

CMRS – 1225 North Circle Drive Appeal

CITY COUNCIL

March 27, 2018

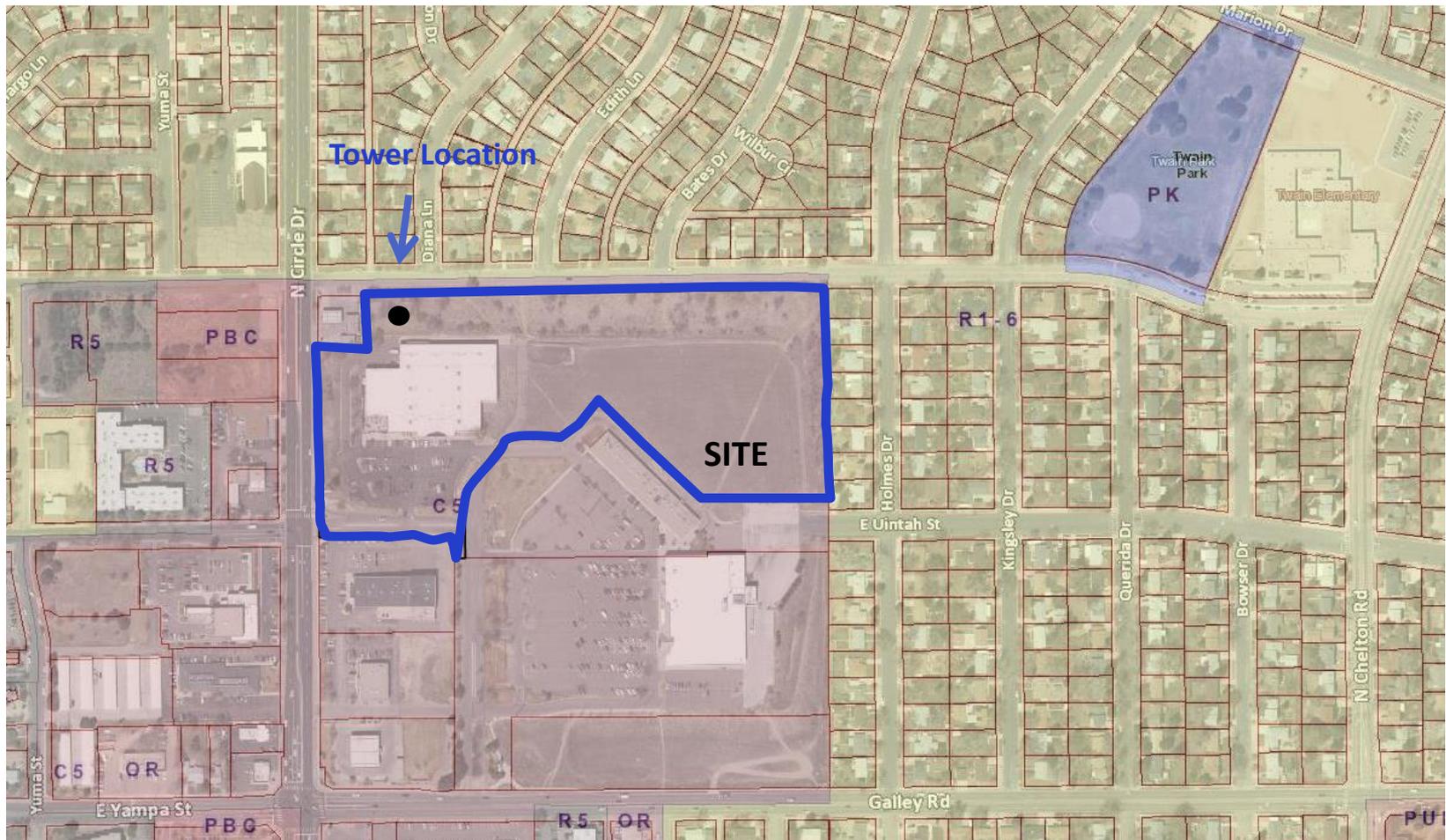
