

city of saint paul
planning commission resolution
file number
date

WHEREAS, Verizon Wireless, File # 14-088-188, has applied for a conditional use permit for cellular antennas and associated equipment within a rooftop enclosure on a residential structure less than 60 feet high under the provisions of §65.310 and §61.501 of the Saint Paul Legislative Code, on property located at 1160 Grand Ave, Parcel Identification Number (PIN) 032823410037, legally described as Manson And Simontons Addition Lot 1 Blk 3; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 13, 2014, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant, Verizon Wireless, seeks to install six (6) cell antennas within a 10.5-foot (width) x 10.5-foot (length) x 11.0-foot (height) enclosure on the roof of the 2.5-story, 28-foot (to the top of the parapet), multifamily residential structure at 1160 Grand Avenue. As proposed, the new rooftop structure would be placed 20 feet from the front of the building and 14 feet from both sides. The enclosure would be covered in materials that look similar to the exterior of the existing residential structure and is designed so that the applicant could add additional antenna within the enclosure without additional visual impact to the building. The associated operating equipment would be located in the basement of the building with two cooling units in the rear yard. In December 2009, the Department of Safety and Inspections issued a Determination of Similar Use statement that broadband data service is substantially similar in character to traditional cellular telephone service.
2. §65.310 defines "cellular telephone antenna," requires a conditional use permit for cellular telephone antennas on a residential structure less than 60 feet high, and lists standards and conditions with which they must comply. Conditions (a), (b), (c), (d), (h) and (i) apply:
 - a) *In residential districts, a conditional use permit is required for cellular telephone antennas on a residential structure less than sixty (60) feet high. In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a freestanding pole, except for existing utility poles. In residential and traditional neighborhood districts, existing utility poles to which cellular telephone antennas are attached shall be at least sixty (60) feet high. This condition is met. An application for a conditional use permit has been made for*

moved by _____

seconded by _____

in favor _____

against _____

- a wireless communication antenna on a residential structure less than 60 feet high.
- b) *In residential, traditional neighborhood, and OS-B3 and B5 business districts, the antennas shall not extend more than fifteen (15) feet above the structural height of the structure to which they are attached. In B4 Business and Industrial Districts, the antennas shall not extend more than forty (40) feet above the structural height of the structure to which they are attached. This condition is met. The antenna will be less than 15-feet high above the roof of the structure.*
 - c) *For antennas proposed to be located on a residential structure less than sixty (60) feet high in residential districts, or on a new freestanding pole in residential, traditional neighborhood, and business districts, the applicant shall demonstrate that the proposed antennas cannot be accommodated on an existing freestanding pole, an existing residential structure at least sixty (60) feet high, an existing institutional use structure, or a business building within one-half (1/2) mile radius of the proposed antennas due to one (1) or more of the following reasons:*
 - i. *The planned equipment would exceed the structural capacity of the existing pole or structure.*
 - ii. *The planned equipment would cause interference with other existing or planned equipment on the pole or structure.*
 - iii. *The planned equipment cannot be accommodated at a height necessary to function reasonably: This condition is met. The applicant has provided a map showing buildings within one half mile of the proposed antenna site, and explained why the proposed antenna cannot be accommodated on existing structures in the area.*
 - iv. *The owner of the existing pole, structure or building is unwilling to co-locate an antenna. This condition is met. The applicant has provided a map showing buildings within one-half mile of the proposed antenna site, and explained why the proposed antenna cannot be accommodated on existing structures in the area.*
 - d) *In residential, traditional neighborhood and business districts, cellular telephone antennas to be located on a new freestanding pole are subject to the following standards and conditions: The proposed antenna is not a freestanding design.*
 - e) *Transmitting, receiving and switching equipment shall be housed within an existing structure whenever possible. If a new equipment building is necessary, it shall be permitted and regulated as an accessory building, section 63.500, and screened from view by landscaping where appropriate. This condition is met. The applicant is proposing to house the equipment cabinets in the basement of the building. Two cooling units will be placed in the rear yard of the property.*
 - f) *Cellular telephone antennas that are no longer used for cellular telephone service shall be removed within one (1) year of nonuse. This condition is met. The applicant has agreed to abide by this condition.*
3. §61.501 lists five standards that all conditional uses must satisfy:
- a) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council. This condition is met. The Comprehensive Plan refers to the importance of ensuring investments in local and regional infrastructure supportive of economic development.*
 - b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met as it is not applicable to this project.*

- c) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met subject to the condition that the antenna enclosure shall be placed a minimum of 20 feet from the front and back of the building and placed a minimum of 12 feet from the sides of the building. While the proposed structure is well within the 50-foot height limit for structures in the RM2 district, these setbacks will mitigate its visual impact.
- d) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will not impede the development or improvement of surrounding properties.
- e) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The construction, operation maintenance of the antenna will conform to all applicable district regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Verizon Wireless for a conditional use permit for cellular antennas and associated equipment within an enclosure on a residential structure less than 60 feet high at 1160 Grand Ave is hereby approved subject to the following conditions:

1. The antenna enclosure shall be placed a minimum of 20 feet from the front and back of the building and minimum of 12 feet from the sides of the building.
2. The antenna enclosure shall be clad in materials that look similar to those on the residential structure below.
3. Antennas that are no longer used for cellular phone or data services shall be removed within one (1) year of nonuse.
4. The antenna enclosure shall be removed from the rooftop at the same time as the last antenna.

