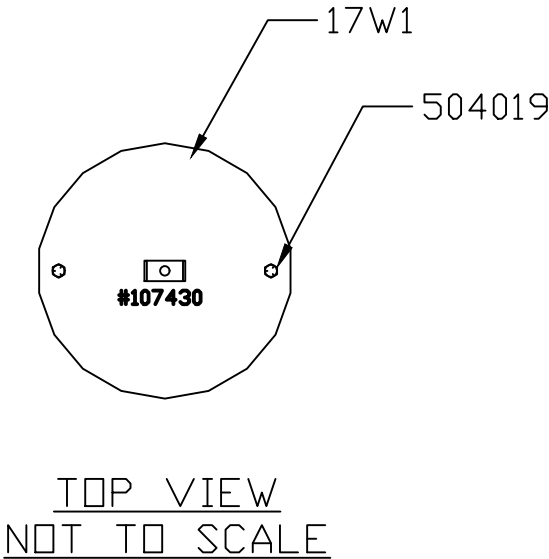
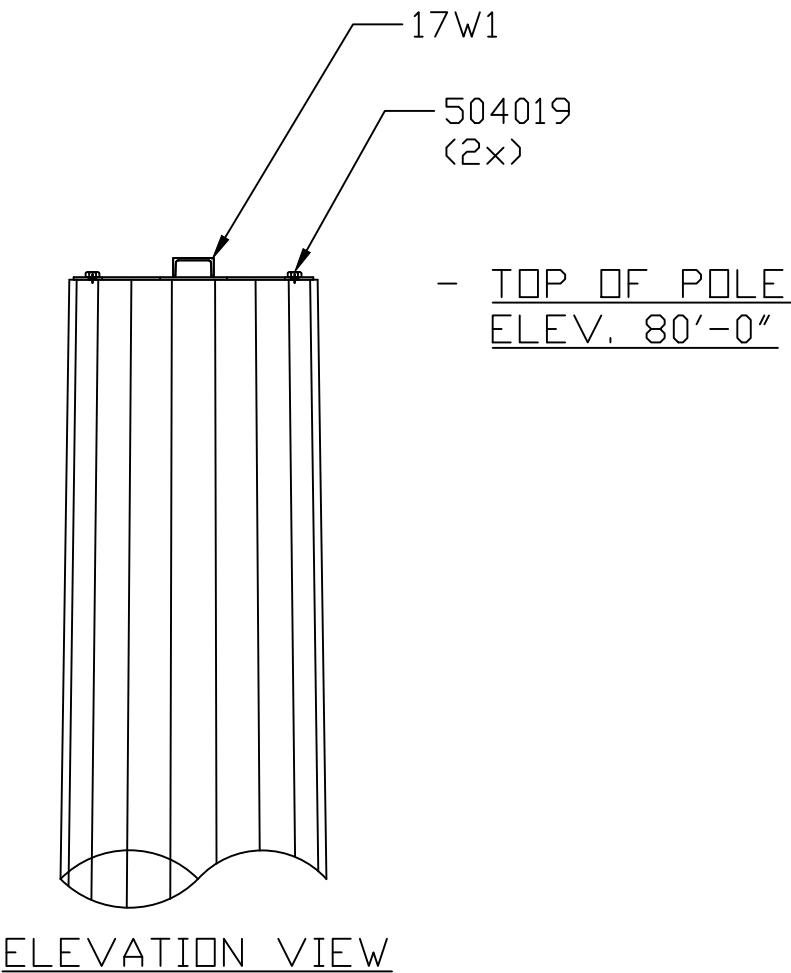
Sheet NO.

E06

Rev. 1A

Weldment	Part	Qty	Description	Weight
17W1		1	LIGHTNING ROD WELDMENT X Ø22 1/2" (W/CHANNEL)	22
	504019	2	1/2" X 1 1/4" BOLT A325	---

BLACK IRON WT = 22#



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7				NAME	 Ehresmann Engineering, Inc. 4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	TITLE: LIGHTNING ROD INTALLATION		
6			DRAWN BY:	GE				DWG. NO. 107430E07
5			CHECKED BY:					
4			ENG APPR.					Rev. 1A
3			MFG APPR.					
2			Q.C.					
1			Site:					
0	DRAWING CREATED	03/17/21	WA-SPOKANE VALLEY-GREENACRES					
REV	DESCRIPTION	DATE	Job# 107430					

MONOPOLE DESIGN CRITERIA: DESIGN PER TIA-222-G
 85 MPH WIND & NO ICE (Vasd)
 (Vult = 110 MPH WIND)
 40 MPH WIND & 1/4" ICE (Vasd)
 60 MPH WIND & NO ICE (SERVICE)
 STRUCTURE CLASS II
 EXPOSURE CATEGORY C
 TOPOGRAPHIC CATEGORY 1
 SEISMIC DESIGN CATEGORY B
 SITE CLASS C

SITE INFORMATION:

COORDINATES: LATITUDE: 47° 41' 15.61" N
 LONGITUDE: 117° 10' 04.48" W
 ADDRESS: 3224 N TSCHIRLEY RD
 SPOKANE VALLEY, WA 99216
 COUNTY: SPOKANE COUNTY, WASHINGTON

MAXIMUM BASE MOMENT & FORCES

MOMENT (FT-KIPS)	SHEAR (KIPS)	AXIAL (KIPS)
1,842	31	33

DESIGN LOADING:

ELEV.	ITEM	RAD.	FEEDLINES
76'	40,000 SQ IN X Ka (Ka=0.8)	—	(12) 1 5/8" (INSIDE POLE) (3) HYBRID CABLE (INSIDE POLE)
64'	40,000 SQ IN X Ka (Ka=0.8)	—	(12) 1 5/8" (INSIDE POLE) (3) HYBRID CABLE (INSIDE POLE)
52'	30,000 SQ IN X Ka (Ka=0.8)	—	(3) HYBRID CABLE (INSIDE POLE)
42'	ANDREW HP10 (2 GHz)	—	(1) 1 5/8" (INSIDE POLE)
34'	ANDREW HP6 (2 GHz)	—	(1) 1 5/8" (INSIDE POLE)
26'	ANDREW HP6 (2 GHz)	—	(1) 1 5/8" (INSIDE POLE)

POLE DATA

POLE 65 KSI 18 SIDED					
ELEV.	WALL THICKNESS	TAPER	TUBE LENGTH	TOP DIA.	BASE DIA.
35'-80'	3/16"	.280"/FT.	45'-0"	22"	34 5/8"
0'-40'	1/4"	.280"/FT.	40'-0"	32 13/16"	44"

ANCHOR BOLT DATA:

(16x) 1 1/2" F1554 GRADE 105 KSI
 X 6'-0" LG ON A 50" BOLT CIRCLE
 TEMPLATE O.D. = 54" A36

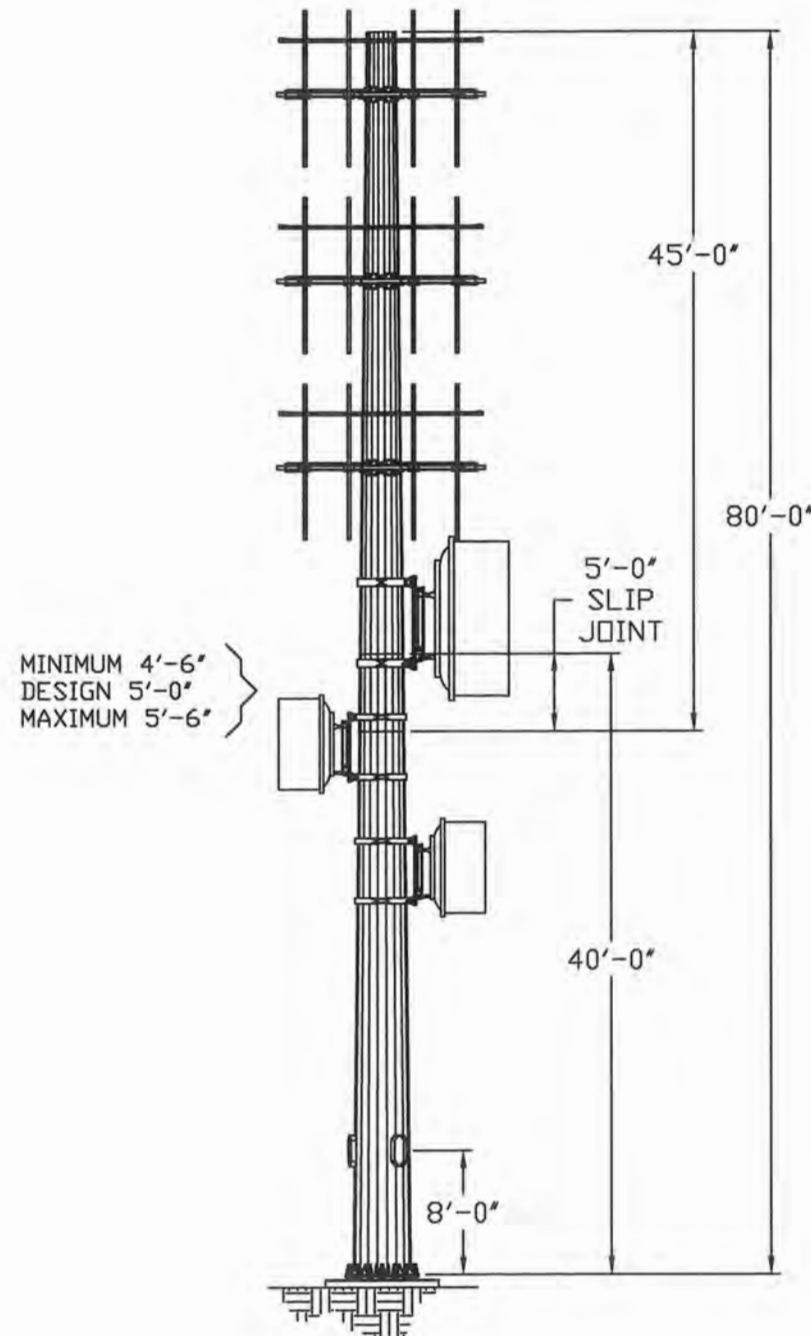
BASE PLATE DATA:

56", 1 1/2" THICK, ROUND
 ASTM A572 50 KSI
 (16x) 3/8" THICK X 9" TALL GUSSETS
 ASTM A572 65 KSI

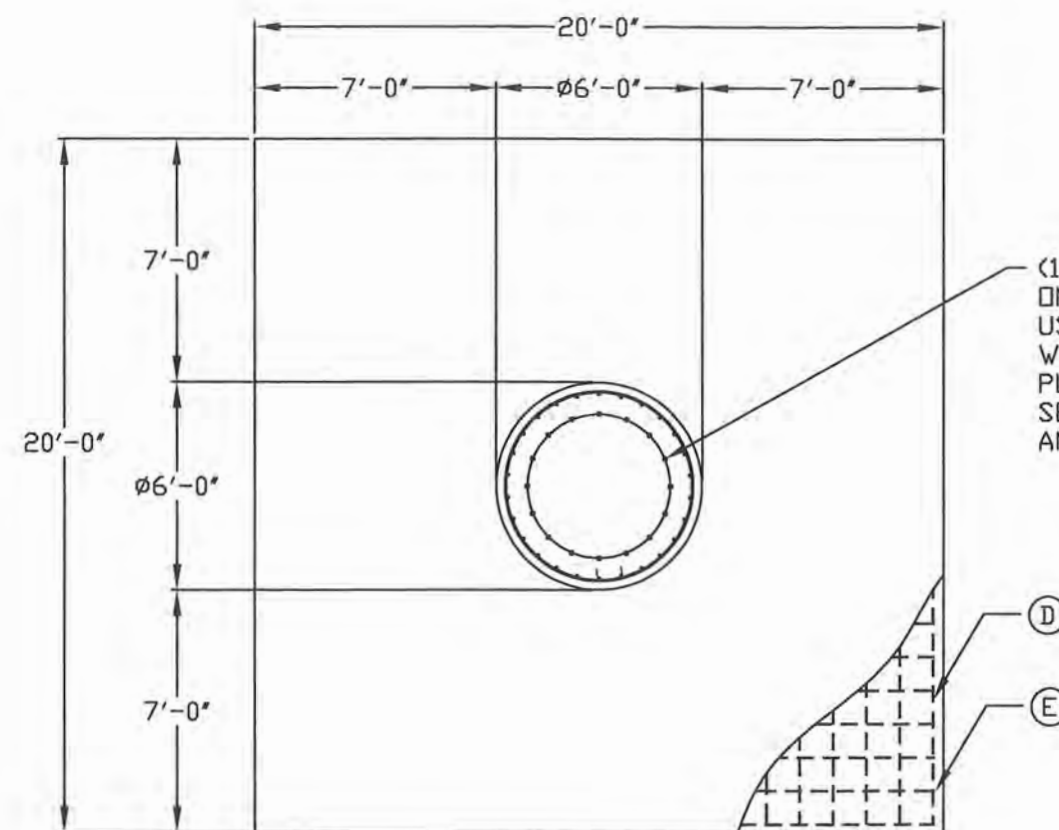
NOTES:

- ORIENT V-NOTCH ON TOP OF TEMPLATE AND REFERENCE TAB ON BASE PLATE @ 0°.
- STAMP "EEI 107430" ON TOP OF BASE PLATE (NEAR NORTH TAB) WITH 1/2" STEEL STAMPS.

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DRAWN BY: GE		NAME: Ehresmann Engineering, Inc.	
CHECKED BY:		TITLE: 80' MONOPOLE	
ENG APPR.		DWG. NO. 107430 E01	
MFG APPR.		Sheet NO. E01	
Q.C.		Rev. 1A	
Site: WA-SPOKANE VALLEY-GREENACRES		4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	
DRAWING CREATED	10/08/20	Job# 107430	
REV	DESCRIPTION	DATE	



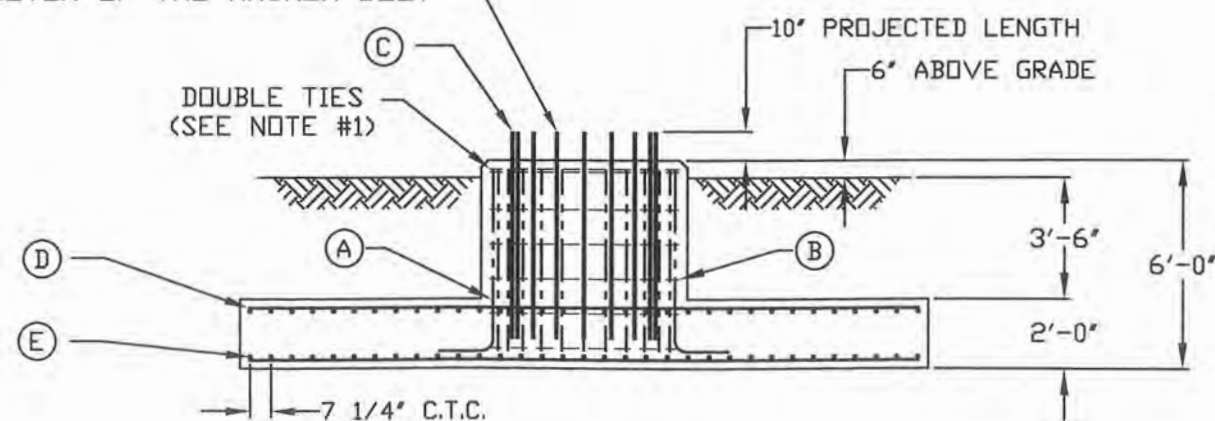
TOP VIEW

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(16x) 1 1/2"Ø ANCHOR BOLTS ON A Ø50" BOLT CIRCLE. USE TEMPLATE FURNISHED WITH MONOPOLE TO CORRECTLY PLACE ANCHOR BOLTS AS SHOWN. SEE DWG #107430E03 FOR PROPER ANCHOR BOLT & TEMPLATE ASSEMBLY



THE CLEAR DISTANCE FROM THE TOP OF CONCRETE TO THE BOTTOM LEVELING NUT IS NOT TO EXCEED 1.0 TIMES THE DIAMETER OF THE ANCHOR BOLT



ELEVATION VIEW

MATERIAL LIST

ITEM	QTY	GRADE	DESCRIPTION	
A	26	60	#8 BARS	5'-3" 19' HOOK
B	7	60	#4 BARS	4" HOOKS 8 7/8" LAP (STAGGERED) 5'-6"
* C	16	105	1 1/2"Ø X 6'-0"	6'-0"
D	66	60	#9 BARS (33) EACH WAY-TOP	19'-6"
E	66	60	#9 BARS (33) EACH WAY-BOTTOM	19'-6"

* SUPPLIED BY EEI, ALL OTHER MATERIAL TO BE SUPPLIED BY THE CONTRACTOR.

NOTES:

1. LATERAL REINFORCEMENT, CONSISTING OF TWO (2) HORIZONTAL TIES SHALL BE DISTRIBUTED WITHIN 5' OF TOP OF CONCRETE PER ACI 318. THE ENDS OF ALL CIRCULAR TIES SHALL TERMINATE WITH STANDARD HOOKS THAT ENGAGE A LONGITUDINAL COLUMN BAR.
2. FOUNDATION DESIGN BASED ON SOILS REPORT BY GEOPROFESSIONAL INNOVATION DATED SEPTEMBER 2, 2020; FILE NO. PU20197A. CONTRACTOR TO REVIEW SOILS REPORT FOR POSSIBLE SPECIAL INSTRUCTIONS BY GEOTECHNICAL ENGINEER.
3. MINIMUM COMPACTED UNIT WEIGHT OF ALL BACKFILL TO BE 130 PCF.
4. 33.82 CUBIC YARDS CONCRETE REQUIRED THIS FOUNDATION.
5. MONOPOLE BASE REACTIONS;
MOMENT = 1,842 FT-KIPS
SHEAR = 31 KIPS
AXIAL = 33 KIPS

CONCRETE MIX REQUIREMENTS:

CEMENT: TYPE I/II PORTLAND CEMENT
28 DAY COMPRESSIVE STRENGTH = 4500 PSI
MAXIMUM WATER/CEMENT RATIO = 0.45
SLUMP = 4"-6"
ENTRAINED AIR CONTENT = 5%-7%

△			NAME	Ehresmann Engineering, Inc.
△		DRAWN BY:	GE	
△		CHECKED BY:		
△		ENG APPR.		
△		MFG APPR.		
△		Q.C.		
△		Site:		
△		WA-SPOKANE VALLEY-GREENACRES		
△	DRAWING CREATED	10/9/20		
REV	DESCRIPTION	DATE	Job# 107430	

	TITLE: 80' MONOPOLE MAT TYPE FOUNDATION DESIGN
4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	DWG. NO. 107430E02
	Sheet NO. E02 Rev. 1A

GENERAL:

Ehresmann Engineering, Inc. (EEI) designs and manufactures steel towers/poles and tower components to the most stringent industry standards, and uses the highest quality materials. However, certain hazards are inherent in tower work. For this reason, it is imperative that erection of towers and installation of tower components be accomplished in a safe and workmanlike manner, and only by experienced and professional contractors. Unless the customer specifies otherwise in writing, or unless otherwise noted in our design documents or on our installation drawings, design of and/or fabrication of items by Ehresmann Engineering, Inc. shall meet the conditions outlined in these notes.

1. All tower designs and/or work shall be in accordance with TIA-222-G, "Structural Standards for Steel Antenna Tower and Antenna Supporting Structures" or as otherwise specified in writing by the customer.
2. Purchasers shall verify the installation is in conformance with all local, state, and federal requirements. This also includes requirements for obstruction marking and lighting.
3. If towers, tower components, mounts, foundations or modification materials are not installed in accordance with Ehresmann Engineering, Inc. installation drawings and specifications, then all designs are considered invalid, and EEI disclaims any responsibility for said design and/or certification.
4. The purchaser shall be responsible to inspect condition of underground anchors prior to work on towers, and to furnish any and all soils reports, where required.
5. All items must be inventoried at the time of delivery to the job site/storage facility. Any shortages reported after this delivery will be the responsibility of the Contractor/Owner.
6. Any problems that occur with scheduling, transportation, delivery, foundation installation, erection or any items furnished by EEI must be reported immediately to allow EEI time to take corrective measures. EEI will make every effort to repair/replace necessary items in an expedited manner and/or will pursue corrective measures in the most economical way possible at our discretion. However, under no circumstances will EEI pay for or be responsible for any down time or expenses incurred due to down time.
7. EEI will make every effort to deliver materials at the requested time. However, we cannot and will not be responsible for delays caused by breakdowns, weather and/or other factors out of our control once the materials have left our facility. We strongly suggest that cranes, tower crews, etc... not be scheduled until delivery is verified to be on time. EEI will not be responsible for any costs incurred due to these possible delays.
8. Any and all permits, licenses, or payment of taxes required for construction are the sole responsibility of the purchaser.
9. Manufacturer Assistance: Contractors / Erectors may contact Ehresmann Engineering, Inc. at (605) 665-7532 for questions on design, materials, or installation regarding items furnished by Ehresmann Engineering, Inc.
10. Ehresmann Engineering, Inc. is available, upon request, to supervise installation and/or completion of modifications, or to provide on-site inspection after project completion.

***Please also reference site specific design documents and drawings for additional notes.

Anchor Rod Tightening:

Prior to placing anchor rods in the concrete, it is recommended that an anchor rod rotation capacity test be run with at least one anchor rod. This test may be run in a Skidmore-Whitcomb device or in a mockup of the base plate using a small piece of plate with one hole of equivalent grade, thickness, and finish. The test consists of steps 2 through 12 as outlined below and adapted as necessary for the mock set-up. It is recommended that the nut be rotated at least to the required rotation as given in step 11. After the test, the nuts should be removed and all threads (rod and nut) inspected for damage. Once the anchor rod is removed from the test plate, the nuts shall again be turned onto the rod well past the location of the leveling nut and backed off by one worker using an ordinary wrench with no cheater bar. The threads are considered damaged if more than minimal effort is required to turn the nut. Please note that nuts should be turned onto ALL anchor rods and backed off with minimal effort as outlined above to verify threads of ALL anchor rods and nuts prior to placement in concrete.

Recommended Steps for Anchor Rod Tightening:

1. Verify proper position of anchor rods.
2. Verify that all nuts can be turned onto the rods well past the elevation of the bottom of the leveling nut and backed off by one worker using an ordinary wrench without a cheater bar.
3. If threads of anchor rods were lubricated more than 24 hours before placing the leveling nut or have been wet since they were lubricated, the exposed threads of the anchor rods should be relubricated (Beeswax and toilet-ring wax have been shown to provide good lubrication).
4. Place leveling nuts on anchor rods and level.
5. Place leveling nut washers.
6. Set pole or tower legs.
7. Plumb pole or legs and/or level base plates.
8. Place top nut washers.
9. Threads and bearing surfaces of the top nuts should be lubricated, placed and tightened to the snug-tight condition in a star pattern. Reference TABLE 1 for snug-tight torque values.
10. Tighten leveling nuts to the snug-condition (as outlined for top nuts) in a star pattern.
11. Mark the reference position of the top nut in the snug-tight condition with a suitable marking on one flat with a corresponding reference mark on the base plate at each bolt. Top nuts should be turned in increments in a star pattern (at least two full tightening cycles) to the appropriate nut rotation specified below.

Anchor Rod Diameter, In.	Nut Rotation from Snug-Tight Condition
less than 1 1/2"	1/3 turn
greater than or equal to 1 1/2"	1/6 turn

12. A torque wrench should be used to verify that a torque at least equal to the computed verification torque T_v is required to additionally tighten the leveling nuts and the top nuts. Reference TABLE 1 for verification torque values. An inability to achieve this torque should be interpreted to indicate that the threads have stripped and should be reported to the Engineer of Record.
13. Locking nuts are to be installed over all top nuts when tightening is completed.

TABLE 1

ANCHOR ROD DIAMETER (INCHES)	SNUG-TIGHT TORQUE (FT-LBS)	VERIFICATION TORQUE (FT-LBS)
3/4	38-56	188
1	91-136	454
1 1/4	182-272	908
1 1/2	316-474	1581
1 3/4	499-748	2494
2	750-1125	3750
2 1/4	921-1382	4607

VALUES AS SHOWN IN TABLE 1 ARE BASED ON ASTM F1554 GRADE 105 ANCHOR RODS WITH MINIMUM ULTIMATE TENSILE STRENGTH OF 125 KSI FOR ROD DIAMETERS UP TO 2" AND ASTM A615 GR. 75 ANCHOR RODS WITH MINIMUM ULTIMATE TENSILE STRENGTH OF 105 KSI FOR 2 1/4" ANCHOR RODS.

Erection / Installation:

When installing items provided by Ehresmann Engineering, Inc., the contractor (person performing the erection or modification) shall comply with the following:

1. All structural work shall be performed in relatively calm weather, with wind velocities not exceeding 15 MPH at any height of the tower. Additionally it is recommended that work be completed in accordance with ANSI/TIA-322 and ANSI/ASSE A10.48.
2. All structural work shall be performed by a competent and reputable contractor with experience in similar tower work.
3. Our drawings indicate the major operations to be performed, but do not show every field condition that may be encountered. Prior to beginning work, the contractor should survey the job thoroughly to eliminate future field problems.
4. It is the contractor's sole responsibility to determine the erection procedure and sequence to insure the stability and safety of the tower and adequacy of temporary or incomplete connections during construction.
5. All nuts for bearing type connections shall be tightened to a "snug tight" condition as defined by AISC. All nuts for direct tension/fully pre-tensioned or slip critical connections shall be tightened per the "turn-of-the-nut" method in accordance with AISC.
6. It shall be the contractor's responsibility to ensure that all practices and procedures used during assembly, installation and erection work required on the tower or foundations do not endanger the safety of any personnel nor the structural integrity of the tower.
7. The contractor shall use only safe and workmanlike procedures when modifying a tower.
8. The contractor shall not correct any errors in manufacturing or design without special permission and written instructions from Ehresmann Engineering, Inc. This means straightening, relocation or reaming of bolt holes, drifting or any other application of force to make the members fit. (This restriction does not apply to diagonal members designed for initial tension or specific draw.) The contractor shall immediately notify Ehresmann Engineering, Inc., through the appropriate channels to effect correction.
9. The contractor shall immediately notify Ehresmann Engineering, Inc. of any material which is damaged during erection or installation. The contractor shall not correct or substitute any member damaged during installation without written consent and instructions from Ehresmann Engineering, Inc.
10. The contractor shall refrain from exerting excessive forces on the tower or on modification material during installation. Tower member design does not include stresses due to erection since erection equipment and conditions are unknown. Our design assumes that the services of competent and qualified personnel will be utilized to develop proper procedures and rigging plans. Our design also assumes that competent and qualified personnel will be hired to perform the work.
11. All field-punched holes shall be touched up with cold galvanizing. Under no circumstances shall the torching of holes be allowed.
12. All factory installed bracing placed within monopole tube sections is to remain in place until erection is complete. Do not remove bracing without prior consultation with EEI.

Concrete & Foundation Installation:

1. All rebar shall have 3" minimum cover, unless specified otherwise, and shall conform to ASTM A615. Rebar grade to be as specified on site drawings.
2. Tie and secure all rebar and anchor bolts/shafts before placing concrete.
3. Hook length as specified for vertical bars is from back side of bend. Minimum straight length of hook after bend shall be 12x bar diameter.
4. Bending of rebar to be in accordance with ACI-318 latest edition.
5. Sides of excavation may need to be braced or sloped back as required for stability and in accordance with all applicable safety regulations.
6. Base of excavation shall be clean and free of all debris.
7. All excavation, backfill and soil compaction to be completed in accordance with Geotechnical Engineer's recommendations. However, compacted density of all backfill must meet minimum unit weight as specified on site drawings.
8. Attention shall be given to final site drainage and compaction of the fill placed around the foundation to minimize surface water infiltration around the foundation.
9. Concrete strength and mix values to be listed on site specific foundation drawings. Alternate values may be acceptable and could be dependent on placement methods. However, use of alternate values must be approved by EOR prior to installation. EEI will not be responsible for any delays due to request for approval of alternate values. It is the Contractor's responsibility to allow adequate time for approval.
10. Use of water reducers may be required for some placement methods to achieve necessary slump and/or flow without exceeding maximum water/cement ratios. It is Contractor's responsibility to utilize proper mix to ensure proper placement of concrete for the method of placement chosen.
11. Exposed edges of all foundations to be chamfered 1" x 45°.
12. Use steel top and bottom anchor bolt templates provided by EEI for proper anchor bolt spacing and placement.
13. All concrete work shall be in accordance with ACI 318 (Latest Edition). ACI specifications for "Cold Weather" or "Hot Weather" concreting shall be followed as applicable.

Structural Steel & Hardware:

1. All fabricated steel shall have a minimum yield strength of 36 ksi. Use of higher strength steel for some members/items will be noted in design documents or drawings as applicable.
2. All fabricated steel shall be hot dip galvanized per ASTM A123.
3. All structural fasteners shall be ASTM F3125 Gr. A325 unless specified otherwise.
4. U-Bolts to be ASTM A36, A572 Gr. 50, or A193 Gr. B7 depending on size and application. Reference site specific drawings for additional details.
5. Step Bolts to be ASTM A449
6. All hardware shall be hot dip galvanized per ASTM A153.
7. Welded connections shall conform to the latest revision of the American Welding Society, A.W.S. D1.1.
8. All structural components shall be verified for proper assembly by the field crew prior to installation.



			NAME		Ehresmann Engineering, Inc.	TITLE: STD TOWER & TOWER FOUNDATION NOTES	
			DRAWN BY:				EJH
			CHECKED BY:				
			ENG APPR.				
			MFG APPR.				
			Q.C.				
	TUBE BRACING NOTE	10/29/19	Site:	WA-SPOKANE VALLEY-GREENACRES	4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	DWG. NO. 107430N1	
	U-BOLT/STEP-BOLT GR.	10/16/19					
	DRAWING CREATED	03/18/17					
REV	DESCRIPTION	DATE	Job#	107430		Sheet NO. N1 Rev. 1A	

SPECIAL INSPECTION STATEMENT IN ACCORDANCE WITH IBC SECTION 1704.3

VERIFICATION AND TESTING SHALL BE COMPLETED AS FOLLOWS:

REINFORCED CONCRETE CONSTRUCTION (MONOPOLE FOUNDATION):

- VERIFY PROPER DIMENSIONS AND DEPTH OF FOUNDATION
- INSPECTION OF REINFORCING STEEL TO INCLUDE VERIFICATION OF PROPER MATERIAL GRADE, QTY, SIZE AND PLACEMENT
- VERIFY PROJECTION LENGTH OF ANCHOR BOLTS ABOVE TOP OF CONCRETE PRIOR TO CONCRETE SETTING
- VERIFY USE OF APPROVED CONCRETE MIX DESIGN
- VERIFY PROPER CONCRETE SLUMP AND AIR CONTENT BY TESTING AT THE TIME FRESH CONCRETE IS SAMPLED FOR STRENGTH TESTS
- VERIFY PROPER PLACEMENT OF CONCRETE IN ACCORDANCE WITH APPROVED TECHNIQUES.
- VERIFY CONCRETE COMPRESSIVE STRENGTH BY MEANS OF STANDARD TEST CYLINDERS TO BE BROKE AT 7 DAYS AND 28 DAYS MINIMUM.

STRUCTURAL STEEL CONSTRUCTION (MONOPOLE STRUCTURE):

INSPECTION OF HIGH-STRENGTH BOLTED CONNECTIONS:

- VERIFY IDENTIFICATION MARKINGS/GRADE, QTY AND SIZE OF BOLTS, NUTS & WASHERS
- VISUALLY INSPECT SNUG-TIGHT BOLTED JOINTS TO VERIFY ALL PLIES IN CONTACT AND LOCK-WASHERS COMPRESSED
- VERIFY PROPER TIGHTENING OF PRETENSIONED CONNECTIONS USING TURN-OF-NUT METHOD WITH MATCHMARKING

STRUCTURAL OBSERVATION:

- VERIFY PROPER INSTALLATION/ERECTION OF MONOPOLE PER DESIGN SPECIFICATIONS UPON COMPLETION OF INSTALLATION. VERIFICATION TO INCLUDE THE FOLLOWING:
 - MINIMUM SLIP JOINT OVERLAPS
 - STRUCTURE PLUMB IN ACCORDANCE WITH TIA-222
 - MAXIMUM CLEAR DISTANCE BETWEEN TOP OF FOUNDATION AND LEVELING NUT

VERIFICATION OF ALL ITEMS AS OUTLINED ABOVE SHALL BE BASED ON DESIGN SPECIFICATIONS AND INSTALLATION DETAILS AS COMPLETED BY EHRESMANN ENGINEERING, INC.

SPECIAL INSPECTOR SHALL IDENTIFY AND DOCUMENT RESULTS OF ALL INSPECTIONS AND MATERIAL TESTING AS OUTLINED. INSPECTION REPORTS SHALL BE SUBMITTED AS SOON AS POSSIBLE UPON COMPLETION OF INSPECTION BUT NO MORE THAN 5 WORKING DAYS UNLESS OTHERWISE AGREED BY PROJECT OWNER.

DEVIATION OR NON-COMPLIANCE SHALL BE CORRECTED BY CONTRACTOR. ANY DEVIATIONS NOT CORRECTED ARE TO BE CLEARLY IDENTIFIED IN FINAL REPORTS AND EHRESMANN ENGINEERING, INC. SHOULD BE NOTIFIED IMMEDIATELY FOR CONSULTATION.

THE PROJECT OWNER OR AN AGENT OF THE OWNER IS RESPONSIBLE FOR SCHEDULING AND FUNDING ALL SPECIAL INSPECTION SERVICES.

SPECIAL INSPECTIONS REQUIRED:		
	CONTINUOUS	PERIODIC
REINFORCED CONCRETE:		
PIER/PAD FOUNDATION		X
REINFORCING STEEL		X
CONCRETE PLACEMENT	X	
SAMPLING & TESTING		X
ANCHORS/BOLTS CAST IN CONCRETE		X
SOILS		X
STRUCTURAL STEEL:		
HIGH-STRENGTH BOLTS		X
STRUCTURAL OBSERVATION:		
YES		X



△			NAME	Ehresmann Engineering, Inc.  4400 West 31st Street Yankton, SD 57078 605-665-7532 605-665-9780	TITLE: 80' MONOPOLE SPECIAL INSPECTION STATEMENT
△			DRAWN BY: GE		
△			CHECKED BY:		
△			ENG APPR.		
△			MFG APPR.		
△			Q.C.		
△			Site:		
△			WA-SPOKANE VALLEY-GREENACRES		
△	DRAWING CREATED	10/09/20	Job# 107430		
REV	DESCRIPTION	DATE			

DWG. NO.	107430SI
Sheet NO.	SI
Rev.	1A

tnxTower Ehresmann Engineering, Inc. 4400 W. 31st Street Yankton, SD Phone: (605) 665-7532 FAX: (605) 665-9780	Job WA-SPOKANE VALLEY-GREENACRES 107430_	Page 1 of 17
	Project 80 FT EHRESMANN MONOPOLE	Date 10:57:33 10/08/20
	Client LENLEASE	Designed by EH

Tower Input Data

The tower is a monopole.

This tower is designed using the TIA-222-G standard.

The following design criteria apply:

Tower is located in Spokane County, Washington.

Basic wind speed of 85 mph.

Structure Class II.

Exposure Category C.

Topographic Category 1.

Crest Height 0.00 ft.

Nominal ice thickness of 0.2500 in.

Ice thickness is considered to increase with height.

Ice density of 56 pcf.

A wind speed of 40 mph is used in combination with ice.

Temperature drop of 50 °F.

Deflections calculated using a wind speed of 60 mph.

Weld together tower sections have slip joint connections..

Connections use galvanized A325 bolts, nuts and locking devices. Installation per TIA/EIA-222 and AISC Specifications..

Tower members are "hot dipped" galvanized in accordance with ASTM A123 and ASTM A153 Standards..

Welds are fabricated with ER80S-XXX electrodes..

A non-linear (P-delta) analysis was used.

Pressures are calculated at each section.

Stress ratio used in pole design is 1.

Local bending stresses due to climbing loads, feed line supports, and appurtenance mounts are not considered.

Options

Consider Moments - Legs Consider Moments - Horizontals Consider Moments - Diagonals Use Moment Magnification √ Use Code Stress Ratios Use Code Safety Factors - Guys Escalate Ice Always Use Max Kz Use Special Wind Profile Include Bolts In Member Capacity √ Leg Bolts Are At Top Of Section Secondary Horizontal Braces Leg Use Diamond Inner Bracing (4 Sided) SR Members Have Cut Ends SR Members Are Concentric	Distribute Leg Loads As Uniform Assume Legs Pinned Assume Rigid Index Plate Use Clear Spans For Wind Area Use Clear Spans For KL/r Retension Guys To Initial Tension Bypass Mast Stability Checks √ Use Azimuth Dish Coefficients √ Project Wind Area of Appurt. Autocalc Torque Arm Areas Add IBC .6D+W Combination Sort Capacity Reports By Component Triangulate Diamond Inner Bracing Treat Feed Line Bundles As Cylinder Ignore KL/ry For 60 Deg. Angle Legs	Use ASCE 10 X-Brace Ly Rules Calculate Redundant Bracing Forces Ignore Redundant Members in FEA SR Leg Bolts Resist Compression √ All Leg Panels Have Same Allowable Offset Girt At Foundation Consider Feed Line Torque √ Include Angle Block Shear Check Use TIA-222-G Bracing Resist. Exemption Use TIA-222-G Tension Splice Exemption Poles √ Include Shear-Torsion Interaction Always Use Sub-Critical Flow Use Top Mounted Sockets Pole Without Linear Attachments Pole With Shroud Or No Appurtenances Outside and Inside Corner Radii Are Known
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tnxTower Ehresmann Engineering, Inc. 4400 W. 31st Street Yankton, SD Phone: (605) 665-7532 FAX: (605) 665-9780	Job	WA-SPOKANE VALLEY-GREENACRES 107430_	Page	2 of 17
	Project	80 FT EHRESMANN MONOPOLE	Date	10:57:33 10/08/20
	Client	LENLEASE	Designed by	EH

Tapered Pole Section Geometry

Section	Elevation ft	Section Length ft	Splice Length ft	Number of Sides	Top Diameter in	Bottom Diameter in	Wall Thickness in	Bend Radius in	Pole Grade
L1	80.00-35.00	45.00	5.00	18	22.0000	34.5860	0.1875	0.7500	A572-65 (65 ksi)
L2	35.00-0.00	40.00		18	32.8126	44.0001	0.2500	1.0000	A572-65 (65 ksi)

Tapered Pole Properties

Section	Tip Dia. in	Area in ²	I in ⁴	r in	C in	I/C in ³	J in ⁴	It/Q in ²	w in	w/t
L1	22.3105	12.9812	780.3007	7.7434	11.1760	69.8193	1561.6281	6.4918	3.5420	18.891
	35.0906	20.4714	3060.3011	12.2115	17.5697	174.1807	6124.6290	10.2376	5.7571	30.705
L2	34.7002	25.8384	3461.3048	11.5597	16.6688	207.6520	6927.1641	12.9216	5.3350	21.34
	44.6403	34.7157	8395.0224	15.5313	22.3521	375.5817	16801.0912	17.3612	7.3040	29.216

Tower Elevation	Gusset Area (per face)	Gusset Thickness	Gusset Grade	Adjust. Factor A _f	Adjust. Factor A _r	Weight Mult.	Double Angle Stitch Bolt Spacing Diagonals in	Double Angle Stitch Bolt Spacing Horizontals in	Double Angle Stitch Bolt Spacing Redundants in
ft	ft ²	in							
L1 80.00-35.00				1	1.02	1.01			
L2 35.00-0.00				1	1.02	1.01			

Monopole Base Plate Data

Base Plate Data	
Base plate is square	
Base plate is grouted	
Anchor bolt grade	F1554-105
Anchor bolt size	1.5000 in
Number of bolts	16
Embedment length	62.0000 in
f _c	5 ksi
Grout space	3.0000 in
Base plate grade	A572-50
Base plate thickness	1.5000 in
Bolt circle diameter	50.0000 in
Outer diameter	56.0000 in
Inner diameter	38.0000 in
Base plate type	Stiffened Plate
Bolts per stiffener	1
Stiffener thickness	0.3750 in
Stiffener height	9.0000 in

Feed Line/Linear Appurtenances - Entered As Area

tnxTower Ehresmann Engineering, Inc. 4400 W. 31st Street Yankton, SD Phone: (605) 665-7532 FAX: (605) 665-9780	Job	WA-SPOKANE VALLEY-GREENACRES 107430_	Page	3 of 17
	Project	80 FT EHRESMANN MONOPOLE	Date	10:57:33 10/08/20
	Client	LENDELEASE	Designed by	EH

Description	Face or Leg	Allow Shield	Exclude From Torque Calculation	Component Type	Placement ft	Total Number		C _A A _A ft ² /ft	Weight plf
AVA7-50 (1-5/8 LOW DENS. FOAM)	C	No	Yes	Inside Pole	76.00 - 0.00	12	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
Hybrid Cable	C	No	Yes	Inside Pole	76.00 - 0.00	3	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
AVA7-50 (1-5/8 LOW DENS. FOAM)	C	No	Yes	Inside Pole	64.00 - 0.00	12	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
Hybrid Cable	C	No	Yes	Inside Pole	64.00 - 0.00	3	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
Hybrid Cable	C	No	Yes	Inside Pole	52.00 - 0.00	3	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
AVA7-50 (1-5/8 LOW DENS. FOAM)	C	No	Yes	Inside Pole	42.00 - 0.00	1	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
AVA7-50 (1-5/8 LOW DENS. FOAM)	C	No	Yes	Inside Pole	34.00 - 0.00	1	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
AVA7-50 (1-5/8 LOW DENS. FOAM)	C	No	Yes	Inside Pole	26.00 - 0.00	1	No Ice 1/2" Ice	0.00 0.00	0.72 0.72
Safety Line 3/8	A	No	Yes	CaAa (Out Of Face)	80.00 - 12.00	1	No Ice 1/2" Ice	0.04 0.14	0.22 0.75

Feed Line/Linear Appurtenances Section Areas

Tower Section	Tower Elevation ft	Face	A _R ft ²	A _F ft ²	C _A A _A In Face ft ²	C _A A _A Out Face ft ²	Weight K
L1	80.00-35.00	A	0.000	0.000	0.000	1.688	0.01
		B	0.000	0.000	0.000	0.000	0.00
		C	0.000	0.000	0.000	0.000	0.80
L2	35.00-0.00	A	0.000	0.000	0.000	0.863	0.01
		B	0.000	0.000	0.000	0.000	0.00
		C	0.000	0.000	0.000	0.000	0.90

Feed Line/Linear Appurtenances Section Areas - With Ice

Tower Section	Tower Elevation ft	Face or Leg	Ice Thickness in	A _R ft ²	A _F ft ²	C _A A _A In Face ft ²	C _A A _A Out Face ft ²	Weight K
L1	80.00-35.00	A	0.527	0.000	0.000	0.000	6.434	0.04
		B		0.000	0.000	0.000	0.000	0.00
		C		0.000	0.000	0.000	0.000	0.80
L2	35.00-0.00	A	0.469	0.000	0.000	0.000	3.289	0.02
		B		0.000	0.000	0.000	0.000	0.00
		C		0.000	0.000	0.000	0.000	0.90

tnxTower Ehresmann Engineering, Inc. 4400 W. 31st Street Yankton, SD Phone: (605) 665-7532 FAX: (605) 665-9780	Job	WA-SPOKANE VALLEY-GREENACRES 107430_	Page	4 of 17
	Project	80 FT EHRESMANN MONOPOLE	Date	10:57:33 10/08/20
	Client	LENDDLEASE	Designed by	EH

Discrete Tower Loads

Description	Face or Leg	Offset Type	Offsets: Horz Lateral Vert ft ft ft	Azimuth Adjustment °	Placement ft		C _A A _A Front ft ²	C _A A _A Side ft ²	Weight K
40,000 SQ IN x Ka (Ka = 0.8)	A	None		0.0000	76.00	No Ice	277.78	277.78	6.00
						1/2" Ice	317.78	317.78	8.00
40,000 SQ IN x Ka (Ka = 0.8)	B	None		0.0000	64.00	No Ice	277.78	277.78	6.00
						1/2" Ice	317.78	317.78	8.00
30,000 SQ IN x Ka (Ka = 0.8)	C	None		0.0000	52.00	No Ice	208.33	208.33	5.50
						1/2" Ice	248.33	248.33	7.50

Dishes

Description	Face or Leg	Dish Type	Offset Type	Offsets: Horz Lateral Vert ft	Azimuth Adjustment °	3 dB Beam Width °	Elevation ft	Outside Diameter ft		Aperture Area ft ²	Weight K
Andrew HP10 (2 GHz)	B	Paraboloid w/Shroud (HP)	From Leg	0.50 0.00 0.00	0.0000	87.5000	42.00	10.00	No Ice 1/2" Ice	78.54 79.85	0.70 1.30
Andrew HP6 (2 GHz)	C	Paraboloid w/Shroud (HP)	From Leg	0.50 0.00 0.00	0.0000	87.5000	34.00	6.00	No Ice 1/2" Ice	28.27 29.07	0.38 0.62
Andrew HP6 (2 GHz)	B	Paraboloid w/Shroud (HP)	From Leg	0.50 0.00 0.00	0.0000	87.5000	26.00	6.00	No Ice 1/2" Ice	28.27 29.07	0.38 0.62

Tower Pressures - No Ice

$$G_H = 1.100$$

Section Elevation ft	z ft	K _Z	q _z psf	A _G ft ²	F a c e	A _F ft ²	A _R ft ²	A _{leg} ft ²	Leg %	C _A A _A In Face ft ²	C _A A _A Out Face ft ²
L1 80.00-35.00	56.30	1.121	20	107.627	A	0.000	109.780	109.780	100.00	0.000	1.688
					B	0.000	109.780		100.00	0.000	0.000
					C	0.000	109.780		100.00	0.000	0.000
L2 35.00-0.00	17.27	0.874	16	115.705	A	0.000	118.019	118.019	100.00	0.000	0.863
					B	0.000	118.019		100.00	0.000	0.000
					C	0.000	118.019		100.00	0.000	0.000

Tower Pressure - With Ice

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$$G_H = 1.100$$

Section Elevation	z	K _Z	q _z	t _z	A _G	F a c e	A _F	A _R	A _{leg}	Leg %	C _A A _A In Face ft ²	C _A A _A Out Face ft ²
ft	ft		psf	in	ft ²		ft ²	ft ²	ft ²			ft ²
L1 80.00-35.00	56.30	1.121	4	0.5274	111.583	A	0.000	113.814	113.814	100.00	0.000	6.434
						B	0.000	113.814		100.00	0.000	0.000
						C	0.000	113.814		100.00	0.000	0.000
L2 35.00-0.00	17.27	0.874	3	0.4687	118.782	A	0.000	121.157	121.157	100.00	0.000	3.289
						B	0.000	121.157		100.00	0.000	0.000
						C	0.000	121.157		100.00	0.000	0.000

Tower Pressure - Service

$$G_H = 1.100$$

Section Elevation	z	K _Z	q _z	A _G	F a c e	A _F	A _R	A _{leg}	Leg %	C _A A _A In Face ft ²	C _A A _A Out Face ft ²
ft	ft		psf	ft ²		ft ²	ft ²	ft ²			ft ²
L1 80.00-35.00	56.30	1.121	9	107.627	A	0.000	109.780	109.780	100.00	0.000	1.688
					B	0.000	109.780		100.00	0.000	0.000
					C	0.000	109.780		100.00	0.000	0.000
L2 35.00-0.00	17.27	0.874	7	115.705	A	0.000	118.019	118.019	100.00	0.000	0.863
					B	0.000	118.019		100.00	0.000	0.000
					C	0.000	118.019		100.00	0.000	0.000

Tower Forces - No Ice - Wind Normal To Face

Section Elevation	Add Weight	Self Weight	F a c e	e	C _F	q _z	D _F	D _R	A _E	F	w	Ctrl. Face
ft	K	K				psf			ft ²	K	plf	
L1 80.00-35.00	0.81	2.59	A	1	0.65	20	1	1	109.780	1.58	35.01	C
			B	1	0.65		1	1	109.780			
			C	1	0.65		1	1	109.780			
L2 35.00-0.00	0.91	4.16	A	1	0.65	16	1	1	118.019	1.35	38.49	C
			B	1	0.65		1	1	118.019			
			C	1	0.65		1	1	118.019			
Sum Weight:	1.71	6.75						OTM	111.95 kip-ft	2.92		

Tower Forces - No Ice - Wind 60 To Face

Section Elevation	Add Weight	Self Weight	F a c e	e	C _F	q _z	D _F	D _R	A _E	F	w	Ctrl. Face
ft	K	K				psf			ft ²	K	plf	
L1	0.81	2.59	A	1	0.65	20	1	1	109.780	1.58	35.01	C

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Section Elevation ft	Add Weight K	Self Weight K	F a c e	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
80.00-35.00			B	1	0.65		1	1	109.780			
			C	1	0.65		1	1	109.780			
L2 35.00-0.00	0.91	4.16	A	1	0.65	16	1	1	118.019	1.35	38.49	C
			B	1	0.65		1	1	118.019			
			C	1	0.65		1	1	118.019			
Sum Weight:	1.71	6.75						OTM	111.95 kip-ft	2.92		

Tower Forces - No Ice - Wind 90 To Face

Section Elevation ft	Add Weight K	Self Weight K	F a c e	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
L1 80.00-35.00	0.81	2.59	A	1	0.65	20	1	1	109.780	1.58	35.01	C
			B	1	0.65		1	1	109.780			
			C	1	0.65		1	1	109.780			
L2 35.00-0.00	0.91	4.16	A	1	0.65	16	1	1	118.019	1.35	38.49	C
			B	1	0.65		1	1	118.019			
			C	1	0.65		1	1	118.019			
Sum Weight:	1.71	6.75						OTM	111.95 kip-ft	2.92		

Tower Forces - With Ice - Wind Normal To Face

Section Elevation ft	Add Weight K	Self Weight K	F a c e	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
L1 80.00-35.00	0.83	3.43	A	1	1.2	4	1	1	113.814	0.68	15.18	C
			B	1	1.2		1	1	113.814			
			C	1	1.2		1	1	113.814			
L2 35.00-0.00	0.92	4.96	A	1	1.2	3	1	1	120.807	0.57	16.29	C
			B	1	1.2		1	1	120.807			
			C	1	1.2		1	1	120.807			
Sum Weight:	1.75	8.39						OTM	48.30 kip-ft	1.25		

Tower Forces - With Ice - Wind 60 To Face

Section Elevation ft	Add Weight K	Self Weight K	F a c e	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
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Section Elevation ft	Add Weight K	Self Weight K	F a c e	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
L1 80.00-35.00	0.83	3.43	A B C	1 1 1	1.2 1.2 1.2	4	1 1 1	1 1 1	113.814 113.814 113.814	0.68	15.18	C
L2 35.00-0.00	0.92	4.96	A B C	1 1 1	1.2 1.2 1.2	3	1 1 1	1 1 1	120.807 120.807 120.807	0.57	16.29	C
Sum Weight:	1.75	8.39						OTM	48.30 kip-ft	1.25		

Tower Forces - With Ice - Wind 90 To Face

Section Elevation ft	Add Weight K	Self Weight K	F a c e	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
L1 80.00-35.00	0.83	3.43	A B C	1 1 1	1.2 1.2 1.2	4	1 1 1	1 1 1	113.814 113.814 113.814	0.68	15.18	C
L2 35.00-0.00	0.92	4.96	A B C	1 1 1	1.2 1.2 1.2	3	1 1 1	1 1 1	120.807 120.807 120.807	0.57	16.29	C
Sum Weight:	1.75	8.39						OTM	48.30 kip-ft	1.25		

Tower Forces - Service - Wind Normal To Face

Section Elevation ft	Add Weight K	Self Weight K	F a c e	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
L1 80.00-35.00	0.81	2.59	A B C	1 1 1	0.65 0.65 0.65	9	1 1 1	1 1 1	109.780 109.780 109.780	0.70	15.61	C
L2 35.00-0.00	0.91	4.16	A B C	1 1 1	0.65 0.65 0.65	7	1 1 1	1 1 1	118.019 118.019 118.019	0.60	17.16	C
Sum Weight:	1.71	6.75						OTM	49.91 kip-ft	1.30		

Tower Forces - Service - Wind 60 To Face

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Section Elevation ft	Add Weight K	Self Weight K	Face	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
L1 80.00-35.00	0.81	2.59	A	1	0.65	9	1	1	109.780	0.70	15.61	C
			B	1	0.65		1	1	109.780			
			C	1	0.65		1	1	109.780			
L2 35.00-0.00	0.91	4.16	A	1	0.65	7	1	1	118.019	0.60	17.16	C
			B	1	0.65		1	1	118.019			
			C	1	0.65		1	1	118.019			
Sum Weight:	1.71	6.75						OTM	49.91 kip-ft	1.30		

Tower Forces - Service - Wind 90 To Face

Section Elevation ft	Add Weight K	Self Weight K	Face	e	C _F	q _z psf	D _F	D _R	A _E ft ²	F K	w plf	Ctrl. Face
L1 80.00-35.00	0.81	2.59	A	1	0.65	9	1	1	109.780	0.70	15.61	C
			B	1	0.65		1	1	109.780			
			C	1	0.65		1	1	109.780			
L2 35.00-0.00	0.91	4.16	A	1	0.65	7	1	1	118.019	0.60	17.16	C
			B	1	0.65		1	1	118.019			
			C	1	0.65		1	1	118.019			
Sum Weight:	1.71	6.75						OTM	49.91 kip-ft	1.30		

Force Totals

Load Case	Vertical Forces K	Sum of Forces X K	Sum of Forces Z K	Sum of Overturning Moments, M _x kip-ft	Sum of Overturning Moments, M _z kip-ft	Sum of Torques kip-ft
Leg Weight	6.75					
Bracing Weight	0.00					
Total Member Self-Weight	6.75			1.40	-1.16	
Total Weight	27.42			1.40	-1.16	
Wind 0 deg - No Ice		-1.00	-18.67	-1080.61	38.23	0.95
Wind 30 deg - No Ice		9.65	-15.81	-921.97	-553.17	4.32
Wind 60 deg - No Ice		16.71	-8.67	-513.98	-957.95	3.75
Wind 90 deg - No Ice		19.14	0.47	20.22	-1100.39	1.97
Wind 120 deg - No Ice		16.75	9.27	541.19	-959.90	0.36
Wind 150 deg - No Ice		9.97	16.00	932.44	-566.75	-0.90
Wind 180 deg - No Ice		0.62	18.52	1077.82	-25.78	-2.94
Wind 210 deg - No Ice		-9.15	15.95	930.28	531.99	-4.00
Wind 240 deg - No Ice		-16.95	8.23	500.10	965.19	-1.32
Wind 270 deg - No Ice		-19.53	-0.67	-24.99	1113.53	-0.34
Wind 300 deg - No Ice		-17.11	-9.63	-551.66	971.65	-0.81
Wind 330 deg - No Ice		-10.48	-16.32	-941.93	583.38	-1.04
Member Ice	1.65					
Total Weight Ice	36.60			2.45	-2.16	
Wind 0 deg - Ice		-0.22	-5.25	-293.56	6.71	0.21

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Load Case	Vertical Forces K	Sum of Forces X K	Sum of Forces Z K	Sum of Overturning Moments, M_x kip-ft	Sum of Overturning Moments, M_z kip-ft	Sum of Torques kip-ft
Wind 30 deg - Ice		2.70	-4.47	-250.82	-152.67	0.97
Wind 60 deg - Ice		4.67	-2.48	-139.79	-262.98	0.85
Wind 90 deg - Ice		5.36	0.11	6.68	-302.07	0.44
Wind 120 deg - Ice		4.68	2.61	150.16	-263.41	0.08
Wind 150 deg - Ice		2.77	4.51	257.44	-155.70	-0.20
Wind 180 deg - Ice		0.14	5.22	297.19	-7.70	-0.66
Wind 210 deg - Ice		-2.59	4.50	256.95	144.09	-0.90
Wind 240 deg - Ice		-4.73	2.38	140.91	260.82	-0.30
Wind 270 deg - Ice		-5.45	-0.15	-3.50	301.23	-0.08
Wind 300 deg - Ice		-4.76	-2.69	-148.26	262.27	-0.18
Wind 330 deg - Ice		-2.89	-4.59	-255.32	155.67	-0.24
Total Weight	27.42			1.40	-1.16	
Wind 0 deg - Service		-0.44	-8.32	-480.98	16.40	0.42
Wind 30 deg - Service		4.30	-7.05	-410.25	-247.26	1.93
Wind 60 deg - Service		7.45	-3.87	-228.36	-427.71	1.67
Wind 90 deg - Service		8.53	0.21	9.79	-491.22	0.88
Wind 120 deg - Service		7.47	4.13	242.05	-428.58	0.16
Wind 150 deg - Service		4.44	7.13	416.48	-253.31	-0.40
Wind 180 deg - Service		0.28	8.26	481.29	-12.13	-1.31
Wind 210 deg - Service		-4.08	7.11	415.52	236.53	-1.79
Wind 240 deg - Service		-7.56	3.67	223.73	429.66	-0.59
Wind 270 deg - Service		-8.71	-0.30	-10.36	495.79	-0.15
Wind 300 deg - Service		-7.63	-4.29	-245.16	432.54	-0.36
Wind 330 deg - Service		-4.67	-7.28	-419.15	259.44	-0.46

Load Combinations

Comb. No.	Description
1	Dead Only
2	1.2 Dead+1.6 Wind 0 deg - No Ice
3	0.9 Dead+1.6 Wind 0 deg - No Ice
4	1.2 Dead+1.6 Wind 30 deg - No Ice
5	0.9 Dead+1.6 Wind 30 deg - No Ice
6	1.2 Dead+1.6 Wind 60 deg - No Ice
7	0.9 Dead+1.6 Wind 60 deg - No Ice
8	1.2 Dead+1.6 Wind 90 deg - No Ice
9	0.9 Dead+1.6 Wind 90 deg - No Ice
10	1.2 Dead+1.6 Wind 120 deg - No Ice
11	0.9 Dead+1.6 Wind 120 deg - No Ice
12	1.2 Dead+1.6 Wind 150 deg - No Ice
13	0.9 Dead+1.6 Wind 150 deg - No Ice
14	1.2 Dead+1.6 Wind 180 deg - No Ice
15	0.9 Dead+1.6 Wind 180 deg - No Ice
16	1.2 Dead+1.6 Wind 210 deg - No Ice
17	0.9 Dead+1.6 Wind 210 deg - No Ice
18	1.2 Dead+1.6 Wind 240 deg - No Ice
19	0.9 Dead+1.6 Wind 240 deg - No Ice
20	1.2 Dead+1.6 Wind 270 deg - No Ice
21	0.9 Dead+1.6 Wind 270 deg - No Ice
22	1.2 Dead+1.6 Wind 300 deg - No Ice
23	0.9 Dead+1.6 Wind 300 deg - No Ice
24	1.2 Dead+1.6 Wind 330 deg - No Ice
25	0.9 Dead+1.6 Wind 330 deg - No Ice
26	1.2 Dead+1.0 Ice+1.0 Temp
27	1.2 Dead+1.0 Wind 0 deg+1.0 Ice+1.0 Temp

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Comb. No.	Description
28	1.2 Dead+1.0 Wind 30 deg+1.0 Ice+1.0 Temp
29	1.2 Dead+1.0 Wind 60 deg+1.0 Ice+1.0 Temp
30	1.2 Dead+1.0 Wind 90 deg+1.0 Ice+1.0 Temp
31	1.2 Dead+1.0 Wind 120 deg+1.0 Ice+1.0 Temp
32	1.2 Dead+1.0 Wind 150 deg+1.0 Ice+1.0 Temp
33	1.2 Dead+1.0 Wind 180 deg+1.0 Ice+1.0 Temp
34	1.2 Dead+1.0 Wind 210 deg+1.0 Ice+1.0 Temp
35	1.2 Dead+1.0 Wind 240 deg+1.0 Ice+1.0 Temp
36	1.2 Dead+1.0 Wind 270 deg+1.0 Ice+1.0 Temp
37	1.2 Dead+1.0 Wind 300 deg+1.0 Ice+1.0 Temp
38	1.2 Dead+1.0 Wind 330 deg+1.0 Ice+1.0 Temp
39	Dead+Wind 0 deg - Service
40	Dead+Wind 30 deg - Service
41	Dead+Wind 60 deg - Service
42	Dead+Wind 90 deg - Service
43	Dead+Wind 120 deg - Service
44	Dead+Wind 150 deg - Service
45	Dead+Wind 180 deg - Service
46	Dead+Wind 210 deg - Service
47	Dead+Wind 240 deg - Service
48	Dead+Wind 270 deg - Service
49	Dead+Wind 300 deg - Service
50	Dead+Wind 330 deg - Service

Maximum Member Forces

Section No.	Elevation ft	Component Type	Condition	Gov. Load Comb.	Axial K	Major Axis Moment kip-ft	Minor Axis Moment kip-ft
L1	80 - 35	Pole	Max Tension	20	0.00	-0.00	-0.00
			Max. Compression	26	-33.18	-2.40	-1.42
			Max. Mx	8	-24.29	-631.08	-2.76
			Max. My	14	-24.32	-3.72	-629.28
			Max. Vy	20	-28.02	629.83	1.64
			Max. Vx	2	-27.04	2.51	628.02
			Max. Torque	16			5.52
L2	35 - 0	Pole	Max Tension	1	0.00	0.00	0.00
			Max. Compression	26	-42.20	-2.46	-2.81
			Max. Mx	20	-32.87	1835.61	41.36
			Max. My	2	-32.88	62.91	1782.03
			Max. Vy	20	-31.29	1835.61	41.36
			Max. Vx	2	-29.90	62.91	1782.03
			Max. Torque	4			-6.96

Maximum Reactions

Location	Condition	Gov. Load Comb.	Vertical K	Horizontal, X K	Horizontal, Z K
Pole	Max. Vert	37	42.20	4.76	2.69
	Max. H _x	20	32.91	31.25	1.08
	Max. H _z	2	32.91	1.60	29.87
	Max. M _x	2	1782.03	1.60	29.87
	Max. M _z	8	1813.26	-30.63	-0.75
	Max. Torsion	16	6.45	14.64	-25.52

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Location	Condition	Gov. Load Comb.	Vertical K	Horizontal, X K	Horizontal, Z K
	Min. Vert	17	24.68	14.64	-25.52
	Min. H _x	8	32.91	-30.63	-0.75
	Min. H _z	14	32.91	-1.00	-29.63
	Min. M _x	14	-1776.39	-1.00	-29.63
	Min. M _z	20	-1835.61	31.25	1.08
	Min. Torsion	4	-6.95	-15.45	25.30

Tower Mast Reaction Summary

Load Combination	Vertical K	Shear _x K	Shear _z K	Overturning Moment, M _x kip-ft	Overturning Moment, M _z kip-ft	Torque kip-ft
Dead Only	27.42	0.00	0.00	1.40	-1.16	0.00
1.2 Dead+1.6 Wind 0 deg - No Ice	32.91	-1.60	-29.87	-1782.03	62.91	1.59
0.9 Dead+1.6 Wind 0 deg - No Ice	24.68	-1.60	-29.87	-1768.68	62.94	1.57
1.2 Dead+1.6 Wind 30 deg - No Ice	32.91	15.45	-25.30	-1520.72	-911.25	6.95
0.9 Dead+1.6 Wind 30 deg - No Ice	24.68	15.45	-25.30	-1509.33	-903.90	6.94
1.2 Dead+1.6 Wind 60 deg - No Ice	32.91	26.73	-13.88	-848.31	-1578.41	6.03
0.9 Dead+1.6 Wind 60 deg - No Ice	24.68	26.73	-13.88	-842.08	-1565.93	6.02
1.2 Dead+1.6 Wind 90 deg - No Ice	32.91	30.63	0.75	32.47	-1813.26	3.16
0.9 Dead+1.6 Wind 90 deg - No Ice	24.68	30.63	0.75	31.86	-1798.95	3.15
1.2 Dead+1.6 Wind 120 deg - No Ice	32.91	26.81	14.83	891.67	-1581.59	0.57
0.9 Dead+1.6 Wind 120 deg - No Ice	24.68	26.81	14.83	884.32	-1569.09	0.57
1.2 Dead+1.6 Wind 150 deg - No Ice	32.91	15.95	25.61	1536.71	-933.46	-1.47
0.9 Dead+1.6 Wind 150 deg - No Ice	24.68	15.95	25.61	1524.36	-925.98	-1.46
1.2 Dead+1.6 Wind 180 deg - No Ice	32.91	1.00	29.63	1776.39	-41.65	-4.75
0.9 Dead+1.6 Wind 180 deg - No Ice	24.68	1.00	29.63	1762.18	-41.07	-4.74
1.2 Dead+1.6 Wind 210 deg - No Ice	32.91	-14.64	25.52	1533.20	877.61	-6.45
0.9 Dead+1.6 Wind 210 deg - No Ice	24.68	-14.64	25.52	1520.87	871.15	-6.44
1.2 Dead+1.6 Wind 240 deg - No Ice	32.91	-27.12	13.17	824.55	1591.16	-2.15
0.9 Dead+1.6 Wind 240 deg - No Ice	24.68	-27.12	13.17	817.56	1579.34	-2.14
1.2 Dead+1.6 Wind 270 deg - No Ice	32.91	-31.25	-1.08	-41.36	1835.61	-0.57
0.9 Dead+1.6 Wind 270 deg - No Ice	24.68	-31.25	-1.08	-41.58	1821.91	-0.57
1.2 Dead+1.6 Wind 300 deg - No Ice	32.91	-27.38	-15.41	-909.83	1601.67	-1.28
0.9 Dead+1.6 Wind 300 deg - No Ice	24.68	-27.38	-15.41	-903.27	1589.79	-1.28

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Load Combination	Vertical K	Shear _x K	Shear _z K	Overturning Moment, M _x kip-ft	Overturning Moment, M _z kip-ft	Torque kip-ft
1.2 Dead+1.6 Wind 330 deg - No Ice	32.91	-16.76	-26.11	-1553.29	961.48	-1.61
0.9 Dead+1.6 Wind 330 deg - No Ice	24.68	-16.76	-26.11	-1541.73	954.58	-1.62
1.2 Dead+1.0 Ice+1.0 Temp	42.20	0.00	0.00	2.81	-2.46	0.00
1.2 Dead+1.0 Wind 0 deg+1.0 Ice+1.0 Temp	42.20	-0.22	-5.25	-305.11	6.61	0.23
1.2 Dead+1.0 Wind 30 deg+1.0 Ice+1.0 Temp	42.20	2.70	-4.47	-260.68	-159.05	0.99
1.2 Dead+1.0 Wind 60 deg+1.0 Ice+1.0 Temp	42.20	4.67	-2.48	-145.20	-273.80	0.86
1.2 Dead+1.0 Wind 90 deg+1.0 Ice+1.0 Temp	42.20	5.36	0.11	7.21	-314.47	0.45
1.2 Dead+1.0 Wind 120 deg+1.0 Ice+1.0 Temp	42.20	4.68	2.61	156.54	-274.24	0.08
1.2 Dead+1.0 Wind 150 deg+1.0 Ice+1.0 Temp	42.20	2.77	4.51	268.17	-162.18	-0.21
1.2 Dead+1.0 Wind 180 deg+1.0 Ice+1.0 Temp	42.20	0.14	5.22	309.53	-8.20	-0.68
1.2 Dead+1.0 Wind 210 deg+1.0 Ice+1.0 Temp	42.20	-2.59	4.50	267.67	149.67	-0.92
1.2 Dead+1.0 Wind 240 deg+1.0 Ice+1.0 Temp	42.20	-4.73	2.38	147.04	271.00	-0.31
1.2 Dead+1.0 Wind 270 deg+1.0 Ice+1.0 Temp	42.20	-5.45	-0.15	-3.25	313.04	-0.08
1.2 Dead+1.0 Wind 300 deg+1.0 Ice+1.0 Temp	42.20	-4.76	-2.69	-153.91	272.49	-0.18
1.2 Dead+1.0 Wind 330 deg+1.0 Ice+1.0 Temp	42.20	-2.89	-4.59	-265.30	161.57	-0.22
Dead+Wind 0 deg - Service	27.42	-0.44	-8.32	-493.31	16.68	0.44
Dead+Wind 30 deg - Service	27.42	4.30	-7.05	-420.82	-253.55	1.94
Dead+Wind 60 deg - Service	27.42	7.45	-3.87	-234.31	-438.61	1.68
Dead+Wind 90 deg - Service	27.42	8.53	0.21	9.98	-503.75	0.88
Dead+Wind 120 deg - Service	27.42	7.47	4.13	248.28	-439.49	0.16
Dead+Wind 150 deg - Service	27.42	4.44	7.13	427.19	-259.72	-0.41
Dead+Wind 180 deg - Service	27.42	0.28	8.26	493.67	-12.36	-1.33
Dead+Wind 210 deg - Service	27.42	-4.08	7.11	426.21	242.62	-1.80
Dead+Wind 240 deg - Service	27.42	-7.56	3.67	229.64	440.56	-0.60
Dead+Wind 270 deg - Service	27.42	-8.71	-0.30	-10.53	508.37	-0.16
Dead+Wind 300 deg - Service	27.42	-7.63	-4.29	-251.40	443.49	-0.36
Dead+Wind 330 deg - Service	27.42	-4.67	-7.28	-429.88	265.92	-0.45

Solution Summary

Load Comb.	Sum of Applied Forces			Sum of Reactions			% Error
	PX K	PY K	PZ K	PX K	PY K	PZ K	
1	0.00	-27.42	0.00	0.00	27.42	0.00	0.000%
2	-1.60	-32.91	-29.87	1.60	32.91	29.87	0.000%
3	-1.60	-24.68	-29.87	1.60	24.68	29.87	0.000%
4	15.45	-32.91	-25.30	-15.45	32.91	25.30	0.000%
5	15.45	-24.68	-25.30	-15.45	24.68	25.30	0.000%
6	26.73	-32.91	-13.88	-26.73	32.91	13.88	0.000%
7	26.73	-24.68	-13.88	-26.73	24.68	13.88	0.000%
8	30.63	-32.91	0.75	-30.63	32.91	-0.75	0.000%
9	30.63	-24.68	0.75	-30.63	24.68	-0.75	0.000%
10	26.81	-32.91	14.83	-26.81	32.91	-14.83	0.000%
11	26.81	-24.68	14.83	-26.81	24.68	-14.83	0.000%

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Load Comb.	Sum of Applied Forces			Sum of Reactions			% Error
	PX K	PY K	PZ K	PX K	PY K	PZ K	
12	15.95	-32.91	25.61	-15.95	32.91	-25.61	0.000%
13	15.95	-24.68	25.61	-15.95	24.68	-25.61	0.000%
14	1.00	-32.91	29.63	-1.00	32.91	-29.63	0.000%
15	1.00	-24.68	29.63	-1.00	24.68	-29.63	0.000%
16	-14.64	-32.91	25.52	14.64	32.91	-25.52	0.000%
17	-14.64	-24.68	25.52	14.64	24.68	-25.52	0.000%
18	-27.12	-32.91	13.17	27.12	32.91	-13.17	0.000%
19	-27.12	-24.68	13.17	27.12	24.68	-13.17	0.000%
20	-31.25	-32.91	-1.08	31.25	32.91	1.08	0.000%
21	-31.25	-24.68	-1.08	31.25	24.68	1.08	0.000%
22	-27.38	-32.91	-15.41	27.38	32.91	15.41	0.000%
23	-27.38	-24.68	-15.41	27.38	24.68	15.41	0.000%
24	-16.76	-32.91	-26.11	16.76	32.91	26.11	0.000%
25	-16.76	-24.68	-26.11	16.76	24.68	26.11	0.000%
26	0.00	-42.20	0.00	-0.00	42.20	-0.00	0.000%
27	-0.22	-42.20	-5.25	0.22	42.20	5.25	0.000%
28	2.70	-42.20	-4.47	-2.70	42.20	4.47	0.000%
29	4.67	-42.20	-2.48	-4.67	42.20	2.48	0.000%
30	5.36	-42.20	0.11	-5.36	42.20	-0.11	0.000%
31	4.68	-42.20	2.61	-4.68	42.20	-2.61	0.000%
32	2.77	-42.20	4.51	-2.77	42.20	-4.51	0.000%
33	0.14	-42.20	5.22	-0.14	42.20	-5.22	0.000%
34	-2.59	-42.20	4.50	2.59	42.20	-4.50	0.000%
35	-4.73	-42.20	2.38	4.73	42.20	-2.38	0.000%
36	-5.45	-42.20	-0.15	5.45	42.20	0.15	0.000%
37	-4.76	-42.20	-2.69	4.76	42.20	2.69	0.000%
38	-2.89	-42.20	-4.59	2.89	42.20	4.59	0.000%
39	-0.44	-27.42	-8.32	0.44	27.42	8.32	0.000%
40	4.30	-27.42	-7.05	-4.30	27.42	7.05	0.000%
41	7.45	-27.42	-3.87	-7.45	27.42	3.87	0.000%
42	8.53	-27.42	0.21	-8.53	27.42	-0.21	0.000%
43	7.47	-27.42	4.13	-7.47	27.42	-4.13	0.000%
44	4.44	-27.42	7.13	-4.44	27.42	-7.13	0.000%
45	0.28	-27.42	8.26	-0.28	27.42	-8.26	0.000%
46	-4.08	-27.42	7.11	4.08	27.42	-7.11	0.000%
47	-7.56	-27.42	3.67	7.56	27.42	-3.67	0.000%
48	-8.71	-27.42	-0.30	8.71	27.42	0.30	0.000%
49	-7.63	-27.42	-4.29	7.63	27.42	4.29	0.000%
50	-4.67	-27.42	-7.28	4.67	27.42	7.28	0.000%

Non-Linear Convergence Results

Load Combination	Converged?	Number of Cycles	Displacement Tolerance	Force Tolerance
1	Yes	4	0.00000001	0.00000001
2	Yes	4	0.00000001	0.00007034
3	Yes	4	0.00000001	0.00003734
4	Yes	5	0.00000001	0.00008520
5	Yes	5	0.00000001	0.00003855
6	Yes	5	0.00000001	0.00006346
7	Yes	5	0.00000001	0.00002820
8	Yes	4	0.00000001	0.00032521
9	Yes	4	0.00000001	0.00020230
10	Yes	5	0.00000001	0.00007388
11	Yes	5	0.00000001	0.00003290
12	Yes	5	0.00000001	0.00007682

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13	Yes	5	0.00000001	0.00003432
14	Yes	4	0.00000001	0.00047785
15	Yes	4	0.00000001	0.00029967
16	Yes	5	0.00000001	0.00006422
17	Yes	5	0.00000001	0.00002862
18	Yes	5	0.00000001	0.00007321
19	Yes	5	0.00000001	0.00003280
20	Yes	4	0.00000001	0.00007449
21	Yes	4	0.00000001	0.00004069
22	Yes	5	0.00000001	0.00007227
23	Yes	5	0.00000001	0.00003206
24	Yes	5	0.00000001	0.00007779
25	Yes	5	0.00000001	0.00003470
26	Yes	4	0.00000001	0.00000001
27	Yes	4	0.00000001	0.00026557
28	Yes	4	0.00000001	0.00028091
29	Yes	4	0.00000001	0.00028160
30	Yes	4	0.00000001	0.00027321
31	Yes	4	0.00000001	0.00028752
32	Yes	4	0.00000001	0.00028680
33	Yes	4	0.00000001	0.00027126
34	Yes	4	0.00000001	0.00028047
35	Yes	4	0.00000001	0.00028044
36	Yes	4	0.00000001	0.00026966
37	Yes	4	0.00000001	0.00028147
38	Yes	4	0.00000001	0.00028094
39	Yes	4	0.00000001	0.00001771
40	Yes	4	0.00000001	0.00009122
41	Yes	4	0.00000001	0.00005640
42	Yes	4	0.00000001	0.00002980
43	Yes	4	0.00000001	0.00006168
44	Yes	4	0.00000001	0.00006626
45	Yes	4	0.00000001	0.00004112
46	Yes	4	0.00000001	0.00005844
47	Yes	4	0.00000001	0.00006465
48	Yes	4	0.00000001	0.00001559
49	Yes	4	0.00000001	0.00005742
50	Yes	4	0.00000001	0.00006642

Maximum Tower Deflections - Service Wind

Section No.	Elevation ft	Horz. Deflection in	Gov. Load Comb.	Tilt °	Twist °
L1	80 - 35	10.271	49	0.9957	0.0050
L2	40 - 0	2.863	49	0.6369	0.0045

Critical Deflections and Radius of Curvature - Service Wind

Elevation ft	Appurtenance	Gov. Load Comb.	Deflection in	Tilt °	Twist °	Radius of Curvature ft
76.00	40,000 SQ IN x Ka	49	9.418	0.9667	0.0050	22521
64.00	40,000 SQ IN x Ka	49	6.926	0.8755	0.0051	7037
52.00	30,000 SQ IN x Ka	49	4.680	0.7693	0.0050	4021
42.00	Andrew HP10	49	3.128	0.6613	0.0046	2991

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Elevation	Appurtenance	Gov. Load Comb.	Deflection	Tilt	Twist	Radius of Curvature
ft			in	°	°	ft
34.00	Andrew HP6	49	2.165	0.5577	0.0041	3311
26.00	Andrew HP6	49	1.434	0.4401	0.0033	4329

Maximum Tower Deflections - Design Wind

Section No.	Elevation	Horz. Deflection	Gov. Load Comb.	Tilt	Twist
	ft	in		°	°
L1	80 - 35	37.152	22	3.6042	0.0184
L2	40 - 0	10.358	22	2.3059	0.0163

Critical Deflections and Radius of Curvature - Design Wind

Elevation	Appurtenance	Gov. Load Comb.	Deflection	Tilt	Twist	Radius of Curvature
ft			in	°	°	ft
76.00	40,000 SQ IN x Ka	22	34.066	3.4993	0.0185	6268
64.00	40,000 SQ IN x Ka	22	25.054	3.1695	0.0187	1957
52.00	30,000 SQ IN x Ka	22	16.929	2.7853	0.0182	1117
42.00	Andrew HP10	22	11.317	2.3941	0.0167	830
34.00	Andrew HP6	22	7.835	2.0194	0.0147	918
26.00	Andrew HP6	22	5.190	1.5934	0.0119	1199

Base Plate Design Data

Plate Thickness	Number of Anchor Bolts	Anchor Bolt Size	Actual Allowable Ratio Bolt Tension K	Actual Allowable Ratio Bolt Compression K	Actual Allowable Ratio Plate Stress ksi	Actual Allowable Ratio Stiffener Stress ksi	Controlling Condition	Ratio
in		in						
1.5000	16	1.5000	108.47	112.58	38.275	29.556	Bolt T	0.87
			124.25	206.26	45.000	45.000		✓
			0.87	0.55	0.85	0.66		

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Compression Checks

Pole Design Data

Section No.	Elevation	Size	L	L _u	Kl/r	A	P _u	φP _n	Ratio P _u / φP _n
	ft		ft	ft		in ²	K	K	
L1	80 - 35 (1)	TP34.586x22x0.1875	45.00	80.00	81.9	19.6392	-24.28	612.81	0.040
L2	35 - 0 (2)	TP44.0001x32.8126x0.25	40.00	80.00	61.8	34.7157	-32.87	1440.21	0.023