Rachel Teixeira, Planner II



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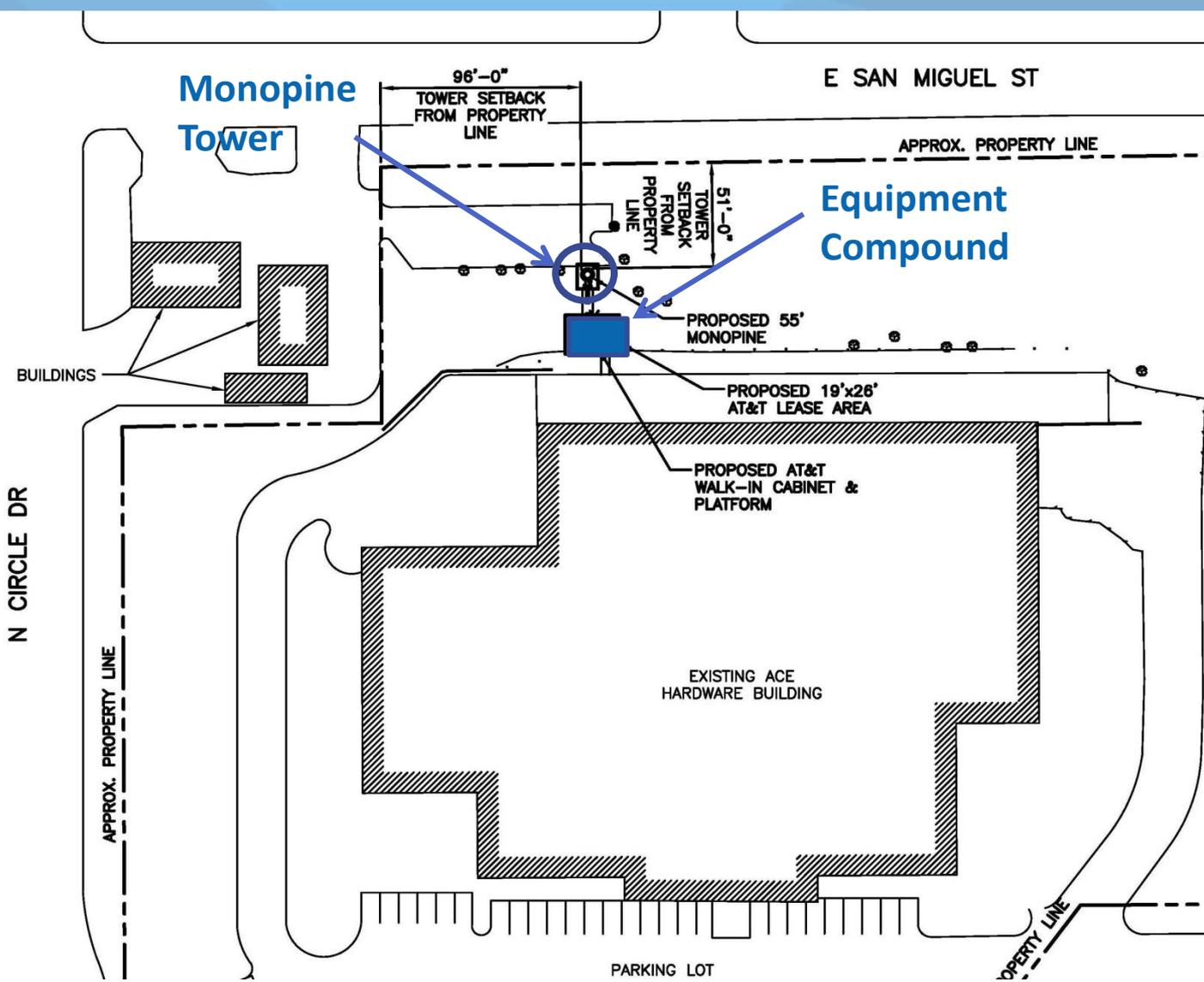


