



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PL 21-142		Contact	Steven Robertson, 218-730-5295	
Type	Concurrent Use Permit, Wireless Utility on Light Pole		Planning Commission Date	September 14, 2021	
Deadline for Action	Application Date	Aug 20, 2021 (Exhibit Revised)	60 Days		
	Date Extension Letter Mailed		120 Days		
Location of Subject	1439 North 8 th Avenue East				
Applicant	SACW		Contact	Joe Goldshlack and Marissa Miller	
Agent	AT&T		Contact	Ron Mitchell Jr	
Legal Description	See Attached Map				
Site Visit Date	September 4, 2021		Sign Notice Date	August 31, 2021	
Neighbor Letter Date	N/A		Number of Letters Sent	N/A	

Proposal: The applicant is seeking a concurrent use permit to allow a private obstruction (utility pole mounted antennas and related equipment) in the public right of way.

Recommended Action: Recommend to the city council to approve with conditions (Ordinance).

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements

UDC Section 50-37.7.C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that the proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city, and no portion of a public easement proposed of use is being physically occupied by the public.

Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Principle #4 - Support emerging economic growth sectors. Emerging economic sectors add economic, cultural and social diversity. These include higher education, medical, value-added manufacturing, commercial outdoor recreation, historic resources interpretation, arts and music, information technology and visitor services.

The installation falls with the provisions of Minnesota Statute 237.162 and 247.1643, as amended in 2017.

Future Land Use: Urban Residential. Greatest variety of residential building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. May include student housing areas, live/work units, and limited neighborhood retail. Connected or adjacent to parks and open space.

Existing small cell on utility poles in public right of way include the following sites: six around UMD, two near the Burning Tree Plaza, two near Canal Park, three near the 6000 block of East Superior Street, one near Spirit Mountain, one near Denfeld High School, one near East High School, one near the Radisson Hotel, one near the Miller Hill Mall, and one near Edgewater Park. There are three more on utility poles within the St. Scholastica Campus, on private property. Two more are under City Council consideration (PL 21-075, 1801 East Second Street, and PL 21-076, 651 East Fifth Street), which are from the same applicant as this application

This is a companion zoning application to PL 21-140, -141, and -142, also concurrent use permits for wireless equipment on existing utility poles.

The concurrent use permit application also included a structural analysis, radio frequency interference analysis report, and RF emissions analysis.

Review and Discussion Items:

- 1) The applicant is seeking a concurrent use permit to allow a private obstruction (utility pole mounted antennas and equipment mount) in the public right of way. The small wireless facility will be installed on a replacement Minnesota Power wooden pole. The street light will be attached to the pole at 22 feet, and the wireless equipment will be placed at between 15 and 37 feet (top of the pole is at 34 feet). There will be no ground mounted equipment.
- 2) Granting a concurrent use permit would give the applicant the ability to use dedicated public rights-of-way, with conditions, while preserving other existing public uses in the same right-of-way corridors. Concurrent use permits require a public hearing and recommendation by the Planning Commission, and is approved by the City Council via ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at the County as they are voidable permits issued by the City to applicants who are private users of public rights-of-way.
- 3) Ownership of the pole will remain with Minnesota Power. Liability, maintenance, and operation of the small wireless facilities will remain the responsibility of the applicant. In the event of an accident, such as a vehicle hitting the utility pole, the city is not responsible for restoring or replacing any of the applicant's equipment.
- 4) The existing pole will be replaced with a new pole. The new pole will have a structural analysis by the manufacturer to ensure that they can support the weight of the private small cell facilities.
- 5) Granting the proposed concurrent use permits will not harm or inconvenience the health, safety and general welfare of the city. The area proposed for the concurrent use permit will not take away from the public's ability to use the public right-of-way. Minnesota Power will own the poles and continue to use them for utility purposes (lighting).

6) The UDC generally requires that new wireless facilities follow a location standard: first they should be collocated on existing towers or other structures on city owned properties first, and then existing towers or other structures on other (private) property, and so forth down the location standard list. As these small wireless facilities would be located on existing infrastructure in public right of way, and as per the recent change in state statute, the city is processing these applications as concurrent use permits and not special use permits, and the UDC's use-specific standards do not apply in this specific situation.

7) The city has the ability to regulate land use, however, the Federal Communications Commission preempts local review on the potential environmental effects of radio frequency (RF) emissions, with the presumption that the applicant and service provider is in compliance with the Commission's RF rules. The applicant included an FCC checklist used to determine exemption from RF regulations (unlikely to cause exposure in excess of the FCC's guidelines).

8) At the time that this memo was written, no written comments have been received from the public, but there was a citizen request for more information on the potential impacts on RF emissions to remote control devices within nearby homes.

Staff Recommendation:

Based on the above findings, Staff recommends that the Planning Commission recommend approval of the concurrent use permit subject to the following conditions:

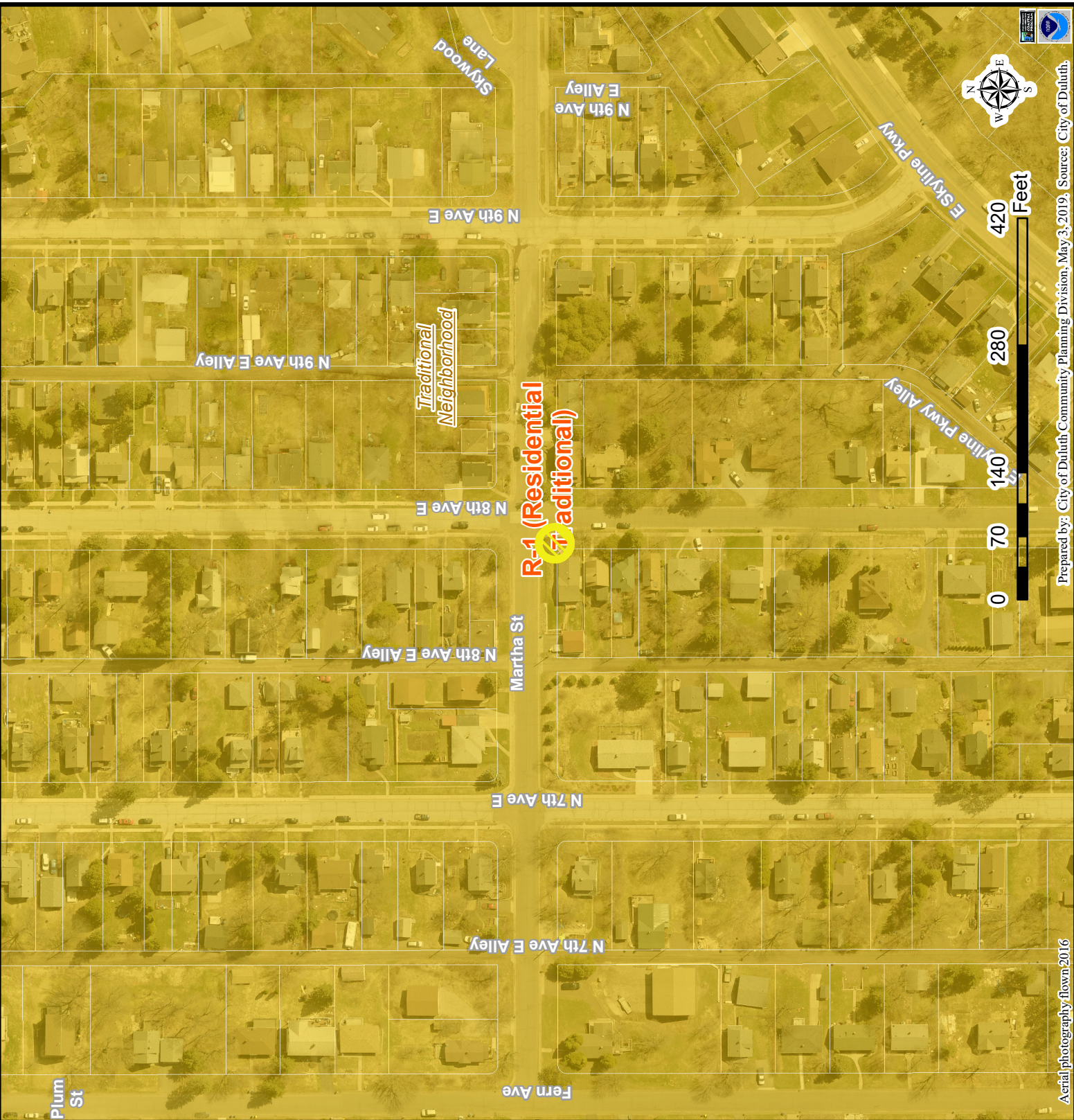
- 1) The project be limited to, constructed, and maintained according to construction drawings submitted and included with this staff report.
- 2) Applicant, and/or successors, shall remove the proposed obstructions at applicant's expense if directed to do so by the City with appropriate notice, and shall adhere to other standards and obligations established in the approving document (ordinance).
- 3) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, all other changes must be approved by amending the City Council's approved ordinance.



