



City of Blaine Anoka County, Minnesota

Blaine City Hall
10801 Town Sq Dr NE
Blaine MN 55449

Legislation Details (With Text)

File #: RES 22-141 **Version:** 2 **Name:** CUP - Vertical Bridge 500, LLC Tower (22-0054)
Type: Resolution **Status:** Passed
File created: 9/7/2022 **In control:** City Council
On agenda: 9/7/2022 **Final action:** 9/7/2022
Title: Granting a Conditional Use Permit to Construct a 105-Foot-Tall Monopole Cell Tower with a 5-Foot Lightning Rod in an I-2 (Heavy Industrial) Zoning District at 2201 108th Lane NE. Vertical Bridge 500, LLC Tower (LCC Telecom Services) (Case File No. 22-0054/EES)
Sponsors: Sheila Sellman
Indexes:
Code sections:
Attachments: 1. Attachments, 2. Unapproved PC Minutes 081022

Date	Ver.	Action By	Action	Result
9/7/2022	2	City Council	Adopted	Pass
8/10/2022	1	Planning Commission	Recommended for Approval	Pass

Development Business - *Sheila Sellman, City Planner*

Title

Granting a Conditional Use Permit to Construct a 105-Foot-Tall Monopole Cell Tower with a 5-Foot Lightning Rod in an I-2 (Heavy Industrial) Zoning District at 2201 108th Lane NE. Vertical Bridge 500, LLC Tower (LCC Telecom Services) (Case File No. 22-0054/EES)

Executive Summary

A new cell tower is proposed to improve service around the TPC. The proposed tower meets the code requirements of 33.17(b) and staff recommends approved of the conditional use permit.

Schedule of Actions

Planning Commission Public Hearing	08/10/22
City Council (Conditional Use Permit)	09/07/22
Action Deadline	09/11/22

Background

Staff report prepared by Elizabeth Showalter, Community Development Specialist and Teresa Barnes, Project Engineer

Zoning

The property is zoned I-2 (Heavy Industrial).

Surrounding Zoning and land uses

The property and all adjacent properties are zoned I-2 and guided Heavy Industrial. The properties north of 109th Avenue are zoned DF (Development Flex) and guided Low-Medium Density.

Existing Conditions

The property has an existing industrial building occupied by Insulation Midwest. The applicant is proposing construction of a cell tower to the west of the existing building.

History

No previous approvals have been granted on this property.

Evaluation of Request

Site Plan

The applicant is proposing a 105-foot-tall monopole cellular communication tower with a 5-foot lightning rod. The applicant has been working with city staff for over a year to find a location in the TPC area that meets zoning requirements, addresses the need for better cell service coverage, accommodates the growing population, provides improved in-building coverage, and eliminates temporary cell towers during the 3M Open.

Cell towers 50 feet or greater in height are required to obtain a conditional use permit and must meet the following requirements listed in section 33.17 (b) of the zoning code:

1. The applicant must hold an FCC license to operate the proposed communication system. *This is listed as a condition of approval.*
2. The applicant shall submit a study which demonstrates that existing municipal water tower sites and colocation with existing facilities are not technically feasible. *The applicant has submitted analysis showing the existing cell service conditions and the conditions with the proposed tower.*
3. That all structures must be monopole. *The proposed tower is monopole.*
4. That all structures must be constructed for co-location at market rate. *The applicant has indicated the structure is designed for co-location and will be marketed to other tenants. The plans depict two additional sets of antennae for future tenants.*
5. That the applicant must provide proof that the construction and operation of the facilities will not interfere with reception and transmission of radio or television services enjoyed by neighboring residential and non-residential properties. *The applicant's narrative explains that the frequencies allocated to cellular providers do not interfere with radio or television services.*
6. That the structures have no lighting other than what is required by the FAA, FCC, or other governmental bodies. *No lighting is proposed.*
7. That the structures have no signage except as required by state and federal regulations. *This is listed as a condition of approval.*
8. That the structures not be multi-colored and the color be of minimal visibility unless the architectural design or materials that are used, as determined by the City, suggest otherwise. *The tower is proposed to be constructed of galvanized steel, which is neutral in color and low maintenance.*
9. That the structures not be located in the designated front yard of a property. *The structure is proposed in the side yard of the property.*
10. That the structure not be within the following distance of any residential structures:
 - a. Three hundred and fifty (350) feet for towers one hundred (100) feet in height or greater.
 - b. Three hundred (300) feet for towers greater than eighty (80) feet and less than one hundred (100) feet
 - c. Two hundred and fifty (250) feet for towers eight (80) feet in height or less.*The proposed tower is 372 feet from the nearest residential structure and is required to be at least 350 feet from all residential structures.*

11. That the height of any structure does not exceed one hundred fifty (150) feet. *The tower has a total height of 110 feet.*
12. That the structures be placed with a minimum setback from all lot lines equal to the height of the proposed structure, unless a qualified structural engineer specifies in writing that the collapse of any antenna or tower will occur within a lesser distance under all foreseeable circumstances. Towers may not be located within the building setback areas of the underlying zoning district. *The tower is located 35 feet from the side property line, meeting the 15-foot building setback. A collapse analysis has been provided by the applicant certifying that collapse will occur within the 35-foot setback. The concrete pad of the equipment area meets a 17-foot setback, exceeding the building and parking setbacks.*
13. That the owner agrees to remove the structure within twelve (12) months after terminating transmission from the facility. *This has been included as a condition of approval.*

Tree Preservation

One tree is proposed to be removed. That tree shall be replaced with a conifer tree to be located on the north side of the property to provide screening for the tower and associated equipment.