Vicinity Map

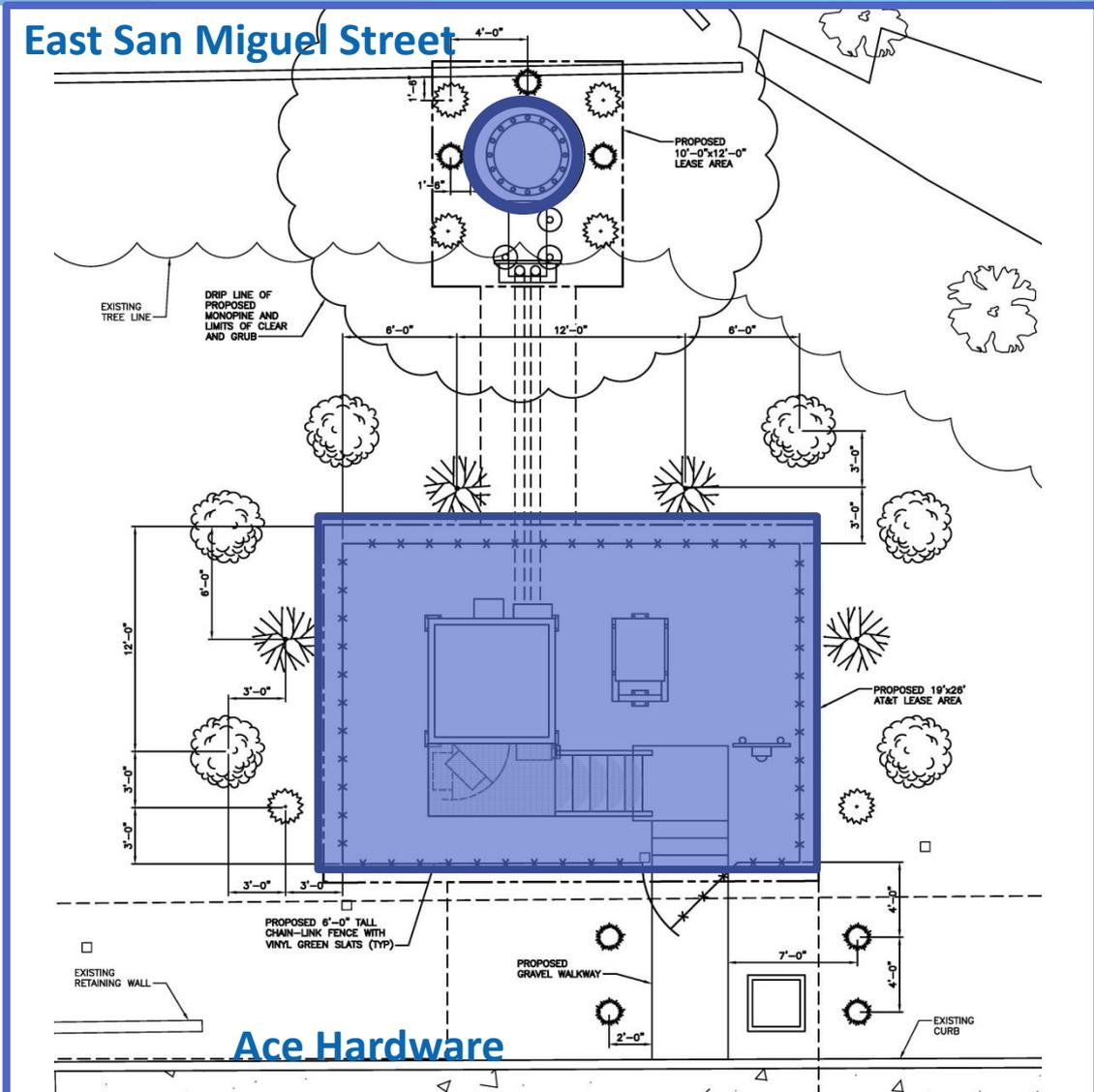


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