EXHIBIT 1

INSLEE BEST
Skyline Tower
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Bellevue, WA 98004
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MEDINA, WASHINGTON

HEARING EXAMINER

A Remote Public Hearing
Wednesday, April 16, 2025 – 10:00 AM

AGENDA

Virtual Hearing Participation

The scheduled public hearing will be held using remote meeting technology. Please either log in or call in a few minutes prior to the start of the meeting to participate. If a person does not have access to or is unable to attend the virtual hearing online, then please contact the staff contact below by Friday, April 11, 2025 by 4:00 p.m. to allow sufficient time for the City to set up access to the virtual public hearing at City Hall. Written comments may still be submitted prior to the hearing by emailing Jonathan Kesler, AICP, Planning Manager, at jkesler@medina-wa.gov. Written comments are given the same weight as verbal public testimony.

Join Zoom Meeting:

https://medina-wa.zoom.us/j/84156817656?pwd=AaiSlyPxCvlLiKCWXFdbD7GYFXFXLB.1

Meeting ID: 841 5681 7656
Passcode: 150912

Dial by your location:

• +1 253 215 8782 US (Tacoma)

Public Hearings:

NOTE: *The Hearing Examiner has the discretion to limit testimony to relevant non-repetitive comments and to set time limits to ensure an equal opportunity is available for all people to testify.*

PRE-DECISION HEARING:

File Nos.: P-24-034 Non-Administrative Special Use; P-24-035 Non-Administrative Variance; P-24-036 SEPA Threshold Determination

Applicant or Agent: VB BTS II, LLC (Vertical Bridge) and T-Mobile West LLC (T-Mobile), collectively Applicants

Property Owner: Bellevue School District, #405

Representative: Chris DeVoist, Technology Associates, EC Inc., representing Applicants

Proposal: Request for SEPA Threshold Determination (P-24-036) in conjunction with a Non-Administrative Special Use to allow modification of an existing wireless facility with a pole replacement (P-24-034). The Applicant also seeks a Non-Administrative Variance (P-24-035) to the 35-foot height limitation to remove the originally approved 65' tall stealth canister pole and replace it with a new 70' tall "monopine" faux tree pole.

Site address: 7800 NE 28th St., Medina, WA 98039; Parcel # 242504-9104

Descript./Tax Lot: GPS Coordinates: 47.636558, -122.238294; Tax Parcel # 242504-9104

Prepared by: Dawn Reitan, Asst. City Attorney and Jonathan G. Kessler, AICP, Planning Manager for the City of Medina

PART 1 – GENERAL INFORMATION

Zoning: Parks and Public Places (Public)[1]

Comprehensive Plan Designation: School/Institution

Shoreline Environment Designation: N/A

Critical Areas: Geologically Hazardous Area (landslide hazard area)

Environmental (SEPA) Review: The Responsible Official issued a Revised Determination of Nonsignificance (Revised DNS) on March 12, 2025. No comment was received by the City, and the Revised DNS was not appealed

Exhibits:

1. Staff Report, dated April 9, 2025
2. Legal Notices:
    a. Notice of Complete Application, dated October 14, 2024
    b. Notice of Application ("NOA"), dated October 24, 2024; Declaration of Mailing, dated 10/24/24; Declaration of Posting; Declaration of Publication 10/24/24
    c. Notice of Revised NOA, March 12, 2025; Declaration of Mailing, dated 3/12/25 Declaration of Posting; Declaration of Publication 3/12/25
    d. Notice of Determination of Significance ("DNS"), dated March 3, 2025; Declaration of Mailing, dated 3/25/25; Declaration of Posting; Declaration of Publication 3/3/25
    e. Notice of Revised DNS, issued and published on March 12, 2025 (with withdrawal of original DNS on March 12, 2025); Declaration of Mailing, dated 3/12/25; Declaration of Posting; Declaration of Publication 3/12/25
    f. Notice of Virtual Public Hearing, dated March 17, 2024; Declaration of Mailing, dated 3/17/25; Declaration of Posting; Declaration of Publication

[1] Medina Municipal Code ("MMC") Table 16.20.010 Comprehensive Plan and Zoning).

3. City of Medina Revised Determination of Nonsignificance, issued March 12, 2025
4. Project Narrative Non-Administrative Variance Application, US-WA-7001 Evergreen Point – School Dist. (T-Mobile SE2481B)
5. Project Narrative Non-Administrative Special Use Permit Application US-WA-7001 Evergreen Point – School Dist. (T-Mobile SE02481B)
6. SEPA Submittal Statement – Supplemental SEPA Checklist Submittal – US-WA-7001 Evergreen Point – School Dist. (T-Mobile SE02481B)
7. SEPA Environmental Checklist
8. Statement of Code Compliance – WCF Non-Administrative Variance Permit Application – US-WA-7001 Evergreen Point – School Dist. (T-Mobile SE02481B)
9. Statement of Code Compliance – WCF Non-Administrative Special Use Application - US-WA-7001 Evergreen Point – School Dist. (T-Mobile SE02481B)
10. Non-Administrative Special Use Permit Checklist & Application
11. Non-Administrative Variance Checklist & Application
12. Site Plan
13. Plan Set
14. Signed property owner declaration of agency
15. Historic Reference Documentation (Original Determination of Nonsignificance (DNS), dated December 20, 2016
16. Proof of ownership deed, dated August 31, 1960
17. Photograph simulation Location Map, Evergreen PT SE02481B
18. Mailing label maps, provided by Applicants
19. Mailing labels in word format
20. Non-Ionizing Electromagnetic Exposure Analysis Engineering & Certification Report (NEIR), dated August 3, 2021
21. T-Mobile FCC licenses (to be used at this facility)
22. Radio Frequency (RF) engineering analysis need letter for replacement of an existing canister pole with a replacement monopine, dated June 25, 2024
23. Map of all T-Mobile facilities in and within 1 mile of Medina
24. City of Medina pre-application correspondence (emails dated September 25, 2025 and September 13, 2023)
25. City of Medina Hearing Examiner Findings, Conclusions, and Decision (T-Mobile No. PI-16-034, PL 16-036), dated January 1, 2017
26. Letter from T-Mobile to Medina Mayor and City Council, dated June 28, 2024
27. Revised SEPA Checklist, date submitted June 27, 2024; revised January 13, 2025
28. Revisions Corrections Needed for P-24-035, dated November 14, 2024
29. Revisions Corrections Needed for P-24-036, dated November 4, 2024
30. Signing authority for Jack McLeod, dated September 27, 2024
31. Supp. information – Cover Letter – Request for Monopine Examples and Design Alternatives, dated January 31, 2025
32. Supp. information - Requested Monopine Examples, dated January 31, 2025
33. Supp. Information – Photo-simulation Stealth Cannister
34. Supp. Information – Photo-simulation Non-Stealth Structure
35. T-Mobile comment, Emails dated January 14, 2025 and January 14, 2025

36. Statement of Code Compliance – WCF Non-Administrative Variance Permit Application, US-WA-7001 Evergreen Point – School Dist. (T-Mobile SE02481B)
37. Response Memo – Non-Adminstrative Variance Application – First Review Comment Letter (Nov. 2024), dated January 31, 2025
38. Letter from T-Mobile – Proposed replacement of canister pole with monopole – Supp. RF Analysis – Height Justification for Replacement Structure, dated January 31, 2025
39. Revised Non-administrative Variance Checklist and Application, dated January 3, 2025

PART 2 – SITE CHARACTERISTICS

Existing Conditions:
The primary use of the subject property is the Bellevue Christian Elementary School (a private school). The property also contains an existing wireless communications facility (WCF) approved by the City under special use permit (PL-16-034) and variance (PL-16-036) (hereinafter, 2016 WCF) (Ex. 25). The property is zoned Parks and Public Places, and is owned by the Bellevue School District 405.

Surrounding Zoning:

Direction	Zoning	Present Use
North	P-Public	Fairweather Nature Preserve
South	R-16, Residential	Residential
East	Town of Hunts Point	Residential
West	R-20, Residential	Residential

Access:
Ingress and egress to the WCF site is via an existing gravel driveway connected to Evergreen Point Road. (Ex. 5)

PART 3 – REVIEW PROCEDURE & AGENCY/PUBLIC COMMENTS

Applications: The applications were received on July 10, 2024, and were determined complete on October 14, 2024, pursuant to MMC 16.80.100. The NOA was issued on October 24, 2025, with a mailing to property owners pursuant to MMC 16.80.140(B)(2); posting on-site; and posting at other public notices locations (City Hall, Medina Post Office, Park Board, and City of Medina website). A 14-day comment period was provided pursuant to MMC 16.80.110(B)(7).

A Revised NOA was issued on March 12, 2025, with a mailing to property owners pursuant to MMC 16.80.140(B)(2); posting on-site; and posting at other public notices locations (City Hall, Medina Post Office, Park Board and City of Medina website). A 14-day comment period was provided pursuant to MMC 16.80.110(B)(7).

A Notice of Virtual Hearing was issued on March 17, 2025, consistent with MMC 16.80.120. The notice was mailed to property owners pursuant to MMC 16.80.140(B)(2), published in *The Seattle Times* newspaper, and posted on the site and other public notice locations (City Hall, Medina Post Office, the Posting Board in Medina Park and the City of Medina website).

Agency Comments: No agency comments were received.

General Public Comments: As of the date of the staff report, the City received the following public comment(s) regarding the proposed project.

1. Ex. 35. Email from Mac Johnston to Steve Wilcox, dated January 13, 2025; Stating he was fine with monopine and thought it would look better than just a pole.

PART 4 – COMPREHENSIVE PLAN

The following Comprehensive Plan elements, policies, and goals apply to the Proposal:

Land Use Element:

Non-Residential Uses: (p. 10)

Most of the non-residential land uses that exist in Medina have been in place since before or around the time of the City's incorporation and have become an accepted and integral part of the community. These non-residential uses are subject to the City's special use provisions under the Municipal Code. Since Medina is fully developed, there are few vacant tracts of land currently available for further development. In addition, property currently used or designated for residential use is discouraged from being utilized for additional churches, clubs, fraternal societies, schools, museums, historic sites, conference centers, or other additional non-residential facilities; these larger scale facilities create additional traffic and disrupt residential traffic patterns, which increase greenhouse gas emissions.

LU-G1 To maintain Medina's high-quality residential setting and character, while considering creative housing solutions to accommodate community members of all socioeconomic groups.

LU-P5 Existing non-residential uses are encouraged to be maintained. Existing non-residential uses include:

* * *

- Three Points Elementary School (now Bellevue Christian Elementary)

* * *

- Utilities

LU-P9 The City should encourage input from all stakeholders prior to any land use decision, including consideration of the potential physical, economic, and cultural displacement risk to residents, particularly to communities that have historically faced greater risk of displacement.

Community Design Element:

Community Spaces (p. 47)

The City's parks, natural spaces and green spaces, its small town businesses, schools, church, and other amenities are defining elements of Medina's community character.

CD-G2 Maintain the informal, natural appearance and safety of the Medina's street rights-of-way and public areas. (p. 48)

Parks and Open Space Element:

Other Recreation Facilities (p. 83):
Three Points Elementary School Playground (Private School on Public Property)
Located at 7800 NE 28th Street, the school has approximately four acres of land. The playfield is in the westerly portion of the elementary school property that is leased from the Bellevue School District by Bellevue Christian School. The playground has a grass sport field, play structure, and covered play area for the students.

Capital Facilities Element:

Schools (p. 87)

The Bellevue School District maintains two facilities in Medina. Medina Elementary School is located on NE 8th Street between Evergreen Point Road and 82nd Avenue NE. The school is an approximately 67,000 square foot facility. Current enrollment is 550 students, which is near capacity. The second Bellevue School District facility is the former Three Points School, which is now leased by Bellevue Christian Schools, a private school, for their elementary school campus. It is located on NE 28th Street adjacent to Evergreen Point Road and SR 520.

(Private schools are mentioned only because they may contribute to, or reduce the demand on public facilities.)

Utilities Element:

Existing Conditions (p. 95):

Numerous companies provide cell phone, land-line telephone and internet service to Medina. Small wireless facilities, as regulated by Section 16.38 of the Medina Municipal Code, provide cell coverage throughout the City. Comcast/Xfinity provides traditional cable TV service, in addition to high-speed internet connections to local residential customers. Fiber optic cable is not available in Medina to residential users.

Utilities Plan (p. 95-96)

Given the recent trends in emerging technologies, opportunities to work from home, and the potential for land to be used more densely in the next ten years, the utility demand, particularly for electrical power, is likely to grow. The trend of replacing small homes with larger homes or developing multiple dwelling units on residential lots, and new technologies like residential EV charging stations and remote work opportunities, will spur this increased demand. Upgrades to the existing system, and exploration of providing additional utilities (such as fiber optic cable) will be necessary to maintain and/or improve efficiency, reliability and/or capacity. Additional gas, internet, telephone, and electrical hook-ups will be made on an individual, as-needed basis. Providers will need to review their plans and may need to locate major/minor new facilities in the City, based on their future projections.

UT-G1 To maintain and upgrade utility services sufficient to serve the City's projected housing-size growth and other needs, and to provide utility access to all communities, especially underserved ones, over the next ten years.

UT-P1 The City should coordinate with applicable electric, gas, landline telephone, cell telephone, internet service, and fiber optic cable providers, and with counties, cities, tribes, and special purpose districts to seek repairs and upgrades to existing utility facilities as necessary to maintain and/or improve efficiency, reliability, and/or capacity. Coordination should support the Regional Growth Strategy, including addressing long-term needs, supply, and the use of conservation and demand management.

PART 5 – STAFF ANALYSIS

General:

1. Applicants, VB BTS, LLC (Vertical Bridge), and T-Mobile West LLC (T-Mobile), as represented by Technologies Associates, EC Inc., (collectively, Applicants) are requesting to modify an existing WCF located at 7800 NE 28th Street in the City of Medina (Property). The Property is owned by Bellevue School District 405.
2. The existing WCF is located on the northwest corner of the Property, in an existing 35' x 25' leased area on the Property, which was approved by the City under the Non-Administrative Special Use Permit (PL-16-034), and Non-Administrative Variance (PL-16-036) (collectively, 2016 WCF).
3. Applicants request to remove the existing 65-foot stealth monopole and replace it with a 70-foot "monopine faux tree pole," which will continue to be an "unmanned wireless facility." (Ex. 5 at 5) (the Proposal).
4. The leased area is surrounded by a 6-foot tall fence with non-reflective black privacy slats (Ex. 5 at 4). There is no expansion proposed for the existing lease area. (Ex. 5 at 4) The leased area is accessed via an existing locked 10' wide double swing gate that matches the fence. The existing fence and gate approved under the 2016 WCF are not proposed to be modified. (Ex. 5 at 5)
5. There is an existing 12' wide gravel driveway/easement which provides ingress/egress and access/parking to the leased area. The driveway is not proposed to be modified. (Ex. 5 at 5)
6. An existing 12' x 8' equipment building approved under the 2016 WCF houses the base station equipment. All ground equipment is proposed to be located in the existing equipment building. No modifications are proposed to the existing equipment building. (Ex. 5 at 6). There are no outdoor cabinets associated with the existing WCF or requested under the Proposal.
7. The landscaping for the leased area was approved under the 2016 WCF, and is not proposed to be modified by the Proposal. (Ex 5 at 6)
8. There is no existing or proposed lighting associated with the leased area or Proposal. (Ex. 5 at 6)
9. An existing previously identified geohazard area is shown in the plans that were approved under the 2016 WCF and addressed in the associated SEPA review. The Proposal does not propose any activities within the geohazard buffer area. (Ex. 5 of 7)
10. The existing conditions and Proposal are depicted in the Overall Site Plan (Ex. 12), and Plan Set (Ex. 13)

11. Applicants represent that the current facility is out of date and needs to be upgraded to allow all the current T-Mobile licensed frequencies and technologies, including 5-G, to provide the "best coverage". (Ex. 5 at 5). As such, "the current standard for T-Mobile technologies requires a significantly larger footprint of antennas and remote equipment to provide those additional technologies". (Ex. 5 at 5). Applicants also state:

> To accommodate T-Mobile's needed upgrade, Applicants are proposing to replace the existing canister pole with a new monopine faux tree pole. This design will successfully maintain the code requirement for being concealed while allowing the currently proposed, and any future upgrades to the Facility, to be made without the need for continuous replacement of the support structure and its visual profile. (Ex. 5 at 5)

Environmental (SEPA) Review:

12. The Applicants submitted a SEPA Environmental Checklist (Ex. 7) and a supplemental SEPA Checklist (Ex. 27).[2] The Responsible Official issued a Revised Determination of Nonsignificance ("Revised DNS") on March 12, 2025, pursuant to WAC 197-11-340(2). The City did not receive any comments, and the Revised DNS was not appealed.

Zoning Analysis - General WCF Requirements (Chap. 16.37 MMC):

WCF that are proposed to be located outside of the City's rights-of-way (ROW) are subject to the site requirements of Chap. 16.37 MMC. The code sections which apply to the Proposal are discussed below:

13. MMC 16.37.030 – Applicability: MMC 16.37.030 identifies that the chapter applies to "all new and expansion and/or alteration of wireless communications facilities located within the boundaries of the city". Thus, the requirements of Chap. 16.37 MMC apply to the Proposal.[3]
14. MMC 16.37.050 – Permitted locations: MMC 16.37.050 provides that WCF may be permitted in the following zones: Properties zoned parks and public places, subject to the limitations set forth in MMC 16.37.060.[4] The Proposal would be located on property zoned parks and public places, which is permitted in the zone.
15. MMC 16.37.070 – Site requirements – outside of city ROW: MMC 16.37.070 identifies site requirements that shall apply to WCF that are located pursuant to MMC 16.37.050(C)(properties zoned parks and public places). Thus, the following site requirements of MMC 16.37.070.B(1), (2), (4), (5) and (6) apply to the Proposal:[5]

MMC 16.37.070.B.1.a-.c:

[2] The Supp. Checklist was provided in response to Staff Comments relating to additional information. *See* Ex. 29.
[3] The exemptions noted in MMC 16.37.030.A(1)-(9) do not apply.
[4] The limitations of MMC 16.37.060 apply to city parks, and do not apply to the proposed Project.
[5] MMC 16.37.070.A does not apply to the Project (WCF on nonresidential building). MMC 16.37.070.B.3(a)-(d), does not apply to the Project (height limit of 80 feet without a variance).

B. An antenna may be mounted to a support structure such as a lattice tower, monopole and similar freestanding structures; provided, that:

1. The support structure shall be designed and placed on the site in a manner that uses existing trees, mature vegetation, and existing structures to:

a. Screen as much of the total facility from prevalent views;

b. Provide background in a manner that the total facility blends to the maximum extent feasible into the background with increased sight distances; and

c. Integrates the existing trees and mature vegetation to the maximum extent feasible with concealment requirements.

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application
- Ex. 26. Letter from T-Mobile to Medina Mayor and City Council, dated June 28, 2024
- Ex. 32. Requested Monopine Examples, dated January 31, 2025
- Ex. 33. Photo-simulation Stealth Cannister
- Ex. 34. Photo-simulation Non-Stealth Structure

STAFF'S RESPONSE: Proposed installations of monopoles with antennas, or similar free-standing structures must incorporate concealment techniques. The Proposal includes locating the new pole further to the north of the existing pole within an existing fenced security enclosure. Applicants are proposing to modify the existing facility by removing the existing 65-foot stealth monopole (see Exs. 33 and 34) and replacing it with a 70-foot "monopine faux tree pole." (Ex. 5 at 5A) A monopine is an imitation tree likely constructed of metals and plastics. Examples of monopines are provided in Ex. 32. Photo-simulations of the existing WCF and additional concealment technique options such as stealth cannister and nonstealthed structure are provided in Exs. 33 and 34.

The site plan (Ex. 12, sheet A-1.1) illustrates that the existing 2016 WCF monopole is much smaller in area than the proposed monopine faux tree (Ex. 12, sheet A.1.2), with an approximation that the Proposal exceeds the area and dimensions of the existing 2016 WCF by as much as two to three times although the gross diameter of the monopine was not provided. The photo-simulations of the existing, stealth cannister, nonstealthed structure emphasize the increased bulk of the monopine as opposed to the existing conditions, and to the other concealment options provided. (Exs. 34, 25). The requirement of increased sight distance if it relates to traffic is not relevant at this location, but if the intent is aesthetics, then the proposed monopine does not increase sight distance to blend to the maximum extent feasible into the background. The options of a stealthed cannister (Ex. 33) or unstealthed structure (Ex. 34) are the preferred concealment options because

while obtrusive, both of these are visually expected while a monopine faux tree could become an undesired feature along Evergreen Point Road.

MMC 16.37.070.B.2:

2. The maximum height of the wireless communication facility, including the height of the antenna, shall not exceed 35 feet above original or finished grade, whichever is lower.

APPLICANTS' RESPONSE: Applicants are proposing a 70-foot monopine structure, which exceeds the 35-foot height maximum set forth in MMC 16.37.070.B.2. Applicants have requested a Non-Administrative Variance to the height requirement. See Applicants' submittals:

- Ex. 4. Project Narrative Non-Administrative Variance Application
- Ex. 8. Statement of Code Compliance WCF Non-Administrative Variance Permit Application
- Ex. 11. Non-administrative Variance Checklist & Application
- Ex. 36. Statement of Code Compliance WCF Non-Administrative Variance Permit Application

STAFF'S RESPONSE: See Staff Response to request for Non-Administrative Variance at 16-17.

MMC 16.37.070.B.4-.5:

4. Wireless communication facilities, except for security barriers, shall be set back a distance of at least 500 feet from the property line of all residential properties.

5. Ancillary facilities may be located on or off site and shall be placed within the interior of an existing nonresidential building or an equipment housing structure. This provision shall not apply to conduit or cabling for power and/or data.

APPLICANTS' RESPONSE: See Applicants' Project submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: (MMC 16.37.070.B.4). The existing monopole was granted under the 2016 WCF approval, which included an approved 98-foot setback, as measured from the equipment shelter. Applicants have represented that the "distance from residential properties will not be decreased" by the Proposal (Ex. 9 - response to MMC 16.37.070B.4). If the Proposal does not decrease the 2016 WCF approved setback of 98 feet, then staff believes the criteria has been met.

MMC 16.37.070.B.5: Applicants have represented that new/replacement ancillary facilities will be located within an existing equipment shed/structure, and that "no outdoor equipment is proposed" (Ex. 9 - response to MMC 16.37.070.B.5). If the Proposal does not add outdoor equipment or modify/alter the existing equipment structure, then staff believes the criteria has been met.

MMC 16.37.070.B.6:

6. Concealment consistent with MMC 16.37.100 is incorporated to minimize visual impacts and provide appropriate screening.

APPLICANTS' RESPONSE: See Applicants' Project submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: See staff's comments to MMC 16.37.100 Concealment at 12-13.

16. MMC 16.37.090 Security barrier: MMC 16.37.090 identifies requirements for security barriers, if installed as a fence, and landscaping. The existing lease area is surrounded by a 6-foot chain link fence with non-reflective black privacy slats. An approved landscape plan under PL-16-034 and PL-16-036, as approved in building permit B-17-024, relied on existing vegetative screening around the fence and proposed trees to be located within the fence compound. Applicants represent that they "do not propose to change the existing security barrier" (Ex. 9 – response to MMC 16.37.090). If the prior security barriers and landscaping are not altered, then Staff finds the Proposal consistent with the code criteria.

17. MMC 16.37.100 - Concealment: The concealment techniques applicable to the Proposal are set forth below:

MMC 16.37.100 – Concealment. All wireless communication facilities must incorporate concealment techniques consistent with this section that screen, hide, or disguise facilities in a manner that makes them visually inconspicuous to the extent technically feasible to surrounding properties and city streets.

* * *

B. For support structure mounted installations, such as a lattice tower, monopole and similar freestanding structures, the following concealment techniques must be applied:

1. All components associated with the wireless communication facility mounted on the exterior side of the structure shall be painted to match the predominant color of the support structure;

2. The support structure shall be painted in a nonreflective color that matches the predominate visual background and/or adjacent architecture so as to visually blend in with the surrounding development;

3. In certain conditions, such as locations that are readily visible from a large number of residential properties or public spaces, the city may require additional concealment such as disguising the support structure to appear as an attractive architectural or natural feature;

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: MMC 16.37.100.B.1-.3: Staff does not support the use of pole and antenna concealment through the use of a monopine faux tree. While an 80" stealth canister or large nonstealth structure are not ideal for the residents of Medina, these two options are preferred over the installation of a monopine faux tree. The Proposal requires concealment techniques that screen, hide or disguise facilities to make them visually inconspicuous to the extent feasible. Applicants are proposing to remove the existing 65-foot stealth monopole (see Exs. 33 and 34) and replace it with a 70-foot pole with antennas concealed by a "monopine faux tree". (Ex. 5 at 5). The top 5-feet of the monopine are above the pole structure and are needed for branches which have no other apparent technical function. A monopine is an imitation tree presumably made of metals and plastics. Examples of monopines are provided in Ex. 32. Photo-simulations of the existing WCF and additional concealment technique options such as stealth cannister and nonstealthed structure are provided in Exs. 33 and 34. Either the stealth cannister or nonstealthed structure options would be less conspicuous than a monopine due to having less overall bulk. The site plan provided shows the pole is to be moved north from its existing location and away from existing natural trees which will further expose it to users of Evergreen Point Road and others which makes it more visually conspicuous than the existing location. A monopine faux tree in of itself combined with the location proposed, may become an obvious feature of attention which is not the intent of the Medina Municipal Code to screen, hide, or disguise the facility.

The site plan (Ex. 12, sheet A-1.1) illustrates that the existing 2016 WCF monopole is much smaller in area than the proposed monopine faux tree (Ex. 12, sheet A.1.2), with an approximation that the Proposal exceeds the existing 2016 WCF in area by as much as two to three times, although the numerical diameter of the monopine has not been disclosed in the plans. The photo-simulations of the existing, stealth cannister, non-stealthed structure (Exs. 33, 34) depict much smaller facilities. This is emphasized when comparing the site plan depiction of the much larger of the monopine (Exs. 12 and 13), compared to the smaller non-stealthed structure. (Exs. 34, 25). The submitted photo simulations and the plans conflict with plan sheet A-1.2 graphically showing and labeling in text the extent of the monopine branches extending beyond the existing fenced site area. Plan sheet E-1 graphically confirms sheet A-1.2 branch extension outside of the T-Mobile fenced site. A side (elevation) photo simulation of the monopine shows the faux tree branches within the T-Mobile fenced site which conflicts with the plans and associated notes. Photo simulations which separately depict each of the monopine, stealth, and nonstealth concealment options do not reflect the relocation of the existing pole further to the north which is away from existing natural tree concealment and into a more visually

conspicuous location. Adding a monopine concealment to the new northerly pole location causes the facility to be more visually dominating of its surrounding area. The options of a stealthed cannister (Ex. 33) or unstealthed structure (Ex. 34) have less bulk than a monopine faux tree and can be painted in a color approved by the City to match the natural background. The monopine proposed is made by a company in southern California (Solar Communications International) which raises concerns about the ability to provide timely repair and maintenance. Metal and plastic structure and parts for appearance can fail and color can fade. There has been no mention by Applicants about insurance specific to monopines, replacement schedule, and maintenance, repair or timeliness of those.

> **4. Ancillary facilities, except for conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, meeting the requirements set forth in subsection (D) of this section;**
> **5. Other techniques that prevent the facility from visually dominating the surrounding area.**

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: MMC 16.37.100.B.4: See General Analysis discussion of equipment structure at 7 and Staff's Response to MMC 16.37.100.B.1-.3 at 12-13. The City requires the approved WCF to be painted in a non-reflective color that matches the predominant visual background so as to ensure visually blending with the surroundings.

> **D. Equipment housing structures shall employ the following concealment techniques:**
> **1. Except as provided for in subsection (D)(2) of this section, equipment housing structures shall be placed underground and subject to the following:**
> **a. Up to five inches may be located above the finished or original grade, whichever is lower;**
> **b. All visible portions of the structure shall be screened from the view of neighboring properties and public places by dense vegetation approved by the city; and**
> **c. The location of the facility must not interfere with existing uses of public land.**
> **2. Up to two small equipment housing structures containing ancillary facilities may be mounted to the outside of a support structure provided:**

a. It is not technically or economically feasible to locate ancillary facilities within the interior of the support structure;
b. Each equipment housing structure shall not exceed 4.5 cubic feet in volume, nor protrude more 18 inches as measured perpendicular from the tangent point or surface where the equipment housing structure attaches to the support structure; and
c. A minimum clearance of ten feet is maintained between the bottom of the equipment housing structure and the ground or sidewalk below.[6]

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: MMC 16.37.100.B.4: See General Analysis discussion of 2016 WCF and equipment structure at 7.

18. MMC 16.37.110 – Co-location. An applicant for WCF must meet co-location requirements:

MMC 16.37.110:
A. An applicant shall, to the extent commercially reasonable, cooperate with owners of existing wireless communication facilities in co-locating additional antennas on support structures.
B. Applicants shall demonstrate that they have made a good-faith effort to co-locate with other support structures currently used for wireless communication facilities, and that no commercially reasonable co-location opportunities that meet the requirements of this Code are available.
C. An applicant shall be considered to have demonstrated a good-faith effort when they can demonstrate that:
1. No existing or approved (but not built) support structures are available within the service area meeting the applicant's engineering requirements;
2. No existing support structures are available which provide or may be practically modified to provide sufficient height to meet the applicant's engineering requirements;
3. No existing support structures are available which provide or may be practically modified to provide sufficient structural strength to support the applicant's proposed antenna and related equipment;

[6] MMC 16.37.100.C does not apply to the Proposal.

4. The applicant's proposed antenna would cause electromagnetic interference with existing antennas on the support structure, or the existing antennas would cause electromagnetic interference with the applicant's antenna if it is located on the support structure when properly maintained and operated according to applicable law and manufacturer's guidelines; and

5. Other limiting factors are present that render existing support structures unsuitable.

D. In the event a dispute arises as to whether an applicant has exercised good faith in determining co-location opportunities, the city may at its discretion require an engineering and technical review, at the applicant's sole cost and expense, as part of a process for approval of the height increase pursuant to MMC 16.37.080(B)(4).

E. Failure to comply with the co-location requirements of this section may result in the denial of an application or revocation of an existing permit.

F. The city may require new support structures to be constructed so as to accommodate future co-location, based on expected demand for support structures in the service area, provided this requirement would not cause the application to be rejected by the city.

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application
- Ex. 20. Non-Ionizing Electromagnetic Exposure Analysis Engineering & Certification Report (NEIR), dated August 3, 2021
- Ex. 21. T-Mobile FCC licenses (to be used at this facility)
- Ex. 22. Radio Frequency (RF) engineering analysis need letter for replacement of an existing canister pole with a replacement monopine, dated June 25, 2024
- Ex. 23. Map of all T-Mobile facilities in and within 1 mile of Medina
- Ex. 36. Statement of Code Compliance – WCF Non-Administrative Variance Permit Application, US-WA-7001 Evergreen Point – School Dist. (T-Mobile SE02481B)
- Ex. 38. Letter from T-Mobile – Proposed replacement of canister pole with monopole – Supp. RF Analysis – Height Justification for Replacement Structure, dated January 31, 2025

STAFF'S RESPONSE: MMC 16.37.110. This is a modification to the approved 2016 WCF, which determined that a minimum height of 65-feet was necessary for service needs. (Ex. 25). Applicants submitted an analysis from Nathan Rausch to support the Proposal at this site. (Ex. 38). In Ex. 38, Mr. Rausch states that modeling

and analysis show that "the antenna tip height of 65 feet continues to be the minimum necessary to continue to fill what would otherwise be a significant gap in coverage". (Ex. 38). The Applicants state the monopine will help with co-location (Ex. 9 at 13), and that the additional 5-feet (to reach a total of 70-feet) is necessary "for the additional stealth features" (Ex. 8 at 1), namely for "the decorative branches needed for the monopine faux tree structure to taper at the 'treetop' for aesthetic reasons." (Ex. 8). Thus, it appears that a minimum of 65-feet is necessary to meet "a significant gap in coverage," which Applicants state include future co-location opportunities.

Zoning Analysis - Non-Administrative Special Use Permit (Chap. 16.72 MMC):

19. MMC 16.37.120 requires the approval of a non-administrative special use permit for all wireless facilities pursuant to MMC 16.72.010.
20. Non-administrative special use permits are processed as a Type 3 decision. A Type 3 decision is a quasi-judicial action that requires public notice and predecision hearing. MMC 16.80.040.A.3. The City's Hearing Examiner holds the predecision hearing and makes the final decision on the matter. (See MMC Table 16.80.050.C – Type 3 Decisions)
21. Pursuant to MMC 16.72.010, a non-administrative special use permit may be approved only if the following criteria are satisfied:

1. The use complies with the adopted goals and policies set forth in the comprehensive plan;

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: MMC 16.37.100.B.4: See General Analysis discussion of applicable Comprehensive Plan at 5-7. The Proposal is consistent with UG-P1 to coordinate with providers to seek "repairs and upgrades to existing utility facilities as necessary to maintain and/or improve efficiency, reliability, and/or capacity." With sufficient conditions for aesthetics, the Proposal could meet the goals and objectives of the Comprehensive Plan, including CD-G2 "Maintain the informal, natural appearance and safety of the Medina's street rights-of-way and public areas."

2. The use is designed to minimize detrimental effects on neighboring properties;

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: See Staff Response to Non-Adminstrative Special Use at 16-17.

3. The use satisfies all requirements specified for the use;
4. The use complies with all applicable zoning and development standards and requirements; and

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: The Proposal meets the permitted uses for the applicable zoning. See also Parts 1 (General Information), 3 (Comprehensive Plan), and Parts 4 Staff Analysis (Response to Non-Adminstrative Special Use at 16-17.

5. The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 5. Project Narrative Non-Administrative Special Use Permit Application
- Ex. 9. Statement of Code Compliance WCF Non-Administrative Special Use Permit Application

STAFF'S RESPONSE: The Proposal will remove the existing generator from the leased space, which should reduce noise on the site.

Zoning Analysis – Non-Administrative Variance (Chap. 16.72 MMC):

22. Applicants submitted an application for Non-Administrative Variance (Ex. 11) seeking relief from the maximum 35-foot height limits of MMC 16.37.070.B.2.
23. MMC 16.72.030 provides that a Non-Administrative Variance is a Type 3 decision, reviewed under the procedures of Chap. 16.80 MMC. A Type 3 decision is a quasi-judicial action that requires public notice and predecision hearing. MMC 16.80.040.A.3. The City's Hearing Examiner holds the predecision hearing and makes the final decision on the matter. (See MMC Table 16.80.050.C – Type 3 Decisions)
24. MMC 16.72.030.E identifies the following applicable limitations to a variance request:[7]

E. *Limitations.*

[7] MMC 16.72.030.E.3 does not apply.

1. Nonadministrative variances may be granted where the application of a dimensional standard would result in an unusual or unreasonable hardship due to physical characteristics of the site;

APPLICANTS' RESPONSE: See Applicants' submittals:

- Ex. 4. Project Narrative Variance Application
- Ex. 8. Statement of Code Compliance WCF Variance Permit Application
- Ex. 32. Request for Monopine Examples
- Ex. 33. Photo-simulations – Stealth Cannister
- Ex. 34. Photo-simulations – Non-Stealth Structure
- Ex. 36 Statement of Code Compliance WCF Variance Permit Application
- Ex. 37 Response Memo – Non-Administrative Variance Application – First Review Comment letter (Nov. 2024)
- Ex. 38. Letter from T-Mobile – Proposed replacement of canister pole with monopole – Supp. RF Analysis – Height Justification for Replacement Structure, dated January 31, 2025
- Ex. 39. Revised Non-administrative Variance Checklist and Application, dated January 3, 2025

STAFF'S RESPONSE: Applicants request to modify the approved 2016 WCF (Ex. 25). For the existing variance application, Applicants submitted an analysis from a Nathan Rausch to support the Proposal at this site. (Ex. 38). In Ex. 38, Mr. Rausch states that modeling and analysis show that "the antenna tip height of 65 feet continues to be the minimum necessary to continue to fill what would otherwise be a significant gap in coverage". (Ex. 38). The record appears to show that the physical characteristics of the property and service requirements support the minimum 65-feet to meet "a significant gap in coverage". (Ex. 25)

2. Evidence of other variances granted under similar circumstances shall not be considered in the granting of a nonadministrative variance; and

APPLICANTS' RESPONSE: See Applicants' Project submittals:

- Ex. 37 Response Memo – Non-Administrative Variance Application – First Review Comment letter (Nov. 2024)
- Ex. 38. Letter from T-Mobile – Proposed replacement of canister pole with monopole – Supp. RF Analysis – Height Justification for Replacement Structure, dated January 31, 2025
- Ex. 39. Revised Non-administrative Variance Checklist and Application, dated January 3, 2025

STAFF'S RESPONSE: In response to Staff's request for information to support the variance application (Ex. 28), other than the 2016 WCF variance, Applicants submitted Exs. 37-39.

25. Pursuant to MMC 16.72.030.F.1, a Non-Administrative Variance may be approved only if the following criteria are satisfied:

    1. ***The Variance does not constitute a granting of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and zone in which the subject property is located.***

APPLICANTS RESPONSE: See Applicants' submittals:

- Ex. 4. Project Narrative Variance Application
- Ex. 8. Statement of Code Compliance WCF Variance Permit Application
- Ex. 32. Request for Monopine Examples
- Ex. 33. Photo-simulations – Stealth Cannister
- Ex. 34. Photo-simulations – Non-Stealth Structure
- Ex. 36 Statement of Code Compliance WCF Variance Permit Application
- Ex. 37 Response Memo – Non-Administrative Variance Application – First Review Comment letter (Nov. 2024)
- Ex. 38. Letter from T-Mobile – Proposed replacement of canister pole with monopole – Supp. RF Analysis – Height Justification for Replacement Structure, dated January 31, 2025
- Ex. 39. Revised Non-administrative Variance Checklist and Application, dated January 3, 2025

STAFF RESPONSE: Wireless communications facilities are allowed on the site under applicable zoning (Parks and Public Places).[8] Applicants request to address service coverage gaps and to utilize all FCC licenses does not constitute a grant of special privilege inconsistent with the vicinity and zone in which the property is located. Applicants submitted an analysis from Mr. Rausch, which states that modeling and analysis show that "the antenna tip height of 65 feet continues to be the minimum necessary to continue to fill what would otherwise be a significant gap in coverage". (Ex. 38) The record appears to show that the physical characteristics of the property and service requirements support the minimum 65-feet to meet "a significant gap in coverage". (Ex. 25)

    2. ***The Variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.***

APPLICANTS RESPONSE: See Applicants' response to MMC 16.72.030.F.1.

STAFF RESPONSE: WCF are allowed on the site under the site's zoning (Parks and Public Places).[9] Applicants request a variance to a dimensional standard which would allow Applicants to provide service coverage to identified service gaps and utilize FCC licenses which cannot be utilized with the current 2016 WCF.

[8] MMC Table 16.20.010 Comprehensive Plan and Zoning.
[9] MMC Table 16.20.010 Comprehensive Plan and Zoning.

3. ***The Variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant.***

APPLICANTS RESPONSE: See Applicants' response to MMC 16.72.030.F.1.

STAFF RESPONSE: See Staff Responses to MMC 16.72.030.F.1-.2 at 20. Applicants submitted an analysis which identifies that the minimum 65-feet for 2016 WCF was based on topography, vegetation and other physical characteristics of the site location. (Ex. 38). It also identifies that "the antenna tip height of 65 feet continues to be the minimum necessary to continue to fill what would otherwise be a significant gap in coverage," (Ex. 38) which supports that the variance relates to the land and not to problems personal to Applicants.

4. ***The granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.***

APPLICANTS RESPONSE: See Applicants' response to MMC 16.72.030.F.1.

STAFF RESPONSE: WCF are allowed on the site under applicable zoning (Parks and Public Places). The Proposal to expand service to cover existing gaps will not be materially detrimental to the public or injurious to the property or improvements in the property vicinity and zone. The Proposal is for an "unmanned facility" which should not cause an increase in noise, traffic generation or lighting in the vicinity of the Property.

5. ***The Variance is the minimum necessary to provide reasonable relief.***

APPLICANTS RESPONSE: See Applicants' response to MMC 16.72.030.F.1.

STAFF RESPONSE: The variance request to allow a 70-foot monopine faux tree is not the minimum necessary to achieve service objectives. As Ex. 38 identifies, "the antenna tip height of 65 feet continues to be the minimum necessary to continue to fill what would otherwise be a significant gap in coverage".

The only reason for the additional 5-feet beyond the minimum 65-foot needed for coverage is to install a 70-foot "monopine faux tree pole" (Ex. 5 at 5), which is an imitation tree. Examples of monopines are provided in Ex. 32.

In contrast, photo-simulations of the existing WCF and additional concealment technique options such as stealth cannister and nonstealthed structure are provided in Exs. 33 and 34 and only require a 65-foot variance. The site plan (Ex. 12, sheet A-1.1) also illustrates that the existing 2016 WCF monopole is much smaller in area than the proposed monopine faux tree (Ex. 12, sheets A.1.1 and A.1.2), with an approximation that the monopine exceeds the existing 2016 WCF in area by as much as two to three times in

volume and dimension. The monopine option has the potential to provide screening to blend in with the visual background, but there is a significant concern that the "imitation tree" coloring will not blend with the forested background, and that the color will fade to a noticeable degree and not blend with the natural surroundings. The options of a stealthed cannister (Ex. 33) or unstealthed structure (Ex. 34) provide screening that would visually match the predominant visual background and visually blend with surrounding development, as they take up less space visually and can be painted in a color approved by the City to match the forested background. For these reasons, the criteria that the "variance is the minimum necessary to provide reasonable relief is not met.

PART 6 – CONCLUSIONS:

1. Pursuant to MMC 16.72.030.C, MMC 16.72.010.C, and MMC 16.80.050.C (Table 16.80.050.C Type 3 Decisions), the Hearing Examiner has the authority to hold a public hearing and make decisions on the requested applications. The purpose of the requested Non-Administrative Special Use Permit and Non-Administrative Variance is to authorize the removal of an existing 65-foot WCF monopole and replace it with a 70 foot monopine faux tree on the Property.
2. Proper notice for this public hearing has been provided. See discussion at 4.
3. Pursuant to MMC 16.37.070.B, the following general WCF requirements apply:

> **B. An antenna may be mounted to a support structure such as a lattice tower, monopole and similar freestanding structures; provided, that:**
>
> **1. The support structure shall be designed and placed on the site in a manner that uses existing trees, mature vegetation, and existing structures to:**
>
> **a. Screen as much of the total facility from prevalent views;**
>
> **b. Provide background in a manner that the total facility blends to the maximum extent feasible into the background with increased sight distances; and**
>
> **c. Integrates the existing trees and mature vegetation to the maximum extent feasible with concealment requirements.**
>
> **2. The maximum height of the wireless communication facility, including the height of the antenna, shall not exceed 35 feet above original or finished grade, whichever is lower.**
>
> * * *
>
> **4. Wireless communication facilities, except for security barriers, shall be set back a distance of at least 500 feet from the property line of all residential properties.**

5. Ancillary facilities may be located on or off site and shall be placed within the interior of an existing nonresidential building or an equipment housing structure. This provision shall not apply to conduit or cabling for power and/or data.

6. Concealment consistent with MMC 16.37.100 is incorporated to minimize visual impacts and provide appropriate screening.

CONCLUSION: See Staff Analysis at 8-10.

4. Pursuant to MMC 16.37.090, the following general WCF requirements apply:

16.37.090. - Security barrier.

If a security barrier is installed that includes a fence, wall or similar freestanding structure, the following shall apply:

A. The height of the structure shall not exceed six feet measured from the point of existing or finished grade, whichever is lower at the exterior side of the structure to the highest point of the structure.

B. A sight-obscuring vegetated landscaped barrier shall be installed and maintained to screen the structure and facilities from adjoining properties and city rights-of-way.

1. Placement of landscape vegetation shall include areas outside of the barrier and shall obscure the site within 12 months.

2. Landscaping and the design of the barrier shall be compatible with other nearby landscaping, fencing and freestanding walls.

C. If a chain-linked fence is used, it shall be painted or coated with a nonreflective color.

D. The limitations set forth for walls and fences in MMC 16.30.010 shall apply. The limitation for a chain-link fence shall not apply if the wireless communication facility is located in the city rights-of-way.

CONCLUSION: See Staff Analysis at 10-11, 13.

5. Pursuant to MMC 16.37.100, the general WCF provisions apply:

16.37.100. - Concealment.

All wireless communication facilities must incorporate concealment techniques consistent with this section that screen, hide, or disguise facilities in a manner that makes them visually

inconspicuous to the extent technically feasible to surrounding properties and city streets.

A. For building mounted installations the following concealment techniques must be applied:

1. Screening materials matching color, size, proportion, style, and quality with the exterior design and architectural character of the structure and the surrounding visual environment;

2. Antennas must be mounted inside of the building or behind screening whenever possible;

3. Ancillary facilities, except conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, meeting the requirements set forth in subsection (D) of this section;

4. Other techniques that prevent the facility from visually dominating the surrounding area.

B. For support structure mounted installations, such as a lattice tower, monopole and similar freestanding structures, the following concealment techniques must be applied:

1. All components associated with the wireless communication facility mounted on the exterior side of the structure shall be painted to match the predominant color of the support structure;

2. The support structure shall be painted in a nonreflective color that matches the predominate visual background and/or adjacent architecture so as to visually blend in with the surrounding development;

3. In certain conditions, such as locations that are readily visible from a large number of residential properties or public spaces, the city may require additional concealment such as disguising the support structure to appear as an attractive architectural or natural feature;

4. Ancillary facilities, except for conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, meeting the requirements set forth in subsection (D) of this section;

5. Other techniques that prevent the facility from visually dominating the surrounding area.

C. For utility support structure installations the following concealment techniques must be applied:

1. Except for antennas mounted on top of a pole, all components associated with the wireless communication facility mounted on the exterior of the pole shall be painted to match the predominant color of the pole or utility attachments to the pole;

2. Antennas mounted on top of the pole may be painted to match the pole, or may be painted to blend into the background;

3. Ancillary facilities, except conduits or cabling for power and/or voice, video, or data lines, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, meeting the requirements set forth in subsection (D) of this section; and

4. Other techniques that prevent the facility from visually dominating the surrounding area.

D. Equipment housing structures shall employ the following concealment techniques:

1. Except as provided for in subsection (D)(2) of this section, equipment housing structures shall be placed underground and subject to the following:

a. Up to five inches may be located above the finished or original grade, whichever is lower;

b. All visible portions of the structure shall be screened from the view of neighboring properties and public places by dense vegetation approved by the city; and

c. The location of the facility must not interfere with existing uses of public land.

2. Up to two small equipment housing structures containing ancillary facilities may be mounted to the outside of a support structure provided:

a. It is not technically or economically feasible to locate ancillary facilities within the interior of the support structure;

b. Each equipment housing structure shall not exceed 4.5 cubic feet in volume, nor protrude more 18 inches as measured perpendicular from the tangent point or surface where the equipment housing structure attaches to the support structure; and

c. A minimum clearance of ten feet is maintained between the bottom of the equipment housing structure and the ground or sidewalk below.

CONCLUSION: See Staff Analysis at 11-13.

6. Pursuant to MMC 16.72.010.E.1-5, a Non-Administrative Special Use may only be approved if the following criteria are met:

> **E. *Criteria for approval.* The decision authority may approve a nonadministrative special use permit or nonadministrative conditional use permit only if the following criteria are satisfied:**
>
> **1. The use complies with the adopted goals and policies set forth in the comprehensive plan;**
>
> **2. The use is designed to minimize detrimental effects on neighboring properties;**
>
> **3. The use satisfies all requirements specified for the use;**
>
> **4. The use complies with all applicable zoning and development standards and requirements; and**
>
> **5. The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.**

CONCLUSION: See Staff Analysis at 16-17.

7. Pursuant to MMC 16.72.030.F.5.1-.5, a Non-Administrative Variance may only be approved if the following criteria are met:

> ***1. The Variance does not constitute a granting of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and zone in which the subject property is located.***
> ***2. The Variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.***
> ***3. The Variance is necessary to relieve a material hardship that***

cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant.

4. ***The granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.***

CONCLUSION: See Staff Analysis at 17-21.

5. ***The Variance is the minimum necessary to provide reasonable relief.***

CONCLUSION: See Staff Analysis at 19-20.

PART 6 – STAFF RECOMMENDATION & CONDITIONS:

Staff recommends the Hearing Examiner **deny** the Non-Administrative Variance for a 70-foot monopine faux tree, as it has not been demonstrated to be the minimum necessary to provide reasonable relieve. Instead, Staff recommends **approval** of a maximum 65-foot monopole/structure using concealment techniques consistent with the stealth cannister or un-stealth structure depicted on Exhibits 33 and 34.

If the Hearing Examiner decides approve Staff's recommendation, then Staff requests the approval be subject to the following conditions:

1. Pertinent building construction, right of way use, tree protection, and construction mitigation permits shall be obtained before starting construction activity.

2. All other zoning and development regulations applicable to the Proposal shall be followed and confirmed during the building permit review.

3. No existing landscaping or trees shall be removed, altered, or modified.

4. The 98-foot setback to residential properties approved by 2016 WCF shall not be decreased/reduced in any way.

5. The existing generator shall be removed from the site. Addition of a new generator would be under permits issued by the City of Medina.

6. All replacement and/or ancillary facilities shall be placed within the interior of the existing equipment structure. The existing equipment structure shall not be relocated, expanded, or modified. No equipment or facilities shall be located outside of the existing equipment structure.

7. The existing fence and gate security barriers shall not be modified or altered.

8. No activities shall occur in, and there shall be no impact to, the geohazard area located on the Property.

9. Plans for concealment techniques for a Stealth Cannister or Non-stealthed Structure shall be submitted to the City as part of a complete building permit application and screen, hide, or disguise the facilities to make them visually inconspicuous to the extent technically feasible to surrounding properties and city streets. No building permit shall be issued until the City approves the proposed concealment techniques.

10. The maximum height of the replacement WCF on the Property shall be 65-feet above the finished adjacent grade which will require verification by a Washington State licensed professional surveyor prior to final building inspection approval

11. All components of the WCF on the Property shall be painted in a nonreflective green color that matches the predominate visual background so as to visually blend with the natural surroundings. The City has the discretion to approve or reject the proposed color. This condition shall also be a condition of building permit issuance. Continued maintenance of the approved color shall be a condition of building permit issuance. The proposed color will be submitted by product name and manufacturers identification.

12. A Non-Administrative Special Use permit may not be transferred, nor subleased, unless the provisions of MMC 16.37.150 are met.

13. Maintenance of the WCF, consistent with MMC 16.37.160, shall be required and made a condition of building permit issuance. Applicants shall provide a re-paint schedule consistent with maintenance of the approved color.

14. Abandoned WCF, as defined by MMC 16.37.170, shall be removed no later than 90 days from date of abandonment.

15. The approved Non-Administrative Variance shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted. A six-month extension may be granted pursuant to MMC 16.72.030(H)(3), if Applicants makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

In the alternative, if the Hearing Examiner determines to approve Applicants' request to install a 70-foot monopile faux tree, then in addition to the proposed conditions 1-15 above, Staff requests the approval be subject to the following conditions:

16. The monopine faux tree shall be a maximum height of 70-feet above the adjacent finished grade as confirmed by a Washington State licensed professional surveyor

17. WCF facilities shall not be located higher than 65-feet on the monopine faux tree.

18. Only decorative branches may be located between 65-feet and 70-feet on the monopine faux tree structure, which shall allow a taper at the treetop for aesthetic reasons.

19. All components of monopine faux tree shall be painted in a nonreflective green color that matches the predominate visual background so as to visually blend with the natural surroundings. The City has the discretion to approve or reject the proposed color. This condition shall also be a condition of building permit issuance. Continued maintenance of the approved color shall be a condition of building permit issuance.

20. A detailed maintenance and repair plan shall be provided as part of a complete permit application.

21. A description of any monopine specific insurance that covers property damages and injury.

Respectfully submitted this April 9, 2025.

By _____
Dawn Reitan, Assistant City Attorney,
on behalf of the City of Medina

_____
Jonathan G. Kesler, AICP, Planning Manager
on behalf of the City of Medina

18. Only decorative branches may be located between 65-feet and 70-feet on the monopine faux tree structure, which shall allow a taper at the treetop for aesthetic reasons.

19. All components of monopine faux tree shall be painted in a nonreflective green color that matches the predominate visual background so as to visually blend with the natural surroundings. The City has the discretion to approve or reject the proposed color. This condition shall also be a condition of building permit issuance. Continued maintenance of the approved color shall be a condition of building permit issuance.

20. A detailed maintenance and repair plan shall be provided as part of a complete permit application.

21. A description of any monopine specific insurance that covers property damages and injury.

Respectfully submitted this April 9, 2025.

Dawn Reitan

Dawn Reitan, Assistant City Attorney,
on behalf of the City of Medina

Jonathan Kesler

Jonathan G. Kesler, AICP, Planning Manager
on behalf of the City of Medina

EXHIBIT 2.a.

CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

October 14, 2024

Christopher DeVoist
9725 3rd Ave NE
Suite 410
Seattle, WA 98115

Via Christopher.devoist@taec.net and regular mail

Re: **Determination of Complete Application**
7800 NE 28th St., Medina 98040
T-Mobile Project SE024818

Non-Administrative Special Use (P-24-034)
Non-Administrative Variance (P-24-035)
SEPA Threshold (P-24-036)

Dear Christpher DeVoist,

The City of Medina has reviewed the referenced Non-Administrative Special Use, Non-Administrative Variance, and SEPA Threshold associated with the modification of an existing facility at 7800 NE 28th St.

Applications P-24-034, P-24-035, and P-24-036 are deemed complete pursuant to MMC 16.80.100. The City will issue a Notice of Application to parties of record in compliance with MMC 16.80.110. The notice will be mailed and posted by City staff within 14 days of the date of this letter pursuant to MMC 16.80.140.

This determination does not preclude the City from requesting additional information. If you have questions, please contact Thomas Carter at tcarter@ldccorp.com or 425.949.0152.

Sincerely,

Steven Wilcox
City of Medina
Director of Development Services
425-233-6409

CC: Rebecca Bennett

EXHIBIT 2.b.

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

NOTICE OF APPLICATION

Proposal: A modification of existing wireless facility - pole replacement.

File No. P-24-034 Non-administrative Special Use
P-24-035 Non-administrative Variance
P-24-036 SEPA Threshold

Applicant: Christ DeVoist (Agent)

Site Address: 7800 NE 28th St, Medina, WA 98039

Other Required Permits: Building Permit

Application Received: July 10, 2024
Determination of Completeness: October 14, 2024
Notice of Application: October 24, 2024

PUBLIC COMMENTS: Pursuant to MMC 16.80.110(B)(7), this application has a public comment period. Please submit public comments no less than 14 days, November 7, 2024, and no more than 30 days, November 23, 2024, from the date of issuance of the Notice of Application.

STATE ENVIRONMENTAL POLICY ACT: The proposal is exempt from environmental (SEPA) review pursuant to WAC 197-11-800(3) and 197-11-800(23)(H).

DETERMINATION OF CONSISTENCY: Pursuant to RCW 36.70B.040, a preliminary determination has found the proposal consistent with the provisions of the Medina Municipal Code.

APPEAL RIGHTS: Any person can comment on the application, receive notice of and participate in any hearings, and request a copy of the decision once made. For P-24-036, pursuant to MMC 16.80.220(A), the decision may be appealed to the hearing examiner withing 14-days of a notice of decision. For P-24-034 and P-24-035, pursuant to MMC 16.80.220(B), the decision may be appealed to King County superior court by filing a land use petition within 21-days pursuant to Chapter 36.70C RCW.

QUESTIONS: The complete application may be viewed either at City Hall, 501 Evergreen Point Rd, Medina WA, 98039, or electronically by emailing the staff contact below.

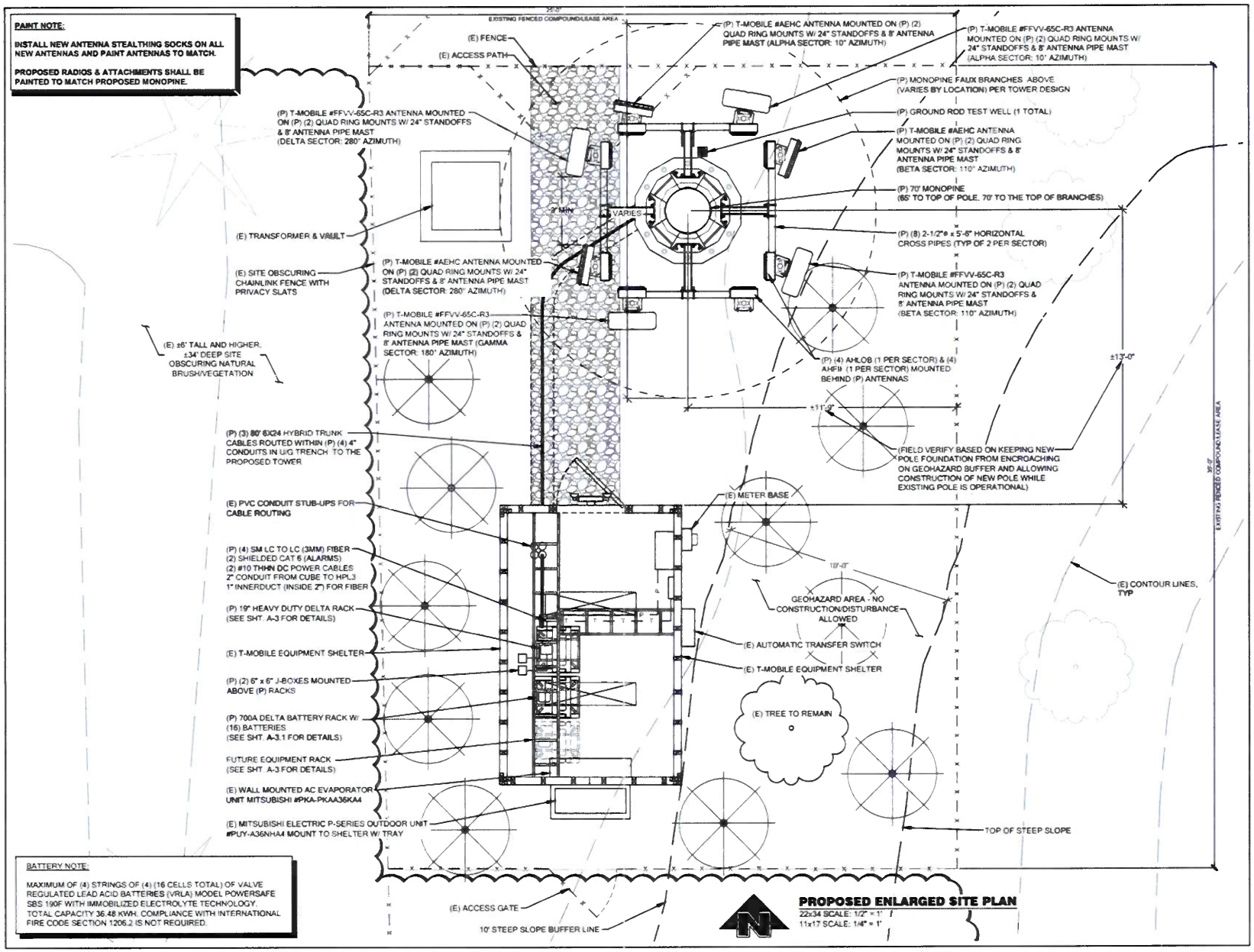
STAFF CONTACT: Jonathan Kesler, AICP, City of Medina Planning Manager, at (425) 233-6416 or jkesler@medina-wa.gov.

Jonathan Kesler

Jonathan Kesler, AICP, Planning Manager

10/24/2024
Notice Issued

Site Plan



T-Mobile
vertical bridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

NO.	DATE:	DESCRIPTION:	CHK. BY:
A	05/17/2024	NEW RFDS v4 12/13/2023	MGM
8	08/23/2023	NEW RFDS v4 07/03/2023	BJT
7	02/22/2023	ISSUED FOR 100% ANCHOR CD	BJT
6	2/7/2022	MINOR REV	BJT
5	1/25/2022	REVISED EMERGENCY GENERATOR LOCATION	BJT
4	12/9/2021	REVISED MONOPINE LOCATION	BJT
3	8/4/2021	MINOR REV PER 1A SURVEY	BJT
2	5/17/2021	REVISED PER REDLINES	BJT
1	4/29/2021	ISSUED DESIGN REVIEW	BJT

PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS AND OMISSIONS. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN WHICH IS RELATED TO NAMED CLIENT IS STRICTLY PROHIBITED.

DRAWING TITLE:

PROPOSED ENLARGED SITE PLAN

DRAWING NUMBER:

A-1.2

EXHIBIT 2.c.

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

City Of Medina
Revised Notice of Application

Proposal: Request for a SEPA Threshold Determination in conjunction with a Non-administrative Special Use Permit (P-24-034) to allow modification of an existing wireless facility with a pole replacement. The applicant also seeks a Non-Administrative Variance (P-24-035) to the height limitation to remove the originally approved 65' tall stealth canister pole and replace it with a new 70' tall "monopine" faux tree pole.

File No. P-24-034 Non-administrative Special Use
P-24-035 Non-administrative Variance
P-24-036 SEPA

Applicant: Chris DeVoist, agent for VB BTS II, LLC and T-Mobile West LLC for owner Bellevue School District, #405

Site Address: 7800 NE 28th St, Medina, WA 98039, Parcel ID # 242504-9104

Other Required Permits: Building Permit

Application Received: July 10, 2024
Determination of Completeness: October 14, 2024
Notice of Application: October 24, 2024
Revised Notice of Application: March 12, 2025

PUBLIC COMMENTS: Pursuant to MMC 16.80.110(B)(7), this application has a public comment period. Public comments shall be submitted within 14 days from the date of issuance of this **Revised** Notice of Application, no later than Wednesday, March 26, 2025, by 4:00 pm.

STATE ENVIRONMENTAL POLICY ACT: **Correction**. The proposal is **not** exempt from environmental (SEPA) review. On March 3, 2025, the City issued a Determination of Non-significance on the proposal, which has been rescinded and withdrawn. On March 12, 2025, the City issued a **Revised** Determination of Non-Significance ("Revised DNS") on the proposal.

DETERMINATION OF CONSISTENCY: Pursuant to RCW 36.70B.040, a preliminary determination has found the proposal consistent with the provisions of the Medina Municipal Code.

APPEAL RIGHTS: Any person can comment on the application, receive notice of and participate in any hearing and request a copy of the decision once made. For P-24-036, per MMC 16.80.220(A), a person may appeal the Revised DNS within 14 days following the issuance, by filing an appeal with the hearing examiner no later than Wednesday, March 26, 2025, by 4:00 p.m. For P-24-034 and P-24-035, pursuant to MMC 16.80.220(B), the decision may be appealed to King County Superior Court by filing a land use petition within 21-days pursuant to Chapter 36.70C RCW.

QUESTIONS: The complete application may be viewed either at City Hall, located at 501 Evergreen Point Rd, Medina WA, 98039, or electronically, by emailing the staff contact below.

STAFF CONTACT: Jonathan Kesler, AICP, City of Medina Planning Manager, at (425) 233-6416 or jkesler@medina-wa.gov

EXHIBIT 2.d.

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

CITY OF MEDINA
DETERMINATION OF NON-SIGNIFICANCE

Proposal: Request for a SEPA Threshold Determination in conjunction with a Non-administrative Special Use Permit (P-24-034) to allow modification of an existing wireless facility with a pole replacement. The applicant also seeks a Non-Administrative Variance (P-24-035) to the height limitation to remove the originally approved 65' tall stealth canister pole and replace it with a new 70' tall "monopine" faux tree pole.

File No. P-24-036 SEPA

Applicants: Chris DeVoist, agent of VB BTS II, LLC and T-Mobile West LLC for owner Bellevue School District, #405

Site Address: 7800 NE 28th St, Medina, WA 98039, Parcel ID # 242504-9104

Lead Agency: City of Medina

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of the completed SEPA Environmental Checklist and other information on file with the lead agency. Pursuant to MMC 16.80.200(B)(4), affected property owners may request a change in valuation for property tax purposes notwithstanding any program or revaluation. This information is available to the public, upon request, by contacting Medina City Hall, Attn: Development Services, 501 Evergreen Point Rd., Medina, WA 98039.

Date of Issuance and Publication: Monday, March 3, 2025
Deadline to Submit Comments: Monday, March 17, 2025

This Determination of Non-significance (DNS) is issued pursuant to WAC 197-11-355, Optional DNS Process. This DNS is final and there is no further comment period.

Responsible Official: Jonathan Kesler, AICP

Title: Planning Manager/SEPA Official

Address: 501 Evergreen Point Rd., Medina, WA 98039 **Telephone:** 425-233-6416

Email: jkesler@medina-wa.gov

Signature: Jonathan Kesler **Date:** 3/3/25
Jonathan Kesler, AICP, Planning Manager

APPEAL PROCESS: Any party of record may appeal a Determination of Non-significance (DNS). The Appeal must be made to the City of Medina Hearing Examiner within **fourteen (14) days** of the Threshold Determination becoming final, per MMC 16.80.220. Appeals must be in writing and contain specific factual objections. Comments may be submitted along with the appropriate Appeal fee to the above address. This may be the only opportunity to comment on the environmental impacts of this proposal.

Posted notice is not to be removed, mutilated, or concealed in any way.

EXHIBIT 2.e.

INSLEE BEST
Skyline Tower
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10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

City Of Medina
Revised Determination of Non-Significance (DNS)

Proposal: Request for a SEPA Threshold Determination in conjunction with a Non-administrative Special Use Permit (P-24-034) to allow modification of an existing wireless facility with a pole replacement. The applicant also seeks a Non-Administrative Variance (P-24-035) to the height limitation to remove the originally approved 65' tall stealth canister pole and replace it with a new 70' tall "monopine" faux tree pole.

File No. P-24-036 SEPA

Applicant: Chris DeVoist, agent for VB BTS II, LLC and T-Mobile West LLC for owner Bellevue School District, #405

Site Address: 7800 NE 28th St, Medina, WA 98039, Parcel ID # 242504-9104

Lead Agency: City of Medina

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of the completed SEPA Environmental Checklist and other information on file with the lead agency. This information is available to the public, upon request, by contacting Medina City Hall, Attn: Development Services, 501 Evergreen Point Rd., Medina, WA 98039.

On March 3, 2025, the City issued a Determination of Non-Significance (DNS), which is hereby rescinded, withdrawn and superseded by this **Revised** Determination of Non-Significance on the proposal.

Date of Issuance and Publication: Wednesday, March 12, 2025
Deadline to Submit Comments: Wednesday, March 26, 2025

This **Revised** Determination of Non-significance (DNS) is issued pursuant to WAC 197-11-340(2), the lead agency will not act on this proposal for 14 days from the date below.

Responsible Official: Jonathan G. Kesler, AICP

Title: Planning Manager/SEPA Official, City of Medina

Address: 501 Evergreen Point Rd., Medina, WA 98039 **Telephone:** 425-233-6416

Email: jkesler@medina-wa.gov

Date: March 12, 2025

APPEAL PROCESS: A party of record may appeal a Determination of Non-Significance (DNS). Per MMC 16.80.220(A), a party may appeal the Revised DNS within 14 days of issuance, by filing an appeal with the hearing examiner no later than Wednesday, March 26, 2025, by 4:00 p.m. Appeals must be in writing, contain specific factual objections and comply with MMC 16.80.220(A)(4). Submit comments, along with the appropriate appeal fee, to the above address. This may be the only opportunity to comment on the environmental impact of this proposal.

EXHIBIT 2.f.

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

CITY OF MEDINA
NOTICE OF A VIRTUAL HEARING

NOTICE IS HEREBY GIVEN that the Medina Hearing Examiner will conduct a virtual public hearing on **Wednesday, April 16, 2025, at 10:00 am** or as called as soon thereafter via Zoom. The purpose of this hearing is to consider testimony for and against the following:

Proposal: Request for a Non-administrative Special Use Permit (P-24-034) to allow modification of an existing wireless facility with a pole replacement. The applicant also seeks a Non-Administrative Variance (P-24-035) to the height limitation to remove the originally approved 65' tall stealth canister pole and replace it with a new 70' tall "monopine" faux tree pole and a SEPA (P-24-036). A **Revised** SEPA Determination of Non-Significance (DNS) was issued on 3/12/25.

File #s: P-24-034 Non-administrative Special Use
P-24-035 Non-administrative Variance
P-24-036 SEPA Threshold Determination

Applicant: Christ DeVoist, Agent, of VB BTS II, LLC and T-Mobile West LLC for owner Bellevue School District, #405

Site Address: 7800 NE 28th St., Medina, WA 98039, Parcel # 242504-9104

YOU ARE INVITED to attend the remote hearing and make oral and written comments. The Hearing Examiner has the discretion to limit testimony to relevant, non-repetitive comments and to set time limits. If you are unable to attend, written comments, photographs, or other exhibits on the application may be submitted to the staff contact or address below before the hearing date. The Hearing Examiner gives equal weight to testimony submitted in person at a hearing and written comments that are submitted. You are eligible to request a copy of the decision post-hearing. If a person does not have access to or is unable to attend the virtual hearing online, then contact the Staff Contact below by Friday, April 11, 2025 by 4:00 to allow sufficient time for the City to set up access to the virtual hearing at City Hall.

For information on how to participate in the remote hearing, please see the City's website for the hearing agenda which will be posted by Wednesday, April 9, 2025, at 4:00 pm. Please either log in or phone in at the beginning of the hearing to participate. If you need special accommodation, please contact the staff below.

APPEAL RIGHTS: Any person can comment on the application, receive notice of and participate in any hearing(s) and request a copy of the decision once made. According to MMC 16.80.220(B), a Type 3 Non-Administrative Variance decision may be appealed to the King County Superior Court. Pursuant to MMC 16.80.220(A), a person may appeal the Revised DNS within 14 days of issuance by filing a written appeal with the hearing examiner no later than March 24, 2025, by 4:00 p.m. Appeals may be submitted to the address noted below. Any timely appeals will be heard at the hearing referenced in this notice.

QUESTIONS: Requests for information and/or written comments may be directed to the staff contact below, or Medina City Hall, Attn: Development Services, 501 Evergreen Point Rd, Medina, WA 98039.

STAFF CONTACT: Jonathan G. Kesler, AICP, City of Medina Planning Manager, at (425) 233-6416 or jkesler@medina-wa.gov.

Jonathan G. Kesler

Jonathan G. Kesler, AICP, Planning Manager

3/17/25
Notice Issued

EXHIBIT 3

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

City Of Medina
Revised Determination of Non-Significance (DNS)

Proposal: Request for a SEPA Threshold Determination in conjunction with a Non-administrative Special Use Permit (P-24-034) to allow modification of an existing wireless facility with a pole replacement. The applicant also seeks a Non-Administrative Variance (P-24-035) to the height limitation to remove the originally approved 65' tall stealth canister pole and replace it with a new 70' tall "monopine" faux tree pole.

File No. P-24-036 SEPA

Applicant: Chris DeVoist, agent for VB BTS II, LLC and T-Mobile West LLC for owner Bellevue School District, #405

Site Address: 7800 NE 28th St, Medina, WA 98039, Parcel ID # 242504-9104

Lead Agency: City of Medina

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after a review of the completed SEPA Environmental Checklist and other information on file with the lead agency. This information is available to the public, upon request, by contacting Medina City Hall, Attn: Development Services, 501 Evergreen Point Rd., Medina, WA 98039.

On March 3, 2025, the City issued a Determination of Non-Significance (DNS), which is hereby rescinded, withdrawn and superseded by this **Revised** Determination of Non-Significance on the proposal.

Date of Issuance and Publication: Wednesday, March 12, 2025
Deadline to Submit Comments: Wednesday, March 26, 2025

This **Revised** Determination of Non-significance (DNS) is issued pursuant to WAC 197-11-340(2), the lead agency will not act on this proposal for 14 days from the date below.

Responsible Official: Jonathan G. Kesler, AICP

Title: Planning Manager/SEPA Official, City of Medina

Address: 501 Evergreen Point Rd., Medina, WA 98039 **Telephone:** 425-233-6416

Email: jkesler@medina-wa.gov

Date: March 12, 2025

APPEAL PROCESS: A party of record may appeal a Determination of Non-Significance (DNS). Per MMC 16.80.220(A), a party may appeal the Revised DNS within 14 days of issuance, by filing an appeal with the hearing examiner no later than Wednesday, March 26, 2025, by 4:00 p.m. Appeals must be in writing, contain specific factual objections and comply with MMC 16.80.220(A)(4). Submit comments, along with the appropriate appeal fee, to the above address. This may be the only opportunity to comment on the environmental impact of this proposal.

EXHIBIT 4

INSLEE BEST
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Bellevue, WA 98004
425.455.1234 | www.insleebest.com

PROJECT NARRATIVE
NON-ADMINISTRATIVE VARIANCE APPLICATION
US-WA-7001 EVERGREEN POINT – SCHOOL DIST (T-MOBILE SE02481B)

Submitted to the City of Medina, Washington
Planning Department

Applicant:	VB BTS II, LLC ("Vertical Bridge") 750 Park of Commerce Drive, Suite 200 Boca Raton, Florida 33487 615-347-6725 steve.nicley@verticalbridge.com
Co-Applicant:	T-Mobile West LLC ("T-Mobile") 19807 North Creek Pkwy Bothell, WA 98011 408-314-1398 matt.russo4@t-mobile.com
Representative:	Technology Associates EC INC. 9725 3rd Ave NE, Suite 410 Seattle, WA 98115 **Contact:** Chris DeVoist 206-949-3321 christopher.devoist@taec.net
Property-Owner:	Bellevue School District 405 Contact: Jack McLeod 12111 NE 1st St Bellevue, WA 98005
Project Address:	7800 NE 28th St Medina, WA 98039
Description & Tax Lot:	GPS Coordinates: 47.636558, -122.238294 Parcel No. 242504-9104
Zoning Classification:	Public (Parks and Public Spaces)

Technology Associates EC INC. submits this application on behalf of VB BTS II, LLC ("Vertical Bridge") and T-Mobile West, LLC ("T-Mobile"), collectively referred to as the "Applicants," and the underlying property owner.

Vertical Bridge is an infrastructure provider to T-Mobile. Infrastructure providers, such as Vertical Bridge, specialize in developing, constructing, leasing, and maintaining the physical components for wireless networks, including cellular towers. Infrastructure providers lay the physical groundwork that supports wireless communication networks. Wireless carriers, such as T-Mobile, lease space on this infrastructure to house their equipment and offer wireless services to end users. Through strategic partnerships with wireless carriers, Vertical Bridge allows the opportunity for multiple carriers to collocate onto a single support structure and reduces the physical footprint of wireless facilities in the community.

1. T-MOBILE'S PROPOSED IMPROVEMENTS IN MEDINA BROADLY

T-Mobile has comprehensively reviewed its wireless service challenges in the City of Medina (the "City") , its customers' demands for improved capacity and coverage, and the existing wireless infrastructure located in the City, including facilities owned by both T-Mobile and others. Overall, T-Mobile's existing service is limited due to constraints on existing facilities and limited opportunities to place new facilities in the City. Currently:

- Much of the City does not have reliable, in-building signal levels to support T-Mobile Home Internet and other voice/data services
- T-Mobile's network capacity is significantly limited, undermining network speeds and overall reliability of T-Mobile service within the City

Broadly, T-Mobile seeks to improve existing wireless infrastructure without proposing a new tower in Medina, thereby limiting the overall visual impact and disruption to the community. T-Mobile is flexible on design options for upgrading its existing facilities to accommodate additional frequencies and technologies, and it sought input from the Medina City Council in May. The Applicants' proposed design is based, in part, on Councilmembers' reactions to the design options presented.

The project proposed with this application is a critical part of T-Mobile's broader service plan for Medina. The existing site only operates at two frequencies today (700 MHz and 2100 MHz). To meet its coverage objectives, T-Mobile must upgrade this existing site, adding antennas, frequencies,[1] and new technologies such as 5G, while still meeting the City's requirements and expectations for concealment and stealthing. Importantly here, it is technically infeasible for T-Mobile's upgrades to be physically contained within the existing canister, such as the existing

[1] T-Mobile has Federal Communications Commission ("FCC") Licenses for seven frequency bands to provide service in Medina; at this time, the constrained, existing facility designs only support two out of seven frequency bands.

stealth design, without expanding the canister to at least 80" diameter, which will make the facility unnecessarily visually imposing. In contrast, with the proposed monopine design, T-Mobile may add and conceal its new antennas and equipment in a way that visually blends into the existing trees close nearby, which provide a screen when viewed from one side and a backdrop when viewed from another.

The Applicants are proposing a monopine manufactured by Solar Communications International ("SCI"), which offers a high-end design with a generous branch density of greater than three branches per foot. SCI's on-staff architect and crews will install the branching to ensure the proposed camouflage is effective.

2. PROJECT OVERVIEW

Vertical Bridge is proposing to upgrade an existing wireless facility that was approved by the city of Medina in 2017 under special use permit and non-administrative variances in PL-16-034 & PL-16-036 (the "Facility"). This upgrade is required for T-Mobile to improve coverage and add new frequencies and technologies to the Facility, thereby providing improved and additional wireless service to customers in the surrounding area. The current structure type (a monopole with a 36-inch canister design) has physical constraints that can only conceal the existing 3G/4G frequencies/technologies and do not allow for any upgrades or additions of new frequencies or technologies. To accommodate T-Mobile's installation of antennas and ancillary equipment needed to provide planned additional and improved services, Vertical Bridge is proposing to replace the existing 65' stealth canister pole with a replacement 65' monopine pole with a 70' overall height including the branches.

The Applicants intend for its application for the modification of the WCF to include the following documents (collectively, "Applicants' Application"):

- Attachment 1—Project Narrative (this document)
- Attachment 2—Statement of Code Compliance
- Attachment 3 - Non-administrative Variance Checklist and Application
- Attachment 4—Signed property owner declaration of agency
- Attachment 5—Proof of ownership – Deed
- Attachment 6— Site Plan
- Attachment 7—Plan Set
- Attachment 8—Photographic Simulations
- Attachment 9—Mailing Label Maps
- Attachment 10—Mailing labels in word format
- Attachment 11—NIER Report
- Attachment 12— FCC Licenses

- Attachment 13— RF need letter from RF engineer & Coverage Objective and Engineering Justification
- Attachment 14— Map of all T-Mobile facilities in and surrounding Medina
- Attachment 15— City of Medina pre-application correspondence
- Attachment 16— Original land use decisions – staff report and hearing examiner approval (SUP PL-16-034 and Variance PL-16-036)
- Attachment 17 – Letter from T-Mobile to Mayor and City Council in response to council meeting comments.

As shown in Applicants' Application for the special use permit, this proposed project meets all applicable provisions of the City of Medina Unified Development Code, Chapter 16.37, governing wireless communications facilities, except for the height variance sought through this application. The project will also comply with all other applicable state and federal laws and regulations. Moreover, the proposal is the least intrusive means of meeting T-Mobile's coverage objectives for this service area. Accordingly, the Applicants respectfully request the City of Medina to approve this project as proposed, subject only to the City's standard conditions of approval.

3. PROPOSED PROJECT DETAILS

3.1. Location

Detailed information regarding the subject property and existing lease area is included in **Attachment 7 – Plan Set**, to Applicants' application.

3.1.1. Subject property. The subject property of this proposal is located at 7800 NE 28th Street in the City of Medina (the "Property"). The Property is owned by Bellevue School District 405. The Property is zoned as Public (Parks and Public Spaces) and is currently used primarily as a school/church, with the secondary use of a wireless communications facility.

3.1.2. Lease area.

- The 35' x 25' lease area is existing as approved under special use permit and non-administrative variances PL-16-034 & PL-16-036 (the "Lease Area"). There is no expansion proposed to this existing lease area.
- The Lease Area is surrounded by a 6' tall chain link fence with non-reflective black privacy slats. The Lease Area is accessed via an existing locked 10' wide double swing gate that matches the fence. The existing fence and gate are as approved under special use permit and non-administrative variances PL-16-034 & PL-16-036 and will not be modified under this proposed project.

3.1.3. Access and parking. The existing 12' wide gravel driveway/easement for ingress/egress and parking/access is as approved under special use permit and non-administrative variances PL-16-034 & PL-16-036, and it will not be modified by this proposal.

3.2. Wireless Facilities and Equipment

Specifications for the facilities outlined below, including a site plan, can be found in **Attachment 6 – Site Plan** and **Attachment – 7 Plan Set**, provided with Applicants' Application.

3.2.1. Support structure design. Applicants are proposing to modify the existing Facility by removing the existing 65' stealth pole and replacing it with a 65' monopine (70' overall height w/ branches) to allow for technology and frequency upgrades at the Facility. *See* non-administrative variance application package for height increase. This is, and will remain, an unmanned wireless facility.

The current Facility is out-of-date and needs to be upgraded to all the current T-Mobile licensed frequencies and technologies, including 5G, to provide the best coverage, performance, and experience to wireless handset customers in the surrounding area, as well as provide new services to Medina customers, including T-Mobile home internet, which gives community members more options in providers for their home internet service.

The current standard for T-Mobile technologies requires a significantly larger footprint of antennas and remote equipment to provide those additional technologies and this amount of equipment cannot be installed in the existing small stealth canister of the existing structure. Additionally, a larger replacement canister to accommodate the proposal is not practical as that canister would have to have an unreasonably large diameter that would defeat the purpose of being visually aesthetically pleasing, if it were even structurally feasible to do so.

To accommodate T-Mobile's needed upgrade, Applicants are proposing to replace the existing canister pole with a new monopine faux tree pole. This design will successfully maintain the code requirement of being concealed while allowing the currently proposed, and any future upgrades to the Facility, to be made without the need for continuous replacement of the support structure and its visual profile. Additionally, this monopine will allow for future collocating carriers to consolidate at this structure with their required 5G footprint as well, a requirement of Medina's code, without the physical constraints and limitations of a canister, while in contrast, attempting a canister solution of any kind would take lower space away and make the pole not suitable for future colocations and/or consolidation as required by Medina code. *See* **Attachment 13— RF need letter from RF engineer & Coverage Objective and Engineering Justification** for additional information.

3.2.2. Antennas and accessory equipment

- The monopine will contain T-Mobile 5G and LTE 4G antennas and equipment (7 antennas, 8 remote radio units, 3 hybrid trunk cables, and all associated equipment and hardware).
- The proposed T-Mobile antenna centerlines are 61'-0" and 63'-6" and the proposed T-Mobile antenna tip height is 65'-0".
- All appurtenances will be painted green to match and blend in with the monopine, and antennas will be covered in a tree "sock," which is a sleeve that mimics foliage (similar to a ghillie suit) that breaks up the shape of antennas to allow them to blend in with the surrounding tree branches. *See* **Attachment 8 – Photographic Simulations** for visual detail. All paint will have an anti-glare finish.
- Sufficient space will be made available on the monopine as required for future collocations as required by City's code.

3.2.3. Ground equipment.

- The replacement tower and all ground equipment will be constructed within the existing Lease Area. There is no proposed disturbance outside the existing approved lease area footprint or expansion of the Lease Area.
- The base station equipment is currently located in an existing 12' x 8' equipment building as approved under special use permit and non-administrative variances PL-16-034 & PL-16-036 and modifications to that equipment will remain within the equipment building. There are no outdoor equipment cabinets associated with this project.
- The existing generator is being removed from the site to accommodate the replacement pole. The existing generator was approved in 2021 under B-21-094 & M-21-057 without separate land use having been required.

3.3. Additional Details

3.3.1. Landscaping. Landscaping within the Lease Area was previously approved under PL-16-034 & PL-16-036. The landscaping will not be modified or impacted by this proposal.

3.3.2. Lighting. There is no existing or proposed lighting associated with the Facility. The structure is not required to be lit under Federal Aviation Administration guidelines, and there is no other lighting proposed.

3.3.3. Geohazard Area. The existing previously identified geohazard area is shown on the plans and addressed in the associated SEPA submittal package documentation. This project does not impact the geohazard buffer area.

4. T-MOBILE NETWORK COVERAGE AND SERVICES

4.1. Overview—T-Mobile 4G & 5G Coverage

T-Mobile is upgrading and expanding its wireless communications network to support the latest 4G LTE and 5G technology. 4G and 5G stand for "4th Generation" and "5th Generation" and LTE stands for "Long Term Evolution." These acronyms refer to the ongoing process of improving wireless technology standards, now in its 5th generation. With each generation comes improvement in speed and functionality – 4G LTE offers speed up to ten times faster than 3G, and 5G can deliver speeds up to 20 Gbps in ideal conditions. That's nearly 200 times faster than the 4G network.

Most American consumers currently experience wireless connectivity on 4G networks – and are aware of the profound impact on daily life that has occurred from this connectivity. The emerging standard in voice and data telecommunications – 5G – is poised to transform America's reliance on densely populated wireless infrastructure.

5G is the latest iteration of cellular technology. While 5G technology operates on the same radio signals as current 4G/4G LTE networks, it is engineered to transmit data more efficiently. That means superior speeds and support for more connected devices than ever before. The ultra-low latency of 5G means quick response times during data-demanding activities.

There are several components of 5G wireless technology and separate bands of wavelength spectrum used to build a 5G network – low-band (<1GHz), mid-band (1-6GHz), and high-band millimeter wave ("mmWave") (24 GHz and higher):

- **Low-Band Extended Range 5G.** Low-band 5G frequencies are also known as the "coverage layer." Low-band 5G refers to frequencies below 1 GHz used to roll out substantial 5G coverage as quickly as possible. One example is the 600 MHz spectrum deployed by T-Mobile nationwide. A low-band cell site can cover hundreds of square miles and deliver a downlink data rate from 30-75 Mbps download—ideal for uses like streaming HD video. Because low-band signals easily pass through buildings, they offer solid coverage indoors and outdoors and are an effective way to connect parts of rural America where even fixed broadband speeds don't always meet national benchmarks.
- **Mid-Band 5G.** Mid-range frequencies (spanning 1 GHz and 6 GHz) strike a balance between coverage and capacity. Mid-band 5G base stations can transmit and receive high-capacity signals over fairly large areas, and they can represent an ideal mix of performance for the bulk of 5G traffic in metropolitan areas.
- **High-Band mmWave 5G.** High-band 5G uses millimeter-wave (mmWave) frequency bands. High-band is a very specialized part of the 5G offering. Functioning over a shorter radius, it's particularly useful in urban areas and busy venues like stadiums and shopping malls. High-band can simultaneously provide many high-speed connections focused on an area of just a block or two, from a small cell site mounted close to street level.

Using these frequencies together can help T-Mobile's 5G network deliver the increased connectivity, reliability, speeds, and security the public demands. T-Mobile is proposing to deploy low band – 600 and 700 MHz – and mid-band – 1900 and 2100 MHz, as well as 2.5 GHz (Ultra Capacity) – at this Facility for its added 5G service and upgraded 4G service in the area.

After completion of this upgrade, the Facility will be an integral part of T-Mobile's statewide and nationwide communications network. See **Attachment 13 – RF need letter from RF Engineer & Coverage Objective and Engineering Justification.**

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Pursuant to the pre-application meeting held September 13, 2023, the modification to the existing Facility/tower replacement described herein are subject to a Non-Administrative

Special Use Permit (overall approval of the modifications), a Non-Administrative Variance (for the height increase created by the monopine branches), and a separate SEPA determination, and the project must comply with the criteria in the City code's Title 16 – Unified Development Code, Chapter 16.37, Wireless Communication Facilities. *See* **Attachment 2—Statement of Code Compliance** for Applicants' demonstration of compliance with the applicable code.

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- **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

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[3] Id. at ¶ 35.

[4] Id. at ¶¶ 34-42.

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.

7.3.2. 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). The Applicants have included with this application a Non-Ionizing Electromagnetic Radiation Report (NIER report) demonstrating that the proposed Facility will operate in accordance with the FCC's RF emissions regulations. *See* **Attachment 11 NIER Report**. 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.

7.3.3. No discrimination amongst providers. Local jurisdictions 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.

7.3.4. Shot Clock. Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a "reasonable" period of time. 47 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.* According to the Shot Clock rule for "macro" wireless facilities, a reasonable period of time for local government to act on all relevant applications is 90 days for a collocation, with "collocation"[5] defined to include an attachment to any existing structure regardless of whether it already supports wireless, and 150 days for a new structure.

The Shot Clock applies to all authorizations required for siting a wireless facility, including the building permit, and all application notice and administrative appeal periods.

[5] 47 C.F.R. § 1.6002(g).

Pursuant to federal law, the reasonable time period for review of this application is 150 days.

EXHIBIT 5

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

PROJECT NARRATIVE
NON-ADMINISTRATIVE SPECIAL USE PERMIT APPLICATION
US-WA-7001 EVERGREEN POINT – SCHOOL DIST (T-MOBILE SE02481B)

Submitted to the City of Medina, Washington
Planning Department

Applicant:	VB BTS II, LLC ("Vertical Bridge") 750 Park of Commerce Drive, Suite 200 Boca Raton, Florida 33487 615-347-6725 steve.nicley@verticalbridge.com
Co-Applicant:	T-Mobile West LLC ("T-Mobile") 19807 North Creek Pkwy Bothell, WA 98011 408-314-1398 matt.russo4@t-mobile.com
Representative:	Technology Associates EC INC. 9725 3rd Ave NE, Suite 410 Seattle, WA 98115 **Contact:** Chris DeVoist 206-949-3321 christopher.devoist@taec.net
Property-Owner:	Bellevue School District 405 Contact: Jack McLeod 12111 NE 1st St Bellevue, WA 98005
Project Address:	7800 NE 28th St Medina, WA 98039
Description & Tax Lot:	GPS Coordinates: 47.636558, -122.238294 Parcel No. 242504-9104
Zoning Classification:	Public (Parks and Public Spaces)

Technology Associates EC INC. submits this application on behalf of VB BTS II, LLC ("Vertical Bridge") and T-Mobile West, LLC ("T-Mobile"), collectively referred to as the "Applicants," and the underlying property owner.

Vertical Bridge is an infrastructure provider to T-Mobile. Infrastructure providers, such as Vertical Bridge, specialize in developing, constructing, leasing, and maintaining the physical components for wireless networks, including cellular towers. Infrastructure providers lay the physical groundwork that supports wireless communication networks. Wireless carriers, such as T-Mobile, lease space on this infrastructure to house their equipment and offer wireless services to end users. Through strategic partnerships with wireless carriers, Vertical Bridge allows the opportunity for multiple carriers to collocate onto a single support structure and reduces the physical footprint of wireless facilities in the community.

