

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0608R

RESOLUTION APPROVING A SPECIAL USE PERMIT TO AT&T MOBILITY FOR A CELL PHONE ANTENNA AND EQUIPMENT SHELTER AT 126 SOUTH BOUNDARY AVENUE (RENEE K. ZIRBES, BUELL CONSULTING, INC.).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council grant a special use permit submitted by AT&T Mobility for a 62 foot monopole to support cell phone antennas and the construction of a ten foot x 15 foot platform and support equipment shelter located at 126 South Boundary Avenue legally described on Public Document No. _____; and

(b) Pursuant to Section 50-32(ff) of Article IV of the Duluth City Code, 1959, as amended, such request was duly referred to the city planning commission and such commission gave due notice of public hearing and did consider same in public hearing; and

(c) The planning commission, at its September 8, 2009, regular meeting, recommended approval of the request with conditions; and

(d) The approval was made because of the city planning commission findings that appropriate safeguards will exist to protect the comprehensive plan and to conserve and to protect property values in the neighborhood if conditions are observed.

FURTHER RESOLVED, that the city council of the city of Duluth approves a special use permit for a monopole communications tower and equipment building, subject to the following conditions:

(a) Proper permits are to be secured prior to start of construction;

(b) The tower and equipment shelter be limited to, constructed and maintained according to the following documents provided by by AT&T Mobility and

labeled DLTHMNU2084, PROCTOR SOUTH, Sheets T-1, S-1, S-2, C-1, C-2, dated 07/28/09.

Approved as to form:

Attorney

PLNG/PC JJ:jab 9/18/2009

STATEMENT OF PURPOSE: This resolution grants a special use permit to AT&T Mobility for construction of a 62 foot monopole to support cell phone antennas and the construction of a ten foot x 15 foot platform and support equipment shelter located at 126 South Boundary Avenue.

On September 8, 2009, the planning commission held a public hearing on the proposal and voted 11-0 to recommend that the city council approve the communications facility as requested.

Request filed: July 26, 2009

Action deadline: November 24, 2009