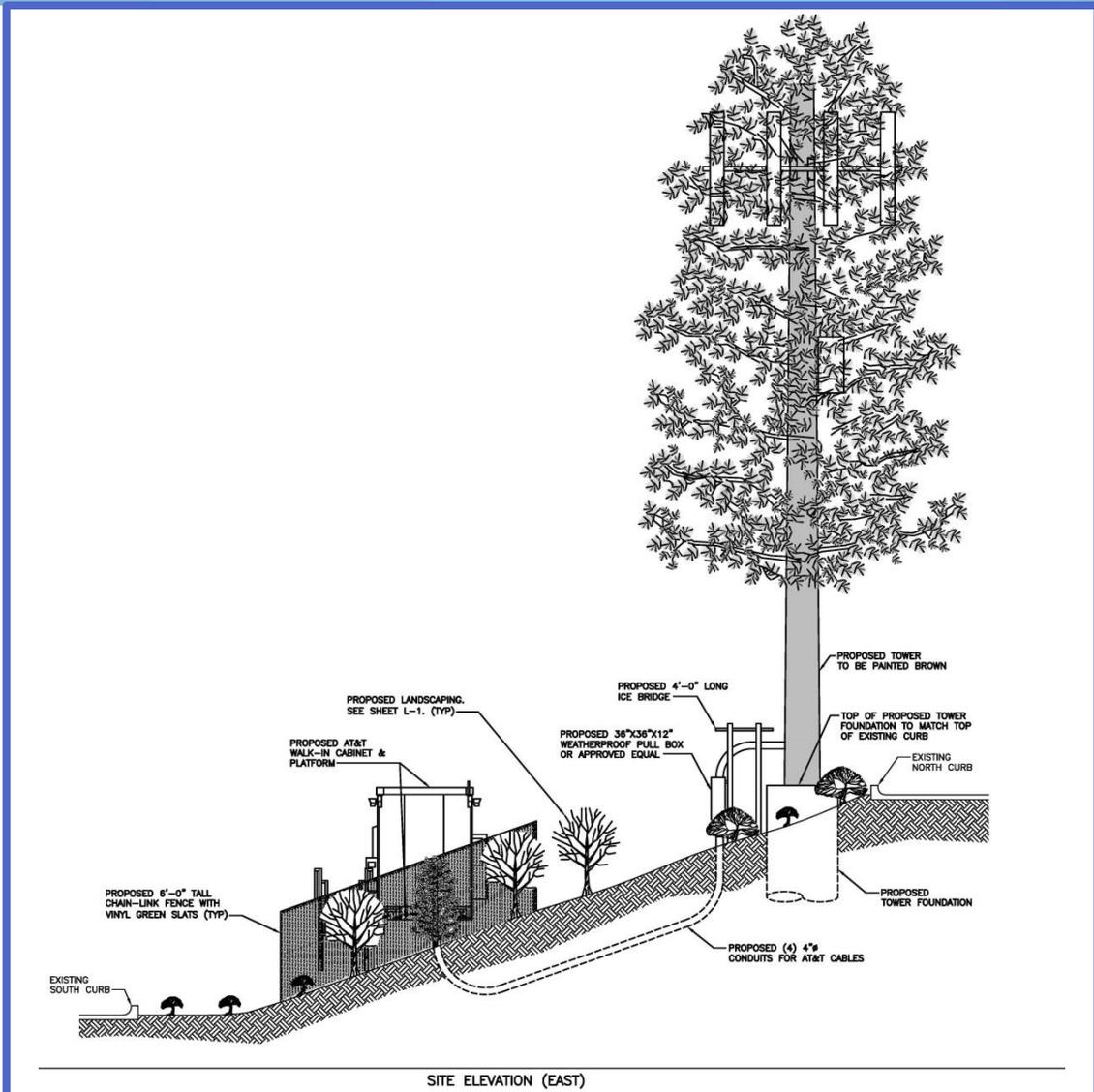
Project:
Conditional
Use for 55ft.
Monopine
cellular tower
structure.