Legend

- Open Space
- Open Space/Outside Duluth
- Rural Residential
- Low-density Neighborhood
- Traditional Neighborhood
- Urban Residential
- Neighborhood Commercial
- Central Business Secondary
- Central Business Primary
- Large-scale commercial
- Tourism/Entertainment District
- Commercial Waterfront
- General Mixed Use
- Neighborhood Mixed Use
- Light Industrial
- General Industrial
- Industrial Waterfront
- Business Park
- Transportation and Utilities
- Transportation and Utilities/Outside Duluth
- Medical District
- Institutional

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



Legend

- Gas Main
- Water Main
- Hydrant

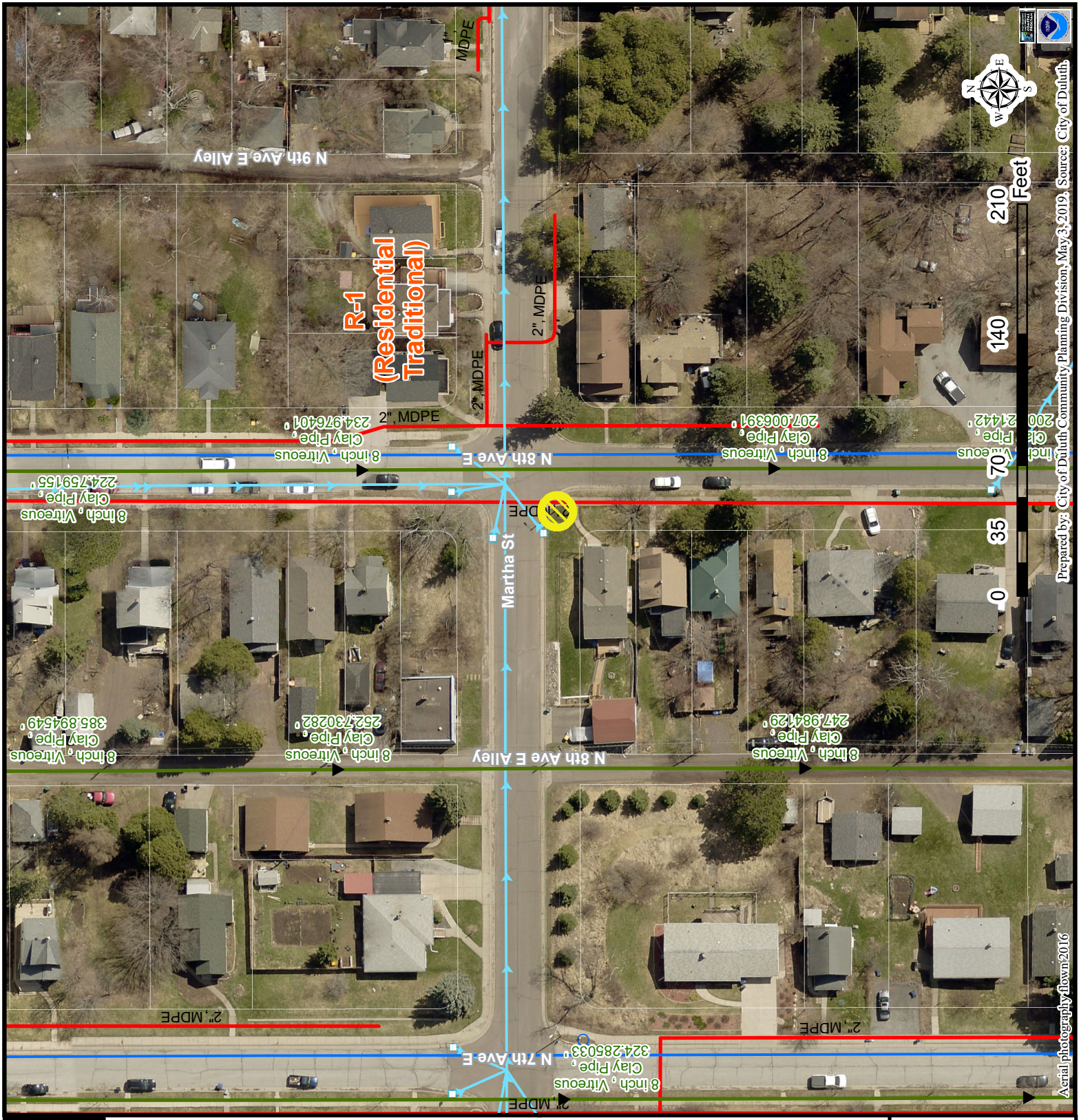
Sanitary Sewer Mains

- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station

Storm Sewer Mains

- Storm Sewer Pipe
- Storm Sewer Catch Basin

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PL 21-142



05/14/2019



AT&T MOBILITY

PROJECT:
FA #:
PACE #:
PTN #:
USID #:
SCIP/CANDIDATE #:
CONFIGURATION:
SITE NAME:
SITE TYPE:
NEAREST ADDRESS:
JURISDICTION:
STRUCTURE OWNER:
POLE ID:

CRAN 1C/2C/3C/1R
14810154
MRUMW022370, MRUMW023077, MRUMW042860
3514A0DQR5, 3514A0DQRE, 3514A0EQD2, 3514A0VRHQ
192444
F
PICO
CRAN_RUMW_DLLND_010
WOOD LIGHT POLE
1439 N 8TH AVENUE E
DULUTH, MN 55805
CITY OF DULUTH
MN POWER
M5500029