Pole Bending Design Data

Section No.	Elevation	Size	M _{ux}	φM _{nx}	Ratio M _{ux} / φM _{nx}	M _{uy}	φM _{ny}	Ratio M _{uy} / φM _{ny}
	ft		kip-ft	kip-ft		kip-ft	kip-ft	
L1	80 - 35 (1)	TP34.586x22x0.1875	631.84	803.32	0.787	0.00	803.32	0.000
L2	35 - 0 (2)	TP44.0001x32.8126x0.25	1842.04	1888.36	0.975	0.00	1888.36	0.000

Pole Shear Design Data

Section No.	Elevation	Size	Actual V _u	φV _n	Ratio V _u / φV _n	Actual T _u	φT _n	Ratio T _u / φT _n
	ft		K	K		kip-ft	kip-ft	
L1	80 - 35 (1)	TP34.586x22x0.1875	27.63	590.62	0.047	0.00	1609.98	0.000
L2	35 - 0 (2)	TP44.0001x32.8126x0.25	31.45	1047.27	0.030	1.28	3784.60	0.000

Pole Interaction Design Data

Section No.	Elevation	Ratio P _u / φP _n	Ratio M _{ux} / φM _{nx}	Ratio M _{uy} / φM _{ny}	Ratio V _u / φV _n	Ratio T _u / φT _n	Comb. Stress Ratio	Allow. Stress Ratio	Criteria
	ft								
L1	80 - 35 (1)	0.040	0.787	0.000	0.047	0.000	0.828	1.000	4.8.2 ✓
L2	35 - 0 (2)	0.023	0.975	0.000	0.030	0.000	0.999	1.000	4.8.2 ✓

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Section Capacity Table

Section No.	Elevation ft	Component Type	Size	Critical Element	P K	ϕP_{allow} K	% Capacity	Pass Fail
L1	80 - 35	Pole	TP34.586x22x0.1875	1	-24.28	612.81	82.8	Pass
L2	35 - 0	Pole	TP44.0001x32.8126x0.25	2	-32.87	1440.21	99.9	Pass
						Summary		
						Pole (L2)	99.9	Pass
						Base Plate	87.3	Pass
						RATING =	99.9	Pass

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Contract: 107430

Project: MAT FOUNDATION

Date and Time: 10/8/2020 1:56:27 PM

Revision:0

Site: WA-SPOKANE VALLEY-GREEN ACRES, WA

Engineer: CD/EH

MAT FOUNDATION

Design Standard: ANSI/TIA-222-G

Concrete Design per: ACI 318

Concrete (F'c): 4.50 (ksi)

Steel (Fy): 60.00 (ksi)

Rebars: American

Concrete Volume: 33.82 (yd³)

Water table: 99.00 (ft)

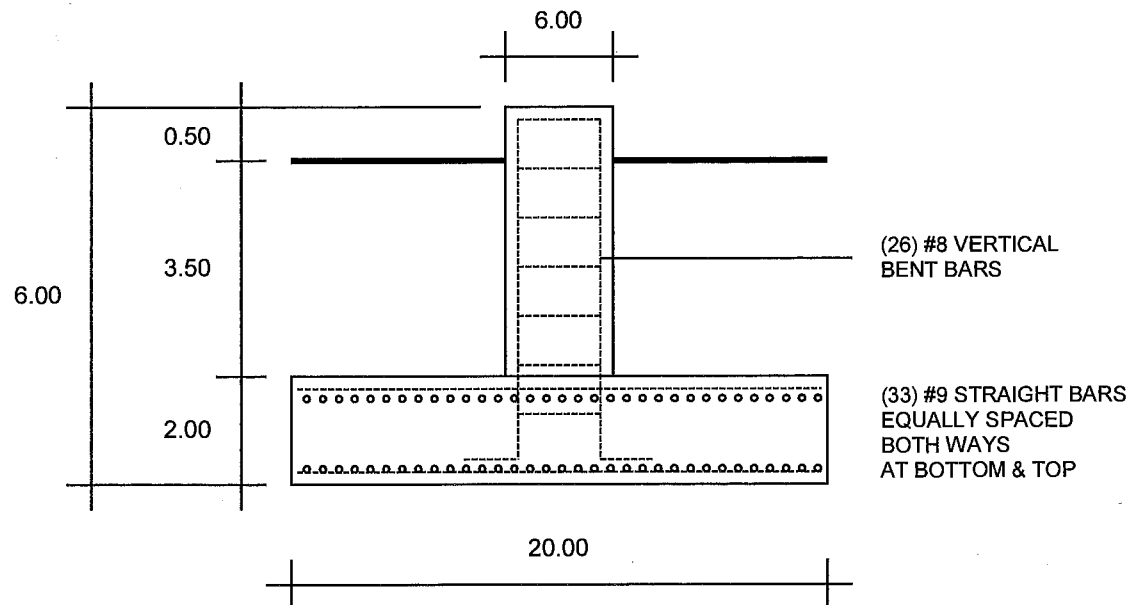
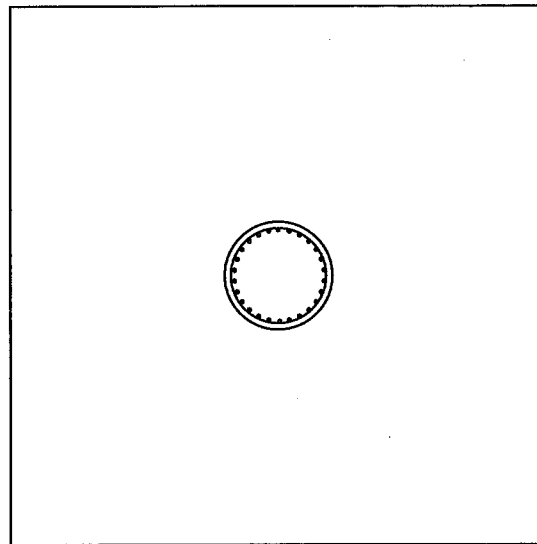
Frost Depth: 2.50 (ft)

Tower Reactions:

Download: 33.00 (Kips)

Moment: 1842.06 (Kipsft)

Shear: 31.00 (Kips)



TS Foundation - v 2.0.0.0 Foundation Analysis Program

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Contract: 107430

Revision: 0

Project: MAT FOUNDATION

Site: WA-SPOKANE VALLEY-GREEN ACRES, WA

Date and Time: 10/8/2020 1:51:43 PM

Engineer: CD/EH

MAT FOUNDATION ANALYSIS

ANALYSIS VALUES FOR CONCRETE AND STEEL:

Concrete Strength (F'c) : 4.50 (ksi)
 Steel Reinforcement Yield : 60.00 (ksi)
 Concrete Weight per Unit Volume : 140.06 (pcf)

SOIL PROPERTIES:

Layer #	Depth (ft)	Density (pcf)	Submerged Density (pcf)	Angle of Shearing Resistance	Allowable Net Bearing Pressure (psf)	Cohesion (psf)	Type of Soil
1	4.00	130.00	68.00	0.0	0.00	0.00	SAND
2	11.00	130.00	68.00	0.0	5000.00	0.00	SAND

Depth of water below grade : 99.00 (ft)
 Footing Assumed to be Completely Un-Submerged
 Frost Depth : 2.50 (ft)
 Dead Weight Factor for Soil & Concrete : 0.90
 Extension of Pier Above Grade : 0.50 (ft)

Footing Designed According to : ANSI/TIA-222-G
 Rebars : American

LOADING FACTORED AS PER ANSI/TIA-222-G

DOWNLOAD SHEAR (Kips)	MOMENT (Kips)	MOMENT (Kipsft)	TOTAL LOADING
33.00	31.00	1842.06	Load Case 1 - Maximum Moment and matching Axial and Shear
42.00	5.00	316.01	Load Case 2 - Maximum Axial and matching Moment and Shear

ALLOWABLE SOIL BEARING PRESSURE (NET) : 5000.00 (psf)
 ULTIMATE SOIL BEARING PRESSURE (SAFETY FACTOR = 1.33) : 6650.00 (psf)
 FACTORED SOIL BEARING PRESSURE : 4987.50 (psf)

SUPERSTRUCTURE : MONOPOLE

PIER SIZE: 6.00 (ft) ROUND
 MAT WIDTH: 20.00 (ft)
 MAT THICKNESS: 2.00 (ft)
 MAT DEPTH BELOW GRADE: 5.50 (ft)
 Soil resists overturning from top of non-battered pad

MAX. NET BEARING PRESSURE: 3491.51 (psf) Load Case: 1
 % BEARING = $100 * 3491.51 / 4987.50 = 70.01\%$
 OVERTURNING MOMENT: 2028.06 (Kipsft) Load Case: 1
 RESISTING MOMENT: 2920.49 (Kipsft) Load Case: 1
 % OVERTURNING = $100 * 2028.06 / 2920.49 = 69.44\%$

PAD CAPACITY (ONE-WAY SHEAR): Vc = 479.66 (Kips) Vf = 170.36 (Kips) Load Case: 1
 % ONE-WAY SHEAR = 35.52
 PAD CAPACITY (TWO-WAY SHEAR): Vc = 1153.65 (Kips) Vf = 70.51 (Kips) Load Case: 2
 % TWO-WAY SHEAR = 6.11

COLUMN CAPACITY

COLUMN REINFORCEMENT: 26-#8 PERCENTAGE: 0.50 %
 MINIMUM REINFORCEMENT IN COMPRESSION REQUIRED BY CODE: 0.50 %
 MAXIMUM DOWNLOAD: 49.57 (Kips) MAXIMUM MOMENT: 2940.89 (Kipsft)
 APPLIED MOMENT AT TOP OF PAD = Mt + Shear * H = 1842.06 + 31.00 * 4.00 = 1966.06 (Kipsft)
 % COLUMN REINF. = $100 * 1966.06 / 2940.89 = 66.85\%$

PAD RESISTANCE IN BENDING

BENDING MOMENT: 54.54 (Kipsft) PER 1 FOOT Load Case: 1

TS Foundation - v 2.0.0.0 Foundation Analysis Program

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4400 W 31st St, Yankton, SD 57078

File: C:\Users\Trump\Documents\TSFoundation Jobs\107430-WA-SPOKANE VALLEY-GREENACRES - MAT.out**Contract: 107430****Revision: 0****Project: MAT FOUNDATION****Site: WA-SPOKANE VALLEY-GREEN ACRES, WA****Date and Time: 10/8/2020 1:51:43 PM****Engineer: CD/EH**

PAD REINFORCEMENT: 33-#9 Area of Steel: 32.99 (in^2)
 REQUIRED REINFORCEMENT: 32.63 (in^2)
 MINIMUM REINFORCEMENT: 10.37 (in^2)
 % MAT REINFORCING = $100 * 32.63 / 32.99 = 98.91\%$

MAXIMUM PERCENTAGE UTILIZED = 98.91%

DETAILS OF CALCULATION:

WEIGHT OF CONCRETE (Wc):	127.88 (Kips)	x 0.90	= 115.09 (Kips)
WEIGHT OF SOIL ON PAD (Ws):	169.12 (Kips)	x 0.90	= 152.21 (Kips)
WEIGHT OF WEDGE OF SOIL (Ws1):	0.00 (Kips)	x 0.75	= 0.00 (Kips)
WEIGHT OF 2 CORNER CONES OF SOIL (Ws2):	0.00 (Kips)	x 0.75	= 0.00 (Kips)
WEIGHT OF 2 SIDE WEDGES OF SOIL (Ws3):	0.00 (Kips)	x 0.75	= 0.00 (Kips)
DOWNLOAD FROM STRUCTURE			= 33.00 (Kips)

Note: For calculation of Overturning Moment the Download was divided by applied dead weight factor and then multiplied by factor of: 0.90

TOTAL VERTICAL FORCE (Pv): = 300.30 (Kips)

OVERTURNING MOMENT (Mov)

Mov = Moment from Tower + Shear x Height

Mov = 1842.06 + 186.00 = 2028.06 (Kipsft)

RESISTING MOMENT (Mres)

Mres = (Wc + Ws) x PadWidth / 2 + Ws1 x D1 + Ws2 x D2 + Ws3 x D3 + Download x (0.5 x PadWidth - Offset)

Distance from edge of pad to centre of gravity of wedge, D1 = 0.00 (ft)

Distance from edge of pad to centre of gravity of corner cones, D2 = 0.00 (ft)

Distance from edge of pad to centre of gravity of side wedges, D3 = 0.00 (ft)

Mres = (115.09 + 152.21) x 10.00 + 0.00 x 0.00 + 0.00 x 0.00 + 0.00 x 0.00 + 22.44 x (10.00 - 0.00)

Mres = 2897.39 (Kipsft)

COUNTERACTING MOMENT (Ms)

Ms = Ws1 x L1 + Ws2 x L2 + Ws3 x L3

Distance from centre of pad to centre of gravity of wedge, L1 = 0.00 (ft)

Distance from centre of pad to centre of gravity of corner cones, L2 = 0.00 (ft)

Distance from centre of pad to centre of gravity of side wedges, L3 = 0.00 (ft)

Ms = 0.00 x 0.00 + 0.00 x 0.00 + 0.00 x 0.00 = 0.00 (Kipsft)

Total Moment (Mt) = Moment from Tower + Shear x Height + Download x Offset - Ms

Total Moment (Mt) = 1842.06 + 186.00 + 0.00 - 0.00 = 2028.06 (Kipsft)

Eccentricity E = Mt / Pv = 2028.06 / 300.30 = 6.753 (ft)

Maximum pressure along diagonal axis

Ecc > PadWidth / (6 * SQRT(2))

Maximum Pressure = C2 x Pv / PadWidth^2

C2 = $134.7 * (Ecc / PadWidth)^3 - 45.1 * (Ecc / PadWidth)^2 + 13.9 * (Ecc / PadWidth) + 0.77$ C2 = $134.7 * (6.753 / 20.00)^3 - 45.1 * (6.753 / 20.00)^2 + 13.9 * (6.753 / 20.00) + 0.77$

C2 = 5.507

Maximum Pressure = 5.507 x 300.30 / 20.00^2

Maximum Gross Pressure = 4134.99 (psf)

Overburden Pressure = 643.48 (psf)

Maximum Net Pressure = 3491.51 (psf)

Maximum pressure along parallel axis

Ecc > PadWidth / 6

Maximum Pressure = [2 x Pv / (C3 x PadWidth)]

C3 = 3 x (PadWidth / 2 - Eccentricity) C3 = 3 x (10.00 / 2 - 6.753) = 9.740 (ft)

Maximum Pressure = [600.60 / (9.740 x 20.00)]

Maximum Gross Pressure = 3083.46 (psf)

Overburden Pressure = 643.48 (psf)

Maximum Net Pressure = 2439.98 (psf)

File: C:\Users\Trump\Documents\TSFoundation Jobs\107430-WA-SPOKANE VALLEY-GREENACRES - MAT.out

Contract: 107430

Revision: 0

Project: MAT FOUNDATION

Site: WA-SPOKANE VALLEY-GREEN ACRES, WA

Date and Time: 10/8/2020 1:51:43 PM

Engineer: CD/EH

ONE-WAY SHEAR

d1 = Depth of Pad - Clear Cover - Bar Size

d1 = 24.000 - 3.000 - 1.130 = 19.870 (in)

Vc = 2 x Phi x SQRT(F'c) x PadWidth x d1

Vc = 2 x 0.75 x SQRT(4500.02) x 240.00 x 19.870 / 1000 = 479.66 (Kips)

Vf = (0.5 x P1 + P2 - P3) x Pad Width x Bw

Bw = Distance from edge of pad to face of column - d1

Bw = 10.000 - 3.000 - 1.656 = 5.344 (ft)

P1 - Triangular pressure at length of Bw = 1691.90 (psf)

P2 - Rectangular pressure at length of Bw = 1391.56 (psf)

P3 - Overburden pressure at length of Bw = 1391.56 (psf)

P1 + P2 = Maximum Gross Pressure

Vf = (845.95 + 1391.56 - 643.48) x 20.00 x 5.34 / 1000 = 170.36 (Kips)

TWO-WAY SHEAR

Vc shall be lesser of:

a) Vc = (2 + 40 x d1 / Bo) x Phi x SQRT(F'c) x Bo x d1

b) Vc = 4 x Phi x SQRT(F'c) x Bo x d1

Bo = PI x (PierSize + d1) = 288.62 (in)

a) Vc = (2 + 40 x 19.9 / 288.62) x 0.75 x SQRT(4500.02) x 288.62 x 19.87 / 1000

a) Vc = 1371.06 (Kips)

b) Vc = 4.0 x 0.75 x SQRT(4500.02) x 288.62 x 19.87 / 1000 = 1153.65 (Kips)

Note: Instead of calculating Vf as the pressure from Pad acting on area of pad minus area below pier we will use maximum vertical force plus the pier weight (from top of pier to the bottom of the pad) in dry condition with corresponding load factor.

Vf = 33.00 + 1.20 x 23.76 = 70.51 (Kips)

ANCHOR BOLT EMBEDMENT

Site: WA-Spokane Valley-Greenacres

JO # 107430

Date: 10/8/2020

Vertical Rebar Diam: 1 in.

Circular Tie Diam: 0.5 in.

Pier Diameter: 6 ft.

Side Cover: 3 in.

Top Cover: 3 in.

Bolt Circle Diam: 50 in.

Anchor Bolt Diam: 1.5 in.

Dist. Across Nut Flats 2.375 in. (for heavy hex nut)

Concrete Strength= 4500 psi

Rebar Grade F_y = 60000 psi

Ψ_t = 1 ACI 12.2.4a (1.0 for vertical splices)

Ψ_e = 1 ACI 12.2.4b (1.0 for uncoated or galv.-See ACI for epoxy coated)

Ψ_s = 1 ACI 12.2.4c (0.8 for #6 and smaller; 1.0 for #7 and larger)

λ = 1 ACI 12.2.4d (1.0 for normal weight concrete)

Bottom Template Thickness= 0.25 in

C-C distance between anchor bolt and vertical bar= 7 in.

Consider Req'd Lap length between rebar and anch bolt = L_d from ACI 12.2.2 (for #7 or larger)

L_d = 44.72136 in.

USE 6' Lg A. Bolts

Min. Required Embedment Depth of Anchor Bolts = 56.47 in.

(L_d)+(Max dist between rebar & anch bolt)+(top cover)+(bott template thick.)+(bott nut thick.)

A_{brg} = 3.121016 in. (For 1.5 in. diameter anchor bolt based on hexagon nut area)

Available Pullout with Heavy Hex Nut = 112.3566 kips

May 7, 2021

To:
Board of Adjustment
City of Moscow
206 E 3rd St
Moscow, Idaho 83843

From:
Jeff Lonneker
1022 E 8th St
Moscow, Idaho

Purpose:

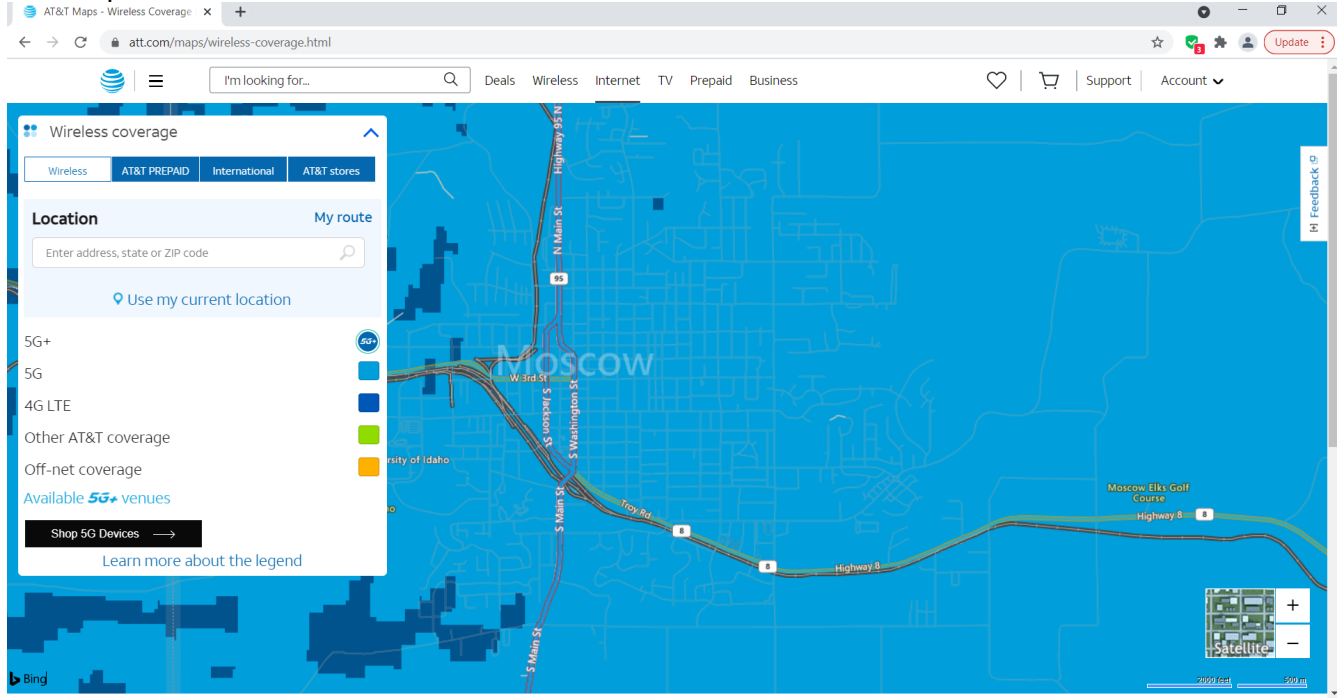
I oppose the building of this cell tower and request you deny (again) the conditional use permit LUP2021-004

Executive Bullet Points

- Using their own map, there is no need in this area.
- The proposed structure is even less harmonious than the fake tree.
- Nothing stealthy about proposed structure.
- Alternative – if it is going to be built, build on public land for tax revenue.

Statement of Need is invalid.

The map below was accessed on 5/7/2021



According to the ATT Wireless website, the entire town is sufficiently covered by their existing service, including 5G. There is nothing on the website to indicate these data are not fully representative of ATT coverage. Additionally, the applicant has provided no evidence to substantiate their claim that existing towers are at capacity. Having had ATT phones in the past, while anecdotal, we have always had strong service with no interruption to call/data needs.

Neighborhood harmony.

This structure will be clearly visible for miles and there is nothing stealthy about it. There is nothing subtle about a 20 foot cross on an 80 foot structure. Instead of welcoming, this will send a clear message to families of differing religious and cultural backgrounds.

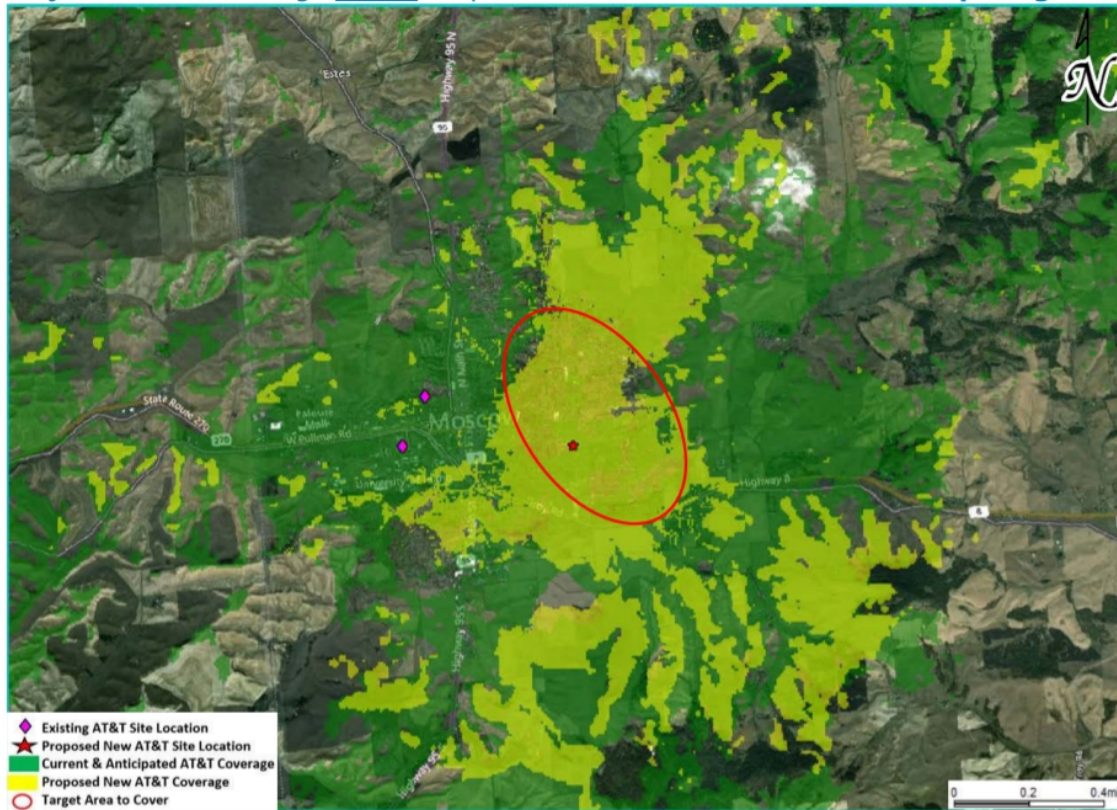
Using their own map and verbiage, the map below shows the additional service that will be added using 'line of site' technology. We can use their map as a viewshed map (the geographical area from which the

tower will be visible.) The proposed tower will be visible from areas in yellow.

Figure C.1—New AT&T 4G LTE Coverage

LUP2021-0004

Projected New Coverage AFTER Proposed WCF On-Air—75ft Antenna Tip Height



Received 02-19-2021

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The case for a dual conditional use permit application.

To build a structure in this neighborhood that reaches this height it requires a conditional use permit. Since there is nothing stealthy about this structure an additional conditional use permit should be required to build the encompassing structure.

Alternative – move off church property to public property.

It seems like this is going to happen, there has been a push to build this tower for years. If there is a need to end this discussion I would propose moving it off church owned lands onto public land where tax revenue can be collected. The city knows better than I as there are already agreements in place, the funds generated are not negligible.

There is an entire industry built around facilitating cell towers on lands owned by religious institutions. The motivation is multifaceted, the cell providers typically pay a lower amount to build/lease on these lands and the permitting process is much easier. In my opinion, this is the motivation behind the applicants conjecture that it 'needs' to be on this site. The maps and 'alternative' sites in the proposal are intentionally confusing and misrepresented. To be a true comparison, each site would need to be compared against the other.

From: gracegockarp@frontier.com
Sent: Monday, May 17, 2021 9:42 PM
To: Board of adjustment
Subject: Conditional use permit at 1400 E 7th St.

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This message originated from outside the City of Moscow's network. Exercise caution when clicking links or opening attachments. If in doubt, please contact Information Systems at extension 7004.

I urge the Council and Board of Adjustment to deny the proposed Conditional Use Permit at 1400 E Seventh Street. This structure is not in keeping with zoning standards for this area nor does it have any purpose related to the church site. Regardless of the appeal of adjustment to size, the structure will be an eyesore, and cause potential harm to residents. Approving such an appeal will set an unnecessary precedent for other structures inappropriate for the zone. Please do not approve this permit.

Thank you for considering this request.

Grace Goc Karp.

Date: August 16, 2021

To: Board of Adjustment

From: Maury Wiese, 711 Park Drive, Moscow, ID



Re: Remand in Part of a Conditional Use Permit at 1400 E. Seventh Street in the City of Moscow, Permit Application LUP 2021-0017 (Proposed 80' Wireless Communication Facility)

I commend the Board of Adjustment and the City Council for initially finding this proposed cell tower incompatible with the adjoining residential area and denying the Conditional Use Permit.

Here I suggest and ask you to find that no modification of the width, footprint or exterior of this proposed conspicuous, intrusive, unnecessary, and potentially hazardous 80' cell tower will make it compatible with my residential neighborhood.

Please see my previous letters opposing this permit and structure.

RECEIVED

AUG 16 2021

City of Moscow

Jennifer Fleischman

From: Faris Paxton <faris.paxton@gmail.com>
Sent: Tuesday, August 17, 2021 10:20 AM
To: Jennifer Fleischman
Subject: Comments for Board Of Adjustments Meeting (8/24)

CAUTION: This message originated from outside the City of Moscow's network. Exercise caution when clicking links or opening attachments. If in doubt, please contact Information Systems at extension 7004.

Jennifer,

I was told I could send comments to you for the Board Of Adjustments members to review before the meeting next week. Thanks so much for handling this.

Faris Paxton
824 Park Dr.
Moscow, ID 83843

Board members,

This is the third time we are here revisiting the issue of the proposed cell tower for this same location. It has been decided twice by the board of adjustments and upheld twice by the City Council that a cell tower in this location does not meet the following criteria.

Criteria #2: THE CHARACTER OF THE PROPOSED USE WILL BE IN HARMONY WITH THE NEIGHBORHOOD AND SURROUNDING LAND USES.

While the second proposal attempted to create harmony in terms of looks, I would like us to consider that harmony with the neighborhood is not reflected in looks alone. Please consider not only the aesthetic harmony of the cell tower but also the functional harmony of how a neighborhood works. In fact, I would suggest to you all that the reason the criteria doesn't specify "physical harmony" is so that you can consider all the aspects of how this proposal will affect Moscow neighborhoods. There are a few places of business in this neighborhood where I live: Short's Funeral Home, a Dentist office, Moscow Family Eye Clinic to name a few. Each one of those have people that live and work within the community of Moscow that care about it. I can go into each one of those businesses and say "Hi, how are you doing? I have a concern about something affecting our neighborhood, would you be interested in helping out in some way." And I've seen that these places do take an active role in shaping the community. They care about it because they love this neighborhood and town.

But the tenants of the proposed cell tower do not live here. If I were to knock on the door of the cell tower, no one is going to answer. No one there is ever going to sign a petition. No one there is going to donate to my child's special needs school fund. No one there will ever care about the people in my neighborhood the way that the businesses do that are run by folks who live in the community. Here you have a chance to protect the community as it is. Affirming the proposed cell tower sets a bad precedent of breaking the harmony of our neighborhood and it violates criteria #2.

One statement that I've heard a few times in these deliberations is that "Well wherever we decide to put the cell tower, people will complain." And I want to urge you to consider what this really means. If everyone's complaint is that a cell tower doesn't fit the criteria of the harmony of the neighborhood and that's true, then the people's complaint is not the real problem. It's the criteria/law that is the issue. If the law doesn't allow it to be placed anywhere because of criteria #2, then the law should be changed - the criteria should be changed. Those who want to put up cell towers into

neighborhoods need to do the hard work of building a public consensus to remove criteria #2 from the books. Please put the onus, the responsibility, back on those who want to make a permanent change to our neighborhood - and refuse this cell tower.

Thank you for your service to our community and your time in reading the above.

Sincerely,
Faris Paxton
824 Park Dr.
Moscow, ID 83843

August 17, 2021

To the City of Moscow Board of Adjustment

Re: Petition to Deny Conditional Use Permit
Permit Application LUP2021-0017

Please find attached a Petition to Deny Conditional Use Permit for the construction of an 80' Wireless Communications Facility in the parking lot of the Nazarene Church, 1400 E. 7th Street.

This petition was circulated by Leslie Rios, 845 E. 7th Street, 208-669-1856, lesliesmallwoodrios@gmail.com, primarily on August 15, 2021, going door to door. Residents stated that they have no problems with their cell service and did not feel a tower in this location was necessary. Residents uniformly expressed concerns over the impact the tower would have on the aesthetics of their neighborhoods and parks.

RECEIVED

AUG 17 2021

City of Moscow

Petition to Deny Conditional Use Permit

Petition summary and background	This petition is directed to the City of Moscow Board of Adjustment, specifically in their consideration of the Permit Application LUP2021-0017 for a proposed 80' Wireless Communications Facility next to the Nazarene Church, 1400 E. 7th Street in Moscow. The Board of Adjustment previously denied the application to construct this Wireless Communications Tower, citing concerns about the tower's location being inappropriate and intrusive in a predominantly residential neighborhood. The proposed location of the 80' tower is 3 blocks from Lena Whitmore Elementary School, one block from Carol Ryrie Brink Park, one block from the Moscow School District ballfields, and in the center of an established residential neighborhood. The proposed location is on flat terrain, at the base of the 7th Street hill, rather than at an elevation that would more effectively provide coverage that the applicant states is needed on the east side of Moscow.
Action petitioned for	We, the undersigned, are concerned citizens residing in the neighborhoods that will be impacted by the construction of an 80' Wireless Communications Tower in the parking lot of the Nazarene Church. We strongly urge the Board of Adjustment to deny this Conditional Use Permit, again, and to protect the integrity and aesthetics of our residential neighborhoods, as well as the health and well-being of all our neighbors.

Printed Name	Signature	Address	Comment	Date
Leslie Rios	<i>Leslie Rios</i>	845 E. 7th St., Moscow		8/15/21
David R Moore	<i>David R Moore</i>	845 E 7th St Moscow ID		8-15-21
GRACE GOC KARP	<i>Grace Goc Karp</i>	857 E 7th St. Moscow, ID		8-15-21
FRANK KARP	<i>Frank Karp</i>	857 E. 7th St Moscow, ID		8/15/21
Maggie Rehm	<i>Maggie Rehm</i>	863 E 7th St Moscow ID		8/15/21
Rajal Cohen	<i>Rajal Cohen</i>	863 E 7th St Moscow		8-15-21
WOLF BRULLEY	<i>Wolf Brulley</i>	817 E 7th St Moscow		8/15/21
Dana Brulley	<i>Dana Brulley</i>	817 E 7th St Moscow		8/15/21
Reed Lewis	<i>Reed Lewis</i>	824 E. 7th		8/15/21
KAREN LEWIS	<i>Karen Lewis</i>	824 E. 7th		8/15/21

Printed Name	Signature	Address	Comment	Date
Sue Eschen	<i>Sue Eschen</i>	917 E 7th St, Moscow		8/15/21
Mark Warner	<i>Mark Warner</i>	553 E 7th St Moscow		5/15/21
Gloria D. Hill	<i>Gloria D. Hill</i>	1003 E 7th "		8/15/21
Michael Kyte	<i>Michael Kyte</i>	1009 E. 7th "		8/15/21
Marti Ford	<i>Marti Ford</i>	1009 E. 7th "		8/15/21
Kelly Strawn	<i>Kelly Strawn</i>	1017 E 7th St		8-15-21
Robert Thomas	<i>Robert Thomas</i>	1103 E 7th St		8-15-21
Linda Morris	<i>Linda Morris</i>	1103 E 7th St		8/15/21
MAURICE WIESE	<i>MV Wiese</i>	711 Park Dr.		8/15/21
Suzanne J. Wiese	<i>Suzanne J. Wiese</i>	711 Park Drive		8/15/21
Samuel Patten	<i>Samuel Patten</i>	721 Park Dr.		8/15/21
Judy Herrick	<i>Judy Herrick</i>	1119 Kamaken Moscow		8/15/21
Gerard Billington	<i>Gerard Billington</i>	1125 Kamaken Moscow		8/15/21
Jessie Campbell	<i>Jessie Campbell</i>	1205 Kamaken ^{Moscow}	Very inappropriate location	8/15/21
Marie Smith	<i>Marie Smith</i>	915 Park Dr - Moscow		8-15-21
Lesley Smith	<i>Lesley Smith</i>	915 Park Ave. Moscow		8-15-21
Merilee Paxton	<i>Merilee Paxton</i>	824 Park Dr. Moscow		8-15-21

Print NAME	signature	Address	Comment	Date
Tris Paxton	Tris Paxton	824 Park Dr. Moscow		8/15/21
Roberta Lewis	Roberta Lewis	802 Park Dr. Moscow		8/15/21
Gerald Lewis	Gerald Lewis	802 Park Dr. Moscow		8/15/21
SUZANNE ANDERSON	Suzanne Anderson	716 PARK DR MOSCOW		8/15/21
Denise L. Jain	Denise L. Jain	1205 E 7 th Moscow		8-15-21
Agnes E Jain	Agnes E Jain	1205 E 7 th Moscow	We don't need it!	8-15-21
Lynelle Rainer	Lynelle Rainer	705 Camas St. Moscow	We have great comm communication service. seems like BSI is ok	8/15/21
Kyle Rainer	Kyle Rainer	705 Camas St.		8/15/21
Kathleen Watson	Kathleen Watson	1213 E 7 th St	No	8/15/21
SUZANNE SCRIPPER	Suzanne Scripper	1122 E 7 th St	No Way!!	8/15/21
MICHAEL HASSETT	Michael Hassett	1110 E 7 th St.		8/15/2021
Chris L. Baldwin	Christina Baldwin	1150 E 7 th St.	Put somewhere else	8/15/2021
Shane Kellom	Shane Kellom	1108 E. 7 th	NO WAY!	8/15/2021
HARRIET HUGHES	Harriet L. Hughes	831 E. 7 th	Please No!	8/15/2021
JOHN K. FELLMAN	John K. Fellman	831 E. 7 th	unnecessary expense move it to the ELKS GC.	15 AUG 2021
43 Angela Schweigert	Angela Schweigert	816 Apple Lane	inappropriate location!	8/16/21

Printed Name	Signature	Address	Comment	Date
Pamela Brunfeld	Pamela Brunfeld	707 S. Hayes St		8/17/21
James P Huggins	James P Huggins	707 S Hayes St		8/17/21
John Sweeney	John Sweeney	850 E 8th St		8/17/21
Roger Hayes	Roger Hayes	816 Apple Ln.		8/17/21
Sarah Koerber	Sarah Koerber	804 Apple Lane		8/17/21
Sarah Tobey	Sarah Tobey	1020 E 7th St		8/17/21
Margaret Gray	Margaret Gray	1404 E 6th St.		8/17/21
Carol M. Clark	Carol M. Clark	1402 East 6th St.		8/17/21
Sydni Lewis	Sydni Lewis	507 Grant Ct.		8/17/21
Walter Hesford	Walter Hesford	1117 E. 6th St		8/17/21
Elinor Michel	Elinor Michel	1117 E. 6th St.		8/17/21
Julie Fodor	Julie Fodor	1109 E. 6th St.		8/17/21
56 Jim Heidelberg	Jim Heidelberg	1109 E 6th		8/17/21

17 August 2021

Board of Adjustment
City of Moscow
City Hall
206 E Third Street
Moscow, Idaho 83843

I am writing to oppose the Conditional Use Permit at 1400 E Seventh Street in the City of Moscow, Permit Application LUP2021-0017, submitted to the City of Moscow by the Parallel Infrastructure Tower Development LLC (Proposed 80' Wireless Communication Facility at 1400 E. Seventh Street) on 29 July 2021.

I live at and own the home, jointly with my wife, at 1009 E. 7th Street in Moscow, one block from the proposed wireless tower.

I testified in opposition to the proposed cell tower at the Board of Adjustment hearing in November 2018. I also submitted written testimony opposing the cell tower to the Board of Adjustment for its hearing to reconsider the request in April 2021.

I continue to oppose the cell tower based on my review of the documents submitted to the city on 29 July 2021, noting the following:

- No changes were made by the applicant subsequent to the city council meeting earlier this year.
- The applicant was unable to reduce the footprint of the proposed tower, nor was it able to reduce the 80 foot height of the tower.
- The Nazarene Church would not consider moving the tower closer to its main church property.
- The proposed height of the tower is 15 feet higher than the highest point of the cross on the church steeple, making it especially intrusive to the surrounding neighborhood.
- Cloaking the tower inside of a faux tree or inside a structure with a cross does nothing to hide the fact that the tower would become the predominant view from any location in our neighborhood, including from Triangle Park.

If you, members of the Board, have not yet done so, I encourage you to visit the site to get a first-hand perspective of how intrusive this structure would be.

I encourage the Board of Adjustment to again deny the conditional use permit.

Michael Kyte
1009 E. 7th Street
Moscow, Idaho 83843

17 August 2021

Board of Adjustment
City of Moscow
City Hall
206 E Third Street
Moscow, Idaho 83843

I am writing in opposition to the conditional use permit for the cell tower. I own the house at 1009 E. 7th St. with my husband. I applaud the previous actions of the Board of Adjustment and the City Council to deny the applications and appeal from 2018 and the earlier 2021 denial by the Board.

In their March 2021 testimony to the Board of Adjustment, our neighbors Maury Wiese and Gary Saunders both commented on the “conspicuous” absence of a before-and-after simulated view of the proposed structure taken from the southwest. A view from that angle was provided by the applicants for the 2018 monopole pine and is on pages 36 and 37 of the 2018 packet. I’ve included screen captures on the next page.

Please note:

- The 2021 proposed tower is to be located at the same spot as the 2018 proposed tower shown from this neighborhood view.
- I’ve added the arrow to indicate the dome and the cross. As pointed out by Gary Saunders in his March testimony, the dome and cross are barely noticeable from the street.
- The tower is “only” about 30 feet higher than the top of the dome and 15 feet higher than the top of the cross, but it is about 160 feet closer to Park St. and about 25 feet closer to E. 7th St.

Whether the structure is an unlikely pine tree or an even unlikelier bulky, rectangular, looming structure, it is clear that, from the Eastgate neighborhood, this structure would be out of place and out of character. I encourage you to again deny the conditional use permit.

Sincerely,
Martha Ford

LUP018-0023



ID MOSCOW RESIDENTIAL
EXISTING SOUTHWEST ELEVATION



LUP018-0023



ID MOSCOW RESIDENTIAL
PROPOSED SOUTHWEST ELEVATION



LUP018-0023



ID MOSCOW RESIDENTIAL
EXISTING SOUTHWEST ELEVATION



LUP018-0023



ID MOSCOW RESIDENTIAL
PROPOSED SOUTHWEST ELEVATION



NOTICE OF PUBLIC MEETING

Appeal of the Denial for a Conditional Use Permit at 1400 E. Seventh Street
Permit Application LUP2021-00017

A public meeting at which you may be present will be conducted before the City Council of the City of Moscow at which time the following proposal will be considered:

Appeal of a Conditional Use Permit application for a proposed 80-foot-tall Wireless Communication Facility (WCF) intended to resemble a church tower that was denied by the Board of Adjustment on March 29, 2021.

The Council shall not act on an appeal which differs materially from that which was considered by the Board of Adjustment. When considering the merits of an appeal, no additional public testimony or information shall be taken or considered by the Council.

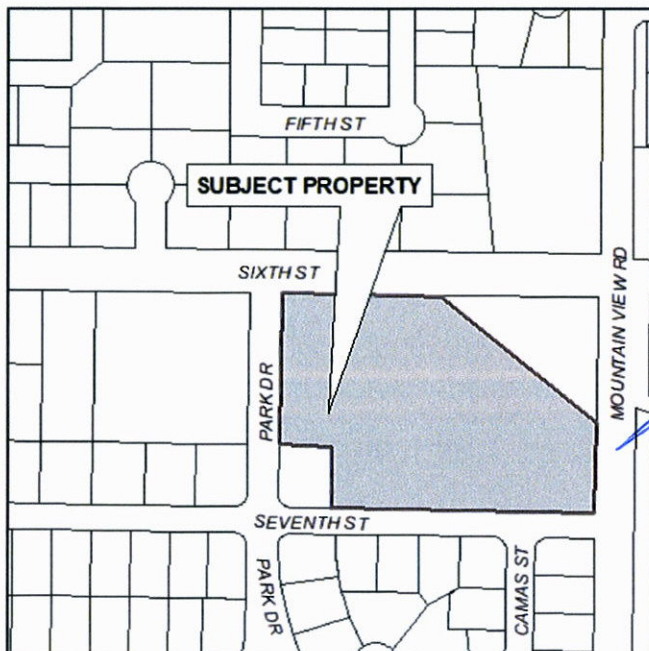
HEARING DATE: Monday, May 3rd, 2021

HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00pm

Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting.

The file containing information on this matter is available for public review at the Community Planning & Design Department located in the, Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter. You may obtain further information about the public hearing process and procedures on the City's Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>



Laurie Hopkins,
Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, April 24, 2021



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APR 16 2021

City of Moscow

VIA EMAIL AND OVERNIGHT DELIVERY

April 14, 2021

City Clerk
City of Moscow
206 E. 3rd St.
Moscow, ID 83843

Re: Appeal of LUP2021-0004

To the Moscow City Council:

Parallel Infrastructure ("**Applicant**") appeals the Moscow Board of Adjustment's ("**Board**") Reasoned Statement of Relevant Criteria and Standards for the above noted matter, dated April 7, 2021 ("**Decision**"), in which the Board denies Applicant's request for a Conditional Use Permit ("**CUP**") for an eighty-foot (80') wireless telecommunications facility ("**WCF**") camouflaged as a church bell tower.

Pursuant to Moscow City Code ("**MCC**") 4-8-5(B)(2), Applicant respectfully requests the Council to reverse the Decision in whole because it is not founded upon facts in the record or sound reason and practical application of recognized principles of law.

Basis for Appeal

1. The single basis for the Board's denial of Applicant's WCF Conditional Use Permit is that "... the proposed WCF is not consistent with the existing character of the uses within the surrounding neighborhood." In reaching this conclusion, the Board stated that the cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Church of the Nazarene. The Board noted that surrounding neighborhood is primarily residential with few commercial uses nearby. The Board noted that scale of the proposed tower is significantly larger than other structures or trees in the surrounding area. The Decision also mentions four individuals expressed concern regarding the scale of the proposed WCF, noise, and other aesthetic concerns." (Relevant Criteria and Standards, Paragraph 2).

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The Board's denial is not supported by the MCC, Comprehensive Plan, state statutes or the evidence in the record. Accordingly, the Board's decision should be reversed in whole.

The Board cited the following factors in support of the above finding on Relevant Criterion 2:

1. The cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Church of the Nazarene.
2. The surrounding neighborhood is primarily residential with few commercial uses nearby.
3. The scale of the proposed tower is significantly larger than other structures or trees in the surrounding area.
4. Public testimony was received by 5 individuals, one (1) individual that was neutral to proposal, commenting that in his opinion 4G was better than 5G. Four (4) individuals testified that the proposed WCF is not consistent with the existing character of the uses of the surrounding neighborhood. These individuals expressed concern regarding the scale of the proposed WCF, noise, and other aesthetic concerns.
5. Lack of in-person testimony in support for the tower CUP from AT&T customers.

It is important to note that the Board also found that Applicant's proposed WCF met *all* of the regulations and development standards in MCC 4-3-5(H), Telecommunications Facilities, which includes regulations and standards for noise and aesthetics. Additionally, the Board found that Applicant's proposed WCF met *all* of the other six criteria for approval of a conditional use permit under MCC 4-8-4(B), Conditional Uses.

First, the Board's finding that the proposed bell tower structure is not in harmony with the surrounding uses, including the Church of the Nazarene is not supported by adequate evidence in the record. The drawings and photosimulations submitted by the Applicant show the bell tower structure was designed to reflect and compliment the design of the church, with a topper similar to that one on the church and materials and colors consistent with the existing church. A bell tower is a common feature on church properties and the proposed wireless facility, designed as a bell tower, is not out of place on this church property. One Board member stated that the bell tower design was much closer to what they had in mind than the monopine previously proposed.

Second, the Board's finding that the neighborhood is primarily residential with few commercial uses nearby is not relevant to the applicable code criteria for WCF. Pursuant to MCC 4-3-4, WCF are considered a Public/Institutional Use and are a conditionally permitted use in the NB zone. Additionally, the WCF meets all required setback requirements from neighboring uses. The Board's findings regarding the lack of neighboring commercial uses is in error and should be reversed.

Third, the Board's finding concerning the scale of the proposed facility is subjective and not supported by the record. The height of the proposed wireless communications facility is generally consistent with the height of surrounding structures and trees. The roof of the Church is fifty-feet (50) tall and has substantially greater volume than the proposed bell tower. One Board member noted that the height of the cross on the existing church is approximately sixty-six (66) feet, which is not out of scale with a 80 foot bell tower.

It is important to note that the MCC allows an eighty-foot (80') tall telecommunications facility in the NB Zone as a conditional use. The MCC does not place any restrictions on the height of telecommunications facilities when they are located adjacent to R-3 Zones; the MCC only restricts the height of conditional uses when they are near Highways 95 or 8. The City Council, in its legislative capacity when it adopted the code, agreed that a WCF is a permitted use and that 80 feet is the allowable height in all zones. Had the Council wished to require a lower height in some zones, it certainly could have, just as it restricted the height of WCF's adjacent to Highways 95 or 8. It would therefore be inconsistent with the the City's expressed intent in the MCC to allow the Board to deny Applicant's CUP application for a WCF within the code's permitted height. The Board's findings concerning the scale of the WCF are in error and should be reversed.

Fourth, the Board cited four citizens' concerns about noise and aesthetics as factors in its denial. However, the Decision expressly found in Relevant Criteria and Standards paragraphs 3 and 9, that the proposed use meets the noise reduction and aesthetic requirements of the Zoning Code and that the design of the antenna tower, including the antennas and ancillary facilities, minimizes visual impact and otherwise complies with provisions and intent of the Code. The staff report specifically noted "If noise becomes a problem, then a decibel reading will be taken at the property line and Staff will take corrective action if the reading is too high." The Board's reliance on the generalized complaints of four individuals is inconsistent with its own findings in Relevant Criteria and Standards, Paragraphs 3 and 9, and inconsistent with the uncontroverted evidence in the record affirming the proposal's compliance with noise standards and that the facility is the minimum height necessary to meet the AT&T coverage and capacity objectives, while providing enough height to host two additional carriers on that same tower. See Applicant's RF Justification, Narrative and Statement of Code Compliance. In view of the foregoing, the Board's reliance on generalized citizen concerns about noise and aesthetics is inconsistent with Relevant Criteria and Standards 3 and 9. This constitutes error and should be reversed.

Finally, one board member cited the lack of AT&T customer testimony at the hearing in support of the tower CUP. Because AT&T will be a tenant and is not the primary applicant, the AT&T customers in Moscow have had no notice that the new tower would improve their service. There is no code requirement to demonstrate customer support for

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a new tower. The Board erred in considering this as a basis for denial and should be reversed.

Pursuant to the record considered by the Board and all of the above, Applicant respectfully requests the City Council to reverse the Board's Decision and approve Applicant's CUP. In the alternative, to the extent allowed by the MCC, if the City Council determines to remand this matter to the Board to gather additional information, the Applicant is amenable to this process.

Thank you for considering this Appeal.

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

Kim Allen, Wireless Policy Group LLC for Appellant Parallel Infrastructure

**BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MOSCOW,
COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

**REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
REGARDING A CONDITIONAL USE PERMIT APPLICATION FOR A WIRELESS
COMMUNICATION FACILITY LOCATED AT 1400 EAST SEVENTH STREET IN THE
CITY OF MOSCOW, IDAHO, WITHIN THE NEIGHBORHOOD BUSINESS (NB)
ZONING DISTRICT PER MCC 4-3-4.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on February 19, 2021;
and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed
public hearing on March 29, 2021; and

WHEREAS, having reviewed the application, including all exhibits entered, having listened to the
testimony presented at the public hearing, and having considered the issues presented:

**THE MOSCOW BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO,
AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, Comprehensive Plan, State Statutes, U.S. Constitution, and Moscow City Code.
2. The applicant Parallel Infrastructure proposed an eighty-foot (80') Wireless Communication Facility (WCF) located at 1400 E 7th Street, Moscow, Idaho. The proposed tower is designed to resemble a church tower.
3. On July 30th of 2018, Pro Land LLC applied for a Conditional Use Permit to construct an 80-foot-tall Wireless Telecommunications Facility at 1400 E 7th Street, Moscow, Idaho. The application proposed that the facility would be located on the property of the Church of the Nazarene and would accommodate three carriers within a fully enclosed 800 square foot lease area. The facility design in this application was a stealth-style mono-pine tower intended to resemble a tree.
4. The matter came before the Board of Adjustment on November 18th, 2018. The Board of Adjustment denied the application finding that the proposed WCF was not consistent with the existing character of the neighborhood and would not be in harmony with land uses surrounding the subject property. The Board found that the scale of the proposed tower is significantly larger than other structures or trees in the surrounding area.
5. On November 27th, 2018, Busch Law Firm PLLC filed an appeal on behalf of the applicant.

6. On January 7th, 2019, City Council reviewed the appeal during a regularly scheduled meeting and sustained the decision to deny the application.
7. The subject property sits on the southwest corner of the 231,678 square foot block, which is owned entirely by the Church of the Nazarene. The proposed site is a 20-foot by 40-foot enclosure that contains the proposed WCF and all ancillary uses.
8. The subject property is located within the Neighborhood Business (NB) Zoning District, which requires a Conditional Use Permit (CUP) for Antenna Towers per MCC 4-3-4.
9. Adjacent properties to the north and south are located within Medium Density Residential Zoning District (R-3). Adjacent properties to the west and east are located in the Neighborhood Business (NB) Zoning District.
10. The area surrounding the proposed WCF is primarily residential. There are two businesses nearby including Short's Funeral Chapel to the west and Pickard Orthodontics to the north. The two community parks nearby include Carol Ryrie Brink Park and Triangle Park, both to the south. Adjacent residential uses sit to the north and south the proposed WCF. Residential structures in the surrounding area vary between approximately twenty feet (20') to thirty (30') in height.
11. The Neighborhood Business Zoning District is the lowest intensity commercial Zoning District permitted within the City. It is intended to apply to areas of less than two (2) acres, where commercial services may be provided in convenient locations serving adjoining residential neighborhood rather than the community as a whole. The commercial services permitted are those where traffic generation, access requirements, impacts of lighting, neighborhood need for services, and noise production will be compatible with residential uses. The NB Zoning District is appropriately applied in the following circumstances:
 - a. Where local commercial facilities will serve the everyday needs of a limited neighborhood area;
 - b. Where activity levels associated with small scale office development can be accommodated or tolerated by surrounding land uses and existing public services;
 - c. Where a neighborhood core is identified which is easily accessible by pedestrian or vehicular circulation; and
 - d. Where such commercial development will result in minimal interference with residential uses in the vicinity of the NB Zoning District.
12. Chapter 2 of the 2019 Comprehensive Plan, Community Character and Land Use, designates the subject property as Public and Semi-Public.
13. According to the Comprehensive Plan, Public and Semi-Public designated areas, "provide for government buildings and properties, as well as semi-public or institutional uses such as churches, schools, and the hospital."
14. The Zoning Code has specific use standards for Telecommunications Facilities within MCC 4-3-5(H).
15. Telecommunications Facilities that exceed sixty feet (60') are not permitted within five hundred feet (500') of US Highway 95 and/or State Highway 8 right-of-way. The proposed facility is over 3,400 feet north of the State Highway 8 right-of-way.

16. Telecommunications Facilities must be protected from unauthorized access by appropriate security measures. The site is proposed to be enclosed by a six foot (6') high masonry wall and the ancillary facilities are fully enclosed within the proposed site.
17. Every antenna and antenna tower must not be lighted unless required by the Federal Aviation Administration and other state or federal agency having such authority, and such lighting must not be more than the minimum required by such agency. Submitted plans do not show any lighting on the proposed tower.
18. Antenna towers are required to be separated from the property line of any adjacent property residentially zoned at least a distance equal to the height of the antenna tower, and must be separated from all other adjacent property lines at least a distance equal to one-half (1/2) the height of the antenna tower.
19. The church campus is made up of 11 parcels including a residential home owned by the Church of the Nazarene, adjacent to the south of the proposed WCF.
20. The proposed WCF is located approximately 5,100 feet from properties zoned SR, 1,300 feet from properties zoned R-1, 190 feet from properties zoned R-2, 100 feet from properties zoned R-3 (not including the church owned residential property), and 600 feet from properties zoned R-4.
21. The closest residential structures sit 120 feet to the west, 190 feet to the south, 360 feet to the north, and 675 feet east of the proposed WCF.
22. While the height of the dome on the Church of the Nazarene stands approximately fifty feet (50') tall, the existing cross at the top of the church stands sixty-six feet (66') tall. The residential properties in the vicinity generally do not exceed thirty feet (30'). Nearby trees reach approximately sixty feet (60') in height.
23. Maximum height in Neighborhood Business (NB) Zoning District is forty (40') feet. Non-residential structures in excess of forty (40') feet require a Conditional Use Permit.
24. Public testimony in opposition of the proposed WCF was heard from a total of 5 individuals. Concerns included sound from the proposed weekly generator testing, height of the structure, and no need for additional cell phone coverage.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed use is a conditionally permitted use within the Zoning District:** All Wireless Communication Facilities are conditionally permitted per MCC 4-3-4.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The Board found that the proposed WCF is not consistent with the existing character of the uses within the surrounding neighborhood. Additionally, the Board found that the cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Nazarene Church. The surrounding

neighborhood is primarily residential with few commercial uses nearby. The scale of the proposed tower is significantly larger than other structures or trees in the surrounding area. Public testimony was received by 5 individuals, one (1) individual that was neutral to proposal, commenting that in his opinion 4G was better than 5G. Four (4) individuals testified that the proposed WCF is not consistent with the existing character of the uses of the surrounding neighborhood. These individuals expressed concern regarding the scale of the proposed WCF, noise, and other aesthetic concerns.

3. **The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like):** The proposed use would not generate nuisances to the adjoining properties or the neighborhood through noise, dust, glare, vibrations, or odors. All ground equipment would be fully screened with existing landscaping and a six foot (6') tall wall constructed of brick, stone, or textured concrete block. The proposed diesel generators would be double contained and would be used in the event of a power outage. Each generator would run once a week for approximately one hour for maintenance.
4. **The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services:** The proposed WCF is located on a parcel that has access on all four sides of the Church of the Nazarene campus. Public services proposed are power and telephone and are existing.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The proposed use would not endanger the public health or safety on the proposed site.
6. **The proposed use meets all applicable development standards of the Zoning Code:** The proposed use meets all applicable development standards of the zoning code and Telecommunications Facility Standards that are required by this code for setbacks, security, lighting, noise reduction, signage, separation from adjacent residential zoning districts, and aesthetic considerations.
7. **The proposed use will not be in conflict with the Comprehensive Plan:** The use is consistent with the Comprehensive Plan as it supports the goals and strategies of multiple chapters and does not conflict with other sections of the Plan.
8. **No existing antenna towers or antenna support structures within the necessary geographic area for the applicant's antenna tower meet the applicant's requirements considering: a) height, b) structural integrity, or c) that there are other prohibitive conditions that render existing antenna towers or antenna support structure within the applicant's required geographic area unsuitable.** The applicant conducted a search of all FCC regulated towers within the necessary geographic areas to accommodate for the proposed WCF's requirements and did not find any existing antenna towers or antenna support structures to meet their needs. This determination was based on required height, structural integrity, and other prohibitive measures that render the existing antenna towers or support structure undesirable. The applicant provided a site analysis of four other sites. The locations of the site analysis included the water tower located on Hathaway Street, 8th Street water tower, Carol Ryrie Brink Park and East Side Market Place. The Board found that there were alternate sites locations that could have been explored as options for the proposed WCF.

9. **The design of the antenna tower, including the antennas and ancillary facilities, minimizes visual impact and other complies with provisions and intent of this Section.**

The proposed WCF is designed to resemble a church tower in order to minimize visual impact to the surrounding area. Ancillary facilities are contained within the proposed 20-foot by 40-foot site and surrounded by a six foot (6') tall wall constructed of brick, stone, or textured concrete block surrounding the telecommunications facility. Proposed plans also show a twelve foot (12') wide Type A Buffer yard on the western side of the proposed facility, as is required per MCC 4-3-5(H)(5)(h)(iii).

10. **The proposed antenna tower location minimizes the number and/or size of antenna towers or antenna support structure that will be required in the area.**

The WFC is designed to accommodate three (3) carriers. Alternative sites in the area where other carriers have established antennas are unable to provide sufficient structural support to allow the applicant to co-locate.

11. **The applicant has not previously failed to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise.**

The applicant has no prior history of failing to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise. The applicant provided a site analysis of four alternate locations and determined this location to be the most favorable.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment denies the application for a Conditional Use Permit for a Wireless Communication Facility located at 1400 E 7th Street, Moscow, Idaho.

DENIED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE 7TH DAY
OF APRIL 2021.



Mark Monson, Vice Chair
Board of Adjustment

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
boa@ci.moscow.id.us

Public Meeting
~ Minutes ~

Aimee Hennrich
Staff Liaison
208.883.7095

<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

Wednesday
April 7, 2021

5:30 PM

Council Chambers
206 E Third Street

The meeting was called to order at 5:29 PM

MEMBERS PRESENT: Joe Bazzoli (virtual), Chair; Steve Bush, Marshall Comstock, Mark Monson (virtual), Laurene Sorenson (virtual), Tim Thomson
MEMBERS ABSENT: Annette Bieghler
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of March 29, 2021 Minutes (ACTION ITEM)

Comstock moved for approval of the minutes as presented, seconded by Thomson. Vote by Acclamation; Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

2. Approval of Reasoned Statement of Relevant Criteria and Standards (ACTION ITEM)

A Conditional Use Permit application for a proposed 80-foot-tall Wireless Communication Facility (WCF). The WCF would accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower.

The Board noted that there is an additional residential structure, owned by the Church of the Nazarene, that is located directly south of the proposed WCF. It was also recognized that more than one generator could possibly be housed at the site, and would result in more than the proposed singular hour of operation a week for maintenance. The Board also pointed out that there were alternate site locations that could have been explored further as options for the proposed WCF.

Bush moved for approval of the Relevant Criteria and Standards for the Conditional Use Permit at 1400 E Seventh Street as amended, seconded by Comstock. Vote by Acclamation: Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

REPORTS

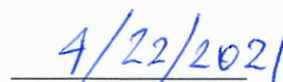
ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

The next Board of Adjustment public hearing is scheduled for April 22nd, 2021.

The meeting adjourned at 5:38 PM


Joe Bazzoli, Chair


Date

Public Hearing Transcript: Proposal for a Conditional Use Permit at 1400 E Seventh Street: a proposed 80 foot tall Wireless Communications Facility (WCF). The WCF would accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower. – LUP2021-0004

The meeting was called to order at 7:06 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Steve Bush, Marshall Comstock, Mark Monson, Tim Thomson
MEMBERS ABSENT: Annette Bieghler, Laurene Sorenson
STAFF: Jennifer Fleischman, Aimee Hennrich, Mike Ray

1 HENNRICH: Alright. Good evening, everyone...Let me...get my screen sharing
2 happenin'...Alright, um, so tonight we have a Conditional Use Permit for a Wireless
3 Communication Facility proposed at 1400 East Seventh Street. Um, the applicants
4 requesting a Conditional Use Permit to construct an 80-foot-tall Wireless
5 Communication Facility, as I said, located at 1400 East Seventh Street. That location
6 is, uh, the pro- the property of the Church of the Nazarene. This is a fully enclosed,
7 uh, facility with, uh, an 800 square foot lease area, and it's designed to resemble a
8 church tower. Um, it's also designed to ca- accommodate three additional carriers,
9 per the City of Moscow Code. A little bit of background; um, July 30th of 2018, Pro
10 Land LLC applied for a Conditional Use Permit to construct an 80-foot Wireless
11 Communication Facility at the same location. Uh, the facility at that time was
12 designed to, uh, resemble a stealth mono- a- a stealth-style mono-pine tower, um,
13 intended to resemble a tree. On November 18th, 2018, the Board of Adjustment denied
14 the application finding the mono-pine tower was not consistent with the existing
15 character of the neighborhood and would not be in harmony with the land uses
16 surrounding subject property, and the scale of- the scale of the proposed tower is
17 significantly larger than any other structures or trees in the surrounding area. On
18 November 27th, Busch Law Firm filed an ou- an appeal on be- on behalf of the
19 applicant, and on January 7th of 2019, City Council reviewed the appeal and sustained
20 the decision to deny the application. Um, so tonight's proposal is the same site as

1 previous. Um, it's 231,678 square feet. The Church of the Nazarene campus is split
2 up into 11 parcels. The proposed site is located on the southwest corner of the campus.
3 Um, as you can see here, this is the proposed parcel. Um, in close proximity we have
4 Short's Funeral Chapel, Pickard Orthodontics, uh, Carol Ryrie Brink Park, as well as
5 Eastgate Park – or Triangle Park. Um, zoning in that area is Neighborhood Business.
6 The antenna– antenna towers are considered conditional use within all zoning
7 districts, uh, per Moscow City Code. Um, here is a map of the current zoning, um, as
8 you can see, the Church of the Nazarene campus is Neighborhood Business, uh, the
9 surrounding is R-3, um, and then on the, you know, outskirts, R-2. Um, this is a, um,
10 the site- uh, uh, part of the proposed plans showing the, um, the tower intended to
11 resemble a church tower. Um, what you have here, it's 80-foot height, um, at the very
12 top. Uh, this first section of, uh...uh, antennas is intended to accommodate AT&T.
13 Um, there's talks of the second level for, uh, T-Mobile, and then, further down, uh,
14 Dish Network. Um, additionally you'll see in your packets, um, the height here of the,
15 um, existing power lines as well as the existing arborvitae, um, that runs along the
16 adjacent property, um. Here you'll see the existing height of the, um, the cross on top
17 of the Church of the Nazarene. I think it's, uh, I believe it was 62.4-feet, um, in
18 comparison to the 80-foot-tall tower. Um, the design is intended- the design of the
19 tower is intended to, um, replicate the design of the Church. Um, here's the overall
20 site, showing those- en- 11 parcels in their entirety, um. The proposed construction,
21 uh, of the wireless facility is here on, uh, the, uh, southeast portion of this parcel, um,
22 in this red area. This is a zoomed in, um, image of that same location showing the
23 enclosed lease area here, um, along with Park Avenue here- or Park- Park Street here,
24 um, and this house here that is owned also by the Church of the Nazarene. Um, and
25 then the existing church facility here. Um, again, same, um, site shot, um, showing
26 the existing, um, vegetation here, proposed Type-A Landscape Barrier, enclosed

1 fencing. Um, this structure itself- this is the tower, this circular image here. Um, there
2 will be, uh, generators, ancillary facilities, over here to the, um, directly adjacent to
3 that tower. Um, there's an existing, uh, storage shed that- that will be moved, um,
4 further to the east in order to accommodate this site location. Um, so here you have
5 the, um, current view from the north property line. Um, these are just some photo
6 simulacra- sim- simula- simulays- sims- simulization- I can't speak right now. Um,
7 showing what the proposed, um, facilities will look like once, if, built and approved.
8 Um, this is, again, the view from the north property line. Um, this is from the northeast
9 as it exists today, and if the proposed tower were constructed. This is from the
10 southeast, and here we have from the south. Um, this is the existing, uh, service area
11 that AT&T covers currently: as you can see there is, um, the area here is their target
12 service area, that they are- the objective is to, um, you know, create a- a- more contin-
13 continuous, um, service for those customers, um, and that is the target area that they
14 are intending to focus on here with this tower. Um, this is what the result would be
15 after this, uh, tower were constructed, um, with those antennas. The yellow section
16 being new coverage area and the green being existing. Um, and then this is just a
17 closer-up image of the same. Um, the applicant has provided the City, um, in your
18 packets, um, of, you know, different alternate location analysis. Um, if, um, I can put
19 my glasses on here and can read my notes a little bit further, because that print is kinda
20 small for me...Um, the first alternative site location that's listed here, um, uh, in this
21 location is Vista Water Tower, um, and the applicant can go more into details about
22 their findings, um, on these alternate locations. Second location here: Brink Nature
23 Park. Um, the third location- alternate location is, uh, Eight Street Water Tower here,
24 and then a commercial property over here at, uh, East City Marketplace. Those are
25 the alternate sites they used for analysis in this particular application. Um, so the
26 Development Standards for, um, wireless facilities, um, require that the setback- will

1 require setbacks that no antenna tower that exceeds 60-feet in height shall be located
2 within 500-feet from the State Highway 8 or 95 rights-of-way. Um, this proposed
3 tower would be located 3,480 feet north of the, uh, Highway. Um, Development
4 Standard 2 is Security: every telecommunication facility shall be protected from
5 unauthorized access by appropriate security measures. Uh, the proposed site is
6 enclosed by a 6-foot ta- 6-foot block wall and ancillary facilities will be fully enclosed
7 with- within the proposed site. Number 3 Lighting: every antenna and antenna tower
8 shall not be lit- lighted, and such lighting shall not be more than a minimum required
9 by such agency, and the submitted plans showed no lighting on the proposed tower.
10 Number 4 Noise Reduction: noise generated- generating equipment shall be sound
11 buffered by means of baffling barriers or other suitable means to reduce the sound
12 level measured at the property line to 45 decibels. Current plans also show a Type-A
13 landscape buffer, on the western side of the proposed site that- that'll shield the site
14 from Park Drive as required by City Code as well. All other Development Standards
15 under this section of the Code, will be met, uh, as a part of the permitting process.
16 Development Stand Number- Standard Number 8: any new ro- any new or relocation
17 antenna tower, 80-feet or greater in height, shall be designed to- and con- and
18 constructed to accommodate two additional users. Um, and accommodate, uh, two
19 additional users- needed- need- need to be accommodated, as indicated by the
20 response to, uh, the- the noticing provisions and the proposed facility is- is designed
21 to accommodate three- three carriers. Uh, the applicant has provided a notarized
22 commitment to share location as well- share use. Um, so it is for those reasons that
23 Staff recommends approval of the Conditional U- Use Permit for the proposed 80-
24 foot Wireless Communication Facility located at 1400 East Seventh Street, with no
25 conditions, and the Board to direct Staff to prepare Relevant Criteria and Standards

1 based on your findings tonight. And with that, I'd be happy to take any questions you
2 might have.

3 BAZZOLI: I have a couple.

4 HENNRICH: Yes.

5 BAZZOLI: Um, the- the first, um, zoning item has to do with, um, the placement of towers within
6 500-feet of Highway 8 and 95. I suspect that's for expansion, but that one's a very
7 specific requirement, or non-requirement. Why is it limited to just those two-

8 HENNRICH: I-

9 BAZZOLI: -roadways and- and- nothing else?

10 HENNRICH: -I believe, and Mike could correct me if I'm wrong, but it may be an ITD requirement?
11 For the 500-feet? From state highways?

12 RAY: Yeah, I'd imagine it's some ITD requirement, based upon that.

13 BAZZOLI: Okay. But there are no other requirements that would limit locations anywhere else,
14 other than those two-

15 HENNRICH: As far as streets?

16 BAZZOLI: -roads? Yeah.

17 HENNRICH: Correct.

18 BAZZOLI: K. The second one had to do with lighting?

19 HENNRICH: Mmhmm.

20 BAZZOLI: I know this one doesn't have lights on it, and it says that there's- that they shouldn't
21 have them, but in our packet, it also mentioned "unless Federal Aviation requires it".
22 At what height does Federal Aviation require it?

23 HENNRICH: I want to say that it's 200-feet, based on, uh, for the previous, um...uh, written record.

24 BAZZOLI: Okay.

25 HENNRICH: Uh, I have not looked at the Federal Aviation requirements, but it is their requirement,
26 and this- this height does not meet that requirement.

1 BAZZOLI: Okay. Um, the- the other questions I have are- are historical, because I wasn't here
2 when this went through the first time. Was the location the same?
3 HENNRICH: Yes.
4 BAZZOLI: And was the height the same?
5 HENNRICH: Yes.
6 BAZZOLI: Okay. Who else has questions? Marshall?
7 COMSTOCK: Yeah, Aimee, I- I probably didn't hear you: you probably told this, but between your
8 mask and my hard hearing, it was kinda tough. The- the house that is south of the
9 proposed site: is that on the part of the Church campus? Is that owned by the Church?
10 HENNRICH: Yes. The house- if I can go back to the Zoning Map here, I'll actually point it out to
11 you. That way you- everybody's- we're all on the same page here. Oh, let's see...so
12 this house right here- is this- uh, let's see, so campus is here. This property right here-
13 this house: is that what your referring to?
14 COMSTOCK: Mmhmm, yes.
15 HENNRICH: Yes, that house is owned by the Church of the Nazarene.
16 COMSTOCK: Okay, great. Thanks Aimee.
17 HENNRICH: You're welcome.
18 BAZZOLI: Any other questions for Staff? Thanks, Aimee.
19 HENNRICH: Thank you.
20 BAZZOLI: Alright, at this time- once she is done there...we'll open it up for the applicant to come
21 up and speak and talk about this. And, for those of you that haven't been to one of
22 these meetings before, what we'll do is- well- well, one: you need to state your name
23 and address into the record, um, at the mic because that way it's picked up. Um, we'll
24 let the applicant describe what their doing and then we'll open it up for those in favor;
25 and then we'll open it up for those either neutral or opposed; and then we'll give the
26 applicant a chance to come back up and re-but; and then we'll close the Public

1 Hearing. So, that's the basic ground rules, so if the applicant would come up and
2 describe what we're- what's being proposed.

3 ALLEN: Well, good evening Mister Chair. Uh, my name is Kimberly Allen. I'm with the
4 Wireless Policy Group. I'm on your screen, uh, not in person. Um, because I am
5 awaiting the- the second half of my vaccine. Um, so I appreciate the opportunity to
6 appear, um, remotely this evening. Um, I represent Parallel Infrastructure, the
7 applicant here, and with me I have Gregory Busch, also for the Wireless Policy
8 Group. Um, and he is going to be helping us with a brief presentation that we have
9 for you, that focuses on some of the approval criteria for, um, a Conditional Use
10 Permit, under the Moscow Code. Next slide. As, uh, Aimee described, we are
11 proposing to build an 80-foot tall Wireless Communication Facility designed as a
12 church tower. Um, at the last, uh, last go around, in 2018, um, Parallel Infrastructure,
13 then called Lend Lease, uh, heard the Board and the concerns about the neighborhood
14 and compatibility, uh, the com- the- finding that- that an 80-foot pine tree not found
15 in the neighborhood would be, uh, incompatible with- with- with the surroundings.
16 So, we went back to the drawing board and, um, sharpened our pencils and, uh, came
17 up with a re-design based on the architecture of the Church, reflecting the primary use
18 of the property as a Church, um, and, um, have proposed the facility before you. We-
19 AT&T will be the first and primary tenant on there, um, they will co-locate on the
20 facility to fill a significant gap in their high-band 4G LTE coverage, that's currently
21 experienced by its customer's in eastern, um, Moscow, as well as to add a network
22 capacity to unburden AT&T's existing facilities, uh, west of Main Street. The facility
23 will provide coverage to residential areas, uh, within that- that- that map, not- that are
24 not, um, able to be adequately served by existing facilities, due to the topography of
25 the area. Um, this facility is also very important because it will support AT&T's
26 FirstNet effort, um, that creates, uh, dedicated, um, communication channels that

1 prioritize first responder communications in the event of a- of an emergency. This is
2 a nation-wide initiative that AT&T is, uh, participating in, um, which, uh, learns the
3 lessons, uh, lessons learned from the wildfires, the flooding, the hurricanes over the
4 past- where emergency responder's had difficulty setting up communications. This is
5 the, um, response to that. Next slide. So, you saw some pictures, and I- I- I was not
6 able to see the screen, from my vantage point, but, um, this is the tower, uh, as
7 proposed, um, next slide. And I- I really want to focus on the Conditional Use Permit
8 criteria that you have in- in the Staff Report. Um, and- and demonstrate that we, um,
9 we do meet the, uh, criteria before you tonight for approval. Um, this first, uh,
10 Conditional Use Permit criterion, uh, talks about there not being a suitable alternate
11 within the necessary geographic area, um, that would meet the applicant's
12 requirements, uh, considering height, structural integrity, or other conditions that
13 render antennas or antennas' support-type structures geographically unsuitable. Um,
14 next slide. In the Staff Report, we- we do a project history and, uh, and in our, um,
15 narrative and, uh, Statement of Code Compliance, we also, uh, se- set that forth. Um,
16 you know, we have a long history of trying to find a suitable facility, um, for, uh, a- a
17 number of different carriers in- in- in the Moscow area. Um, the first of- of course is
18 the November 2- 2018 proposal for a, um, a mono-pole on this site. And the Board
19 and the, um, Council both found that, uh, um, this would be out of character with the
20 surrounding neighborhood. Um, so, uh, we also, then, took a look at, um, just- Parallel
21 Infra- Infrastructure is a provider of, um, wireless infrastructure so that carriers can
22 come and- and locate on it. Um, but I- but both Parallel Infrastructure and the wireless
23 industry, in general, have a- have tried to locate on facilities on or around the Vista
24 Water tank, on South Hathaway. Um, several proposals have been rejected by the City
25 and others have been found to be technically infeasible, by both the City and the
26 wireless industry. And then Parallel also requested to place a wireless facility adjacent

1 to the tower, um, and was also rejected by the City, uh, uh, separate stand-alone
2 support structure, um, for wireless at that location. Next slide. Uh, we- als- AT&T
3 also, uh, investigated a new tower at Brink Park. The RF engineers took a look and
4 evaluated a- a new tower- a 75-foot antenna tip height at, um, Carol Ryrle Brink Park,
5 off of Joseph Street. Very close to here. Um, the potential new tower at Brink Park
6 would provide limited coverage, and which would focus primarily on the commercial
7 areas and not the targeted residential areas, due to its location. It was found to be not
8 a- a good solution for the, uh, coverage objectives, uh, that have been identified by
9 AT&T for this site. They also took a look at the, um, existing water tank on Eighth
10 Street, about a third of a mile southwest of the facility. The co-location would have
11 been at a 30-foot antenna tip height, um, and, uh, AT&T found that this- this particular
12 location would provide 84.5% less coverage, within the targeted service area. So, was
13 rejected as- as not a viable candidate. Next slide. Uh, finally they- uh, AT&T's
14 engineers took a look at- at proposing a new tower, uh, 96-feet antenna tip height
15 tower on commercial property, um, south of the proposed facility. Um, this facility,
16 uh, would- this currently proposed facility at the Church would provide 14% more
17 coverage within the targeted service area, uh, but it's also important that the, um, the-
18 the tower on commercial property would have the same problem as- as one of the
19 water tank locations: that it would not provide the coverage to the residential areas. It
20 would provide coverage primarily to the commercial areas and would overlap with
21 some of AT&T's existing coverage. So, it too was found not to be a suitable location.
22 So, we've- we- we've tried to do our homework and- and investigate, you know, all
23 possibilities within- within the search ring. We're constrained by distance as to what
24 the carriers, you know, require in terms of, um, in terms of geography and- and- and
25 location. Next slide. But, in- in- in conducting that investigation and considering, uh,
26 all those alternatives, we feel that we've met condition number one, um, for a criter-

1 for, uh, for a Conditional Use Permit. Now, the second criteria talks about, um, the
2 aesthetics here, and that the design, uh, including antenna's and- and ancillary
3 facilities minimizes the visual impact, um, and complies with the provisions in this
4 section. I think Aimee walked through how the facility will comply with- with the,
5 um, the other aspects of the Moscow Code. Um, Parallel really tried to- to- to take the
6 message from the Board to heart last time and look for a different way to, um, to blend
7 this facility in- on- on the Church campus. You know, church- churches, you know,
8 typically will have a- a bell tower, um, structure of some sort. That tower is generally
9 hei- taller than the church. Um, what the, uh, what the engineers have tried to do in
10 designing the facility is to make sure, one; all of the equipment and wiring and
11 everything will be contained within the structure itself. You will not see exterior wires
12 hanging off, you won't see antennas. Everything will be- be included behind, um,
13 screening and, um, within the tower. Um, the- also, the structure that we are proposing
14 would be painted consistent with the built environment, which is the Church and the
15 Church buildings. Um, we incorporate a circular topper that's similar to the roof of
16 the Church, and then the transparent crosses on each side are made out of material
17 that will, um, allow the RF signals to, um, to- to penetrate, um, while still concealing
18 the antennas. So, we think that- that we have chose a design that- that is consistent
19 with- with- with the property- it reflects the primary use of the property as a church
20 facility, um, as opposed to a very large tree that is not replicated in the neighborhood
21 anywhere. Um, so we, um, we believe that we have met, uh, the requirement that we
22 visualize- uh, minimize visual impact to the greatest extent possible here. Um, next
23 slide. And that's just another view showing the, um, the consistency of the architecture
24 from the Church to the, um, to the adjacent, um, tower structure. Next slide. The third
25 criteria requires that, um, the antenna location- a tower location- minimize the number
26 or size of antenna towers, that were required in the area. Next slide. I think as- as

1 Aimee walked you through, this tower is designed for- for three carriers: AT&T at the
2 top, um, T-Mobile in the center, and- and Dish below. I know that, um, Parallel's in-
3 in discussions right now with both T-Mobile and Dish, to locate within this facility.
4 Um, that eliminates the need for- for two standalone towers for those, uh, those
5 carriers. Um, they would instead, uh, share this well-designed facility and also would
6 have to seek their own permitting from the City to- to- when they decide to- to locate
7 here, as well. So, the City would have some controls over, um, the- the, uh,
8 deployment of the equipment that would happen here by- by subsequent carriers. Next
9 slide. And then the- the last, uh, Conditional Use Permit criterion is that the applicant
10 has not failed to, uh, take advantage of reasonably available shared- use opportunities.
11 And, as the procedural history, you know, demonstrates: the applicant has- has looked
12 at many, many alternatives here, to try to find a suitable alternative to this location, to
13 serve the residential areas that- that surround this. And- and has been unsuccessful,
14 and moreover, by building this facility the, uh, the applicant is creating, uh, additional
15 available shared, uh, shared use opportunities for carriers to, um, to minimize the
16 number of towers, um. Next slide. And we also wanted to just speak to the need for
17 this- for this facility, because we think that, um, that's important to talk about, um, as
18 you- as you make your decision tonight. Next slide. I- I mentioned FirstNet earlier,
19 and this is, um, this is a (unintelligible) law enforcement that is nationwide, uh, which
20 is, uh, A- AT&T- requires AT&T to upgrade its existing facilities, to build new
21 facilities, to deploy the wireless spectrum set aside for public safety, which is Band
22 14. So, uh, AT&T will be adding this to all of their existing facilities and building it
23 into, um, the facilities yet to be built. Um, and FirstNet- what- what it will do is- is
24 provide public safety users with the assurance of network access whenever they need
25 it. Um, AT&T is designing the FirstNet network to, um, consider location and facility
26 requirements for, um, in- in tandem with law enforcement and first responders for- to

1 make sure that the siting, placement, and operation of these facilities, um, provides
2 the, uh, support that, um, that those- those providers will need in the event of an
3 emergency. Next slide. So, I- I- I know Aimee had these- these up on the- on the
4 screen, um, so this is the existing 4G LTE coverage and just to address one- one, uh,
5 point made in one of the public comment letters: um, 4G LTE, uh, is 4G. There-
6 there's no other version of it. I think that one of the letter writers referred to pure 4G,
7 um, and that, uh, that certainly- these terms are used interchangeably in the wireless
8 industry: 4G and 4G LTE. Um, so this is a- a 4G, um, coverage solution. Uh, and as
9 you can see- next slide- this will provide, uh, uh, substantial additional coverage and
10 capacity. And- and- and I think, uh, the capacity needs are really important to consider
11 here. I think what the last year has demonstrated to us is that having seamless and
12 reliable wireless service in residential neighborhoods is not a nice-to-have anymore.
13 People, uh, especially this year, uh, were working from home, they were engaging in-
14 in remote learning, they were using telemedicine, and- and dozens and dozens of other
15 applications that require a reliable wireless connection. Um, these- these residential
16 areas have typically been difficult to serve, uh, with the macro network that we have,
17 because of the- the few number of sites that you can have a- a wireless facility on in
18 a residential zone. You know, typically we're limited to, uh, any non-residential use,
19 such as a church or a school or- or a meeting hall or something like that. So- so, the
20 opportunities for siting have been, uh, very few, uh, and certainly they have not
21 addressed the- the exploding need for, um, additional coverage and- and data capacity,
22 as people use their wireless phones in ways that weren't contemplated when the
23 network was built. So, the additional capacity is like, uh, like an overcrowded
24 freeway: it provides some off-ramps and- and- and moves the traffic along into more
25 manageable patterns so that, um, no part of the network is experiencing dropped calls,
26 uh, inability to text, the spinning wheel on your phone that shows that nothing's

1 happening there. Um, all of those things are a function of capacity. The number of
2 users on the network and the amount of data they're using at any given time of day.
3 So, next slide. With that, um, Gregg and I are here and we are happy to answer any
4 questions that any of the members of the Board will have, and we thank you very
5 much for your time and consideration of this very important site. Thank you.

