

city of saint paul
planning commission resolution
file number
date

WHEREAS, Verizon Wireless, File # 17-017-620, has applied for a conditional use permit for small cell canister antennas on 3 light poles (total heights: 41', 22', and 43' 9") and rooftop panel cell antennas on Kagin Commons under the provisions of §61.501 and §65.310 of the Saint Paul Legislative Code, on property located at 1605 Grand Ave, Parcel Identification Number (PIN) 042823440101, legally described as Macalester Park All Of Vac Macalester St Lying Bet Nl Of St Clair Ave & S Of Ext Sl Of E-w Alley In Blk 7 Macalester Park All Of Vac Alley In Blk 8 Macalester Park & All Of Vac Alley In Blk 7 Sd Add Lying S Of Ext Sl Of Lot 8 Sd Blk 7 & The Fol Subj To Sts; The E 1/4 Of Se 1/4 Of Sec 4 Tn 28 Rn 23 & In Sd Macalester Park Vac Alley Adj & The S 16 Ft Of Lot 5 Blk 7 & All Of Lots 6,7,8,9 & 10 Blk 7 & Ex W 107 Ft; Lot 16 & All Of Lots 1 Thru Lot 6 Blk 8; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 30, 2017, 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 application requests conditional use permit approval to allow installation of 3 light poles with cellular telephone antennas and associated equipment, including remote radio units, as well as 6 sets of cellular telephone antennas and associated equipment upon the roof of Kagin Commons. The light pole antennas are of a small cell canister design, and the rooftop antennas are ballast-mounted panel antennas.
2. The proposed installations are located on the Macalester College campus in four different specific locations: Kagin Commons (6 sets), a new 40' high light pole near Snelling Ave. across from Lincoln Ave., a replacement 43'-9" high light pole west of the parking lot located west of the Snelling/Osceola intersection, and a replacement 22' high light pole in the parking lot west of the Wallace Fine Arts Center at 130 S. Macalester St. These installations are referred to in the application materials as "MIN KAGIN", "MIN STRICKER", "MIN SCOTS", and "MIN NEILL", respectively.
3. The Kagin Commons height to top of parapet is generally 32'. The tops of the proposed antennas on Kagin Commons are approximately 5' above the parapet heights, for total heights from grade of approximately 37'.
4. §65.310 lists nine standards and conditions that apply to cellular telephone antennas,

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including the following that apply to the subject application:

a. *In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a building less than 45 feet high or 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 60 feet high. Conditional use permit review for such antennas will take into account not only the request made by the application, but also any future eligible facility modifications allowed under 47 CFR §1.4.0001, such as antennas of a more obtrusive design or placement than the subject application. A conditional use permit is not required for any eligible facility modification allowed under 47 CFR §1.4.0001. This condition is met by the subject application and analysis included in the other findings. 47 CFR §1.4001 essentially allows any structure that supports cellular telephone antennas to be modified (regardless of zoning regulations) to accommodate additional future antennas and associated equipment so long as it does not constitute a "substantial change" in the structure's physical dimensions, and that it complies with conditions of the original antennas' siting approval. The regulation defines a "substantial change" as: (applied to the light poles in this case) a height increase of 20 feet plus the height of one additional antenna array, or a protrusion from the tower of more than 20 feet; or (applied to the rooftop installations) a height increase of 10 feet above the building height or a protrusion from the building of more than six feet.*

c. *For antennas proposed to be located on a building less than 45 feet high in residential, traditional neighborhood, and business 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 or an existing structure at least 45 feet high within ½ mile radius of the proposed antennas due to one 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.*
- iv. The owner of the existing pole, structure or building is unwilling to co-locate an antenna.*

This condition is met. The application states that the small cell antennas need to be located near the street level, rather than on taller buildings, in order function reasonably given the technology and the coverage objectives.

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:*

- 1. The freestanding pole shall not exceed 75 feet in height, unless the applicant demonstrates that the surrounding topography, structures, or vegetation renders a 75-foot pole impractical. Freestanding poles may exceed the above height limit by 25 feet if the pole is designed to carry two (2) antennas. This condition is met. The requested 41', 22', and 43'-9" high poles plus future additions allowed by 47*

CFR §1.4.0001 would equal 61', 42', and 63'-9" plus antenna height. (This condition does not apply to the rooftop installations.)