PROJECT INFORMATION

PROJECT: CRAN 1C/2C/3C/1R
USID ID: 192444
FACE #: MRUMW022370, MRUMW023077, MRUMW042860
SCIP/CANDIDATE #: F
POLE ASSET #: M5500029
SITE ADDRESS: 1439 N 8TH AVENUE E
 DULUTH, MN 55805
COUNTY: ST LOUIS
JURISDICTION: CITY OF DULUTH
APPLICANT: AT&T MOBILITY
 7900 XERXES AVENUE S., 3RD FLOOR
 BLOOMINGTON, MN 55431
LATITUDE: 46° 48' 20.87" (46.8057967)
LONGITUDE: -92° 06' 12.01" (-92.1033347)
GROUND ELEV. (A.M.S.L.): 1157'
PROPERTY OWNER: MN POWER
 30 W SUPERIOR STREET
 DULUTH, MN 55802
PROPERTY OWNER: SCOTT LYTTINEN
 SLYTTINEN@MNPPOWER.COM
 218-355-2024
PROPOSED USE: TELECOMMUNICATIONS FACILITY

PROJECT CONSULTANTS

AT&T CONSTRUCTION MANAGER: KRIPANAND JOSEPH SEWERSAUD
 joes@att.com
AT&T PROJECT MANAGER: MARIA BURMEISTER
 mbo18v@att.com
CONSTRUCTION: SAC WIRELESS
 540 W. MADISON ST. 9TH FLOOR
 CHICAGO, IL 60661
SAC PROJECT MANAGER: MARISSA MILLER
 marissa.miller@saaw.com
SITE ACQUISITION: MICHAEL IACOPETTI
 michael.iacopetti@saaw.com
AE FIRM: RAMAKER & ASSOCIATES
 855 COMMUNITY DRIVE
 SAUK CITY, WI 53583
 (608) 643-4100
 JOSH OPSETH - PROJECT MANAGER
 greg.itanagan@consolidated.com
 justin.grev@consolidated.com

SCOPE OF WORK

THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIVALENT. CONTRACTOR SHALL VERIFY ALL NEEDED EQUIPMENT TO PROVIDE A FUNCTIONAL SITE. THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:
 -MN POWER TO REPLACE EXISTING POLE WITH NEW 40'-0" CLASS 3 WOOD LIGHT POLE (34'-0" ABOVE GROUND, 6'-0" BELOW GROUND)
 -INSTALL (1) NEW OMNI ANTENNA TO BE MOUNTED TO NEW POLE W/ INTEGRATED RADIO
 -INSTALL (1) NEW NOKIA RRH 4T4R B25/B66 320W UNIT & (1) NEW NOKIA RRH B46 UNIT TO BE MOUNTED TO POLE EXTERIOR
 -INSTALL (1) NEW AC DISCONNECT UNIT (RSCAC-6533-F-1 20-D)
 -INSTALL CABLING AS REQUIRED
 -INSTALL GROUND AS REQUIRED
 -INSTALL NEW U-GUARD
 -INSTALL (2) NEW PSUs
 -INSTALL (1) NEW HANDHOLE (BY OTHERS)
 -INSTALL (1) NEW POLE MOUNTED METER

LOCATION MAP



CODE COMPLIANCE

- 2020 MN BUILDING CODE / 2018 IBC
- 2020 MN MECHANICAL & FUEL GAS CODE / 2018 IMC
- MN ELECTRICAL CODE / 2017 NEC

UNDERGROUND UTILITIES

CALL MINNESOTA ONE CALL
 (800) 252-1166
 CALL 3 WORKING DAYS
 BEFORE YOU DIG!

DRAWING INDEX

T-1	TITLE SHEET
GN-1	GENERAL NOTES
A-1	ENLARGED SITE PLAN W/ UG UTILITIES
A-2	ENLARGED SITE PLAN W/ UG UTILITIES
A-3	PROPOSED WOOD UTILITY POLE ELEVATIONS
A-4	EQUIPMENT DETAILS
A-5	MOUNTING DETAILS
A-6	SIGN DETAILS
E-1	ELECTRICAL ONE-LINE DIAGRAM
E-2	UTILITY DETAILS
E-3	GROUNDING DETAILS
RF-1	RF PLUMBING DIAGRAM (REFERENCE ONLY)
TCP1	TRAFFIC CONTROL PLAN
TCP2	PEDESTRIAN SAFETY PLAN
REF	FIBER MEET ME POINT

SPECIAL NOTES

- ALL WORK SHALL BE INSTALLED IN CONFORMANCE WITH CURRENT AT&T CONSTRUCTION INSTALLATION GUIDE.
- EXISTING CONDITIONS WILL BE CHANGED & VERIFIED IN FIELD. IF SIGNIFICANT DEVIATIONS OR DETERIORATION ARE ENCOUNTERED AT THE TIME OF CONSTRUCTION, A REPAIR PERMIT WILL BE OBTAINED & CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
- THESE DRAWINGS ARE FULL SIZE & SCALEABLE ON 11'X17" SHEET SIZE
- STATEMENT THAT COMPLIANCE WITH THE ENERGY CODE IS NOT REQUIRED.
- SCOPE OF WORK DOES NOT INVOLVE MODIFICATIONS TO EXTERIOR ENVELOPE OF BUILDING, HVAC SYSTEMS OR ELECTRICAL LIGHTING.
- REFER TO AT&T MPE STUDY TITLED "RS 102" FOR RF SAFETY COMPLIANCE CERTIFICATION

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT OR ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

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 BLOOMINGTON, MN 55431

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 9TH FLOOR
 CHICAGO, IL 60661
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Certification & Sign
 I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.



Signature: *James R. Skowronski* 7/19/2021
JAMES R. SKOWRONSKI
 Type of License: 42202
 Registration Number:

3	07/19/21	FINAL CD# 155UEJ	GM
2	06/17/21	FINAL CD# 155UEJ	GM
1	04/05/21	FINAL CD# 155UEJ	GM
0	02/19/21	FINAL CD# 155UEJ	GM
REV.	DATE	DESCRIPTION	INITIALS