6 BAZZOLI: Um, I suspect we have questions for you. I- I have a couple, um, that had- had to do
7 with your- your- the first item that you addressed with regards to height and the other
8 alternate locations. Eh, with all the information we were given, I- I didn't quite track
9 how height of the tower, affects how effective it is. One of your examples had a 96-
10 foot tower, which obviously is taller than 80, and it wasn't as efficient. And it was on
11 basically low ground. And there was another example that was only a 30-foot tall
12 tower, but it was up on a taller area, which I would assume is where you would get
13 your best reception. Can you- can you address that question, if the question was
14 understood?

15 ALLEN: Sure! I do understand it! It's a great question. Yeah, uh, um, the, um, the- the coverage
16 objectives, um, for a particular site are- and the height needed to- to address those
17 coverage objectives are- are very site specific. As- as you noted. You can have a site
18 that's- that has, uh-uh, very- that's- that's graded very tall, um, the elevation is tall,
19 uh, on sites like that you can sometimes use, uh-uh-uh, a shorter tower. Um, you have
20 sites that are- that are sited very low, and then you need to have a- a taller tower. This
21 site- actually the antenna tip point inside is 75-feet. There's some- some
22 accommodation of height there for the, um, the for actual top of the structure itself.
23 Um, so this site is- is like, at least one of the other examples that we- that we talked
24 about. Um, the other challenge we have in building a- a site that will accommodate
25 three carriers, is that you have to have enough height so that the co-location spaces-
26 and you have to account for separation between the various carriers. You can't put the

1 antennas right next to each other; there has to be a separation of 10 to 20-feet between
2 the an- or 10-feet between the antenna, uh, arrays of various carriers to, uh, avoid
3 interference. So, in order to make the, um, the various, um, antenna, uh, locations,
4 within this particular structure, um, a- attractive to carriers, you have to have a- a- a
5 certain amount of height. Um, also to serve the- the- the breadth of the coverage area
6 that you saw demonstrated on that map, the RF engineers took a look at that and- and-
7 and, um, concluded that- that 75-foot antenna tip height was the minimum
8 (unintelligible). They had actually, um, wanted a 100-foot tower, at this location, um,
9 and to serve an even- even greater range, but adjusted the, um, you know, height
10 requirements and- and- and the ask here based on the, um, you know, the character of
11 the neighborhood and- and what they thought, um, the site could, um, could
12 accommodate and- and still be compatible, um. I hope I've- I've answered your
13 question. I- I know that the- the top of the, uh, the cross on the church is at 62-feet, so
14 this is not terribly much taller than- than, you know, the existing church itself, uh,
15 when you look at the- at the cross on the top. Um, but that's- that's the difference
16 between, you know, the different heights at different locations. It has to do with the
17 topography and it also has to do with the amount of- of clutter, um, tall trees,
18 buildings, uh, things like that will interfere with signal, as well, and so you need to
19 clear that in order to have- have a good signal.

20 BAZZOLI: Okay, you actually- you answered my first question. You actually answered my
21 second question, too, and that question was- was, uh, it looked like the separation
22 between the carrier spaces was give or take 15-feet, it seemed like? Per scale. And so,
23 I was wondering how- how the third person at 45-feet, give or take, would have the
24 same signal strength as the one at 60 and the one at 75. And so, you actually addressed
25 that too.

1 ALLEN: Well, also the different carriers use different parts of the spectrum to- to, um, to carry
2 their signal. And different parts of the spectrum have different performance qualities.
3 Some go very far and can go through a lot of, you know, clutter and objects. Some
4 don't propagate very far but carry a lot of data. Um, and also in the case of the- the-
5 the, um, the 30-foot site that was included in the alternative analysis, that- that was a
6 water tower and we can't make it any taller. That was as tall as it was. So, we tried to
7 see if there was some sort of solution that could be engineered there, but- but it
8 certainly wasn't possible. But, the- the- the 30-foot height was- is sort of an outlier,
9 um, on- on the examples of- of the alternatives that saw.

10 BAZZOLI: K.

11 COMSTOCK: Ah, yes Ms. Allen, I'm Marshall Comstock. And, um, I had a couple of questions for
12 ya. Uh, how many generators at any one time will be on the proposed site?

13 ALLEN: "On" as in present, or "On" as in running?

14 COMSTOCK: Uh, I'm sorry, I didn't hear you.

15 ALLEN: Oh, I'm sorry! D- d- are you asking me how many generators will be present on the
16 site?

17 COMSTOCK: Yes.

18 ALLEN: At one time?

19 COMSTOCK: Yes.

20 ALLEN: Okay. Um, and at- AT&T has requested a generator, on site, to, um, to accommodate
21 power outages. Um, I- I believe that T-Mobile has also requested space for a
22 generator, on site. Um, we- we have not, uh, gotten a re- that request from Dish, at
23 this time.

24 COMSTOCK: K. And how often are those generators normally tested?

25 ALLEN: There tested once a month, for an hour. And we can certainly work with the, uh, the
26 neighbors to make sure that any generator testing that's done is done at- at a time that

1 won't disturb sleep or- or- or weekend recreation. You know, during normal business
2 hours. Um, so that- that the impact to the- to the neighbors is, um, is minimized.

3 COMSTOCK: Okay, and how about the third carrier, if- if there is one?

4 ALLEN: A- the- I- I'm- I don't know if there's space here for a third generator...? Uh, the only
5 space that I know that's been- that's been allocated is- is for, um, for the two carriers.
6 They have a generator each. You know, not every- not every carrier needs a generator.

7 COMSTOCK: Okay, great. Um, my next question has to do on your, uh, alternative sites- your
8 assessment of the alternative sites. I see that there was a couple that you suggested
9 that may go on the water towers, or on property where the Vista Water tower lays,
10 that- that, uh, then you- then you also did a, uh, an assessment, or at least a proposal
11 to look at, uh, a commercial site out by Highway 8. And, I guess my question is why
12 did you only limit your choices of alternative sites to those areas when there are other
13 areas that may have fit the bill better?

14 ALLEN: Well, the- the areas in which we can look are- are selected by the RF engineers for
15 the carriers. They- they have- they search rings -specific- rather small areas, now, um,
16 compared to- to years back. Um, capacity, uh, sites typically, um, when you add
17 capacity, you're using data frequencies that don't go very far. And so, it- the search
18 rings are smaller. Um, so we looked at the available locations within these search
19 rings. You know, you certainly have to have, um, you know, a willing landlord; you
20 have to have it in a- in a place that works, you know, from a RF perspective. Um, you
21 also want to have it in a- in a location that- that minimizes the impacts to the
22 neighborhood. Um, all of those considerations go into which one's we- we- we chose.
23 Um, I think we had, uh, uh, a fair selection based on the constraints of- of, you know,
24 where we able to look.

25 COMSTOCK: Yeah. Well, my- when, uh, when we had the proposal before us before by- by, uh,
26 Parallel, we made some suggestions of some sites because we felt that we know our

1 city better than anyone. One of the sites that we suggested they take a look at was the
2 Latah County Fairgrounds. It's- it's actually in your target area; it's- it's not
3 necessarily a residential area, and it's my understanding that, uh, Latah County was
4 never even approached about it.

5 ALLEN: No, Mr. Comstock I- I am unfamiliar with- with- with that site. Um, we can certainly,
6 um, certainly get some information about that. I suspect that it- it would have been
7 ruled out for RF reasons? Would be my- my guess? I- I don't have, uh, a history on
8 it- on them approaching the Fairgrounds. Some of the due diligence is done, a- you
9 know, with the- with the various carriers in-house before, um, before we ever propose
10 a site. So, um, I suspect that's what- what happened. That it wouldn't work from a RF
11 perspective. But, um, but I can certainly verify that.

12 COMSTOCK: Okay, thank you.

13 BAZZOLI: Go ahead.

14 THOMSON: Good evening. Um, just a couple quick questions. I hear a lot about 4G in this proposal
15 and this project. But it seems like everything I read in the news is 5G. So, why, uh,
16 w- w- w- I'm not- I'm not a 4G/5G expert, but, um, why aren't we going for 5G?

17 ALLEN: Uh, well, okay. Both networks will exist simultaneously for decades. We're- we're
18 just now starting to- to ease away from-- from providing 3G at all of these sites. To
19 give you an idea. And 4G has been around for many, many years. So, people's phones
20 aren't necessarily backward compatible, um, with- with- with, you know, new
21 technology, so will need, um, we- we will need both for the foreseeable future. Um,
22 right now 5G, um, certainly the- this tower will be, um, will be available for AT&T
23 to modify the site, internally, to add 5G antennas when the network calls for that. Um,
24 but right now, they're really trying to look at- at 4G, which has, uh, carries a lot of
25 data and can go- go further. They're looking at- at- at 4G and- and adding to that
26 network (unintelligible) before introducing 5G, which- as it typically runs on- on, uh,

1 spectrum that- that doesn't go very far. So, that's- that's the problem. But, ultimately,
2 I think, all of the carriers will- are introducing 5G, it's just a matter of time, uh, and
3 they do have the option to come back later to the site and, uh, and seek permits to
4 modify the site to add those antennas.

5 THOMSON: Okay, so we won't need another site, just, uh, the upgrade this site?

6 ALLEN: Right.

7 THOMSON: Um, just curious: uh, what is the construction material of the tower?

8 ALLEN: Oh, boy. Um...

9 THOMSON: Is it concrete? Is it plywood? Is it...cardboard? I don't know...

10 ALLEN: I'm going to- I'm going to ask Gregg if he knows.

11 THOMSON: I- I only ask that question 'cause I think it might have something to do with appearance
12 and also maintainability.

13 ALLEN: Sure, and- and any, um, any of the plans- I'm not sure exactly- I'd- I'd have to take a
14 closer look at the plans, and I think that maybe Gregg is doing that. Uh,
15 (unintelligible), um, all the building permit, um, requirements and, uh, as well as the
16 planner's requirements. For the materials that would- that would, um, that would be
17 good-looking. I- I understand your concern. You know, you don't want a-

18 THOMSON: K, while he's looking, um, let me-

19 ALLEN: -plywood structure up there-

20 THOMSON: While he's looking, um, I think going back to the question on generators, um. The-
21 the way it's been presented is there'll be a maintenance once a month for an hour, to
22 do m- maintenance. But if each carrier has its own, that would imply one to think that
23 there is twice as many maintenance hours, because there's more generators. If- so, my
24 obvious question is why can't all the services- since the generator is for power
25 outages, why does each unit- each carrier need its own generator, when it seems like
26 it's in emergency status. I'm not an electrician, but I would think that- I know there's

1 probably different wattage requirements, but I think that's just a component of
2 inverters, or so I- I just don't know why we need a diesel generator for each carrier,
3 if it's for an emergency use.

4 ALLEN: Yeah, and- and- and I know that- that- that the power needs for this site, I- you're-
5 you're crossing over into, uh, into outside of my expertise. I'm not an electrician
6 either, or- or- or an electrical engineer. But I do know that, um, that each- each of the
7 carriers has different equipment, that has different- different power needs. And- and
8 I'm not at all sure that they could share a generator. Also, I'm not sure that the timing
9 that would occur, um, you know, AT&T as the primary tenant wants to put a generator
10 on-site right away. Um, certainly if you're concerned about- about multiple, uh,
11 cycling's per month to test the generators, you know, we could- you could, um, write
12 a condition that would- that would require them to all test on the same day or during
13 the same time slot, to coordinate the testing. Um-

14 THOMSON: As long as I-

15 ALLEN: -for each generator.

16 THOMSON: I- that would make sense, if the decibel level just remains the same, but, um...now
17 last question- I think because I heard a couple things- my- my observation is it's, um,
18 'cause I heard a couple different id- el- sep- vertical separations from the top of the
19 tower to the top of the cross: I come up with 14-feet. And I heard a couple other things,
20 which doesn't seem very much of a difference, but...the top of the cross is 66-feet
21 AGL, and the top of the tower is 80. Um, and just thought I'd clarify that. Unless I-
22 unless I got it wrong here, but...Okay that's all I have. For now.

23 BUSCH: Alright, I did find- this is Gregg Busch, for- with Wireless Policy Group, by the way.
24 I did find the answer to your question. And, unfortunately, the drawings do not go
25 into that level of detail. I'm looking at sheet A-2 of the drawings- most recent version
26 of the drawings, and unfortunately it says "framing, cladding, and EIFS finish on the

1 Tower is to be provided by the general contractor”, and it also describes a composition
2 of the architectural tower is to be designed by others. So, unfortunately, we don’t have
3 that information available as current.

4 THOMSON: Alright.

5 ALLEN: But, we would have to meet the City standards for, um, for this structure. And, uh, to
6 be able to get, um, to get our building permit approved.

7 BUSH: So- this is Steve Bush, and I’ve gotta- a- a question, and, um, and, uh, uh, a
8 clarification, I guess, on Criteria Number 3. On page 2 of the application, it says that
9 the, uh, the two diesel generators will run in the event of a power outage, and once a
10 week for one hour of maintenance. And your mentioning it’s once a month, and uh,
11 in the application it says it’s going to run once a week, for an hour. And so, I was just
12 wondering if that- uh, which one would be correct, I guess.

13 ALLEN: I may have misspoke. It may be- if- if the application says once per week, um, then
14 that’s probably- then that’s probably what’s contemplated. My apologies for- for the
15 confusion on that.

16 BUSH: And, uh, my other question is, um, concerning all alternative sites and um, Marshall
17 had brought up the, uh, the County which is um, I think a good alternative and next to
18 the County is the Fire Station. And at the Fi- Fire Station they have a- they have a
19 building there, uh, I think it’s three stories, made out of- of- of, um, brick. And I’m
20 wondering if, uh, that site would, um, possible to put, uh, a tower above- above this,
21 um, building to- bui- the, um, brick building the Fire Station uses for training. And it
22 is just, uh, on- on the County property, or just adjacent to it, but I’m- I’m- I’m certain
23 that it’s still 500-feet away from Highway 8, and uh- and that building- that would be
24 some structure that would be, I think, sturdy enough to hold towers, because it’s- it’s
25 brick building and then, just wondering if that site would be worth taking a look at.

1 And again, it's in the neighborhood of the Fairgrounds, that- that Marshall had
2 brought up.

3 ALLEN: Well, and- and to answer your question: you know, Parallel Infrastructure is building
4 a tower for multiple carriers. That will house multiple carriers and- and their needs.
5 They're in discussions with all three, at this point. Um, I'm not- I'm not familiar with
6 the constraints of- of each of the carrier networks and- and where they're going- going
7 to need to be. You- you have, uh, the analysis of- of AT&T's needs here. And- and
8 what, um, what I would conclude, if you- if those sites are- are not included in the- in
9 the alternative's analysis, is that they were ruled out because they didn't work for the
10 RF coverage objectives. Either the elevation is wrong, the- there- they may have been
11 ruled out because there's no, um, there was contact with the landlord and the- the
12 landlord was not willing to- to- lease space there. Um, it's outside the distance that-
13 that AT&T requires, or it might be- it, uh, unsuitable for other carriers in- in
14 discussions that, um, you know, that they're having with other carriers. Um,
15 sometimes it- attaching to a brick structure- a brick structure is not, um, really
16 inherently, um, able to carry- carry the load necessarily, and, uh, as stable as- as
17 something, you know, like concrete or steel. Um, you know, the antenna's and the- I-
18 I have- some substantial weight, and- as well as the equipment that's within there. So,
19 um, you know, I think that there might be some engi- engineering concerns there too.
20 You know, we- we looked at the alternatives that were feasible here and, um, and
21 (unintelligible) to make them work. There's, um, I- not being familiar with, you know,
22 where these two are, um, although knowing that- that, you know, much due diligence
23 was conducted since 2018, since your- since your last decision. But, um, I know that-
24 that the feasible alternatives that- that were- that were identified were pursued some-
25 and- and did not work, for one reason or another. Um, and so, those are the alternatives
26 that we presented to you, um, and I think that under- under the Moscow Code, as well

1 as federal law, we're- we're required to investigate, you know, a- a number of
2 reasonable alternatives, but not to rule out every alternative, you know, that- that
3 might exist, you know, in- in- especially if it's- if it's outside the- the search ring for,
4 um, for the giving carrier. So, um, that's a long-winded answer to your question, and
5 I apologize for the length of that. But, um, I assume that neither- neither one of those
6 sites worked for this facility.

7 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

8 ALLEN: Mmhmm.

9 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

10 ALLEN: I don't know if the City of Moscow's been approached by the FirstNet project, here,
11 um, that's- as I said that's a national project. They are identifying, um, uh, a certain
12 frequency bands that they want to make available to all first responders and law
13 enforcement. So, Band 14 will give everyone a priority jump in the event of a- a- of
14 an emergency. So, I don't know if there's a- a role for particular, um, local or, um,
15 law enforcement or, uh, first responder, um, organizations, at this time. Um, but
16 certainly they would reap the benefit of- of the FirstNet network, um, by having access
17 to- to Band 14. And- and, also priority access to the AT&T network in general, during
18 times of- that- that they're- they're not experiencing an emergency.

19 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

20 ALLEN: Sure.

21 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

22 MONSON: -is worked out, is that- is my understanding-

23 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

24 ALLEN: I- I- is the question for me or for- for staff?

25 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

26 MONSON: -correctly that you have- you have approached the City-

1 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

2 ALLEN: That is correct.

3 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

4 BAZZOLI: -done. I will now open it up to anybody-

5 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

6 BAZZOLI: -proposal. Please come up and state your name and address, to the record. And-

7 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

8 HALL: -1334 Wallen Road, Moscow.

9 MONSON: -I think the microphones are cutting out for everybody-

10 HALL: Excuse me.

11 BAZZOLI: Are- are all the mics- can actually our tech guy answer that question: are all of our

12 mics cutting out? Everyone is going to get a chance to speak, and I need to have

13 everybody at the- at the mic. So, maybe have you come up second, after David talks.

14 HALL: I totally agree with the written testimony in the packet by Michael Kyte and I

15 substantially agree with the Renner's testimony. Um, this application appears to be

16 substantially the same as the application of July 30, 2018, which was denied. The

17 structure of a simulated church tower: previous application tower would have been a

18 simulated- would have simulated a tree. Um, personally I think the tree is nicer than

19 the huge-looking tower. Um, that application was denied, appealed, and the denial-

20 the denial was upheld. Um, second point: antenna towers should be separated from

21 the property line of any adjacent property, according to number 6 in the application.

22 And my question is-

23 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

24 HALL: -to. They're separate properties, and that's the way they should- appears to be written

25 up in the Code, for edge effects and so forth. Um, quote "the facility will provide

26 coverage to residential areas not able to be served by existing facilities, due to the

1 topography of the area” end-quote. Uh, the area is served by other tele-
2 telecommunication providers. And later in the application it does say this area already
3 has A&T&T coverage: that seems like they’re saying that they don’t have coverage
4 and then, in a different part of the application, they say they do. Um-

5 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

6 HALL: -and-

7 (AUDIO NOT AVAILABLE DUE TO TECHNICAL DIFFICULTIES)

8 BAZZOLI: Alright, we have- Kim and Gregg can hear us and we can hear them. Our mics aren’t
9 working, so we’ll all have to talk loud. Um, the next person who would care to come
10 up and- to the microphone that’s not working, state your name and address for us
11 please. And, we’ll- we’ll keep moving forward.

12 LEWIS: Well, this will be pretty simple. I’m Jerry Lewis. I live on Park Drive. And, uh, I got
13 this Notice of Public Hearing and I have a neighbor and then a person of the City, and
14 they told me this was the application for 5G. Not 4G. And I’m- I don’t have any
15 problem with the 4G. I have lots of problems with 5G, so when the 5G, I’ll be back.
16 But, uh, uh, as far as I’m concerned, where we- where we live, um, looking over
17 across Seventh street, then there’s a house there. And, I probably wouldn’t like your
18 big tall tower over there to look at, every morning. But it beats the heck out of 5G, so.
19 So, uh, uh, I have no- no- no problem with 4G. That’s my- that’s my telephone, right?
20 And 5G is, uh, I know more about 5G than anybody here, I’ll tell you that. I’ve done-
21 I’ve done so much work with 5G and what countries have it and what counties and
22 what countries have it, and, uh, it’s spreading like wildfire. But there is a bi- a big, uh,
23 health issue with it. And, like you say, if some said it doesn’t have much range, if you
24 don’t put 5G in here, in Moscow, I don’t know how many of these towers or whatever,
25 you’d have to have to do it. I read between 100 and 300-feet is the range. And that’s
26 not very much range under the 5G, so. But, I’ve also read where it’s 1500-meters to

1 6 miles, too, so. If it's not- if it's not obstructed by things. But, uh, no I'm very relieved
2 that it's not the- not as concerned about the health issues, the skin problems, the
3 melanoma that comes along with the 5G. So, I'm a happy camper.

4 BAZZOLI: Thank you.

5 WEISE: My name's Maury Weise. I'm at a 711 Park Drive, um, just across the intersection
6 from this proposed site. And that's- that's Seventh and Park is my address. Uh, is-
7 thank you Steve Bush for bringing up the- clearing the thing about monthly versus
8 weekly checks of those diesel engines. There are three carriers, there's potential for
9 three diesel engines running, and that would make noise. Uh, the permit does say, uh,
10 they'll be checked weekly. As far as need goes: I've been in the neighborhood for 40
11 years. I currently have cell service and internet service: perfectly adequate and fine,
12 from Verizon. So, I'm guessing this is the alternative, but it wouldn't do me, uh, one-
13 one bit of difference, whether it's there, for the service. Um, another thing to keep in
14 mind is why this tower isn't adjacent to the Church, if it's part of the Church complex.
15 I'm guessing that it might be, uh, not as desirable next to the Church somewhere,
16 reflect the complex. It's set aside, near the intersection of Seventh and Park, and
17 conspicuously absent from the presentation of the proposal, were shots from the
18 south- the immediate south, north, and east. But, not west. And my house- that's
19 southwest. So that tree proposal earlier, was a pretty imposing structure. And this
20 tower is just as much so. Uh, just couple of points then, uh, key parts in your City
21 Code is maintain the character of the neighborhood. I like the character of Eastgate
22 addition, subdivision, right now because of the focus on the Park. That triangular park
23 is the center of interest for people who buy in there, and I enjoy that. This looks like
24 a distraction from that focus we have. And secondly, have minimal impact- visual
25 impact on the surroundings. Um, the tree didn't do it- cut it, and I don't think this

1 tower will either. So, you have my, uh, brief notes in your packet. I appreciate this
2 and I'm asking you again, please, to deny this proposal.

3 BAZZOLI: Thank you.

4 SAUNDERS: My name is, uh, Gary Saunders. I live at 1217 Kamiaken Street, just south of the
5 proposed lot. And, uh, first I wanted to say thank you: uh, just a few months ago our
6 community got together and, um, we actually, uh, petitioned the City and it st- it all
7 started with a 10-year old girl who wrote a letter and said I'd like to change the name
8 of the park from Eastgate Park to Triangle Park. 'Cause everyone hears East Gate
9 Park and they think of East City Park. And it's confusing. And we all call it Triangle
10 Park, so let's rename it. We just got a new sign up at Triangle Park, uh, uh, earlier this
11 year where we're really excited about that. Um, I just had a few questions: I- I really
12 appreciate the opportunity to come and- and to listen and to also to speak. Um, I- I
13 appreciate the thoughtfulness, as this is a permanent, uh, possible change to our
14 neighborhood. Uh, once a tower goes up, I imagine it's easier to make it taller, but I
15 imagine to bring it down is a- is a significant effort. Um, just a few thoughts that I've
16 had: um, in addition to, uh, what- what's already been said as far as, I don't see much
17 difference between this proposal and the one that was denied previously. I think the
18 objection last time was related to the significant height difference of the- of the tower.
19 Uh, if we look at- at the surrounding zone structures and look at what the maximum
20 height is for those structures, I think that you'll find that this tower is more than three
21 times taller than- than the allowed value. And I think it's on- it might even be closer
22 to four- four times taller. Um, like Maury said, I- I noticed in the packet that they did
23 have a picture from the south. All of the other pictures seem to be taken from the
24 property lines. I noticed the picture from the south, for one was the only one taken
25 portrait, so that it had much more sky in the picture. I also noticed it- that it wasn't
26 taken from the property line, nor from across the street, nor from one or two properties

1 down, from about- about three properties away from the Church. If you look at that
2 picture, you'll also see that the Church building, which does have a cross on top, is
3 almost completely invisible based on where the tower is. So, it's not like we got one
4 tall structure, and we are putting another tall structure right next to it. They're very
5 separated, and as you're driving up the road, you really can't see the Church. But the
6 tower is going to be right there. Um, some other concerns, just from this evening, is-
7 it seems like the evaluation of the alternate sites was maybe incomplete. Or at least
8 not thorough. I do worry about upgrades. Um, once the tower's up, it sounds like they
9 originally wanted a 100-foot tower. And I wonder what it would take to, uh, for them
10 to come back and say 'hey the 80-foot's good, but now we've got 8G and need it to
11 be 100-feet.' And then finally, what- what I don't see here tonight are people
12 clamoring for better service. Uh, if we had neighbors from- from all around this area
13 saying 'hey we need- we need cell service, we need options', I think it would be
14 different. But we- we don't see that clamoring for- for service here tonight. So, so the
15 claim that this is- that this is necessary, is something that I would disagree with. Thank
16 you.

17 FLEISCHMAN: Hi, my name's Scott Fleischman. I live at 910 Camas Street. Um, the people before
18 me said a lot of what my- my fears were. Um, once it's- it's up, it's hard to take down.
19 It will be easier to expand it. Um, it- it is an eyesore. Um, one thing I wanted to add
20 to the last thing was I'm against this; but I also really need it. Uh, we switched to T-
21 Mobile from Sprint, and our house is a dead zone. If we didn't have Wi-Fi to go on,
22 we wouldn't- we wouldn't be able to talk to anybody. Also, the whole, uh, Mountain
23 View side of the City: I have no signal there. I could use it, but it's an eyesore. Um,
24 so just echoing everybody else. I think, excuse me, that, uh, those are my arguments
25 and maybe point out an irony: is anybody else seeing this as a Tower of Babel? In the
26 Church parking lot? Just kinda seems a little weird; it's out of place. Yeah.

1 BAZZOLI: Thank you. Looks like everybody out in the audience has- has said their piece. So, I
2 will, um, give the applicant one more, um, chance to maybe, uh, rebut any of the
3 comments stated and see if, uh, there's any concerns you can address.

4 ALLEN: Ah, thank you very much. Kim Allen for, uh, for the applicant. Um, let me see
5 here...Um...well, it- it was heartening to know that, um, that Mr. Lewis is okay with
6 us putting up a- a- a 4G tower. Um, and I think we have heard mixed messages tonight
7 on- on people's need for the service, um, here. Um, I think that the- the- the tower
8 was placed, uh, where it is on the lot because it's in proximity to the access, and to
9 where, um, our and- and telephone utilities can be- can be, um, accessed. So, I think
10 that's- that's most likely why the tower is where it is, although it is in proximity to-
11 to the Church. Um, lets see...Uh...While this- while the tower is- is taller than, you
12 know, than the Church, and certainly then, you know, some of the underlying zoning,
13 um, um, allows. Typically, tower- communication towers are allowed to be- to be
14 taller, because of the need to be able to clear that- that threshold of the un- underlying
15 zoning to get a clear, you know, clear sight for signal. Um, and also, ar- ar- like to
16 emphasize that- that- this particular tower is not all that much taller than the- than the
17 top of the Church structure itself. Um, it's certainly not, you know, widely out of- out
18 of proportion to the height of the top of the cross on the Church. Um, and it is the
19 minimum necessary to achieve- achieve the coverage obje- objectives here. Um,
20 so...we have, you know, designed and engineered the- the most compatible, um,
21 solution for this particular property. It is a church use; it is a- a tower that's been
22 designed to- to be part of the Church architecture that one would find on a church
23 campus throughout the country. Um...I think that that...that was the- most of the- the
24 concerns. Um, also though, in- over the break, we- we did take a look at the, um, um,
25 at the search ring and found that the- the properties you indicated: that the Fairgrounds
26 and the- and the Fire Station, are the very, very, very southern edge of the search ring,

1 below the search ring. So, I- I- I expected that's why, um, they were not selected as-
2 as alternatives here. And I think, uh, one- one last thing, if I- if I could, um, I think
3 that, um, Gregg in- in reviewing the record of the proceedings from 2018, um, did not
4 recall a comment, um, or a suggestion to review the Fairground property, um, at that
5 time. Is that right, Gregg?

6 BUSCH: I am looking at the write-up of the- of the Reasoned Statement of Relevant Criteria
7 and Standards and that's- that's what I had to go on from the record: I do not see a
8 suggestion in the decision to use the Latah County as an alternative. I do not see that
9 in this document.

10 ALLEN: So- and so it appears from- from the search ring that's included in your packet, that-
11 that the- the- that these facilities were too far south to be able to serve the coverage
12 objective.

13 BAZZOLI: Okay. Thank you.

14 ALLEN: Thank you.

15 BAZZOLI: With that, I'll close the Public Hearing and open this up for the Board to discuss. Um,
16 I have a question for Staff. Oftentimes, in our reports there's a, um, a diameter circle.
17 And- and this one doesn't have one, but I believe it was David that brought up a
18 comment earlier about the separation, just- of the- the, uh, the third Zoning Criteria.
19 And, well I guess it wasn't the third one, excuse me. The, uh, the seventh one. Let me
20 correct myself again: the sixth one. That talks about property distance? And it says
21 that, um, it would need to be separated from any adjacent property line, that's
22 Residential, by 80-feet. Given the height of the tower, the full height of the tower.
23 And it would need to be separated by any other adjacent property that's non-
24 residential by 40-feet. So, I'm assuming that that height can be less to something that's
25 non-residential. The- there's one house that Marshall clarified that the- that- that the

1 Church itself owns, but that's- who owns it has nothing to do with whether it's zoned
2 residential or non-residential. So, could- could you back to that image?

3 HENNRICH: You want me to go back to the slideshow-

4 BAZZOLI: -and give us kind of an idea of where that tower sits, where 40-feet is, and then where
5 80-feet is?

6 HENNRICH: Okay, so getting to that image here. Whoops! Right here. Okay, so, uh, the- the- the
7 cell tower is proposed right where the green dot is. I know that you probably can't see
8 that on Zoom. But the applicant's well aware of where it is. Um, the distance from the
9 f-, uh, the cl- the closest corner of the site location to this adjacent property here, is
10 just over 100-feet. Um, so, you can take a, you know, a- I wish my hand wasn't
11 shaking, you could probably see a little bit closer. There ya go, alright, okay. So,
12 again, I'm still not that steady. Um, if- roughly halfway through this, um, southern
13 property line, roughly about halfway through that is where the edge of that proposed
14 site would be. Um, from that location to this closest corner of this property here on-
15 on Park and Seventh, to that location it's just over 100-feet. Um, so I would- I- I would
16 estimate that the 40- 40-foot, um, distance would- would roughly sit somewhere, you
17 know, maybe just- just right off of- into the right-of-way. Um, and then obviously, in,
18 you know, around- in a- in a diameter.

19 BAZZOLI: I guess my specific question is: the light green is Residential, so according to that set-
20 back criteria...

21 HENNRICH: The light green here?

22 BAZZOLI: -or actually not the set-back criteria, but...if- if that tower was actually set in the
23 middle of that red square, can you draw an 80-foot diameter to any property line that's
24 light green? I guess that's my question-

25 HENNRICH: You mean the yellow?

26 BAZZOLI: Well-

1 HENNRICH: Because the yellow would be the Residential.

2 BAZZOLI: Yes, yellow/light green, whatever.

3 HENNRICH: It would be hard for me to make that estimation without measuring at this particular

4 time.

5 RAY: If- if you look at Park Drive, that's a 60-foot right-of-way.

6 HENNRICH: There you go, yeah.

7 RAY: That will give you, uh, an- an approximate distance that 60-feet is, add-

8 BAZZOLI: Is the width of Park Drive?

9 RAY: -20-feet-

10 HENNRICH: Correct.

11 RAY: The width of Park Drive is 60-feet.

12 BAZZOLI: So-

13 RAY: Between the line and the line, there. Property line to property line.

14 HENNRICH: So, from- from here- again my n- ugh! Not so steady hands and now changing slides-

15 BAZZOLI: So-

16 HENNRICH: From- from approximately here to the other side of Park is 60-feet.

17 BAZZOLI: So, just from a rough graphic standpoint, if we draw a line straight across the bottom

18 of NB- if we were to underline NB: if that tower was sitting right about there, it would

19 be approximately 80-feet from the house that they own, that property line to the south.

20 HENNRICH: Well, that- this is actually Short's Funeral Home. This is the Nazarene campus over

21 here.

22 BAZZOLI: Right.

23 HENNRICH: So, you're saying if they were to- to place it here?

24 BAZZOLI: But- but the tower- no the tower's going inside the red box.

25 HENNRICH: Correct-

26 BAZZOLI: So-

1 HENNRICH: -in this corner.

2 BAZZOLI: So, it needs to be 80-feet from right there where you're at-

3 HENNRICH: Correct.

4 BAZZOLI: -80-feet from that property line, so 80-feet going up from the bottom red line of the

5 b- of the red box-

6 HENNRICH: From this direction?

7 BAZZOLI: Yup.

8 HENNRICH: Yeah.

9 BAZZOLI: Puts it right about, you know, if we underline NB all the way across there: that's about

10 where 80-feet would be. But it's-

11 HENNRICH: Roughly.

12 BAZZOLI: But, I- yes.

13 RAY: So, (unintelligible)

14 BAZZOLI: But, I guess my point is, based on that criteria, it can't be closer than 80-feet to the

15 bottom of the red box.

16 RAY: They're referring to adjacent property. So, this is all one property in our- in our view.

17 So, if you look at the Nazarene Campus, obviously property lines can't crisscross

18 through buildings.

19 BAZZOLI: Gotcha.

20 RAY: So (unintelligible)

21 BAZZOLI: That actually answers my question. I didn't know that that was not a separate property.

22 RAY: This is all- yeah, viewed as one campus. That's the way we would define a lot within

23 the Zoning Code. No matter how many parcels that are p- put together, as long as

24 they're under private-

25 BAZZOLI: Per- that-

26 RAY: -ownership, it's all considered one property.

1 BAZZOLI: -that answers my question. So, basically Sixth, Park, Seventh, and Mountain View:
2 that's one property?

3 RAY: That's essentially one property. Yeah, we're viewing the- the distance from the tower
4 to any adjacent property. So, it would be across Park, or across Seventh.

5 BAZZOLI: Okay.

6 RAY: Which is about 100-feet, as Aimee had indicated before.

7 BAZZOLI: K.

8 HENNRICH: Apologies, I didn't understand the question.

9 BAZZOLI: Well, I- I didn't explain it well! Marshall.

10 COMSTOCK: Aimee or Mike: in the Neighborhood Business Zone, what's the maximum height of
11 a building?

12 RAY: Uh, Neighborhood Business I believe is 40-feet, within that Zone. But I can give you
13 a quick answer.

14 COMSTOCK: 40-feet without a Variance.

15 RAY: Uh, 40-feet. We do have an option of, uh, that we insert an option of a Conditional
16 Use Permit, that could go higher for institutional-type buildings. So, they would be
17 able to apply for- so, say, uh, an institutional use, um, or to propose a building there,
18 they could go through a Conditional Use Permit process and be able to achieve higher
19 than the 40-feet. But, yeah Neighborhood Business is 40-feet.

20 COMSTOCK: 40-foot and they could get a Conditional Use Permit. Is there a maximum they can
21 go?

22 RAY: Uh, there isn't a defined maximum, I don't believe. But let me double check on that.

23 BAZZOLI: Don't set-backs allow you to gain some height as well? The further back you go?

24 RAY: At one point in time they did. But, we- we had eliminated that from the code when we
25 converted that to the Use Table. So, yeah, 'exceedance of maximum building height
26 for permitted non-residential uses; Neighborhood Business is a- a Conditional Use

1 Permit'. So, not only telecommunications towers, but other structures, uh, that are
2 non-residential needs to go through a Conditional Use Permit to achieve higher than
3 that. Obviously, if the Nazee- Nazarene Church were to be built today they would
4 have to- to go through that process, as they didn't (unintelligible) in the 60's for
5 controlling height for the- the dome.

6 THOMSON: (unintelligible) heard a couple people's concern that once the tower's built, it can keep
7 being raised and raised. I assumed that it would require another Conditional Use
8 Permit if they want to (unintelligible) feet high?

9 RAY: Correct.

10 THOMSON: So, it would have to come back to us. So, it's just not, once it's built they could just
11 keep going up.

12 RAY: Yeah-

13 THOMSON: Obviously, it requires City and the Board's approval.

14 RAY: Yeah, any modification of a tower of that height, um, even if they were to reduce the
15 height without, uh, go through a Conditional Use Permit process. Correct.

16 BAZZOLI: I have- I actually kind of disagree with that thought, and that thought that's why it's
17 not adjacent to the Church and why it actually couldn't be built on top of, or in
18 addition to, the Fire Department thing. And everyone here knows I'm not a structural
19 engineer, but I know enough that- that the foundation is a significant structural item
20 that this tower has to have. And so the deep- it has to go deeper to deal with overturn
21 and wind, and so, that structural foundation's going to be built based on what it's
22 made of and how high it goes. So, you can't just keep going higher and higher, without
23 going deeper and deeper with the foundation. The- the tower at the Fire Station: that
24 foundation is probably set for three, maybe four stories. You couldn't keep building
25 on it. Going right up adjacent to this- to the Church, you could potentially do that, but
26 then you'd have to tie into their existing foundation as you go deeper and deeper. And

1 so, it- it becomes, kind of structurally incon- construction-wise, without undercutting
2 that footing to go deep and under it. So, um, I think from a structural calculation
3 standpoint, um, when they submit the plans they'd have to show the structural calcs
4 and those will only support a certain amount of height. So, from that standpoint,
5 knowing just enough to be dangerous with structural engineering, I don't think that
6 they could build this tower and then add to it later, unless the structural footings could
7 support taller to begin with.

8 COMSTOCK: Yeah, Joe's absolutely right. I inspected most towers in Latah County and the footings
9 on those towers are immense. And when they're big, they can't just be stuck on a Fire
10 Department-

11 BAZZOLI: Yeah.

12 COMSTOCK: -training tower if they didn't- would not support it.

13 BAZZOLI: So, that- I suppose, of all the concerns tonight, I think that one I could- I could fairly
14 say is- is- kind of dispel that one. Because, once they it at the right height, I- I don't-
15 you'd have to completely rebuild it from the ground up to do. The other comment
16 from the flip-side of that is, though once you build it, it's- it's not coming down.
17 Someone would have to pay to take it down. So, um, that's the permanence of it and
18 that- that was another concern, and- and it has to have, at 80-feet, it has to have three
19 users. And so, my concern is what happens when one of those goes out of business or
20 changes names and- and- or is bought up by someone else and now you only got two
21 but you're required to have three. You can't not use it-

22 MONSON: Are you required to have three or-

23 BAZZOLI: -you -you are going to-

24 MONSON: -are you required to be available for three?

25 BAZZOLI: I- I- I don't know and that's-

26 MONSON: Exactly-

1 BAZZOLI: -that's -that's kind of a-

2 MONSON: (unintelligible)

3 BAZZOLI: -a verbiage thing and I don't know what the answer to that is.

4 MONSON: I think the answer is you're required to be able to offer services to three, but not

5 necessarily have three.

6 THOMSON: (unintelligible) since the last time we looked at (unintelligible)

7 MONSON: I- I can't remember who was on Board last time, but- but I remember that was part of

8 the deal was, it- it- you just can't have- I- I think the theory is that you don't want to

9 have just towers popping up all over and so to try to-

10 BAZZOLI: -condense them-

11 MONSON: -try to consolidate you want to- you want to-

12 BAZZOLI: (unintelligible)

13 RAY: Yeah, we just require the space be available-

14 RAY: -for that opportunity and Mark's exactly right, that we don't want a proliferation of

15 towers throughout town, so if we require a co-location of up to three carriers per tower,

16 then that, you know, dispels that up to a certain extent.

17 BAZZOLI: And the separation of carrier's kind of pushes the height up. So, um, I- I guess the

18 other thing to facilitate our discussion: the applicant mentioned four criteria but I just

19 want to re- remind us, we actually have seven conditional use criteria that we address.

20 And one of those actually is required to address the eight, um, of the zoning things

21 that Aimee covered. So, um, as- as we- we talk about this, whether we approve it or

22 deny it, we- we're doing that based on our seven Relevant Criteria for Conditional

23 Uses.

24 HENNRICH: If I can also interject: so, it's the- the typical seven for Relevant Criteria, but also, um,

25 a Conditional Permit of this type also has not- an additional four criteria, that are also

26 listed in your staff report.

1 BAZZOLI: Oh, okay. So, the four that- that, um, Kim addressed and then if I read six of our- six
2 of our seven, that has to meet, um, Design Development Standards. At- at that point,
3 I'm assuming it also has to meeting the eight that you covered under the Zoning
4 requirements.

5 HENNRICH: Correct.

6 BAZZOLI: Yeah. So, who'd care to take a stab at the seven that we've got first?

7 THOMSON: Well, let me take a couple (unintelligible)

8 BAZZOLI: Fair enough.

9 COMSTOCK: One of the reasons I asked Mike what the maximum height of a building in a
10 Neighborhood Business was because, even though it is a tower, it looks more like a
11 (unintelligible) and it meets the definition of a building. So, I guess, if we could
12 consider it a building and a tower, it would be under the same Conditional Use Permit
13 as tonight then. (unintelligible)

14 RAY: Correct- correct, yup.

15 COMSTOCK: So, that was one consideration. Um, a couple of things that- that concern me a little, I
16 guess is one, I feel- I feel there are better sites for a structure this size and this height,
17 out of a residential zone. Even though it's a Neighborhood Business, it's essentially
18 surrounded by Residential. I feel there are better sites that were not explored. And that
19 certainly could be done. Another thing that disturbs me is, even though it's in a
20 Neighborhood Business, this is a Residential area as far as noise, (unintelligible)
21 duration, things like that. Um, that- that bothers me. I think that, my own personal
22 opinion, that- that cell towers are better sui- suited in commercial or industrial-type
23 zones, and not (unintelligible).

24 BAZZOLI: So, I- I-

25 MONSON: I- go ahead.

1 BAZZOLI: I agree with Marshall. But I also disagree with your favorite location because that-
2 that same group of residents would complain that now, not only are they dealing with
3 hockey puck noise, but now they'd be looking at a tower with no trees: because the
4 Fairgrounds really doesn't have any. So, now all those adjacent properties, from a
5 sightline, you can actually see further and higher. Because a tree's not blocking you.
6 So, I agree with your premise, but I disagree with your site. But, that's- that's just an
7 opinion.

8 MONSON: Well- well, what I was going to say, and I- and we've heard testimony about, uh, those
9 in the immediate neighborhood don't necessarily need- well, I guess with the
10 exception of one individual. Um, and, uh, uh, I have the same issue with, uh, Sprint/T-
11 Mobile that you do, since the- since the merge, I got to tell you that the service is
12 awful. But, we're not dealing with- with Sprint/T-Mobile in this direction. But, as I'm
13 looking here and- and- and I'm- I'm trying to take an objective view on- on what's
14 happening. Um, I- I'm looking at the maps that were provided and it- it seems to me
15 that- that the target here isn't necessarily that neighborhood, but it's the neighborhood
16 north, ah, where there's a huge gap in coverage. Uh, I understood the applicant to say,
17 um, they looked at these other places: I know that there's the- the water tower; I know
18 that there's been a lot of problems with the water tower. I think last time, I want to
19 say if I'm remembering correctly, part of the problem: they couldn't put something
20 on top because remember it has that flexible top, so that wouldn't support it. They
21 tried to do something around it, uh, I'm reading here that they tried to get a different,
22 uh, tried to get a different building up there. The City didn't approve it. I don't have
23 any history on what the City's doing with it. Um, but as I'm looking here at what
24 they're proposing, um, you know, they're a product of RF and- and it's a product of
25 RF and propagation. Um, and, um, I understand why they're doing what they're doing.
26 I understand, uh, there comment that if they were down below the- the fairgrounds, I

1 think that puts them below really towards the bottom of what their target area is. So,
2 I- I- I accept what they're trying to do is put this in an area that's going to have the
3 most benefit to everybody, and- and I also am looking at their map, accept that the-
4 the- the immediate neighborhood is fine with regard to AT&T. I don't have any
5 trouble believing that everybody there has- has great cell coverage. Although I will
6 represent, and I know that one of individuals here, on T-Mobile: I can drive down
7 Sixth Street right past the project site, between Sixth and Blaine, and have absolutely
8 no service there for whatever reason. Don't know why, but, um, but that's just- that's
9 T-Mobile and that's unfortunately who I've got to have at present. But that doesn't
10 appear that's a problem with- with AT&T. So, um, and then going back to last time
11 we were here, we were talking about a- a- a tree that was just completely out of place.
12 And- and- and I seem to be recall that was one of the- that was one of the driving
13 problem was that we had, and it was the idea that whether that was in harmony with
14 the- with the neighborhood. I think that's Criteria Number 2. And I think that the giant
15 tree out there, uh, was pretty fairly not. Um, this one does a better job. I'm still
16 struggling with it a little bit, but I think it- it's closer to the mark of- of what we were-
17 we're dealing with. The other thing I'm aware of is, I think if we wanted to put the
18 same thing, just a short distance to the south, by the Fairgrounds, I think we're going
19 to have the same conversation. I mean, whether or not it's- it's on the Fairgrounds,
20 whether or not it's here, uh, I imagine that it wouldn't surprise me if many of the same
21 people who are here tonight objecting would be objecting again for- for exactly the
22 same reasons. Um, and I think, as I understand the- the applicant- the problem that
23 they have is from the RF and propagation and- and coverage perspective. That doesn't
24 work as well down there. So, uh, they- they kind of are where they are. I think, uh,
25 again I'm trying to look at this objectively. I think, uh, there, uh, I- I- I- again, I can't
26 speak to what's going on with the City. Um, but it sounds like that's not been

1 productive and- and, uh, their- their back with a- a proposal that, from their
2 perspective, makes more sense. Uh, they're trying to put something in that, uh, that
3 looks it- looks consistent with what we're doing. I- I- I- would think that a church
4 tower is more consistent than a- a really tall pine tree. I really- I- I- honestly, you
5 know, last time it was way off the mark, I thought, and- and this time it's- it's closer.
6 So, anyway, those are just some of my thoughts that are kicking around in my head
7 right now.

8 THOMSON: I- I tend to agree, Mark. I- I know we've heard a couple people say the same things:
9 how they feel it's the same project as last time. Since we denied it last time, then why
10 not deny this one. I do see it differently than a ugly big pine tree. It does seem to me
11 to more conforming to the- for this particular property. Considering a lot of the
12 comments Marshall made, which are always valid, seems to me that- that the City,
13 um, when it prepares its zoning can allow for such construction, uh, in this Zone with
14 the following development standard. It's thought through how, um, some
15 requirements and standards that are met, should be accessible and, as I look through
16 all eight of them, um, they're all addressed. And, if I have a little bit of a hard time
17 saying, um, it's not consistent, whether that their able to meet the noise objections,
18 the size of the antenna tower, the aesthetic considerations in a manner that seems, uh,
19 convincing to me. So, uh, that's kinda the criteria I kinda- kinda lean to your, uh,
20 appease my thoughts and, uh (unintelligible).

21 BAZZOLI: Mike.

22 RAY: I just wanted to add one point of clarity with the- as far as the Fairgrounds, that's all
23 zoned Residential. So, it's an R-3 Zone. This is actually a Commercial Zone, it's
24 Neighborhood Business. So, I didn't know if that played into your discussions or not,
25 but I thought I'd...point that out.

26 BAZZOLI: Thank you.

1 MONSON: And- and I think my- my purpose of- of bringing that up was- I- I just, I don't think
2 that the discussion would be any different, uh, from a practical point of view and from-
3 from neighbors not wanting. And I think- I think we're- we would be dealing with the
4 same-

5 COMSTOCK: Well-

6 MONSON: -same thing as before.

7 COMSTOCK: -even though it's zoned that, the actual use is not residential. You- you might have
8 somebody complain, but if you put it in the middle of the Fairgrounds it's a lot further
9 away from the residents.

10 BAZZOLI: Steve, thoughts?

11 BUSH: Well, I, um...it- it seems to me that its, uh, its, uh, like David was saying: it's the
12 same project, uh, with- with, uh, no real significant changes other than the- the type
13 of structure that's going there. Its not any difference in height. Um, it might be, um,
14 wider and larger, actually, than- around than the tree. Um, and I- my thought is- has
15 been, um, you know, putting myself in the neighbor's shoes: what would I think?
16 What would I- how would I feel? And, I'm not so much opposed to the- the building
17 itself as I am opposed to the, uh, the maintenance, uh, part of it. Running the- running
18 the, uh, generators on a weekly basis. And, uh, and to me that seems like, um,
19 excessive to, um, ask people to put up with that on a weekly basis? Don't know when
20 they are going to do it. Um, they didn't say- say. There's no indication. Um, I do- I
21 do think that, um, there probably are some alternative sites that they haven't looked
22 at, that would be more user-friendly. Um, and if they're going to get something further
23 north- if they're looking for trying to get, um, coverage further north, going to the
24 Fairgrounds isn't the answer. Um, but you wouldn't have to worry about...you know,
25 the trees or any- anything else there. There are shrubs, you know, to- to, uh, hide this,
26 uh, this tower. Um, because it would be- could be a freestanding, um...facility without

1 having to- to- to have it near any other structures. But, um, again I think that if they
2 wanted to go further north, I think that there's some other sites to the- to the north that
3 could be, um, utilized, and would be more conducive to, um, the- the fact that they
4 wouldn't have close neighbors. Uh, just thinking through town a little bit of where-
5 where those might be and especially if they wanted to, again, go- go to the north. And,
6 uh, and try and reach those northern customers, northern part of town. Um, and my
7 other concern is, uh, um, some of the neighbors are saying is there- is there really- is
8 there really a need for it, because, uh, everybody that's in the area, um, is already
9 being serviced by either another carrier, or, um, have an- there's not people here that
10 are AT&T users saying 'we need this service'. That's a little concerning to me, that
11 there's nobody here saying it- 'that I could really use this service' and I- I suppose
12 they don't know that they could use this service. Maybe they're just not aware of that-
13 what this is going to provide for them, that would be something they would really
14 excited to have. I don't know. So, lot of different ideas. Lot of different thoughts. But,
15 I- I really, um, can't pinpoint my- my pros or cons. I'm certainly a fence-sitter on this
16 one.

17 THOMSON: Is- is whether or not there is a need relevant for this? It's not in the Design Crit- it's
18 not one of the criteria- it's not one of the Relevant Criteria and Standards. I mean- I
19 mean, uh, I have to assume that a company wouldn't install something and go and
20 build it if they didn't think it would serve a purpose for the community, and that's the
21 whole purpose of this thing. And I don't know how we would go out and test all of
22 the uses. I guess it's not on here that they are going to benefit from it (unintelligible).

23 BUSH: Probably true.

24 THOMSON: One of these days, they're all going to see that there's five bars instead of two, and
25 they don't know why, but that- that (unintelligible).

1 BAZZOLI: I guess my thought is, in looking at these seven criteria we're- we're- we're really all
2 talking about items 2 and 3. Um, 2 has- having to do with whether it's harmonious
3 and- and in character with where it's at. And 3 as to whether or not it's a nuisance.
4 Um, the decibel level, um, it- it would have been nice if someone had addressed, you
5 know, really a- a comparison as to what 45 decibels really is. Um, that can be
6 mitigated, but not with a chain-link fence. So, I...I was almost going to dismiss 3,
7 because it can be addressed but this doesn't really address it. So, we're really back to
8 2. The- the other- the other five, um, the answers yes, it- it- it complies and- and even
9 the first 1, as long as it meets, um, all- all these other conditions. It's a- it's a permitted
10 use. So, really, we're down to number 2 and that is: is it harmonious with where it's
11 sitting? And that's asking all of us what's good art, and every single one of us is going
12 to have a different- a different answer. Um...

13 MONSON: So, Joe, I think on number 3, on the- if we are looking at that, I think that we can- we
14 can deal with- it sounds to me like the nuisance would be the noise of the generator
15 when they're- they're doing that. And- and I think-

16 BAZZOLI: Yeah, and I think that's a-

17 MONSON: -that's relatively-

18 BAZZOLI: A simple screen wall with a- with a fence. I- I say it's got vegetation around it, but
19 the- it could be a condition. Mike?

20 RAY: And- they're proposing a masonry wall. So, that's required as part of the, uh, design
21 guidelines instead of solid-

22 BAZZOLI: K, so I missed that-

23 RAY: -brick-

24 BAZZOLI: -I- I read a chain-link fence somewhere. And so, I misunderstood-

25 RAY: I believe that was initially what they had proposed, um, but we worked with the
26 applicant to correct that-

1 BAZZOLI: Okay.

2 RAY: -and now they are proposing a masonry wall.

3 BAZZOLI: So- so, again, I- I kind of thought 3 could be dismissed, because it could be dealt with,

4 which we could have done with a condition, but we don't need to now. So- so, really,

5 we're back to item 2. Is- is it in harm- in harmony with- with where it's at?

6 THOMSON: Harmony with the neighborhood, or harmony with the Church? But if it...they made

7 an effort to make it look churchy.

8 MONSON: It- it- it's far closer to than what we were dealing with-

9 THOMSON: Yeah.

10 MONSON: - in the past.

11 BAZZOLI: I need someone to make a motion. Um...I- I guess before someone does that, um, the

12 applicant mentioned they'd- they'd done- and this is going to be directed to the City,

13 but they'd pursued multiple options on City-type properties. Is there- is there a reason

14 why those didn't work out? Other than, obviously for the same structural reasons: you

15 can't mount something tall and heavy on top of a water tower. I don't know if,

16 adjacency is an issue? Or other City properties if- if those were even addressed by the

17 applicant, with the City?

18 RAY: Uh, you know, I know the Vista tank, their issues with that I think Mark had eluded

19 to, just the, uh, kinda, the mem- soft membrane bladder to that. And then, uh, really

20 not really being able to put it- you know, one of the- the ones that are mounted to

21 water tanks are- they have the- the railing, like where you walk around the outside.

22 And that's another aspect of Vista: it doesn't have that hard railing where you could

23 just mount the antennas to, or else you probably would have, you know, seen multiple

24 carriers up on that tower. So, um, I know that those are the issues with the tower itself.

25 I don't believe the City is willing to enter into a lease for a stand-alone tower is why,

26 uh, that one, you know, that one didn't proceed.

1 BAZZOLI: That makes sense.

2 THOMSON: Okay, I'll get a st-- I'll take a stab at this. Uh, I move to- move- move a Conditional

3 Use Permit application for the proposed, uh, 80-foot tall Wireless Communication

4 Facility and direct the Staff to prepare a Reasoned Statement and Relevant Criteria

5 and Standards.

6 BAZZOLI: I have a motion; do I have a second?

7 MONSON: I'll second Tim's motion.

8 BAZZOLI: I have a motion; I have a second. Since we have an odd number, someone has to be

9 the bad guy. I will take on that role, unfortunately. So, I have a motion; I have a

10 second. Mark?

11 MONSON: Aye.

12 COMSTOCK: Nay.

13 BAZZOLI: Marshall?

14 THOMSON: Aye.

15 BUSH: Nay.

16 BAZZOLI: Nay. So, the motion does not pass.

17 COMSTOCK: Joe- I think you're right about the criteria, Joe. I think the- the noise can be mitigated

18 one way- one way or another.

19 BAZZOLI: And- and Mike clarified that they had addressed that. This is really coming down to

20 the harmony of- of where it's being sited.

21 COMSTOCK: I think that Criteria number 2 of being in harmony is (unintelligible).

22 THOMSON: Not sure it won't. Wherever it- built it- unless it's outside of the City, in the county.

23 COMSTOCK: Depends on where it's zoned then.

24 THOMSON: Well, I think where it's zoned is where its supposed to be (unintelligible) across the

25 street (unintelligible).

1 BAZZOLI: I- I hesitate to speculate sites: I can think of a few but, based on t- on how Kim
2 answered my question earlier about sometimes a 95-foot tower doesn't do it,
3 sometimes a 30-foot tower doesn't do it, sometimes an 80-foot one does. I- I don't
4 understand the signal wave and how that has an impact on- on its height. Um, but, that
5 just I- I- I don't see how- how it fits the harmony aspect of our- of the criteria that
6 we're given. Even though it meets the other eight Zoning Standards.

7 COMSTOCK: Well, I'd make a motion- I mean, if that motion failed, do we need a motion to deny?

8 BAZZOLI: Ah- ah- we haven't denied anything in so long I think that actually is the appropriate
9 thing to do, is it not?

10 RAY: Well, that motion failed, so you would need another motion-

11 BAZZOLI: So-so-

12 RAY: -and a second-

13 BAZZOLI: So, we have to go until we have a motion that passes. So, Marshall you are correct.
14 We- so, would you care to make a motion?

15 COMSTOCK: Uh, I make a motion to deny the Conditional Use Permit and direct Staff to prepare
16 the Relevant Criteria and Standards. Um, then, my only hesitation is that I don't think
17 it's time. Wouldn't don't feel good about trying to force through that Criteria Number
18 3.

19 BAZZOLI: And- and I agree with the Staff providing the Relevant Criteria and Findings of Fact
20 because, in the event of an appeal, that information is what they're going to want to
21 rely on. So, I have a motion; do I have a second?

22 RAY: Yeah, do you have any more clarification on what specifically is not in harmony?

23 COMSTOCK: Um, yes-

24 RAY: (unintelligible)

25 COMSTOCK: - since I made the motion, specifically, I- I feel that it's, uh, that it's more than a tower:
26 it's more of a building. I think that it appears, uh, it sticks out (unintelligible) and

1 would not fit in the neighborhood (unintelligible). It's taller than any other structure
2 around there. And it- it does not do well. Like, to me it does not look like part of the
3 Church, to me it looks like a guard tower. Considering the size of the- of the tower.
4 BAZZOLI: So, the height, basically, is what's-
5 THOMSON: (unintelligible) it's a building.
6 MONSON: (unintelligible)
7 BAZZOLI: Does that help? So, I have a motion; I have a second?
8 BUSH: I'll second it.
9 BAZZOLI: I have a motion; I have a second. We'll do the same thing: Mark?
10 MONSON: Nay.
11 BAZZOLI: Marshall?
12 COMSTOCK: Aye.
13 BAZZOLI: Tim?
14 THOMSON: Nay.
15 BUSH: Yes.
16 BAZZOLI: Yes. So- so, it passes through to two. So, we have a motion that passed. K, that gets
17 us to what was our second, um, item and that is Election of Officers for the year...

BOARD of ADJUSTMENT



Joe Bazzoli
Commission Chair
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Public Hearing
~ Agenda ~

Aimee Hennrich
Staff Liaison
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<https://www.ci.moscow.id.us/581/Agendas-and-Minutes>

Monday
March 29, 2021

7:00 PM

Council Chambers
206 E Third Street

WELCOME AND ATTENDANCE

REGULAR AGENDA

1. Approval of November 19, 2020 Minutes (ACTION ITEM)

PROPOSED ACTIONS: Approve minutes as presented; approve minutes with amendments; or provide staff further direction.

2. Election of Officers (ACTION ITEM)

PROPOSED ACTION: Nominate and elect a Chair and Vice Chair for 2021.

3. Public Hearing: Proposal for a Conditional Use Permit at 1400 E Seventh Street – LUP2021-0004 (ACTION ITEM)

A Conditional Use Permit application for a proposed 80 foot tall Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower.

PROPOSED ACTIONS: Conduct the public hearing upon the proposed Conditional Use Permit (CUP) request and upon consideration of any testimony received, approve the proposed CUP and direct Staff to prepare a reasoned statement of relevant criteria and standards; or approve the proposed CUP with conditions and direct Staff to prepare a reasoned statement of relevant criteria and standards; or deny the proposed CUP and direct Staff to prepare a reasoned statement of relevant criteria and standards; or take other action as deemed appropriate.

REPORTS

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

ADJOURN

NOTICE: Moscow City Council and Commission meetings can be televised, videotaped, and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

COMMUNITY PLANNING AND DESIGN DEPARTMENT
STAFF REPORT

HEARING DATE: Monday, March 29th, 2021

GENERAL INFORMATION

Hearing Body: Board of Adjustment

Subject: 1400 E 7th Street – A Conditional Use Permit application to allow the construction of a wireless telecommunications tower/facility within the Neighborhood Business (NB) Zoning District.

Attachments: A. Public Hearing Notice – published in the Moscow-Pullman Daily News on Saturday, March 6th, 2021

B. Conditional Use Permit Application

C. Project description

D. Site Plan

E. Elevation Plans

F. Antenna Details

G. Photo Simulations

H. Notarized Commitment to Collocate

I. Relevant Criteria and Standards Worksheet

J. Written Public Comment

Prepared by: Aimee Hennrich, Planner I

STAFF REVIEW

Proposal: The applicant, PI Tower Development LLC, is requesting a Conditional Use Permit (CUP) to allow the construction of an 80' Wireless Communication Facility (WCF) located at 1400 East 7th Street. The proposed facility would be located on the property of the Church of the Nazarene and would accommodate three carriers within a fully enclosed 800 square foot lease area. The facility would resemble a church tower with fully enclosed

antennas. The subject property is located within the Neighborhood Business Zoning District where Antenna Towers are a conditionally permitted use .

Background: On July 30th of 2018, Pro Land LLC applied for a Conditional Use Permit to construct an 80 foot tall Wireless Telecommunications Facility at 1400 E 7th Street. The application proposed that the facility would be located on the property of the Church of the Nazarene and would accommodate three carriers within a fully enclosed 800 square foot lease area. The facility design in this application was a stealth-style mono-pine tower intended to resemble a tree. The matter came before the Board of Adjustment on November 18th 2018. The Board of Adjustment denied the application finding that the proposed WCF was not consistent with the existing character of the neighborhood and would not be in harmony with land uses surrounding the subject property. The surrounding neighborhood is primarily residential with a few commercial uses nearby. The Board found that the scale of the proposed tower is significantly larger than other structures or trees in the surrounding area.

On November 27th 2018, Busch Law Firm PLLC filed an appeal on behalf of the applicant. On January 7th 2019, City Council reviewed the appeal during a regularly scheduled meeting and sustained the decision to deny the application.



Aerial

Site and Area Land Use: The subject property is an approximately 231,678 sq. ft. in size. Despite being split up into eleven (11) parcels, the site itself, which occupies an entire city block, is completely owned by the Church of the Nazarene. The 800 square foot subject property, 20' x 40' in size, sits on the southwest corner of the block. Adjacent land uses include residential properties to the north and south of the site, while the Church of the Nazarene lies to the east and Short's Funeral Home to the west. At the northwest corner of Sixth Street and Mountain View Road is a commercial orthodontics and doctor's office.



Zoning Map

Zoning: The subject property is located within the Neighborhood Business (NB) Zoning District. Adjacent properties to the east and west are also within the NB Zoning District. Adjacent properties to the north and south are within the Medium-Density Residential (R-3) Zoning District. Section 4-3-5(4)(b) of Moscow City Code establishes that the installation of antenna towers in excess of thirty five (35) feet in height requires the issuance of a Conditional Use Permit (CUP). The proposed tower is eighty (80) feet in height. The Zoning Code also requires the following development standards:

1. ***Setbacks: No antenna towers that exceed sixty feet (60') in height shall be located within 500 feet from the State Highway 8 and 95 rights of way.***
The proposed tower, located within the Neighborhood Business (NB) Zoning District, would be located approximately 3,400 feet north of the State Highway 8 right-of-way.
2. ***Security: Every telecommunications facility shall be protected from unauthorized access by appropriate security measures.***
The proposed site is enclosed by a six foot (6') high fence and the ancillary facilities are fully enclosed within proposed site.
3. ***Lighting: Every antenna and antenna tower shall not be lighted unless required by the Federal Aviation Administration or other state or federal agency having such authority, and such lighting shall not be more than the minimum required by such agency. Antenna tower site security lighting shall be designed and installed so as not to glare or trespass onto neighboring lands or roads, and shall be provided only as approved by the Zoning Administrator or Board of Adjustment.***
The plans submitted do not show any lighting on the new antenna tower.

4. **Noise Reduction:** *Noise generating equipment shall be sound-buffered by means of baffling, barriers, or other suitable means to reduce sound level measured at the property line to forty-five decibels (45 dB).*
Construction will create some noise, but the noise is temporary. There are up to two proposed diesel generators that would be double contained and will be used in the event of a power outage. The generator will run once a week for approximately one hour for maintenance. If noise becomes a problem, then a decibel reading will be taken at the property line and Staff will take corrective action if the reading is too high.
5. **Signage:** *The placement of signage on antenna towers is prohibited, except for the placement of security signage, which shall not exceed six (6) square feet on each side of the antenna tower and shall not be located higher than six feet (6') above grade. Additionally, one security sign not to exceed one (1) square foot may be provided on each fifty feet (50') of wall or fence enclosing the facility.*
There is no proposed signage on the antenna tower.
6. **Antenna towers shall be separated from the property line of any adjacent property zoned for residential uses at least a distance equal to the height of the antenna tower, and shall be separated from all other adjacent property lines in other zones at least a distance equal to one-half (1/2) the height of the antenna tower.**
The height of the proposed tower is approximately eighty feet (80'), therefore the tower must be separated at least forty feet (40') from adjacent residentially zoned properties. The only adjacent property outside of the Church of the Nazarene campus that is Zoned R-3 is located on the corner of Park Drive and Seventh Street. This property is approximately 100' from the proposed site.
7. **Aesthetic Considerations:** *Antennas and cables shall be of a color identical to or closely compatible with that of the structure to which they are attached. Telecommunications facilities shall be surrounded by a minimum 6-foot-tall wall or solid or slatted fence.*
The proposed facility is designed to resemble a church tower and is meant to maintain the character of the church campus. Current plans show a six-foot (6') decorative wall constructed of brick, stone, or textured concrete. Current plans also show a Type A Landscape Buffer Yard on the western side of the proposed site that will shield the site from Park Drive. All other development standards under this section of the Code shall be met as part of the permitting process.
8. **Any new or relocated antenna tower eighty feet (80') or greater in height shall be designed and constructed to accommodate at least two (2) additional users unless a larger number of users needs to be accommodated as indicated by the response to the Notice provisions herein. As an alternative, a smaller tower may be approved if the tower owner commits in writing to "swap out" to a larger tower when needed to allow co-location space for additional service providers. A notarized written commitment to shared use as specified in subsection F.1 above shall be submitted to the Zoning Administrator by the**

antenna tower applicant. The failure of the owner of an antenna tower built with a capacity for shared use to negotiate in good faith with potential users shall be unlawful and shall be a violation of this Ordinance and, among other remedies of the City, shall be just cause for the withholding of the issuance of future antenna tower permits to such an owner as well as revocation of antenna tower permits for any antenna tower on which co-location is refused or unreasonably hindered.

The proposed facility is designed to accommodate three (3) carriers. The applicant has provided a notarized written agreement to share location.

Comprehensive Plan: Chapter 2, Community Character and Land Use, designates the subject property as Public and Semi-Public. Public and Semi-Public designated areas provide for government buildings and properties, as well as semi-public or institutional uses such as churches, schools, and hospitals.

Chapter 3, Community Mobility, identifies Seventh Street and Park Drive both as local neighborhood streets.

A goal of Chapter 6 is to, “Enhance and strengthen the regional economy utilizing the strengths and assets of the region.”

Streets and Access: The subject property is surrounded by the property of the Church of the Nazarene. The closest access point to the WCF will be from Park Drive, just north of the house located on the southwest corner of the property.

RELEVANT CRITERIA AND STANDARDS

- 1. The proposed use (is/is not) a conditionally permitted use within the Zoning District.**
- 2. The character of the proposed use (will/will not) be in harmony with the neighborhood and surrounding land uses.**
- 3. The proposed use as approved, or as approved with conditions, (will/will not) generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).**
- 4. The location, design, and size of the proposed use (will/will not) be adequately served by existing streets, public facilities and services.**
- 5. The proposed use (will/will not) endanger the public health or safety if located where proposed?**
- 6. The proposed use (meets/does not meet) all applicable development standards of the Zoning Code.**

7. The propose use (will/will not) be in conflict with the Comprehensive Plan.

In addition to Relevant Criteria and Standards, four additional criteria are required to be fulfilled before the issuance of a Conditional Use Permit for an antenna tower. These criteria include:

- 1. No existing antenna towers or antenna support structures within the necessary geographic area for the applicant's antenna tower meet the applicant's requirements considering: a) height, b) structural integrity, or c) that there are other prohibitive conditions that render existing antenna towers or antenna support structure within the applicant's required geographic area unsuitable.**
- 2. That the design of the antenna tower, including the antennas and ancillary facilities, minimizes visual impact and other complies with provisions and intent of this Section.**
- 3. That the proposed antenna tower location minimizes the number and/or size of antenna towers or antenna support structure that will be required in the area.**
- 4. That the applicant has not previously failed to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise.**

RECOMMENDATION

Staff recommends **approval** for the application for a Conditional Use Permit at 1400 E 7th Street for a proposed 80' Wireless Communication Facility (WCF) with no conditions.

Board shall direct staff to prepare Relevant Standards and Criteria to be reviewed at an upcoming meeting.

NOTICE OF PUBLIC HEARING

Proposal for Conditional Use Permit at 1400 E. Seventh Street
Permit Application LUP2021-0004

A public hearing at which you may be present and speak will be conducted before the Board of Adjustment of the City of Moscow at which time the following proposal will be considered:

Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower.

HEARING DATE: Monday, March 29th, 2021

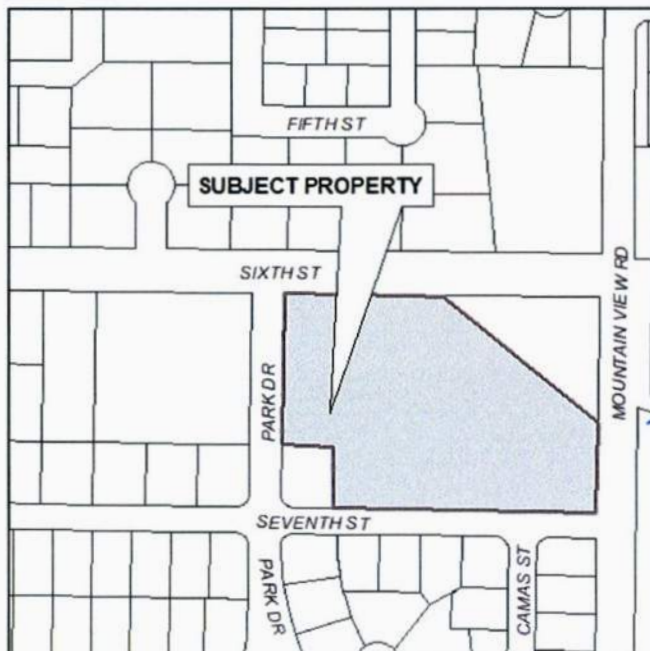
HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00pm

Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting.

The file containing information on this matter is available for public review at the Community Planning & Design Department located in the Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. You may obtain further information about the public hearing process and procedures on the City's Website at: <http://id-moscow.civicplus.com/593/Public-Hearing-Notices>



Laurie Hopkins,
Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, March 6, 2021



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph: 208-883-7035
Fax: 208-883-7033
jfleischman@ci.moscow.id.us

For City Use Only

Date Received		02/19/2021	
Dept	Fee Type	Fees	Paid
CD	Application Fee	\$500	x✓
Receipt Number		LUP2021-0004	

APPLICATION FOR CONDITIONAL USE PERMIT

(Please type or print plainly with blue ink.)

GENERAL INFORMATION**1. Applicant**

Name: PI Tower Development LLC Telephone: (425)628-2657 (Representative)
15105 John J. Delaney Drive, Suite D-3, Charlotte, NC 28277
 (home address)

Relationship to affected property (please check one):

Owner ☐Purchaser ☐Lessee ☒Other ☐ (explain below)**2. Owner of Affected Property** (if other than applicant)

Name: Church of the Nazarene Telephone: (509)939-6202
1400 E 7th Street, Moscow, ID 83823
 (home address)

3. Location of Affected Property: 1400 E 7th Street, Moscow, ID 83823

Legal Description: Eastgate Addition 2 1
 (subdivision) (block) (lot)

If described by Metes and Bounds, please attach deed on a separate sheet.

- 4. Proposal:** The applicant proposes the following use and/or construction for the above-described property:
A new 80' wireless communication facility designed as a church tower with fully-enclosed antennas. Facility will be within 20'x40' lease area and accomodate AT&T and two additional wireless providers. See attachments 1-13 for additional details.

The proposed activities and use shall be shown on an attached site plan drawn to a standard engineer's or architect's scale. The site plan shall show, label and dimension all property lines and easements, existing and proposed buildings, parking lot and driveway(s), fencing and landscaping. A site topography map shall be provided when appropriate.

- 5. Authorization:** Section 4-3-4 of the Moscow Zoning Ordinance authorizes the proposed use, subject to a Conditional Use Permit.

6. **Operating Characteristics:** Detail the operating characteristics of the proposed use. In other words, provide specific information which describes and defines how the proposed use will be conducted and what will be involved in the day to day operations of the proposed use. Applicable information may include hours of operation, number of people (employees, customers, students, etc.) involved, traffic and/or delivery information, services provided, equipment or machinery which may be involved, or any other information which helps describe and define the proposed use and impacts which it may have.

AT&T has identified a need for improved service in east Moscow and the surrounding area (See Attachment 5). The proposed facility will serve residents, first responders and businesses. See Attachment 1 – Project Narrative for additional details.

7. *Before the Moscow Board of Adjustment may issue a Conditional Use Permit, the Board must first make findings of compliance with the following seven relevant criteria and standards. Please indicate in the spaces provided below what you believe to be justification showing compliance with each of the relevant criteria and standards.*

Criteria #1. THE PROPOSED USE IS A CONDITIONALLY PERMITTED USE WITHIN THE ZONING DISTRICT.

Justification and compliance with criteria #1: _____

The proposed Facility is subject to approval via a Conditional Use Permit per MCC 4-3-4.

Criteria #2. THE CHARACTER OF THE PROPOSED USE WILL BE IN HARMONY WITH THE NEIGHBORHOOD AND SURROUNDING LAND USES.