2. *Antennas shall not be located in a required front or side yard and shall be set back one (1) times the height of the antenna plus 38 feet from the nearest residential building.* This condition is met. The minimum front yard setback in the R3 district is 25'. The nearest residential building to any of the light pole installations is a Macalester College-owned duplex approximately 77' to the southwest of the parking lot installation near the Wallace Fine Arts Center, as compared to a height of 42' plus antenna height for the proposal plus future additions allowed by 47 CFR §1.4.0001. The other light pole installations are approximately 428' and 415' from the nearest residential buildings. (This condition does not apply to the rooftop installations.)
3. *The antennas shall be designed where possible to blend into the surrounding environment through concealment elements such as the use of color and camouflaging architectural treatment. Drawings or photographic perspectives showing the pole and antennas shall be provided to the planning commission to determine compliance with this provision.* Given the institutional and athletics fields setting and distance from the street and residential uses, this condition can be met so long as future additions to the light pole installations are required to have a small cell canister design, such as proposed by the subject application. (This condition does not apply to the rooftop installations.)
4. *In residential and traditional neighborhood districts, the pole shall be on institutional use property at least one (1) acre in area. In the business districts, the zoning lot on which the pole is located shall be within contiguous property with OS or less restrictive zoning at least one (1) acre in area.* This condition is met. The subject site is an institutional use property of 40.83 acres. (This condition does not apply to the rooftop installations.)
5. §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. There are no plan policies specific to this application.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The use produces very minimal traffic in the form of an occasional service truck that can be accommodated by existing ingress and egress.
 - (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 can be met if the light pole antennas (including any future additions) are of a small cell canister design such as proposed, and if the rooftop antennas (including any future additions) are set back from the roof edge by at least 10' (which would appear to require that the westernmost set of antennas be moved away from the building edge by approximately 2' or 3'). There is no need to condition that the antennas be colored to blend with the Kagin Commons building because of the diverse architectural materials (i.e. glass, red brick, cream-colored block, unfinished metal on both rooftop equipment and around the glass) present – nearly any antenna colors would blend with one element or another.

- (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 proposed pole will not impede the development and improvement of surrounding property.
- (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 proposal will conform to all other R3 regulations, as will be confirmed through building permit review and any site plan review.

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 small cell canister antennas on 3 light poles (total heights: 41', 22', and 43' 9") and rooftop panel cell antennas on Kagin Commons at 1605 Grand Ave is hereby approved subject to the following conditions:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.
2. The light pole-mounted antennas shall be of a small cell canister design similar to that presented in the application materials.
3. The rooftop antennas shall be set back at least 10' from the building edge.

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WHEREAS, Verizon Wireless, File # 17-017-675, has applied for a conditional use permit for a small cell canister antenna on a light pole (33' total height) under the provisions of §65.310 and §61.501 of the Saint Paul Legislative Code, on property located at 1679 Grand Ave, Parcel Identification Number (PIN) 042823410012, legally described as Macalester Square Lots 4 And Lot 5; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 30, 2017, 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 application requests conditional use permit approval to allow installation of a new 33' high light pole with cellular telephone antennas and associated equipment, including remote radio units. The antennas are of a small cell canister design.
2. The proposed light pole would replace an existing light pole in a parking lot at 1673 Grand Ave., adjacent to and associated with a mixed use building at 1679 Grand Ave.
3. §65.310 lists nine standards and conditions that apply to cellular telephone antennas, including the following that apply to the subject application:
 - a. *In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a building less than 45 feet high or 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 60 feet high. Conditional use permit review for such antennas will take into account not only the request made by the application, but also any future eligible facility modifications allowed under 47 CFR §1.4.0001, such as antennas of a more obtrusive design or placement than the subject application. A conditional use permit is not required for any eligible facility modification allowed under 47 CFR §1.4.0001. This condition is met by the subject application and analysis included in the other findings. 47 CFR §1.4001 essentially allows any structure that supports cellular telephone antennas to be modified (regardless of zoning regulations) to accommodate additional future antennas and associated equipment so long as it does not constitute a "substantial change" in the*

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structure's physical dimensions, and that it complies with conditions of the original antennas' siting approval. The regulation defines a "substantial change" as (applied to this case) a height increase of 20 feet plus the height of one additional antenna array, or a protrusion from the tower of more than 20 feet.