1. T-MOBILE'S PROPOSED IMPROVEMENTS IN MEDINA BROADLY

T-Mobile has comprehensively reviewed its wireless service challenges in the City of Medina (the "City") , its customers' demands for improved capacity and coverage, and the existing wireless infrastructure located in the City, including facilities owned by both T-Mobile and others. Overall, T-Mobile's existing service is limited due to constraints on existing facilities and limited opportunities to place new facilities in the City. Currently:

- Much of the City does not have reliable, in-building signal levels to support T-Mobile Home Internet and other voice/data services
- T-Mobile's network capacity is significantly limited, undermining network speeds and overall reliability of T-Mobile service within the City

Broadly, T-Mobile seeks to improve existing wireless infrastructure without proposing a new tower in Medina, thereby limiting the overall visual impact and disruption to the community. T-Mobile is flexible on design options for upgrading its existing facilities to accommodate additional frequencies and technologies, and it sought input from the Medina City Council in May. The Applicants' proposed design is based, in part, on Councilmembers' reactions to the design options presented.

The project proposed with this application is a critical part of T-Mobile's broader service plan for Medina. The existing site only operates at two frequencies today (700 MHz and 2100 MHz). To meet its coverage objectives, T-Mobile must upgrade this existing site, adding antennas, frequencies,[1] and new technologies such as 5G, while still meeting the City's requirements and expectations for concealment and stealthing. Importantly here, it is technically infeasible for T-Mobile's upgrades to be physically contained within the existing canister, without expanding

[1] T-Mobile has Federal Communications Commission ("FCC") Licenses for seven frequency bands to provide service in Medina; at this time, the constrained, existing facility designs only support two out of seven frequency bands.

the canister to at least 80" diameter, which will make the facility unnecessarily visually imposing. In contrast, with the proposed monopine design, T-Mobile may add and conceal its new antennas and equipment in a way that visually blends into the existing trees close nearby, which provide a screen when viewed from one side and a backdrop when viewed from another.

The Applicants are proposing a monopine manufactured by Solar Communications International ("SCI"), which offers a high-end design with a generous branch density of greater than three branches per foot. SCI's on-staff architect and crews will install the branching to ensure the proposed camouflage is effective.

2. PROJECT OVERVIEW

Vertical Bridge is proposing to upgrade an existing wireless facility that was approved by the city of Medina in 2017 under special use permit and non-administrative variances in PL-16-034 & PL-16-036 (the "Facility"). This upgrade is required for T-Mobile to improve coverage and add new frequencies and technologies to the Facility, thereby providing improved and additional wireless service to customers in the surrounding area. The current structure type (a monopole with a 36-inch canister design) has physical constraints that can only conceal the existing 3G/4G frequencies/technologies and do not allow for any upgrades or additions of new frequencies or technologies. To accommodate T-Mobile's installation of antennas and ancillary equipment needed to provide planned additional and improved services, Vertical Bridge is proposing to replace the existing 65' stealth canister pole with a replacement 65' monopine pole (70' overall height with branches – *See* variance application for additional height).

Also as part of the project, the existing backup generator (approved later in 2021 under separate building and mechanical permits – B-21-094 & M-21-057 – without separate land use approval required) is being removed from the site to make room for the tower replacement project.

There is no ground disturbance proposed outside the existing Facility's previously approved footprint or within the steep slope hazard area (*See* SEPA submittal package).

The Applicants intend for its application for the modification of the WCF to include the following documents (collectively, "Applicants' Application"):

- Attachment 1—Project Narrative (this document)
- Attachment 2—Statement of Code Compliance
- Attachment 3 - Non-administrative special use permit checklist and Application
- Attachment 4—Signed property owner declaration of agency
- Attachment 5—Proof of ownership – Deed
- Attachment 6— Site Plan

- Attachment 7—Plan Set
- Attachment 8—Photographic Simulations
- Attachment 9—Mailing Label Maps
- Attachment 10—Mailing labels in word format
- Attachment 11—NIER Report
- Attachment 12— FCC Licenses
- Attachment 13— RF need letter from RF engineer & Coverage Objective and Engineering Justification
- Attachment 14— Map of all T-Mobile facilities in and surrounding Medina
- Attachment 15— City of Medina pre-application correspondence
- Attachment 16— Original land use decisions – staff report and hearing examiner approval (SUP PL-16-034 and Variance PL-16-036)
- Attachment 17 – Letter from T-Mobile to Mayor and City Council in response to council meeting comments.

As shown in Applicants' Application, this proposed project meets all applicable provisions of the City of Medina Unified Development Code, Chapter 16.37, governing wireless communications facilities, except for the additional the height for which Applicants are seeking a variance. The project will also comply with all other applicable state and federal laws and regulations. Moreover, the proposal is the least intrusive means of meeting T-Mobile's coverage objectives for this service area. Accordingly, the Applicants respectfully request the City of Medina to approve this project as proposed, subject only to the City's standard conditions of approval.

3. PROPOSED PROJECT DETAILS

3.1. Location

Detailed information regarding the subject property and existing lease area is included in **Attachment 7 – Plan Set**, to Applicants' application.

3.1.1. Subject property. The subject property of this proposal is located at 7800 NE 28th Street in the City of Medina (the "Property"). The Property is owned by Bellevue School District 405. The Property is zoned as Public (Parks and Public Spaces) and is currently used primarily as a school/church, with the secondary use of a wireless communications facility.

3.1.2. Lease area.

- The 35' x 25' lease area is existing as approved under special use permit and non-administrative variances PL-16-034 & PL-16-036 (the "Lease Area"). There is no expansion proposed to this existing lease area.

• The Lease Area is surrounded by a 6' tall chain link fence with non-reflective black privacy slats. The Lease Area is accessed via an existing locked 10' wide double swing gate that matches the fence. The existing fence and gate are as approved under special use permit and non-administrative variances PL-16-034 & PL-16-036 and will not be modified under this proposed project.

3.1.3. Access and parking. The existing 12' wide gravel driveway/easement for ingress/egress and parking/access is as approved under special use permit and non-administrative variances PL-16-034 & PL-16-036, and it will not be modified by this proposal.

3.2. Wireless Facilities and Equipment

Specifications for the facilities outlined below, including a site plan, can be found in **Attachment 6 – Site Plan** and **Attachment – 7 Plan Set**, provided with Applicants' Application.

3.2.1. Support structure design. Applicants are proposing to modify the existing Facility by removing the existing 65' stealth pole and replacing it with a 65' monopine (70' overall height w/ branches) to allow for technology and frequency upgrades at the Facility. *See* non-administrative variance application package for height increase. This is, and will remain, an unmanned wireless facility.

The current Facility is out-of-date and needs to be upgraded to all the current T-Mobile licensed frequencies and technologies, including 5G, to provide the best coverage, performance, and experience to wireless handset customers in the surrounding area, as well as provide new services to Medina customers, including T-Mobile home internet, which gives community members more options in providers for their home internet service.

The current standard for T-Mobile technologies requires a significantly larger footprint of antennas and remote equipment to provide those additional technologies and this amount of equipment cannot be installed in the existing small stealth canister of the existing structure. Additionally, a larger replacement canister to accommodate the proposal is not practical as that canister would have to have an unreasonably large diameter that would defeat the purpose of being visually aesthetically pleasing, if it were even structurally feasible to do so.

To accommodate T-Mobile's needed upgrade, Applicants are proposing to replace the existing canister pole with a new monopine faux tree pole. This design will successfully maintain the code requirement of being concealed while allowing the currently proposed, and any future upgrades to the Facility, to be made without the need for continuous replacement of the support structure and its visual profile. Additionally, this monopine will allow for future collocating carriers to consolidate at this structure with their required 5G footprint as well, a requirement of Medina's code, without the

physical constraints and limitations of a canister, while in contrast, attempting a canister solution of any kind would take lower space away and make the pole not suitable for future colocations and/or consolidation as required by Medina code. *See* **Attachment 13— RF need letter from RF engineer & Coverage Objective and Engineering Justification** for additional information.

3.2.2. Antennas and accessory equipment

- The monopine will contain T-Mobile 5G and LTE 4G antennas and equipment (7 antennas, 8 remote radio units, 3 hybrid trunk cables, and all associated equipment and hardware).
- The proposed T-Mobile antenna centerlines are 61'-0" and 63'-6" and the proposed T-Mobile antenna tip height is 65'-0".
- All appurtenances will be painted green to match and blend in with the monopine, and antennas will be covered in a tree "sock," which is a sleeve that mimics foliage (similar to a ghillie suit) that breaks up the shape of antennas to allow them to blend in with the surrounding tree branches. *See* **Attachment 8 – Photographic Simulations** for visual detail. All paint will have an anti-glare finish.
- Sufficient space will be made available on the monopine as required for future collocations as required by City's code.

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3.3.2. Lighting. There is no existing or proposed lighting associated with the Facility. The structure is not required to be lit under Federal Aviation Administration guidelines, and there is no other lighting proposed.

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[4] Id. at ¶¶ 34-42.

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.

7.3.2. 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). The Applicants have included with this application a Non-Ionizing Electromagnetic Radiation Report (NIER report) demonstrating that the proposed Facility will operate in accordance with the FCC's RF emissions regulations. *See* **Attachment 11 NIER Report**. 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.

7.3.3. No discrimination amongst providers. Local jurisdictions 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.

7.3.4. Shot Clock. Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a "reasonable" period of time. 47 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*. According to the Shot Clock rule for "macro" wireless facilities, a reasonable period of time for local government to act on all relevant applications is 90 days for a collocation,

with "collocation"[5] defined to include an attachment to any existing structure regardless of whether it already supports wireless, and 150 days for a new structure.

The Shot Clock applies to all authorizations required for siting a wireless facility, including the building permit, and all application notice and administrative appeal periods.

Pursuant to federal law, the reasonable time period for review of this application is 150 days.

[5] 47 C.F.R. § 1.6002(g).

EXHIBIT 6

INSLEE BEST
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SEPA SUBMITTAL STATEMENT
SUPPLEMENTAL SEPA CHECKLIST SUBMITTAL
US-WA-7001 EVERGREEN POINT – SCHOOL DIST (T-MOBILE SE02481B)

Submitted to the City of Medina, Washington
Planning Department

Applicant:	VB BTS II, LLC ("Vertical Bridge") 750 Park of Commerce Drive, Suite 200 Boca Raton, Florida 33487 615-347-6725 steve.nicley@verticalbridge.com
Co-Applicant:	T-Mobile West LLC ("T-Mobile") 19807 North Creek Pkwy Bothell, WA 98011 408-314-1398 matt.russo4@t-mobile.com
Representative:	Technology Associates EC INC. 9725 3rd Ave NE, Suite 410 Seattle, WA 98115 **Contact:** Chris DeVoist 206-949-3321 christopher.devoist@taec.net
Property Owner:	Bellevue School District 405 Contact: Jack McLeod 12111 NE 1st St Bellevue, WA 98005
Project Address:	7800 NE 28th St Medina, WA 98039
Description & Tax Lot:	GPS Coordinates: 47.636558, -122.238294 Parcel No. 242504-9104
Zoning Classification:	Public (Parks and Public Spaces)

PLEASE NOTE:
The enclosed submittal package is a separate supplemental submittal package for the SEPA determination associated with the Non-Administrative Special Use Permit and Non-Administrative Variance application packages that were submitted along with this package. See those application packages for additional information not directly related to the SEPA checklist and determination request.

1. PROJECT OVERVIEW

The proposed project involves replacing an existing stealth canister pole with a new monopine faux tree pole at an existing established wireless facility. The existing wireless facility was approved for SEPA 12/20/2016 by the issuance of a Determination of Nonsignificance issued by the City of Medina under file number PL-16-035 (attached).

The modification to the existing previously approved facility consists of the replacement of the existing pole with the new monopine faux tree and associated antenna and equipment work, which will take place entirely within the lawfully established footprint of the existing facility.

There is no ground disturbance proposed outside of the established footprint. In the original project, a steep slope was identified with a 10' buffer requirement. The existing pole and building were placed outside of this buffer in the original design. The entire current proposal (including the new replacement pole and any ground disturbance) is also outside the buffer, which is shown on the drawings.

The Applicants intend for their application for SEPA determination to include the following documents:

- Attachment 1—SEPA Submittal Statement (this document)
- Attachment 2—Completed SEPA Checklist
- Attachment 3 – Site Plan
- Attachment 4—Plan Set
- Attachment 5— Historic Reference Documentation - Original Facility SEPA Determination of Nonsignificance and Approved Checklist for PL-16-035, original geotechnical engineering evaluation.

All additional project details, narratives, code compliance statements, and a radio frequency ("RF") justification are included in the associated Non-Administrative Special Use Permit and Non-Administrative Variance application packages that were submitted along with this SEPA package. Please refer to those application packages for all additional details not directly related to SEPA review.

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.

One such limitation is directly related to SEPA review. 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). The Applicants have included with their application for this project a Non-Ionizing Electromagnetic Radiation ("NIER") Report demonstrating that the proposed facility will operate in accordance with the Federal Communications Commission's RF emissions regulations. See **Attachment 11 in Non-Administrative Special Use Permit Application Package – NIER Report**. 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.

EXHIBIT 7

INSLEE BEST
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SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [HELP]

1. Name of proposed project, if applicable: **SE02481B Evergreen Pt – School Dist**

2. Name of applicant: **VB BTS II, LLC and T-Mobile West LLC**

3. Address and phone number of applicant and contact person: **Chris DeVoist, Technology Associates EC Inc., 9725 3rd Ave NE, Suite 410, Seattle, WA 98115, 206-949-3321, christopher.devoist@taec.net**

4. Date checklist prepared: **May 14, 2024**

5. Agency requesting checklist: **City of Medina**

6. Proposed timing or schedule (including phasing, if applicable): **2024, timeline dependent on timeline for all required permits to be issued by city of Medina.**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No future projects are currently planned.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None are needed. Existing facility footprint was previously lawfully established to all regulatory requirements, and this project does not have any disturbance outside the previously established footprint of the facility. Any NEPA requirements for towers are governed at the federal level by the Federal Communications Commission ("FCC"). The limits of approval of the original SEPA determination (PL-16-035, copy provided) are not exceeded by this modification.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known at this time.

10. List any government approvals or permits that will be needed for your proposal, if known.

- **SEPA determination (City of Medina)**
- **Non-Administrative Special Use Permit (City of Medina)**
- **Non-Administrative Variance (City of Medina)**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

T-Mobile is proposing to replace an existing 65' tall stealth canister pole with a 70' tall "monopine" faux tree pole, at an existing wireless facility, along with associated antennas and remote ancillary equipment changes and additions on the pole, and

the removal of an existing emergency backup generator. All new ground-based equipment will be within an existing equipment structure. There is no ground disturbance proposed outside the existing, lawfully established and previously approved footprint of the facility. The limits of approval of the original SEPA DNS are not exceeded by this modification.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed project is located within the existing wireless facility compound in the northwest corner of the parcel at 7800 NE 28th St, Medina, WA, King County parcel number 2425049104, SE-24-25-4, see plans for additional detail.

B. Environmental Elements [HELP]

1. *Earth* [help]

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other Existing established compound is flat to gently sloping, moving down to a steep slope buffer outside the proposed disturbance area

b. What is the steepest slope on the site (approximate percent slope)?

There is a ±40% slope to the east of the proposed area of disturbance. A steep slope geohazard setback of 10' was approved under the original land use approval and SEPA DNS, and the current proposal stays outside that established buffer and does not disturb it. Geohazard slope and buffer are shown on plans, and it is demonstrated that the Applicants are not causing disturbance within the previously established/approved buffer.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Very dense, brown, silty sand with gravel. Geotech report was provided to city under previous SEPA review and was approved. Original Geotech is provided with this submittal.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

A drilled pier is required for the new monopine, and a trench from the existing equipment shelter to new monopine will be dug. This ground disturbance is within the previously approved compound area and is outside the geohazard buffer.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Erosion should not occur as a result of construction of this proposal, and BMPs will be followed as described below.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This project will not cause an increase in impervious surface.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Stormwater run-off and erosion control will be managed in accordance with Washington Department of Ecology guidance as stated in the storm water management manual for western Washington and in accordance with city of Medina regulations. Temporary erosion and sediment control will be employed during construction per Medina BMP. The site is stabilized and planted with landscaping as originally approved to control erosion after this project is complete.

.

2. Air [help]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

A small amount of emissions will occur from equipment during the construction of the project. After construction is complete, no emissions will be created by the facility.

The regulation of radio frequency ("RF") emissions is preempted by federal law; Applicants have submitted a NIER report with their applications to demonstrate that the proposed project will comply with federal RF emissions regulations.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No, there are no off-site sources of emissions.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None required.

3. Water [help]

a. Surface Water: [help]

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable. There is no surface water on or in the immediate vicinity of the site.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable

b. Ground Water: [help]

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities

withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No, not applicable.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, not applicable.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None, not applicable.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No, not applicable.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No, not applicable.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None required.

4. Plants [help]

a. Check the types of vegetation found on the site:

_X__deciduous tree: alder, maple, aspen, other
_X__evergreen tree: fir, cedar, pine, other
_X__shrubs
_X__grass
____pasture
____crop or grain
____ Orchards, vineyards or other permanent crops.
____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
____water plants: water lily, eelgrass, milfoil, other

____other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed as part of this project.

c. List threatened and endangered species known to be on or near the site.

None known

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None required

e. List all noxious weeds and invasive species known to be on or near the site.

None known

5. Animals [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

None known. A 2016 biological report concluded that the project will have no effect on threatened or endangered species.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

None known

c. Is the site part of a migration route? If so, explain.

Not that we are aware of at this time.

d. Proposed measures to preserve or enhance wildlife, if any:

None known

e. List any invasive animal species known to be on or near the site.

None known

6. *Energy and Natural Resources* [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The facility is currently powered by commercial power. There is no change to this existing service proposed in this project.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The subject project will have no impact on solar energy.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

There are no conservation features required.

7. *Environmental Health* [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

There are no environmental health hazards associated with this project.

1) Describe any known or possible contamination at the site from present or past uses.

There is no known contamination at this site.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no existing hazardous chemicals/conditions.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

This project will not cause the storage of any hazardous materials at the site.

4) Describe special emergency services that might be required.

No special emergency services will be required as a result of this project.

5) Proposed measures to reduce or control environmental health hazards, if any:

No measures are required.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

No noise in the area will affect the proposed project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There will be some noise during construction of the project. After construction, this project will not cause any increase to the noise created by the facility. The existing generator is to be removed as part of the project, which will reduce potential noise impacts. The HVAC is remaining the same.

3) Proposed measures to reduce or control noise impacts, if any:

No measures are required.

8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Current use of the site is for an existing wireless facility. Replacing the existing canister monopole with a monopine will not affect nearby or adjacent properties.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

This site has not been used as farmland to our knowledge.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

This is not applicable.

c. Describe any structures on the site.

An existing 65-foot canister pole, an equipment shelter, and a generator are located at this facility. The generator is being removed and canister pole replaced. The rest of the property holds a private school/religious institution.

d. Will any structures be demolished? If so, what?

The existing canister pole will be demolished, and its pier foundation will be demolished down below grade. The existing generator and associated pad will be removed. No other structures beyond the wireless facility will be impacted.

e. What is the current zoning classification of the site?

The site is zoned Public (Parks and Open spaces)

f. What is the current comprehensive plan designation of the site?

Parks and Open spaces

g. If applicable, what is the current shoreline master program designation of the site?

This is not applicable.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No part of the site has been classified as a critical area as far as we know.

i. Approximately how many people would reside or work in the completed project?

No people will reside or work in the completed project.

j. Approximately how many people would the completed project displace?

The completed project will not displace any people.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None required.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The project has been designed to minimize impacts to the surrounding area. The replacement structural is a stealth structure made to blend in with the surrounding trees.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None required.

9. Housing [help]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

The project will not provide any housing.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

No measures are required.

10. Aesthetics [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The replacement structure is a 70' tall monopine stealth structure.

b. What views in the immediate vicinity would be altered or obstructed?

No views in the immediate vicinity will be altered or obstructed, except that the replacement monopine structure will blend more with the adjacent tree line. The modification will produce no detrimental impact to views.

b. Proposed measures to reduce or control aesthetic impacts, if any:

Proposed replacement structure is a stealth monopine faux tree meant to blend in with the surrounding trees.

11. Light and Glare [help]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The proposal will not produce any light or glare. All surfaces will be painted in a non-glare finish.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

There will be no light or glare from the proposed project.

c. What existing off-site sources of light or glare may affect your proposal?

No existing off-site sources of light or glare will affect the proposal.

d. Proposed measures to reduce or control light and glare impacts, if any:

No measures are required.

12. Recreation [help]

a. What designated and informal recreational opportunities are in the immediate vicinity?

520 Bridge View Park and Fairweather Park and nature preserve are to the north

b. Would the proposed project displace any existing recreational uses? If so, describe.

The proposal will not displace any recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No measures are required.

13. Historic and cultural preservation [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

No. There is no substantial change to the facility to cause a new impact on any historic properties would they be present nearby. A Section 106 (National Historic Preservation Act) review of historic properties was completed, and no historic properties/locations were identified.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No. Before wireless facilities are constructed, any nearby tribes are contacted and consulted as part of the federal approval process. A review was conducted per federal guidelines, the area tribes were contacted, and there are no tribal locations nearby.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The facility was determined compliant under Section 106 (National Historic Preservation Act), and under section IV of the nationwide agreement regarding Section 106 review process, through tribal notification and consultation.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None required.

14. Transportation [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This site is off of Evergreen Point Road

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The site is un-manned and does not require public transit. This project will not change that.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

This project will have no impact on existing parking or cause any new parking.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No. This proposal will not require any improvements.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The project will not use water, rail or air transportation.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Once the project is completed, vehicular trips to the subject site would generally be one time per month. This would usually be by way of passenger vehicle.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

There would be no impact to the subject proposal.

h. Proposed measures to reduce or control transportation impacts, if any:

None required.

15. Public Services [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The project will not result in the need for public services.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None required.

16. Utilities [help]

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other **Fiber-optic**

The subject site has commercial power and fiber-optic service that is existing as previously approved and remains unchanged.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Existing utilities services will not be changed by this proposal.

C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee – **Chris DeVoist**

Position and Agency/Organization- **Agent for T-Mobile West LLC, VB BTS II, LLC and property owner.**

Date Submitted: **June 27, 2024**

D. Supplemental sheet for nonproject actions [HELP]

(**IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

N/A

Proposed measures to avoid or reduce such increases are:

N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

N/A

Proposed measures to reduce or respond to such demand(s) are:

N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

N/A

EXHIBIT 8

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STATEMENT OF CODE COMPLIANCE
WCF NON-ADMINISTRATIVE VARIANCE PERMIT APPLICATION
US-WA-7001 EVERGREEN POINT – SCHOOL DIST (T-MOBILE SE02481B)

Submitted to the City of Medina, Washington
Planning Department

Applicants' proposal complies with all requirements of Medina Municipal Code Section 16.72.030 (Nonadministrative variance) as addressed in this Statement of Code Compliance.

PLEASE NOTE: Applicants' responses to the above referenced criteria are indicated below each applicable provision in ***bold italicized blue text***.

16.72.030. Nonadministrative variance.

A. ***Purpose.*** **The purpose for a nonadministrative variance is to provide property owners relief from certain provisions of this title where conditions justify such relief on a case-by-case basis.**

Applicants' Response:

Applicants seek this height variance consistent with the height variance the City previously approved in 2017 (PL-16-036), which was based in part on T-Mobile's demonstration that it had a significant gap in wireless service and that its proposal was the least intrusive means of closing the gap.[1] Since 2017, demand for T-Mobile's wireless service has continued to increase and T-Mobile must upgrade its area network to meet this demand and add new technologies. Faced with the need to upgrade T-Mobile's wireless service in Medina and the nearby vicinity, Applicants are improving the stealth features of the existing facility (converting a canister pole into a monopine) and such stealth features require an additional five feet in height to maintain T-Mobile's existing antenna tip height.

B. ***Applicant.*** **Any owner may submit an application for a nonadministrative variance.**

Applicants' Response:

The variance application includes a signed property owner declaration of agency.

C. ***Procedures.*** **Nonadministrative variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.**

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[1] *See* Conclusion No. 2, page 23, in City of Medina Hearing Examiner Decision for PL-16-036, in **Attachment 16 – Original Land Use Decisions**.

Applicants' Response:

Applicants have filed for Type 3 review.

D. ***Applicability.*** **Circumstances where relief from a dimensional standard is sought subject to the limitation set forth in subsection (E) of this section.**

Applicants' Response:

Applicants seek relief from a dimensional standard (height) and address the limitations of subsection (E) below.

E. ***Limitations.***

1. **Nonadministrative variances may be granted where the application of a dimensional standard would result in an unusual or unreasonable hardship due to physical characteristics of the site;**
2. **Evidence of other variances granted under similar circumstances shall not be considered in the granting of a nonadministrative variance; and**
3. **No variance shall be granted for any of the following:**
   a. **To alter any definition or interpretation of this title;**
   b. **To alter any provision establishing a use within a zoning district; or**
   c. **To alter any procedural provisions.**

Applicants' Response:

In 2017, the City of Medina Hearing Examiner found that the strict application of the 35-foot maximum height standard would result in an unusual or unreasonable hardship.[2]

While generally evidence of other variances granted under similar circumstances are not to be considered under subsection (E), Applicants ask that the City's 2017 approval of the variances for the existing wireless facility (PL-16-036), including a height variance allowing 65' in height, be considered in this minor additional height increase.

Applicants do not propose to alter a definition/interpretation, alter permitted uses, or alter the City's required process.

F. ***Criteria for approval.*** **The decision authority may approve a nonadministrative variance only if the following criteria are satisfied:**

1. **The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and**

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[2] See City of Medina Hearing Examiner Decision for PL-16-036, in **Attachment 16 – Original Land Use Decisions**.

Applicants' Response:

In 2017, the City of Medina Hearing Examiner did not find that the height variance allowing 65 feet constituted a special privilege.[3]

The variance requested now is to extend the 65' height granted under variance permit PL-16-036 to a maximum height of 70'. This minor height increase is needed to allow the replacement structure proposed under Applicants' associated non-administrative special use permit application to include the decorative branches needed for the monopine faux tree structure to taper at the "treetop" for aesthetic reasons. This height increase does not elevate T-Mobile's antenna tip height but rather provides an aesthetic benefit (the replacement structure's ability to remain a stealth structure), and accommodates future colocation and consolidation, both required by code. This proposal does not grant any special privileges to the Applicants.

2. **The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and**

Applicants' Response:

In 2017, the City of Medina Hearing Examiner concluded that the height variance was "necessary because of special circumstances relating to the topography, location, and surroundings of the subject property."[4]

The variance requested today is to extend the height approved previously by five feet to allow for the replacement structure, which is a monopine faux tree, to have decorative branches above the tops of the antennas. If the additional height is not granted, the structure would have a squared off, unnatural appearance at the top and this would impact the replacement structure's stealth characteristics and aesthetic appearance. The additional 5' of height is necessary for the stealth structure to fulfill the stealth requirements per code and the original approvals.

3. **The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant; and**

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[3] See City of Medina Hearing Examiner Decision for PL-16-036, in **Attachment 16 – Original Land Use Decisions.**

[4] *See* Conclusion No. 2, page 23, in City of Medina Hearing Examiner Decision for PL-16-036, in **Attachment 16 – Original Land Use Decisions**.

Applicants' Response:

In 2017, the City of Medina Hearing Examiner concluded that the height variance was necessary to relieve a hardship.[5]

Today, T-Mobile cannot reasonably upgrade this facility to its current licensed technologies and add new technologies (5G) without replacing the existing stealth canister pole with a monopine faux tree structure (maintaining the canister design would require an 80" canister). The antennas cannot be lowered, as this would reduce the facility's RF footprint, which is already restricted due to the limited height of the existing facility. The replacement structure must have this additional 5' above the tops of the antennas for a natural branch taper to fulfill its required purpose as a stealth structure.

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and**

Applicants' Response:

The additional height for tree branch taper will help the structure blend in better with the surrounding stand of trees and thus improve the aesthetic impact of the replacement structure, benefitting the surrounding area. There are no other impacts on the surrounding area by the proposed height increase other than the positive one listed above.

5. **The variance is the minimum necessary to provide reasonable relief.**

Applicants' Response:

The minimum that the monopine faux tree structure must extend above the top of pole/top of antennas to allow for a natural and aesthetically appropriate branch taper so that it can resemble a tree is 5'. Applicants are only requesting that minimum and only for the purpose of stealthing.

G. ***Conditions of approval.*** **The decision authority may attach reasonable conditions to safeguard the public health, general welfare and safety.**

Applicants' Response:

Understood.

H. ***Lapse of approval.***

1. **An approved nonadministrative variance shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and**

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[5] Id.

2. **Expiration of the nonadministrative variance is automatic and notice is not required; and**

3. **The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.**

Applicants' Response:

Understood.

EXHIBIT 9

INSLEE BEST
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STATEMENT OF CODE COMPLIANCE
WCF NON-ADMINISTRATIVE SPECIAL USE PERMIT APPLICATION
US-WA-7001 EVERGREEN POINT – SCHOOL DIST (T-MOBILE SE02481B)

Submitted to the City of Medina, Washington
Planning Department

Applicants' proposal complies with all requirements of the City of Medina's Unified Development Code (Title 16), Chapter 16.37 Wireless Communication Facilities, as well as the City's special use criteria (MMC 16.72.010), which are addressed in this Statement of Code Compliance in the following order:

Wireless Facilities Requirements

- Title 16 Unified Development Code Chapter 16.37. Wireless Communication Facilities.
- MMC 16.72.010 (Nonadministrative special use permit/conditional use permit)

PLEASE NOTE: Applicants' responses to the above referenced criteria are indicated below each applicable provision in ***bold italicized blue text***.

Wireless Facilities Requirements

Title 16 Unified Development Code
Chapter 16.37. Wireless Communication Facilities

16.37.010. Purpose.

The purpose of this chapter is to establish design, permitting, and placement standards for wireless communication facilities that:

A. Provide adequate wireless communication coverage to the residents of the city, the traveling public, and others within the city's jurisdiction;

B. Ensure wireless communication facilities are consistent with the residential character of the city;

C. Establish development standards for wireless communication facilities that are least intrusive and take into account the scale (height and mass), proximity to each other, and the informal landscaping that contribute to the distinctive setting of the community;

D. Maximize the use of any support structure and existing suitable structures and buildings in order to reduce the need to construct or install new support structures; and

E. Protect the public health, safety and welfare.

(Code 1988 § 20.37.010; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

This section is met through Applicants' compliance with the specific code provisions of MMC Chapter 16.37 that fulfill these listed purposes.

16.37.020. Nondiscrimination.

The Federal Telecommunication Act (FTA) provides that the city shall not unreasonably discriminate among providers of functionally equivalent services.

(Code 1988 § 20.37.020; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

Understood that the City will follow applicable federal law on this point.

16.37.030. Applicability.

A. The provisions of this chapter shall apply to all new and expansion and/or alteration of wireless communication facilities located within the boundaries of the city, except for the following:

1. Those facilities used for the primary purpose of public safety by a public agency, such as police, and 911 communications systems;
2. Incidental use of a support structure exempt under subsection (A)(1) of this section by nonpublic entities for the attachment of antennas and ancillary facilities;
3. Wireless radio utilized for emergency communications in the event of a disaster;
4. An antenna that is designed to receive television broadcast signals;
5. An antenna for receiving and sending of amateur radio devices or HAM radios provided the criteria in MMC 16.37.040 are satisfied;
6. An antenna that is one meter or less in diameter or diagonal measurement, which is designed to receive direct broadcast satellite services, including direct-to-home satellite services and those subject to MMC 16.32.060;
7. An antenna that is one meter or less in diameter or diagonal measurement, which is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services;
8. Small wireless facilities as defined in MMC 15.02.020, and which are subject to Chapter 16.38 MMC; and
9. Routine maintenance, repair, and replacement of telecommunication facilities that do not substantially change, as defined in MMC 16.37.190(A)(6), the eligible support structure, and which are subject to MMC 16.37.170.

B. It is the express intent of the city to impose all regulations in this chapter to all land within the city, whether publicly or privately held, including private property, city property, state-owned right-of-way, and/or church property, utility property and school property.

C. See MMC 15.02.020 for additional definitions for terms utilized in this chapter.

(Code 1988 § 20.37.030; Ord. No. 975 §§ 4, 5, 2019; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

Applicants' proposal is not exempt under this section.

16.37.040. Licensed amateur (HAM) radio.

Antennas for the receiving and sending of amateur radio devices (HAM) shall be exempt from the requirements of this chapter provided:

A. The height of the antenna, including any tower, does not exceed the maximum zoning height applicable to the property;

B. The radio is owned and operated by a federally licensed amateur radio station operator, or is used exclusively for "receive only" antenna;

C. No lights of any kind shall be attached to, and no direct or indirect means of artificial illumination shall be employed, on the antenna or tower;

D. Concealment pursuant to MMC 16.37.100 shall be incorporated into the antenna and tower to the extent allowed under the requirements set forth by the Federal Aviation Administration (FAA);

E. Towers shall not be located within any setback areas and must be placed a distance from all property lines and existing residential structures equal to, or greater than, their height (not including the antenna);

F. No signs shall be permitted except as required by federal regulations, where such a sign shall be limited to one in quantity and no larger than 8½ inches by 11 inches;

G. The tower shall not be used for commercial purposes; and

H. Towers must meet all applicable state and federal statutes, rules and regulations, including obtaining a building permit from the city, if necessary.

(Code 1988 § 20.37.040; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

This section is not applicable.

16.37.050. Permitted locations.

Wireless communication facilities may be permitted at the following locations:

A. Properties zoned R-16 district, R-20 district, and SR-30 district containing a nonresidential use identified in the land use inventory set forth in the Medina comprehensive plan; and

B. Properties zoned neighborhood auto and primary state highway; and

C. Properties zoned parks and public places, subject to the limitations set forth in MMC 16.37.060; and

D. All opened and unopened city rights-of-way, regardless of the underlying zoning district.

E. All other locations within the city's jurisdiction are prohibited.

(Code 1988 § 20.37.050; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

This section is met. The proposal is to modify an existing wireless communication facility located at Bellevue Christian School, the site of which is zoned Public.

16.37.060. Parks and public places zoning—Limitations.

A. Wireless communication facilities are prohibited in all portions of city parks, except:

1. Those portions of Fairweather Nature Preserve which are nonforested and adjacent to the state highway right-of-way;

2. Ancillary facilities placed within the interior of a city-owned building; and

3. Antennas mounted on the exterior of city-owned buildings.

B. The determination of whether to allow or not allow the placement of wireless communication facilities within city parks shall be governed by the provisions set forth in Chapter 15.08 MMC, and such policies, procedures, or regulations adopted by the city council relating to the leasing of city property.

(Code 1988 § 20.37.060; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

This section is not applicable because the subject site is not located in a City of Medina park.

16.37.070. Site requirements—Outside of city rights-of-way.

The following site requirements shall apply to wireless communication facilities that are located pursuant to MMC 16.37.050(A), (B), and (C):

A. An antenna and ancillary facility may use an existing nonresidential building as a support structure; provided, that:

1. Only one of the following may be mounted on the building:

a. One tubular panel antenna;

b. One whip antenna; or

c. One nonreflective parabolic dish antenna not more than one foot in diameter.

2. More than one antenna may be mounted on the same nonresidential building when:

a. The added antenna is for the purpose of co-location as prescribed by MMC 16.37.110 provided each telecommunication carrier shall be limited to only one antenna on the same nonresidential building; and/or

b. The added antenna is for a Global Positioning System (GPS) antenna less than 12 inches at its greatest dimension.

3. Ancillary facilities may be located on or off site and shall be placed within the interior of an existing nonresidential building or an equipment housing structure. This provision shall not apply to conduit or cabling for power and/or data.

4. The maximum height of the wireless communication facility, including the height of the antenna, shall not exceed the lower of a height of 35 feet above finished or original grade, whichever is lower, or:

    a. Six feet, eight inches, measured to the top of a tubular antenna above the roof proper at the point of attachment;

    b. Ten feet measured to the tip of whip antenna above the roof proper at the point of attachment;

    c. Five feet measured to the top of a parabolic dish above the roof proper at the point of attachment.

5. Wireless communication facilities, except for security barriers, shall be set back a distance of at least 500 feet from the property line of all residential properties, except when located in an existing nonresidential building, the existing setbacks of the nonresidential building shall apply.

6. In addition to the provisions prescribed by this subsection, if a support structure is attached to an existing nonresidential building, the provisions set forth in subsection (B) of this section shall apply where applicable.

7. Concealment consistent with MMC 16.37.100 is incorporated to minimize visual impacts and provide appropriate screening.

8. Buildings containing a residential occupancy as defined by the building code shall not be utilized as a support structure.

Applicants' Response:

Subsection (A) is not applicable to this project because this wireless facility is not on a building.

B. An antenna may be mounted to a support structure such as a lattice tower, monopole and similar freestanding structures; provided, that:

    1. The support structure shall be designed and placed on the site in a manner that uses existing trees, mature vegetation, and existing structures to:

        a. Screen as much of the total facility from prevalent views;

        b. Provide background in a manner that the total facility blends to the maximum extent feasible into the background with increased sight distances; and

        c. Integrates the existing trees and mature vegetation to the maximum extent feasible with concealment requirements.

Applicants' Response:

The proposal is both designed and placed on site in a manner to use existing natural features (trees and mature vegetation) to screen, provide background, and integrate the facility into the existing site. The replacement structure will be a monopine (integration through design) installed immediately adjacent to a large stand of taller trees (integration through location) so that the faux tree will blend into the trees in the background from one side and be obscured by the trees from the other side.

    2. The maximum height of the wireless communication facility, including the height of the antenna, shall not exceed 35 feet above original or finished grade, whichever is lower.

Applicants' Response:

This facility was approved by the city of Medina in 2017 under special use permit and non-administrative variances in PL-16-034 & PL-16-036 to have an overall height of 65'. The replacement pole will also be 65,' but it will require an additional 5' of height for faux branches above the top to create a natural taper to the tree design. This design feature creates an overall height of 70'. The Applicants are applying for a variance for the additional 5 feet required for stealthing as instructed in the City's pre-application correspondence.

3. The maximum height in subsection (B)(2) of this section may be increased up to 80 feet without a variance if:
    a. The wireless communication facility is located in Fairweather Nature Preserve consistent with MMC 16.37.060(A); and
    b. The increase in height is the minimum necessary to avoid prohibiting or having the effect of prohibiting the provisions of personal wireless services; and
    c. The increase in height supports future co-location on the support structure pursuant to MMC 16.37.110; and
    d. All other applicable provisions of this chapter are followed.

Applicants' Response:

In its variance application, the applicant is requesting an overall height increase from the previously approved 65', to 70' to accomplish the city of Medina requirements for concealment /stealthing. The additional height is required only to accommodate decorative branches in a tapered design. The Applicants do not benefit from this additional height as the antennas remain at their current heights.

In the alternative to (or together with) the requested variance, the City may find under subsection (3)(b) above that the proposed height is the minimum necessary to avoid having the effect of prohibiting personal wireless services, as the City Hearing Examiner previously found in PL-16-034 and -036,[1] while still incorporating a stealth design.

4. Wireless communication facilities, except for security barriers, shall be set back a distance of at least 500 feet from the property line of all residential properties.

Applicants' Response:

The location of the wireless facility was approved by the city of Medina in 2017 under special use permit and non-administrative variances in PL-16-034 & PL-16-036, in which an approximately 98-foot setback was approved, as measured from the equipment shelter. The distance from residential properties will not be decreased by this proposal because the branches on the proposed monopine are expected to extend westward only to the outer wall of the existing shelter.

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[1] City of Medina Hearing Examiner Decision for PL-16-036, in **Attachment 16 – Original Land Use Decisions**.

5. Ancillary facilities may be located on or off site and shall be placed within the interior of an existing nonresidential building or an equipment housing structure. This provision shall not apply to conduit or cabling for power and/or data.

Applicants' Response:

New/replacement ancillary facilities are proposed to be located within an existing equipment shed/structure. No outdoor equipment is proposed.

6. Concealment consistent with MMC 16.37.100 is incorporated to minimize visual impacts and provide appropriate screening.

(Code 1988 § 20.37.070; Ord. No. 975 § 6, 2019; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

The modified facility is designed as a monopine and will continue to be screened to blend in with the surrounding trees and foliage to be consistent with MMC 16.37.100 screening requirements.

16.37.080. Site requirements—City rights-of-way.

The following site requirements shall apply to wireless communication facilities that are located pursuant to MMC 16.37.050(D):

A. Antennas shall be mounted to an existing utility support structure, except as provided in subsection (E) of this section.

B. The maximum height of the wireless communication facility shall not exceed the height of the existing utility support structure, except up to 15 additional feet of height may be permitted above the existing utility support structure, without a variance, provided:

1. Either the increase in height is established by the applicant as the minimum necessary to avoid prohibiting or having the effect of prohibiting the provisions of personal wireless services within the city, or the increase in height is established by the applicant as the minimum necessary to separate components of the wireless communication facility from the electrical primary lines; and

2. Negative visual impacts on adjacent properties are minimized by incorporating concealment and screening; and

3. The measurement for maximum height of the existing utility support structure shall not include replacements pursuant to subsection (D) of this section.

4. The city may at its discretion require an engineering and technical review as part of a process for approval of the height increase. The selection of a qualified person or party to conduct the engineering and technical review shall be at the discretion of the city with the cost of the engineering and technical review to be borne by the applicant. The engineering and technical review shall address the following:

a. The accuracy and completeness of the submission;

b. The applicability of analysis techniques and methodologies;

c. The validity of conclusions reached; and

d. Any specific engineering or technical issues designated by the city.

C. The placement of wireless communication facilities on utility support structures in the city rights-of-way shall be subject to the following requirements:

1. No minimum setback distance from property lines is required.

2. The applicant must demonstrate the selected location, support structure, and wireless communication facilities will have the least intrusive impact on the high-quality residential setting of the community as described in the Medina comprehensive plan after considering technical, engineering, and other pertinent factors.

3. Utility support structures containing wireless communication facilities owned and/or operated by the same entity or person, or by entities or persons having common ownership or control, shall be separated by a distance of at least 750 feet, or by a distance where no additional wireless communication facilities are visible within the view-shed of the subject pole, whichever distance is less.

    a. Distance shall be measured in a straight line between the bases of the subject poles.

    b. This subsection shall not be construed as granting an exclusive right to any person or entity that would exclude competitors from locating wireless communication facilities in the city rights-of-way. The minimum distance required for separation shall not be applied between wireless communication facilities that are functionally separate and owned and/or operated by different entities having no common ownership or control.

4. Antennas shall meet the following requirements:

    a. Antennas mounted on top of a utility support structure shall not extend outside of the circumference of the pole as measured at the base, except:

        i. Antennas placed inside of a shroud may extend outside the circumference of the pole provided the diameter of the shroud does not exceed 1.25 multiplied by the diameter of the pole as measured at the base; or

        ii. Omni-directional antennas not exceeding four inches in width with a volume of 905 cubic inches or less each may be mounted on a single cross arm attached to the pole provided each antenna is separated from the nearest antenna by a horizontal airspace distance of at least three times the width of the larger antenna.

    b. Antennas mounted to the side of a utility support structure shall:

        i. Not have the furthest point of any antenna (including mounting brackets) extend more than one foot outside of the circumference of the pole measured at the point of attachment, except:

        ii. Omni-directional antennas may be mounted on a cross arm subject to the limitations set forth in subsection (C)(4)(a)(ii) of this section.

    c. More than one antenna may be mounted to a utility support structure.

    d. Concealment is incorporated pursuant to MMC 16.37.100.

5. Conduit required for power and cabling attached to the outside of a utility support structure shall be limited to four inches in diameter per conduit and the total combined diameter of conduit for all wireless communication users at any individual location shall not exceed 16 inches.

6. The hearing examiner may approve deviations from the standards in subsections (B), (C)(3), (4) and (5), and (E) of this section under a nonadministrative special use permit provided the applicant can demonstrate the deviation will satisfy the following criteria:

    a. Without the deviation, the telecommunications provider would be prohibited from providing telecommunication service to the city;

b. The proposed deviation is designed and located in a manner that is in consideration of the values, objectives, and regulations set forth in this chapter, including subsection (C)(2) of this section, the zoning code, and the comprehensive plan, the least intrusive upon the surrounding area;

c. The granting of the deviation will not be detrimental to the public welfare;

d. Reserved.

e. No other less intrusive and feasible existing support structures, or alternative sites are available that do not prohibit or have the effect of prohibiting the provisions of personal wireless services without a deviation from the standard.

7. Ancillary facilities may be located on or off site and shall be placed within the interior of an existing nonresidential building or an equipment housing structure. This provision shall not apply to conduit or cabling for power and/or data.

8. Concealment, consistent with MMC 16.37.100, is incorporated to minimize visual impacts and provide appropriate screening.

9. The purpose statements set forth in MMC 12.28.010 for structures in the unimproved portions of the public's right-of-way are applied as applicable.

D. For purposes of subsection (A) of this section, an existing utility support structure shall include a utility pole that replaces an existing utility pole provided:

1. The replacement is consistent with standard utility pole replacement practices for maintenance or emergencies; or

2. The replacement is for the purpose of accommodating additional wireless communication facilities provided the diameter width of the replacement is not more than 1.5 multiplied by the diameter of the base of the existing pole; or

3. The replacement is for the purpose of accommodating street improvements required by the city; and

4. Except for subsection (D)(3) of this section, the replacement pole shall not be moved more than ten feet from the location of the existing pole (measured from the pole center point of the existing and new pole location).

E. When an existing utility support structure is unavailable due to utilities being located underground, an alternative support structure may be approved by a nonadministrative special use permit provided:

1. Placement is consistent with the provisions set forth in subsection (C) of this section;

2. The height of the wireless communication facility does not exceed a height of 45 feet above the existing grade, except within the neighborhood character preservation district overlay the maximum height shall be the lower of:

a. Thirty-five feet above the existing grade; or

b. The elevation at the highest point of the roof of the nearest single-family dwelling located on the higher elevation side of the support structure.

3. The wireless communication facility is designed in accordance with the following:

a. The antenna and ancillary facilities are incorporated into the interior of the support structure or concealed so as not to be visible from any city street or surrounding neighborhood properties;

b. The support structure is disguised to appear as a decorative or attractive architectural or natural feature, such as a decorative street light, artwork, tree, bush, or similar feature; and

c. Concealment, consistent with MMC 16.37.100, is incorporated to minimize visual impacts and provide appropriate screening.

(Code 1988 § 20.37.080; Ord. No. 975 §§ 7, 8, 2019; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

This section is not applicable because the proposed project is located on private property and not within a right of way.

16.37.090. Security barrier.

If a security barrier is installed that includes a fence, wall or similar freestanding structure, the following shall apply:

A. The height of the structure shall not exceed six feet measured from the point of existing or finished grade, whichever is lower at the exterior side of the structure to the highest point of the structure.

B. A sight-obscuring vegetated landscaped barrier shall be installed and maintained to screen the structure and facilities from adjoining properties and city rights-of-way.

1. Placement of landscape vegetation shall include areas outside of the barrier and shall obscure the site within 12 months.

2. Landscaping and the design of the barrier shall be compatible with other nearby landscaping, fencing and freestanding walls.

C. If a chain-linked fence is used, it shall be painted or coated with a nonreflective color.

D. The limitations set forth for walls and fences in MMC 16.30.010 shall apply. The limitation for a chain-link fence shall not apply if the wireless communication facility is located in the city rights-of-way.

(Code 1988 § 20.37.090; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

The Applicants do not propose to change the existing security barrier.

The existing lease area is surrounded by a 6-foot-tall chain link fence with non-reflective black privacy slats. The existing lease area is accessed via an existing locked 10' wide double swing gate that matches the fence. The existing fence and gate are consistent with the permit the City approved under special use permit and non-administrative variances (PL-16-034 & PL-16-036), and they will not be modified in this proposed project.

The approved landscape plan for PL-16-034 & PL-16-036, which the City approved for building permit in B-17-024, relied on existing trees vegetative screening around the fence and proposed trees to be located within the fenced compound.

16.37.100. Concealment.

All wireless communication facilities must incorporate concealment techniques consistent with this section that screen, hide, or disguise facilities in a manner that makes them visually inconspicuous to the extent technically feasible to surrounding properties and city streets.

A. For building mounted installations the following concealment techniques must be applied:

1. Screening materials matching color, size, proportion, style, and quality with the exterior design and architectural character of the structure and the surrounding visual environment;
2. Antennas must be mounted inside of the building or behind screening whenever possible;
3. Ancillary facilities, except conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, meeting the requirements set forth in subsection (D) of this section;
4. Other techniques that prevent the facility from visually dominating the surrounding area.

Applicants' Response:

This subsection does not apply because this is not a building mounted installation.

B. For support structure mounted installations, such as a lattice tower, monopole and similar freestanding structures, the following concealment techniques must be applied:

1. All components associated with the wireless communication facility mounted on the exterior side of the structure shall be painted to match the predominant color of the support structure;
2. The support structure shall be painted in a nonreflective color that matches the predominate visual background and/or adjacent architecture so as to visually blend in with the surrounding development;
3. In certain conditions, such as locations that are readily visible from a large number of residential properties or public spaces, the city may require additional concealment such as disguising the support structure to appear as an attractive architectural or natural feature;
4. Ancillary facilities, except for conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, meeting the requirements set forth in subsection (D) of this section;
5. Other techniques that prevent the facility from visually dominating the surrounding area.

Applicants' Response:

This subsection is met.

1. ***The project components will be mounted within the faux tree branches that will screen them. Additionally, all components will be painted to match the monopine, and the antennas will be covered in antenna concealment socks that will help them blend into the tree branches.***
2. ***The pole will be painted appropriate non-reflective, natural colors to appear as a tree and blend into the surrounding foliage.***
3. ***The structure will already be disguised as a natural feature (tree).***

4. ***All ground-based ancillary equipment will be placed within the already approved existing shelter at ground level.***
5. ***Not necessary.***

C. For utility support structure installations the following concealment techniques must be applied:

1. Except for antennas mounted on top of a pole, all components associated with the wireless communication facility mounted on the exterior of the pole shall be painted to match the predominant color of the pole or utility attachments to the pole;
2. Antennas mounted on top of the pole may be painted to match the pole, or may be painted to blend into the background;
3. Ancillary facilities, except conduits or cabling for power and/or voice, video, or data lines, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure, meeting the requirements set forth in subsection (D) of this section; and
4. Other techniques that prevent the facility from visually dominating the surrounding area.

Applicants' Response:

This subsection does not apply because the proposal is not on a utility support structure.

D. Equipment housing structures shall employ the following concealment techniques:

1. Except as provided for in subsection (D)(2) of this section, equipment housing structures shall be placed underground and subject to the following:
   a. Up to five inches may be located above the finished or original grade, whichever is lower;
   b. All visible portions of the structure shall be screened from the view of neighboring properties and public places by dense vegetation approved by the city; and
   c. The location of the facility must not interfere with existing uses of public land.
2. Up to two small equipment housing structures containing ancillary facilities may be mounted to the outside of a support structure provided:
   a. It is not technically or economically feasible to locate ancillary facilities within the interior of the support structure;
   b. Each equipment housing structure shall not exceed 4.5 cubic feet in volume, nor protrude more 18 inches as measured perpendicular from the tangent point or surface where the equipment housing structure attaches to the support structure; and
   c. A minimum clearance of ten feet is maintained between the bottom of the equipment housing structure and the ground or sidewalk below.

(Code 1988 § 20.37.100; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

This subsection does not apply because the equipment structure is existing and unmodified by this proposal.

16.37.110. Co-location.

A. An applicant shall, to the extent commercially reasonable, cooperate with owners of existing wireless communication facilities in co-locating additional antennas on support structures.

B. Applicants shall demonstrate that they have made a good-faith effort to co-locate with other support structures currently used for wireless communication facilities, and that no commercially reasonable co-location opportunities that meet the requirements of this Code are available.

C. An applicant shall be considered to have demonstrated a good-faith effort when they can demonstrate that:

1. No existing or approved (but not built) support structures are available within the service area meeting the applicant's engineering requirements;

2. No existing support structures are available which provide or may be practically modified to provide sufficient height to meet the applicant's engineering requirements;

3. No existing support structures are available which provide or may be practically modified to provide sufficient structural strength to support the applicant's proposed antenna and related equipment;

4. The applicant's proposed antenna would cause electromagnetic interference with existing antennas on the support structure, or the existing antennas would cause electromagnetic interference with the applicant's antenna if it is located on the support structure when properly maintained and operated according to applicable law and manufacturer's guidelines; and

5. Other limiting factors are present that render existing support structures unsuitable.

D. In the event a dispute arises as to whether an applicant has exercised good faith in determining co-location opportunities, the city may at its discretion require an engineering and technical review, at the applicant's sole cost and expense, as part of a process for approval of the height increase pursuant to MMC 16.37.080(B)(4).

E. Failure to comply with the co-location requirements of this section may result in the denial of an application or revocation of an existing permit.

F. The city may require new support structures to be constructed so as to accommodate future co-location, based on expected demand for support structures in the service area, provided this requirement would not cause the application to be rejected by the city.

(Code 1988 § 20.37.110; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

Applicants will comply with subsection (F), by constructing the Facility to accommodate future colocation. Importantly here, the conversion of a canister design to a monopine design facilitates such future colocation.

Applicants need not disqualify colocation opportunities elsewhere (Subsections (A)-(E)) because their project is a colocation at an existing facility.

The wireless facility is existing and only being modified by replacing the pole to accommodate T-Mobile's 5G equipment upgrades, which cannot be accommodated by the existing structure. As the facility is already existing as approved by the city of Medina in 2017 under special use permit and non-administrative variances in PL-16-034 & PL-16-036, there is no need to attempt colocation on an alternate structure.

The modifications will not inhibit future carrier colocation. Quite the opposite, as the existing canister stealth pole is very limiting not only to T-Mobile's growth, but also very limiting in accommodating other carrier colocations that would have similar space needs to provide their current services. The proposed replacement monopine will allow T-Mobile to consolidate its equipment into a single centerline, freeing up space on the monopine for each other carrier to use a separate centerline on the structure. This proposal will enhance the facility's ability to help in consolidation of multiple carriers onto a single structure and allow the ability for future upgrades by T-Mobile, as well as any future co-locators, with fewer modifications to the structure.

This proposal is a benefit to consolidation, not a hinderance in any way.

16.37.120. Nonadministrative special use permit required.

Approval of a nonadministrative special use permit is required for all wireless communication facilities pursuant to MMC 16.72.010.

A. An approved nonadministrative special use permit shall become null, void and nonrenewable if the wireless communication facility is not constructed within one year of the date the decision on the nonadministrative special use permit becomes final.

B. The director may grant a six-month extension, if construction has commenced before expiration of the one-year deadline and an extension fee is paid prescribed by the city's fee schedule.

C. The applicant shall maintain the facility to the standards that may be imposed by the nonadministrative special use permit.

D. In addition to the nonadministrative special use permit, construction permits and construction mitigation may also apply.

E. Reserved.

F. Reserved.

G. If a nonadministrative special use permit is for the transfer of ownership or lease and involves no physical changes to the appearance of the wireless communication facility, and the transfer will not modify the conditions of approval prescribed by the nonadministrative special use permit, the director may approve the nonadministrative special use permit as a ministerial decision without the requirement of new noticing.

(Code 1988 § 20.37.120; Ord. No. 975 § 9, 2019; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:
The Applicants are applying for a nonadministrative special use permit as part of this application as well as a nonadministrative variance. Applicants understand the terms of this section. Please see statement of compliance with the criteria in MMC 16.72.010, appearing later in this code compliance statement.

16.37.130. Application submittal requirements.

In addition to other submittal requirements prescribed by code, all applications for wireless communication facilities shall include at least one original and four copies, unless specified otherwise, of the following information:

A. A copy of the FCC license and any other applicable licenses applicable to the intended use of the wireless communication facilities.

Applicants' Response: ***See attachment 12 – FCC Licenses.***

B. A complete description of the proposed facility, including preliminary or conceptual drawings showing dimensions and other relevant information in which to evaluate the facility's compliance with this chapter. All plans shall include the maximum build-out of the proposed facility as anticipated by the applicant at the time of the application.

Applicants' Response: ***See Attachment 7 – Plan Set. Additional information is included in Attachment 1 – Project Narrative.***

C. Reserved.

D. Area map showing the service area and the location of all sites currently operated by the applicant and the carrier provider within the city and a one-mile radius from the city boundaries. Information on each site's targeted area and capability of providing service shall be included.

Applicants' Response: ***See Attachment 14— Map of all T-Mobile facilities in and surrounding Medina and Attachment 13 – Coverage Objective and Engineering Justification.***

E. An evaluation of the view-shed including, but not limited to:

1. A diagram or map showing the view-shed from a site plan perspective;
2. Photo simulations with graphics showing the views and appearance of the components of the wireless communication facility before and after installation; and
3. The views shall be shown from at least four points, which are mutually agreed upon by the director and the applicant, within the impacted vicinity.

Applicants' Response: ***See Attachment 8 – Photographic Simulations.***

F. A site and landscaping plan showing:

1. The location of all existing and proposed wireless communication facilities on the site;
2. Existing structures, trees and other significant site features;
3. Information on the proposed vegetative planting; and
4. Information on the proposed concealment that will be employed.

Applicants' Response: ***See Attachment 7 – Plan Set. Additional information is included in Attachment 1 – Project Narrative.***

G. Documentation demonstrating compliance with non-ionizing electromagnetic radiation (NIER) emissions standards adopted by the Federal Communications Commission.

Applicants' Response: ***T-Mobile's project will comply with radio frequency emissions standards adopted by the Federal Communications Commission ("FCC"). See Attachment 11 – NIER report.***

H. Documentation showing that the proposed facility will not cause interference with other wireless communication facilities and telecommunication devices.

Applicants' Response: ***Not Applicable. The city has no enforcement authority related to RF emissions, and it may not condition, revoke or modify a special use permit on the basis of RF interference ("RFI"). A local jurisdiction may not enforce compliance with FCC guidelines or require mitigation of RFI or cessation of a wireless facility's operation. Southwestern Bell***

Wireless, Inc. v. Johnson County, 199 F.3d 1185 (1999)(local authority may not determine whether RFI exists and/or order that operation from a wireless site be ceased).

I. Signed statements indicating the following:

1. The applicant agrees to allow for the potential co-location of additional wireless communication facilities by other providers on the applicant's structure or within the same site location:

a. Provided all safety and structural requirements are met; and

b. Any future owners or operators will allow co-location.

c. If the applicant does not own the support facility, a consent agreement by the owner is required granting access to other users for the same structure or facility.

Applicants' Response: Not applicable. The facility is existing and was approved by the city of Medina in 2017 under special use permit and non-administrative variances in PL-16-034 & PL-16-036. This proposal is only a modification to the existing approved facility and all requirements for a new facility were previously met.

2. The applicant agrees to remove the wireless communication facility within 90 days after that site's use is discontinued.

Applicants' Response: Acknowledged.

J. A lease agreement with the landholder, or franchise agreement if in a right-of-way, that:

1. Allows the landholder to enter into leases with other providers; and

2. Specifies that if the applicant fails to remove the facility upon 90 days of its discontinued use, the responsibility for removal falls upon the landholder.

Applicants' Response: Not applicable. The facility is existing and was approved by the city of Medina in 2017 under special use permit and non-administrative variances in PL-16-034 & PL-16-036. This proposal is only a modification to the existing approved facility and all requirements for a new facility were previously met.

K. Application permit fee set forth in the fee schedule.

Applicants' Response: Acknowledged. Fees will be paid after receipt of invoice.

(Code 1988 § 20.37.130; Ord. No. 975 § 10, 2019; Ord. No. 900 § 4 (Att. A), 2013)

16.37.140. Radio frequency standards.

A. The wireless communication facility shall comply with federal standards for radio frequency emissions. As a condition of approving a nonadministrative special use permit, the city may require monitoring reports showing compliance. If after review of a report the city finds that the facility does not meet federal standards, the city may revoke or modify the conditions of the nonadministrative special use permit.

B. The applicant shall be responsible to ensure that the wireless communication facility does not interfere with the reception of area television or radio broadcasts. If evidence is found that the wireless communication facility is interfering with such reception, upon receiving written notice from the city, the applicant shall have 60 days to correct the problem, or the city may revoke or modify the special use permit.

(Code 1988 § 20.37.150; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response: ***A NIER report has been provided ensuring compliance with FCC regulations. See Attachment 11 – NIER report.***

In response to subsection (B), the city has no enforcement authority related to RF emissions, and it may not revoke or modify a special use permit on the basis of RFI. A local jurisdiction may not enforce compliance with FCC guidelines or require mitigation of RFI or cessation of a wireless facility's operation. Southwestern Bell Wireless, Inc. v. Johnson County, 199 F.3d 1185 (1999)(local authority may not determine whether RFI exists and/or order that operation from a wireless site be ceased).

16.37.150. Assignment of subleasing.

A. A nonadministrative special use permit for a wireless communication facility may not be transferred or assigned to another owner or lessee unless the assignee obtains a nonadministrative special use permit for the wireless communication facility.

B. No sublease shall be entered into by a provider until the sublessee has obtained a nonadministrative special use permit for its facility.

C. An assignee or sublessee seeking a permit shall submit all data required for an original permit.

(Code 1988 § 20.37.160; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

Understood, subject to the limitations of federal law (e.g., Section 6409) and other provisions of this chapter (MMC 16.37.120(G)).

16.37.160. Maintenance required.

The applicant shall maintain the wireless communication facility consistent with the provisions of this chapter and any conditions imposed by the nonadministrative special use permit. Such maintenance shall include, but is not limited to, maintenance of the paint, structural integrity and landscaping. If the applicant fails to maintain the facility, the city may undertake the maintenance at the expense of the applicant or may revoke the special use permit pursuant to MMC 1.15.540 for noncompliance with the Medina Municipal Code.

(Code 1988 § 20.37.170; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

Understood.

16.37.170. Abandoned facilities.

A wireless communication facility that is unused for more than 90 consecutive days is hereby declared abandoned. Abandoned facilities shall be removed no later than 90 days from the date of abandonment. Failure to remove an abandoned facility is declared a public nuisance and is subject to abatement actions and penalties set forth in Chapters 1.15 and 8.04 MMC.

(Code 1988 § 20.37.180; Ord. No. 900 § 4 (Att. A), 2013)

Applicants' Response:

Understood.

16.37.180. Eligible facilities requests.

A. *Definitions.* The following definitions shall apply to eligible facilities requests only as described in this section:

1. *Base station* means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein nor any equipment associated with a tower. "Base station" includes, without limitation:

    a. Equipment associated with wireless communications services as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

    b. Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antenna systems ("DAS") and small wireless networks).

    c. Any structure other than a tower that, at the time the relevant application is filed (with jurisdiction) under this section, supports or houses equipment described in subsections (A)(1)(a) and (b) of this section that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.

    d. The term does not include any structure that, at the time the eligible facilities request application is filed with the city, does not support or house equipment described in subsections (A)(1)(a) and (b) of this section.

2. *Collocation* means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communication purposes.

3. *Eligible facilities request* means any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

    a. Collocation of new transmission equipment;

    b. Removal of transmission equipment; or

    c. Replacement of transmission equipment.

4. *Eligible support structure* means any tower or base station as defined in this section; provided, that it is existing at the time the relevant application is filed with the city.

5. *Existing.* A constructed tower or base station is "existing" if it has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process; provided, that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is existing for purposes of this definition.

6. *Substantial change.* A modification "substantially changes" the physical dimensions of an eligible support structure if it meets any of the following criteria:

    a. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than ten percent or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than ten percent or more than ten feet, whichever is greater;

b. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

c. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure;

d. It entails any excavation or deployment outside the current site;

e. It would defeat the concealment elements of the eligible support structure; or

f. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment; provided, however, that this limitation does not apply to any modification that is noncompliant only in a manner that would not exceed the thresholds identified above.

7. *Tower* means any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul and the associated site.

8. *Transmission equipment* means equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

B. *Application.* The director shall prepare and make publicly available an application form used to consider whether an application is an eligible facilities request. The application may not require the applicant to demonstrate a need or business case for the proposed modification.

C. *Qualification as an eligible facilities request.* Upon receipt of an application for an eligible facilities request, the director shall review such application to determine whether the application qualifies as an eligible facilities request.

D. *Time frame for review.* Within 60 days of the date on which an applicant submits an eligible facilities request application, the director shall approve the application unless it determines that the application is not covered by this section.

E. *Tolling of the time frame for review.* The 60-day review period begins to run when the application is filed and may be tolled only by mutual agreement by the director and the applicant or in cases where the director determines that the application is incomplete. The time frame for review of an eligible facilities request is not tolled by a moratorium on the review of applications.

1. To toll the time frame for incompleteness, the director shall provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information required in the application.

2. The time frame for review begins running again when the applicant makes a supplemental submission in response to the director's notice of incompleteness.

3. Following a supplemental submission, the director will notify the applicant within ten days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The time frame is tolled in the case of second or subsequent notices pursuant to the procedures identified in this sub-section. Second or subsequent notice of incompleteness may not specify missing documents or information that was not delineated in the original notice of incompleteness.

F. *Determination that application is not an eligible facilities request.* If the director determines that the applicant's request does not qualify as an eligible facilities request, the director shall deny the application.

G. *Failure to act.* In the event the director fails to approve or deny a request for an eligible facilities request within the time frame for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the director in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

(Code 1988 § 20.37.190; Ord. No. 975 § 12, 2019)

Applicants' Response:
Not applicable. The Applicants are not making an eligible facility request.

CHAPTER 16.72. - QUASI-JUDICIAL APPROVALS

16.72.010. Nonadministrative special use permit/conditional use permit.

A. *Purpose.* The purpose of nonadministrative special use and conditional use permits is to allow certain uses which, by their nature, can have an undue impact upon other uses of land within the zoning district, subject to the controls, limitations and regulations of a nonadministrative special use permit/conditional use permit.

Applicants' Response:

Applicants' proposal meets the purpose of this section by meeting the specified criteria, as shown below.

B. *Applicant.* Any owner may submit an application for a nonadministrative special use permit or conditional use permit.

Applicants' Response:

The special use permit application includes a signed property owner declaration of agency.

C. *Procedures.* Nonadministrative special use permit/conditional use permits are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.

Applicants' Response:

Applicants have filed for a Type 3 review.

D. *Applicability.* Uses and activities listed or referenced as requiring a nonadministrative special use or a conditional use permit.

Applicants' Response:

MMC Chapter 16.37 requires a special use permit for Applicants' proposal.

E. *Criteria for approval.* The decision authority may approve a nonadministrative special use permit or nonadministrative conditional use permit only if the following criteria are satisfied:

1. The use complies with the adopted goals and policies set forth in the comprehensive plan;
2. The use is designed to minimize detrimental effects on neighboring properties;

Applicants' Response:

In a 2017 approval of the original facility (PL-16-034), the City's hearing examiner found that the proposed use complies with the goals and policies of the City's comprehensive plan, including the following:

LAND USE ELEMENT:

GOAL LU-G1: To maintain Medina's high quality residential setting and character.

Policy LU-P5: Existing non-residential uses are encouraged to be maintained. Existing nonresidential uses include:

- *Bellevue Christian School*
- *Utilities.*

Policy LU-P9: The City shall afford due consideration to all stakeholders prior to any land use decisions.

COMMUNITY DESIGN ELEMENT:

Public Spaces (page 46):

"The City's large open spaces, Fairweather Nature Preserve, Medina Park, and the Overlake Golf & Country Club, are defining elements of Medina's community character. Medina Beach Park, the two schools [Medina Elementary and Bellevue Christian], and St. Thomas Church and School also contribute to the City's neighborhood character."

GOAL CD-G1: To maintain the informal, natural appearance of the Medina's street rights-of-way and public areas.

PARKS AND OPEN SPACE ELEMENT:

Other Recreational Facilities (page 77):

Three Points Elementary School Playground (Private School on Public Property).
"Located at 7800 NE 28th Street, the school has approximately four acres of land. The playfield is in the westerly portion of the elementary school property that is leased from the Bellevue School District by Bellevue Christian Church."

UTILITIES ELEMENT:

GOAL UT-G1: To maintain utility services sufficient to serve the City's needs.

GOAL UT-G2: To minimize aesthetic and environmental impacts caused by utility services.

Policy UT-P1: The City shall coordinate with applicable service providers to seek repairs and upgrades to existing utility facilities as necessary to maintain and/or improve efficiency, reliability, and/or capacity.

Consistent with UT-G-1: To maintain utility services sufficient to serve the City's needs, the current proposal is to modify and upgrade the existing facility to add wireless capacity and new technologies. The site's use as a wireless communication facility will remain consistent with the goals and policies in the comprehensive plan.

2. The use is designed to minimize detrimental effects on neighboring properties;

Applicants' Response:

As with the previously-approved project, Applicants propose a stealth/concealed design for the tower, antennas, and equipment. What has changed is the character of the proposed design: the original design qualified as stealth due to its internally located antennas, while the proposed new stealth design disguises the facility as a tree, which allows the necessary space to add T-Mobile's additional antennas and supporting equipment.

The change from a canister pole to a monopine will not cause any detrimental effects to the surrounding properties. The monopine will be set against a taller stand of trees behind to either blend into the background from some views, or not be visible at all from others, and the change will not cause any change in impact to the surrounding properties.

3. The use satisfies all requirements specified for the use;

Applicants' Response:

The proposed change to the use satisfies all requirements specified for the use, except for the height limit for which a variance is sought under separate application. As noted, the wireless communication facility was established in 2017, and the proposed project is to modify the established use. Overall, the already established secondary use of the property will remain unmanned wireless communications facility, and the primary use of the property (a school/church) will also remain unaffected by this proposal.

4. The use complies with all applicable zoning and development standards and requirements; and

Applicants' Response:

The use as a wireless communication facility was previously established, and the continuing use will comply with all applicable zoning and development standards, except for the height standard for which a variance is sought under separate application.

5. The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.

Applicants' Response:

In the 2017 City Hearing Examiner decision approving the wireless facility use, the Examiner found no materially detrimental effects on neighboring properties.[2]

Similarly, here, with a design change that still meets the City's standards for concealment, the project will have no detrimental effect. Specifically with reference to potential noise impacts, Applicants are reducing these by removing the generator at the site.

F. *Conditions of approval.* The decision authority may impose reasonable conditions as necessary to safeguard the public health, general welfare and safety.

Applicants' Response:
Understood.

G. *Lapse of approval.*

1. An approved nonadministrative special use permit shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and
2. Expiration of the nonadministrative special use permit is automatic and notice is not required; and
3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

(Code 1988 § 20.72.010; Ord. No. 900 § 5 (Att. B), 2013)

Applicants' Response:

Understood.

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[2] *See* Conclusion No. 1, page 22, in City of Medina Hearing Examiner Decision for PL-16-036, in **Attachment 16 – Original Land Use Decisions**.

EXHIBIT 10

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

City of MEDINA WASHINGTON
DEVELOPMENT SERVICES
501 EVERGREEN POINT ROAD MEDINA, WA 98039
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INSTRUCTIONS FOR A NON-ADMINISTRATIVE CONDITIONAL/SPECIAL USE PERMIT

This packet may be submitted for the following:

- Uses listed as Special Use or Conditional Use in Table 20.21.030 MMC (Land Use Table)
- Reconstruction/ remodeling/ expansion of a nonresidential use pursuant to MMC 20.30.030
- Special uses pursuant to Chapter 20.32 MMC

General Information

A. A complete application is required at the time of submittal. Please answer all questions on the application clearly and completely.

B. The City's application form must be used, however, the project narrative and answers to the criteria questions may be submitted on a separate document.

C. A Notice of Complete Application or Notice of Incomplete Application will be issued within twenty-eight (28) days of submittal.

D. A Non-Administrative Conditional/Special Use permit requires a hearing in front of the Medina Hearing Examiner.

Requirements

I. APPLICATION

NOTE: Deviations from an approved conditional/special use permit at the time of applying for a building permit may result in the request being returned to the Hearing Examiner for further review and cause delay of the project.

A. The following documents are required at the time of submittal, unless otherwise indicated. While final construction drawings are not required for a conditional/special use permit application, all submitted plans, elevations, etc. must be of sufficient detail to clearly show the nature and extent of the proposal and its relationship to other site or project features. A complete application will include:

1. Completed Conditional/Special Use Checklist, Conditional/Special Use Permit Application and Declaration of Agency form

2. Proof of ownership (copy of deed)

3. Site Plan with the following:
   a. Scale and north arrow
   b. Property lines including corner stakes
   c. Lot dimensions
   d. Proposed location of new structure(s) or addition(s)
   e. Dimensions of existing and new structures
   f. Setback dimensions from property lines
   g. All public/private roads
   h. All easements
   i. All other structures on the property

j. Significant natural features
k. Structural calculations, including maximum structural coverage and impervious surface
l. Approximate location of structures on abutting properties with distances delineated

4. A set of drawings that contain the following:
   a. Schematic building plans and elevations
   b. Building height with site sections
   c. Topography at 5' contour intervals
   d. Proposed landscaping and existing vegetation and trees
   e. Area of future development (if any)
   f. Other site or public improvements/information (if any)

B. State Environmental Policy Act (SEPA) checklist for non-residential uses.

C. A word document formatted to Avery address labels containing the names of property owners and their mailing addresses for all properties within 300 feet ***or*** three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. See mailing labels information bulletin for further information.

1. A vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application.

D. Traffic, noise, and/or parking studies (if applicable).

E. Any other perspective drawings, renderings, studies, or information the applicant feels is relevant to support the conditional/special use request.

Procedure

II. CONDITIONAL/SPECIAL USE PROCESS

A. Please submit the items listed above and any other information which may be required by the City at the time the application is filed.

B. **MODIFICATIONS: Changes to an application that has already been submitted and noticed to surrounding property owners may trigger the application to be re-noticed.**

C. Following receipt of the variance application, the City will review the application for completeness and either issue a Notice of Application which includes a public commenting period outlined in MMC 20.80.110(B)(7) or a Notice of Incomplete Application, listing the additional required documentation. Any comments that are received by the public will be forwarded to the applicant for response. A hearing will be schedule with the Medina Hearing Examiner and a Notice of Hearing will be posted, mailed, and published according to the general notice requirements in MMC 20.80.140 at least fifteen (15) days before the hearing date.

D. STAFF REPORT AND MEETING AGENDA: A staff report and meeting agenda will be emailed to the applicant for review a week before the scheduled hearing.

III. PUBLIC HEARING

A. The Hearing Examiner bases his/her decision on the information provided in the application and testimony given at the public hearing. Information provided to the applicant by City staff or consultants regarding previous actions shall in no way be construed to indicate what the Hearing Examiner's decision will be on a given application.

B. At the public hearing all evidence for or against the application will be heard in the following order:

1. The Hearing Examiner will introduce the requested application.

2. Testimony will be heard as follows:
   a. Staff
   b. Applicant and/or their representatives.
   c. Audience in attendance.

3. Correspondence applicable to the case will be provided to the Hearing Examiner.

C. Testimony must be related to the case being considered.

IV. DISPOSITION OF CASES

A. The Hearing Examiner may be prepared to make a final determination on the case following the conclusion of the hearing or may continue the matter if sufficient reason for such action is found.

B. Before any variance may be granted, the Hearing Examiner shall find that all of the following conditions exist in each case of an application for a variance:

1. The use complies with the adopted goals and policies set forth in the comprehensive plan; and

2. The use is designed to minimize detrimental effects on neighboring properties; and

3. The use satisfies all requirements specified for the use; and

4. The use complies with all applicable zoning and development standards and requirements; and

5. The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.

C. The decision of the Hearing Examiner will be issued to City staff ten (10) working days from the public hearing. The decision is effective upon the date of decision. Notices of Decision will be mailed to applicants and other interested parties as soon as possible.

V. EXPIRATION

A. An approved conditional/special use permit shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and

B. Expiration of the variance is automatic, and notice is not required; and

C. The Director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

VI. APPEALS

The decision of the Hearing Examiner may be appealed by filing a land use petition to King County Superior Court within twenty-one (21) days from the date of the decision.

DEVELOPMENT SERVICES
501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

NON-ADMINISTRATIVE CONDITIONAL/SPECIAL USE CHECKLIST

This checklist contains the minimum submission requirements for a non-administrative conditional/special use permit that are due at the time of submittal. Please note that not all items listed may apply to your submittal.

COMPLETE APPLICATION

☒	Conditional/Special Use Checklist
	Complete Conditional/Special Use Application: ☒ Application form ☒ Signature of applicant/agent ☒ All questions answered in full
☒	Declaration of Agency form
☒	Proof of Ownership (copy of deed)
☒	Site Plan with required information
☒	Building plans, elevations, and/or sections with new conditions highlighted
☐ N/A	Documentation of Original Grade (if applicable)
☒	State Environmental Policy Act (SEPA) Checklist for non-residential uses (if applicable)
	Mailing labels – Word doc formatted to Avery address labels ☒ Mailing labels containing the names of property owners and their mailing addresses for all properties within 300 feet **or** three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. ☒ Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application.
☐ N/A	Traffic, noise, and/or parking studies (if applicable)
☒	Perspective drawings, renderings, or additional supporting information (if applicable)

City of MEDINA WASHINGTON

DEVELOPMENT SERVICES

501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

NON-ADMINISTRATIVE CONDITIONAL / SPECIAL USE PERMIT APPLICATION

Complete this form for the following:

- Uses listed as Special Use or Conditional Use in Table 20.21.030 MMC (Land Use Table)
- Reconstruction/ remodeling/ expansion of a nonresidential use pursuant to MMC 20.30.030
- Special uses pursuant to Chapter 20.32 MMC

General Information

Owner Name: Bellevue School District #405

Property Address: 7800 NE 28th ST, Medina, WA 98039

Legal Description:	**Tax Parcel Number:**
S 650 FT OF NW 1/4 OF SE 1/4 LESS RDS LESS STATE HIGHWAY LESS POR PER DEED REC # 20110815000090	242504-9104

Agent / Primary contact

Name: Chris DeVoist	**Email:** christopher.devoist@taec.net
Contact Phone: 206-949-3321	**Alternative Phone:** N/A
Mailing Address: 9725 3rd Ave NE, Suite 410	**City:** Seattle **State:** WA **Zip:** 98115

Property Information

Lot Size: 365,195 S.F.

Critical area(s) located on the property (Ch. 20.50 MMC)?
☒ YES ☐ NO No impact. See SEPA package.

Zoning District: Public

Please check one: ☐ Application for Conditional Use Permit ☒ Application for Special Use Permit

List known variances or special/conditional use permits previously approved for this property:
Non-administrative special use permit PL-16-034 and non-administrative variance PL-16-036.

Please describe any known nonconforming conditions:
No nonconforming conditions known.

Please provide a complete description of the proposed project (attach additional pages if necessary):

Replace existing 65' tall stealth canister pole w/ replacement 70' overall height monopine faux tree structure. The monopine is required to support replacement and additional antennas and supporting equipment necessary for technology upgrades at the facility. The project will remove the existing pole, antennas, and tower-mounted ancillary cabling and equipment, and demolish the foundation to 24" below grade. The project adds a replacement monopine structure with seven (7) new antennas, ancillary remote radio equipment, and support equipment and cabling, as well as modifying existing equipment inside the existing equipment shelter. No ground disturbance outside of existing compound.

Additional height of five feet is addressed in Applicants' associated variance application.

See included project description and narrative for additional information.

Approval Criteria

The following is the approval criteria for a non-administrative conditional/special use permit. Please respond to each item by providing as much detailed information as possible to support your request. Attach additional pages if necessary.

1. **The use complies with the adopted goals and policies set forth in the comprehensive plan:**

See attached Code Compliance Statement.

2. **The use is designed to minimize detrimental effects on neighboring properties:**

See attached Code Compliance Statement.

3. **The use satisfies all requirements specified for the use:**

See attached Code Compliance Statement.

Approval Criteria (continued)

4. **The use complies with all applicable zoning and development standards and requirements:**

See attached Code Compliance Statement.

5. **The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties:**

See attached Code Compliance Statement.`

I certify under the penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) acting on behalf of the owner(s) and that all information furnished in support of this application is true and correct.

Signature _____ Owner ☐ Agent ☒ Date 06/27/2024

Signature _____ Owner ☐ Agent ☐ Date _____

EXHIBIT 11

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

City of MEDINA WASHINGTON
DEVELOPMENT SERVICES
501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

INSTRUCTIONS FOR A NON-ADMINISTRATIVE VARIANCE

This packet may be submitted for the following:

- To request relief from dimensional zoning standards and
- If the relief is not eligible for an administrative variance or minor deviation

General Information

A. A complete application is required at the time of submittal. Please answer all questions on the application clearly and completely.

B. The City's application form must be used, however, the project narrative and answers to the criteria questions may be submitted on a separate sheet of paper.

C. On at least one page of the required drawings, please clearly identify or highlight the area that the variance is being requested for. Include what the requested dimensional zoning departure is numerically (e.g. the proposed additional height, square footage, or reduced setback amount).

D. A Notice of Complete Application or Notice of Incomplete Application will be issued within twenty-eight (28) days of submittal.

E. A Non-Administrative Variance requires a hearing in front of the Medina Hearing Examiner.

Requirements

I. APPLICATION

NOTE: Deviations from an approved variance at the time of applying for a building permit may result in the request being returned to the Hearing Examiner for further review and cause delay of the project.

A. The following documents are required at the time of submittal, unless otherwise indicated. While final construction drawings are not required for a variance application, all submitted plans, elevations, etc. must be of sufficient detail to clearly show the nature and extent of the proposal and its relationship to other site or project features. A complete application will include:

1. Completed Variance Checklist, Variance Application and Declaration of Agency form

2. Proof of ownership (copy of deed)

3. Site Plan with the following:
   a. Scale and north arrow
   b. Property lines including corner stakes
   c. Lot dimensions
   d. Proposed location of new structure(s) or addition(s)
   e. Dimensions of existing and new structures
   f. Setback dimensions from property lines
   g. All public/private roads
   h. All easements

i. All other structures on the property
j. Significant natural features
k. Structural calculations, including maximum structural coverage and impervious surface
l. Approximate location of structures on abutting properties with distances delineated

4. A set of drawings that contain the following:
   a. Schematic building plans and elevations
   b. Building height with site sections
   c. Topography at 5' contour intervals
   d. Proposed landscaping and existing vegetation and trees
   e. Area of future development (if any)
   f. Other site or public improvements/information (if any)

5. When the request is for a height variance, the applicant shall provide documentation that clearly establishes the low point of original grade as outlined in Medina Municipal Code, Chapter 16.23.080.

B. State Environmental Policy Act (SEPA) checklist for non-residential uses.

C. A word document formatted to Avery address labels containing the names of property owners and their mailing addresses for all properties within 300 feet ***or*** three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. See attachment in this packet for further information.

1. Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application.

D. Any other perspective drawings, renderings, studies, or information the applicant feels is relevant to support the variance request.

Procedure

II. VARIANCE PROCESS

A. Please submit the items listed above and any other information which may be required by the City at the time the application is filed.

B. For a variance application requesting a reduction in setbacks, corner survey stakes must be in place and clearly visible at the time of application to allow inspection of the site.

C. **MODIFICATIONS: Changes to an application that has already been submitted and noticed to surrounding property owners may trigger the application to be re-noticed.**

D. Following receipt of the variance application, the City will review the application for completeness and either issue a Notice of Application which includes a public commenting period outlined in MMC 16.80.110(B)(7) or a Notice of Incomplete Application, listing the additional required documentation. Any comments that are received by the public will be forwarded to the applicant for response. A hearing will be schedule with the Medina Hearing Examiner and a Notice of Hearing will be posted, mailed, and published according to the general notice requirements in MMC 16.80.140 at least fifteen (15) days before the hearing date.

E. STAFF REPORT AND MEETING AGENDA: A staff report and meeting agenda will be emailed to the applicant for review a week before the scheduled hearing.

III. PUBLIC HEARING

A. The Hearing Examiner bases his/her decision on the information provided in the application and testimony given at the public hearing. Information provided to the applicant by City staff or consultants regarding previous actions shall in no way be construed to indicate what the Hearing Examiner's decision will be on a given application.

B. At the public hearing all evidence for or against the application will be heard in the following order:

1. The Hearing Examiner will introduce the requested application.

2. Testimony will be heard as follows:
   a. Staff
   b. Applicant and/or their representatives.
   c. Audience in attendance.

3. Correspondence applicable to the case will be provided to the Hearing Examiner.

C. Testimony must be related to the case being considered.

IV. DISPOSITION OF CASES

A. The Hearing Examiner may be prepared to make a final determination on the case following the conclusion of the hearing or may continue the matter if sufficient reason for such action is found.

B. Before any variance may be granted, the Hearing Examiner shall find that all of the following conditions exist in each case of an application for a variance:

1. The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and

2. The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

3. The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant; and

4. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

5. The variance is the minimum necessary to provide reasonable relief.

C. In determining whether to approve an application for a variance, evidence of variances granted under similar circumstances shall not be considered.

D. The decision of the Hearing Examiner will be issued to City staff ten (10) working days from the public hearing. The decision is effective upon the date of decision. Notices of Decision will be mailed to applicants and other interested parties as soon as possible.

E. An approved variance is effective for a period of eighteen (18) months from the date of approval. A variance shall become void at the expiration at that time if the applicant has not filed a complete building permit application prior to the expiration date.

V. APPEALS

The decision of the Hearing Examiner may be appealed by filing a land use petition to King County Superior Court within twenty-one (21) days from the date of the decision.

DEVELOPMENT SERVICES
501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

NON-ADMINISTRATIVE VARIANCE CHECKLIST

This checklist contains the minimum submission requirements for a non-administrative variance that are due at the time of submittal. Please note that not all items listed may apply to your submittal.

COMPLETE APPLICATION

☒	Variance Checklist
	Complete Variance Application: ☒ Application form ☒ Signature of applicant/agent ☒ All questions answered in full
☒	Declaration of Agency form
☒	Proof of Ownership (copy of deed)
☒	Site Plan with required information
☒	Building plans, elevations, and/or sections with area of variance highlighted
☐ N/A	Documentation of Original Grade (if applicable)
☒	State Environmental Policy Act (SEPA) Checklist for non-residential uses (if applicable)
	Mailing labels – Word doc formatted to Avery address labels ☒ Mailing labels containing the names of property owners and their mailing addresses for all properties within 300 feet **or** three (3) parcels depth, whichever distance is greater but not to exceed 1,000 feet. ☒ Vicinity map showing the site with the 300' or three (3) parcels depth minimum buffer of property owners who will be notified of the application.
☒	Perspective drawings, renderings, studies or additional supporting information (if applicable)

City of MEDINA WASHINGTON
DEVELOPMENT SERVICES
501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

NON-ADMINISTRATIVE VARIANCE APPLICATION

Complete this form for the following:

- Relief from dimensional zoning standards and
- The relief is not eligible for an administrative variance or minor deviation

General Information

Owner Name: Bellevue School District #405

Property Address: 7800 NE 28th ST, Medina, WA 98039

Legal Description:	**Tax Parcel Number:**
S 650 FT OF NW 1/4 OF SE 1/4 LESS RDS LESS STATE HIGHWAY LESS POR PER DEED REC # 20110815000090	242504-9104

Agent / Primary contact

Name: Chris DeVoist	**Email:** christopher.devoist@taec.net
Contact Phone: 206-949-3321	**Alternative Phone:** N/A
Mailing Address: 9725 3rd Ave NE, Suite 410	**City:** Seattle **State:** WA **Zip:** 98115

Property Information

Lot Size: 365,195 S.F.

Critical area(s) located on the property (Ch. 16.50 MMC)?
☒ YES ☐ NO Not impacted, see SEPA submittal

Zoning District:
☐ R-16 ☐ R-20 ☐ R-30 ☐ SR-30 ☒ Public ☐ NA (Neighborhood Auto)

Check all boxes for which relief is requested:
☒ Maximum height
☐ Maximum structural coverage
☐ Maximum impervious surface coverage
☐ Minimum setback
☐ Other _____

Please clearly state what your variance request is (i.e. *This is a request to reduce the rear yard setback from 30 ft. to 15 ft.*)
This is a request to increase the originally approved 65' height to 70' height to allow for decorative pine tree branches for aesthetic purposes related to the associated SUP application for the wireless facility replacement.

List known variances or special/conditional use permits previously approved for this property:
Special use permit and non-administrative variances PL-16-034 & PL-16-036

Please describe any known nonconforming conditions:
No nonconforming conditions known.

Please provide a complete description of the proposed project (attach additional pages if necessary):
The associated non-administrative special use permit for this proposal is to replace an existing 65' stealth canister pole with a monopine faux tree stealth structure. This replacement is needed to allow room for the necessary antennas and equipment required to upgrade the site to current performance standards, which is not achievable in stealth canisters (short of a 80" diameter). In order to maintain the existing antenna tip height of 65,' while simultaneously allowing for a pole-top taper to simulate a treetop and maintain stealth characteristics, an additional 5' of allowed height is needed to accommodate the decorative branches.
This request for a variance is specifically for the increase from 65' to 70' in height to allow for these needed decorative branches.

Approval Criteria

The following is the approval criteria for a non-administrative variance. Please respond to each item by providing as much detailed information as possible to support your request. Attach additional pages if necessary.

1. **The variance does not constitute a granting of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and zone in which the subject property is located**

See attached Code Compliance Statement.

2. **The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located**

See attached Code Compliance Statement.

3. **The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant**

See attached Code Compliance Statement.

Approval Criteria (continued)

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated**

See attached Code Compliance Statement.

5. **The variance is the minimum necessary to provide reasonable relief**

See attached Code Compliance Statement.