Justification and compliance with criteria #2: _____

The proposed use will maintain the character of the Church of the Nazarene campus by incorporating design elements similar to the adjacent church, such as a circular topper, and will include crosses mounted to the sides of the structure. See Attachments 1 and 2.

Criteria #3. THE PROPOSED USE AS APPROVED, OR AS APPROVED WITH CONDITIONS, WILL NOT GENERATE NUISANCES THAT WOULD BE INJURIOUS OR DETRIMENTAL TO ADJOINING PROPERTIES OR THE NEIGHBORHOOD (INCLUDING BUT NOT LIMITED TO NOISE, DUST, GLARE, VIBRATIONS, ODORS AND THE LIKE).

Justification and compliance with criteria #3: See Attachments 1 and 2.

All ground equipment will be fully screened with existing landscaping and a six foot (6') tall fence. Construction will create some noise that will last approximately one month. Two diesel generators will run in the event of a power outage, and once a week for one hour for maintenance.

Criteria #4. THE LOCATION, DESIGN, AND SIZE OF THE PROPOSED USE WILL BE ADEQUATELY SERVED BY EXISTING STREETS, PUBLIC FACILITIES AND SERVICES.

Justification and compliance with criteria #4: _____

The proposed Facility is located on a parcel that has access on all four sides of the Church of the Nazarene campus.

Access will be via the existing parking lot. See Attachment 3- Zoning and Elevation Drawings.

Criteria #5. THE PROPOSED USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY IF LOCATED WHERE PROPOSED.

Justification and compliance with criteria #5: _____

Applicant and all collocators will comply with all applicable safety and regulatory standards, including FCC emissions standards.

Criteria #6. THE PROPOSED USE MEETS ALL APPLICABLE DEVELOPMENT STANDARDS OF THE ZONING CODE.

Justification and compliance with criteria #6: _____

See Attachment 2 - Statement of Code Compliance. The facility will meet all applicable development standards of the zoning code.

Criteria #7. THE PROPOSED USE WILL NOT BE IN CONFLICT WITH THE COMPREHENSIVE PLAN.

Justification and compliance with criteria #7: _____

See Attachments 1 and 2. The proposed Facility will serve residents, businesses and first responders, providing economic and public safety benefits through access to high-quality wireless service.

CONDITIONS OF APPROVAL

The Board of Adjustment may impose conditions including, but not limited to, those (1) minimizing adverse impact on other development; (2) controlling the sequence and timing of development; (3) controlling the duration of development; (4) assuring that development is maintained properly; (5) designating the exact location and nature of development; (6) requiring the provision for onsite or offsite public facilities or services; (7) requiring more restrictive standards than those generally required in an ordinance; and/or (8) requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the planning jurisdiction.

COMPLIANCE

1. In the event of failure to comply with the plans proof by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, the permit shall be immediately revoked and shall be automatically null and void.
2. Where plans are submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be required by the Board as a condition of approval.
3. Where plans approved by the Board of Adjustment are modified following such approval, such plan modifications must be submitted to and determined by City staff to be in substantial conformance with the plans approved by the Board. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Board for an additional public hearing as an amendment to the Conditional Use Permit application.

REVOCATIONS

If a Building Permit and/or Certificate of Occupancy pertaining to the Conditional Use Permit is not obtained for the subject property within one year from the date of the Board of Adjustment's final decision, the Conditional Use Permit shall be immediately revoked and shall be automatically null and void. If the use and/or occupancy for which the Conditional Use Permit is approved ceases for a period of twelve consecutive months, unless otherwise provided for in the Conditional Use Permit, then the Conditional Use Permit shall be immediately revoked and shall be automatically null and void.

Application Submittal:

This application must be completed and submitted with the below described items to the Moscow Community Development Director at least twenty-one days prior to the hearing at which the application is to be considered by the Board or the application will not be processed.

The following items must be submitted with this application before it will be processed:

1. Application Fee
2. Site Plan, drawn to scale
3. Floor Plans, drawn to scale
4. Elevation Drawings, drawn to scale (for new construction only)

I understand this information is a public record and may be posted to a public website.

Greggory Busch 2/19/2021
 Applicant's Signature (Authorized Representative Per Attachment 11) Date

See Section 4 of Attachment 13- Attorney In Fact of Property Owner for permission to sign on behalf of
 Owner's Signature Date

**PROJECT NARRATIVE
APPLICATION FOR CONDITIONAL USE PERMIT
WIRELESS COMMUNICATION FACILITY
PIID321 SE MOSCOW**

Submitted to City of Moscow, ID
Community Development Department

Applicant: PI Tower Development LLC (“Parallel Infrastructure”)
15105 John J. Delaney Drive, Suite D-3
Charlotte, NC 28277

Representative: Wireless Policy Group LLC
1420 NW Gilman Blvd., Suite #9030
Issaquah, WA 98027
Contact: Gregory Busch, Program Manager
(425) 628-2657
gregg.busch@wirelesspolicy.com

Property Owner: Church of the Nazarene
Contact: Ed Eby, Senior Pastor
1400 E 7th Street
Moscow, ID 83823

Project Address: 1400 E 7th Street
Moscow, ID 83823

Description & Tax Lot: GPS Coordinates: 46.729331, -116.982489 (NAD 83)
Parcel No. RPM0260002001A

Zoning Classification: NB – Neighborhood Business

Wireless Policy Group LLC is submitting this application on behalf of PI Tower Development LLC (“Parallel Infrastructure”, hereafter referred to as “**Parallel**”). Parallel submits this application for a wireless communication facility to fill coverage gaps in and enhance existing capacity of the network of New Cingular Wireless PCS, LLC (“**AT&T**”), the prime tenant for this wireless facility.

1. PROJECT OVERVIEW

Parallel is proposing to build a new 80-foot (80') tall wireless communication facility ("WCF") designed as a church tower (the "**Facility**"), PIID321 SE Moscow, at the above-noted project address. AT&T intends to collocate on the proposed Facility in order to fill a significant gap in AT&T's high band 4G LTE coverage experienced by its customers in eastern Moscow as well as add network capacity to offload AT&T's existing facilities west of Main Street. The Facility will provide coverage to residential areas not able to be served by existing facilities due to the topography of the area.

In addition to AT&T LTE commercial facilities, the proposed Facility will also provide an important public benefit by including facilities to support the FirstNet Nationwide Safety Public Broadband Network¹ ("FirstNet"). As a FirstNet site, this proposed Facility is part of a more significant initiative by AT&T to upgrade existing wireless sites and to build new sites to support FirstNet and deploy the new frequency band for first responders ("Band 14").

In addition to the City of Moscow's Application for Conditional Use Permit form, Parallel intends for its application for the proposed Facility to include the following documents (collectively, Parallel's "**Application**");

- Attachment 1— Project Narrative (this document)
- Attachment 2— Statement of Code Compliance
- Attachment 3 — Zoning and Elevation Drawings
- Attachment 4 — Photo Simulations
- Attachment 5 — AT&T Statement of Need
- Attachment 6 — AT&T RF Justification
- Attachment 7 — AT&T FCC Licenses
- Attachment 8 — FAA Determination of No Hazard
- Attachment 9 — Written Statement of Approval by Property Owner
- Attachment 10 — Notarized Written Commitment to Allow Collocation
- Attachment 11 — Letter of Authorization for Wireless Policy Group LLC
- Attachment 12 – Notice to Providers and Certified Mail Labels
- Attachment 13 – Attorney In Fact of Property Owner

Please Note: All references to "Attachments" in this Project Narrative are in reference to the above-noted attachments included as part of Parallel's Application.

¹ The First Responder Network Authority ("FirstNet Authority") is an independent authority within the U.S. Department of Commerce. Chartered in 2012, its mission is to ensure the building, deployment, and operation of the FirstNet Nationwide Safety Public Broadband Network—the nationwide broadband network that equips first responders to save lives and protect U.S. communities. FirstNet grew out of and addresses a 9/11 Commission recommendation calling for improved communications for all U.S. first responders. Learn more at FirstNet.gov/mediakit.

As shown in this Application, this proposed project meets all applicable Moscow City Code (“**MCC**”) criteria for siting new wireless communication facilities and complies with all other applicable state and federal laws and regulations. Parallel’s proposal is also the least intrusive means of meeting AT&T’s coverage objectives for this site. Accordingly, Parallel respectfully requests the City of Moscow (“**City**”) approve this project as proposed, subject only to the City’s standard conditions of approval.

2. PROPOSED PROJECT DETAILS

In addition to the information provided below, further detailed information regarding the subject property, proposed lease area, and proposed Facility design is included in **Attachment 3—Zoning and Elevation Drawings**.

2.1. Site Description

2.1.1. Subject property.

The subject property of this proposal is located at 1400 E 7th Street, on Parcel No. RPM0260002001A in Moscow, ID (the “**Property**”). The Property is owned by “Church of the Nazarene” of Moscow, Idaho, an Idaho Corporation. The Property is one of eleven parcels within an area of approximately 231,678 sq. ft. owned solely by Church of the Nazarene.

2.1.2. Zoning-use.

The Property is zoned as NB (Neighborhood Business) and is currently used primarily as a parking lot and location for storage containers for the church on the adjacent parcels to the east. There is also a residential building directly south of the parcel also owned by Church of the Nazarene.

2.1.3. Lease area.

- The proposed twenty-foot by forty-foot (20’ x 40’) lease area for the proposed Facility is located near the south edge of the parcel (the “**Lease Area**”).
- The existing portable shed will be relocated approximately twenty-three feet (23’) east and six feet (6’) north to accommodate the Lease Area.
- The Lease Area will be surrounded and fully screened by a six foot (6’) tall fence. Access will be via two twelve foot (12’) dual swing access gates on the north side of the fenced perimeter.
- There is an existing arborvitae hedge approximately twenty-six feet (26’) tall immediately adjacent the Lease Area to the south.

- The ground of the Lease Area will be covered in gravel fill approximately $\frac{3}{4}$ " deep, or similar.

2.2. Support Structure and Equipment

2.2.1. Antenna tower design.

- Parallel is proposing to build a new eighty-foot (80') tall self-supported tower designed to appear as a church tower (the "Structure").
- The Structure will include a circular topper similar to the design of the adjacent church, and will be decorated with one foam cross on each side of the tower, for a total of four.
- The Structure will be constructed within the Lease Area and will be unmanned.
- The Structure will be built to structurally support at least two additional antenna arrays for future collocation.
- The Structure will be painted a neutral color consistent with the built environment of the Property and the church adjacent to the Lease Area.

2.2.2. Antennas and accessory equipment.

- The Structure is expected to contain the following AT&T 4G LTE and FirstNet equipment:
 - Three sectors of up to four Commscope NNH4-65C-R6-V3 antennas each (or similar), for a total of twelve antennas at a RAD center of 71' and corresponding tip height of 75'.
 - Associated remote radio units contained fully within the Structure
 - Associated Fiber and DC cable runs within the interior of the Structure
- The Structure will be able to accommodate collocation of two additional carriers at lower RAD centers with similar equipment specifications. T-Mobile is currently expected to collocate at the second-highest RAD center, at 61'.
- The antennas, RRUs, and all accessory equipment mounted on the Structure will be contained fully within the Structure.

2.2.3. Ground equipment.

- All ground equipment will be constructed within the Lease Area.
- AT&T site support equipment, such as equipment cabinets and utility frames, will be contained within the Structure at ground level.
- Additional co-locators' site support equipment, such as equipment cabinets and ice frames, will be located within the Lease Area exterior to the Structure.
- Two diesel generators for backup power (one for AT&T and one for T-Mobile's expected collocation) will be placed on the concrete pad next to the Structure.
- Ground equipment for the third collocator will be placed within a 7'x7' ground lease area next to the second collocator's equipment exterior to the Structure.

2.3. Access, Parking, and Trip Generation

2.3.1. Access. Street access to the Facility will be via the west entrance to the parking lot off Park Drive. Access to the Lease Area will be controlled by two locked dual swing access gates. Access to the interior of the Structure will be controlled by a locked door.

2.3.2. Parking. Maintenance vehicles may be parked in the parking lot north of the Facility, or on the unmarked pavement adjacent the Facility.

2.3.3. Trip generation. The Facility will require only one to two trips per month, on average, for maintenance visits provided by personnel in a single vehicle. The proposed Facility will have no impact on existing vehicular access to and from the proposed site, or to pedestrian, bicycle, and transit circulation.

2.4. Utilities

- **Power** will be provided by Avista Utilities.
- **Telecommunications** will be determined at a later date.
- **Water/Sewer/Garbage** is not required as this will be an unmanned facility.

2.5. Additional Details

2.5.1. Lighting.

No artificial lighting of the Facility is proposed.

2.5.2. Landscaping. The Lease Area is immediately north of an approximately twenty-six foot (26') tall arborvitae hedge.

2.5.3. Noise. The Facility will comply with MCC 4-3-5 (H)(5)(f). The Facility will include up to two diesel generators that will be double contained and will be used in the event of a power outage. The generators will run once a week for approximately one hour for maintenance.

2.5.4. Concealment. The Structure is designed to maintain the character of the surrounding area as a church campus. See **Attachment 4 – Photo Simulations**. The Structure will be painted with similar colors, use similar design elements such as crosses mounted to the exterior, and will feature a circular topper similar in style to the adjacent church roof.

3. AT&T NETWORK COVERAGE AND SERVICES

3.1. Overview—AT&T 4G LTE Network

AT&T is upgrading and expanding its wireless communications network to support 4G LTE technology. LTE stands for “Long Term Evolution.” This acronym refers to the ongoing process of improving wireless technology standards, with 4G referring to its fourth generation. With each generation comes improvement in speed and functionality—4G LTE offers speeds up to ten times faster than 3G. LTE technology is the backbone for increased broadband speeds to meet the demands of uses and the variety of content accessed over mobile networks.

Upon completion of this update, AT&T will operate a state-of-the-art digital network of wireless communications facilities throughout the proposed coverage area as part of its nationwide wireless communications network.

3.2. Network Service Objectives and Targeted Service Area for Proposed Facility

AT&T has identified a need for a site at this specific location. *See Attachment 5 – AT&T Statement of Need.* The proposed Facility will serve AT&T as a service coverage and capacity site. Currently, portions in and around east Moscow (the “Targeted Service Area”) have minimal to no 4G voice service and AT&T’s existing coverage in the area is at or near its capacity and is insufficient for the volume of traffic (i.e. though this area already has AT&T coverage, additional capacity is needed to service the volume of users).

As determined by AT&T’s RF engineers, the proposed new Facility meets AT&T’s service objectives to provide continuous and uninterrupted outdoor, in-vehicle, and in-building wireless service within the Targeted Service Area, resulting in fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands (including emergency 911 calls). The service objective, Targeted Service Area, and proposed location were determined by AT&T’s RF engineers through a combined analysis of market demand, customer complaints, service requests, and RF engineering design. *See Attachment 6 – AT&T RF Justification.* This proposed Facility will also allow AT&T to provide wireless communications and service for FirstNet users in the Targeted Service Area (as further detailed in Section 5 herein).

3.3. Search Ring

AT&T’s RF engineers performed an RF engineering study—considering multiple objectives—to determine the approximate site location and antenna height required to best fulfill the noted service objectives within the Targeted Service Area. From this study, AT&T’s RF engineers identified a search ring area where a new wireless facility may be located to provide effective service in the Targeted Service Area. The search ring established for this proposal and a description of the methodology used to determine the search ring is provided in **Attachment 6—AT&T RF Justification.**

4. ALTERNATIVE SITE ANALYSIS

AT&T generally considers all siting possibilities within, and adjacent to, a search ring to determine the best location for a new facility to meet AT&T's service objectives within the Targeted Service Area. AT&T will first attempt to utilize an existing tower or structure for collocation at the desired antenna height. If an existing tower or structure is not available or determined to be infeasible, AT&T will then propose a new tower.

For this proposed Facility, Parallel coordinated with AT&T and other wireless providers to address service issues within east Moscow. AT&T and Parallel have thoroughly analyzed siting options and found that the proposed location is the most feasible site within the search ring that will best meet AT&T's service objectives in the Targeted Service Area.

Parallel has previously proposed an alternate design for the Facility (designed to appear as a faux fir tree) at this location that was denied by the City. Parallel and AT&T have found the alternative site locations infeasible, as described below and in **Attachment 6 —AT&T RF Justification**.

4.1. Monopine at Proposed Location

On November 19, 2018, the Moscow Board of Adjustment denied Parallel's (then Lendlease) original request for a Conditional Use Permit for an eighty-foot WCF at this same location on the Property. The Board found that the character of the proposed concealment elements of a faux fir tree would not be in harmony of the neighborhood and surrounding land uses. On appeal, the Moscow City Council upheld the Board's decision to deny the application.

4.2. Facilities on and around Vista Water Tank (46.730575, -116.969150)

Applicant, and the wireless industry as a whole, have made extensive efforts to locate facilities on and around the Vista water tank at 843 South Hathaway Avenue. Several proposals have been rejected by the City, and others have been found to be technically infeasible by both the City and wireless industry.

The City has rejected multiple industry proposals to collocate WCF on the Vista Water Tank. In 2011, the City rejected a proposed T-Mobile design placing antennas on the top of the tank due to structural concerns. T-Mobile made an additional attempt to collocate on the tank in 2016 using the Magna Mount System but was again denied by the City.

On January 22nd 2019, the Moscow City Manager denied Parallel's (then Lendlease) request to negotiate a site lease for a one hundred foot (100') tall WCF adjacent to the Vista water tank. The City encouraged Parallel to use magnetic or adhesive methods to attach its antennas to the tank. Parallel has reviewed these proposals for magnetic and adhesive mounts and found them to be technically infeasible.

AT&T has also reviewed the proposals for collocation on the Vista Water Tank and found the site to be unsuitable. AT&T's RF Engineers have found that a collocation on the Vista Water Tank is

too far east to provide necessary capacity increases to increase weak performance in AT&T's Targeted Service Area. Additionally, a facility at this alternative location would create a significant coverage overlap with AT&T's existing coverage, creating increased signal interference that would make it difficult for the new facility to establish dominant coverage.

As such, collocation on the Vista Water Tank is not suitable because it would not provide the service coverage required to meet AT&T's service objectives within the Targeted Service Area.

4.3. New Tower at Brink Park (46.727213, -116.978024)

AT&T's RF Engineers have evaluated a potential new tower solution with a 75 ft. antenna tip height at Carole Rylie Brink Park off Joseph Street, approximately 0.27 miles south-southeast from the proposed Facility. The potential new tower at Brink Park would provide limited coverage primarily only to commercial areas, not the targeted residential areas. The Brink Park location is not suitable for AT&T's needs because it does not provide the service coverage required to meet AT&T's service objectives within the Targeted Service Area.

4.4. Collocation on 8th Street Water Tank (46.726729, -116.988959)

AT&T's RF Engineers also evaluated a potential collocation on the existing water tank off E. 8th Street, approximately 0.35 miles southwest of the proposed Facility. The collocation would have an estimated 30 ft. antenna tip height. As shown in **Attachment 6**, the proposed Facility provides 84.5% more coverage within the Targeted Service Area than the 8th Street Water Tank. The 8th Street Water Tank is not suitable for AT&T's needs because of its extremely limited coverage area, which would be primarily to commercial areas.

4.5. New Tower on Commercial Property (46.721561, -116.984535)

Finally, AT&T's RF Engineers evaluated a potential new tower utilizing a 96 ft. antenna tip height on commercial property 0.35 miles south of the proposed Facility. Despite the increased height on the potential commercial site, the currently proposed Facility still provides 14% more coverage within the Targeted Service Area. The potential new tower on commercial property would provide new coverage primarily only to commercial areas, not the targeted residential areas. The potential new tower on commercial property is not suitable for AT&T's needs because of the significant coverage overlap with AT&T's existing coverage

5. FIRSTNET

FirstNet is the country's first nationwide communications platform dedicated to public safety, representing a giant leap in communications capabilities for public safety personnel that will benefit the communities they serve. FirstNet gives first responders access to one highly secure, dedicated, interoperable network and ecosystem supporting voice, data, text, and video communications—technology they need to better communicate and collaborate across agencies and jurisdictions.

5.1. FirstNet Authority

The First Responder Network Authority ("FirstNet Authority") is an independent authority within the U.S. Department of Commerce. Chartered in 2012, the FirstNet Authority is charged with carrying out public safety's vision of FirstNet, bringing first responders a dedicated communications ecosystem. The FirstNet Authority consulted extensively with each state, tribes, local governments, and the public safety community regarding how FirstNet will be deployed.

5.2. AT&T FirstNet Partnership

Through a first-of-its-kind public-private partnership with FirstNet, AT&T is responsible for building, maintaining, operating, and upgrading FirstNet for the next 25 years. AT&T is upgrading its existing wireless sites and building new wireless facilities to deploy the wireless spectrum set aside for public safety—Band 14. Band 14 is designed to be reliable, functional, safe, and secure and provide optimal levels of operational capacity at all times. Additionally, as of January 1, 2018, FirstNet users have access to FirstNet on all AT&T commercial LTE bands, allowing them to also benefit from AT&T's overall improvements to its commercial network.

Simply put, FirstNet provides public safety users with the assurance of network access whenever they need it. Accordingly, AT&T must closely consider location, lease, and facility requirements for the siting, placement, and operation of FirstNet facilities to ensure that, over the course of its 25-year partnership, appropriate accommodations can be made to support the evolving mission-critical services of FirstNet.

5.3. FirstNet Coverage

FirstNet, built by AT&T, will span all 50 states, five U.S. territories, and the District of Columbia, including rural communities and tribal lands in those states and territories. As an all-band solution, FirstNet is built on AT&T's commercial LTE bands in addition to Band 14. This gives FirstNet users access to even more coverage and capacity.

5.4. FirstNet Core

FirstNet is a separate communications platform operating on a physically separate, dedicated core that is purpose-built for public safety based on their specifications and requirements. The FirstNet core is built on physically separate hardware, which effectively separate public safety's traffic from commercial traffic. The FirstNet core is also monitored 24/7/365 by a dedicated Security Operations Center with a dedicated team of experts.

5.5. Priority and Preemption

A key differentiator of FirstNet is always-on priority and preemption with multiple priority levels that primary users can allocate as needed. This technology is available to FirstNet users over the AT&T LTE commercial bands and Band 14.

Priority means first responders connect first. Priority moves first responders to the front of the “communications line,” prioritizing their network needs—they don’t have to compete with non-emergency users for a connection.

Preemption goes a step further to make sure first responders can access FirstNet when they need to, 24/7/365. Preemption helps ensure first responders have the bandwidth they need, when they need it most—when the communications line becomes crowded, preemption shifts non-emergency traffic, freeing up space for FirstNet users to easily get through. Calls or texts to 911 will never be preempted or shifted from the network.

6. APPLICABLE LAW

6.1. Local Codes, Policies, and Procedures

6.1.1. Zoning and Development Standards. As described in **Attachment 2—Statement of Code Compliance**, the proposed Facility meets all applicable standards and criteria for approval in the Moscow City Code.

6.1.2. Review Procedure. Per MCC 4-3-4, the proposed Facility is subject to approval through a conditional use permit in the NB zone.

6.1.3. Comprehensive Plan. One of the goals of Chapter 5 of the City of Moscow Comprehensive Plan is to “plan for and provide the efficient and effective delivery of emergency services to the Community today and in the future.” A goal of Chapter 6 is to “Enhance and strengthen the regional economy utilizing the strengths and assets of the region.”

Residents and businesses increasingly rely on the ability to use their phones and other wireless devices both indoors and outdoors. The proposed Facility will support existing and future development as well as enhance public safety by improving emergency responses through improved connectivity for making emergency calls and access to a more reliable 4G LTE network.

6.2. Federal Law

Federal law, primarily found in the Telecommunications Act of 1996 (“Telecom Act”), acknowledges a local jurisdiction’s zoning authority over proposed wireless facilities but limits the exercise of that authority in several important ways.

6.2.1. Local jurisdictions may not materially limit or inhibit. The Telecom Act prohibits a local jurisdiction from taking any action on a wireless siting permit that “prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services.” 47 U.S.C. § 332(c)(7)(B)(i)(II). According to the Federal Communications Commission (“FCC”) Order adopted in September 2018,² a local jurisdiction’s action has the effect of prohibiting the provision of wireless services when it “materially limits or inhibits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment.”³ Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a new wireless facility in terms of adding

² *Accelerating Wireless and Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84, FCC 18-133 (rel. Sept. 27, 2018); 83 Fed. Reg. 51867 (Oct. 15, 2018) (“FCC Order”).

³ *Id.* at ¶ 35.

capacity, updating to new technologies, and/or maintaining high quality service.⁴

While an applicant is no longer required to show a significant gap in service coverage, in the Ninth Circuit, a local jurisdiction clearly violates section 332(c)(7)(B)(i)(II) when it prevents a wireless carrier from using the least intrusive means to fill a significant gap in service coverage. *T-Mobile U.S.A., Inc. v. City of Anacortes*, 572 F.3d 987, 988 (9th Cir. 2009).

- **Significant Gap.** Reliable in-building coverage is now a necessity and every community's expectation. Consistent with the abandonment of land line telephones and reliance on only wireless communications, federal courts now recognize that a "significant gap" can exist based on inadequate in-building coverage. See, e.g., *T-Mobile Central, LLC v. Unified Government of Wyandotte County/Kansas City*, 528 F. Supp. 2d 1128, 1168-69 (D.Kan. 2007), *affirmed in part*, 546 F.3d 1299 (10th Cir. 2008); *MetroPCS, Inc. v. City and County of San Francisco*, 2006 WL 1699580, *10-11 (N.D. Cal. 2006).
- **Least Intrusive Means.** The least intrusive means standard "requires that the provider 'show that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values that the denial sought to serve.'" 572 F.3d at 995, *quoting MetroPCS, Inc. v. City of San Francisco*, 400 F.3d 715, 734 (9th Cir. 2005). These values are reflected by the local code's preferences and siting requirements.

6.2.2. Environmental and health effects prohibited from consideration. Also under the Telecom Act, a jurisdiction is prohibited from considering the environmental effects of RF emissions (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). AT&T will submit prior to building permit issuance a statement from its radio frequency engineers demonstrating that the proposed facility will operate in accordance with the Federal Communications Commission's RF emissions regulations. Accordingly, this issue is preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed Facility should be disregarded in this proceeding.

6.2.3. No discrimination amongst providers. Local jurisdiction also may not discriminate amongst providers of functionally equivalent services. 47 U.S.C. § 332(c)(7)(B)(i)(I). A jurisdiction must be able to provide plausible reasons for disparate treatment of different providers' applications for similarly situated facilities.

6.2.4. Shot Clock. Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a "reasonable" period of time. 47

⁴ Id. at ¶¶ 34-42.

U.S.C. § 332(c)(7)(B)(ii). The FCC has issued a “Shot Clock” rule to establish a deadline for the issuance of land use permits for wireless facilities. 47 C.F.R. § 1.6001, *et seq.* A presumptively reasonable period of time for a local government to act on all relevant applications for a “macro” wireless facility on a new structure is 150 days. 47 C.F.R. § 1.6003(c)(1)(iv). The Shot Clock date is determined by counting forward 150 calendar days from the day after the date of submittal, including any required pre-application period. 47 C.F.R. § 1.6003(e).

Pursuant to federal law, the reasonable time period for review of this application is 150 days.

7. CONCLUSION

The proposed Facility meets all requirements of the MCC, and Parallel respectfully requests that the City approve this proposal subject only to the City’s standard conditions of approval.

Submitted By: Gregory Busch, Program Manager, Wireless Policy Group LLC

Signature:



Date:

February 19, 2021

**CONDITIONAL USE PERMIT APPLICATION
City of Moscow, ID**

**Applicant: PI Tower Development LLC ("Parallel Infrastructure")
Primary Tenant: New Cingular Wireless PCS, LLC ("AT&T")**

**Applicant's Site ID: PIID321
Site Address: 1400 E 7th Street, Moscow, ID 83823
Coordinates: 46.729331, -116.982489 (NAD 83)**

STATEMENT OF CODE COMPLIANCE

Applicant PI Tower Development LLC ("Parallel Infrastructure", hereafter referred to as "**Parallel**") provides this statement demonstrating compliance of the proposed 80-foot (80') wireless communication facility (the "Facility") designed as a church tower (the "Structure") with the following sections of the Moscow City Code ("**MCC**"):

- 1. MCC 4-3-5(H): Telecommunications Facilities**
- 2. MCC 4-8-4(B): Conditional Uses: Relevant Criteria and Standards**

1. MCC 4-3-5(H): Telecommunications Facilities

Section 4-3-5(H)(1) Applicability.

This Section shall apply to antenna towers, antenna support structures, antennas and their ancillary facilities (telecommunications facilities) any of which is used to provide commercial telecommunications services. This Section shall not apply to noncommercial antenna towers used exclusively as accessory to a residential use on the same lot.

APPLICANT RESPONSE: The proposed Facility is an Antenna Tower as defined by MCC 4-3-5(H)(3)(d) with Ancillary Facilities as defined by MCC 4-3-5(H)(3)(a).

Section 4-3-5(H)(2) Purpose.

The provisions of this Section are intended to ensure that telecommunications facilities are located, installed, maintained and removed in a manner that:

- a. Minimizes the number of antenna towers throughout the community;
- b. Encourages the co-location of telecommunications facilities;
- c. Encourages the use of existing buildings, light or utility poles, water towers or other structures for antenna mounting and discourages construction of new antenna towers;
- d. Ensures that telecommunications facilities are located and designed to minimize visual impact on the surroundings.

e. Ensures that regulation of telecommunications facilities does not have the effect of prohibiting the provision of telecommunications services, does not unreasonably discriminate among functionally equivalent providers of such services, and allows the provision of adequate area coverage by such services.

APPLICANT RESPONSE: This application promotes the purposes of this chapter by designing the Facility to accommodate at least three total carriers and selecting the location of the Facility such that it provides coverage superior to alternatives, thereby decreasing the need for additional towers. Additionally, the Facility is designed to minimize visual impact by maintaining the character of the adjacent property as a church, and incorporating a circular topper similar to the roof of the church.

Section 4-3-5(H)(4) General Use Regulations.

a. The installation of lattice towers is prohibited, as permitted as temporary antenna towers subject to Section 4.d. herein. Replacement, relocation or alteration of non-conforming lattice towers shall be subject to the Nonconformity Regulations in Section 4-1-7 of this Zoning Code.

b. A Conditional Use Permit shall be required before the installation, relocation, replacement, and/or alteration of an antenna tower that exceeds thirty-five (35) feet in height.

c. Except for small wireless facilities, which are subject to the standards contained in Section 6 herein, co-location shall be a permitted use within all zoning districts when located upon existing antenna towers and antenna support structures if the antenna extends no more than fifteen (15) feet above, and projects no more than eight (8) feet horizontally away from the existing tower or support structure. Any co-location of wireless facilities that exceed such limits shall require a Conditional Use Permit.

d. A temporary antenna tower as defined herein shall be a permitted use in all zoning districts, subject to site plan approval by the Zoning Administrator. The duration of the temporary antenna tower at the site shall not exceed the special event time or the time reasonably needed to repair the antenna tower in need of repair as determined by the Zoning Administrator.

APPLICANT RESPONSE: The proposed Facility is neither a lattice tower nor a temporary tower. The antenna tower is 80' tall and subject to approval through a Conditional Use Permit.

Section 4-3-5(H)(5) General Telecommunication Facility Development Standards.

a. Prohibited Towers. The installation of telecommunications facilities utilizing lattice towers or towers requiring supporting guy wires shall be prohibited.

APPLICANT RESPONSE: N/A

b. Antenna Tower Setback from Highway Right-of-Way. No antenna tower that exceeds sixty (60) feet in height shall be permitted within five hundred (500) feet of US Highway 95 and/or State Highway 8 rights-of-way unless the proposed site is in the U, MB, or I Zoning District, in which case the antenna tower shall be set back a minimum of one hundred (100) feet from said right-of-way.

APPLICANT RESPONSE: The proposed Facility is over 3,400 feet north of the State Highway 8 right-of-way and is not within five hundred feet of US Highway 95.

c. Antenna Tower Setback from Property Lines. Antenna towers shall be separated from the property line of any adjacent property zoned for residential uses at least a distance equal to the height of the antenna tower, and shall be separated from adjacent property lines in all other zones by at least a distance equal to one-half (1/2) the height of the antenna tower.

APPLICANT RESPONSE: The proposed Structure is further than eighty feet (80)' from adjacent property lines that are not part of the Church of the Nazarene campus.

d. Security. Every telecommunications facility shall be protected from unauthorized access by appropriate security measures.

APPLICANT RESPONSE: The proposed Facility will be surrounded by a six (6) foot high fence with two locked gates. Access to the interior of the Structure will be secured by a locked door.

e. Lighting. No antenna or antenna tower shall be lighted unless required by the Federal Aviation Administration or other state or federal agency having such authority, and such lighting shall not be more than the minimum required by such agency.

APPLICANT RESPONSE: No lighting is proposed.

f. Noise Reduction. Noise generating equipment shall be sound-buffered by means of baffling, barriers, or other suitable means to reduce sound level measured at the property line to no more than forty-five decibels (45 dB).

APPLICANT RESPONSE: The Facility will include up to two diesel generators that will be double contained and will be used in the event of a power outage. The generators will run once a week for approximately one hour for maintenance. The noise generated by the generators will comply with this requirement.

g. Signage. The placement of signage on antenna towers is prohibited, except for the placement of security signage, which shall not exceed six (6) square feet on each side of the antenna tower and shall not be located higher than six (6) feet above grade. Additionally, one security sign not to exceed one (1) square foot may be provided on each fifty (50) lineal feet of wall or fence enclosing the facility.

APPLICANT RESPONSE: No prohibited signage is proposed. Four crosses, one on each side of the Structure, are proposed for purposes of contributing to the property's visual character of a church.

h. Aesthetic Considerations.

i. Antenna towers shall be painted a neutral color consistent with the natural or built environment of the subject site and the surrounding area unless otherwise required by any State or Federal agency having such authority.

APPLICANT RESPONSE: The Structure will be painted using colors consistent with the built environment of the church compound, or a specific color that may be chosen by the City.

ii. Equipment shelters or cabinets shall have an exterior finish compatible with the natural or built environment of the subject site and the surrounding area and shall also comply with any design guidelines applicable to the particular zoning district in which the facility is located.

APPLICANT RESPONSE: Equipment shelters and cabinets will be fully screened by the surrounding six-foot (6') tall fence.

iii. Antennas and cables shall be of a color identical to or closely compatible with that of the structure to which they are attached unless otherwise required by the Federal Aviation Administration or any applicable state or federal agency. Telecommunications facilities located above ground in or directly adjacent to any residential zoning district shall be surrounded by a minimum six (6) foot high decorative wall constructed of brick, stone, or textured concrete block. Said wall shall be surrounded by a Type "A" Landscape Buffer Yard planted adjacent to said wall or fence or at an alternate location providing equal or better buffering. Telecommunications facilities in all other Zoning Districts shall be surrounded by a minimum six (6) foot high wall or solid or slatted fence. Said fence or wall shall be surrounded by a Type "A" Landscape Buffer Yard planted adjacent to said wall or fence or at an alternate location providing equal or better buffering.

APPLICANT RESPONSE: Antennas and cables will be fully concealed within the Structure above ground and will be screened at ground level by the surrounding six-foot (6') high fence. There is an approximately twenty-six foot (26') high arborvitae hedge immediately south of the Lease Area, providing better buffering from this angle than required. The proposed fence will be made of cedar (see Attachment 3 – Zoning Drawings, Sheet A-2) as part of the security and concealment features. Parallel is able to propose alternate designs at the City's request.

iv. Vehicle or outdoor storage on any antenna tower site is prohibited unless otherwise permitted by the Zoning District in which the tower is located.

APPLICANT RESPONSE: No vehicle or outdoor storage is proposed.

v. At least one (1) on-site parking stall with a vehicle turnaround area shall be provided at each antenna tower site. The parking area and driveway to it shall consist of asphalt, concrete, or gravel.

APPLICANT RESPONSE: See Attachment 3 – Zoning and Elevation Drawings – Sheet A-1.3 for Asphalt Parking Area.

vi. Ancillary facilities located above ground for antennas shall be set back a minimum of fifty (50) feet from any adjacent property that is either located within a residential zoning district or utilized for residential purposes, unless the applicant can demonstrate that the specific proposal will present no greater adverse visual and audio impacts to surrounding properties.

APPLICANT RESPONSE: Ancillary facilities are set back greater than fifty (50) feet from adjacent properties not part of the Church of the Nazarene campus.

i. Co-location Consent for New or Existing Antennal Towers.

i. Existing Antenna Towers. Prior to the issuance of any permit to relocate, alter or modify any antenna tower, the tower owner shall provide to the City a notarized written commitment to make said antenna tower available for use by others subject to technical and structural limitations and reasonable financial terms. The failure of an antenna tower owner to agree to shared use or to negotiate in good faith with potential users shall be unlawful and, among other remedies of the City, shall be just cause for the withholding of the issuance of future antenna tower permits to such an owner as well as revocation of antenna tower permits for any antenna tower on which co-location is refused or unreasonably hindered.

APPLICANT RESPONSE: N/A

ii. New Antenna Towers. Any new or relocated antenna tower eighty (80) feet or greater in height shall be designed and constructed to accommodate at least two (2) additional users unless a larger number of users needs to be accommodated as indicated by the response to the Notice provisions herein. As an alternative, a smaller tower may be approved if the tower owner commits in writing to “swap out” to a larger tower when needed to allow co-location space for additional service providers. A notarized written commitment to shared use as specified in Subsection 5.j.i above shall be submitted to the Zoning Administrator by the antenna tower applicant. The failure of the owner of an antenna tower built with a capacity for shared use to negotiate in good faith with potential users shall be unlawful and shall be a violation of this Ordinance and, among other remedies of the City, shall be just cause for the withholding of the issuance of future antenna tower permits to such an owner as well as revocation of antenna tower permits for any antenna tower on which co-location is refused or unreasonably hindered.

APPLICANT RESPONSE: The Facility is designed to accommodate at least two (2) additional users beyond the primary tenant, which is currently AT&T. T-Mobile is expected to collocate as well. For further requirements, see Attachment 10 – Notarized Written Commitment to Collocate.

j. Antenna Tower Inventories. Prior to the issuance of any permit to install, relocate, replace or alter any antenna tower, the tower owner shall furnish the Zoning Administrator an inventory of all of the owner’s antennas and antenna towers in the City of Moscow and within one (1) mile of the City limit boundary. The inventory shall include the reference name or number, or other description of location including a site map(s), structure type, height, type of antenna tower(s) or antenna support structure(s) and height of all existing antennas and an assessment of available ground space for the placement of additional equipment shelters for potential future users.

APPLICANT RESPONSE: Parallel currently does not own any antenna towers within the City of Moscow or within one (1) mile of the City limit boundary.

k. Notice of Antenna Tower Permit Applications. The applicant for any antenna tower permit shall have a copy of the application and a summary containing the height, design, location, type and frequency of antennas delivered by certified mail to all known and potential antenna tower users within the service area. Proof of such delivery of the summary shall be submitted with the permit application to the City. Such notification shall be so mailed no less than sixty (60) days prior to the public hearing at which the application will be considered and shall specifically solicit co-location discussion between the applicant and recipients of the notice. The Zoning Administrator may establish a form required to be used for such notifications. Upon request, the Zoning Administrator shall place on a list the name and address of any user or prospective user of antenna towers to receive notification of applications. The failure of the party receiving such Notice to use this process or respond to any such Notice may be considered cause for denying requests by such party for antenna tower permits. Such response shall be provided in writing to the Zoning Administrator within forty-five (45) days of mailing and shall contain a statement specifying desire to co-locate on the applicant’s proposed tower and a statement regarding the responder’s ability to accommodate the needs of the applicant on an existing tower or support structure owned or operated by the responder.

APPLICANT RESPONSE: See Attachment 12 – Notice to Providers and Certified Mail Labels for form of notice sent to the list of all known and potential antenna towers users provided by the City of Moscow to Parallel. The attached notice and copies of this Application are being sent concurrently to each listed potential antenna tower users, and proof of delivery will be provided to the City as it is obtained.

Section 4-3-5(H)(6) Small Wireless Facility Standards.

APPLICANT RESPONSE: The proposed Facility is not a Small Wireless Facility. Therefore, this section is not applicable.

Section 4-3-5(H)(7) Permits Required.

a. A building permit shall be required to construct, install, relocate, replace, or alter any antenna tower. An administrative zoning permit shall be required to locate or replace any antenna on an antenna tower or antenna support structure. A Conditional Use Permit shall be required as specified in Section 4 herein.

APPLICANT RESPONSE: Building permit for construction of the Facility to be applied for upon approval of the Conditional Use Permit, with additional information described below.

b. An application for any of the above-mentioned permits shall include or be accompanied by all of the information necessary to determine and document compliance with the regulations established herein. Where no application or permit form exists, the application shall be in the form of a letter signed and dated by the applicant, and the permit issuance shall be in the form of a letter of approval signed and dated by the Zoning Administrator or a dated signature by the Zoning Administrator on the applicable site plan.

APPLICANT RESPONSE: Application for Conditional Use Permit is attached, as is the \$500 fee.

c. Specific permit application submittal requirements shall be determined by the Zoning Administrator and may include, but are not limited to, the following:

i. Permit application.

APPLICANT RESPONSE: Submitted electronically.

ii. Site plan.

APPLICANT RESPONSE: See Attachment 3 — Zoning and Elevation Drawings.

iii. Elevation drawing(s) of the antenna tower or antenna support structure, antenna(s) and ancillary facilities.

APPLICANT RESPONSE: See Attachment 3 — Zoning and Elevation Drawings.

iv. Photo simulations from three different perspectives of the installation site illustrating the anticipated visual appearance of the proposed wireless facility (not required for small wireless facilities).

APPLICANT RESPONSE: See Attachment 4 — Photo Simulations.

v. Description of proposed and required lighting including light locations. Documentation of required lighting, as specified in Section 5.e. herein, may be deferred until prior to issuance of building permit if not available at time of application submittal.

APPLICANT RESPONSE: No lighting is proposed.

vi. Any plans necessary to depict structural requirements.

APPLICANT RESPONSE: See Attachment 3 — Zoning and Elevation Drawings.

vii. Description of the number and types of antennas being proposed, as well as the expected or known capacity of the antenna tower in terms of the number of antennas the antenna tower can accommodate.

APPLICANT RESPONSE: See Attachment 3 — Zoning and Elevation Drawings. The Structure is expected to be able to accommodate three RAD centers of up to three sectors of four antennas each, for a total potential capacity of up to 36 antennas and associated equipment concealed fully within the Structure.

viii. Antenna tower or antenna location study specifying the search process by which the proposed site was chosen.

APPLICANT RESPONSE: See Attachment 1- Project Narrative as well as Attachment 6 – AT&T RF Justification.

ix. Antenna tower inventory as specified in Section 5.j. herein.

APPLICANT RESPONSE: Parallel currently does not own any antenna towers within the City of Moscow or within one (1) mile of the City limit boundary.

x. Notarized written commitment to allow co-location/shared use as specified in Section 5.i.i. herein (not required for small wireless facilities).

APPLICANT RESPONSE: See Attachment 10 – Notarized Written Commitment to Collocate.

xi. Documentation by a certified radio frequency engineer demonstrating compliance with current non-ionizing electromagnetic radiation (NIER) or radio frequency (RF) emissions standards as established by the Federal Communications Commission (FCC). Such documentation may be deferred until prior to issuance of building permit if not available at time of application submittal. Upon the construction of a small wireless facility, the City reserves the right to conduct annual NIER and RF emissions testing, as permitted by Federal and State regulations, by a certified radio frequency engineer to verify that the facility is in compliance with FCC standards. If the facility is found to not be in compliance with FCC standards, the City shall require the facility to be brought into compliance in accordance with the applicable Master License Agreement.

APPLICANT RESPONSE: Parallel requests this documentation be deferred until prior to issuance of building permit, as it is not currently available.

xii. Current FCC license to operate.

APPLICANT RESPONSE: See Attachment 7 – AT&T FCC Licenses.

xiii. Documentation of a review by the Federal Aviation Administration (FAA) and/or the Aviation Division of the Idaho Transportation Department (ITD). Such documentation may be deferred until prior to issuance of building permit if not available at time of application submittal.

APPLICANT RESPONSE: See Attachment 8 – FAA Determination of No Hazard for prior determination of earlier design. Parallel requests that updated documentation be deferred until issuance of building permit.

xiv. Name and address of the property owner, telecommunications service provider, and owner of the telecommunications facility on the permit application, and a written statement of approval of the application by the property owner.

APPLICANT RESPONSE: See Attachment 1, Page 1 for specific information. See Attachment 9 – Written Statement of Approval by Property Owner for e-mail documentation of approval by Church of the Nazarene.

xv. Description of proposed security measures as required in Section 5.d. herein.

APPLICANT RESPONSE: See above.

xvi. A tree protection plan prepared by a certified arborist if the installation of the wireless telecommunication facility will be located within the canopy of a street tree, or within a ten-foot radius of the base of such a tree.

APPLICANT RESPONSE: N/A

Section 4-3-5(H)(7) Findings for a Conditional Use Permit.

a. Before a Conditional Use Permit for an antenna tower may be issued, the applicant must demonstrate, and the Zoning Board of Adjustment must find, compliance with all of the following:

i. No existing antenna towers or antenna support structures within the necessary geographic area for the applicant's antenna tower meet the applicant's requirements considering (a) height, (b) structural integrity, or (c) that there are other prohibitive conditions that render existing antenna towers or antenna support structures within the applicant's required geographic area unsuitable.

APPLICANT RESPONSE: See Attachment 1 – Project Narrative and Attachment 6 – AT&T RF Justification for specific information on the infeasibility of alternate antenna support structures in the immediate geographic area.

ii. That the design of the antenna tower, including the antennas and ancillary facilities, minimizes visual impact and otherwise complies with provisions and intent of this Section.

APPLICANT RESPONSE: The Structure is designed to minimize visual impact by maintaining the character of the campus as a church. The Structure will be painted consistent with the built environment and incorporate a circular topper similar to the roof of the church, as well as RF-transparent crosses on each side.

iii. That the proposed antenna tower location minimizes the number and/or size of antenna towers or antenna support structures that will be required in the area.

APPLICANT RESPONSE: The proposed Facility will minimize the number and size of towers in the area by accommodate at least three total carriers. The location of the Facility has been found to be superior to alternatives as shown in Attachment 6, thereby decreasing the need for additional towers.

iv. That the applicant has not previously failed to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise.

These findings shall be required in addition to those required for the Reasoned Statement of Relevant Criteria and Standards provided in Section 4-8-4 of the Zoning Code.

APPLICANT RESPONSE: The Applicant has no prior history of failing to take advantage of reasonably available shared use opportunities or procedures provided by the City.

Section 4-3-5(H)(9) Abandonment and Removal.

a. All telecommunications facilities shall be removed by the owner of the facility, by the operator of the facility, and/or by the property owner within six (6) months of the time that the facility has substantially ceased being used to provide telecommunications services to the public. Removal shall not be required when the owner or operator of the facility has, within the aforementioned six (6) months, filed with the City a written request to reuse the antenna tower and the City has approved such request. Such written request shall detail the circumstances that justify why the antenna tower should not be removed, why it will be unused for six (6) months or more, and shall commit to a date certain, not to exceed twelve (12) months from the date of last use, by which time the antenna tower will again provide telecommunications services to the public. Before issuance of an antenna tower permit, the applicant for any antenna tower permit shall provide to the City financial security, such as but not limited to an open-ended bond, to ensure removal of the antenna tower and ancillary facilities after the facility is no longer being used to provide telecommunications services to the public.

APPLICANT RESPONSE: Acknowledged.

Section 4-3-5(H)(10) Affirmative Duty to Keep City Informed.

a. All telecommunications service providers having telecommunications facilities in the jurisdiction of the City shall be required to report in writing to the Zoning Administrator any change in the status of their operations. Change in status shall include, but is not limited to, the following:

- i. Change in or loss of license from the FCC to operate.
- ii. Receipt of notice of failure to comply with the regulations of any other authority having jurisdiction over the business or facility.
- iii. Change in ownership of the company that owns the telecommunications facilities or that provides telecommunications services.
- iv. Loss or termination of lease with the property owner or the owner of the telecommunications facilities.
- v. Abandonment of a facility or non-use of a facility for a period of six (6) months or longer.

APPLICANT RESPONSE: Acknowledged.

2. MCC 4-8-4(B): Conditional Uses: Relevant Criteria and Standards

Approval or denial of a Conditional Use Permit application shall be based upon the following criteria:

1. The proposed use is a conditionally permitted use within the Zoning District.

APPLICANT RESPONSE: The proposed Facility is subject to approval via a Conditional Use Permit per MCC 4-3-4.

2. The character of the proposed use will be in harmony with the neighborhood and surrounding land uses.

APPLICANT RESPONSE: The proposed use will maintain the character of the Church of the Nazarene campus as a church, and will incorporate design elements similar to the adjacent church building and be painted consistent with the built environment.

3. The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like).

APPLICANT RESPONSE: The proposed Facility will not generate nuisances to the adjoining properties or the neighborhood through noise, dust, glare, vibrations, or odors. All ground equipment will be fully screened with existing landscaping and a six foot (6') tall fence. Construction will create some noise that will last approximately one month. The proposed diesel generators will be double contained and will be used in the event of a power outage. The generators will run once a week for approximately one hour for maintenance, and comply with the noise regulations of the MCC.

4. The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services.

APPLICANT RESPONSE: The proposed Facility is located on a parcel that has access on all four sides of the Church of the Nazarene campus. Access will be via the existing parking lot.

5. The proposed use will not endanger the public health or safety if located where proposed.

APPLICANT RESPONSE: The proposed use will not endanger the public health or safety on the proposed site. Applicant and collocators will comply with all applicable federal and state regulations.

6. The proposed use meets all applicable development standards of the Zoning Code.

APPLICANT RESPONSE: The proposed Facility meets all applicable standards, as described above.

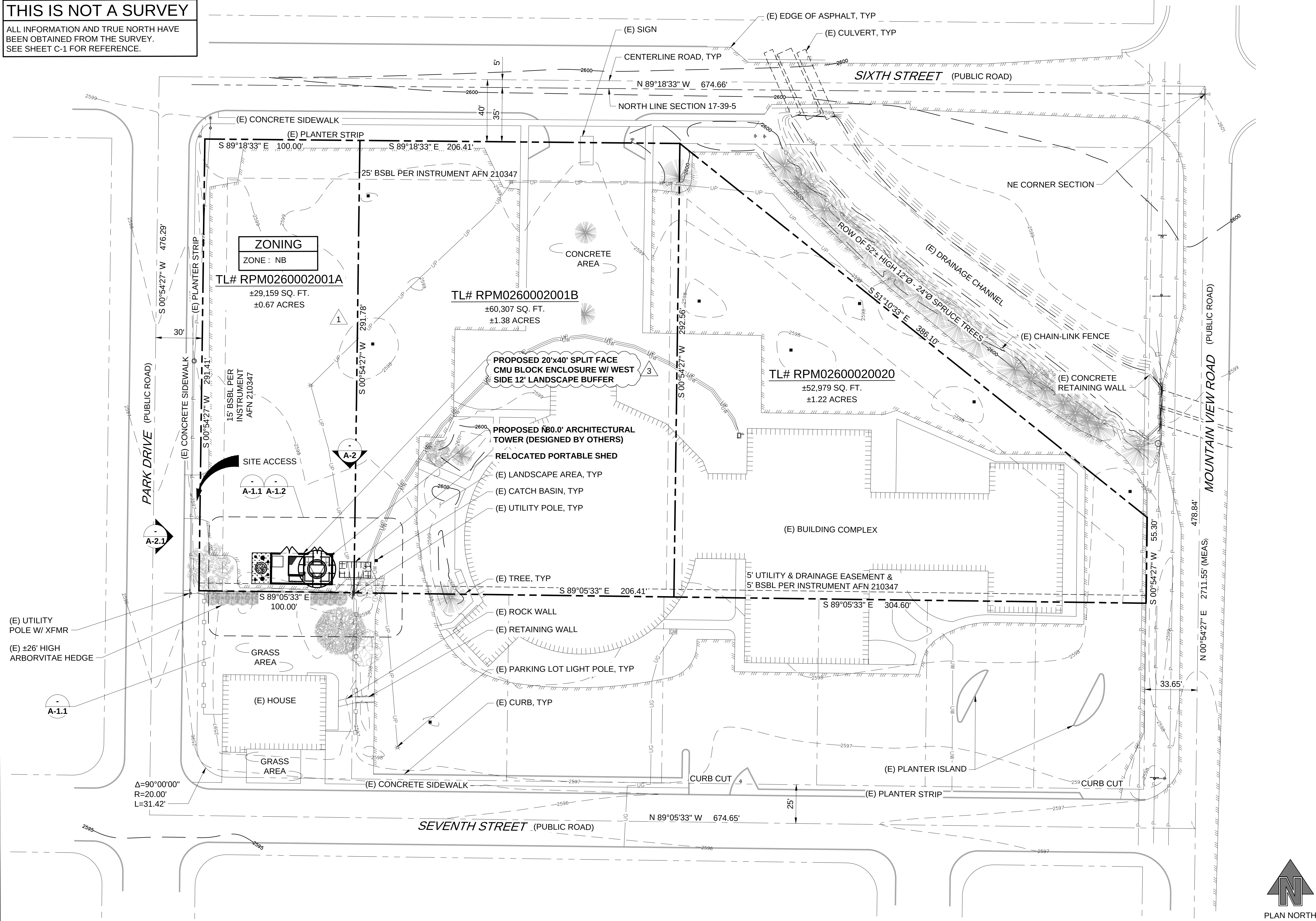
7. The proposed use will not be in conflict with the Comprehensive Plan.

APPLICANT RESPONSE: The proposed use will not be in conflict with the Comprehensive Plan. One of the goals of Chapter 5 of the City of Moscow Comprehensive Plan is to "plan for and provide the efficient and effective delivery of emergency services to the Community today and in the future." A goal of Chapter 6 is to "Enhance and strengthen the regional economy utilizing the strengths and assets of the region."

Residents and businesses increasingly rely on the ability to use their phones and other wireless devices both indoors and outdoors. The proposed Facility will support existing and future development as well as enhance public safety by improving emergency responses through improved connectivity for making emergency calls and access to a more reliable 4G LTE network.

THIS IS NOT A SURVEY

ALL INFORMATION AND TRUE NORTH HAVE BEEN OBTAINED FROM THE SURVEY. SEE SHEET C-1 FOR REFERENCE.



SITE PLAN

22x34 SCALE: 1" = 30'-0"

11x17 SCALE: 1" = 60'-0"



1

Parallel
INFRASTRUCTURE

PLANS PREPARED BY:



16928 WOODINVILLE-REDMOND RD NE, SUITE 210
WOODINVILLE, WA 98072
PHONE: 425.487.1732
WWW.CORNERSTONE-ENGR.COM

PROJECT INFO:

PIID321 SE MOSCOW

1400 E 7TH STREET
MOSCOW, ID 83823
LATAH COUNTY

ISSUED FOR:

ZONING

REV: DATE: ISSUED FOR: BY:

3	03-12-21	CMU WALL & LANDSCAPING	JRF
2	11-19-20	ADD PARALLEL LOGO	DRA
1	11-13-20	CLIENT COMMENT	DRA
0	10-29-20	FINAL / ADD CARRIERS	DMO

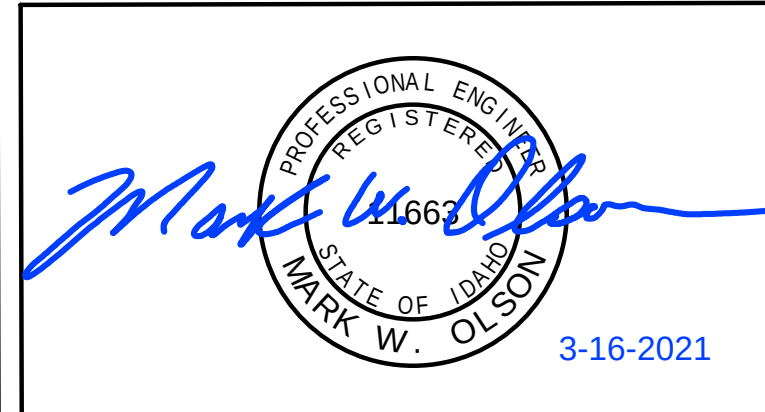
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DMO MWO MWO

CURRENT ISSUE DATE:

03-16-21

LICENSURE:



JURISDICTIONAL APPROVAL:

PROPRIETARY INFORMATION:

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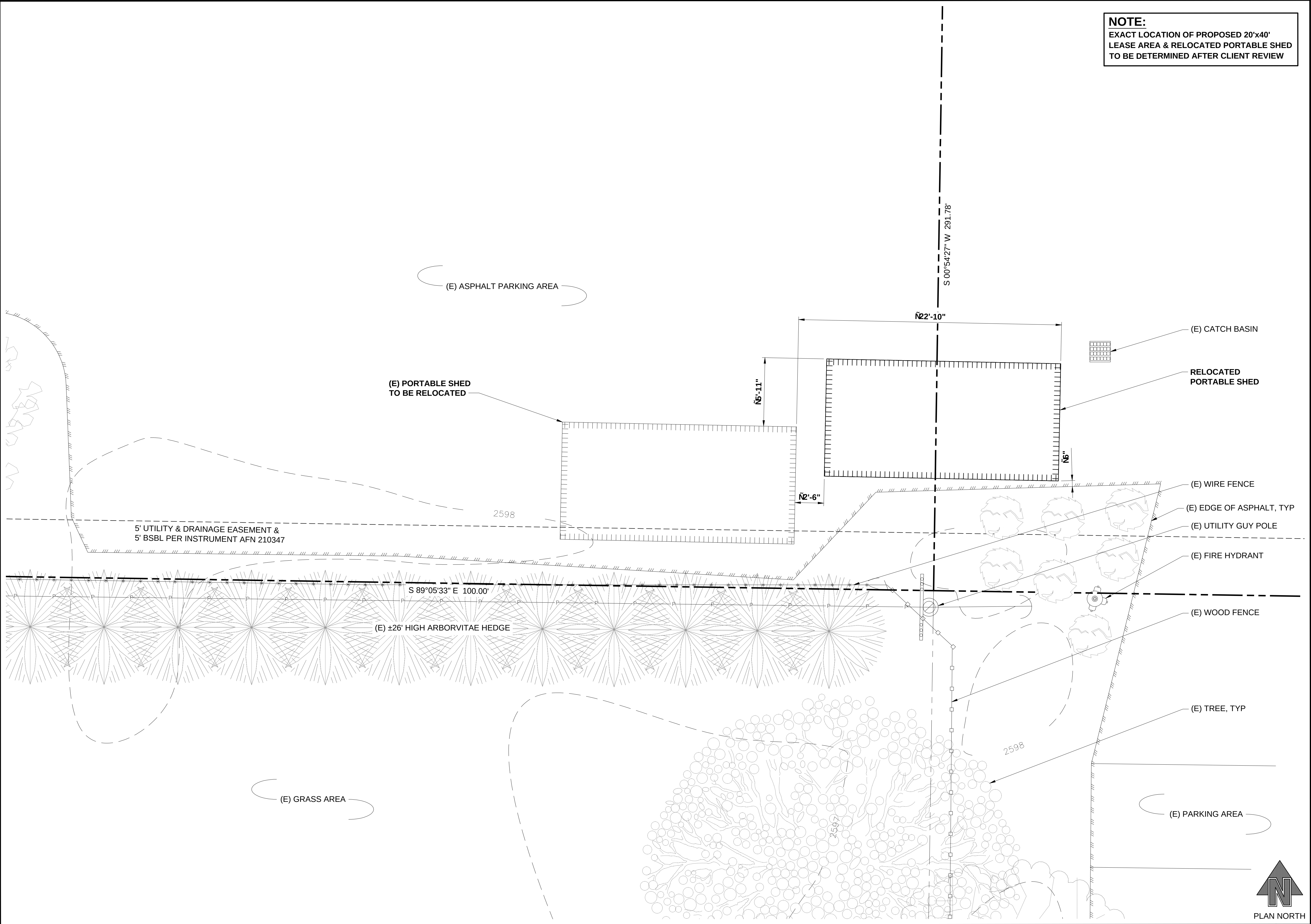
SITE PLAN

DRAWING NUMBER:

A-1

3

CEI JOB NUMBER: NSB 20-55041



EXISTING ENLARGED COMPOUND SITE PLAN

22x34 SCALE: 1/4" = 1'-0" 11x17 SCALE: 1/8" = 1'-0"

2

PLANS PREPARED BY:

CORNERSTONE
ENGINEERING, INC.
16928 WOODINVILLE-REDMOND RD NE, SUITE 210
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DRAWN BY: CHK.: APV.:
DMO MWO MWO

CURRENT ISSUE DATE:
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JURISDICTIONAL APPROVAL:

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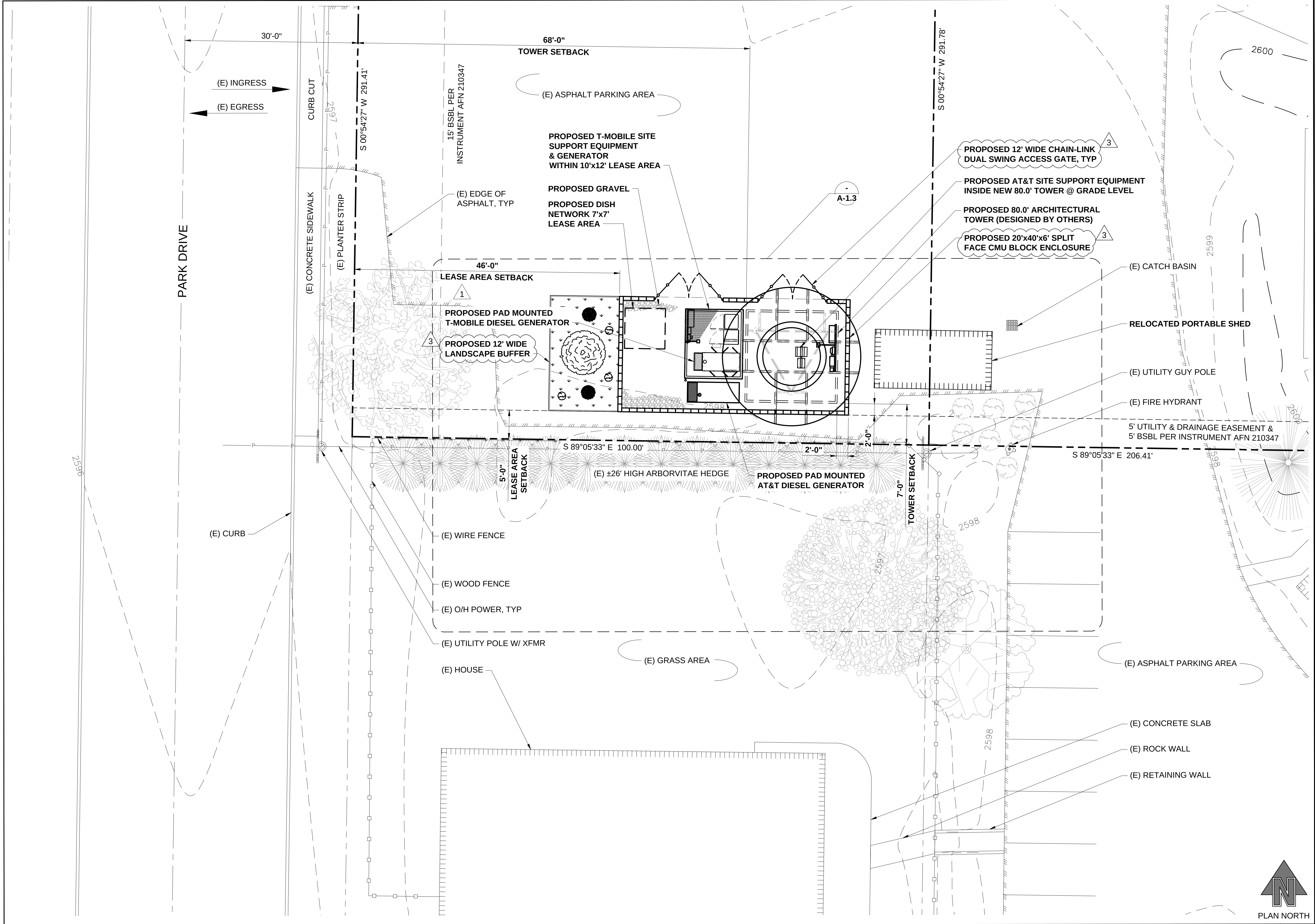
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COMPOUND SITE PLAN

DRAWING NUMBER:

A-1.1

3

CEI JOB NUMBER: NSB 20-55041



ENLARGED SITE PLAN

22x34 SCALE: 1/8" = 1'-0" 11x17 SCALE: 1/16" = 1'-0"

2

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ISSUED FOR:

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REV: 3 DATE: 03-12-21 CMU WALL & LANDSCAPING JRF

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1 11-13-20 CLIENT COMMENT DRA

0 10-29-20 FINAL / ADD CARRIERS DMO

DRAWN BY: DMO CHK.: MWO APV.: MWO

CURRENT ISSUE DATE: 03-16-21

LICENSURE:

3-16-2021

JURISDICTIONAL APPROVAL:

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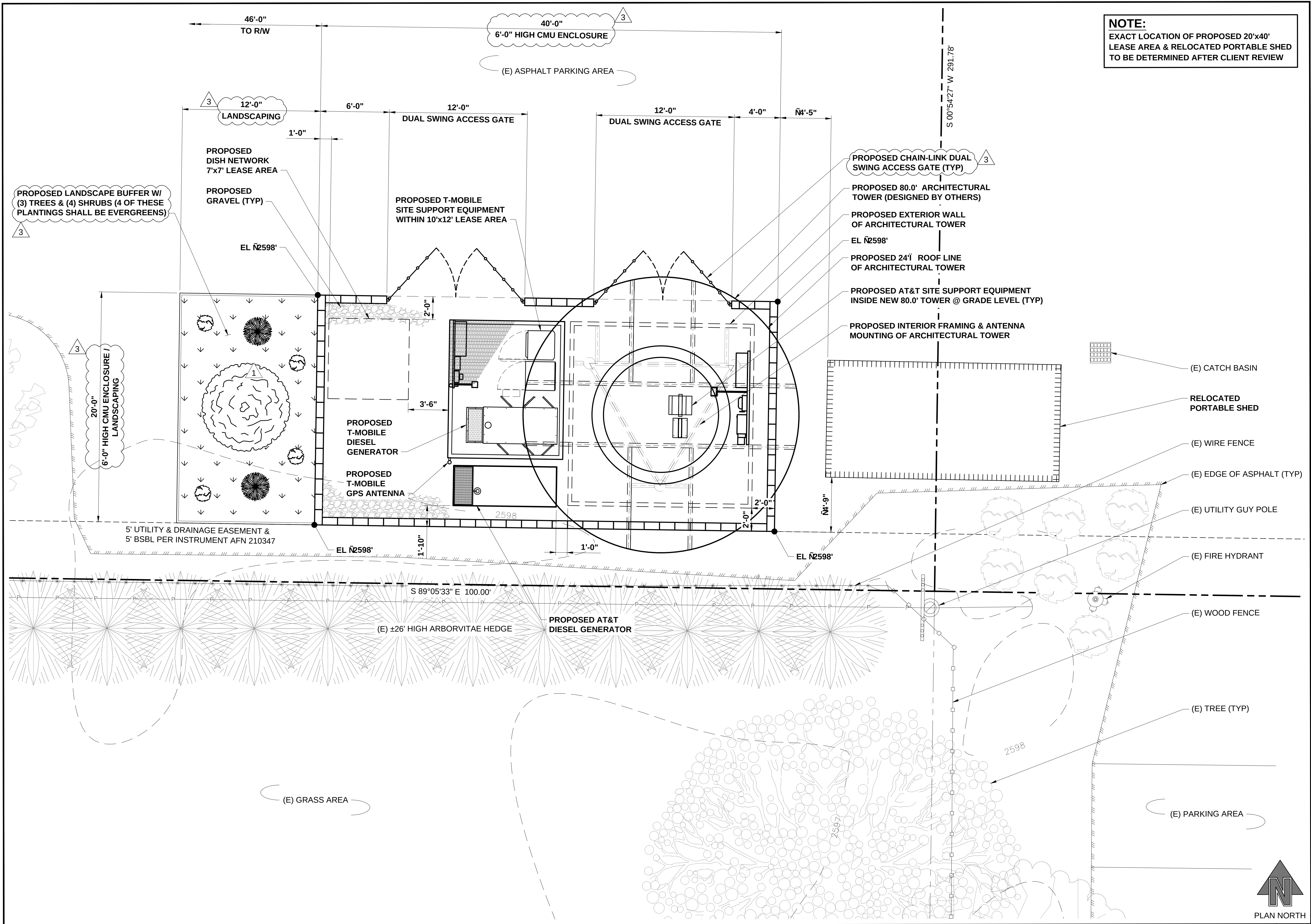
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DRAWING NUMBER:

A-1.2

3

CEI JOB NUMBER: NSB 20-55041



NOTE:
EXACT LOCATION OF PROPOSED 20'x40'
LEASE AREA & RELOCATED PORTABLE SHED
TO BE DETERMINED AFTER CLIENT REVIEW



PLANS PREPARED BY:



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PHONE: 425.487.1732
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PROJECT INFO:

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LATAH COUNTY

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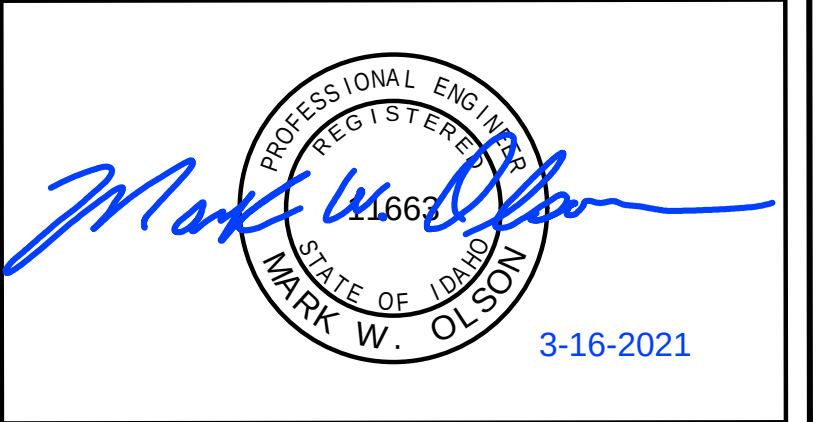
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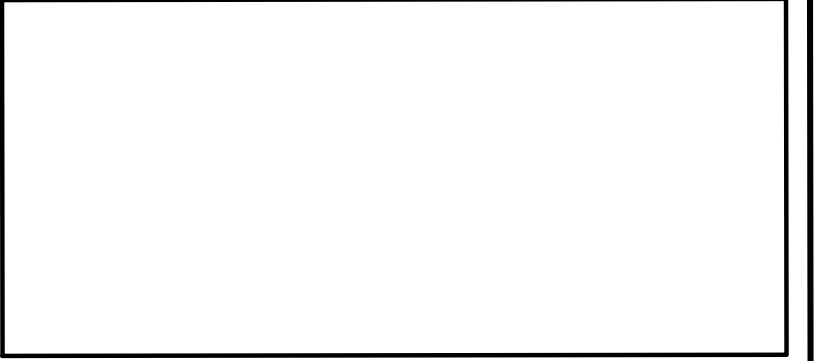
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CURRENT ISSUE DATE:
03-16-21

LICENSURE:



JURISDICTIONAL APPROVAL:



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PROPOSED ENLARGED
COMPOUND SITE PLAN

DRAWING NUMBER:

A-1.3 3

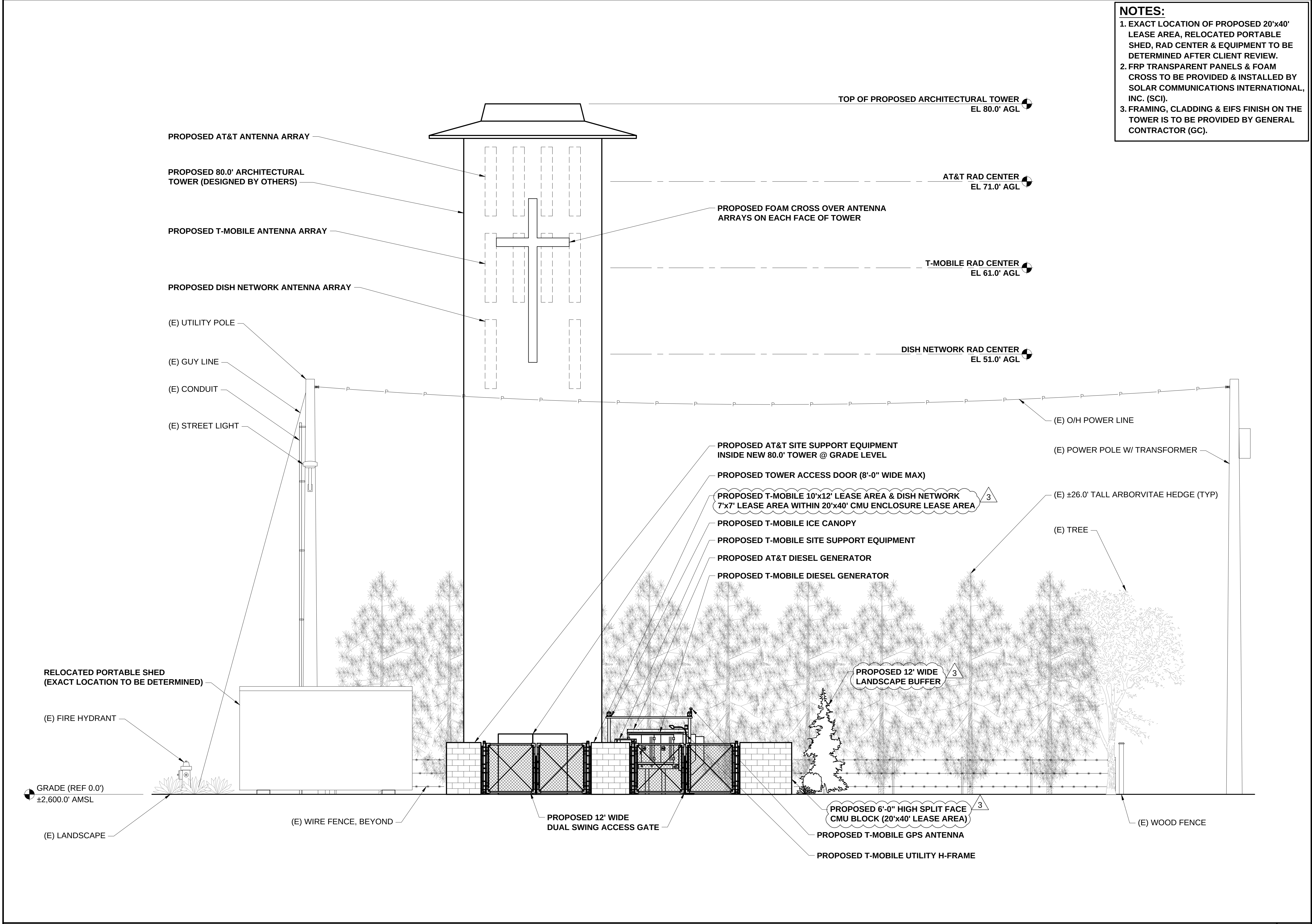
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PROPOSED ENLARGED COMPOUND SITE PLAN

22x34 SCALE: 1/4" = 1'-0"

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

1



2

Parallel
INFRASTRUCTURE

PLANS PREPARED BY:

CORNERSTONE
ENGINEERING, INC.

16928 WOODINVILLE-REDMOND RD NE, SUITE 210
WOODINVILLE, WA 98072
PHONE: 425.487.1732
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LATAH COUNTY

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1	11-13-20	CLIENT COMMENT	DRA
0	10-29-20	FINAL / ADD CARRIERS	DMO

DRAWN BY: CHK.: APV.:

DMO	MWO	MWO
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CURRENT ISSUE DATE:

03-16-21

LICENSURE:

3-16-2021

JURISDICTIONAL APPROVAL:

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DRAWING TITLE:

PROPOSED NORTH ELEVATION

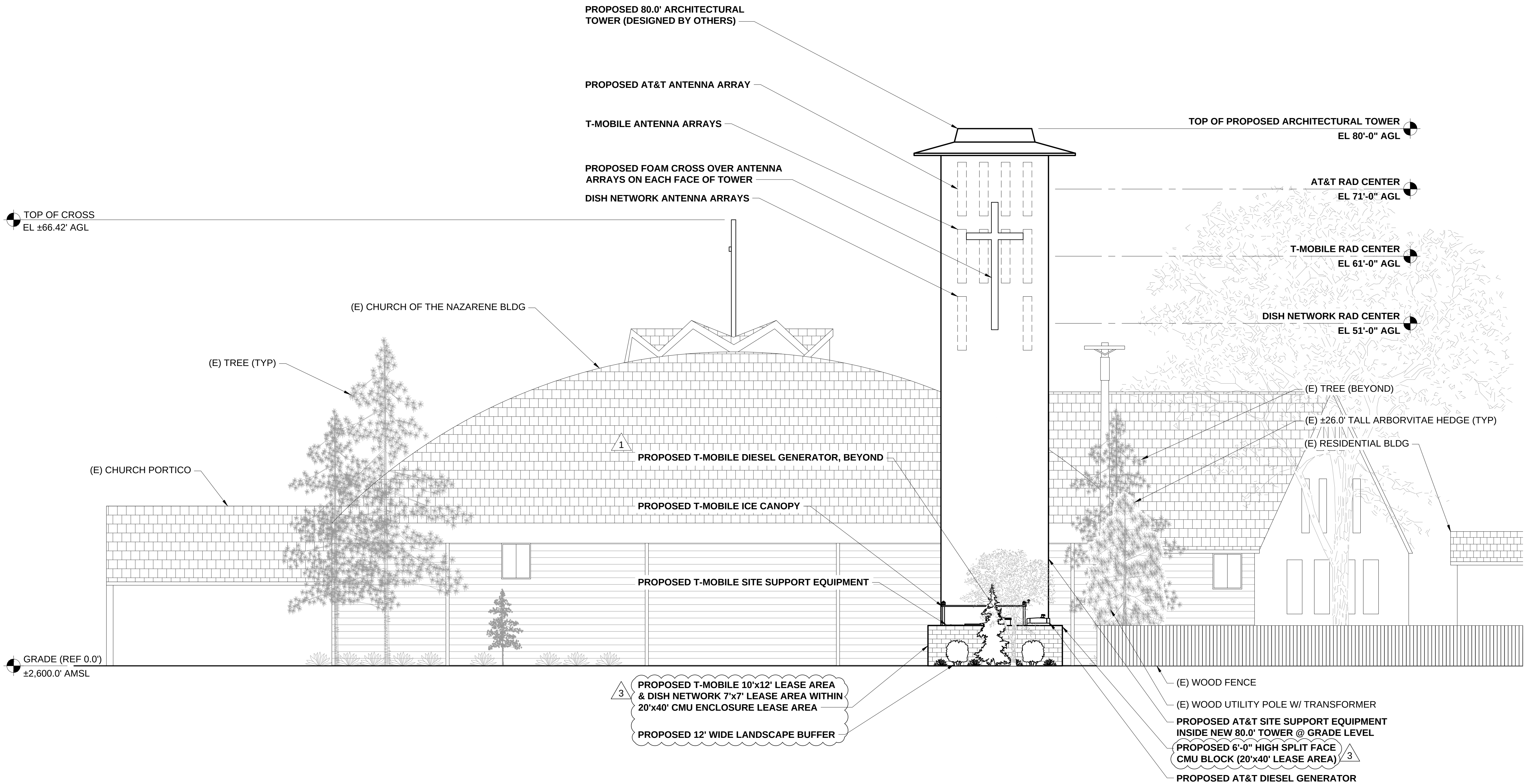
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A-2	3
CEI JOB NUMBER:	NSB 20-55041

1

Recieved 03-17-2021

- NOTES:**
- 1. EXACT LOCATION OF PROPOSED 20'x40' LEASE AREA, RELOCATED PORTABLE SHED, RAD CENTER & EQUIPMENT TO BE DETERMINED AFTER CLIENT REVIEW.
 - 2. FRP TRANSPARENT PANELS & FOAM CROSS TO BE PROVIDED & INSTALLED BY SOLAR COMMUNICATIONS INTERNATIONAL, INC. (SCI).
 - 3. FRAMING, CLADDING & EIFS FINISH ON THE TOWER IS TO BE PROVIDED BY GENERAL CONTRACTOR (GC).