March 6, 2014

Summit Hill Association

Jamie Radel- Planning Staff
St. Paul Planning Commission – Zoning Committee
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District 16 Planning Council
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Saint Paul, Minnesota 55105
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e-mail: summithill@visi.com

RE: Zoning File #14-088-188: 1160 Grand Avenue

Dear Members of the Planning Commission and Zoning Committee:

The Summit Hill Association – Zoning & Land Use Committee (ZLU) held a neighborhood public hearing on February 6, 2014 regarding an application from Verizon Wireless seeking a Conditional Use Permit (CUP) to place six antennas and associated equipment on the rooftop of the multiunit property located at 1160 Grand Ave.

The applicant stated that the antennas will fill a void in wireless services caused by a lack of capacity to handle the increasing usage of Verizon customers. On Feb. 6th, Verizon proposed to place six (6) antennas, six (6) remote radio head units, and one (1) raycap surge protector box on the roof of this property with twelve (12) lines of coax and one (1) hybrid cable running from the roof into the basement equipment room of the building. The cables would run on the outside of the building with a conduit to shield them. On the ground in the rear of the building, a proposed condensing unit will be located to help cool the equipment located inside the basement equipment room.

The Summit Hill Association solicited input from surrounding residents within 350 feet; and received no comments in support of the application but did receive six written messages in opposition. At the Feb. 6th hearing, 11 residents from the impacted area attended and shared their opposition.

The SHA- ZLU Committee strives to base zoning recommendations on City code requirements, findings, and all available information. In doing so, the ZLU reviewed the application in the context of the St. Paul Zoning Code Sec. 65.310 - *Antenna, cellular telephone* and Sec. 61.501 – *Conditional use permit, general standards*.

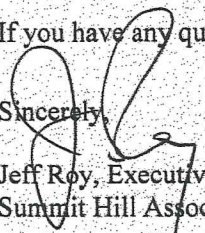
Based on the testimony given from Verizon Wireless representative James Ries, his responses to questions from ZLU Committee members; and in light of the overwhelming opposition by impacted residents - who referenced Sec. 61.501, *Subsection (c)* as the bases of their concern about how the use of antennas on the rooftop would be “detrimental to the existing character of the development in the immediate neighborhood ...”, the SHA Zoning & Land Use Committee voted (4 -3) to recommend denial of the CUP application file #14-088-188.

As per SHA policies, that recommendation was referred to the full SHA Board of Director who met on Feb. 13, 2014 to review the vote. The SHA Board of Directors found that the reasoning and vote of the ZLU Committee was appropriate and approved the recommendation on a vote of (9 ayes – 1 nay and 3 abstentions).

Subsequently, SHA was informed that some visual changes were being proposed by Verizon Wireless to hide the antennas with a large structure on the roof. The SHA Board, on review of the photo simulations, found no reason to believe that the visual impact was any better for impacted residents and the character of the local neighborhood to warrant re-opening this case.

If you have any questions about the discussion or recommendation, you may contact me 651-222-1222.

Sincerely,


Jeff Roy, Executive Director
Summit Hill Association/District 16 Planning Council

cc: Eddie Buell, on behalf of Verizon Wireless
Dave Thune, Ward 2 Councilmember

Summit Hill Association

March 11, 2014

District 16 Planning Council
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Saint Paul, Minnesota 55105
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Jamie Radel- Planning Staff
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25 W. 4th St., St. Paul, MN 55102

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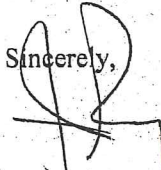
The Summit Hill Association – District 16 Planning Council respectfully requests that the Zoning Committee hearing - regarding Zoning File #14-088-188 with Verizon Wireless' CUP application for installing several cell phone antennas and related equipment at 1160 Grand Avenue - be postponed until the following Zoning Committee hearing date on March 27, 2014. Our request is based on concerns from the impacted residents that they do not have enough time to review and understand the detailed and technical materials that have been recently submitted by Buell Consulting on behalf of Verizon Wireless and that resident did not receive until Friday, March 7, 2014.