- c. *For antennas proposed to be located on a building less than 45 feet high in residential, traditional neighborhood, and business 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 or an existing structure at least 45 feet high within ½ mile radius of the proposed antennas due to one 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.*
 - iv. *The owner of the existing pole, structure or building is unwilling to co-locate an antenna.*

This condition is met. The application states that the small cell antennas need to be located near the street level, rather than on taller buildings, in order function reasonably given the technology and the coverage objectives.

- 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:*
1. *The freestanding pole shall not exceed 75 feet in height, unless the applicant demonstrates that the surrounding topography, structures, or vegetation renders a 75-foot pole impractical. Freestanding poles may exceed the above height limit by 25 feet if the pole is designed to carry two (2) antennas. This condition is met. The requested 33' high pole plus future additions allowed by 47 CFR §1.4.0001 would equal 53' plus antenna height.*
 2. *Antennas shall not be located in a required front or side yard and shall be set back one (1) times the height of the antenna plus 38 feet from the nearest residential building. This condition is met. The minimum front and side yard setbacks in the B2 district are 0'. The nearest residential building is approximately 140' to the northeast, as compared to a height of 53' plus antenna height for the proposal plus future additions allowed by 47 CFR §1.4.0001.*
 3. *The antennas shall be designed where possible to blend into the surrounding environment through concealment elements such as the use of color and camouflaging architectural treatment. Drawings or photographic perspectives showing the pole and antennas shall be provided to the planning commission to determine compliance with this provision. This condition can be met so long as future additions are required to have a small cell canister design such as proposed by the subject application.*
 4. *In residential and traditional neighborhood districts, the pole shall be on institutional use property at least one (1) acre in area. In the business districts, the zoning lot on which the pole is located shall be within contiguous property with OS or less restrictive zoning at least one (1) acre in area. This condition is*

met. The subject site's zoning lot is contiguous with property on both sides of Grand Avenue that is approximately 5.2 acres in area.

4. §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. There are no plan policies specific to this application.
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The use produces very minimal traffic in the form of an occasional service truck that can be accommodated by existing ingress and egress.
 - (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 can be met if the design of the antennas (including any future additions) is small cell canister such as proposed.
 - (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 proposed pole will not impede the development and improvement of surrounding property.
 - (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 proposal will conform to all other B2 regulations, as will be confirmed through building permit review and any site plan review.

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 a small cell canister antenna on a light pole (33' total height) at 1679 Grand Ave is hereby approved subject to the following conditions:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.
2. Antennas shall be of a small cell canister design similar to that presented in the application materials.

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WHEREAS, Verizon, File # 17-019-449, has applied for a conditional use permit for panel cell antennas on a light pole (26' 8" total height) and rooftop panel cell antennas on Buetow Music Center under the provisions of §65.310 and §61.501 of the Saint Paul Legislative Code, on property located at 300 Hamline Ave N, Parcel Identification Number (PIN) 342923430001, legally described as Concordia College Campus Subj To Sewer Esmt & Hwy; Blk A; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 30, 2017, 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 application requests conditional use permit approval to allow installation of four sets of cellular telephone antennas and associated equipment on the Concordia University campus: three sets of ballast-mounted panel antennas upon different portions of the roof of the Buetow Music Center at 300 Hamline Avenue N. (referred to as MIN BEARS in the application materials), and one set of close-mount style panel antennas upon a 26'-8" high replacement light pole near the Center for Hmong Studies building at 1245 Carroll Avenue (referred to as MIN CONCORDIA). The Buetow Music Center's height to top of parapet varies, being generally 15' to 20' high in the areas proposed for antennas, and 33'-8" high in another portion. The tops of the proposed antennas on the Buetow Music Center are approximately 6' above the parapet heights, for total heights from grade of approximately 21' to 26'.
2. §65.310 lists nine standards and conditions that apply to cellular telephone antennas, including the following that apply to the subject application:
 - a. *In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a building less than 45 feet high or 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 60 feet high. Conditional use permit review for such antennas will take into account not only the request made by the application, but also any future eligible facility modifications allowed under 47 CFR §1.4.0001, such as antennas of a more obtrusive design or placement than the subject*