PROJECT TITLE:
CRAN 1C/2C/3C/1R
MRUMW022370, MRUMW023077, MRUMW042860
CRAN_RUMW_DLLND_010
192444

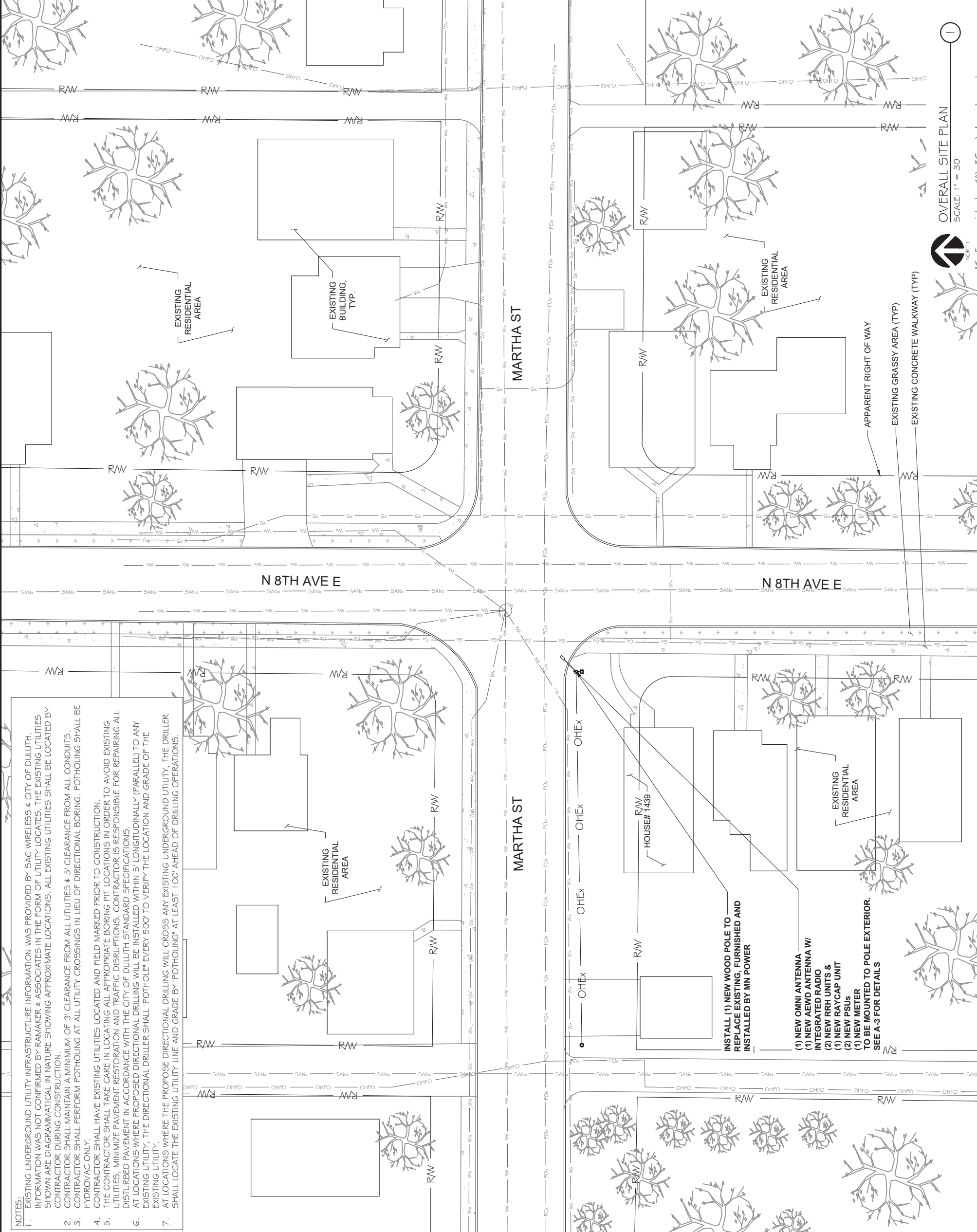
PROJECT INFORMATION:
 1439 N 8TH AVENUE E
 DULUTH, MN 55805

SHEET TITLE:
 TITLE SHEET

SCALE: NONE

PROJECT NUMBER	47153
SHEET NUMBER	T-1

- NOTES:**
- EXISTING UNDERGROUND UTILITY INFRASTRUCTURE INFORMATION WAS PROVIDED BY SAC WIRELESS & CITY OF DULUTH. INFORMATION WAS NOT CONFIRMED BY RAMAKER & ASSOCIATES IN THE FORM OF UTILITY LOCATES. THE EXISTING UTILITIES SHOWN ARE DIAGRAMMATICAL IN NATURE, SHOWING APPROXIMATE LOCATIONS. ALL EXISTING UTILITIES SHALL BE LOCATED BY CONTRACTOR DURING CONSTRUCTION.
 - CONTRACTOR SHALL MAINTAIN A MINIMUM OF 3' CLEARANCE FROM ALL CONDUITS.
 - CONTRACTOR SHALL PERFORM POT-HOLING AT ALL UTILITY CROSSINGS IN LIEU OF DIRECTIONAL BORING. POT-HOLING SHALL BE HYDRO-VAC ONLY.
 - CONTRACTOR SHALL HAVE EXISTING UTILITIES LOCATED AND FIELD MARKED PRIOR TO CONSTRUCTION.
 - THE CONTRACTOR SHALL TAKE CARE IN LOCATING ALL APPROPRIATE BORING PIT LOCATIONS IN ORDER TO AVOID EXISTING UTILITIES, MINIMIZE PAVEMENT RESTORATION AND TRAFFIC DISRUPTIONS. CONTRACTOR IS RESPONSIBLE FOR REPAIRING ALL DISTURBED PAVEMENT IN ACCORDANCE WITH THE CITY OF DULUTH STANDARD SPECIFICATIONS.
 - AT LOCATIONS WHERE PROPOSED DIRECTIONAL DRILLING WILL BE INSTALLED WITHIN 5' LONGITUDINALLY (PARALLEL) TO ANY EXISTING UTILITY, THE DIRECTIONAL DRILLER SHALL "POT-HOLE" EVERY 500' TO VERIFY THE LOCATION AND GRADE OF THE EXISTING UTILITY.
 - AT LOCATIONS WHERE THE PROPOSED DIRECTIONAL DRILLING WILL CROSS ANY EXISTING UNDERGROUND UTILITY, THE DRILLER SHALL LOCATE THE EXISTING UTILITY LINE AND GRADE BY "POT-HOLING" AT LEAST 100' AHEAD OF DRILLING OPERATIONS.



OVERALL SITE PLAN
 SCALE: 1" = 30'



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Certification & Seal
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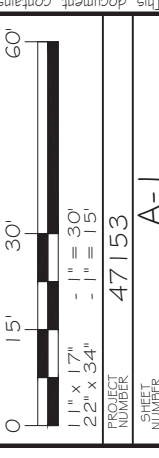
Signature: *James R. Skowronski* 7/19/2021
JAMES R. SKOWRONSKI
 Type of Practice Name: Registration Number:
 Date: 42202

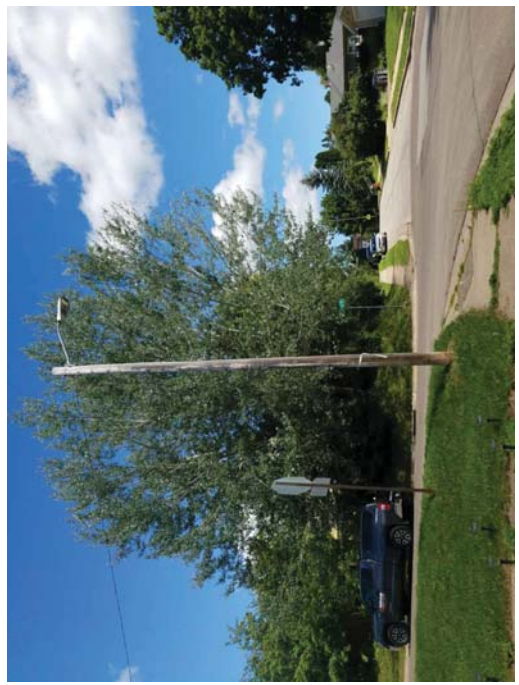
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1	04/05/21	FINAL CD# 155/UEJ	GM
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PROJECT TITLE:
CRAN 1C/2C/3C/1R
MRUMW022370, MRUMW022371
MRUMW023077, MRUMW042860
CRAN_RUMW_DLLND_010
192444

PROJECT INFORMATION:
 1439 N 8TH AVENUE E
 DULUTH, MN 55805

SHEET TITLE:
OVERALL SITE PLAN
W/ UG UTILITIES





EXISTING WOOD UTILITY POLE TO BE REMOVED & REPLACED
 SCALE: NTS

2

ENLARGED SITE PLAN
 SCALE: 1" = 5'

