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BEFORE THE HEARING EXAMINER FOR THE CITY OF MEDINA

Phil Olbrechts, Hearing Examiner

RE: T-Mobile Monopole Special Use Permit and Variance File Nos. P-24-036, P-24-034 & P-24-035	FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
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INTRODUCTION

T-Mobile¹ seeks approval of a special use permit and variance to replace a 65-foot stealth monopole wireless facility with a 70-foot monopine faux tree pole located at 7800 NE 28" Street. The purpose of the variance is to increase the authorized maximum height of MMC 16.37.070B2 from 35 feet to 70 feet. MMC 16.37.120A requires a special use permit for all wireless communication facilities. The applications are approved subject to conditions.

The proposed monopine faux tree design is denied by this decision. T-Mobile is required to instead employ a "nonstealth" design option in which the monopole is completely exposed but painted green along with its antenna. The strict attention to aesthetic impacts of this decision implements Medina's priority to maintain its highly sensitive "sylvan" (wooded) suburban character as reflected in several comprehensive plan goals and policies.

Pursuant to the City's strict aesthetic policies great care must be taken to assure that the least visually intrusive design is applied to the monopole. Ironically, the community's focus upon trees results in the disqualification of T-Mobile's proposed faux tree design. The faux design is too obviously faux in contrast to the surrounding natural tree environment. In that regard the design draws more attention to itself rather than less. The bulk of the faux tree was also of great concern to City staff as it was significantly more than the other design options presented by T-Mobile.

T-Mobile presented two other concealment design options: (1) a cannister stealth option in which the antennas of the pole are hidden in a cylinder surrounding the monopole and (2) a "nonstealth" option in which the monopole is fully exposed but its

¹ "T-Mobile" is a shorthand reference to the identified in Finding of Fact No. 1.

1 antennas are painted green along with the pole itself. The nonstealth option is required
2 by this decision since it presents the least bulk of all three options.

3 An added condition resulting from the nonstealth selection is that the design be limited
4 to that depicted in T-Mobile's photo simulations and other submissions into the record.
5 As previously noted, the nonstealth option was selected for its comparatively minimal
6 bulk. That bulk could change if T-Mobile adds antennas to the pole beyond that
7 proposed. Revisions that T-Mobile has requested to staff recommended conditions of
approval suggest that T-Mobile would like to keep its options open to add facilities to
the pole. If T-Mobile does make any such changes, it will have to acquire approval of
permit amendments as any developer would when altering an approved project design
to the extent consistent with federal law.

8 At the hearing Ms. Nunn testified that she felt that hearing notice and community
9 outreach was inadequate. Mr. Wilcox, the City's community development director,
10 testified that he had suggested enhanced outreach but that was declined by T-Mobile.
11 It is undisputed that the applications under review have met all required public notice
12 requirements. Arguably nothing more can be required of T-Mobile. In any event,
13 federal law places deadlines on WCF permit processing and added notice requirements
cannot be implemented without violating those deadlines. Further, T-Mobile
volunteered to an extension of the federal deadline to submit some additional photo
simulations. Those additional simulations were helpful in assessing impacts. T-Mobile
also met with the City Council to discuss their application, which was not required.

14 Ms. Nunn also questioned whether the proposed monopole would appreciably improve
15 coverage. Data not made available until the hearing do show a marked improvement
16 in coverage. Figures A-C of T-Mobile's PowerPoint presentation show a massive
17 improvement in 2.5 GHZ coverage and a significant improvement in low band
coverage.

18 ORAL TESTIMONY

19 A computer-generated transcript of the hearing has been prepared to provide an
20 overview of the hearing testimony. The transcript is not intended to provide a precisely
21 accurate rendition of testimony but generally identifies the subjects addressed during
22 the hearing. The transcript is provided for informational purposes only as Appendix
A.