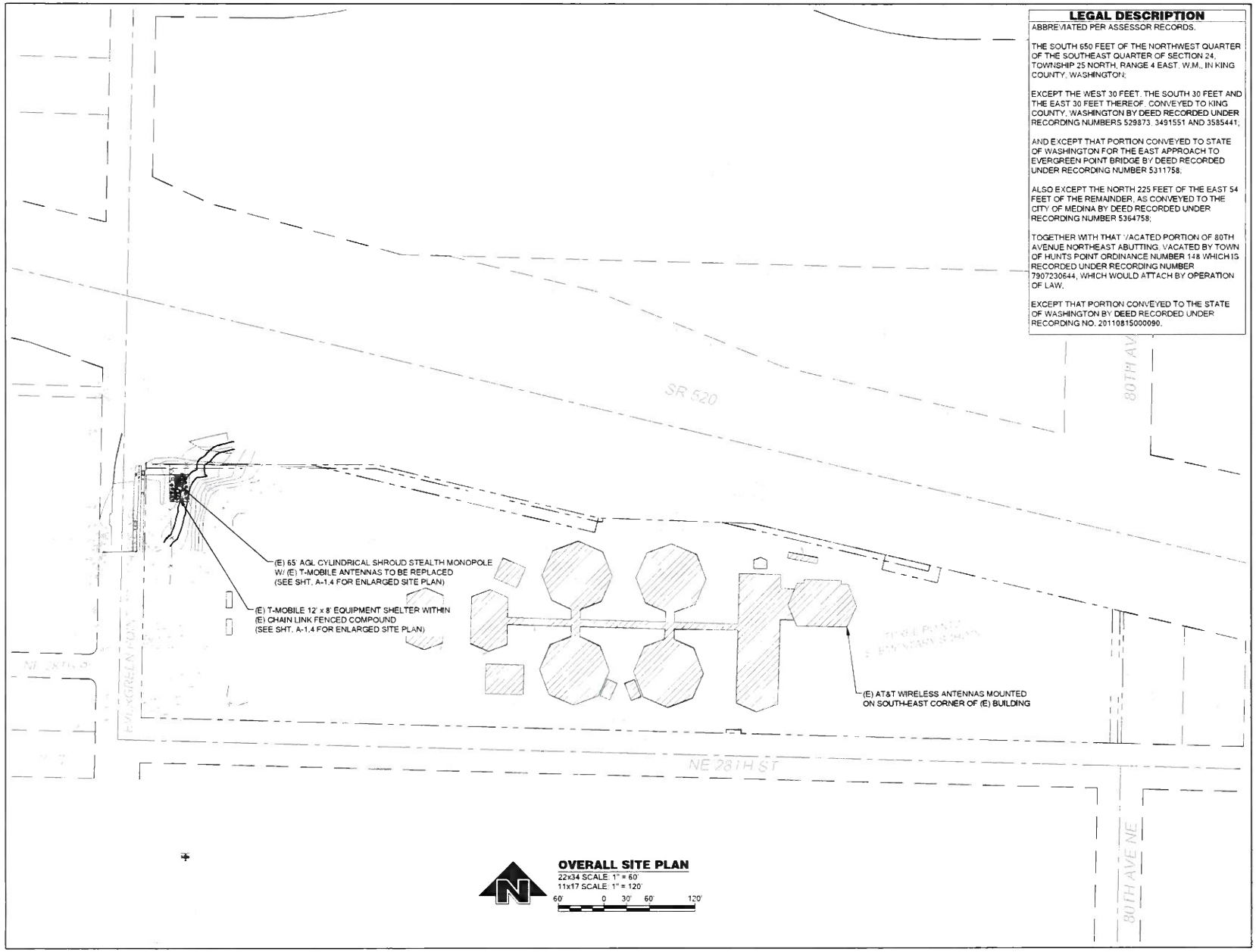
I certify under the penalty of perjury that I am the owner of the above property or the duly authorized agent of the owner(s) acting on behalf of the owner(s) and that all information furnished in support of this application is true and correct.

Signature  Owner ☐ Agent ☒ Date 06/27/2024

Signature _____ Owner ☐ Agent ☐ Date _____

EXHIBIT 12

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com



OVERALL SITE PLAN
22x34 SCALE: 1" = 60'
11x17 SCALE: 1" = 120'
60' 0 30' 60' 120'

LEGAL DESCRIPTION

ABBREVIATED PER ASSESSOR RECORDS.

THE SOUTH 650 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;

EXCEPT THE WEST 30 FEET, THE SOUTH 30 FEET AND THE EAST 30 FEET THEREOF, CONVEYED TO KING COUNTY, WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBERS 529873, 3491551 AND 3585441;

AND EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON FOR THE EAST APPROACH TO EVERGREEN POINT BRIDGE BY DEED RECORDED UNDER RECORDING NUMBER 5311758;

ALSO EXCEPT THE NORTH 225 FEET OF THE EAST 54 FEET OF THE REMAINDER, AS CONVEYED TO THE CITY OF MEDINA BY DEED RECORDED UNDER RECORDING NUMBER 5364758;

TOGETHER WITH THAT VACATED PORTION OF 80TH AVENUE NORTHEAST ABUTTING, VACATED BY TOWN OF HUNTS POINT ORDINANCE NUMBER 148 WHICH IS RECORDED UNDER RECORDING NUMBER 7907230644, WHICH WOULD ATTACH BY OPERATION OF LAW.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NO. 20110815000090.

T-Mobile
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM
RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

NO.	DATE:	DESCRIPTION:	CHK. BY:
9	06/17/2024	NEW RFDS v4 12/13/2023	MSM
8	08/23/2023	NEW RFDS v4 07/03/2023	BJT
7	02/22/2023	ISSUED FOR 100% ANCHOR CD	BJT
6	2/7/2022	MINOR REV	BJT
5	1/25/2022	REVISED EMERGENCY GENERATOR LOCATION	BJT
4	12/9/2021	REVISED MONOPINE LOCATION	BJT
3	9/4/2021	MINOR REV PER 1A SURVEY	BJT
2	5/17/2021	REVISED PER REDLINES	BJT
1	4/29/2021	ISSUED DESIGN REVIEW	BJT

PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

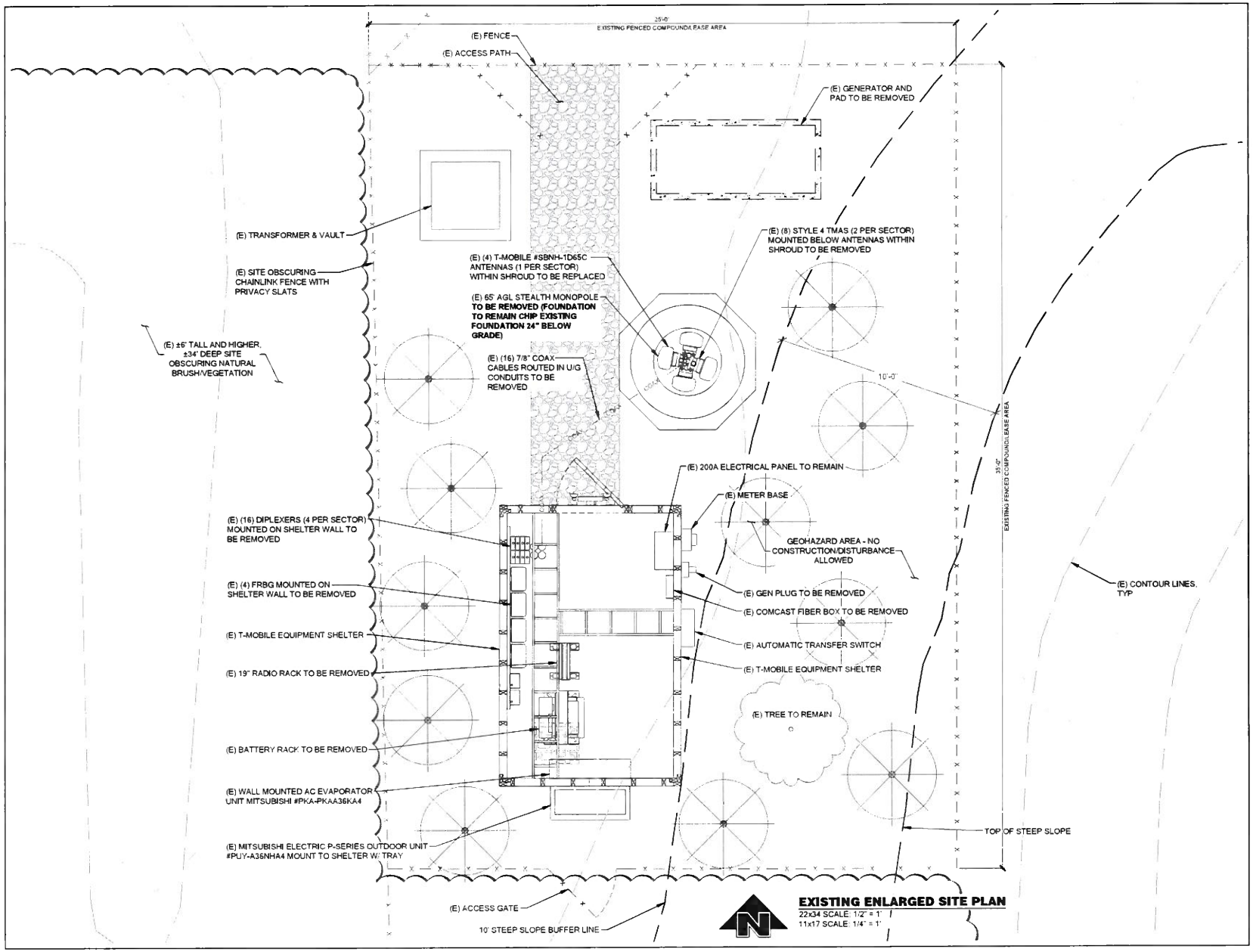
DRAWING INFORMATION:

DRAWING TITLE:

OVERALL SITE PLAN

DRAWING NUMBER:

A-1



T-Mobile

vertical bridge

PROJECT INFORMATION:

EVERGREEN PT. PERM
RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

NO.	DATE:	DESCRIPTION:	CHK. BY:
9	06/17/2024	NEW RFDS v4 12/13/2023	MGM
8	08/23/2023	NEW RFDS v4 07/03/2023	BJT
7	02/22/2023	ISSUED FOR 100% ANCHOR CD	BJT
6	2/7/2022	MINOR REV	BJT
5	1/25/2022	REVISED EMERGENCY GENERATOR LOCATION	BJT
4	12/9/2021	REVISED MONOPINE LOCATION	BJT
3	8/4/2021	MINOR REV PER 1A SURVEY	BJT
2	5/17/2021	REVISED PER REDLINES	BJT
1	4/29/2021	ISSUED DESIGN REVIEW	BJT

PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

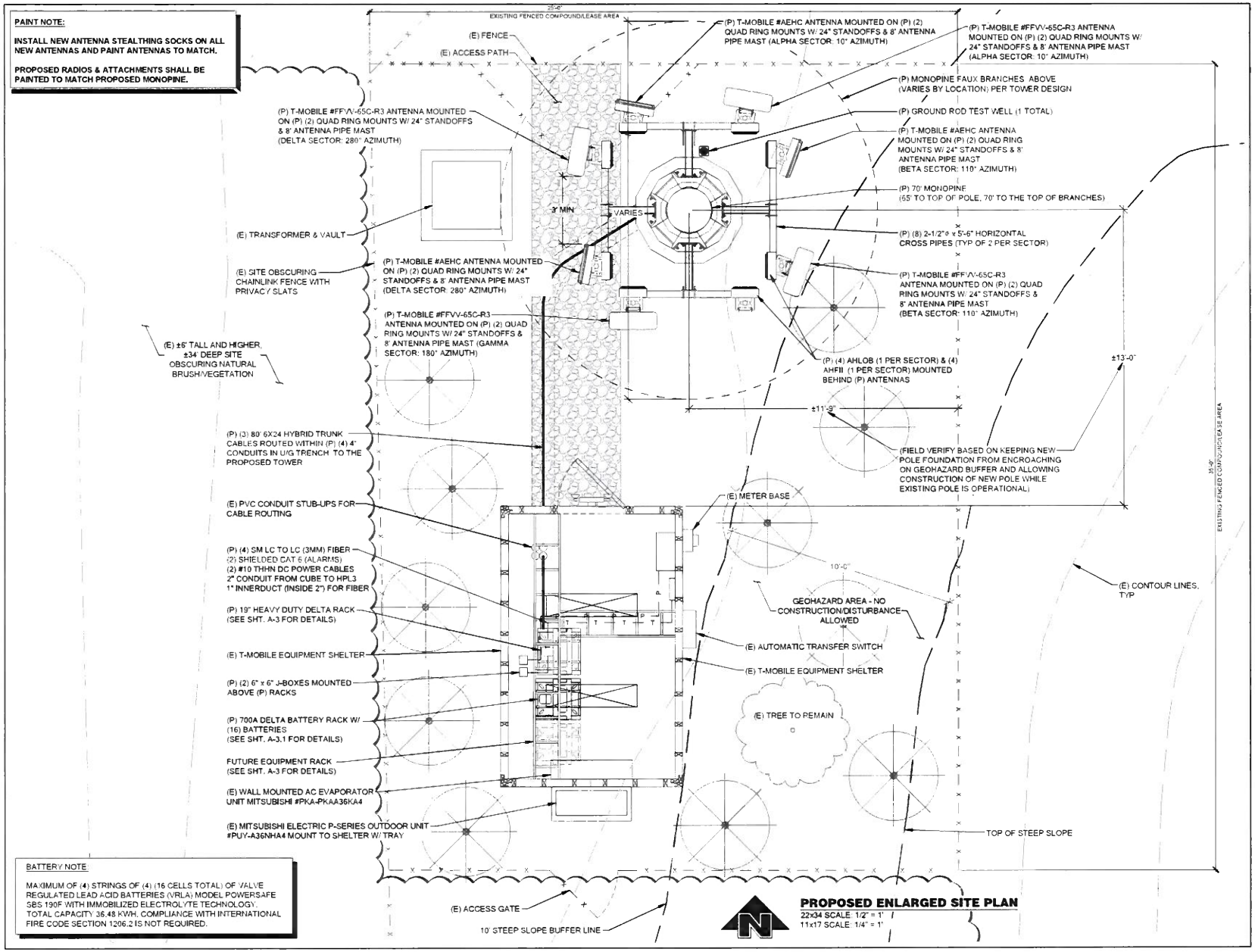
DRAWING INFORMATION:

DRAWING TITLE:

EXISTING ENLARGED SITE PLAN

DRAWING NUMBER:

A-1.1



T-Mobile

verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

NO.	DATE:	DESCRIPTION:	CHK. BY:
9	04/17/2024	NEW RFDS v4 12/13/2023	MGM
8	08/23/2023	NEW RFDS v4 07/03/2023	BJT
7	02/23/2023	ISSUED FOR 100% ANCHOR CD	BJT
6	2/7/2022	MINOR REV	BJT
5	1/25/2022	REVISED EMERGENCY GENERATOR LOCATION	BJT
4	12/9/2021	REVISED MONOPINE LOCATION	BJT
3	8/4/2021	MINOR REV PER 1A SURVEY	BJT
2	5/17/2021	REVISED PER REDLINES	BJT
1	4/29/2021	ISSUED DESIGN REVIEW	BJT

PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

PROPOSED ENLARGED SITE PLAN

DRAWING NUMBER:

A-1.2

EXHIBIT 13

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

vertical bridge

US-WA-5238 (US WA 7001)
EVERGREEN POINT

7800 NE 28TH ST
MEDINA, WA 98039

T-Mobile
SITE NUMBER: SE02481B
EVERGREEN PT. PERM RELO-
SCHOOL DISTRICT RL

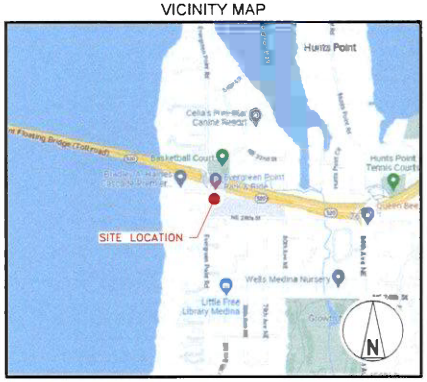
LEGAL DESCRIPTION:
S 650 FT OF NW 1/4 OF SE 1/4 LESS RDS LESS STATE HIGHWAY
LESS POR PER DEED REC # 20110815000090

UTILITY COMPANIES:

POWER:
COMPANY: PUGET SOUND ENERGY
CONTACT:
PHONE:
EMAIL:

BACKHAUL/AAV:
COMPANY:
CONTACT:
PHONE:
EMAIL:

VICINITY MAP



LOCATION MAP

DRIVING DIRECTIONS:
FROM LOCAL T-MOBILE OFFICE (19807 NORTH CREEK PKWY N, BOTHELL, WA 98011)

1. HEAD SOUTH ON N CREEK PKWY
2. USE THE RIGHT 2 LANES TO TURN RIGHT ONTO NE 195TH ST
3. TURN LEFT ONTO THE INTERSTATE 405 S RAMP TO RENTON
4. MERGE ONTO I-405 S
5. TAKE EXIT 14 TO MERGE ONTO WA-520 W TOWARD SEATTLE
6. TAKE THE 92ND AVENUE NORTHEAST EXIT
7. AT THE TRAFFIC CIRCLE, TAKE THE 4TH EXIT ONTO 92ND AVE NE
8. TURN RIGHT ONTO NE 24TH ST
9. TURN RIGHT ONTO 79TH AVE NE
10. TURN LEFT ONTO NE 28TH ST
11. DESTINATION WILL BE ON THE RIGHT

REVIEWERS SHALL CLEARLY PLACE INITIALS ADJACENT TO EACH REDLINE NOTE AS DRAWINGS ARE BEING REVIEWED

APPROVED BY:	DATE:	SIGNATURE:	APPROVED BY:	DATE:	SIGNATURE:
PROJECT MANAGER:			RF ENGINEER:		
SITE ACQUISITION:			OPERATIONS MANAGER:		
ZONING:			DEVELOPMENT MANAGER:		
CONSTRUCTION MANAGER:			REGULATORY:		
CONSTRUCTION MANAGER:					

811 Know what's BELOW. Call before you dig www.call811.com

PROJECT CONTACT LIST:

APPLICANT:
VERTICAL BRIDGE FOR T-MOBILE
PROJECT MANAGER – DEVELOPMENT:
CONTACT: JUSTIN OWEN
PHONE: (405) 833-3573
EMAIL: justin.owen@verticalbridge.com

PROPERTY OWNER:
BELLEVUE SCHOOL DIST 405
12111 NE 1ST ST
BELLEVUE, WA 98005

TOWER OWNER:
VERTICAL BRIDGE
750 PARK OF COMMERCE DR., STE 200
BOCA RATON, FLORIDA 33487

RF ENGINEER:
T-MOBILE USA, INC.
CONTACT: KESHAVLAL PATEL
EMAIL: Keshavlal.Patel80@T-mobile.com

FORMER CONSULTING ENGINEER:
B.J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
PHONE: 206-851-1106
bjthomas@bjthomaspe.comcastbiz.net

PROJECT MANAGER:
COMPANY: TAEC
CONTACT: BREE SONCRANT
PHONE: (206) 714-7101
EMAIL: bree.soncrant@taec.net

CONSTRUCTION MANAGER:
COMPANY: TAEC
CONTACT: JORDAN ABAD
PHONE: (206) 351-4009
EMAIL: jordan.abad@taec.net

PROJECT A&E:
COMPANY: TAEC
CONTACT: PETER LUNDQUIST, PE
PHONE: (206) 713-9915
EMAIL: peter.lundquist@taec.net

SITE ACQUISITION:
COMPANY: TAEC
CONTACT: MEAGAN DOCKTER
PHONE: (206) 218-7101
EMAIL: meagan.dockter@taec.net

ZONING:
COMPANY: TAEC
CONTACT: CHRIS DEVOIST
PHONE: (206) 949-3321
EMAIL: christopher.devoist@taec.net

PROJECT INFORMATION:

CODE INFORMATION:

ZONING CLASSIFICATION:	P*
BUILDING CODE:	IBC 2018
CONSTRUCTION TYPE:	IIB
OCCUPANCY:	U, S-2
JURISDICTION:	CITY OF MEDINA
PROPOSED BUILDING USE:	UNMANNED TELECOM

SITE LOCATION (NAD83):

LATITUDE:	47° 38' 11.61" N (47.636558°)
LONGITUDE:	122° 14' 17.86" W (-122.238294°)
TOP OF STRUCTURE:	TBD' AMSL 65.0' AGL
BASE OF STRUCTURE:	TBD' AMSL 0.0' AGL

PROJECT LEASE AREA:
±875 sq. ft.

PARCEL NUMBER:
2425049104

NEW IMPERVIOUS AREA:
0 sq. ft.

AREA OF PARCEL:
8.38 ACRES

GENERAL INFORMATION:
PARKING REQUIREMENTS ARE UNCHANGED
TRAFFIC IS UNAFFECTED, SIGNAGE IS PROPOSED

(9) THIS PROJECT HAS A CHANGE OF ENGINEER OF RECORD. CURRENT ENGINEER OF RECORD IS LISTED IN THE PROJECT CONTACT LIST UNDER PROJECT A&E AS WELL AS THE FORMER CONSULTING ENGINEER. SEE SHEETS AFTER SHEET T-2 FOR PROJECT DESIGN.

DRAWING INDEX:

SH #	SHEET DESCRIPTION
T-1	TITLE SHEET
T-2	NOTES & LEGEND
	(FORMER CONSULTING ENGINEER SHEET INDEX)
T-1	TITLE SHEET & PROJECT DATA
G-1	GENERAL NOTES
A-1	OVERALL SITE PLAN
A-1.1	EXISTING ENLARGED SITE PLAN
A-1.2	PROPOSED ENLARGED SITE PLAN
A-2	EXISTING SITE ELEVATION
A-2.1	PROPOSED SITE ELEVATION
RF-1	RF DETAILS
RF-1.1	SFP DETAILS
RF-2	RF DETAILS
A-3 & A-3.1	BTS EQUIPMENT DETAILS
A-4 TO A-6	GENERAL DETAILS
A-7	ANTENNA MOUNT DETAILS
E-1	ELECTRICAL GROUNDING PLAN
E-2	ELECTRICAL GROUNDING DETAILS

(9) PROJECT DESCRIPTION:
T-MOBILE PROPOSES (PER RFDS V4) TO MODIFY AN EXISTING UNMANNED TELECOMMUNICATIONS FACILITY WITH:

THE REMOVAL OF
- (1) 65'-0" STEALTH POLE (CHIP EXISTING FOUNDATION 24" BELOW GRADE)
- (4) (SBNH-1D65C) ANTENNAS
- (8) TMA AT ANTENNAS
- (16) 7/8" COAX (±75')
- (2) EQUIPMENT RACKS
- (4) FRBG MOUNTED ON WALL
- (16) DIPLEXERS AT EQUIPMENT
- (3) FRIA IN RACK
- (3) FRIE IN RACK
- (2) FXFC IN RACK
- (2) ESMB IN RACK
- (3) FSMF IN RACK
- (2) FBBC IN RACK
- (8) TRX IN RACK
- (8) BATTERIES IN RACK
- (1) ROUTER IN RACK
- (1) COMCAST FIBER BOX
- (1) GENERATOR PLUG

THE RELOCATION OF
- (1) LEC ROUTER
- (1) FSMF IN RACK

THE ADDITION OF
- (1) 70'-0" MONOPINE
- (2) SITE PRO UGLM4 COLLAR MOUNTS (10 ½'-28")
- (8) STANDOFF MOUNTS
- (8) 2 1/2"Ø x 5'-6" HORIZONTAL PIPES
- (8) 2 3/8"Ø x 8' LONG MASTS
- (4) (FFVV-65C-R3-V1) ANTENNAS
- (3) (AEHC) ANTENNAS
- (4) AHLOB AT ANTENNAS
- (4) AHFII AT ANTENNAS
- (3) 6X24 HYBRID CABLE (±100')
- (2) EQUIPMENT RACKS
- (16) BATTERIES IN RACK
- (1) ASIA IN RACK
- (2) ASIL IN RACK
- (3) ABIA IN RACK
- (3) ABIL IN RACK
- (1) ABIO IN RACK
- (2) AMA IN RACK
- (1) CSR IXRE V2 (GEN2) IN RACK
- (1) DELTA SPD TRAY W/ (9) MODULES
- (2) 6"x6" JUNCTION BOXES
- (1) CABLE TRENCH W/ (4) 4" CONDUITS (±30')
- (7) ANTENNA STEALTHING SOCKS AND PAINT RADIOS & ATTACHMENTS TO MATCH

PLANS PREPARED FOR:
verticalbridge

PLANS PREPARED BY:
Technology Associates
SEATTLE MARKET OFFICE
9725 3RD AVENUE NE, STE. 410
SEATTLE, WA 98115

JURISDICTION APPROVAL SEAL:

ENGINEERING SEAL:
NOT FOR CONSTRUCTION

DRAWING NOTICE:

REVISIONS:

DESCRIPTION	DATE	BY	REV
ISSUED FOR 100% ANCHOR CD	03/03/2023	RKS	(7)
NEW RFDS v4 07/03/23	08/23/2023	RRS	(8)
NEW RFDS v4 12/13/23	06/17/2024	MGM	(9)

SITE NAME:
EVERGREEN POINT

SITE NUMBER:
US-WA-5238 (US WA 7001)

SITE ADDRESS:
7800 NE 28TH ST
MEDINA, WA 98039

SHEET DESCRIPTION:
TITLE SHEET

SHEET NUMBER:
T-1

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

GENERAL NOTES

1. THIS FACILITY IS EXEMPT FROM HANDICAP REQUIREMENTS PER 2018 INTERNATIONAL BUILDING CODE SECTION 1103.2.9. THIS FACILITY IS NON-OCCUPIABLE SPACE AND ENTERED ONLY BY SERVICE PERSONNEL. THIS SPACE IS NOT FOR HUMAN OCCUPANCY.
2. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO SUBMITTING HIS BID. ANY DISCREPANCIES, CONFLICTS OR OMISSIONS SHALL BE REPORTED TO THE ENGINEER PRIOR TO SUBMITTING BIDS, AND PROCEEDING WITH ANY WORK.
3. THE CONTRACTOR SHALL NOTIFY ENGINEER OF ANY ERRORS, OMISSIONS, OR DISCREPANCIES AS THEY MAY BE DISCOVERED IN THE PLANS, SPECIFICATIONS, & NOTES PRIOR TO STARTING CONSTRUCTION; INCLUDING BUT NOT LIMITED BY DEMOLITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY ERRORS, OMISSION, OR INCONSISTENCY AFTER THE START OF CONSTRUCTION WHICH HAS NOT BEEN BROUGHT TO THE ATTENTION OF THE ARCHITECT/ENGINEER AND SHALL INCUR ANY EXPENSES TO RECTIFY THE SITUATION. THE METHOD OF CORRECTION SHALL BE APPROVED BY THE ARCHITECT OR THE ENGINEER RESPONSIBLE OF THE PROJECT.
4. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR HAS THE RESPONSIBILITY TO LOCATE ALL EXISTING UTILITIES, WHETHER OR NOT SHOWN ON THE PLANS, AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR OR SUBCONTRACTOR SHALL BEAR THE EXPENSE OF REPAIRING OR REPLACING ANY DAMAGE TO THE UTILITIES CAUSED DURING THE EXECUTION OF THE WORK. CONTACT USA DIG ALERT @ 800-227-2600
5. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL PROTECT ALL AREAS FROM DAMAGE WHICH MAY OCCUR DURING CONSTRUCTION. ANY DAMAGE TO PROPOSED OR EXISTING SURFACES, STRUCTURES OR EQUIPMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED TO THE SATISFACTION OF THE PROPERTY OWNER. THE CONTRACTOR SHALL BEAR THE EXPENSE OF REPAIRING OR REPLACING ANY DAMAGED AREAS.
6. A COPY OF THE APPROVED PLANS SHALL BE KEPT IN A PLACE SPECIFIED BY THE GOVERNING AGENCY, AND BY LAW SHALL BE AVAILABLE FOR INSPECTION AT ALL TIMES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE ALL CONSTRUCTION SETS REFLECT THE SAME INFORMATION AS THE APPROVED PLANS. THE CONTRACTOR SHALL ALSO MAINTAIN ONE SET OF PLANS AT THE SITE FOR THE PURPOSE OF DOCUMENTING ALL AS-BUILT CHANGES, REVISIONS, ADDENDA, OR CHANGE ORDERS. THE CONTRACTOR SHALL FORWARD THE AS-BUILT MARKED DRAWINGS TO THE ARCHITECT OR THE ENGINEER RESPONSIBLE OF THE PROJECT AT THE CONCLUSION OF THE PROJECT.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE THE WORK IS IN PROGRESS UNTIL THE JOB IS COMPLETE.
8. THE CONTRACTOR IS RESPONSIBLE TO PROVIDE TEMPORARY POWER, WATER, AND TOILET FACILITIES AS REQUIRED BY THE PROPERTY OWNER OR GOVERNING AGENCY.
9. ALL CONSTRUCTION THROUGH THE PROJECT SHALL CONFORM TO THE LATEST (B.C. AND ALL OTHER GOVERNING CODES, INCLUDING THE THE MOST RESTRICTIVE CODE SHALL GOVERN.
10. THE CONTRACTOR AND SUBCONTRACTOR SHALL COMPLY WITH ALL LOCAL AND STATE REGULATIONS INCLUDING ALL OSHA REQUIREMENTS.
11. WHEN REQUIRED STORAGE OF MATERIALS OCCURS, THEY SHALL BE EVENLY DISTRIBUTED OVER THE FLOOR OR ROOF SO AS NOT TO EXCEED THE DESIGNED LIVE LOADS FOR THE STRUCTURE. TEMPORARY SHORING OR BRACING SHALL BE PROVIDED WHERE THE STRUCTURE OR SOIL HAS NOT ATTAINED THE DESIGN STRENGTH FOR THE CONDITIONS PRESENT.
12. THE CONTRACTOR SHALL SUPERVISE AND COORDINATE ALL WORK, USING HIS PROFESSIONAL KNOWLEDGE AND SKILLS. HE IS SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES AND SEQUENCING AND COORDINATING ALL PORTIONS OF THE WORK UNDER THIS PROJECT.
13. THE CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN AND PAY FOR ALL PERMITS, LICENSES AND INSPECTIONS WITH RESPECT TO THE WORK TO COMPLETE THE PROJECT. BUILDING PERMIT APPLICATIONS SHALL BE FILED BY THE OWNER OR AUTHORIZED AGENT. CONTRACTOR SHALL OBTAIN THE PERMIT AND MAKE FINAL PAYMENT OF SAID DOCUMENT.
14. ALL DIMENSIONS TAKE PRECEDENCE OVER SCALE. DRAWINGS ARE NOT TO BE SCALED UNDER ANY CIRCUMSTANCES.
15. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGERS OR SUPPORTS FOR INSTALLATION OF ITEMS INDICATED ON THE DRAWINGS.
16. THE CONTRACTOR SHALL PROVIDE THE FIRE MARSHALL OR UL APPROVED MATERIALS TO FILL/SEAL PENETRATIONS THROUGH FIRE RATED ASSEMBLIES.
17. PROPOSED CONSTRUCTION ADDED TO EXISTING CONSTRUCTION SHALL BE MATCHED IN FORM, TEXTURE, MATERIAL AND PAINT COLOR EXCEPT AS NOTED IN THE PLANS.
18. THE CONTRACTOR IS TO PROVIDE PORTABLE FIRE EXTINGUISHERS HAVING A MINIMUM 2A:10-B:C RATING WITHIN 75FT. OF TRAVEL TO ALL PORTIONS OF THE CONSTRUCTION AREA. (2018 INTERNATIONAL BUILDING CODE 906.1.1 AND SECTION 906.3.1)
19. MATERIALS TESTING SHALL BE TO THE LATEST STANDARDS AVAILABLE AS REQUIRED BY THE LOCAL GOVERNING AGENCY RESPONSIBLE FOR APPROVING THE RESULTS.
20. ALL GENERAL NOTES AND STANDARD DETAILS ARE THE MINIMUM REQUIREMENTS TO BE USED IN CONDITIONS WHICH ARE NOT SPECIFICALLY SHOWN OTHERWISE.
21. ALL DEBRIS AND REFUSE IS TO BE REMOVED FROM THE PROJECT. PREMISES SHALL BE LEFT IN A CLEAN BROOM FINISHED CONDITION AT ALL TIMES.
22. BUILDING INSPECTORS AND/OR OTHER BUILDING OFFICIALS ARE TO BE NOTIFIED PRIOR TO ANY GRADING AND CONSTRUCTION EFFORT AS MANDATED BY THE GOVERNING AGENCY.
23. ALL SYMBOLS AND ABBREVIATIONS ARE CONSIDERED CONSTRUCTION INDUSTRY STANDARDS. IF A CONTRACTOR HAS A QUESTION REGARDING THEIR EXACT MEANING THE ARCHITECT OR THE ENGINEER RESPONSIBLE OF THE PROJECT SHALL BE NOTIFIED FOR CLARIFICATIONS.
24. SITE CONTRACTOR TO CALL DIG ALERT (1-800-227-2600) TO LOCATE ANY AND ALL UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION.
25. ALL FACILITIES TO BE INSTALLED ARE UNMANNED. NO (E) PARKING SPACES WILL BE USED OR REMOVED BY THIS PROJECT.
26. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICANT SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH THE CITY'S MUNICIPAL CODES INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
27. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE APPLICANT SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.
28. THIS PROJECT PROPOSES NO DEVELOPMENT IMPROVEMENTS OUTSIDE THE EXISTING BUILDING FOOTPRINT FOR THIS DISCRETIONARY REVIEW AND THEREFORE DOES NOT REQUIRE ANY PERMANENT STORM WATER BEST MANAGEMENT PRACTICES.

STORM WATER QUALITY NOTES CONSTRUCTION BMPS.

THIS PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF THE STATE PERMIT.

NOTES 1-6 BELOW REPRESENT KEY MINIMUM REQUIREMENTS FOR CONSTRUCTION BMP'S.

1. SUFFICIENT BMPS MUST BE INSTALLED TO PREVENT SILT, MUD OR OTHER CONSTRUCTION DEBRIS FROM BEING TRACKED INTO THE ADJACENT STREET(S) OR STORM WATER CONVEYANCE SYSTEMS DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING ANY SUCH DEBRIS THAT MAY BE IN THE STREET AT THE END OF EACH WORK DAY OR AFTER A STORM EVENT THAT CAUSES A BREECH IN THE INSTALLED CONSTRUCTION BMPS.
2. ALL STOCK PILES OF UN-COMPACTED SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT UNPROTECTED FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE PROVIDED WITH EROSION AND SEDIMENT CONTROLS. SUCH SOIL MUST BE PROTECTED EACH DAY WHEN THE PROBABILITY OF RAIN IS 40% OR GREATER.
3. A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS THAT ARE TO BE POURED IN PLACE ON THE SITE.
4. ALL EROSION/SEDIMENT CONTROL DEVICES SHALL BE MAINTAINED IN WORKING ORDER AT ALL TIMES.
5. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
6. THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT.

GENERAL FIRE NOTES.

1. BUILDINGS UNDERGOING CONSTRUCTION, ALTERATION, OR DEMOLITION SHALL BE IN ACCORDANCE WITH 2018 INTERNATIONAL BUILDING CODE AND ALL GOVERNING CODES.
2. ADDRESS SHALL BE PROVIDED FOR ALL PROPOSED AND EXISTING BUILDINGS IN A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY.(2018 INTERNATIONAL BUILDING CODE 501.2)
3. DECORATIVE MATERIALS SHALL BE MAINTAINED IN A FLAME-RETARDANT CONDITION.(2018 INTERNATIONAL BUILDING CODE 806.1)
4. PORTABLE FIRE EXTINGUISHERS, AT LEAST ONE FIRE EXTINGUISHER WITH A MINIMUM RATING OF 2-A:10B:C SHALL BE PROVIDED WITHIN 75 FEET MAXIMUM TRAVEL DISTANCE FOR EACH 6,000 SQUARE FEET OR PORTION THEREOF ON EACH FLOOR.(2018 INTERNATIONAL BUILDING CODE 906.1.1 AND SECTION 906.3.1)

ABBREVIATION	DEFINITION	ABBREVIATION	DEFINITION
A.B.	ANCHOR BOLT	FIN.	FINISH(ED)
ABV.	ABOVE	FLR.	FLOOR
ACCA	ANTENNA CABLE COVER ASSEMBLY	FDN.	FOUNDATION
ADDL	ADDITIONAL	F.O.C.	FACE OF CONCRETE
A.F.F.	ABOVE FINISHED FLOOR	F.O.M.	FACE OF MASONRY
A.F.G.	ABOVE FINISHED GRADE	F.O.S.	FACE OF STUD
ALUM.	ALUMINUM	F.O.W.	FACE OF WALL
ALT.	ALTERNATE	F.S.	FINISH SURFACE
ANT.	ANTENNA	FT.(')	FOOT (FEET)
APPRX.	APPROXIMATE(LY)	FTG.	FOOTING
ARCH.	ARCHITECT (URAL)	G.	GROWTH (CABINET)
AWG.	AMERICAN WIRE GAUGE	GA.	GAUGE
BLDG.	BUILDING	GI.	GALVANIZED(D)
BLK.	BLOCK	G.F.I.	GROUND FAULT CIRCUIT INTERRUPTER
BLKG.	BLOCKING	GLB.(GLU-LAM)	GLUE LAMINATED BEAM
BM.	BEAM	GPS	GLOBAL POSITIONING SYSTEM
B.N.	BOUNDARY NAILING	GRND.	GROUND
BTCW.	BARE TINNED COPPER WIRE	HDR.	HEADER
B.O.F.	BOTTOM OF FOOTING	HGR.	HANGER
BU.	BACK-UP CABINET	HT.	HEIGHT
CAB.	CABINET	ICGB.	ISOLATED COPPER GROUND BUS
CANT.	CANTILEVER(ED)	IN.(")	INCH(ES)
C.I.P.	CAST IN PLACE	INT.	INTERIOR
CLG.	CEILING	LB.(#)	POUND(S)
CLR.	CLEAR	L.B.	LAG BOLTS
COL.	COLUMN	L.F.	LINEAR FEET (FOOT)
CONC.	CONCRETE	L.	LONG(ITUDINAL)
CONN.	CONNECTION(OR)	MAS.	MASONRY
CONST.	CONSTRUCTION	MAX.	MAXIMUM
CONT.	CONTINUOUS	M.B.	MACHINE BOLT
d	PENNY (NAILS)	MECH.	MECHANICAL
DBL.	DOUBLE	MFR.	MANUFACTURER
DEPT.	DEPARTMENT	MIN.	MINIMUM
D.F.	DOUGLAS FIR	MISC.	MISCELLANEOUS
DIA.	DIAMETER	MTL.	METAL
DIAG	DIAGONAL	(N)	NEW
DIM.	DIMENSION	NO.(#)	NUMBER
DWG.	DRAWING(S)	N.T.S.	NOT TO SCALE
DWL.	DOWEL(S)	O.C.	ON CENTER
EA.	EACH	OPNG.	OPENING
EL.	ELEVATION	PC.	PRECAST CONCRETE
ELEC.	ELECTRICAL	PCS.	PERSONAL COMMUNICATION SERVICES
ELEV.	ELEVATOR	PLY.	PLYWOOD
EMT.	ELECTRICAL METALLIC TUBING	PPC.	POWER PROTECTION CABINET
E.N.	EDGE NAIL	PRC.	PRIMARY RADIO CABINET
ENG.	ENGINEER	P.S.F.	POUNDS PER SQUARE FOOT
EQ.	EQUAL	P.S.I.	POUNDS PER SQUARE INCH
EXP.	EXPANSION	PT.	PRESSURE TREATED
EXST.(E)	EXISTING	PWR.	POWER (CABINET)
EXT.	EXTERIOR	QTY.	QUANTITY
FAB.	FABRICATION(OR)	RAD.(R)	RADIUS
F.F.	FINISH FLOOR	REF.	REFERENCE
F.G.	FINISH GRADE	REINF.	REINFORCEMENT (ING)

ABBREVIATION	DEFINITION
REQ'D.	REQUIRED
RGS.	RIGID GALVANIZED STEEL
RRU.	RADIO REMOTE UNIT
SCH.	SCHEDULE
SHT.	SHEET
SIM.	SIMILAR
SPEC.	SPECIFICATION(S)
SQ.	SQUARE
S.S.	STAINLESS STEEL
STD.	STANDARD
STL.	STEEL
STRUC.	STRUCTURAL
TEMP.	TEMPORARY
THK.	THICK(NESS)
TMA	TOWER MOUNTED AMPLIFIER
T.N.	TOE NAIL
T.O.A.	TOP OF ANTENNA
T.O.C.	TOP OF CURB
T.O.F.	TOP OF FOUNDATION
T.O.P.	TOP OF PLATE (PARAPET)
T.O.S.	TOP OF STEEL
T.O.W.	TOP OF WALL
TYP.	TYPICAL
U.G.	UNDER GROUND
U.L.	UNDERWRITERS LABORATORY
U.N.O.	UNLESS NOTED OTHERWISE
V.I.F.	VERIFY IN FIELD
W	WIDE(WIDTH)
W/	WITH
WD.	WOOD
W.P.	WEATHERPROOF
WT.	WEIGHT
℄	CENTERLINE
℔	PLATE

LANDLORD SIGNATURE

ABBREVIATIONS 1

NEW ANTENNA
EXISTING ANTENNA
GROUND ROD
GROUND BUS BAR
MECHANICAL GRND. CONN.
CADWELD
GROUND ACCESS WELL
ELECTRIC BOX
TELEPHONE BOX
LIGHT POLE
FND. MONUMENT
SPOT ELEVATION
SET POINT
REVISION
CENTERLINE
PROPERTY/LEASE LINE
MATCH LINE
WORK POINT
GROUND CONDUCTOR
TELEPHONE CONDUIT
ELECTRICAL CONDUIT (POWER)

GRID REFERENCE
DETAIL REFERENCE
ELEVATION REFERENCE
SECTION REFERENCE
GROUT OR PLASTER
(E) BRICK
(E) MASONRY
CONCRETE
EARTH
GRAVEL
PLYWOOD
SAND
WOOD CONT.
WOOD BLOCKING
STEEL
T/E — OVERHEAD SERVICE CONDUCTORS
A — COAXIAL CABLE
F — FIBER
P/F — POWER AND FIBER
X — CHAIN LINK FENCING
WOOD FENCE
OHP — OVERHEAD POWER LINE
UGP — BURIED POWER LINE
OHT — OVERHEAD TELEPHONE LINE
UG/T — BURIED TELEPHONE LINE
W — BURIED WATER LINE
SS — BURIED SANITARY SEWER
SD — BURIED STORM DRAIN

NOT USED 2

LEGEND 3

GENERAL NOTES 4

NOTE: THE ORIGINAL SIZE OF THIS PLAN IS 24" X 36". SCALE RATIO IS NOT VALID FOR REDUCED OR ENLARGED SHEET SIZES

PLANS PREPARED FOR:
vertical bridge

PLANS PREPARED BY:
Technology Associates
SEATTLE MARKET OFFICE
9725 3RD AVENUE NE, STE. 410
SEATTLE, WA 98115

JURISDICTION APPROVAL SEAL:

ENGINEERING SEAL:
NOT FOR CONSTRUCTION

DRAWING NOTICE:

REVISIONS:

DESCRIPTION	DATE	BY	REV
ISSUED FOR 100% ANCHOR CD	02/23/2023	RMS	(7)
NEW RFDS v.4 07/03/23	08/23/2023	RMS	(8)
NEW RFDS v.4 12/13/23	06/17/2024	MGM	4

SITE NAME:
EVERGREEN POINT

SITE NUMBER:
US-WA-5238 (US WA 7001)

SITE ADDRESS:
7800 NE 28TH ST
MEDINA, WA 98039

SHEET DESCRIPTION:
NOTES & LEGEND

SHEET NUMBER:
T-2

T··Mobile·

Technology Associates

verticalbridge

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL

7800 NE 28TH ST
MEDINA, WA 98039

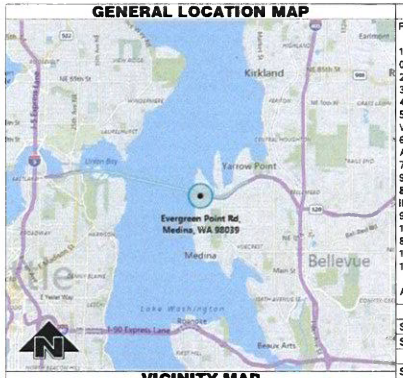
RFDS: VER: 4
PROJECT: ANCHOR

SITE NUMBER: US-WA-5238 (US WA 7001)

LATITUDE 47° 38' 11.61" N (47.636558) **LONGITUDE 122° 14' 17.86' W (-122.238294)**

PROJECT: ANCHOR/L600

GENERAL LOCATION MAP



VICINITY MAP

DRIVING DIRECTIONS

FROM T-MOBILE BOTHELL 4 OFFICE:

1. DEPART AND HEAD SOUTH ON N CREEK PKWY 0.3 MI
2. TURN RIGHT ONTO NE 195TH ST 0.3 MI
3. TAKE THE RAMP ON THE LEFT FOR I-405 S 5.9 MI
4. KEEP LEFT TO STAY ON I-405 S 3.4 MI
5. AT EXIT 14, HEAD RIGHT ON THE RAMP FOR WA-520 WEST TOWARD SEATTLE 1.7 MI
6. TAKE THE RAMP ON THE RIGHT FOR 92ND AVE NE AND HEAD TOWARD CLYDE HILL 0.2 MI
7. AT THE ROUNDABOUT TAKE THE 4TH EXIT FOR 92ND AVE NE 0.2 MI
8. TURN RIGHT ONTO NE 32ND ST. THEN IMMEDIATELY BEAR LEFT ONTO POINTS DR NE 0.4 MI
9. KEEP STRAIGHT TO GET ONTO NE 28TH ST 0.1 MI
10. AT THE ROUNDABOUT, TAKE THE 3RD EXIT FOR 84TH AVE NE 0.3 MI
11. TURN RIGHT ONTO NE 24TH ST 0.4 MI
12. TURN RIGHT ONTO 78TH AVE NE 0.2 MI

ARRIVE AT 7800 NE 28TH ST, MEDINA, WA 98039

ZONING INFORMATION

SITE NUMBER:	SE02481B
SITE NAME:	EVERGREEN PT. PERM RELO/ SCHOOL DISTRICT RL
SITE ADRESS:	7800 NE 28TH ST MEDINA, WA 98039
PARCEL #:	2425049104
CURRENT ZONING:	PUBLIC ZONING
JURISDICTION:	MEDINA
PARCEL AREA:	TBD
GOV CODE:	2018 IBC, STANDARDS & AMENDMENTS, WAC 51-50
BUILDING TYPE:	-
SITE TYPE:	UNSTAFFED TELECOMM FACILITY

UTILITY PURVEYOR

POWER COMPANY:	N/A
TELCO COMPANY:	N/A

LEGAL DESCRIPTION

ABBREVIATED PER ASSESSOR RECORDS.

SEE SHT. A-1 FOR FULL LEGAL DESCRIPTION

PROJECT TEAM

PROPERTY OWNER:	BELLEVUE SCHOOL DIST 405
TOWER OWNER:	VERTICAL BRIDGE
PROJECT MANAGER:	TAEC TJ ELWELL 9725 THIRD AVE NE, SUITE 410 SEATTLE, WA 98115 PHONE: 206-819-4727 tj.elwell@taec.net
CONSTRUCTION MANAGER:	TAEC JORDAN ABAD 9725 THIRD AVE NE, SUITE 410 SEATTLE, WA 98115 PHONE (206) 351-4009 jordan.abad@taec.net
SITE ACQUISITION:	TAEC GARY ABRAHAMS 9725 THIRD AVE NE, SUITE 410 SEATTLE, WA 98115 PHONE: (206) 349-4279 gary2@gmanetworkservices.com
ZONING:	TAEC GARY ABRAHAMS 9725 THIRD AVE NE, SUITE 410 SEATTLE, WA 98115 PHONE: (206) 349-4279 gary2@gmanetworkservices.com
RF ENGINEER:	T-MOBILE NEEL MEHTA 19807 NORTH CREEK PKWY N BOTHELL, WA 98011 Neel.Mehta7@T-mobile.com
CONSULTING ENGINEER:	B.J. THOMAS, P.E. 7607 80TH AVE NE MARYSVILLE, WA 98270 PHONE: 206-851-1106 bjthomas@bjthomaspe.comcastbiz.net

PROJECT DESCRIPTION

T-MOBILE PROPOSES TO MODIFY AN EXISTING WIRELESS FACILITY WITH THE FOLLOWING SCOPE OF WORK:

POWER:
REMOVE (E) GEN PLUG. ADD (N) CAMLOCK. KEEP (E) PANEL. ADD (6) NEW 40A BREAKERS. ADD (2) 1-1/4" OVERHEAD CONDUITS. ADD (2) NEW 6"x6" OVERHEAD J-BOXES. ADD (2) 3/4" CONDUITS FROM J-BOXES ((3) EACH) TO (N) INDOOR POWER CABINET. ADD WIRE TO CODE FOR (6) 40A CIRCUITS.

FIBER:
ADD WALL MOUNT LEC SLEEVE. RELOCATE (E) LEC ROUTER FROM CUBE TO WALL. ADD (1) 1" INNERDUCT CONDUIT IN (E) LADDER RACK FROM LEC ROUTER TO (N) 19" RACK. ADD (4) SM LC TO LC FIBER CABLES IN INNERDUCT. ADD (2) SHIELDED CAT6 CABLES IN (E) LADDER RACK AND BETWEEN (N) 19" RACK AND RELOCATED LEC ROUTER. ADD (2) #10AWG THHN WIRE ON NEW HANGERS IN (E) LADDER RACK AND BETWEEN (N) 19" RACK AND RELOCATED LEC ROUTER.

TOWER:
REPLACE EXISTING 65' CANISTER POLE WITH A 70' MONOPINE (65' TO TOP OF POLE, 70' TO THE TOP OF THE BRANCHES) AND ADD (7) ANTENNAS, (8) RRU'S AND (2) PENDANTS.

GROUND:
REMOVE (1) ID POWER RACK, REMOVE (8) BATTERIES, REMOVE (1) 19" ALUMINUM RACK, REMOVE (16) DIPLEXERS, REMOVE (4) FRBC, REMOVE (2) FIRE, REMOVE (3) FRIA, REMOVE (2) ESMB, REMOVE (3) FSMF, REMOVE (2) FXFC, REMOVE (2) FBBC, REMOVE (1) SAR A ROUTER, ADD (1) 23" ID DELTA POWER RACK WITH (16) BATTERIES, ADD (1) 19" HEAVY DUTY RACK WITH: (2) (N) AMIA, (1) RELOCATED FSMF, (3) (N) ABIA, (1) (N) CSR EXRE, (1) (N) ASIA, (2) (N) ASIL, (3) (N) ABIL, (1) (N) ABIO, DELTA SPD TRAY W/ 9 MODULES. ADD (2) EARTHQUAKE BRACES TO EACH (N) RACK. RELOCATE EMERGENCY GENERATOR.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING ON THESE PLANS IS TO BE CONSTRUCTED TO PERMIT WORK NOT CONFORMING TO THESE CODES.
2018 IBC, STANDARDS & AMENDMENTS, WAC 51-50
2018 IMC, STANDARDS & AMENDMENTS, WAC 51-52
2018 IFC, STANDARDS & AMENDMENTS, WAC 51-54
2020 NFPA 54 - NATIONAL FUEL GAS CODE (PROPANE INSTALLATIONS ONLY)
2020 NFPA 58 - LIQUEFIED PETROLEUM GAS CODE (PROPANE INSTALLATIONS ONLY)
2018 INTERNATIONAL FIRE CODE
2018 UPC, STANDARDS & AMENDMENTS, WAC 51-56, 51-57
2020 NATIONAL ELECTRICAL CODE
2017 NATIONAL ELECTRIC SAFETY CODE
LOCAL BUILDING CODE ORDINANCES
ANSI / TIA / EIA - 222 - G
NFPA-101 - LIFE SAFETY CODE

DRAWING INDEX

PROJECT INFORMATION

THIS IS UNSTAFFED AND RESTRICTED EQUIPMENT AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC CELLULAR SERVICE.
T-MOBILE CERTIFIES THAT THIS TELEPHONE EQUIPMENT FACILITY WILL BE SERVICED ONLY BY T-MOBILE EMPLOYEES AND THE WORK ASSOCIATED WITH ANY EQUIPMENT CANNOT BE PERFORMED BY HANDICAPPED PERSONS. THIS FACILITY WILL BE FREQUENTED ONLY BY SERVICE PERSONNEL FOR REPAIR PURPOSES. PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA), APPENDIX B SECTION 4.11. (5)(b), THIS FACILITY IS EXEMPT FROM THAT ACT.
NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
NO WASTE WATER OR SOLID WASTE WILL BE GENERATED AT THIS LOCATION.
T-MOBILE MAINTENANCE CREW (ONE PERSON) WILL MAKE AN AVERAGE OF ONE TRIP PER MONTH AT ONE HOUR PER TRIP.

APPROVAL/SIGN OFF OF CONST DRAWINGS

REVIEWERS SHALL CLEARLY PLACE INITIALS ADJACENT TO EACH REDLINE NOTE AS DRAWINGS ARE BEING REVIEWED.

CONSULTANT GROUP SIGN OFF

LANDLORD'S REPRESENTATIVE:	DATE:
CONSTRUCTION MANAGER:	DATE:
CONSTRUCTION PROJECT MANAGER:	DATE:
PROJECT MANAGER:	DATE:
SITE ACQUISITION:	DATE:
ZONING:	DATE:
RF ENGINEER:	DATE:

T··Mobile·

verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

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PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

TITLE SHEET

DRAWING NUMBER:

T-1

GENERAL NOTES:

1. DRAWINGS ARE NOT TO BE SCALED. WRITTEN DIMENSIONS TAKE PRECEDENCE. THIS SET OF DOCUMENTS IS INTENDED TO BE USED FOR DIAGRAMMATIC PURPOSED ONLY, UNLESS NOTED OTHERWISE. THE GENERAL CONTRACTOR'S SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERIALS, EQUIPMENT, LABOR AND ANY REQUIREMENTS DEEMED NECESSARY TO COMPLETE INSTALLATION AS DESCRIBED IN THE DRAWINGS AND OWNER'S PROJECT MANUAL.

2. THE CONTRACTOR IS RESPONSIBLE FOR ALL DIMENSIONS AND STANDARDIZED DETAILS THAT REQUIRE MODIFICATIONS DUE TO ACTUAL FIELD CONDITIONS AND REQUIREMENTS MUST BE SUBMITTED TO AND APPROVED BY, T-MOBILE WIRELESS REPRESENTATIVE PRIOR TO START OF WORK.

3. PRIOR TO THE SUBMISSION OF BIDS, CONTRACTORS INVOLVED SHALL VISIT THE JOB SITE TO FAMILIARIZE THEMSELVES WITH ALL CONDITIONS AFFECTING THE PROPOSED PROJECT. CONTRACTORS SHALL VISIT THE CONSTRUCTION SITE WITH THE CONSTRUCTION/CONTRACT DOCUMENTS TO VERIFY FIELD CONDITIONS AND CONFIRM THAT THE PROJECT WILL BE ACCOMPLISHED AS SHOWN. PRIOR TO PROCEEDING WITH CONSTRUCTION, ANY ERRORS, OMISSIONS, OR DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/ENGINEER VERBALLY AND IN WRITING.

4. THE GENERAL CONTRACTOR SHALL RECEIVE WRITTEN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DRAWINGS/CONTRACT DOCUMENTS.

5. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED IN THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, SAFETY, AND PROCEDURES FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.

6. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO MANUFACTURER'S/VENDOR'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.

7. ALL WORK PERFORMED ON THE PROJECT AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK.

8. GENERAL CONTRACTOR SHALL PROVIDE, AT THE PROJECT SITE, A FULL SET OF CONSTRUCTION DOCUMENTS UPDATED WITH THE LATEST REVISIONS INVOLVED WITH THE PROJECT. THIS SET IS A VALID CONTRACT DOCUMENT ONLY IF THE TITLE SHEET IS STAMPED IN RED INK "FOR CONSTRUCTION" AND EACH SUCCESSIVE SHEET BEARS THE ARCHITECT'S/ENGINEER'S SIGNED WET STAMP.

9. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST DAMAGE, BREAKAGE, COLLAPSE, ETC. ACCORDING TO APPLICABLE CODES, STANDARDS, AND GOOD CONSTRUCTION PRACTICES.

10. THE CONTRACTOR SHALL MEET ALL OSHA REQUIREMENTS FOR ALL INSTALLATIONS.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO THE EXISTING CONSTRUCTION AND REPAIR ALL DAMAGES TO BETTER THAN NEW CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE CONSULTANT OF ANY DAMAGE TO THE BUILDING SITE OR ANY ADJACENT STRUCTURES AROUND THE PROJECT. THE T-MOBILE REPRESENTATIVE SHALL BE SOLE AND FINAL JUDGE AS TO THE QUALITY OF THE REPAIRED CONSTRUCTION. ANY ADDITIONAL MODIFICATIONS WHICH MUST BE MADE SHALL BE MADE AT THE CONTRACTOR'S EXPENSE.

12. WHERE NEW PAVING, CONCRETE SIDEWALKS OR PATHS MEET EXISTING CONSTRUCTION, THE CONTRACTOR SHALL MATCH THE EXISTING PITCH, GRADE, AND ELEVATION SO THE ENTIRE STRUCTURE SHALL HAVE A SMOOTH TRANSITION.

13. THE CONTRACTOR SHALL MODIFY THE EXISTING FLOORS, WALL, CEILING, OR OTHER CONSTRUCTION AS REQUIRED TO GAIN ACCESS TO AREAS FOR ALL MECHANICAL, PLUMBING, ELECTRICAL, OR STRUCTURAL MODIFICATIONS. WHERE THE EXISTING CONSTRUCTION DOORS, PARTITIONS, CEILING, ETC., ARE TO BE REMOVED, MODIFIED, OR REARRANGED OR WHERE THE EXPOSED OR HIDDEN MECHANICAL, ELECTRICAL, SYSTEMS ARE ADDED OR MODIFIED, THE GENERAL CONTRACTOR SHALL REPAIR, PATCH AND MATCH ALL EXISTING CONSTRUCTION AND FINISHES OF ALL FLOORS WALLS AND CEILINGS. WHERE CONCRETE MASONRY CONSTRUCTION IS MODIFIED, THE CONTRACTOR SHALL TOOTH IN ALL NEW CONSTRUCTION TO MATCH THE EXISTING BOND. WHERE CONCRETE CONSTRUCTION IS MODIFIED. THE CONTRACTOR SHALL VERIFY THE EXACT DETAILS TO BE USED FOR CONSTRUCTION. ALL WORK SHALL BE COVERED UNDER THE GENERAL CONTRACT.

14. IF CONTRACTOR OR SUBCONTRACTOR FIND IT NECESSARY TO DEVIATE FROM ORIGINAL APPROVED PLANS, THEN IT IS THE CONTRACTOR'S AND THE SUBCONTRACTOR'S RESPONSIBILITY TO PROVIDE THE CONSULTANT WITH 4 COPIES OF THE PROPOSED CHANGES FOR HIS APPROVAL BEFORE PROCEEDING WITH THE WORK. IN ADDITION THE CONTRACTOR AND SUBCONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY APPROVALS FROM THE BUILDING AUTHORITIES FOR THE PROPOSED CHANGES BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR AND SUBCONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY INSPECTIONS AND APPROVALS FROM BUILDING AUTHORITIES DURING THE EXECUTION OF THE WORK.

15. CONTRACTOR TO PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A10BC WITHIN 75 FEET TRAVEL DISTANCE TO ALL PORTIONS OF PROJECT AREA DURING CONSTRUCTION.

16. THE CONTRACTOR SHALL PERFORM WORK DURING OWNER'S PREFERRED HOURS TO AVOID DISTURBING NORMAL BUSINESS.

17. SEAL ALL PENETRATIONS THROUGH FIRE-RATED AREAS WITH U.L. LISTED OR FIRE MARSHAL APPROVED MATERIALS AS APPLICABLE TO THIS FACILITY AND OR PROJECT SITE.

18. CONTRACTOR SHALL BE RESPONSIBLE FOR UTILITY LOCATES, SCHEDULING, COORDINATING SPECIAL AND BUILDING DEPARTMENT INSPECTIONS.

19. CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING AND UTILIZING ORIGINAL ROOFING CONTRACTOR AS REQUIRED TO MAINTAIN ANY EXISTING ROOFING WARRANTY.

20. ROUTING OF ALL CONDUITS, CABLES, CABLE TRAYS ETC ARE INDICATED AS PROPOSED LOCATION ONLY. CONFIRM THE EXACT LOCATION AND ROUTING WITH THE ON SITE T-MOBILE CONSTRUCTION MANAGER PRIOR TO STARTING WORK.

ABBREVIATIONS

AC	AIR CONDITIONER
AFF	ABOVE FINISHED FLOOR
AFG	ABOVE FINISHED GRADE
AFS	ABOVE FINISHED SLAB
ALUM	ALUMINUM
	ANCHOR BOLT
	ANGLE
ARCH	ARCHITECTURAL
BTS	BASE TRANSMISSION SYSTEM
BLDG	BUILDING
BM	BEAM
BOT	BOTTOM
B.O.	BOTTOM OF
BOC	BOTTOM OF CONCRETE
BOS	BOTTOM OF STEEL
	CONTROL JOINT
	CENTER LINE
CLG	CEILING
CLR	CLEAR
CMU	CONCRETE MASONRY UNIT
COL	COLUMN
CONC	CONCRETE
CONST	CONSTRUCTION
CONT	CONTINUOUS
CTR	CENTER
DIA / Ø	DIAMETER
DTL	DETAIL
	EXISTING
EA	EACH
	EXPANSION JOINT
ELEC	ELECTRIC/ELECTRICAL
	ELEVATION
EQ	EQUAL
EW	EACH WAY
EXP	EXPANSION
EXT	EXTERIOR
	FLOOR DRAIN
FIN	FINISH
FIN FLR	FINISH FLOOR
FLR	FLOOR
FTG	FOOTING
GA	GAUGE
GALV	GALVANIZED
GYP	GYPSUM
GB	GYPSUM BOARD
HM	HOLLOW METAL
HOR	HORIZONTAL
HR	HOUR
	HEIGHT
HVAC	HEATING VENTILATION AIR CONDITIONING
INSUL	INSULATION
INT	INTERIOR
JT	JOINT
LAM	LAMINATED
LF	LINEAL FOOT
MANUF	MANUFACTURER
MAX	MAXIMUM
MECH	MECHANICAL
MH	MANHOLE
MM	MILLIMETER
MIN	MINIMUM
MISC	MISCELLANEOUS
MPH	MILES PER HOUR
MTL	METAL
NIC	NOT IN CONTRACT
NOM	NOMINAL
NTS	NOT TO SCALE
OC	ON CENTER
OD	OUTSIDE DIAMETER
OH	OVERHEAD
OPNG	OPENING
OPP	OPPOSITE
(P)	PROPOSED
PCS	PERSONAL COMMUNICATION SYSTEM
PL	PLATE
PR	PAIR
PSI	POUNDS PER SQUARE INCH
PSF	POUNDS PER SQUARE FOOT
PT	PRESSURE TREATED
RAD	RADIUS
RD	ROOF DRAIN
REINF	REINFORCED/REINFORCING
REQ'D	REQUIRED
RM	ROOM
R/W	RIGHT OF WAY
SCHED	SCHEDULE
SECT	SECTION
SF	SQUARE FOOT
SIM	SIMILAR
SQ FT	SQUARE FOOT
SS	STAINLESS STEEL
STD	STANDARD
STL	STEEL
STRUC	STRUCTURAL
TEMP	TEMPORARY
THK	THICK
T.O.	TOP OF
TOS	TOP OF STEEL
TOC	TOP OF CONCRETE
TYP	TYPICAL
UNO	UNLESS NOTED OTHERWISE
VCT	VINYL COMPOSITION TILE
VERT	VERTICAL
W/	WITH
WWM	WELDED WIRE MESH

LEGENDS & SYMBOLS

CHAIN LINK FENCE

CEDAR FENCE

POWER

TELCO

POWER/TELCO

COAX

OVERHEAD POWER

CENTERLINE

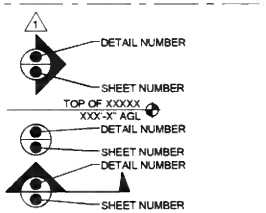
REVISION BUG

ELEVATION VIEW BUG

ELEVATION VIEW BUG

DETAIL BUG

SECTION BUG



SPECIAL INSPECTIONS:

SPECIAL INSPECTIONS IN ACCORDANCE WITH IBC 2015 SECTION 1704.

SOILS/GEOTECHNICAL:
- ☐ SHORING INSTALLATION AND MONITORING
- ☐ OBSERVE AND MONITOR EXCAVATION
- ☐ VERIFY SOIL BEARING _____ psf BEARING
- ☐ SUBSURFACE DRAINAGE PLACEMENT
- ☐ VERIFY FILL MATERIAL AND COMPACTION
- ☐ VERIFY CONDITIONS AS ANTICIPATED
- ☐ PILE PLACEMENT (AUGER CAST/DRIVEN PILE)
- ☐ OTHER

REINFORCED CONCRETE:
- ☐ REINFORCING STEEL AND CONCRETE PLACEMENT
- ☐ PRESTRESSED/PRECAST CONCRETE FABRICATION AND ERECTION
- ☐ BATCH PLANT INSPECTION
- ☐ SHOTCRETE
- ☐ GROUTING
- ☐ OTHER

STRUCTURAL STEEL:
- ☐ FABRICATION AND SHOP WELDS
- ☐ ERECTION AND FIELD WELDS AND BOLTING
- ☐ OTHER: _____

STRUCTURAL ALUMINUM:
- ☐ FABRICATION AND SHOP WELDS
- ☐ ERECTION AND FIELD WELDS AND BOLTING
- ☐ OTHER: _____

STRUCTURAL MASONRY:
- ☐ CONTINUOUS
- ☐ PERIODIC
- ☐ OTHER: _____

MISCELLANEOUS:
- ☐ OTHER: _____

ANCHORING TO CONCRETE:
- ☐ BOLTS INSTALLED IN CONCRETE
- ☐ POST-INSTALLATION ADHESIVE ANCHORS
- ☐ POST-INSTALLATION MECHANICAL ANCHORS

SAFETY PRECAUTION SHALL BE IMPLEMENTED BY CONTRACTOR(S) AT ALL TRENCHING IN ACCORDANCE WITH CURRENT OSHA STANDARDS

CALL TWO WORKING DAYS BEFORE YOU DIG

811

NATIONAL UTILITIES UNDERGROUND LOCATE

ELECTRIC - RED	TEL/CATV - ORANGE
SEWER - GREEN	PROPOSED - WHITE
GAS/OIL - YELLOW	WATER - BLUE
SURVEY - PINK	

T-Mobile

verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM
RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

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PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

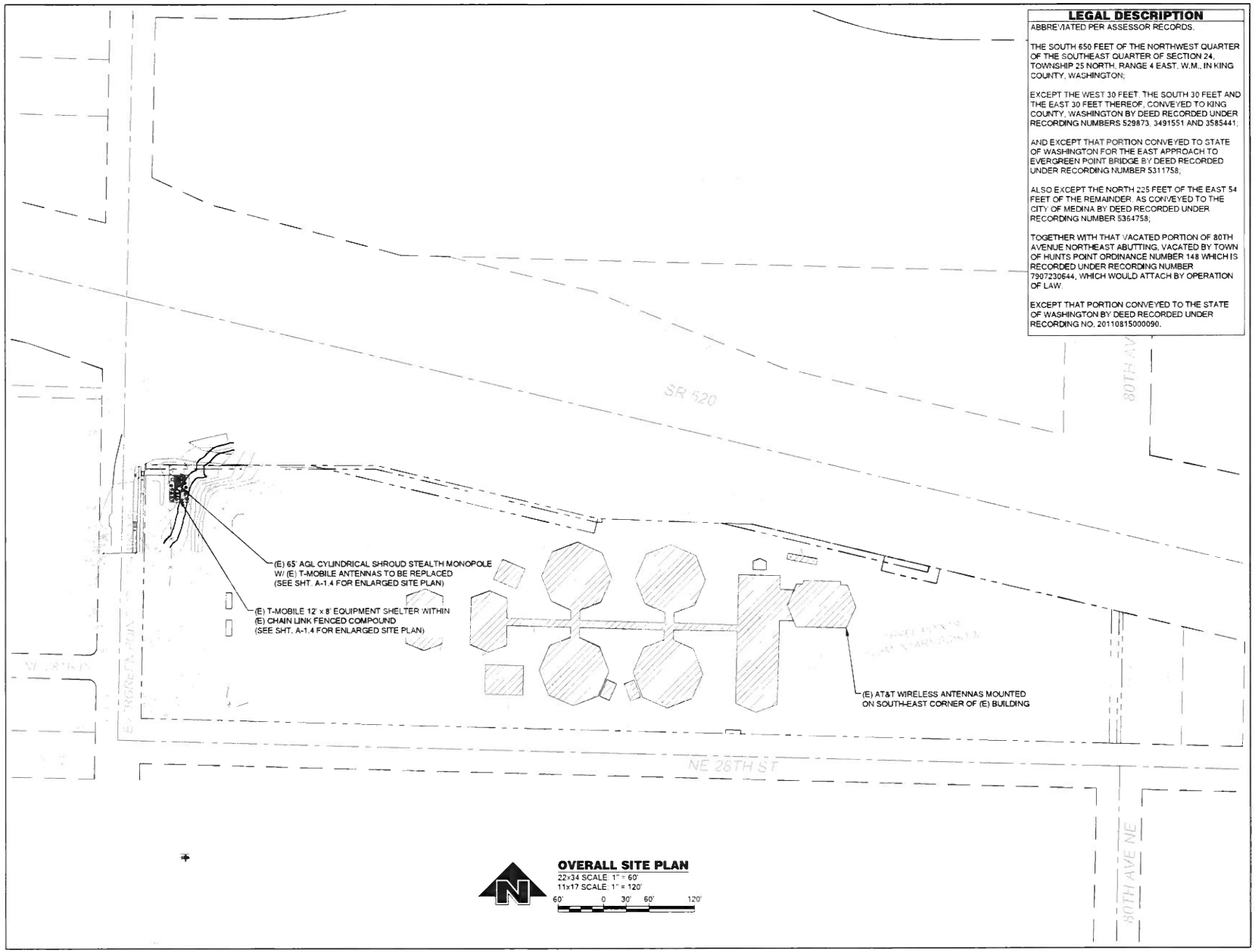
DRAWING INFORMATION:

DRAWING TITLE:

GENERAL NOTES

DRAWING NUMBER:

G-1



OVERALL SITE PLAN
22x34 SCALE: 1" = 60'
11x17 SCALE: 1" = 120'
60' 0 30' 60' 120'

LEGAL DESCRIPTION

ABBREVIATED PER ASSESSOR RECORDS.

THE SOUTH 650 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON;

EXCEPT THE WEST 30 FEET, THE SOUTH 30 FEET AND THE EAST 30 FEET THEREOF, CONVEYED TO KING COUNTY, WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBERS 529873, 3491551 AND 3585441;

AND EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON FOR THE EAST APPROACH TO EVERGREEN POINT BRIDGE BY DEED RECORDED UNDER RECORDING NUMBER 5311758;

ALSO EXCEPT THE NORTH 225 FEET OF THE EAST 54 FEET OF THE REMAINDER, AS CONVEYED TO THE CITY OF MEDINA BY DEED RECORDED UNDER RECORDING NUMBER 5364758;

TOGETHER WITH THAT VACATED PORTION OF 80TH AVENUE NORTHEAST ABUTTING, VACATED BY TOWN OF HUNTS POINT ORDINANCE NUMBER 148 WHICH IS RECORDED UNDER RECORDING NUMBER 7907230644, WHICH WOULD ATTACH BY OPERATION OF LAW.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEED RECORDED UNDER RECORDING NO. 20110815000090.

T-Mobile
verticalbridge

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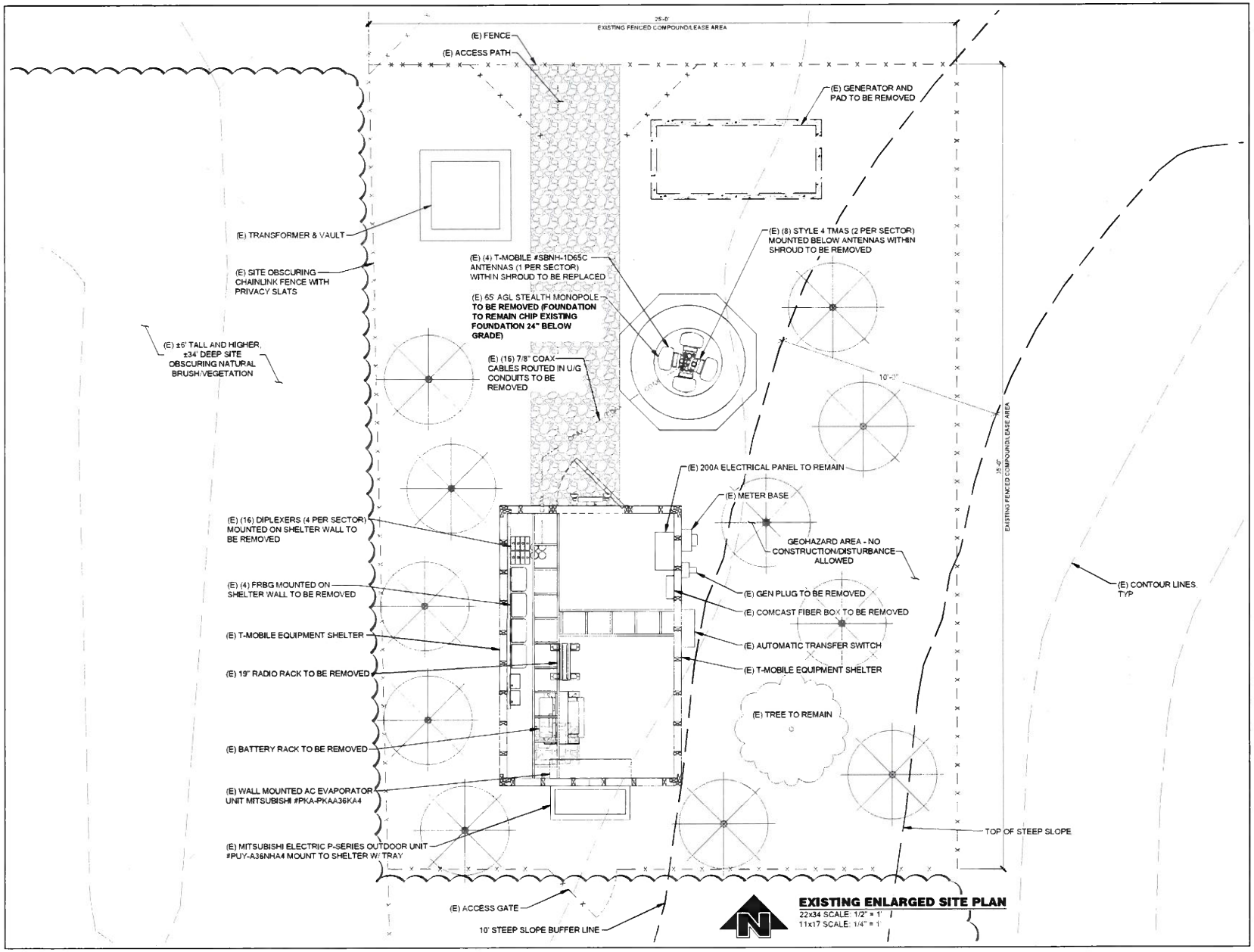
OVERALL SITE PLAN

DRAWING NUMBER:

A-1



EXISTING ENLARGED SITE PLAN

22x34 SCALE: 1/2" = 1'
11x17 SCALE: 1/4" = 1

T-Mobile
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

NO.	DATE:	DESCRIPTION:	CHK. BY:
9	08/17/2024	NEW RFDS v4 12/13/2023	MGM
8	08/23/2023	NEW RFDS v4 07/03/2023	BJT
7	02/23/2023	ISSUED FOR 100% ANCHOR CD	BJT
6	2/7/2022	MINOR REV	BJT
5	1/25/2022	REVISED EMERGENCY GENERATOR LOCATION	BJT
4	12/9/2021	REVISED MONOPINE LOCATION	BJT
3	8/4/2021	MINOR REV PER 1A SURVEY	BJT
2	5/17/2021	REVISED PER REDLINES	BJT
1	4/29/2021	ISSUED DESIGN REVIEW	BJT

PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

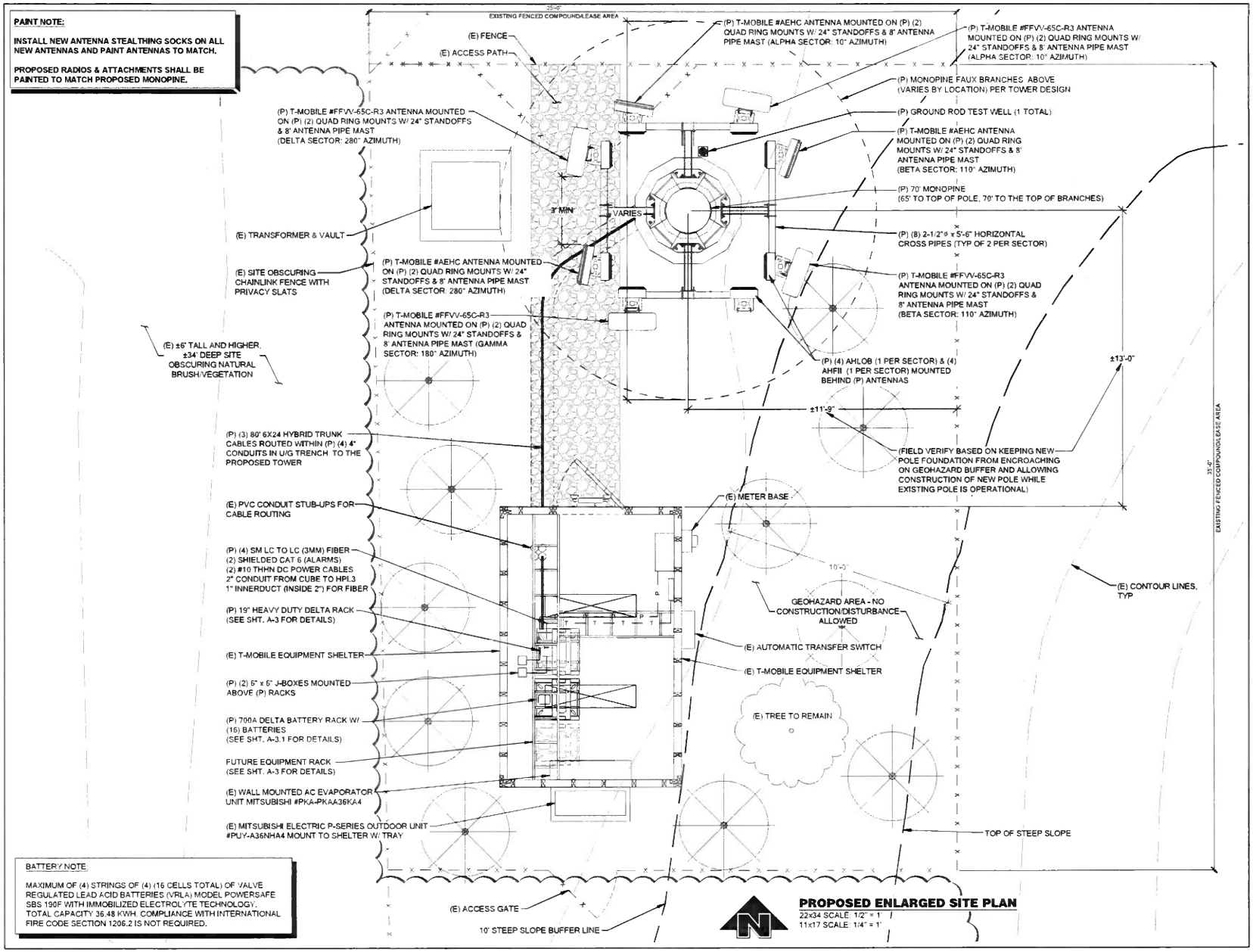
DRAWING INFORMATION:

DRAWING TITLE:

EXISTING ENLARGED SITE PLAN

DRAWING NUMBER:

A-1.1



T-Mobile

verticalbridge

PROJECT INFORMATION:

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PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

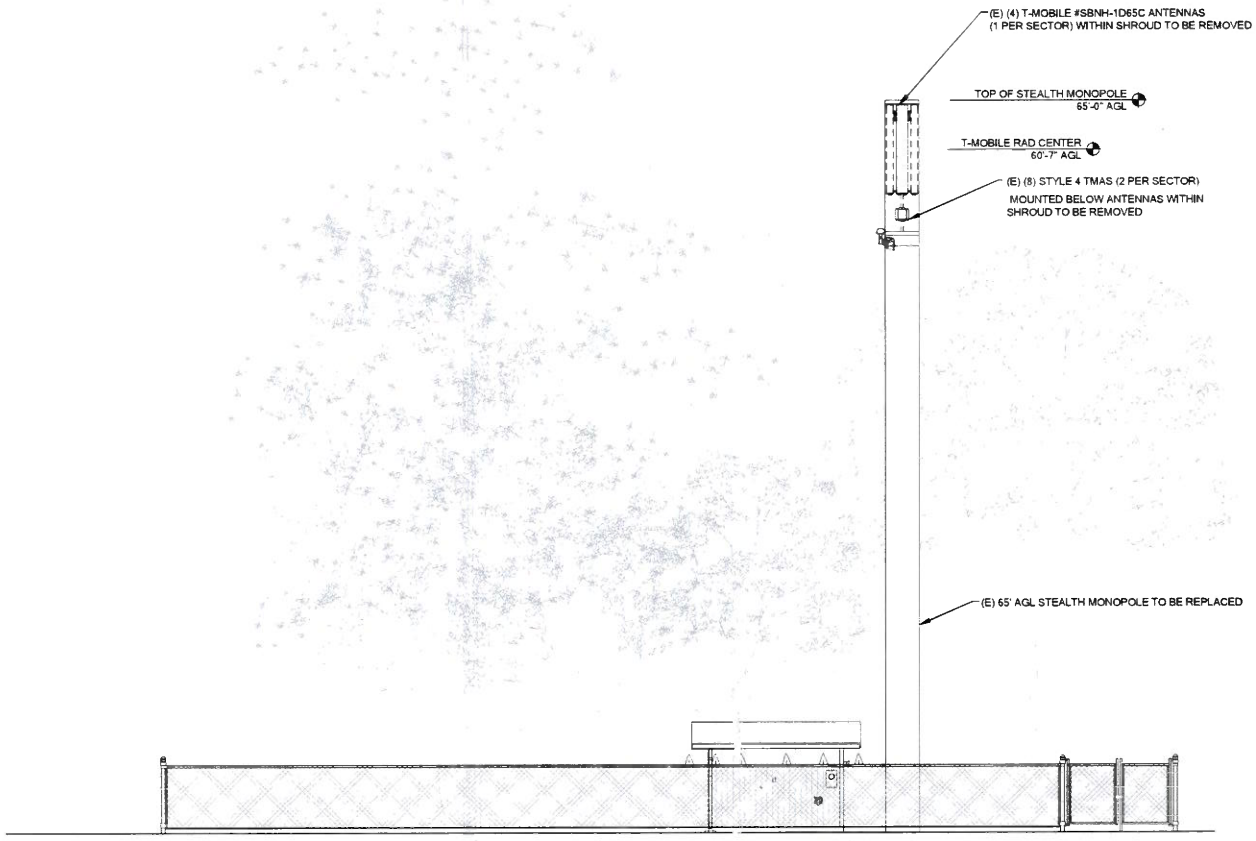
DRAWING INFORMATION:

DRAWING TITLE:

PROPOSED ENLARGED SITE PLAN

DRAWING NUMBER:

A-1.2



1 / A-2 **EXISTING EAST ELEVATION**
SCALE: NTS

T-Mobile
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM
RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
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206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

EXISTING SITE ELEVATION

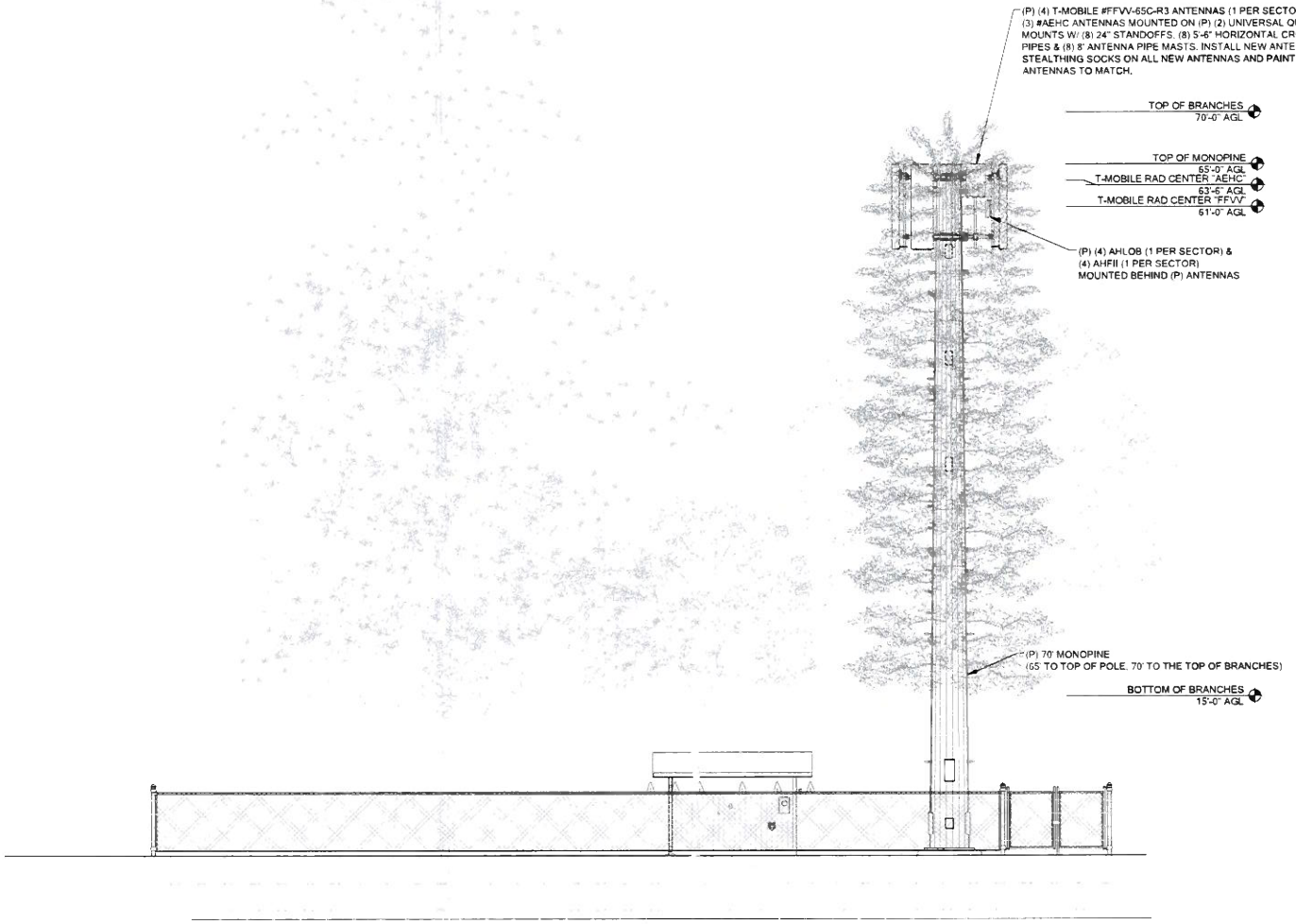
DRAWING NUMBER:

A-2

PAINT NOTE:

INSTALL NEW ANTENNA STEALTHING SOCKS ON ALL NEW ANTENNAS AND PAINT ANTENNAS TO MATCH.

PROPOSED RADIOS & ATTACHMENTS SHALL BE PAINTED TO MATCH PROPOSED MONOPINE.