1



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Signature: *James R. Skowronski* Date: 7/19/2021
 Name: JAMES R. SKOWRONSKI Registration Number: 42202

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3	07/19/21	FINAL CD# 155UEJ	GM
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MRUMW023077, MRUMW042860
CRAN_RUMW_DLLND_010
192444

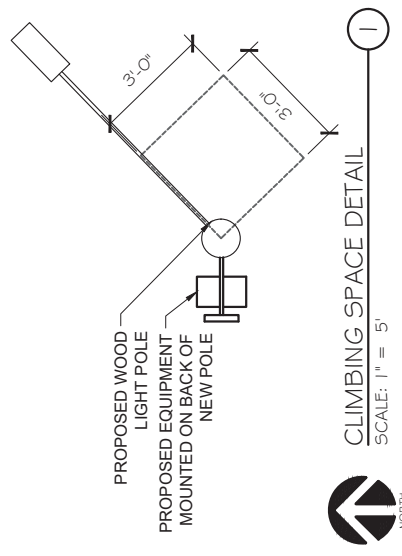
PROJECT INFORMATION:
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 DULUTH, MN 55805

SHEET TITLE:
 ENLARGED SITE PLAN
 W/ UG UTILITIES

0 2.5' 5' 10'

1 1" = 17' - 1" = 5'
 2 2" = 34' - 1" = 2.5'

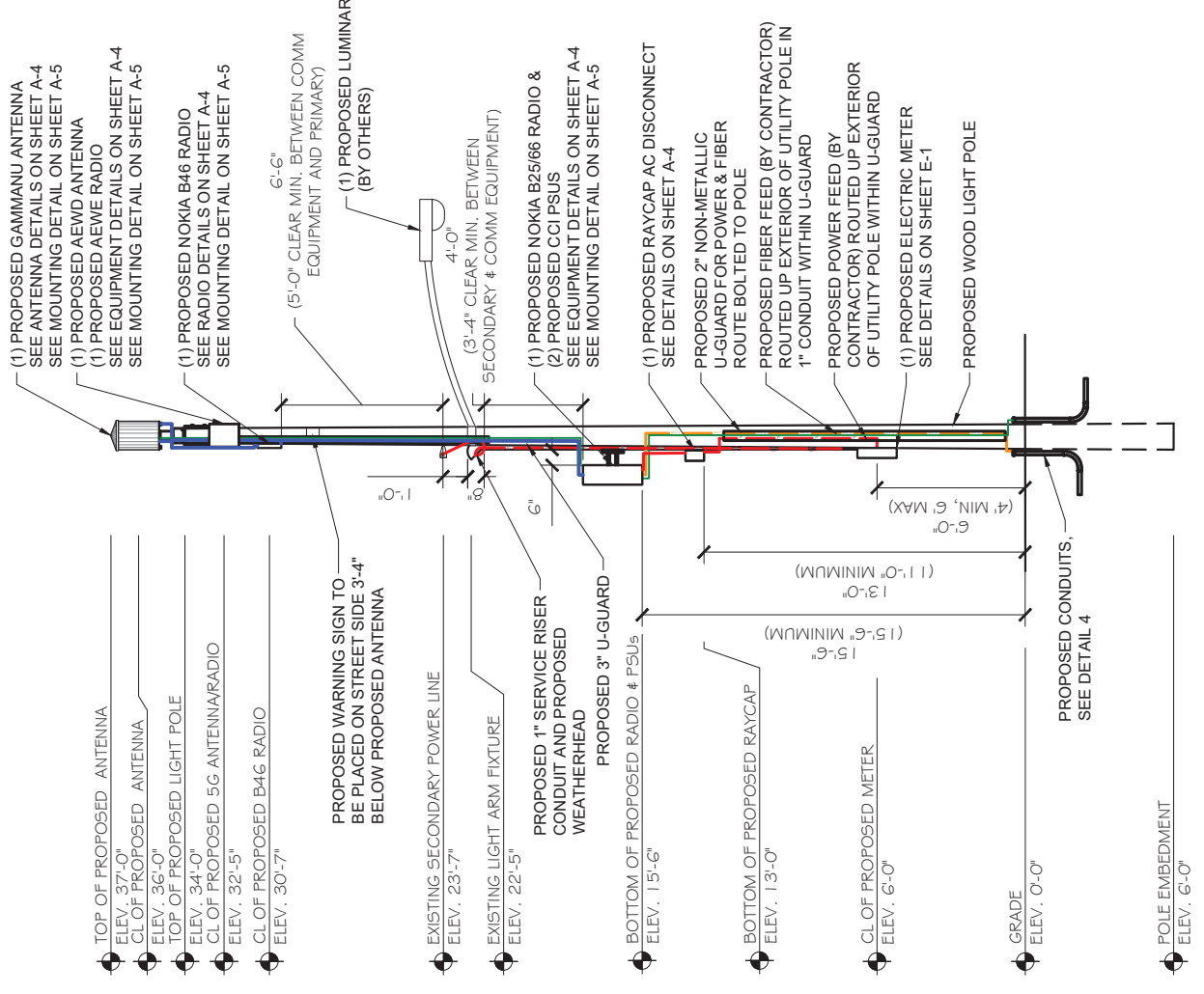
PROJECT NUMBER: 47153
 SHEET NUMBER: A-2



CLIMBING SPACE DETAIL
 SCALE: 1" = 5'