23 EXHIBITS

24 Exhibits 1-40 listed on the revised Exhibits list submitted by staff as a supplement to
25 the staff report dated April 9, 2025, were admitted into the record during the April 16th,

2025, virtual public hearing. The following exhibits were also admitted at or after the hearing:

- Ex. 41: Applicant PowerPoint presentation
- Ex. 42 : Applicant letter requesting revised conditions
- Ex. 43: Photo simulations.
- Ex. 44 : May 9, 2025 Applicant Final Argument

FINDINGS OF FACT

Procedural:

1. Applicant. The Applicants are VB BTS II, LLC (Vertical Bridge) and T-Mobile West LLC (T-Mobile).
2. Hearing. A virtual hearing was held on the application on April 16th, 2025, at 10:00 am. The record was left open through April 30, 2025 for added photo simulations of other design options with a public response of May 7, 2025 and final word from T-Mobile on May 9, 2025.

Substantive:

3. Site/Proposal/Project Description. T-Mobile seeks approval of a special use permit and variance to replace a monopole wireless facility located at 7800 NE 28" Street in the City of Medina. The purpose of the variance is to increase the authorized maximum height of MMC 16.37.070B2 from 35 feet to 70 feet. MMC 16.37.120A requires a special use permit for all wireless communication facilities. The applications are approved subject to conditions.

The primary use of the project site is the Bellevue Christian Elementary School. The monopole to be replaced was approved by the City in 2016. The existing wireless communications facility (WCF) is located on the northwest corner of the project site in an existing 35' x 25' leased area. T-Mobile requests to remove the existing 65-foot stealth monopole and replace it with a 70-foot monopine. A monopine is an imitation tree likely constructed of metals and plastics. The monopine will continue to be an unmanned wireless facility. (Ex. 5 at 5). 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 existing fence and gate approved under the 2016 WCF are not proposed to be modified. (Ex. 5 at 5). The equipment building will also not be modified and T-Mobile proposes to put all ground equipment into the existing structure. Tr. 8.

1 The existing monopole included a 98-foot setback, as measured from the equipment
2 shelter. T-Mobile has represented that the distance from residential properties will
not be decreased by the Proposal (Ex. 9 - response to MMC 16.37.070B.4).

3 4. Characteristics of the Area. The subject property is zoned Parks and Public Places.

4

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

7

8 5. Adverse Impacts. As mitigated, the impacts of the proposal are minimized. The
9 Responsible Official issued a Revised Determination of Nonsignificance (Revised
DNS) on March 12, 2025.

10 The primary impact of concern is aesthetic. As a 70-foot tall structure the proposal
11 towers over surrounding structures that are all limited to 35 feet by City zoning
12 standards. The site plan (Ex. 12, sheet A-1.1) illustrates that the existing 2016
13 WCF monopole is much smaller in area than the proposed monopine faux tree (Ex.
14 12, sheet A.1.2), with a staff report approximation that the faux pine exceeds the
15 area and dimensions of the existing 2016 WCF by as much as two to three times.
16 The gross diameter of the monopine was not provided. The photo-simulations of
17 the design options presented by T-Mobile emphasize the increased bulk of the
18 monopine as opposed to the existing monopole and alternative design options (Ex.
19 34, 25). Of particular concern to City staff is that the monopine will be visible from
Evergreen Point Road, which is apparently a highly travelled road in the Medina
community. The Ex. 25 site plan shows the proposed monopole will 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.

20 Although the monopine proposal increases aesthetic impacts, it must also be
21 recognized that the baseline for assessing conditions is the current condition of the
22 environment², which is the 65-foot monopole. As shown in the photo simulations,
Ex. 33 and 34, from some vantage points both the existing and proposed monopoles

23 ² *King Co. v. Friends of Sammamish Valley*, 3 Wn.3d 793, 556 P.3d 132 (2024). The
24 Sammamish case addresses the environmental baseline for SEPA review. However,
25 there is no case law that addresses baseline for zoning permit review and in any event
there is no apparent reason why baseline should be assessed differently for zoning
permits.

1 are overshadowed in height by surrounding pine trees of greater height. The
2 monopole will be painted dark green for further concealment within the green
3 background of the surrounding pine trees. Applying the appropriate baseline, the
4 requested five foot increase in height by itself is not significant. Coupled with the
5 added bulk of the faux pine or cannister design options the height increase is
6 significant.