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application. A conditional use permit is not required for any eligible facility modification allowed under 47 CFR §1.4.0001. This condition is met by the subject application and analysis included in the other findings. 47 CFR §1.4001 essentially allows any structure that supports cellular telephone antennas to be modified (regardless of zoning regulations) to accommodate additional future antennas and associated equipment so long as it does not constitute a “substantial change” in the structure’s physical dimensions, and that it complies with conditions of the original antennas’ siting approval. The regulation defines a “substantial change” as: (applied to the light pole in this case) a height increase of 20 feet plus the height of one additional antenna array, or a protrusion from the tower of more than 20 feet; or (applied to the rooftop installations) a height increase of 10 feet above the building height or a protrusion from the building of more than six feet.

- c. *For antennas proposed to be located on a building less than 45 feet high in residential, traditional neighborhood, and business 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 or an existing structure at least 45 feet high within ½ mile radius of the proposed antennas due to one 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.*
 - iv. *The owner of the existing pole, structure or building is unwilling to co-locate an antenna.*

This condition is met. The application states that the small cell antennas need to be located near the street level, rather than on taller buildings, in order function reasonably given the technology and the coverage objectives.

- 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:*
 - 1. *The freestanding pole shall not exceed 75 feet in height, unless the applicant demonstrates that the surrounding topography, structures, or vegetation renders a 75-foot pole impractical. Freestanding poles may exceed the above height limit by 25 feet if the pole is designed to carry two (2) antennas. This condition is met. The requested 26’-8” high pole plus future additions allowed by 47 CFR §1.4.0001 would equal 46’-8” plus antenna height. (This condition does not apply to the rooftop installations.)*
 - 2. *Antennas shall not be located in a required front or side yard and shall be set back one (1) times the height of the antenna plus 38 feet from the nearest residential building. This condition is met. The minimum front yard setback in the RT1 district is 25’. The nearest residential building to the light pole installation is a dormitory approximately 95’ to the northwest, as compared to a height of 46’-8” plus antenna height for the proposal plus future additions allowed by 47 CFR §1.4.0001. (This condition does not apply to the rooftop installations.)*

3. *The antennas shall be designed where possible to blend into the surrounding environment through concealment elements such as the use of color and camouflaging architectural treatment. Drawings or photographic perspectives showing the pole and antennas shall be provided to the planning commission to determine compliance with this provision. Given the institutional setting and distance from the street and non-university residential uses, this condition can be met so long as future additions are required to have a close-mount design with dark coloration matching the rest of the pole, such as proposed by the subject application. (This condition does not apply to the rooftop installations.)*
 4. *In residential and traditional neighborhood districts, the pole shall be on institutional use property at least one (1) acre in area. In the business districts, the zoning lot on which the pole is located shall be within contiguous property with OS or less restrictive zoning at least one (1) acre in area. This condition is met. The subject site is an institutional use property of 16.26 acres. (This condition does not apply to the rooftop installations.)*
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. There are no plan policies specific to this application.*
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. The use produces very minimal traffic in the form of an occasional service truck that can be accommodated by existing ingress and egress.*
 - (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 can be met if the design of the light pole antennas (including any future additions) is close-mount with dark coloration to match the pole such as proposed, and if the rooftop antennas (including any future additions) are set back from the roof edge by at least 10' and are colored to blend with the adjacent building walls' colors.*
 - (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 proposed pole will not impede the development and improvement of surrounding property.*
 - (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 proposal will conform to all other RT1 regulations, as will be confirmed through building permit review and any site plan review.*

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 panel cell antennas on a light pole (26' 8" total height) and rooftop panel cell antennas on Buetow Music Center at 300 Hamline Ave N is hereby approved subject to the following conditions:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.