CABLE TYPE	COLOR CODE
POWER CABLE	RED
FIBER CABLE	ORANGE
GROUND CABLE	GREEN
COAX CABLE	BLUE

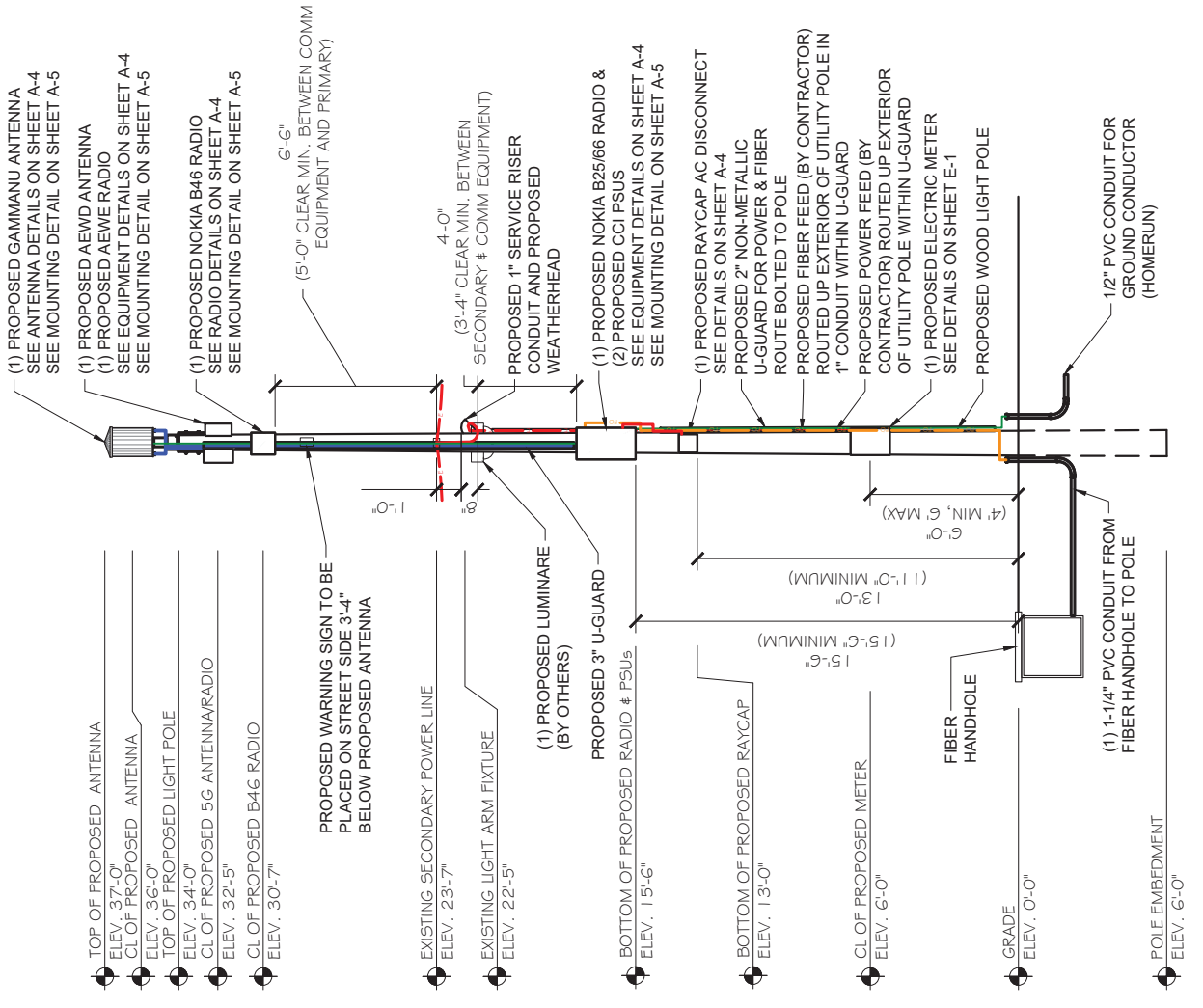
COLOR CODE
 SCALE: N.T.S.



PROPOSED UTILITY POLE SIDE ELEVATION
 SCALE: 1" = 7.5'

NOTES:

1. ALL HARDWARE SHALL BE STAINLESS STEEL
2. ALL CABLES SHALL BE SECURED TO POLE EVERY 36" OR LESS
3. LIGHTNING RODS SHALL BE INCLUDED AS REQUIRED
4. STRUCTURAL BACKFILL TO BE COMPACTED IN 6" MAXIMUM LAYERS TO 100% OF CONTENT IN ACCORDANCE WITH ASTM D698, ADDITIONALLY, STRUCTURAL BACKFILL MUST HAVE A MINIMUM COMPACTED UNIT WEIGHT OF 100 POUNDS PER CUBIC FOOT (16 KN/MS)
5. ANY PRIMARY OR SECONDARY POWER LINES NEED TO MAINTAIN 5' CLEARANCE BETWEEN POWER LINES AND TOP OR BOTTOM OF EQUIPMENT (INCLUDING MOUNTS), WHICHEVER IS CLOSER
6. PEDESTAL MAY BE REQUIRED AS DETERMINED BY MN POWER
7. ANY INSTALLATION LINE PEDESTAL OR HAND-HOLE NEEDS TO BE AT LEAST 3' DISTANCE FROM POLE
8. ALL CONTRACTORS WORKING IN POWER SPACE NEED TO BE APPROVED BY MN POWER AND HIGH VOLTAGE CERTIFIED, REFERENCE ELECTRICAL NOTES #13 ON GN-1
9. PROPOSED SERVICE CONDUCTORS TO THE METER SIZED AND INSTALLED PER THE UTILITY AND THE NEC REQUIREMENTS CONDUCTORS SHALL BE ENCLOSED IN A MINIMUM OF 2" Ø SCH 80 PVC. 24" MIN OF CONDUCTOR SLACK SHALL BE COILED AT THE WEATHER HEAD TO ALLOW FOR FINAL CONNECTIONS
10. POWER ENCLOSED IN FLEX PIPE FROM AC DISTRIBUTION BOX TO BACK OF RADIO
11. CONTRACTOR MUST INSTALL COAX PROPERLY PER SPECIFICATIONS AND RADIUS TO ENSURE PROPER CONNECTION FROM RRU TO BOTTOM OF ANTENNA



PROPOSED UTILITY POLE BACK ELEVATION
 SCALE: 1" = 7.5'



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Signature: *James R. Skowronski* 7/11/9/2021
 Date: 42202
 Type of License: Registration Number:

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MRUMW022370, MRUMW022371
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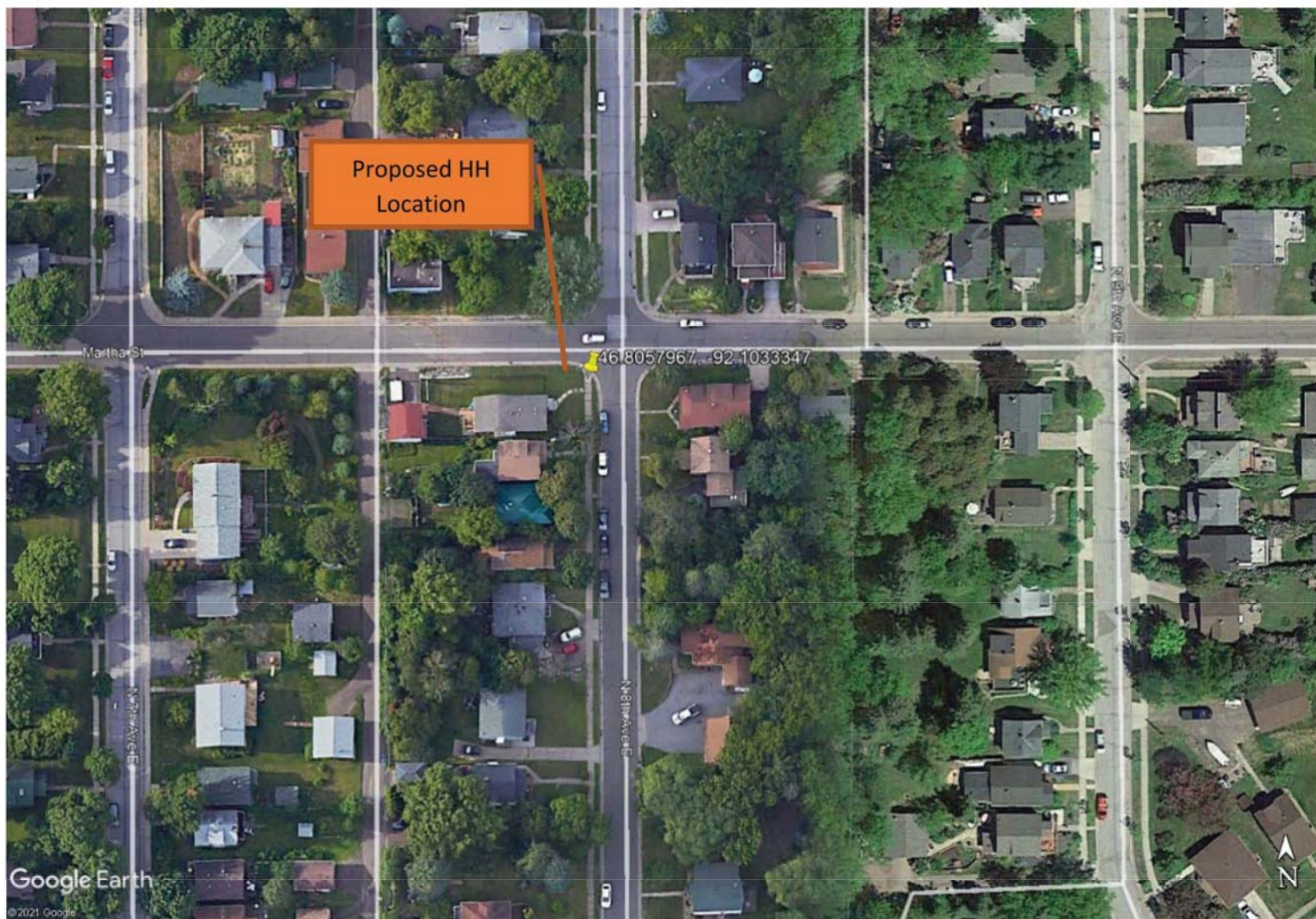
PROJECT INFORMATION:
 1439 N 8TH AVENUE E
 DULUTH, MN 55805