7 The most significant and perhaps only material difference of opinion between City
8 staff and T-mobile concerns the choice of concealment design used to reduce
9 aesthetic impacts. As previously noted T-Mobile proposes a faux pine design. T-
10 Mobile has also presented a stealth cannister and nonstealth structure as alternative
11 design options. See Ex. 32 and 33. The stealth cannister option conceals all
12 monopole antenna in a cannister. The nonstealth option leaves the monopole
13 exposed but includes painting the monopole and its antenna green. City staff
14 advocate those two alternatives because while obtrusive, both are visually expected
15 while a monopine could become an undesired feature along Evergreen Point Road.

16 At first glance using a faux pine structure as opposed to the other two design options
17 would appear to directly serve the City's objective of maintaining its "sylvan"
18 character as discussed in its comprehensive plan (See COL³ 4). However, as shown
19 in the simulations and pictures of the monopine design, the monopine is clearly
20 artificial. In this regard the monopine design enhances rather than obscures the
21 artificial aesthetic of the tower, at least when in close proximity. The aesthetic
22 impact of the monopine design when compared to the other design options is further
23 exacerbated by the greater height and greater width of the faux pine. The
24 significance of the difference in aesthetic impact between the monopine and
25 alternative design options can be reasonably debated. However, most reasonable
minds would agree that the alternatives, or at least the nonstealth option, has less
impact.

City staff expressed no preference between their two preferred options. As noted
by T-Mobile, the cannister has more bulk than the nonstealth option and in this
sense has a greater aesthetic impact. T-Mobile also favors the nonstealth option
because the cannister option impedes access and creates heat problems. Tr⁴. 24.
The nonstealth option is found to create the least aesthetic impact.

6. Necessity of Variance/Minimum Request. The proposed 65 foot tower height is
the minimum necessary to enable adequate T-Mobile adequate WCF coverage.

³ "COL" are conclusions of law. "FOF" are findings of fact.

⁴ "Tr." are citations to the Appendix A transcript.

1 T-Mobile asserts it has a significant gap in reliable wireless service in the area
2 around the proposed site. A gap in reliable in-vehicle and in-building residential
3 service currently exists in the vicinity of the project site. Currently T-Mobile is
4 operating on a temporary 45' tall facility at Fairweather Park. The current
5 temporary site and any other facility of similar or lower height cannot remedy the
6 significant gap in service. T-Mobile identifies 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).

7
8 Although the height requested by T-Mobile is 70 feet, the height approved for the
9 proposal continues to be 65 feet under the nonstealth design option. The 65-foot
10 height is necessary to provide for adequate T-mobile cellular coverage. T-Mobile
11 submitted a cellular coverage analysis prepared by a radio frequency engineer,
12 Nathan Rausch, to establish the need for the proposed height. (Ex. 38). In Ex. 38,
13 Mr. Rausch states that modeling and analysis show that *"the antenna tip height of
14 65 feet continues to be the minimum necessary to continue to fill what would
15 otherwise be a significant gap in coverage"*. (Ex. 38).

16 The Ex. 38 analysis was an update to analysis used to justify the 65-foot height of
17 the currently existing monopole. The analysis was based upon the use of a test
18 antenna transmitting at different heights coupled with drive testing to assess
19 adequacy of coverage. T-Mobile doesn't appear to have any financial incentive to
20 build towers with heights that exceeds its coverage needs. There is also no evidence
21 in the record that conflicts with Mr. Rausch's findings or suggests them to be in
22 error.⁵ From these facts it is concluded that 65 feet is the minimum necessary for
adequate T-Mobile coverage.

23 A lower height is not reasonably available in an alternative location. The location
24 of the proposed facility is particularly suited for T-Mobile's RF Engineering needs.
25 The site is located in close proximity to the existing temporary site. This location
allows for similar coverage to be provided thus allowing existing customers to
continue receiving personal communication services. The site is also located at a
ground elevation that is higher than other alternative locations identified in the
report to follow. This higher ground elevation allows for a reduction in total tower
height. Furthermore, the location is in a wooded area surrounded by trees which
limits the visibility of the structure.