2. The light pole-mounted antennas shall be of a close-mount design with dark coloration to match the pole, similar to that presented in the application materials.
3. The rooftop antennas shall be set back at least 10' from the building edge and shall be colored to blend with the adjacent building walls' colors, such as dark brown or dark red in the portion of the building that is currently proposed for three sets of antennas and features red brick walls, or such as cream color for any future additions installed on the taller building portion with white or cream-colored brick walls.

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WHEREAS, Verizon, File # 17-019-520, has applied for a conditional use permit for panel cell antennas on a light pole (32' 3" total height) under the provisions of §65.310 and §61.501 of the Saint Paul Legislative Code, on property located at 235 Hamline Ave N, Parcel Identification Number (PIN) 032823210001, legally described as Albert I Seiters Addition Vac Sts & Alleys Accruing & Subj To Esmts & Aves; E 11.81 Ft Of Lot 1 & All Of Lot 30 Blk 1 Boulevard Add; Lots 1 Thru 7'9 & 11 Thru 14 Blk 19 & All Of Blk 20 Boulevard Add No 2 & Lots 3 Thru 9 Blk 7 Boulevard Add No 3; & In Sd Seiters Add Lots 1 Thru Lot 14; and

WHEREAS, the Zoning Committee of the Planning Commission, on March 30, 2017, 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 application requests conditional use permit approval to allow installation of a new 32'-3" high light pole with cellular telephone antennas and associated equipment, including remote radio units. The antennas are close-mount panel antenna design.
2. The proposed light pole would be placed in a parking lot along Hamline Ave. that is part of the Concordia University campus, adjacent to a baseball field and an athletics building.
3. §65.310 lists nine standards and conditions that apply to cellular telephone antennas, including the following that apply to the subject application:
 - a. *In residential, traditional neighborhood and business districts, a conditional use permit is required for cellular telephone antennas on a building less than 45 feet high or 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 60 feet high. Conditional use permit review for such antennas will take into account not only the request made by the application, but also any future eligible facility modifications allowed under 47 CFR §1.4.0001, such as antennas of a more obtrusive design or placement than the subject application. A conditional use permit is not required for any eligible facility modification allowed under 47 CFR §1.4.0001. This condition is met by the subject application and analysis included in the other findings. 47 CFR §1.4001 essentially*

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allows any structure that supports cellular telephone antennas to be modified (regardless of zoning regulations) to accommodate additional future antennas and associated equipment so long as it does not constitute a "substantial change" in the structure's physical dimensions, and that it complies with conditions of the original antennas' siting approval. The regulation defines a "substantial change" as (applied to this case) a height increase of 20 feet plus the height of one additional antenna array, or a protrusion from the tower of more than 20 feet.

- c. *For antennas proposed to be located on a building less than 45 feet high in residential, traditional neighborhood, and business 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 or an existing structure at least 45 feet high within ½ mile radius of the proposed antennas due to one 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.*
 - iv. *The owner of the existing pole, structure or building is unwilling to co-locate an antenna.*

This condition is met. The application states that the small cell antennas need to be located near the street level, rather than on taller buildings, in order function reasonably given the technology and the coverage objectives.

- 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:*
1. *The freestanding pole shall not exceed 75 feet in height, unless the applicant demonstrates that the surrounding topography, structures, or vegetation renders a 75-foot pole impractical. Freestanding poles may exceed the above height limit by 25 feet if the pole is designed to carry two (2) antennas. This condition is met. The requested 32'-3" high pole plus future additions allowed by 47 CFR §1.4.0001 would equal 52'-3" plus antenna height.*
 2. *Antennas shall not be located in a required front or side yard and shall be set back one (1) times the height of the antenna plus 38 feet from the nearest residential building. This condition is met. The minimum front yard setback in the RT1 district is 25'. The nearest residential building is approximately 325' to the east, as compared to a height of 52'-3" plus antenna height for the proposal plus future additions allowed by 47 CFR §1.4.0001.*
 3. *The antennas shall be designed where possible to blend into the surrounding environment through concealment elements such as the use of color and camouflaging architectural treatment. Drawings or photographic perspectives showing the pole and antennas shall be provided to the planning commission to determine compliance with this provision. Given the institutional and athletics fields setting and distance from the street and residential uses, this condition can be met so long as future additions are required to have a close-mount design*

with dark coloration matching the rest of the pole, such as proposed by the subject application.