1 / A-2.1 **PROPOSED EAST ELEVATION**
SCALE: NTS

T-Mobile
verticalbridge

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PLANS PREPARED BY:

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7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
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LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

PROPOSED SITE ELEVATION

DRAWING NUMBER:

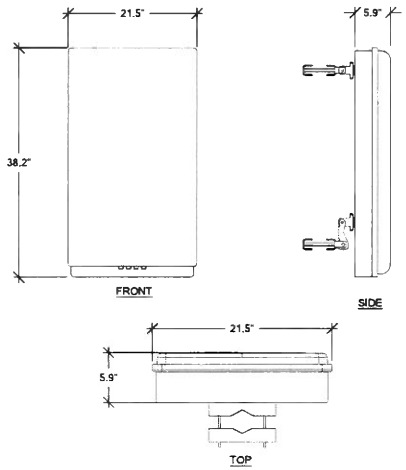
A-2.1

"FINAL" SITE LOADING CHART

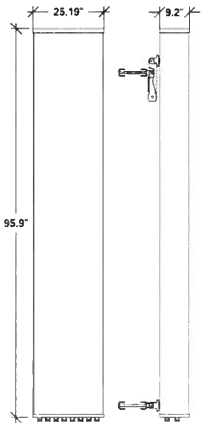
SECTOR	COLOR	POSITION	ANTENNA MODEL #	VENDOR	AZIMUTH (TN)	RADIATION CENTER	HYBRID CABLE LENGTH	COAX CABLES	ADDITIONAL EQUIPMENT
ALPHA	RED	1 2	FFVV-65C-R3 AEHC	COMMSCOPE NOKIA	10° 10°	61'-0" AGL 63'-6" AGL	(3) 100' 6x24 HYBRID TRUNK CABLES	N/A	(1) AHLOB (1) AHFII
BETA	GREEN	1 2	FFVV-65C-R3 AEHC	COMMSCOPE NOKIA	110° 110°	61'-0" AGL 63'-6" AGL			(1) AHLOB (1) AHFII
GAMMA	BLUE	1	FFVV-65C-R3	COMMSCOPE	180°	61'-0" AGL			(1) AHLOB (1) AHFII
DELTA	YELLOW	1 2	FFVV-65C-R3 AEHC	COMMSCOPE NOKIA	280° 280°	61'-0" AGL 63'-6" AGL (9)			(1) AHLOB (1) AHFII

RFDS	
PROJECT TYPE	ANCHOR
RFDS VERSION	4 - 08/25/2023 7:41:32 AM (9)

MANUFACTURER: NOKIA
MODEL: AEHC
WEIGHT: 108 LBS
DIMENSIONS: 38.2" x 21.5" x 5.9"

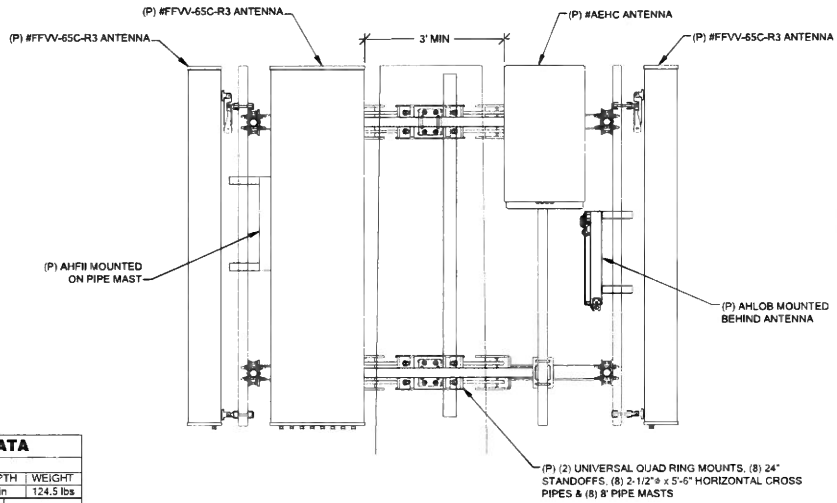


1 RF-1 **AEHC DETAIL**
SCALE: NTS



COMMSCOPE ANTENNA DATA				
MECHANICAL SPECIFICATIONS				
PART NUMBER	HEIGHT	WIDTH	DEPTH	WEIGHT
FFVV-65C-R3-V1	95.9 in	25.19 in	9.2 in	124.5 lbs
CONNECTORS	STANDARD MOUNTING HARDWARE			
(8) 7-16 DIN	INCLUDED			
ELECTRICAL SPECIFICATIONS				
FREQUENCY	POLARIZATION	GAIN	AZIMUTH B.W.	
617-2690 MHz	±45°	16-18.6 dBi	57° - 68°	
	VSWR	MAX INPUT POWER	ELEVATION B.W.	
	<1.5:1	250 WATTS	4.1° - 10.2°	

2 RF-1 **FFVV-65C-R3 DETAIL**
SCALE: NTS



3 RF-1 **ANTENNA ELEVATION DETAIL**
SCALE: NTS

T-Mobile
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
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PLANS PREPARED BY:

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7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

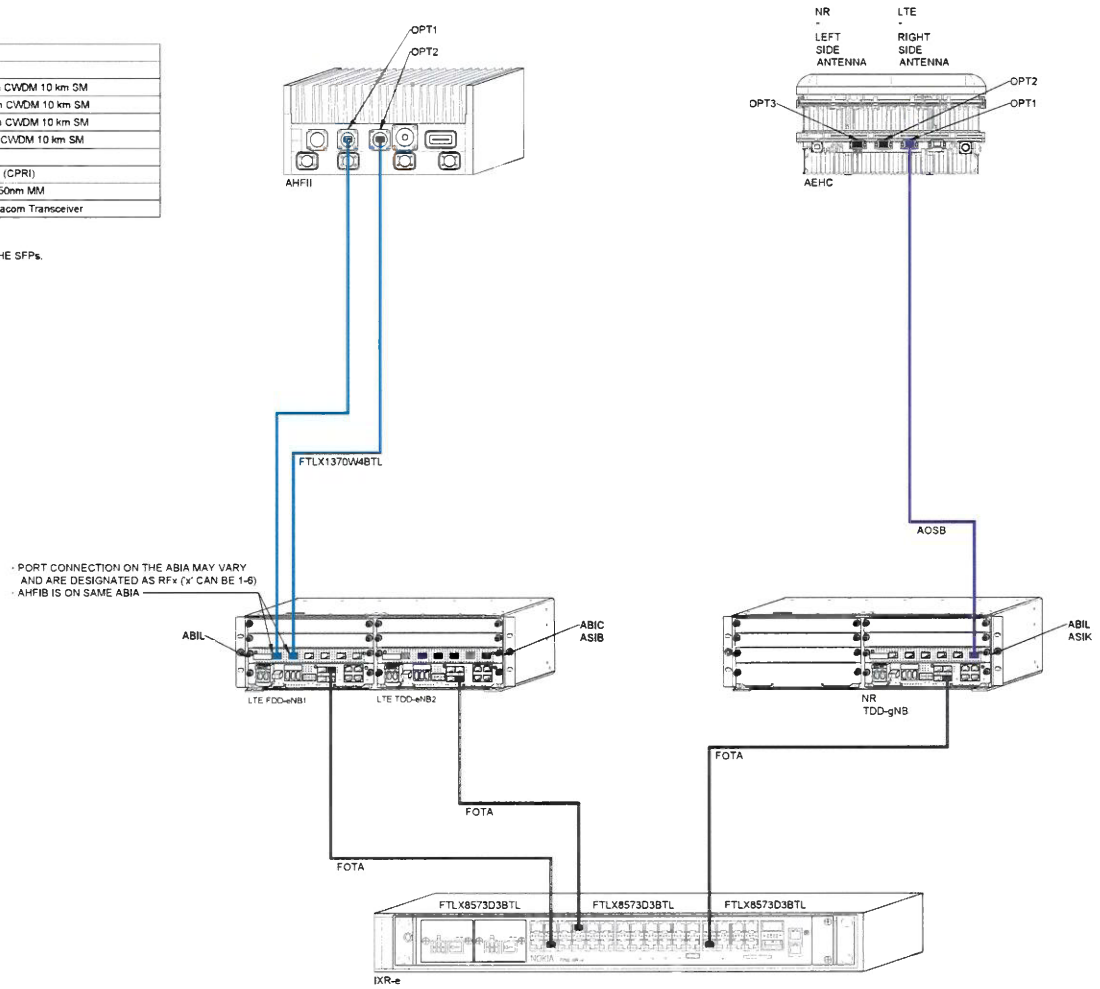
RF DETAILS

DRAWING NUMBER:

RF-1

NOKIA ITEM CODE/SECTOR		PRODUCT NAME
474335A	x 2	FOCZ QSFP+ 4x10 km SM
474385A	x 2	FOUF SFP+ 10GBASE-LR 1271 nm CWDM 10 km SM
474386A	x 2	FOUG SFP+ 10GBASE-LR 1291 nm CWDM 10 km SM
474387A	x 1	FOUH SFP+ 10GBASE-LR 1311 nm CWDM 10 km SM
474388A	x 1	FOUI SFP+ 10GBASE-LR 1331 nm CWDM 10 km SM
474829A	x 2	AOSB QSFP28 SM 10 km LC
FTLX1370W4BTL	x 4	SM SFP 1310 nm CPRI 9.8G 1.4km (CPRI)
473471A	x 3	FOTA Optical SFP+ 10GBase-SR 850nm MM
FTLX8573D3BTL	x 3	10Gb/s 850nm Multimode SFP+ Datacom Transceiver

NOTE:
JDSU AND EXFO GEAR CAN BE USED TO READ WAVELENGTH ON THE SFPs.



T-Mobile
verticalbridge

PROJECT INFORMATION:

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PLANS PREPARED BY:

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7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

SFP DETAILS

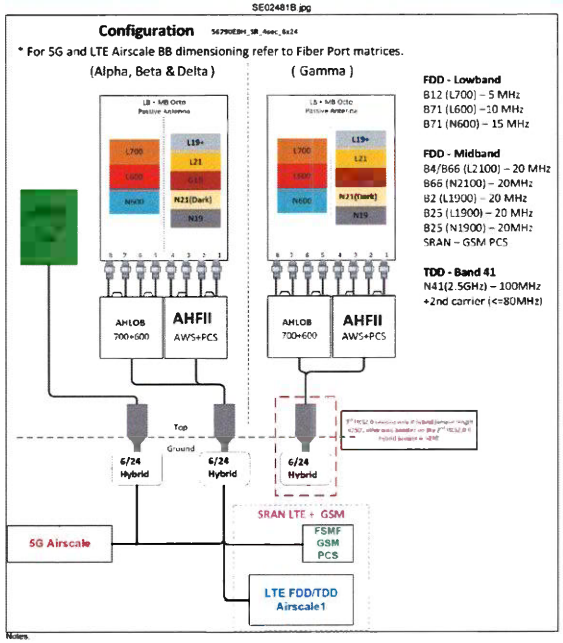
DRAWING NUMBER:

RF-1.1

2/22/24 1:01 PM SE02481B_Anchor 4_2024-02-22

Section 3 - Proposed Template Images

SE02481B.jpg



https://rfds.internal.t-mobile.com/datasheet/printout/ead09c15-759c-4417-9e00-038f14c41d8d/8dafaf66-473f-456f-9741-32ee653aed98 3/14

(9)

T-Mobile

vertical bridge

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MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

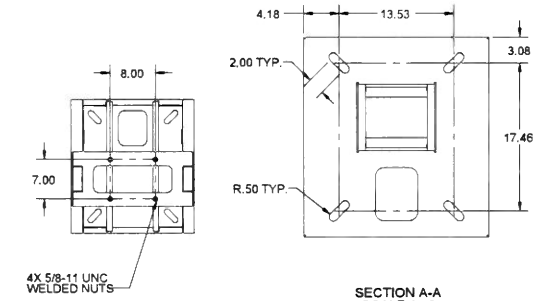
RF DETAILS

DRAWING NUMBER:

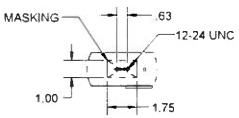
RF-2

NOTES:

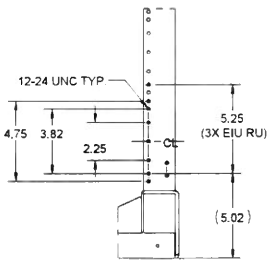
1. MATERIAL: HEAVY GAUGE WELDED STEEL FRAME.
2. STANDARD FINISH: TELCO GRAY POWDER COAT.
3. TELCORDIA GR-63-CORE TESTED FOR SEISMIC ZONE 4 QUALIFICATION.
4. TAPPED MOUNTING HOLES PROVIDED IN FRONT AND REAR FLANGES.
5. LOAD RATING: 925 LBS IN ZONE 4 SEISMIC AREAS (INCLUDES 50 LBS OF OVERHEAD CABLE).
6. EMPTY RACK WEIGHT: 147 LBS.



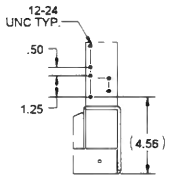
SECTION A-A
SCALE 1 : 8



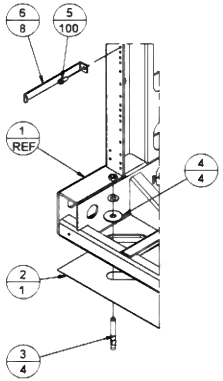
DETAIL E
SCALE 1 : 4
MASKED GROUNDING PROVISIONS, 4 PLCS.



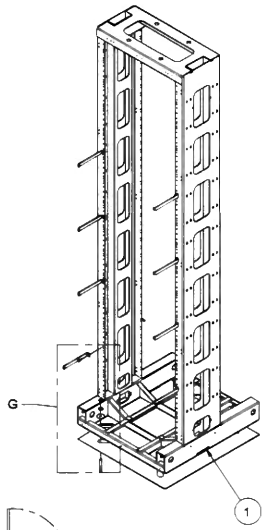
DETAIL B
SCALE 1 : 4
(NOKIA FLEXI HOLE PATTERN)

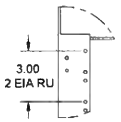


DETAIL C
SCALE 1 : 4
(EIA HOLE PATTERN)

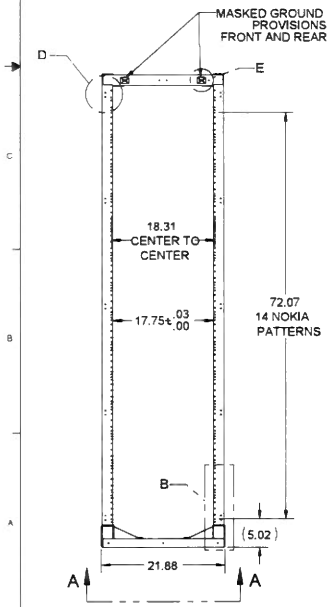


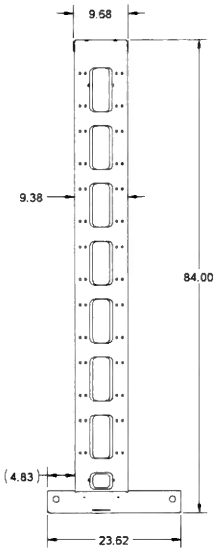
DETAIL G
SCALE 1 : 5

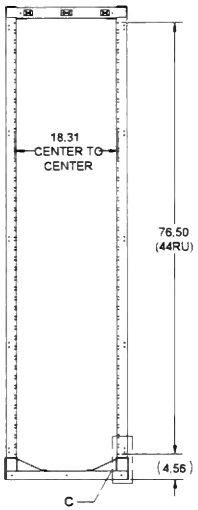




DETAIL D
SCALE 1 : 4







DESCRIPTION

- 19" PANEL MOUNTING
- 600MM DEEP BASE
- 7' RACK
- 44 EIA RU IN REAR
- 14 NOKIA FLEXI PATTERNS IN FRONT + 2 EIA RU
- TELCO GRAY

ITEM NO.	DESCRIPTION	QTY.
6	BRACKET, CABLE TIE, 6.0 " LG (P/N CT-001)	8
5	SCREW, 12-24 X 5/8, HEX FLANGE SLOT, ZINC	100
4	WASHER, 3/8 X 1.25 O.D, FENDER, ZC 4	4
3	ANCHOR, WEDGE, 3/8 X 3.00 LONG 4	4
2	PAD, ISOLATION, 19" TITAN RACKS, 600MM DEEP BASE	1
1	TITAN RACK, 19", 600 MM DEEP, 7FT, NOKIA FLEXI HOLES	1

DELTA GREENTECH
2925 E. Plano Pkwy.
Plano, TX 75074
PH. 214-431-3550

	NAME	DATE
DRAWN	RNA	05-10-16
ENG APPR.		

TITLE: TITAN RACK, 19", 600 MM DEEP, 7FT, NOKIA FLEXI HOLES

SIZE: C | DWG. NO.: 3921896900 | REV: A

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES

PROJECTION

SCALE: 1:12 | SHEET 1 OF

1 / A-3 **DELTA 19" FLEXI RACK DETAILS**
SCALE: NTS

T-Mobile
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
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PLANS PREPARED BY:

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206-851-1106

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JL	BJ

LICENSURE:

DRAWING INFORMATION:

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS AND OMISSIONS. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN WHICH IS RELATED TO NAMED CLIENT IS STRICTLY PROHIBITED.

DRAWING TITLE:

BTS EQUIPMENT DETAILS

DRAWING NUMBER:

A-3

FIRE CODE / BATTERY NOTES:

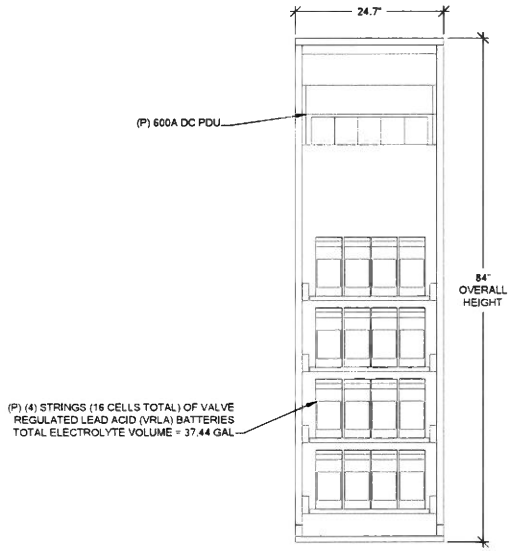
PROPOSED BATTERY INFORMATION:
MAXIMUM OF (4) STRINGS OF (4) (16 CELLS TOTAL) OF VALVE REGULATED LEAD ACID BATTERIES (VRLA) MODEL POWERSAFE SBS 190F WITH IMMOBILIZED ELECTROLYTE TECHNOLOGY. TOTAL CAPACITY 36.48 KWH. COMPLIANCE WITH INTERNATIONAL FIRE CODE SECTION 1206.2 IS NOT REQUIRED.

1. THE CONTRACTOR SHALL ENSURE COMPLIANCE WITH CHAPTER 33 OF THE INTERNATIONAL FIRE CODE FOR ALL CONSTRUCTION ACTIVITIES. ADEQUATE FIRE APPARATUS ACCESS SHALL BE PROVIDED TO THE BUILDING AND SITE AT ALL TIMES DURING CONSTRUCTION.
2. IF THE QUANTITY OF VLRA BATTERIES EXCEEDS 50 GALLONS OF ELECTROLYTE, THE SITE SHALL COMPLY WITH IFC SECTION 608 REGARDING SELF-RESEALING FLAME-ARRESTING CAPS, THERMAL RUNAWAY MANAGEMENT, NEUTRALIZATION, VENTILATION, SIGNAGE, SEISMIC PROTECTION AND SMOKE DETECTION.

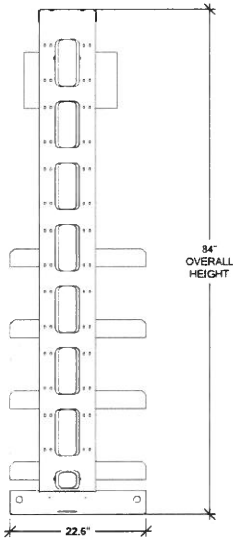
DELTA 700A POWER RACK
HEIGHT: 84"
DEPTH: 22.6"
WIDTH: 24.7"
MAXIMUM CABINET WEIGHT (WITHOUT BATTERIES & RECTIFIERS) 250 LBS

BATTERY NOTE:

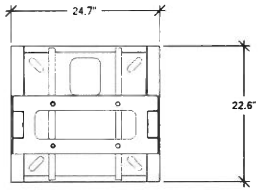
MAXIMUM OF (4) STRINGS OF (4) (16 CELLS TOTAL) OF VALVE REGULATED LEAD ACID BATTERIES (VRLA) MODEL POWERSAFE SBS 190F WITH IMMOBILIZED ELECTROLYTE TECHNOLOGY. TOTAL CAPACITY 36.48 KWH. COMPLIANCE WITH INTERNATIONAL FIRE CODE SECTION 1206.2 IS NOT REQUIRED.



FRONT ELEVATION



SIDE ELEVATION



TOP VIEW

1 A-3.1 **DELTA 600A POWER RACK SPECIFICATION**
SCALE: NTS

T-Mobile
vertical bridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

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3	8/4/2021	MINOR REV PER 1A SURVEY	BJT
2	5/17/2021	REVISED PER REDLINES	BJT
1	4/29/2021	ISSUED DESIGN REVIEW	BJT

PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

BTS EQUIPMENT DETAILS

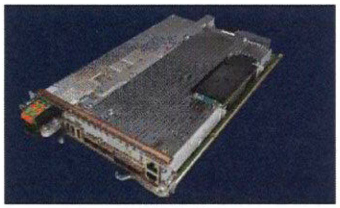
DRAWING NUMBER:

A-3.1

NOKIA: AIRSCALE CAPACITY BASEBAND MODULE (ASIL)

DIMENSIONS	1.69"x6.6"x14.6"
WEIGHT	5.83 kg
PRODUCT CODE	474757A

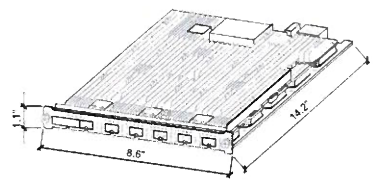
- Multi-RAT (2G/3G/4G/5G) Common unit
- Improved transport throughput 15Gbps -22Gbps
- Integrated Ethernet switching and synch hub
- High capacity for 2G/3G/4G/5G configurations
- Enhanced resiliency support

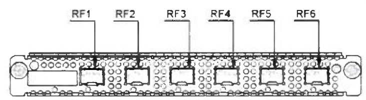


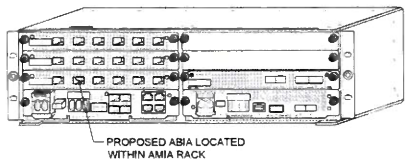
PERSPECTIVE VIEW

1 / A-4 **ASIL DETAIL**
SCALE: NTS

MANUFACTURER:	NOKIA
MODEL:	ABIA
DIMENSION (HxWxD)	1.1" x 8.6" x 14.2"
WEIGHT:	4.6 LBS

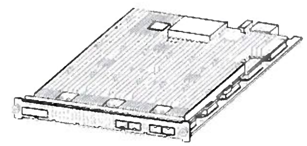


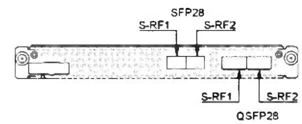


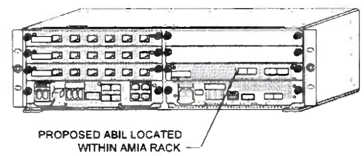


2 / A-4 **ABIA DETAIL**
SCALE: NTS

MANUFACTURER:	NOKIA
MODEL:	ABIL
DIMENSION (HxWxD)	1.1" x 8.6" x 14.2"
WEIGHT:	4.4 LBS



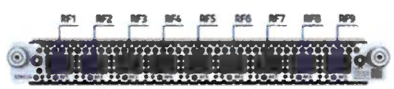




3 / A-4 **ABIL DETAIL**
SCALE: NTS

NOKIA: AIRSCALE CAPACITY BASEBAND MODULE (ABIO)

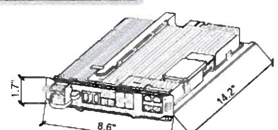
DIMENSIONS	0.98"x8.62"x14.33"
WEIGHT	5.64 lbs
PRODUCT CODE	478266A
INGRESS PROTECTION CLASS	IP20
PORTS	9xSFP28 PORTS (RF1-RF9)

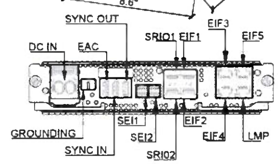


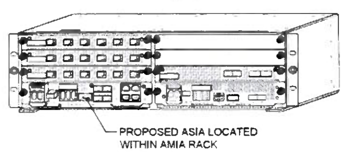
PERSPECTIVE VIEW

4 / A-4 **ABIO DETAIL**
SCALE: NTS

MANUFACTURER:	NOKIA
MODEL:	ASIA
DIMENSION (HxWxD)	1.7" x 8.6" x 14.2"
WEIGHT:	6.8 LBS







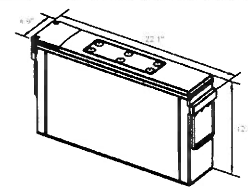
5 / A-4 **ASIA DETAIL**
SCALE: NTS

POWERSAFE: SBS 190F

NOMINAL DIMENSIONS

LENGTH	22.1"
WIDTH	4.9"
HEIGHT	12.4"
WEIGHT	13.2lbs

# OF CELLS	NOMINAL VOLTAGE (V)	8HR RATE 1.75Vpc @ 77°F	10HR RATE 1.80Vpc @ 20°F	SHORT CIRCUIT CURRENT (AMPS)	INTERNAL RESISTANCE MILLIOhms	TERMINALS	ELECTROLYTE (1.300 S.G.) VOLUME (per block)		ELECTROLYTE (1.300 S.G.) WEIGHT (per block)		PURE ACID (H₂SO₄) ACID VOLUME (per block)		PURE ACID (H₂SO₄) ACID WEIGHT (per block)		LEAD WEIGHT (per block)	
							gal	L	lbs	kg	gal	L	lbs	kg	lbs	kg
6	12	190	190	3800	3.00	M6 M	2.34	8.86	25.3	11.5	0.66	2.40	10.1	4.58	95.8	43.4



PERSPECTIVE VIEWS

6 / A-4 **BATTERY SPECIFICATIONS**
SCALE: NTS

T · · Mobile ·
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

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PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY: JL
CHK. BY: BJ

LICENSURE:

DRAWING INFORMATION:

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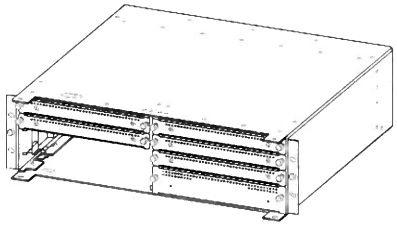
DRAWING TITLE:

GENERAL DETAILS

DRAWING NUMBER:

A-4

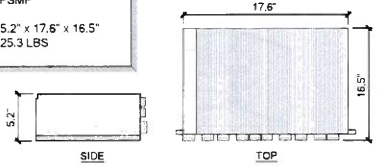
MANUFACTURER:	NOKIA
MODEL:	AMIA
DIMENSION (HxWxD)	5.1" x 15.7" x 17.6"
WEIGHT:	11.2 LBS (UNIT ONLY)

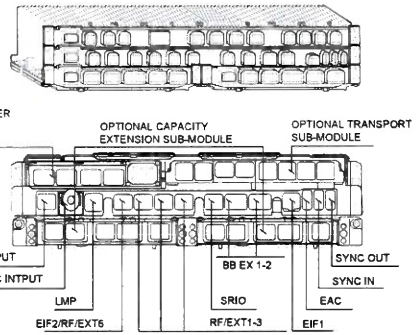


1 / A-5 **AMIA DETAIL**
SCALE: NTS

MANUFACTURER:	NOKIA
MODEL:	FSMF
DIMENSION (HxWxD)	5.2" x 17.6" x 16.5"
WEIGHT:	25.3 LBS

NOTE:
FSMF SHALL BE PLACED WITHIN RADIO CABINET PER T-MOBILE REQUIREMENTS





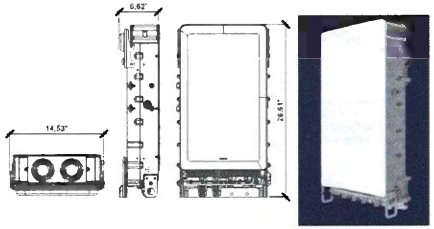
2 / A-5 **FSMF DETAIL**
SCALE: NTS

MANUFACTURER:	NOKIA
MODEL:	IXR-e
DIMENSION (HxWxD)	17.25" x 10.0" x 1.75"
WEIGHT:	TBD

3 / A-5 **IXR-e DETAIL**
SCALE: NTS

NOKIA: AHLOB AIRSCALE 4T4R B71/85 320W

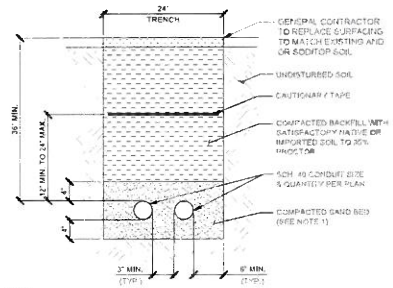
FEATURES	4T4R AIRSCALE MULTIBAND RRH
DIMENSIONS	26.61" x 14.53" x 6.62" (HxWxD)
WEIGHT	82.7 LBS
ANTENNA PORTS	4 X 4.3-10



PLAN VIEW SIDE VIEW FRONT VIEW PERSPECTIVE VIEW

AHLOB

5 / A-5 **AHLOB DETAIL**
SCALE: NTS



NOTES:
1. LEAN CONCRETE RED/COLORED TOP, MAY BE USED IN PLACE OF COMPACTED SAND.
2. BURY CONDUITS 36" MINIMUM BELOW FINISHED GRADE.
3. ALL PVC SWEEPS TO BE A MINIMUM 36" SWEEPS.
4. IF SINGLE CONDUIT, PLACE IN CENTER OF TRENCH.

6 / A-5 **JOINT TRENCH DETAIL**
SCALE: NTS

T-Mobile
vertical bridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL US-WA-5238 (US WA 7001)
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MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

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PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

GENERAL DETAILS

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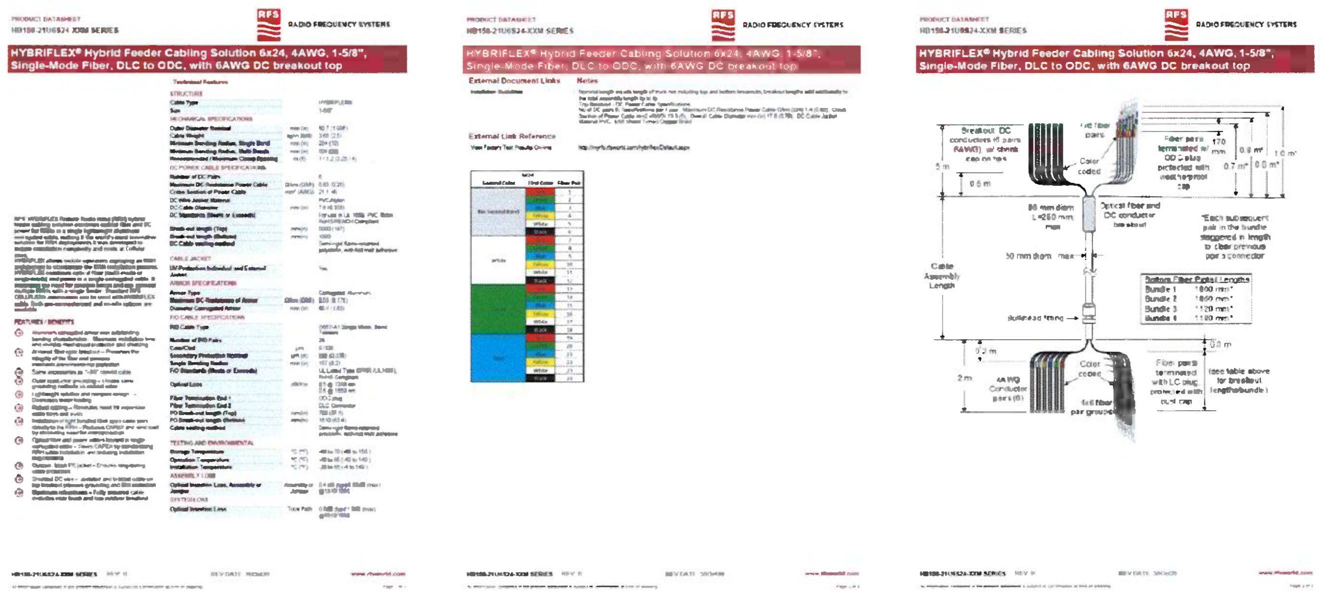
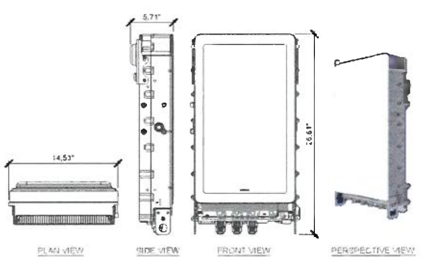
A-5



5 A-6 **HYBRID CABLE SPECIFICATIONS**
SCALE: NTS

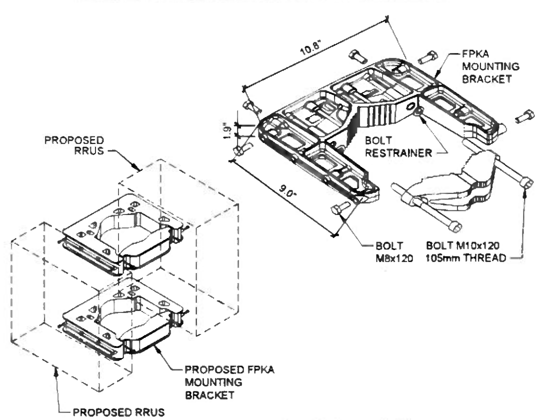
MANUFACTURER:	NOKIA
MODEL:	AHFII
WEIGHT:	73.85 LBS
DIMENSION (LxWxD) w/ COVER	26.61" x 14.53" x 5.71"

FEATURES: 4T4R MULTIBAND RADIO
B25/66 480W



4 A-6 **AHFII DETAIL**
SCALE: NTS

NOTE:
-PROPOSED RRUs TO BE MOUNTED VERTICALLY ONLY
-MOUNTING PIPE NOT SHOWN FOR CLARITY



6 A-6 **FPKA DETAIL**
SCALE: NTS

T · · Mobile ·
vertical bridge

PROJECT INFORMATION:

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US-WA-5238 (US WA 7001)
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PLANS PREPARED BY:

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206-851-1106

DRAWN BY:	CHK. BY:
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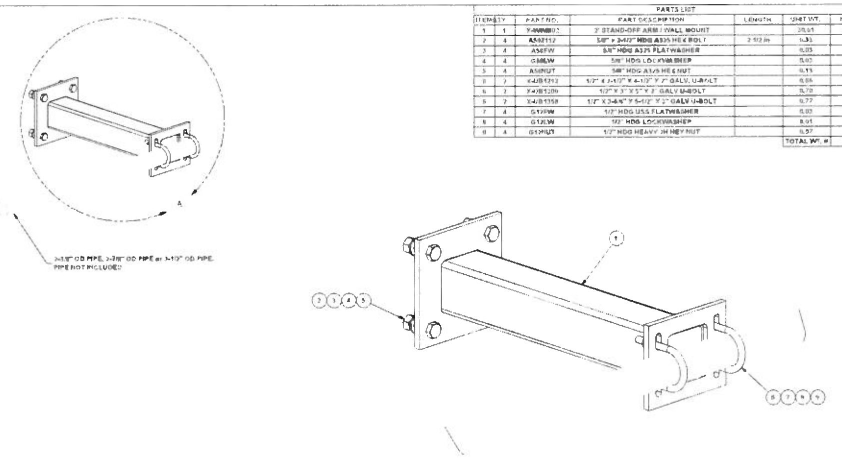
DRAWING TITLE:

GENERAL DETAILS

DRAWING NUMBER:

A-6



DETAIL A

PARTS LIST						
ITEM	QTY	PART NO.	PART DESCRIPTION	LENGTH	UNIT WT.	NET WT.
1	1	7-WM02	2' STAND-OFF ARM / WALL MOUNT		20.51	20.51
2	4	A582112	5/8" x 2-1/2" HDG A325 HEX BOLT	2 1/2 in	0.31	1.34
3	4	A58FW	5/8" HDG A325 FLATWASHER		0.03	0.14
4	4	G58LW	5/8" HDG LOCKWASHER		0.02	0.10
5	4	A58NUT	5/8" HDG A325 HEX NUT		0.13	0.52
6	2	X-UB1212	1/2" X 2-1/2" X 4-1/2" X 2" GALV. U-BOLT		0.66	1.31
6	2	X-UB1300	1/2" X 3" X 5" X 2" GALV U-BOLT		0.70	1.39
6	2	X-UB1358	1/2" X 3-5/8" X 5-1/2" X 2" GALV U-BOLT		0.77	1.54
7	4	G12FW	1/2" HDG USS FLATWASHER		0.03	0.14
8	4	G12LW	1/2" HDG LOCKWASHER		0.01	0.06
9	4	G12NUT	1/2" HDG HEAVY 2H HEX NUT		0.07	0.28
					TOTAL WT. #	39.27

TOLERANCE NOTES

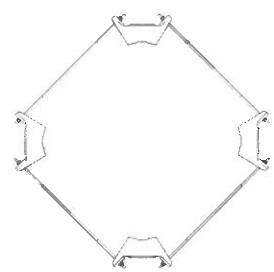
TOLERANCES ON DIMENSIONS, UNLESS OTHERWISE NOTED ARE:
SAWED, SHEARED AND GAS CUT EDGES (± 0.030")
DRILLED AND GAS CUT HOLES (± 0.030") - NO CONING OF HOLES
LASER CUT EDGES AND HOLES (± 0.010") - NO CONING OF HOLES
BENDS ARE ± 1/2 DEGREE
ALL OTHER MACHINING (± 0.030")
ALL OTHER ASSEMBLY (± 0.060")

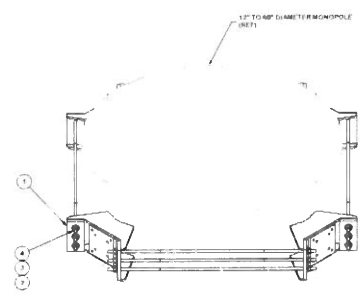
DESCRIPTION: 2' STAND-OFF ANTENNA WALL MOUNT SITE PRO 1

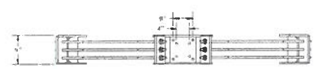
SITE PRO 1 — a valmont company — Engineering Support Team 1-888-753-7446 — Locations: New York, NY; Atlanta, GA; Los Angeles, CA; Plymouth, IN; Salem, OR; Dallas, TX

CPD NO.	DRAWN BY	ENG. APPROVAL	PART NO.	
4714	RH18 3/23/2010		MM02	PAGE 1 OF 1
CLASS 81 / SUB 01	DRAWING USAGE: CUSTOMER	CHECKED BY: BMC 5/10/2010	DWG. NO. MM02	

PARTS LIST						
ITEM	QTY	PART NO.	PART DESCRIPTION	LENGTH	UNIT WT.	NET WT.
1	4	X-182290	QUAD BRACKET		54.48	217.94
2	24	G58FW	5/8" HDG USS FLATWASHER	1/8 in	0.07	1.80
3	24	G58LW	5/8" HDG LOCKWASHER		0.03	0.63
4	24	G58NUT	5/8" HDG HEAVY 2H HEX NUT		0.13	3.12
8	12	G58R-48	5/8" X 48" THREADED ROD (HDG.)		4.43	53.19
10	12	G58R-24	5/8" X 24" THREADED ROD (HDG.)		2.27	25.60
					TOTAL WT. #	321.35







TOLERANCE NOTES

TOLERANCES ON DIMENSIONS, UNLESS OTHERWISE NOTED ARE:
SAWED, SHEARED AND GAS CUT EDGES (± 0.030")
DRILLED AND GAS CUT HOLES (± 0.030") - NO CONING OF HOLES
LASER CUT EDGES AND HOLES (± 0.010") - NO CONING OF HOLES
BENDS ARE ± 1/2 DEGREE
ALL OTHER MACHINING (± 0.030")
ALL OTHER ASSEMBLY (± 0.060")

DESCRIPTION: QUAD UNIVERSAL RING MOUNT FOR POLES 12" TO 60" (UQB4)

SITE PRO 1 — a valmont company — Engineering Support Team 1-888-753-7446 — Locations: New York, NY; Atlanta, GA; Los Angeles, CA; Plymouth, IN; Salem, OR; Dallas, TX

CPD NO.	DRAWN BY	ENG. APPROVAL	PART NO.	
4863	CEK 9/20/2010		UQB4	PAGE 1 OF 1
CLASS 81 / SUB 01	DRAWING USAGE: CUSTOMER	CHECKED BY: BMC 9/20/2010	DWG. NO. UQB4	

T-Mobile

vertical bridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

ISSUED FOR:

BUILDING PERMIT

REVISION HISTORY:

NO.	DATE:	DESCRIPTION:	CHK. BY:
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8	08/23/2023	NEW RFDS v4 07/03/2023	BJT
7	02/22/2023	ISSUED FOR 100% ANCHOR CD	BJT
6	2/7/2022	MINOR REV	BJT
5	1/25/2022	REVISED EMERGENCY GENERATOR LOCATION	BJT
4	12/9/2021	REVISED MONOPINE LOCATION	BJT
3	8/4/2021	MINOR REV PER 1A SURVEY	BJT
2	5/17/2021	REVISED PER REDLINES	BJT
1	4/29/2021	ISSUED DESIGN REVIEW	BJT

PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

DRAWING INFORMATION:

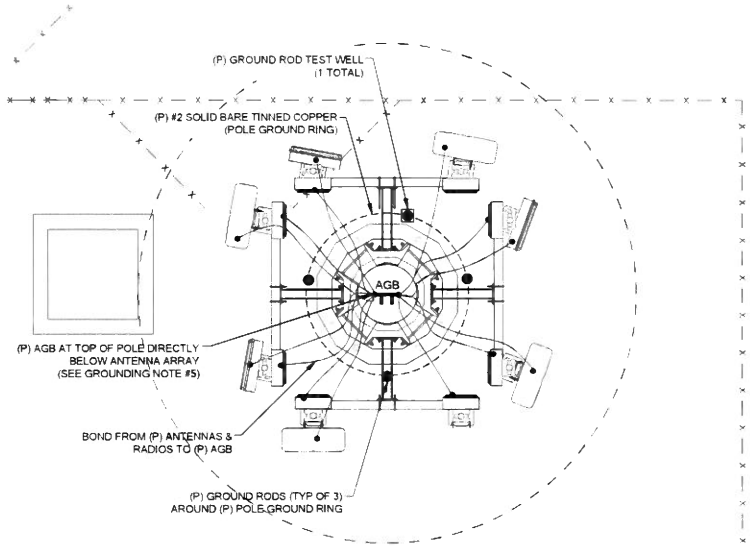
DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS AND OMISSIONS. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN WHICH IS RELATED TO NAMED CLIENT IS STRICTLY PROHIBITED.

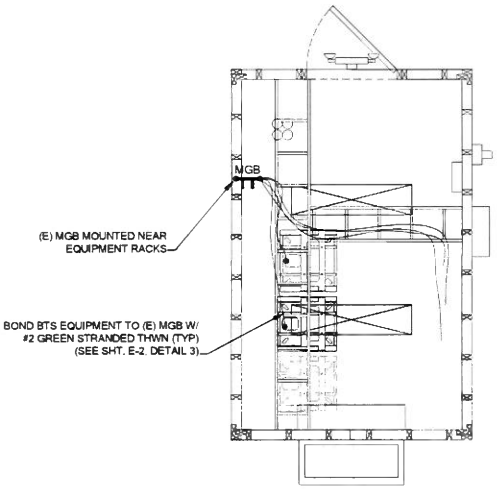
DRAWING TITLE:

ANTENNA MOUNT DETAILS

DRAWING NUMBER:

A-7





1 / E-1 **ELECTRICAL GROUNDING PLAN**
22x34 SCALE: 1/2" = 1'
11x17 SCALE: 1/4" = 1'

SYMBOL LEGEND:

- MGB — MASTER GROUND BAR 1/4"x4"x24" COPPER
- AGB — ACCESSORY GROUND BAR 1/4"x4"x12" OR 1/4"x4"x20" COPPER
- EXPOSED WIRING
- UNDERGROUND WIRING
- CADWELD
- MECHANICAL CONNECTION

GROUNDING NOTES:

1. GROUNDING SHALL COMPLY WITH LATEST EDITION OF THE NATIONAL ELECTRICAL CODE.
2. MINIMUM BENDING RADIUS FOR GROUND CONDUCTOR IS 8".
3. NO SPLICES PERMITTED IN GROUND CONDUCTORS.
4. ALL GROUNDING CONNECTORS TO BE CLEAN AND FREE OF PAINT AT THEIR MATING SURFACES AND INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. USE PENETROX OR EQUIVALENT ANTIOXIDANT GREASE.
5. ALL GROUND BAR CONNECTIONS ARE TO BE 2 HOLE LUG COMPRESSION TYPE. STACKED CONNECTIONS ARE NOT ACCEPTABLE. BACK TO BACK CONNECTIONS ON OPPOSITE SIDES OF THE GROUND BAR WILL BE PERMITTED.
6. ENSURE ALL MECHANICAL CONNECTORS ARE TORQUED TO THE MANUFACTURER'S SPECIFIED VALUES.
7. MULTIPLE BONDS ON GROUND RODS TO BE SEPARATED BY ATLEAST 6".
8. MAXIMUM RESISTANCE OF THE COMPLETED GROUND SYSTEM SHALL NOT EXCEED A RESISTANCE OF 5 OHMS TO EARTH.
9. GROUND WIRES SHALL NOT BE INSTALLED THROUGH HOLES IN ANY METAL OBJECTS OR SUPPORTS; TO PRECLUDE ESTABLISHING A "CHOKE" POINT.
10. GROUND BARS SHALL NOT BE FIELD MODIFIED.
11. GROUND RING BURIAL DEPTH SHALL BE 30".
12. A CERTIFIED CONTRACTOR WILL MAKE ALL MEASUREMENTS REQUIRED TO TEST THE GROUNDING SYSTEM USING A MEGGER OR EQUIVALENT. THE ACCEPTABLE RESISTANCE MEASURED FOR THE GROUNDING SYSTEM WILL NOT EXCEED 5 OHMS RESISTANCE. THREE DISTANCES SHALL BE USED: 1 AT 100 FEET, 1 AT 70 FEET, AND 1 AT 35 FEET. THESE DISTANCES ARE SUBJECT TO A SITE BY SITE BASIS. T-MOBILE-WTS SHALL BE GIVEN 24 HOURS NOTICE. ALL COSTS ASSOCIATED WITH GROUND TESTING WILL BE AT THE EXPENSE OF THE CONTRACTOR.

T-Mobile
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
7800 NE 28TH ST
MEDINA, WA 98039

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BUILDING PERMIT

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PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY:	CHK. BY:
JL	BJ

LICENSURE:

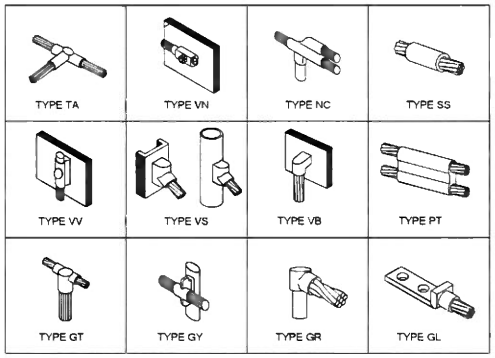
DRAWING INFORMATION:

DRAWING TITLE:

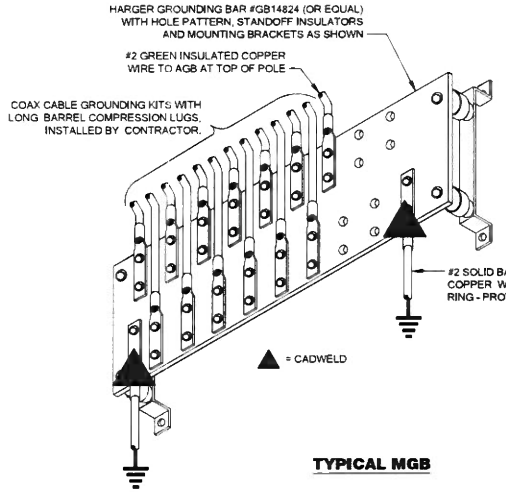
ELECTRICAL GROUNDING PLAN

DRAWING NUMBER:

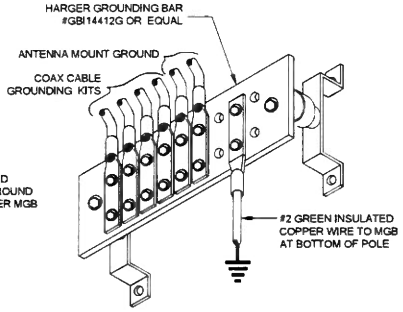
E-1



1 E-2 **TYPICAL CADWELD CONNECTIONS** N.T.S.

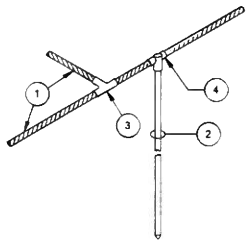


TYPICAL MGB



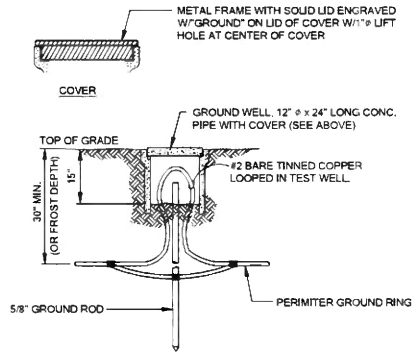
TYPICAL AGB

2 E-2 **GROUND BAR DETAILS** N.T.S.

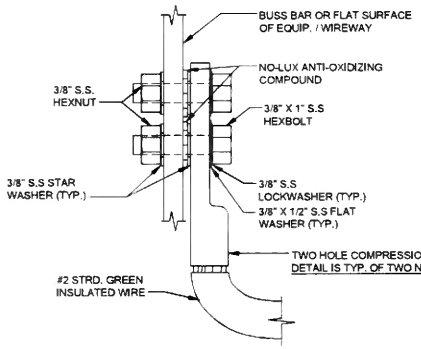


① MAIN CONDUCTOR, COPPER CABLE
② 5/8"x8' COPPER CLAD STEEL GROUND ROD
③ CADWELD TYPE "TA"
④ CADWELD TYPE "GT"

3 E-2 **GROUND ROD CONNECTION** N.T.S.



4 E-2 **GROUND INSPECTION WELL** N.T.S.



NOTES
1. TYP. ALL GROUND WIRES FOR ELEST. AND OTHER EQUIPMENT.
2. THE ENTIRE LUG AND AREA TO BE SPRAYED WITH CLEAR LAQUER OR COLD GALVINIZING SPRAY.
3. GROUND LEADS TO BE CADWELDED TO GROUND RING.

5 E-2 **TYPICAL CABINET GROUNDING DETAIL** N.T.S.

T-Mobile
verticalbridge

PROJECT INFORMATION:

EVERGREEN PT. PERM RELO/SCHOOL DISTRICT RL
US-WA-5238 (US WA 7001)
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MEDINA, WA 98039

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PLANS PREPARED BY:

B. J. THOMAS, P.E.
7607 80TH AVE NE
MARYSVILLE, WA 98270
206-851-1106

DRAWN BY: JL **CHK. BY:** BJ

LICENSURE:

DRAWING INFORMATION:

DRAWING TITLE:

ELECTRICAL GROUNDING DETAILS

DRAWING NUMBER:

E-2

EXHIBIT 14

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

City of MEDINA WASHINGTON

DEVELOPMENT SERVICES

501 EVERGREEN POINT ROAD MEDINA, WA 98039
PHONE: 425-233-6414/6400

OWNER'S DECLARATION OF AGENCY

A-05

Project Address 7800 NE 28TH ST **Parcel No.** 242504-9104

I/We Jack McLeod do hereby declare and affirm that I/we are:

☐ the owners or contract purchasers of the above property

■ an officer or representative of Bellevue School District 405, a Washington corporation or trust which is the owner of the above property. I am duly authorized by this entity to represent the above property in matters of ownership, land use, and construction. Attached, please find a copy of the Power of Attorney or other document by which I have been appointed.

AGENCY

I/We are applying for one or more permits for development of the above property. I/We understand that the proposed work may also include additional permits for land use approvals.

For the purposes of applying for the applicable permits and managing the owner's responsibility for compliance with the approved plans and any land use permits associated with this project, I/we

☐ will act as my own agent

■ do hereby appoint TAEC/Chris DeVoist to act as my agent in dealing with the City of Medina in all acts and decisions related to processing the application for permit, review and approval of the application, authorization of revisions, and coordination of required inspections and project approvals.

AGREEMENT TO CONDITIONS

I/We agree as a condition of this permit:

- To comply with all applicable codes, ordinances, laws and conditions of approval in effect at time of permit issue.
- To ensure that all work shall be done in accord with the approved plans and specifications, which shall not be modified without the prior approval of the Building Official. I/We will provide all data and details of revisions to the approved plans to the City prior to undertaking any work that differs from the approved plans. The official approved plans for the project shall be those plans that are stamped and dated as approved by the City of Medina.
- To inform all contractors, subcontractors and workers of these conditions and any project mitigation requirements agreed to, and I/we will enforce compliance thereto.
- To maintain the approved plans, all correction notices, all inspection reports, and all permit documents on the project site and readily available to the inspectors.
- To ensure that requests are made to the City for the required inspections. Failure to notify the Development Services Department that the work is ready for inspection may necessitate the removal of some of the construction materials at the owner's expense in order to perform required inspections.
- To cause all certifications required by the City to be completed and to reconcile the permit fees upon completion of the work. I/We understand that the City will not issue a Certificate of Completion or a Certificate of Occupancy until these documents are completed.
- I/We acknowledge that consultant fees may be incurred as a result of the review and inspection of the proposed work. I/We agree to be responsible for the payment of these fees and understand that the payment of these fees is required prior to issuance of a Certificate of Occupancy.

SALES TAX

All contractors and vendors must report sales taxes for transactions in the City of Medina on quarterly \combined excise tax returns. The 4-digit location code for the City of Medina is 1718.

OWNER OR OFFICER/REPRESENTATIVE NAME AND SIGNATURES

I HAVE READ, UNDERSTOOD AND AGREE TO THE ABOVE REQUIREMENTS.

Signature Jack McLeod **Date** 5-Sep-23

Name Jack McLeod

EXHIBIT 15

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Historical Reference Documentation

Original Determination of Nonsignificance

501 EVERGREEN POINT ROAD • P.O. BOX 144 • MEDINA, WA 98039-0144
TELEPHONE 425-233-6400 • FAX 425-451-8197 • www.medina-wa.gov

DETERMINATION OF NONSIGNIFICANCE (DNS)

Proposal: Construct a new wireless communication facility to include a 65-foot tall, 36-inch diameter monopole support structure with interior antennas and cables, and a 120 square foot equipment housing structure all to be located on leased Bellevue School District property. Approximately 15 cubic yards of earth will be excavated and 9 cubic yards of gravel will be imported. Portions of the lease area are located within geologically hazardous (steep slope) areas.

File No.: PL-16-035

Applicant: Gary Abrahams (agent for T-Mobile)

Location: Northwest corner of 7800 NE 28th Street (Three Points Elementary School)

Lead Agency: City of Medina

The SEPA Responsible Official of the City of Medina hereby makes the following Findings and Conclusions based upon a review of the Environmental Checklist and other information on file with the City of Medina.

FINDINGS OF FACT

1. The Responsible Official determined that the proposal did not qualify for the wireless facilities exemption under WAC 197-11-800(25). The applicant submitted a SEPA checklist on September 2, 2016. The application was determined complete on October 26, 2016 and a Notice of Application was issued on October 28, 2016, using the optional DNS process set forth in WAC 197-11-355. The notice of application was mailed to agencies with jurisdiction, the department of ecology, affected tribes, and to property owners pursuant to MMC 20.80.140(B)(2). The notice was also posted on the site and on City notice boards and website.

2. The location of the wireless communication facility will be in the northwest corner of an 8.4 acre parcel containing the Bellevue Christian (Three Points) Elementary School. T-Mobile has signed a lease with Bellevue School District for the use of 875 square feet of land to be developed into a telecommunications compound. The project area is relatively level, but is located near an approximate 40 percent slope which descends to the east. The area is fully vegetated with mature trees, shrubs, and overgrown vegetation. The lease area is accessed by a gravel/ dirt driveway connected to Evergreen Point Road.

3. Grace E. Harwell, M.S., biologist, of Adapt Engineering, prepared a biological assessment dated August 29, 2016, for the proposed telecommunication tower

installation. The assessment evaluated for wetlands, threatened and endangered species, migratory birds, and bald eagles and peregrine falcons. The report concluded there were no impacts to wetland resources. T-Mobile agreed to allow United States Fish and Wildlife Service and the Communication Tower Working Group access to the tower site for studies and observations regarding migratory birds. The assessment also noted there were three bald eagle nests within 1.5 miles of the site, but none were within the 660-foot protection and buffer zone that surrounds the nests. There is also a peregrine falcon nest within 0.17 miles, but the location of the project will not result in habitat loss. Overall, the report concluded that the project will have no effect on threatened or endangered species.

4. Kurt W. Groesch, P.E., of Adapt Engineering, prepared a Geotechnical Engineering Assessment dated September 1, 2016 and subsequent Geohazard and Critical Areas reports dated October 17, 2016, and December 15, 2016, to review geotechnical issues on the site. The report identified the presence of landslide hazards (steep slopes), but evaluated the hazard to be moderate to low on the site. No erosion or seismic hazards were identified on the project site. The report concluded that the proposed development is safe and will not impact slope stability.

5. The Federal Communications Commission (FCC) under the National Environmental Policy Act of 1969 evaluated the effect of radio frequency (RF) emissions from FCC-regulated transmitters on the quality of the human environment. As a result, RF emissions that comply with adopted FCC emission standards are expressly preempted from state and local government consideration in the placement, construction and modification of wireless communication facilities. Andrew H. Thatcher, MZSHP, CHP, prepared an *Evaluation of Compliance with FCC Guidelines for Human Exposure to Radiofrequency Radiation* report dated July 16, 2016, for the T-Mobile site at 7800 NE 28th Street in Medina. The report concluded that the Maximum Permissible Exposure from the proposed T-Mobile antennas is less than three percent of the FCC general public exposure standard. Additionally, the report evaluated the nearby ATT wireless communication facilities and concluded that the RF emissions from the two facilities will not add to each other.

6. Chapter 8.06 of the Medina Municipal Code establishes maximum permissible sound levels. The wireless communication facility will operate 24 hours a day. Alan Burt, P.E., of SSA Acoustics prepared an acoustical report evaluating the noise from a proposed Mitsubishi condensing unit. The report concludes the sound level will be at 9 dB(A) at 100 feet at the west property line. An evaluation of the actual noise levels for compliance with noise standards is required prior to finalizing the building permits for the project.

7. Chapter 15.20 MMC requires a construction mitigation plan for projects requiring a building permit. A construction mitigation plan consists of both city-developed and applicant-proposed measures for reducing construction impacts on neighbors and the community. This will be used to address construction impacts prior to the issuance of a building permit.

CONCLUSIONS OF RESPONSIBLE OFFICIAL

The Responsible Official for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment subject to the proposed conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request at the address below.

This Determination of Nonsignificance (DNS) is issued pursuant to WAC 197-11-355. There is no further comment period.

Responsible Official: Robert J. Grumbach, AICP
Director of Development Services
501 Evergreen Point Road
Medina, WA 98039

Phone: (425) 233-6416

Date of Issuance: December 20, 2016
Date of Publication: December 22, 2016
Appeal Deadline: January 5, 2017 at 5:00 p.m.

Signature

Responsible Official — Date: 12/20/2016

APPEAL: Pursuant to MMC 20.80.220, decisions of the Responsible Official may be appealed to the City of Medina Hearing Examiner. A written notice of appeal identifying the grounds for appeal must be filed by the date indicated above as "Appeal Deadline." Appeals must be in writing and contain specific factual objections. Appeals may be submitted along with the appropriate appeal fee to: Development Services, 501 Evergreen Point Road, PO Box 144, Medina, WA 98039.

NOTE: The issuance of this DNS does not constitute project approval. The applicant must comply with all other applicable requirements of the City of Medina.

Exhibit 3B

City of Medina
State Environmental Policy Act (SEPA)

501 Evergreen Point Road, Medina, WA 98039
(425) 233-6400 / fax (425) 454-8490 / www.medina-wa.gov

ENVIRONMENTAL CHECKLIST
WAC 197-11-960

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all government agencies to identify and consider the environmental impacts that may result from governmental decisions. These decisions may be related to issuing permits for private projects, constructing public facilities, or adopting regulations, policies or plans. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an Environmental Impact Statement (EIS) is required.

When does a project require a SEPA Checklist?

Any project not exempt under WAC 197-11-800 requires a SEPA checklist to be completed. If there is a question about whether a project is exempt, complete the checklist and a determination will be made by the Responsible Official.

Review Fee: Contact City for current fee schedule

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you are not sure, city staff can assist you.

The checklist questions apply to all parts of your proposal, *even if you plan to do them over a period of time or on different parcels of land.* Attach any additional information that will help describe your proposal or its environmental effects. You may be asked to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

OCT 18 2016

Exhibit 3B

TO BE COMPLETED BY APPLICANT

A. BACKGROUND

1. *Name of proposed project, if applicable*: T-Mobile's Evergreen Point Perm Relo, (SE02481B)

2. *Name of applicant*: T-Mobile USA, Inc.

3. *Address and phone number of applicant and contact person*:

   Gary Abrahams, for T-Mobile, PO Box 2006, Bellevue, WA 98009, Phone: 206-349-4279

4. *Date checklist prepared*: August 31, 2016, Revised October 17, 2016

5. *Agency requesting checklist*:

   City of Medina

6. *Proposed timing or schedule (including phasing, if applicable)*:

   Proposed construction commencing by 1st quarter of 2017

7. *Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.*

   None known

8. *List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.*

   *Evaluation of Compliance with FCC Guidelines for Human Exposure to Radiofrequency radiation ("NIER report") prepared by Andrew Thatcher
   *Acoustical Report prepared by SSA Acoustics
   *Archaeological report by Adapt Engineering
   *Geotechnical Engineering Evaluation by Adapt Engineering
   *Geohazard and Critical Area Report by Adapt Engineering (revised, supercedes prior version)
   *Biological Assessment by Adapt Engineering

9. *Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.*

   None that we are aware of

10. *List any government approvals or permits that will be needed for your proposal, if known.*

TO BE COMPLETED BY APPLICANT

Special Use Permit, Variances and SEPA approval along with a building permit

11. *Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.*

T-Mobile proposes a new wireless communication facility ("WCF") to be located at 7800 NE 28th Street, Medina, Washington ("Property"), near the intersection of Evergreen Point Road and NE 28th Street, just south of the Medina Park and Ride and Fairweather Park and Nature Preserve. The WCF will be constructed within a 25' x 35' (875 square feet) lease area on the northwest corner of an 8.3 acre (361,521 square feet) property owned by the Bellevue School District and occupied by the Bellevue Christian School's Three Points Elementary School campus. The WCF will consist of a 65' tip height, concealed cylindrical shroud monopole, with all antennas and cables contained within the monopole structure. The monopole structure will be 36" in diameter, and is proposed to be painted a dark green to blend with the surrounding vegetation on the project site. A 10' x 12' above-ground equipment building is proposed for the radio equipment cabinets. The entire area will be privacy fenced, and T-Mobile is proposing to add additional landscaping for the lease area which will provide additional screening of the monopole and equipment shelter over time. The existing gravel drive from Evergreen Point Road into the site is proposed to be expanded by approximately 26' in length.

Two (2) trees are proposed to be removed as part of this project: a Holly tree, and a 34.1' deciduous tree.

12. *Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.*

7800 NE 28th Street, Medina, at Evergreen Point Road and NE 28th Street, with the proposed facility to be located on the northwest corner of property utilized by Bellevue Christian School for its Three Points Elementary School. The location details are shown on the project site plans, survey and drawings submitted with the application.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. *General description of the site (**circle one**): Flat, rolling, hilly, steep slopes, mountainous, other…*

The northwest corner of the school property where the T-Mobile lease area and proposed project will be located is flat; the school property slopes down towards the east where the school ball fields and school buildings are located.

b. *What is the steepest slope on the site (approximate percent slope)?*

The ground elevation at the northwest corner of the site where the wireless facility will be located is approximately 134'; as you move east from this location towards the school buildings, there is a small area of the property where the slope is approximately 40%. See the submitted Geotechnical Engineering Evaluation and Geologic Hazard and Critial Area Report by Adapt Engineering.

c. *What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.*

NRCS (Formely SCS) maps indicate Alderwood gravelly sandy loam (AgC) to be underlying the proposed project area. Recent subsurface investigations completed on August 29, 2016 revealed silty sand with gravel underlain by glacial till at depth, indicating similar subsurface materials that were disclosed by geologic maps. Prime farmland if irrigated. See Adapt's "Geotechnical Engineering Evaluation" report, #WA16-20630-GEO dated September 1, 2016.

d. *Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.*

Minor surficial erosion, pistol-butted trees observed (soil creep or solifluxion). See Adapt "Geologic Hazard Report", #WA16-20630-GHR, dated September 1, 2016

e. *Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.*

15 cubic yards will be excavated for the monopole and equipment shelter building. Approximately 9 cubic yards of gravel will be used to surface the access road. The lease area project site is mainly flat and minimal grading is anticipated.

f. *Could erosion occur as a result of clearing, construction, or use? If so, generally describe.*

Erosion should not occur as a result of the construction of this facility. Storm water runoff and erosion control will be managed in accordance with Washington Department of Ecology (Ecology) guidance as stated by the Storm Water Management Manual for Western Washington and in

accordance with the City of Medina regulations. Temporary Erosion and Sedimentation Control per Medina BMP's will be employed. The site will be landscaped to restore vegetation when construction is completed.

g. *About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?*

Currently, the property contains 138,943 square feet of impervious surface coverage. The T-Mobile lease area, which is to be enclosed with a new fence, contains a total of 875 square feet; 283 square feet of this area will be impervious surface. Additionally, T-Mobile proposes to improve the gravel access drive that provides access to the lease area; the total new impervious surface for the gravel access drive is approximately 722 square feet. T-Mobile proposes to add a total of 1005 square feet of impervious surface.

When the T-Mobile project is completed, the total impervious surface area on the property will be 139,948 square feet. As a percentage of the surveyed total overall square footage of the parcel (361,521), the total of 1005 square feet of new impervious surface to be created from the T-Mobile facility is .28%, and the total impervious surface coverage will be 39% of the total property.

h. *Proposed measures to reduce or control erosion, or other impacts to the earth, if any:*

Erosion control will be managed in accordance with City of Medina regulations. Temporary Erosion and Sedimentation Control per Medina BMP's will be employed. The site will be landscaped to restore vegetation when construction is completed.

2. **Air**

a. *What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.*

During construction, there will be emissions from vehicles going to and from the site. After construction is completed, vehicle emissions will be one-time per month visit for maintenance at this site. Radiofrequency emissions from the antennas will be well below, and compliant with, governing FCC regulatory standards, as discussed in the NIER report.

b. *Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.*

No

c. *Proposed measures to reduce or control emissions or other impacts to air, if any:*

No measures are required or proposed

3. **Water**

a. *Surface:*

1) *Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.*

No

2) *Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.*

No

3) *Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.*

No fill and dredge material would be place in or removed from surface water or wetlands

4) *Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.*

No

5) *Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.*

No, the proposal does not lie within a 100 year floodplain

6) *Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.*

No, there will be no discharge of waste materials to surface waters.

b. Ground:

1) *Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.*

No groundwater will be withdrawn.

2) *Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.*

Unmanned facility; no waste material will be discharged

c. *Water runoff (including storm water):*

1) *Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.*

The runoff associated with the above ground equipment shelter building will drain into the landscape area and be absorbed by the plantings.

2) *Could waste materials enter ground or surface waters? If so, generally describe.*

No, there will be no waste materials that could enter the ground or surface water

d. *Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:*

No measures are required

4. **Plants**:

a. *Check or circle types of vegetation found on the site:*

☒ deciduous tree: alder, maple, aspen, other
☒ evergreen tree: fir, cedar, pine, other
☒ shrubs
☒ grass
☐ pasture
☐ crop or grain
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other

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☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Two (2) trees are proposed to be removed as part of this project: a Holly tree, and a 34.1' deciduous tree.

c. List threatened or endangered species known to be on or near the site.

No threatened or endangered species are known to be on or near the site. See Biological Assessment.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

A landscaping plan is being submitted with the application for this project; implementation with the landscaping plan will enhance the site vegetation.

5. **Animals**

a. Check any birds and animals which have been observed on or near the site or are known to be on or near the site:

	birds:		hawk,		heron,		eagle,		songbirds,		other:		
	mammals:		deer,		bear,		elk,		beaver,		other:		
	fish:		bass,		salmon,		trout,		herring,		shellfish,		other:

None observed; urban dwelling birds or animals may be present

b. List any threatened or endangered species known to be on or near the site.

None. See Biological Assessment.

c. Is the site part of a migration route? If so, explain.

See Biological Assessment

d. Proposed measures to preserve or enhance wildlife, if any:

No measures are required. See Biological Assessment

6. **Energy and natural resources**

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used

TO BE COMPLETED BY APPLICANT

to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

T-Mobile will use standard commercial power for this site.

b. *Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.*

No, there will be no impact on adjacent solar power uses

c. *What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:*

None required

7. **Environmental health**

a. *Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, which could occur as a result of this proposal? If so, describe.*

None. T-Mobile is proposing an above-ground equipment shelter building, and has requested a variance from the undergrounding requirement in the Medina Municipal code. An above-ground equipment shelter building would not pose any risk of environmental health hazards. Standard backup batteries may be present in the above ground equipment shelter building.

1) *Describe special emergency services that might be required.*

No special emergency services will be required.

2) *Proposed measures to reduce or control environmental health hazards, if any:*

No measures are required.

b. *Noise:*

1) *What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?*

No noise exists in the area that would affect the project.

2) *What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.*

Exhibit 3B

On a short term basis during construction, there will be some additional construction noise. Construction is expected to take place during normal business hours. After the facility is built, there will be very little noise, as the radio cabinets are proposed to be contained within an equipment shelter building which will minimize any noise from the site. An Acoustical Report documenting that noise regulations will be complied with is being submitted with the application.

3) Proposed measures to reduce or control noise impacts, if any:

As noted, the equipment will be located within an equipment shelter building which will minimize any noise.

8. ***Land and shoreline use***

a. What is the current use of the site and adjacent properties?

The current use of the site is as an elementary school. To the east, west and south of the subject property are residential homes. To the north is the Medina Park and Ride, and Fairweather Park and Nature Preserve. Portions of the proposed facility may be visible from some points in the immediate vicinity (portions of Evergreen Point Road, sidewalks adjacent); other than some limited visibility the proposal will not affect current land uses.

b. Has the site been used for agriculture? If so, describe.

The site is located in a developed residential area, and is currently used for school purposes.

c. Describe any structures on the site.

The subject site has multiple school buildings on the property, which are east of the northwest corner of the property where the wireless facility is proposed.

d. Will any structures be demolished? If so, what?

No structures will be demolished.

e. What is the current zoning classification of the site?

The subject sites current zoning classification is 'Public'

f. What is the current comprehensive plan designation of the site?

City of Medina Land Use Plan designation is School/Institution. City of Medina zoning designation is Public.

g. If applicable, what is the current shoreline master program designation of the

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site?

N/A

h. *Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.*

There is a small area on the Property that could be classified as a steep slope. Please see the submitted Geologic Hazard and Critical Area Report from Adapt Engineering.

i. *Approximately how many people would reside or work in the completed project?*

Unmanned facility; no one will reside or work in the completed project. One maintenance visit per month is anticipated.

j. *Approximately how many people would the completed project displace?*

No one will be displaced from the completed project.

k. *Proposed measures to avoid or reduce displacement impacts, if any:*

None required

l. *Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:*

The proposal includes a concealed cylindrical shroud monopole to be painted dark green to blend with the existing vegetation on this site. All antennas and cables will be inside the shroud structure. The proposed 65' height is shorter than many trees on the subject site; existing trees will screen the monopole from the surrounding area. Additional landscaping and trees are proposed for the project, which, as they mature, will provide additional screening of the project. The radio equipment cabinets are proposed to be located in an above-ground equipment building, which will be fenced and landscaped, and screened by the existing vegetation, and thus should not be visible to the surrounding area.

9. ***Housing***

a. *Approximately how many units would be provided, if any? Indicate whether high, mid- middle or low-income housing.*

No housing units would be provided.

b. *Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.*

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No housing units would be eliminated.

c. *Proposed measures to reduce or control housing impacts, if any:*

No measures are required.

10. ***Aesthetics***

a. *What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?*

The stealth monopole will have a tip height of 65', with the antennas and cables placed inside the structure. The stealth monopole will be made of metal and painted a dark green to blend with the surrounding foliage.

b. *What views in the immediate vicinity would be altered or obstructed?*

No views will be altered or obstructed. Photosimulations are being submitted with the application. The proposed location is not included within any views of water, mountains or parks. Existing trees and vegetation, and proposed additional landscaping will help to screen the monopole and equipment shelter from being seen. From some viewpoints in the roadway and sidewalks in the immediate vicinity, portions of the monopole may be visible. Residences along Evergreen Point Road in the immediate vicinity are screened from the road by trees and hedges, with windows oriented towards the west and the water, and away from Evergreen Point Road and away from the proposed location of the facility.

c. *Proposed measures to reduce or control aesthetic impacts, if any:*

As noted, the pole is designed as a smooth, cylindrical shroud with all antennas and cables inside the shroud. The pole will be painted a dark green to blend in with the surrounding foliage, and the height has been kept to the minimum required to provide the required coverage and fill the significant gap in T-Mobile's coverage. See also, responses above and the Photosimulations and Project Narrative submitted with the application.

11. ***Light and glare***

a. *What type of light or glare will the proposal produce? What time of day would it mainly occur?*

The facility will not produce any light or glare. There are no aviation warning lights on the monopole structure. Lighting on the equipment shelter will be downshielded and motion sensitive.

b. *Could light or glare from the finished project be a safety hazard or interfere with views?*

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No

c. *What existing off-site sources of light or glare may affect your proposal?*

No existing off site sources of light or glare would affect the proposal.

d. *Proposed measures to reduce or control light and glare impacts, if any:*

Downshielding of lighting on equipment shelter; installation of motion sensitive lights.

12. **Recreation**

a. *What designated and informal recreational opportunities are in the immediate vicinity?*

Fairweather Park and Fairweather Nature Preserve are located just to the north of the subject site. To the northwest of the subject site will be a new overlook that will provide views over SR 520. This is being constructed by WSDOT after they dismantle the existing SR 520 bridge.

b. *Would the proposed project displace any existing recreational uses? If so, describe.*

No, the proposed project would not displace any recreational uses.

c. *Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:*

No measures are required.

13. ***Historic and cultural preservation***

a. *Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.*

The school on the subject site was built in 1961 according to King County public records, but it is not listed on a historical preservation list. The age of the homes surrounding the subject site is unknown.

b. *Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.*

An archaeological report will be prepared by Adapt Engineering, but there is no evidence at this time of Indian or historic use or occupation.

c. *Proposed measures to reduce or control impacts, if any:*

TO BE COMPLETED BY APPLICANT

Adapt Engineering has been hired to conduct a full NEPA/SHPO analysis which includes an archaeological report.

14. ***Transportation***

a. *Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.*

The adjacent streets are NE 28th Street and Evergreen Point Road. The nearest feeder to SR 520 is approximately 2 miles away.

b. *Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?*

Yes, the site is served by public transportation.

c. *How many parking spaces would the completed project have? How many would the project eliminate?*

The project would not add any parking spaces.

d. *Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).*

The project will not require any new or improvements to roads, streets, pedestrian, bicycle or state transportation facilities.

e. *Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.*

No, the proposed project will not occur in the immediate vicinity of water, rail or air transportation.

f. *How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.*

Generally, one-time per month for maintenance purposes.

g. *Proposed measures to reduce or control transportation impacts, if any:*

None required.

15. ***Public services***

a. *Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.*

TO BE COMPLETED BY APPLICANT

No

b. *Proposed measures to reduce or control direct impacts on public services, if any.*

No measures are proposed.

16. ***Utilities***

a. *Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.*

All noted are available on site

b. *Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.*

Standard commercial power will be required for this project, along with fiber.

C. SIGNATURE

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature of person preparing the checklist: _____

Gary Abrahams, for T-Mobile USA, Inc.

Date checklist prepared: 10/18/2016

Historical Reference Documentation

Original Geotechnical Engineering Evaluation

Adapt Engineering
615 8th Avenue South
Seattle, Washington 98104

Tel (206) 654-7045
Fax (206) 654-7048
www.adaptengr.com

December 15, 2016
Adapt Project No. WA16-20630-GEO

T-Mobile
19807 North Creek Parkway North
Bothell, Washington 98011

Attention: Maria Emig

Subject: **Revised Geotechnical Engineering Evaluation**
SE02481B Evergreen Pt Perm Relo-School District RL
7800 NE 28th Street
Medina, Washington 98039

Dear Ms. Emig:

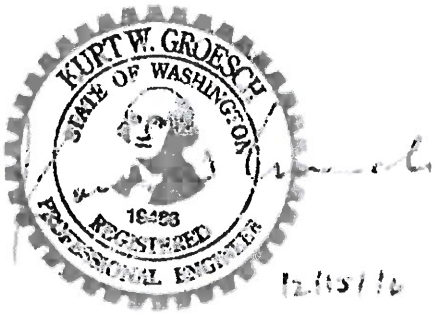
Adapt Engineering (Adapt) is pleased to submit this revised report describing our recent geotechnical engineering evaluation for the above referenced tower site. This report supercedes our previous report entitled "Geotechnical Engineering Evaluation" dated September 1, 2016. The purpose of this study was to interpret general surface and subsurface site conditions, from which we could evaluate the feasibility of the project and formulate design recommendations concerning site preparation, equipment pad and tower foundation, access road, structural fill, and other considerations. Our scope of services consisted of a surface reconnaissance, a subsurface exploration, geotechnical analyses, and report preparation. Authorization to proceed with our study was given in the form of T-Mobile Purchase Order Number 4551407586 prior to our performing the work. A companion study addressing critical area concerns has been prepared and has been be provided under separate cover. This geotechnical report has likewise been revised to address the site features that were moved to accommodate the critical area review comments prepared by the City.

This report has been prepared in accordance with general accepted geotechnical engineering practices for the exclusive use of T-Mobile, TAEC, and their agents, for specific application to this project. Use or reliance upon this report by a third party is at their own risk. Adapt does not make any representation or warranty, express or implied, to such other parties as to the accuracy or completeness of this report or the suitability of its use by such other parties for any purpose whatever, known or unknown, to Adapt.

We appreciate the opportunity to be of service to you. If you have any questions, or if we can be of further assistance to you, please contact us at (206) 654-7045.

Respectfully Submitted,

Adapt Engineering,



Romulos P. Ragudos, Jr., E.I.T.
Staff Geotechnical Engineer

Kurt W. Groesch, P.E.
Senior Geotechnical Engineer

K. V. Lew, P. Eng.
Senior Geotechnical Engineer
Senior Reviewer

Attachments:

	Figure 1	Location/Topographic Map
	Figure 2	Site & Exploration Plan (Revised)
	Boring Log	B-1

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T-Mobile
Geotechnical Engineering Evaluation

SE02481B Evergreen Pt Perm Relo-School District RL
Medina, Washington

WA16-20630-GEO
December 2016

PROJECT DESCRIPTION

We understand that current development plans call for construction of a new steel telecommunications tower and an associated cellular equipment building or cabinet pad. The site is located at 7800 NE 28th Street in Medina, Washington; as shown on the attached *Location/Topographic Map* (Figure 1). The site may be accessed through an existing dirt playfield just north of NE 28th Street. The existing and proposed site features, in relation to our exploration, are shown on the attached *Site & Exploration Plan* (Figure 2).

It should be emphasized that the conclusions and recommendations contained in this report are based on our understanding of the currently proposed utilization of the project site, as derived from written and verbal information supplied to us by TAEC. Consequently, if any changes are made to the project, we recommend that we review the changes and modify our recommendations, if appropriate, to reflect those changes.

DOCUMENT REVIEW

As a part of our study, we reviewed the following maps and documents pertaining to the subject property and vicinity:

United States Department of Agriculture, *Natural Resources Conservation Service (Formerly SCS),* King County, Washington

Washington State Department of Natural Resources, 2008, *Seattle Quadrant, King County, Washington,* Washington State Geology Index.

In addition, Adapt has reviewed the results of previous explorations accomplished in the immediate vicinity of the project. Our conclusions and recommendations are based in part or wholly on the information contained in these documents. Our geotechnical recommendations are based in part on the accuracy of these documents; Adapt assumes no responsibility for errors or omissions resulting from possible inaccuracies on these documents prepared by others.

EXPLORATORY METHODS

We explored surface and subsurface conditions at the project site on August 29, 2016. Our surface exploration consisted of a visual site reconnaissance. Our subsurface exploration consisted of advancing one test boring (designated B-1) to a maximum depth of approximately 35-feet below existing ground surface (bgs). The procedures used for subsurface exploration during our site visit are presented in the subsequent sections of this report.

The location of the exploration advanced for this study is shown on the attached Figure 2. The specific location and depth of the exploration performed was selected in relation to the proposed site features, under the constraints of budget and site access. The boring location and other features shown on Figure 2 were obtained by hand taping from existing site features; as such, the exploration location shown should be considered accurate only to the degree implied by the measuring methods used.

It should be noted that the exploration performed for this evaluation revealed subsurface conditions only at a discrete location across the project site and that actual conditions in other areas could vary. Furthermore, the nature and extent of any such variations would not become evident until additional explorations are performed or until construction activities have commenced. If significant variations are observed at the time of construction, we may need to modify our conclusions and recommendations contained in this report to reflect the actual site conditions.

Auger Boring Procedures

The boring was advanced using a track-mounted, hollow-stem auger drill rig operated by an independent company working under subcontract to Adapt. A geotechnical engineer of Adapt was on-site to observe the boring, obtain representative soil samples, and log the subsurface conditions. After the boring was completed, the borehole was backfilled with a mixture of soil cuttings and bentonite chips.

During drilling, soil samples were obtained on 5-foot depth intervals using the Standard Penetration Test (SPT) procedure (ASTM: D 1586). This test and sampling method consists of driving a standard 2-inch outside diameter (OD) split-barrel sampler a distance of 18 inches into the soil with a 140-pound hammer, free-falling a distance of 30 inches. The number of blows required to drive the sampler through each of the three, 6-inch intervals is noted. The total number of blows struck during the final 12 inches of penetration is considered the Standard Penetration Resistance, or "blow count". If 50 or more blows are struck within one 6-inch interval, the driving is ceased and the blow count is recorded as 50 blows for the actual number of inches of penetration. The resulting Standard Penetration Resistance values provide a measure of the relative density of granular soils or the relative consistency of cohesive soils.

The *Boring Log* attached to this report describes the various types of soils encountered in the boring, based primarily on visual interpretations made in the field and supported by our subsequent laboratory examination and testing. The log indicates the approximate depth of the contacts between different soil layers, although these contacts may be gradational or undulating. Where a change in soil type occurred between sampling intervals, we inferred the depth of contact. Our log also graphically indicates the blow count, sample type, sample number, and approximate depth of each soil sample obtained from the boring, along with any laboratory tests performed on the soil samples. If any groundwater was encountered in the boreholes, the approximate groundwater depths are depicted on the boring log. Groundwater depth estimates are typically based on the moisture content of soil samples, the wetted height on the drilling rods, and the water level measured in the borehole after the auger has been extracted. Subsurface materials encountered were logged and classified in general accordance with the Manual Visual Classification Method (ASTM D 2488) by the geotechnical engineer.

SITE CONDITIONS

The following sections describe our observations, measurements, and interpretations concerning surface, soil, groundwater, and seismic conditions at the project site:

Surface Conditions

Our surface exploration consisted of a visual site reconnaissance. The proposed lease area is located in the northwestern region of the host parcel and is located west of the existing Bellevue Christian Elementary School. The relatively level project area is situated near a slope which descends to the east towards an existing dirt playfield. Located west of the proposed lease area is an existing chain-link fence. Mature trees (to be removed), shrubs, overgrown vegetation were observed to be in and around the proposed lease area. Overlying the native soil at the time of our site visit were fallen leaves.

Nearby, a slope descending approximately 40 percent is located east of the proposed tower and equipment area. Several mature trees, overgrown vegetation, shrubs, and fallen leaves were observed to mantle the slope at the time of our site visit. A companion sensitive area report that addresses the geologic hazard risks in the area will be submitted under separate cover.

It should be noted that the proposed tower and equipment building have been relocated to the west 10-feet from the top of the steep slope (elevation 132-feet) and outside of the buffer area required in the City ordinance.

Subsurface Conditions

At the exploration location designated B-1, the near surface soil conditions consist of roughly 3 to 6-inches of topsoil mantling very dense, silty sand with trace amounts of gravel. The SPT blowcounts for this initial sample may be somewhat overstated due to the gravel content of the soil. Below these surficial soils at an approximate depth of 5-feet bgs, medium dense to dense, silty sand with trace amounts of gravel were encountered by the test boring. Below an approximate depth of 25-feet bgs, the test boring encountered very dense, silty sand with gravel and trace amounts of clay above very dense, silty sand with gravel, which extended to the full explored depth of approximately 35-feet bgs.

Perched groundwater was encountered at approximate depth of 16-feet bgs at the time of drilling. Soil mottling was noted at approximately 8-feet bgs, which is an indicator of weathering and intermittent saturation, commonly due to fluctuating groundwater levels. It should be noted that throughout the year, groundwater levels will likely fluctuate in response to changing precipitation patterns, off-site construction activities, and changes in site utilization.

Seismic Conditions

Based on our analysis of subsurface exploration logs and a review of published geologic maps, we interpret the on-site soil conditions to correspond to Site Class C, as defined by Table 20.3-1 within Chapter 20 of ASCE 7 in accordance with the 2012 *International Building Code* (IBC). The soil profile type for this site classification is characterized by very dense soils with an average blowcount above 50 blows-per-foot within the upper 100 feet bgs as disclosed in this test boring below approximately 25-feet.

Current (2003) *National Seismic Hazard Maps* prepared by the U.S. Geological Survey indicate that peak bedrock site acceleration coefficients of about 0.317 and 0.587 are appropriate for an earthquake having a 10-percent and 2-percent probability of exceedance in 50 years (corresponding to return intervals of 475 and 2,475 years, respectively). The IBC mapped spectral accelerations for short periods at the subject site (S_S and S_1; Site Class B) are 132.3 and 44.8 (expressed in percent of gravity) at 0.2 and 1.0-second periods, respectively with 2 percent probability of exceedance in 50 years. In accordance with Tables 1613.5.3(1) and 1613.5.3(2), Site Coefficients, F_a and F_v, are 1.000 and 1.352, respectively for a Site Class C. Therefore the adjusted MCE ground motions are S_{MS}=1.323g and S_{M1}=0.606g. For purposes of seismic site characterization, the observed soil conditions were extrapolated below the exploration termination depth, based on a review of geologic maps and our knowledge of regional geology.

CONCLUSIONS AND RECOMMENDATIONS

Current development plans call for the construction of a new steel telecommunication tower and associated equipment building or cabinet pad within the proposed lease area. Based on the subsurface conditions revealed by our field exploration, we recommend that the proposed tower be supported on a drilled pier. A drilled pier can provide a cost-effective foundation for communication tower structures, provided that adequate embedment depths can be achieved with the drilled pier augering equipment, that the site is accessible to the drill rig, and that drilled pier contractors are available within a reasonable distance from the site. Alternatively, a reinforced concrete mat foundation may be selected if difficult drilling conditions are anticipated due to the presence of shallow bedrock or boulders, provided that the proposed lease area can accommodate the generally larger excavation plan area required for a mat foundation. Given the size and orientation of the tower and lease area, it does not appear likely that a mat foundation could be used due to the greater site disturbance with the mat foundation alternative.

For planning purposes, we have therefore provided design criteria for compressive, uplift and lateral support of a drilled pier foundation option below. Our specific recommendations concerning site preparation, equipment building or cabinet foundations, tower foundation, access driveway, and structural fill are presented in the subsequent sections. If further consideration of a mat foundation is warranted, Adapt may be contacted for design criteria

Site Preparation

Preparation of the lease area for construction should involve clearing, grubbing, stripping, cutting, filling, dewatering, and subgrade preparation. We provide the following comments and recommendations relative to site preparation.

Temporary Drainage: We recommend intercepting and diverting any potential sources of surface or near-surface water within the construction zones before stripping begins. Because the selection of an appropriate drainage system will depend on the water quantity, season, weather conditions, construction sequence, and contractor's methods, final decisions regarding drainage systems are best made in the field at the time of construction. Nonetheless, we anticipate that curbs, berms, or ditches placed along the uphill side of the work areas will adequately intercept or divert surface water runoff away from the work area.

Clearing and Stripping: After surface and near-surface water sources have been controlled, the construction areas should be cleared and stripped of all vegetation, topsoil, and debris. Any miscellaneous materials stored in this area should be relocated. Our site exploration indicated surface soil conditions consist of roughly 3 to 6-inches of topsoil mantling very dense, silty sand with trace amounts of gravel, but significant variations could exist.

It should be noted that a portion of the proposed lease area is located within a moderately forested area. Tree root balls may therefore be encountered during site preparation. We recommend that these root balls be removed by overturning, so that the bulk of the root mass is removed. It should also be realized that if the stripping operation proceeds during wet weather, a generally greater stripping depth might be necessary to remove disturbed, surficial, moisture-sensitive soils; therefore, stripping is best performed during a period of dry weather. Backfill materials, where required, should be placed and compacted according to the recommendations presented in the *Structural Fill* section of this report.

Excavations: Site excavations ranging up to 4-feet deep are anticipated to accommodate the proposed equipment pad footings or utility trenches. Based on our exploration, we anticipate that these excavations will encounter very dense, silty sand with trace amounts of gravel. We anticipate these surficial soils can be cut with conventional earth working equipment such as small dozers and trackhoes. Backfill materials, where required, should be placed and compacted according to recommendations presented in the *Structural Fill* section of this report.

Temporary Cut Slopes: All temporary soil cuts (greater than 4-feet in height) associated with site excavations or regrading activities should be adequately sloped back to prevent sloughing and collapse, unless a shoring box or other suitable excavation side wall bracing is provided. We tentatively recommend a maximum cut slope inclination of 1.5H:1V (Horizontal:Vertical) within the surficial soils that will likely be exposed within the upper 4-feet below the ground surface across the site. If groundwater seepage is encountered within the excavation slopes, the cut slope inclination may need to be on the order of 2H:1V, or flatter. However, appropriate inclinations will ultimately depend on the actual soil, rock and groundwater seepage conditions exposed in the cuts at the time of construction. It is the responsibility of the contractor to ensure that the excavation is properly sloped or braced for worker safety protection, in accordance with OSHA safety guidelines. In addition to proper sloping, the excavation cuts should be draped with plastic sheeting for the duration of the excavation to minimize surface erosion and ravelling.

Dewatering: Based on our site reconnaissance investigation, we do not anticipate significant groundwater seepage within the upper 4-feet. However, perched groundwater may be encountered depending on the actual excavation depth and the time of year that construction proceeds. If groundwater is encountered, we anticipate that an internal system of ditches, sump holes, and pumps will be adequate to temporarily dewater the excavations.

Subgrade Preparation: Exposed subgrades for shallow footings, slabs-on-grade, roadway sections and other structures should be compacted to a firm, unyielding state, if required to achieve adequate density

and warranted by soil moisture conditions. Any localized zones of loose, granular soils observed within a subgrade area should be compacted to a density commensurate with the surrounding soils. In contrast, any uncontrolled fill material or organic, soft, or pumping soils observed within a subgrade should be overexcavated and replaced with a suitable structural fill material.

Frozen Subgrades: If earthwork takes place during freezing conditions, we recommend that all exposed subgrades be allowed to thaw and be recompacted prior to placing foundations or subsequent lifts of structural fill.

Equipment Foundations

It is our understanding that support for the proposed equipment cabinet pad will consist of a poured-in-place, concrete slab-on-grade with thickened edges; we recommend that these thickened slab edges be designed as spread footings. Alternatively, the equipment support pad may be designed as a structural slab-on-grade with a uniform thickness and a reduced bearing pressure. In either case, we anticipate that the support pad bearing pressure will be relatively light. The following sections provide our recommendations and comments for equipment pad design and construction.

Subgrade Conditions: The prepared bearing subgrade soils should consist of firm and unyielding, native, very dense, silty sand with trace amounts of gravel. Exposed slab-on-grade, footing or overexcavation subgrades should be compacted to a firm, unyielding state, in accordance with the recommendations provided in the *Site Preparation* section of this report.

Subgrade Verification: Footings or slabs-on-grade should never be cast atop soft, loose, organic, or frozen soils; nor atop subgrades covered by standing water. A representative from Adapt should be retained to observe the condition of footing subgrades before concrete is poured to verify that they have been adequately prepared.

Bearing Subgrades: The proposed shallow spread footing system is expected to be founded on very dense, silty sand with trace amounts of gravel. Before concrete is placed, any localized zones of loose soils encountered in the footing subgrades should be compacted to a firm, unyielding condition, if warranted by soil moisture conditions. Any uncontrolled fill material containing a significant amount of organic or debris/deleterious materials within the basement footprint area will need to be overexcavated and replaced with structural fill, as previously discussed.

Footing Dimensions: For a poured-in-place, concrete slab-on-grade with thickened-edge footings, we recommend that the spread footing elements be constructed to have a minimum width of 12-inches. For frost protection, we recommend that the footings exposed to frost at this site penetrate at least 18-inches below the lowest adjacent exterior grades, or deeper, according to local jurisdictional code requirements.

Bearing Pressure and Lateral Resistance: Owing to the presence of medium dense soils at shallow depth, we recommend limiting the maximum allowable static soil bearing pressure of 2,500 pounds per-square-foot (psf) for thickened-edge pad footings designed as described. For the alternate equipment support pad

design using a uniform thickness, structural slab-on-grade, we recommend a maximum allowable static soil bearing pressure of 650 psf across the pad area. These bearing pressure values can be increased by one-third to accommodate transient wind or seismic loads. An allowable base friction coefficient of 0.40 and an allowable passive earth pressure of 300 pounds per cubic foot (pcf), expressed as an equivalent fluid unit weight, may be used for that portion of the foundation embedded more than 1-foot below finished exterior subgrade elevation. These lateral resistance values incorporate a minimum safety factor of 1.5.