⁵ As noted in the Introduction, Ms. Nunn questioned the anticipated improvements in coverage. Data presented for the first time at hearing showed that coverage would in fact be significantly increased at low and high band levels.

1 T-Mobile explains that to replace the temporary facility and remedy T-Mobile's
2 significant gap in coverage, a relatively narrow search area exists to ensure T-
3 Mobile can complete their network requirements according to sound engineering
4 practices. This narrow search area is limited to within a few hundred feet of the
5 temporary location and requires similar or better ground elevation. T-Mobile
6 assessed a couple alternative locations advocated by local residents. Ex. 39, Conroy
7 analysis, p. 19. Both sites were too far from T-Mobile's coverage area and at too
low an elevation compared to the proposed site to provide adequate coverage. No
evidence of any other viable alternative site was presented. In the absence of any
evidence in the record to suggest a feasible alternative that can meet T-Mobile's
coverage needs with less adverse impact, the proposed site must be considered the
best available site to provide adequate coverage.

8 CONCLUSIONS OF LAW

9 Procedural:

- 10 1. Authority of Hearing Examiner. MMC 16.80.050(C) authorize the Hearing
11 Examiner to hold hearings and issue final decisions on variance and special use
12 permit applications.

13 Substantive:

- 14 2. Zoning. The project site is zoned Parks and Public Spaces.
- 15 3. Review Criteria. MMC 16.37.120A requires a special use permit for all wireless
16 communication facilities. Wireless communication facilities are defined by MMC
17 16.12.260 as "*a facility designed and used for the purpose of transmitting, receiving,*
18 *and relaying voice, video and data signals from various wireless communication*
19 *devices...*" The proposed monopole meets this definition and a special use permit is
20 required. As previously noted T-Mobile as requests a variance because its proposed
21 monopole height exceed the 35 foot height limit for wireless communication facilities
imposed by MMC 16.37.070B2. Applicable review criteria for both the special use
permit and variance are quoted below in italics and imposed via corresponding
conclusions of law.

22 *Special Use Permit*

23 *MMC 16.72.010, A non-administrative special use permit may be approved*
24 *only if the following criteria are satisfied:*
25

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

3 4. Criterion Met. As conditioned for the nonstealth design option, the criterion is met.

4 As identified in FOF 5, a central issue in this application is whether the faux pine
5 design proposed by T-mobile should be authorized as opposed to the stealth design
6 advocated by City staff. Preservation of the City's sylvan character is found to be
7 of central importance in the City's comprehensive plan. Given this priority, it is
8 further found that all reasonable effort is required to require the least visually
9 intrusive design. The nonstealth design option is found to be most compatible with
10 the sylvan character and is thus found necessary to comply with the aesthetic goals
11 and policies of the comprehensive plan.

12 Medina is a unique community in that community aesthetics play a major role in
13 maintaining community identity, property values and a premium high quality built
14 environment. The City's comprehensive plan provides a good explanation on the
15 significance of its high quality setting:

16 ...
17 *Medina finds itself in the center of an increasingly urban metropolitan area.*
18 *The City is attempting to maintain its identity in the face of exploding*
19 *growth that has been occurring all through King County. Medina's unique*
20 *character is due in part to its lake front location. With approximately five*
21 *miles of waterfront, the City is graced by premium single-family residential*
22 *development along the lakeshore, and a mixture of modest homes in the*
23 *north-central portion of the City, establishing the character of the City as a*
24 *high-quality residential community.*

25 *Medina also has a distinctive and sylvan quality that is typified by semi-*
 wooded and heavily landscaped lots that provide visual and acoustic
 privacy between neighbors and abutting city streets. Many of the residences
 are situated in open settings, which take advantage of the attractive lake
 and territorial views. Additional contributing factors are elaborately
 landscaped lots as well as the large tracts of open space, which can be seen
 from city streets...