PROPOSED WEST ELEVATION

22x34 SCALE: 1/8" = 1'-0" 11x17 SCALE: 1/16" = 1'-0"



PLANS PREPARED BY:

CORNERSTONE
ENGINEERING, INC.

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PROJECT INFO:

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LATAH COUNTY

ISSUED FOR:

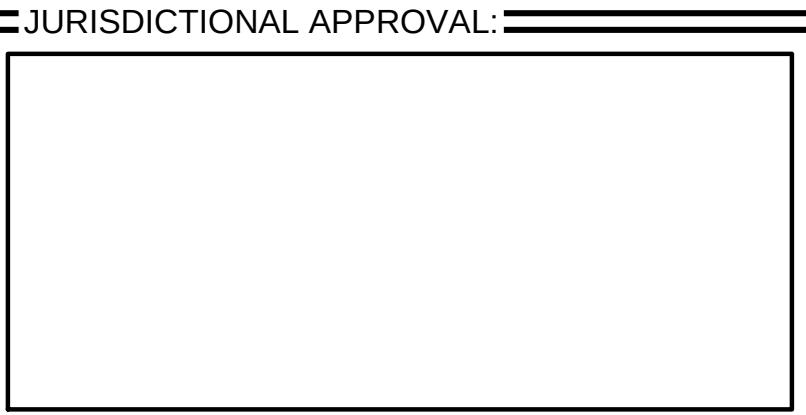
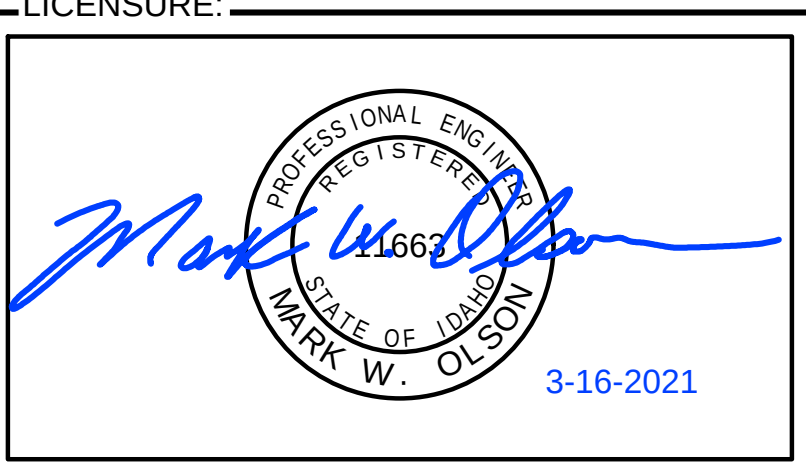
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REV.	DATE	ISSUED FOR:	BY:
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DRAWN BY: CHK.: APV.:

DMO	MWO	MWO
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CURRENT ISSUE DATE:

03-16-21



PROPRIETARY INFORMATION:

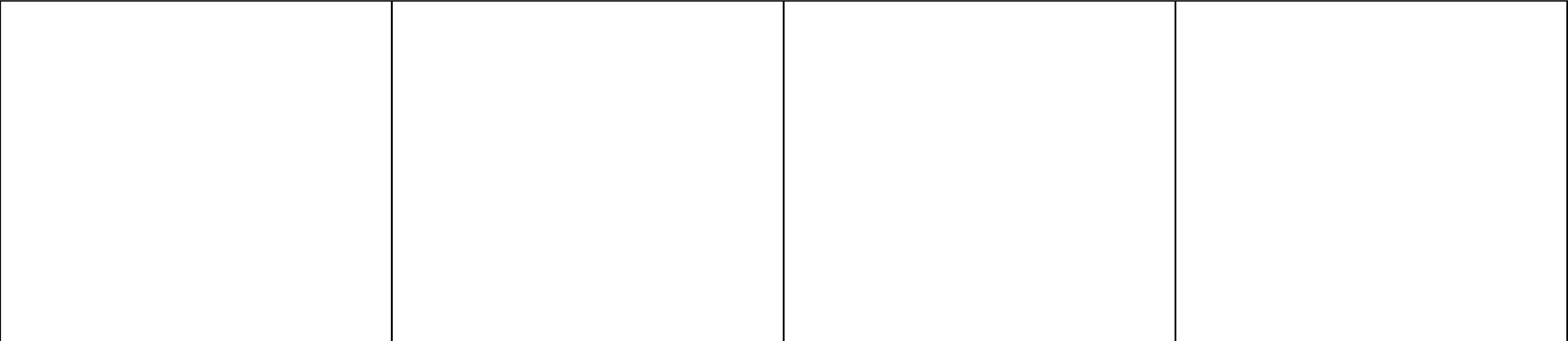
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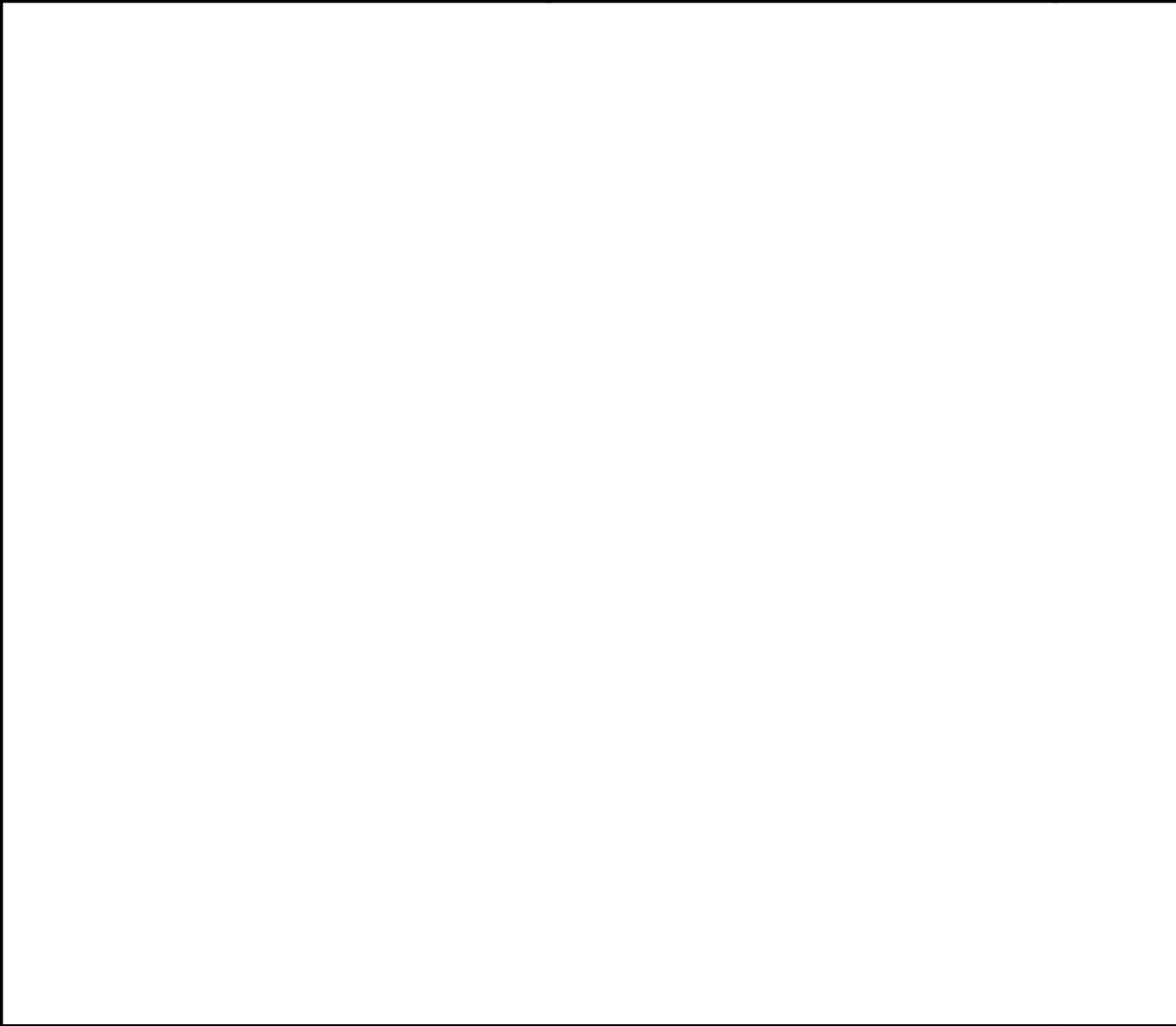
PROPOSED WEST ELEVATION

DRAWING NUMBER:

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CEI JOB NUMBER:	NSB 20-55041



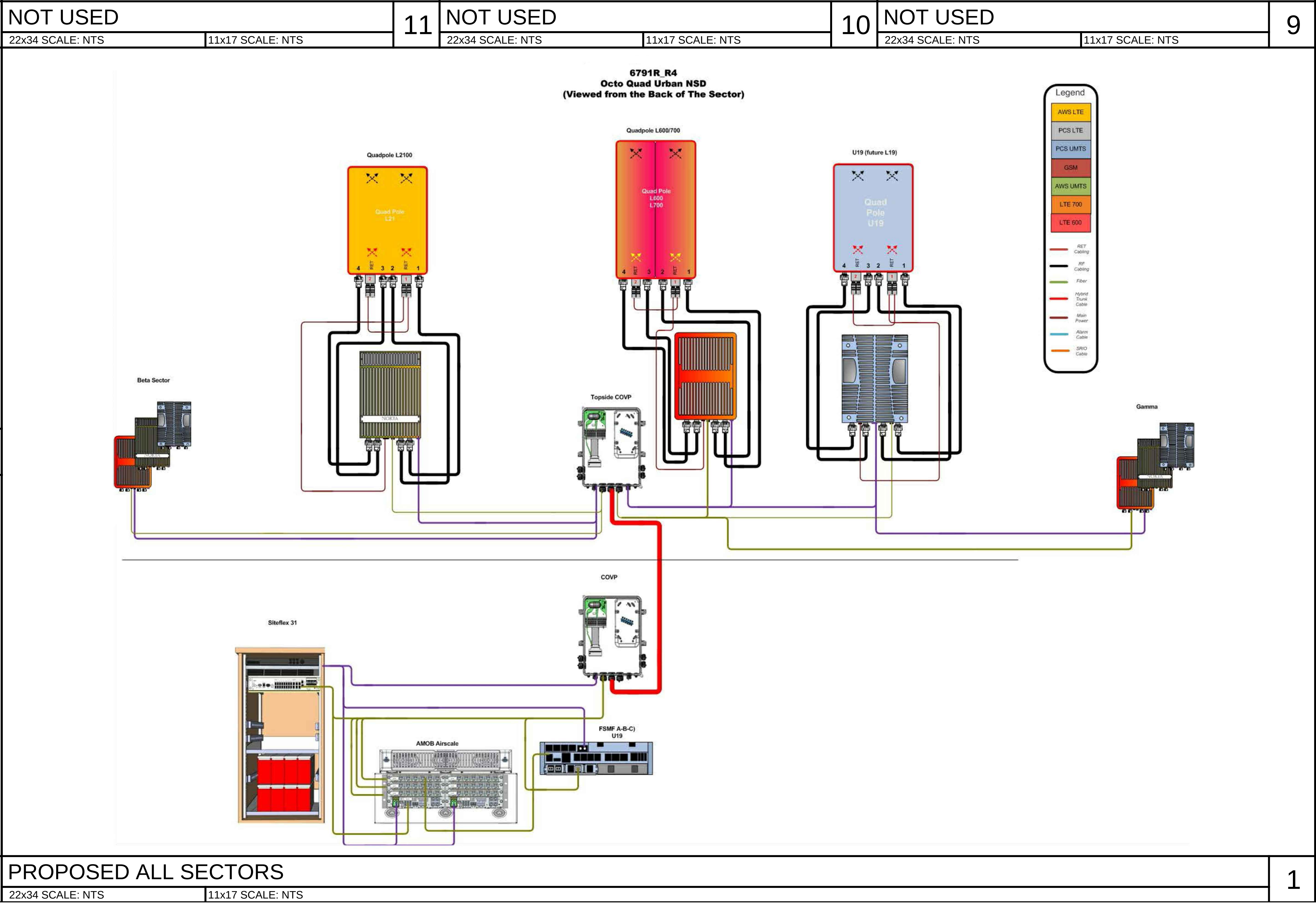
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NOT USED		8
22x34 SCALE: NTS	11x17 SCALE: NTS	



NOT USED		4
22x34 SCALE: NTS	11x17 SCALE: NTS	



2

Parallel
INFRASTRUCTURE

PLANS PREPARED BY:

CORNERSTONE
ENGINEERING, INC.

16928 WOODINVILLE-REDMOND RD NE, SUITE 210
WOODINVILLE, WA 98072
PHONE: 425.487.1732
WWW.CORNERSTONE-ENGR.COM

PROJECT INFO:

PIID321 SE MOSCOW

1400 E 7TH STREET
MOSCOW, ID 83823
LATAH COUNTY

ISSUED FOR:

ZONING

REV.: DATE: ISSUED FOR: BY:

3

03-12-21

CMU WALL & LANDSCAPING

JRF

2

11-19-20

ADD PARALLEL LOGO

DRA

1

11-13-20

CLIENT COMMENT

DRA

0

10-29-20

FINAL / ADD CARRIERS

DMO

DRAWN BY: CHK.: APV.:

DMO

MWO

MWO

CURRENT ISSUE DATE:

03-16-21

LICENSURE:

PROFESSIONAL ENGINEER
REGISTERED
STATE OF IDAHO
MARK W. OLSON
11663
3-16-2021

JURISDICTIONAL APPROVAL:

PROPRIETARY INFORMATION:

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DRAWING TITLE:

T- MOBILE RF DETAILS

DRAWING NUMBER:

RF-13

CEI JOB NUMBER: NSB 20-55041





Recieved 02-19-2021



Recieved 02-19-2021







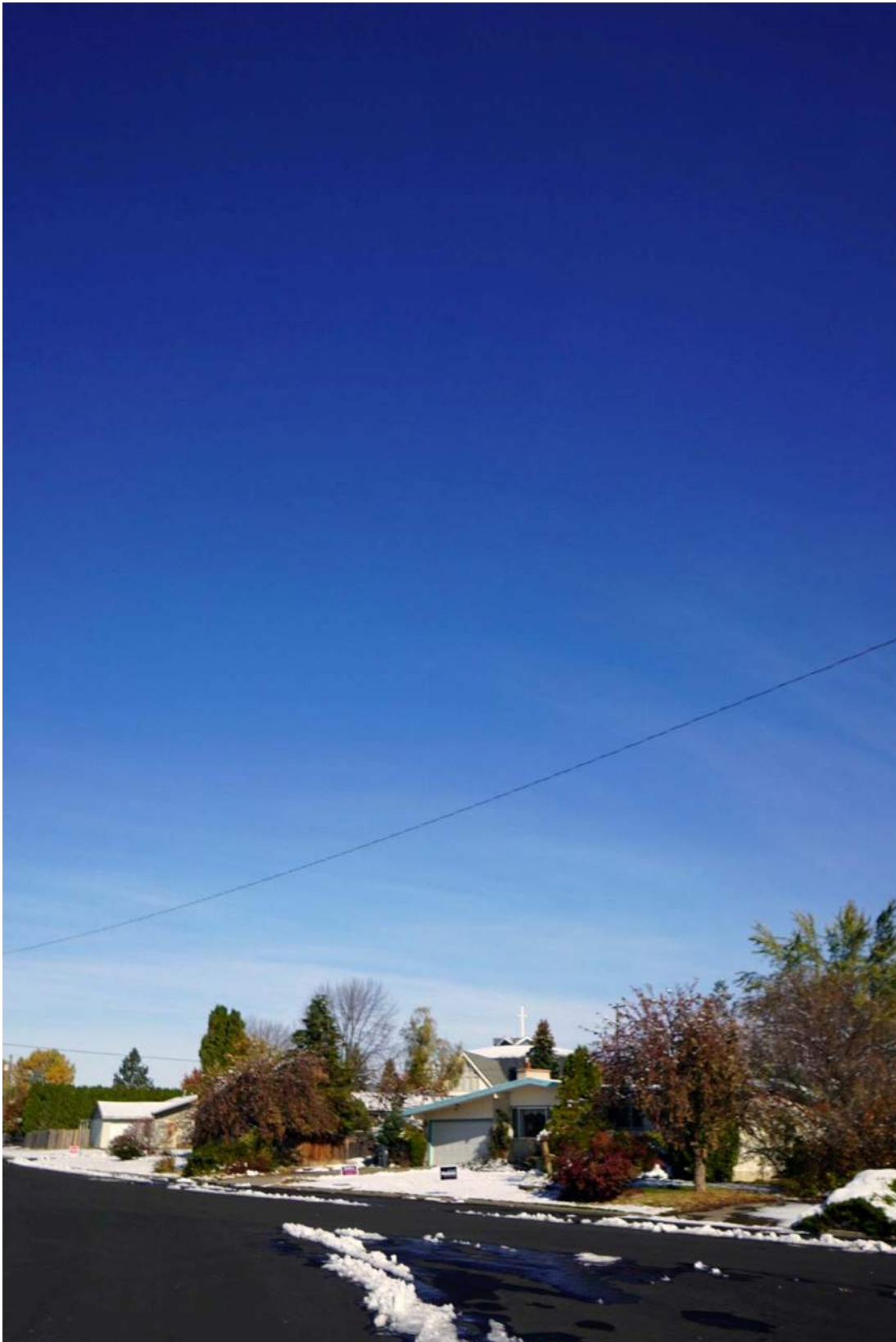
Recieved 02-19-2021

PIID321 SE MOSCOW
EXISTING SOUTHEAST ELEVATION



Recieved 02-19-2021

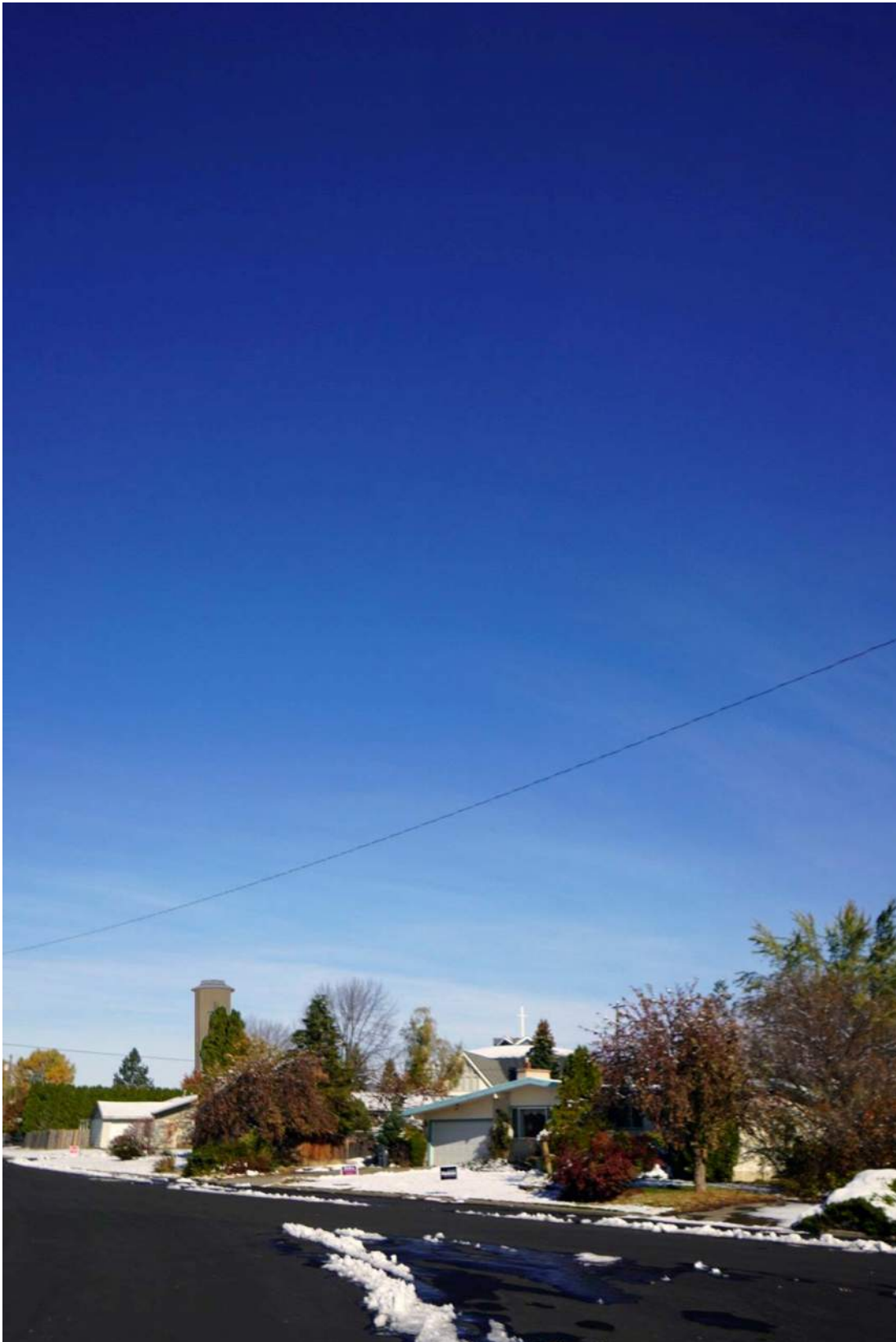
PIID321 SE MOSCOW
PROPOSED SOUTHEAST ELEVATION



PIID321 SE MOSCOW
EXISTING SOUTH ELEVATION



Received 02-19-2021



PIID321 SE MOSCOW
PROPOSED SOUTH ELEVATION



Recieved 02-19-2021



AT&T

Len F. Dalton
AREA MANAGER

ACCESS, CONSTRUCTION and ENGINEERING
19801 SW 72nd Ave
Suite 110
Tualatin, OR 97062

T - 971.254.5453
Len.Dalton@att.com

LUP2021-0004

February 8, 2021

City of Moscow
Community Planning & Design
PO Box 9203
Moscow, ID 83843

VIA EMAIL

**RE: AT&T Site # LM0572
Proposed Wireless Facilities at 1400 E 7th Street, Moscow, ID 83823
Statement of Need and RF Justification**

Dear Sir or Madam:

Please accept this letter expressing the need for New Cingular Wireless PCS, LLC ("AT&T") to collocate a wireless facility on Parallel Infrastructure's proposed antenna tower at 1400 E 7th Street, described in the accompanying application.

The proposed facility is a service coverage and capacity site intended to provide new dominant 4G LTE coverage and enhanced capacity in and around east Moscow. Currently, portions of east Moscow have minimal to no 4G voice service and AT&T's existing 4G LTE coverage in the area is at or near its capacity and is insufficient for the volume of traffic.

As shown in the RF Justification included in this application, AT&T's Radio Frequency (RF) engineers have determined that the proposed 75 ft. antenna tip height is the minimum necessary to meet AT&T's service objectives within east Moscow.

The proposed facility will support AT&T's service objectives to provide continuous and uninterrupted outdoor, in-vehicle, and in-building wireless service within east Moscow, resulting in fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands (including emergency 911 calls).

Sincerely,

Len F. Dalton
Area Manager - PNW
ATT Mobility - ACE West



LM0572 SE Moscow RF Justification

Recieved 02-19-2021

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SERVICE OBJECTIVES & TARGETED SERVICE AREA

AT&T is proposing to install a new wireless communication facility (“WCF” and/or “Facility”) LM0572, as a collocation on a new support tower at 1400 E 7th Street, Moscow, ID.

In addition to AT&T 4G LTE commercial facilities, this proposed WCF will include facilities to support the FirstNet Network. As a FirstNet site, this proposed WCF is part of a more significant initiative by AT&T to upgrade existing wireless sites and to build new sites to support FirstNet and deploy the new frequency band for first responders (“Band 14”).

Service Objectives—Proposed New Facility

The proposed Facility is a service coverage and capacity site intended to provide new dominant 4G LTE coverage and enhanced capacity in and around east Moscow (the “Targeted Service Area”). Currently, portions of east Moscow have minimal to no 4G voice service and AT&T’s existing 4G LTE coverage in the area is at or near its capacity and is insufficient for the volume of traffic.

As determined by AT&T’s RF engineers, the proposed new Facility meets AT&T’s service objectives to provide continuous and uninterrupted outdoor, in-vehicle, and in-building wireless service within the Targeted Service Area, resulting in fewer dropped calls, improved call quality, and improved access to additional wireless services the public now demands (including emergency 911 calls). The service objective, Targeted Service Area, and proposed location were determined by AT&T’s RF engineers through a combined analysis of market demand, customer complaints, service requests, and RF engineering design (including SINR metrics).

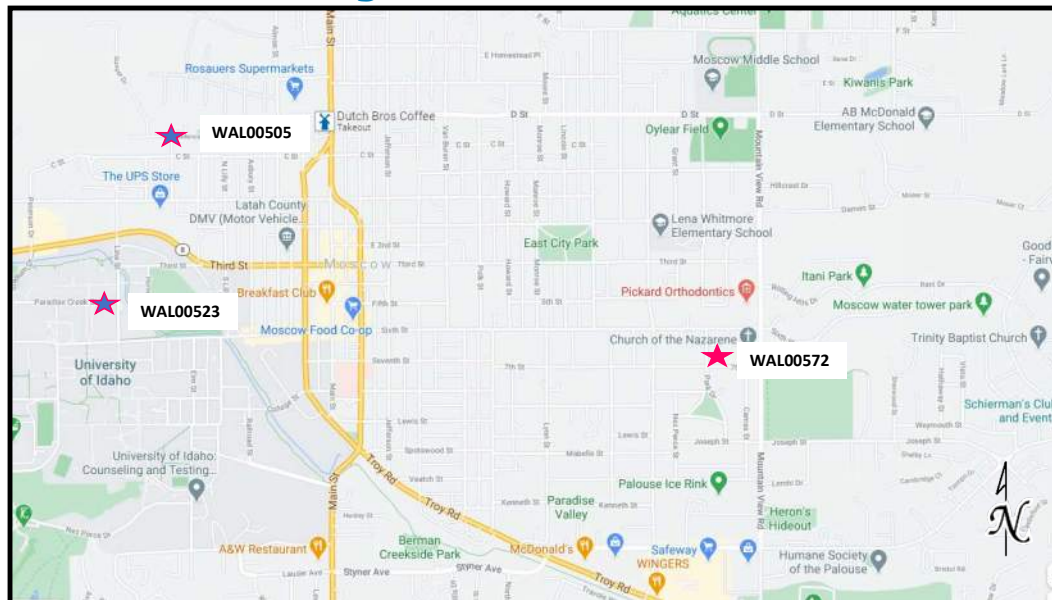
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SEARCH RING

AT&T's RF engineers performed an RF engineering study—considering multiple objectives—to determine the approximate site location and antenna height required to best fulfill the noted service objectives within the Targeted Service Area. From this study, AT&T's RF engineers identified a “search ring” area, as shown in **Figure A—Search Ring**, below, where a new wireless facility may be located to provide effective service in the Targeted Service Area. A discussion of the general methodology AT&T's RF engineers used to identify the search ring is included at the end of this RF Justification document.

Radio frequency broadcasts travel in a straight line and diminish as they travel further away from the antennas; therefore, it is generally best to locate a facility near the center of the identified Search Ring and Targeted Service Area. Furthermore, as the proposed WCF is intended to close a specific coverage gap and offload capacity in a specific area it is even more important for the Facility to be strategically located to be able to close existing coverage gaps and establish a dominant signal within the Targeted Service Area—*i.e.* so that the new site will provide dominant service to users' handsets and prevent them from communicating with AT&T's other existing sites, thereby improving operational efficiency and relieving some of the burden on AT&T's existing facilities by offloading users' data requirements to the new site.

Figure A—Search Ring



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PROPOSED NEW AT&T FACILITY

Antennas and Equipment

To meet AT&T's service objectives within the Targeted Service Area, AT&T is proposing to install up to twelve (12) panel antennas and twelve (18) remote radio head (RRH) units, together with all associated equipment.

Required Antenna Height

As the proposed new Facility is intended to close coverage gaps and enhance existing capacity, in addition to location, height plays a significant role in ensuring the facility meets AT&T's service objectives. The proposed antenna tip height was determined by considering various factors such as the height of surrounding wireless sites, ground elevation, obstructions to the signal, and the surrounding terrain. For optimal service performance within the Targeted Service Area, AT&T's RF engineers estimated that a 150ft antenna tip height is needed. Because a 150ft antenna tip height is not logistically obtainable, AT&T's RF engineers determined that the proposed 75ft antenna tip height is the minimum necessary to meet AT&T's service objectives within the Targeted Service Area. As further demonstrated herein, a lower antenna tip height at this location would not provide the needed new service to close the coverage gaps and enhance capacity improvement within the Targeted Service Area. The proposed antenna tip height is also the minimum height where an AT&T wireless device can be reliably used to make and receive telephone calls and use data service in the presence of varying signals.

Projected New Coverage

Based upon the proposed location, equipment, and antenna tip height, AT&T's RF engineers project that the proposed new Facility will provide the following new and enhanced AT&T 4G LTE coverage within the Targeted Service Area.

Figure B—Existing AT&T 4G LTE Coverage shows existing AT&T 4G LTE wireless services in the general area of the proposed new WCF, which demonstrates the current gap in coverage in the Targeted Service Area. As can be seen, there is a coverage gap in all areas not shaded in green.

Figure C.1—New AT&T 4G LTE Coverage identifies the projected new AT&T 4G LTE coverage from the proposed new WCF with the requested antenna tip height of 75ft.

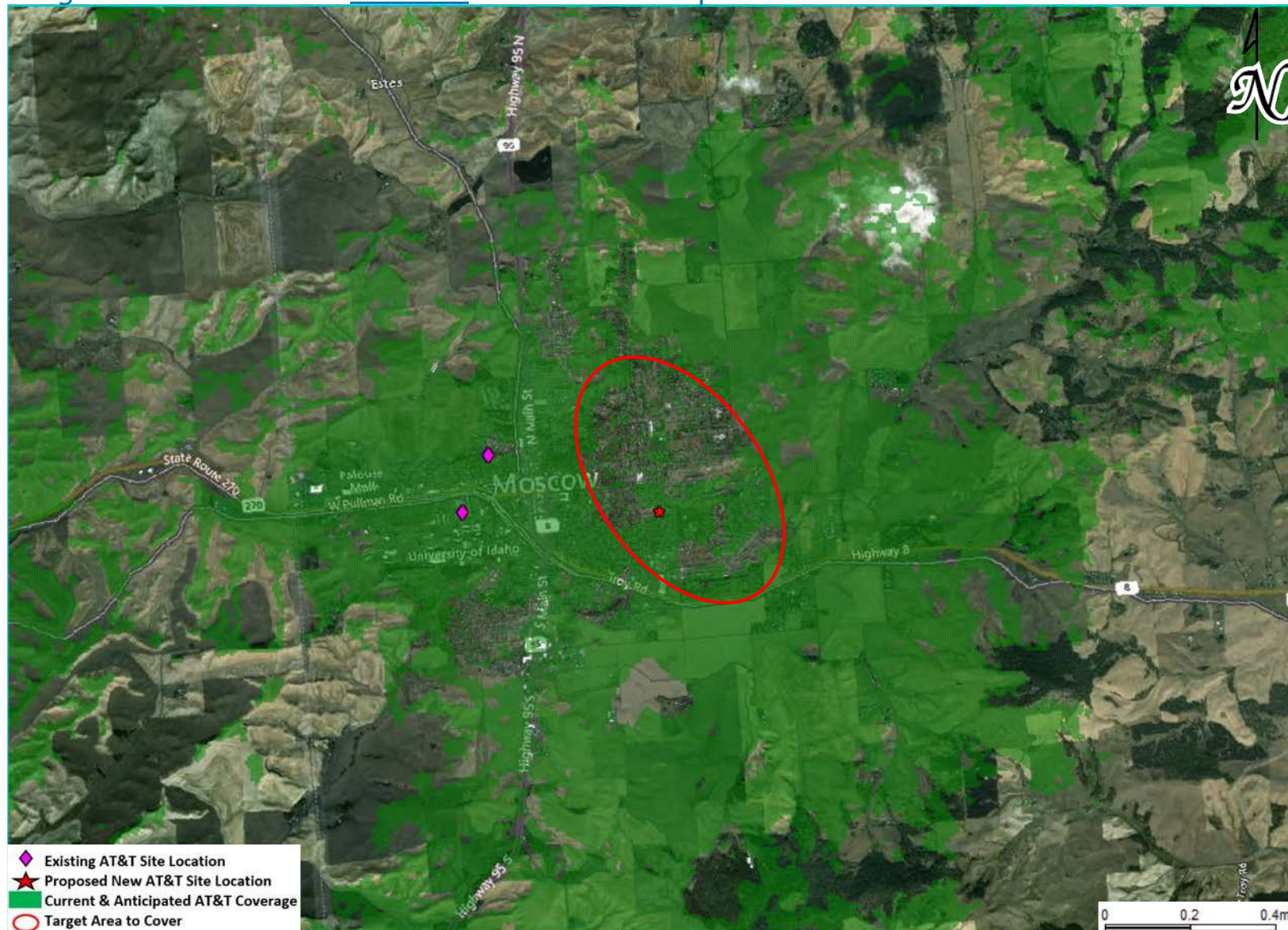
Figure C.2—New AT&T 4G LTE Coverage—ZOOMED IN specifically zooms in to show the projected new AT&T 4G LTE coverage within the Targeted Service Area from the proposed new WCF with the requested antenna tip height of 75ft.

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Figure B—Existing AT&T 4G LTE Coverage

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Targeted Service Area BEFORE Addition of Proposed New WCF



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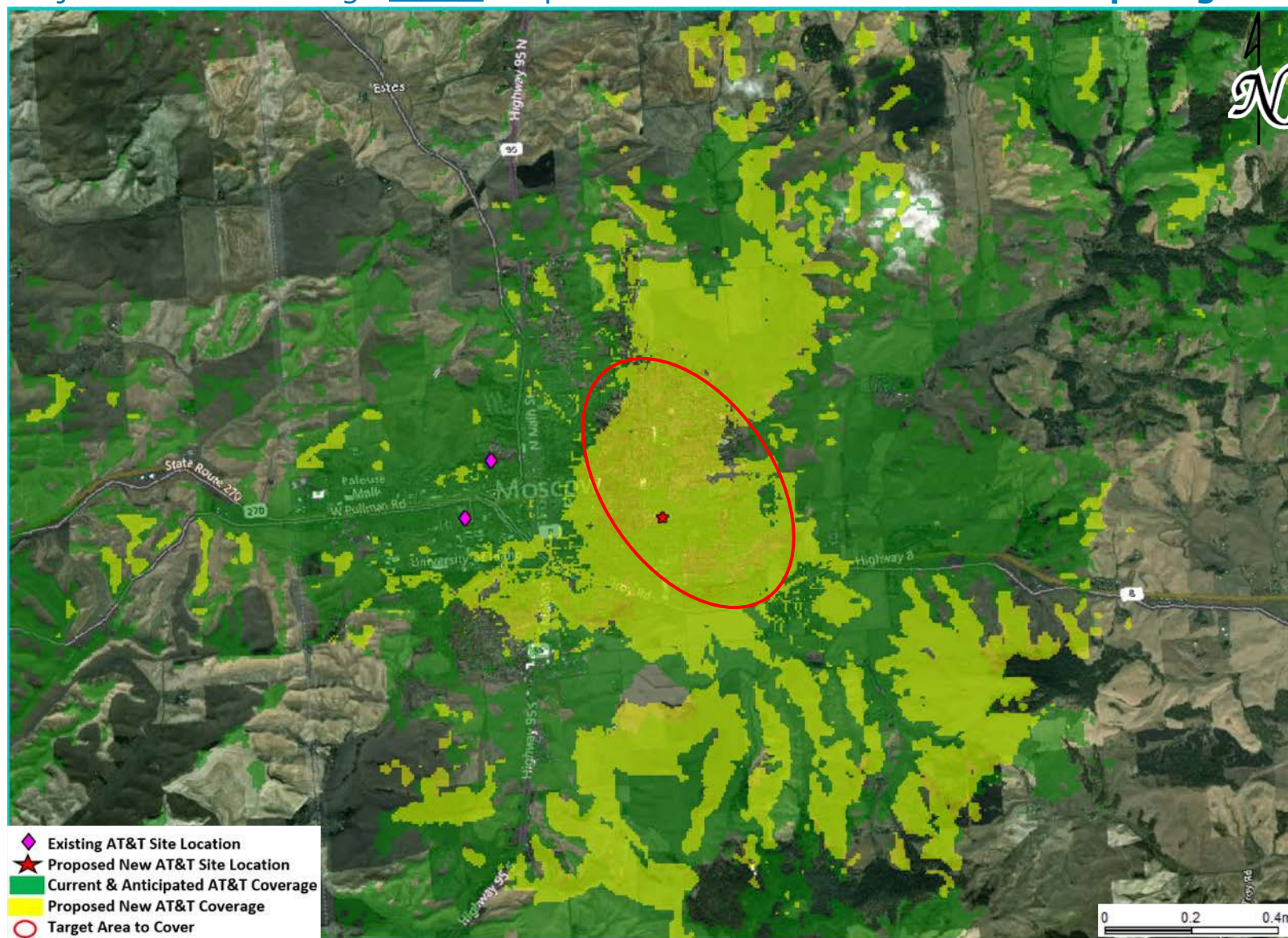
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Figure C.1—New AT&T 4G LTE Coverage

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Projected New Coverage AFTER Proposed WCF On-Air—75ft Antenna Tip Height



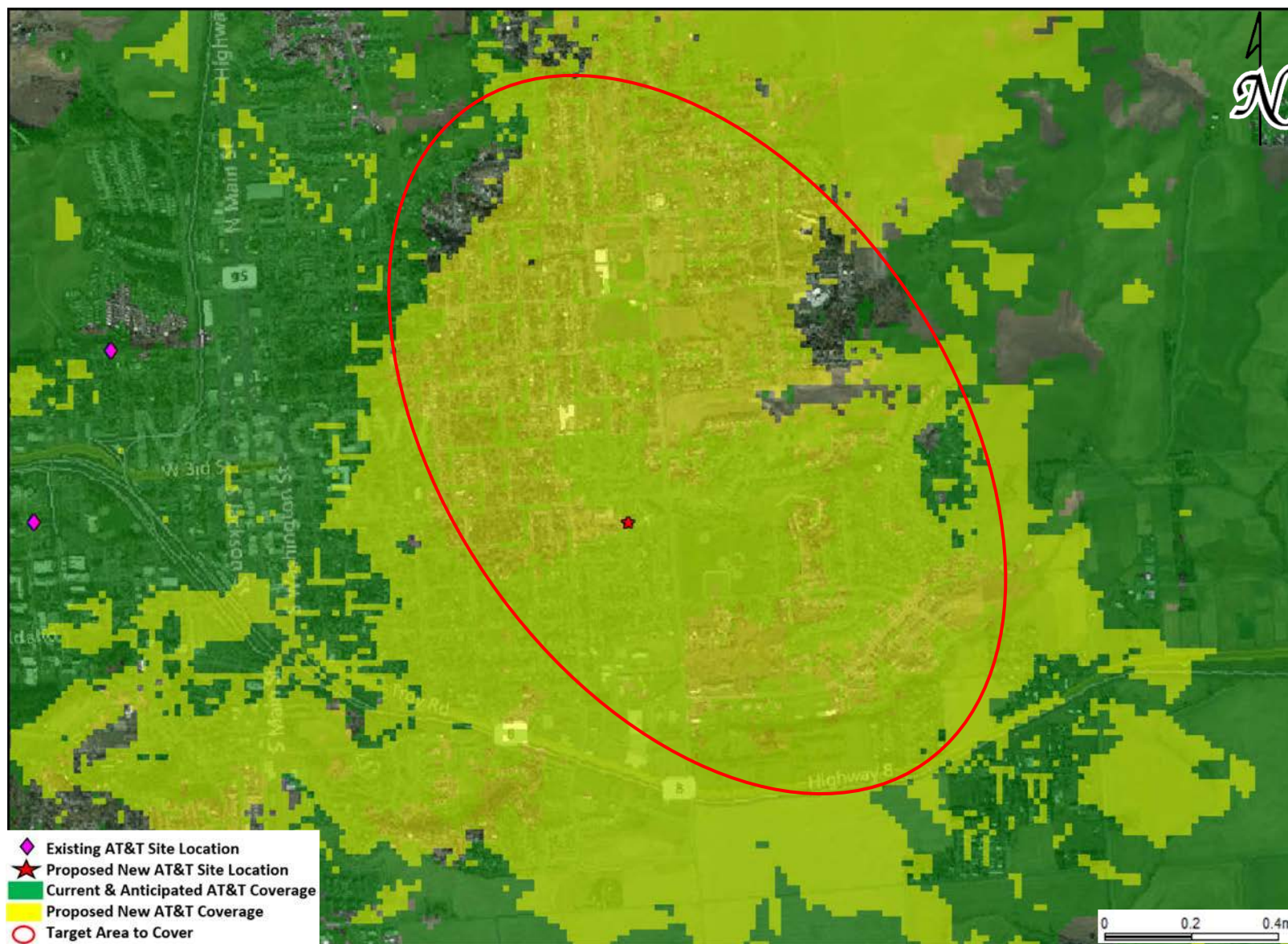
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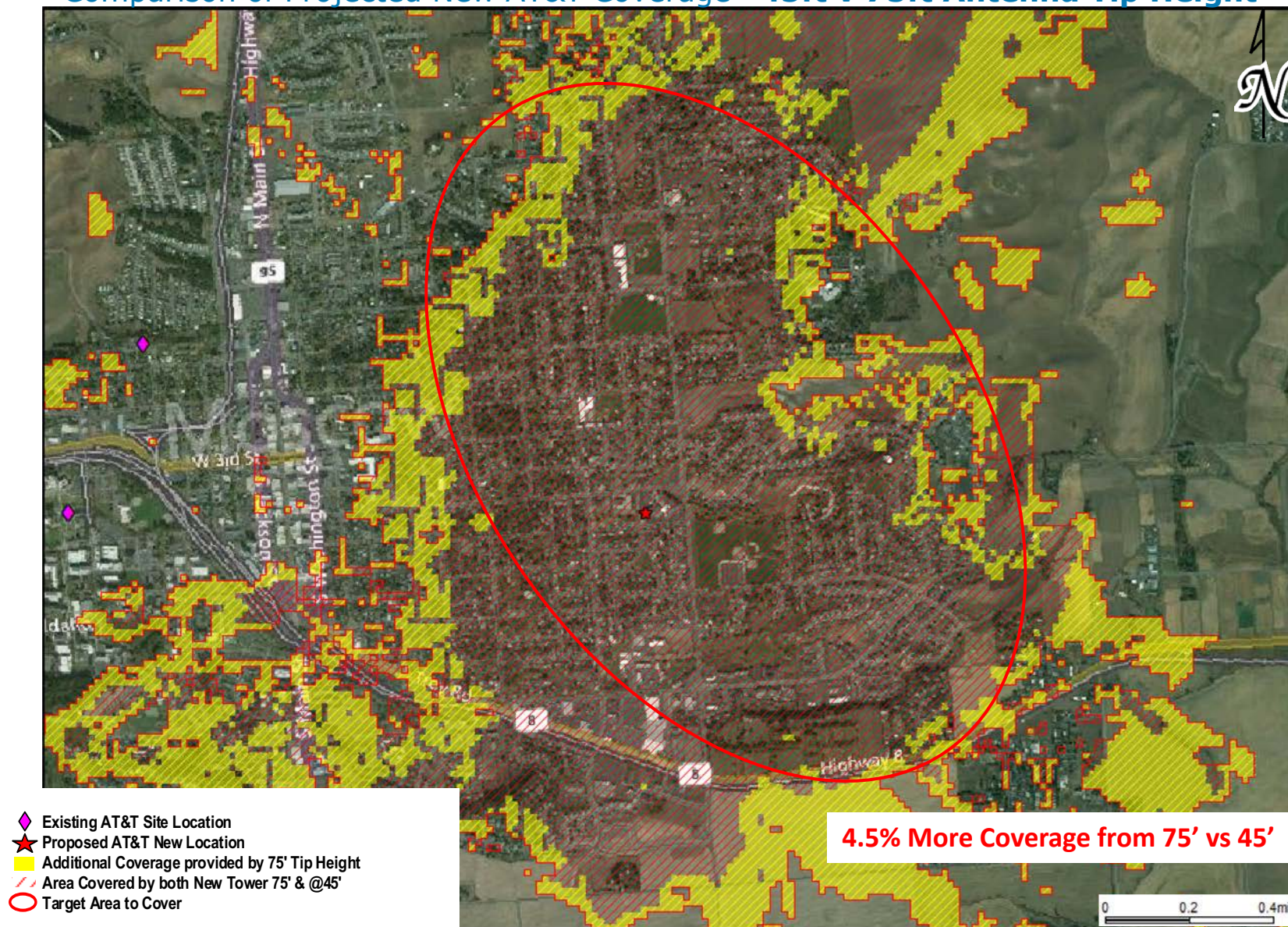
Figure C.2—New AT&T 4G LTE Coverage-ZOOMED IN LUP2021-0004
Projected New Coverage AFTER Proposed WCF On-Air—**75ft Antenna Tip Height**



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Figure D.1—Height Comparison—New AT&T 4G LTE Coverage
 Comparison of Projected New AT&T Coverage—45ft v 75ft Antenna Tip Height

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ALTERNATIVE SITE ANALYSIS

AT&T's RF engineers evaluated four alternative site locations within and directly adjacent to the targeted search ring as potential locations for the proposed new WCF. **Figure E—Alternative Site Locations** shows the location of the alternative site in relation to the proposed new site location.

Alternative Site #1—Moscow Park Water Tank (46.730575 / -116.969150). Alternative Site #1 is a potential collocation site on the existing Moscow Park Water Tank, approximately 0.63 miles NE of the proposed new WCF. As shown in **Figure F—Comparison—Alternative Site #1**, the proposed WCF with a 75ft antenna tip height is projected to provide 1.2% more coverage within the Targeted Service Area than Alternative Site #1 with an estimated 39ft antenna tip height. Although this may seem like an insignificant difference in coverage, this alternative site would not address some of the weak performance areas needing increased capacity. This is because the water tank is further east and does not provide as concentrated coverage in the center of the Targeted Service Area as the proposed WCF. Additionally, a facility at this alternative location would create a significant coverage overlap with AT&T's existing coverage, creating increased signal interference that would make it difficult for the new facility to establish dominant coverage. Therefore, Alternative Site #1 is not a suitable location because it would not provide the service coverage required to meet AT&T's service objectives within the Targeted Service Area.

Alternative Site #2—Brink Park (46.727213 / -116.978024). Alternative Site #2 is a potential raw land site at Carole Ryrle Brink Park off Joseph St, approximately 0.27 mi south SE from the proposed new WCF. As shown in **Figure G—Comparison—Alternative Site #2**, the proposed WCF with a 75ft antenna tip height is projected to provide 15% more coverage within the Targeted Service Area than Alternative Site #2 with an estimated 75ft antenna tip height. This location would provide limited coverage primarily only to the commercial areas. Therefore, Alternative Site #2 is not a suitable location because it would not provide the service coverage required to meet AT&T's service objectives within the Targeted Service Area.

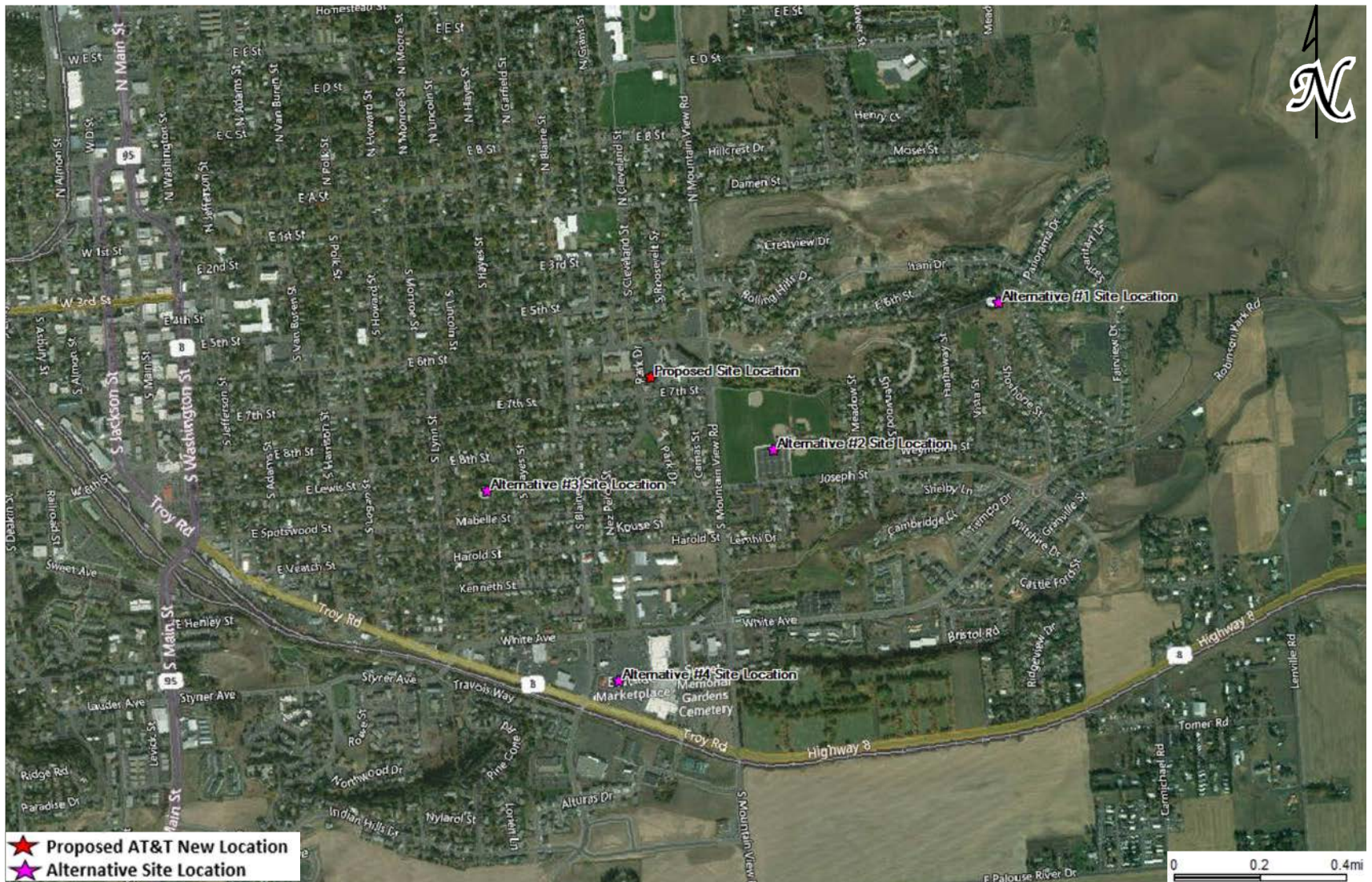
Alternative Site #3—8th St Water Tank (46.726729 / -116.988959)—Alternative Site #3 is a potential collocation site on the existing water tank off E. 8th Street, approximately 0.35 mi SW from the proposed new WCF. As shown in **Figure H—Comparison—Alternative Site #3**, the proposed WCF with a 75ft antenna tip height is projected to provide 84.5% more coverage within the Targeted Service Area than Alternative Site #3 with an estimated 30ft antenna tip height. This location would provide very limited coverage primarily only to the commercial areas. Therefore, Alternative Site #3 is not a suitable location because it would not provide the service coverage required to meet AT&T's service objectives within the Targeted Service Area.

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ALTERNATIVE SITE ANALYSIS, cont'd.

Alternative Site #4—Commercial Property (46.721561 / -116.984535)—Alternative Site #4 is a potential raw land site on a commercial property approximately 0.35mi S from the proposed new WCF. As shown in **Figure I—Comparison—Alternative Site #4**, the proposed WCF with a 75ft antenna tip height is projected to provide 14% more coverage within the Targeted Service Area than Alternative Site #4 with an estimated 96ft antenna tip height. This location would provide limited coverage primarily only to the commercial areas and also facility at this alternative location would create a significant coverage overlap with AT&T's existing coverage, creating increased signal interference that would make it difficult for the new facility to establish dominant coverage. The weak service performance experienced by AT&T customers in the northern portion of the Targeted Service Area will also not be addressed. Therefore, Alternative Site #4 is not a suitable location because it would not provide the coverage required to meet AT&T's service objectives within the Targeted Service Area.

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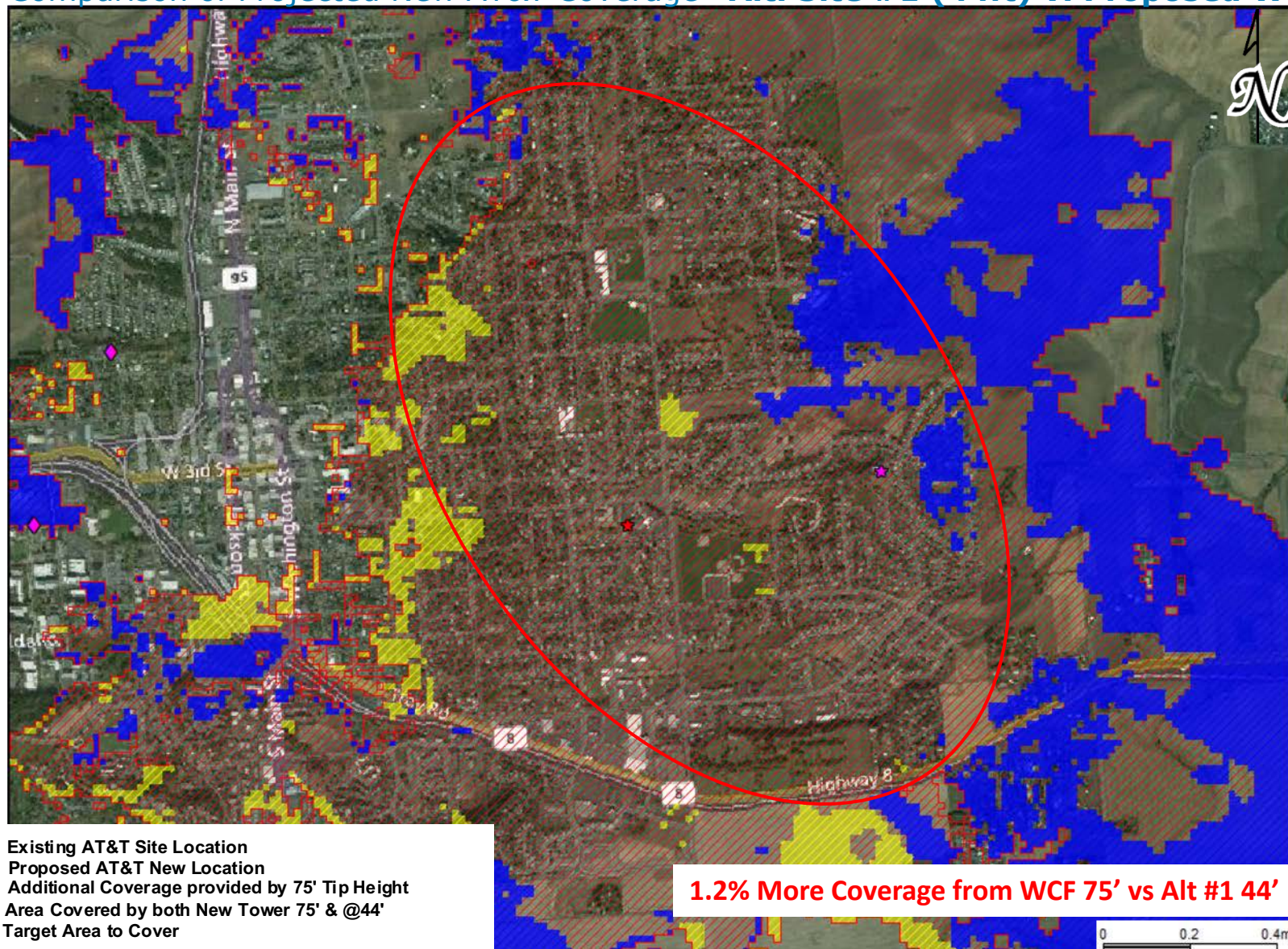
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Figure F—Comparison—Alternative Site #1

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Comparison of Projected New AT&T Coverage—Alt. Site #1 (44ft) v. Proposed WCF (75ft)

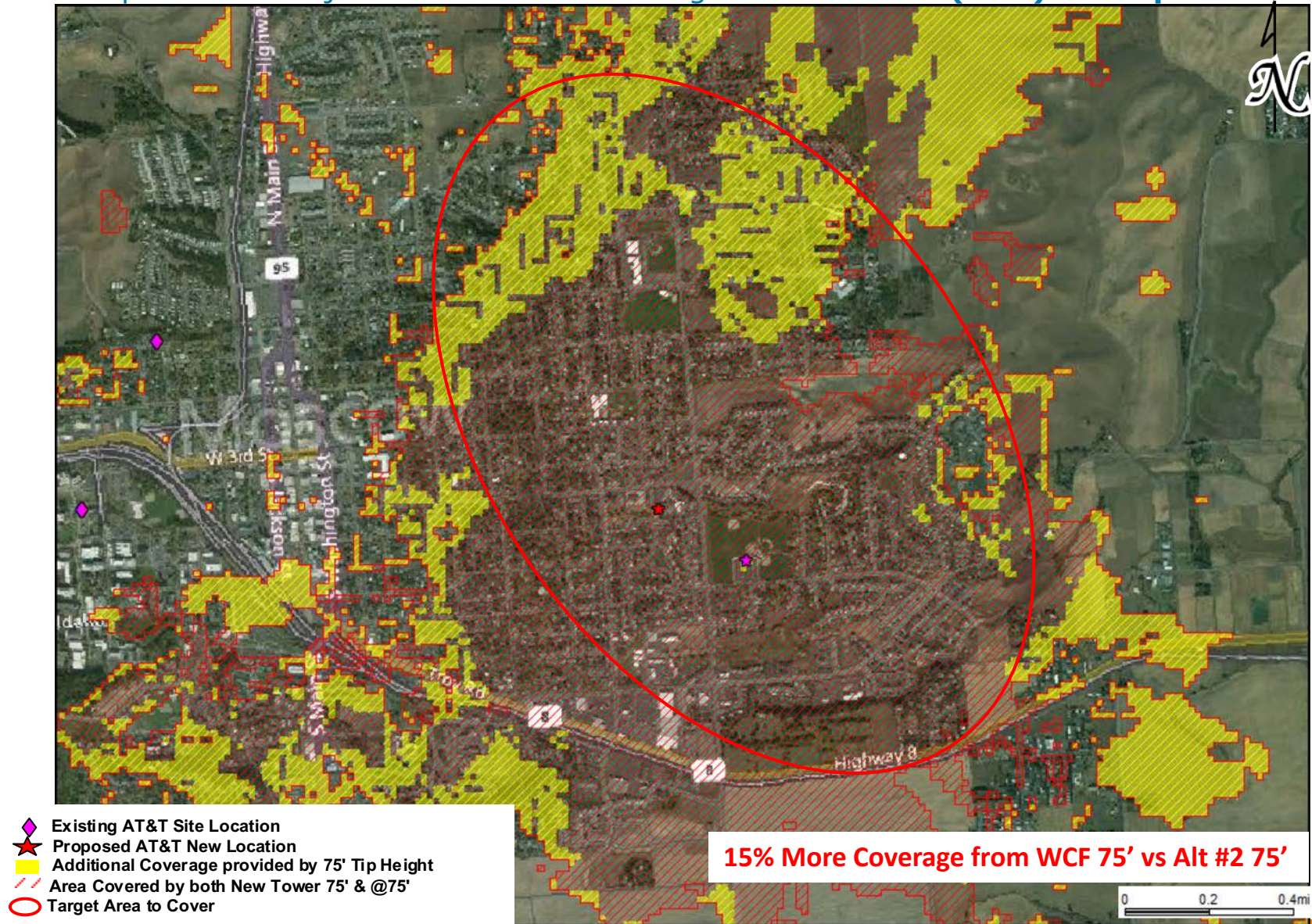


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Figure G—Comparison—Alternative Site #2

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Comparison of Projected New AT&T Coverage—Alt. Site #2 (75ft) v. Proposed WCF (75ft)

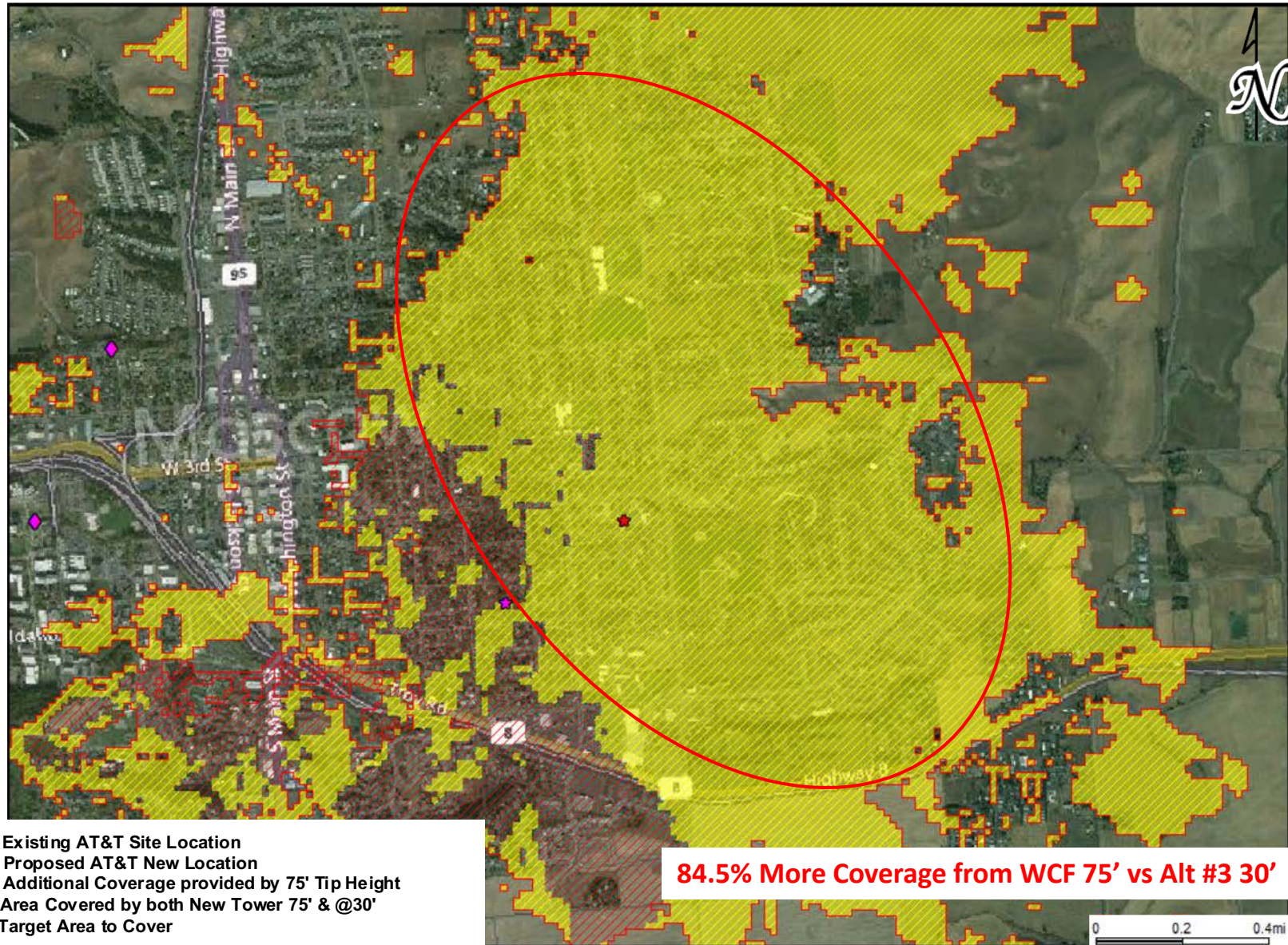


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Figure H—Comparison—Alternative Site #3

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Comparison of Projected New AT&T Coverage—Alt. Site #3 (30ft) v. Proposed WCF (75ft)

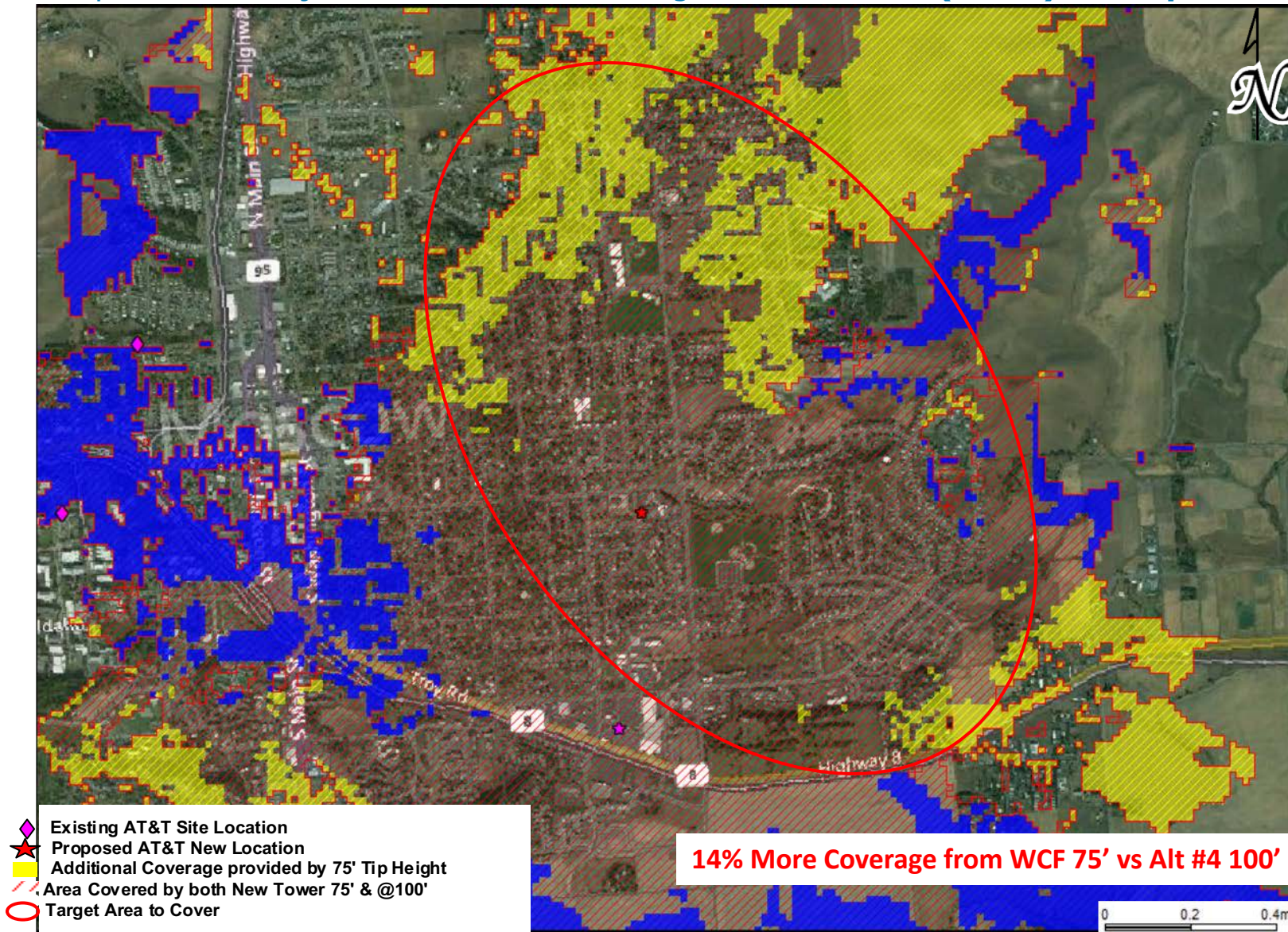


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Figure I—Comparison—Alternative Site #4

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Comparison of Projected New AT&T Coverage—Alt. Site #4 (100ft) v. Proposed WCF (75ft)



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SEARCH RING METHODOLOGY

AT&T's RF engineers used coverage propagation software systems to predict the coverage provided by the proposed new WCF. The software and AT&T's RF engineers considered the general factors outlined below, as well as more project-specific factors such as the type of antenna, antenna tilt, etc.

Coverage. The antenna site must be located in an area where the radio frequency broadcasts will provide adequate coverage within the targeted service area. The RF engineer must take into consideration the coverage objectives for the site as well as the terrain in and around the area to be covered. Because radio frequency broadcasts travel in a straight line and diminish as they travel further away from the antennas, it is generally best to place an antenna site near the center of the desired coverage area. However, in certain cases, the search ring may be located away from the center of the desired coverage area due to the existing coverage, the surrounding terrain, or other features which might affect the radio frequency broadcasts, *e.g.* buildings or sources of electrical interference.

Clutter. AT&T's WCFs must "clear the clutter"—the WCF site must be installed above or close to RF obstructions (the "clutter") to enable the RF to extend beyond and clear the clutter. AT&T's radio frequencies do not penetrate mountains, hills, rocks, or metal, and are diminished by trees, brick and wood walls, and other structures. Accordingly, AT&T's antennas must be installed above or close to the "clutter" to provide high quality communications services in the desired coverage areas. Additionally, if the local code requires us to accommodate additional carriers on the support structure, the structure must be even taller to also allow the other carriers' antennas to clear the clutter.

Call Handoff. The WCF site must be in an area where the radio broadcasts from the site will allow seamless "call handoff" with adjacent WCF sites. Call handoff is a feature of a wireless communications system that allows an ongoing telephone conversation to continue uninterrupted as the user travels from the coverage area of one antenna site into the coverage area of an adjacent antenna site. This requires coverage overlap for a sufficient distance and/or period of time to support the mechanism of the call handoff.

Quality of Service. Users of wireless communications services want to use their services where they live, work, commute and play, including when they are indoors. AT&T's coverage objectives include the ability to provide indoor coverage in areas where there are residences, businesses and indoor recreational facilities.

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SEARCH RING METHODOLOGY – CON'T...

Radio Frequencies used by System. The designs of wireless communications systems vary greatly based upon the radio frequencies that are used by the carrier. If the carrier uses radio frequencies in the 700 MHz to 850 MHz range, the radio signals will travel further and will penetrate buildings better than the radio frequencies in the 1900 MHz band, 2100 MHz band and 2300 MHz band. As a result, wireless communications systems that use lower radio frequencies will need fewer sites than wireless communications systems that use higher radio frequencies.

Land Use Classifications. A&T's ability to construct a WCF site on any particular property is affected by state and local regulations, including zoning and comprehensive plan classifications, goals, and policies. AT&T's search rings take these laws and regulations into consideration.

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**Federal Communications Commission
Wireless Telecommunications Bureau**

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: CECIL J MATHEW
AT&T MOBILITY SPECTRUM LLC
208 S. AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign KNKN253	File Number 0008774117
Radio Service CL - Cellular	
Market Numer CMA388	Channel Block A
Sub-Market Designator 0	

FCC Registration Number (FRN): 0014980726

Market Name Idaho 1 - Boundary				
Grant Date 10-16-2019	Effective Date 10-16-2019	Expiration Date 10-01-2029	Five Yr Build-Out Date	Print Date 10-16-2019

Site Information:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
2	47-29-34.1 N	116-08-36.0 W	1880.6	53.3	

Address: 1078 Main Street (10567)
City: Kellogg **County:** SHOSHONE **State:** ID **Construction Deadline:**

Antenna: 1

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	827.100	970.700	752.200	556.300	619.000	842.300	830.600	1128.200
Transmitting ERP (watts)	348.700	69.600	1.600	1.300	0.700	0.700	2.700	20.800

Antenna: 2

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	827.100	970.700	752.200	556.300	619.000	842.300	830.600	1128.200
Transmitting ERP (watts)	1.300	71.000	488.500	241.900	15.000	1.000	1.000	1.000

Antenna: 3

Maximum Transmitting ERP in Watts:	140.820							
Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	827.100	970.700	752.200	556.300	619.000	842.300	830.600	1128.200
Transmitting ERP (watts)	1.200	1.200	1.200	1.500	84.700	588.500	27.400	2.000

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNKN253

File Number: 0008774117

Print Date: 10-16-2019

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
2	47-29-34.1 N	116-08-36.0 W	1880.6	53.3	

Address: 1078 Main Street (10567)

City: Kellogg County: SHOSHONE State: ID Construction Deadline:

Antenna: 4

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	827.100	970.700	752.200	556.300	619.000	842.300	830.600	1128.200
Transmitting ERP (watts)	5.200	2.600	0.800	0.500	1.900	0.900	97.300	190.000

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
14	46-40-51.9 N	116-58-20.2 W	1096.7	86.9	1228863

Address: 1011 PARADISE RIDGE ROAD (67661)

City: Moscow County: LATAH State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	276.800	266.400	315.700	279.800	277.300	283.900	364.200	351.200
Transmitting ERP (watts)	0.800	0.700	4.600	35.800	55.400	61.000	37.000	5.000

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	272.800	262.400	311.700	275.800	273.300	279.900	360.200	347.200
Transmitting ERP (watts)	7.000	1.500	0.200	1.400	6.700	1.900	1.700	2.000

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	276.800	266.400	315.700	279.800	277.300	283.900	364.200	351.200
Transmitting ERP (watts)	324.800	9.500	5.000	0.649	3.600	3.200	13.600	292.300

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
15	48-05-37.2 N	116-33-14.5 W	1362.8	37.5	

Address: LITTLE BLACKTAIL MOUNTAIN NORTH (47117)

City: SANDPOINT County: BONNER State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	639.500	599.900	674.000	682.400	566.900	638.000	505.000	668.200
Transmitting ERP (watts)	5.900	145.300	349.000	54.700	1.800	0.700	0.700	0.700

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	639.500	599.900	674.000	682.400	566.900	638.000	505.000	668.200
Transmitting ERP (watts)	0.200	0.200	0.300	13.200	82.900	80.500	13.400	0.800

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNKN253

File Number: 0008774117

Print Date: 10-16-2019

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
15	48-05-37.2 N	116-33-14.5 W	1362.8	37.5	

Address: LITTLE BLACKTAIL MOUNTAIN NORTH (47117)

City: SANDPOINT County: BONNER State: ID Construction Deadline: 07-11-2015

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	639.500	599.900	674.000	682.400	566.900	638.000	505.000	668.200
Transmitting ERP (watts)	12.800	0.500	0.200	0.200	0.200	2.500	46.100	78.100

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
17	47-22-59.3 N	116-51-52.3 W	1032.4	22.0	

Address: A PORTION OF THE SW 1/4 SECTION 29 (10570)

City: WORLEY County: KOOTENAI State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	326.900	256.900	235.700	149.700	106.500	148.600	210.600	246.700
Transmitting ERP (watts)	3.500	71.700	261.700	242.000	86.500	10.100	0.523	0.523

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	326.900	256.900	235.700	149.700	106.500	148.600	210.600	246.700
Transmitting ERP (watts)	4.300	0.900	0.900	9.800	148.500	428.200	244.500	48.800

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	326.900	256.900	235.700	149.700	106.500	148.600	210.600	246.700
Transmitting ERP (watts)	252.100	134.800	24.200	1.100	0.504	1.200	28.000	215.400

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
18	48-36-37.5 N	116-15-23.3 W	1860.5	19.8	

Address: HIGHWAY 95 MILEPOST 498 (10572)

City: BONNERS FERRY County: BOUNDARY State: ID Construction Deadline: 07-11-2015

Antenna: 7

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	1219.000	855.000	668.000	280.600	393.800	933.600	1107.800	1271.300
Transmitting ERP (watts)	6.700	115.600	437.200	296.100	59.400	6.000	0.900	0.900

Antenna: 8

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	1219.000	855.000	668.000	280.600	393.800	933.600	1107.800	1271.300
Transmitting ERP (watts)	3.200	0.700	0.700	9.300	128.400	345.700	195.400	39.900

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNKN253

File Number: 0008774117

Print Date: 10-16-2019

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
18	48-36-37.5 N	116-15-23.3 W	1860.5	19.8	

Address: HIGHWAY 95 MILEPOST 498 (10572)

City: BONNERS FERRY County: BOUNDARY State: ID Construction Deadline: 07-11-2015

Antenna: 9

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	1219.000	855.000	668.000	280.600	393.800	933.600	1107.800	1271.300
Transmitting ERP (watts)	334.400	118.600	20.600	1.000	0.700	1.400	27.200	216.400

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
19	48-31-53.0 N	116-49-03.0 W	963.2	32.9	1039632

Address: 2000 CAMEL PRAIRIE ROAD (16637)

City: COOLIN County: BONNER State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	30.000	30.000	211.900	193.000	172.100	167.100
Transmitting ERP (watts)	0.826	0.826	0.826	3.100	105.600	413.000	108.000	4.400

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	30.000	30.000	211.900	193.000	172.100	167.100
Transmitting ERP (watts)	108.000	4.400	0.826	0.826	0.826	3.100	105.600	413.000

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
20	46-30-55.8 N	116-56-46.4 W	863.8	96.0	1227037

Address: 17268 Evans Rd. (48862)

City: Genesee County: NEZ PERCE State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	106.000	123.800	223.100	394.900	514.000	265.200	115.600	105.700
Transmitting ERP (watts)	0.739	69.900	369.700	209.100	14.200	2.900	0.739	0.739

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	106.000	123.800	223.100	394.900	514.000	265.200	115.600	105.700
Transmitting ERP (watts)	1.600	0.600	0.400	1.600	81.600	167.400	51.400	2.500

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	106.000	123.800	223.100	394.900	514.000	265.200	115.600	105.700
Transmitting ERP (watts)	320.200	41.300	2.400	0.640	0.640	0.900	18.300	288.400

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNKN253

File Number: 0008774117

Print Date: 10-16-2019

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
21	46-48-40.2 N	116-33-19.1 W	1030.2	47.8	

Address: T40N, R2W, Sec 14 (50386)

City: DEARY County: LATAH State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	51.300	169.600	170.800	180.800	255.800	246.400	187.200	130.600
Transmitting ERP (watts)	42.100	459.100	457.700	42.000	1.400	0.918	0.918	1.800

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	51.300	169.600	170.800	180.800	255.800	246.400	187.200	130.600
Transmitting ERP (watts)	1.312	5.000	108.300	656.100	316.300	15.800	1.312	1.312

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	51.300	169.600	170.800	180.800	255.800	246.400	187.200	130.600
Transmitting ERP (watts)	0.547	0.547	0.547	0.900	28.500	273.800	158.500	9.700

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
22	48-21-59.2 N	116-38-42.2 W	1946.8	28.4	

Address: TOP OF SCHWEITZER MTN RD (10569)

City: SAND POINT County: BONNER State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	544.900	1008.600	1174.400	1141.000	1064.500	777.100	898.500	644.800
Transmitting ERP (watts)	1.100	16.900	133.900	163.400	26.500	1.900	0.326	0.326

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	544.900	1008.600	1174.400	1141.000	1064.500	777.100	898.500	644.800
Transmitting ERP (watts)	1.800	0.800	0.800	7.500	92.900	388.500	213.300	25.500

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	544.900	1008.600	1174.400	1141.000	1064.500	777.100	898.500	644.800
Transmitting ERP (watts)	338.500	95.000	8.600	0.700	0.700	0.800	13.700	132.000

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNKN253

File Number: 0008774117

Print Date: 10-16-2019

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
23	48-12-42.6 N	117-05-02.0 W	1015.3	32.0	

Address: 2.5 mi NW of Newport (102739)

City: NEWPORT County: PEND OREILLE State: WA Construction Deadline: 07-11-2015

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	171.600	281.300	247.300	302.900	286.800	258.300	293.100
Transmitting ERP (watts)	0.816	51.400	408.300	363.900	36.400	0.900	0.816	0.816

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	171.600	281.300	247.300	302.900	286.800	258.300	293.100
Transmitting ERP (watts)	0.916	0.916	0.916	22.400	309.700	458.100	72.600	2.000

Antenna: 4

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	171.600	281.300	247.300	302.900	286.800	258.300	293.100
Transmitting ERP (watts)	129.100	4.800	1.028	1.028	1.028	8.000	209.400	514.000

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
24	47-39-44.1 N	116-56-58.5 W	1347.2	20.1	

Address: BLOSSOM SOUTH OF POST FALLS (10566)

City: COEUR D ALENE County: KOOTENAI State: ID Construction Deadline: 07-11-2015

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	689.200	678.000	662.700	578.800	423.800	217.300	662.500	694.700
Transmitting ERP (watts)	16.700	254.500	438.000	60.100	1.400	0.900	0.900	0.900

Antenna: 4

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	689.200	678.000	662.700	578.800	423.800	217.300	662.500	694.700
Transmitting ERP (watts)	227.800	21.400	0.900	0.500	0.500	0.600	16.500	211.100

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
26	47-11-18.0 N	116-54-24.1 W	835.8	91.1	1227035

Address: HWY 95, MILE POST 383 (16299)

City: TENSED County: BENEWAH State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	30.000	66.700	30.000	42.900	107.900	90.900
Transmitting ERP (watts)	0.600	2.800	89.300	284.200	58.700	2.100	0.600	0.600

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNKN253

File Number: 0008774117

Print Date: 10-16-2019

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
26	47-11-18.0 N	116-54-24.1 W	835.8	91.1	1227035

Address: HWY 95, MILE POST 383 (16299)

City: TENSED County: BENEWAH State: ID Construction Deadline: 07-11-2015

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	30.000	66.700	30.000	42.900	107.900	90.900
Transmitting ERP (watts)	8.800	0.546	0.546	3.100	53.300	273.200	264.900	65.000

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	30.000	66.700	30.000	42.900	107.900	90.900
Transmitting ERP (watts)	261.600	127.900	7.300	0.523	0.523	0.523	0.523	35.700

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
27	46-27-41.9 N	117-00-30.1 W	798.9	17.4	

Address: HIGHWAY 95 MILE POST 317 (10635)

City: LEWISTON County: NEZ PERCE State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	405.200	406.400	496.100	431.600	39.800	30.000
Transmitting ERP (watts)	0.300	9.500	49.900	42.900	47.900	34.300	3.900	0.200

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	405.200	406.400	496.100	431.600	39.800	30.000
Transmitting ERP (watts)	0.800	1.000	2.300	19.700	157.100	199.500	127.700	15.000

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	405.200	406.400	496.100	431.600	39.800	30.000
Transmitting ERP (watts)	298.900	121.800	15.300	2.200	0.600	8.200	25.400	192.900

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
29	45-51-48.0 N	116-07-29.0 W	1853.2	34.4	

Address: SE 1/4 SE 1/4 Sec. 7. Tshp 29N Rge 3E (154276)

City: Grangeville County: IDAHO State: ID Construction Deadline: 07-11-2015

Antenna: 1

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	863.200	931.200	703.900	303.900	519.500	820.100	798.400	841.000
Transmitting ERP (watts)	1.510	39.900	584.100	755.300	100.700	7.000	1.800	1.510

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNKN253

File Number: 0008774117

Print Date: 10-16-2019

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
29	45-51-48.0 N	116-07-29.0 W	1853.2	34.4	

Address: SE 1/4 SE 1/4 Sec. 7, Tshp 29N Rge 3E (154276)

City: Grangeville **County:** IDAHO **State:** ID **Construction Deadline:** 07-11-2015

Antenna: 2

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	863.200	931.200	703.900	303.900	519.500	820.100	798.400	841.000
Transmitting ERP (watts)	3.300	1.700	1.700	3.300	118.300	847.500	485.800	41.800

Antenna: 3

Maximum Transmitting ERP in Watts: 140.820

Azimuth(from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	863.200	931.200	703.900	303.900	519.500	820.100	798.400	841.000
Transmitting ERP (watts)	467.500	156.600	13.200	2.800	0.935	0.935	12.000	211.300

Control Points:

Waivers/Conditions:

THIS AUTHORIZATION IS SUBJECT TO THE CONDITION THAT, IN THE EVENT THAT CELLULAR SYSTEMS USING THE SAME FREQUENCY BLOCK AS GRANTED HEREIN ARE AUTHORIZED IN ADJACENT TERRITORY IN CANADA, COORDINATION OF ANY OF THE LICENSEE'S TRANSMITTER INSTALLATIONS WHICH ARE WITHIN 45 MILES OF THE U.S. CANADA BORDER SHALL BE REQUIRED TO ELIMINATE ANY HARMFUL INTERFERENCE THAT MIGHT OTHERWISE EXIST AND TO INSURE CONTINUANCE OF EQUAL ACCESS TO THE FREQUENCY BLOCK BY BOTH COUNTRIES.