Grading and Capping: Final site grades should slope downward away from the structure so that runoff water will flow by gravity to suitable collection points, rather than ponding near the structure. Ideally, the area surrounding the structure would be capped with concrete, asphalt, or compacted, low-permeability (silty) soils to reduce surface-water infiltration into the subsoils adjacent to/below the foundation.

Settlements: We estimate that total post-construction settlements of properly designed thickened-edge footings bearing on properly prepared subgrades will be less than 1-inch, with differential settlements approaching one-half of the total. For a structural slab-on-grade equipment pad with a uniform thickness (without thickened edges), somewhat greater movements may be experienced.

Tower Drilled Pier Foundations

The subsurface soil and groundwater conditions observed in our site exploration are considered to be generally suitable for the use of a drilled pier foundation to support the proposed tower. The following recommendations and comments are provided for purposes of drilled pier design and construction.

End Bearing Capacities: We recommend that the drilled pier be founded below approximately 10-feet below the ground surface. For vertical compressive soil bearing capacity, we recommend using the unit end bearing capacity presented in Table 1 below, where B is the diameter of the pier in feet and D is the depth into the bearing layer in feet, in accordance with the EIA/TIA G-code. This ultimate end bearing capacity does not include a safety factor.

Table 1
Ultimate End Bearing Capacity

Depth (feet)	Ultimate Bearing Capacity (tsf)	Limiting Point Resistance (tsf)
10-25	5.0 D/B	6
25-35	7.0 D/B	10

Frictional Capacities: For frictional resistance along the shaft of the drilled piers, acting both downward and in uplift, we recommend using the ultimate skin friction value listed in Table 2. We recommend that frictional resistance be neglected in the uppermost 2-feet below the ground surface. The ultimate skin friction values presented do not include a safety factor, in accordance with the provisions of the EIA/TIA 222-G code.

Table 2 Ultimate Skin Friction Capacities	
Depth (feet)	**Ultimate Skin Friction (tsf)**
0-2	0.0
2-25	0.6
25-35	1.0

Lateral Capacities: Drilled pier foundations for communication monopole towers are typically rigid and act as a pole, which rotates around a fixed point at depth. Although more complex and detailed analyses are available, either the simplified *passive earth pressure method* or the *subgrade reaction method* is typically used to determine the pier diameter and depth required to resist groundline reaction forces and moments. These methods are described below.

- Passive Earth Pressure Method: The passive earth pressure method is a simplified approach that is generally used to estimate an allowable lateral load capacity based on soil wedge failure theory. Although the lateral deflection associated with the soil wedge failure may be estimated, design lateral deflections using the passive earth pressure method should be considered approximate, due to the simplified nature of the method. According to the NAVFAC Design Manual 7.02 (1986), a lateral deflection equal to about 0.001 times the pier length would be required to mobilize the allowable passive pressure presented below; higher deflections would mobilize higher passive pressures. The ultimate passive pressure may be taken as the product of the allowable pressure and factor of safety. Our recommended passive earth pressures for the soil layers encountered at this site are presented in Table 3 and do not incorporate a safety factor. These values are expressed as equivalent fluid unit weights, which are to be multiplied by the depth (bgs) to reflect the linear increase within the depth interval of the corresponding soil layer. The passive earth pressures may be assumed to act over an area measuring two pier diameters wide by up to eight pier diameters deep.

Table 3 Ultimate Passive Pressures	
Depth (feet)	**Ultimate Passive Pressure (pcf)**
0-2	0
2-25	450
25-35	500

- Subgrade Reaction Method: The subgrade reaction method is typically used to compute lateral design loads based on allowable lateral deflections. Using this method, the soil reaction pressure (p) on the face of the pier is related to the lateral displacement (y) of the pier by the horizontal subgrade modulus (k_h); this relationship is expressed as $p=k_h y$.

Because soil modulus values are based on small scale, beam load test data, and are usually reported as a vertical subgrade modulus (k_v), they must be converted to horizontal subgrade modulus values representative for larger scale applications (such as large pier diameters) by means of various scaling factors, as discussed below. In addition to the scaling and loading orientation, the soil-pier interaction governing k_h is also affected by the soil type, as follows:

- SAND and Soft CLAY: For cohesion-less soils (sand, non-plastic silt) and soft cohesive soils (clay, cohesive silt), the horizontal subgrade modulus (k_h) increases linearly with depth (z). This relationship is expressed as $k_h = n_h z(1/B)$, where n_h is the coefficient of horizontal subgrade reaction and (1/B) is the scaling factor.

- Stiff or Hard CLAY: For stiff or hard cohesive soils (clay, cohesive silts), the horizontal subgrade modulus (k_h) is essentially the same as the vertical subgrade modulus (k_v) and is considered constant with depth. This relationship is expressed as $k_h=k_v[1(ft)/1.5B]$, where [1(ft)/1.5B] is the scaling factor (B is expressed in feet).

Our recommended values for the coefficient of horizontal subgrade reaction (n_h) and the vertical subgrade modulus (k_v) for the soil layers encountered at this site are presented in Table 4 below. These values do not include a factor of safety since they model the relationship between contact pressure and displacement and are ultimate values. Therefore, the structural engineer or monopole manufacturer should select an appropriate allowable displacement for design, based on the specific requirements of the communication equipment mounted on the tower.

Table 4
Recommended Horizontal Subgrade Reaction Values

Depth Interval (feet)	n_h (pci)	k_v (pci)
0-2	0	N/A
2-25	30	N/A
25-35	70	N/A
Coefficient of Horizontal Subgrade Reaction (pci)	**$k_h= n_h(z/B)$ (Sand & Soft Clay)**	**$k_h=k_v/(1.5B)$ (Stiff Clay)**

Construction Considerations: Our exploration revealed the near surface soil conditions consist of roughly 3 to 6-inches of topsoil mantling very dense, silty sand with trace amounts of gravel. Below these surficial soils at an approximate depth of 5-feet bgs, medium dense to dense, silty sand with trace amounts of gravel were encountered by the test boring. Below an approximate depth of 25-feet bgs, the test boring

encountered very dense, silty sand with gravel and trace amounts of clay above very dense, silty sand with gravel, which extended to the full explored depth of approximately 35-feet bgs.

The presence of cobbles was not indicated during the advancement of our test boring; however gravel was noted in the site soils and the drilled pier contractor should anticipate the possibility of difficult drilling conditions and presence of large particles commonly encountered in glacially derived soil deposits.

Perched groundwater was encountered at approximate depth of 16-feet bgs at the time of drilling. Mottling was encountered well above this depth which is an indicator that groundwater levels are likely to fluctuate. Dewatering may be required depending on the actual depth and time of year of drilled pier construction. The foundation-drilling contractor should be prepared to case the excavation to prevent caving and raveling of the pier shaft sidewall, if necessary due to unexpected soil or excessive groundwater seepage conditions. Should heavy groundwater inflow be encountered in the drilled pier excavation, it may be necessary to pump out the accumulated groundwater prior to concrete placement, or to use a tremie tube to place the concrete from the bottom of the drilled pier excavation, thereby displacing the accumulated water during concrete placement. Alternatively, the use of bentonite slurry could be utilized to stabilize the drilled pier excavation.

Drilled Pier Excavation Conditions: The drilling contractor should be prepared to clean out the bottom of the pier excavation if loose soil is observed or suspected, with or without the presence of slurry or groundwater. As a minimum, we recommend that the drilling contractor have a cleanout bucket on site to remove loose soils and/or mud from the bottom of the pier. If groundwater is present and abundant within the pier hole, we recommend that the foundation concrete be tremied from the bottom of the hole to displace the water and minimize the risk of contaminating the concrete mix. The *Drilled Shaft Manual* published by the Federal Highway Administration recommends that concrete be placed by tremie methods if more than 3 inches of water has accumulated in the excavation.

Access Driveway

Based on available site plans and our site reconnaissance visit, it does appear necessary to construct a new access road. Should it be necessary to provide an extension to the existing roadways or to improve the existing access roads, we recommend that the subgrade be prepared in accordance with the *Site Preparation* section of this report. For planning purposes, we anticipate that 6 to 12-inches of "clean" sand and gravel subbase material and a minimum 3-inches of crushed rock surfacing will be required to create a stable gravel roadway surface at this site. Adapt can provide additional subgrade stabilization or gravel road section recommendations based on observed field conditions at the time of construction. Where cuts and fills are required, they should be accomplished in accordance with the recommendations provided in the *Site Preparation* and *Structural Fill* sections of this report.

Structural Fill

The following comments, recommendations, and conclusions regarding structural fill are provided for design and construction purposes.

Materials: Structural fill includes any fill materials placed under footings, pavements, driveways, and other such structures. Typical materials used for structural fill include: clean, well-graded sand and gravel (pit-run); clean sand; crushed rock; controlled-density fill (CDF); lean-mix concrete; and various soil mixtures of silt, sand, and gravel. Recycled concrete, asphalt, and glass, derived from pulverized parent materials may also be used as structural fill.

Placement and Compaction: Generally, CDF, and lean-mix concrete do not require special placement and compaction procedures. In contrast, pit-run, sand, crushed rock, soil mixtures, and recycled materials should be placed in horizontal lifts not exceeding 8 inches in loose thickness, and each lift should be thoroughly compacted with a mechanical compactor. Using the modified Proctor maximum dry density (ASTM: D-1557) as a standard, we recommend that structural fill used for various on-site applications be compacted to the following minimum densities:

Fill Application	Minimum Compaction
Slab/Footing subgrade	90 percent
Gravel drive subgrade (upper 1 foot)	95 percent
Gravel drive subgrade (below 1 foot)	90 percent

Subgrades and Testing: Regardless of location or material, all structural fill should be placed over firm, unyielding subgrade soils. We recommend that a representative from Adapt be retained to observe the condition of subgrade soils before fill placement begins, and to perform a series of in-place density tests during soil fill placement. In this way, the adequacy of soil compaction efforts may be evaluated as earthwork progresses.

Fines Content: Soils used for structural fill should not contain individual particles greater than about 6 inches in diameter and should be free of organics, debris, and other deleterious materials. Given these prerequisites, the suitability of soils used for structural fill depends primarily on the grain-size distribution and moisture content of the soils when they are placed. When the "fines" content (that soil fraction passing the U.S. No. 200 Sieve) increases, soils become more sensitive to small changes in moisture content. Soils containing more than about 5 percent fines (by weight) cannot be consistently compacted to a firm, unyielding condition when the moisture content is more than about 2 percentage points above optimum. The silty sand with gravel encountered should be considered to be moisture sensitive. The use of "clean" soil is necessary for fill placement during wet-weather site work, or if the in-situ moisture content of the sandy site soils is too high to allow adequate compaction. Clean soils are defined as granular soils that have a fines content of less than 5 percent (by weight) based on the soil fraction passing the U.S. 3/4-inch Sieve.

CLOSURE

We have prepared this report for use by the owner/developer and other members of the design and construction team for the proposed SE02481B Evergreen Pt Perm Relo-School District RL tower site. The opinions and recommendations contained within this report are not intended to be, nor should they

be, construed as a warranty of subsurface conditions, but are forwarded to assist in the planning and design process.

We have made observations based on our explorations that indicate the soil conditions at only those specific locations and only to the depths penetrated. These observations do not necessarily reflect soil types, strata thickness, or water level variations that may exist in other locations. If subsurface conditions vary from those encountered in our site exploration, Adapt should be alerted to the change in conditions so that we may provide additional geotechnical recommendations, if necessary. The future performance and integrity of the improvements will depend largely on proper initial site preparation, drainage, and construction procedures. Observation by experienced geotechnical personnel should be considered an integral part of the construction process.

The conclusions and recommendations contained in this report are based on our understanding of the currently proposed project, as derived from written and verbal information supplied to us by TAEC. When the design has been finalized, we recommend that we review the design and specifications to see that our recommendations have been interpreted and implemented as intended. If design changes are made, we request that we be retained to review our conclusions and recommendations and to provide a written modification or verification.

The scope of our services does not include services related to construction safety precautions, and our recommendations are not intended to direct the contractor's methods, techniques, sequences, or procedures, except as specifically described in our report for consideration in design.

Within the limitations of scope, schedule, and budget, our services have been executed in accordance with the generally accepted practices in this area at the time this report was prepared. No warranty or other conditions, express or implied, should be understood.

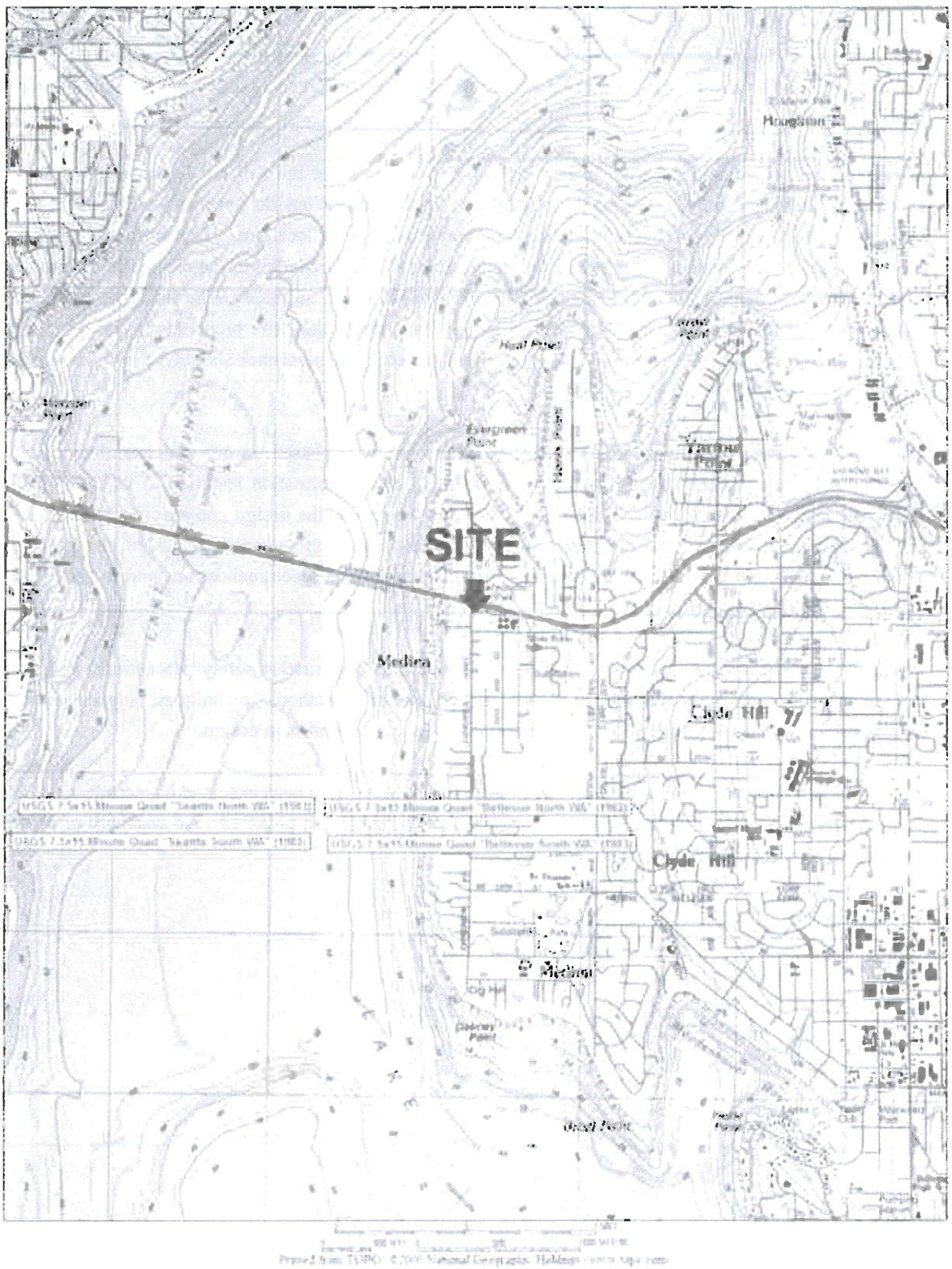

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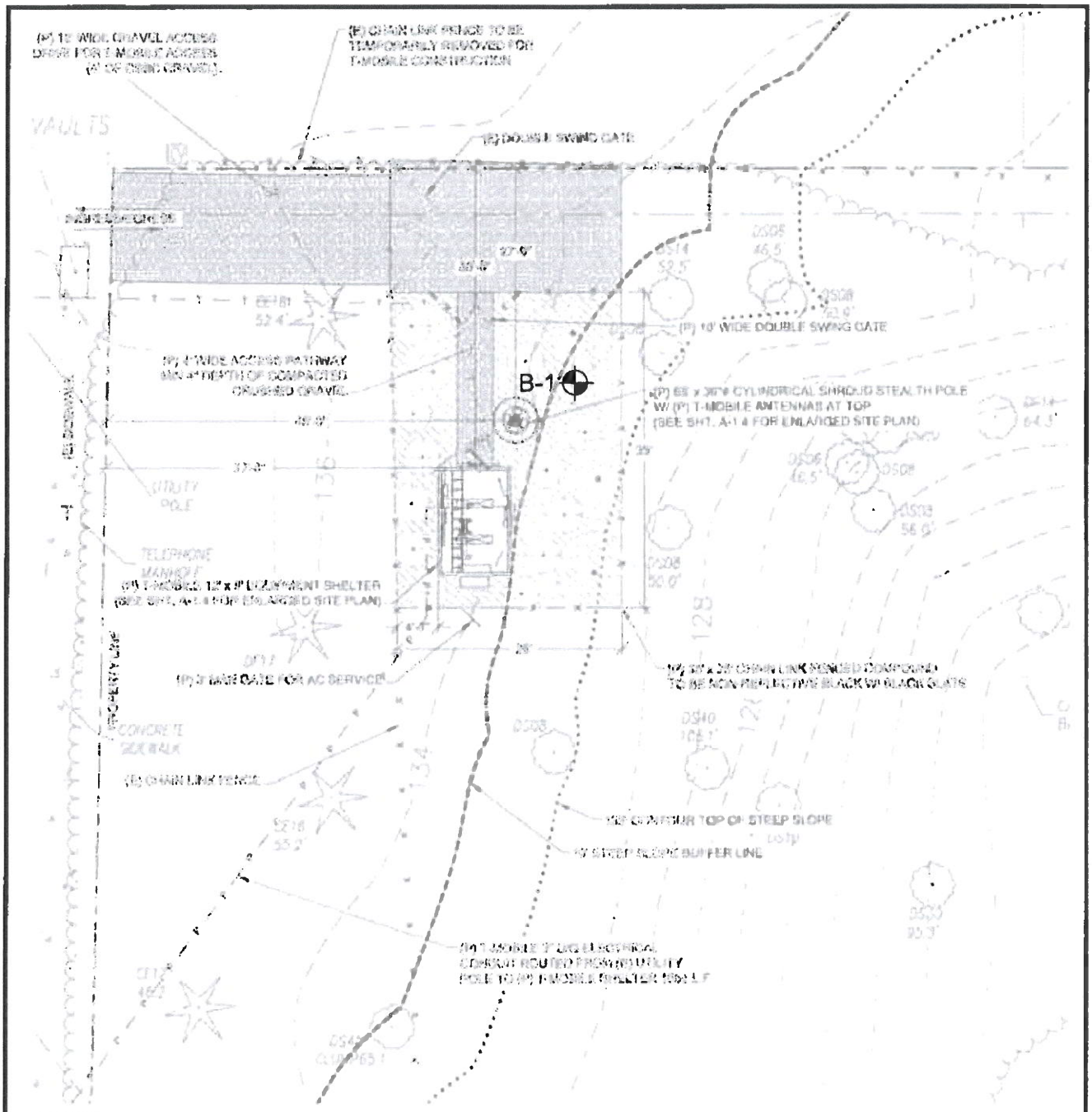
FIGURE 1 - Location & Topographic Map

Location : SE02481B Evergreen Pt. Perm Relo-School District RL
7800 NE 28th Street
Medina, Washington 98039

Client : T-Mobile

Date : 12/15/16 **Job # :** WA16-20630-GEO



LEGEND:

⊕ - B-1 - BORING NUMBER AND APPROXIMATE LOCATION

N

NOTES:

DRAWINGS BASED ON "SITE PLAN" (A-1.1)
DRAWING PROVIDED BY TAEC (12/14/16)

NOT TO SCALE

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FIGURE 2 - Site & Exploration Plan

Location : SE02481B Evergreen Pt. Perm Relo-School District RL
7800 NE 28th Street
Medina, Washington 98039

Client : T-Mobile

Date : 12/15/16 **Job # :** WA16-20630-GEO

BORING LOG

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PROJECT: SE02481B Evergreen Pt. Perm Relo/School District RL
7800 NE 28th Street
Medina, Washington 98039

Job Number: WA16-20630 Boring No.: **B-1**

DEPTH (feet)		SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNT	POCKET PEN	TORVANE	GROUND WATER	OBSERVATIONS	TESTING
0	~3 to 6-inches of topsoil with gravel Very dense, brown, silty SAND (SM); non-plastic; fine sand; fine, subrounded gravel; dry		S-1	12 41 42				Blowcounts possibly over-stated due to large gravel	
5	Medium dense, brown, poorly graded SAND (SP); non-plasitc; fine sand; medium to coarse sand; fine, subrounded gravel; dry		S-2	10 13 15					
	Very dense, brown, silty SAND (SM); low to medium plasticity, fine sand; fine, subrounded gravel; dry		S-3	14 21 29				Mottling observed in sample	
10			S-4	32 24 15					
15	Medium dense, gray, silty SAND (SM); non-plastic; fine sand; moist		S-5	10 9 13			▼		
20			S-6	12 16 21					
25	Very dense, gray, silty SAND (SM) with gravel; low to medium plasticity; fine to coarse sand; fine, subrounded gravel; clay; moist		S-7	50/6					

LEGEND:
I Split O.D. (Split-spoon Sampler)
II Shelby O.D. (Shelby Tube Sampler)
X Sample Not Recovered
▼ Static Water Level at Drilling
▼ Water Level
▼ Perched Groundwater
Soil Sample
Type of Additional Testing Used
NR No Recovery
ATD At Time of Drilling

Drilling Company: Boretec 1, Inc
Drilling Method: HSA
Drilling Start Date: 8/29/16
Drilling Completion Date: 8/29/16
Logged By: RR

BORING LOG

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Seattle, Washington 98104
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PROJECT: SE02481B Evergreen Pt. Perm Relo/School District RL
7800 NE 28th Street
Medina, Washington 98039

Job Number: WA16-20630 Boring No.: **B-1**

DEPTH (Ft)		SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNT	POCKET PEN	TORVANE	GROUND WATER	OBSERVATIONS	TESTING
30	Very dense, brown, silty SAND (SM) with gravel; non-plastic; fine to coarse sand; fine, subrounded gravel; moist		S-8	50/5					
35			S-9	50/3					
	Boring terminated at an approximate depth of 35-feet bgs. Thin perched groundwater lens encountered at an approximate depth of 16-feet bgs, at the time of drilling. Boring was backfilled with bentonite chips.								
40									
45									
50									
55									

LEGEND:

Drilling Company: Boretec 1, Inc
Drilling Method: HSA

Drilling Start Date: 8/29/16
Drilling Completion Date: 8/29/16

Logged By: RR

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December 15, 2016

Adapt Project No. WA16-20630-GHR

T-Mobile
19807 North Creek Parkway North
Bothell, Washington 98011

Attention: Maria Emig

Subject: **Revised Geohazard and Critical Area Report**
SE02481B Evergreen Pt Perm-School District RL
7800 NE 28th Street
Medina, Washington 98039

Pursuant to your request Adapt Engineering (Adapt) is pleased to submit our revised Geohazard and Critical Area report to formally address the geologic hazards at the above referenced site. This report supercedes our previous report entitled "Geologic Hazard Report" dated October 17, 2016. For the purposes of this letter, the contents of our original, Geotechnical Engineering Evaluation (WA16-20630-GEO) are included by reference. Our original geotechnical evaluation was completed on September 1, 2016 but has subsequently been revised to address changes in site layout. Medina Municipal Code: Chapter 20.50 requires a geotechnical evaluation when potential geologic hazard indicators are present. Figure 1, the *Location and Topographic Map,* attached to this letter depicts the general project area, while Figure 2, the *Site and Exploration Plan* depicts the test boring location and surrounding site features. Authorization to proceed with our study was given in the form of T-Mobile Purchase Order Number 4551407586 prior to our performing the work. Our revised report is intended to satisfy review comments generated on behalf of the City, as outlined in a review letter dated November 7, 2016. We have included a copy of the City's reviewer's letter as a convenience to the reader.

Executive Summary

- The relatively level proposed lease area is located south of State Route 520 and west of the existing Bellevue Christian Elementary School. A localized area of the proposed lease area is situated near a slope which descends to the east and south towards an existing dirt playfield. Based on the topographic information, the slope is variable and descends at an inclination between 36 to 40

percent (rise over run). A portion of the slope descending at 40 percent is located east of the proposed tower and equipment area. This portion of the slope measures some 16-feet in relief, and thus is defined as a steep slope per MMC 20.50.200. The geotechnical review letter and subsequent discussions indicate the upper limit of the steep slope critical area in immediate proximity to the site can be defined as the 132-foot elevation contour. To maintain a 10-foot buffer from the top of the steep slope, the proposed tower and equipment pad has been relocated 10-feet west of the top of the slope which has been defined at an elevation of 132-feet.

- The revised site plan (attached) has relocated the major project elements (equipment building, tower foundation, and proposed pedestrian access pathway) to locations outside of the buffer.

- Only existing vegetation and proposed screening vegetation are to remain in the buffer area. We anticipate that casual foot traffic may occur related to landscape efforts for the proposed screening landscape installation. Additionally, a boundary fence is proposed at the limits of the compound which will require support of fence posts. No generalized clearing or grubbing will be required in the buffer.

- Adapt has completed a visual site evaluation of the site slopes, as well as a geotechnical engineering evaluation for the proposed telecommunications tower and equipment pad. The field exploration disclosed the presence of medium dense to very dense, silty sand with trace amounts of gravel at shallow depth directly below the topsoil at the site, and underlain by very dense, silty sand with gravel at an approximate depth below 25-feet below ground surface (bgs), interpreted to be glacial till.

- Based on the surface and subsurface conditions observed during our site reconnaissance visit, the site explorations and a recently completed site survey, it is our professional opinion that the potential landslide hazard associated with the subject site and the nearby slopes is moderate to low. Accordingly, based on our field explorations, data review, and record research, the project site qualifies for designation as a Stable Area. In accordance with accepted best geotechnical practice, a Stable Slope can be defined as a slope with a Factor of Safety greater than 1.5.

- Adapt has completed a slope stability evaluation. Our analyses used tabulated soil properties contained in AEG Proceedings, Vol. 1, Washington Division of Geology and Earth Sciences, Bulletin 78. Our analysis was completed in accordance with U.S. Army Corps of Engineers Engineering Manual EM 1110-2-1902 for slope stability. Our analysis indicates a factor of safety greater than 3 when using conservative values.

- Because of the low potential for landslide activity to occur, the City code allows reduction of the steep slope buffer to 10-feet when stable slopes are present, such as at this site. We recommend

the buffer from the adjacent steep slope be maintained at 10-feet to protect the proposed site and surrounding areas.

Based on our evaluation, it is our opinion that the geologic hazards mentioned in this report will not adversely impact or preclude development of the site as planned, based on the relocated elements.

We will address the criteria outlined in Medina's Critical Area Regulations (MMC 20.50.200) in detail in the order enumerated in the ordinance below:

Site and Subsurface Conditions (MMC 20.50.070)

Our surface exploration consisted of a visual site reconnaissance. The proposed lease area is located in the northwestern region of the host parcel and is located west of the existing Bellevue Christian Elementary School. The relatively level project area is situated near a slope which descends to the east towards an existing dirt playfield. Located west of the proposed lease area is an existing chain-link fence. Mature trees, shrubs, overgrown vegetation was observed to be in and around the proposed lease area. It should be noted that minor surficial erosion, and pistol-butted trees (soil creep or solifluxion) were observed on the slope.

At the exploration location designated B-1, the near surface soil conditions consist of roughly 3 to 6-inches of topsoil mantling very dense, silty sand with trace amounts of gravel. The SPT blowcounts for this initial sample may be somewhat overstated due to the gravel content of the soil. Below these surficial soils at an approximate depth of 5-feet bgs, medium dense to dense, silty sand with trace amounts of gravel were encountered by the test boring. Below an approximate depth of 25-feet bgs, the test boring encountered very dense, silty sand with gravel and trace amounts of clay above very dense, silty sand with gravel, which extended to the full explored depth of approximately 35-feet bgs.

Perched groundwater was encountered at approximate depth of 16-feet bgs at the time of drilling. Soil mottling was noted at approximately 8-feet bgs, which is an indicator of weathering and intermittent saturation, commonly due to fluctuating groundwater levels. It should be noted that throughout the year, groundwater levels will likely fluctuate in response to changing precipitation patterns, off-site construction activities, and changes in site utilization.

Erosion Hazard (MMC 20.50.200 B1)

Erosion hazard areas are defined as those areas containing soils that may experience severe to very severe erosion during development activities. Based on our site reconnaissance, no areas of aggressive erosion or existing erosion hazard areas were apparent. To the greatest extent possible, ground cover in the adjacent slope area should be protected. No excavated materials should be sidecast over the slope. Other than foundation installation we understand no significant excavations or fill placement are proposed. We recommend the contractor take precautions on storage of excavated material and should be careful not to discharge storm and/or construction water on or near the exposed slopes or on the steep slopes near the project area. All construction stockpiles of excavated material should be covered in the event rains are expected during construction. We recommend as little removal of vegetative cover around the slopes as

possible and the immediate reseeding or replanting of all exposed areas disturbed during construction. In our opinion, the inclusion of conventional erosion control management practices, such as a perimeter silt fence should prevent fugitive soil particles.

We feel that the erosion potential of this site during construction is moderate and after construction would be low, provided the requirements of the City of Medina and the recommendations found in this report as well as our geotechnical report are followed as a minimum.

Steep Slope and Landslide Hazard (MMC 20.50.200 B2)

The inclination of the slope was evaluated using topographic data provided to us. Based on the topographic information, the slope descends at an inclination between 36 to 40 percent (rise over run). A portion of the slope descending approximately 40 percent is located east of the proposed tower and equipment area. This portion of the slope measures some 16-feet in relief and is defined in MMC 20.50.200 section B, subsection 2f as a steep slope.

At the time of our most recent site visit (August 29, 2016) we observed no apparent evidence of recent surficial soil movement or sloughing; nor did we observe any water seepage or standing surface water along the slope areas. At the time of our site work, the ground surface of the proposed lease area adjacent to the slopes were regular. No downsets, fissures, ground cracks or other indicators of recent or historic movements were apparent. Several mature trees, overgrown vegetation, and shrubs were observed to mantle the slope. No landslides have been mapped at the site or in the vicinity of the site or were apparent at the time of our site work.

NRCS maps (formerly SCS) maps reviewed as a part of the original study classifies the soils at the subject site as Alderwood gravelly sandy loam. Glacial till is a heterogeneous material consisting of boulders, cobbles, gravel and sand within a silty matrix and is deposited at the base of the glacial ice mass and is heavily overconsolidated by the weight of the glacial ice. Owing to the high shear strength characteristics for the soils disclosed at depth, we do not anticipate surficial soils or more deep-seated rotational movements. Our test boring confirmed the presence of the mapped soil unit at depth, with the glacial till mantled by medium dense to very dense fine sand with silty fine sand.

Our site explorations did not encounter near-surface groundwater seepage and they did not reveal other listed adverse geologic conditions, such as hillsides intersecting a geologic contact with relatively permeable soil layers overlying relatively impermeable soil layers. Several mature trees, overgrown vegetation, and shrubs were observed to mantle the slope, and no visible evidence of significant surface erosion, such as gullying or rills was apparent during our site surface reconnaissance.

To evaluate slope stability, Adapt completed a Slope Stability evaluation. Our analysis used tabulated values of soil properties (friction, cohesion, unit weight) summarized in AEG Proceedings, Volume 1, Washington Division of Geology and Earth Sciences, Bulletin 78. Our analysis was completed in accordance with U.S. Army Corps of Engineers slope stability manual EM 1110-2-1902. We utilized

conservative values (low end of range of tabulated strength parameters) for our analysis and calculated a static factor of safety greater than 3.

Seismic Hazard Areas (MMC 20.50.200 B3)

Based on our analysis of subsurface exploration logs and a review of published geologic maps, we interpret the on-site soil conditions to correspond to Site Class C, as defined by Table 20.3-1 within Chapter 20 of ASCE 7 in accordance with the 2012 *International Building Code* (IBC). The soil profile type for this site classification is characterized by very dense soils with an average blowcount above 50 blows-per-foot within the upper 100 feet bgs as disclosed in this test boring below approximately 25-feet.

After examining geologic hazard maps, the proposed site does not appear to be at risk to severe damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting.

Conclusions

At the slopes observed, the surficial soils overlying the medium to very dense soils have not exhibit surficial movements or more deep-seated rotational movements. The foundation loads for the telecommunications tower and equipment compound will bear in the medium to very dense soils. The general provisions of the City of Medina municipal code require a minimum slope buffer equal to the height of the slope, or 50-feet, whichever is greater, but that buffer may be reduced if a stable slope is present.

To evaluate slope stability, Adapt completed a Slope Stability evaluation. Our analysis used tabulated values of soil properties (friction, cohesion, unit weight) summarized in AEG Proceedings, Volume 1, Washington Division of Geology and Earth Sciences, Bulletin 78. Our analysis was completed in accordance with U.S. Army Corps of Engineers slope stability manual EM 1110-2-1902. We utilized conservative values (low end of range of tabulated strength parameters) for our analysis and calculated a static factor of safety greater than 3.

Based on the surface and subsurface conditions observed during our site reconnaissance visit, the site explorations and a recently completed site survey, it is our professional opinion that the potential landslide hazard associated with the subject site and the nearby slopes is moderate to low. Accordingly, based on our field explorations, data review, and record research, the project site qualifies for designation as a Stable Area, as no indicators exist that indicate the potential for landslide activity to occur. The City code allows reduction of the steep slope buffer to 10-feet when stable slopes are present, such as at this site. We recommend the buffer from the adjacent steep slope be maintained at 10-feet to protect the proposed site and surrounding areas. As a result of the geotechnical review letter, the project plans were revised to move the planned location of the equipment building and tower foundation beyond the limits of the 10-foot buffer.

Based on the above evaluation, it is our opinion that the geologic hazards mentioned in this report will not adversely impact or preclude development of the site as planned.

The services described in this letter were prepared under the responsible charge of Kurt W. Groesch, PE. Kurt Groesch meets the qualifications to prepare a landslide hazard geological assessment. Kurt Groesch understands the requirements of the current Medina Municipal Code: Chapter 20.50.200. Kurt Groesch, or someone under his responsible charge has performed a landslide hazard geological assessment, conducted field investigations, and researched historic records on or in the vicinity of the above referenced site. In my opinion, the scope of services completed for this project is adequate to meet the requirements of the Department.

We appreciate the opportunity to be of service to you. If you have any questions, or if we can be of further assistance to you, please contact us at (206) 654-7045.

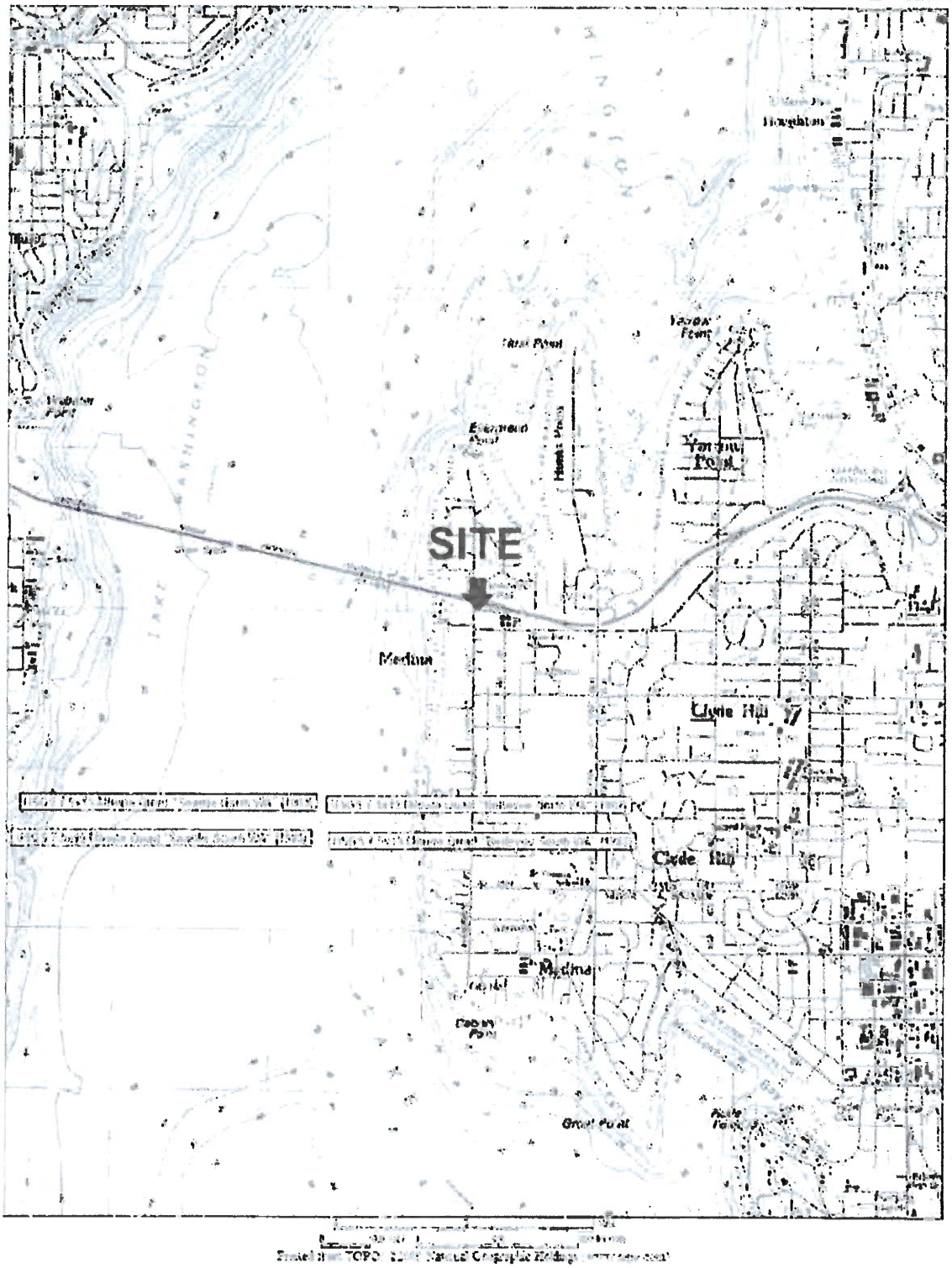
Respectfully submitted,
Adapt Engineering

Romulos P. Ragudos, Jr., E.I.T.
Staff Geotechnical Engineer

12/15/16

Kurt W. Groesch, P.E.
Senior Geotechnical Engineer

Attachments:
Figure 1 Location/Topographic Map
Figure 2 Site & Exploration Plan (Revised)
Boring Log B-1
Geotechnical Review Letter



Adapt Engineering
615 8th Avenue South
Seattle, Washington

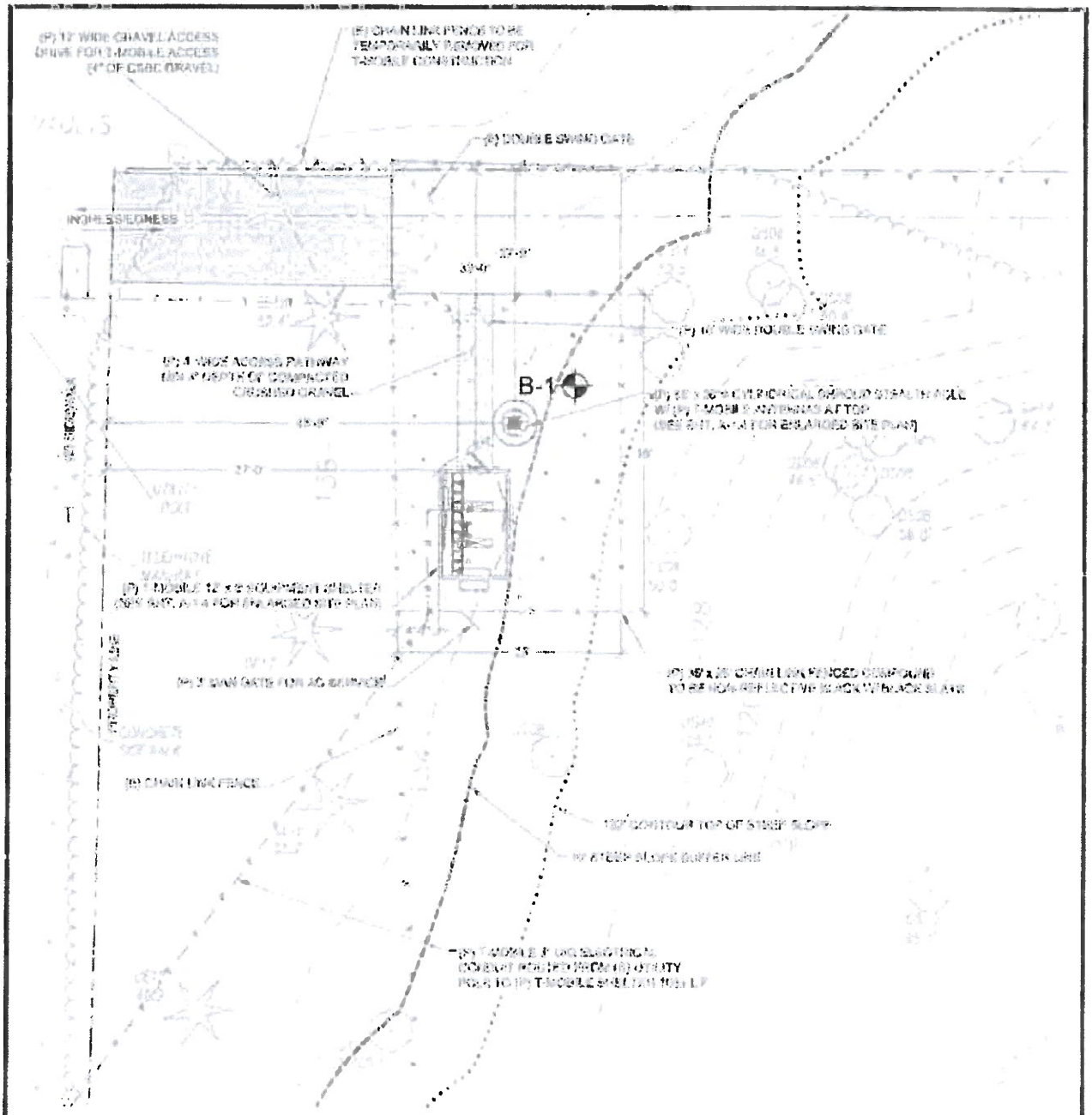
Tel (206) 654-7045
Fax (206) 654-7048

FIGURE 1 - Location & Topographic Map

Location : SE02481B Evergreen Pt. Perm Relo-School District RL
7800 NE 28th Street
Medina, Washington 98039

Client : T-Mobile

Date : 12/15/16 **Job # :** WA16-20630-GHR



LEGEND:

⊕ - B-1 - BORING NUMBER AND APPROXIMATE LOCATION

NOTES:

DRAWINGS BASED ON "SITE PLAN" (A-1.1)
DRAWING PROVIDED BY TAEC (12/14/16)

NOT TO SCALE

N

ADAPT

Adapt Engineering
615 8th Avenue South
Seattle, Washington

Tel (206) 654-7045
Fax (206) 654-7048

FIGURE 2 - Site & Exploration Plan

Location : SE02481B Evergreen Pt. Perm Relo-School District RL
7800 NE 28th Street
Medina, Washington 98039

Client : T-Mobile

Date : 12/15/16 **Job # :** WA16-20630-GHR

BORING LOG

Adapt Engineering
615 8th Avenue South
Seattle, Washington 98104
TEL:206.654.7045 FAX: 206.654.7046

PROJECT : SE02481B Evergreen Pt. Perm Relo/School District RL
7800 NE 28th Street
Medina, Washington 98039

Job Number: WA16-20630 Boring No.: **B-1**

Elevation Reference: Ground Surface Elevation:
Well Completed Casing Elevation:

DEPTH (feet)		SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNT	POCKET PEN	TORVANE	GROUND WATER	OBSERVATIONS	TESTING
0	~3 to 6-inches of topsoil with gravel Very dense, brown, silty SAND (SM); non-plastic; fine sand; fine, subrounded gravel; dry		S-1	12 41 42				Blowcounts possibly over-stated due to large gravel	
5	Medium dense, brown, poorly graded SAND (SP); non-plasitc; fine sand; medium to coarse sand; fine, subrounded gravel; dry		S-2	10 13 15					
	Very dense, brown, silty SAND (SM); low to medium plasticity, fine sand, fine, subrounded gravel; dry		S-3	14 21 29				Mottling observed in sample	
10			S-4	32 24 15					
15	Medium dense, gray, silty SAND (SM); non-plastic; fine sand; moist		S-5	10 9 13			▼		
20			S-6	12 16 21					
25	Very dense, gray, silty SAND (SM) with gravel; low to medium plasticity; fine to coarse sand; fine, subrounded gravel; clay; moist		S-7	50/6					

LEGEND:

- 2-inch O.D. Split-Spoon Sample
- 2-inch O.D. Geoprobe
- Sample not Recovered
- DATE ▽ Static Water Level at Drilling
- DATE ▼ Stabilized Water Level
- Perched Groundwater
- Grab Sample
- NR ATD — Type of Analytical Testing Used; No Recovery At Time of Drilling

Drilling Company: Boretec 1, Inc
Drilling Method: HSA

Drilling Start Date: 8/29/16
Drilling Completion Date: 8/29/16

Logged By: RR

BORING LOG

Adapt Engineering
615 8th Avenue South
Seattle, Washington 98104
TEL:206.654.7045 FAX: 206.654.7048

PROJECT : SE02481B Evergreen Pt. Perm Rela/School District RL
7800 NE 28th Street
Medina, Washington 98039

Job Number: WA16-20630 Boring No.: **B-1**

Elevation Reference:
Ground Surface Elevation:
Well Completed:
Casing Elevation:

DEPTH (ft)		SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNT	POCKET PEN	TORVANE	GROUND WATER	OBSERVATIONS	TESTING
30	Very dense, brown, silty SAND (SM) with gravel; non-plastic; fine to coarse sand; fine, subrounded gravel; moist	I	S-8	50/5					
35		I	S-9	50/3					
	Boring terminated at an approximate depth of 35-feet bgs.								
	Thin perched groundwater lens encountered at an approximate depth of 16-feet bgs, at the time of drilling.								
40	Boring was backfilled with bentonite chips.								
45									
50									
55									

LEGEND:

- I — 2-inch O.D. Split Spoon Sample
- II — 2-inch O.D. Geoprobe
- X — Sample not Recovered
- ▽ DATE — Static Water Level at Drilling
- ▽ DATE — Stable Water Level
- ▽ — Perched Groundwater
- Grab Sample
- NR — No Recovery
- ATD — At Time of Drilling
- Type of Analytical Testing Used

Drilling Company: Boretec 1, Inc
Drilling Method: HSA

Drilling Start Date: 8/29/16
Drilling Completion Date: 8/29/16

Logged By: RR

501 EVERGREEN POINT ROAD | P.O. BOX 144 | MEDINA, WA 98039
(425) 233-6400 | FAX (425) 451-8197 | www.medina-wa.gov

November 7, 2016
Project No. 6-917-17398-Z

Adapt Engineering
615 8th Avenue South
Seattle, Washington 98104

Attention: Mr. Kurt Groesch, P.E.

Subject: **Geotechnical Review of Document**
PL-16-045
T-Mobile Tower Site
7800 NE 28th Street
Medina, Washington

Dear Kurt:

The Development Services department of the City of Medina (City) has authorized Amec Foster Wheeler Environment & Infrastructure, Inc. (Amec Foster Wheeler), to provide a third-party geotechnical review of the following report:

- *Geohazard and Critical Area Report, SE02481B Evergreen Pt Perm-School District RL, 7800 NE 28th Street, Medina, Washington* (dated October 17, 2016) prepared by Adapt Engineering (Adapt).

The report also references a report and project drawings, which we briefly reviewed, as follows:

- *Geotechnical Engineering Evaluation, SE02481B Evergreen Pt Perm-School District RL, 7800 NE 28th Street, Medina, Washington* (dated September 1, 2016) prepared by Adapt Engineering (Adapt); and

- Project drawings, titled *Evergreen Pt Perm-School District RL, 7800 NE 28th Street, Medina, Washington*, by Technology Associates, B.J. Thomas, P.E., 20 sheets, (most recent revision date 10/18/2016).

The review was required due to the presence of a steep slope on the property which meets the criteria for a Geologically Hazardous Area, as defined by Chapter 20.50 of the Medina Municipal Code (MMC). The proposed development is located adjacent to the steep slope area. Our review was limited to verifying compliance with the relevant sections of Chapter 20.50 of the MMC. Amec Foster Wheeler neither visited the site nor performed any engineering analyses to complete this review.

SITE AND PROJECT DESCRIPTION

According to the report, the site is a lease area located in the northwestern region of the existing Bellevue Christian Elementary School property. Most of the site is relatively level, however a slope is located east of the parcel, which measures 16 feet in height and is inclined at 36 to 40 percent. The proposed project consists of a cell tower and associated access roads and equipment shelter.

Adapt characterized the surface and subsurface conditions by a site reconnaissance, review of published geologic mapping, and advancing one boring. Adapt reviewed and confirmed designation of the site a Landslide Hazard Area and evaluated the need for mitigation. Adapt conducted slope stability analyses and concluded the potential landslide hazard associated with the subject site and nearby slopes is moderate to low, and that the geologic hazards will not adversely impact or preclude development of the site as planned. It is recommended that the buffer from the adjacent steep slope be maintained at 10 feet to protect the proposed site and surrounding areas. Adapt provided recommendations for temporary and permanent measures to mitigate erosion. Adapt concluded the site does not appear to be at risk for seismically induced slope failure, liquefaction, or related issues.

REVIEW COMMENTS

Based on our review, the report addresses most of the required items in the Medina Municipal Code (MMC). However, we recommend the following items be addressed further by Adapt in a revised report or addendum, accompanied by pertinent project plans. A summary of our comments are as follows:

- Define the top of the steep slope: According to the topographic survey, the overall slope at the southeast corner of the development descends from elevation 134 feet to elevation 114 feet at an inclination of 35% (20 foot rise over 57 feet). Below elevation 132 feet, the overall slope inclination is 40% (18 foot rise over 45 feet).
- Define where the buffer will be: The critical areas report recommends maintaining a 10 foot buffer from the adjacent steep slope. However. it appears the shelter and tower foundations would intersect the 134-foot elevation contour, and would be less than 10 feet way from the 132 foot elevation contour.
- Define the limits of clearing: The clearing limits associated with the development need to be defined.

The drawings in support of the critical areas report should be revised to call out the top of slope, buffer and clearing limits. If earthwork will intersect these steep slope or buffer areas, a cross section should be provided describing how the earthwork can be completed without adversely impacting the slope or surrounding facilities.

The critical areas report should be revised or appended to confirm that these updated drawings have been reviewed, and are in conformance with the report recommendations

Referenced sections of the MMC are as follows:

Section 20.50.070 Critical areas report

B.2.b. Show limits of any areas to be cleared.

Section 20.50.200 Geologically hazardous areas.

B.2.f. The geologic hazard area is the area where steep slopes are 40 percent or steeper and at least 10 feet high.

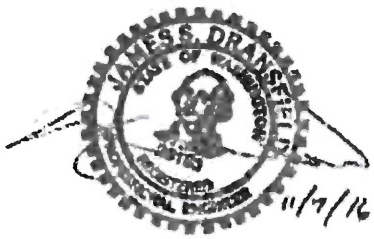
E.1.a. The topographic maps (Figure 2 of the Adapt critical areas report, or any of the drawings by Technology Associates) did not clearly show the steep slope geologic hazard areas in relation to the proposed development, or buffers.

E.4. Provide recommendations for the minimum no-disturbance buffer and minimum building setback.

In summary, based on Amec Foster Wheeler's review, the Adapt report addresses most of the requirements and intent of Medina Municipal Code Chapter 20.50., with the exceptions noted above. Amec Foster Wheeler recommends the report and figures be amended to include this information prior to granting a permit for the project. If you have any questions, please do not hesitate to contact us at your convenience.

Sincerely,

Amec Foster Wheeler Environment & Infrastructure, Inc.



James S. Dransfield, P.E.
Principal Geotechnical Engineer

EXHIBIT 16

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Statutory Warranty Deed

1960 SEP 2 AM 8 30

ROBERT A. MORRIS AUDITOR
KING COUNTY WASH.
DEPUTY

Statutory Warranty Deed

FILED FOR RECORD AT REQUEST OF SEATTLE TITLE CO. SECOND AVE SEATTLE 4 WASH.

Mail to WASHINGTON TITLE INS.

Send Tax Statement to

FORM L58

Statutory Warranty Deed

THE GRANTOR EMMA G. BELLOWS, individually and as Executrix, Estate of Erwin D. Bellows, Deceased,

for and in consideration of TEN AND NO/100 DOLLARS ($10.00) and other valuable consideration

in hand paid, conveys and warrants to BELLEVUE SCHOOL DISTRICT NO. 405, KING COUNTY, WASHINGTON,

the following described real estate, situated in the County of King, State of Washington:

The north 325 feet of the south 650 feet of the northwest quarter of the southeast quarter of section 24, township 25 north, range 4 east, W.M., in King County, Washington, EXCEPT the west 30 feet and the east 30 feet thereof conveyed to King County for road by deeds recorded under auditor's file [redacted]

Dated this 31st day of August, 1960

Emma G Bellows (SEAL)
Emma G. Bellows

Estate of Erwin D. Bellows, Deceased
By: Emma G Bellows
Emma G. Bellows, Executrix

STATE OF WASHINGTON, County of King } ss.

On this day personally appeared before me EMMA G. BELLOWS, individually and as the Executrix of the Last Will and Testament of the Estate of Erwin D. Bellows, Deceased, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 31st day of August, 1960.

Herbert [illegible]
Notary Public in and for the State of Washington,
residing at

3

TOWN OF HUNTS POINT

ORDINANCE NO. 146

AN ORDINANCE APPROVING THE VACATION OF THAT PORTION OF 80th and 81st AVENUE N.E. LOCATED WITHIN THE LIMITS OF THE TOWN AND LYING NORTH OF N. E. 28th TO STATE HIGHWAY NO. SR520.

7907230644

WHEREAS the Town Council did, on May 14, 1979, pass a council initiated resolution fixing a time for a public hearing to consider the public interest to be served by enacting an ordinance vacating that portion of 80th and of 81st Avenue N. E. located within the limits of the Town of Hunts Point, King County, Washington, lying northerly of N. E. 28th to State Highway No. SR520; and

WHEREAS the council by said resolution fixed the time for hearing said proposed vacation and gave notice thereof by posting in the manner required by law; and

WHEREAS the council in open meeting has investigated the facts and determined that the earlier construction of SR520 landlocked this portion of the street and that by reason of the street location adjoining the proposed Chin Short Plat, it is of no present or foreseeable useful purpose to the public and that a public benefit will be derived by placing the area on the tax rolls; and

WHEREAS at said hearing, held June 11, 1979 and carried over to July 9, 1979, no objection to said vacation having been received; now, therefore;

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HUNTS POINT AS FOLLOWS:

Section 1. That portion of 80th and of 81st Avenue N. E. located within the limits of the Town of Hunts Point, King County, Washington, and lying northerly of N. E. 28th to State Highway No. SR520, should be and the same is hereby vacated.

Section 2. The Clerk of the Town of Hunts Point is hereby directed to record a certified copy of this ordinance with the Office of the King County Recorder and to notify the King County Assessor of such recording.

Section 3. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication according to law.

PASSED BY THE COUNCIL OF THE TOWN OF HUNTS POINT THIS 9th DAY OF JULY, 1979.

APPROVED BY THE MAYOR OF THE TOWN OF HUNTS POINT THIS 9th DAY OF JULY, 1979.

J. W. BARTON, MAYOR

ATTEST:

Nadine Cook

Nadine Cook, Town Clerk

4

CERTIFICATION

I, Nadine Cook, Clerk of the Town of Hunts Point, hereby certify that the attached is a true and exact copy of Ordinance No. 148, duly and regularly enacted by the Town Council of Hunts Point on July 9th, 1979 and duly posted.

Nadine Cook
Town Clerk

7907230644

RECORDED THIS DAY
Jul 23 11 18 AM '79
BY THE DIVISION OF
RECORDS & ELECTIONS
KING COUNTY

4a

JUL-25-79 L 0 2 1 6 7907230644 — B RF 3.00

FILED for Record at Request of

Name Town of Hunts point

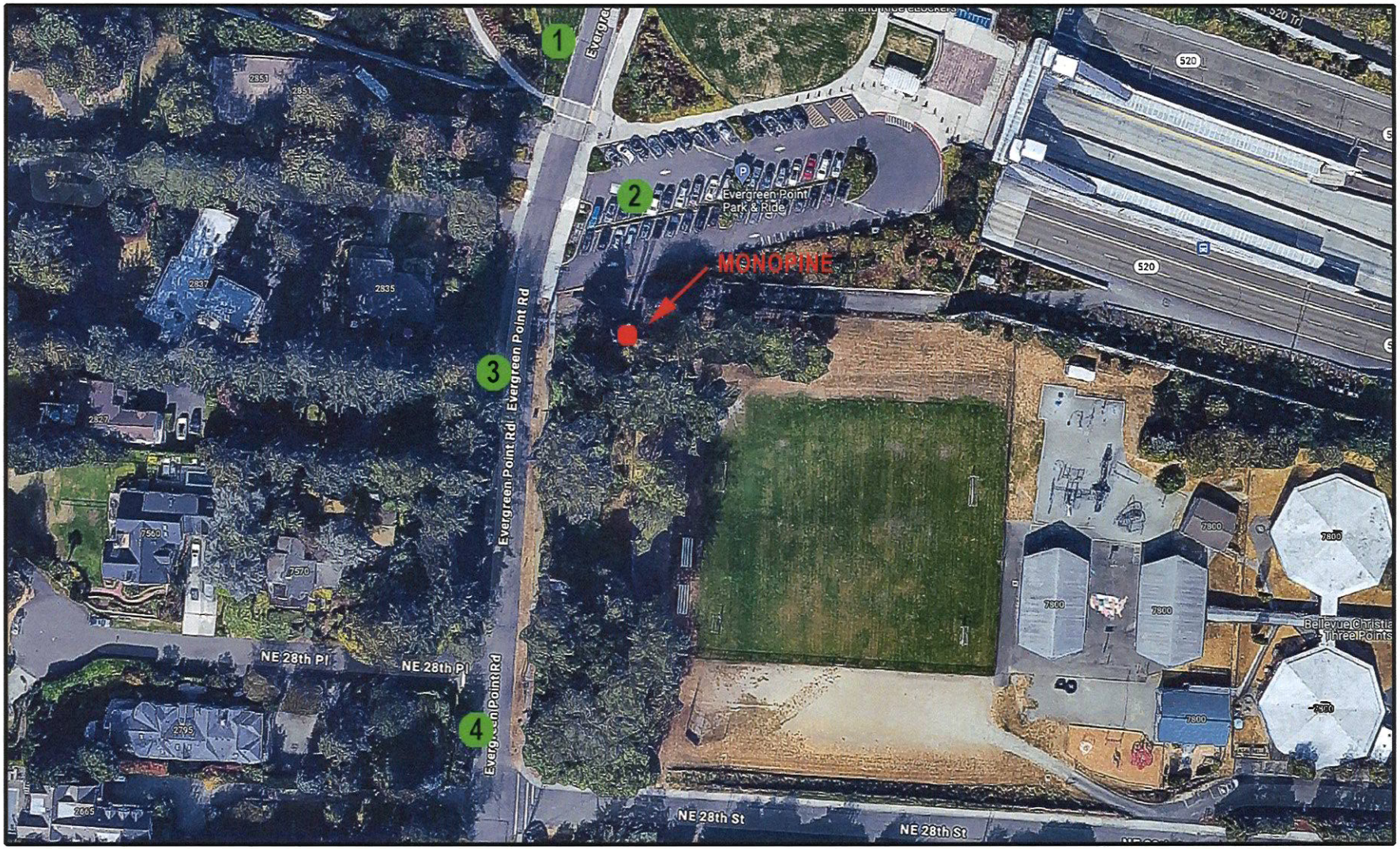
Address 3000 Hunts pt. Rd.

Bellevue, Wa 98004

46

EXHIBIT 17

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com



TIM BRADLEY IMAGING

PHOTO SIM LOCATION MAP

T-Mobile

EVERGREEN PT
SE02481B

CURRENT

PROPOSED

TIM BRADLEY IMAGING

VIEW #1 LOOKING SOUTHEAST
ON EVERGREEN POINT ROAD

T-Mobile

EVERGREEN PT
SE02481B

CURRENT

PROPOSED

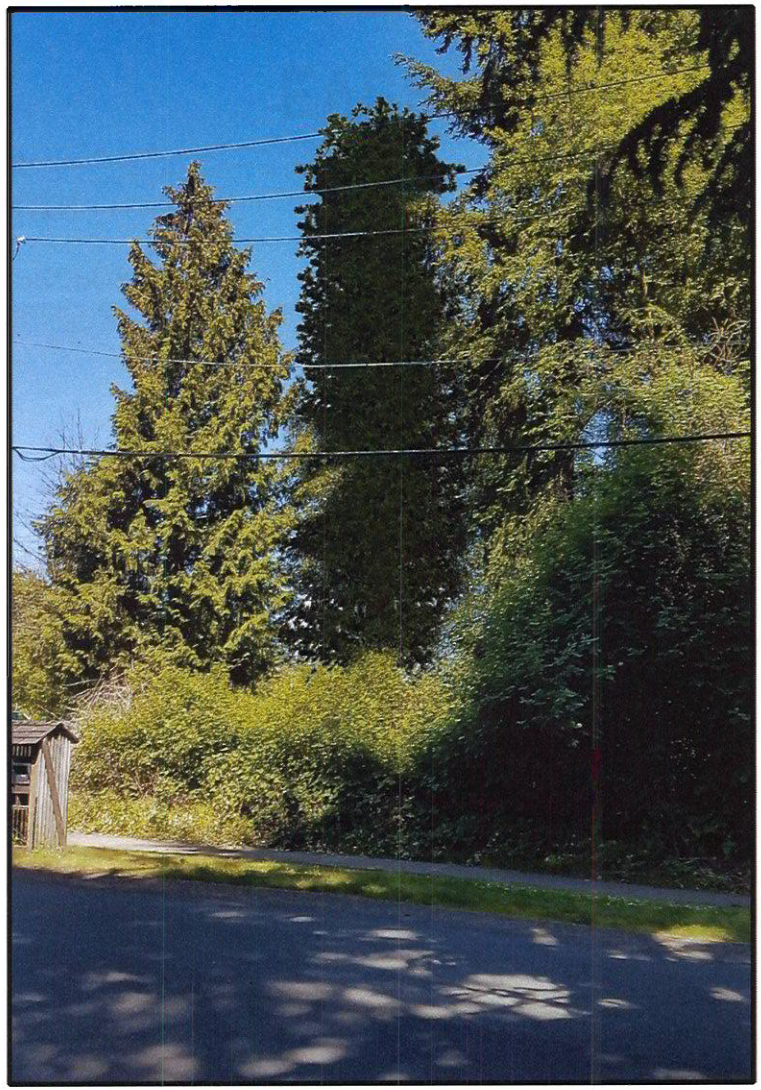
TIM BRADLEY IMAGING

VIEW #2 LOOKING SOUTH
FROM PARKING LOT

T-Mobile

EVERGREEN PT
SE02481B

CURRENT



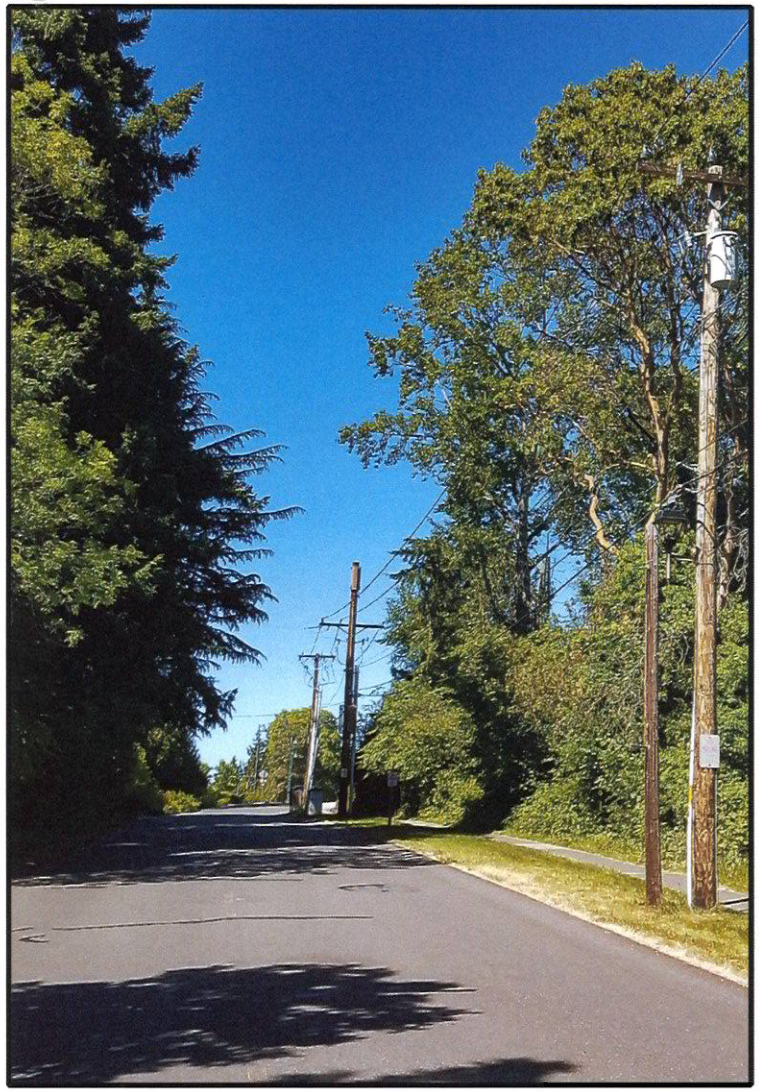
PROPOSED

TIM BRADLEY IMAGING

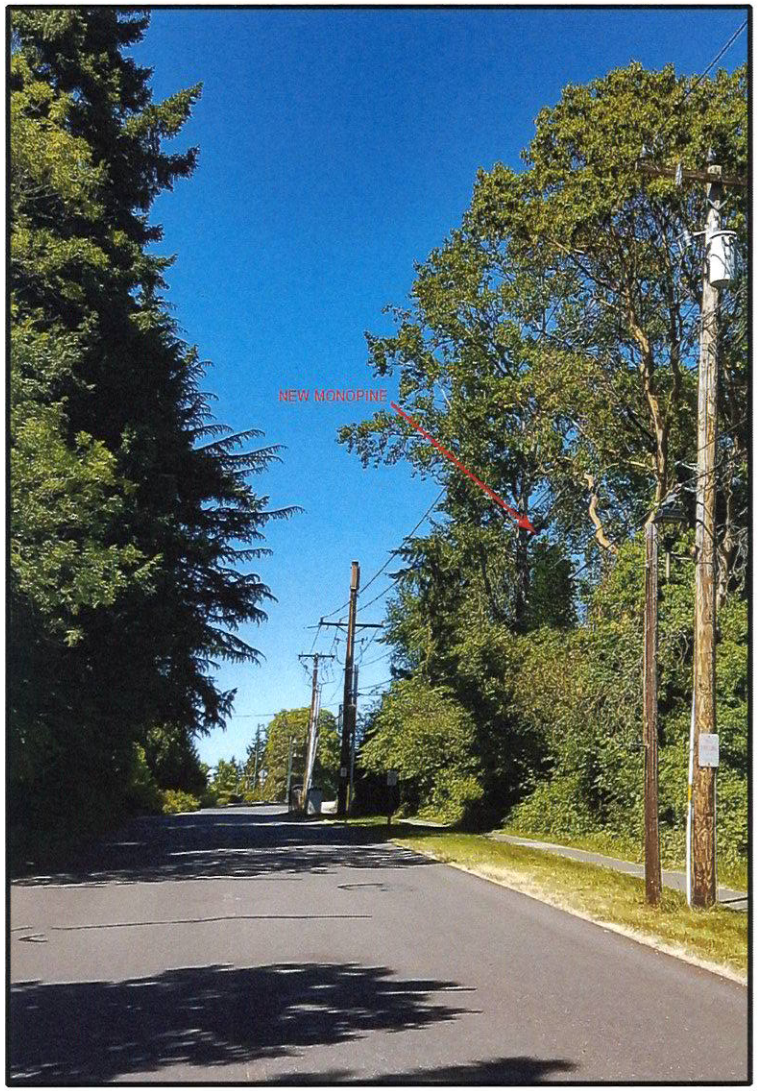
VIEW #3 LOOKING EAST
ON EVERGREEN POINT ROAD

T-Mobile

EVERGREEN PT
SE02481B



CURRENT



PROPOSED

TIM BRADLEY IMAGING

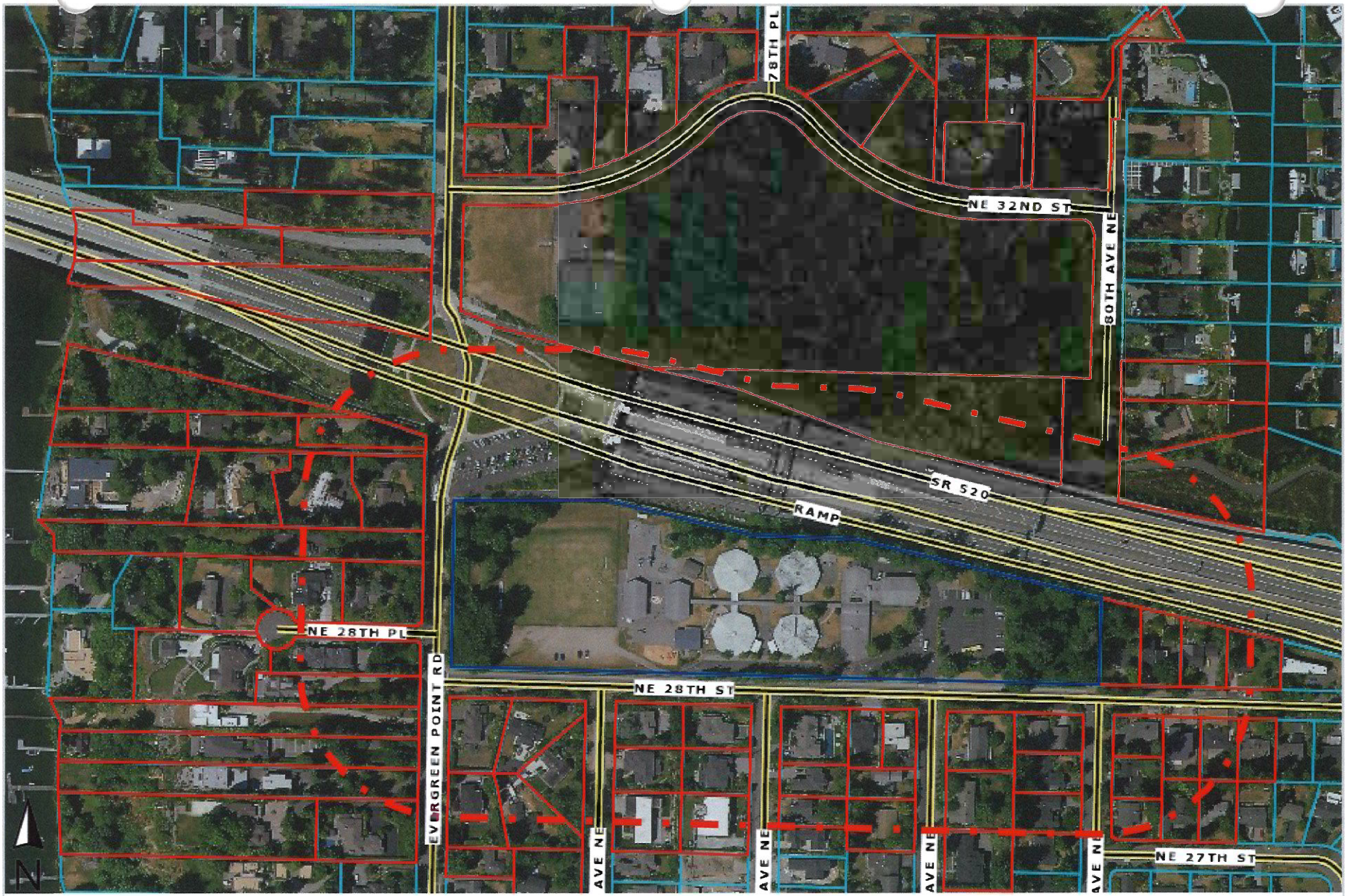
VIEW #4 LOOKING NORTH
ON EVERGREEN POINT ROAD

T-Mobile

EVERGREEN PT
SE02481B

EXHIBIT 18

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com



CHICAGO TITLE
NATIONAL COMMERCIAL SERVICES

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

CHICAGO TITLE
NATIONAL COMMERCIAL SERVICES

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

EXHIBIT 19

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

STATE OF WASHINGTON
PO BOX 47338
OLYMPIA WA 98504

ALLEN HAINES
2853 76TH AVE NE
MEDINA WA 98039

MARK MCBRIDE
2643 EVERGREEN POINT RD
MEDINA WA 98039

CITY OF MEDINA
PO BOX 144
MEDINA WA 98039

JENNIFER GARONE
2835 EVERGREEN POINT RD
MEDINA WA 98039

MING-CHI KAO
3201 78TH PL NE
MEDINA WA 98039

JERRY PARRISH
2827 EVERGREEN POINT RD
MEDINA WA 98039

DAVID YUAN
848 N RAINBOW BLVD #709
LAS VEGAS NV 89107

FRANZ LAZARUS
PO BOX 471
MEDINA WA 98039

SATOSHI MALAKO
2633 EVERGREEN POINT RD
MEDINA WA 98039

MATTHEW KELLY
2665 EVERGREEN POINT RD
MEDINA WA 98039

ANILKUMAR BALAKRISHNAN
117 11TH AVE
KIRKLAND WA 98033

CYNTHIA ADKINS
3204 76TH AVE NE
MEDINA WA 98039

BHARATI SULAGNA
7900 NE 32ND ST
MEDINA WA 98039

LATHIA FAMILY TRUST
7620 NE 32ND ST
MEDINA WA 98039

JAMES CLYNE JR
7930 NE 32ND ST
MEDINA WA 98039

DMITRY PUGACHEV
7920 NE 32ND ST
MEDINA WA 98039

KLG MEDINA LLC
7944 NE 32ND ST
MEDINA WA 98039

HONGBIN WEI
1556 79TH PL NE
MEDINA WA 98039

RICHARD F CARTER
7832 NE 32ND ST
MEDINA WA 98039

JOHN MAFFEI
3204 78TH PL NE
MEDINA WA 98039

ERIC OELTJEN
7628 NE 32ND ST
MEDINA WA 98039

STEPHEN PRESTON
7640 NE 32ND ST
MEDINA WA 98039

GEORGE GULICK
7816 NE 32ND ST
MEDINA WA 98039

RICHARD DIX
2631 EVERGREEN POINT RD
MEDINA WA 98039

KUMAR MEHTA
2839 EVERGREEN POINT ROAD
MEDINA WA 98039

KEITH HOLSAPPLE
2849 EVERGREEN PT RD
MEDINA WA 98039

ROSEMARIE FRANCIS
3008 80TH AVE NE
HUNTS POINT WA 98004

JANET DEATON
3010 80TH AVE NE
HUNTS POINT WA 98004

HAIYANG GAO
8004 NE 28TH ST
HUNTS POINT WA 98004

LIFEI HUANG
8014 NE 28TH ST
HUNTS POINT WA 98004

GUY AKITA
8024 NE 28TH
BELLEVUE WA 98004

DONALD VALE
8034 28TH ST NE
HUNTS POINT WA 98004

YUNBO DENG
2790 EVERGREEN POINT RD
MEDINA WA 98039

MICHAEL EDMONDS
2770 EVERGREEN POINT RD
MEDINA WA 98039

ABHISHT ARORA
2710 EVERGREEN POINT RD
MEDINA WA 98039

MINGNA LI
2740 EVERGREEN POINT RD
MEDINA WA 98039

BELLEVUE PROPERTY
INVESTORS
2626 EVERGREEN POINT RD
MEEDINA WA 98039

DWIGHT RUSSELL
2618 EVERGREEN POINT RD
MEDINA WA 98039

DAVID RANEY
2750 EVERGREEN POINT RD
MEDINA WA 98039

ZHENHUA GUO
7701 NE 28TH ST
MEDINA WA 98039

HARUMI GUIBERSON
2665 77TH AVE NE
MEDINA WA 98039

SHUO WANG
2637 77TH AVE NE
MEDINA WA 98039

VLADISLAV ORLOVSKII
2633 78TH AVE NE
MEDINA WA 98039

DOUGLAS WITHERS
PO BOX 2
MEDINA WA 98039

JIE LIU
2655 78TH AVE NE
MEDINA WA 98039

ADAM WRAY
2656 78TH AVE NE
MEDINA WA 98039

MARK TSANG
2646 78TH AVE NE
MEDINA WA 98039

BRADLEY ADAM
2638 78TH AVE NE
MEDINA WA 98039

JOAN HAVERCROFT
2615 79TH AVE NE
MEDINA WA 98039

RICHARD ANG
2647 79TH AVE NE
MEDINA WA 98039

JOCHEN KOEDIJK
7815 NE 28TH ST
MEDINA WA 98039

RICHARD OWENS
7821 NE 28TH
MEDINA WA 98039

TYANLE MARK
2650 79TJ AVE NE
MEDINA WA 98039

FRED PNEUMAN
2616 79TH AVE NE
MEDINA WA 98039

DARRIN ALVES
2612 79TH AVE NE
MEDINA WA 98039

ALEXANDER RUBLOWSKY
2639 80TH AVE NE
MEDINA WA 98039

JOHN BELL
2647 80TH AVE NE
BELLEVUE WA 98004

VERNON HUI
7979 NE 28TH ST
MEDINA WA 98039

DAVID STRECKER
8022 NE 27TH ST
MEDINA WA 98039

JOANNE DELBENE
8014 NE 27TH ST
MEDINA WA 98039

BARBARA DEYMONAZ
2701 80TH AVE NE
MEDINA WA 98039

CATHERINE MATTY
2646 80TH AVE NE
MEDINA WA 98039

DANIEL BECKER
8005 NE 28TH ST
BELLEVUE WA 98004

KE XIANG
8015 NE 28TH ST
MEDINA WA 98039

D LEE
PO BOX 132
MEDINA WA 98039

MOHAMAD HAQUE
8029 NE 28TH ST
MEDINA WA 98039

PAUL SCHWITTERS
7570 NE 28TH PL
BELLEVUE WA 98004

ZAP HOLDINGS L L C
2795 EVERGREEN POINT RD
MEDINA WA 98039

PARNASSA LLC
7545 NE 28TH PL
MEDINA WA 98039

RAJIV SARATHY
7550 NE 28TH PL
MEDINA WA 98039

PERRY SATTERLEE
7560 NE 28TH PL
MEDINA WA 98039

EXHIBIT 20

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

NON-IONIZING ELECTROMAGNETIC EXPOSURE ANALYSIS
&
ENGINEERING CERTIFICATION

T-Mobile

SITE NUMBER: SE02481B

SITE NAME: EVERGREEN PT. PERM RELO

SITE ADDRESS: 7800 NE 28th Street
Medina, WA 98039

LAT 47.636547 LONG -122.238292

DATE: August 3, 2021

PREPARED BY:

B. J. THOMAS, P.E.
7607 80th Ave NE
Marysville, WA 98270
(206) 851-1106

PROJECT

The proposed T-Mobile project consists of a WCF (Wireless Communications Facility) with BTS equipment located at 7800 NE 28th Street, Medina, WA 98039, King County tax parcel 2425049104. The planned improvements include (6) replacement/new panel antennas on a 65' monopole with supporting BTS (Base Transmission System) radio equipment located in an equipment shelter at ground level.

EQUIPMENT

Type of Service: N600, L600, L700, L1900, L2100, L2500 & N2500

Antennas: Commscope FFVV-65C-R3- V1 & Nokia AEHC

Transmitters: Nokia AHLOA TX 728-746/617-652 MHz
Nokia AHFIG TX 1930-1995/1710-1780 MHz
Nokia AEHC TX 2496-2690 MHz

Sectors: 4 (alpha = 10°, beta = 110°, gamma = 180°, delta = 280°)

Antenna Rad Centers: 61' & 63'- 10" AGL

CALCULATIONS

Calculations for RF power densities near ground level are based on the "**Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields OET Bulletin 65"** Edition 97-01, August 1997 issued by the Federal Communications Commission Office of Engineering & Technology.

Section 2 of **OET Bulletin 65** demonstrates that "for a truly worst-case prediction of power density at or near the surface, such as at ground-level or on a rooftop, 100% reflection of incoming radiation can be assumed, resulting in a potential doubling of predicted field strength and a four-fold increase in (far field equivalent) power density". Therefore, the following equation is used:

$$S = EIRP/\pi R^2$$

Where S = power density (mW/cm^2), EIRP = equivalent isotropically radiated power and R = distance to the center of the radiation antenna (cm)

Attached as an exhibit are the MPE (Maximum Permissible Exposure) calculations using the above referenced formula and the antenna manufacturer vertical pattern information using a conservative 20 dB loss below main lobe. The calculations show that the maximum MPE at ground level (6' above AGL) at the base of the utility pole and the power density is 0.0322 mW/cm² with power levels provided by T-Mobile RF engineer. This is 3.63% of the MPE limit for the general population/uncontrolled exposure of 0.4 mW/cm² as referenced in **Table I OET Bulletin 65 Appendix A** for the lowest frequency range.

ENVIRONMENTAL EVALUATION

Routine environmental evaluation is required if the PCS broadband facility is less than 10 m (32.81 feet) AGL and has a total power of all channels in any given sector greater than 2,000W ERP as referenced in "**Table 2 Transmitters, Facilities and Operations subject to Routine environmental Evaluation" of Bulletin 65.** As the proposed antennas lowest point above ground level is 20.4 m (57 feet), the WCF is categorically exempt from requirement for routine environmental processing.

FCC COMPLIANCE

The general population/uncontrolled exposure near the utility pole, including persons at ground level, surrounding properties, inside and on existing structures will have RF exposure much lower than the "worst case" scenario, which is a small fraction of the MPE limit.

Only trained persons will be allowed to climb the utility pole for maintenance operations. T-Mobile and/or its contractors will provide training to make the employees fully aware of the potential for RF exposure occupational training and they can exercise control over their exposure that is within the occupational/controlled limits.

CONCLUSIONS

Based on calculations, the proposed WCF will comply with current FCC and county guidelines for human exposure to radiofrequency electromagnetic fields.

All representations contained herein are true to the best of my knowledge.

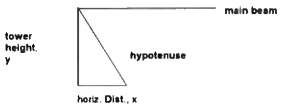
EXHIBITS

- MPE Calculations
- Antenna Specifications
- WCF Location Map

8/3/21

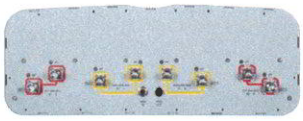
SE02481B EVERGREEN PT. PERM RELO
MPE Calculations
General Population-Uncontrolled Exposure
Ground Level

Effective tower height assumes a person 6 ft tall.
Caible losses neglible as 18' or less SF coax jumpers are used



Bands	Transmitter	Technology	radiation center (feet), y	effective tower height (feet), y	minor lobe angle	dB below main lobe	horiz. dist. x	hyptonuse length (feet)	hypotenuse length (km)	hypotenuse length (cm)	antenna gain (dBi)	TX main lobe (watts)	ERP main lobe (watts)	ERP main lobe (dBm)	minor lobe ERP (dBm)	minor lobe EIRP (dBm)	minor lobe EIRP (mW)	power at point x at ground level mW/cm^2	percentage of standard
12 & 17	AHLOA	4G/5G	61	55	90	20	0.000	55.000	0.017	1676.400	14.00	96.000	1472	61.68	41.68	43.84	24205.15	0.0027	0.69%
25 & 66	AHFIG	2G/3G/4G	61	55	90	20	0.000	55.000	0.017	1676.400	18.31	320.000	13243	71.22	51.22	53.38	217764.15	0.0247	2.47%
41	AEHC	4G/5G	63.83	57.83	90	20	0.000	57.830	0.018	1762.658	18.00	74.000	2851	64.55	44.55	46.71	46881.04	0.0048	0.48%
																	TOTAL	**0.0322**	**3.63%**

FFVV-65C-R3-V1



8-port sector antenna, 4x 617-894 and 4x 1695–2690 MHz, 65° HPBW, 3x RET

General Specifications

Antenna Type	Sector
Band	Multiband
Color	Light gray
Grounding Type	RF connector inner conductor and body grounded to reflector and mounting bracket
Performance Note	Outdoor usage
Radome Material	Fiberglass, UV resistant
Radiator Material	Low loss circuit board
Reflector Material	Aluminum
RF Connector Interface	4.3-10 Female
RF Connector Location	Bottom
RF Connector Quantity, high band	4
RF Connector Quantity, low band	4
RF Connector Quantity, total	8

Remote Electrical Tilt (RET) Information

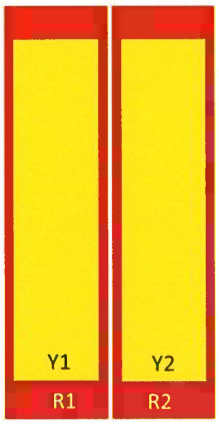
RET Interface	8-pin DIN Female | 8-pin DIN Male
RET Interface, quantity	1 female | 1 male
Input Voltage	10–30 Vdc
Internal RET	High band (2) | Low band (1)
Power Consumption, idle state, maximum	1 W
Power Consumption, normal conditions, maximum	10 W
Protocol	3GPP/AISG 2.0 (Single RET)

FFVV-65C-R3-V1

Dimensions

Width	640 mm | 25.197 in
Depth	235 mm | 9.252 in
Length	2437 mm | 95.945 in
Net Weight, without mounting kit	56.5 kg | 124.561 lb

Array Layout

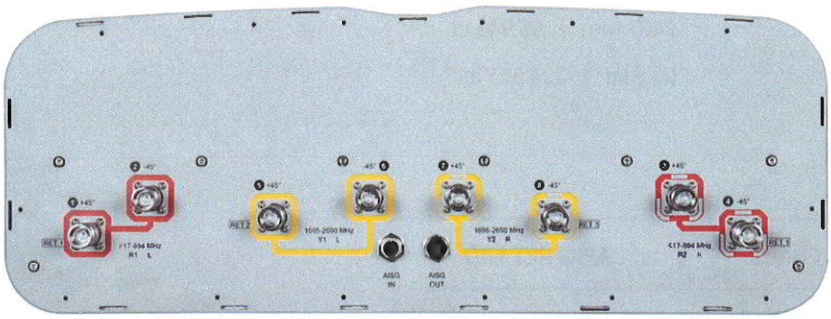


(Sizes of colored boxes are not true depictions of array sizes)

Array	Freq (MHz)	Conns	RET (SRET)	AISG RET UID
[redacted]	617-894	1-2	1	ANxxxxxxxxxxxxxxxx1
[redacted]	617-894	3-4		
Y1	1695-2690	5-6	2	ANxxxxxxxxxxxxxxxx2
Y2	1695-2690	7-8	3	ANxxxxxxxxxxxxxxxx3

Port Configuration

FFVV-65C-R3-V1



Electrical Specifications

Impedance	50 ohm
Operating Frequency Band	1695 – 2690 MHz | 617 – 894 MHz
Polarization	±45°
Total Input Power, maximum	900 W @ 50 °C

Electrical Specifications

Frequency Band, MHz	**617–698**	**698–894**	**1695–1880**	**1850–1990**	**1920–2200**	**2300–2500**	**2500–2690**
Gain, dBi	16	16.3	17.6	18	18.6	18.5	18.6
Beamwidth, Horizontal, degrees	65	63	68	65	61	57	61
Beamwidth, Vertical, degrees	10.2	8.5	5.6	5.4	5.1	4.4	4.1
Beam Tilt, degrees	2–13	2–13	2–12	2–12	2–12	2–12	2–12
USLS (First Lobe), dB	17	19	19	20	22	19	18
Front-to-Back Ratio at 180°, dB	30	33	34	38	36	31	32
Isolation, Cross Polarization, dB	25	25	25	25	25	25	25
Isolation, Inter-band, dB	28	28	28	28	28	28	28
VSWR | Return loss, dB	1.5 | 14.0	1.5 | 14.0	1.5 | 14.0	1.5 | 14.0	1.5 | 14.0	1.5 | 14.0	1.5 | 14.0

PIM, 3rd Order, 2 x 20 W, dBc	-150	-153	-153	-153	-153	-153	-153
Input Power per Port at 50°C, maximum, watts	250	250	200	200	200	200	200

Electrical Specifications, BASTA

Frequency Band, MHz	**617–698**	**698–894**	**1695–1880**	**1850–1990**	**1920–2200**	**2300–2500**	**2500–2690**
Gain by all Beam Tilts, average, dBi	15.5	15.8	17.3	17.7	18.2	18.2	18.2
Gain by all Beam Tilts Tolerance, dB	±0.5	±0.6	±0.3	±0.4	±0.6	±0.4	±0.5
Gain by Beam Tilt, average, dBi	2 ° | 15.4 7 ° | 15.7 13 ° | 15.6	2 ° | 15.7 7 ° | 16.0 13 ° | 15.6	2 ° | 17.2 7 ° | 17.4 12 ° | 17.3	2 ° | 17.7 7 ° | 17.8 12 ° | 17.6	2 ° | 18.0 7 ° | 18.3 12 ° | 18.2	2 ° | 18.1 7 ° | 18.5 12 ° | 18.1	2 ° | 18.1 7 ° | 18.5 12 ° | 18.0
Beamwidth, Horizontal Tolerance, degrees	±4.0	±5.9	±3.1	±3.9	±7	±7	±7.2
Beamwidth, Vertical Tolerance, degrees	±0.6	±1.1	±0.3	±0.4	±0.4	±0.3	±0.3
USLS, beampeak to 20° above beampeak, dB	16	12	14	16	17	15	14
Front-to-Back Total Power at 180° ± 30°, dB	22	22	28	30	27	26	27
CPR at Boresight, dB	15	15	20	22	19	16	23
CPR at Sector, dB	7	7	6	6	5	6	9

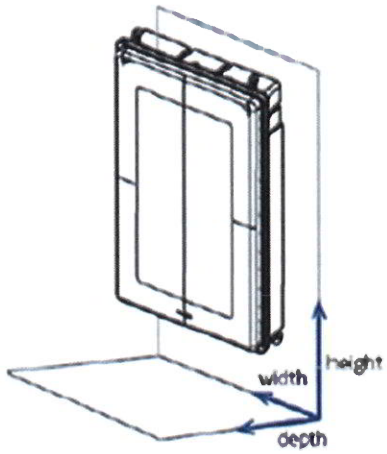
Mechanical Specifications

Effective Projective Area (EPA), frontal	0.99 m² | 10.656 ft²
Effective Projective Area (EPA), lateral	0.33 m² | 3.552 ft²
Wind Loading at Velocity, frontal	1,055.0 N @ 150 km/h | 237.2 lbf @ 150 km/h
Wind Loading at Velocity, lateral	355.0 N @ 150 km/h | 79.8 lbf @ 150 km/h
Wind Loading at Velocity, maximum	1,433.0 N @ 150 km/h | 322.2 lbf @ 150 km/h
Wind Loading at Velocity, rear	1,086.0 N @ 150 km/h | 244.1 lbf @ 150 km/h
Wind Speed, maximum	241 km/h | 149.75 mph

Packaging and Weights

Width, packed	752 mm | 29.606 in
Depth, packed	380 mm | 14.961 in
Length, packed	2590 mm | 101.969 in
Weight, gross	83.2 kg | 183.424 lb

PRODUCT DESCRIPTION

Band	B41 – 2496-2690 MHz	
Supported Modulation schemes	(DL) BPSK, QPSK, 16 QAM, 64 QAM, 256 QAM (UL) BPSK, QPSK, 16 QAM, 64 QAM	
No. of TX/RX	64TX64RX	
MIMO Streams	16	
Instantaneous IBW	194 MHz	
Occupied Bandwidth OBW	190 MHz	
Total Avg EIRP	74.8 dBm	
Supported bandwidths	LTE: 3x20 MHz 5G: 40/60/80/100MHz	
Power Consumption	=1330 W typical (75% DL duty cycle, 30% RF load) =1827 W max (75% DL duty cycle, 100% RF load)	
Optical Ports	4 x SFP28 (OCTIS), 25 Gbps, eCPRI	
Connector Type	APPG DC Pole connector	
Dimensions (H x W x D)	38.2 in x 21.5 in x 5.9 in	
Weight lbs	108.0 lb	
HW/SW Availability	SRAN20C/5G20A	
5G NR Support	Yes	
Material Description	Nokia AirScale MAA 64T64R 192AE B41 320W AEHC	AEHC 475124A

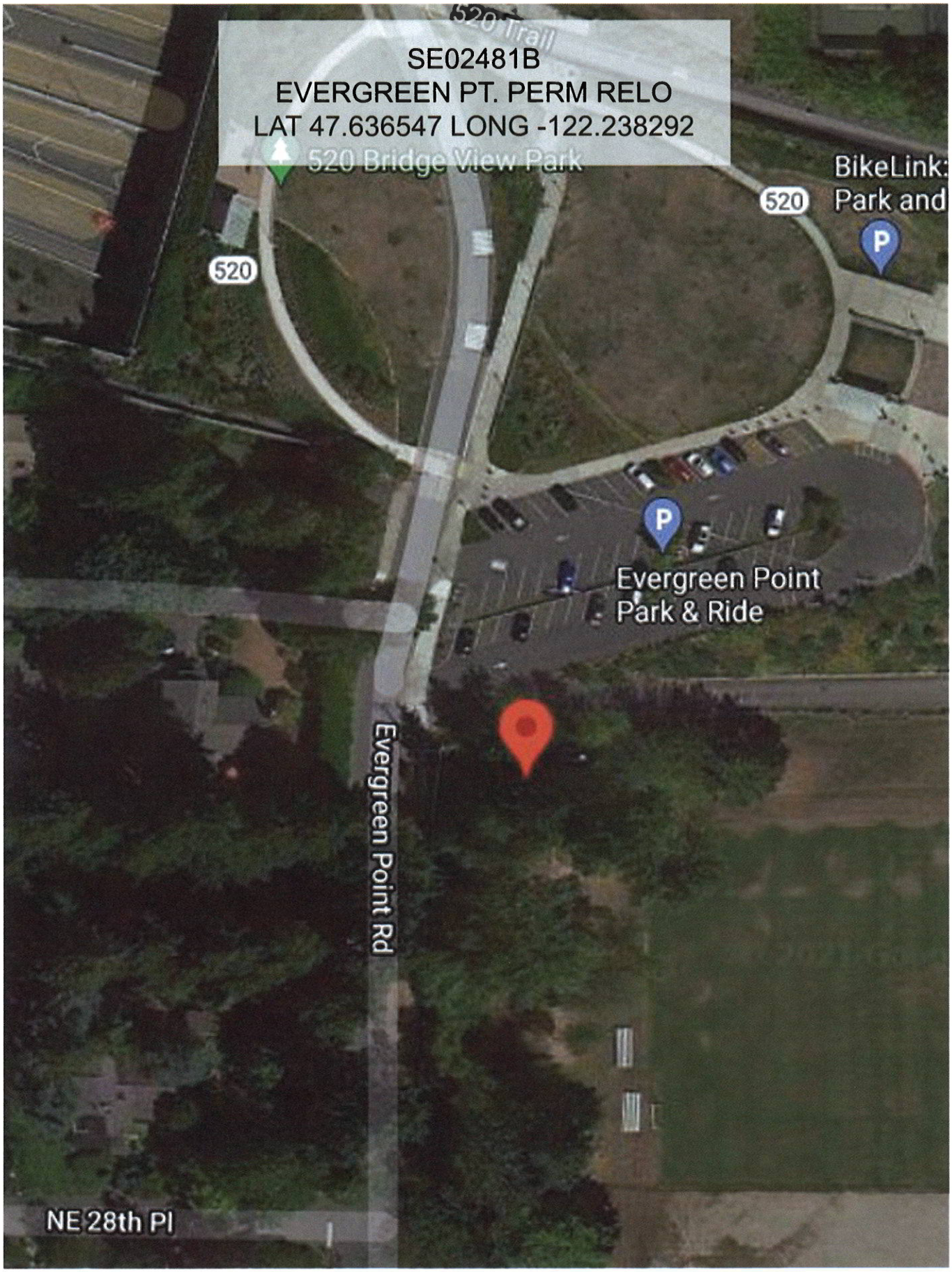

SE02481B
EVERGREEN PT. PERM RELO
LAT 47.636547 LONG -122.238292
520 Bridge View Park
520
520
BikeLink:
Park and
P
P
Evergreen Point
Park & Ride
Evergreen Point Rd
NE 28th Pl

EXHIBIT 21

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

T-Mobile FCC licenses to

be used at this facility.