 Medina Comprehensive Plan, Setting and Character, p. 8.

 The Comprehensive Plan has numerous goals and policies designed to maintain
 and perpetuate the City's natural and high quality built environment. Examples
 of such goals and policies are as follows:

1 **Goal LU-G1:** *To maintain Medina’s high-quality residential setting and*
2 *character, while considering creative housing solutions to accommodate*
3 *community members of all socioeconomic groups.*

4 **Goal CD-G2:** *Maintain the informal, natural appearance and safety of*
5 *the Medina’s street rights-of-way and public areas.*

6 **CD-P1:** *Preserve and enhance trees as a component of Medina’s*
7 *distinctive sylvan character.*

8 **CD-P6:** *Encourage infill and redevelopment in a manner that is*
9 *compatible with the existing neighborhood scale.*

10 **CD-P9:** *The City's design objective is to maintain the City's natural, lower-*
11 *density, and informal appearance. Medina’s highly visible streets as*
12 *identified in the Landscaping Plan should be heavily landscaped with*
13 *native trees and shrubs arranged in an informal manner.*

14 **H-P2:** *Maintain the informal, sylvan residential character of*
15 *neighborhoods. Encourage residential site development and*
16 *redevelopment to plan for the retention or preservation of existing trees.*

17 From the comprehensive plan goals and policies above it is clear that maintaining the
18 sylvan character of the City is a priority objective of the City. As a priority objective,
19 all reasonable effort should be made to maintain that sylvan character and any failure
20 to do so would not be consistent with the policies and goals enunciated above. As
21 determined in FOF 5, the nonstealth design has less adverse aesthetic impact. That
22 design is found necessary to establish conformance to the City’s comprehensive plan.

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

24 5. Criterion Met. The criterion is met. The nonstealth design required by this decision
25 coupled with several other mitigation measures minimizes impacts as determined
26 in FOF No. 5.

27 3. *The use satisfies all requirements specified for the use;*

28 4. Criterion met. The criterion is met. The proposal meets all applicable development
29 standards as outlined in detail in the staff report.

30 5. *The use complies with all applicable zoning and development standards and*
31 *requirements; and*

1 6. Criterion Met. The criteria is met. The proposal meets all applicable development
standards as outlined in detail in the staff report.

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

5 7. Criterion Met. The criteria is met. As identified in Finding of Fact No 5, the
6 Proposal will remove the existing generator from the leased space, which should
reduce noise on the site.

7 Variance

8 ***MMC 16.72.100.E.1, Non-administrative variances may be granted where the***
9 ***application of a dimensional standard would result in an unusual or unreasonable***
10 ***hardship due to physical characteristics of the site;***

11 8. Criterion Met. The criterion is met. As identified in Finding of Fact No 6, the
12 proposed height is the minimum necessary to provide for adequate T-Mobile
coverage.

13 ***MMC 16.72.100.E.2, Evidence of other variances granted under similar circumstances***
14 ***shall not be considered in the granting of a non-administrative variance; and***

15 9. Criterion Met. The criterion is met. The approval of other variances have not
16 served as precedent in this review.

17 ***MMC 16.72.100.F.1, The Variance does not constitute a granting of special privilege***
18 ***inconsistent with the limitations upon uses of other properties in the vicinity and zone***
in which the subject property is located.

19 10. Criterion Met. The criterion is met. Approval is mandated by federal law to meet the City's
20 obligation to provide for adequate coverage for personal wireless services. The City would
21 similarly approve any other project where approval was mandated by state or federal law.
As such, approval for this project would not qualify as a grant of special privilege.

22 Section 704(a) of the Telecommunications Act of 1996 Act requires that the
23 regulation of the placement, construction, and modification of personal wireless
24 service facilities by any local government shall not prohibit or have the effect of
25 prohibiting the provision of personal wireless services. 47 U.S.C. §332(c)(7)(B)(i).
The City is free to reasonably regulate the impacts of wireless facilities and Medina
certainly has done so. The proposal meets all of the City's wireless facility
development standards and no alternative locations are reasonably available.