This license is conditioned upon compliance with the provisions of Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corporation For Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, FCC 04-255 (rel. Oct. 26, 2004).

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

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**Federal Communications Commission
Wireless Telecommunications Bureau****RADIO STATION AUTHORIZATION**

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: CECIL J MATHEW
NEW CINGULAR WIRELESS PCS, LLC
208 S AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign WPWU989	File Number 0008643019
Radio Service WZ - 700 MHz Lower Band (Blocks C, D)	

FCC Registration Number (FRN): 0003291192

Grant Date 11-05-2019	Effective Date 11-05-2019	Expiration Date 06-13-2029	Print Date 11-07-2019
Market Number EAG706		Channel Block D	Sub-Market Designator 0
Market Name Pacific			
1st Build-out Date 06-13-2019	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

Operation of the facilities authorized herein, are subject to the condition that harmful interference may not be caused to, but must be accepted from UHF TV transmitters in Canada and Mexico as identified in existing and any future agreements with those countries.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select License Search . Follow the instructions on how to search for license information.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: WPWU989

File Number: 0008643019

Print Date: 11-07-2019

This application is granted pursuant to the Commission's Order In the Matter of Qualcomm Incorporated Petition for Declaratory Ruling, WT Docket No. 05-7, FCC 06-155, released October 13, 2006.

Reference Copy

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: WPWU989

File Number: 0008643019

Print Date: 11-07-2019

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission
Wireless Telecommunications Bureau****RADIO STATION AUTHORIZATION**

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: CECIL J MATHEW
AT&T MOBILITY SPECTRUM LLC
208 S. AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign WPYU554	File Number 0008656559
Radio Service WZ - 700 MHz Lower Band (Blocks C, D)	

FCC Registration Number (FRN): 0014980726

Grant Date 07-16-2019	Effective Date 07-16-2019	Expiration Date 06-13-2029	Print Date 07-17-2019
Market Number CMA388	Channel Block C	Sub-Market Designator 0	
Market Name Idaho 1 - Boundary			
1st Build-out Date 06-13-2019	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This license is subject to compliance with the conditions set forth in the Commission's Order of Modification, WT Docket No. 12-69, DA 14-43, released January 16, 2014.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select License Search . Follow the instructions on how to search for license information.

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WPYU554

File Number: 0008656559

Print Date: 07-17-2019

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: CECIL J MATHEW
NEW CINGULAR WIRELESS PCS, LLC
208 S AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign WQJQ759	File Number
Radio Service WY - 700 MHz Lower Band (Blocks A, B & E)	

FCC Registration Number (FRN): 0003291192

Grant Date 11-26-2008	Effective Date 08-31-2018	Expiration Date 06-13-2019	Print Date
Market Number CMA388	Channel Block B	Sub-Market Designator 0	
Market Name Idaho 1 - Boundary			
1st Build-out Date 12-13-2016	2nd Build-out Date 06-13-2019	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

The interim construction benchmark has been extended to December 13, 2013 pursuant to Public Notice DA 13-680 released April 10, 2013. The extension is non-transferrable and any proposed assignee or transferee seeking Commission approval to acquire this license may independently seek relief justifying an extension of the interim construction benchmark set forth in 47 C.F.R. § 27.14(g).

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select License Search . Follow the instructions on how to search for license information.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: WQJQ759

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: CECIL J MATHEW
AT&T MOBILITY SPECTRUM LLC
208 S. AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign WQGI502	File Number
Radio Service AW - AWS (1710-1755 MHz and 2110-2155 MHz)	

FCC Registration Number (FRN): 0014980726

Grant Date 01-29-2007	Effective Date 09-27-2018	Expiration Date 01-29-2022	Print Date
Market Number CMA388	Channel Block A	Sub-Market Designator 0	
Market Name Idaho 1 - Boundary			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

AWS operations must not cause harmful interference across the Canadian or Mexican Border. The authority granted herein is subject to future international agreements with Canada or Mexico, as applicable.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select License Search . Follow the instructions on how to search for license information.

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WQGI502

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission
Wireless Telecommunications Bureau****RADIO STATION AUTHORIZATION**

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: CECIL J MATHEW
NEW CINGULAR WIRELESS PCS, LLC
208 S AKARD ST. RM 1015
DALLAS, TX 75202

Call Sign	File Number
WQVG237	
Radio Service	
AW - AWS (1710-1755 MHz and 2110-2155 MHz)	

FCC Registration Number (FRN): 0003291192

Grant Date 11-07-2014	Effective Date 02-20-2019	Expiration Date 11-29-2021	Print Date
Market Number REA006	Channel Block D	Sub-Market Designator 26	
Market Name West			
1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations. See, e.g., FCC and NTIA Coordination Procedures in the 1710-1755 MHz Band, Public Notice, FCC 06-50, WTB Docket No. 02-353, rel. April 20, 2006.

AWS operations must not cause harmful interference across the Canadian or Mexican Border. The authority granted herein is subject to future international agreements with Canada or Mexico, as applicable.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select License Search . Follow the instructions on how to search for license information.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: WQVG237

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission
Wireless Telecommunications Bureau****RADIO STATION AUTHORIZATION**

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: CECIL J MATHEW
AT&T MOBILITY SPECTRUM LLC
208 S. AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign	File Number
WQVN852	
Radio Service	
AT - AWS-3 (1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz)	

FCC Registration Number (FRN): 0014980726

Grant Date 04-08-2015	Effective Date 09-29-2018	Expiration Date 04-08-2027	Print Date
Market Number BEA147	Channel Block H	Sub-Market Designator 0	
Market Name Spokane, WA-ID			
1st Build-out Date 04-08-2021	2nd Build-out Date 04-08-2027	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

NONE

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WQVN852

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission
Wireless Telecommunications Bureau****RADIO STATION AUTHORIZATION**

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: CECIL J MATHEW
AT&T MOBILITY SPECTRUM LLC
208 S. AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign	File Number
WQVN853	
Radio Service	
AT - AWS-3 (1695-1710 MHz, 1755-1780 MHz, and 2155-2180 MHz)	

FCC Registration Number (FRN): 0014980726

Grant Date 04-08-2015	Effective Date 08-29-2018	Expiration Date 04-08-2027	Print Date
Market Number BEA147	Channel Block I	Sub-Market Designator 0	
Market Name Spokane, WA-ID			
1st Build-out Date 04-08-2021	2nd Build-out Date 04-08-2027	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

NONE

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WQVN853

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: LESLIE WILSON
NEW CINGULAR WIRELESS PCS, LLC
208 S AKARD ST., RM 1016
DALLAS, TX 75202

Call Sign KNLF283	File Number
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0003291192

Grant Date 06-02-2015	Effective Date 08-31-2018	Expiration Date 06-23-2025	Print Date
Market Number MTA042	Channel Block A	Sub-Market Designator 11	
Market Name Spokane-Billings			
1st Build-out Date 06-23-2000	2nd Build-out Date 06-23-2005	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select License Search . Follow the instructions on how to search for license information.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNLF283

File Number:

Print Date:

This authorization is granted subject to all conditions incorporated in GTE/Bell Atlantic, CC Docket No. 98-184 Memorandum Opinion and Order (FCC 00-221), released June 16, 2000.

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNLF283

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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**Federal Communications Commission
Wireless Telecommunications Bureau****RADIO STATION AUTHORIZATION**

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: CECIL J MATHEW
AT&T MOBILITY SPECTRUM LLC
208 S. AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign WPTK628	File Number
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0014980726

Grant Date 10-18-2011	Effective Date 09-25-2018	Expiration Date 10-22-2021	Print Date
Market Number BTA250	Channel Block F	Sub-Market Designator 1	
Market Name Lewiston-Moscow, ID			
1st Build-out Date 10-22-2006	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WPTK628

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: CECIL J MATHEW
AT&T MOBILITY SPECTRUM LLC
208 S. AKARD ST., RM 1015
DALLAS, TX 75202

Call Sign WPXS750	File Number
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0014980726

Grant Date 06-10-2015	Effective Date 08-29-2018	Expiration Date 06-23-2025	Print Date
Market Number MTA042	Channel Block A	Sub-Market Designator 12	
Market Name Spokane-Billings			
1st Build-out Date 06-23-2000	2nd Build-out Date 06-23-2005	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WPXS750

File Number:

Print Date:

This license is conditioned upon compliance with the provisions of Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corporation For Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, FCC 04-255 (rel. Oct. 26, 2004).

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WPXS750

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS SERVICES, INC.

ATTN: LESLIE A. WILSON
NEW CINGULAR WIRELESS SERVICES, INC.
208 S. AKARD ST., RM 1016
DALLAS, TX 75202

Call Sign KNLB258	File Number
Radio Service WS - Wireless Communications Service	

FCC Registration Number (FRN): 0004122032

Grant Date 02-28-2020	Effective Date 02-28-2020	Expiration Date 07-21-2027	Print Date
Market Number MEA041	Channel Block A	Sub-Market Designator 0	
Market Name Spokane-Billings			
1st Build-out Date 03-13-2017	2nd Build-out Date 09-13-2019	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/Mexico), future coordination of any base station transmitters shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: NEW CINGULAR WIRELESS SERVICES, INC.

Call Sign: KNLB258

File Number:

Print Date:

This license is conditioned upon compliance with the provisions of Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corporation For Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, FCC 04-255 (rel. Oct. 26, 2004).

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

License renewal is granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to WCS Order on Reconsideration, FCC 12-130, in order to obtain a renewal expectancy at the 7/21/17 renewal deadline, a licensee must, for each license area, certify that it has maintained, or exceeded, the level of coverage demonstrated for that license area at the 3/13/2017 construction deadline.

Licensee Name: NEW CINGULAR WIRELESS SERVICES, INC.

Call Sign: KNLB258

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS SERVICES, INC.

ATTN: LESLIE A. WILSON
NEW CINGULAR WIRELESS SERVICES, INC.
208 S. AKARD ST., RM 1016
DALLAS, TX 75202

Call Sign KNLB259	File Number
Radio Service WS - Wireless Communications Service	

FCC Registration Number (FRN): 0004122032

Grant Date 02-28-2020	Effective Date 02-28-2020	Expiration Date 07-21-2027	Print Date
Market Number MEA041	Channel Block B	Sub-Market Designator 0	
Market Name Spokane-Billings			
1st Build-out Date 03-13-2017	2nd Build-out Date 09-13-2019	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This license is conditioned upon compliance with the provisions of Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corporation For Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, FCC 04-255 (rel. Oct. 26, 2004).

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: NEW CINGULAR WIRELESS SERVICES, INC.

Call Sign: KNLB259

File Number:

Print Date:

License renewal is granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to WCS Order on Reconsideration, FCC 12-130, in order to obtain a renewal expectancy at the 7/21/17 renewal deadline, a licensee must, for each license area, certify that it has maintained, or exceeded, the level of coverage demonstrated for that license area at the 3/13/2017 construction deadline.

Licensee Name: NEW CINGULAR WIRELESS SERVICES, INC.

Call Sign: KNLB259

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: LESLIE A. WILSON
 NEW CINGULAR WIRELESS PCS, LLC
 208 S. AKARD ST., RM 1016
 DALLAS, TX 75202

Call Sign KNLB300	File Number
Radio Service WS - Wireless Communications Service	

FCC Registration Number (FRN): 0003291192

Grant Date 02-28-2020	Effective Date 02-28-2020	Expiration Date 07-21-2027	Print Date
Market Number REA006	Channel Block C	Sub-Market Designator 1	
Market Name West			
1st Build-out Date	2nd Build-out Date 09-13-2021	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

License renewal is granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to WCS Order on Reconsideration, FCC 12-130, in order to obtain a renewal expectancy at the 7/21/17 renewal deadline, a licensee must, for each license area, certify that it has maintained, or exceeded, the level of coverage demonstrated for that license area at the 3/13/2017 construction deadline.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

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Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNLB300

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: LESLIE A. WILSON
NEW CINGULAR WIRELESS PCS, LLC
208 S. AKARD ST., RM 1016
DALLAS, TX 75202

Call Sign KNLB301	File Number
Radio Service WS - Wireless Communications Service	

FCC Registration Number (FRN): 0003291192

Grant Date 02-28-2020	Effective Date 02-28-2020	Expiration Date 07-21-2027	Print Date
Market Number REA006	Channel Block D	Sub-Market Designator 1	
Market Name West			
1st Build-out Date	2nd Build-out Date 09-13-2021	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

License renewal is granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to WCS Order on Reconsideration, FCC 12-130, in order to obtain a renewal expectancy at the 7/21/17 renewal deadline, a licensee must, for each license area, certify that it has maintained, or exceeded, the level of coverage demonstrated for that license area at the 3/13/2017 construction deadline.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select License Search . Follow the instructions on how to search for license information.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNLB301

File Number:

Print Date:

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status
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Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

LUP2021-0004
Aeronautical Study No.
2018-ANM-1746-OE

Issued Date: 06/12/2018

Brandon Olsen
PI Tower Development, LLC LendLease Americas-BO
909 Lake Carolyn Parkway
Suite 260
Irving, TX 75039

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole PIID003 Moscow-Residential
Location:	Moscow, ID
Latitude:	46-43-45.59N NAD 83
Longitude:	116-58-56.88W
Heights:	2598 feet site elevation (SE) 85 feet above ground level (AGL) 2683 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 12/12/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO

LUP2021-0004

SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-ANM-1746-OE.

Signature Control No: 362096708-367522554

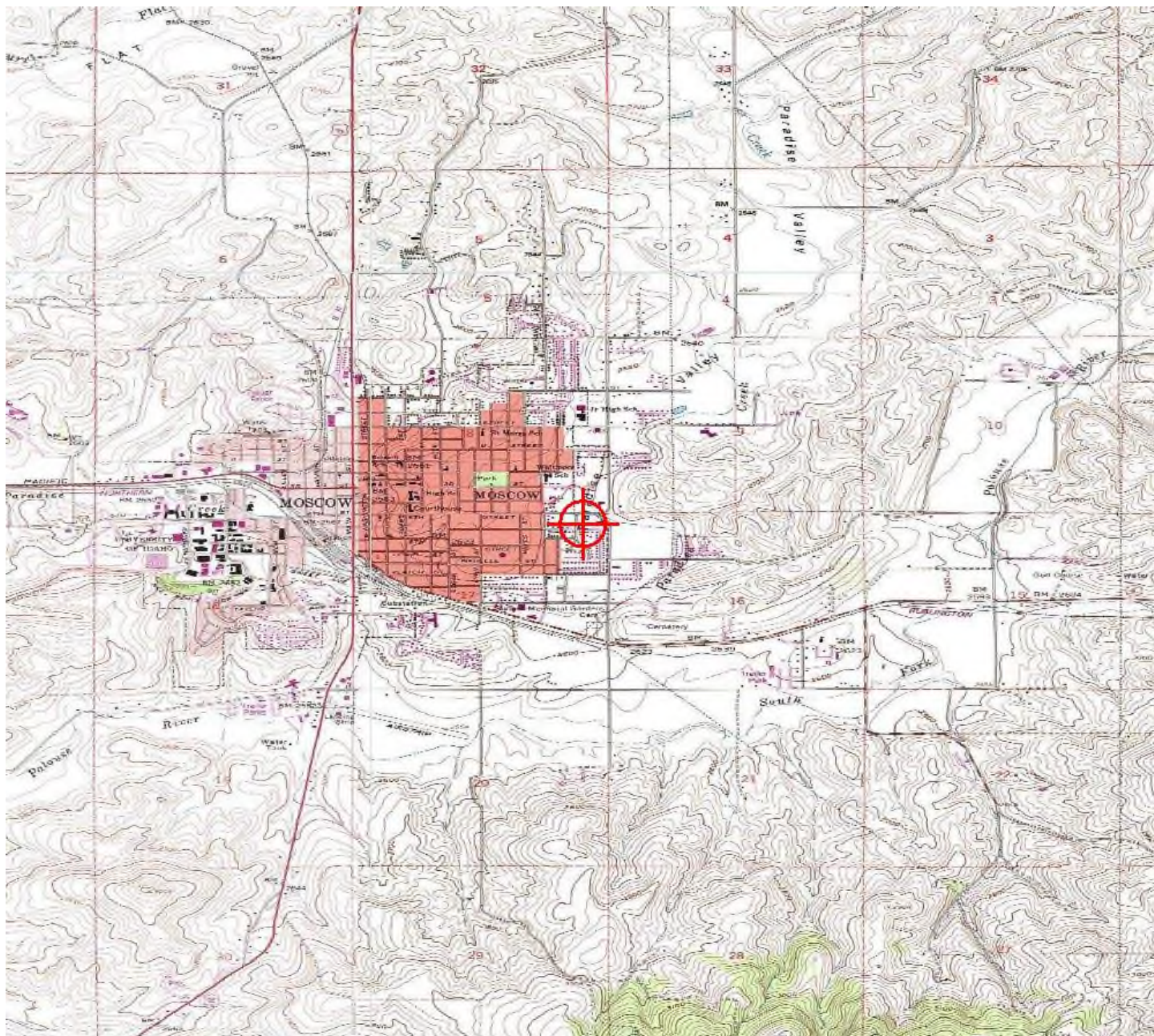
(DNE)

Paul Holmquist
Specialist

Attachment(s)
Frequency Data
Map(s)

cc: FCC

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W





Wednesday, February 17, 2021 at 12:54:50 Pacific Standard Time

Subject: FW: Cell Tower Proposal
Date: Thursday, February 4, 2021 at 2:01:42 PM Pacific Standard Time
From: John Silenzi
To: Gregg Busch
CC: William Castanares, Bryan Mullen
Attachments: PIID321 SE Moscow FZD Rev-2 11-19-2020.pdf

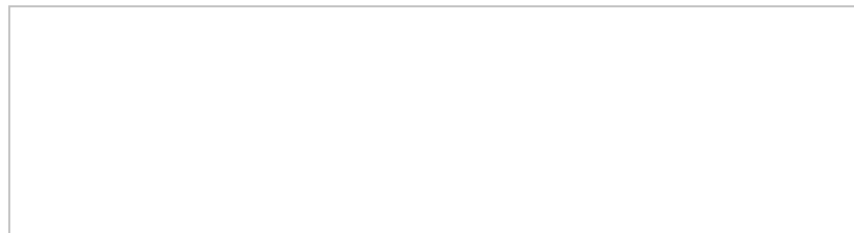
Hi Gregg,

Below is the emailed approval from Pastor Ed to proceed with the land use submittal for PIID321 SE Moscow.

Let me know if you need anything else.

Thanks,

John



From: Ed Eby <edeby@moscownaz.org>
Sent: Thursday, February 4, 2021 1:52 PM
To: John Silenzi <johns@5cpro.com>
Subject: RE: Cell Tower Proposal

John,

I have received a positive response from my Church Board, so this is your authorization to proceed with the Cell Tower proposal to the City of Moscow.

Let me know if you need any additional information.

Sincerely,

Pastor Ed Eby
Senior Pastor, Moscow Church of the Nazarene

Recieved 02-19-2021

City of Moscow
Community Planning & Design
PO Box 9203
Moscow, ID 83843

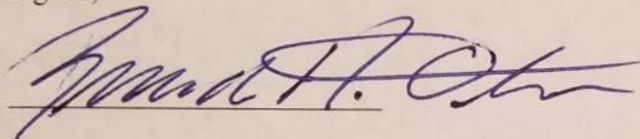
To the Department of Community Planning & Design,

I, Brandon Olsen, an authorized representative of Parallel Infrastructure LLC, submit this written commitment to shared use as required by Moscow City Code Section 4-3-5(H)(6).

Parallel Infrastructure LLC hereby commits to make the proposed antenna tower at 1400 E 7th St, Moscow, Idaho available for shared use by others subject to technical and structural limitations and reasonable financial terms.

Please contact me at (503) 951-7515 if you have questions regarding this commitment.

Signed,

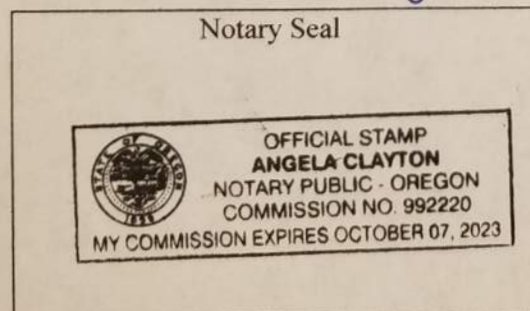


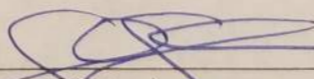
Brandon A. Olsen
Executive Director – Program Management RAN
Parallel Infrastructure LLC

STATE OF OREGON)
) SS.
COUNTY OF Clackamas)

This instrument was acknowledged before me on February 2, 2021, by
Brandon Olsen as Authorized Representative of Parallel Infrastructure,
LLC.

DATED: February 2, 2021.




(Signature of Notary)
Angela Clayton
(Legibly Print or Stamp Name of Notary)
Notary Public in and for the State of Oregon
My appointment expires: 10.7.2023



15105 John J. Delaney Drive | Suite D-3 | Charlotte, NC
T: 503.951.7515 | parallelinfrastructure.com

January 27, 2021

City of Moscow
Community Planning & Design
PO Box 9203
Moscow, ID 83843

VIA EMAIL

RE: Parallel Infrastructure – Applications for Tower and Wireless Facilities at 1400 E 7th Street
Letter of Authorization – Wireless Policy Group LLC

Dear Sir or Madam:

Please accept this letter as authorization for Wireless Policy Group to represent, file applications on behalf of, and serve as a contact for Parallel Infrastructure regarding applications for zoning, building, and other necessary permits for development of a proposed antenna tower and all associated wireless facilities and tenant collocations, at 1400 E 7th Street, Moscow, Idaho.

If you have any questions, please contact me at 503.951.7515.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brandon A. Olsen", written over a horizontal line.

Brandon A. Olsen
Executive Director – Program Management RAN
Parallel Infrastructure
Portland, OR
M 503.951.7515

Recieved 02-19-2021

Attention Wireless Providers

This letter is to notify you of an application for the installation of a new wireless telecommunications facility within the City of Moscow, ID and within your licensed area. Attached is the application and a description of the proposed wireless facility.

Summary of Site Details

Height: 80' AGL

Design: Stealth Site (Church Tower)

Location: 1400 E 7th Street, Moscow, ID 83823

Type and Frequency of Antennas: TBD; expected 3 RAD centers of up to 4 antennas each

Please provide any comments you have, including your desire to collocate, **within 10 days** of receipt of this notice to:

John Silenzi
(503) 804-4014
johns@5cpro.com



John Silenzi
Sr. Project Manager
503-804-4014

T-Mobile US, Inc
12920 SE 38th Street
Bellevue, WA 98006

Dish Wireless LLC
5701 S Santa Fe Drive
Littleton, CO 80120

Inland Cellular, LLC
PO Box 688
109 S. First Street
Roslyn, WA 98941

AT&T Mobility LLC
208 S. Akard Street
Dallas, TX 75202

Verizon Wireless
One Verizon Way
Basking Ridge, NJ 07920

US Cellular
8410 W Bryn Mawr Avenue
Suite 700
Chicago, IL 60631

TracFone Wireless, Inc
9700 NW 112th Avenue
Miami, FL 33178

OnStar, LLC
300 Renaissance Center
Detroit, MI 48265

Mint Mobile, LLC
1550 Scenic Avenue
Suite 100
Costa Mesa, CA 92626

Google North America, Inc
1600 Amphitheatre Parkway
Mountain View, CA 94043

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

T-Mobile US, Inc
12920 SE 38th St
Bellevue, WA 98006

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

Mint Mobile, LLC
1550 Science Ave
Ste 100
Costa Mesa, CA 92626

FROM

Greggory Burch, WPB
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

Google North America, Inc
1600 Amphitheatre Parkway
Mountain View, CA 94043

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

On Star, LLC
300 Renaissance Center
Detroit, MI 48265

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

Trafone Wireless, Inc
9700 NW 112th Ave
Miami, FL 33178

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

US Cellular
8410 W Byram Ave.
Ste 700
Chicago, IL 60631

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

Verizon Wireless
One Verizon Way
Basking Ridge, NJ 07920

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

AT&T Mobility LLC
208 S. Akard St.
Dallas, TX 75202

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd, Ste 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

Inland Cellular, LLC
PO Box 688
109 S. First Street
Poulsbo, WA 98041

FROM

Wireless Policy Group LLC
1420 NW Gilman Blvd 9030
Issaquah, WA 98027**Mail Clinic**
ISSAQUAH

TO

Dish Wireless LLC
5701 S Santa Fe Dr
Littleton, CO 80120

and the Easement(s) surveyed and to obtain a title report or commitment for a leasehold title policy covering the Leased Premises and the Easement(s) from the title insurance company of its choice prior to the Rent Commencement Date. Lessor shall remove any survey or title defects, which will adversely affect Lessee's leasehold title or its ability to mortgage its leasehold interest. In the event Lessor shall fail to cure any such defects, Lessee shall have the right to terminate this Lease upon written notice to Lessor.

(c) In the event of a termination of the Lease pursuant to subparagraph 3(a) or 3(b) above or Paragraph 8 below, within thirty (30) days of such termination Lessee will file a release or other appropriate instrument with the local recording office to remove the Memorandum of Lease from the title record. If said removal is not performed by Lessee within such thirty (30) day period, Lessee appoints Lessor, as Lessee's agent and at Lessee's cost and expense, to file the necessary release or other instrument to cause the Memorandum of Lease to be released from title.

4. **Attorney-In-Fact and Cooperation.** Lessor hereby irrevocably appoints Lessee or Lessee's agent as Lessor's agent to file such applications on behalf of Lessor with federal, state and local governmental authorities which relate to Lessee's Intended Use of the Leased Premises, including, but not limited to, land use and zoning applications. Lessor agrees to cooperate with Lessee in obtaining, at Lessee's expense, all licenses and permits required for Lessee's use of the Leased Premises (the "Governmental Approval").

5. **Use.** The Leased Premises may be used by Lessee for the transmission and receipt of wireless communication signals in any and all frequencies and the construction and maintenance of a communications tower, antennas, buildings, and related facilities and activities, and all other uses permitted under applicable zoning regulations. Lessee may construct additional improvements, demolish and reconstruct improvements, or restore, replace and reconfigure improvements at any time during the Term (as herein defined) of this Lease.

6. **Initial Term.** The initial term of this Lease shall be **five (5) years** commencing on the Commencement Date and terminating on the fifth (5th) anniversary of the Commencement Date ("Initial Term"). The parties agree that a memorandum of lease in the form attached hereto as **Exhibit "D"**, evidencing the Commencement Date and other matters, shall be executed and recorded.

7. **Renewal Terms.** Lessee shall have the right to extend the Initial Term of this Lease for **five (5) additional five (5) year terms** ("Renewal Terms"). Each Renewal Term shall be on the same terms and conditions as set forth in this Lease. This Lease shall automatically be renewed for each successive Renewal Term unless Lessee notifies Lessor of Lessee's intention not to renew the Lease at least thirty (30) days prior to the expiration of the Initial Term or the Renewal Term which is then in effect. The Initial Term and each Renewal Term shall collectively be referred to herein as the "Term".

8. **Rent.**

(a) Commencing on the Rent Commencement Date, during the Term of this Lease, Lessee shall pay to Lessor an annual rental amount of [REDACTED]

("Rent"), which shall be deemed to include any applicable State, County or local sales or use tax. Rent shall be payable on or before the fifteenth (15th) day of each calendar month, and shall be remitted to the address shown for Lessor in this Lease, or such other address as Lessor may direct by written notice to Lessee. Lessor acknowledges the first such payment of Rent will be made within thirty (30) days of the Rent Commencement Date. Lessee shall have no obligation to make any Rent payments until such time as Lessee receives a completed Internal Revenue Service W-9 form from Lessor, setting forth the Federal tax identification number of Lessor or the person or entity to whom the Rent checks are to be made payable as directed in writing by Lessor (the "**Tax Credentials**"). From time to time during the Term and within fourteen (14) days of a written request from Lessee, Lessor agrees to provide updated Tax Credentials in a form reasonably acceptable to Lessee. The Tax Credentials shall be provided to Lessee in accordance with the provisions of, and at the address given in, Section 21 below. Within fifteen (15) days of obtaining an interest in the Property or this Lease, any assignee(s) or transferee(s) of Lessor shall provide to Lessee

David and Kerri Renner
1130 E 7th St
Moscow, Id 83843
Drenner80309@gmail.com

City of Moscow Board of Adjustment:

Please allow Kerri and I to go on record as firmly opposing permit application LUP2021-0004 for the installation of an 80-foot wireless communication facility at 1400 E 7th street. We would sincerely appreciate you carefully considering our concerns below:

1. Under item **General Information --> 6. Operating Characteristics** of the filing application AT&T indicates that it has "identified a need for improved service in East Moscow and the surrounding area". However, we have until just recently been AT&T customers for more than 10 years and have never had any issues with intermittent or degraded wireless service. I know of no other neighbors in the area that have, over the years, experienced degraded wireless service, regardless of carrier (i.e., AT&T, Verizon, etc.). In addition, applicant states that the site will be provided to enhance its 4G LTE technology, an older technology slower than "pure" 4G technology. In terms of community benefit/cost this represents marginal technology benefit to the community. Applicant should be installing 4G at the site at a minimum, not 4G LTE. New 5G technology represents maximum community benefit.
2. Under item **General Information → 7 → Criteria #2** of the filing application, applicant indicates "The proposed use will maintain the character of the Church of the Nazarene campus by incorporating design elements similar to the adjacent church". However, filing application drawings A-2 2 and A-2.1 2, as well as the pictures that follow, illustrate that that the proposed structure will significantly and drastically alter the visual character and aesthetic appeal of the Nazarene Church property. In particular, the proposed 80 foot tower height, approximately 15 feet higher than the property's landmark dome cross, completely dominates the visual and aesthetic character of the property from every direction and distracts from the original architectural focal point of the property: the dome and its visually prominent landmark cross.

The excessively tall and rectangular/square shape of the proposed tower, in addition to its location at the very periphery of the property, is not only inconsistent with the design features of the domes' curved profile but also results in glaring "horizontal and vertical spatial discontinuities" with the property's existing structures. This unfavorable change will be visible and prominent from all directions and all vantage points.

3. Under item **General Information → 7 → Criteria #3** of the filing application, applicant indicates "All ground equipment will be fully screened with existing landscaping and a six foot (6') tall fence. Construction will create some noise that will last approximately one month. Two diesel generators will run in the event of a power outage, and once a week for one hour for maintenance." Application drawings A-1.2 2 and following illustrate that no additional landscaping vegetation will be used to provide a visual barrier for the ground structures to be installed (e.g., diesel generators, etc.). Only existing Arborvitae vegetation will be used in addition to newly installed 6-foot cedar fencing (Drawing A-2 2). If not routinely maintained (i.e.,

stained) this fencing will wear with time to a brown, grey oxidized surface. Who would be legally responsible for maintaining this fencing ?? Unless taken care of, this would simply become unattractive (PS: I'm replacing my worn, faded fence this summer).

The existence of 2 diesel generators is very concerning, not only from the standpoint of noise pollution but also from the standpoint of hydrocarbon emissions pollution. Testing of such generators will need to occur during construction and final testing before the site "goes live". In looking at applicants filing I have not found any specifications for such generators regarding rated noise and hydrocarbon emissions. We believe providing emissions specifications for such equipment should be mandatory; we believe this is unacceptable otherwise. Generators would ostensibly run full-time for an unknown period of time in the event of a power outage. This would create significant changes in the surrounding neighborhood/area due to the increase in noise and hydrocarbon emissions. Living directly across the street from the proposed installation, we would be significantly impacted. In addition, applicant states that generators would routinely run once a week for one hour for maintenance purposes but does not state the time of day or times when such maintenance would occur. Weekly running/testing/maintenance of these generators would be very undesirable from our point of view and would surely be considered a nuisance for those residing in the areas immediately adjacent. Continual running in the event of a power outage would be even more so.

Applicant materials also state that the site will be a "co-location" site. We are very concerned about this. Vendors who will provide/install equipment and need to provide maintenance include the applicant (AT&T) as well as T-Mobile and Dish Network (Drawing A-1.3 2). However, applicant nowhere indicates what the T-Mobile "lease area" will be used for or what equipment will be installed (it only mentions "support equipment") and what maintenance will be required. Similarly, no specifications are provided for the Dish Network "lease area" in terms of what equipment will be installed and what maintenance will be required.

Will the AT&T diesel generator conform to the same use and maintenance schedules as the T-Mobile diesel generator ? Not likely as these vendors will have independent operational needs and objectives even though being co-located. Will the Dish lease area equipment, whatever it consists of, require an even different schedule of visits, testing and maintenance to satisfy their needs? Because this location is a "co-location" site it is inevitable that all 3 vendors will have unique and different requirements in terms of site visits, maintenance, testing and operational priorities. This will very likely lead to a situation where the vendors are in a continual process of coming and going to the site for any number of reasons. Having the proposed site be a single-vendor site (AT&T exclusively) is one thing but having the site house the equipment of three separate vendors will invariably result in a "high traffic footprint" at this site with activity potentially taking place at all times and days of the year.

The area immediately surrounding the proposed site, the church parking lot directly in the area to the north and east of the proposed site, is used extensively by children and young families riding bikes, teens and others transiting through the area, and what appear to be novice automobile and motorcycle drivers practicing their skills. Many times I can look out my kitchen window to the north-east and view the various activities taking place in this area. This proposed site will significantly alter the character of this area relative to these activities and potentially pose a public health risk to those in the immediate area in terms of a fence gate being left open/unlocked, curious teens desiring to get a better look at the area that has been fenced off

and inexperienced drivers “not making a necessary turn in time”.

Additionally, Park Avenue, the proposed access point for the site, is a very high pedestrian, pedestrian & pet and bicycle traffic area on both sides of the street. Addition of this proposed access, with its increase in vehicle and equipment traffic would significantly increase the safety risk for these individuals. This is something we believe is very undesirable

Finally, our family, and others I have talked to regarding this issue in the past week, are all very concerned about the effect this proposed site would have on our property values. Living directly across the street from the proposed site this is something that I believe will have a direct and significant detrimental financial impact on our family. Other families have expressed the same concern.

Our neighborhood, the neighborhood of this proposed site, is known for its pleasant, quiet and friendly atmosphere. The Nazarene Church with its spacious parking lot used by so many, Short's Funeral Chapel with its large bike-friendly and skate-friendly lot and its green field just to the south abutting our property, always being used for walks and dog walking, and “triangle park” just down the street give the neighborhood a spacious, open, residential, and cohesive feel, the dome and its cross standing as the landmark prominent and identifiable to all. Allowing the proposed site to be approved would significantly, and I believe detrimentally, affect all those who live in, visit and transit through the neighborhood.

For the reasons above we respectfully request that this permit be denied.

Thank You,

Dave & Kerri Renner

18 March 2021

Board of Adjustment
City of Moscow
City Hall
206 E Third Street
Moscow, Idaho 83843

I am writing to oppose the Conditional Use Permit Application LUP 2021-0004 submitted to the City of Moscow by PI Tower Development LLC (Proposed 80' Wireless Communication Facility at 1400 E. Seventh Street) on 19 February 2021.

I live at and own the home, jointly with my wife, at 1009 E. 7th Street in Moscow, one block from the proposed wireless tower.

I have reviewed the documents submitted by the original applicant (dated 30 July 2018) and the new documents submitted by the current applicant (dated 19 February 2021). Based on this review, I ask the Board of Adjustment to deny this application for a conditional use permit. The applicant has not provided any new information that would allow the Board of Adjustment to reach a different conclusion than it did in 2018.

I note that the only substantial difference between the original proposal and this new proposal is the nature of the proposed stealth tower. The original proposal was based on an 80 foot stealth tower in which the cell towers would be cloaked in a fir tree façade. The new proposal cloaks the tower within a church-like structure. But this new structure does little to hide the fact that the tower would become the predominant view from any location in our neighborhood, including from Triangle Park.

I note that the proposed tower is on the far west end of the church property, substantially away from the main church building. I also note that, based on the photographs provided in the application, the tower would be taller than the main church tower itself.

I encourage the Board of Adjustment to again deny the conditional use permit.

Michael Kyte
1009 E. 7th Street
Moscow, Idaho 83843

Date: March 12, 2021

To: Board of Adjustment, City of Moscow

From: Maury Wiese, 711 Park Drive, Moscow, ID
208-301-8116, mwiese@uidaho.edu



Re: Permit Application LUP 2021-0004
Proposed 80' Wireless Communication Facility at 1400 E. Seventh Street

I oppose this Conditional Use Permit and ask the Board of Adjustment to deny it. My opposition is based on the following:

Need:

The church might indeed need the revenue from this installation. However, in my long experience with my neighbors and this neighborhood, a complaint about the lack of cell or other wireless services has never surfaced. I judge the proposed services offered by this installation to be alternative rather than necessary.

Esthetics and Compatibility:

The proposed site of the tower is not `adjacent` to the church. If the tower was an integral part of the existing church structures or located on the eastern portion of the church property, it might be less concerning.

Instead, it's sited far from the church perhaps to minimize its unsightly fenced presence, the weekly noise and exhaust from its diesel powered generators and the negative impact of any accessory equipment stored or installed outside the proposed enclosure.

For these same reasons, I don't want this imposing tower across the street from my house. Furthermore, this 80' wireless communication facility would detract from the park focus of my Eastgate neighborhood let alone negatively affect the value and desirability of residences on and beyond E. Seventh Street and Park Drive.

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
BOA@ci.moscow.id.us

Public Hearing
~ Minutes~

Aimee Hennrich
Staff Liaison
208.883.7095

<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

Tuesday
August 24, 2021

7:00 PM

Council Chambers
206 E Third Street

Bazzoli called the meeting to order at 7:00 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Annette Bieghler, Steve Bush, Marshall Comstock, Mark Monson, Tim Thomson
STAFF: Jennifer Fleischman, Aimee Hennrich, Mike Ray

REGULAR AGENDA

1. Approval of August 9, 2021 Minutes

Monson moved for approval of the minutes as presented, seconded by Bush. Vote by Acclamation; Ayes: Bazzoli, Bush, Monson, Thomson (4). Nays: None. Abstentions: Bieghler, Comstock (2). Motion carried.

2. Public Hearing: City Council remand in part of a Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower per MCC 4-3-5(H)

The Board of Adjustment conducted a public hearing on this matter on March 29, 2021 and denied the Conditional Use Permit. The Conditional Use Permit was subsequently appealed to City Council at which time the Council remanded the matter in part to the Board for the inclusion of additional information into the record. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2, of the Board's Reasoned Statement of Relevant Criteria and Standards document signed on April 7, 2021. The purpose of the public hearing is to enter this specific additional information into the record.

Hennrich presented the remand information for the Conditional Use Permit Application as described above. The Board should only consider Criterion #2 regarding harmony of the proposed use in the neighborhood and surrounding land uses, and not the other six (6) Criteria. City Council remanded the application back to the Board with specific instructions to allow more information from the Applicant about potentially changing the width and horizontal footprint of the proposed WCF. Public testimony should address the concerns surrounding harmony, as well. City Council was deliberate in saying horizontal, not vertical, because they perceived the overall mass of the tower to be an issue.

The Public Hearing opened at 7:15 PM

Kimberly Allen (applicant), Issaquah WA, introduced her colleagues: Christy Cooke, Bryan Mullen, and Aaron Bloom. The company researched how to make the tower smaller, according to the suggestion of City Council. However, 80 feet is the minimum height necessary for the proposed WCF. The applicant provided alternative examples that could potentially reduce the visual bulk of the facility, but would limit the mobility of the service antennas, and the proposed alternative #2 may not be feasible for the carriers. Alternative #3 would be painted any color the City of Moscow decides is most congruent with the surroundings. The

proposed alternative design #1 does not have a smaller footprint, but has faux windows to make it appear smaller. The applicant discussed changing the location of the proposed WCF on the Nazarene Church Campus, which ultimately is unwanted by the owners. There was a disclaimer that AT&T provided regarding service quality in the area if the WCF is approved. It is currently unknown what type of surface materials would be used in construction, as the applicant's engineers would first need to design the proposed WCF with the information the Board provided. Aviation lights would not be needed on this facility. A four-legged version of the proposed alternative design #2 could be feasible. The monopole is the most versatile design, according to the parameters of the applicant, as well as the least obstructive to service signal and visual massing.

Public comments in opposition of the proposal that were submitted before and after the packet was created were entered into the record.

David Renner, Moscow, is opposed to the WCF in regards to the character of the proposed use in a residential neighborhood. Argued that the applicant was not able to reduce the vertical nor horizontal footprint, and that the WCF is not consistent with the surrounding area. The proposed monopole design does not reflect the three tiers of antennas that would be needed.

Wayne Krauss, Moscow, a representative of the Nazarene Church, spoke in favor of the WCF, saying that the monopole design is the best. Addressed the public testimony petition in regards to the signer's locations in East Gate and not along Blaine Street. He believes that updated service is necessary, and would address an inequality in service providers coverage.

David Hall, Moscow, requested that the Board consider what the City Council's instructions were, in regards to reducing the horizontal footprint, which the applicant indicated they were unable to do. Antennas on the Rotary Water Tank are not feasible because of the structure of the tower membrane.

Kevin James, Moscow, spoke in favor of the WCF. It does not matter what the tower design would be, so long as the service was improved. Wanted the Board to consider the service impacts on the growing community.

Maury Wiese, Moscow, does not agree with the proposed location and would prefer the WCF be placed in a less residential area, which was followed by a discussion about other locations better suited for the proposed use. He did not see a need for additional service coverage in the proposed neighborhood.

Faris Paxton, Moscow, talked about the visual and functional uses of the WCF being in opposition of the harmony of the neighborhood and local community. Disagreed with the criteria and ordinances that allow WCF's to be placed in neighborhoods. Pointed out there was not an image of the proposed tower from the southern side of block.

Shirley Greene, Moscow, was in favor of the WCF and talked about how big of a role the Nazarene church played in the neighborhood. Land for the facility would be leased from the Church and the money earned would pay to repave the parking lot and maintain upkeep on the church building. She thought that wireless cellular facilities were visually and functionally similar to electrical poles.

Kerri Renner, Moscow, spoke in opposition of the tower and did not think enough significant changes had been made since the previously denied proposals, of 2018 and earlier in 2021, to warrant an approval. There was concerns about noise pollution and how a WCF would affect the character of the neighboring community. She did not concur that the tower would eventually blend in with the neighborhood, and urged the Board to suggest a different, non-residential location.

Jerry Lewis, Moscow, spoke against the proposed WCF in regards to changing the character of the neighborhood. There was concern that property values in the East Gate subdivision would decline if the

tower was approved. However, he agreed that the monopole design would be the “least worst”, if the tower had to be placed locally. At least two variances had been approved for that neighborhood, and this would make another structure that did not belong which could set a precedence for more.

Ed Eby, Moscow, a representative of the Nazarene Church, spoke about benefits of the WCF. The Church considered every location on the property, but the proposed site was the only acceptable place. He argued that the facility meets 6 (six) out of the 7 (seven) criteria, and the City has the need for more infrastructure to benefit the community. Property values would not go down in response to the tower, and sound disturbances would not be a concern.

Renee Jensen-Hasfurther, Genesee, spoke in favor of the tower. Talked about cellular service issues when in town visiting family.

Kimberly Allen (applicant), Issaquah WA, talked about the residents and neighboring community needing better service. Addressed the comments regarding how the tower would not be harmonious with the surrounding neighborhood; comparing it with the electrical poles and the Church. She again stressed that the monopole design would be the least obtrusive, visually. The diesel generators would be necessary for the facilities operations, but testing could be timed to be the least intrusive for the Church’s functions: offered to only test for an hour once a month.

The Public Hearing closed at 8:10 PM

Board members discussed the applicant’s effort to make the proposed tower more harmonious and agreed that there is a need for better cell coverage. They discussed other locations that may be more conducive to this type of facility, as they were concerned about setting precedence for approving a WCF in a residential neighborhood if the application was approved. Wireless Cell Facilities are a conditionally permitted use in all Neighborhood Business zoning districts. There was a conversation about the City Council’s directive and how the alternate design #1 does not technically meet it. The monopole design would be the best solution for the service needs in Moscow, but there was a disagreement about whether it had a smaller footprint than the original design, as the underlying structure would not have changed. The aesthetics and characters of the proposed use of the WCF were discussed.

The tower would appear taller to people further away as opposed to those who were right underneath it. The height of a power pole appears to be 40-60 feet on a standard city street. The location on the water tower at Rotary Park was discussed, as well as Criteria #2 versus the real need for more service coverage. The conversation continued about the proposed use being in harmony with the character of the neighborhood.

Monson moved to approve the monopole WCF Conditional Use Permit at 1400 E Seventh Street.

The Board talked about which designs would satisfy Criteria #2 and if any of them are congruous with the Councils direction. The Council’s purpose in remanding the decision back to the Board was discussed and the difference between a horizontal footprint and perimeter massing.

Motion dies for lack of a second.

City Council has to abide by the same seven (7) criteria as the Board of Adjustment. The Council could uphold the Board’s decision, remand the decision, or reject the decision. The Board continued to discuss the remand hearing parameters, how tall power poles and lines are, and cellular service needs. It was reiterated that there may be better locations for a WCF on an industrial or commercial site, as opposed to a Neighborhood Business in a residential area.

The seven (7) Criteria are established by City Council and they have the authority to change the Code. It is common to have a criterion in the Code regarding harmonious use for a conditional use permit. There was some discussion about special use permits and conditional use permits and the different processes for each.

Monson moved to approve the WCF Conditional Use Permit at 1400 E Seventh Street, with using either design alternate #2 or #3.

Monson restated his motion, and moved to approve the monopole WCF Conditional Use Permit at 1400 E Seventh Street, with the condition that the Applicant work with the City to choose an appropriate paint color. Thomson seconded the motion. Vote by Acclamation; Ayes: Monson, Thomson (2). Nays: Bazzoli, Bieghler, Bush, Comstock (4). Abstentions: None. Motion failed.

Thomson move to approve the Alternate Design #1 WCF Conditional Use Permit at 1400 E Seventh Street. Monson seconded the motion. Vote by Acclamation; Ayes: Monson, Thomson (2). Nays: Bazzoli, Bieghler, Bush, Comstock (4). Abstentions: None. Motion failed.

Bazzoli wanted to make it clear for the record that he wanted to approve a WCF, but Criteria #2 makes it difficult to approve the proposal. The Board discussed the possibility of City Council changing the relevant criteria. The current Criteria in City Code when an application is received is what needs to be used to review an application, regardless of if it changes during the time of processing.

Comstock moved to deny the WCF Conditional Use Permit application at 1400 E Seventh Street, because the application did not meet Criteria #2 of the Relevant Criteria and Standards. Bieghler seconded the motion. Vote by Acclamation; Ayes: Bush, Comstock, Bazzoli, Bieghler (4) Nays: Thomson, Monson (2). Abstentions: None. Motion carried.

Comstock moved for Staff to prepare the Relevant Criteria & Standards with the same language as was originally used in the first denial of the 2021 Conditional Use Permit application.

The Board discussed the verbiage and reasons to be written as part of the denial of the application. The original language used for the first denial was reviewed, and the public testimony was considered.

Comstock restated his motion, and moved for Staff to prepare the Relevant Criteria & Standards with the same language as used previously, as well as the addition of the Board's discussion during the remand hearing. Bieghler seconded the motion. Vote by Acclamation; Ayes: Unanimous (6). Nays: None. Abstentions: None. Motion carried.

ANNOUNCEMENTS

UPCOMING EVENTS/MEETINGS

Next Public Hearing scheduled for August 30, 2021.

The meeting adjourned at 8:53 PM


Joe Bazzoli, Chair


Date

**BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MOSCOW,
COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

**REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
REGARDING A CONDITIONAL USE PERMIT APPLICATION FOR A WIRELESS
COMMUNICATION FACILITY LOCATED AT 1400 EAST SEVENTH STREET IN THE
CITY OF MOSCOW, IDAHO, WITHIN THE NEIGHBORHOOD BUSINESS (NB)
ZONING DISTRICT PER MCC 4-3-4.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on February 19, 2021; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on March 29th, 2021; and

WHEREAS, having considered the matter including all materials presented and testimony received, the Moscow Zoning Board of Adjustment denied the proposed Conditional Use Permit, based on Criterion #2, finding the WCF was not consistent with the existing character of the uses within the surrounding neighborhood and instructed Staff to prepare the Reasoned Statement of Relevant Criteria for the Board's review and approval; and

WHEREAS, on April 7, 2021, the Moscow Zoning Board of Adjustment met and approved the Reasoned Statement of Relevant Criteria and Standards establishing the Board's written decision upon the request and serving as the Board's final action upon the matter; and

WHEREAS, on April 16, 2021, Wireless Policy Group, filed a timely appeal to the decision of the Moscow Zoning Board of Adjustment in accordance with the requirements of Moscow City Code Section 4-8-5; and

WHEREAS, the Moscow City Council considered the appeal during a public meeting conducted on May 3, 2021; and

WHEREAS, the Moscow City Council reviewed the record established by the Board of Adjustment, did not consider any new or additional evidence, and heard appellant's argument on the appeal; and remanded the decision in part to the Moscow Board of Adjustment; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on August 24, 2021; and

WHEREAS, having reviewed the application, including all exhibits entered, having listened to the testimony presented at the public hearing, and having considered the issues presented:

**THE MOSCOW BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO,
AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, Comprehensive Plan, State Statutes, U.S. Constitution, and Moscow City Code.
2. The applicant Parallel Infrastructure proposed an eighty-foot (80') Wireless Communication Facility (WCF) located at 1400 E 7th Street, Moscow, Idaho. The proposed tower is designed to resemble a church tower.
3. On July 30th of 2018, Pro Land LLC applied for a Conditional Use Permit to construct an 80-foot-tall Wireless Telecommunications Facility at 1400 E 7th Street, Moscow, Idaho. The application proposed that the facility would be located on the property of the Church of the Nazarene and would accommodate three carriers within a fully enclosed 800 square foot lease area. The facility design in this application was a stealth-style mono-pine tower intended to resemble a tree.
4. The matter came before the Board of Adjustment on November 18th, 2018. The Board of Adjustment denied the application finding that the proposed WCF was not consistent with the existing character of the neighborhood and would not be in harmony with land uses surrounding the subject property. The Board found that the scale of the proposed tower is significantly larger than other structures or trees in the surrounding area.
5. On November 27th, 2018, Busch Law Firm PLLC filed an appeal on behalf of the applicant.
6. On January 7th, 2019, City Council reviewed the appeal during a regularly scheduled meeting and sustained the decision to deny the application.
7. On February 19th 2021, the City of Moscow received an application. Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower.
8. The matter came before the Board of Adjustment in a duly noticed public meeting on March 29th, 2021.
9. The subject property sits on the southwest corner of the 231,678 square foot block, which is owned entirely by the Church of the Nazarene. The proposed site is a 20-foot by 40-foot enclosure that contains the proposed WCF and all ancillary uses.
10. The subject property is located within the Neighborhood Business (NB) Zoning District, which requires a Conditional Use Permit (CUP) for Antenna Towers per MCC 4-3-4.
11. Adjacent properties to the north and south are located within Medium Density Residential Zoning District (R-3). Adjacent properties to the west and east are located in the Neighborhood Business (NB) Zoning District.

12. The area surrounding the proposed WCF is primarily residential. There are two businesses nearby including Short's Funeral Chapel to the west and Pickard Orthodontics to the north. The two community parks nearby include Carol Ryrie Brink Park and Triangle Park, both to the south. Adjacent residential uses sit to the north and south the proposed WCF. Residential structures in the surrounding area vary between approximately twenty feet (20') to thirty (30') in height.
13. The Neighborhood Business Zoning District is the lowest intensity commercial Zoning District permitted within the City. It is intended to apply to areas of less than two (2) acres, where commercial services may be provided in convenient locations serving adjoining residential neighborhood rather than the community as a whole. The commercial services permitted are those where traffic generation, access requirements, impacts of lighting, neighborhood need for services, and noise production will be compatible with residential uses. The NB Zoning District is appropriately applied in the following circumstances:
 - a. Where local commercial facilities will serve the everyday needs of a limited neighborhood area;
 - b. Where activity levels associated with small scale office development can be accommodated or tolerated by surrounding land uses and existing public services;
 - c. Where a neighborhood core is identified which is easily accessible by pedestrian or vehicular circulation; and
 - d. Where such commercial development will result in minimal interference with residential uses in the vicinity of the NB Zoning District.
14. Chapter 2 of the 2019 Comprehensive Plan, Community Character and Land Use, designates the subject property as Public and Semi-Public.
15. According to the Comprehensive Plan, Public and Semi-Public designated areas, "provide for government buildings and properties, as well as semi-public or institutional uses such as churches, schools, and the hospital."
16. The Zoning Code has specific use standards for Telecommunications Facilities within MCC 4-3-5(H).
17. Telecommunications Facilities that exceed sixty feet (60') are not permitted within five hundred feet (500') of US Highway 95 and/or State Highway 8 right-of-way. The proposed facility is over 3,400 feet north of the State Highway 8 right-of-way.
18. Telecommunications Facilities must be protected from unauthorized access by appropriate security measures. The site is proposed to be enclosed by a six foot (6') high masonry wall and the ancillary facilities are fully enclosed within the proposed site.
19. Every antenna and antenna tower must not be lighted unless required by the Federal Aviation Administration and other state or federal agency having such authority, and such lighting must not be more than the minimum required by such agency. Submitted plans do not show any lighting on the proposed tower.
20. Antenna towers are required to be separated from the property line of any adjacent property residentially zoned at least a distance equal to the height of the antenna tower, and must be

separated from all other adjacent property lines at least a distance equal to one-half (1/2) the height of the antenna tower.

21. The church campus is made up of 11 parcels including a residential home owned by the Church of the Nazarene, adjacent to the south of the proposed WCF.
22. The proposed WCF is located approximately 5,100 feet from properties zoned SR, 1,300 feet from properties zoned R-1, 190 feet from properties zoned R-2, 100 feet from properties zoned R-3 (not including the church owned residential property), and 600 feet from properties zoned R-4.
23. The closest residential structures, outside of the church campus, sit 120 feet to the west, 190 feet to the south, 360 feet to the north, and 675 feet east of the proposed WCF. The church is the owner of the residential structure adjacent to the south.
24. While the height of the dome on the Church of the Nazarene stands approximately fifty feet (50') tall, the existing cross at the top of the church stands sixty-six feet (66') tall. The residential properties in the vicinity generally do not exceed thirty feet (30'). Nearby trees reach approximately sixty feet (60') in height.
25. Maximum height in Neighborhood Business (NB) Zoning District is forty (40') feet. Non-residential structures in excess of forty (40') feet require a Conditional Use Permit.
26. The Board of Adjustment denied the application finding that the proposed WCF. The Board found that the proposed WCF is not consistent with the existing character of the uses within the surrounding neighborhood. Additionally, the Board found that the cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Nazarene Church. The surrounding neighborhood is primarily residential with few commercial uses nearby. The scale of the proposed tower is significantly larger than other structures or trees in the surrounding area.
27. On April 16th 2021, Wireless Policy Group, filed a timely appeal in accordance with the requirements of Moscow City Code.
28. On May 3rd, 2021, City Council reviewed the appeal during a regularly scheduled meeting and remanded the decision in part to the Zoning Board of Adjustment with the sole and specific purpose, "To develop additional material information. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2".
29. This matter came before the Moscow Board of Adjustment during a duly noticed public hearing on August 24, 2021.
30. After analysis of the proposed design the applicant determined it was not possible to reduce the horizontal footprint and width of the structure and offered three alternative designs.
 - a. Design Alternative 1: The current tower, as designed, with additional architectural features such as window starting at 40 feet, to reduce the visual bulk of the structure.

- b. Design Alternative 2: Three-legged tower design. While this will reduce bulk, it will potentially reduce collocation opportunity. This design is not favorable to the applicant.
 - c. Design Alternative 3: A standard monopole design. The diameter of the proposed platform would be consistent with the original design. However, the pole would be much less in diameter (22 inches at the top, tapering to approximately 35 inches at the bottom).
31. The Church of the Nazarene provided a letter stating that relocation of the tower to another location on site was not possible. This documentation sited concern over underground utilities and potentially restricting access.
 32. In addition to the written testimony received, public testimony in opposition of the proposed WCF was heard from a total 6 of individuals. Concerns included sound from the proposed weekly generator testing, height of the structure, no need for additional cell phone coverage, and the proposed tower does not fit the character of the existing neighborhood. Public testimony in favor of the proposed WCF was heard from a total of 5 individuals.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed use is a conditionally permitted use within the Zoning District:** All Wireless Communication Facilities are conditionally permitted per MCC 4-3-4.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The Board found that the proposed WCF is not consistent with the existing character of the uses within the surrounding neighborhood. Additionally, the Board found that the cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Nazarene Church. The surrounding neighborhood is primarily residential with few commercial uses nearby. The scale of the proposed tower is significantly larger than other structures or trees in the surrounding area. Seven (7) written letters in opposition to the proposal was received as well as a petition signed by 56 individuals. Public testimony was received by 6 individuals who testified that the proposed WCF is not consistent with the existing character of the surrounding neighborhood, and that the proposal would generate noise and other aesthetic concerns.
3. **The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like):** The proposed use would not generate nuisances to the adjoining properties or the neighborhood through noise, dust, glare, vibrations, or odors. All ground equipment would be fully screened with existing landscaping and a six foot (6') tall wall constructed of brick, stone, or textured concrete block. The proposed diesel generators would be double contained and

would be used in the event of a power outage. Each generator would run once a week for approximately one hour for maintenance.

4. **The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services:** The proposed WCF is located on a parcel that has access on all four sides of the Church of the Nazarene campus. Public services proposed are power and telephone and are existing.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The proposed use would not endanger the public health or safety on the proposed site.
6. **The proposed use meets all applicable development standards of the Zoning Code:** The proposed use meets all applicable development standards of the zoning code and Telecommunications Facility Standards that are required by this code for setbacks, security, lighting, noise reduction, signage, separation from adjacent residential zoning districts, and aesthetic considerations.
7. **The proposed use will not be in conflict with the Comprehensive Plan:** The use is consistent with the Comprehensive Plan as it supports the goals and strategies of multiple chapters and does not conflict with other sections of the Plan.
8. **No existing antenna towers or antenna support structures within the necessary geographic area for the applicant's antenna tower meet the applicant's requirements considering: a) height, b) structural integrity, or c) that there are other prohibitive conditions that render existing antenna towers or antenna support structure within the applicant's required geographic area unsuitable.** The applicant conducted a search of all FCC regulated towers within the necessary geographic areas to accommodate for the proposed WCF's requirements and did not find any existing antenna towers or antenna support structures to meet their needs. This determination was based on required height, structural integrity, and other prohibitive measures that render the existing antenna towers or support structure undesirable. The applicant provided a site analysis of four other sites. The locations of the site analysis included the water tower located on Hathaway Street, 8th Street water tower, Carol Ryrie Brink Park and East Side Market Place. The Board found that there were alternate sites locations that could have been explored as options for the proposed WCF.
9. **The design of the antenna tower, including the antennas and ancillary facilities, minimizes visual impact and other complies with provisions and intent of this Section.**

The proposed WCF is designed to resemble a church tower in order to minimize visual impact to the surrounding area. Ancillary facilities are contained within the proposed 20-foot by 40-foot site and surrounded by a six foot (6') tall wall constructed of brick, stone, or textured concrete block surrounding the telecommunications facility. Proposed plans also show a twelve foot (12') wide Type A Buffer yard on the western side of the proposed facility, as is required per MCC 4-3-5(H)(5)(h)(iii).

10. **The proposed antenna tower location minimizes the number and/or size of antenna towers or antenna support structure that will be required in the area.**

The WCF is designed to accommodate three (3) carriers. Alternative sites in the area where other carriers have established antennas are unable to provide sufficient structural support to allow the applicant to co-locate.

11. **The applicant has not previously failed to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise.**

The applicant has no prior history of failing to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise. The applicant provided a site analysis of four alternate locations and determined this location to be the most favorable.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment denies the application for a Conditional Use Permit for a Wireless Communication Facility located at 1400 E 7th Street, Moscow, Idaho.

DENIED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE 30 DAY
OF AUGUST, 2021.



Joe Bazzoli, Chair
Board of Adjustment

BOARD of ADJUSTMENT



Joe Bazzoli
Board Chair
BOA@ci.moscow.id.us

Public Hearing
~ Minutes ~

Aimee Hennrich
Staff Liaison
208.883.7095

<http://www.ci.moscow.id.us/354/Board-of-Adjustment>

Monday
August 30, 2021

7:00 PM

Council Chambers
206 E Third Street

Bazzoli called the meeting to order at 7:02 PM

MEMBERS PRESENT: Mark Monson, Vice Chair; Marshall Comstock, Tim Thomson
MEMBERS ABSENT: Joe Bazzoli, Annette Bieghler, Steve Bush
STAFF: Jennifer Fleischman, Aimee Hennrich

REGULAR AGENDA

1. Approval of August 24, 2021 Minutes

Thomson moved for approval of the minutes as modified, seconded by Comstock. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

2. Approval of Reasoned Statement of Relevant Criteria and Standards

City Council remand in part of a Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf leased area and would resemble a church tower per MCC 4-3-5(H).

The Board discussed the residential structure directly to the south of the proposed WCF.

Comstock moved to approve the Relevant Criteria and Standards as amended, seconded by Thomson. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

3. Public Hearing: Proposal for a Conditional Use Permit at 3400 Robinson Park Road – LUP2021-0033

Conditional Use Permit application for an accessory cottage in excess of 900 square feet located at 3400 Robinson Park Road within the Agricultural/Forestry Zoning District (AF) in the Area of City Impact, per Latah County Code 03.01.02(14)(H).

Hennrich presented the application as described above, and recommended the Board put forth a recommendation for approval to Latah County with no conditions. The prior owner of the subject property was issued a Conditional Use Permit for a dance studio in the detached garage.

The Public Hearing opened at 7:08 PM

Jonathan Brownell (applicant), Moscow, explained that the accessory dwelling would be built to house elderly parents. Talked about the previous Conditional Use Permit issued for the dance studio. A separate septic system would be built to service the cottage, and the water would be connected to the main residence well. The proposed accessory dwelling would be built recessed into the hill, with minimal retaining wall work needed. There continued to be discussion regarding previous remodels, drainage tiles, and the pond located on the property.

The Public Hearing closed at 7:14 PM

Comstock moved that the Board put forth the recommendation to Latah County to approve the Conditional Use Permit at 3400 Robinson Park Road, with no conditions as recommended by Staff, and for Staff to prepare the Relevant Criteria & Standards. Thomson seconded the motion. Vote by Acclamation; Ayes: Unanimous (3). Nays: None. Abstentions: None. Motion carried.

ANNOUNCEMENTS

Public Meeting to approve the Relevant Criteria and Standards will be scheduled for the week of September 7th.

UPCOMING EVENTS/MEETINGS

The meeting adjourned at 7:22 PM


Mark Monson, Vice Chair

9-7-21
Date

**BEFORE THE BOARD OF ADJUSTMENT
OF THE CITY OF MOSCOW,
COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

**REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS
REGARDING A CONDITIONAL USE PERMIT APPLICATION FOR A WIRELESS
COMMUNICATION FACILITY LOCATED AT 1400 EAST SEVENTH STREET IN THE
CITY OF MOSCOW, IDAHO, WITHIN THE NEIGHBORHOOD BUSINESS (NB)
ZONING DISTRICT PER MCC 4-3-4.**

WHEREAS, the applicant filed an application for a Conditional Use Permit on February 19, 2021; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on March 29th, 2021; and

WHEREAS, having considered the matter including all materials presented and testimony received, the Moscow Zoning Board of Adjustment denied the proposed Conditional Use Permit, based on Criterion #2, finding the WCF was not consistent with the existing character of the uses within the surrounding neighborhood and instructed Staff to prepare the Reasoned Statement of Relevant Criteria for the Board's review and approval; and

WHEREAS, on April 7, 2021, the Moscow Zoning Board of Adjustment met and approved the Reasoned Statement of Relevant Criteria and Standards establishing the Board's written decision upon the request and serving as the Board's final action upon the matter; and

WHEREAS, on April 16, 2021, Wireless Policy Group, filed a timely appeal to the decision of the Moscow Zoning Board of Adjustment in accordance with the requirements of Moscow City Code Section 4-8-5; and

WHEREAS, the Moscow City Council considered the appeal during a public meeting conducted on May 3, 2021; and

WHEREAS, the Moscow City Council reviewed the record established by the Board of Adjustment, did not consider any new or additional evidence, and heard appellant's argument on the appeal; and remanded the decision in part to the Moscow Board of Adjustment; and

WHEREAS, this matter came before the Moscow Board of Adjustment during a duly noticed public hearing on August 24, 2021; and

WHEREAS, having reviewed the application, including all exhibits entered, having listened to the testimony presented at the public hearing, and having considered the issues presented:

**THE MOSCOW BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW, IDAHO,
AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:**

I. RELEVANT FACTS AND CONCLUSIONS

1. The Board of Adjustment considered the request pursuant to the City of Moscow Zoning Code, Comprehensive Plan, State Statutes, U.S. Constitution, and Moscow City Code.
2. The applicant Parallel Infrastructure proposed an eighty-foot (80') Wireless Communication Facility (WCF) located at 1400 E 7th Street, Moscow, Idaho. The proposed tower is designed to resemble a church tower.
3. On July 30th of 2018, Pro Land LLC applied for a Conditional Use Permit to construct an 80-foot-tall Wireless Telecommunications Facility at 1400 E 7th Street, Moscow, Idaho. The application proposed that the facility would be located on the property of the Church of the Nazarene and would accommodate three carriers within a fully enclosed 800 square foot lease area. The facility design in this application was a stealth-style mono-pine tower intended to resemble a tree.
4. The matter came before the Board of Adjustment on November 18th, 2018. The Board of Adjustment denied the application finding that the proposed WCF was not consistent with the existing character of the neighborhood and would not be in harmony with land uses surrounding the subject property. The Board found that the scale of the proposed tower is significantly larger than other structures or trees in the surrounding area.
5. On November 27th, 2018, Busch Law Firm PLLC filed an appeal on behalf of the applicant.
6. On January 7th, 2019, City Council reviewed the appeal during a regularly scheduled meeting and sustained the decision to deny the application.
7. On February 19th 2021, the City of Moscow received an application. Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower.
8. The matter came before the Board of Adjustment in a duly noticed public meeting on March 29th, 2021.
9. The subject property sits on the southwest corner of the 231,678 square foot block, which is owned entirely by the Church of the Nazarene. The proposed site is a 20-foot by 40-foot enclosure that contains the proposed WCF and all ancillary uses.
10. The subject property is located within the Neighborhood Business (NB) Zoning District, which requires a Conditional Use Permit (CUP) for Antenna Towers per MCC 4-3-4.
11. Adjacent properties to the north and south are located within Medium Density Residential Zoning District (R-3). Adjacent properties to the west and east are located in the Neighborhood Business (NB) Zoning District.

12. The area surrounding the proposed WCF is primarily residential. There are two businesses nearby including Short's Funeral Chapel to the west and Pickard Orthodontics to the north. The two community parks nearby include Carol Ryrie Brink Park and Triangle Park, both to the south. Adjacent residential uses sit to the north and south the proposed WCF. Residential structures in the surrounding area vary between approximately twenty feet (20') to thirty (30') in height.
13. The Neighborhood Business Zoning District is the lowest intensity commercial Zoning District permitted within the City. It is intended to apply to areas of less than two (2) acres, where commercial services may be provided in convenient locations serving adjoining residential neighborhood rather than the community as a whole. The commercial services permitted are those where traffic generation, access requirements, impacts of lighting, neighborhood need for services, and noise production will be compatible with residential uses. The NB Zoning District is appropriately applied in the following circumstances:
 - a. Where local commercial facilities will serve the everyday needs of a limited neighborhood area;
 - b. Where activity levels associated with small scale office development can be accommodated or tolerated by surrounding land uses and existing public services;
 - c. Where a neighborhood core is identified which is easily accessible by pedestrian or vehicular circulation; and
 - d. Where such commercial development will result in minimal interference with residential uses in the vicinity of the NB Zoning District.
14. Chapter 2 of the 2019 Comprehensive Plan, Community Character and Land Use, designates the subject property as Public and Semi-Public.
15. According to the Comprehensive Plan, Public and Semi-Public designated areas, "provide for government buildings and properties, as well as semi-public or institutional uses such as churches, schools, and the hospital."
16. The Zoning Code has specific use standards for Telecommunications Facilities within MCC 4-3-5(H).
17. Telecommunications Facilities that exceed sixty feet (60') are not permitted within five hundred feet (500') of US Highway 95 and/or State Highway 8 right-of-way. The proposed facility is over 3,400 feet north of the State Highway 8 right-of-way.
18. Telecommunications Facilities must be protected from unauthorized access by appropriate security measures. The site is proposed to be enclosed by a six foot (6') high masonry wall and the ancillary facilities are fully enclosed within the proposed site.
19. Every antenna and antenna tower must not be lighted unless required by the Federal Aviation Administration and other state or federal agency having such authority, and such lighting must not be more than the minimum required by such agency. Submitted plans do not show any lighting on the proposed tower.
20. Antenna towers are required to be separated from the property line of any adjacent property residentially zoned at least a distance equal to the height of the antenna tower, and must be

separated from all other adjacent property lines at least a distance equal to one-half (1/2) the height of the antenna tower.

21. The church campus is made up of 11 parcels including a residential home owned by the Church of the Nazarene, adjacent to the south of the proposed WCF.
22. The proposed WCF is located approximately 5,100 feet from properties zoned SR, 1,300 feet from properties zoned R-1, 190 feet from properties zoned R-2, 100 feet from properties zoned R-3 (not including the church owned residential property), and 600 feet from properties zoned R-4.
23. The closest residential structures, outside of the church campus, sit 120 feet to the west, 190 feet to the south, 360 feet to the north, and 675 feet east of the proposed WCF. The church is the owner of the residential structure adjacent to the south.
24. While the height of the dome on the Church of the Nazarene stands approximately fifty feet (50') tall, the existing cross at the top of the church stands sixty-six feet (66') tall. The residential properties in the vicinity generally do not exceed thirty feet (30'). Nearby trees reach approximately sixty feet (60') in height.
25. Maximum height in Neighborhood Business (NB) Zoning District is forty (40') feet. Non-residential structures in excess of forty (40') feet require a Conditional Use Permit.
26. The Board of Adjustment denied the application finding that the proposed WCF. The Board found that the proposed WCF is not consistent with the existing character of the uses within the surrounding neighborhood. Additionally, the Board found that the cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Nazarene Church. The surrounding neighborhood is primarily residential with few commercial uses nearby. The scale of the proposed tower is significantly larger than other structures or trees in the surrounding area.
27. On April 16th 2021, Wireless Policy Group, filed a timely appeal in accordance with the requirements of Moscow City Code.
28. On May 3rd, 2021, City Council reviewed the appeal during a regularly scheduled meeting and remanded the decision in part to the Zoning Board of Adjustment with the sole and specific purpose, "To develop additional material information. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2".
29. This matter came before the Moscow Board of Adjustment during a duly noticed public hearing on August 24, 2021.
30. After analysis of the proposed design the applicant determined it was not possible to reduce the horizontal footprint and width of the structure and offered three alternative designs.
 - a. Design Alternative 1: The current tower, as designed, with additional architectural features such as window starting at 40 feet, to reduce the visual bulk of the structure.

- b. Design Alternative 2: Three-legged tower design. While this will reduce bulk, it will potentially reduce collocation opportunity. This design is not favorable to the applicant.
 - c. Design Alternative 3: A standard monopole design. The diameter of the proposed platform would be consistent with the original design. However, the pole would be much less in diameter (22 inches at the top, tapering to approximately 35 inches at the bottom).
31. The Church of the Nazarene provided a letter stating that relocation of the tower to another location on site was not possible. This documentation sited concern over underground utilities and potentially restricting access.
 32. In addition to the written testimony received, public testimony in opposition of the proposed WCF was heard from a total 6 of individuals. Concerns included sound from the proposed weekly generator testing, height of the structure, no need for additional cell phone coverage, and the proposed tower does not fit the character of the existing neighborhood. Public testimony in favor of the proposed WCF was heard from a total of 5 individuals.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed use is a conditionally permitted use within the Zoning District:** All Wireless Communication Facilities are conditionally permitted per MCC 4-3-4.
2. **The character of the proposed use will be in harmony with the neighborhood and surrounding land uses:** The Board found that the proposed WCF is not consistent with the existing character of the uses within the surrounding neighborhood. Additionally, the Board found that the cell tower looked out of place and will not be in harmony with land uses surrounding the subject property, including the Nazarene Church. The surrounding neighborhood is primarily residential with few commercial uses nearby. The scale of the proposed tower is significantly larger than other structures or trees in the surrounding area. Seven (7) written letters in opposition to the proposal was received as well as a petition signed by 56 individuals. Public testimony was received by 6 individuals who testified that the proposed WCF is not consistent with the existing character of the surrounding neighborhood, and that the proposal would generate noise and other aesthetic concerns.
3. **The proposed use as approved, or as approved with conditions, will not generate nuisances that would be injurious or detrimental to the adjoining properties or the neighborhood (including, but not limited to, noise, dust, glare, vibrations, odors, and the like):** The proposed use would not generate nuisances to the adjoining properties or the neighborhood through noise, dust, glare, vibrations, or odors. All ground equipment would be fully screened with existing landscaping and a six foot (6') tall wall constructed of brick, stone, or textured concrete block. The proposed diesel generators would be double contained and

would be used in the event of a power outage. Each generator would run once a week for approximately one hour for maintenance.