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE
T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
KNLG709	0007643946
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
04-21-2017	04-21-2017	04-28-2027	04-22-2017

Market Number	Channel Block	Sub-Market Designator
BTA413	F	0

Market Name
Seattle-Tacoma, WA

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
04-28-2002			

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 conditioned upon the full and timely payment of all monies due pursuant to Sections 1.2110 and 24.716 of the Commission's Rules and the terms of the Commission's installment plan as set forth in the Note and Security Agreement executed by the licensee. Failure to comply with this condition will result in the automatic cancellation of this authorization.

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.

License renewal 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).

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE
T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
KNLG834	0007643722
Radio Service	
CW - PCS Broadband	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
04-17-2017	04-17-2017	04-28-2027	04-18-2017

Market Number	Channel Block	Sub-Market Designator
BTA413	E	0

Market Name
Seattle-Tacoma, WA

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
04-28-2002			

Waivers/Conditions:

License renewal 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).

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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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE
T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQEM962	
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
03-15-2016	03-15-2016	03-08-2026	

Market Number	Channel Block	Sub-Market Designator
BTA413	C	6

Market Name
Seattle-Tacoma, WA

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
03-08-2011			

Waivers/Conditions:

Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

License renewal 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).

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.

Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T–MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE
T–MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQGA732	0006038969
Radio Service	
AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
11-29-2006	12-02-2013	11-29-2021	12-14-2013

Market Number	Channel Block	Sub-Market Designator
REA006	D	9

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 the1710–1755 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.

Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T–MOBILE LICENSE LLC

ATTN: DAN MENSER
T–MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQQA225	50000AWAA12
Radio Service	
AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
08-23-2012	08-23-2012	11-29-2021	10-02-2012

Market Number	Channel Block	Sub-Market Designator
REA006	D	20

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 the1710–1755 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.

Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

AWS operations must not cause harmful interference across the Canadian or Mexican Border. The authority granted herein

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.

is subject to future international agreements with Canada or Mexico, as applicable.

Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T–MOBILE LICENSE LLC

ATTN: DAN MENSER
T–MOBILE LICENSE LLC
12920 SE 38TH ST.
BELLEVUE, WA 98006

Call Sign	File Number
WQGB379	0005273739
Radio Service	
AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
11-29-2006	08-23-2012	11-29-2021	10-02-2012

Market Number	Channel Block	Sub-Market Designator
REA006	F	3

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 the1710–1755 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.

The license is subject to compliance with the provisions of the January 12, 2001 Agreement between Deutsche Telekom AG, VoiceStream Wireless Corporation, VoiceStream Wireless Holding Corporation and the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI), which addresses national security, law enforcement, and public safety issues of the FBI and the DOJ regarding the authority granted by this license. Nothing in the Agreement is intended to limit any obligation imposed by Federal lawor regulation including, but not limited to, 47 U.S.C. Section

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.

222(a) and (c)(1) and the FCC's implementing regulations. The Agreement is published at VoiceStream–DT Order, IB Docket No. 00–187, FCC 01–142, 16 FCC Rcd 9779, 9853 (2001).

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.

Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T–MOBILE LICENSE LLC

ATTN: DAN MENSER
T–MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQPG222	0005273739
Radio Service	
AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
04-18-2012	08-23-2012	11-29-2021	10-02-2012

Market Number	Channel Block	Sub-Market Designator
REA006	E	5

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 the1710–1755 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.

Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the

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.

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).

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.

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE
T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQIZ639	0008570202
Radio Service	
WY - 700 MHz Lower Band (Blocks A, B & E)	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
05-30-2019	05-30-2019	06-13-2029	05-31-2019

Market Number	Channel Block	Sub-Market Designator
BEA170	A	3

Market Name
Seattle-Tacoma-Bremerton, WA

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
12-13-2016	06-13-2019		

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).

Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

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.

License renewal 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).

Licensee Name: T-MOBILE LICENSE LLC

Call Sign: WQIZ639 **File Number:** 0008570202 **Print Date:** 05-31-2019

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status

Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T–MOBILE LICENSE LLC

ATTN: DAN MENSER
T–MOBILE LICENSE LLC
12920 SE 38TH ST.
BELLEVUE, WA 98006

Call Sign	File Number
WQGB371	0005273739
Radio Service	
AW - AWS, 1710-1755/2110-2155 MHz bands	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
11-29-2006	08-23-2012	11-29-2021	10-02-2012

Market Number	Channel Block	Sub-Market Designator
BEA170	C	3

Market Name
Seattle-Tacoma-Bremerton, WA

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 the1710–1755 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.

The license is subject to compliance with the provisions of the January 12, 2001 Agreement between Deutsche Telekom AG, VoiceStream Wireless Corporation, VoiceStream Wireless Holding Corporation and the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI), which addresses national security, law enforcement, and public safety issues of the FBI and the DOJ regarding the authority granted by this license. Nothing in the Agreement is intended to limit any obligation imposed by Federal lawor regulation including, but not limited to, 47 U.S.C. Section

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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222(a) and (c)(1) and the FCC's implementing regulations. The Agreement is published at VoiceStream–DT Order, IB Docket No. 00–187, FCC 01–142, 16 FCC Rcd 9779, 9853 (2001).

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.

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQZL457	
Radio Service WT - 600 MHz Band	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
06-14-2017	06-15-2017	06-14-2029	

Market Number	Channel Block	Sub-Market Designator
PEA016	B	0

Market Name
Seattle, WA

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
06-14-2023	06-14-2029		

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.

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.

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: Sprint Spectrum License Holder LLC

ATTN: GOVERNMENT AFFAIRS
SPRINT SPECTRUM LICENSE HOLDER LLC
12502 SUNRISE VALLEY DRIVE, M/S: VARESA0209
RESTON, VA 20196

Call Sign	File Number
WQYL823	
Radio Service	
BR - Broadband Radio Service	
Regulatory Status	
Common Carrier	

FCC Registration Number (FRN): 0025738147

Grant Date	Effective Date	Expiration Date	Print Date
10-27-2016	10-27-2016	03-28-2026	11-02-2016

Geographic Service Area: BTA 413 Seattle-Tacoma, WA

Channel Plan:	Channel Number:	Frequency:
New	BRS1	002496.00000000 - 002502.00000000 MHz
New	BRS2	002618.00000000 - 002624.00000000 MHz
New	E1	002624.00000000 - 002629.50000000 MHz
New	E2	002629.50000000 - 002635.00000000 MHz
New	E3	002635.00000000 - 002640.50000000 MHz
New	E4	002608.00000000 - 002614.00000000 MHz
New	F1	002640.50000000 - 002646.00000000 MHz
New	F2	002646.00000000 - 002651.50000000 MHz
New	F3	002651.50000000 - 002657.00000000 MHz
New	F4	002602.00000000 - 002608.00000000 MHz
New	H1	002657.00000000 - 002662.50000000 MHz
New	H2	002662.50000000 - 002668.00000000 MHz
New	H3	002668.00000000 - 002673.50000000 MHz

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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Waivers/Conditions:

NONE

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQZL458	
Radio Service WT - 600 MHz Band	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
06-14-2017	06-15-2017	06-14-2029	

Market Number	Channel Block	Sub-Market Designator
PEA016	C	0

Market Name
Seattle, WA

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
06-14-2023	06-14-2029		

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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Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

T-MOBILE LICENSE LLC
12920 SE 38TH STREET
BELLEVUE, WA 98006

Call Sign	File Number
WQZL459	
Radio Service WT - 600 MHz Band	

FCC Registration Number (FRN): 0001565449

Grant Date	Effective Date	Expiration Date	Print Date
06-14-2017	06-15-2017	06-14-2029	

Market Number	Channel Block	Sub-Market Designator
PEA016	D	0

Market Name
Seattle, WA

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
06-14-2023	06-14-2029		

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.

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.

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: TDI Acquisition Sub, LLC

ATTN: GOVERNMENT AFFAIRS
TDI ACQUISITION SUB, LLC
12502 SUNRISE VALLEY DRIVE, M/S: VARESA0209
RESTON, VA 20196

Call Sign	File Number
B413	
Radio Service	
BR - Broadband Radio Service	
Regulatory Status	
Common Carrier	

FCC Registration Number (FRN): 0017806084

Grant Date	Effective Date	Expiration Date	Print Date
03-02-2016	12-13-2019	03-28-2026	12-14-2019

Geographic Service Area: BTA 413 Seattle-Tacoma, WA

Channel Plan:	Channel Number:	Frequency:
New	BRS1	002496.00000000 - 002502.00000000 MHz
New	BRS2	002618.00000000 - 002624.00000000 MHz
New	E1	002624.00000000 - 002629.50000000 MHz
New	E2	002629.50000000 - 002635.00000000 MHz
New	E3	002635.00000000 - 002640.50000000 MHz
New	E4	002608.00000000 - 002614.00000000 MHz
New	F1	002640.50000000 - 002646.00000000 MHz
New	F2	002646.00000000 - 002651.50000000 MHz
New	F3	002651.50000000 - 002657.00000000 MHz
New	F4	002602.00000000 - 002608.00000000 MHz
New	H1	002657.00000000 - 002662.50000000 MHz
New	H2	002662.50000000 - 002668.00000000 MHz
New	H3	002668.00000000 - 002673.50000000 MHz

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.

Waivers/Conditions:

NONE

EXHIBIT 22

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

June 25, 2024

City of Medina
Development Services,
501 Evergreen Point Road
Medina, WA 98039

RE: **Proposed replacement of canister pole with a monopine**
7800 NE 28th St, Medina, WA 98039
T-Mobile site ID: SE02481B Evergreen Pt - School District
Radio frequency engineering analysis need letter for the replacement of an existing canister pole with a replacement monopine.

Dear City of Medina,

I am a Radio Frequency Engineer, and I am writing on behalf of T-Mobile West LLC ("**T-Mobile**"). I am the engineer responsible for T-Mobile's deployment in the Medina area. This letter is to provide additional information and clarity regarding the request to replace the existing canister pole at this site with a monopine.

T-Mobile's existing facility is in the Northwest corner of the property of the Bellevue Christian School, adjacent to the Evergreen Point Park & Ride and SR 520 which is to the immediate North. The existing Canister Pole has a tip height of 65 feet, and the diameter is 36 inches.

T-Mobile is proposing to replace the existing Canister Pole with a monopine (a faux tree pole) which will have a pole tip height of 65 feet, with the top of the branches at 70 feet. As explained herein, the additional space afforded by a monopine is necessary for T-Mobile's deployment of 5G technology. Further, the addition of 5 feet in overall height only serves for the purpose of the decorative branches to allow a natural taper above the antenna sections to allow for a more natural and aesthetic monopine shape.

The existing facility is a four (4) sector facility, as will the proposed sector consist of four (4) sectors. The fourth sector is needed to maximize the coverage the facility can provide as there are a very limited number of locations in Medina which a facility can be placed, this facility must be optimized to provide maximal coverage that it can obtain given its height limitations. The current facility consists of four (4) antennas fed via coaxial cable from the ground equipment, that are capable only of operating in some 3G/4G LTE bands which prohibit the facility's capability of providing full up to date coverage and capacity to the surrounding customers. In order to bring the site up to current standards as well as be able to provide current 5G capabilities to the surrounding area, and greatly improve capacity and data throughput for customers, the existing four (4) antennas must be removed and replaced with seven (7) antennas as well as necessary remote radio units that must be mounted near the antennas, eight (8) total, and ancillary DC power and fiber optic support equipment and cabling. This configuration is a technical requirement to

provide all of T-Mobile's FCC licensed services to this area and there are no technical configurations available that would reduce this footprint. This configuration consists of four (4) 96" tall x 25.19" wide and 9.9" deep antennas, and three (3) 38.2" tall x 21.5" wide x 5.9" antennas along with the ancillary remote equipment. Additionally, antennas may be required to be vertically tilted up or down to fine tune coverage which requires additional clearance around the antennas as well. This creates a footprint that is incompatible with canister poles.

It is not possible for the existing canister pole to fit all the required equipment along with technical tolerances. Additionally, a replacement stealth canister would not be feasible as it would need to be unreasonably large, at least 6.5 feet in diameter, which is neither a visually unobtrusive "stealth" structure nor is it practical from a technological or structural standpoint. Furthermore, "stacking" antennas and equipment up and down the pole in an attempt to reduce this diameter would take up the vertical space of the structural and eliminate it as being co-locatable for future carriers to consolidate wireless facilities, which would defeat the structure's ability to be a co-locatable structure for future carriers to consolidate at this location, which it is required to be by code.

For T-Mobile to deploy its FCC licensed spectrums and technology, while maintaining the code requirements to be a stealth facility as well as maintaining the requirement to be a co-locatable structure, the only viable solution is a monopine faux tree structure.

ADDITIONAL HEIGHT

The additional 5 feet of height needed from 65' overall to 70' overall for this replacement facility is only to allow for the additional decorative branches above the top of the pole needed to provide a natural branch taper to the tree shape and does not increase the height of T-Mobile's antennas or otherwise benefit T-Mobiles coverage. T-Mobile would prefer a replacement pole of significantly more height as there are few locations in Medina in which wireless facilities can be placed. However, we have determined that, with the use of a monopine structure, we can accomplish sufficient coverage objectives while minimizing the visual impact to the surrounding properties and views to fill the gap in 5G and other technologies in the surrounding area.

EXISTING AND PROPOSED FREQUENCIES AND TECHNOLOGY

The current facility's design only allows it to operate in frequencies of 700 MHz, 1900 MHz, and 2100 MHz which limits the coverage, capacity, data throughput and overall experience of surrounding customers.

This upgrade will improve customer experience by adding 5G in the 2.5 GHZ spectrum, sometimes referred to as "Ultra Capacity," where we have the most capacity and data performance, while increasing neighborhood coverage by adding our 600 MHz carrier.

Please direct any questions to Chris DeVoist who will direct them to me.

Sincerely,

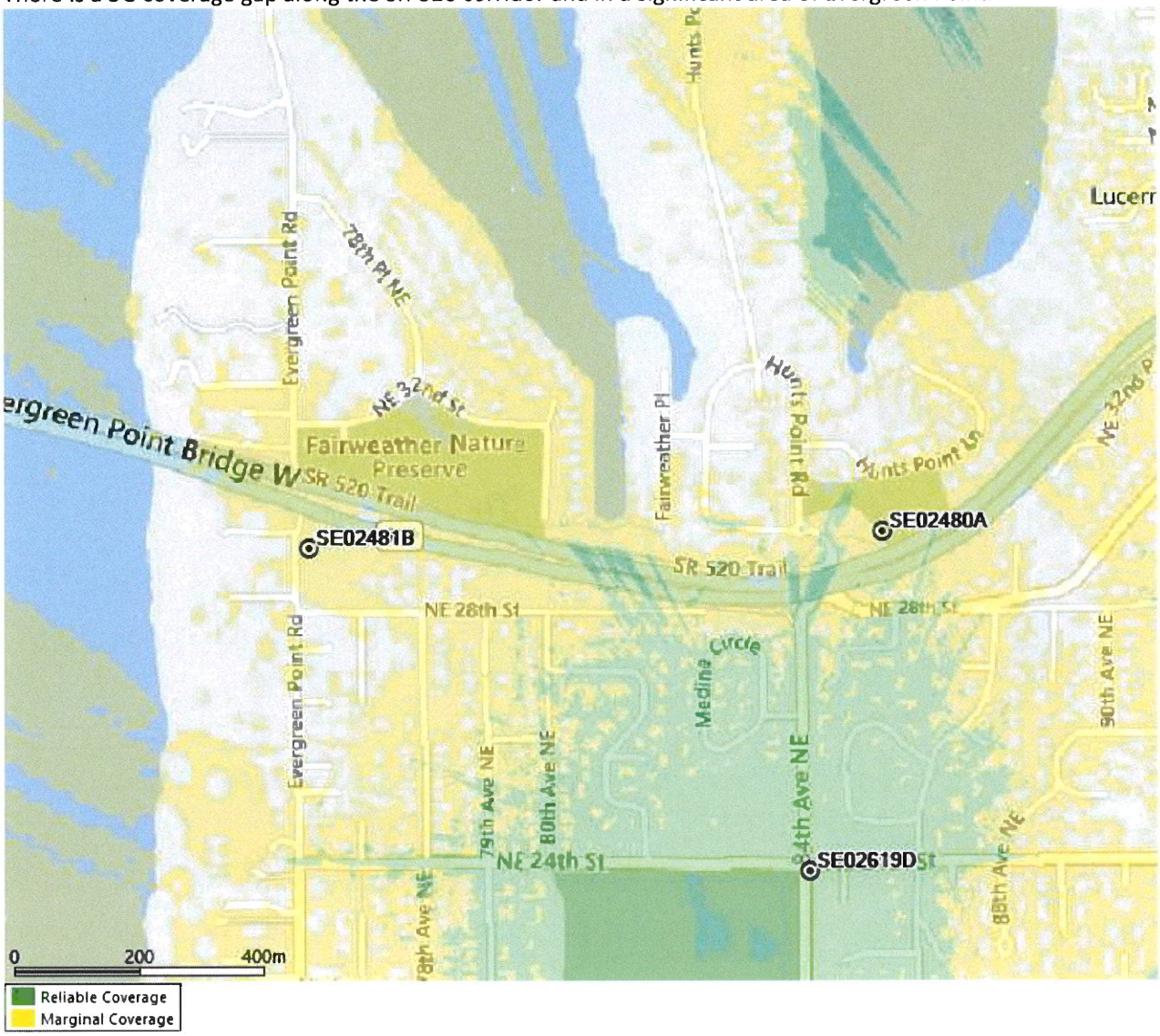
Nathan Rausch Digitally signed by Nathan Rausch Date: 2024.06.28 09:39:34 -07'00'

Nathan Rausch
Sr Engineer, Radio Frequency Technology, T-Mobile

Attachments to follow: RF coverage maps.

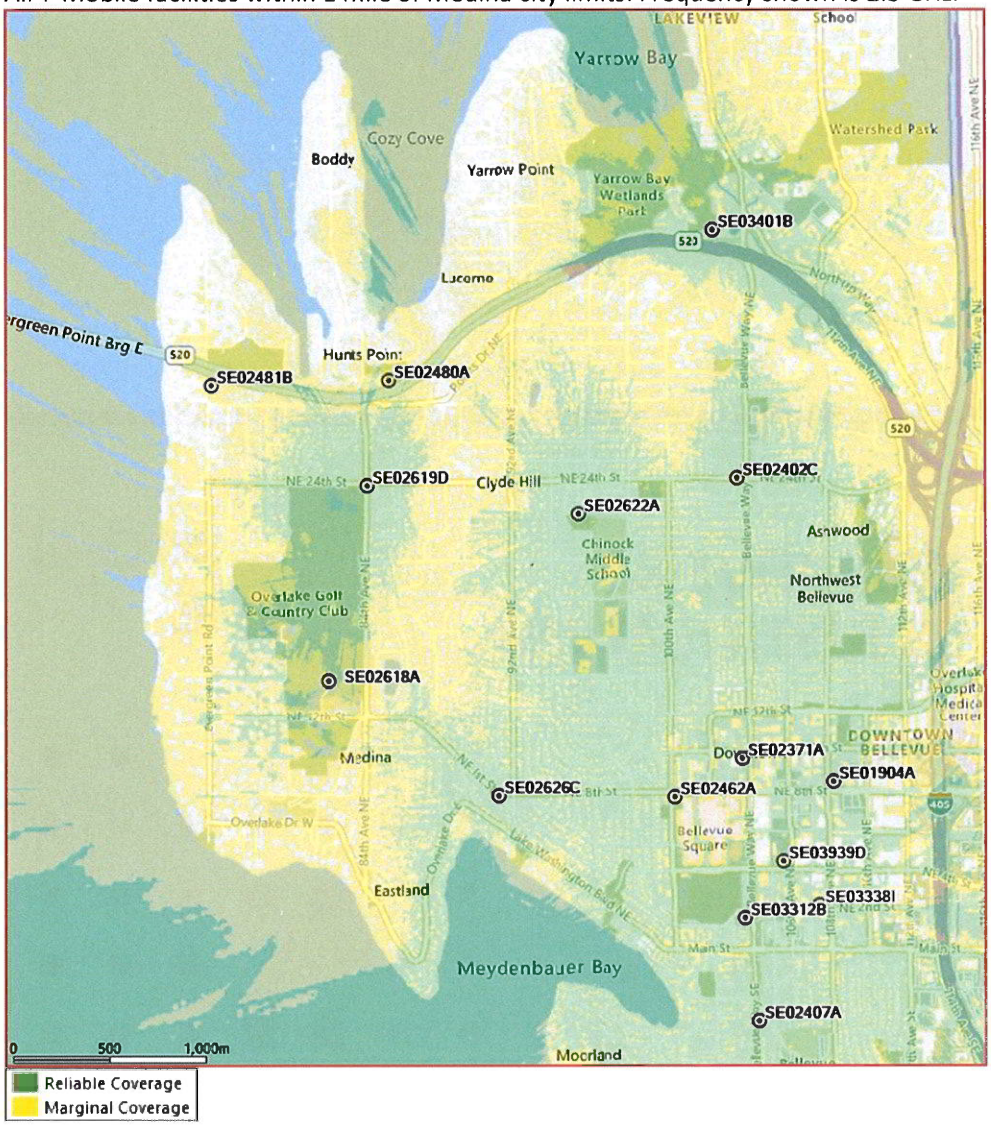
RF coverage map - 5G Coverage (2.5 GHz) in Medina before the proposed upgrade

There is a 5G coverage gap along the SR-520 corridor and in a significant area of Evergreen Point.



RF coverage map - 5G Coverage (2.5 GHz) in Medina after the proposed upgrade - Adding 5G here improves the 5G coverage along Highway 520, Evergreen Point Rd, and the surrounding neighborhood.

All T-Mobile facilities within 1 mile of Medina city limits. Frequency shown is 2.5 GHz.



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COVERAGE OBJECTIVE & ENGINEERING JUSTIFICATION

SE02481B – Evergreen Point

June 2024

Prepared by: Nathan Rausch

COVERAGE JUSTIFICATION

OVERVIEW

T-Mobile is proposing an upgrade to its existing wireless communication facility ("WCF" or "facility"), SE02481B – Evergreen Point, at 7800 NE 28th Street, in Medina.

This proposed upgrade meets T-Mobile's coverage objective to provide in-building wireless service and deploys T-Mobile's 2.5 GHz spectrum in a neighborhood not adequately served by our network. This proposed upgrade to T-Mobile's WCF adds capacity to T-Mobile's existing wireless coverage by adding 2.5 GHz, and 600 MHz carriers to the neighborhood.

This coverage objective was determined through a combined analysis of customer complaints, service requests, and radio frequency engineering design. This facility allows T-Mobile to provide more reliable wireless service with fewer dropped calls, improved call quality, and improved access to additional wireless services that the public now demands. This includes emergency 911 calls throughout the area.

COVERAGE JUSTIFICATION (CONT.)

FEDERAL LAW

The Telecommunications Act of 1996 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, 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." Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a wireless facility in terms of adding capacity, updating new technologies, and/or maintaining high quality service.
    - *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), *affirmed in part and vacated in part*, *City of Portland v. United States*, 969 F.3d 1020 (9th Cir. 2020), *cert. denied*, 594 U.S. ___, 141 S.Ct. 2855 (June 28, 2021)(No. 20-1354) ("FCC Order").
- A local government's denial of an application to install a personal wireless service facility has the effect of prohibiting the provision of personal wireless service if materially inhibits or limits T-Mobile's ability to deploy the facilities, technologies, or services that conform to T-Mobile's network standards and objectives.

COVERAGE JUSTIFICATION (CONT.)

FEDERAL LAW (CONT.)

- While T-Mobile 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.

COVERAGE JUSTIFICATION (CONT.)

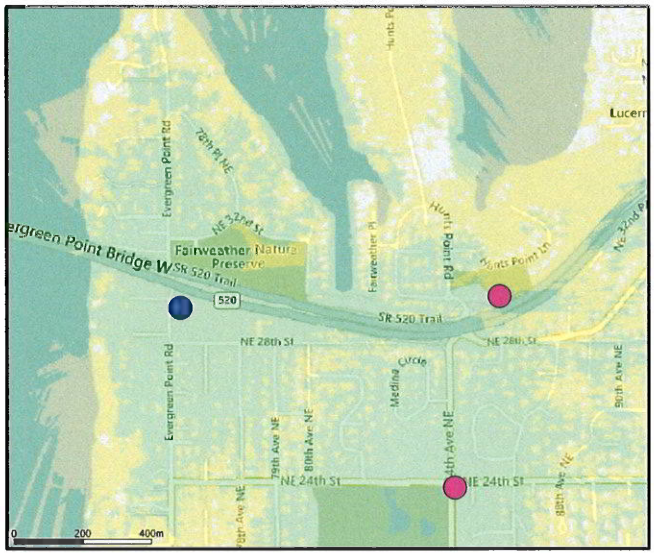
COVERAGE OBJECTIVE

- **Figure A – T-Mobile's 2.5 GHz Coverage Side-by-Side Comparison** shows existing T-Mobile 2.5 GHz coverage in the general area of the site, compared with projected coverage with upgrade. Currently, the target coverage area has minimal to no service from 2.5 GHz, and the proposed upgrade will substantially improve that deficiency.
- **Figure B – T-Mobile's Mid Band Coverage Side-by-Side Comparison** shows existing T-Mobile Mid Band coverage which will not significantly change after the upgrade.
- **Figure C – T-Mobile's Low Band Coverage Side-by-Side Comparison** shows existing T-Mobile 600 MHz coverage in the general area of the site, compared with projected coverage with upgrade. Currently, the neighborhood is poorly covered with low band signal from distant sites.

FIGURE A – T-MOBILE'S 2.5 GHZ COVERAGE SIDE-BY-SIDE COMPARISON

2.5 GHZ EXISTING COVERAGE

2.5 GHZ PROPOSED UPGRADE



	Reliable Coverage: -86 dBm < RSRP
	Marginal Coverage : -101 dBm < RSRP < -86 dBm
	Existing sites
	Proposed upgrade

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FIGURE B – T-MOBILE'S MID BAND COVERAGE SIDE-BY-SIDE COMPARISON

MID BAND EXISTING COVERAGE

MID BAND PROPOSED UPGRADE

	Reliable Coverage: -100 dBm < RSRP
	Marginal Coverage : -115 dBm < RSRP < -100 dBm
	Existing sites
	Proposed upgrade

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FIGURE C – T-MOBILE'S LOW BAND COVERAGE SIDE-BY-SIDE COMPARISON

LOW BAND EXISTING COVERAGE

LOW BAND PROPOSED UPGRADE

	Reliable Coverage: -93 dBm < RSRP
	Marginal Coverage : -108 dBm < RSRP < -93 dBm
	Existing sites
	Proposed upgrade

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COVERAGE METHODOLOGY

T-Mobile's RF engineers use the following signal strength standards to demonstrate the quality of coverage depicted on the maps herein.

- **Reliable Coverage:** Green represents T-Mobile's design criteria for reliable in-building residential coverage. This signal strength is required for reach customers indoors, and to provide an acceptable internet data connection.
- **Marginal Coverage:** Yellow represents T-Mobile's minimum design criteria for service outside, or in a car. This signal strength is required to maintain a voice call, and to provide a bare minimum internet data experience.
- **No Coverage:** Signal strength below the minimum service threshold is not shown. Customers will likely not have service from the mapped spectrum in these areas.
- **T-Mobile's 4G & 5G Online Coverage Map:** The online coverage map approximates anticipated **outdoor coverage** (including 600Mhz 4G LTE) based on a variety of factors, which may include limited or no coverage areas, and does not guarantee service availability; some data-intensive uses ma have decreased functionality in low-bandwidth areas, especially indoors or on the exterior edges of the approximated coverage area. Within coverage areas, network changes, traffic volume, outages, technical limitations, signal strength, customer equipment, obstructions, weather and other conditions may interfere with service quality and availability. Some coverage (e.g., Narrowband IoT, millimeter wave 5G) not depicted.

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EXHIBIT 23

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

All T-Mobile facilities within 1 mile of Medina city limits. Frequency shown is 2.5 GHz.

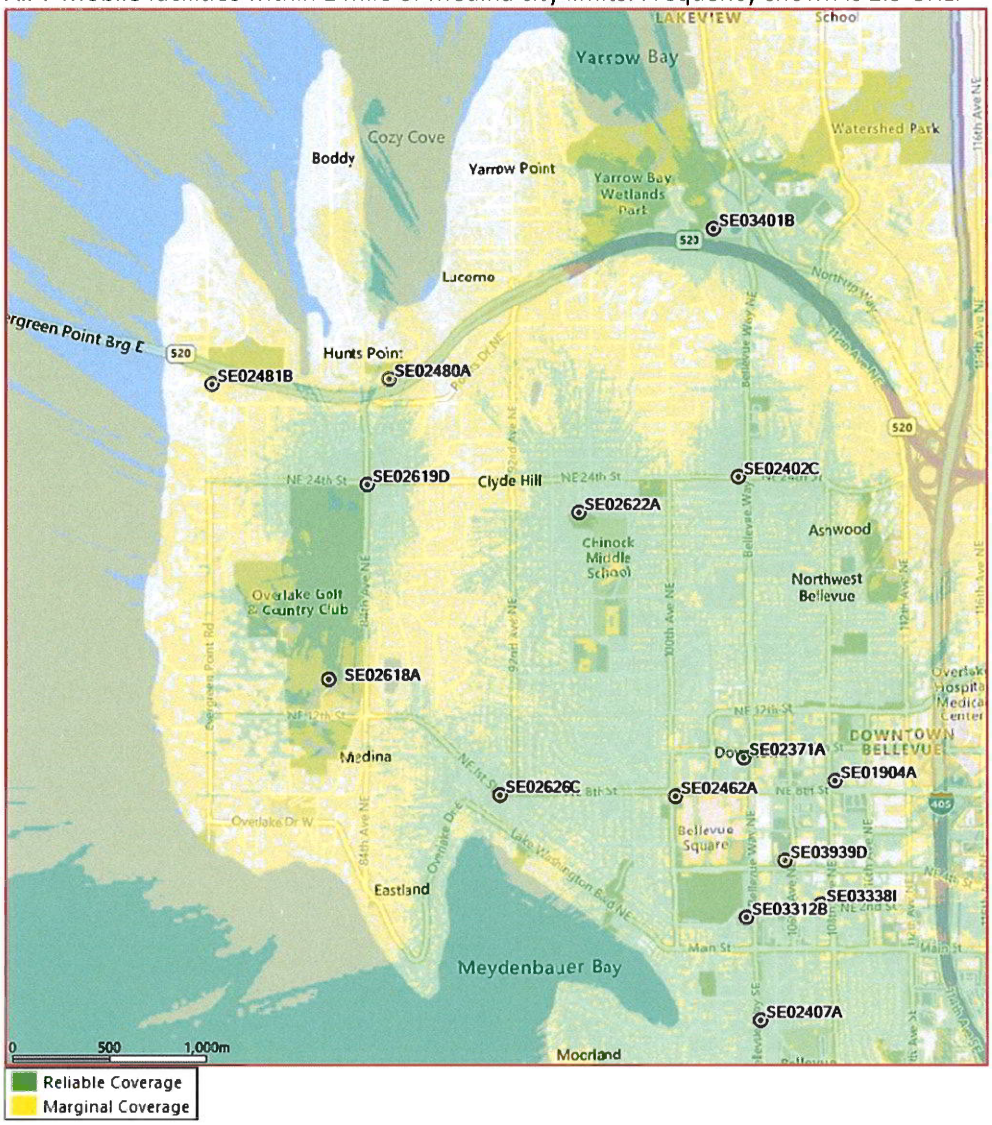

EXHIBIT 24

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Christopher DeVoist

From: Stephanie Keyser <skeyser@medina-wa.gov>
Sent: Monday, September 25, 2023 7:28 AM
To: Christopher DeVoist
Subject: RE: Land use submittal requirements: wireless facility modification at 7800 NE 28th St (parcel 2425049104) SE02481B Evergreen Pt
Attachments: Variance - Non Administrative.pdf

Hi Chris,

Sorry for the delay in response. Just to confirm, you're not asking for this to be an eligible facility request, correct? If it's not, then unfortunately the decorative branches aren't able to be waived so a variance will be required—I'm attaching the application in case you don't already have it.

The list you have is exactly what we need. Just to clarify, SEPA will be a separate permit (P-SEPA THRESHOLD) when you apply in the portal—it's not clear in the application.

Let me know if you have questions!

Stephanie

From: Christopher DeVoist <christopher.devoist@taec.net>
Sent: Wednesday, September 13, 2023 11:50 AM
To: Stephanie Keyser <skeyser@medina-wa.gov>
Subject: RE: Land use submittal requirements: wireless facility modification at 7800 NE 28th St (parcel 2425049104) SE02481B Evergreen Pt

I forgot to include the applicants FCC licenses. I'll provide those as well.

Chris DeVoist
Technology Associates EC INC
christopher.devoist@taec.net | Tel: 206-949-3321

From: Christopher DeVoist
Sent: Wednesday, September 13, 2023 11:22 AM
To: skeyser@medina-wa.gov
Subject: Land use submittal requirements: wireless facility modification at 7800 NE 28th St (parcel 2425049104) SE02481B Evergreen Pt

Hello Stephanie,

Thank you for your time this morning on the pre-application call. Per our conversation this morning, you will confirm for me if a new variance is required for the 5' increase to accommodate the decorative/aesthetic pine branches, of if that can be waived as it is part of maintaining the screening code compliance of the facility.

In the meantime, as we discussed, below are the items I am currently preparing for the non-administrative special use permit application.

Please let me know if I am missing anything, or if there's something on there you actually don't need, or if I'm right on target. Appreciate your feedback!

- Cover letter with project description and narrative describing code compliance of the proposal.
- Completed SEPA checklist
- Completed non-administrative conditional/special use checklist.
- Completed non-administrative conditions/special use application.
- Signed declaration of agency form (signed by Bellevue School District, property owner).
- Proof of ownership (Deed)
- Plan set (includes site plan, plans and details, elevations, etc.)
- Photographic simulations (4 views before and after with reference map showing view locations)
- Mailing labels for property owners within 300' or 3 parcels (whichever is greater) of the subject parcel provided in word format.
- NIER report demonstrating compliance with FCC regulations on RF exposure.
- Letter describing RF need for upgrade, limitations of existing structure to support needed technology upgrades, and need for replacement structure.

Thank you!!

Chris DeVoist
Technology Associates EC INC
christopher.devoist@taec.net | Tel: 206-949-3321

EXHIBIT 25

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

BEFORE THE HEARING EXAMINER
FOR THE CITY OF MEDINA

In the Matter of the Application of	)	No. PL-16-034; PL-16-036
	)	
Gary Abrahams, on behalf of T-Mobile West, LLC	)	**T-Mobile Wireless Facility**
	)	
	)	**FINDINGS, CONCLUSIONS,**
For a Special Use Permit and Variances	)	**AND DECISION**

SUMMARY OF DECISION

The request for a special use permit and variances to construct a new wireless communication facility, including a 65-foot monopole support structure with interior antennas and a 96 square foot equipment shelter, at Bellevue Christian School's Three Points Elementary campus is **APPROVED**. Conditions are necessary to mitigate specific impacts of the proposed development.

SUMMARY OF RECORD

Hearing and Decision Date:

The City of Medina Hearing Examiner held an open record hearing on January 11, 2017. At the open record hearing, Applicant Attorney Linda Atkins and City Attorney Jeff Hanson acknowledged that a legal action pending in the United States District Court of Washington may be impacted by the decision on these applications and that a stay is in place in that case until February 28, 2017.[1] Ms. Atkins agreed that, because of the voluminous nature of the testimony and exhibits presented during the hearing on these applications, it would be appropriate for the Hearing Examiner to take additional time to issue his decision, as long as the decision is issued prior to expiration of the stay.

Testimony:

The following individuals presented testimony under oath at the open record hearing:

Cristina Haworth, City Planning Consultant
Robert Grumbach, City Development Services Director
Gary Abrahams, Applicant Representative
Richard Conroy, P.E.
Kurt Groesch, P.E.
Kevin Teague
Allen Safer

[1] The order granting the stay, the fifth in the federal suit, notes that the "parties are directed to file a status report advising the court within three days after any final decision by the Hearing Examiner" in the present matter. *See No. C14-1455-RSL; Exhibit 30.*

Roger Frey
Sheree Wen, P.E.
Trish Berry-Bell
John Harris
Patrick Boyd
Melinda Satterly
Linda Anderson
Heija Nunn

Attorney Linda Atkins represented the Applicant at the hearing
Attorney Jeff Hanson represented the City of Medina at the hearing

Exhibits:
The following exhibits were admitted into the record:

1. Staff Report, dated January 4, 2017
2. Declaration of Agency, dated August 25, 2016
3. Notice Materials:
   a. Notice of Complete Application, dated October 26, 2016
   b. Declaration of Mailing, dated October 28, 2016, with attached Notice of Application and SEPA Threshold Determination, and SEPA Checklist; and Declaration of Posting, dated October 27, 2016
   c. Declaration of Mailing (Public Hearing), dated December 22, 2016, with attached Notice of Hearing and DNS; DNS, dated December 20, 2016; Declaration of Posting, dated December 21, 2016; and Affidavit of Publication, dated December 22, 2016
4. SEPA Checklist, dated October 18, 2016
5. Determination of Nonsignificance, dated December 20, 2016
6. Public Comments:
   a. Email from Jay Deutsch to Cristina Haworth, dated November 26, 2016
   b. Email from Wilma Edmonds to Robert Grumbach, dated November 28 2016
   c. Email from Jennifer Garone to Cristina Haworth, dated November 25, 2016, with attached letter
   d. Second email from Jennifer Garone to Cristina Haworth, dated November 25, 2016
   e. Email from Jennifer Gulrajani to Cristina Haworth, dated November 28, 2016
   f. Email from Allen Haines to Robert Grumbach, dated November 27, 2016
   g. Email from Eric Oeltjen to Cristina Haworth, dated November 28, 2016, with email string
   h. Email from John Stephanus to Robert Grumbach, dated November 25, 2016
7. Special Use Permit Application Materials, received September 2, 2016

8. Variance Application Materials, received September 2, 2016; with attached letter from Kevin Teague, Arborist, dated October 13, 2016
9. Land Use Application Narrative, dated September 2, 2016
10. FCC Radio Station Authorization, granted April 27, 2007
11. Project Drawing Plans (20 Sheets), dated December 15, 2016
    a. Title Sheet (Sheet T-1)
    b. General Notes (Sheet G-1)
    c. Overall Site Plan (Sheet A-1)
    d. Site Plan (Sheet A-1.1)
    e. Existing Enlarged Site Plan (Sheet A-1.2)
    f. Tree Removal Plan (Sheet A-1.3)
    g. Proposed Enlarged Site Plan (Sheet A-1.4)
    h. Site Elevation (Sheet A-2)
    i. Equipment Details (Sheet A-3)
    j. Shelter Details (Sheet A-4)
    k. General Details (Sheet A-5)
    l. General Details (Sheet A-6)
    m. Existing Site Survey (Sheet SV1)
    n. Existing Site Survey (Sheet SV2)
    o. Electrical Site Plan (Sheet E-1)
    p. Electrical Grounding Plan (Sheet E-2)
    q. Electrical Grounding Details (Sheet E-3)
    r. RF Details (Sheet RF-1)
    s. RF Details (Sheet RF-2)
    t. Landscape Plan (Sheet L-1.0)
12. Vicinity Map, dated August 26, 2016
13. Map: Sites Operated by T-Mobile in and within a 1-mile radius of Medina
14. Lease Agreement, dated May 27, 2016
15. Expert Report of Richard Conroy, PierCon Solutions, LLC, dated August 26, 2016
16. Supplement to Conroy Report, dated October 13, 2016
17. Photo Simulations
18. Alternative Site Analysis and Least Intrusive Location Analysis, revised October 17, 2016
19. Letter from Stephen Lockwood to Gary Abrahams, dated August 18, 2016
20. Evaluation of Compliance with FCC Guidelines for Human Exposure to Radiofrequency Radiation, prepared by Andrew Thatcher, dated July 16, 2016
21. Revised Geohazard and Critical Area Report, dated December 15, 2016
22. Geotechnical Review of Documents, dated December 20, 2016
23. Noise Survey, SSA Acoustics, dated July 15, 2016
24. Biological Assessment, Adapt Engineering, dated August 29, 2016
25. Colocation Agreement, dated September 1, 2016
26. Applicant Response to Public Comments, dated December 30, 2016

27. Email from David Yee to Robert Grumbach, dated January 10, 2017, with email string
28. Email from Sheree Wen to Robert Grumbach, dated January 10, 2017, with attachments
29. Second email from Sheree Wen to Robert Grumbach, dated January 10, 2017, with attachments
30. Email from George Steirer to Robert Grumbach, dated January 11, 2017, with attached declaration
31. City of Medina Critical Areas Map, dated June 24, 2014
32. City of Medina Official Zoning Map, dated May 24, 2014
33. Revised Variance Application (pages 2 through 5), dated October 18, 2016
34. Revised Geotechnical Engineering Evaluation, dated December 15, 2016
35. *City of Medina v. T-Mobile USA, Inc.*, 123 Wn. App. 19 (2004)
36. *Metro PCS, Inc. v. City and County of San Francisco*, 400 F.3d 715 (2005)
37. *T-Mobile USA, Inc. v. City of Anacortes*, 572 F.3d 987 (2009)

The Hearing Examiner enters the following findings and conclusions based upon the admitted testimony and exhibits:

FINDINGS

Application and Notice

1. Gary Abrahams, on behalf of T-Mobile West, LLC (Applicant), requests a non-administrative special use permit (SUP), and variances from Medina Municipal Code (MMC) 20.37.070.B.2, -.4, and -.6, to construct a new wireless communication facility (WCF) at Bellevue Christian's Three Points Elementary School. The WCF would be located within an 875 square foot lease area in the northwest corner of the campus at 7800 NE 28th Street. The facility would include a 65-foot tall, 36-inch diameter monopole support structure with interior antennas and an above-ground, 96 square foot equipment shelter.[2] The Applicant would paint the proposed structures to blend with existing on-site vegetation, provide a privacy fence, and add additional landscaping in the lease area to provide screening. *Exhibit 1, Staff Report, pages 1 and 2; Exhibit 7; Exhibit 8; Exhibit 9*; *Exhibit 11; Exhibit 12.*

2. The City of Medina (City) determined the application was complete on October 26, 2016. On October 27, 2016, the City posted notice of the application at public notice locations throughout the city and at three locations within 300 feet of the property. The next day, the City mailed notice of the application to owners of property within 300 feet of the subject property and to interested state agencies. On December 21, 2016, the City posted notice of the open record hearing at public notice locations and two locations within 300 feet of the property. The next day, the City mailed notice of the hearing to property owners within 300 feet of the property and published notice of the hearing in *The Seattle*

[2] The property is identified by Tax Assessor's Parcel No. 2425049014. A legal description of the subject property is provided in the staff report. *Exhibit 1, Staff Report, pages 1 to 3; Exhibit 7.*

Times. As discussed in detail below, the City received several public comments in response to its notice materials. *Exhibit 1, Staff Report, pages 4 and 5; Exhibit 3; Exhibit 6; Exhibits 26 through 30.*

State Environmental Policy Act

3. The City acted as lead agency to analyze the environmental impacts of the proposal as required by the State Environmental Policy Act (SEPA), Chapter 43.21C Revised Code of Washington (RCW). The City used the optional Determination of Nonsignificance (DNS) process allowed by Washington Administrative Code (WAC) 197-11-355 and provided notice with the application, dated October 28, 2016. The notice materials stated that the City expected to issue a DNS for the proposal and provided a SEPA comment period from October 28 to November 28, 2016. The City did not receive any public comments specifically related to its SEPA threshold determination. Following the comment period, the City reviewed the Applicant's environmental checklist and other information on file and determined that the proposal would not have a probable significant adverse impact on the environment.[3] The City issued a DNS on December 20, 2016, which was not appealed. *Exhibit 1, Staff Report, page 7; Exhibit 3; Exhibit 4; Exhibit 5.*

Background

4. In 2002, a predecessor to the Applicant, VoiceStream Wireless, obtained a special use permit and variances to install a WCF, including a 55-foot tall monopole and equipment shelter, within the right-of-way of highway SR-520 (Permit No. SUP-231). The facility was located adjacent to the southwest corner of Fairweather Park at the north side of the Evergreen Point Road freeway overpass, as it then existed. In 2011, the Washington State Department of Transportation (WSDOT) required the Applicant to remove the WCF from the SR-520 right-of-way in preparation for highway expansion related to the new SR-520 Floating Bridge. Accordingly, the Applicant obtained a temporary use permit from the City to relocate the WCF to the south side of the highway, adjacent to Evergreen Point Road, near the northwest corner of Three Points Elementary (Permit No. TUP-276). The Applicant's temporary use permit for the site expired in April 2012, and the municipal code prohibited further renewals of the temporary permit. *Exhibit 1, Staff Report, page 6; Exhibit 9.*

5. Following expiration of its own temporary use permit, the Applicant worked with a third-party tower company, Independent Towers Holdings, LLC (Independent Towers), to site WCF equipment on a 45-foot replacement pole within Fairweather Park under another temporary use permit, approved October 26, 2012 (Permit No. PL-12-026). The

[3] In addition to its SEPA checklist, the Applicant submitted a biological assessment, prepared by Adapt Engineering, dated August 29, 2016, assessing potential impacts on threatened or endangered species and critical habitat. Adapt Engineering determined that the proposal would have no effect on listed or endangered species or designated habitats, nor would it substantially impact migratory birds. *Exhibit 24.*

temporary permit for the 45-foot wooden pole in Fairweather Park expired in November 2013 and, since that time, the Applicant has operated its equipment without a valid permit while seeking to obtain a permit for a permanent site. *Exhibit 1, Staff Report, pages 6 and 7; Exhibit 9.*

6. In September 2013, Independent Towers and the Applicant submitted an application for a non-administrative special use permit and variances to replace the temporary, 45-foot tall wooden pole in Fairweather Park with an 80-foot tall monopole with interior antennas and a 1,525 square foot equipment shelter. The Hearing Examiner held an open record hearing on the request on July 14, 2014, and issued a decision denying the request on August 21, 2014. The Hearing Examiner's decision noted that the application was denied, in part, because the applicants in that case failed to present evidence establishing that the proposed 80-foot height of the structure was the minimum height necessary to avoid a significant service gap on the SR-520 bridge as required by Medina Municipal Code (MMC) 20.37.070.B.3.b. *Independent Towers Holdings, LLC, SUP and Variances, No. PL-13-031; PL-13-032 (August 21, 2014).* The decision also stressed that the applicants failed to present evidence that alternative sites were considered as required by the municipal code. *Independent Towers Holdings, LLC, SUP and Variances, No. PL-13-031; PL-13-032 (August 21, 2014).* Independent Towers (joined by T-Mobile) requested reconsideration of the decision on September 8, 2014. The Hearing Examiner issued a decision denying the request on October 10, 2014. Shortly thereafter, Independent Towers and T-Mobile filed a lawsuit against the City in federal district court, challenging the decision of the Hearing Examiner. As noted above, that litigation is stayed (for the fifth time) until February 28, 2017, pending the decision on the current application. The parties are to notify the federal court of the decision on the applications now before the Hearing Examiner. It is anticipated that, if the need for an additional tower is met by approval of these applications, then the proposed tower in Fairweather Park (and the unpermitted, temporary tower in the Park) would no longer be necessary. *Exhibit 1, Staff Report, pages 6 and 7; Exhibit 9; Exhibit 30.*

Current Proposal

7. The Applicant's current proposal is for location of a WCF on property owned by the Bellevue School District. Specifically, the WCF would consist of a 65-foot tall, concealed cylindrical shroud monopole, painted dark green to blend with surrounding vegetation, with all antennas and cables contained within the 36-inch diameter monopole structure. A 10-foot by 12-foot above-ground equipment shelter would house radio equipment cabinets, and the entire lease area would be fenced. The Applicant would also add additional landscaping within the lease area to provide screening of the monopole and equipment shelter. The WCF would be located within a stand of existing trees and vegetation on the northwest corner of the school site. The property is a large, predominately flat lot with the western 10 percent containing an upward sloping steep slope leading to another flat area that is adjacent to Evergreen Point Road. The property

is developed with an elementary school, a playfield, and a parking lot. A building-mounted WCF operated by another wireless carrier already exists on the property. Co-location on the existing WCF, however, is not possible because of space constraints and coverage requirements. *Exhibit 1, Staff Report, page 3; Exhibits 7 through 12.*

Comprehensive Plan, Zoning, and Surrounding Uses

8. The subject property is designated "School/Institution" by the City Comprehensive Plan. According to the Comprehensive Plan, most of the non-residential land uses that exist in the city have been in place since before, or around the time of, incorporation and have become an accepted and integral part of the community. These non-residential uses are subject to the special-use provisions of the City code. *Exhibit 1, Staff Report, page 3.*

9. City staff identified several Comprehensive Plan goals and policies relevant to the proposal, including: maintaining a high-quality residential setting and character; maintaining existing non-residential uses; providing due consideration to all stakeholders prior to any land use decisions; maintaining the informal, natural appearance of the city's street rights-of-way and public areas; maintaining utility services sufficient to serve the city's needs; and minimizing aesthetic and environmental impacts caused by utility services.[4] *Exhibit 1, Staff Report, pages 3 and 4.*

10. The subject property is in the City's "Parks and Public Places" zoning district. MMC 20.37.050.C. and MMC 20.37.060 provide that wireless communications facilities (WCFs) are allowed within the Public Parks and Places zoning district on certain qualifying properties that contain a non-residential land use, as identified in the land use inventory set forth in the City Comprehensive Plan. Bellevue Christian Elementary School is a qualifying property. SR-520 is located to the north of the property. Residential uses to the south and west are in the City's R-16 and R-20 zones, and property to the east is residential within the Town of Hunts Point. *Exhibit 1, Staff Report, pages 3.*

Critical Areas

11. Because the proposed facility would be situated at the top of a southeasterly-descending slope, the Applicant submitted a Revised Geohazard and Critical Area Report to address geological hazards on-site as required by MMC 20.50.070. The report was prepared by Adapt Engineering (Adapt Report) and dated December 15, 2016. The proposed WCF and equipment pad would be located 10 feet west of the top of an identified steep slope to provide a 10-foot buffer. Adapt Engineering determined that the potential landslide hazard associated with the site and the nearby slopes is moderate to low and that the

[4] City staff specifically identified Comprehensive Plan Land Use Element Goals LU-G1 and Policies LU-P5 and P9; Community Design Element Goal CD-G1; and Utility Element Goals UT-G1, UT-G2, and Policy UT-P1. *Exhibit 1, Staff Report, pages 3 and 4.*

project site qualifies for designation as a "stable slope." A test boring soil exploration location northeast of the project site identified three-to-six inches of topsoil. At a depth of five feet, medium dense to dense silty sand with trace amounts of gravel were encountered, and at a depth of 25 feet, there was very dense, silty sand with gravel and trace amounts of clay above very dense, silty sand with gravel, which extended to the full explored depth of approximately 35 feet. Adapt Engineering determined that no areas of aggressive erosion or existing erosion hazard areas were apparent. No mapped landslides on-site or in the vicinity were found or were apparent. Adapt Engineering determined that the potential landslide hazard associated with the site and nearby slopes is moderate to low and that the proposed site does not appear to be a risk to severe damage as a result of an earthquake. *MMC 20.5.200.B.2, -.3. Exhibit 21.*

12. Adapt Engineering also prepared a Revised Geotechnical Engineering Evaluation report for the Applicant, dated December 15, 2016, which includes a surface reconnaissance, a subsurface exploration, geotechnical analyses, and report preparation. The evaluation recommended that the proposed tower be supported on a drilled pier. The report provides recommendations for on site preparation, equipment foundations, tower drilled pier foundations, access driveway, and structural fill. *Exhibit 34.*

13. At the request of the City, James S. Dransfield, P.E., Amec Foster Wheeler Environment & Infrastructure, Inc., prepared a third-party review of the geotechnical assessments prepared by Adapt Engineering. The geotechnical review of documents listed several items that should be addressed in a work plan, including: a description of equipment and worker position for the tower foundation to prevent foot traffic in the buffer and to prevent soil cuttings and drilling fluids from spilling into the buffer; a description of how the excavation, forming, and pouring of the equipment building foundation, located adjacent to the buffer would be accomplished without buffer disturbance; a description of the boundary fence, which intersects and extends slightly down slope of the buffer, how the fence materials would be delivered and erected, and how the area would be restored; and a description of the equipment and methods used to deliver trees eight feet tall within the buffer so that disturbance is minimized. The third-party review determined that, with implementation of an appropriate work plan, the proposal adequately addresses the City's geotechnical requirements related to on-site critical areas. *Exhibit 22.*

Special Use Permit

14. The approval criteria for a non-administrative special use permit require compliance with all applicable zoning and development standards, as well as applicable use regulations. *MMC 20.72.010.E.4.* Title 20 MMC establishes the appropriate locations, site development standards, and permit requirements for wireless communication services in Medina. Chapter 20.37 MMC establishes use regulations for WCF proposals. Specifically, the use regulations include, among other requirements, that WCFs sited

outside of City rights-of-way:

- Be designed and placed in a manner that uses existing trees, mature vegetation, and existing structures to screen as much of the total facility from prevalent views as possible, provides background in a manner that the total facility blends to the maximum extent feasible with increased sight distances, and integrates existing trees and mature vegetation to the maximum extent feasible with concealment requirements.
- Not exceed a maximum height of 35 feet above original or finished grade, whichever is lower.
- Be set back a distance of at least 500 feet from the property line of all residential properties.
- Conceal support structures underground.
- Allow for co-location with other providers.
- Do not interfere with other WCFs in the area.
- Are necessary to complete a network of local or regional wireless services, cannot be achieved with existing or planned facilities, and are the least intrusive upon the surrounding area.
- Satisfy all other SUP criteria of MMC 20.72.010.E.

MMC 20.37.070.B; MMC 20.37.100; MMC 20.37.110; MMC 20.37.120; MMC 20.37.130.H; MMC 20.37.140. The Applicant submitted a project narrative and supporting materials addressing each of these requirements, as detailed below. *Exhibit 1, Staff Report, pages 5 through 28; Exhibits 7 through 23; Exhibit 25; Exhibits 33 and 34.*

Location and Screening

15. The Applicant's project narrative notes that the monopole would be located within a stand of existing trees and vegetation on the northwest corner of the school site, which would screen the facility from surrounding views to the maximum extent feasible. The Applicant submitted photographic simulations supporting its contention that existing mature trees and vegetation would contribute to the concealment of the monopole support structure and equipment shelter. From some points of view, the facility would not be visible at all, but from others, the upper portions of the monopole would be seen to varying degrees. In all cases, the existing vegetation would provide a background to soften the appearance of the dark green, cylindrical monopole. In addition, the Applicant would install a six-foot-tall, chain-link fence as a security barrier around the entire facility, consistent with the requirements of MMC 20.37.090. *Exhibit 1, Staff Report, pages 8 and 9; Exhibit 9; Exhibit 17.*

Height

16. The maximum height for a WCF structure outside a city right-of-way is normally 35 feet (MMC 20.37.070.B.2). The Applicant's project narrative states that its coverage objectives cannot be met with a 35-foot structure. Accordingly, the Applicant is seeking

a variance to allow for a structure with a maximum 65-foot height. In its project narrative, the Applicant argues that the proposal satisfies the City's variance criteria because:

- WCFs are an allowed use in the Parks and Public Places zoning district. The request is for relief from a dimensional standard, not for a use that is inconsistent with the underlying zoning for the property.
- The variance is necessary because of special circumstances relating to the topography, location, and surroundings of the subject property. Specifically, a 65-foot monopole is necessary to fill a coverage gap in wireless services because of surrounding trees, foliage, and clutter in the area.
- The variance is necessary to relieve a material hardship, the Applicant's coverage gap for wireless services.
- Granting the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity. Although the monopole would be visible from a few points in Medina, photo simulations indicate that it would be well screened by existing natural vegetation on-site.
- The proposed 65-foot height is the minimum necessary to provide relief based on expert studies submitted with the application.

Exhibit 9.

17. In support of the proposed monopole height, the Applicant submitted an expert report from Richard Conroy, PierCon Solution, LLC, dated August 26, 2016, and a supplement to the report, dated October 13, 2016. These reports indicate that the primary factor in determining appropriate antenna height is the gap in reliable coverage that the proposed site is intended to resolve. Mr. Conroy performed drive tests assessing coverage gaps for potential WCFs on the project location at heights of 31 feet, 46 feet, and 61 feet. These tests demonstrated that significant coverage gaps would remain throughout the city with antennas sited at 31 or 66 feet high but that, with antennas at 61 feet, most coverage gaps would be addressed. Mr. Conroy noted in the reports that, in his opinion, a 65-foot monopole (with antennas attached to a 61-foot centerline) would be the minimum necessary to remedy the coverage gap. *Exhibits 15 and 16.*

Setback from Residential Property

18. MMC 20.37.070.B.4 requires all WCF structures, except for security barriers, be set back a distance of at least 500 feet from the property line of all residential properties. The Applicant seeks a variance from this requirement because the proposed facility would be approximately 98 feet from residential property lines. In seeking the variance, the Applicant argues that there are no viable alternative sites on the subject property (or, indeed, throughout the city) that would meet this requirement and satisfy the Applicant's

coverage objectives. The Applicant further argues that:

- WCFs are an allowed use in the Parks and Public Places zoning district. The request is for relief from a dimensional standard, not for a use that is inconsistent with the underlying zoning for the property.
- The variance is necessary because of special circumstances relating to the topography, location, and surroundings of the subject property. Specifically, the subject property is one of the few zoned for WCFs in the city but is not large enough to accommodate a 500-foot residential setback.
- The variance is necessary to relieve a material hardship, the Applicant's coverage gap for wireless services.
- Granting the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity. Although the monopole would be visible from a few points in Medina, there is no indication that a facility further than 500 feet to residential property lines would have fewer impacts. Moreover, the proposed site would have fewer visual impacts than all possible alternative locations, especially because the proposed site provides existing mature vegetation to help screen the monopole.
- The proposed residential setback is the minimum necessary to provide relief because there are no other locations on-site to place the monopole because of existing school facilities to the east and the steep slope to the west.

Exhibit 9.

Undergrounding Requirements

19. MMC 20.37.100 requires all WCF equipment housing structures to be concealed underground. The Applicant seeks a variance from this requirement because it intends to site the proposed equipment shelter above ground. In its project narrative, the Applicant argues that the equipment shelter would be screened at the proposed location and that putting the equipment underground would have far greater impacts to the environment due to the substantial increase in required excavation. The Applicant further argues that:

- WCFs are an allowed use in the Parks and Public Places zoning district. The request is for relief from a dimensional standard, not for a use that is inconsistent with the underlying zoning for the property.
- The variance is necessary because of special circumstances relating to the topography, location, and surroundings of the subject property. Although it would be technically possible to locate all the equipment cabinets in an underground vault, that would require significant excavation of fill and would increase environmental impacts.
- The variance is necessary to relieve a material hardship. As noted already, although it would be possible to site the equipment underground, this would

require increased excavation with associated environmental impacts. Further, operating underground facilities requires additional safety measures for workers.

- Granting the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity. The equipment shelter would be screened by existing vegetation, additional landscaping, and a six-foot fence.

Exhibit 9.

20. In support of its request to site the equipment housing above ground, the Applicant submitted a letter from Kevin Teague, landscape architect and certified arborist, dated October 13, 2016. In the letter, Mr. Teague estimates that a below grade vault would require, at minimum, a 9-foot by 13-foot hole excavated to an 18-foot depth. Such extensive excavation could negatively impact tree roots and soil compaction for existing vegetation. Accordingly, he determined that installation of an above-grade equipment shelter would provide greater opportunity for existing trees to survive and help screen the equipment housing. *Exhibit 8.*

Co-location Requirements

21. To receive approval of a request, an applicant for WCF approval must cooperate with owners of existing communication facilities to co-locate additional antennas on existing support structures and also demonstrate a good-faith effort to co-locate, to the extent commercially feasible. *MMC 20.37.110.* As discussed above, the Applicant initially attempted co-location by proposing to site its equipment on an 80-foot structure proposed by Independent Towers. That proposal, however, was denied. The Applicant's project narrative notes that there are no other suitable existing structures that would allow for co-location. MMC 20.37.110.F also requires that an applicant demonstrate that it would accommodate future co-location at the facility it proposes. The Applicant submitted a letter, dated September 1, 2016, stating that it would allow for co-location on its facilities provided that all safety and structural requirements are met and that the property owner would allow co-location.[5] *Exhibit 5; Exhibit 15; Exhibit 17.*

Non-interference

22. To receive approval of a request, an applicant for WCF approval must submit documentation "showing that the proposed facility will not cause interference with other wireless communication facilities and telecommunication devices" in the area. *MMC 20.37.130.H.* The Applicant submitted a letter from Stephen Lockwood, Hatfield & Dawson, dated August 18, 2016, addressing this requirement. Mr. Lockwood determined

[5] Although the staff report expressed concern that the Applicant's lease with the school would not support co-location, the Hearing Examiner was unable to locate any provision in the lease that would preclude it. At the open record hearing, Ms. Atkins stated that the Applicant also does not think that the lease would bar future co-location. *Exhibit 1, Staff Report, page 12; Exhibit 14; Argument of Ms. Atkins.*

that the proposed facility would not "cause any interference to any other wireless user or telecommunications device." *Exhibit 19.*

Needs Analysis

23. To receive approval of a request, an applicant for WCF approval must demonstrate a need for the WCF and that the WCF design is the least intrusive on the residential setting of the community. *MMC 20.37.140.* In addition to the Conroy reports discussed above (Finding 17) addressing need for the facility, the Applicant submitted a report titled "Alternative Site Analysis and Least Intrusive Location Analysis," revised October 17, 2016. This report addressed alternative locations in the area for a facility that would satisfy the Applicant's coverage needs. The report concluded that:

> [A] total of 10 alternative sites were analyzed, including the subject proposed location. The subject proposed location provides a superior location for the siting of a wireless communication facility. The proposed location is just south of the park and ride, and just east of Evergreen Point Road, a location that allows the coverage objectives for the search area to be met. The proposed location contains existing foliage and trees to screen the proposed facility. Each of the other nine alternatives was rejected for a variety of reasons, and ultimately [all] were deemed either inferior to the subject location or not even technically feasible for use as a location. Choosing the least intrusive location for a wireless facility requires balancing multiple factors. For this search area, the alternative locations that are buildable ultimately would be far more visible and have much greater overall impacts to the residents of Medina than the subject location. The subject location is the only location that affords a significant amount of vegetative screening. Although the proposed stealth monopole will still be visible from some angles, the existing vegetation provides a significant amount of screening, and the location is away from active recreation areas such as parks. Overall the subject location would have the fewest impacts to the community of all of the alternative locations.

Exhibit 18.

Radio Frequency Standards

24. Andrew Thatcher, MSHP/CHP, prepared a report addressing the proposal's compliance with the Federal Communication Commission's (FCC's) guidelines for human exposure to radiofrequency radiation, dated July 16, 2016 . The analysis determined that the proposed antennas would comply with the maximum permissible exposure (MPE) allowed by the FCC. *Exhibit 20.*

Other SUP Criteria

25. In addition to the specific criteria for non-administrative SUPs related to WCFs, an applicant must satisfy the more general SUP criteria of MMC 20.72.010.E. This includes showing that the use is designed to minimize detrimental effects on neighboring properties and that it will have no materially detrimental effects due to excessive noise, lighting, off-site traffic generation, or other interferences. The Applicant's project narrative argues that the proposal has been located within existing vegetation to minimize impacts to surrounding properties and that the proposal would have far fewer visual impacts than alternatives, including alternative sites at Fairweather Park. The project narrative also notes that lights on the equipment shelter would be used only during facility visits (which would be infrequent), that the facility would generate very little traffic, and that most of the WCF would be visually screened. In addition, the Applicant submitted a report prepared by SSA Acoustics, LLP, dated July 15, 2016, which determined that any additional noise generated by the proposal would fall well below noise levels allowed by the municipal code. *Exhibit 9; Exhibit 23.*

Variances

26. The Applicant seeks approval of three variance requests. The Applicant seeks a variance from the requirement under MMC 20.37.070.B.2 that WCF structures sited outside city-owned rights-of-way do not exceed a height of 35 feet; from MMC 20.37.070.B.4 for a 500-foot minimum setback from residential use properties and from the requirement under MMC 20.37.100.D.1 for WCF equipment housing structures to be concealed underground. The Applicant's arguments related to these variances are summarized above (Findings 16 through 20). *Exhibit 1, Staff Report, page 27.*

Public Comments and Applicant Response

27. The City received several public comments in response to its notice materials and the Applicant's submitted materials:

- Jennifer Gulrajani and Eric Oeltjen, both members of a local non-profit, "RespectMedina," which opposed the previous proposal in Fairweather Park, wrote expressing support for the current proposal.
- Jen Garone wrote expressing concern that RespectMedina members are acting with self-interest because they live by Fairweather Park and would not experience the same impacts from the current proposal. She also worried that the proposal would impact views from her home and diminish property values. Finally, Ms. Garone wrote with concern about the City relinquishing the lease revenues it receives from the current site in Fairweather Park.
- Allen Haines, John Stephanus, and Jay Deutsch wrote reiterating Ms. Garone's concerns, especially in relation to relinquished revenues.
- David Yee wrote requesting that the application be denied because the Applicant failed to adequately demonstrate that the monopole must be taller than 35 feet and

that the proposal is the least intrusive necessary to satisfy the Applicant's coverage needs.

- Sheree Wen wrote with similar concerns to Mr. Yee. Specifically, she stressed that cell phone companies are swiftly moving toward "small cell" technology that eliminates the need for tall monopoles (while simultaneously providing superior coverage) and that such technology should be considered when analyzing whether a proposal is the "least intrusive" for addressing coverage gaps. In addition, Ms. Wen provided bibliographical information for studies detailing the negative impacts that cell towers have on real estate values.

Exhibit 6; Exhibit 27; Exhibit 28; Exhibit 29.

28. In response to some of the concerns raised by public comments, the Applicant submitted a Market Study prepared by Integra Realty Resources, dated December 29, 2016. The study analyzes property value impacts from WCFs. The market study determines that, based on detailed valuation analysis, there is "no discernable negative impact on single-family home values resulting from the presence" of WCFs. *Exhibit 26.*

29. In addition, the Applicant submitted a letter with an attached declaration, prepared by George Steirer, Plan to Permit, LLC, addressing whether the proposed site would have fewer impacts on the area than potential alternatives. Mr. Steirer determined that:

> [The] current location and design meets the least-intrusive code requirements of MMC 20.37, as the proposed location does not have visual impacts on a nature preserve and park, does not encroach on a state-designated Terrestrial Habitat Priority Area, does not have construction impacts on a nature preserve or park, and does not interfere with park activities. Additionally the current proposed location and proposed design are least-intrusive of the alternate sites based on existing tree canopies and dense vegetation, ground elevation, and limited disruption of nearby community and school activities during repairs and installation.

Exhibit 30.

Objection to Public Hearing

30. Prior to receiving testimony at the open record hearing, the Hearing Examiner heard objections to the hearing from area resident Heija Nunn. Ms. Nunn argued that the hearing should not proceed because: (a) this application is related to the lawsuit pending in federal court and, accordingly, the City should not have had any involvement with the application or SEPA review; (b) all City Council members and RespectMedina members should be removed from the hearing in light of their involvement with the federal suit and inherent conflicts of interest; (c) the City has not collected penalties for the Applicant's use of the expired temporary facility in Fairweather Park, which could be construed as a gift of public funds; and (d) because of discrepancies between materials from the federal

lawsuit and materials submitted for the current application, all materials related to the federal lawsuit should be admitted to the record prior to the current application moving forward. *Argument of Ms. Nunn.*

31. Attorney Linda Atkins, representing the Applicant, argued that the current proposal should move forward as an independent application, regardless of the status of the pending case in federal court. She stressed that the federal litigation involved an application primarily pushed forward by Independent Towers and that the Applicant's only interest in the Fairweather Park litigation is that it currently sites its temporary WCF in the park. Ms. Atkins noted that this is an independent application, with independent supporting documentation. She also stressed that the City Council has no role in the decision on this application and that it is as yet unclear what witnesses would be involved (if any) in the federal suit. Finally, Ms. Atkins argued that, although staff did prepare a staff report on the current proposal, the report does not make any recommendation on the application, and the Hearing Examiner's independent review of the proposal would cure any bias the City may have in light of the federal suit. *Argument of Ms. Atkins.*

32. Attorney Jeff Hanson, representing the City, generally concurred with Ms. Atkins arguments. In addition, he noted that the City has a legal obligation to process complete applications under both state and federal law and that, here, the Applicant submitted a complete application for a new WCF that could proceed independent of the federal suit. Mr. Hanson also argued that it would be unconstitutional to exclude certain groups or witnesses from the open record public hearing. He also argued that, if any of the materials from the federal lawsuit or previous application hearing were relevant, the public could submit them as part of the record of this hearing. *Argument of Mr. Hanson.*

33. The Hearing Examiner ruled that, having independently reviewed the current application and supporting materials, the hearing should move forward because the current application represents a new proposal that – even if many of the parties to the federal suit are also involved with the current application – the Hearing Examiner can consider impartially and without bias. *Oral Ruling of Hearing Examiner.*

Public Testimony

34. At the hearing, Cristina Haworth, City Planning Consultant, testified generally about the application and summarized the prepared staff report. She noted that the City does not make recommendations on variance requests as a policy matter and that, in this instance, the City would not make a recommendation on the SUP either. *Testimony of Ms. Haworth.*

35. Resident Roger Frey testified that he is not a party to any of the lawsuits and hopes this matter is settled by the time his kids go to college. He noted that the issue of cell towers is incredibly divisive within the community, that the law in this area is complex, and that

the issues are confusing. He expressed disappointment that the City has repeatedly chosen to side with cell tower operators over residents and that the City has not been more forthright in handling WCF applications. Mr. Frey expressed specific concerns: (a) that it is unclear whether the Applicant would have to give up its existing lease for the Fairweather Park facility if this application is granted; (b) about the need for undergrounding the equipment shelter; (c) that new technology has not been considered which would be far less intrusive; and (d) that the City is too conflicted in relation to WCFs and should not have been involved in the application process. Mr. Frey closed his comments by noting that many residents have lost faith in city government because of the way WCF applications have been handled. *Testimony of Mr. Frey.*

36. At the hearing, Sheree Wen, P.E., reiterated the thoughts and concerns expressed in her written opposition letter. Specifically, Ms. Wen stressed that microcell technology would eliminate the need for large towers and variances and would protect property values. She also noted that, in the event of an earthquake or other catastrophe, a distributed system would better be able to handle emergency response.[6] *Testimony of Ms. Wen.*

37. Trish Berry-Bell testified that she is concerned that the required 500-foot setback from residential property lines was adopted to protect residents' safety and that greater efforts should be taken to preserve the setback. In response, City Development Services Director Robert Grumbach testified that the setback was adopted to protect community character, rather than for safety reasons. *Testimony of Ms. Berry-Bell; Testimony of Mr. Grumbach.*

38. John Harris testified that he is an officer in the group, "RespectMedina," comprised of approximately 250 Medina residents, and he is speaking on behalf of the application. He investigated alternative sites with T-Mobile staff and WSDOT. He agrees that the proposed location would be the least impactful and intrusive on the community and that the variances are reasonable. *Testimony of Mr. Harris.*

39. Patrick Boyd testified that he opposes the application. He testified that co-location at existing sites should be looked at to avoid multiple cell towers. He asked whether the proposed tower height was for the citizens of Medina or to benefit drivers on SR-520. *Testimony of Mr. Boyd.*

40. Melinda Satterly testified that some of the alternatives considered, and rejected, would impact fewer people than the proposed location, especially in regard to the required residential setback. She felt that there would be less impact if the proposal were located at Fairweather Park rather than at the school. Like Mr. Boyd, she questioned whether the

[6] Although Ms. Wen currently serves as Medina Deputy Mayor, she testified as an individual and not on behalf of the City or her position.

height of the tower would benefit Medina residents or those driving SR-520. *Testimony of Ms. Satterly.*

41. Linda Anderson raised concerns about radio and electromagnetic frequency impacts. City Attorney Atkins objected to such testimony because the City is prohibited by federal law from conditioning cell towers based on electromagnetic frequency impacts. The Hearing Examiner upheld the objection because of the federal law. *Testimony of Ms. Anderson; Argument of Ms. Atkins.*

42. Ms. Nunn testified that she believes there has been malfeasance and misappropriation of City funds. She stressed that the Applicant has met its coverage needs for years with a 45-foot tower in the park and, accordingly, a 65-foot tower is unnecessary. Ms. Nunn testified that she believes all requirements of the code should be satisfied for approval to be appropriate. *Testimony of Ms. Nunn.*

43. In response to public comments at the hearing, Applicant Representative Gary Abrahams testified generally about the application. He explained that he reviewed alternative sites, and helped prepare the narrative that describes how the project meets City code requirements. He referred to the revised Alternative Site Analysis and Least Intrusive Location Analysis (Exhibit 18), which describes 10 locations that the Applicant reviewed. Alternative 1 is the proposed location on the school ground. Alternatives 2 and 3 are other school-ground locations. Alternative 4 is the Fairweather Park site, which was the subject of a permit denial. Mr. Abrahams testified that Alternative 5, also in Fairweather Park south of the tennis courts, is a viable location but more visually intrusive than the school location. Alternative 6, east of the tennis courts in an area described as a panhandle, was found to be unbuildable. Alternative 7, the WSDOT construction area west of Evergreen Point road, would also be visually intrusive and highly visible from Fairweather Park. He testified that the Applicant also reviewed Alternative 8, which includes four locations on the WSDOT lid above SR-520. WSDOT would not allow a monopole foundation to be constructed on the SR-520 lid. Alternative 9 would replace an existing street-light pole on Evergreen Point Road with a WCF-light pole. This location would have visual impacts with no trees or greenery to screen a taller light pole. Alternative 10 would be located on Evergreen Point Road, just north of Three Points Elementary, at the entrance to the park and ride. Due to negotiations between WSDOT and the City of Bellevue, this site is no longer available and would have no trees or foliage for screening. Mr. Abrahams testified that the Bellevue School District and Bellevue Christian School did not want a monopole cell tower in the middle of the school at the site of an existing flagpole, because it would be too close to a playground. He explained that none of the alternatives can meet a 500-foot setback. *Testimony of Mr. Abrahams.*

44. Richard Conroy, P.E., testified about the Applicant's radio frequency (RF) requirements and how the proposed structure would be the minimum necessary to eliminate the gap in coverage, as explained in detail in his submitted reports. He also stated that federal law requires carriers to maintain existing networks (i.e., maintain existing 2G and 3G coverage) and that the 65-foot monopole is necessary for this reason. He acknowledged that newer networks would likely not require large monopoles but, because of the need to maintain existing networks, monopoles are still necessary. He stated that newer networks with distributed platforms do not work concurrently with older networks – each network requires its own infrastructure. *Testimony of Mr. Conroy.*

45. Kurt Groesch, P.E., testified that he performed geotechnical evaluations on the site for the Applicant and reiterated the information contained in the geotechnical reports. He stressed that, were the Applicant required to site the equipment facility underground, it would require significant site excavation, likely to a depth of at least 15 feet in an area adjacent to a steep slope. *Testimony of Mr. Groesch.*

46. Kevin Teague, landscape architect and certified arborist, testified that he prepared a landscape plan for the Applicant, and he reiterated his concerns about tree-root compaction to surrounding trees and stockpiling excess soil over the root zones of existing trees. He testified that he determined the installation of an above-grade equipment shelter rather than a below grade vault would provide the greater opportunity for existing trees to survive and thrive. *Testimony of Mr. Teague.*

47. Allen Safer, Certified Real Estate Appraiser, testified about the market study he prepared on behalf of the Applicant. He reiterated that, based on this study, no negligible impact on single-family home values resulting from the presence of, or proximity to, cellular towers was found in Medina. He also testified that he reviewed Ms. Wen's comments and studies she cited on property values. He noted that a survey of opinions cited by Ms. Wen was a different methodology than what he used and, in his opinion, lacks the scientific rigor of a comprehensive market study. *Testimony of Mr. Safer.*

Staff Recommendation

48. Although City staff did not provide a recommendation on the proposed SUP and variances, the City staff did request that 10 conditions of approval be included if the application were approved. Ms. Atkins stated that the Applicant understands and agrees with the proposed conditions. *Exhibit 1, Staff Report, pages 28 and 29.*

CONCLUSIONS

Jurisdiction

The Hearing Examiner has jurisdiction to hear and decide requests for non-administrative Special Use Permits (SUPs) and variances. The approval criteria for SUPs require compliance with all applicable zoning and development standards, as well as applicable use regulations.

MMC 20.72.010.E.4. Title 20 MMC establishes the appropriate locations, site development standards, and permit requirements for wireless communication services in Medina. Chapter 20.37 MMC establishes use regulations for WCF proposals, including permitted locations, concealment, co-location, needs analysis, height restrictions, and radio frequency standards. *MMC 20.37.070.B; MMC 20.37.100; MMC 20.37.110; MMC 20.37.130.H; MMC 20.37.140.*

Criteria for Review

Special Use Permit

The Hearing Examiner may approve a non-administrative SUP only if the following criteria are satisfied:

1. The use complies with the adopted goals and policies set forth in the comprehensive plan;
2. The use is designed to minimize detrimental effects on neighboring properties;
3. The use satisfies all requirements specified for the use;
4. The use complies with all applicable zoning and development standards and requirements; and
5. The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.

MMC 20.72.010.E.

All wireless communication facilities require a non-administrative special use permit, in accord with the provisions of Chapter 20.72 MMC and the standards for a special use permit under Chapter 20.37 MMC, described in detail in Findings 14 through 25. *MMC 20.37.120.*

Variance

Where unnecessary hardships and practical difficulties are created for the landowner in the application of the provisions of the zoning ordinances, the Hearing Examiner has authority to grant a variance in harmony with the general purpose and intent of the zoning ordinance, and such variances may vary any rules, regulations, or provisions of the zoning ordinances relating to the use of land or structures so that the spirit of the ordinances will be observed, public safety secured, and substantial justice done. *MMC 20.72.030.*

The Hearing Examiner may approve a non-administrative variance only if the following criteria are satisfied:

1. The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and
2. The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to

provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

3. The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant; and
4. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
5. The variance is the minimum necessary to provide reasonable relief.

MMC 20.72.030.F.

In determining whether to approve a variance application, evidence of variances granted under similar circumstances shall not be considered. *MMC 20.72.030.E.2.*

In authorizing a variance, the Hearing Examiner may attach reasonable conditions to safeguard the public health, general welfare, and safety. *MMC 20.72.030.G.*

The criteria for review adopted by the Medina City Council are designed to implement the requirement of Chapter 36.70B RCW to enact the Growth Management Act. In particular, RCW 36.70B.040 mandates that local jurisdictions review proposed development to ensure consistency with City development regulations, considering the type of land use, the level of development, infrastructure, and the characteristics of development. *RCW 36.70B.040.*

The Federal Telecommunications Act of 1996

In addition to considering the criteria and guidance in the Medina Municipal Code, the Hearing Examiner must be cognizant of federal statues and court decisions that impact what authority a local government has over the siting of wireless communication facilities.

Federal law places certain limitations upon the power of local government to control the siting of personal wireless service facilities (wireless facilities). *47 U.S.C. 332(c)(7)(A).* Chief among those limitations is the preemption of control over radio-frequency emissions. *47 U.S.C. 332(c)(7)(B)(iv).* As long as the wireless facility emits radio energy within the Federal Communications Commission's guidelines, local jurisdictions are forbidden from considering the environmental effects of such emissions in decisions about placement, construction, or modification of wireless facilities.

