

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

09-0661R

RESOLUTION GRANTING A SPECIAL USE PERMIT TO AT&T MOBILITY FOR A CELLULAR COMMUNICATIONS EQUIPMENT SHELTER ON THE WOODLAND WATER TOWER SITE AT 801 MINNEAPOLIS AVENUE (JAMES RIES, BUELL CONSULTING INC.).

CITY PROPOSAL:

RESOLVED, that:

(a) The city council grants the request for a special use permit submitted by AT&T Mobility for an 11.5 foot x 20 foot equipment shelter, landscaping, and short driveway on the Woodland water tower site at 801 Minneapolis Avenue and legally described as Woodland Park Eighth Division, Block 2, Lots 3-6 (4710-00170); and

(b) Pursuant to Section 50-32(cc) of *[Chapter 50,]* 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 October 13, 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 (FN 09099).

FURTHER RESOLVED, that the city council of the city of Duluth approves a special use permit for an equipment building, landscaping, and short driveway subject to the following condition:

The site improvements be limited to, constructed and maintained according to the following documents provided by AT&T Mobility and titled

"Woodland WT (MPLSMNU5045)" dated 08/26/2009, Sheets C-1, C-2, C-3 C-5, and shown on Public Document No. _____.

Approved as to form:

Attorney

PC/PLNG KD:jab 10/16/2009

STATEMENT OF PURPOSE: This resolution grants a special use permit to AT&T Mobility for construction of an equipment shelter, landscaping and short driveway on the Woodland water tower site located at 801 Minneapolis Avenue.

The applicant states that the new building exterior "will be designed to aesthetically match the existing pump house exterior" and "will also be screened with several new evergreen trees." This will result in the new building minimizing the effect on the character of the neighborhood.

On October 13, 2009, the planning commission held a public hearing on the proposal and voted 10-0 to recommend that the city council approve the communications facility as requested.

Request filed: August 31, 2009
Action deadline: December 29, 2009