We have been told by residents, and agree, that "the new technical and structural details that were brought forward from Verizon is essentially a new proposal with a new structure for the antennae and over 40 pages of information – but with only 6 days to look at the new proposal and accompanying data before the hearing on the 13th. Verizon had weeks to prepare new plans to address City staff and neighbors' concerns, but we now have only six days to analyze this new proposal? Win or lose, that does not seem fair to the neighbors"

Compounding this timing and vetting issue for residents is the fact that at least two families who have been spokespersons for the impacted residents went on vacation out of the country around the or just before March 7th and are not available either to review and vet the information or be in town on the 13th. On this basis, SHA again requests a postponement until the 27th.

If you have any questions about request, you may contact me 651-222-1222.

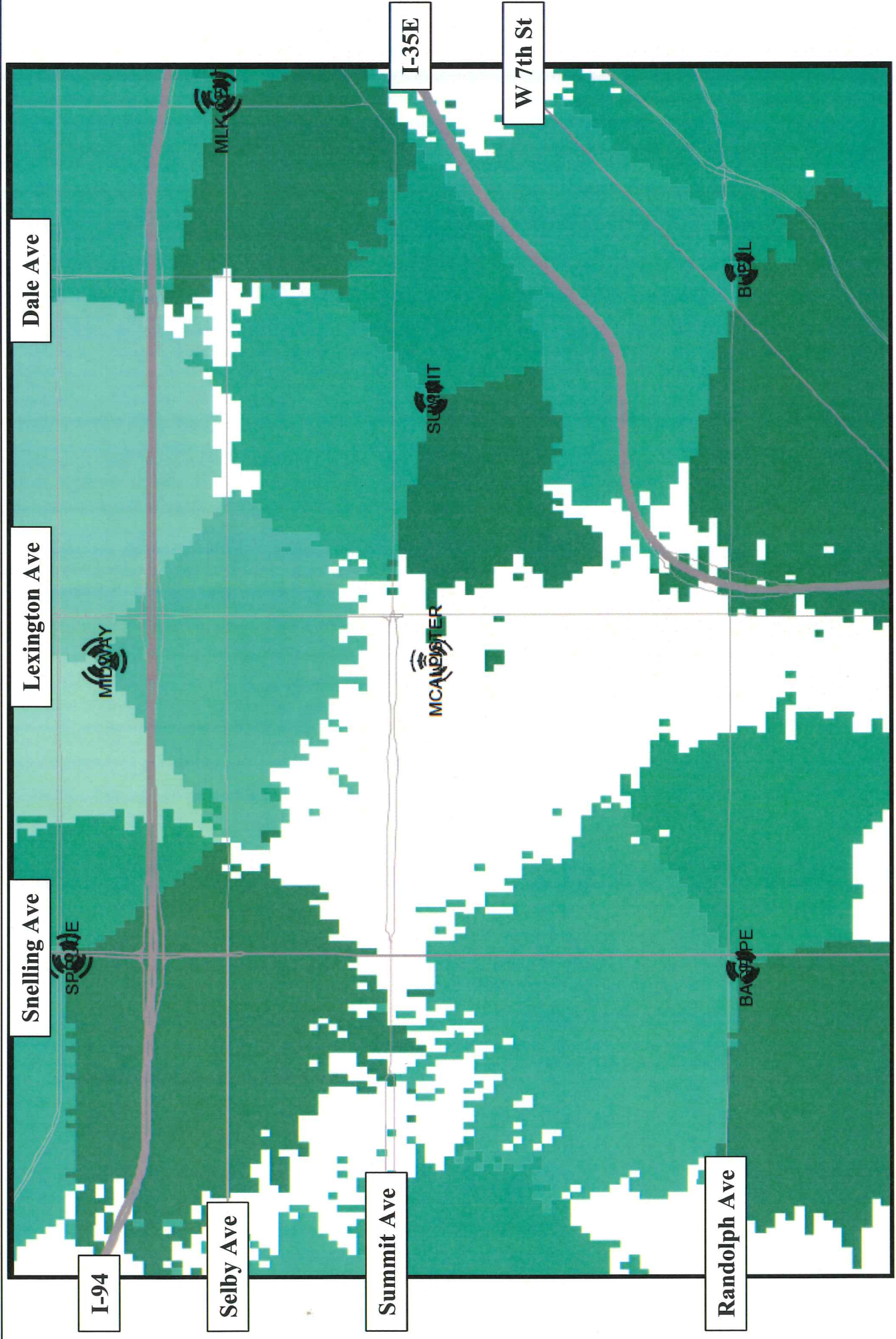
Sincerely,



Jeff Roy, Executive Director
Summit Hill Association/District 16 Planning Council

cc: Eddie Buell, on behalf of Verizon Wireless
Dave Thune, Ward 2 Councilmember
Andy Rorvig & Amanda Karls, residents
Mark and Bonnie Genereux, residents

Coverage Map – BEFORE Installation



Coverage Map – AFTER Installation