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East San Miguel Street

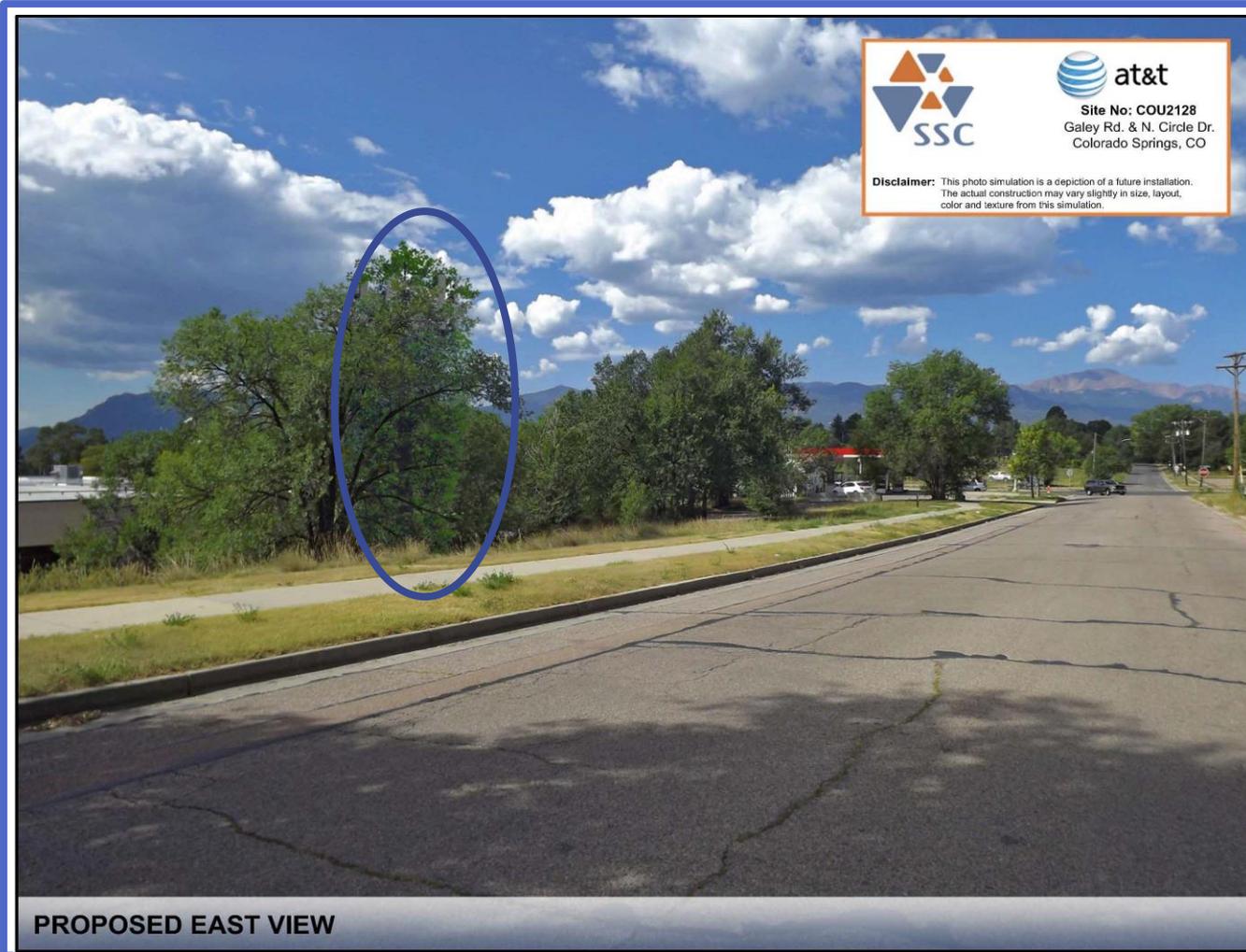
Ace Hardware

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