4. **The location, design, and size of the proposed use will be adequately served by existing streets, public facilities and services:** The proposed WCF is located on a parcel that has access on all four sides of the Church of the Nazarene campus. Public services proposed are power and telephone and are existing.
5. **The proposed use will not endanger the public health or safety if located where proposed:** The proposed use would not endanger the public health or safety on the proposed site.
6. **The proposed use meets all applicable development standards of the Zoning Code:** The proposed use meets all applicable development standards of the zoning code and Telecommunications Facility Standards that are required by this code for setbacks, security, lighting, noise reduction, signage, separation from adjacent residential zoning districts, and aesthetic considerations.
7. **The proposed use will not be in conflict with the Comprehensive Plan:** The use is consistent with the Comprehensive Plan as it supports the goals and strategies of multiple chapters and does not conflict with other sections of the Plan.
8. **No existing antenna towers or antenna support structures within the necessary geographic area for the applicant's antenna tower meet the applicant's requirements considering: a) height, b) structural integrity, or c) that there are other prohibitive conditions that render existing antenna towers or antenna support structure within the applicant's required geographic area unsuitable.** The applicant conducted a search of all FCC regulated towers within the necessary geographic areas to accommodate for the proposed WCF's requirements and did not find any existing antenna towers or antenna support structures to meet their needs. This determination was based on required height, structural integrity, and other prohibitive measures that render the existing antenna towers or support structure undesirable. The applicant provided a site analysis of four other sites. The locations of the site analysis included the water tower located on Hathaway Street, 8th Street water tower, Carol Ryrle Brink Park and East Side Market Place. The Board found that there were alternate sites locations that could have been explored as options for the proposed WCF.
9. **The design of the antenna tower, including the antennas and ancillary facilities, minimizes visual impact and other complies with provisions and intent of this Section.**

The proposed WCF is designed to resemble a church tower in order to minimize visual impact to the surrounding area. Ancillary facilities are contained within the proposed 20-foot by 40-foot site and surrounded by a six foot (6') tall wall constructed of brick, stone, or textured concrete block surrounding the telecommunications facility. Proposed plans also show a twelve foot (12') wide Type A Buffer yard on the western side of the proposed facility, as is required per MCC 4-3-5(H)(5)(h)(iii).

10. **The proposed antenna tower location minimizes the number and/or size of antenna towers or antenna support structure that will be required in the area.**

The WCF is designed to accommodate three (3) carriers. Alternative sites in the area where other carriers have established antennas are unable to provide sufficient structural support to allow the applicant to co-locate.

11. **The applicant has not previously failed to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise.**

The applicant has no prior history of failing to take advantage of reasonably available shared use opportunities or procedures provided by this Ordinance or otherwise. The applicant provided a site analysis of four alternate locations and determined this location to be the most favorable.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City of Moscow Board of Adjustment denies the application for a Conditional Use Permit for a Wireless Communication Facility located at 1400 E 7th Street, Moscow, Idaho.

DENIED BY THE BOARD OF ADJUSTMENT OF THE CITY OF MOSCOW THE 30 DAY
OF August, 2021.



Joe Bazzoli, Chair
Board of Adjustment

NOTICE OF PUBLIC HEARING

Remand in Part of a Conditional Use Permit at 1400 E Seventh Street in the City of Moscow,
Permit Application LUP2021-0017

A public hearing at which you may be present will be conducted before the Board of Adjustment of the City of Moscow at which time the following proposal will be considered:

City Council remand in part of a Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower per MCC 4-3-5(H).

The Board of Adjustment conducted a public hearing on this matter on March 29, 2021 and denied the Conditional Use Permit. The Conditional Use Permit was subsequently appealed to City Council at which time the Council remanded the matter in part to the Board for the inclusion of additional information into the record. Specifically, to determine whether the horizontal footprint and width of the proposed Wireless Communication Facility can be reduced in order to be less intrusive to the neighborhood and surrounding land uses and ultimately satisfy Criterion #2, of the Board's Reasoned Statement of Relevant Criteria and Standards document signed on April 7, 2021. The purpose of the public hearing is to enter this specific additional information into the record.

HEARING DATE: Tuesday, August 24th, 2021

HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00pm

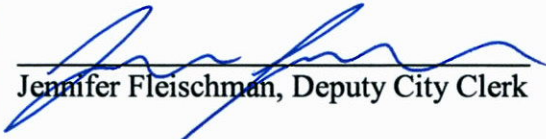
Note: Meeting start time is not necessarily indicative of hearing start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting. The file containing information on this matter is available for public review at the Community Planning & Design Department located in the Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter.

Verbal testimony at the hearing is generally limited to three (3) minutes time. Minor amounts of written materials (less than two (2) pages) may be submitted to the hearing body at any time prior to the close of comments, as

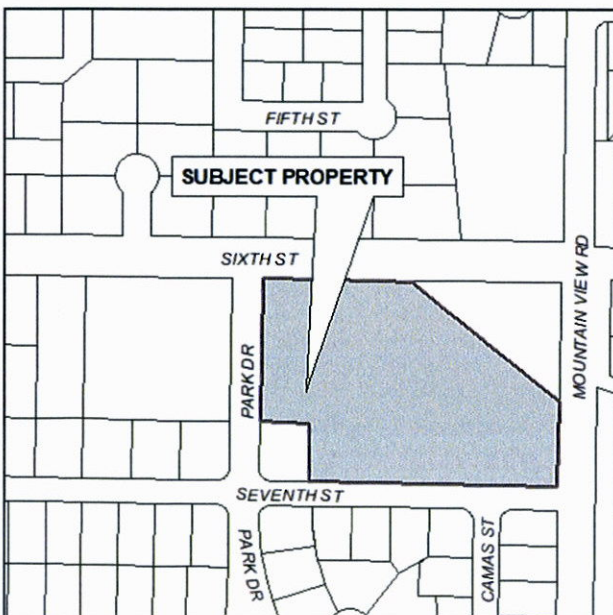
determined by the hearing body. More in-depth written materials require at least five (5) calendar days for review prior to the hearing. You may obtain further information about the public hearing process and procedures on the City's Website at:

<https://www.ci.moscow.id.us/593/Public-Hearing-Notices>

Laurie Hopkins, Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, August 7, 2021



NOTICE OF PUBLIC MEETING

Appeal of the Denial for a Conditional Use Permit at 1400 E. Seventh Street
Permit Application LUP2021-00038

A public meeting at which you may be present will be conducted before the City Council of the City of Moscow at which time the following proposal will be considered:

Appeal of a Conditional Use Permit Remand for a proposed 80-foot-tall Wireless Communication Facility (WCF) with multiple tower design options that was denied by the Board of Adjustment on August 24, 2021.

The Council shall not act on an appeal which differs materially from that which was considered by the Board of Adjustment. When considering the merits of an appeal, no additional public testimony or information shall be taken or considered by the Council.

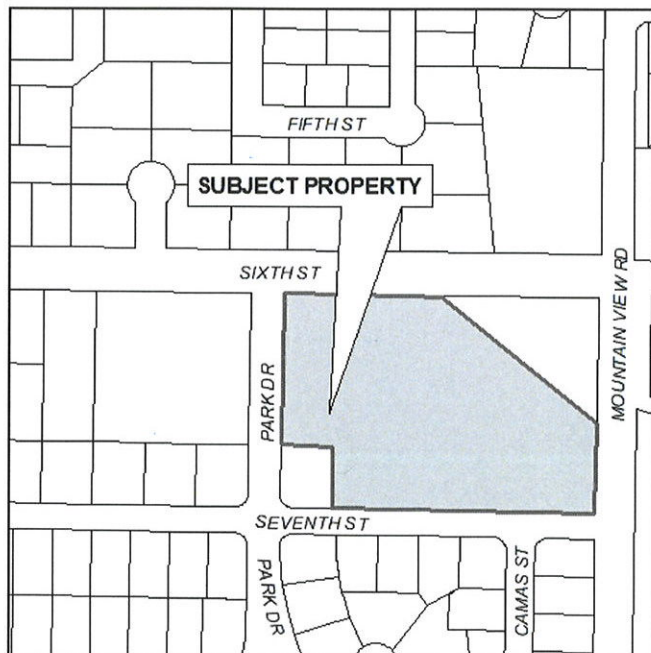
HEARING DATE: Monday, October 4th, 2021

HEARING LOCATION: Council Chambers on the Second Floor of Moscow City Hall
206 East Third Street, Moscow, Idaho

MEETING TIME: 7:00pm

Note: Meeting start time is not necessarily indicative of agenda item start time for the proposal advertised in this notice. Multiple hearings and/or agenda items may make it difficult to determine hearing start time, which could occur late in the meeting.

The file containing information on this matter is available for public review at the Community Planning & Design Department located in the, Paul Mann Building at 221 East Second Street, Moscow, Idaho. Call 883-7035 to get a meeting agenda and further information about the matter. You may obtain further information about the public hearing process and procedures on the City's Website at: <https://www.ci.moscow.id.us/593/Public-Hearing-Notices>



Laurie Hopkins,
Moscow City Clerk


Jennifer Fleischman, Deputy City Clerk

Publish: Saturday, September 18, 2021

Public Hearing Transcript: City Council remand in part of a Conditional Use Permit application for a proposed 80' Wireless Communication Facility (WCF). The WCF will accommodate three carriers within a fully enclosed 800 sf lease area and would resemble a church tower per MCC 4-3-5(H) – LUP2021-0017

The meeting was called to order at 7:00 PM

MEMBERS PRESENT: Joe Bazzoli, Chair; Annette Bieghler, Steve Bush, Marshall Comstock, Mark Monson, Tim Thomson
STAFF: Jennifer Fleischman, Aimee Hennrich, Mike Ray

1 HENNRICH: Good evening Chairman and Board members. I'm going to share my screen...for the
2 sake of the people attending via Zoom. Alright. Is everybody able to see that- on
3 Zoom? Let me minimize so I can see if we can see some nods.
4 MULLEN: No, not able to see it.
5 HENNRICH: I'll stop sharing-
6 ALLEN: Not- not yet.
7 HENNRICH: You can't see it yet? Ok. Let's try that again...Well, hello Corey.
8 OGLESBY: Yup.
9 HENNRICH: Am I doing something...?
10 OGLESBY: Click the one that you want to share there.
11 HENNRICH: Did it not go?
12 OGLESBY: Now we're sharing-
13 HENNRICH: Are you sharing-
14 OGLESBY: -yup!
15 HENNRICH: Can you see it now?
16 ALLEN: Now we-
17 MULLEN: Yes.
18 ALLEN: Now we can see it Aimee.
19 HENNRICH: Okay, perfect. Apologize for that. Alright. Um, so tonight, as you all were here for
20 the Remand, um, in part of a Conditional Use Permit application for the Wireless
21 Communication Facility proposed at 1400 East Seventh Street, here in City of

1 Moscow. Um, so just to provide a little bit of background, um, as you all are aware,
2 uh, this- this application, um, there was an application proposed in July of, uh, July
3 30th of 2018 by Pro-land LLC. They applied for a Conditional Use Permit for an 80-
4 foot Wireless Communication Facility at this same location. Um, at this time, it was
5 proposed to look like a mono-pine, resembling a tree. Um, if you all recall, that
6 proposal, um, was denied by the Board of Adjustment on the 18th of De- of November,
7 2018. Um, the Board found that the mono-pine was not consistent with the existing
8 character of the neighborhood and that it would not be in harmony with the land use
9 surrounding the subject property and the scale of the proposed tower was significantly
10 larger than the structures and trees in the surrounding area. Um, on- on November
11 27th, 2018, there was an Appeal filed on behalf of the Applicant and on January 7th,
12 2019, City Council reviewed the Appeal and sustained the decision to deny the
13 Application. February 19th of 2021, uh, P- PI, uh, Tower Development LLC applied
14 for a Conditional Use Permit at the same location, uh, for an 80-foot Wireless
15 Communication Facility. This time the facility was intended to resemble a church
16 tower. On March 29th, 2021, the Board of Adjustment held the public hearing on the
17 matter, denied the Application, finding that it didn't meet Criteria 2 of the Relevant
18 Criteria and Standards. As you recall, the proposed Wireless Communication Facility,
19 um, you all found that it was not consistent with the existing character, or the uses,
20 within the surrounding neighborhood. The cell tower looked out of place and would
21 not be in harmony with land uses of the surrounding subject property including that-
22 the Nazarene Church. The surrounding neighborhood is predo- predominantly
23 residential, with a few commercial uses nearby. Uh, the scale and pr- of the proposed
24 tower was significantly taller than any other structures or trees in the surrounding area.
25 Um, as you recall, this is the subject property here, just south of Sixth Street, uh, west
26 of Mountain View, um, and East of Park. Uh, this is the proposed design that was set-

1 put- put forth, uh, at the original, uh, application hearing. Showing the three, uh, levels
2 of antenna array that the Applicant had- had, uh, proposed. This is a little bit closer,
3 showing the overall height of the Nazarene Church, um, and the cross here showing
4 at 66-feet, the tower showing at 80. This was the proposed location on the site, as you
5 all recall, um, with the actual church here. Uhm, the entire campus takes up the entire-
6 er, the- the entire City block. This is what the proposed tower would have looked like,
7 from the North, and this is what the proposed tower would look like from the
8 Northeast. So, a little bit more continued background. Uh, the City received an Appeal
9 from the Wireless Policy Group on April 16th, 2021, and on May 3rd, 2021, City
10 Council heard the Appeal, uh, of the Remand- and Remanded the matter in part back
11 to the Board of Adjustment, um, for the following sole and specific reason: 'To
12 develop additional material information specifically to determine whether the
13 horizontal footprint and the width of the proposed Wireless Communication Facility
14 can be reduced in order to less intrusive to the neighborhood and the surrounding land
15 uses and ultimately satisfy Criterion 2.' Just to remind you, Criterion 2 is, 'The
16 character, uh, the character and proposed use will or will not be in harmony with the
17 neighborhood and the surrounding land uses.' The Applicant's response to, uh, the
18 Remand, uh, the Applicant determined that the hor- the horizontal footprint and the
19 width of the proposed Wireless Communication Facility cannot be reduced in height
20 or diameter, and the structure of the location cannot be changed. The diameter, uh,
21 the, uh, due to- these are the reasons the Applicant had submitted, uh, it could not be
22 reduced. Uh, the antenna arranged, uh, in three traditi- traditional side configurations.
23 They're secured to the triangle platform with mounts that allow the antennas to be
24 tilted up and down and side to side, uh, to direct the signal. Um, additionally the
25 antennas are nearly flush with the outer walls of the structure, giving no room to redur-
26 to reduce the overall diameter of the tower. And that the four-sided tower's also

1 important because each carrier has a different network configuration which would
2 require the triangular platform to be rotated differently. This is a top-down view of
3 what would be inside the proposed tower as it was designed. Um, there's a more- you
4 can probably see in your packet a more detailed, uh, view of this, uh, image didn't
5 really transfer over very well, um, but this is enclosed in your packet if you'd like
6 more- more detail on that. Um, to continue, the Applicant's response in regards to
7 height: the vertical separation between the three carrier antenna's is required. Um, er-
8 eh- would- would be required, um, is required in order to, uh, achieve the- the height.
9 Separation between its own various antennas based on the different frequencies being
10 used to prevent interference. Um, and the two toe-locat- two co-location spaces, uh,
11 and remaining- and still remain tall enough to technically viable for other carriers.
12 Um, so that's the justification for the height. Um, and then the location: the Church
13 of the Nazarene provided a letter on why the tower location is ideal. Um, they cited
14 concerns about underground utilities, and potential restr- potentially restricting
15 access. Um, the natural screening by the trees and the other vegetation, um, are
16 superior in this location to other locations along the- along the site. Um, after the
17 determination- um, after determining the horizontal footprint and the width of the
18 proposed structure could not be reduced in size, the Applicant has submitted three
19 alternate tower designs for the Board to consider tonight. Alternative #1 would be
20 this- it's- it's very similar to the current tower design, um, but a little bit, uh, a little
21 bit architecturally different. Um, the current tower- it would be the current tower with
22 additional cut-outs. Um, the cut-outs would start roughly 40-feet above ground. Um,
23 the racks, uh, er- with racks of decorative bells horizontally in the space bet- uh, that
24 you could see through the windows. Um, this alternative, uh, al- this alternative allows
25 view from the structure providing visual relief from the current design. It provides an
26 appearance of reduced bulk. Uh, there's also an option for additional decorative detail

1 on either of the four-sided tower- on either- on either side of the four-sided tower
2 design, to incorporate more elements of the church design. This is what they, uh, the
3 Applicant had proposed. Um, you can see here the window cut-outs starting at about
4 40-feet, um, and again, they did mention potentially decorative bells on the inside to
5 kind of break up the visual bulk and- and make it more aesthetically pleasing.
6 Alternative 2, um, is a three-legged tower design. The design reduces the bulk visual.
7 Um, the three-sided design will also potentially reduce the co-location opportunities
8 on the tower, um, and this was not the preferred locat- uh, the preferred alternative for
9 the Applicant. This design will look similar to this, I'm sure you've seen them in other
10 locations in different cities. Um, just a tri- tri-legged, um, structure, uh, arra- antenna
11 arrays would be enclosed within the top 40-feet. Um, and then the third alternative
12 would be a monopole. The traditional monopole design can be far less bulky than a-
13 than a- than the enclosed tower structure. It can be painted to match the prevailing
14 background to further reduce visual impact. Uh, the des- the diameter of the antenna
15 platforms would be consistent with the proposed tower diameter, but the support pole
16 would be slimmer. Um, the Applicant noted 22-inches at the top tapering down to
17 approximately 35-inches at the base. That structure, I'm sure you're familiar with
18 seeing in other locations as well, would look similar to this. However, I believe the
19 antenna arrays would- would, uh, you know, go all the way down to the 40-feet to
20 accommodate what the Applicant had described. So, Staff recommendations tonight
21 would be to open the Public Hearing to receive additional information and testimony
22 as instructed by Council. Review the Applicant's response to con- to reduce the
23 visual- the horizontal footprint and width of the proposed d- Wireless Facil-
24 Communication Facility, as well as three alternative designs and, in light of the new
25 information presented, consider Criterion 2 of the Reasoned Statement of Relevant

1 Criteria and Standards approved by the Board of Adjustment on April 7th, 2021. And
2 with that, I'd be happy to try and answer any questions you might have.

3 BAZZOLI: I have one right off the top.

4 HENNRICH: Sure.

5 BAZZOLI: If I understand this correctly, we're really only considering Criteria 2 not the other 7.
6 Is that correct?

7 HENNRICH: That's correct.

8 BAZZOLI: Thank you.

9 COMSTOCK: And- and, Aimee, also tonight, uh, we're not going to re-hash everything, are we?
10 We're going to just talk about the- the new material that has come in? We're not going
11 to re-hash everything from the beginning. Is that correct?

12 HENNRICH: That's correct.

13 COMSTOCK: So, any-

14 HENNRICH: The Council has- has specifically said to re- redetermine whether or not the- the bulk
15 of the tower can be reduced, so you're looking at, um, if we can go specifically back
16 to the Council's...written, uh....I should have made a slide for that specifically, um,
17 to determine, uh, to develop additional information specifically to determine whether
18 the horizontal footprint and width of the proposed Wireless Communication Facility
19 can be reduced in order to be less intrusive to the neighborhood and surrounding land
20 uses, and ultimately satisfy Criterion 2. So, it's op- it's really- you know, assessing
21 that. Assessing the Applicant's response to that and additionally the three new
22 alternatives that they set forth.

23 COMSTOCK: Okay, so any public testimony would only be based on the new material presented?

24 HENNRICH: I believe so, yeah.

25 COMSTOCK: K. Thanks, Aimee.

26 HENNRICH: Sure.

1 THOMSON: And, I think I want to focus in even tighter: not are we only to consider Criteria #2,
2 but specifically the, uh, City Council's, um, uh, direction, um, that...it be, um,
3 determined whether the horizontal footprint and width of the proposed Wireless
4 Communication Facility can be reduced in order to be less intrusive to the
5 neighborhood and surrounding land. Um, so that's even more specific as to what
6 we're looking at. Uh, nothing beyond that really because that's what the new materials
7 all about.

8 HENNRICH: Yeah, and I think that the Applicant set forth some new alternative designs to show,
9 'well, we can't reduce what we have, but we can redesign and make it smaller,' and
10 so I think that was the goal of those alternatives. Um, so those are for your
11 consideration as well.

12 THOMSON: Because- yeah, the, uh, Applicant- it, uh, Parallel Infrastructure's, '-after careful study
13 we- we regret that it is not feasible or possible to make the requested changes for the
14 following reasons-' of which we already talked about.

15 HENNRICH: Correct.

16 BAZZOLI: Any other questions for Staff? Or... I have one last question, and it's actually more
17 for City Council, and since they're not here I'm going to have to ask you. But, the
18 direction you just read stated horizontal. It didn't state vertical. Was that a typo?

19 HENNRICH: Um-

20 BAZZOLI: Because the horizontal footprint doesn't affect visual impact, it's the- it's the height.

21 HENNRICH: I think it was the overall bulk and massing that they wanted to be reassessed. Whether
22 that can be-

23 MONSON: Yeah, that's how I-

24 HENNRICH: I don't think the height-

25 MONSON: -that's how I read the minutes-

26 BAZZOLI: I just want to make sure I understand the verbiage, because-

1 HENNRICH: Right.

2 BAZZOLI: Okay. Thank you. Any other questions for Staff? Thank you.

3 HENNRICH: I'm going to stop sharing my screen so you can see the Applicant and the others in
4 attendance.

5 BAZZOLI: Okay, with that introduction, since this meeting's a little atypical to our normal
6 meeting, we're still opening up a Public Hearing and, as I understand it, the Applicant
7 will explain the purpose of redefining the horizontal massing and the options. And
8 then I'll open it up for public testimony again, and I've said this many times in
9 meetings; it's a public hearing, you are welcome to speak your mind, but please keep
10 in mind that we've been directed to deal with one criteria this time, not seven. So, if
11 you can make your points related to that, um, and then at the end, we'll- we'll let the
12 Applicant rebut those and then we'll close the Public Hearing. Staff, is that the correct
13 procedure this- tonight?

14 RAY: Correct.

15 BAZZOLI: Thank you. Alright, so with that, um, Applicant's, since there are three of you I see
16 on the screen, um, please take over- please state your name, first, for the record, and
17 then tell us what you know.

18 ALLEN: Thank you Mr. Chair. This is Kim Allen, from the Wireless Policy Group. I am, uh,
19 here on behalf of Parallel Infrastructure tonight. Um, a- I have turned my camera off
20 because I'm having some bandwidth issues, so I hope that, uh, hope you don't mind,
21 um...

22 BAZZOLI: I saw you earlier, so...

23 ALLEN: Actually-

24 BAZZOLI: -we know you're there.

25 ALLEN: Okay, good. Um, with me I have the Parallel Infrastructure team: I have Aaron Blume,
26 Christy Cooke, Bryan Mullen, and Aaron Bloom present, and they are here to be able

1 to answer whatever range of questions you might have about the, um, why the- the
2 height and the- the diameter of the facility can't be reduced. And, uh, any questions
3 you might have about the new, uh, the new designs as well. Um, Aimee did an
4 extraordinarily good job of, um, taking my presentation and, uh, and covering
5 virtually everything I wanted to cover. Um, as we look at it, as we studied up and- and
6 since- since the Remand, we have been working diligently with Staff and also
7 internally to see if there was anyway that we could reduce the diameter of the tower,
8 or, uh, the- the height of the tower. Now, as I think we- we spoke about, uh, at the
9 previous hearing, the height of the tower has to take into account not only three sets
10 of antennas, but also a separation distance between each carrier to prevent
11 interference. And so, that, uh, that amount of- of, uh, um, horizontal separation has to
12 be included in the height calculations. Also, there has to be enough, um, uh, height
13 for the bottom array of antennas, for that carrier to find that commercially viable and
14 useful, as a co-location opportunity. So, after analyzing that, the team found that 80-
15 feet was the minimum necessary to be able to accommodate three carriers on this
16 tower, and reduce the need for two additional towers, in City of Moscow. So, that was
17 the height consideration. Um, I think that the- the diagram that Aimee showed you-
18 that top down view, um, showing the interior of the, uh, of the tower, really
19 demonstrates that the- the equipment and the antennas and the antenna mounts, come
20 right to the interior wall of the proposed tower. As- in- in diameter. So, there was- we
21 found no way to be able to shrink that down without losing functionality again for
22 the- for the three carriers, because they need to tilt their antennas directionally: that
23 requires some space. The mounts that allow that requires some space, and, uh, and we
24 were unable to that. However, what we did want to do is come back to the Board with
25 some options. If we cannot reduce the actual height or the actual diameter of the
26 structure itself, we can- we hope we can reduce the visual bulk- the visual impact of

1 the tower and- and create compatibility with the surrounding neighborhood that way.
2 Rather than reducing in size. Although, we do want to note that the Option #2, with
3 the three-legged configuration, does in fact reduce the actual bulk of the structure by
4 1,280 sf. Um, however, that three-legged, uh, tower design has significant drawbacks
5 in that, uh, the carriers are not able to directional focus their antennas as precisely as
6 they could with the four-sided tower. Because, they- they are only three ways to- to
7 point the antennas rather than four. I think Aimee talked about- if you look at top-
8 down diagram, you can, um, that triangular mount can shift and turn to get more
9 precise about the direction the antennas need to- need to point. And that's important
10 because every carrier has coverage gaps in different directions and different places.
11 The networks are all configured differently. So, while that tower does reduce the bulk,
12 um, by- by a fair margin we find it- it probably will not, um, be feasible necessarily
13 to host three carriers, going forward. So, that's why it's not our preferred alternative.
14 And then, of course, we provide you with a picture of a standard monopole. While
15 that looks like- like a cell tower, because it is a cell tower, um, visually the, um, the
16 mass is- is much, much less. It's on a- a- a comparatively slender pole with the
17 antennas at the top and we use paint to integrate it into the surrounding, um, the
18 surrounding background. And any- any type of- any color of paint that- that the City
19 would find, uh, compatible and we would also use a non-glare paint so as not to create
20 any glare off the tower. So, w- w- we're trying to go back to the drawing board here
21 and solve the problem from another angle. We heard the Board of Adjustment and we
22 heard, uh, the con- the concer- uh, you know, the problems that you were having with
23 the height and- and the bulk. Um, we feel that Alternative #1, which is the original
24 tower design, but removing, um, some of the mass- like, uh, cutting out- so that you
25 can see through the structure from 40-feet down. Um, eliminates some of the visual
26 impacts involved and creates, uh, kind of an optical way to- to- to see through it as

1 opposed to seeing a- a large hulking structure. So, we find that, um, you know, that-
2 that is the preferred alternative from a technical and feasible, uh, point of view for the
3 Applicant here. Um, however, what we, uh, you know, we were, uh, meaning to do is
4 to, um, to put options in front of you and to let you know that Parallel Infrastructure
5 is prepared to build out any one of the choices that you might make here. Um, we- we
6 just await direction from you. Um, also, we do have, I think, um, Pastor- Pastor Ed
7 from the church, I believe is, uh, present there this evening. Um, as Aimee pointed
8 out, there were reasons why we could not move the tower closer to the church building
9 itself. A- the most significant of which are underground utilities, um, some of the- the
10 car and pedestrian traffic flow on the site, as well as the potential for blocking
11 windows and doors on the church building itself. So, um, but Pastor Ed is here to
12 answer any questions that you have about, um, about that aspect of things. And then
13 as the- as the Council indicated, um, there was public comment received, um, and, uh,
14 what that mainly focused on- on the need for the site, which has been established in
15 the record by the RF Justification that was submitted by AT&T, um, previously at the
16 hearing. Um, we did submit an additional exhibit because one of the commenters had
17 included a map- an online map from AT&T showing the overall coverage goals for
18 the vicinity. Um, that map has a, um, has a- a disclaimer with it as well that says that
19 it's not a propagation map and it's not to be used for site specific coverage. Um, so
20 we- just to complete the record, uh, sent that in as an additional exhibit so that, um,
21 so that's complete. We're prepared here to- to answer any questions about, uh, about
22 that, um, the actual propagation maps in the record from AT&T RF engineers are
23 found at pages 188-200 in your packet. So- so in short, there have been no new
24 wireless towers approved in the City of Moscow since 2006, since before the
25 introduction of the iPhone. The population of the City and the need for coverage and
26 data capacity has steadily increased for all of the carriers, but no new infrastructure to

1 address that growth has been approved. The City hosts a major state university and is
2 8-miles away from another university, with thousands of local staff and students, as
3 well as residents and businesses relying on the wireless networks. First responder and
4 public safety employees depend on the wireless networks to move data and respond
5 in real-time to emergencies. So, updating these networks is critical. So, in conclusion,
6 we- we've tried to work hard with Staff and in good faith to try to reduce the visual
7 bulk and it's impacts by presenting alternative designs here, uh, which was- we
8 believe the- the- the intent of the request by the City Council. While it's not
9 technically feasible to reduce the size of the tower, for the reasons we discussed, we
10 hope we've provided some creative alternatives to mitigate the bulk and- and the
11 impact, visibly, of the tower. So, we hope that the Board will find one of these
12 alternatives compatible with the surrounding area, and we ask that you approve the
13 application with your choice of the designs offered. And with that, uh, I and- and the-
14 the members of my team are ready to answer any questions that you may have.

15 BAZZOLI: Okay. I'll ask the first question. On- on the construction drawings, sheet E02, it's
16 basically the foundation for that. And- and this kind of addresses why it can't be
17 adjacent to the building, but there's basically a 20-foot by 20-foot pad that's 3 and a
18 half feet underground. So, I have kind of a two-fold question. The first one: do any of
19 these alternates that we've seen, other than just the typical pole with the equipment
20 on it, how does that affect the size of that pad, if at all? And then the second part of
21 that question is that it states that it's 6-inches below grade: does the grade finish have
22 to be a permeable or non-permeable surface because the bigger it gets, potentially the
23 bigger the permeable surface gets. And the reason I ask that question is it becomes a
24 visual thing at ground level. So, who wants to answer my two questions?

25 MULLEN: This is Bryan Mullen: I can answer that. (clears throat) Excuse me. Uh, the permeable
26 and non-permeable, um, discussion is- is still outstanding. Um, we're looking at

1 giving, uh, we're looking at you to provide us what type of structure will be approved
2 so that we can go back to our engineers and discuss what ultimately- what foundation
3 will be applicable. Um, this will be enclosed within a fenced area, unobstructed, so-
4 or obstructed, so there won't be a view to the interior side of the compound. So, you
5 won't see any of the permeable or un-permeable area, the equipment will not be seen.
6 Um, were- we have a geotec- we went, at risk, with a geotechnical engineering to
7 decide- or give you the options available to you to see if it would still fit within the
8 criteria of the compound size. Whether it's a four-sided, three-sided, or monopole, we
9 worked extensively with the g- engineers to, um, formulate a design that could be
10 installed. Is it 100% designed? No. But, we have good information to tell us that we
11 could fit within that zone- that- that lease area.

12 BAZZOLI: Thanks.

13 MULLEN: You're welcome.

14 BAZZOLI: Any other questions for the Applicant? ...None?

15 BIEGHLER: I- I do wonder, was it ever established that aviation lights won't be needed on this?

16 BAZZOLI: I-

17 HENNRICH: There not-

18 RAY: They're not needed.

19 BIEGHLER: Ok-

20 BAZZOLI: Yeah, I think that was a question on a- in the previous meeting, and it- and it isn't.

21 BIEGHLER: Okay. Cause, I remember Aimee said that it was- she thinks it's 200-feet but wasn't
22 positive. But, that's true.

23 HENNRICH: Yes.

24 BIEGHLER: K, thanks.

25 BUSH: So, I've- I've a question. Um, out of the 3 proposals that we have photographs of here.
26 Um, Item #2 is a three-legged tower design, which, um, was not recommended

1 because, uh, it would not hold a third carrier, um, in the future and, um, so it was- it
2 was not the preferred alternative. Um, my question is, um, you've provided a
3 photograph and- and the option for a three-legged tower design, um, with basically
4 poles that go up roughly 40-feet in the air, um, I'm wondering why or- or is it possible
5 to do a four-legged structure where you could have that third carrier added to the- the
6 structure in the future if you had four-legged, um, pole structure rather than a three-
7 legged tower design, which you're saying isn't really, um, conducive to what you
8 want to do.

9 ALLEN: Bryan?

10 MULLEN: Yeah, um, the three-legged structure is not the optimal design, due to the constraints
11 that were put on us to come up with a solution for, uh, a new proposal to City Council.
12 Uh, we were looking at every option available. Three-legged really confines our
13 ability to, um, ener-, er, to incorporate the 3 different carriers that we have, um,
14 commitments to- to co-locate on this structure. The three-legged structure I- I don't
15 know if the information is correct, uh, the three-legged structure can still go to the 80-
16 foot level. Um, along with the 4-foot, or I mean the four-legged structure as well. Um,
17 the four-legged is- is definitely the optimum, um, design that we would like to go
18 with, uh, do to the fact that, um, like was, uh, um, discussed before, all the carriers
19 have different azimuth, as you can say, different directions for the antennas to point
20 to make their network work efficiently. Um, but do to, um, you know, this, um, design
21 effort- redesign effort, we're willing to entertain doing a three-legged structure if that
22 would help the City of Moscow, um, approve the Application. Um, we will have to
23 work extensively with the m- RF engineers for each of the other carriers to make their
24 equipment work. It won't be easy, but we'll try our best to, um, accommodate what
25 their needs are within that structure.

1 ALLEN: Bryan, can I just follow up? I think the question that- that was being asked is can we
2 turn the design of the three-legged structure into a four-legged structure to solve some
3 of our problems. And keep that-

4 MULLEN: Yes, we-

5 ALLEN: -second design.

6 MULLEN: Yes, we can.

7 BUSH: Ok-

8 MULLEN: We can definitely do that.

9 BUSH: Alright, thank you.

10 MONSON: I guess I have a question. My question is, when I look at the monopole: isn't- isn't
11 that the most...versatile design for what you're trying to do?

12 MULLEN: Yes, it is.

13 MONSON: Okay.

14 MULLEN: It's also the least obstructive as well. Um, it's like, oh, um, it's, um, when you see
15 high-voltage lines, you know, with the utility pole? Um, which isn't that far away
16 from the location that we're looking at, um, locating our site. Um, after a while, just
17 becomes, um, unnoticeable. Um, and we can paint that monopole to a c- a color that
18 the City would prefer. But, that is the best solution, um, and the least obstruction, um,
19 for our purposes.

20 BLOOM: Just to add to that really quickly, this is Aaron Bloom. Um, not only would the- could
21 the pole be painted but- but every piece of equipment that would be located on the
22 pole would also be painted to match, right? Whether it's a- a small jumper cable, you
23 know, to an antenna, to a radio. Anything that would be on there would- would match.
24 We would use the same color chip across every piece of equipment on the tower.
25 Right? So, the pole matches, everything would match.

1 BAZZOLI: From- to further clarify Bryan's comment on obstructive. Obviously that single pole-
2 when you use the term obstructive, you're- you're talking in terms of how less
3 obstructive it is from the ground looking up. Wouldn't that design be the- the least
4 obstructive for the equipment to, um, create carrier signals out? Given that the whole
5 point of this tower is not to shroud it and potentially obstruct the signals? Versus
6 providing better signals?

7 MULLEN: That's exactly true, and that's a- that's a great comment. Um, every time that you put
8 an antenna behind a piece of FRP, a fiber glass shroud, it impedes the signal going
9 out. And they have to adjust for those signals, um, in order to accommodate the design.
10 So, um, yeah, you're exactly right.

11 BAZZOLI: Any other comments? Alright, thank you.

12 MULLEN: You're welcome.

13 BAZZOLI: With that, um, I'm going to open up for the public to speak. Um, I'm not sure, um, -I
14 keep using the term 'um'. I saw that in the paper-

15 THOMSON: I would-

16 BAZZOLI: Trying- trying not to say that, I've said it three times. I'm going to try not to say it
17 again. I don't know how much of this 258-page packet the general public gets when
18 they get the notice, so are they- I mean, do they know what is in this packet? Is that-

19 HENNRICH: So, the- the-

20 BAZZOLI: -public information?

21 HENNRICH: -yes, yeah, it's published on the website. The- the notification that goes out to
22 residents within 600-feet, um, does have a link to the website where they can obtain
23 the entire packet. There's also the office address where they're welcome to stop in to
24 review the packet if they don't have online access.

25 BAZZOLI: Okay. I'm not going to read the letters that were sent in, in opposition to this. There
26 were 6 or 7, and a petition that had, as I counted 56, give or take. So, and I think some

1 of the letters, individual, were duplications with that. But, give or take, there's a
2 significant- significantly more nays this time, in opposition to this, and those
3 addresses are obviously within that vicinity, so I just want to state that for the record,
4 for anybody listening or watching that didn't click on the link. With that, um, please
5 come up one at a time, state your name and address for the record and make your
6 comments. By all means, go ahead.

7 RENNER: Good evening. Uh, first of all I want to thank you for giving me the opportunity to
8 address the Board. I really appreciate it very much. Uh, my name is Dave Renner and
9 I live at 1130 East Seventh Street in Moscow. Uh, and I would live probably within
10 about 15-20 yards of the proposed tower. As I was reading Criteria 2 it says, '...the
11 character of the proposed use will be in harmony with the neighborhood and
12 surrounding land uses.' And the response by the Applicant was, uh, '...that the
13 proposed use will maintain the character of the Church of the Nazarene campus.' Ah,
14 so their response to Criteria 2 was that it would be consistent with the Church of the
15 Nazarene campus, but they really didn't address the idea of whether it would be then
16 consistent with the residential characteristics of the neighborhood. Uh, the Applicant
17 has mentioned that they will not be able to reduce the vertical footprint or the
18 horizontal footprint and, um, uh, thereby that seems to me , I mean, that we really
19 haven't gained any ground at that point. That tower will still be 80-feet tall. I will still,
20 uh, have that, uh, same horizontal dimension and, um, it seems clear to me that- that
21 tower would not be consistent with the characteristic of a residential neighborhood. I
22 was- I was also concerned a little bit about the photograph of the monopole- it shows
23 one antenna array up at the top, but it doesn't really show the fact that there would be
24 devices that would be running down the length of that pole as well. And so, where by
25 it may reduce in a miniscule way, the visual bulk of the structure, uh, but it's really
26 not reducing the vertical footprint or the horizontal footprint, at all materially. And

1 so, because of that, I, uh, would like to requestfully, um, uh...requestfully ask that the
2 Board deny the application. Thank you very much.

3 BAZZOLI: Please.

4 KRAUSS: Well, good evening Board. It's, um, interesting for me to stand here as opposed to
5 being there where I was a few years ago. But, um, I appreciate your opportunity and,
6 uh, I had about a 20-minute monologue established that I was going to talk about, but
7 then understanding that that's not going to work- come on Marshall, you can smile,
8 it's ok-

9 BAZZOLI: And- and I see, Wayne, that you're there but can you tell us your name for the record
10 and for everyone else?

11 KRAUSS: Yes sir. Wayne Krauss, 1223 Public Avenue.

12 BAZZOLI: Thank you.

13 KRAUSS: Ah, Joe if I start to stray a little bit, then just re- reign me in a little.

14 BAZZOLI: Will do.

15 KRAUSS: Okay. I'm going to start off with saying that, you know, I wish you guys would- or-
16 or wish they had come up with the monopoly design at the very beginning. You guys
17 have to feel like your kinda beating a dead horse here all the time because, well this
18 doesn't work, how about if we make this work, or, if this can work. You know? Maybe
19 this monopoly shoulda come right at the beginning instead of some...horrible looking
20 Christmas tree. If that's what you want to call it. But, you know, I- can I speak about
21 the- the- the petition, Joe? A little bit? Very shortly-

22 BAZZOLI: It's part of this record-

23 KRAUSS: Well, you know, it is-

24 BAZZOLI: -as I understand it.

25 KRAUSS: -and-

26 BAZZOLI: That's what we are here for.

1 KRAUSS: -you know, I looked, I- I went through the petition, not real careful but I noticed that
2 most of the addresses were like Sixth Street, Seventh Street, maybe Eighth Street. It
3 didn't extend on down Blaine, they didn't go towards, uh, the southern end of the- of-
4 of Blaine. They certainly didn't go to Lewis Street where my mother lives. Um, I have
5 AT&T: I don't have very good service at my mom's house. My sister lives in Spokane
6 with Verizon: she comes down, she has zero service unless she wanders around out
7 in her backyard. This is needed. So, we're fussing about a design here, as opposed to
8 is it a need for the common good. If we have 50 people that say, well we don't like
9 this. But how many thousands of people would be affected by putting it up that it
10 would be good for. That's my question. And isn't that really the answer. I do like the
11 monopole. I wished with this to come up first and...I think we can all pretty well
12 agree, or most of us can agree, that this monopole after...couple three months or four
13 months or six months, you're not going to see it anymore. It just becomes part of the
14 scenery. No, it's not part of the neighborhood. It doesn't fit the neighborhood. But my
15 question is, if not there, where? To serve that area of people that are hurting. And by
16 not allowing a- a- a tower to be put up, I think that you're actually enabling some of
17 the other providers that do have a stronger signal that people can use, and is forcing
18 some of the other providers to not be able to provide that service. So, there's an
19 inequity that's- that's being involved in that also. It- in my opinion. So, I'm going to
20 strongly encourage the Board to take this, and I would say, you know, let's take this
21 monopole. Let's get it put up. Let's get cell service to these people that are have a
22 weak cell phone service. These neighborhoods were built...many, many, many years
23 ago before cell towers were even thought of. And so, yes. They do look obtrusive at
24 the beginning. I do agree that the monopole is less obtrusive, it's less noticeable. I
25 never liked the Christmas tree and quite frankly, I didn't- I didn't particularly like that
26 big structure that was supposed to blend in with the Nazarene Church, which really

1 didn't. But I like the monopoly. It's practical, it's smart. It's less expensive, I would
2 suspect, am I right? Yeah, okay. S- let's move on with this thing. Let's make this right
3 for the neighborhood. For everybody. Not just a select few that say we don't need it,
4 I don't like it. In other words, not in my backyard.

5 THOMSON: Sir, can I- I ask, I'm sorry, one question.

6 KRAUSS: S'alright, sure Tom.

7 THOMSON: Where- where's your address, or what is your location? I don't know the streets that
8 well.

9 KRAUSS: 1223 Public Avenue. I'm not affected by that tower whatsoever. It's more my mom,
10 who lives over on Lewis. And...I'm representing the Nazarene Church also. But
11 that's- that's not...I'm here because of that, but I'm not here speaking for them,
12 necessarily. It's not a big deal for the Nazarene Church, whether they get it or not. To
13 me, it's a matter of servicing this neighborhood with the infrastructure that it needs
14 for wireless service. When I'm at my mom's, even though I maybe able to make a cell
15 phone call, I have zero data. And I've got a good iPhone. And it's with AT&T. K?
16 So, that's- that's my big push here, folks. And that, guys, we need to provide this
17 neighborhood with the service that they deserve to have. And I think that's all I have
18 to say about that. Any questions that I can answer? Thank you.

19 BAZZOLI: Please.

20 HALL: Good evening, Board. David Hall, 1334 Wallen Road, Moscow. Um, what you were
21 tasked with by City Council was to determine whether the footprint could be reduced,
22 and they said no. So, that's pretty much cut and dried. You weren't asked to come up
23 with other designs, I don't think. So, it's pretty clear that they said no it can't be
24 reduced. Um, I did have one question: in the- in the packet, I don't know, it indicated
25 when they were looking at different alternatives that locating on a- an existing water

1 tower could be harmful to the water or not. I was wondering if somebody could
2 elaborate on...how the water is affected on that? And that was in the packet, but...

3 BAZZOLI: I-

4 HALL: -not part of this decision, so...

5 BAZZOLI: I think-

6 HALL: ...was curious.

7 BAZZOLI: And- and, maybe I could be clarified, but I think during our last meeting, um, it had
8 to do with the baffle, and the top and being able to mount it on it. Not necessarily
9 affecting what's in it. Is that?

10 RAY: Correct. Yeah, it's- it's made of- composed of a bladder, so it, uh, it would not support
11 any type of antenna array on the side of it. It doesn't have one of the walkways that
12 surrounds it either. So, um, it couldn't- couldn't be mounted to that tower.

13 HALL: Okay, thank you.

14 BAZZOLI: Yes, sir. Behind the screen. I saw your hand.

15 JAMES: Um, I'm KJ. Or, Kevin James. I live at 1206 East Seventh Street. Uh, literally, um, 4-
16 feet away from this proposed tower. Um, on the other side of the- the bushes, I guess
17 you could say. Uh, I won't be as long winded as- as Wayne was. But, uh, I look at it
18 as an opportunity, I guess, speaking for the 50 and under crowd. Um, I see growth.
19 And I see the benefit of having the ability to- to reach out and some of the things that
20 were pointed out with first responders and things like that. To me that's important.
21 Um, the- the integrity of what it looks like is my least worry of what it's all about. It's
22 more of the functionality of it. And so, uh, not going to be long-winded. But because
23 I live literally 4-feet away from where it's going to be, um, I would never have a
24 problem if it's going to benefit the growth of this community. Um, especially
25 furthering out east, west, north, and south. Um, so, my- my saying on that, for

1 whatever it's worth, is, uh, I definitely approve of it and- and I hope you guys will
2 consider approving it. And, let us be where it needs to be. Thanks.

3 BAZZOLI: Yes, sir.

4 WEISE: I'm Maury Weise. I live at 711 Park. And, yes, I've been here before and stated my
5 case. I'll be brief. I'm disappointed that, uh, the location has just not been considered
6 enough. The church sorta refuses to consider an option on the southeast or the
7 northeast portion of their property, versus the southeast one that's closest to the
8 neighborhood. And in a way, I agree with the church. They'd like to have it as far
9 away from the church as it can be. And I would like to have it as far away from my
10 house as it can be. Um, I saw the wisdom early on of the compatibility issue, expressed
11 by the Board and then by the City Council. And I'm sorry- I'm disappointed that that's
12 going by the wayside. We're choosing- it's like a done-deal. This thing's going to go
13 in. No one looked at the ballparks, the City-owned sites that are public property for
14 the site of this thing, that would serve the same- same geographic area. Uh, why
15 wasn't that option put forth and considered? So, it looks like you got us in a rock and
16 a hard place here, uh. I don't like the cell tower there. I was willing to make some
17 compromise if it was relocated on another side of the church. Um, and again, this is,
18 uh, a disappointing development. Uh, yes, we can't comment on the need. I don't
19 know if, uh, I have anything else to say that's relevant, but please, again, reconsider
20 that initial perspective and what it does to our community and the residents in my
21 neighborhood. So, I ask you to deny this proposal. Thank you.

22 PAXTON: Hi. My name is Faris Paxton. I am at, uh, 824 Park Drive. Um, one of the things that
23 we've talked with Criteria 2 is the harmony of the structure. We talked about the visual
24 harmony and to the first gentleman's point, the functional harmony has not really been
25 considered with the rest of the surrounding land uses. All of those businesses over
26 there, there's the funeral home, there's the eye clinic, there's the, um, there's the

1 dentist office. All those offices have people that live here, that are invested in this
2 area, that care about it. I can go into their doors, I can meet them. I can ask them to
3 raise money for my- my child's school, my special child's special needs school. I can
4 get them involved in initiatives. If I go and knock on that cell tower door, twice a
5 week I'll hear a generator going. But no one will ever be there who's part of our
6 neighborhood and part of our community. That functional harmony does not exist, I
7 would urge you to see that tonight. The functional harmony does not exist with our
8 neighborhood. Um, and I want to also just quickly address the matter of- we've said
9 this- I've heard this several times in in this Council and in this- in this Board without-
10 no matter where we put it, people are going to complain. And I would urge you to
11 think through that tonight, as well. If people are complaining just to complain, that's
12 a problem. But if they're complaining because their appealing to the ordinance- our
13 ordinance of our City, that- it doesn't fit the harmony of the neighborhood. Well,
14 that's- that's viable, right? It sounds like the ordinance needs to be changed. The
15 criteria needs to be changed. If we want- we can't just ignore it for one structure. That
16 sets a bad precedent. If we want to do this the right way, we need to- we need
17 amendments or something that say, well cell towers are exception to the harmony of
18 the neighborhood. And I would urge you to put that onus back on the Applicant's and
19 the tenants to say, you guys need to- if this is a real deal, we really need this, we really
20 need to build public consensus and we need to change this ordinance. And you say,
21 that's a lot of work. Well, that's what ordinances are for! To create a lot of work for
22 us! Sometimes they're there to protect us in ways we don't even see. We can't even
23 foresee the future of what might happen once we start. Well, this is just one building,
24 it's just this square footage. But if it doesn't fit the harmony, if you're convinced of
25 that, you have all the freedom in world tonight to say, hey guys we're sorry, it doesn't
26 fit the harmony of the neighborhood, the criterias and standards are as it is, and you

1 need to do some groundwork to like- because if the public consensus overturns this
2 and says we voted on it, we changed this. Okay then, we don't care about the harmony
3 of the neighborhoods anymore. That's fine. Let's go that route. But I would urge you
4 tonight to really consider; is this something that fits the harmony in my own
5 neighborhood? Would I want this here in my neighborhood, where I stand up and the-
6 see this thing? And just real quickly, the photographs that were presented tonight.
7 Again, it was ignored the southwest perspective, the- the- the view that affects our
8 neighborhood the most was not presented in this packet. It dwarfs the church tower.
9 It dwarfs the church structure when you look at it from our neighborhood. It-
10 southwest corner. It does, and that's not been in the packet twice now. So, I plea with
11 you: uphold the ordinance, uphold the criteria given to you tonight. Thank you.

12 GREENE: Shirley Greene, um, 2539 Blaine Road, but I am the Care Pastor at Moscow Church
13 of the Nazarene. Have AT&T, so struggle with that issue. And I just wanted to
14 mention something. I wasn't even going to speak, but when this gentleman got up-
15 got up and talked about knocking on the cell tower, there was no one to help. Our
16 church is a very big structure in the neighborhood. Our church- every single day of
17 the week we have driver's ed students going through that parking lot. We have kids
18 playing out there. We have an emergency: that's a emergency shelter for Lena
19 Whitmore, to be used for. Our church has been very active and when somebody
20 knocks on our door, we care. And so, I'm sorry that you would think that that would
21 take away from it.

22 FARIS: (from audience) I meant the cell tower door.

23 GREENE: I- I'm- I know, but it's on our property. Now, I am sure that I'm not supposed to
24 mention anything about the fact that this land would be leased. But- from- by the
25 church. This land would be leased and we would be able to use that money toward
26 paving the parking lot, which is coming apart. That is something that needs to be done.

1 And this is for all the people that use that parking lot, as well as keeping it up to date
2 for, uh, just for the- the- the community and for the facility. So- and not just that, but
3 the fact that this is- this is a need. And, I- I have been involved politically, I know
4 what you're going through when you set there and hear, you know, these many- these
5 many people wrote in and said no, or these- they said yes. I don't think- you- and- and
6 I was driving here tonight, and drove by the church...I think that the tele- the electrical
7 poles are ugly. I don't think- but we have to have them. And it's the same with- I- I-
8 the need for communication. It is as much as an infrastructure, um, commitment as
9 the electricity and other things. So, we need to...we need to go forward with this. And
10 I would encourage that you would, um, approve of the location for the tower. Thank
11 you.

12 RENNER: My name is Kerri Renner. Um, my husband Dave spoke earlier. Um, I'm at 1130 East
13 Seventh Street, directly across the street from where the tower would be. And I would
14 like to ask that you vote against this, um, I don't see anything that's been proposed
15 that has changed from when you voted against it in 2018, 2019, again earlier in 2021.
16 Um, in looking at Criteria 2 and talking about the character of the proposed
17 neighborhood: one thing that I- and I understand that this is not an issue of the size of
18 the tower, but I think...I don't believe the noise that it may provide has been addressed
19 and I think that is very specific to the character of the neighborhood. If the Applicant's
20 are a little- if it's not- if it's open-ended how often they can run the diesel generators
21 and what noise that will produce, that is an issue with the character of the
22 neighborhood. Um, additionally, I disagree with, um, the gentleman from the
23 Applicant and- and the gentleman here that it will become, um, part of- just become
24 the neighborhood and nobody will notice that. Um, I ride my bike to work every day,
25 and I ride past the one that's behind the Eastside Marketplace. And every single day,
26 I comment to myself 'that thing is really ugly'. And it has never- it has never blended

1 into the neighborhood. Fortunately, that one is not in a residential neighborhood. And
2 I also do believe there are other locations specifically as- has been mentioned, the
3 Joseph Street fields where it's at least not, you know, 30-yards from my house. And,
4 in addition, I concerned about the value of my home and the homes surrounding it. I
5 don't want to live across the street from it, someone who may buy my house may also
6 have that same concern because of the way it looks and in addition to the noise that it
7 may make. And that I- I believe has not been determined. How many hours a diesel
8 generator can be, um, going from that location. So, I thank you and again I'd like to
9 ask you to not approve this tower.

10 BAZZOLI: Yup.

11 LEWIS: I'm Jerry Lewis, 802 Park Drive. Um, this seems to never go away. You- you- showed
12 up to begin with, it keeps coming back and back and coming back. Um, and I guess it
13 will keep coming back until they hope that- they hope that somebody'll approve it
14 somewhere along the line. Uh, I live in a residential neighborhood and if this is
15 approved, this will be the second variance that you've allowed in my residential
16 neighborhood. When I open my front door, I look at a structure that doesn't belong in
17 the neighborhood. It's the tallest building around. The last variance he got was during
18 construction and it was to lower the building a ways. And it's one of those rooflines
19 and it comes like this and then it comes like this. But, uh, uh, so now, there's a house
20 between me and this property we're talking about, when I got out my front- my back
21 door, I'll be looking at another variance. If you approve this. And that cell tower,
22 whatever- whatever you've chose to make it, will be very visible to me. The top half
23 of it. And so, my property value, in my opinion, will go to nil because I know I
24 wouldn't buy it. I wouldn't buy it with the- with the variance you got on the other side
25 of the street from me. And, uh, the, uh, I gotta- it just doesn't fit in the neighborhood.
26 Um, the monopole would the best route to go, if you do it. The least worst, I should

1 say. And, uh, other people here are much more eloquent than I am, but I like to keep
2 it as a residential neighborhood. And once this goes in, it will no longer be a residential
3 neighborhood. And you have to- within a two-block area, two variances that you've
4 approved on the structures that don't belong in a neighborhood. I don't think you have
5 a neighborhood anymore. And I don't think any of you sitting would want- would
6 want to live where I live right now. Because of the buildings that we've already got
7 there, let alone one over- across the street. Um, other than that. You know, I'm, uh,
8 it's okay if I don't have anything to say other than it just keeps coming back and
9 coming back and coming back. And, uh, you're ruining a neighborhood if you approve
10 this. I mean, what are you going to do next time? You're setting a precedence, and,
11 uh, I just hate to see that happen. So, I would really like to see you again, say no to
12 this. Thank you.

13 BAZZOLI: Thank you.

14 LEWIS: (from audience) I've had some problems here recently, so...

15 BAZZOLI: Take your time, you're fine.

16 EBY: Well, my name is Ed Eby. Obviously, pastor of the Nazarene Church, but also a
17 resident. Well, I live up on Weymouth, 2221 Weymouth. And, uh, this would benefit
18 me and my family just with cell service. Um, because our service there is very spotty.
19 And, um...I'd be happy to answer any questions you guys have. We considered, um,
20 every location on our church property. You know where I wanted it? Out in the
21 triangle, where they're putting the round-a-bout. But then we'd have had a whole slew
22 of neighbors on that side going 'not in my neighborhood'. Right? I we'd a put it in
23 other locations, we tried to- as we worked with the company in the years past, come
24 up with the most inobtrusive area. Um, is it pretty? No. Is it necessary? Yeah, we ob-
25 already determined that. It meets, uh, what- 6 out of the 7 Criteria without question?
26 Right? That's 85%, that's pretty good in anyone's book. But what I'm hearing here

1 and no offense to my neighbors, but what I'm hearing is thi- 'I don't like it, it ain't
2 pretty, I don't want it in my neighborhood'. Right? I mean, that's ultimately what it
3 comes down to. But we have water towers and we have cell towers and we have all
4 kinds of structures in residential neighborhoods. Sorry, it's- it's just what we do
5 because we need the infrastructure in Moscow. We do. We're growing and it needs to
6 happen. And, um, honestly it- for us, it- it doesn't matter. It really doesn't. They came
7 to us and we thought that might work and it would be a benefit to our community.
8 That's why we talked about- that's why we considered it. That's why we're moving
9 forward with it as best we can. So, um, it's up to you, but if we decide that people-
10 you know, I- I'm not sure that harmony with the neighborhood and I don't like how
11 it looks kind of- kind of fits. Cause we can find these kinds of structures all over town,
12 in somebody's neighborhood. Reduced property value: no. The sound issues have
13 been addressed before. They- they'll be, you know, very quiet, they have to meet dB,
14 um, restrictions. We already talked about that at the last meeting. So, obviously my
15 recommendation is we go forward. I mean, we're affected. It's going to be there every
16 day for us. And, uh, our goal is not to make our neighbors upset or unhappy. Um, as
17 Shirley said, we try to be- be good neighbors. Our facility is used by schools, by
18 community, um, by our neighbors. Probably most of your kids learned to drive in our
19 parking lot. It just- mine did. And we haven't made any complaints, we just try to be
20 as generous as we can with our community that way. And I just believe this is going
21 to be needful and helpful for the infrastructure of Moscow as we move forward. So
22 obviously, my recommendation is that we go for it. Um, thank you.

23 BAZZOLI: I think that's just about everybody in the crowd. Um, I think there's one left who
24 hasn't spoken. Would you care to come up and speak?

25 JENSEN-HASFURTHER:

26 (from audience) I don't really care to speak.

1 BAZZOLI: You don't have to. I don't want to pressure you, I'm just saying- the floor is open if
2 you want to. If- if- if you want to.

3 (Unintelligible discussion from audience)

4 COMSTOCK: And you don't get another shot.

5 BAZZOLI: Yeah, you don't get a second.

6 JENSEN-HASFURTHER:

7 -let Wayne finish up, we'll do- have him do the closing. I'm Renee Jensen-Hasfurther.

8 I actually live in Genesee, and I'm representing here tonight, just because I- my aunt

9 lives over on Concord, my grandma lives on First Street, by Lena Whitmore.

10 And...when- the cell towers needed in this area. You, um, I have very spotty service

11 at my aunt's house and my grandmas house. And, my grandparents still live at home

12 and their 95-years old. And so, you know, just having that constant communication

13 with them and having- being able to get in contact with them is crucial. I have- I attend

14 the Nazarene Church, but when I am there I have one bar of service. So, I'm for this.

15 BAZZOLI: Okay.

16 JENSEN-HASFURTHER:

17 Thanks.

18 BAZZOLI: Thank you. Well, seeing that everyone in the audience has spoken, would any of the

19 representatives, um, for the Application and then the Appeal and all- all of, you know,

20 the tower itself. Would you care to comment on anything you've heard so far?

21 ALLEN: Ah, yes, I would. Kim Allen for the Applicant. Um, I think that- that what we've heard

22 from the community is that there is a need for additional cell service. One of the- the

23 resident's said we keep coming back. That's true, we do keep coming back and

24 offering another alternative and another alternative, additional designs because we

25 need this service. Your community needs this service. And there's been no growth in

26 wireless infrastructure- support structures for many, many years. And the demand has-

1 has increased exponentially since then. I think a number of community members have
2 made very good points. You know, in the end, you- you need to find that the- that this
3 is harmonious with the neighborhood. You know, at- at some point you found that the
4 Church was harmonious with the neighborhood. And if we designed a building, or a
5 tower to look like a building that you would typically find on a church grounds, such
6 as a bell tower. Why would that not be compatible with the neighborhood? You also
7 find in the neighborhood, uh, transmission poles that are bristling with equipment to
8 deliver necessary electrical service to homes. Those are compatible with the
9 neighborhood. And, certainly you wouldn't want to do without those. Um...in terms
10 of the monopole: that is the most effective design. We believe that- you know, over
11 time it becomes the least intrusive visually, cause it just fades into the background
12 like the transmission lines and, uh, and the light poles and all of the other
13 infrastructure- vertical infrastructure that residential neighborhoods host. So, that's
14 certainly an option. We- we remain ready to build any of the options that the Board
15 might choose. That they might find are compatible and in harmony with the
16 surrounding land uses and the neighbors. Um, one- one thing we do want to
17 specifically address. I- I think that there was a- ya- a- noise was again raised in the
18 generator noise, and- and I- I'd like to ask Bryan Mullen to clarify, uh, exactly what
19 the- what the scope and intent of that, of- of- or the scope of that might be.

20 MULLEN: Yeah, happy to speak to that. Um, there will be a generator. It's necessary to have
21 back-up generators in order to facilitate communications in case of a power outage,
22 um, any type of disaster, right? Those testing periods can be adjusted to whatever the
23 Church would need to be accommodated to. So, we will work with the Church to
24 make sure that they're- they're tested at times where it won't affect the Church, or
25 even the surrounding neighborhood so that it's, uh, at the most, um, least, um,
26 obtrusive time. Right? Um, and that would probably be a once a month occurrence.

1 Um, during an event where the generator would have to be, uh, used I'm sure that
2 there's going to be several other generators in the neighborhood that are going to be
3 on at the same time. So, I'm- I- I just want everybody to know that, um, it's not
4 something that is, um, going to, um, ruin an atmosphere. It's just something that we
5 can work with the Church to make sure it's not going to affect, um, you know, other
6 people's surroundings. So...

7 ALLEN:

And the testing of the generator itself is probably less than an hour once a month.
8 And, um, also must comply with the- with the, um, the City's noise levels. And I think
9 Staff had proposed a condition that this generator- and the site itself, must comply
10 with the City's noise ordinance. And, we are certainly ready to do that. There are ways
11 to- to baffle, um, the- the- the generator and the sound within the housing to- to reduce
12 sound if- if that were to be a problem. But, we can certainly have testing done, you
13 know, during the week when people are- are at work. Um, so that it wouldn't impact,
14 uh, their leisure time or their, um, you know, or their sleep or their family time, you
15 know, that- that would occur later in the day. No, we are- we are willing and- and
16 ready and able to work with the community to address the concerns that- that they
17 have. Um, we've really tried- (unintelligible) -different choices- (unintelligible) –
18 might be found to be- (unintelligible) -harmony with the surrounding neighborhood.
19 You know, ultimately, that's- that's the decision of the Board what they find
20 compatible and harmonious. But, we- we do ask, um, that you approve one of those
21 choices so that we can address the- the concerns that we heard tonight and the
22 concerns of many, many residents that haven't come before you tonight, that cell
23 services is spotty, it's unreliable, it's not robust enough to move data efficiently. And
24 those are all things that people have come to expect when they move into a
25 neighborhood. When they purchase a home, when they select a community. Um, they
26 want that. So, uh, so that's also, I believe, and- and ask of harmony and compatibility

1 is being able to provide that service in a way that is the least visually intrusive to the
2 surrounding neighborhood. So, we would ask that you approve and select one of these
3 designs for us to- to move forward with and, uh, and build. Thank you.

4 BAZZOLI: Thank you. Well, with that, I'm going to close the public portion of the hearing and
5 open it up to the Board...to discuss. And I- this time I won't talk first. Because I've
6 got plenty to say, so I'm just going to...listen. Marshall? Start us off.

7 COMSTOCK: Alright, thanks Joe. Uh, I've got to give credit to the Applicant for trying to make it
8 more compatible with the neighborhood and for bringing some alternate designs we
9 can look at, and try to make it fit in the neighborhood better. Is better cell coverage
10 needed in Moscow and the neighborhood? Absolutely it is. And, you know, there's
11 dead spots all over that- that we are trying to accommodate. But, I've said all along
12 that I think there were many alternate spots that were not pursued to give better
13 coverage. Uh, that aren't in the residential neighborhoods. Um, there are a few spots
14 that- that they- they tried to- to use for alternates but I can think of another half dozen
15 that weren't even explored. Uh, we were told that this was the site that they thought
16 they could give the best- the best coverage, but there may be other spots- might not
17 give as quite as good as coverage, but would give better coverage than there is now. I
18 th- I th- feel that my opposition to it is because it is a residential neighborhood. Not
19 that we don't need it, we absolutely need it. But I don't think it fits adjacent or in a
20 residential neighborhood. I would much rather have seen it come back out by the
21 fairgrounds, or someplace like that. Give better coverage, not be in a residential
22 neighborhood. But I do want to give the Applicant credit for coming up with some
23 alternatives for us to look at.

24 BAZZOLI: Who wants to go next?

25 BUSH: Well, my- I kind of concur with what Marshall is saying, um, but one of the things
26 that is, um, troublesome to me is that, um, when we- if we decide to approve the cell

1 tower that we're looking at, in a residential neighborhood, with the Board of
2 Adjustment this evening, that opens the door for precedence to set up any other cell
3 tower that wants to come into Moscow, in a neighborhood, and we don't have a
4 reason- there's no- they- they would have every reason to be able to expect to, um, be
5 able to put a cell tower wherever they wanted to put it in a residential neighborhood
6 or not, because of the precedent that we'd be setting this with- with, um, um,
7 approving the one, uh, putting it so close to a residential neighborhood now. And
8 what- I'm just really concerned about setting that precedent. And that's been a
9 struggle for me.

10 THOMSON: On that's- on that token, or on that point, um, the fact is though that the wireless
11 facility is conditionally permitted in an NB Zone. If that were our issue, it seems to
12 me we would want to go back and revisit why the City and Planning feels that its-
13 should be an acceptable place in- in a neighborhood, NB zone. So, I don't want to
14 imagine whoever wrote that would have to agree that almost any tower probably
15 doesn't look particularly good but, yet, for some reason they justified that it could be
16 conditionally permitted. Uh, that's one comment. Another is; I go back right to what
17 the City Council moved and I think what is the crux of what it is for us here, 'Laffin
18 moved to remand the decision back to the BOA for the purpose of determining
19 whether or not the structure can be reduced in diameter.' Um, Alternate 1 makes an
20 aesthetic improvement, but I don't believe it meets the Council's direction because
21 it's still the same- pretty much the same, uh, footprint, the same height, same size.
22 Alternate #2 is not preferred by the- the Applicant, and that gets us into the discussion
23 on need. Is need even relevant to the conversation? I suppose it has to be. And so, if
24 we really feel that need is the most important part of all this, that drives us, I think, to
25 Alternate #3 which is the monopole. Which is probably the least desirable of all the
26 three. But that does meet the City's requirement to reduce the diameter of the tower.

1 So, um, that's where I am with this, and I haven't decided yet, but that's, uh,
2 comments to this point.

3 BAZZOLI: Fair enough.

4 BIEGHLER: And then, Tim, if, um, the monopole really were to reduce the footprint of the tower-
5 I- I don't believe it would when you add the other, um, the other attachments that will
6 go on it. In this picture, there's only that one on the top.

7 THOMSON: Yeah, I see the diagram.

8 BIEGHLER: Yes, so then...

9 THOMSON: I look at the base being smaller, cause it's a monopole instead of a st- rectangular
10 base.

11 BIEGHLER: Yeah.

12 THOMSON: I mean, but you might be right. If you look at the whole cylinder-

13 BIEGHLER: Everything- in reality, everything attached to it- that's going to be attached to it, it's
14 going to be just as obstructive as the tri-pole. I think-

15 THOMSON: Then-

16 BIEGHLER: -in my opinion.

17 THOMSON: -then I would say none of the three alternatives meet the City Council's purpose-

18 BIEGHLER: Right.

19 THOMSON: -to reduce the structure in diameter.

20 MONSON: I- I think-

21 BAZZOLI: Well, to address your question, I think we addressed that early on, I think that's the
22 reason for the 10-foot increments. I think what we see in the photograph happening at
23 the top happens at the next 10 and increments down in three. If I recall correctly. I
24 think that's what visually we would see. If you were to take that picture and cut and
25 paste that part...

26 BIEGHLER: Yeah.

1 BAZZOLI: -three times, that's what we would see. Give or take.

2 BIEGLER: Three more times?

3 THOMSON: Two.

4 BAZZOLI: No, two more times.

5 BIEGLER: Two more times, right.

6 BAZZOLI: At 80-foot, 70-foot, and 60-foot.

7 BIEGLER: Yes.

8 MONSON: See, and I respectfully disagree. Because when we're talking about... 'can the

9 structure be reduced in diameter,' I think pretty clearly, if we're talking about the

10 monopole the answer is yes. And the reason for that is we don't have a square box

11 that's all the way around, we have a monopole. I- I agree with- with Mr. Krauss in the

12 terms of- as I was sitting here listening to this. I don't know why we didn't come with

13 this first. Um, parenthetically, on Sunday's I was driving back through Montana. I did

14 see the tree that we were proposed three years- I- I saw it- they have one, I saw it. Um,

15 and I agree, it wouldn't have looked, uh, it wouldn't have looked right there. Um, but

16 if the City's asked us to consider something where the- where the footprint can be

17 reduced, I think the monopole can. Um, I'm also- as I was looking through the, uh, as

18 I was looking through the, uh, comments, I- I see that- that Council- Councilmember

19 Laflin asked if there'll ever be a tower at 80-feet tall that would be acceptable. I think,

20 um...I think no matter where stick it, we're going to have the same discussion. I- I

21 really do. I think no matter where we stick it, we're going to have the same discussion

22 but, uh, if- if the Council asked us to consider a footprint that- or a- an option that

23 reduced the- the footprint, um, I- I disagree that the- something like the monopole

24 would no- I- I voted in favor of this last time. Um, so I can tell you that #1, which is

25 the- with the cut-outs in it, that- that's an improvement over the last one. I like that

26 one. But I think in terms of aesthetics as I understand, most people are worried about

1 what It's going to look like. I- I agree that we- that we have, uh, utility poles that are
2 ugly, they're all over. Uh, I agree that we have cell towers: they're all over. Uh, but
3 as I look at this I think, uh, when we're looking at- will the- will the- what is that,
4 Criteria #2, the character of the proposed use, which is a cell phone tower, is that in
5 harmony with the- with the neighborhood? I think it is. Um, we're talking about the
6 character of the use. Which is, we're trying to- we're trying to produce, uh, we're
7 trying to give cell coverage there. So, I- I respectfully disagree that- that at least
8 Option #3, the monopole, does not fit the criteria that the Council asked us to consider.
9 I think, pretty squarely, it does. It's much less, uh, it's much less large- there's much
10 less mass, um, so those are my thoughts at this point.

11 BAZZOLI: Okay. My turn.

12 THOMSON: Can't wait.

13 BAZZOLI: I'm actually going to try and sum things up that I think several people have said. And
14 I wish there was a whiteboard here. The closer you are to that site; the more trees will
15 obscure it. The farther you are away from it, the more visible it would be. And you
16 probably can't see my little thing, but it's right. So, just- it is right. K. Um, moving it
17 over to the parks: yay! But now it's more visible to more people. Because your line
18 of site is further away. You can see it. So, the point of bringing up the triangle on the
19 northeast corner of the lot: I thought that'd be ideal too. But, um, it just puts it that
20 much further away from everybody and- and it's going to end up in the 'not in my
21 backyard'. And at that point, Dr. Pickard would probably be here, because he
22 wouldn't necessarily want it. I shouldn't speak for someone else, I take that back.
23 There are four corner lots; they may not like it. The City might put a round-a-bout
24 there anyway, who knows. Um, but...on this drawing, and I'm hoping Mike can tell
25 me, it shows power poles. And there are- do you know what the standard power pole
26 height is? Because this drawing would imply that it's somewhere around 45-feet.

1 RAY: It really just, uh, matters of what type of power pole they are. Like the high-
2 transmission lines are a lot taller; those could be up to a 100-feet tall. Um, I don't
3 know of any other high transmission lines immediately within this vicinity. But the
4 typical ones would range between 40- and 60-feet on a standard City street.

5 BAZZOLI: Okay. This gets to the point of, 'do you notice it or do you not notice it.' Because
6 going down Sixth Street those poles are the lower version. If you go down Mountain
7 View, from Sixth Street, on the west side, those poles- I didn't notice until earlier this
8 week, are considerably higher. I would guess in the 60- to 70-foot range. I have never
9 noticed them until I was actually paying attention to it. So...I'm going to summarize
10 that by bringing it back to this: Wayne said he lived on Public Avenue? That's kind
11 of downhill from me. Is the water tower above him? Yes. Does he notice it every day?
12 I'll bet he doesn't. I live right across the street from it. I don't know how tall that one
13 is at Rotary Park. It's actually uphill from me, directly across the street. And I honestly
14 don't see it out my front window, because the trees obscure it. However, if I walk
15 further down the street, it's extremely noticeable. So...this really comes down to the
16 second criteria. Is it in harmony with the neighborhood? It's not a residence. The
17 answer to that is no. Did- did the Applicant address that? They actually kind of
18 addressed it, that they can't reduce the size- it needs to be what it is. That said, we're
19 looking, all three times now, at the same criteria. The second one. The first time, the
20 Board upheld us. They came back with something different. Pardon the expression,
21 but they put lipstick on a pig and we didn't like it. The third time, they told us to look
22 directly at that specific item, and we have. And we're all, 'what do we do with it?'
23 Well, it doesn't pass that criteria. It just doesn't. But, they sent it back to try to get
24 information to overturn us saying, 'no, it doesn't meet that criteria, but the needs of
25 the many outweigh the needs of the few.' And, yes, I'm a Star Trek fan. But...the fifth
26 movie was the complete opposite! It's going to be a problem regardless of where we

1 put it. If this was another water tower, and it was the City's, we wouldn't have this
2 discussion right now because it's the City's; it's a utility that they regulate; it would
3 go up. Now, this is a public entity, but it's still a utility that we all need in our growing
4 community and it's going to be in somebody's yard. My opinion here is that as a
5 Board, we can't approve item 2 because we're strangle-held by it. But the City
6 Council can overturn that with additional information. I think we've provided that
7 additional information and they directed us to deal with item 2. Now, we're actually
8 dealing with item 2 and we're the design committee; we get to pick one of the three,
9 or the two, cause quite frankly we've been given five so far. Or potentially directing
10 them to do it again. Which they're more than willing to do. So...yes, it's a need.
11 Clearly. We- we define that- that was- that's why it passes six of the seven. It doesn't
12 meet the second one, and it hasn't all three times. But that doesn't change the fact that
13 everyone's trying to make the best decision overall. I don't know what that is. But the
14 City Council sent it back to us as if we would. So, um...that's my 10-cents worth. It-
15 it's going to be visible. It can't be made smaller. Where do you put it? Do we need it?
16 Yes. That's- that's what the six of us...have to determine.

17 MONSON: See now, I disagree that it can't meet Criteria 2. I- I look at what they've done, I- I
18 look at the monopole, um, it's not the tower. It's not the tree. Um, I guess you could
19 look at even the- the second proposed one, which seems like it sticks out more than-
20 than the others. It's- it's the- the tri-legged one is just odd, but, uh, I think it can meet
21 Criteria 2. And I'm- I'm prepared to make a motion that it does meet Criteria 2. Um...

22 BAZZOLI: That's why I brought up-

23 MONSON: Yeah-

24 BAZZOLI: -that image, because the power poles running north- south, down Mountain View,
25 aren't 80-feet, but they're definitely more than 60. They're pushing it. I don't know
26 how high, but they're there.

1 MONSON: And if we're-

2 BAZZOLI: I would argue that power poles are part of a neighborhood, can you- I- I...

3 MONSON: Well, and I don't know if we're tasked with picking one of the three. Uh, but, if I-

4 BAZZOLI: It seems like we are, cause they can't move forward-

5 MONSON: -it -it-

6 BAZZOLI: -question becomes, if the answer is yes, then which one?

7 MONSON: If- if we're talking about the character of the proposed use will be in harmony and-

8 and the- the complaint that I've heard up to this part is a- a huge tree doesn't work.

9 I've now heard that the big- the big boxy tower doesn't work. Um, we've got a

10 solution here, which is #3, which is the monopole. Which looks like just about every

11 other cell tower out there. It looks- it's- it's similar in nature to the- to the power poles

12 that you're talking about, which are in the neighborhood. Uh, and so I think it meets

13 #2, and I would make a motion to approve this. And if I had to select one, I would

14 select the monopole. So, I guess that will be part of my motion. That we approve this

15 with the- with the approval of the monopole because that is a lesser footprint. And I

16 think that's what the City Council is looking for. I think it's more in line with what

17 we would expect to see with a cell tower. It's more in character with- with the utilities

18 that you talk about; the powerlines. Uh, and I- and I agree that, uh, if it goes up, it will

19 be a very short period of time- I- I- well, I- okay, let me put it this way: I think someone

20 passing by the- the town, who hadn't been here before, uh, would not even notice the

21 cell tower- the monopole. Uh, as opposed to the- the big pine tree that was- that was

22 way out of character from three years ago. Uh, and as opposed to the- as opposed to

23 the, um, I'm going to call it the boxy- the boxy steeple. Uh, I think it's- I think it fits.

24 So, that's- that's my motion is that we approve this with regard to the monopole. I'm

25 not even sure what else we need to do on that, uh, because we're only dealing with-

1 with, uh, Criteria 2. So, I'm- I'm going to move that we approve it with regard to this-
2 with- with the monopole.

3 BIEGHLER: Painted.

4 MONSON: Painted. Absolutely. Whatever- whatever they need to do to make it least obtrusive.
5 I- I noticed that the color here. I'm- I'm assuming that the pictures designed to make
6 it stand out so that we can see what it looks like, but I'll- I'll take the Applicant at
7 their word that they are going to do whatever it takes to make it as not obtrusive as
8 they can.

9 BAZZOLI: Before I ask for a second, my devil's advocate response to that would be; that's what
10 they would normally provide, but they gave us alternates multiple times because they
11 were trying to make it...conducive and applicable to the neighborhood.

12 MONSON: Which...

13 BAZZOLI: In harmony.

14 MONSON: We- we- we hear- and I- I hear what the neighbors are saying. Uh, I understand that.
15 But, again I- I agree with Mr. Krauss who said I don't know why this didn't come
16 before us in the first place. It would have been a very diff- it would have been the
17 most cost-effective, most simple solution. But- but I understand why they did it,
18 because they wanted to make it- make it look like a church. But, uh, um, I also hear
19 what the Board has said before. Although, it's no secret that I- I voted- I was- I was
20 not in favor of the tree. I was in favor of the- the, um, box- the steeple. I'm more in
21 favor of the monopole. At this point.