Other restrictions include a ban on any regulations that prohibit or have the effect of prohibiting the provision of personal wireless services. *47 U.S.C. 332(c)(7)(B)(i)(II).* When applying a zoning code to a specific wireless facility site proposal, the local authority retains most of its original discretion. Both the visual impact of a wireless facility and the facility's departure from the area's general character can be legitimate reasons for denial of a siting permit. *MetroPCS, Inc. v. City and County of San Francisco*, 400 F.3d 715, 727 (9th Cir. 2005). The standard for

evaluating the denial of a particular antenna site adopted is the "least intrusive" standard. *MetroPCS*, 400 F.3d, at 735. Under the "least intrusive" standard, the Applicant bears the burden of showing that a particular site is the least intrusive site. *See APT Pittsburgh Ltd. Partnership v. Penn Tp. Butler County of Pennsylvania*, 196 F.3d 469, 479-80 (3rd Cir. 1999). If the proposed site is the least intrusive and the denial of that location would effectively prevent an applicant from providing its service in the area, then the permit must be issued. *Cingular Wireless, Inc. v. Thurston County,* 425 F.Supp.2d 1193, 1195-6 (W.D. Wash. 2006; *47 U.S.C. 332(c)(7)(B)(iv).*

Conclusions Based on Findings

Special Use Permit

1. **With conditions, the proposal would satisfy the requirements for a special use permit, including the specific requirements of Chapter 20.37 MMC for wireless communication facilities.** The subject property is designated "School/Institution" by the City Comprehensive Plan and is part of the "Parks and Public Places" zoning district. Wireless communication facilities are an allowed use within the Parks and Public Places zoning district with a Special Use Permit. In addition, the Comprehensive Plan recognizes the need to maintain utility services sufficient to serve the city's needs while minimizing the aesthetic and environmental impacts caused by utility services. Here, the WCF would be located on private property among a thick stand of existing trees and foliage providing screening. Although the Applicant considered several alternative sites for the proposal, the selected site provides the most potential screening for the monopole, and photo simulations depict how the site would generally blend in to the landscape. The monopole would conceal all antennas and cabling and would be painted a dark green color to blend with trees and other vegetation on-site. The proposed WCF would provide a permanent replacement for the Applicant's former facility that had to be relocated because of the SR-520 Floating Bridge project. *Findings 1, 4 – 10, 14, 43 – 47.*

   In conjunction with the Applicant's variance requests, the proposal would satisfy the specific requirements for wireless communication facilities in Chapter 20.37 MMC. Specifically, the proposal would allow for co-location with other providers, minimizing the need for future monopoles in the area; would not interfere with other WCFs in the region, is necessary to complete the Applicant's regional wireless services; cannot be achieved with existing or planned facilities; and is the least intrusive upon the surrounding area. Mr. Conroy's reports and testimony are especially germane in showing why a 65-foot monopole height is necessary. His testimony further clarifies how, despite technological advances that reduce the need for monopoles with 5G technology (and beyond), existing wireless networks (2G and 3G) still require maintenance and use of older infrastructure – like monopoles. Although the proposal would exceed the maximum allowable height for WCFs, would be sited within the 500-foot residential buffer, and would utilize a small, above-ground equipment shelter, these variances would

be the minimum necessary to allow the Applicant to move forward with the proposal and close gaps in existing service coverage in the area. *Findings 7, 11 – 25, 29, 43 – 47.*

The proposed project is designed to minimize detrimental effects to neighboring properties. The proposed project would not have detrimental effects on neighboring properties due to excessive noise, lighting, or off-site traffic generation. In addition to siting the proposal within a stand of existing, mature vegetation, the Applicant would plant additional trees and vegetation within the lease area to further conceal the facility, and would further screen the facility with a fence. The proposal would have fewer visual impacts than alternatives, as detailed by the submitted alternative site analysis, the declaration from Mr. Steirer, and the testimony of Mr. Abrahams. Moreover, the Applicant submitted an acoustic report detailing how the proposal would not cause excessive noise in the area. Lights from the equipment shelter would be used rarely and only during site visits, and the site would be visited infrequently by technicians, causing de minimis traffic impacts. Although several citizens expressed concern over the impact that WCFs have on property values, the detailed report from Integra Realty Resources and the accompanying testimony of Mr. Safer establish that there are negligible impacts on single-family home values resulting from the presence or, or proximity to, cellular towers in Medina. *Findings 7, 11 – 25, 28, 29, 43 – 47.*

The City provided reasonable notice and opportunity to comment on the proposal. Environmental impacts were considered, as required by SEPA, and the City's Determination of Nonsignificance was not appealed. Conditions are necessary to ensure that the final design and location of the WCF substantially complies with provided drawings, that the Applicant obtain necessary construction permits; that landscaping and fencing are installed; that outdoor light fixtures are installed to avoid light pollution; and that the Applicant adhere to timing requirements. *Findings 1 – 3; 7, 11 – 13, 48.*

Variances

2. **With conditions, the variance requests would satisfy the criteria of MMC 20.72.030.** The maximum height for a WCF structure outside the City right-of-way is normally 35 feet. Because the Applicant's coverage objectives cannot be met with a 35-foot monopole, the Applicant is seeking a variance from MMC 20.37.070.B.2. WCFs are an allowed use in the Parks and Public Places zoning district, and the Applicant seeks relief from a dimensional standard, not for a use that is inconsistent with the underlying zoning for the property. The height variance is necessary because of special circumstances relating to the topography, location, and surroundings of the subject property. The requested height is necessary to fill a coverage gap in wireless services because of surrounding trees, foliage, and clutter in the area. Granting the height variance would not be materially detrimental to the public welfare of injurious to the property or improvements in the vicinity. Although the monopole would be visible from some places in the city, photo simulations indicate that it would be well screened by existing, natural

vegetation on-site and would further blend in with the background through use of concealment methods. As detailed by the reports and testimony of Mr. Conroy, the 65-foot height is the minimum necessary to remedy the Applicant's coverage gap. *Findings 1, 7, 16, 17, 23, 26, 29, 43, 44.*

MMC 20.37.070.B.4 requires all WCF structures, except for security barriers, to be set back a distance of at least 500 feet from the property line of all residential properties. The Applicant seeks a variance from this requirement; the proposed facility would be approximately 98 feet from the nearest residential property lines. There are no viable alternative sites on the subject property (or throughout the city) that would meet this requirement and satisfy the Applicant's coverage objectives. In addition, WCFs are an allowed use in the Parks and Public Places zoning district and the variance is necessary because of special circumstances relating to the topography, location, and surroundings of the subject property. Specifically, the subject property is one of the few zoned for WCFs in the city but is not large enough to accommodate a 500-foot residential setback. The variance is necessary to relieve a material hardship: the Applicant's coverage gap for wireless services. Granting the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity. Although the monopole would be visible from a few points in Medina, there is no indication that a facility further than 500 feet from residential property lines would have fewer impacts. Moreover, the proposed site would have fewer visual impacts than all possible alternative locations, especially because the proposed site provides existing mature vegetation to help screen the monopole. The proposed residential setback is the minimum necessary to provide relief because there are no other locations on-site to place the monopole because of existing school facilities to the east and the steep slope to the west. *Findings 1, 7, 15, 18, 26, 43, 44, 47.*

MMC 20.37.070.B.6 and MMC 20.37.100 require all WCF equipment housing structures to be concealed underground. The Applicant seeks a variance from this requirement; it would site the proposed equipment shelter above ground. Existing vegetation on-site would screen the equipment shelter anyway, and placing the equipment underground would have far greater impacts on the environment due to the substantial increase in required excavation. Although it would be technically possible to locate all the equipment cabinets in an underground vault, doing so would require significant excavation of fill and would increase environmental impacts. Further, operating underground facilities requires additional safety measures for workers. Granting the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity. The equipment shelter would be screened by existing vegetation, additional landscaping, and a six-foot fence. Mr. Teague's submitted comments and testimony support the idea that extensive excavation could negatively impact existing trees and on-site vegetation and that installation of the above-ground

equipment shelter would allow greater survival of the existing tree stand. *Findings 1, 7, 11 – 13, 19, 20, 26, 45, 46.*

Conditions are necessary to ensure that the final design and location of the WCF substantially complies with provided drawings; that the Applicant obtain necessary construction permits; that relief from the maximum height standards, residential property setback standards, and concealment requirements is granted only to the extent shown in project plans; that all other applicable zoning and development regulations are followed; and that the Applicant adhere to timing requirements. *Finding 48.*

DECISION

Based on the preceding findings and conclusions, the requests for a non-administrative special use permit and variances from Medina Municipal Code 20.37.070.B.2, -.4, and -.6, to construct a wireless communication facility with a 65-foot monopole support structure, interior antennas, and a 96 square foot equipment shelter at Bellevue Christian's Three Points Elementary School, are **APPROVED,** with the following conditions:

1. Final design and location of the wireless communication facility (including both the monopole structure and the equipment housing shelter) shall substantially comply with the drawings provided in Exhibit 11.

2. Pertinent construction permits shall be obtained for the installation of the wireless communication facility prior to commencing construction activity. Any conditions set forth in the construction permits shall be included as condition for approving the non-administrative variance and non-administrative special use permit applications.

3. Approved non-administrative variance and non-administrative special use permit applications shall expire one year from the date the decision becomes final if a complete building permit application is not submitted. Expiration is automatic and does not require notice. The Director of Development Services may grant a single six-month extension pursuant to MMC 20.72.010.G and MMC 20.72.030.H if the Applicant provides a request in writing prior to the expiration date and demonstrates good cause for granting the extension.

4. Landscaping and fencing shall be installed around the lease compound area as shown in Exhibit 11. Landscaping materials shall substantially conform to the planting plan provided in Exhibit 11. Securing fencing shall be six feet in height above the lover of existing or finished grade and shall be painted or coated with a non-reflective color as specified in the drawings in Exhibit 11.

5. Outdoor light fixtures installed or attached to the equipment housing shelter shall be downshielded or otherwise designed to prevent light spillover onto surrounding residential properties.

6. Relief from the maximum height standards is granted only to the extent shown in Exhibit 11 to allow for construction of the wireless communication facility.

7. Relief from the minimum residential properties setback standards is granted only to the extent shown in Exhibit 11 to allow for the construction of the wireless communication facility and equipment housing structure. Any modification to the plans that reduces the setback beyond the distance shown in Exhibit 11 shall require a new non-administrative variance application.

8. Relief from the concealment requirements is granted only for the equipment housing shelter and only to the extent shown in Exhibit 11.

9. All other zoning and development regulations applicable to the project shall be followed.

10. All approved non-administrative variances shall expire if a complete building permit application is not submitted within one year of the date the decision becomes final. A single six-month extension may be granted pursuant to MMC 20.72.030.H.

Decided this 2nd day of February 2017.

Theodore Paul Hunter

THEODORE PAUL HUNTER
Hearing Examiner
Sound Law Center

City of Medina
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STAFF ANALYSIS AND RECOMMENDATION
T-MOBILE SPECIAL USE PERMIT AND VARIANCE

Prepared by: Cristina Haworth, AICP
Date: January 4, 2017

Summary of Recommendations: None (see analysis).

Part 1 – General Information

CASE NO: PL-16-034 (SUP) and PL-16-036 (Variance)

LOCATION: Northwest corner of 7800 NE 28th Street (Bellevue Christian Elementary School)

TAX PARCEL NUMBER: 2425049104

PROPERTY OWNER: Bellevue School District

APPLICANT: Gary Abrahams (agent for T-Mobile)

LEGAL DESCRIPTION OF THE PROPERTY:

S 650 FT OF NW 1/4 OF SE 1/4 SEC 24-25-4 LESS RDS LESS STATE HIGHWAY LESS POR PER DEED REC # 20110815000090

THE SOUTH 650 FEET OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., IN KING COUNTY, WASHINGTON; EXCEPT THE WEST 30 FEET, THE SOUTH 30 FEET AND THE EAST 30 FEET THEREOF, CONVEYED TO KING COUNTY, WASHINGTON BY DEED RECORDED UNDER RECORDING NUMBERS 529873, 3491551 AND 3585441; AND EXCEPT THAT PORTION CONVEYED TO STATE OF WASHINGTON UNDER RECORDING NUMBER 5311758; ALSO EXCEPT THE NORTH 225 FEET OF THE EAST 54 FEET OF THE REMAINDER, AS CONVEYED TO THE CITY OF MEDINA BY DEED RECORDED UNDER RECORDING NUMBER 5364758; TOGETHER WITH THAT VACATED PORTION OF 80TH AVENUE NORTHEAST ABUTTING, VACATED BY TOWN OF HUNTS POINT ORDINANCE NUMBER 148 WHICH IS RECORDED UNDER RECORDING NUMBER 7907230644, WHICH WOULD ATTACH BY OPERATION OF LAW.

LEGAL DESCRIPTION OF THE LEASE AREA:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 25 NORTH, RANGE 4 EAST, W.M., KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
COMMENCING AT THE INTERSECTION OF EVERGREEN POINT ROAD AND NE 28TH STREET FROM WHICH A MONUMENT ON THE CENTERLINE OF SAID NE 28TH BEARS SOUTH 88°25'58" EAST 661.32 FEET;
THENCE NORTH 12°29'30" EAST 322.22 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 00°01'10" EAST 35.00 FEET;

THENCE SOUTH 89°51'31" EAST 25.00 FEET;
THENCE SOUTH 00°01'10" WEST 35.00 FEET;
THENCE NORTH 89°51'31" WEST 25.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 875 SQUARE FEET, MORE OR LESS.

PROPOSAL: Construct a new wireless communication facility to include a 65-foot tall, 36-inch diameter monopole support structure with interior antennas and cables, and an above ground 120 square foot equipment housing structure to be located on leased Bellevue School District property. Variances are requested for relief from the 500-foot residential setback requirement, the 35-foot maximum height standard, and the requirement to locate equipment housing structures underground. Approximately 15 cubic yards of earth will be excavated and 9 cubic yards of gravel will be imported. Portions of the lease area are located within geologically hazardous (steep slope) areas.

ZONING: Public

COMPREHENSIVE PLAN DESIGNATION: School/Institution

CRITICAL AREAS: Geologically Hazardous Area (landslide hazard area)

ENVIRONMENTAL (SEPA) REVIEW: The Responsible Official issued a Determination of Nonsignificance on December 22, 2016, pursuant to WAC 197-11-355.

EXHIBITS:
1. Staff Report
2. Declaration of Agency
3. Legal Notices
    a. Notice of Complete Application, dated October 26, 2016
    b. Notice of Application, dated October 28, 2016
    c. Notice of Hearing, dated December 22, 2016
4. SEPA Checklist, received October 18, 2016
5. Determination of Nonsignificance, dated December 20, 2016
6. Public comments received prior to January 4, 2017
7. Special Use Permit application, received September 2, 2016
8. Variance application, received September 2, 2016
9. Project Narrative, received September 2, 2016
10. FCC License, received September 2, 2016
11. Drawings, received December 19, 2016
12. Vicinity Map, received September 2, 2016
13. Service Area Map, received September 2, 2016
14. Lease, received September 2, 2016
15. Demonstration of Need (Expert Report of Richard Conroy), received September 2, 2016
16. Addendum to Demonstration of Need Analysis, received October 18, 2016
17. Revised Photosimulations, received October 18, 2016
18. Site Alternatives and Least Intrusive Analysis, received October 18, 2016
19. Statement of Noninterference, received September 2, 2016
20. Evaluation of Compliance with FCC Guidelines for Human Exposure to Radiofrequency Radiation, received September 2, 2016
21. Revised Geohazard and Critical Areas Report, dated December 15, 2016
22. Final Geotechnical Review Letter, dated December 20, 2016
23. Acoustical Report, received September 2, 2016
24. Biological Assessment, received September 2, 2016

25. Signed Statement in Compliance with MMC 20.37.130(I), received September 2, 2016
26. T-Mobile's response to community comments:
    a. Letter
    b. Supplemental Letter Supporting the Evaluation of Compliance with FCC Guidelines
    c. Market Study information

Part 2 – Site Characteristics

EXISTING CONDITIONS: The property is a large, predominately flat lot with the western 10 percent containing an upward sloping steep slope leading to another flat area that is adjacent to Evergreen Point Road. The lot is developed with a private elementary school, a large playfield, and a parking lot. The property also contains a building mounted wireless communication facility. The property is predominately cleared, but contains a relatively high density of trees on the western area of the lot and on the area east of the parking lot. There is additional trees and vegetation planted along the periphery of the school property where classroom buildings are located.

SURROUNDING ZONING:

Direction	Zoning	Present Use
North	Primary State Highway	State Route 520 Highway
South	Single-family Residence, R-16	Residential
West	Single-family Residence, R-20	Residential
East	Town of Hunts Point	Residential

ACCESS: Ingress and egress to the wireless communication site will be via an improved gravel driveway connected to Evergreen Point Road.

Part 3 – Comprehensive Plan

It is the basic policy of the City to retain and promote the high-quality residential setting that has become the hallmark of the Medina community.

The following comprehensive plan goals and policies apply to the proposed project:

LAND USE ELEMENT:

GOAL LU-G1: To maintain Medina's high quality residential setting and character.

Policy LU-P5: Existing non-residential uses are encouraged to be maintained. Existing non-residential uses include:

- …
- Bellevue Christian School
- …
- Utilities.

Policy LU-P9: The City shall afford due consideration to all stakeholders prior to any land use decisions.

COMMUNITY DESIGN ELEMENT:

Public Spaces (page 46):

"The City's large open spaces, Fairweather Nature Preserve, Medina Park, and the Overlake Golf & Country Club, are defining elements of Medina's community character. Medina Beach Park, the two schools [Medina Elementary and Bellevue Christian], and St. Thomas Church and School also contribute to the City's neighborhood character."

GOAL CD-G1: To maintain the informal, natural appearance of the Medina's street rights-of-way and public areas.

PARKS AND OPEN SPACE ELEMENT:

Other Recreational Facilities (page 77):

Three Points Elementary School Playground (Private School on Public Property).

> "Located at 7800 NE 28th Street, the school has approximately four acres of land. The playfield is in the westerly portion of the elementary school property that is leased from the Bellevue School District by Bellevue Christian Church."

UTILITIES ELEMENT:

GOAL UT-G1: To maintain utility services sufficient to serve the City's needs.

GOAL UT-G2: To minimize aesthetic and environmental impacts caused by utility services.

> Policy UT-P1: The City shall coordinate with applicable service providers to seek repairs and upgrades to existing utility facilities as necessary to maintain and/or improve efficiency, reliability, and/or capacity.

Part 4 – Agency Review/ Public Comment

NOTICES: (Exhibit 3)

Application Received:	September 2, 2016
Determination of Completeness:	October 26, 2016
Notice of Application:	October 28, 2016
Notice of Hearing	December 22, 2016

The application was received on September 2, 2016, and was determined complete on October 26, 2016, pursuant to MMC 20.80.100. A Notice of Application was issued on October 28, 2016. The Notice of Application was mailed to property owners pursuant to MMC 20.80.140(B)(2), and posted on-site and at other public notice locations (City Hall, Medina Post Office, Medina Park posting board, and City of Medina website). Notice was also mailed to parties of record involving the Independent Tower's proposal at Fairweather Nature Preserve and Park (File Nos. PL-13-031 and PL-13-032). A 30-day comment period was utilized pursuant to MMC 20.80.110(B)(7).

A Notice of Hearing was issued on December 22, 2016, consistent with MMC 20.80.120. The notice was mailed to property owners pursuant to MMC 20.80.140(B)(2), published in *The Seattle Times* newspaper, and posted on the site and other public notice locations (City Hall,

Medina Post Office, Medina Park posting board, and City of Medina website). Notice was also mailed to parties of record involving the Independent Tower's proposal at Fairweather Nature Preserve and Park (File Nos. PL-13-031 and PL-13-032)

GENERAL PUBLIC COMMENTS (EXHIBIT 6): Received as of January 4, 2017:

Who	Summary of Comments
Jen Garone 2835 Evergreen Point Road Medina	*Letter dated November 25, 2016* • Expressed concerns that the neighbors who proposed the site acted in self-interest to the detriment of neighbors on the south side of SR 520 • Believes the Fairweather Park location more closely respects the rules of Medina because it is further from homes • Afraid the pole in her line of sight will diminish property values • Objects to the proposed location of the cell phone tower, which is close to the homes of family and neighbors • Feels there is no legal reason to move it south of the highway • Believes it is more intrusive, more impactful and unnecessary • Does not want the variance granted for the distance or height
	Supplemental Email dated November 25, 2016 • Expressed concern about the City giving up the T-Mobile lease revenue for the use of Fairweather
Jay Deutsch Via e-mail	• Support of Jen Garone's objection to setback and height variances.
Jennifer Gulrajani Via e-mail	• Support of application.
Allen Haines Via e-mail	• Objection to loss of City revenue due to location of Bellevue School District property.
Eric Oeltjen on behalf of RESPECTMedina Via e-mail	• Support of application.
John Stephanus Via e-mail	• Support of Jen Garone's objection to setback and height variances. • Proposed location is not least intrusive.

AGENCY COMMENTS: No agency comments were received.

Part 5 – Staff Analysis

GENERAL:

1. The applicant, Gary Abrahams on behalf of T-Mobile West LLC, is requesting to install a new wireless communication facility in the northwest portion of the Bellevue Christian Elementary School site near Evergreen Point Road and the Evergreen Point Park & Ride Facility. The wireless communication facility consists of a new 65-foot tall, 36-inch wide cylindrical monopole support structure and a 12-foot by 8-foot (96 square foot) above-

ground equipment housing structure to hold electronic equipment. The applicant is proposing to install four directional (panel) antennas and four tower-mounted amplifiers on the interior of the monopole structure, and a GPS antenna on the outside of the monopole structure. Electrical cables will be routed from the interior and underground from the base of the tower to the equipment housing structure holding the ancillary electronic equipment. The housing structure includes exterior box and shielded motion sensor lighting, an exterior generator plug, and an exterior mounted Mitsubishi cooling unit.

2. Bellevue School District 405 is the owner and taxpayer of record for 7800 NE 28th Street in Medina (tax parcel no. 2425049014) according to the King County Department of Assessments. The property is zoned Public and is approximately 8.4 acres in size. The lot has an irregular quadrilateral shape with maximum dimensions of approximately 1,290 feet wide and 335 feet in depth. Much of the lot is currently developed with Bellevue Christian Elementary School consisting of a church, a multi-purpose auditorium, and classrooms.

3. T-Mobile West LLC has entered into a site lease with options with Bellevue School District 405 dated May 27, 2016 (Exhibit 14). The lease grants T-Mobile the rights to exercise the option to lease 875 square feet of ground space for the placement of T-Mobile's communications facility. The terms of the agreement include granting T-Mobile authority as agent to pursue all land use and zoning permit applications. The agreement includes an interference clause wherein T-Mobile acknowledges New Cingular Wireless PCS, LLC telecommunication facility and that T-Mobile's new facility will not interfere with this existing facility. The agreement also contains a clause that should T-Mobile surrender or vacate the premises, they have 60 days to remove the improvements.

T-MOBILE FACILITIES IN THE AREA:

4. VoiceStream Wireless was granted a special use permit (file no. SUP 231) and three variances (file no. 1105) for relief from height, setback and undergrounding requirements for a wireless communication facility in October 2002. VoiceStream Wireless was renamed to T-Mobile USA, Inc. in 2002. The site was located about 150 feet west, adjacent to the southwest corner of the park at the Evergreen Point Road overpass of SR 520. The site was within the SR 520 highway right-of-way. The original support structure and antenna were approved for 55 feet in height and for relief from the 500-foot residential zoning setback and the zoning requirement for undergrounding the equipment housing structure.

5. In 2011, the Washington State Department of Transportation required wireless communication facilities to be removed from the state highway right-of-way along this corridor to make room for new highway improvements. T-Mobile relocated their antenna and equipment to a temporary pole on the south side of SR 520 highway in the state highway right-of-way adjacent to Evergreen Point Road and the park and ride lot. A Temporary Use Permit (file no. TUP 276) was approved in April 2011. The permit was approved for renewal for an additional six months in March 2012 and expired in April 2012.

6. Independent Towers Holding had a lease agreement with the City of Medina to allow the construction of a wireless communication facility in the un-forested area of Fairweather Nature Preserve and Park near the SR 520 right-of-way. T-Mobile and Independent Towers Holdings reached an agreement to locate the temporary T-Mobile wireless communication facility on the leased parkland. They requested and were granted a Temporary Use Permit (No. PL-12-026) for a 45-foot tall temporary wireless communication facility on October 26, 2012. A second Temporary Use Permit for the facility was issued in April 2013 and expired

in November 2013. No additional renewals of the temporary use permit are authorized under the Medina Municipal Code.

7. Independent Towers Holdings and T-Mobile submitted non-administrative special use permit and variance applications to construct an 80-foot tall wireless communication facility at the site of the temporary wireless communication facility in September 2013 (file nos. PL-13-031 and PL-13-032). The hearing examiner denied the application due to insufficient evidence supporting an 80-foot height as necessary to avoid a significant service gap along the SR 520 floating bridge. A request for reconsideration was denied on October 10, 2014.

8. On September 9, 2014, T-Mobile West LLC and Independent Towers Holdings LLC filed a lawsuit in Federal District Court against the City of Medina challenging the Hearing Examiner's denial of their application for a special use permit and for two variances. They are seeking a court order to allow their proposed 80-foot tower in Fairweather Park. A local group of residents formed RESPECTMedina to oppose the wireless communication facility's location in Fairweather Park and successfully petitioned to be included as an intervener in the lawsuit. The lawsuit and any enforcement action regarding the temporary facility are currently under a stay order pending settlement tied to the current applications.

9. In March 2016, attorneys for T-Mobile notified the City that Independent Towers would assign its interest (all rights and obligations) in the Fairweather Park lease to T-Mobile. Per the terms of the lease agreement, the Medina City Council approved the transfer of Independent Towers' interests to T-Mobile at their June 13, 2016, meeting.

STATE ENVIRONMENTAL POLICY ACT:

10. The Responsible Official determined that the proposal did not qualify for the wireless facilities exemption under WAC 197-11-800(25). The Responsible Official reviewed a SEPA checklist dated October 18, 2016, and issued a Determination of Nonsignificance pursuant to WAC 197-11-355 on December 20, 2016 (Exhibit 5). No appeals were filed and the determination is final.

CRITICAL AREAS:

11. The proposed wireless communication site is situated at the top of a southeasterly-descending slope towards the elementary school. Romulos P. Ragudos, Jr., E.I.T., and Kurt W. Groesch, P.E., prepared a Revised Geohazard and Critical Area Report and a Revised Geotechnical Engineering Evaluation dated December 15, 2016 for the project (Exhibit 21). Based on the topographic information, the topography within the lease area contains variable slopes between 36 to 40 percent. A portion of the slope descending at 40 percent is located east of the proposed tower and equipment area has a relief of 16 feet, which meets the definition of a landslide hazard (steep slope) per MMC 20.50.200(B)(2)(f). The area was evaluated for erosion and seismic hazards and was found to have neither of these present.

12. The geohazard report determined that the top of the slope is at the 132-foot elevation contour. A 50-foot buffer from all edges of the steep slope is typically required; the buffer can, however, be reduced to 10 feet if a qualified professional demonstrates that the buffer will still provide adequate protections. The geohazard report satisfied this requirement and T-Mobile has located all of their facilities outside of the 10-foot buffer area. The Revised Geotechnical Engineering Evaluation contains conclusions and recommendations for the tower to be located on a drilled pier, and for site preparation, equipment foundations, tower

drilled pier foundations, access driveway, and structural fill. Third-party review of the Revised Geohazard and Critical Area Report and the Revised Geotechnical Engineering Evaluation concluded that the reports were in general conformance with requirements set forth in the Medina Municipal Code (Exhibit 22).

CONSOLIDATED PERMIT REVIEW:

13. Pursuant to MMC 20.37.120, approval of a nonadministrative special use permit is required for all wireless communication facilities. The proposed facility is not exempt from this requirement and, therefore, the nonadministrative special use permit is required. A nonadministrative special use permit is processed as a Type 3 decision pursuant to MMC 20.72.010(C) and MMC 20.80.060(C).

14. The applicant is requesting relief from height, residential property setback, and concealment requirements set forth in Chapter 20.37 MMC. The purpose of a variance is to provide such relief on a case-by-case basis where conditions fully justify it. Pursuant to MMC 20.72.030(C) and MMC 20.80.060(C), nonadministrative variance applications are processed as a Type 3 decision.

15. Pursuant to MMC 20.80.090, the applicant has requested a consolidated permit review process for the nonadministrative special use permit and the nonadministrative variance. As discussed above, these permits are processed as Type 3 decisions. Pursuant to MMC 20.80.060(C), the Hearing Examiner is the decision authority for both permit types.

ZONING ANALYSIS:

16. Bellevue Christian (Three Points Elementary) School is zoned Public according to the City of Medina Official Zoning Map. Pursuant to MMC 20.37.050(C), a wireless communication facility is permitted in the Public zone subject to the limitations set forth in MMC 20.37.060. These limitations are specific to public parks and are therefore not applicable to the proposal.

17. Wireless communication facilities located outside of City rights-of-way are subject to the site requirements set forth in MMC 20.37.070. The proposal is to locate antennas on a monopole support structure, which is allowed provided the requirements in MMC 20.37.070(B) are satisfied:

    a. Pursuant to MMC 20.37.070(B)(1), the wireless communication facility support structure shall be designed and placed on the site in a manner that uses existing trees, mature vegetation, and existing structures to: (1) screen as much of the total facility from prevalent views as possible; (2) provide background in a manner that the total facility blends to the maximum extent feasible into the background with increased sight distances; and (3) integrate the existing trees and mature vegetation to the maximum extent feasible with concealment requirements.

       ANALYSIS: The applicant submitted photographic simulations in support of their application (Exhibit 17). The photographic simulations indicate that existing mature trees and vegetation will be maintained and preserved wherever possible and that they contribute to the concealment of the monopole structure and equipment shelter. A single tree will be removed from the site to allow the installation of the wireless communication facility. This should not affect the use of existing trees to support concealment requirements. Trees surrounding the lease area include a variety of

evergreen species, such as cedar and Douglas fir, and deciduous trees. There is also thick undergrowth providing additional screening.

b. Pursuant to MMC 20.37.070(B)(2), the maximum height of a wireless communication facility, including the height of the antenna, may not exceed 35 feet above original or finished grade, whichever is lower.

   ANALYSIS: The applicant is proposing a 65-foot tall monopole structure, which exceeds the 35-foot height maximum set forth in MMC 20.37.070(B)(2). The applicant is requesting a variance to this standard. (Note: MMC 20.37.070(B)(3) is not applicable.)

c. Pursuant to MMC 20.37.070(B)(4), wireless communication facilities (not including security barriers) must be set back a distance of 500 feet from the property line of all residential properties.

   ANALYSIS: "Residential properties" is defined under "residential use properties," as set forth in MMC 20.12.190. This definition specifies that a residential use property is all portions of any property that contain a residence and all portions of vacant property which is zoned for residential use, including property located in adjoining jurisdictions. The subject property is zoned Public, and is bordered to the west and south by residential zoning. Properties to the east are located within the Town of Hunts Point and are also zoned residential. The westernmost edge of the equipment shelter is the closest point of the wireless communication facility to residential properties. This edge is located approximately 98 feet from the nearest residential property line. The applicant is requesting a variance to this standard.

d. Pursuant to MMC 20.37.070(B)(5), ancillary facilities (excluding conduit or cabling for power and/or data) may be located on or off-site and must be placed within the interior of an existing nonresidential building or an equipment housing structure.

   ANALYSIS: MMC 20.12.020 defines ancillary facilities as "the equipment required for operation of wireless communications, including, but not limited to, repeaters, radios, cabling, power meters, ventilation, generators, and other related equipment." The applicant is proposing the construction of a new equipment housing structure in which to place the equipment necessary for operating the wireless communications. The equipment housing structure will be located on-site in the lease area, adjacent to the proposed monopole support structure.

e. Pursuant to MMC 20.37.070(B)(6), concealment consistent with MMC 20.37.100 is incorporated to minimize visual impacts and provide appropriate screening. The requirements set forth in MMC 20.37.100(B) for support structure-mounted installations include the following:

   i. All components associated with the wireless communication facility mounted on the exterior side of the structure shall be painted to match the predominant color of the support structure.

      ANALYSIS: The application indicates that the wireless communication facility will be concealed using a cylindrical shroud painted a dark, non-reflective green. A single GPS antenna will be mounted to the exterior of the shroud. The application did not indicate whether this component would be painted to match this non-reflective green.

ii. The support structure shall be painted in a non-reflective color that matches the predominant visual background and/or adjacent architecture so as to visually blend in with the surrounding development.

ANALYSIS: The application indicates that the wireless communication facility will be painted a dark, non-reflective green. This is acceptable for blending into the existing mature vegetation surrounding the monopole structure.

iii. In certain conditions, such as locations that are readily visible from a large number of residential properties or public spaces, the City may require additional concealment such as disguising the support structure to appear as an attractive architectural or natural feature.

ANALYSIS: The location of the wireless communication facility will not be readily visible from a large number of residential properties or public spaces. The photographic simulations submitted with the application indicate that the wireless communication facility will substantially blend into the existing vegetation from many viewpoints

iv. Ancillary facilities, except for conduits or cabling for power and/or data, must be concealed by locating the equipment inside an existing nonresidential building, or in an equipment housing structure meeting the requirements of MMC 20.37.100(D), including: (1) equipment housing structures shall be placed underground and (2) up to two small equipment housing structures containing ancillary facilities may be mounted to the outside of a support structure.

ANALYSIS: The equipment supporting the wireless communications will be concealed inside of an equipment housing structure. However, the applicant is requesting a variance from the concealment requirement to allow the housing structure to be located above ground. No housing structures are proposed to be mounted to the outside of the support structure.

18. The applicant has proposed to install a chain-link fence as a security barrier around the entire wireless communication facility. MMC 20.37.090 sets forth the requirements when a security barrier is installed:

a. The height of the structure shall not exceed six feet measured from the point of existing or finished grade, whichever is lower at the exterior side of the structure to the highest point of the structure, pursuant to MMC 20.37.090(A).

ANALYSIS: The applicant has proposed a six-foot high chain link fence around the perimeter of the lease compound area. This will be further evaluated during review of the building permit application.

b. A sight-obscuring vegetated landscape barrier shall be installed and maintained to screen the structure and facilities from adjoining properties and City rights-of-way. Placement of landscape vegetation shall include areas outside of the barrier and shall obscure the site within 12 months. Landscaping and the design of the barrier shall be compatible with other nearby landscaping, fencing, and freestanding walls.

ANALYSIS: The applicant has proposed vegetative screening around the north, west, and south sides of the lease compound area where the wireless communication facility may be visible to adjacent properties and City or State rights-of-way. Proposed plant

species include vine maple, western red cedar, and salal. The cedar and salal are evergreen species that will provide screening at all visual levels. Vine maple is a deciduous species that will also support screening.

Additional screening will be accomplished by the dense vegetation currently surrounding the lease compound area on all sides. Existing plants include a variety of deciduous species, Douglas fir, cedar, and many understory species.

c. Chain-linked fencing must be painted or coated with a non-reflective color pursuant to MMC 20.37.100(C).

ANALYSIS: The applicant has specified the use of chain-linked fencing that will be a non-reflective black with black privacy slats.

d. Fences must comply with the limitations set forth in MMC 20.30.010, pertaining to fences, walls and gates.

ANALYSIS: Chain-linked fences are allowed provided they are more than five feet from the property line adjoining a street right-of-way. An existing gate will be used to access the wireless communication facility, and is located outside of the City right-of-way and is not on a private lane or private lane turnaround easement. The fence will be further evaluated with the building permit application.

CO-LOCATION:

19. Pursuant to MMC 20.37.110(A) and (B), the applicant must, to the extent commercially reasonable, cooperate with owners of existing communication facilities in co-locating additional antennas on existing support structures. The applicant must demonstrate that a good-faith effort has been made, including evaluating existing and approved sites for co-locating and potential modifications to the height or structural strength of existing structures to support co-location.

ANALYSIS: The applicant indicated that no suitable structures exist which will or reasonably could be utilized for co-location to provide the necessary coverage to alleviate the service coverage gap.

20. Pursuant to MMC 20.37.110(C), the applicant must demonstrate the following to show a good-faith effort for co-location has been made:

a. No existing or approved (but not yet built) support structures are available within the service area meeting the applicant's engineering requirements.

ANALYSIS: The proposed facility is located in northern Medina, where there are three existing wireless communication facilities nearby. After analysis, the applicant has determined that no existing or approved (but not yet built) support structures meeting the height and location criteria necessary to fill T-Mobile's service gap are available. In addition, modifications to the existing facilities, including increasing height, is not feasible in these locations. A further review follows:

- AT&T Mobility operates an existing building-mounted wireless communication facility on the southeast corner of the Bellevue Christian (Three Points Elementary) School auditorium (first approved under Conditional Use Permit # 149). This facility has no opportunities for co-location due to space constraints and height restrictions. (Note:

The AT&T Mobility facility is building-mounted and meets the maximum 35-foot height limit.)

- An antenna node for a Distributed Antenna System (DAS) is located near the intersection of Evergreen Point Road and NE 28th Street (approved under Special Use Permit # 273). The DAS consists of a series of low signal power antennas mounted to utility poles at various locations around the city with each node having a distance range of approximately 1,000 feet. The low signal output of DAS antennas make this impractical for addressing T-Mobile's service coverage gap needs.

- T-Mobile currently operates a wireless communication facility at Hunts Point City Hall (SE02480A Hunts Point Perm Relo); a facility that is approximately 97 feet high. The service coverage from this facility has westward limitations due to topographic characteristics. The Hunts Point facility is approximately located at elevation 50 feet, whereas the proposed school location is at approximately elevation 134 feet. This is an 84-foot elevation difference. The top of the Hunts Point 97-foot high wireless communication facility is at an approximate elevation of 147 feet and is therefore unable to provide sufficient coverage for SR 520 or northern Medina (see elevation requirements for service coverage under the Needs Analysis section).

b. No existing support structures are available which provide or may be practically modified to provide sufficient height to meet the applicant's engineering requirements:

ANALYSIS: The existing nearby wireless communication facilities cannot be modified to provide the service coverage necessary. The limited signal reach of the DAS technology makes it impractical to address the service coverage gap, and the AT&T Mobility facility and the T-Mobile facility in Hunts Point would require replacement with new support structures.

c. No existing support structures are available which provide or may be practically modified to provide sufficient structural strength to support the applicant's proposed antenna and related equipment.

ANALYSIS: See previous analysis.

d. The applicant's proposed antenna would cause electromagnetic interference with existing antennas on the support structure, or the existing antennas would cause electromagnetic interference with the applicant's antenna if it is located on the support structure when properly maintained and operated according to applicable law and manufacturer's guidelines.

ANALYSIS: Not applicable. See previous analysis.

e. Other limiting factors are present that render existing support structures unsuitable.

ANALYSIS: No other limiting factors were identified.

21. MMC 20.37.110(F) states that the City *may* require the support structure to be constructed to accommodate co-location based on expected demand for support structures, provided this requirement would not cause the application to be rejected by the City. The applicant has indicated that the monopole structure is designed to support future co-location by an unspecified number of additional carriers (Exhibit 25). The lease agreement with Bellevue School District 405, however, does not appear to support co-locating wireless

communication facilities from other carriers (Exhibit 14). While the City anticipates future demand for wireless communication facilities in this area once the state highway right-of-way reopens to wireless communication facilities, the City does not have specific information to determine what this future demand might look like.

NEEDS ANALYSIS:

22. MMC 20.37.140 requires that all applicants must demonstrate a need for a wireless communication facility that is designed for and will provide personal wireless services primarily to residents and/ or visitors of Medina. If the wireless communication facility is designed to provide personal wireless services outside of the city limits, it is required to be needed as part of a regional network. To demonstrate need, the applicant must provide evidence that:

    - The applicant is a carrier of personal wireless services; and
    - The types of facilities chosen are the least intrusive on the residential setting of the community.

    ANALYSIS: T-Mobile is a national provider of personal wireless voice, messaging, and data services licensed by the FCC to provide wireless services for the Seattle-Tacoma-Bremerton, Washington market (Exhibit 10). Analysis of least intrusive is discussed below.

23. MMC 20.37.140(C) sets forth the documentation required to demonstrate need. The applicant had Richard Conroy prepare the *Evergreen Point Perm Relo/School District* report evaluating the reliable of T-Mobile's wireless services in the area. Mr. Conroy was involved in drive testing and produced Drive Test Maps used to determine whether there is a gap in service that necessitates the installation of a new site. Three levels of testing were conducted using various heights. Based on the results, Mr. Conroy concluded that T-Mobile has a significant gap in in-building residential & in-vehicle service caused by a lack of reliable coverage in the area surrounding the proposed site (Exhibit 15). The report concludes that a facility at the existing height of 45 feet (the temporary wireless communication facility at Fairweather Park) or lower does not meet T-Mobile's coverage objectives or remedy the significant gap in the area. It is also Mr. Conroy's opinion based on drive tests that the 65-foot antenna height (61-foot centerline) is the minimum necessary to remedy T-Mobile's significant gap in coverage in the area.

24. To demonstrate need, the following conditions must be documented:

    a. The need for the carrier providing the personal wireless services to complete a network of local or regional services.

        ANALYSIS: Richard Conroy's report indicated that up to 1,200 people living in the area surrounding the temporary facility lack reliable services if using the T-Mobile network. Currently, they rely on the temporary 45-foot tall wireless communication facility at Fairweather Park. During testing when this facility was turned off, the data showed there were large areas within residential areas having unreliable coverage. This demonstrates a need for facilities to complete a local network.

    b. The inability of the carrier providing the personal wireless services to provide personal wireless services to Medina residents and/or visitors using other facilities, either existing or planned, that are inside and outside of the city limits.

ANALYSIS: Mr. Conroy evaluated the proposed school location and found that service gaps in T-Mobile's coverage would continue to exist at heights of 35 feet, 50 feet and to a lesser extent at 65 feet for Medina residents and/ or visitors. This demonstrates a need for facilities in the area to provide personal wireless services to Medina residents and/ or visitors. As noted above, when the temporary wireless communication facility was turned off, T-Mobile's existing facilities are insufficient in addressing the coverage gap.

c. The inability of the carrier providing the personal wireless services to fulfill the need for the facility with other sites available outside of the city limits.

ANALYSIS: See analysis above.

d. How the types and location chosen for the wireless communication facility needed in completing a local or regional network for personal wireless services are the least intrusive upon the surrounding area.

ANALYSIS: The applicant provided an Alternative Site Analysis and Least Intrusive Location Analysis documenting the site alternatives investigated by T-Mobile (Exhibit 18). A total of 10 locations (including the proposed location) were reviewed before the selection of the proposed location.

When the City adopted the zoning standards for permitted locations in MMC 20.37.050, it incorporated an analysis of the general vicinities of where wireless communication facilities would be least intrusive on the residential setting of the community into the permitted locations. In evaluating least intrusive, the chosen location on the property itself must also be evaluated. While the meaning of least intrusive is not specifically defined in the Medina Municipal Code, the City relies on the federal court cases, applicable purpose statements in MMC 20.37.010, and the Medina Comprehensive Plan to establish the values and standards for determining "least intrusive".

According to the applicant, the most significant factors they used in choosing the location included the ground elevation and tower height required for service coverage, and the amount of existing vegetative screening available at each location. Based on these criteria, the applicant concluded the proposed location was the least intrusive.

In staff's reviewing of the Alternative Site Analysis report, the applicant considered three locations on the school property. The location proposed in this application, a location on the school building, and a location east of the parking lot. Alternative 2 and 3 were rejected due to lease issues and coverage issues (Alternative 2 would require a 90-foot elevation support structure). However, the report does not give consideration to a location west of the school building northeast of the playfield. This location would likely require the 90-foot tall support structure indicated in the report for Alternative 2, but would be located further from residential properties, which is consistent with protecting the residential character and setting of the community. However, concealment would be less substantial as this location lacks the mature landscaping Alternative 1 contains.

The Alternative Site Analysis report also evaluated the location in Fairweather Park, west of the tennis courts where T-Mobile and Independent Towers previous application for a wireless communication facility was denied due to a lack of evidence to support the proposed 80-foot tower height. The City would disagree with the conclusion that from a

land use permitting perspective this site is not viable. The Medina Municipal Code does not prohibit an application for a revised project design from being considered.

City staff does not make a conclusion as to whether the proposed location meets the least intrusive requirement on the community's values for protecting the residential character and setting of the community. The proposed site has excellent concealment, but is located closer to residential homes and a DAS node. The locations noted above have greater separation from residential properties, but are more visible.

RADIO FREQUENCY STANDARDS:

25. The Federal Communications Commission (FCC) under the National Environmental Policy Act of 1969 evaluated the effect of radio frequency (RF) emissions from FCC-regulated transmitters on the quality of the human environment. As a result, RF emissions that comply with adopted FCC emission standards are expressly preempted from state and local government consideration in the placement, construction and modification of wireless communication facilities.

26. Andrew H. Thatcher, MZSHP, CHP, prepared an *Evaluation of Compliance with FCC Guidelines for Human Exposure to Radiofrequency Radiation* report dated July 16, 2016, and a supplement dated October 13, 2016, for the T-Mobile site at 7800 NE 28th Street in Medina. The reports concluded that the Maximum Permissible Exposure from the proposed T-Mobile antennas is less than three percent of the FCC general public exposure standard. Additionally, the report evaluated the nearby ATT wireless communication facilities and concluded that the RF emissions from the two facilities will not add to each other.

NONADMINSTRATIVE VARIANCE APPROVAL CRITERIA:

27. As stated above, the applicant is requesting variances from height, setback, and concealment requirements for wireless communication facilities set forth in Chapter 20.37 MMC. The granting of variances is subject to limitations set forth in MMC 20.72.030(E). This includes:

    a. Nonadministrative variances may be granted where the application of a dimensional standard would result in an unusual or unreasonable hardship due to physical characteristics of the site.

    ANALYSIS: The applicant has requested variances from dimensional standards (height, residential properties setback, and undergrounding) due to what they believe are unusual or unreasonable hardship related to the physical characteristics of the site.

    b. Evidence of other variances granted under similar circumstances shall not be considered in the granting of a nonadministrative variance.

    ANALYSIS: The applicant has not cited any other variances in their application.

    c. No variance shall be granted for any of the following: (1) to alter any definition or interpretation of Title 20 MMC; (2) to alter any provision establishing a use within a zoning district; and (3) o alter any procedural provisions.

    ANALYSIS: The applicant is not requesting the alteration of any definitions or interpretations of Title 20 MMC, nor requesting to establish a use not otherwise allowed

within the Public zone. This request is for relief from dimensional standards, and would not alter any procedural provisions of the Code.

28. The applicant is requesting a variances for the following:

    a. MMC 20.37.070(B)(4), which requires wireless communication facilities to be set back a minimum distance of 500 feet from the property line of all residential properties. The wireless communication facility will be approximately 100 feet from the closest residential property, located to the west of the proposed facility. Additionally, residential properties to the northwest, southwest, south, and southeast are also closer than 500 feet to the proposed wireless communication facility location.

    b. MMC 20.37.070(B)(2), which sets the maximum height of a wireless communication facility at 35 feet above the lower of existing or finished grade. The proposed wireless communication facility will be 65 feet in height, with the antennas mounted at 61 feet at the centerline.

    c. MMC 20.37.070(B)(6) and MMC 20.37.100(B)(4), which requires all ancillary facilities except for conduits or cabling for power and/or data to be concealed by locating the equipment inside an equipment housing structure that is placed underground. The proposed equipment housing structure will be placed entirely above-ground and screened with existing and proposed vegetation.

29. The applicant provided information addressing the nonadministrative variance approval criteria set forth in MMC 20.72.030(F):

    a. *The variance does not constitute the granting of special privilege inconsistent with the limitations upon uses of other properties in the Property's vicinity and zone.*

    APPLICANT RESPONSE: Wireless communication facilities are subject to strict siting limitations pursuant to MMC Section 20.37. Very few locations are available for the siting [of] a wireless facility. Aside from Fairweather Park, which is specifically called out in Section 20.37.060 as an allowed location, but subject to additional very narrow constraints, few other properties in Medina are zoned to accommodate a wireless facility. The variances requested herein are for dimensional criteria and not for the use of the property. The proposed use is consistent with the zone, and the variances are being requested in order to enable the use to be constructed in the least intrusive location for the community and in a location and at a height that will enable the necessary wireless coverage to be provided. Granting the variances for this proposal will not constitute a special privilege as the "use" is already allowed on this parcel, unlike most other surrounding parcels. The requested variances will allow the use to be accommodated on the subject site.

    ANALYSIS: The applicant indicated that the reason for requesting the variances is to allow for a wireless communication facility use that is necessary to remedy a significant service coverage gap. Wireless communication facilities are allowed on the site pursuant to MMC 20.37.050. The need to have relief from dimensional standards to address specific service coverage gaps has been accepted as not constituting a granting of special privileges inconsistent with the limitations upon uses of other properties within the public zoning district. The variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the property is located.

b. *The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.*

APPLICANT RESPONSE: T-Mobile is requesting variances for (3) elements including height, undergrounding and setbacks. A further analysis of the variances and each component is provided in the narrative document also attached hereto to the land use application submittal package. In summary, the MMC provides for a very limited number of locations upon which to site a wireless facility.

The subject site is one of the locations in the code where a wireless communication facility is allowed. The variances are not use variances, but dimensional variances. The proposed height variance to 65' is required to provide the necessary coverage from this location. The setback variance is required to allow siting of the facility to accomplish the coverage goal and to allow the proposed project to best fit into the existing natural vegetation on the site. The variance from the underground requirement is to allow for the construction of an above-ground equipment shelter building. Construction of an underground vault on the site would have a greater environmental impact than the proposed above- ground shelter, due to the significant excavation required. Further, there is no practical reason to require an underground vault because due to the screening that exists on the site, the equipment building will be hidden from view from the surrounding area. Additional trees and ground cover are also proposed as part of the project which will provide additional screening and add to the existing vegetation on the site. See also, discussion above.

NOTE: Additional information from "discussion above" section, titled IDENTIFY AND DISCUSS SPECIFIC SECTIONS OF THE ZONING, SUBDIVISION OR BUILDING CODES FROM WHICH YOU ARE REQUESTING A VARIANCE:

The proposed project is unable to meet the 500' setback rule due to limitations presented by the characteristics of the subject property, including (i) significant slope between the proposed site lease area at the northwest corner of the property and the recreational ball field to the east; (ii) existing parking areas and buildings for the Three Points Elementary School on the property; (iii) lack of any viable alternative areas on the subject property where a [wireless communication facility] could be sited and still meet the coverage objective; (iv) presence of environmental constraints and unsuitable topography at far eastern end of subject property.

Due to the existing mature trees on the subject site and to worker safety and equipment maintenance constraints, the proposal is to include an above-ground equipment building, which will be screened and not visible, in place of an underground vault for the radio equipment cabinets and associated equipment needed to operate the antennas. At this location, putting the equipment underground would have a far greater impact on the environment that constructing an above ground shelter, due to (i) the substantially increased amount of excavation that would be required to construct an underground equipment shelter, with associated adverse impacts to roots of existing trees, including significant trees as defined by the Medina code; (ii) equipment maintenance and technician access issues including electrical safety, fall protection and hoisting and retrieving of parts and equipment, as well as public safety for spectators and passers-by; (iii) maintenance issues from water intrusion – underground structures tend to leak which

damages or destroys equipment necessary to operate the [wireless communication facility.]

Because the coverage objective for this WCDF cannot be met at the 35' code height limit, a variance is being requested to increase the height of the monopole to 65' tip height (61' antenna center line). Coverage maps and explanatory discussion concerning the need for the 65' tip height are provided in the Expert Report of Richard Conroy submitted with the applications.

NOTE: Additional information from Expert Report of Richard Conroy (Exhibit 15, page 21).

[Richard Conroy has] reviewed the proposed height of the T-Mobile Facility to determine whether the antenna height is the minimum necessary to remedy T-Mobile's significant gap in coverage. The primary factor in determining an appropriate antenna height is the gap in reliable coverage that the proposed site is intended to resolve. In simplest terms, antenna heights that are too high create interference to T-Mobile's existing network of on-air sites which can result in poor signal quality and loss of service. Conversely, antenna heights that are too low cause a loss in intended coverage which typically results in poor quality and loss of service. The correct antenna height in the correct location in relation to existing surrounding on-air sites is essential to delivering a reliable wireless network.

CW drive tests were performed at the heights of 31 feet, 46 feet and 61 feet. The analysis of area covered from each height described herein is based upon the CW drive test data. This data demonstrated that the 31 feet & 46 feet elevations provide similar coverage to each other while both leaving in-building gaps in the area of 77th & 78th Ave NE. The 61' test demonstrated that the areas that were not covered at 31 feet and 46 feet are covered at 61 feet. Furthermore, the 31' & 46' tests provided coverage to approximately 1,088 Medina residents in total whereas 61' provided coverage to approximately 1,608 Medina residents in total. Based upon the 2010 US Census data the population of Medina was 2,969 people. Therefore 61' provides coverage to 54% of the total Medina population which is 17% more than the 31 or 46 feet. With regard to incremental population (residents not already covered by the existing adjacent sites) 61' covers 805 people or 82% of the 982 not currently experiencing reliable in-building residential service as opposed to 31' & 46' which only cover 502 people or 54% of the 982. For these reasons the 61' test (65' pole) has been determined to be the minimum height required to best achieve [T-Mobile's] objectives and remedy the significant gap in coverage in the vicinity of the site.

ANALYSIS: As discussed above, wireless communication facilities are located in limited portions of the City of Medina. The subject property is a permitted location, but no portion of the subject property is greater than 500 feet from all surrounding residences. Additionally, according to the Expert Report of Richard Conroy, a compliant tower height location will not result in the service coverage goals required to complete both local and regional networks. Federal law 47 USC 332(c)(7)(B) preempts the City from having regulations that have the effective of prohibiting personal wireless services. The need to have relief from dimensional standards to address specific service coverage gaps in providing personal wireless services is considered an acceptable hardship condition.

The applicant has indicated that damage to existing vegetation proposed for concealment of the monopole would occur with the grading required to underground the

proposed 120-square foot equipment housing shelter. Staff evaluated this concern and determined that OSHA requirements for the excavation required would necessitate a comparatively large cut in order to provide necessary slope stabilization for worker safety during construction. This could impact existing trees and possibly require the removal of additional significant trees. . However, none of the trees identified within the lease area are considered significant enough where the City would consider their loss to qualify as a unique circumstance. It is common practice with construction projects for trees to be removed. While the Medina Municipal Code encourages the preservation of significant trees, the code focuses on replacing removed trees, not prohibiting their removal. For protecting a tree to be considered a unique circumstance, the City would point to the tree needing to qualify as a legacy tree under MMC 20.52.120. The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must be related to the land itself and not to problems personal to the applicant.

c. *The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant.*

APPLICANT RESPONSE: As noted, MMC allows for wireless facilities on only a few specific sites in the City. The subject site is one of the few sites zoned to accommodate a wireless facility. The requested variances are for dimensional criteria, not for the use of the property.

The variances are necessary to relieve material hardship, as without the variances (height, setback) the property cannot be utilized for a wireless facility.

The proposed project is unable to meet the 500' setback rule due to limitations presented by the characteristics of the subject property, including (i) significant slope between the proposed site lease area at the northwest corner of the property and the recreational ball field to the east; (ii) existing parking areas and buildings for the Three Points Elementary School on the property; (iii) lack of any viable alternative areas on the subject property where a [wireless communication facility] could be sited and still meet the coverage objective; (iv) presence of environmental constraints and unsuitable topography at the far eastern end of the subject property.

Because the coverage objective for this [wireless communication facility] cannot be met at the 35' code height limit, a variance is being requested to increase the height of the monopole to 65' tip height (61' antenna center line).

The variance form the underground requirement is to allow for the construction of an above-ground equipment shelter building. Construction [of] a vault on the site would have a greater environmental impact than what is proposed due to the excavation required. Due to the screening that exists on the site there is no practical reason to require an underground vault as no one in the surrounding area will see the above-ground equipment building.

ANALYSIS: See Analysis under Analysis 29b.

d. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.*

APPLICANT RESPONSE: As noted, the property is zoned to allow for wireless communication facilities. The variances are required to enable the property to be used for the allowed use, and the variances are not for a "use," but are dimensional variances. The three (3) requested variances will not be detrimental to the property or improvements in the vicinity as the facility has been designed to fit in with existing natural screening and vegetation, and it is the least obtrusive facility of all alternatives reviewed by the applicant. Without the height and setback variance, the proposed project cannot be constructed on the subject site. There are no alternative sites where the required height for coverage would be allowed without a variance. Virtually all of the alternative locations would require a setback variance, as there are residences closer than 500' to all potential locations. The third variance for the above ground equipment building is based upon the need to avoid unnecessary environmental impacts and maintenance access concerns; in addition, at this location, the surrounding trees and other vegetation will screen the equipment shelter from view without the need for undergrounding, which meets the intent of the MMC.

ANALYSIS: As described by the applicant, the proposed location is identified in MMC 20.37.050 as a permitted location for wireless communication facilities. This is an unmanned facility and will not cause an increase in noise, traffic generation, or lighting in the surrounding area.

e. *The variance is the minimum necessary to provide reasonable relief.*

APPLICANT RESPONSE: The variances requested are the minimum necessary. The height limit is 35 feet and T-Mobile has requested a variance to 65' because this is the minimum height that will provide necessary coverage to fill the significant gap in T-Mobile's coverage that will exist without this site.

The above-ground shelter building is requested because an underground vault would have greater impacts than an above-ground shelter, including greater environmental impact on the surrounding trees and vegetation, equipment access and maintenance issues and chance of water leakage into the vault. Due to the surrounding screening, the above ground shelter will not be visible and thus it is not necessary to require undergrounding in this case.

The variance from the setback is necessary to allow the facility to be located on this parcel, as a 500' setback is extremely difficult to comply with in Medina, as there are residences closer than 500' to virtually all potential [wireless communication facility] locations within the search area.

ANALYSIS: The Richard Conroy report indicated that the proposed 65-foot height is the minimum acceptable height to address T-Mobile's gap in service coverage at this location. Whether the variance request for reducing the 500-foot residential property setback is the minimum necessary is dependent on whether the location meets the least intrusive standard. Several of the other evaluated locations offer greater distances from residential properties, but if this site is determined to be meeting the least intrusive standard then the requested reduction of the residential properties setback is the minimum necessary for T-Mobile to erect a wireless communication facility to address their service coverage gap. The City does not consider the environmental impacts for

undergrounding to be significant. There does appear to be adequate vegetation to screen the equipment shelter from nearby properties and public roads. Whether the presence of existing vegetation qualifies as being the minimum necessary to allow the equipment housing structure to be above ground will be for the hearing examiner to determine.

30. The applicant also submitted an analysis of how the proposed variances are compatible with and meet the spirit of the comprehensive plan. Although this is not an approval criterion, this response is provided for reference:

"The requested T-Mobile proposed [wireless communication facility] conditional use/special use is compatible with, and meets the spirit of, the City of Medina Comprehensive Plan. The subject property is zoned "Public," and on the City's land use plan map, the subject site is noted as "School/Institution."

The Comprehensive Plan Utilities Element identifies and recognizes that there are on-going significant advancements in telecommunications technologies, including cellular and fiber optics merging with voice, data and video services, with a trend toward physically smaller, individual transmission and receiving facilities and that there is increasing community demand for wireless communications services, and will be a need for system upgrades over time (Utilities Element). The proposed T-Mobile [wireless communication facility] is designed to maintain the coverage that T-Mobile has provided in the City since the early 2000's and to provide a location capable of handling evolving system improvements. Comprehensive Plan goals and policies furthered by the proposal include:

Goal LU-G1, the goal "to maintain Medina's high-quality residential setting and character" is maintained and met through the location and design of the proposed [wireless communication facility]. The concealed monopole design will screen the facility, and locating the facility in a thick stand of existing trees and foliage on the subject property will provide screening for the facility. This is virtually the only location within the search area for this facility that provides a significant amount of vegetative screening. In addition, T-Mobile proposed to plant additional trees and understory plantings to enhance this effect. The monopole is designed to completely conceal all antennas and cabling inside a smooth structure similar to a light pole. Further, the facility will be painted a dark green to blend in with the trees and other existing foliage and vegetation on the site. Photosimulations depicting the design and location are included in this application.

Goal CD-G2, the goal is "to maintain the informal natural appearance of Medina's street rights of way and public areas." As depicted in the photosimulations, the proposed facility will generally blend into the landscape. Although the pole will be seen to varying degrees from certain vantage points, the location of the proposed facility is setback from the City's right of way within the trees on the site, and by painting the monopole a dark green color, it will blend in with the dense, thick foliage and allow it to blend into the landscape to be as an unobtrusive a facility as possible.

Goal UT-G1, the goal is "to maintain utility services sufficient to serve the City's needs," which is met as the proposed project [wireless communication facility] will provide a permanent replacement for the former T-Mobile site that had to be removed for SR520 construction, thus maintaining existing services. Additionally, the proposal will provide improved technical specifications capable of handling evolving service improvements and will provide additional wireless services to the residents of Medina.

Goal UT-G2, the goal "to minimize the aesthetic and environmental impacts caused by utility services" is met. The proposed project meets this goal through the concealed design of the monopole and by locating the facility in existing foliage, and painting the proposed pole a dark green to blend in."

OTHER:

Noise:

31. The City has adopted noise control regulations under Chapter 8.06 MMC. Noise will be generated by the operation of mechanical and electronic equipment, including one exterior air conditioning unit on the exterior of the equipment housing structure, according to the noise report submitted with the application (Exhibit 23). The equipment will run continuously 24 hours per day. Compliance with the noise control regulations will be determined with the building permit application as part of obtaining final approval from the city.

Construction Approvals Required:

32. The construction of a 120-square foot equipment housing structure and the installation of the 65-foot tall monopole with antennas will require a building permit application. All projects requiring a building permit application in the City of Medina also require a construction mitigation plan pursuant to MMC 15.20.010(A). Construction mitigation plans are limited to evaluating construction impacts and requiring mitigation to reduce or eliminate potential adverse impacts on neighboring properties and public streets resulting from the construction. The construction mitigation plan will be evaluated when it is submitted with the building permit application.

33. The applicant will be required to comply with stormwater and drainage requirements set forth in Chapter 20.43. These include the use of temporary erosion and sedimentation control plans and grading and drainage plans if 50 cubic yards of earth or more will be moved during construction. The applicant will also be required to comply with tree activity requirements set forth in Chapter 20.52 for removal of one significant tree.

34. Approval of the above-described permits is required prior to construction activity commencing.

Public Comments:

35. The City received six public comments in response to the applications (Exhibit 6). Comments from RESPECTMedina members or representatives are generally in favor of the proposed location and the variances necessary to install the wireless communication facilities. Several comments from residents not affiliated with RESPECTMedina were opposed to the applications, stating that the proposed location is not the least intrusive.

36. Several comments objected to the applications because of the loss of City revenues. The former wireless communication facility proposal was located in Fairweather Park, where the City would collect revenue from leasing the site to T-Mobile. The new proposal locates the tower at Bellevue Christian (Three Points Elementary) School, where Bellevue School District will collect lease revenues.

37. Accepting public comments from affected parties is a key component of the public review and hearing process. This input plays an important role in building the record upon which

application decisions can be based. Equally important to that role is the well-settled rule of law in Washington that, while community opposition may be given substantial weight, it cannot alone justify a local land use decision. *Parkridge v. City of Seattle,* 89 Wn.2d 454, 462, 573 P.2d 359 (1978); *Maranatha Mining, Inc. v. Pierce County,* 59 Wn. App. 795, 805, 801 P.2d985 (1990); *Kenart & Assocs. V. Skagit County,* 37 Wn. App. 295, 303, 680 P2d 439, review denied, 101 Wn.2d 1021 (1984). Decisions to approve or deny an application are required to be based on objective evidence that passes the substantial evidence test established by the courts.

38. T-Mobile provided a response to public comments dated December 30, 2016 (See Exhibit 26). The response was due to concerns regarding property values and questions concerning the requested variance from the 500-foot setback requirement, proximity of homes from radiofrequency radiation, and tree removal.

Part 6 – Conclusions

1. Pursuant to MMC 20.80.060(C) and MMC 2.78.070, the hearing examiner has authority to hold a public hearing and decide nonadministrative special use permit and nonadministrative variance applications after conducting a public hearing.

2. Proper notice for the public hearing has been provided. Notice was posted on the property, mailed to property owners within 300 feet, and published in *The Seattle Times* newspaper on December 27, 2016, 15 days prior to the date of the hearing (Exhibit 3).

CONCLUSIONS RELATED TO THE NONADMINISTRATIVE SPECIAL USE PERMIT:

3. Pursuant to MMC 20.72.010(E), nonadministrative special use permits may be approved if the following criteria are satisfied:

   a. *The use complies with the adopted goals and policies set forth in the comprehensive plan.*

      APPLICANT RESPONSE: The proposed project is consistent with the Comprehensive Plan of the City of Medina by providing a permanent structure through which T-Mobile can continue to provide wireless services to Medina, replacing the existing temporary facility, and in proposing a facility location and design that will minimize aesthetic impacts to the community and which meets the requirements of the City of Medina [wireless communication facility] code.

      The Comprehensive Plan Utilities Element recognizes that there are on-going significant advancements in telecommunications technologies, including merging of voice, data and video services, and that there is increasing community demand for wireless communications services, and there will be a need for system upgrades over time. The proposed T-Mobile [wireless communication facility] is designed to maintain the coverage that T-Mobile has provided in the City since the early 2000's and to provide a location capable of handling evolving system improvements.

      Additional Comprehensive Plan goals and policies furthered by the proposal include:

      Goal LU-G1 – "to maintain Medina's high-quality residential setting and character."

      This criterion is met through the location and design of the proposed [wireless communication facility]. The concealed cylindrical shroud monopole will be located in a

thick stand of existing trees and foliage on the subject property that will provide screening for the facility. This is virtually the only location within the search area for this facility that provides a significant amount of vegetative screening. In addition, T-Mobile proposed to plant additional trees and understory plantings to enhance this effect. The monopole is designed to completely conceal all antennas and cabling inside a smooth, cylinder structure similar to a light pole, which will be painted a dark green to blend in with the trees and other vegetation on the site. Photosimulations depicting the design and location are included in this application.

Goal CD-G2 – "to maintain the informal natural appearance of Medina's street rights of way and public areas."

As depicted in the photosimulations, the proposed facility will generally blend into the landscape. Although pole will be seen to varying degrees from certain vantage points, the location is setback from the City's right of way within the trees on the site, and the dark green color of the pole and its location in thick foliage will allow it to blend into the landscape and to be as unobtrusive a facility as possible.

Goal UT-G1 – "to maintain utility services sufficient to serve the City's needs."

The proposed [wireless communication facility] will provide a permanent replacement for the former T-Mobile site that had to be removed for SR520 construction, thus maintaining existing services; additionally, the proposal will provide improved technical specifications capable of handling evolving service improvements and will provide additional wireless services to the residents of Medina.

Goal UT-G2 – "to minimize the aesthetic and environmental impacts caused by utility services."

The proposed project meets this goal through the cylindrical shroud design of the monopole and by locating the facility in existing foliage, and painting the proposed pole a dark green to blend in.

CONCLUSION: It is the basic policy of the City to retain and promote the high-quality residential setting that has become the hallmark of the Medina community. The high-quality residential setting is supported though the provision of a robust local and regional wireless service network. The proposal supports this basic policy.

4. *The use is designed to minimize detrimental effects on neighboring properties.*

APPLICANT RESPONSE: The proposed project has been located within existing vegetation which will minimize impact to the surrounding properties and area. The original proposal in Fairweather Park would have provided greater impact on the area as there is no surrounding vegetation to screen the facility. The monopole in the subject proposal has been designed as a concealed structure with the antennas contained within the pole, and painted dark green to blend with the exiting vegetation. There will be minimal noise from the equipment building per the Acoustical report submitted as part of this application.

CONCLUSION: The facility is located on a Public-zoned property approximately 100 feet or more away from the nearest residential properties. The new tower will be housed in a cylindrical shroud painted a dark green and screened by existing, mature vegetation on-site. T-Mobile will plant supplemental trees and understory plants to augment this screening. The equipment housing structure will be located above-ground to reduce potential impacts

to existing significant trees, thereby protecting them to provide the screening. The security barrier will be a nonreflective black chain link fencing with black slats to further reduce visual impacts. Lighting will be downshielded, motion-activated, and otherwise prevented from spilling onto neighboring properties. The unmanned facility will not result in an increase in traffic, noise, or light. The facility will comply with FCC RF emission exposure limits.

a. *The use satisfies all requirements specified for the use.*

APPLICANT RESPONSE: In regards to satisfying all criteria, this proposal, with the requested variances (3 requested variances) meets all requirements. The proposed facility is an allowed use at the subject site in the Public Parks and Places zoning designation. The proposed project is consistent with Section 20.37, subject to the required variances. The proposal is consistent with applicable special use provisions of the MMC. There is a significant coverage gap in T-Mobile wireless network, and this facility will help to fill that gap.

CONCLUSION: With approval of the three requested variance applications, and if the hearing examiner determines the location meets the least intrusive standard, the proposal is consistent with and satisfies the requirements for wireless communication facilities set forth in Chapter 20.37 MMC.

b. *The use complies with all applicable zoning and development standards and requirements.*

APPLICANT RESPONSE: The proposal meets all zoning and development standards and requirements per Section 20.37 of the MMC, subject to the requested variances for setback, height and above-ground equipment building.

The proposed facility is consistent with Section 20.37, wireless communication facilities. The MMC provides for very specific locations in which a wireless facility can be sited, and the proposed location is allowed per the code for a wireless facility. The proposed [wireless communication facility] will be located within a stand of existing trees and vegetation for natural screening, and additional landscaping is proposed as part of the project. The monopole has been designed so that the antennas and cabling are located inside the structure, and will not be visible. Thus, the code requirements for concealment of the [wireless communication facility] are met.

MMC 20.37.070(B)(2) limits the maximum height of the [wireless communication facility] to 35' above grade. Because T-Mobile cannot achieve its coverage objective at a height of 35', this application includes a request for a height variance. See Height Variance discussion below.

MMC 20.37.070(B)(4) requires [wireless communication facilities] to be set back at least 500 feet from the property line of all residential properties. Because it is not possible to meet this setback on the subject property due to site constraints, this application includes a request for a setback variance. See Setback Variance discussion below.

MMC 20.37.070(B)(6) requires the [wireless communication facility] design to incorporate concealment measures consistent with MMC 20.37.100 in order to minimize visual impacts and provide appropriate screening. For equipment shelters, the code requires undergrounding (MMC 20.37.100(D). Because constructing an underground vault in the treed area of the project site poses risks to the health of the trees, and because such vaults also present human safety issues, and because the existing

vegetation provides substantial concealment, this application includes a request for a variance to allow an above ground equipment shelter. See Above Ground Equipment Variance discussion below.

CONCLUSION: As discussed above, with conditions and the approval of the three requested height, setback, and concealment variances, and if the hearing examiner determines the proposal meets the least intrusive standard, the proposal would be consistent with all applicable zoning and development standards. The applicant is required to obtain building permits and related permits prior to beginning construction activity. These permits will be evaluated at the time of their submittal.

c. *The use will have no materially detrimental effects on neighboring properties due to excessive noise, lighting, off-site traffic generation, or other interferences with the peaceful use and possession of said neighboring properties.*

APPLICANT RESPONSE: the proposed project will not be materially detrimental on neighboring properties. The radio equipment cabinets will be enclosed in an equipment shelter building, and as discussed in the project Acoustical Report, will comply with all noise regulations. The monopole will not require any aviation warning lights. Lights on the equipment shelter will be used only during facility visits (motion sensitive), downshielded, and will be screened by the surrounding vegetation. Once the site is built, it will be visited infrequently and will produce very little traffic. Governing FCC regulations regarding public health and safety will be met, as discussed in detail in the NIER Report.

The proposed project has been located and designed to minimize impacts on neighboring properties to the greatest extent practicable. The location is virtually the only location within the search area for this facility that provides a significant amount of vegetative screening. The monopole is designed to completely conceal all antennas and cabling inside a smooth, cylinder structure similar to a light pole, which will be painted a dark green to blend in with the trees and other vegetation on the site. The 65' tip height (61' antenna center line) of the proposed monopole has been limited to the height necessary to fill a significant gap in T-Mobile's coverage, as discussed in the Expert Report of Richard Conroy.

CONCLUSION: The proposal fills a gap in T-Mobile's service coverage. The proposal is located in an area zoned to allow the construction of a wireless communication facility. The facility will not generate any excessive noise, lighting, or off-site traffic generation.

CONCLUSIONS RELATED TO THE NONADMINISTRATIVE VARIANCE:

5. The applicant is requesting relief from height, setback, and concealment requirements set forth in MMC 20.37.070(B)(4), MMC 20.37.070(B)(2), and MMC 20.37.100(D)(1). Nonadministrative variances are subject to limitations set forth in MMC 20.72.030(E). As discussed in Analysis 27, above, the application is consistent with the limitations.

6. Pursuant to MMC 20.72.030(F), nonadministrative variances may be approved if the following criteria are satisfied:

   a. *The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located.*

CONCLUSION: As discussed in Analysis 28, above, this request is for relief from dimensional and concealment standards, and will not result in the granting of special privileges inconsistent with limitations on other uses in the vicinity and Public zone.

b. *The variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located.*

CONCLUSION: Whether special circumstances are present warranting the granting of the three requested variances is for the hearing examiner to determine. Staff does conclude that special circumstances will exist related to the gap in T-Mobile's wireless service coverage once the temporary wireless communication facility is removed.

c. *The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not problems personal to the applicant.*

CONCLUSION: Whether these are material hardships related to the land that cannot be relieved by any other means is for the hearing examiner to determine. Staff does conclude that a material hardship will exist related to the gap in T-Mobile's wireless service coverage relating to the height and the residential setback requirements.

d. *The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.*

CONCLUSION: The proposed monopole will provide wireless communication services to residents of Medina. The proposal is located on a property zoned to allow wireless communication facilities, and will not result in an increase in light, noise, or traffic. The applicant is proposing a design that effectively uses concealment to minimize unnecessary visual impacts of the support structure and antennas to surrounding neighbors.

e. *The variance is the minimum necessary to provide reasonable relief.*

CONCLUSION: The applicant is requesting the minimum variance to height, and setbacks if the hearing examiner concludes this is the least intrusive location.

Part 7 – Staff Recommendation

None. As a matter of policy, the staff does not make recommendations on non-administrative variance applications. The staff is not making a recommendation on the non-administrative special use permit application due to whether the applicant has met the burden of showing the proposed location is the least intrusive. If the hearing examiner finds that the applicant has met the burden of satisfying all of the approval criteria, staff suggests the following conditions be included to safeguard the public health, safety and welfare:

CONDITIONS APPLICABLE TO ALL APPLICATIONS:

1. Final design and location of the wireless communication facility (including both the monopole structure and the equipment housing shelter) shall substantially comply with the drawings provided in Exhibit 11.

2. Pertinent construction permits shall be obtained for the installation of the wireless communication facility prior to commencing construction activity. Any conditions set forth in the construction permits shall be included as conditions for approving the nonadministrative variance and nonadministrative special use permit applications.

3. Approved nonadministrative variance and nonadministrative special use permit applications shall expire one year from the date the decision becomes final if a complete building permit application is not submitted. Expiration is automatic and does not require notice. The Director of Development Services may grant a single six-month extension pursuant to MMC 20.72.010(G) and MMC 20.72.030(H) if the applicant provides a request in writing prior to the expiration date and demonstrates good cause for granting the extension.

CONDITIONS APPLICABLE TO THE NONADMINISTRATIVE SPECIAL USE PERMIT APPLICATION:

4. Landscaping and fencing shall be installed around the lease compound area as shown in Exhibit 11. Landscaping materials shall substantially conform to the planting plan provided in Exhibit 11. Security fencing shall be six feet in height above the lower of exiting or finished grade and shall be painted or coated with a non-reflective color as specified in the drawings in Exhibit 11.

5. Outdoor light fixtures installed or attached to the equipment housing shelter shall be downshielded or otherwise designed to prevent light spillover onto surrounding residential properties.

CONDITIONS APPLICABLE TO THE NONADMINISTRATIVE VARIANCE APPLICATION:

6. Relief from the maximum height standard is granted only to the extent shown in Exhibit 11 to allow for construction of the wireless communication facility. .

7. Relief from the minimum residential properties setback standard is granted only to the extent shown in Exhibit 11 to allow for the construction of the wireless communication facility and equipment housing structure. Any modification to the plans that reduces the setback beyond the distance shown in Exhibit 11 shall require a new nonadministrative variance application.

8. Relief from the concealment requirements is granted only for the equipment housing shelter and only to the extent shown in Exhibit 11.

9. All other zoning and development regulations applicable to the project shall be followed.

10. All approved non-administrative variances shall expire if a complete building permit application is not submitted within one year of the date the decision becomes final. A single six-month extension may be granted pursuant to MMC 20.72.030(H).

Report prepared by:

Cristina Haworth, AICP
City Planning Consultant

1/4/2017
Date

EXHIBIT 26

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

June 28, 2024

Mayor Rossman
City Councilmembers

City of Medina
501 Evergreen Point Road
Medina, WA 9039

VIA EMAIL - Council@medina-wa.gov, akellerman@medina-wa.gov

RE: Response to May 28, 2024, Council Meeting Comments
T-Mobile Coverage Improvements in the City of Medina

Dear Mayor Rossman and Councilmembers:

Thank you for providing T-Mobile with feedback on its plans to improve wireless coverage within the City of Medina at the May 28th Council meeting. The purpose of this letter is to provide additional responses and materials to address some of the questions and concerns raised by Councilmembers. Included with this response are the following attachments:

- May 28th Presentation Materials
- Monopine Manufacturer Information:
  - Solar Communications International, Inc ("SCI") company profile
  - SCI Website: www.RFTransparent.com
  - Company Contact: Jennifer Smith, SCI President & CFO, (951) 698-5985, jsmith@rftransparent.com
- Overlake Golf Course Monopine Photosimulations

T-Mobile's improvements are primarily intended to benefit City of Medina residents:
In summary, T-Mobile is proposing to substantially improve the coverage and capacity of T-Mobile's network by upgrading and collocating on existing wireless facilities, without the need to construct any new towers.

The service improvements will provide several important benefits to the City, including:

- Improved coverage that will support reliable wireless services for Medina residents;
- Access to the latest wireless 5G technology;
- Substantial improvements to network capacity that enable home broadband internet service; and
- High-quality upgrades to existing infrastructure that are designed to blend into the surrounding settings.

There were some questions from Councilmembers about whether the upgraded facilities would provide coverage to communities outside of Medina, or represented more regional infrastructure that could be accommodated outside of the City.

The "before" coverage maps presented on May 28th clearly show a gap in reliable service at multiple frequency bands within City of Medina neighborhoods, particularly in the south, southwest and northwest

parts of the City that cannot be reached by existing facilities. The "after" maps demonstrate the increased reach of reliable coverage within the City, as well as some limited coverage improvements in Hunts Point and Clyde Hill. These coverage improvements outside the City are clearly incidental, as the primary purpose of the improved service is to benefit the City of Medina. Notably, radio frequency transmissions propagate based on the frequencies used, power levels, topography, "clutter" (vegetation and building density) and other physical characteristics, and not constrained by political boundaries. Consistent with this principle, a substantial portion of T-Mobile's current coverage in Medina comes from facilities that are outside of the City to the east, within Clyde Hill, Hunts Point, and Bellevue.

While SR 520 is a regional transportation corridor, the existing facility at Bellevue Christian School is not a "regional facility." This facility provides coverage to City of Medina residents north and south of SR 520, along Evergreen Point Road, and homes that abut Medina's shoreline. The Bellevue Christian School facility also provides partial coverage to a portion of SR 520 that is within the City of Medina. There are other T-Mobile facilities in Hunts Point and communities further east that provide coverage to the stretches of SR520 that traverse their areas. More importantly, coverage of this portion of the City of Medina cannot be replicated from outside of the City, particularly given the topography around Evergreen Point Road (which is the crest of the hill that drops on either side, to the east and to the west).

Further, the collocations of T-Mobile's facilities on the existing Distributed Antenna System ("DAS") network of utility poles (operated by American Tower) are located primarily on the south and west ends of the City of Medina. The short facility heights limit the quality and extent of coverage each location can provide. Improvements to coverage, like the upgrades planned to the existing tower locations, are primarily to benefit City of Medina residents.

T-Mobile's improvements are the least intrusive means of improving service within Medina:
One Councilmember asked why a DAS network or other technological solution should not be used to improve service in Medina, instead of replacing the existing tower facilities.

In short, **both** DAS and tower improvements are needed to improve T-Mobile's service in Medina. T-Mobile is already working to collocate on the existing DAS network to improve service to the City of Medina to the maximum extent feasible through that infrastructure. The replacement of the existing tower at Bellevue Christian School is substantially the same height as the existing tower. The replacement of the Overlake Golf Course tower, to the same height as what exists (and is proposed) at Bellevue Christian School, is required because of the significant buildings/clutter that have been developed since the original construction of the tower. Currently, both towers are extremely constrained physically, and they must be replaced regardless for T-Mobile to provide the frequencies, technology, and services that it is licensed and/or allowed to provide under federal law.

T-Mobile's engineering team has determined that the existing DAS network alone cannot address the coverage deficiencies within the City or provide the seamless coverage that T-Mobile's customers within the City expect. However, T-Mobile has sought to upgrade and collocate on existing sites within the City, to minimize the disruption and concern over new tower locations that inevitably would be needed to address coverage gaps if these existing facilities are underutilized.

Monopine design preferred at Bellevue Christian School tower location:
We understand from Council that the preference for the replacement tower at Bellevue Christian School is the monopine design, instead of the enlarged 80" canister design. A Councilmember also requested some additional information from the monopine manufacturer. A company profile and contact information is included with this response.

One Councilmember suggested placing the new tower on the eastern end of the Bellevue Christian School campus. This is technically infeasible to address the need for reliable service in the vicinity of

Evergreen Point Road, to areas of the City north of SR 520 and homes along the Medina's shoreline. As noted above, Evergreen Point Road extends along the crest of the hill, with topography dropping both to the east and the west. The east end of the Bellevue Christian School campus is approximately 40 feet lower in elevation than the existing tower location. The hill cresting on Evergreen Point Road would create a "shadow" for any relocated tower, even if it was 100 feet tall, which would reduce coverage currently provided by the existing facility, much less extend and improve coverage to these areas.

Overlake Golf Course monopine is not readily visible from outside of the property:
Councilmembers expressed concern about the height of the replacement tower at Overlake Golf Course and suggested T-Mobile study the visibility from nearby residences and offer additional landscaping to the Golf Course to surround the tower.

T-Mobile completed a balloon test at the proposed height of the monopine at the Golf Course location and created photosimulations from eight public viewpoints around the neighborhood. These photosimulations (attached) show that the proposed tower is not visible from almost all viewpoints. This is due to the tower being set back significantly from property lines, the dense perimeter of trees around the larger Golf Course property, and the other trees nearby the tower that are of a similar height and obscure the tower when viewed from a distance.

Based on feedback provided by Council, T-Mobile will approach Overlake Golf Course to offer funds for it to install additional landscaping near the tower, outside of T-Mobile's lease area and in an area that Overlake Golf Course deems reasonably appropriate. Since the tower is not generally visible from off-site locations, this landscaping is only expected to benefit the Golf Course.

Additional clarifications following the Council presentation:
After reviewing the recording of the Council meeting, we offer the following clarifications to our presentation:

- T-Mobile does have a wireless facility collocated on the Clyde Hill Water Tank.
- The DAS system will have some of T-Mobile's low-band frequencies. However, due to the low height and power of these facilities, the coverage is limited and will not replace the coverage of the upgrades proposed to the existing towers.

We appreciated the opportunity to present T-Mobile's proposed coverage improvements to the City and Council's thoughtful feedback on T-Mobile's build plan. We hope this additional information is helpful in addressing some of the questions and concerns that were raised.

T-Mobile is planning to file applications for the tower upgrades in the next few weeks.

If you have any additional questions or comments, feel free to contact me at (408) 314-1398 or matt.russo4@t-mobile.com.

Sincerely,

Matt Russo
Siting Advocacy Manager, NW Area

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CITY OF MEDINA

Improving T-Mobile's network within the City of Medina

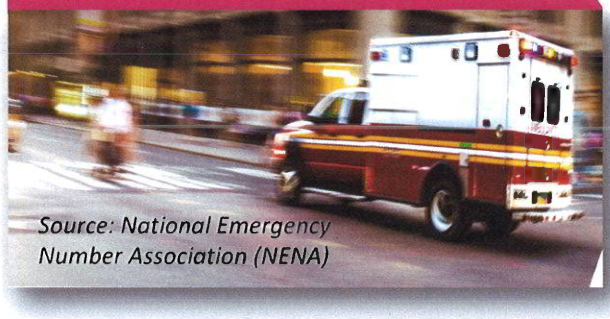
COMMITMENT TO IMPROVE SERVICE IN THE CITY OF MEDINA

- T-Mobile's network provides critical services to City of Medina residents
- Existing T-Mobile service is limited due to constraints on existing facilities, limited opportunities to place new facilities
- Significant improvements can be made to T-Mobile's service by upgrading and collocating on existing facilities without the placement of new towers
- T-Mobile is flexible on design options for upgrading existing facilities that will accommodate additional frequencies and technologies
- T-Mobile requests the City's guidance on which design options are preferred

IMPORTANCE OF T-MOBILE'S NETWORK IMPROVEMENTS

- Demand for wireless data is expected to grow 20% per year through 2028.
- 97% of Americans have a cell phone and 85% own a smartphone
- Over 72% of households rely on wireless as their only means of telephone communication.
- Over 81% of children live in wireless-only households

240 million calls are made to 911 in the U.S. each year, and in many areas 80% or more are from wireless devices.



Source: National Emergency Number Association (NENA)

https://www.ericsson.com/en/reports-and-papers/mobility-report/dataforecasts/mobile-traffic-forecast
https://www.pewresearch.org/internet/fact-sheet/mobile/
https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202305.pdf

QUALITY 5G SERVICE REQUIRES COMBINATION OF FREQUENCY BANDS

High Band

No Plans yet!
Wide bandwidth of spectrum provides vast capacity
Best suited for short range in building and urbanized systems

Mid Band

Provides blend of wide area coverage, capacity, voice, and primary mobility layer for 5G
Ultra Capacity provides network speeds of up to 10X better than low bands

Low Band

Provides robust coverage within buildings, but data capacity limited

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EXISTING T-MOBILE SERVICE IN MEDINA

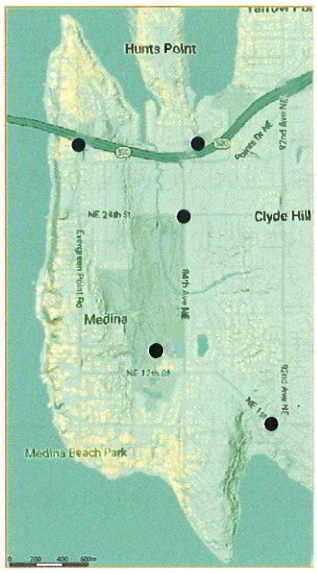
- T-Mobile has two facilities within the City limits
  - Overlake Golf Course (adjacent to maintenance yard)
  - Bellevue Christian School (adjacent to Park & Ride lot)
- Some T-Mobile coverage is provided by facilities located outside of the City
- T-Mobile has FCC Licenses for 7 frequency bands to provide service in Medina
- The existing facility designs are constrained, only support 2 out of 7 frequency bands
- Much of the City does not have reliable, in-building signal levels to support T-Mobile Home Internet and other voice/data services
- Capacity is significantly limited, undermining network speeds and overall reliability of T-Mobile service within the City

EXISTING T-MOBILE SERVICE IN MEDINA

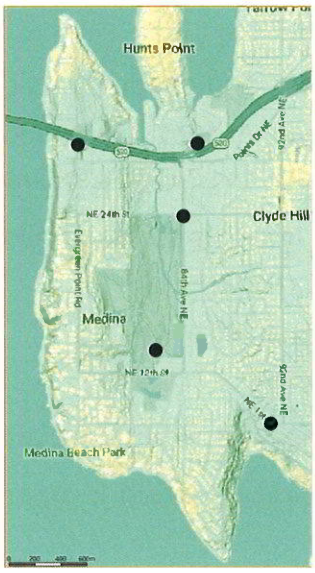
Reliable Coverage
Marginal Coverage

- Existing T-Mobile Facilities

Low band



Mid band



Ultra Capacity

T-Mobile's RF engineers used coverage propagation software systems to predict the coverage provided by the proposed new WCF. The software and T-Mobile'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. Within coverage areas, network changes, traffic volume, outages, technical limitations, signal strength, customer equipment, obstructions, weather and other conditions may interfere with service quality and availability.

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PROPOSED SERVICE IMPROVEMENTS

- No new tower locations
- Low Impact - Upgrades and collocations on existing sites only
  - Collocation on eight (8) existing Distributed Antenna System node locations
  - Replace existing towers to support new antennas/frequencies, future collocation
- Significant coverage improvements at all frequencies:
  - Low Band (600 MHz, 700 MHz)
  - Mid Band (1900 MHz, 2100 MHz)
  - Mid Band – Ultra Capacity (2.5 GHz)
- Reliable voice/data service, additional capacity that may enable T-Mobile Home Internet
- Up to 10X improvement in network speeds (speeds vary due to network demands and capacity)

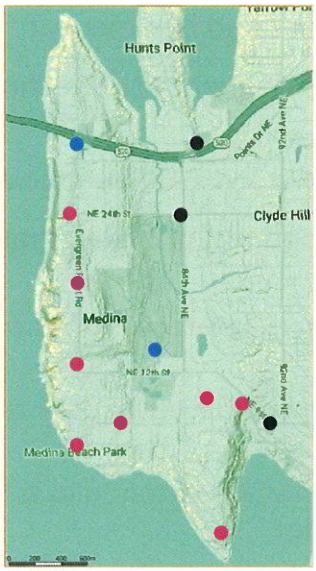
PROPOSED SERVICE IMPROVEMENTS

Reliable Coverage
Marginal Coverage

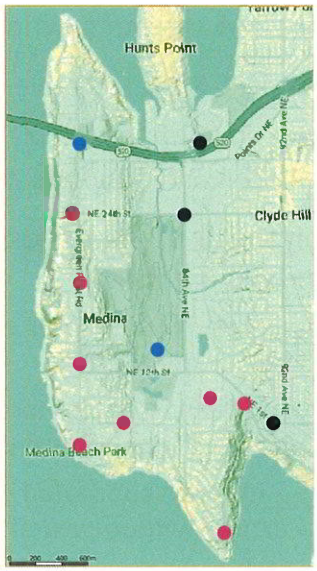
- Existing T-Mobile Facilities
- Collocation on existing Distributed Antenna System
- Upgrades to Existing Sites

T-Mobile's RF engineers used coverage propagation software systems to predict the coverage provided by the proposed new WCF. The software and T-Mobile'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. Within coverage areas, network changes, traffic volume, outages, technical limitations, signal strength, customer equipment, obstructions, weather and other conditions may interfere with service quality and availability.