4. *In residential and traditional neighborhood districts, the pole shall be on institutional use property at least one (1) acre in area. In the business districts, the zoning lot on which the pole is located shall be within contiguous property with OS or less restrictive zoning at least one (1) acre in area. This condition is met. The subject site is an institutional use property of 6.63 acres.*
4. §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. There are no plan policies specific to this application.*
 - (b) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets. This condition is met. The use produces very minimal traffic in the form of an occasional service truck that can be accommodated by existing ingress and egress.*
 - (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 can be met if the design of the antennas (including any future additions) is close-mount with dark coloration to match the pole such as proposed.*
 - (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 proposed pole will not impede the development and improvement of surrounding property.*
 - (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 proposal will conform to all other RT1 regulations, as will be confirmed through building permit review and any site plan review.*

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 panel cell antennas on a light pole (32' 3" total height) at 235 Hamline Ave N is hereby approved subject to the following conditions:

1. Final plans approved by the Zoning Administrator for this use shall be in substantial compliance with the plan submitted and approved as part of this application.
2. Antennas shall be of a close-mount design with dark coloration to match the pole, similar to that presented in the application materials.

From: [Williams, Josh \(CI-StPaul\)](#)
To: [Englund, Cherie \(CI-StPaul\)](#)
Cc: [Torstenson, Allan \(CI-StPaul\)](#)
Subject: Fw: File # 17-019-179 Wingspan Life Resources
Date: Tuesday, March 28, 2017 7:18:16 PM

From: Jessica Mustful <jessicamustful@yahoo.com>
Sent: Tuesday, March 28, 2017 6:52:47 PM
To: Williams, Josh (CI-StPaul)
Subject: File # 17-019-179 Wingspan Life Resources

Hi Josh,

I received notice of a hearing March 30, 2017, 3:30 pm for Wingspan Life Resources 1239 Sherburne Ave.

I am a nearby resident at 1230 Charles Ave. I will not attend the hearing, but wanted to communicate that this organization are welcome neighbors and have been for several years. I signed the document sent earlier and believe they should be able to continue their work at this location.

Thank you.

Jessica Mustful

From: Williams, Josh (CI-StPaul)
To: Englund, Cherie (CI-StPaul)
Subject: FW: 1239 Sherburne Ave. File #17-019-179
Date: Friday, March 31, 2017 11:24:21 AM

-----Original Message-----

From: Billy Collins [<mailto:wlcjr1948@gmail.com>]
Sent: Wednesday, March 29, 2017 7:54 PM
To: Williams, Josh (CI-StPaul)
Subject: FW: 1239 Sherburne Ave. File #17-019-179

I'm writing to express our concern related to parking for 1239 Sherburne Ave. with the Nonconforming Use Permit - please see the following e-mail Dated February 14, 2017 to Paul Dubruiel. The parking situation has not improved, there are still issues of their three to five plus spread out and affecting the access to three plus homes on the north side of the street.

If they could find some alternative arrangements limiting 2 vehicles parked in front of their property throughout the day and evening it would help eliminate some of the parking issues. Again if this can't be resolved we can't support their request.

William Collins

Billy Collins
P: 612-670-8346

-----Original Message-----

From: Billy Collins [<mailto:wlcjr1948@gmail.com>]
Sent: Tuesday, February 14, 2017 9:58 AM
To: paul.dubruiel@ci.stpaul.mn.us
Subject: 1239 Sherburne Ave.

We live at 1231 Sherburne Ave., & have lived there for soon to be 47 years.

We have supported the use of the property in the past. We're not sure if this Nonconforming Use Permit is for the same purpose. If it is (& only for that same purpose) we COULD support it ONLY if they find ALTERNATIVE PARKING for their two to three VANS AND EMPLOYEES VEHICLES.

They have been very disrespectful to property owners and residents by leaving multiple vehicles parked for long periods of time and sometimes days (in front of several properties) affecting access to our properties. If this cannot be accomplished WE DO NOT SUPPORT THIS PERMIT.

William L. Collins

Billy Collins
612-670-8346