22 BAZZOLI: More discussion? Or does someone want to make a second?

23 THOMSON: I guess my dilemma here is I also voted in favor of the...box, just call it that. And I
24 probably would still go that way, except I don't think it meets the direction we've
25 been given by the Council. So, that- like I said earlier, forces us to the monopole. I'd
26 be interested to know if the City Council had any expectation that our response might

1 end up saying, 'okay, it's going to be a monopole.' But that's- I'm not going to
2 speculate on that. I'd- I've- I'm convinced that's a need and it's a, uh, infrastructure
3 that will benefit the City as a whole and- and, uh, and- and most likely over time,
4 people will get used to it too. Uh, I haven't given the monopole as much thought,
5 because initially it doesn't quite sit well with me, but it does satisfy what the City
6 Council has asked us to do.

7 BAZZOLI: I hear a second? Or, Marshall, comment?

8 COMSTOCK: No- no- no, second. Comment. I think what the City Council wanted us to do is ap-
9 look at this and see if you can approve something that's less obtrusive. That's- to me,
10 that's the direction they wanted us to go. They didn't want to make that decision
11 because they hadn't heard all the discussion that we had. They thought that we would
12 probably have more insight into what may possibly pass.

13 THOMSON: But, Marshall that wasn't the motion that was passed though. Um, that- that would
14 make more sense, frankly, but y'all were very specific. Whether or not the structure
15 can be reduced in diameter. That's what's- that's what we've been told to do. Find
16 one that's- can be reduced in diameter. There's only one that can do that-

17 COMSTOCK: (unintelligible)

18 THOMSON: -and that's the monopole.

19 COMSTOCK: -some options.

20 MONSON: I think there's two. When we're talking about diameter, we- keep in mind what was
21 proposed initially was the- the square, rectangular...

22 THOMSON: Right...

23 MONSON: -structure. The monopole obviously is reduced in size as well as I believe, if- if we
24 went to a...uh, the- the tri- the tri-pole thing would also be a reduction. That's the
25 least- sounds to me from an engineering perspective, that's the least, uh-

26 THOMSON: Let- I-

1 MONSON: -desirable.

2 THOMSON: I- the Applicant didn't prefer that one.

3 MONSON: No.

4 THOMSON: So, I'm- to me, that...

5 MONSON: And- and I understand why. I mean, it- it makes sense that they would want to be able

6 to adjust things and- and I can understand why they built it behind the- the- we're

7 proposed to build it behind the, uh, the rectangle. Just to kind of hide that, but, uh,

8 again if we're looking at- again, Tim, if we're looking at if there's an option that

9 reduces...

10 THOMSON: The diameter.

11 MONSON: -the diameter, uh, we're left with two. We're left with-

12 BIEGHLER: Could we ask-

13 MONSON: -the monopole-

14 BAZZOLI: Well-

15 MONSON: -tri-pole-

16 BAZZOLI: -well, my first question to the City was- was horizontality a typo? The answer was no.

17 Cause it- cause we're talking about horizontally, not vertically. So, my design sense

18 would tell me that by- by diameter, what- what really is being implied, and what Mark

19 is hitting on, is the perimeter massing. That would've been the better term because

20 we're talking about what's it like here: well, no one can see it down here. What's it

21 like up here. That's- that's, I believe what that City Council member was really asking

22 about.

23 THOMSON: Probably right. Probably right.

24 BAZZOLI: Do I have a second? I don't see a second, that means the motion dies. Correct?

25 MONSON: From my understanding...

26 COMSTOCK: That's right. That's correct.

1 BAZZOLI: I have a question for Staff. City Council can make decisions that, um...they're not
2 restricted to the seven criteria that we are, correct?

3 RAY: No, they are restricted to the seven criteria.

4 COMSTOCK: Yup.

5 RAY: Yeah. The seven criteria-

6 BAZZOLI: So, we're their excuse! Kind of. I- I don't mean that in a mean, facetious way-

7 COMSTOCK: No, you are absolutely right.

8 BAZZOLI: But, basically-

9 COMSTOCK: You're absolutely right.

10 RAY: Well, the reason-

11 BAZZOLI: Because the only- then if they can't approve it, then they're only option is to change
12 the criteria.

13 RAY: No, they can uphold your decision. So, you denied it. They can uphold the decision
14 and then, essentially, the Applicant's relief would be to appeal it to District Court.
15 Would be the- the relief after City Council. But, they don't change the criteria. You
16 need a legislative code amendment to be able to change the criteria. So, that needs to
17 go through an ordinance that's approved by City Council. So, they're- yeah, the- the
18 issue here is that the reason they singled out Criterion #2 was that the, you know, you
19 all were able to justify- satisfy all the other seven criteria. You just weren't able to
20 satisfy Criterion #2 related to the neighborhood character and fitting in with that. And
21 so, they wanted to specifically look at reducing the horizontal width of this structure
22 in order to see if you could satisfy Criterion #2, which would ultimately approve a
23 project.

24 BAZZOLI: Now, I really feel like a toad in a pot of water getting hotter and hotter. Um...

25 THOMSON: You know, the- the City Council could have just said this is all based on need, and
26 just, um, rejected our thing and voted for it. Uh, but they didn't. They remanded it,

1 which means that the only way they could send it back to us is if there might be
2 additional information that was not available to us at the time. Well, it wasn't
3 presented to us at the time, so I guess it wasn't available. So, that's why they were
4 allowed to remand it to us. Maybe the motion could have been a little clearer, but it's
5 what it is.

6 BAZZOLI: I'd really like to know how tall the powerlines are, uh, running up and down Mountain
7 View. It matters because- I kind of heard that- and everybody else hearing that, didn't.
8 But it matters because it's there and its part of what makes a community engi- overall.

9 COMSTOCK: Yeah, so I don't think it matters if they're 60- or 80-feet. They're big and they're tall-

10 BAZZOLI: They're big and they're tall-

11 COMSTOCK: -and they're ugly.

12 BAZZOLI: -yeah, and yes- exactly.

13 THOMSON: So are water towers.

14 BUSH: Well, we have- we have some property on White Avenue, and there's big powerlines
15 that go straight across where our property is. And- and I don't live there but when I'm
16 there, when I'm around it, I really don't really notice them. They're way up. You
17 know, there power- the power- the tower poles are there and the lines are way above
18 us, but, you know, I don't notice them there- being there, but- but I know that they're
19 there. And they carry a lot of power going northwest- northeast of us there. But, you
20 know. Just saying that.

21 BAZZOLI: This is a pickle because we- we try to stay objective and the reality is, I just got a new
22 cellphone last week. And we don't have a landline anymore. And that's more and
23 more and more common. So, at some point- at some point, we're going to have one
24 of these. Somewhere. And they're taller than 60-feet. And that's where we run into
25 this- this whole item #2. Um-

26 MONSON: Well, they have to be. To get-

1 BAZZOLI: Exactly.

2 MONSON: -to get above the houses.

3 COMSTOCK: I mean, there's no questions there's a need. I mean, w- uh, Wayne told us about it;

4 other people told about it. We've- we've experienced it ourselves. There's a definite

5 need for better cell coverage in that neighborhood. I- I can't squeeze this cell tower in

6 this location into Criteria #2. I couldn't do it. But, like I've said before, there are- to

7 me, there are better alternate locations that are either in a commercial or an industrial

8 site, not a residential site, that they can still expand the coverage area.

9 THOMSON: Marshall, I got to ask, I- I mean, how many times has this brought- this has been back

10 to us? Three times now?

11 MONSON: This is the third time.

12 THOMSON: Do you- do you- I would like to think this company would have gotten that message

13 by now. And- and made that change if that was an option. Uh, I mean, I respect- I

14 respect your comments and you know the territory much better than I do. I just- but

15 you- but you've been very clear on that from the very beginning. And they- and they

16 keep coming back. So, I have to make an assumption that- that- if that would have

17 been a- a- a easier sell they would have done that by now.

18 COMSTOCK: Well, I would have hoped they would have. But, according to the people that own the

19 property they didn't. They haven't been approached.

20 THOMSON: I- okay. I think it comes down-

21 KRAUSS: (from audience) Joe?

22 THOMSON: -comes down to-

23 KRAUSS: (from audience) I know it's highly irregular, but can I just ask a question? Is that

24 permissible? I know it's not-

25 BIEGHLER: It's not.

1 KRAUSS: (from audience) -but can I do it anyway? The question- let me ask the question and
2 then you can just tell me, 'no, I'm not- (inaudible) Who established Criteria #2? Who
3 made- who's opinion is that? Cause that was sent to you guys and then you approved
4 that criteria.

5 BAZZOLI: I have a question for Staff. Where- I'm going to generalize it. The seven criteria are
6 established by who?

7 RAY: City Council ultimately approves the seven criteria. So, every once in a while-

8 BAZZOLI: They can't change them? Or update them?

9 RAY: Yeah, they can certainly change them. Yeah, Staff would recommend- so typically
10 what happens is that we do an inventory of other, uh, jurisdictions and what their
11 criteria- sample criteria's are for, uh, for those specific type of uses and generate our
12 criteria. Present those to Planning & Zoning Commission and City Council, and City
13 Council ultimately approves. I mean, the- it's pretty, you know, it- it's pretty common
14 for a Conditional Use Permit to have a criteria as far as fitting in with the
15 neighborhood. So, you know if you look at the definition of a Conditional Use, um,
16 means, '...of use permitted within one or more zoning districts as defined by the
17 Zoning Code but which, because of characteristics peculiar to such use, or because of
18 the- the size, technological process, or equipment, or because of the exact locations
19 with reference to surrounding streets and existing improvements or demands upon
20 public facilities, requires a special degree of control to make uses consistent and
21 compatible to other existing or permissible uses in the same Zoning District'. So, it's-
22 it's essentially saying that it's intended to be a permitted use in that Zone, but because
23 of additional impacts that that use may impose on other regular uses in the Zone,
24 there's certain types of mitigation that needs to happen in order to have it fit in. And
25 that's what- essentially what we're- we're doing.

26 COMSTOCK: Joe, I got a-

1 BAZZOLI: Okay...

2 COMSTOCK: -additional comment. Mike, I don't know if you remember when they used to have a-

3 a different criteria that- Special Use Permits and Conditional Use Permits. Do you

4 remember that?

5 RAY: Mmhm.

6 COMSTOCK: The Special Use Permits always went to the Planning & Zoning Commission,

7 Conditional Use Permits came to the Board of Adjustment. The- the difference being

8 a Special Use Permit- when there was a- an applicant that had a project that was more

9 effect the whole community, whereas a Conditional Use Permit effected more of a

10 neighborhood. So, they took the two processes and combined them into one and then

11 they changed the criteria for the- for the Conditional Use Permit.

12 THOMSON: My- my dilemma is, I'm- I'm convinced there's a need and I don't have a problem

13 with the location. I'm wrestling with the two real viable options we have. The one that

14 appeals to me doesn't seem to meet the City Councils direction, because we can't

15 shrink the diameter. The one that's least appealing to me, does. And so that's- that's

16 my dilemma here. I'm- I'm prepared to- go ahead Marshall.

17 COMSTOCK: Oh, I'm sorry Tim, uh, if you're done.

18 THOMSON: Oh! Yeah, I'm done!

19 COMSTOCK: If- if- I don't think that's- that's the hang up for me. I mean, the City Council basically

20 said, 'See if you guys will accept a- a different design.' That's basically, to me, what

21 they said. And if you don't have a problem with the design, and you don't have a

22 problem with the location, you can second Mark's...um...

23 MONSON: My failed motion.

24 COMSTOCK: You- you can accept Mark's ma- motion and we can vote on it. See where it goes.

25 THOMSON: Okay, I second Mark's motion.

26 MONSON: How about if I remake-

1 BAZZOLI: We have to-

2 UNKNOWN: Yeah, we shouldn't-

3 MONSON: -I'm going to restate-

4 BAZZOLI: -we have to restate it, because it -

5 MONSON: -I'm going to restate-

6 BAZZOLI: -it died.

7 MONSON: It died. I'm going to restate-

8 BAZZOLI: I'm not a Robert's rules guy, but that one-

9 MONSON: -just for- just for-

10 BAZZOLI: -we kind of have to do-

11 MONSON: -just for clarity of the record, I will- I will restate my motion to approve, uh, this

12 Conditional Use Permit with regard to Criteria #2-

13 BAZZOLI: (whisper) and an approved paint color.

14 MONSON: -and an approved paint color, uh, using the monopole. I think that's the- I think that's

15 the solution that meets the criteria that was- well, I guess- I guess either 2 or 3 meets

16 the criteria. My preference would be 3 obviously because it's- it's a smaller than the-

17 the four-sided structure, but, uh, so, my motion would be to approve this- I- I think it

18 meets Criteria #2 with- with either the monopole or the tri-pole...Applicant's choice,

19 I suspect- I know that they would go with the monopole simply because it's better

20 engineering for them and- and they can make the color-

21 THOMSON: It's cookie cutter.

22 MONSON: Yeah.

23 THOMSON: They've done a thousand-

24 MONSON: Well- well there's thousands of them around, so...

25 THOMSON: Okay, then I guess I'll second that.

1 BAZZOLI: Before we vote, cause we have a motion and we have a second. Since you defined
2 that as having a preference of option 1 or 2. Does that mean that if this passes, who
3 then chooses the preference? The installer? The community? The City Council? Or
4 does it come back to us?

5 THOMSON: Doesn't your motion, uh, say-

6 MONSON: It was-

7 THOMSON: -option 3?

8 MONSON: I'll-

9 BAZZOLI: No, his motion said one-

10 MONSON: -I'll-

11 BAZZOLI: - or the other.

12 THOMSON: Oh, one or the other.

13 MONSON: Let me- let me clarify that. I'm just going to say Option 3 because I am- I've got a
14 high degree of confidence that if- if the Applicant were to choose between Option 2
15 and Option 3, which is the monopole, they would go with the monopole. Just because
16 it's- it's more simplistic, it's easier, it's least- least costly. So, let me restate my motion
17 that we approve this Conditional Use Permit, uh, using Option 3 the monopole, and
18 that they would...paint it in a color that would be non-obtrusive- they would work
19 with the City to- to paint it in a way that would be least obtruf- obtrusive as they could.

20 THOMSON: Well, we'll see where it goes- I'll second that.

21 BAZZOLI: I have a motion; I have a second. All in favor?

22 MONSON: Aye.

23 THOMSON: Aye.

24 RAY: I think you have to go individually. One by one.

25 BAZZOLI: Okay, then I'll go last. Steve?

26 BUSH: Nay.

1 BAZZOLI: Marshall.

2 COMSTOCK: Nay.

3 BAZZOLI: M-

4 MONSON: Aye.

5 THOMSON: Aye.

6 BIEGHLER: Nay.

7 BAZZOLI: Nay. So, 4 to 2 that fails.

8 THOMSON: Okay, going on to the assumption that the City Council didn't really mean to mean

9 the diameter, but just something that looks mu- more appealing, then I move that, um,

10 we, uh, go ahead and approve the, uh, tower Option #1, which is the square box with

11 the cut-outs to make it look more- more appealing.

12 MONSON: I would second that motion.

13 BAZZOLI: I have a motion. I have a second. Let's go the other direction.

14 BIEGHLER: Nay.

15 THOMSON: Aye.

16 MONSON: Aye.

17 COMSTOCK: Nay.

18 BUSH: Nay.

19 BAZZOLI: Nay. So, we're back to a 4-2. Liked the way that worked, because no matter what I

20 said, a tie was still a loss, so that took me out of the spot.

21 THOMSON: Okay, I- I think we're going forwa- I think we're making progress. I mean...

22 BAZZOLI: The problem here, and- and I want this as part of the record. We want to approve this.

23 We are just hamstrung with #2. And- and I'm still confused because if the City

24 Council created them, why can't they change them. And I- I thought I heard you say

25 they can't-

26 UNKNOWN: They can. They can-

1 BAZZOLI: It takes a different legal issue to change it, or- or basically overrule us and say, 'We've
2 provided them enough information that we are all, you know, 4 of the 2 of us are
3 crazy.' And they-
4 COMSTOCK: They just change-
5 BAZZOLI: -they just change-
6 COMSTOCK: -just have a Public Hearing and change the Ordinance. I mean, they can change it.
7 THOMSON: But that's a different action. That's not-
8 BIEGHLER: Right.
9 THOMSON: -that's a whole separate-
10 COMSTOCK: That's a legislative action.
11 THOMSON: They can't- they can't do that- I don't think in the deliberation of what they were
12 presented here, to go start changing the, you know, they could- I guess they could.
13 But, I mean, it's not- not-
14 RAY: Well, you-
15 THOMSON: -the scope of this particular, um, agenda item.
16 BAZZOLI: Mike.
17 RAY: You're bound by the rules when- it was initially when they submit the Application.
18 It's those set of code that exist at the time. So, they're pretty much vested with these
19 set of criteria. It's not like, we could table this, change the criteria and then come back.
20 BAZZOLI: Right, it wouldn't-
21 RAY: It would be under this criteria.
22 BAZZOLI: -and that would take an inordinate amount of time.
23 BIEGHLER: Yeah.
24 COMSTOCK: K, Joe.
25 BAZZOLI: Do I have another motion?

1 COMSTOCK: I- I move that we deny the Conditional Use Permit. And my reasoning being that I
2 don't think that we can squeeze it into Criteria #2. I don't feel that it fits in a residential
3 neighborhood. I think there's other alternative locations that are better.

4 BAZZOLI: I have a motion; do I have a second?

5 BIEGHLER: I second. I don't believe we can do our due diligence to prove that it's in harmony.

6 BAZZOLI: Okay, so I have a motion. I have a second. Steve?

7 BUSH: Yes.

8 COMSTOCK: Aye.

9 MONSON: No.

10 BAZZOLI: Yes.

11 THOMSON: Nay.

12 BIEGHLER: Aye.

13 BAZZOLI: That motion...passes in- to deny the Application. K, after all that do we have anything
14 else on our agenda? And I lost that sheet.

15 THOMSON: That was fun.

16 MONSON: Oh.

17 BAZZOLI: Thank you.

18 MONSON: Alright, hold on. Never mind, no, that's the next one-

19 BAZZOLI: So, I guess maybe-

20 RAY: So-

21 BAZZOLI: -communication-

22 RAY: -Mr. Chair? And just so, for clarity, um, would we be using the same criterion-

23 BAZZOLI: Oh! That's actually-

24 RAY: -#2-

25 BAZZOLI: -what I was going to ask. This- normally we have motion to have Staff prepare
26 Relevant Criteria & Standards. At this point, I'm not sure how that works with-

1 COMSTOCK: Well, but, uh-

2 BAZZOLI: -the one item.

3 COMSTOCK: I would- I'd make a motion that we use the same Criteria & Standards as- as we denied

4 it in our original denial.

5 BAZZOLI: Okay. Before- before someone seconds that, I was looking through these hundreds of

6 pages. And it looks like 8, 9, 10, and 11 were added to those original criteria of denial.

7 And one of those stated that there were no other locations viable. I want to say it was

8 #8.

9 COMSTOCK: I think that was in our...

10 BAZZOLI: It surprised me, because I think it was from the first meeting that I was not here. And

11 I- and it may have been presented...in the second one.

12 THOMSON: I remember reading that, but I don't know where.

13 BAZZOLI: I- I thought- I thought I-

14 RAY: It- It- at the very end, it says, 'The Board found that there were alternate site locations

15 that could have been explored as options for the proposed wireless communication

16 facility.'

17 BAZZOLI: Is- is that how it read?

18 RAY: Yeah.

19 BAZZOLI: Okay. I knew I read something about that, but that- that's not what I- that doesn't –

20 that isn't opposed to what you just said.

21 COMSTOCK: Right. I have a motion on the floor.

22 BAZZOLI: Okay. So, I have a motion, do I have a second?

23 RAY: Well- Mr. Chair?

24 BAZZOLI: Yes?

25 RAY: Sorry. So, at- at the very end of Criterion #2, I think we're fine with the first part of

26 it, but there's discussion over Public Testimony with individuals that didn't happen

1 tonight. So, we'd probably have to eliminate those sentences at the very end of that
2 criteria, to adjust it to reflect the actions tonight. So, we can certainly do that and
3 prepare that for your review at the-

4 BAZZOLI: It should-

5 RAY: -upcoming-

6 BAZZOLI: -and that would also include the petition that was included in this packet, correct?

7 RAY: Okay. We can, yeah.

8 BAZZOLI: Well, wouldn't it normally?

9 RAY: Sure. I mean, you can insert that language in the criterion if you'd like. I mean, there's
10 discussion in that criteria that talked about Public Testimony and opposition. And if
11 you wished to state that about the, uh, the petition in that section, we certainly could.

12 BAZZOLI: Okay, so...given that last transaction, can you recant your motion and then restate it,
13 please?

14 COMSTOCK: Uh, I would move that we, uh, have Staff prepare, uh, the- the Findings and Criteria,
15 uh...as per discussion of tonight's meeting and from our original denial.

16 RAY: K.

17 BAZZOLI: I have a motion; do I have a second?

18 BIEGHLER: I'll second.

19 BAZZOLI: I have a motion. I have a second. We'll go this way this time.

20 BIEGHLER: Aye.

21 THOMSON: Aye.

22 BAZZOLI: Aye.

23 MONSON: Aye.

24 COMSTOCK: Aye.

25 BUSH: Aye.

26 BAZZOLI: And that one's unanimous. Okay...next order of business is...

CITY COUNCIL STAFF REPORT

DATE: Monday, October 4, 2021



AGENDA ITEM TITLE

Rolling Hills 9th Addition Final Plat (ACTION ITEM) - Mike Ray

RESPONSIBLE STAFF

Michael Ray, Assistant CD Director/Planning Manager

REVIEWED BY

Planning and Zoning Commission

ADDITIONAL PRESENTER(S)

OTHER RESOURCES

DESCRIPTION

On June 21, 2021, Moscow City Council approved the Rolling Hills 9th Addition preliminary plat with two conditions. On September 13, 2021, the applicant submitted the final subdivision plat to be reviewed by the Planning and Zoning Commission and City Council. The Planning and Zoning Commission reviewed the final subdivision plat at their meeting on September 22, 2021 and recommended approval to City Council.

STAFF RECOMMENDATION

Approve the Rolling Hills 9th Addition Final Plat.

PROPOSED ACTIONS

PROPOSED ACTIONS: Approve the Rolling Hills 9th Addition Final Plat; or take other action as deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. CC Final Plat Memo
2. Council Packet

Memo

To: City Council
From: Mike Ray, AICP - Planning Manager
Date: September 27, 2021
Re: Rolling Hills 9th Addition Final Plat Review

The Planning & Zoning Commission conducted a public hearing on May 26, 2021 to consider the request of Ryan Itani for a preliminary subdivision plat for a 2.3-acre area of land generally located east of the intersection of Third Street and Sixth Street, referred to as Rolling Hills 9th Addition. After considering public testimony and the relevant criteria and standards, the Planning and Zoning Commission recommended approval of the preliminary subdivision plat with the following two conditions:

1. The applicant shall provide stormwater control analysis and design in accordance with the City's Stormwater Runoff Control Standards
2. The applicant shall extend Third Street 19.87 feet to the east to align with the eastern property boundary of Lot 6, Block 2 of the proposed subdivision.

City Council then conducted a public hearing on June 21, 2021 and approved the Rolling Hills 9th Addition with the same two conditions.

On September 13, 2021 the applicant submitted the final subdivision plat to be reviewed by the Planning and Zoning Commission and City Council. Staff has reviewed the final plat for conformance with City and State Code requirements and found it to be in conformance. The Planning and Zoning Commission reviewed the final subdivision plat at their meeting on September 22, 2021 and recommended approval to City Council.



**CITY OF MOSCOW
COMMUNITY DEVELOPMENT**
Ph.: 208-883-7035
Fax: 208-883-7033
jfleischman@ci.moscow.id.us

For City Use Only			
Date Received			
Dept	Fee Type	Fees	Paid
CD	Final Review	\$425 plus \$27/lot	
Receipt Number			

APPLICATION FOR FINAL SUBDIVISION PLAT

APPLICANT:

Name: Itani Development IV, Inc. Telephone: 509-338-5147
Complete Address: 1515 SW Wadleigh Dr, Pullman, Wa 99163
E-Mail: ryanitani@hotmail.com Fax: N/A

OWNER: (if other than applicant)

Name: _____ Telephone: _____
Complete Address: _____
E-Mail: _____ Fax: _____

ENGINEER/SURVEYOR:

Name: Rim Rock Consulting Telephone: 208-883-5339
Complete Address: 129 W 3rd St, Suite #102, Moscow, Id 83843
E-Mail: tamara@rimrockconsulting.net Fax: _____

Primary point of contact (select one): Applicant ☒ Owner _____ Engineer/Surveyor _____

PROPERTY:

- Proposed Subdivision Name: Rolling Hills 9
- Address(as) or Parcel Number(s): Lots 1-4 Block 1, Lots 1-6 block 2
- Gross area of all land involved: 2.27 acres, and/or 98,881 sq.
- Total Net Area of land area exclusive of proposed or existing public street and other public lands:
1.8 acres, and/or 48,408 square feet.
- Total number of lots: 10 Average lot size: 7854

SEWER AND WATER MAIN OVERSIZING REIMBURSEMENT POLICY

Oversizing of utilities will not be eligible for reimbursement from the City unless a written request is submitted to the City Engineer prior to approval of the project construction drawings and a written approval of such request is issued by the City Engineer.

FINAL PLAT CHECKLIST:

All Final plats, including the legal description of the exterior boundary, shall be prepared in accordance with the Idaho Code. Final plats shall be drawn to a scale no larger than 1"=100' unless pre-approved by the city engineer. The final plat drawing shall not be substantially different than the approved preliminary plat for the subdivision and shall contain the following information:

- _____ 1. Name of subdivision and its location by section, township, range, and county, with drawing scale, date of submission, and north arrow.
- _____ 2. Name, address, phone number, registration number and seal of the professional land surveyor preparing the plat, and name of subdivider and owners of property being platted.
- _____ 3. Boundary lines of property being platted including bearings, distances and curve data based on an accurate survey in the field closing within the tolerances prescribed by Idaho Code; lines of departure and owners of unplatted adjoining property; and lots, blocks and names of adjoining subdivisions. Adjoining subdivision lots shall be shown with dashed lines.
- _____ 4. Names and widths of all proposed streets; bearings, distances, and curve data of all street centerlines; location, width, purpose, and dimensions of easements; location and description of all property being dedicated for public use. All curves shall be described by central angle, radius, arc length, and chord bearing and distance.
- _____ 5. Location, name, and widths of adjacent street rights-of-way, the location and width of adjacent public easements, and the location and purpose of any adjacent property previously dedicated for public use.
- _____ 6. Lots and blocks with lots numbered consecutively within each block; bearings, distances, and curve data for each lot; the square footage of lots less than one acre in size or acreage of lots one acre or greater. Blocks shall be labeled consecutively. All curves shall be described by central angle, radius, arc length, and chord bearing and distance.
- _____ 7. Location and description of all monuments, including found monuments. If interior monuments are not set at the time the plat is recorded (as allowed by Idaho Code), include a statement indicating the date which they shall be set. Said date shall be approved by the City Engineer.
- _____ 8. Basis of bearing used to determine bearings shown on plat.
- _____ 9. Point of beginning of the subdivision with ties to the point of beginning from a minimum of two established corners of the Public Land Survey System (PLSS) in one or more of the sections containing the subdivision. List the recording numbers of the corner perpetuation and filing forms of the PLSS monuments. List horizontal coordinates for each PLSS monument and the point of beginning based on the Idaho Coordinate System West Zone. All coordinates values shall be grid coordinates based on the North American Datum of 1983 (NAD83) and specified as such.
- _____ 10. Street centerline monuments at each intersection, point of curvature, and point of tangency. Street monuments shall be constructed in accordance with City of Moscow standard specifications for street monuments. All other monuments shall be as prescribed by Idaho Code.
- _____ 11. Signed certificate by the owners of the land containing a correct legal description of the land, with the statement containing their intentions to include the same in the plat, and make a dedication of all public rights-of-way, easements, and parkland. The owners' signatures upon the certificate shall be notarized upon the plat by an officer duly authorized to take acknowledgements. If the property being mortgaged, the signature of the mortgagee's representative is also required.

- _____ 12. Signed certificate by the land surveyor, stating that the plat is correct and accurate, the land survey of the platted property was performed by him/her or under his/her direct supervision, the monuments indicated on the plat have been located as described, and the surveying and platting was done in accordance with Idaho Code. The statement shall be accompanied by the seal of the registered professional land surveyor, signed and dated. The surveyor shall in every case have a valid certificate of registration with the Idaho Board of Registration of Professional Engineers and Professional Land Surveyors.
- _____ 13. Signed certificate by the City of Moscow Planning and Zoning Commission with date of approval.
- _____ 14. Certificate stating that the City Council has approved the plat and accepts all public dedications as shown thereon. The certificate shall be signed by the Mayor and attested to by the City Clerk.
- _____ 15. Certificate by the City Engineer that the plat conforms to the requirements of Title 50, Chapter 13, Idaho Code, and with the requirements of this chapter.
- _____ 16. Signed certification by the subdivider stating the City of Moscow has agreed in writing to supply water to all the lots in the subdivision from the municipal water system.
- _____ 17. Certificate signed and sealed by the Latah County Surveyor stating the plat and computations have been checked and the plat meets the requirements of Title 50, Chapter 13, Idaho Code.
- _____ 18. Certificate of satisfaction of the sanitary restrictions, to be endorsed by the Latah County Recorder at the time of filing if the sanitary restrictions have been satisfied according to Idaho Code, Section 50-1326.
- _____ 19. Certificate that taxes have been paid to date on the property to be signed by the Latah County Treasurer at the time of filing.
- _____ 20. Certificate of recording, to be signed by the Latah County Recorder at the time of filing.

SUBMITTAL:

A Subdivision application is made by submitting the following information to the Community Development Department:

- Completed application.
- Payment of application fees.
- One full-sized Preliminary Plat Map and one electronic copy.

I understand this information is a public record and may be posted to a public website.

Applicant's Signature

09-13-2021

Date

Property Owner's Signature (if different)

Date

ROLLING HILLS 9th ADDITION
LOTS 1-4 BLK 1, LOTS 1-6 BLK 2,
SW 1/4 OF SECTION 9, T39N, R5W, BOISE MERIDIAN
CITY OF MOSCOW, LATAH COUNTY, IDAHO

LEGAL DESCRIPTION

A parcel of land located in the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of Section 9, Township 39 North, Range 5 West of the Boise Meridian, City of Moscow, Latah County, Idaho, described as follows:

COMMENCING at the southwest corner of Section 9; Thence N 70°59'02" E, 2414.62 feet to northeast corner of Lot 1, Block 4, Rolling Hills 8th Addition according to the recorded plat thereof, said point being the POINT OF BEGINNING;

Thence along the south right of way line of said addition, S 89°32'26" E, 69.86 feet;
Thence along the east line of said Addition, N 00°05'13" E, 70.00 feet the southeast corner of Lot 10, Block 2, Rolling Hills 8th Addition, as shown on the recorded plat thereof;
Thence along the east line of said Lot, N 00°00'00" W, 114.27 feet to the northeast corner of said Lot;
Thence along the south line of the parcel described in Warranty Deed Inst. No. 540586, S 89°35'12" E, 291.67 feet to a point on the east line of the southeast quarter of the southwest quarter of Section 9;
Thence along said east line, S 00°20'03" W, 164.65 feet to the southwest corner of Moser Park as described in Deed of Dedication Inst. No. 412761, Latah County records;
Thence along the south line of Moser Park, N 60°06'23" E, 30.43 feet;
Thence leaving said parcel, S 00°24'45" W, 34.97 feet;
Thence S 04°08'16" E, 118.47 feet to a point on the north line of Lot 3, Block 1, Rolling Hills 7th Addition according to the recorded plat thereof;
Thence along the north line of said Addition, S 89°09'28" W, 54.96 feet;
Thence continuing along the north line of said Addition, N 89°29'50" W, 290.89 feet to the east corner of the parcel described in Warranty Deed Inst. No. 600631;
Thence along the northeast line of said parcel, N 53°16'58" W, 62.42 feet to the southeast corner of Lot 1, Block 4, Rolling Hills 8th Addition according to the recorded plat thereof;
Thence along the east line of said Lot, N 00°22'39" E, 81.94 feet to the POINT OF BEGINNING.

Containing 2.30 acres more or less.

CITY OF MOSCOW COUNCIL

Examined and approved by action of the Moscow City Council at a regular meeting with a quorum present this ____ day of _____, 2021. Dedication of all public streets, easements, and parkland described on this plat is hereby accepted in accordance with Section 50-1313, Idaho Code.

Mayor, City of Moscow

City Clerk

LATAH COUNTY SURVEYOR

This plat has been checked and meets the requirements of Title 50, Chapter 30, Idaho Code. Examined and approved by the Latah County Surveyor this ____ day of _____, 2021.

Latah County Surveyor

LATAH COUNTY TREASURER

I hereby certify that taxes and assessments on property shown hereon have been paid for 2021 and preceding years as of this ____ day of _____, 2021.

Latah County Treasurer

NORTH CENTRAL HEALTH DISTRICT

Sanitary Restriction satisfied, Title 50, Chapter 13, Idaho Code.

North Central Health District

Date

CITY OF MOSCOW ENGINEER

Examined and approved by the City of Moscow Engineer this ____ day of _____, 2021.

City Engineer, City of Moscow



VICINITY MAP
Not to Scale

DEDICATION

Know by all men these present that Itani Development IV, Inc., a Washington Corporation, Owners of the land and premises included in the accompanying plat, have caused said land to be subdivided and platted as shown on said plat as an addition to the City of Moscow, Idaho, to be known as ROLLING HILLS No. 9 ADDITION. The undersigned do herewith declare their intention to dedicate for public use the rights-of-way, the public utility, and easements as shown hereon. Itani Development IV, Inc. certifies that all the lots shown hereon will be eligible to receive water service from the City of Moscow's municipal water system, per Chapter 50-1334(2), Idaho Code.

In witness thereof, the undersigned have set their hand,

Rafik Itani, President

Date

ACKNOWLEDGMENT

STATE of IDAHO
COUNTY of LATAH

On this ____ day of _____, 2021, before me, the undersigned Notary Public in and for the State of Idaho, personally appeared

known by me to be the person whose name is subscribed to the foregoing, and acknowledged to me that he executed the same.

Notary Public

Residing in

My commission expires _____

CITY OF MOSCOW PLANNING & ZONING

Approval of this plat by the City of Moscow certifies agreement to allow connection of the above described property to the municipal water system and satisfies Section 50-1334, Idaho Code.

Examined and approved by action of the Moscow Planning and Zoning Commission at a regular meeting with a quorum present this ____ day of _____, 2021.

Chairperson, Planning & Zoning Commission

SURVEYOR CERTIFICATION

This map correctly represents a survey made by me or under my direction in conformance with the Survey Recording Act. This survey map was prepared at the request of Itani Land Development, in September, 2021.

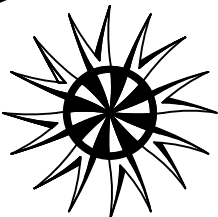
Michael E. Dahlin - Idaho Professional Land Surveyor

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF LATAH
RECORDED AT THE REQUEST OF _____
AT _____ THIS ____ DAY OF _____

RECORDER

DEPUTY



RIM ROCK CONSULTING, INC.

Land Surveying
Site Planning
Mapping

129 West 3rd Street #102 Moscow, Idaho 83843 208-883-5339 rimrock@rimrockconsulting.net



PRELIMINARY
NOT FOR RECORDING

DATE	STATE	COUNTY	PROJECT	DRAWN BY
SEPTEMBER 2021	ID	LATAH	ROLLING HILLS #9	TLW

T 39 N, R 5 W, S 9

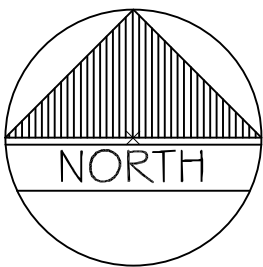
ROLLING HILLS 9th ADDITION

LOTS 1-4 BLK 1, LOTS 1-6 BLK 2,
SW 1/4 OF SECTION 9,
T39N, R5W, BOISE MERIDIAN,
CITY OF MOSCOW, LATAH COUNTY, IDAHO

RHEINGANS, PHILLIP & HEATHER
WD #540586

LINE	BEARING	DISTANCE
L1	N 60°06'22" E	30.43'
L2	S 00°24'45" W	34.97'

FUTURE MOSER PARK
CITY OF MOSCOW
DoD #412761



ORIGINAL SCALE : 1" = 50 FEET
CADD FILE : Rolling Hills No 9 PH1 Plat.dwg

LEGEND

- Set 5/8" X 30" long rebar w/ aluminum cap LS 17534
- ⊗ Found 5/8" rebar w/ cap LS 3003 or as Described
- Calculated Position - Nothing Found or Set
- ✦ Found Section or 1/4 Section Corner
- ✦ Found Sectional Subdivision Corner
- (M) Measured
- (R) Record Per Survey References

- Subject Property Boundary Line
- Section Line
- Section Subdivision Line
- City Street Centerline
- City Street Right of Way Line
- Easement Line
- Adjacent Subdivision Lot Lines
- Adjacent Parcel Lines
- Survey Tie Line

BASIS OF BEARINGS

The Basis of Bearings for this survey is the Idaho Coordinate System, West Zone, NAD 83, as shown between the found south quarter corner and the southeast corner of Section 9, said bearing being N 89°36'18" W.

SURVEY REFERENCES

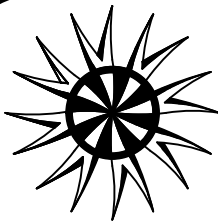
- Quitclaim Deed Inst. No. 513742
- Deed of Dedication Inst. No. 412761
- Warranty Deed Inst. No. 540586
- Warranty Deed Inst. No. 600361
- Rolling Hills 8th Addition, Inst. No. 546541
- Rolling Hills 7th Addition, Inst. No. 500355

PRELIMINARY
NOT FOR RECORDING

PROFESSIONAL LAND SURVEYOR
LICENSED
17534
STATE OF IDAHO
MICHAEL E. DAHLIN

COUNTY RECORDER CERTIFICATE

STATE OF IDAHO, COUNTY OF LATAH
RECORDED AT THE REQUEST OF _____
AT _____ THIS _____ DAY OF _____
RECORDER _____
DEPUTY _____



RIM ROCK CONSULTING, INC.

- Land Surveying
- Site Planning
- Mapping

129 West 3rd Street #102 Moscow, Idaho 83843 208-883-5339 rimrock@rimrockconsulting.net

SHEET

2
OF
2

DATE	STATE	COUNTY	PROJECT	DRAWN BY
SEPTEMBER 2021	ID	LATAH	ROLLING HILLS 9th	TLW

Moscow City Council



Regular Meeting ~Minutes~

www.ci.moscow.id.us

Laurie M. Hopkins
City Clerk

208.883.7015

Monday, June 21, 2021

7:00 PM

**Council Chambers
206 E. Third St.**

The meeting was called to order at 7:00 p.m.

PRESENT: Mayor Bill Lambert, Art Bettge, Sandra Kelly, Maureen Laflin, Brandy Sullivan, Gina Taruscio

ABSENT: Anne Zabala

STAFF: Jen Pfiffner, Mia Bautista, Mike Ray, Megan Cherry, Laurie M. Hopkins

PLEDGE OF ALLEGIANCE

Taruscio led the Pledge of Allegiance.

CONSENT AGENDA

1. All Consent Items (ACTION ITEM)

A. Approval of Moscow City Council June 7, 2021 Minutes - Laurie M. Hopkins

B. Disbursement Report for May 2021 - Sarah Banks

Presentation of the Accounts Payable Report for the month ending May, 2021.

ACTION: Approve and authorize the use of digital signatures to sign the Disbursements Report for the month of May 2021.

C. Lot Line Adjustment: 816 and 902 Public Avenue - Aimee Hennrich

The applicant, Pat Planagan, is requesting a lot line adjustment between two properties located at 902 and 816 Public Ave. 902 Public Ave is currently 51,231 sf and 816 Public Ave is currently 37,093 sf. As a result of the proposed adjustment, 902 Public Ave will become 17,038 sf and 816 Public Ave will become 71,286 sf. 902 Public Ave contains a barn currently used for storage and 816 Public Ave currently has a single-family home. The subject properties are located within the Medium Density Residential District (R-3). Within the R-3 Zoning District, lots are limited to single-family, twin homes, townhouses and two-family dwellings, require a minimum area of 6,000 square feet for a single-family home and a minimum lot width of 60 feet and 20 feet in width for flag lots. The proposed lot line adjustment meets all of these standards. This was reviewed and approved by the Public Works and Finance Committee on June 14, 2021.

ACTION: Approve the Lot Line Adjustment with no conditions.

D. Development Agreement Amendment: Ridgeview Estates 2nd Addition - Todd Drage

Noel Blum, on behalf of Blum Enterprises - 3 LLC, has requested to amend the Development Agreement for the Ridgeview Estates 2nd Addition Subdivision. The Ridgeview Estates Second Addition was platted in 2014 and the development agreement was approved and signed in November of that year. The requested modification is to allow the development to be completed in two phases, as detailed in Section 18 and Exhibit B of the attached agreement. The phasing modification is the only item requesting to be amended. All other sections of the original development agreement would remain unchanged.

ACTION: Approve the development agreement amendment with Blum Enterprises - 3 LLC for the Ridgeview Estates 2nd Addition.

E. Sixth and Logan Asphalt Improvement Project Bid Results and Contract Award - Nate Suhr

The City published an advertisement for bids on May 21st, 2021 for Sixth & Logan Asphalt Improvement Project. The bid for the project includes the replacement of eighty-four (84) tons of deteriorated asphalt and the installation of two hundred and seventy (270) feet of subsurface drain pipe to catch groundwater that caused the deterioration in the asphalt. The Engineer's estimate for the project was \$65,776.00.

Bid opening for the project took place on May 28th, 2021, at which one (1) bid was received. Motley-Motley Inc. was the only bidder on the project with a bid of \$57,940.00. A bid tabulation is included in the packet.

ACTION: Accept the low bid from Motley-Motley Inc. for Base Bid, award the contract in the amount of \$57,940.00 and authorize staff approval for construction change orders in an amount not to exceed 10% of the contract amount.

F. Portable Collection Donation Proposal - Megan Cherry

Five works by artist Pam Overholtzer have been offered as a donation to the City's Portable Collection. Overholtzer comes from a long line of artists with a lifelong passion for design, art, and craft. She maintained an interior design practice focused on historic architecture and interiors before returning to college to study architecture at the University of Idaho where she earned a Master of Architecture degree and research-oriented Master of Science degree. The seeds for this project began when Pam first saw Lillian Otness's well-known book "A Great Good Country," and particularly Lillian's sketches of the historic buildings in downtown Moscow. While working on City Hall's Centennial Art Show at the Third Street Gallery as a member of the Moscow Historic Preservation Commission, she had an opportunity to work directly with Otness's original drawings. Musing about the sketches, Pam sought a way to apply her artistic talent, a penchant for detail-oriented projects, and model-building skills to three dimensional interpretations of Otness's beautiful sketches in the form of small, multi-dimensional models mounted in shadow boxes. The donation is offered by architect and longtime City of Moscow Planning & Zoning and Historic Preservation Commission member Wendy McClure.

The Moscow Arts Commission voted during their May 11, 2021 meeting to recommend acceptance of this donation and states a preference for keeping all five works together in a single display location. The donation proposal was reviewed by Administrative Committee on June 14, 2021.

ACTION: Accept artwork donation.

G. Moscow Farmers Market Live Entertainment Request - Amanda Argona

Per the direction of City Council, live entertainment and performances are scheduled to return to the Moscow Farmers Market on Saturday, July 3. Given the current downward trend of cases in the community, updated guidance from the Center for Disease Control, and Resolution 2021-08 Terminating Amended Public Health Order 20-03, staff is seeking to have the 9:00 to 10:00 a.m. performance time slot reinstated alongside the already approved 10:30 a.m. to 12:30 p.m. performance time slot, as well as lifting the suspension of the Performance Vendor program.

ACTION: Approve the reinstatement of the 9:00 to 10:00 a.m. performance time slot and Performance Vendor Program.

H. Community Oriented Policing Services (COPS) - Law Enforcement Mental Health and Wellness Act (LEMHWA) Grant - Alisa Anderson / Anthony Dahlinger

The Pullman Police Department will be leading in the application and management of grant funds from the COPS Law Enforcement Mental Health and Wellness Act (LEMHWA). The Moscow Police Department as well as other local law enforcement agencies have been invited to participate in a regional team of law enforcement peer support. Four officers will be selected from the Moscow Police Department to participate on the Peer Support Team and in training. Grant funds requested by Pullman Police for the Moscow Police Department will not exceed \$38,000.

ACTION: Ratify approval of the grant application for participation in the regional Peer Support team under the COPS Law Enforcement Mental Health and Wellness Act (LEMHWA), managed by Pullman Police Department, not to exceed \$38,000 in grant awards for the Moscow Police Department.

I. Andrew Becker Memorial Public Art Installation at the ITC Sculpture Garden – Megan Cherry

In January 2021, the family of Andrew Thatcher Becker contacted the City of Moscow with an offer to donate funds for a public art installation. Following conversations between donor, staff, and MAC members, the ITC Sculpture Garden was identified as a location that fits the budget and artistic direction for the project. The ITC Sculpture Garden has traditionally hosted temporary installations of three-dimensional artworks that are featured for up to one year. There are five plinths in that location, each of which are filled following an RFP process and selection by a panel of community members. Each artist is paid an honorarium for the loan of their artwork, and this program has traditionally served the UI student artist population. The offer of donated funds to support the accession of an artwork into the Permanent Collection has prompted the re-assignment of one of the plinths as a permanent location for the artwork to be funded by the donor's contribution. This shift would result in four plinths being available for the annual call to artists. The MAC voted during their March 9, 2021 meeting to recommend this re-assignment.

Arts staff has prepared an RFP for this opportunity based upon Becker's biographical information, the Public Art subcommittee's advice, and standard Arts Department processes and timelines. The MAC voted during their May 8, 2021 meeting to recommend approval of this donation and the RFP, and the project was reviewed by Administrative Committee on June 14, 2021.

ACTION: Approval the donation, plinth re-assignment, and RFP.

Bettge moved and Taruscio seconded to approve the consent agenda as presented. Roll Call Vote: Ayes: unanimous. Nays: None. Abstentions: None. Motion carried.

REGULAR AGENDA

2. Staff Recognition Report - Gary J. Riedner

Pfiffner thanked the staff at the HLAC and reported the pool is canceling the limit on patrons. More lifeguards are needed with the increase of patrons.

3. Mayors Appointments (ACTION ITEM)

None offered.

4. Public Comment and Mayor's Response Period (limit 15 minutes)

None offered.

5. Update of MPD Bodyworn Cameras Report - James Fry, Mia Bautista

Heard as item six.

Chief Fry said the officers received training on the use of cameras. There were a few issues with the camera batteries but the issues have been resolved. The cameras are in use and have already recorded an

intense incident which in turn can be used in ongoing training for the cameras. Officers can turn the camera on but also will turn on automatically with the car's emergency lights. Bautista added there have been a couple records requests. It takes time to review the video and redact information allowed by Code and takes a significant amount of staff time and may be charged if processing takes over two hours. Legal staff attended the same training the officers did and also partook in training on the redaction program. Laflin felt the transparency is important but the educational side of the video is great. Self-reflection is critical. Taruscio said she was at an incident and found the camera is lending a good degree of comfort to the businesses. Chief Fry thanked the City Council as the purchase of cameras was a large ticket item.

6. Public Hearing: Rolling Hills 9th Addition Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, Ryan Itani, is proposing to subdivide a 2.3-acre area of land generally located east of the intersection of Third Street and Sixth Street into 10 lots ranging from 7,310 sf to 8,461 sf in size, referred to as Rolling Hills 9th Addition. The Planning and Zoning Commission conducted a public hearing for this matter on May 26, 2021 and recommended approval of the proposed preliminary plat with two conditions.

PROPOSED ACTIONS:

1. After conducting the public hearing and upon consideration of testimony received, approve the preliminary plat with conditions; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take other such action deemed appropriate.
2. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

Heard as item 5.

Ray introduced the item by providing a background of the plat, describing the Comprehensive Plan designation, zoning and infrastructure. Approval of the preliminary plat will not affect the negotiation of shifting Third Street to adjust for Moser Park.

Mayor Lambert opened the public hearing at 7:13 p.m.

Rafik Itani (Pullman) (applicant) said this plat is consistent with their master plan from 1996. The delay with Moser Park/Third Street is a grading plan for the steep area.

Mayor Lambert asked for testimony in favor of the application. Hearing none, he asked for general testimony or in opposition. A letter was received from Romney Boehm and the Council received copies. Mayor Lambert closed the public hearing at 7:20 p.m.

Bettge said it seems to be a clear cut preliminary plat. He moved to approve the preliminary plat with two conditions: (1) the applicant shall provide stormwater control analysis and design in accordance with the City's Stormwater Runoff Control Standards; (2) the applicant shall extend Third Street 19.87 feet to the east to align with the eastern property boundary of Lot 6, Block 2 of the proposed subdivision. Taruscio seconded. Sullivan felt it is a natural extension of the Rolling Hills plan and appreciated reaching out to the neighbors. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Bettge moved to adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria. Taruscio seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

7. Public Hearing: Anderson Addition Phase VI Preliminary Plat (ACTION ITEM) - Mike Ray

The applicant, Jim Swift, is proposing to subdivide a 5.88-acre area of land generally located at 2075 Sunnyside Ave and 706 W Palouse River Drive into 18 lots with an average lot size of 12,346 square feet, referred to as Anderson Addition Phase VI. The Planning and Zoning Commission conducted a public hearing for this matter on May 26, 2021 and recommended approval of the proposed preliminary plat with three conditions.

PROPOSED ACTIONS:

1. After conducting the public hearing and upon consideration of testimony received, approve the preliminary plat with conditions; or approve the preliminary plat with no conditions; or reject the preliminary plat; or take other such action deemed appropriate.
2. In accordance with the decision upon the preliminary plat, adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria; or direct Staff to prepare a Reasoned Statement of Relevant Criteria for the Council's consideration at a future meeting.

Ray introduced the item by providing an aerial of the property and described the Comprehensive Plan designation and zoning of the neighborhood. The subject property was rezoned to the R-3 and R-4 zones in 1993 which included three conditions. The zoning and conditions imposed seem to lean towards a retirement community extending on this property from Latah Care Center. Although plans for the area has changed, the conditions still apply to the subject property. The preliminary plat includes 18 lots and a pedestrian path. Utilities are adequate, storm sewer will be constructed and streets will be constructed to the standard that was approved at the time Anderson 1st Addition was approved.

Mayor Lambert opened the public hearing at 7:47 p.m.

Scott Becker, Hodge and Associates (applicant) said the applicant is looking into the possibility of reversing the height restrictions and a possible rezone. The neighborhood meeting was positive.

Mayor Lambert asked for testimony in favor of the application. Hearing none, he asked for general testimony or in opposition. Hearing none, he closed the hearing at 7:49 p.m.

Taruscio moved, Kelly seconded, to approve the preliminary plat with three conditions: (1) Lot 7, Block 5 shall be converted to a flag lot with the flagpole portion providing direct access to Sunnyside Avenue and no vehicular access shall be permitted from Palouse River Drive; (2) street frontage improvements shall be required on the north side of Palouse River Drive adjacent to the subject property to include installation of curbing, sidewalk and roadway widening to improve Palouse River Drive to thirty-four (34) feet in width; (3) the pedestrian pathway connecting Cloudy Court with Anderson Frontier Park shall be increased to ten (10) feet in width. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Bettge moved to adopt the Planning and Zoning Commission's Reasoned Statement of Relevant Criteria. Laflin seconded. Roll Call Vote: Ayes: Unanimous. Nays: None. Abstentions: None. Motion carried.

Ray explained a preliminary plat can expire at 12 months if not advanced to the final plat stage. An applicant can request an extension of 6 months.

REPORTS

City Council

Moscow Pathways Commission – Kelly reported the maps created for pathways are being distributed and Jonathan Gradin has one last meeting as a member.

Human Rights Commission – Kelly said there was an informal discussion on bias reporting.

Transportation Commission – Taruscio said the Commission discussed ebike/escooter code additions; addition of eboards; and pedestrians having the right away.

Palouse Basin Aquifer Committee – Taruscio said the Committee heard about research on tracking snowfall and the rate at which it recharges the aquifer; working toward annual recharge amount; update on water alternatives project report. Council discussion ensued regarding the phases and funding with each alternative and taking action.

Moscow Volunteer Fire Department – Bettge said the Department is moving forward on policy manuals that meet national standards for fire suppression and control.

Farmers Market Commission – Bettge said after consulting with vendors, the mobile market will be discontinued; live performances will start back up; definition of "loyal".

Moscow Arts Commission – Sullivan highlighted the donations of art which were on the consent agenda above. The Commission voted to name the new micro-gallery The Box Gallery.

Mayor

Mayor Lambert attended the AIC conference where a large discussion was about HB389 regarding limiting the amount of taxable value of new construction and to 90% and URA returning to 80%. eals with foregone tax amounts, placed 8% limit Bettge was elected

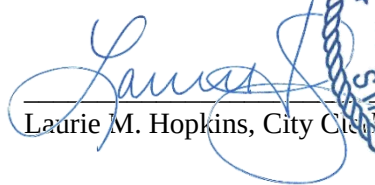
Staff

Juneteenth holiday declared.

ADJOURN

It was moved, seconded and mutually agreed upon to adjourn at 8:14 p.m.

ATTEST:


Laurie M. Hopkins, City Clerk




Bill Lambert, Mayor

**BEFORE THE CITY COUNCIL
OF THE CITY OF MOSCOW, COUNTY OF LATAH,
STATE OF IDAHO**

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS

REASONED STATEMENT OF RELEVANT CRITERIA AND STANDARDS REGARDING A REQUEST FOR A PRELIMINARY SUBDIVISION PLAT OF A TWO POINT THREE (2.3) ACRE AREA OF LAND GENERALLY LOCATED EAST OF THE INTERSECTION OF THIRD STREET AND SIXTH STREET, KNOWN AS ROLLING HILLS 9TH ADDITION TO THE CITY OF MOSCOW, IDAHO.

WHEREAS, the applicant filed an application for a Preliminary Subdivision Plat on April 14, 2021; and

WHEREAS, this matter came before the Moscow Planning and Zoning Commission during a duly noticed public hearing on May 26, 2021; and

WHEREAS, this matter came before the Moscow City Council during a duly noticed public hearing on June 21, 2021; and

WHEREAS, having reviewed the application, including all exhibits entered, and having considered the issues presented by the applicant and the opponents:

THE CITY COUNCIL OF THE CITY OF MOSCOW, IDAHO, AFTER DUE DELIBERATION AND CONSIDERATION, HEREBY CONCLUDES:

I. RELEVANT FACTS AND CONCLUSIONS

1. The City Council considered the request pursuant to the City of Moscow 2019 Comprehensive Plan, City of Moscow Zoning Ordinance, the Local Land Use Planning Act, and other applicable development regulations.
2. The subject property is a two point three (2.3) acre area of land generally located east of the intersection of Third Street and Sixth Street.
3. The subject property is currently undeveloped and is directly to the east of Rolling Hills 8th Addition. To the north of the subject property is undeveloped land that was recently approved as Harvest Hills 2nd Addition. Rolling Hills 7th Addition is located to the south, Moser Park is located to the northeast, and un-platted lands owned by the applicant are located to the east. All of the surrounding property that is currently developed is single family residential structures.
4. The subject property contains areas of moderate sloping topography as the land slopes to the north. There are no drainage ways or natural features that have been identified upon the subject property.
5. The subject property is currently designated as Auto-Urban Residential (AU-R). AU-R designated areas,

“designated areas contain predominantly single-family detached homes on lots ranging from 7,000 to 11,000 square feet in size and are more isolated from surrounding uses which may require residents to rely more on automobile transportation. This designation includes those

areas generally anticipated to be developed for low- to moderate-density residential uses at densities between three to six units per acre which could include a mix of detached single-family, twinhome, and townhome residential dwellings. Appropriate current zoning for Auto-Urban Residential designated areas include Low Density Residential (R-1), Moderate Density Single Family Residential (R-2) and Medium Density Residential (R-3) in order to include a mixture of attached and detached dwellings where appropriate."

6. All surrounding land is currently designated as Auto-Urban Residential, with the exception of the parks in the area which are designated as Parks and Open Space.
7. The subject property is currently designated as the Moderate Density Residential (R-2) Zoning District. All surrounding properties are also located within the R-2 Zone.
8. The R-2 zoning district is a moderate density residential zone appropriate where the following circumstances are present:
 1. Single family dwellings predominate.
 2. The terrain is not harshly irregular and smaller lot sizes can be accommodated without extensive earthwork.
 3. Utilities and other public facilities are adequate for the densities allowed.
 4. Existing lot development patterns and policies embodied in the Plan will also guide application of this zoning district.
9. Uses permitted within the R-2 Zone include single-family residential dwellings, market and community gardens, group child care facilities, and public parks and recreational facilities.
10. The applicant is proposing to subdivide the 2.3-acre area of land to create 10 lots ranging from 7,310 sf to 8,461 sf in size, referred to as Rolling Hills 9th Addition. The proposed subdivision includes the extension of Third Street to Moser Park. All of the lots within the proposed subdivision meet the minimum lot size and lot width for the R-2 zone.
11. Water services are proposed to be extended along the Third Street alignment to connect with existing mains at the current eastern terminus of Third Street in Rolling Hills 8th Addition. The property is considered developable in the City's Comprehensive Water System Plan dated January 2012. Engineering has determined that the existing system has adequate potable and fire flows to serve the proposed subdivision.
12. It is anticipated that under commonly observed household water use within the City (114 gallons per day per occupant) that the proposed development could be reasonably anticipated to use approximately 0.93 million gallons of water per year ($10 \text{ du} \times 2.25 \text{ occupants/du} \times 114 \text{ gallons/occupant} \times 365 \text{ days/year} = 0.93 \text{ M gallons/year}$).
13. Sanitary sewer is proposed to be extended along the Third Street alignment to connect with existing mains at the current eastern terminus of Third Street in Rolling Hills 8th Addition. Engineering has determined that the system has adequate capacity to convey the additional flow from the development. The subject property is considered developable in the Comprehensive Sewer System Plan dated September 2011.
14. The storm sewer for the subdivision is proposed to be extended in a similar fashion to the sanitary sewer system by following the Third Street alignment. The proposed subdivision exceeds the five thousand (5,000) square feet of impervious surface threshold that triggers the requirement for stormwater runoff control analysis and design per City Code Title 5, Chapter 15. The method for control is not specified in the preliminary plat and, therefore, is a recommended condition of approval.

15. The subject property is located adjacent to Third Street to the west which is designated as a collector street. The section of Third Street adjacent to the subject property is developed as a 34-foot-wide roadway with two travel lanes, bike lanes on both sides of the street, and curbing and gutters on both sides of the street. Third Street through the subject property will also be constructed to the collector standard.
16. The parkland dedication requirements for the proposed subdivision were previously met with Moser Park to the northeast, so no further dedication is required.
17. The applicant conducted a neighborhood meeting with affected property owners within 600 feet of the subject property on March 25, 2021 to discuss the proposed preliminary plat.

BASED ON THE ABOVE RELEVANT FACTS AND CONCLUSIONS, THE CITY COUNCIL OF THE CITY OF MOSCOW HEREBY FINDS THE FOLLOWING RELEVANT CRITERIA AND STANDARDS:

II. RELEVANT CRITERIA AND STANDARDS

1. **The proposed subdivision is in conformance with all applicable City Code requirements.** The proposed preliminary plat is consistent with and in conformance with the requirements and provisions of the Moderate Density Residential (R-2) Zoning District, including lot area, dimensions and other relevant provisions. The proposed preliminary plat is also in conformance with the general requirements of the Moscow Subdivision Ordinance including, but not limited to, the provision of the logical and orderly connection to the City's street network, public utilities, and the provision of public parkland.
2. **The proposed subdivision is in general conformance with the Comprehensive Plan.** The proposed preliminary plat is consistent with the City of Moscow Comprehensive Plan and provides for the logical and orderly development and extension of the City's street system. The extension of Third Street is consistent with the general alignment within the Thoroughfare Plan. The proposed lots sizes and densities are consistent with the Comprehensive Plan Land Use designation of Auto-Urban Residential.
3. **Public Services and utilities are available or can be made available and are adequate to accommodate the proposed subdivision.** The subject property has direct access to Third Street which is designated as a collector street. Water and sewer services are proposed to be extended along the Third Street alignment to connect with existing mains at the current eastern terminus of Third Street in Rolling Hills 8th Addition. The Engineering Department has determined that the existing system has adequate potable and fire flows and sewer capacity to serve the proposed subdivision.
4. **The proposed subdivision will not be detrimental to the public health, safety, or general welfare.** The proposed preliminary plat provides for the extension of City streets and services and will not be detrimental to the public health, safety, or general welfare.

III. DECISION

Based on the above Reasoned Statement of Relevant Criteria, the City Council of the City of Moscow approves the preliminary subdivision plat request for the two point three (2.3) acre area of land generally located east of the intersection of Third Street and Sixth Street with two conditions:

1. The applicant shall provide stormwater control analysis and design in accordance with the City's Stormwater Runoff Control Standards
2. The applicant shall extend Third Street 19.87 feet to the east to align with the eastern property boundary of Lot 6, Block 2 of the proposed subdivision.

PASSED BY THE CITY COUNCIL OF THE CITY OF MOSCOW this 21st day of June, 2021.



Bill Lambert, Mayor

COMMITTEE STAFF REPORT

DATE: Monday, October 4, 2021



RESPONSIBLE STAFF

Gary Riedner, City Supervisor, Mia Bautista

ADDITIONAL PRESENTER(S)

Mia Bautista

OTHER RESOURCES

AGENDA ITEM TITLE

Amendment to City Code to Correct Management Reorganization (ACTION ITEM) – Gary J. Riedner / Mia Bautista

DESCRIPTION

On October 7, 2019, the City Council passed Resolution 2019-19 authorizing the implementation of the reorganization management model and directed staff to prepare ordinance revisions to align with said model, which included the creation of new positions, along with the elimination of specific positions. On July 19, 2021, the City Council passed Ordinance 2021-09, approved by the Mayor, providing for the amendment of various Chapters of Moscow City Code to reflect the reorganization management model of the City. While codifying the City Code, certain sections were found to have errors. The proposed ordinance will correct those errors and amend Moscow City Code Title 6, Chapter 2 by replacing Section 24 of Ordinance 2021-09 in its entirety, retain Title 3, Chapter 11 as previously codified, and amend Title 5, Chapter 11 to accurately reflect the name of the Commission, which changed from Health and Environment Commission to Sustainable Environment Commission.

STAFF RECOMMENDATION

Approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary

PROPOSED ACTIONS

PROPOSED ACTIONS: Approve the Ordinance under suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary; or consider the Ordinance on first reading and that it be read by title; or reject the Ordinance; or take such other action deemed appropriate.

FISCAL IMPACT

PERSONNEL IMPACT

ATTACHMENTS

1. Ordinance 2021 - Corrected Management Reorganization_final

ORDINANCE NO. 2021 -

AN ORDINANCE OF THE CITY OF MOSCOW, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE CORRECTION OF ORDINANCE NO. 2021-09; PROVIDING FOR THE RECISION OF SECTION 8 OF ORDINANCE NO. 2021-09 AND THE CLARIFICATION THAT MOSCOW CITY CODE TITLE 3, CHAPTER 11 SHALL REMAIN UNAMENDED BY RESOLUTION 2021-09; PROVIDING FOR THE RECISION OF SECTION 24 OF ORDINANCE NO. 2021-09 AND THE CORRECTED AMENDMENT OF MOSCOW CITY CODE TITLE 6 CHAPTER 2; PROVIDING FOR THE CORRECTION OF SECTION 18 OF ORDINANCE NO. 2021-09 SPECIFIC TO MOSCOW CITY CODE TITLE 5, SECTION 11-5; PROVIDING THAT ALL OTHER SECTIONS OF ORDINANCE NO. 2021-09 SHALL BE IN EFFECT; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE BE DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City, as a municipal corporation of the State of Idaho, has the authority to exercise all powers and perform all functions of local self-government in City affairs that are not in conflict with the general laws or the Constitution of the State of Idaho (I.C. § 50-301); and

WHEREAS, the City is empowered to codify ordinances of a general and permanent nature and to make such changes, alterations, modifications, additions and substitutions therein as the City deems best (I.C. § 50-903); and

WHEREAS, on October 7, 2019, the City Council passed Resolution 2019-19, approved by the Mayor, authorizing the implementation of the reorganization management model and directed staff to prepare ordinance revisions to align with said model, which included the creation of new positions, along with the elimination of specific positions; and

WHEREAS, on July 19, 2021, the City Council passed Ordinance 2021-09, approved by the Mayor, providing for the amendment of various Chapters of Moscow City Code to reflect the reorganization management model of the City; and

WHEREAS, it was found that Ordinance 2021-09 had certain errors;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MOSCOW, IDAHO, AS FOLLOWS:

SECTION 1: That Moscow City Code Title 3, Chapter 11 shall remain as follows:

...

Sec. 11-2. Organization.

- A. The Transportation Commission shall consist of up to nine (9) members serving without pay. A non-voting member of this Commission shall not be considered in determining the number required for a quorum or whether a quorum is present. The word "Commission"

when used herein shall mean the Transportation Commission. Members of the Commission shall be appointed by the Mayor with the advice and subject to the approval of the Council. Members shall be selected without respect to political affiliation. Except for any three quarter (3/4) time post-secondary educational program student member, an appointed member of the Commission must have resided in Latah County for two (2) years prior to his or her appointment and must remain a resident of Latah County during his or her service on the Commission. Persons living within the delineated Area of City Impact shall be entitled to representation on the Commission. Such representation shall, as nearly as possible, reflect the proportion of population living within the City compared to the population living within the Area of City Impact. The term of office of the Commission members chosen from the residents at large shall be five (5) years or until their successors are appointed and qualified. The members shall hold office at the pleasure of the Mayor. The Mayor may revoke such appointment at any time and for any reason deemed sufficient with the advice and subject to the approval of the Council. Vacancies in such Commission occurring otherwise than the expiration of the term shall be filled by the Mayor with the advice and subject to the approval of the Council for the unexpired term. One (1) position on the Commission shall be designated for a representative of the University of Idaho as designated by the President of the University. If the University chooses not to appoint a representative, the Mayor may appoint a member to fill that position on the Commission. Where possible, commission shall include at least one (1) student enrolled at least three quarters (3/4) time in a post-secondary educational program, who shall serve as a non-voting member of this Commission for a one (1) year term, which term may be renewed. At least one (1) student enrolled in high school or an equivalent educational program shall serve as a non-voting member of this Commission for a one (1) year term, which term may be renewed.

- B. Where possible, Commission members shall be appointed in a manner which will allow members to represent a variety of transportation modes including, but not limited to, motorized vehicles, non-motorized vehicles and conveyances, pedestrians and public transportation.
- C. The Commission may establish subcommittees and/or advisory committees to advise and assist it in carrying out duties of the Commission. Where possible, this Commission shall coordinate efforts with local boards, groups and agencies as well as State boards, groups and agencies.

(Ord. 2003-08; 04/08/03; Ord. 2006-22, 12/18/2006; Ord. 2008-23, 10/20/2008; Ord. 2020-15; 11/16/20)

...

SECTION 2: That Moscow City Code Title 6, Chapter 2 be amended as follows, replacing in its entirety Section 24 of Ordinance 2021-09, as follows:

...

Sec. 2-3. Definitions.

As used in this Chapter, unless the context otherwise indicates:

- A. *Accessory Parking Area.* A common enclosed area set aside for the parking and storage of vehicles and mobile units accessory to everyday life. Such units may include, but are not limited to, motor homes, travel trailers, pickup campers, boats, motorcycles and other similar items.

- B. *Accessory Structure*. A structure intended for other than dwelling purposes that is within a manufactured home park. Such a structure would include, but not be limited to, storage areas, laundry facilities, recreation halls, maintenance shops, etc.
- C. *Application, Manufactured Home Park*. Required form provided by the City to be completed and submitted to the City along with accompanying maps and other information.
- D. *Buffer Zone*. The area immediately within the external property lines of any manufactured home park which is intended as an open transitional area between the manufactured home development and adjacent land uses.
- ~~D~~E. *Building*. Any structure having a roof, but excluding all forms of vehicles even though immobilized.
- ~~E~~F. *Building Codes*. The latest edition of any building code as currently adopted by the Council.
- ~~F~~G. *Building Permits*. A written form of permission to develop or alter structures placed on real property or its appurtenances constructed to the standards provided for in the Building Code, Moscow City Code, and any applicable state and federal regulations.
- ~~G. *Buffer Zone*. The area immediately within the external property lines of any manufactured home park which is intended as an open transitional area between the manufactured home development and adjacent land uses.~~
- H. *Construction Permit*. An official certificate issued by the City granting permission, after all final plans are approved, to start construction (roads, utilities, site preparation, etc.) on the development of a manufactured home park.
- I. *Existing Manufactured Home Parks*. Any manufactured home parks that are in existence at the time this Chapter is adopted.
- J. *Manufactured Home*. A structure, constructed after June 15, 1976, in accordance with the HUD manufactured home construction and safety standards, and is transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or is forty (40) body feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, except that such term shall include any structure which meets all the requirements of this subsection except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under 42 U.S.C. Section 5401 et seq.
- K. *Manufactured Home Park*. A tract of land under single ownership developed for the purpose of providing rental space for manufactured homes, mobile homes, or modular homes on individual lots and for accessory structures to serve the residents within its confines.
- L. *Mobile Home*. A factory-assembled structure or structures generally constructed prior to June 15, 1976, and equipped with the necessary service connections and made so as to be readily movable as a unit or units on their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. A mobile home shall meet the requirements set forth in Idaho Code Title 39, Chapter 41, as amended from time to time by the State Legislature.
- M. *Modular Home*. Any building or building component, other than a manufactured or mobile home, that is of closed construction and is either entirely or substantially prefabricated or assembled at a place other than the building site.

- N. *Park Operator's Permit.* A written form of permission by the City upon approval of satisfactory completion of development and after final inspection is made and approved before occupancy is allowed on any completed phase of development.
- O. *Recreation Area.* Space within a manufactured home park having open area and/or recreational equipment to be used for the leisure activities of residents of the development.
- P. *Setback.* The area between the property or lot line and the line beyond which buildings may legally be located.
- Q. *Setback Front.* The distance from the property or lot line on a private or public right-of-way to the building line. When the lot does not adjoin a private or public right-of-way, any side of the lot may be designated as the "front."
- R. *Setback Rear.* The setback from the property or lot line on the opposite side of the lot from the front setback. For a triangular shaped lot, the setback shall be measured from a line ten feet (10') in length within the lot which is parallel to the front lot line, or parallel to the chord of a curved front lot line.
- S. *Setback Side.* The setbacks from the property line or lot lines remaining after the front and rear setbacks have been determined.
- T. *Space Installation Permit.* A written form of permission issued by the City to the manufactured home park owner or operator to permit a manufactured home to be placed on a manufactured home space within ~~in~~ a manufactured home park.- Space installation permit gives approval that the mobile home can be occupied at that particular site.
- U. *Structure.* That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- V. *Utilities.* Basic public service facilities such as water lines, sewer lines, natural gas lines, electric power lines, telephone wires and community television antenna lines.
- W. *Yard.* Open, unoccupied space in front, rear or side on the same lot with a building.
(Ord. 2020-01, 01/21/2020)

Sec. 2-4. Application Procedure for Manufactured Home Development.

The following is the application procedure for the development of manufactured home parks in the City. A person wishing to make application for a manufactured home park should contact the Zoning Administrator to determine the regulations and requirements for such a development. A conference between the applicant and appropriate City staff will be scheduled.

- A. To provide clarification of the entire manufactured home park development process;
- B. To allow the City staff to express their professional views about the proposed site;
- C. To review adequacy of utilities for the development; and
- D. To clarify public utility and other development policies of the City.

(Ord. 2020-01, 01/21/2020)

Sec. 2-5. Application and Preliminary Plans.

The applicant shall submit to the City an application on the form prescribed by the City and one (1) paper copy along with one (1) digital copy (in PDF format) of preliminary plans to the Zoning Administrator for consideration by the Planning and Zoning Commission at least twenty (20) days prior to the meeting at which such plans will be considered. The application and preliminary plans shall include at least the following:

- A. Application:

1. Name, address of developer and names of principal professional personnel involved in plan preparation~~:-~~
 2. Legal description of development site~~:-~~
 3. Area of proposed development measured in acres and square feet~~:-~~
 4. Percentage of total area to be set aside for use in common or recreation~~:-~~
 5. Number of spaces or lots intended for development~~;~~ ~~and~~~~:-~~
 6. Any intentions for phasing the project, along with a description of the proposed phases.
- B. Preliminary Plans:
1. A drawing to scale of not less than one inch (1") to fifty feet (50'), showing all land uses in the periphery of the development and all public and private roads within three hundred feet (300') of the development. Development area to be distinctly shown on the above-mentioned drawings~~:-~~
 2. A topographical map showing existing and final contours and drainage systems through the development, with maximum contour intervals of five feet (5'), extending not less than one hundred fifty feet (150') beyond the boundaries of the development area~~:-~~
 3. Tentative patterns of streets, bikeways and walkways, showing width and separation of same, and their relationship to similar facilities outside the boundaries of the proposed development, including sizing. Proposed street names shall be shown~~:-~~
 4. Location and specific nature of open area and playground equipment, if any~~:-~~
 5. Location of all existing and proposed structures within the development~~:-~~
 6. Location and precise nature of buffer area and its contents~~:-~~
 7. A conceptual plan of landscaping indicating type (trees, shrubs, ground cover) and general extent of plantings and a statement regarding the proposed maintenance program~~:-~~
 8. Tentative location of lots or spaces and location of major areas intended for use in common~~;~~ ~~and~~~~:-~~
 9. Any other details specifically requested to be shown at the preliminary conference.
- C. The preliminary plans shall be submitted to the City to be examined for conformance to this Chapter before being scheduled on the agenda of the Planning and Zoning Commission. If the plans are in conformance with this Chapter, they will be submitted to the Planning and Zoning Commission along with comments from City staff. The Planning and Zoning Commission will review the plans and will approve or disapprove the plans, approve the plans conditionally or request modification of the plans within sixty (60) days after the first meeting at which they are considered.
- (Ord. 2020-01, 01/21/2020)

Sec. 2-6. Final Plans.

- A. The final plans shall include detailed drawings on all physical developments of the park development and any other requirements determined during the approval process of the preliminary plans. Within a year after the Planning and Zoning Commission approval of the preliminary plans, the applicant shall submit one (1) paper copy along with one (1) digital copy (in PDF format) of the final plans to the Zoning Administrator twenty (20) days before the scheduled meeting of the Planning and Zoning Commission. Final plans will be checked for conformance with the concepts presented and approved in the preliminary plans, the requirements of this Chapter and City standards before submitting the final plans to the Planning and Zoning Commission for its approval. The final plan shall include:

1. A survey by a licensed surveyor indicating exterior boundary, public rights-of-way, lot sizes, easements, recreation area and any other information required by the City Engineer;
 2. Construction plans prepared by a licensed engineer indicating alignment and grade for water, sanitary sewer, storm sewer and streets;
 3. Parking location and layout;
 4. Street lighting layout;
 5. Space numbering;
 6. Fire protection plan; content determined by the City;
 7. Landscaping plan (including species and placement of planted materials):
 - a. At least one (1) tree per manufactured home unit;
 - b. Trees and other plantings shall conform to size standards established in the "American Standards for Nursery Stock";
 - c. All common areas and lots not utilized for structures, parking or other landscaping shall be covered by turf or other vegetative ground cover.
- B. Before occupancy permits are issued, construction drawings prepared by a licensed engineer will be submitted to the City Engineer.
- (Ord. 2009-04, 02/02/2009; Ord. 2020-01, 01/21/2020)

Sec. 2-7. Permits.

The following permits shall be required for manufactured home parks:

- A. Construction Permit. Issued by the City upon approval of all final plans by the Planning and Zoning Commission.
- B. Park Operator's Permit. To be issued by the City upon approval of satisfactory completion of development and after final inspection is made and approved before occupancy is allowed on any completed phase of development.
- C. Space Installation Permit. Issued to the park owner before the siting or re-siting of a manufactured home on specific lot within a manufactured home park. Used to determine that home location on a given site meets all required codes; approved site and manufactured home will be issued a certificate of occupancy.
- D. Plumbing Permit. Issued to owner of manufactured home to cover connection of unit into park water and sewer system.
- E. Electrical Permit. Issued to owner of manufactured home to cover connection of unit to park electrical system.
- F. Gas Permit. Issued to owner of manufactured home to cover connection of gas to manufactured home unit.
- G. Building Permit. Issued to cover construction of any structure within the park and is issued to the owner of the structure.

(Ord. 2020-01, 01/21/2020)

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SECTION 3: That Moscow City Code Title 5, Chapter 11 be amended as follows:

Sec. 11-5. Application Denial and Appeal.

- A. Upon a showing of cause to believe that grounds exist to deny the application of any person to add or remove a dust suppressant to the approved list the City shall notify the applicant by certified mail, or personal service, of the grounds for said denial and of the opportunity to

appeal such denial to the ~~Health and Sustainable~~ Environment Commission. Failure of a person to actually receive a notice sent or severed, shall not invalidate the denial. The applicant, after notice of the denial, may appeal said denial by making a written request for a hearing before the ~~Health and Sustainable~~ Environment Commission within ten (10) working days of the date of the above notice.

- B. Hearing and Determination: The hearing shall be before the ~~Health and Sustainable~~ Environment Commission. At such hearing the applicant may present evidence, call witnesses called by the City and be represented by counsel. A recorded transcript shall be made. Within twenty (20) working days after the date of the hearing the ~~Health and Sustainable~~ Environment Commission shall either:
1. approve the action of the City; or
 2. allow the application upon such modifications or conditions reasonably related to the use of the application.
- C. Appeal of Decision: The decision of the ~~Health and Sustainable~~ Environment Commission shall be final and conclusive unless an appeal to the Council is made, in writing, within ten (10) days. If appeal is made to the Council, the Council shall hold a de novo hearing consistent with this section within thirty (30) days and shall render its decision within twenty (20) days. Appeal from a Council decision must be made to the District Court for Latah County in accordance with Idaho's Administrative Procedures Act.

(Ord. 2021-09, 07/19/2021)

SEVERABILITY. Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions which can be given effect without the invalid provision. The remaining sections of Titles 3 and 6 shall be in full force and effect.

SECTION 4: EFFECT ON OTHER ORDINANCES. Where the definitions contained in this Ordinance are in conflict with relevant portions of the City of Moscow, Idaho, Municipal Code, the definitions contained within those portions of the Moscow Municipal Code will be unaffected until such time, if any, as they are amended to be consistent with this Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall be effective upon its passage, approval, and publication according to law.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2021.

Bill Lambert, Mayor

CERTIFICATION. I hereby certify that the above is a true copy of an Ordinance passed at a regular meeting of the City Council, City of Moscow, held on the _____ day of _____, 2021.

ATTEST:

Laurie M. Hopkins, City Clerk