Grading/Storm Drainage

The proposed site location is essentially at ready grade so little grading work will be required to construct the project. Existing storm drainage patterns will be maintained.

Utilities

The proposed project will not require an additional water or sanitary sewer services to be constructed.

Wetlands/Watershed

There are no existing wetlands within the project area. The size of the project does not require a submission for review or permit from Coon Creek Watershed District.

Access/Street Design/Sidewalks/Trails

The proposed access drive from 108th Ave NE will only serve the proposed tower installation, and will not be utilized on a daily basis, therefore the access location is approved. No additional sidewalks or trails will be required with the proposed project.

Easements/Right-of-way/Permits

The developer will need to obtain all required permits to construct the proposed project. A copy of all permits will need to be submitted to the city prior to any site work.

Conditional Use Permit

Section 27.04 Criteria for granting conditional use permits:

The Blaine City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use on the comprehensive plan and upon the health, safety, and general welfare of occupants of surrounding lands. Among other things, the Council shall consider the following findings where applicable. (Ord. No. 20-2447, 7-20-2020)

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. *The tower will not impact public facilities or utilities.*
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district. *The cell tower is compatible with the surrounding heavy industrial uses.*

3. The use shall have an appearance that will not have an adverse effect upon adjacent properties. *The tower is designed to have the minimal visible impact while achieving the desired improvement in service.*
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use. *The use is compatible with the heavy industrial zoning district and meets the requirements of section 33.17 to balance the needs for telecommunications technology with the desire to reduce the impacts of such facilities.*
6. The use shall not be in conflict with the comprehensive plan of the city. *The proposed tower is not in conflict with the comprehensive plan.*
7. The use will not cause traffic hazard or congestion. *The proposed tower will not result in any additional traffic hazards or additional congestion to area.*
8. The use shall have adequate utilities, access roads, drainage and necessary facilities. *The proposed tower, once constructed, will have the required utility services, adequate roads and necessary drainage facilities to service the proposed development.*

Strategic Plan Relationship

Not applicable.

Board/Commission Review

The Planning Commission voted unanimously to approve the conditional use permit. There were no comments at the public hearing.

Financial Impact

Not applicable.

Public Outreach/Input

Notices of a public hearing were:

1. Mailed to property owners within 350 feet of the property boundaries.
2. Published in Blaine/Spring Lake Park/Columbia Heights/Fridley Life.
3. Posted on the City's website.

Staff Recommendation

By motion, adopt the Resolution

Attachment List

Zoning and Location Map

Applicant Narrative

Propagation Maps

Renderings

Site Plans

Grading Plan

Site Details

Unapproved Planning Commission Minutes 8/10/22

WHEREAS, an application has been filed by LCC Telecom Services as Conditional Use Permit Case File No. 22-0054 for Vertical Bridge 500, LLC Tower; and

WHEREAS, said case involves the property described as follows:

Lot 7 Block 3 RADISSON INDUSTRIAL PARK

WHEREAS, the Blaine Planning Commission held a public hearing on August 10, 2022, and recommended approval regarding said Conditional Use Permit; and

WHEREAS, the Blaine City Council has reviewed said case on September 7, 2022; and

WHEREAS, the criteria identified in Section 27.04 for granting a conditional use permit has been met.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Blaine that a conditional use permit is hereby approved per Section 33.17 and 27.04 of the Zoning Ordinance to allow for the construction of a 105-foot-tall monopole cell tower with a 5-foot lightning rod in an I-2 (Heavy Industrial) zoning district with the following conditions:

1. The applicant must maintain an FCC license to operate the facility.
2. No lighting is permitted.
3. No signage is permitted, except as required by state and federal regulations.
4. The structure shall be removed within 12 months of termination of transmission from the facility.
5. The equipment area shall be surrounded by a six-foot-tall opaque fence. Chain link with slats will meet this requirement.
6. The tree proposed for removal shall be replaced with a 6-foot-tall conifer tree to be located north of the equipment and/or tower.
7. The applicant shall file all paperwork required by the FAA.
8. The applicant will need to obtain a work in the Right-of-Way permit for the proposed driveway access onto 108th Avenue.

PASSED by the City Council of the City of Blaine this 7th day of September, 2022.