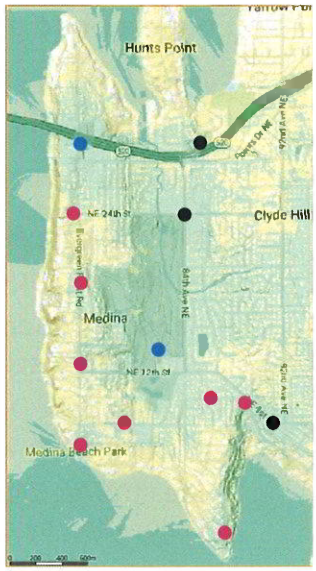
Low band



Mid band



Ultra Capacity



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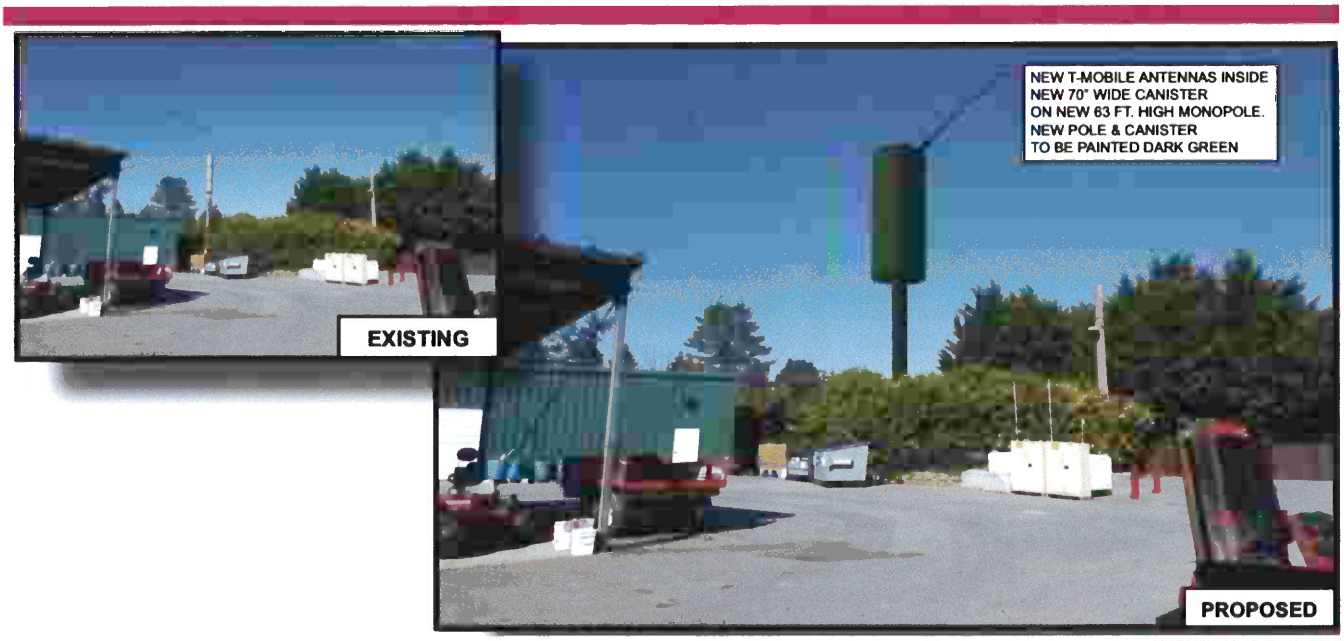
DESIGN OPTIONS

- Connection to existing DAS system (owned/operated by American Tower)
- Existing towers constrain T-Mobile's coverage, frequency and technology improvements
  - Overlake Golf Course – only supports 2100 MHz today
  - Bellevue Christian School – only supports 700 MHz and 2100 MHz today
- T-Mobile is flexible on tower upgrade design options, provided that additional frequencies and engineering requirements are met:
  - Canister Option – Minimum 70" diameter canisters now required to accommodate large multi-band antennas, mechanical tilt of antennas
  - Flush-Mount Option – Antennas/equipment painted to match, tower required to be taller to accommodate multiple elevations of antennas
  - Stealth Tree Option – Antennas concealed within shape of tree, allows for future T-Mobile growth and collocation by other carriers without visual change

OVERLAKE GOLF COURSE – 70" CANISTER DESIGN OPTION



Visual renderings are approximate, actual results may vary

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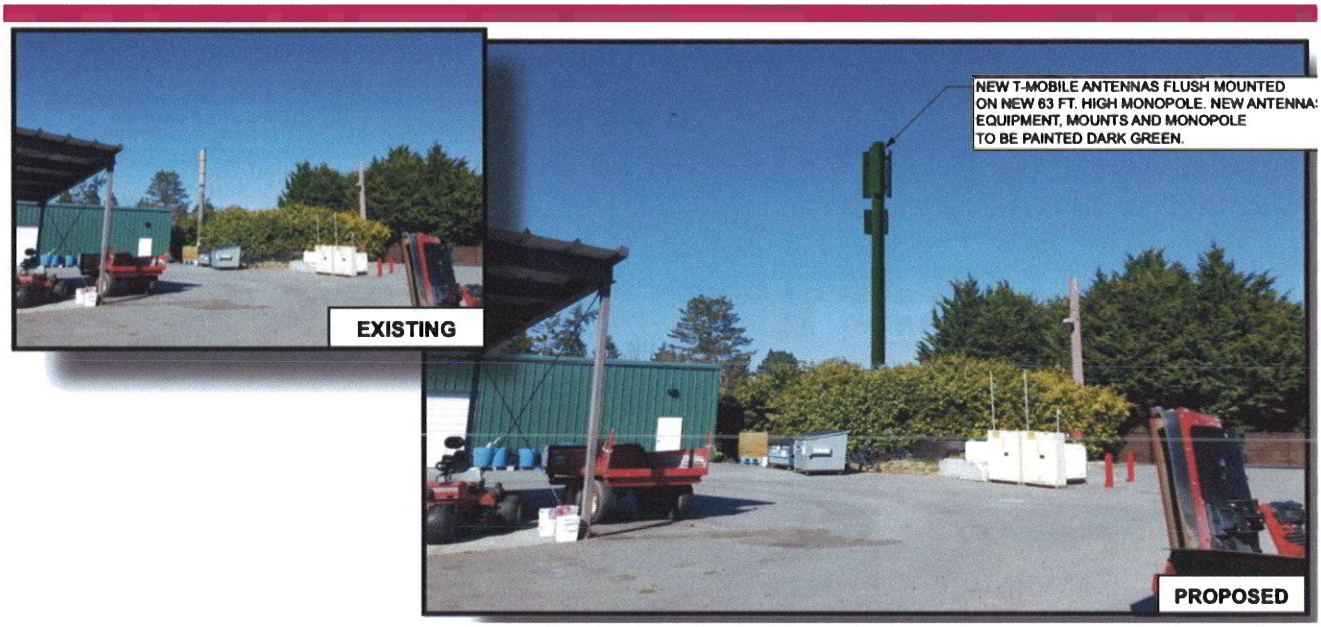
OVERLAKE GOLF COURSE – FLUSH-MOUNTED ANTENNA DESIGN OPTION



Visual renderings are approximate, actual results may vary

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OVERLAKE GOLF COURSE – STEALTH TREE DESIGN OPTION

Visual renderings are approximate, actual results may vary

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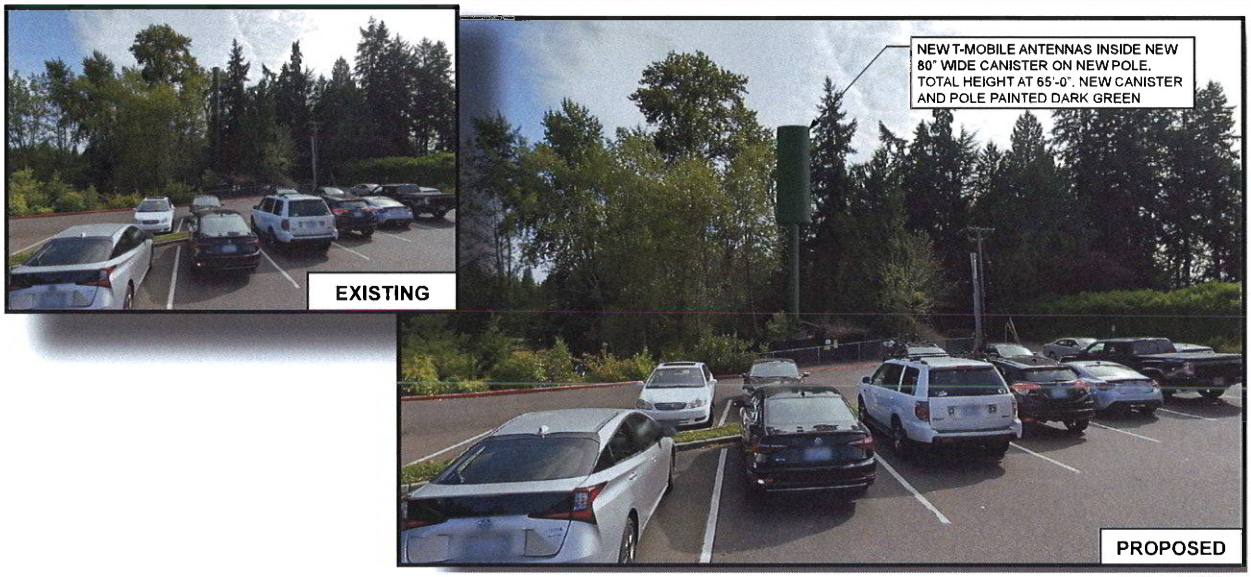
BELLEVUE CHRISTIAN SCHOOL – 80" CANISTER DESIGN OPTION



Visual renderings are approximate, actual results may vary

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BELLEVUE CHRISTIAN SCHOOL – STEALTH TREE DESIGN OPTION

Visual renderings are approximate, actual results may vary

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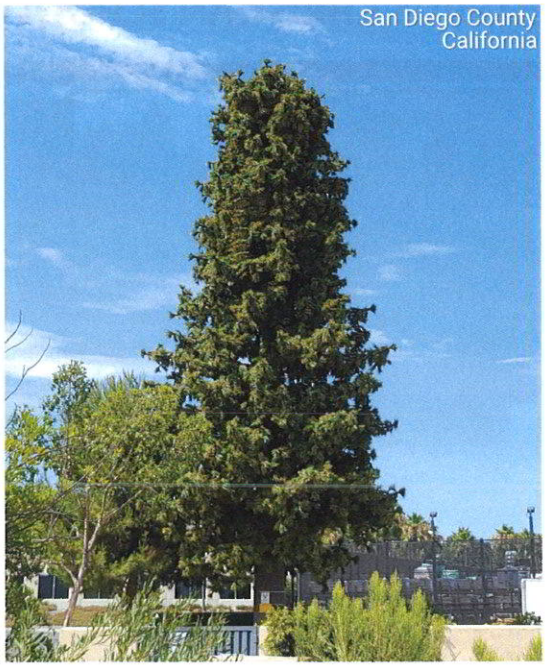
PROPOSED MEDINA SCI MONOPINES

- Manufactured by Solar Communications International ("SCI")
- Up to 50% more expensive than monopines from other manufacturers
- High branch density > 3 branches per foot
- SCI on-staff architect and crews will install branching to ensure camouflage is effective



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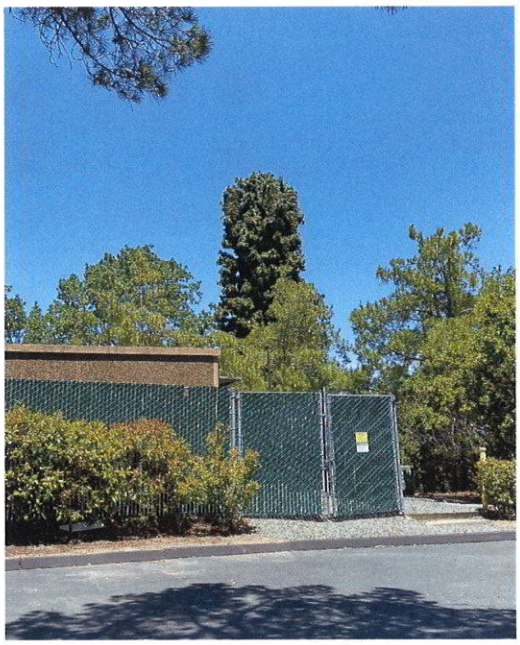
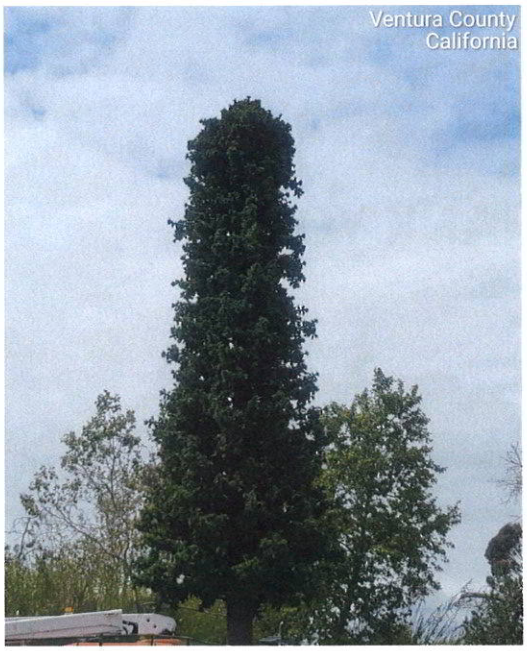
PROPOSED SCI MONOPINE EXAMPLES





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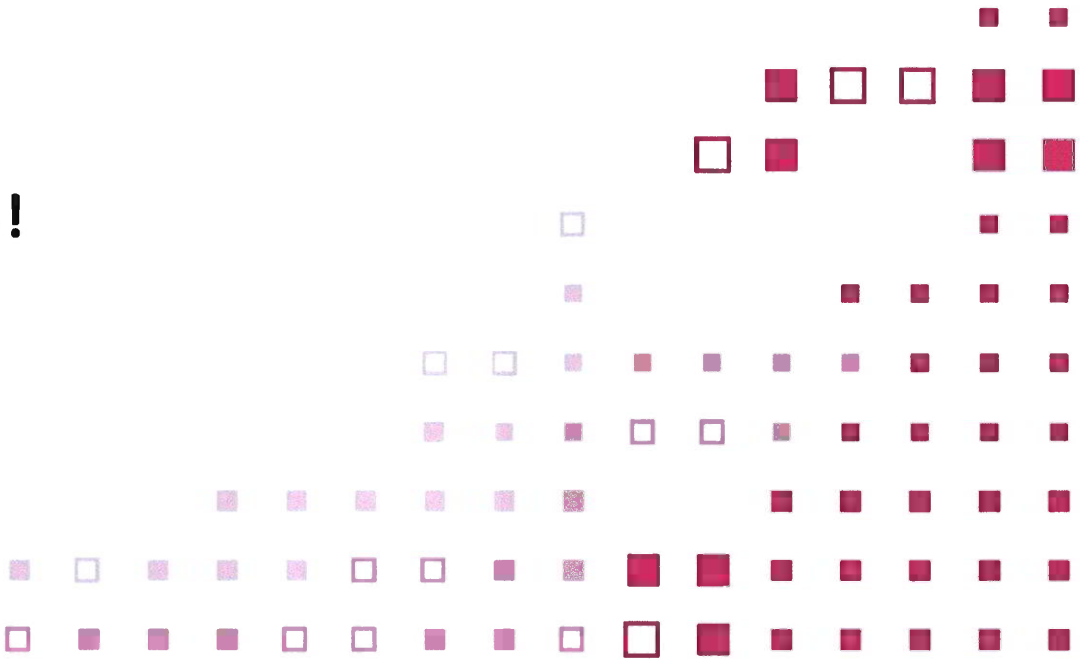
THANK YOU!



SOLAR COMMUNICATIONS
INTERNATIONAL

Company Profile

Founded in 1997, Solar Communications International, Inc., SCI, is a full service company providing innovative concealment products for the deployment of wireless communications systems. We are experienced providers of screening materials, monotrees & monopoles, installation services, architecture and engineering services. Our professional services and custom products meet the highest standards of performance and efficiency.

SCI strives to create harmony between the needs of the carrier and the concerns of the community. SCI understands that stricter ordinances and community demand for aesthetics could make optimal sites unobtainable to the carrier. SCI works proactively to overcome such barriers by creating an alliance among carriers, landlords and communities with zoning packages & presentation materials—and, of course, beautiful products.

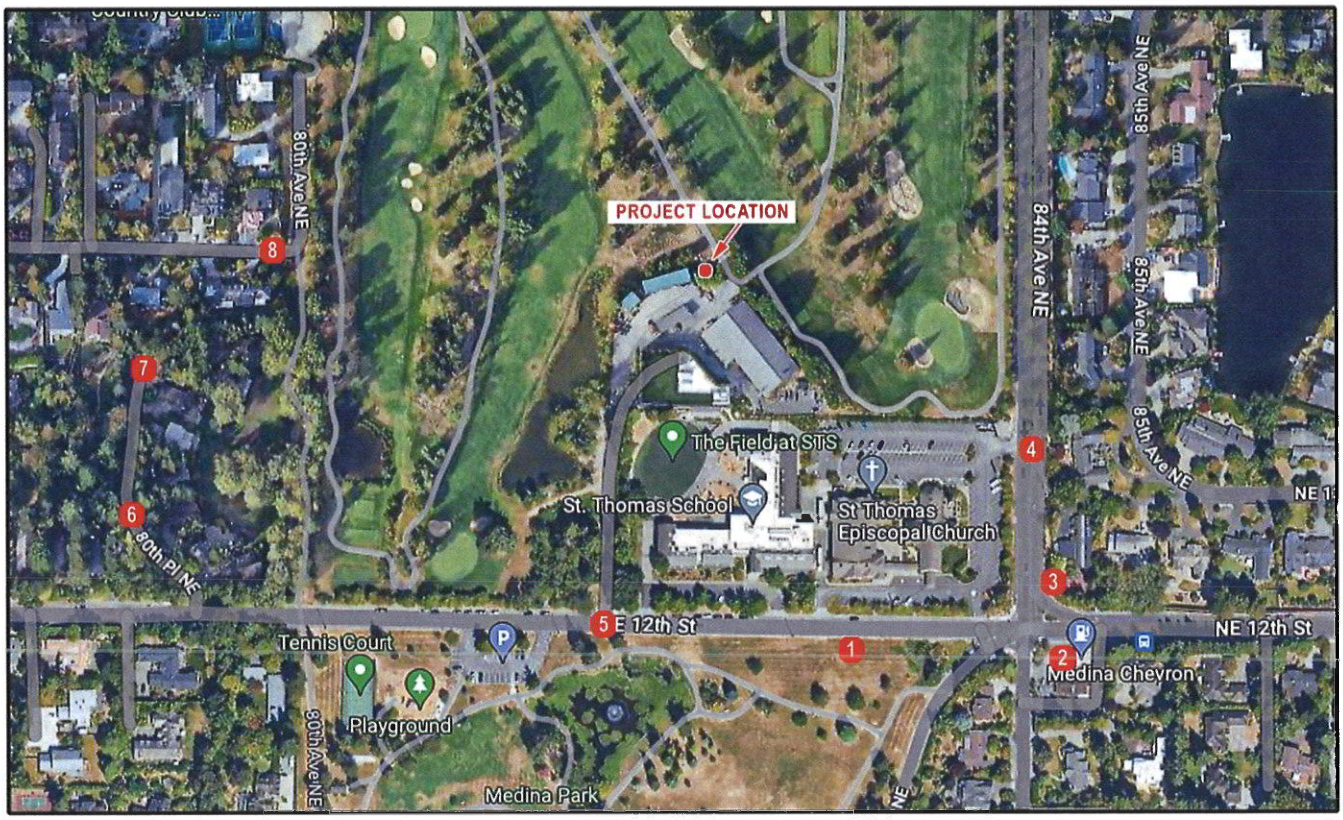
RFTransparent™, our carrier and community friendly products, overcome potential site deployment obstacles in sensitive jurisdictions by blending antennas and poles into the existing environment. SCI's RFTransparent™ screening materials are superior for general and custom screening applications such as cupolas, parapet extensions, roof tiles, shingles & siding, corrugated panels and a variety of architectural features including chimneys, window boxes and cornices. Our RFTransparent™ materials are the ideal solution for concealing sites and hastening zoning approval.

To further ensure that we meet the needs of the wireless industry, SCI manufactures top quality monopalms, monopines, commercial signs, clock towers, water tank towers and flagpoles, each of which provide the needed height without cluttering the panorama.

SCI welcomes all projects big or small, intricate or routine. Our in-house technical experts will work directly from plans or assist your technical team with the design of wireless sites & retrofits using SCI's RFTransparent™ products.

Technology without Intrusion®

41745 Anza Road • Temecula, CA 92592 • Office: 951-698-5985
WWW.RFTRANSPARENT.COM



TIM BRADLEY IMAGING

PHOTO LOCATOR MAP

T-Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

T · ·Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

CURRENT

VIEW #1 LOOKING NORTHWEST
FROM NE 12TH STREET

PROPOSED

TIM BRADLEY IMAGING

TIM BRADLEY IMAGING

VIEW #2
PROPOSED MONOPINE NOT SEEN

T-Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

TIM BRADLEY IMAGING

VIEW #3
PROPOSED MONOPINE NOT SEEN

T-Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

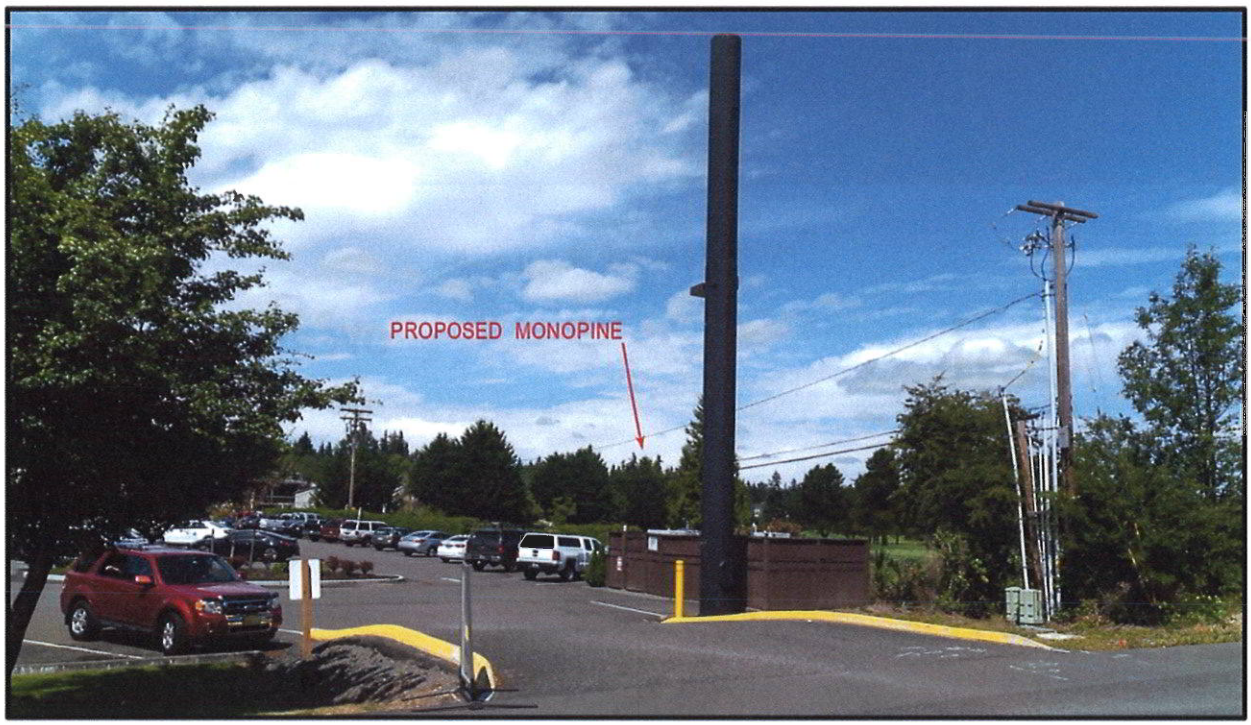
T · ·Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

CURRENT

VIEW #4 LOOKING NORTHWEST
ON 84TH AVENUE NE



PROPOSED

TIM BRADLEY IMAGING

TIM BRADLEY IMAGING

VIEW #5
PROPOSED MONOPINE NOT SEEN

T-Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

TIM BRADLEY IMAGING

VIEW #6
PROPOSED MONOPINE NOT SEEN

T-Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

TIM BRADLEY IMAGING

VIEW #7
PROPOSED MONOPINE NOT SEEN

T-Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

TIM BRADLEY IMAGING

VIEW #8
PROPOSED MONOPINE NOT SEEN

T-Mobile

OVERLAKE GOLF CLUB

8000 NE 16TH STREET, MEDINA, WA

EXHIBIT 27

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [HELP]

1. Name of proposed project, if applicable: **SE02481B Evergreen Pt – School Dist**

2. Name of applicant: **VB BTS II, LLC and T-Mobile West LLC**

3. Address and phone number of applicant and contact person: **Chris DeVoist, Technology Associates EC Inc., 9725 3rd Ave NE, Suite 410, Seattle, WA 98115, 206-949-3321, christopher.devoist@taec.net**

4. Date checklist prepared: Original **May 14, 2024**, revised January 13, 2025

5. Agency requesting checklist: **City of Medina**

6. Proposed timing or schedule (including phasing, if applicable): **2024, timeline dependent on timeline for all required permits to be issued by city of Medina.**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No future projects are currently planned.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None are needed. Existing facility footprint was previously lawfully established to all regulatory requirements, and this project does not have any disturbance outside the previously established footprint of the facility. Any NEPA requirements for towers are governed at the federal level by the Federal Communications Commission ("FCC"). The limits of approval of the original SEPA determination (PL-16-035, copy provided) are not exceeded by this modification.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known at this time.

10. List any government approvals or permits that will be needed for your proposal, if known.

- **SEPA determination (City of Medina)**
- **Non-Administrative Special Use Permit (City of Medina)**
- **Non-Administrative Variance (City of Medina)**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The proposal is to remove the originally approved 65' tall stealth canister pole and replace it with a new 70' tall "monopine" faux tree pole. The underlying previously approved wireless facility footprint will not change in size or location and there will be no

disturbance outside of this previously approved and lawfully established footprint in the previous SEPA DNS. The location of the replacement support structure within the existing wireless facility site will be slightly different than the previously approved structure –the center of the new replacement structure is 6'-8" feet north of the previous approved structure, closer to the SR-520 right of way and further away from the south property line, and in the same location along the east-west axis, getting no closer to the west property line than the existing structure. Thus, the replacement structure is at least as far away or farther from adjacent residential properties as the existing structure. There is nothing proposed outside of the original footprint, and no disturbance proposed inside the critical slope buffer.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed project is located within the existing wireless facility compound in the northwest corner of the parcel at 7800 NE 28th St, Medina, WA, King County parcel number 2425049104, SE-24-25-4, see plans for additional detail.

B. Environmental Elements [HELP]

1. *Earth* [help]

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other Existing established compound is flat to gently sloping, moving down to a steep slope buffer outside the proposed disturbance area

b. What is the steepest slope on the site (approximate percent slope)?

There is a ±40% slope to the east of the proposed area of disturbance. A steep slope geohazard setback of 10' was approved under the original land use approval and SEPA DNS, and the current proposal stays outside that established buffer and does not disturb it. Geohazard slope and buffer are shown on plans, and it is demonstrated that the Applicants are not causing disturbance within the previously established/approved buffer.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Very dense, brown, silty sand with gravel. Geotech report was provided to city under previous SEPA review and was approved. Original Geotech is provided with this submittal.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

A drilled pier is required for the new monopine, and a trench from the existing equipment shelter to new monopine will be dug. This ground disturbance is within the previously approved compound area and is outside the geohazard buffer.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Erosion should not occur as a result of construction of this proposal, and BMPs will be followed as described below.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This project will not cause an increase in impervious surface.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Stormwater run-off and erosion control will be managed in accordance with Washington Department of Ecology guidance as stated in the storm water management manual for western Washington and in accordance with city of Medina regulations. Temporary erosion and sediment control will be employed during construction per Medina BMP. The site is stabilized and planted with landscaping as originally approved to control erosion after this project is complete.

.

2. Air [help]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

A small amount of emissions will occur from equipment during the construction of the project. After construction is complete, no emissions will be created by the facility.

The regulation of radio frequency ("RF") emissions is preempted by federal law; Applicants have submitted a NIER report with their applications to demonstrate that the proposed project will comply with federal RF emissions regulations.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No, there are no off-site sources of emissions.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None required.

3. Water [help]

a. Surface Water: [help]

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable. There is no surface water on or in the immediate vicinity of the site.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable

b. Ground Water: [help]

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No, not applicable.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, not applicable.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None, not applicable.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No, not applicable.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No, not applicable.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None required.

4. Plants [help]

a. Check the types of vegetation found on the site:

_X__deciduous tree: alder, maple, aspen, other
_X__evergreen tree: fir, cedar, pine, other
_X__shrubs
_X__grass

____pasture
____crop or grain
____ Orchards, vineyards or other permanent crops.
____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
____water plants: water lily, eelgrass, milfoil, other
____other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed as part of this project.

c. List threatened and endangered species known to be on or near the site.

None known

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None required

e. List all noxious weeds and invasive species known to be on or near the site.

None known

5. Animals [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

None known. A 2016 biological report concluded that the project will have no effect on threatened or endangered species.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

None known

c. Is the site part of a migration route? If so, explain.

The site is not known to be in any known migration routes other than the Pacific Flyway route, which all of Washington State lies in and is applicable to all SEPA checklists.

d. Proposed measures to preserve or enhance wildlife, if any:

None known

e. List any invasive animal species known to be on or near the site.

None known

6. *Energy and Natural Resources* [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The facility is currently powered by commercial power. There is no change to this existing service proposed in this project.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The subject project will have no impact on solar energy.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

There are no conservation features required.

7. *Environmental Health* [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

There are no environmental health hazards associated with this project.

1) Describe any known or possible contamination at the site from present or past uses.

There is no known contamination at this site.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no existing hazardous chemicals/conditions.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

This project will not cause the storage of any hazardous materials at the site.

4) Describe special emergency services that might be required.

No special emergency services will be required as a result of this project.

5) Proposed measures to reduce or control environmental health hazards, if any:

No measures are required.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

No noise in the area will affect the proposed project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There will be some noise during construction of the project. After construction, this project will not cause any increase to the noise created by the facility. The existing generator is to be removed as part of the project, which will reduce potential noise impacts. The HVAC is remaining the same.

3) Proposed measures to reduce or control noise impacts, if any:

No measures are required.

8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The current use of the property is a school. The facility being modified is a secondary use as a wireless facility, an allowed use in this Public zoned property. The adjacent properties are residential use. The modifications to the existing facility will not impact the use of the school on the subject parcel. Similarly, the modifications to the existing facility will not have any impacts on the adjacent uses, as described in detail in the associated ACUP and variance applications.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

This site has not been used as farmland to our knowledge.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

This is not applicable.

c. Describe any structures on the site.

An existing 65-foot canister pole, an equipment shelter, and a generator are located at this facility. The generator is being removed and canister pole replaced. The rest of the property holds a private school/religious institution.

d. Will any structures be demolished? If so, what?

The existing canister pole will be demolished, and its pier foundation will be demolished down below grade. The existing generator and associated pad will be removed. No other structures beyond the wireless facility will be impacted.

e. What is the current zoning classification of the site?

The site is zoned Public (Parks and Open spaces)

f. What is the current comprehensive plan designation of the site?

Parks and Open spaces

g. If applicable, what is the current shoreline master program designation of the site?

This is not applicable.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No part of the site has been classified as a critical area as far as we know.

i. Approximately how many people would reside or work in the completed project?

No people will reside or work in the completed project.

j. Approximately how many people would the completed project displace?

The completed project will not displace any people.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None required.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The project has been designed to minimize impacts to the surrounding area. The replacement structural is a stealth structure made to blend in with the surrounding trees.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None required.

9. Housing [help]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

The project will not provide any housing.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

No measures are required.

10. Aesthetics [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The replacement structure is a 70' tall monopine stealth structure.

b. What views in the immediate vicinity would be altered or obstructed?

No views in the immediate vicinity will be altered or obstructed, except that the replacement monopine structure will blend more with the adjacent tree line. The modification will produce no detrimental impact to views.

b. Proposed measures to reduce or control aesthetic impacts, if any:

Proposed replacement structure is a stealth monopine faux tree meant to blend in with the surrounding trees.

11. Light and Glare [help]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The proposal will not produce any light or glare. All surfaces will be painted in a non-glare finish.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

There will be no light or glare from the proposed project.

c. What existing off-site sources of light or glare may affect your proposal?

No existing off-site sources of light or glare will affect the proposal.

d. Proposed measures to reduce or control light and glare impacts, if any:

No measures are required.

12. Recreation [help]

a. What designated and informal recreational opportunities are in the immediate vicinity?

520 Bridge View Park and Fairweather Park and nature preserve are to the north

b. Would the proposed project displace any existing recreational uses? If so, describe.

The proposal will not displace any recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No measures are required.

13. Historic and cultural preservation [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

No. There is no substantial change to the facility to cause a new impact on any historic properties would they be present nearby. A Section 106 (National Historic Preservation Act) review of historic properties was completed, and no historic properties/locations were identified.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No. Before wireless facilities are constructed, any nearby tribes are contacted and consulted as part of the federal approval process. A review was conducted per federal guidelines, the area tribes were contacted, and there are no tribal locations nearby.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The facility was determined compliant under Section 106 (National Historic Preservation Act), and under section IV of the nationwide agreement regarding Section 106 review process, through tribal notification and consultation.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None required.

14. Transportation [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This site is off of Evergreen Point Road

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The site is un-manned and does not require public transit. This project will not change that.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

This project will have no impact on existing parking or cause any new parking.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No. This proposal will not require any improvements.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The project will not use water, rail or air transportation.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Once the project is completed, vehicular trips to the subject site would generally be one time per month. This would usually be by way of passenger vehicle.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

There would be no impact to the subject proposal.

h. Proposed measures to reduce or control transportation impacts, if any:

None required.

15. Public Services [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The project will not result in the need for public services.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None required.

16. Utilities [help]

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other **Fiber-optic**

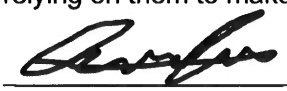
The subject site has commercial power and fiber-optic service that is existing as previously approved and remains unchanged.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Existing utilities services will not be changed by this proposal.

C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee – **Chris DeVoist**

Position and Agency/Organization- **Agent for T-Mobile West LLC, VB BTS II, LLC and property owner.**

Date Submitted: **June 27, 2024, revised 1/13/2025**

D. Supplemental sheet for nonproject actions [HELP]

(**IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

N/A

Proposed measures to avoid or reduce such increases are:

N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

N/A

Proposed measures to reduce or respond to such demand(s) are:

N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

N/A

EXHIBIT 28

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Ankita Das

From: Thomas Carter <tcarter@LDCcorp.com>
Sent: Thursday, November 14, 2024 3:39 PM
To: Christopher.devoist@taec.net
Cc: Jonathan Kesler; Rebecca Bennett
Subject: Revisions/ Corrections Needed for P-24-035
Attachments: 1st Review Comment Letter.pdf

Good afternoon,

Currently, revisions are required for your project located at 7800 NE 28th St.

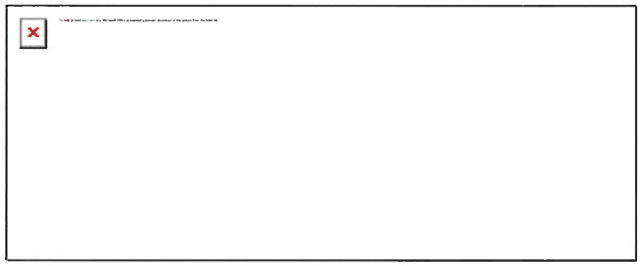
Refer to the attached review comment letter for detailed information.

Please reach out if you have any additional questions.

Thank you,

Thomas Carter
Associate Planner
E: tcarter@LDCcorp.com
D: 425-949-0152

20210 142nd Ave NE Woodinville, WA 98072
www.LDCCorp.com 425-806-1869



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

November 14th, 2024

Chris DeVoist
Technology Associates EC INC.
9725 3rd Ave NE, Ste 410
Seattle, WA 98115

Via email: Christopher.devoist@taec.net

Re: Correction Required – 7800 NE 28th St- File No: P-24-035

Dear Chris,

On July 10, 2024, the City of Medina received the above-referenced Non-Admin Variance application. During my review the following items were identified as needing revision, correction, or clarification:

Non-Admin Variance Application:

1. The applicant has indicated that the proposed variance seeks to increase the height of the existing monopole 5 feet in height, modifying the previously approved Non-Administrative Variance from a height of 35 feet to 65 feet. Since the replacement structure is considered new, it must comply with the standards outlined in MMC 16.37.070. The applicant should clarify that this variance request is to increase the allowed antenna height of 35 feet to 70 feet for the proposed monopine structure that will replace the existing monopole structure.

2. Per MMC 16.72.030.E.2 evidence of other variances granted under similar circumstances shall not be considered in the granting of a non-administrative variance.

Approval Criteria

1. All approval criteria questions need to be revised to reflect that this is a variance to allow a height of 70' for the proposed monopine structure. Due to the monopine being considered a new structure it would need to comply with the standards for in MMC 16.37.070

2. Criteria Approval #1: The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and

   Staff Comments: Applicant will need to address what the variance is for and how its use is not a granting of special privileges.

3. Criteria #5: The variance is the minimum necessary to provide reasonable relief.

   Staff Comment: Provide additional information as to why or how it was determined that 70' is the minimum necessary to provide reasonable relief.

At this time, the processing of your permit application is placed on hold pending the submittal of the requested information. These determinations do not preclude the City from requesting additional information.

Please upload new items to the permit portal at your earliest convenience. If you have questions, please do not hesitate to contact me at tcarter@ldccorp.com or 425.949.0152. You can also contact our Development Services Coordinator, Rebecca Bennett at rbennett@medina-wa.gov if needed for assistance with the permit portal.

Sincerely,

Thomas Carter
City of Medina
Planning Consultant

CC: Jonathan Kessler
Rebecca Bennett

EXHIBIT 29

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Ankita Das

From: Thomas Carter <tcarter@LDCcorp.com>
Sent: Thursday, November 14, 2024 3:39 PM
To: christopher.devoist@taec.net
Cc: Jonathan Kesler; Rebecca Bennett
Subject: Revisions/ Corrections Needed for P-24-036
Attachments: 1st Review Comment Letter.pdf

Good afternoon,

Currently, revisions are required for your project located at 7800 NE 28th St.

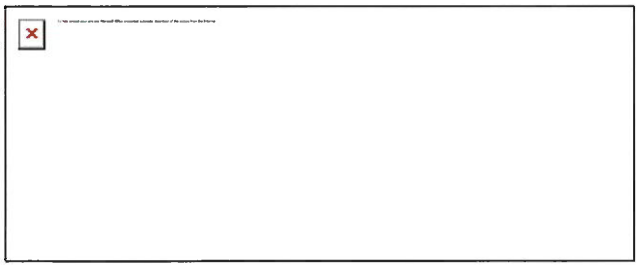
Refer to the attached review comment letter for detailed information.

Please reach out if you have any additional questions.

Thank you,

Thomas Carter
Associate Planner
E: tcarter@LDCcorp.com
D: 425-949-0152

20210 142nd Ave NE Woodinville, WA 98072
www.LDCCorp.com 425-806-1869



CITY OF MEDINA

501 EVERGREEN POINT ROAD | PO BOX 144 | MEDINA WA 98039-0144
TELEPHONE 425-233-6400 | www.medina-wa.gov

November 4, 2024

Chris DeVoist
Technology Associates EC INC.
9725 3rd Ave NE, Ste 410
Seattle, WA 98115

Via email: Christopher.devoist@taec.net

Re: Correction Required – 7800 NE 28th St- File No: P-24-036

Dear Chris,

On July 10, 2024, the City of Medina received the above-referenced Non-Admin Special Use Permit application. During my review the following items were identified as needing revision, correction, or clarification:

SEPA Questions:

1. Attached to this letter is a copy of the SEPA checklist with comments related to the answers provided. Revise answers based on comments contained within the checklist.

At this time, the processing of your permit application is placed on hold pending the submittal of the requested information. These determinations do not preclude the City from requesting additional information.

Please upload new items to the permit portal at your earliest convenience. If you have questions, please do not hesitate to contact me at tcarter@ldccorp.com or 425.949.0152. You can also contact our Development Services Coordinator, Rebecca Bennett at rbennett@medina-wa.gov if needed for assistance with the permit portal.

Sincerely,

Thomas Carter
City of Medina
Planning Consultant

CC: Jonathan Kessler
Rebecca Bennett

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [HELP]

1. Name of proposed project, if applicable: **SE02481B Evergreen Pt – School Dist**

2. Name of applicant: **VB BTS II, LLC and T-Mobile West LLC**

3. Address and phone number of applicant and contact person: **Chris DeVoist, Technology Associates EC Inc., 9725 3rd Ave NE, Suite 410, Seattle, WA 98115, 206-949-3321, christopher.devoist@taec.net**

4. Date checklist prepared: **May 14, 2024**

5. Agency requesting checklist: **City of Medina**

6. Proposed timing or schedule (including phasing, if applicable): **2024, timeline dependent on timeline for all required permits to be issued by city of Medina.**

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No future projects are currently planned.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None are needed. Existing facility footprint was previously lawfully established to all regulatory requirements, and this project does not have any disturbance outside the previously established footprint of the facility. Any NEPA requirements for towers are governed at the federal level by the Federal Communications Commission ("FCC"). The limits of approval of the original SEPA determination (PL-16-035, copy provided) are not exceeded by this modification.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known at this time.

10. List any government approvals or permits that will be needed for your proposal, if known.

- **SEPA determination (City of Medina)**
- **Non-Administrative Special Use Permit (City of Medina)**
- **Non-Administrative Variance (City of Medina)**

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

T-Mobile is proposing to replace an existing 65' tall stealth canister pole with a 70' tall "monopine" faux tree pole, at an existing wireless facility, along with associated antennas and remote ancillary equipment changes and additions on the pole, and

While the area where the wireless facility is not changing in size or location, the facilities within, namely the pole is being within the wireless facility area is being relocated.

the removal of an existing emergency backup generator. All new ground-based equipment will be within an existing equipment structure. There is no ground disturbance proposed outside the existing, lawfully established and previously approved footprint of the facility. The limits of approval of the original SEPA DNS are not exceeded by this modification.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed project is located within the existing wireless facility compound in the northwest corner of the parcel at 7800 NE 28th St, Medina, WA, King County parcel number 2425049104, SE-24-25-4, see plans for additional detail.

B. Environmental Elements [HELP]

1. *Earth* [help]

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other Existing established compound is flat to gently sloping, moving down to a steep slope buffer outside the proposed disturbance area

b. What is the steepest slope on the site (approximate percent slope)?

There is a ±40% slope to the east of the proposed area of disturbance. A steep slope geohazard setback of 10' was approved under the original land use approval and SEPA DNS, and the current proposal stays outside that established buffer and does not disturb it. Geohazard slope and buffer are shown on plans, and it is demonstrated that the Applicants are not causing disturbance within the previously established/approved buffer.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Very dense, brown, silty sand with gravel. Geotech report was provided to city under previous SEPA review and was approved. Original Geotech is provided with this submittal.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

A drilled pier is required for the new monopine, and a trench from the existing equipment shelter to new monopine will be dug. This ground disturbance is within the previously approved compound area and is outside the geohazard buffer.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Erosion should not occur as a result of construction of this proposal, and BMPs will be followed as described below.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This project will not cause an increase in impervious surface.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Stormwater run-off and erosion control will be managed in accordance with Washington Department of Ecology guidance as stated in the storm water management manual for western Washington and in accordance with city of Medina regulations. Temporary erosion and sediment control will be employed during construction per Medina BMP. The site is stabilized and planted with landscaping as originally approved to control erosion after this project is complete.

.

2. Air [help]

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

A small amount of emissions will occur from equipment during the construction of the project. After construction is complete, no emissions will be created by the facility.

The regulation of radio frequency ("RF") emissions is preempted by federal law; Applicants have submitted a NIER report with their applications to demonstrate that the proposed project will comply with federal RF emissions regulations.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No, there are no off-site sources of emissions.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None required.

3. Water [help]

a. Surface Water: [help]

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable. There is no surface water on or in the immediate vicinity of the site.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable

b. Ground Water: [help]

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities

withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No, not applicable.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, not applicable.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None, not applicable.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No, not applicable.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No, not applicable.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

None required.

4. Plants [help]

a. Check the types of vegetation found on the site:

_X__deciduous tree: alder, maple, aspen, other
_X__evergreen tree: fir, cedar, pine, other
_X__shrubs
_X__grass
____pasture
____crop or grain
____ Orchards, vineyards or other permanent crops.
____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
____water plants: water lily, eelgrass, milfoil, other

____other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No vegetation will be removed as part of this project.

c. List threatened and endangered species known to be on or near the site.

None known

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None required

e. List all noxious weeds and invasive species known to be on or near the site.

None known

5. Animals [help]

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

None known. A 2016 biological report concluded that the project will have no effect on threatened or endangered species.

Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site.

None known

c. Is the site part of a migration route? If so, explain.

Not that we are aware of at this time.

All of Washington is within the Pacific Flyway route. Revise to include

d. Proposed measures to preserve or enhance wildlife, if any:

None known

e. List any invasive animal species known to be on or near the site.

None known

6. *Energy and Natural Resources* [help]

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The facility is currently powered by commercial power. There is no change to this existing service proposed in this project.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

The subject project will have no impact on solar energy.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

There are no conservation features required.

7. *Environmental Health* [help]

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

There are no environmental health hazards associated with this project.

1) Describe any known or possible contamination at the site from present or past uses.

There is no known contamination at this site.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

There are no existing hazardous chemicals/conditions.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

This project will not cause the storage of any hazardous materials at the site.

4) Describe special emergency services that might be required.

No special emergency services will be required as a result of this project.

5) Proposed measures to reduce or control environmental health hazards, if any:

No measures are required.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

No noise in the area will affect the proposed project.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

There will be some noise during construction of the project. After construction, this project will not cause any increase to the noise created by the facility. The existing generator is to be removed as part of the project, which will reduce potential noise impacts. The HVAC is remaining the same.

3) Proposed measures to reduce or control noise impacts, if any:

No measures are required.

The current use of the site is listed as a school. Please include this into your response and clarify the wireless facilitie relation to the school

8. Land and Shoreline Use [help]

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Current use of the site is for an existing wireless facility. Replacing the existing canister monopole with a monopine will not affect nearby or adjacent properties.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

This site has not been used as farmland to our knowledge.

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

This is not applicable.

c. Describe any structures on the site.

An existing 65-foot canister pole, an equipment shelter, and a generator are located at this facility. The generator is being removed and canister pole replaced. The rest of the property holds a private school/religious institution.

d. Will any structures be demolished? If so, what?

The existing canister pole will be demolished, and its pier foundation will be demolished down below grade. The existing generator and associated pad will be removed. No other structures beyond the wireless facility will be impacted.

e. What is the current zoning classification of the site?

The site is zoned Public (Parks and Open spaces)

f. What is the current comprehensive plan designation of the site?

Parks and Open spaces

g. If applicable, what is the current shoreline master program designation of the site?

This is not applicable.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No part of the site has been classified as a critical area as far as we know.

i. Approximately how many people would reside or work in the completed project?

No people will reside or work in the completed project.

j. Approximately how many people would the completed project displace?

The completed project will not displace any people.

k. Proposed measures to avoid or reduce displacement impacts, if any:

None required.

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The project has been designed to minimize impacts to the surrounding area. The replacement structural is a stealth structure made to blend in with the surrounding trees.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None required.

9. Housing [help]

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

The project will not provide any housing.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units will be eliminated.

c. Proposed measures to reduce or control housing impacts, if any:

No measures are required.

10. Aesthetics [help]

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The replacement structure is a 70' tall monopine stealth structure.

b. What views in the immediate vicinity would be altered or obstructed?

No views in the immediate vicinity will be altered or obstructed, except that the replacement monopine structure will blend more with the adjacent tree line. The modification will produce no detrimental impact to views.

b. Proposed measures to reduce or control aesthetic impacts, if any:

Proposed replacement structure is a stealth monopine faux tree meant to blend in with the surrounding trees.

11. Light and Glare [help]

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The proposal will not produce any light or glare. All surfaces will be painted in a non-glare finish.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

There will be no light or glare from the proposed project.

c. What existing off-site sources of light or glare may affect your proposal?

No existing off-site sources of light or glare will affect the proposal.

d. Proposed measures to reduce or control light and glare impacts, if any:

No measures are required.

12. Recreation [help]

a. What designated and informal recreational opportunities are in the immediate vicinity?

520 Bridge View Park and Fairweather Park and nature preserve are to the north

b. Would the proposed project displace any existing recreational uses? If so, describe.

The proposal will not displace any recreational uses.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

No measures are required.

13. Historic and cultural preservation [help]

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.

No. There is no substantial change to the facility to cause a new impact on any historic properties would they be present nearby. A Section 106 (National Historic Preservation Act) review of historic properties was completed, and no historic properties/locations were identified.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No. Before wireless facilities are constructed, any nearby tribes are contacted and consulted as part of the federal approval process. A review was conducted per federal guidelines, the area tribes were contacted, and there are no tribal locations nearby.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The facility was determined compliant under Section 106 (National Historic Preservation Act), and under section IV of the nationwide agreement regarding Section 106 review process, through tribal notification and consultation.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None required.

14. Transportation [help]

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

This site is off of Evergreen Point Road

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

The site is un-manned and does not require public transit. This project will not change that.

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

This project will have no impact on existing parking or cause any new parking.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No. This proposal will not require any improvements.

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The project will not use water, rail or air transportation.

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Once the project is completed, vehicular trips to the subject site would generally be one time per month. This would usually be by way of passenger vehicle.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

There would be no impact to the subject proposal.

h. Proposed measures to reduce or control transportation impacts, if any:

None required.

15. Public Services [help]

a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

The project will not result in the need for public services.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None required.

16. Utilities [help]

a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other **Fiber-optic**

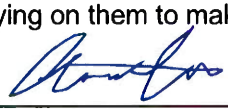
The subject site has commercial power and fiber-optic service that is existing as previously approved and remains unchanged.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Existing utilities services will not be changed by this proposal.

C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee – **Chris DeVoist**

Position and Agency/Organization- **Agent for T-Mobile West LLC, VB BTS II, LLC and property owner.**

Date Submitted: **June 27, 2024**

D. Supplemental sheet for nonproject actions [HELP]

(**IT IS NOT NECESSARY** to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

N/A

Proposed measures to avoid or reduce such increases are:

N/A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

N/A

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

N/A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

N/A

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

N/A

Proposed measures to reduce or respond to such demand(s) are:

N/A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

N/A

EXHIBIT 30

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

MANAGEMENT
SERVICES CENTER

MEMORANDUM

27 September, 2024

TO: Whom It May Concern

FROM: Melissa DeVita, Deputy Superintendent – Finance and Operations

SUBJECT: Signing Authority

This is to inform you that Jack McLeod, Executive Director, Facilities and Operations, has signing authority for property issues dealing with lease and lease renewals for the Bellevue School District.

Thank you for your attention to this matter.

Sincerely,

Melissa DeVita,
Deputy Superintendent, - Finance and Operations
Bellevue School District

EXHIBIT 31

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Cover Letter – Request for Monopine Examples and Design Alternatives

Co-Applicants:	VB BTS III, LLC and T-Mobile West LLC
Representative:	Chris DeVoist Technology Associates EC Inc. 9725 3rd Ave NE, Suite 410 Seattle, WA 98115 206-949-3321 christopher.devoist@taec.net
Submitted To:	City of Medina Steven R. Wilcox, Development Services Director
Project:	US-WA-7001/SE02481B Evergreen Point
Project Address:	7800 NE 28th St
Associated Permits:	P-24-034, P-24-035, P-24-036
Re:	Requested Monopine Examples and Design Alternatives
Date:	January 31, 2025

Dear Mr. Wilcox,

This supplemental information package is in response to your request for real world examples of monopines, as well as illustrations of design alternatives (to monopines).

Enclosed you will find real world examples, with locations, of monopine type structures that were designed and manufactured by the same company that is designing and manufacturing the proposed monopine at this location. Also included are photographic simulations of a stealth canister alternative design and a non-screened/un-stealthed alternative design.

- ATTCH 1 - Cover letter – Request for Monopine Examples and Design Alternatives (this document)
- ATTCH 2 - Real world examples of monopines with locations
- ATTCH 3 – Stealth canister option photographic simulation
- ATTCH 4 – Un-screened/non-stealthed painted option photographic simulation

Please note that throughout the original narratives, the monopine is discussed as the least intrusive option, and also the most viable for being compliant with the code in so far as it maintains screening while facilitating future co-location.

The monopine can allow T-Mobile's required upgrade to occur at a single antenna and equipment centerline, but the stealth canister and un-screened/non-stealthed painted options require multiple antenna and equipment centerlines (for just T-Mobile's antennas and equipment). In the stealth canister option, this is because to mount the antennas side by side at the same centerline with the required clearances would protrude so far from the pole that a canister that would fit to screen them would be of such a large diameter to be infeasible. In the un-stealthed option, to keep the antennas and ancillary equipment as close to the face of the pole as possible, and as close to "flush" as could be possibly achieved, the antennas will have to be mounted at multiple centerlines to achieve this. The alternative to that would be a normal "monopole" style mount. Mounting T-Mobile at multiple centerlines on the pole takes up most, or all, of the usable vertical space on the structure that could otherwise be used by a future co-locating other wireless carrier. In the future, the option of the stealth canister would likely need to be replaced with a taller stealth canister to allow another carrier, and the un-stealthed pole option would likely need to be extended under Section 6409 to allow another carrier to co-locate.

Code Section 16.37.110 F states that *"The city may require new support structures to be constructed so as to accommodate future co-location, based on expected demand for support structures in the service area, provided this requirement would not cause the application to be rejected by the city."* T-Mobile's proposed monopine design fulfills this provision of the code.

For all of these reasons, the proposed monopine is a more viable option to allow future colocation and more consistent with the City's code.

Please reach out to me with any questions or comments.

Sincerely,

Chris DeVoist, Technology Associates EC Inc. on behalf of VB BTS III, LLC and T-Mobile West LLC

EXHIBIT 32

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Requested Monopine Examples

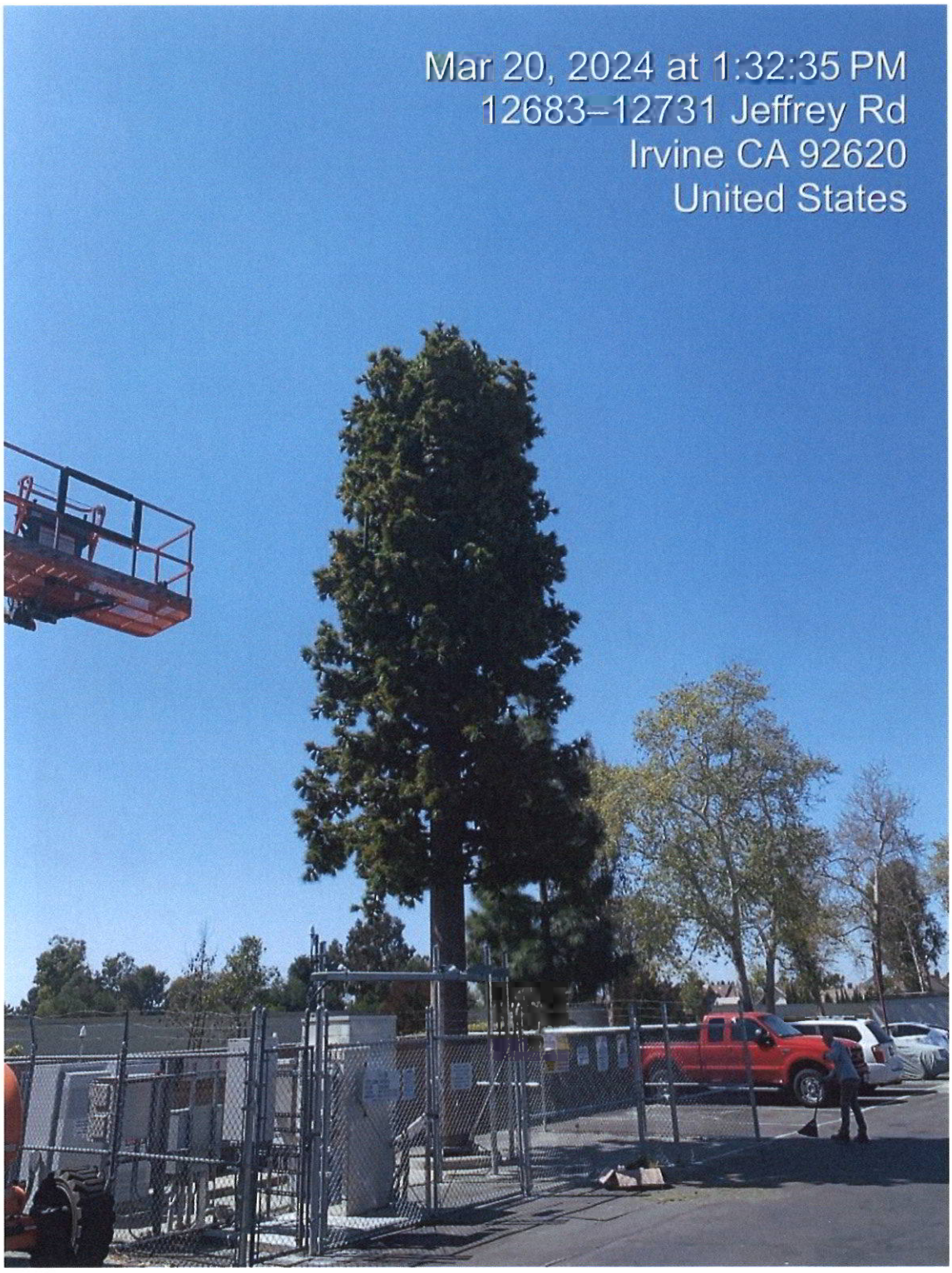
Co-Applicants:	VB BTS III, LLC and T-Mobile West LLC
Representative:	Chris DeVoist Technology Associates EC Inc. 9725 3rd Ave NE, Suite 410 Seattle, WA 98115 206-949-3321 christopher.devoist@taec.net
Submitted To:	City of Medina Steven R. Wilcox, Development Services Director
Project:	US-WA-7001/SE02481B Evergreen Point
Project Address:	7800 NE 28th St
Associated Permits:	P-24-034, P-24-035
Re:	Requested examples of other real faux evergreen trees
Date:	January 31, 2025

Dear Mr. Wilcox,

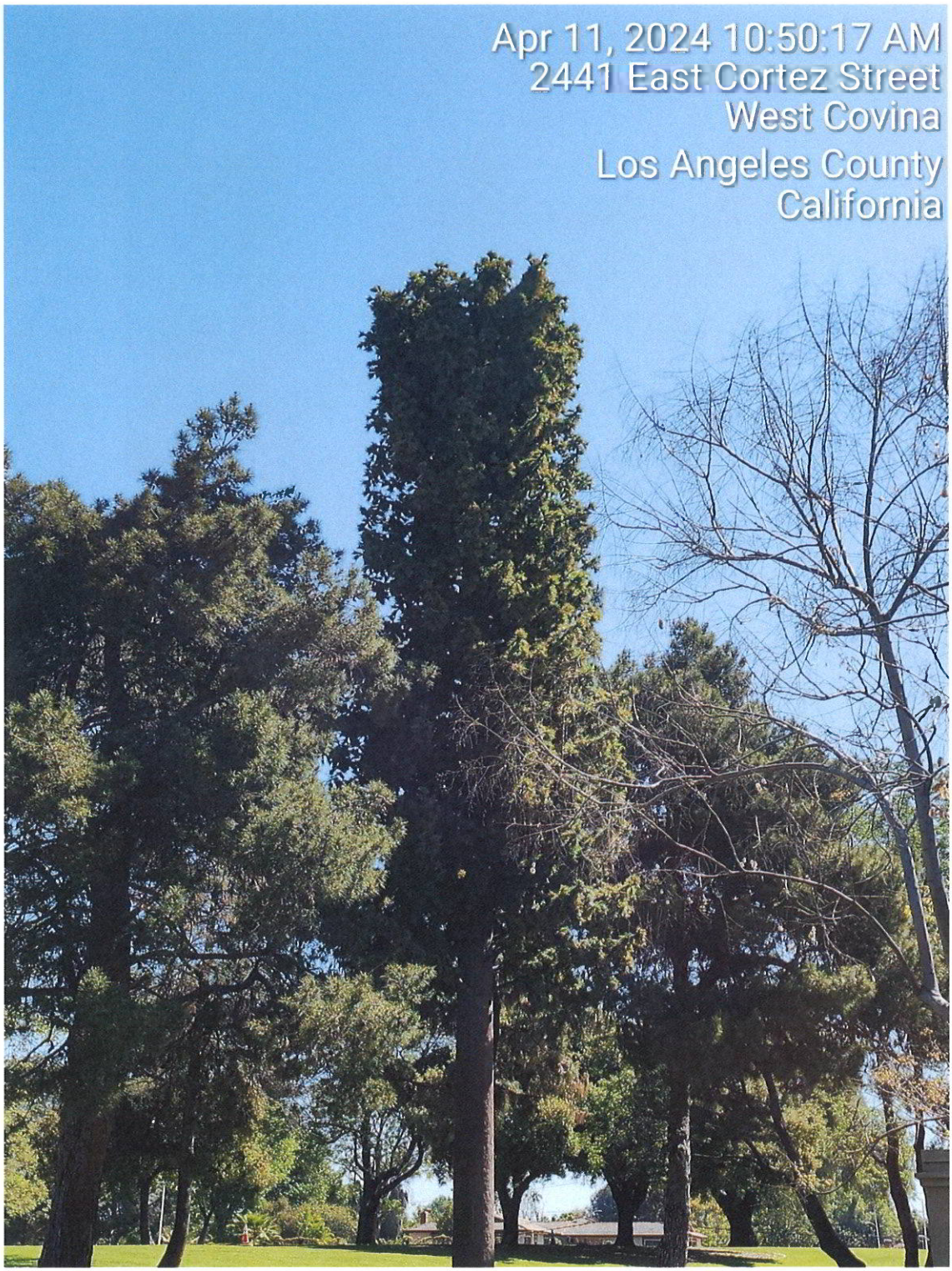
You have requested photographs of examples of installed monopine/faux evergreen tree designs for cell towers.

Below please find a selection of photographs of faux tree structures manufactured by SCI, the same manufacturer designing and providing the monopine structure proposed in this application, which provide examples in which a monopine is located within a context of nearby trees.

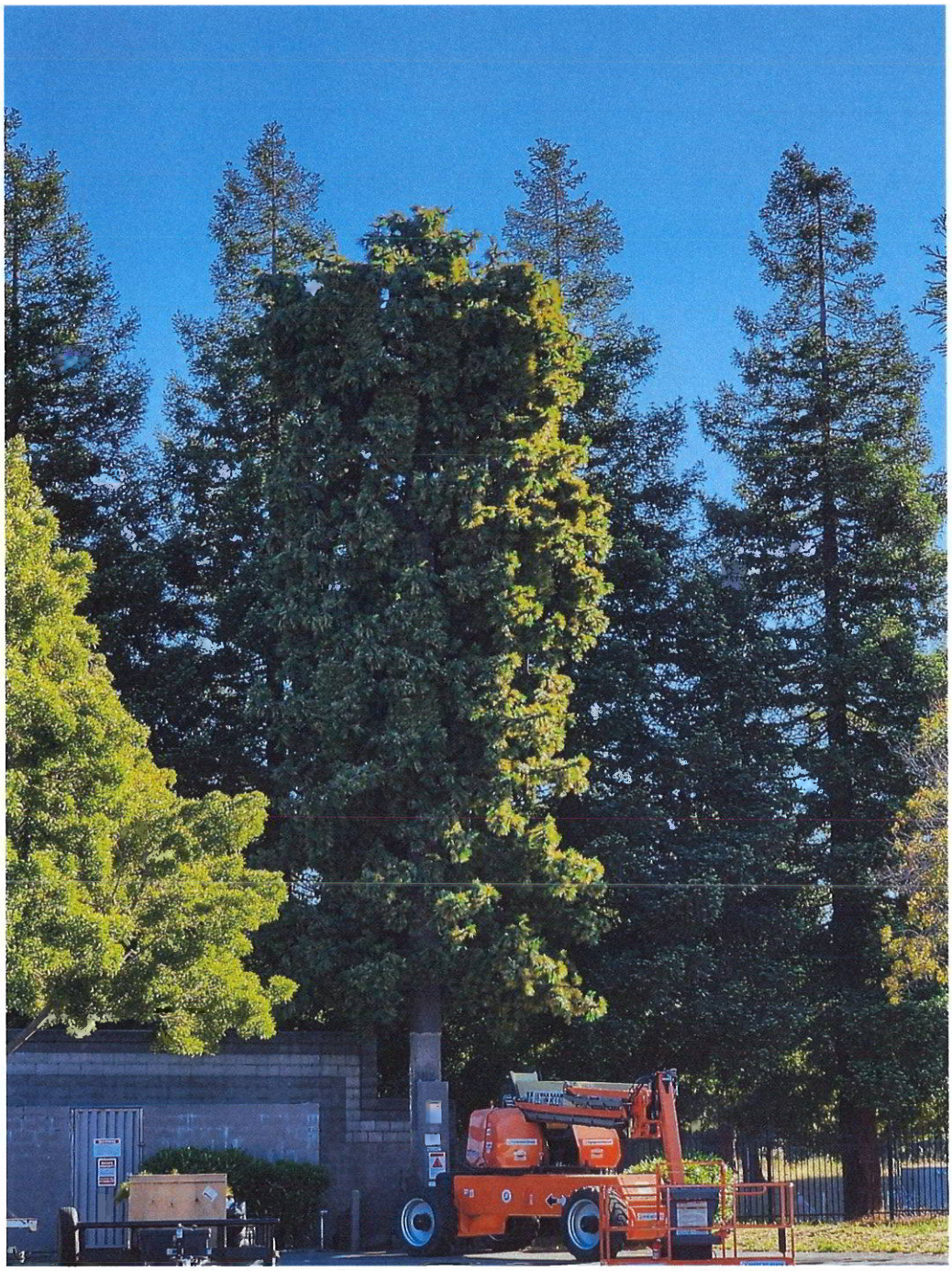
210 Fwy & 605 Fwy
1720 Flower Ave
Duarte, CA 91010


Mar 20, 2024 at 1:32:35 PM
12683–12731 Jeffrey Rd
Irvine CA 92620
United States

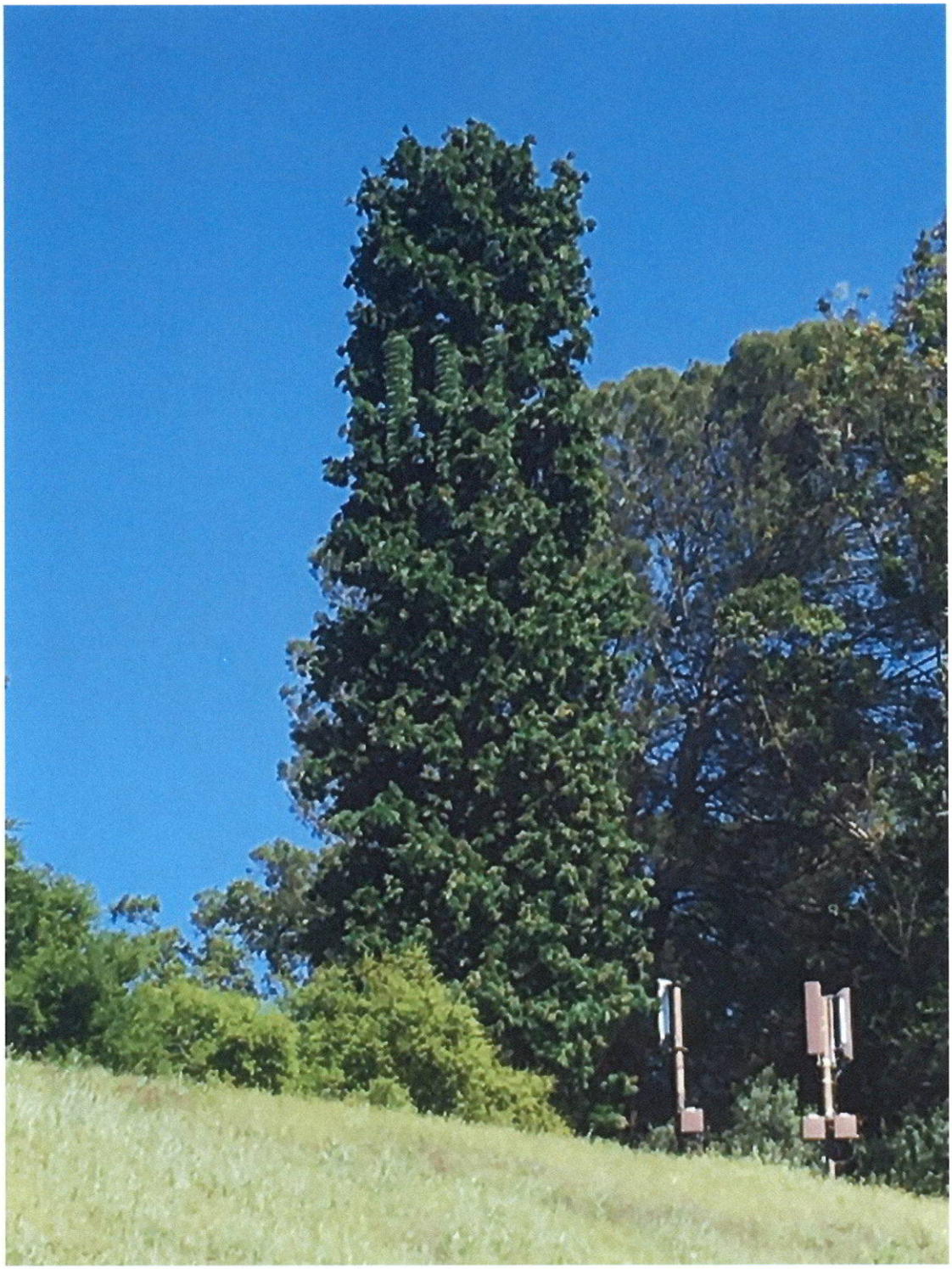

Nov 1, 2022 9:03:36 AM
Pleasant Hill
Contra Costa County
California



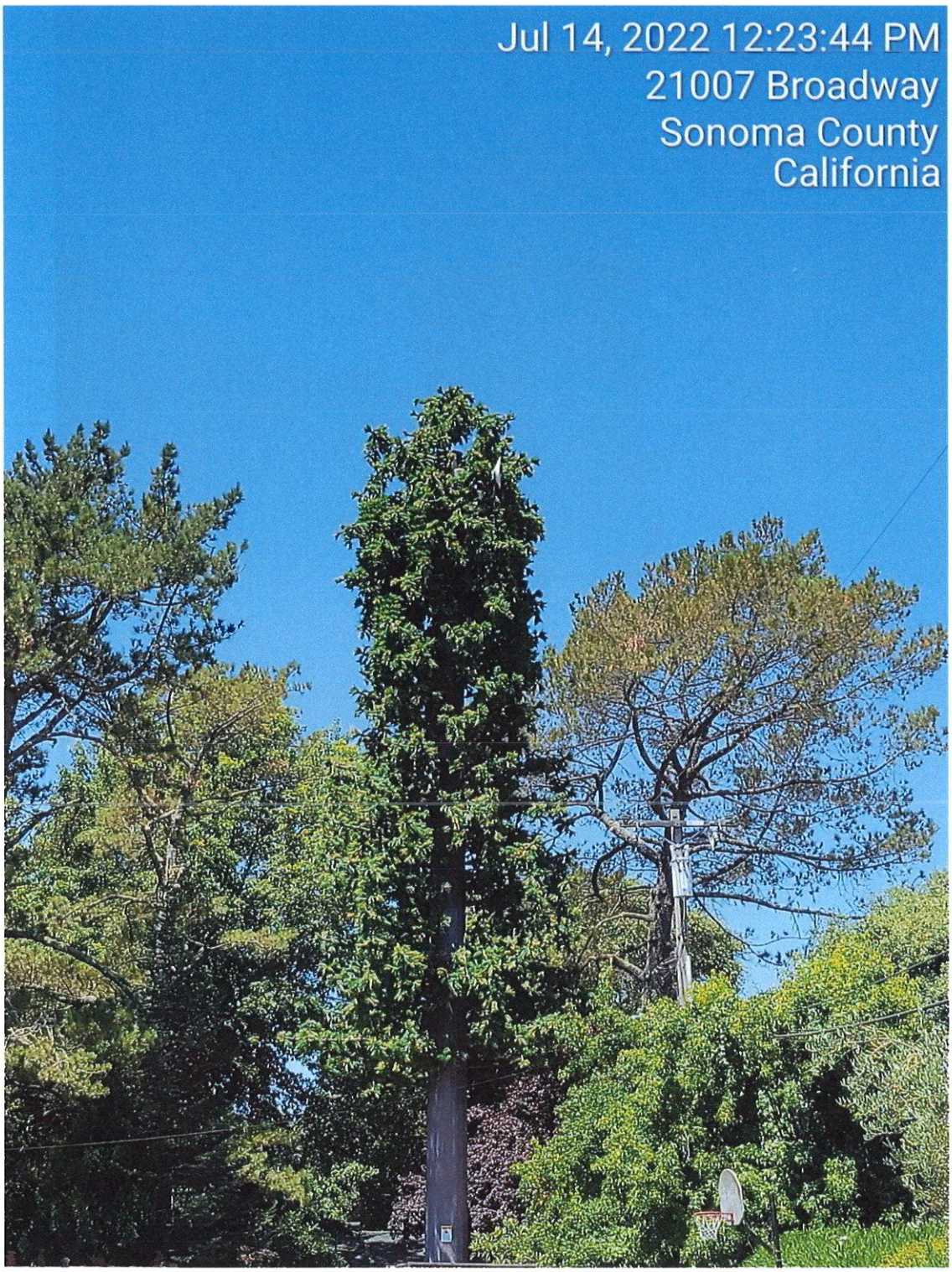
Cortez Park
2501-1/2 Cortez Street (Community Center address)
West Covina, CA 91791



I-880 in Castro Valley
100 Hacienda Ave
Castro Valley, CA 94580



Livorna Crown Castle
1241 Laverock Lane
Alamo, CA. 94507



Broadway & Watmaugh
21003 Broadway
Sonoma, CA. 95476

EXHIBIT 33

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

T-Mobile

SE02481B
EVERGREEN PT PERM RELO

7800 NE 28TH ST
MEDINA, WA 98039

Technology Associates

STEALTH CANISTER

EXHIBIT 34

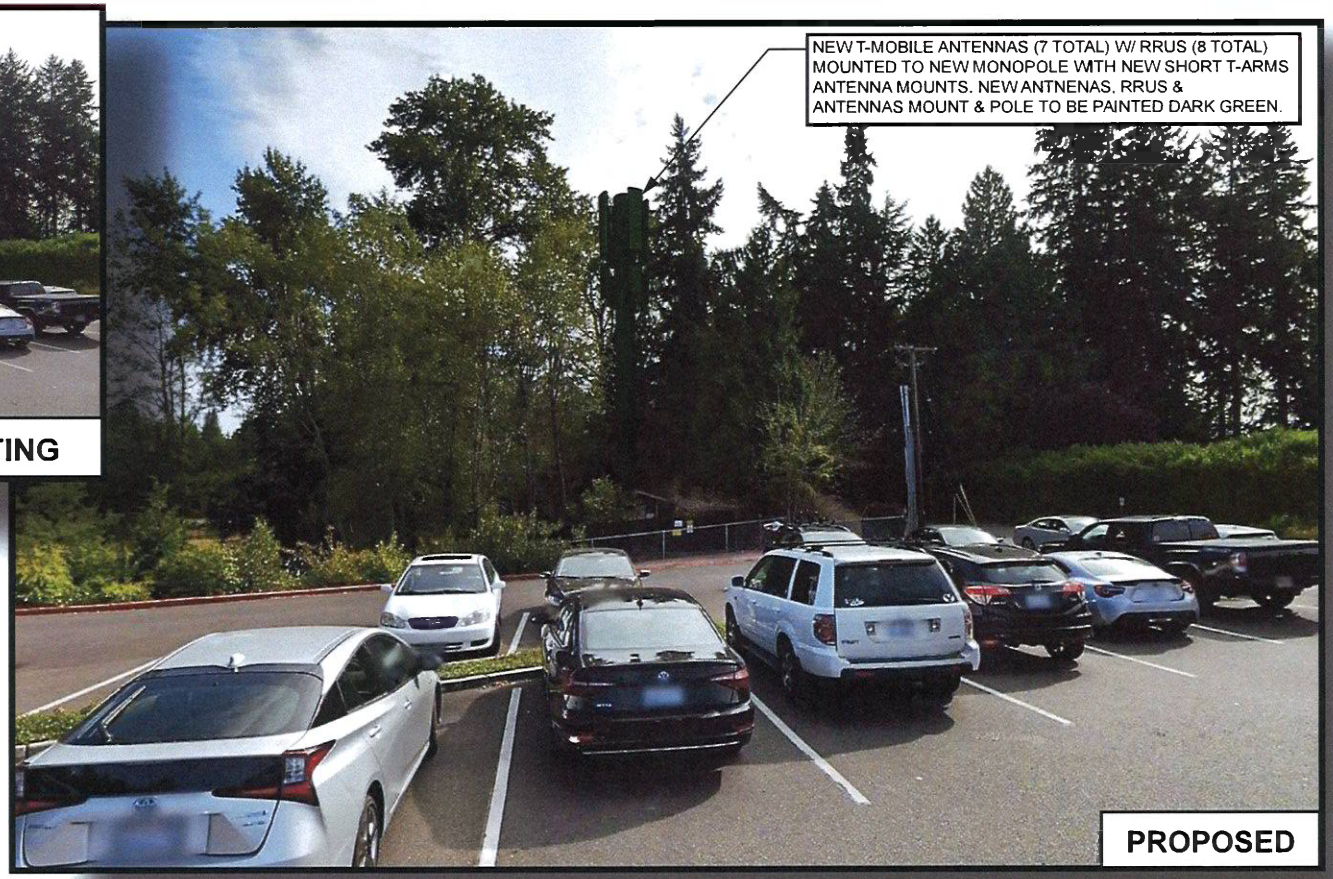
INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

T-Mobile

SE02481B
EVERGREEN PT PERM RELO

7800 NE 28TH ST
MEDINA, WA 98039

Technology Associates



NON-STEALTHED STRUCTURE

EXHIBIT 35

INSLEE BEST
Skyline Tower
Suite 1500
10900 NE 4th Street
Bellevue, WA 98004
425.455.1234 | www.insleebest.com

Ankita Das

From: Steve Wilcox
Sent: Tuesday, January 14, 2025 8:27 AM
To: Rebecca Bennett
Subject: T-Mobile Comment

Please create a Comments file in SmartGov Notes for P-24-034/P-24-035.

The comment below from Mac Johnson needs to be saved in the new file. I expect that we may receive additional comments for this file.

Thanks-

Steve

Steven R. Wilcox
Development Services Director
City of Medina
P.O. Box 144 | 501 Evergreen Point Road
Medina, WA 98039
P: 425-233-6409
E: swilcox@medina-wa.gov

From: Steve Wilcox
Sent: Tuesday, January 14, 2025 8:05 AM
To: Mac Johnston <mjohnston@medina-wa.gov>
Cc: Steve Burns <Sburns@medina-wa.gov>
Subject: RE: My input on monopine

January 14, 2025

Thank you, Mac-

This is a comment which will go into the project file and provided to the hearing examiner.

Steve

Steven R. Wilcox
Development Services Director
City of Medina

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From: Mac Johnston <mjohnston@medina-wa.gov>
Sent: Monday, January 13, 2025 5:58 PM
To: Steve Wilcox <swilcox@medina-wa.gov>
Cc: Steve Burns <Sburns@medina-wa.gov>
Subject: My input on monopine

As a resident of the community, I am fine with the monopine and think it would look better than just a pole. Feel free to pass this on to the examiner.

Mac Johnston (he/him)

Medina City Council Member

206-919-7940

Please do not feel you need to reply

outside your normal working hours.

EXHIBIT 36

INSLEE BEST
Skyline Tower
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10900 NE 4th Street
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STATEMENT OF CODE COMPLIANCE
WCF NON-ADMINISTRATIVE VARIANCE PERMIT APPLICATION
US-WA-7001 EVERGREEN POINT – SCHOOL DIST (T-MOBILE SE02481B)

Submitted to the City of Medina, Washington
Planning Department

Applicants' proposal complies with all requirements of Medina Municipal Code Section 16.72.030 (Nonadministrative variance) as addressed in this Statement of Code Compliance.

PLEASE NOTE: Applicants' responses to the above referenced criteria are indicated below each applicable provision in ***bold italicized blue text***.

16.72.030. Nonadministrative variance.

A. ***Purpose.*** **The purpose for a nonadministrative variance is to provide property owners relief from certain provisions of this title where conditions justify such relief on a case-by-case basis.**

Applicants' Response:

The applicants are seeking a dimensional variance to allowable height. The allowable height for a wireless facility is 35 feet per code. The new replacement structure proposed at the existing wireless facility previously approved in 2017 (PL-16-036) replaces an existing structure that currently allows T-Mobile's antennas to broadcast at an antenna tip height of 65 feet. As the existing structure cannot be modified to accommodate the most recent technology upgrades as described in Attachment 1— Project Narrative, the existing structure must be replaced, and T-Mobile is proposing a new 70-foot monopine to do so through the least intrusive means.

T-Mobile's existing antenna tip height of 65 feet must be maintained to continue to provide the needed coverage and capacity to the area and to continue to fill what would otherwise be a significant coverage gap if the replacement structure's antennas were not allowed to continue to operate at their current heights.

An additional 5 feet above the existing 65 feet is needed for the monopine branches that are required to fulfill the stealth characteristics of the replacement structure as required by code. The applicants are requesting a variance from the 35-foot height limit to allow a 70-foot-tall new replacement structure as that is the minimum height required for T-Mobile's facility to function and to continue to achieve its coverage and capacity objectives.

T-Mobile commissioned an expert consultation in 2016 by Richard Conroy, an expert radio frequency ("RF") consultant, to determine the minimum height that would be required to close the previously identified significant gap in T-Mobile's coverage and that report (see Variance ATTCH 18 – Supplemental RF height justification letter with attached 2016 RF height and siting justification report) determined that the minimum height needed to provide the required coverage and close T-Mobile's significant gap would be 65 feet at the antenna tip. This minimum requirement has not changed with

time or technological upgrades since that time. The frequencies that were previously tested in the above referenced report continue to require the minimum antenna tip height of 65 feet in order to fulfill its coverage objective and close its significant gap in coverage. The frequencies will continue to be used by the replacement antennas proposed at the 65 feet tip height.

The tower setbacks from residential properties will not be decreased. The new replacement structure will remain at the same setback from the west property line with adjacent residential properties and the new location will increase the setback from the south property line with adjacent residential properties by 6'-8" (the tower will move closer to the SR-520 ROW).

B. ***Applicant.*** **Any owner may submit an application for a nonadministrative variance.**

Applicants' Response:

The variance application includes a signed property owner declaration of agency.

C. ***Procedures.*** **Nonadministrative variances are processed as a Type 3 decision pursuant to the review procedures set forth in Chapter 16.80 MMC.**

Applicants' Response:

Applicants have filed for Type 3 review.

D. ***Applicability.*** **Circumstances where relief from a dimensional standard is sought subject to the limitation set forth in subsection (E) of this section.**

Applicants' Response:

Applicants seek relief from a dimensional standard (height) and address the limitations of subsection (E) below.

E. ***Limitations.***

1. **Nonadministrative variances may be granted where the application of a dimensional standard would result in an unusual or unreasonable hardship due to physical characteristics of the site;**
2. **Evidence of other variances granted under similar circumstances shall not be considered in the granting of a nonadministrative variance; and**
3. **No variance shall be granted for any of the following:**
    a. **To alter any definition or interpretation of this title;**
    b. **To alter any provision establishing a use within a zoning district; or**
    c. **To alter any procedural provisions.**

Applicants' Response:

Due to the surrounding topography and trees/foliage, it was previously determined by expert analysis (see Variance ATTCH 18 – Supplemental RF height justification letter with attached 2016 RF height and siting justification report) that the minimum height needed for T-Mobile's wireless facility to function properly is 65 feet to the tips of T-Mobile's antennas. If not mounted at that minimum necessary

height, T-Mobile's facility will not be able to fulfill its coverage objective and close its significant gap in coverage. As the location of the facility is one of very few available in Medina to locate a wireless facility, and the underlying zone, Public, does allow wireless as a use, not allowing the wireless facility to have the minimum height necessary required to function as an allowed wireless use is an unreasonable material hardship in functionality. The Applicants require the 65-foot antenna tip height that matches the previous structure, plus the additional 5 feet of tree branches to fulfill the required stealthing, for a total of 70 feet in height.

Applicants are not relying on variances the City may have granted elsewhere in the City but the evidence and data the City previously relied on for approval of a height variance for this site (PL-16-036). The RF expert analysis previously completed (2016 Report) still holds true, as explained in (Variance ATTCH 18 – Supplemental RF height justification letter with attached 2016 RF height and siting justification report) to Applicants' resubmittal, and T-Mobile has built and maintained its network in this vicinity in reliance on the City's previous approval. In addition, there have not been improvements to T-Mobile's network in the area that would otherwise change the minimum height requirement, and there are no potential changes that can be made to T-Mobile's facilities in the surrounding network that would reduce the minimum height requirement. See (Variance ATTCH 18 – Supplemental RF height justification letter with attached 2016 RF height and siting justification report) for more details.

Applicants do not propose to alter a definition/interpretation, alter permitted uses, or alter the City's required process.

F. ***Criteria for approval.*** **The decision authority may approve a nonadministrative variance only if the following criteria are satisfied:**

1. The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and

Applicants' Response:

The requested variance is a dimensional variance (height) and not a use variance, and it therefore does not constitute a special privilege as to use of property. The facility is located in the P (Public) zone where wireless is an allowed use. This is one of the few locations in the City in which a wireless facility is allowed at all.

A 65-foot-tall structure, an integral part of the wireless facility, has been determined by expert review (see Variance ATTCH 18 – Supplemental RF height justification letter with attached 2016 RF height and siting justification report) to be the minimum height required to operate properly as a wireless facility and close T-Mobile's significant gap in coverage.

Additionally, the requested increase by 5 feet is necessary to maintain required stealthing and remain to be the least intrusive means of achieving T-Mobile's coverage objective. The applicants seek relief from the 35-foot height limitation to allow the minimum necessary 70-foot height of the replacement structure and are not proposing a use that is inconsistent with the underlying zone. Not allowing T-Mobile's facility at the sufficient height required to functionally operate as a wireless facility, in a zone where wireless facilities are an allowed use, is functionally not allowing an otherwise allowed use. Granting the applicants relief of this dimensional limitation is not a special privilege.

2. **The variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and**

Applicants' Response:

Due to the surrounding trees and topography, the requested height of 70 feet (65 feet antenna tip height to replace the existing tip height, and 5 additional feet for required stealthing) is the minimum height required to provide the required coverage and to fill what would otherwise be a significant coverage gap in the area. Expert RF analysis determined that due to the existing topography, vegetation and surroundings of the property, that T-Mobile's coverage objective could not be met at any height lower than the requested antenna tip height.

There are only two locations in the entire coverage area that are zoned Public and therefore allow wireless as a use – the underlying parcel for this project, Bellevue Christian School, and the Fairweather Nature Preserve/Park North of SR-520, which was previously deemed by the city of Medina as not feasible to be permitted. Other locations on the Bellevue Christian property were also analyzed and, as they are a lower elevation, determined to be less suitable than the current location.

As wireless is an allowed use in the Public Zone, and the facility is in the only location in the Public zoned parcels in the area, not allowing the facility to have the technical features, including minimum necessary height necessary to overcome the surrounding topography and features to operate, would be precluding an allowed use.

3. **The variance is necessary to relieve a material hardship that cannot be relieved by any other means such that the material hardship must relate to the land itself and not to problems personal to the applicant; and**

Applicants' Response:

The height variance is necessary to relieve material hardship. The replacement structure must be able to maintain the existing antenna tip height of the existing structure for T-Mobile's network to function properly and not open a significant coverage gap. As described in detail in the attached RF engineering expert report and supplemental RF letter (See Variance ATTCH 18 – Supplemental RF height justification letter with attached 2016 RF height and siting justification report) it was determined in 2016 that the requested height is the minimum height necessary to function property as a wireless facility and close T-Mobile's significant gap in coverage. This was determined partly through use of drive testing analysis at multiple heights, at 31 feet centerline (equaling the maximum 35-foot overall height) and 46-foot centerline (equaling a lesser height variance for a 50-foot structure) as well as 61-foot centerline (equaling the requested 65 foot antenna tip height) and drive testing was conducted at each height. It was determined that only the 61-foot centerline /65 foot-tip antenna tip height achieved the coverage objectives and closed the significant gap. The above referenced supplemental RF letter and related 2016 RF expert report provide additional details regarding these drive test procedures and analysis. Based on this evidence, in 2017 the City's Hearing Examiner determined that there was no alternative way to relieve this material hardship other than allowing the 65-foot minimum height requested.

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and**

Applicants' Response:

The proposed replacement structure is a faux evergreen "monopine" stealth tree structure that is set against a backdrop of existing trees and will blend into the existing vegetation. This proposal is the least intrusive means to provide the coverage and to operate the wireless use allowed on the property. Wireless is an allowed use on the property, and the granting of relief from the height restriction will not be injurious the properties in the vicinity. Furthermore, the upgraded facility will allow T-Mobile to provide enhanced service, data capacity, and E911 services as well as alternative home internet service to the surrounding population.

5. **The variance is the minimum necessary to provide reasonable relief.**

Applicants' Response:

The height requested is the minimum needed to provide reasonable relief. The replacement structure must be able to maintain the existing antenna height of the previous structure in order for T-Mobile's network to function properly and not open a significant coverage gap. As described in detail in the attached supplemental RF letter (see Variance ATTCH 18 – Supplemental RF height justification letter with attached 2016 RF height and siting justification report) an RF expert determined that the requested height is the minimum height necessary to function property as a wireless facility and close T-Mobile's significant gap, after completing a drive test at alternative, lower heights. The City's Hearing Examiner determined that there was no alternative way to relieve this material hardship other than allowing the minimum height requested.

G. *Conditions of approval.* The decision authority may attach reasonable conditions to safeguard the public health, general welfare and safety.

Applicants' Response:

Understood.

H. *Lapse of approval.*

1. An approved nonadministrative variance shall expire after one year from the later date of the decision being issued or an appeal becoming final unless a complete building permit application is submitted; and

2. Expiration of the nonadministrative variance is automatic and notice is not required; and

3. The director may grant a single six-month extension if the applicant makes such a request in writing prior to the expiration date and can show good cause for granting the extension.

Applicants' Response:

Understood.

EXHIBIT 37

INSLEE BEST
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Response Memo – Non-Administrative Variance Application – First Review Comment Letter (Nov. 2024)

Co-Applicants:	VB BTS III, LLC and T-Mobile West LLC
Representative:	Chris DeVoist Technology Associates EC Inc. 9725 3rd Ave NE, Suite 410 Seattle, WA 98115 206-949-3321 christopher.devoist@taec.net
Submitted To:	City of Medina Thomas Carter, Planning Consultant
Project:	US-WA-7001/SE02481B Evergreen Point
Project Address:	7800 NE 28th St
Associated Permits:	P-24-035
Re:	Resubmittal responses to deficiency letter
Date:	January 31, 2025

Dear Mr. Carter,

Please find enclosed responses and associated revised and additional documentation addressing your comments in the1st Review Comment letter dated November 14, 2024.

Below you will find a list of attached documents in this response package and response to each comment.

- ATTCH 17 – Response Memo (this document)
- Replacement ATTCH 2 – Revised Non-administrative variance checklist and application
- Replacement ATTCH 3 – Revised Variance Approval Criteria Code Responses
- ATTCH 18 – Supplemental RF height justification letter, with attached 2016 RF height and siting justification report

Comments and responses

Please find below comments along with applicant responses in **blue.**

Non-Admin Variance Application:

1. The applicant has indicated that the proposed variance seeks to increase the height of the existing monopole 5 feet in height, modifying the previously approved Non-Administrative Variance from a height of 35 feet to 65 feet. Since the replacement structure is considered new, it must comply with the standards outlined in MMC 16.37.070. The applicant should clarify that this variance request is to increase the allowed antenna height of 35 feet to 70 feet for the proposed monopine structure that will replace the existing monopole structure.

Response:
Applicants' non administrative variance application and statement addressing the City's approval criteria has been revised to justify the 70-foot overall height regardless of any prior approvals. Justification for the overall height of 70 feet is demonstrated in Attachment 2, the revised application, and Attachment 3, revised responses to the relevant approval criteria in the Statement of Code Compliance.

2. Per MMC 16.72.030.E.2 evidence of other variances granted under similar circumstances shall not be considered in the granting of a non-administrative variance.

Response:
Applicants are not using the granting of other variances as justification for this variance in the revised application submittals. That said, the evidence and data supporting the City's prior approval of a height variance for the existing wireless facility *under the same circumstances (same location and same antenna tip height)*, and the rationale for that prior approval, are relevant to this application for a modification to the exiting site that would maintain the same antenna tip height. Moreover, it is relevant that T-Mobile has built and maintained its network since the City's prior approval in reliance on the 65-foot antenna tip height of the pole at this location.

Approval Criteria

1. All approval criteria questions need to be revised to reflect that this is a variance to allow a height of 70' for the proposed monopine structure. Due to the monopine being considered a new structure it would need to comply with the standards for in MMC 16.37.070

Response:
The approval criteria responses have been revised to reflect that the applicant is requesting a variance to allow a 70-foot-tall new structure.

2. Criteria Approval #1: The variance does not constitute a granting of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is located; and

   Staff Comments: Applicant will need to address what the variance is for and how its use is not a granting of special privileges.

Response:
The approval criteria responses have been revised to demonstrate that this is not a granting of special privileges, but only enabling an allowed use to continue as demonstrated in the responses.

3. Criteria #5: The variance is the minimum necessary to provide reasonable relief.

   Staff Comment: Provide additional information as to why or how it was determined that 70' is the minimum necessary to provide reasonable relief.

Response:
The approval criteria responses have been revised to demonstrate that 70 feet is the minimum height to provide reasonable relief. RF studies and supplemental letters are included and referenced to demonstrate how the 70-foot minimum height was determined.