SHEET TITLE:
PROPOSED WOOD UTILITY POLE ELEVATIONS

PROJECT NUMBER: 47153
 SHEET NUMBER: A-3

SITE NAME: CRAN_RUMW_DLLND_010
SITE ADDRESS: MARTHA ST DULUTH, MN
LAT/LONG: 46.8057967, -92.1033347
POLE TYPE: WOOD, LIGHT POLE

Proposed Route Design
ATT Minnesota
Plan View

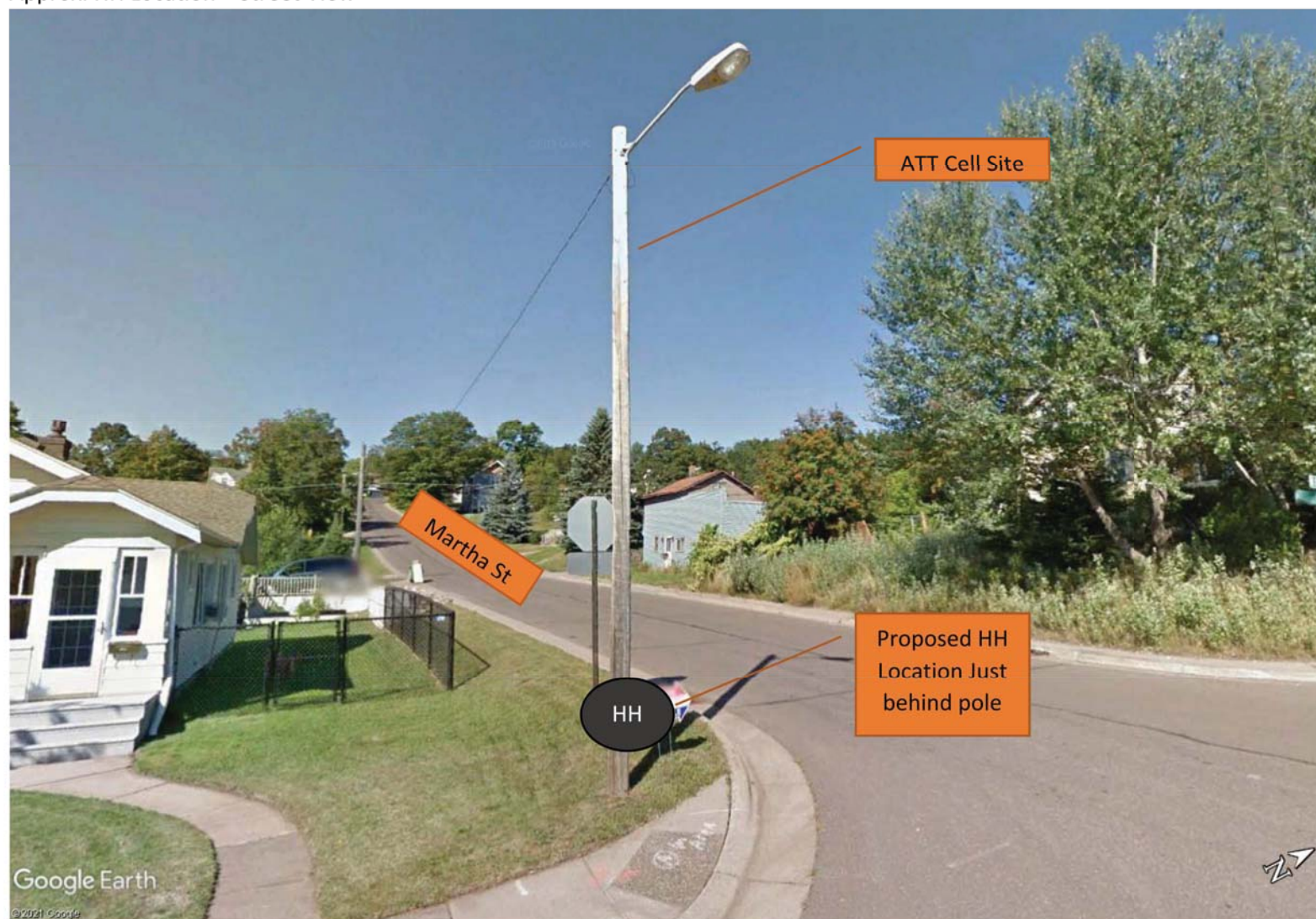


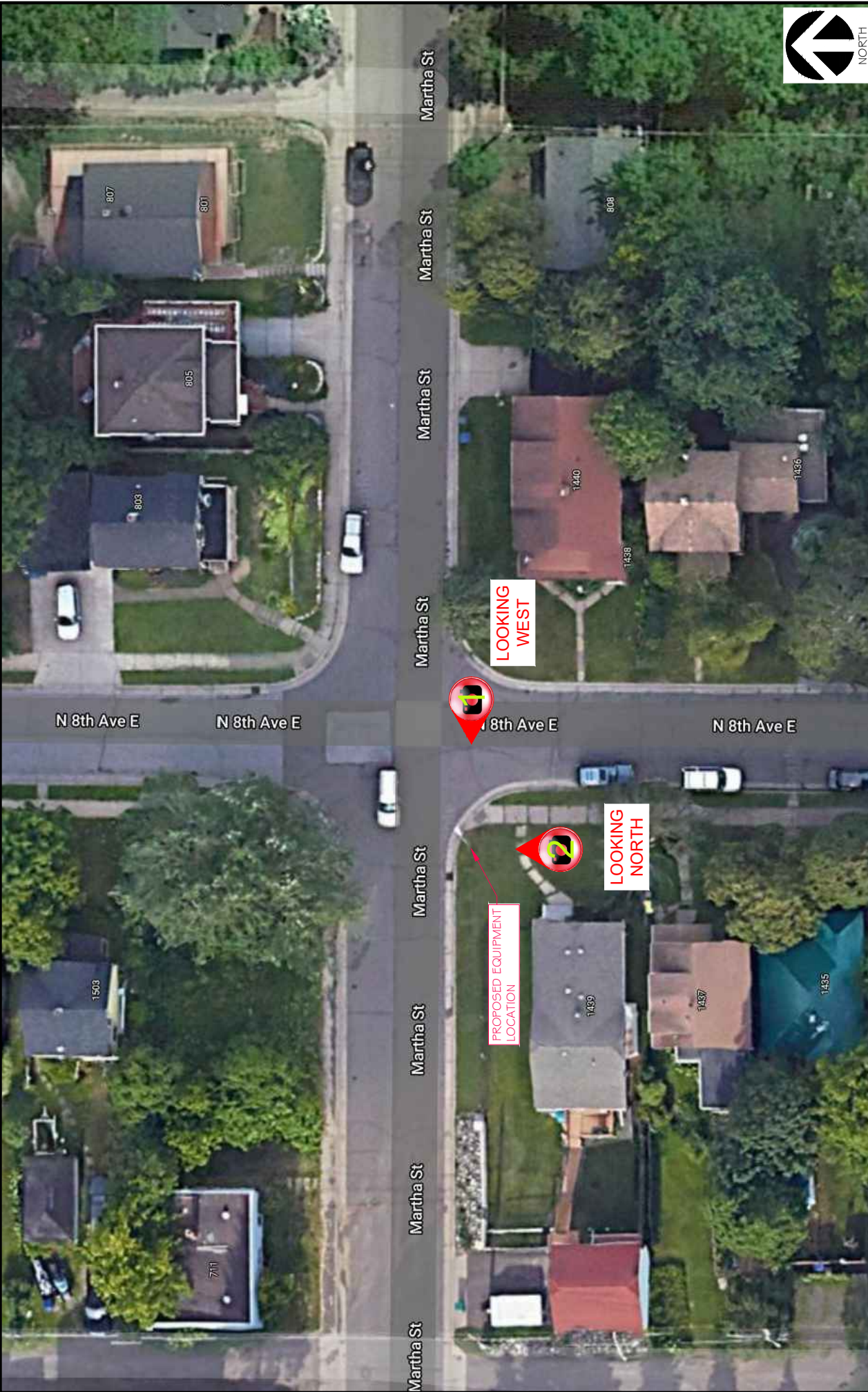
Nearest Intersection:
Martha St & N 8th Ave
E




Description:
CCI to install a new
HH in the ROW near
the light pole.

ATT is to leave stub
1.25" duct out from
base of new light pole
to the proposed HH
location.

Approx. HH Location - Street View





 <small>7900 XEVES AVENUE S., 3RD FLOOR BLOOMINGTON, MN 55401</small>		 RAMAKER <small>employee-owned</small> (608) 643-4100 www.ramaker.com	