Under these circumstances the City must approve the variance request if that is necessary for adequate coverage. As determined in FOF 6, the variance is necessary for adequate coverage. Since approval is mandatory, the approval does not qualify as special privilege.

MMC 16.72.100.F.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.*

11. Criterion Met. The criterion is met. The variance is necessary because of special circumstances related to location and surroundings that make it infeasible to otherwise provide adequate coverage for personal wireless services. The circumstances of the location and surroundings are “special” when combined with the Telecommunications Act coverage requirements as outlined in COL 10. The combination of topography, surroundings and law creates a unique set of conditions that necessitate the variance. The same rights and privileges would extend to any other WCF provider in the same vicinity and zone.

MMC 16.72.100.F.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.*

12. Criterion Met. The criterion is met, As detailed in FOF 6, there are no other alternative locations reasonably available to provide full personal wireless service coverage.

MMC 16.72.100.F.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.*

13. Criterion Met. The criterion is met as identified in FOF 5.

MMC 16.72.100.F.5, *The Variance is the minimum necessary to provide reasonable relief.*

14. Criterion Met. The criterion is met with the concealment design limited to a 65 foot height as outlined in FOF 5.

DECISION

1 The variance and special use permit applications are approved subject to the conditions⁶
2 below:

- 3 1. Pertinent building construction, right of way use, tree protection, and construction
4 mitigation permits shall be obtained before starting construction activity.
- 5 2. All other zoning and development regulations applicable to the Proposal shall be
6 followed and confirmed during the building permit review.
- 7 3. No existing landscaping or trees shall be removed, altered, or modified.
- 8 4. The 98-foot setback to residential properties approved by 2016 WCF shall not be
9 decreased/reduced in any way.
- 10 5. The existing generator shall be removed from the site. Addition of a new generator
11 would be under permits issued by the City of Medina.
- 12 6. All replacement and/or ancillary facilities shall be placed within the interior of the
13 existing equipment structure or on the tower. The existing equipment structure shall
14 not be relocated, expanded, or modified. No equipment or facilities shall be located
15 outside of the existing equipment structure on the ground.
- 16 7. The existing fence and gate security barriers shall not be modified or altered.
- 17 8. No activities shall occur in, and there shall be no impact to, the geohazard area
18 located on the Property.
- 19 9. Plans for concealment techniques for a ~~Stealth Canister~~ or Non-stealthed Structure
20 shall be submitted to the City as part of a complete building permit application and
21 screen, hide, or disguise the facilities to make them visually inconspicuous to the
22 extent technically feasible to surrounding properties and city streets. No building
23 permit shall be issued until the City approves the proposed concealment techniques
24 as meeting the conditions of this decision and in conformance with the proposed
25 design of Ex. 34 and 43 to the extent consistent with the conditions of this decision.
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

⁶ Changes to staff recommended conditions are identified in track change.

1 with the natural surroundings. The City has the discretion to approve or reject the
2 proposed color. This condition shall also be a condition of building permit issuance.
3 Continued maintenance of the approved color shall be a condition of building
4 permit issuance. The proposed color will be submitted by product name and
5 manufacturers identification.

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

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

11 14. Abandoned WCF, as defined by MMC 16.37.170, shall be removed no later than
12 90 days from date of abandonment.

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

18 16. The proposal is required to conform to the nonstealth design option as depicted in
19 Ex. 34. The design, bulk and dimensions of the nonstealth option shall be
20 materially limited to the parameters depicted in Ex. 34 and otherwise proposed by
21 T-Mobile. Additions to the monopole shall be subject to amendment requirements
22 as applicable to any other approved special use permit design as consistent with
23 federal law.

24 Dated this 23rd day of May 2025.

25 *Phil Olbrechts*

Phil Olbrechts,
City of Medina Hearing Examiner

26 Appeal and Valuation Notices

27 Approval of the shoreline substantial development permit is subject to appeal to the
28 Washington State Shoreline Hearings Board as governed by Chapter 90.58 RCW.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

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