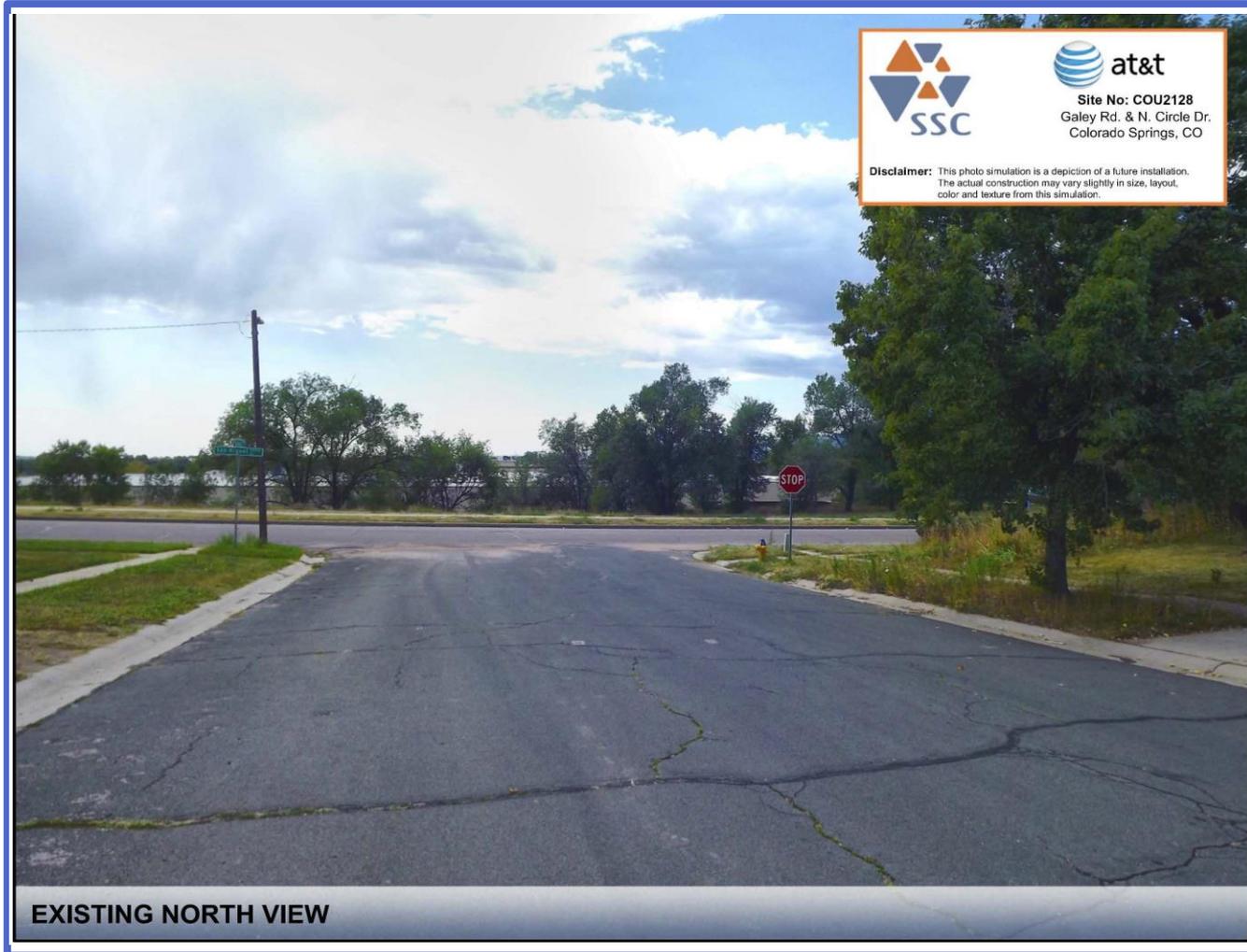
EXISTING EAST VIEW

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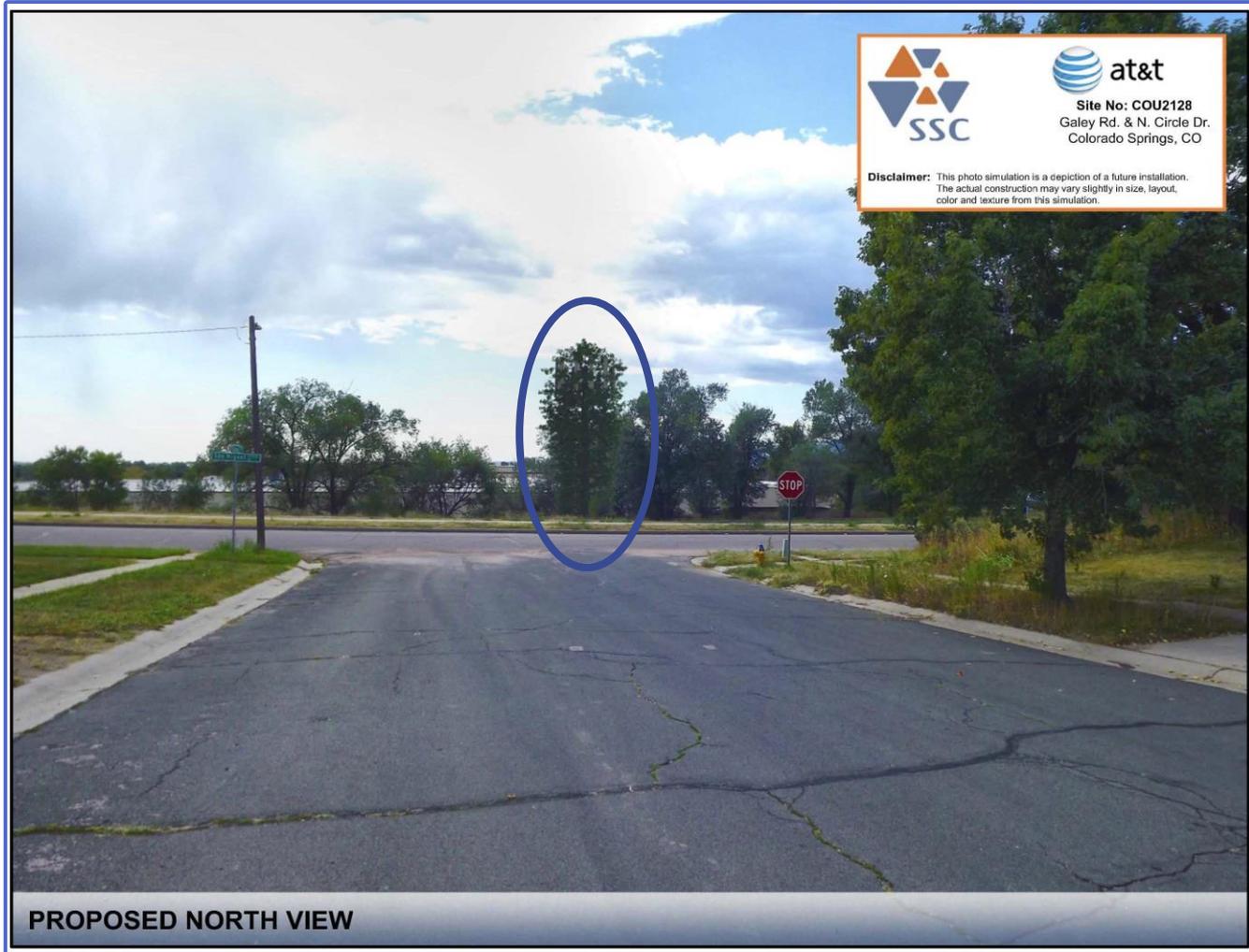


PROPOSED EAST VIEW

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Neighborhood Process and Involvement:

- Public Notification - Submittal:
 - 431 property owners - 1,000 foot distance
 - Twelve e-mails in opposition
- Neighbor Meeting – January 8, 2018
 - Over thirty property owners and neighbors were in attendance.
- Areas of Concern:
 - Health implications
 - Negative effects on property values
 - Interference with pace maker
 - Increased traffic in the neighborhood
 - Negative effects from towers' electromagnetic radiation
 - Loss of jobs with Ace Hardware and Cheers Liquor Mart
 - Overall opposition to cell tower being in neighborhood

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City Planning Commission Decision

At the February 15, 2018 hearing, the City Planning Commission voted 5-1, to grant the request for the CMRS conditional use development plan application.

Commissioner Markewich voted in opposition, due to the location of the cellular tower in proximity to the residential neighborhood.

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Appellant Concerns:

- Property Values devalued by the Cellular Tower
- Tower doesn't collocate with other cellular carriers
- Setback distance per Section 7.4.606.B.2
- Not in Conformance with the City Comprehensive Plan

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Appellant Concern:

Property Values Devalued with Cellular Tower

- Tower design isn't architecturally compatible with design, materials, color and location.
- Cellular tower devalues the neighborhood quality.

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Appellant Concern:

Tower doesn't collocate with other cellular carriers

- The applicant does not provide an opportunity for other cellular carriers to collocate

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Appellant Concern:

Setback distance per Section 7.4.606.B.2

- Cellular Tower doesn't meet the side and rear yard setbacks.

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Appellant Concern:

Not in Conformance with the City Comprehensive Plan

- No positive relationship between the built environment and natural settings
- No maintenance of character, compatibility and minimizing of visual impact.

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Appeal Review Criteria

- The installation for 55ft. Monopine cellular tower structure meets the conditional use review criteria in City Code Section 7.5.704, and the CMRS location and design criteria as set forth in City Code Sections 7.4.607 and 7.4.608.

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Recommendation for CPC CM1 17-00141

Deny the appeal and uphold the City Planning Commission's approval, based upon the finding that the appellant did not meet the review criteria contained in City Code Section 7.5.906.B, and that the conditional use meets the review criteria in City Code Section 7.5.704, and the CMRS location and design criteria as set forth in City Code Sections 7.4.607 and 7.4.608.

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Questions