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SHEET TITLE: PHOTO RENDERING/SIMULATION LOCATION MAP			
PROJECT TITLE: MRUMW022370 (14810154)			
PROJECT NUMBER: 47153			
PROJECT LOCATION: 1439 N 8TH AVENUE E, DULUTH, MN 55805			



BEFORE



AFTER

SHEET TITLE:

PHOTO RENDERING/SIMULATION - LOOKING WEST

PROJECT TITLE:

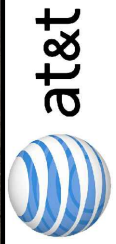
MRUMW022370 (14810154)

PROJECT NUMBER:

47153

PROJECT LOCATION:

1439 N 8TH AVENUE E, DULUTH, MN 55805



7900 XEVES AVENUE S., 3RD FLOOR
BLOOMINGTON, MN 55401

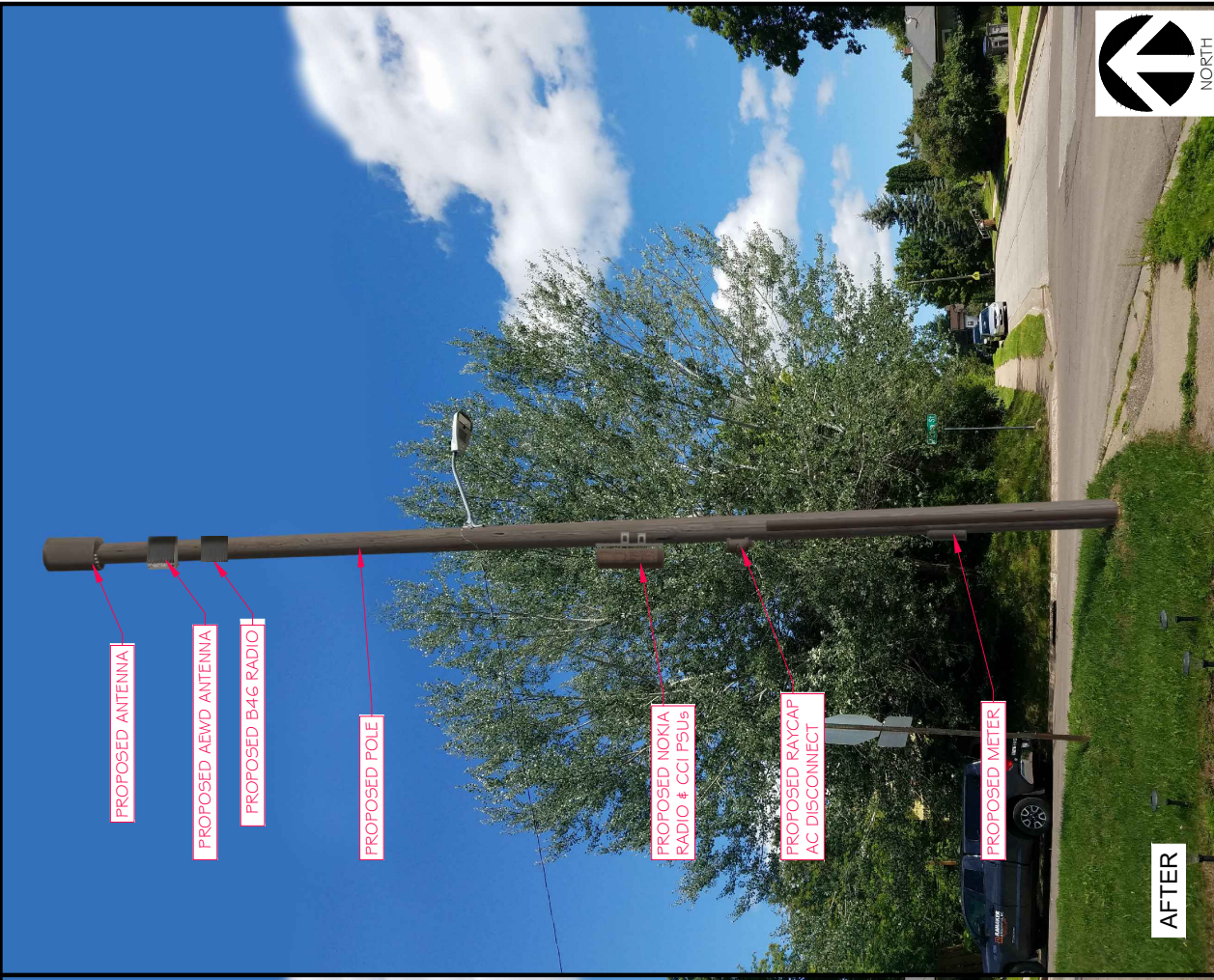


540 W. MADISON ST.
3RD FLOOR
CHICAGO, IL 60661
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BEFORE

AFTER



 7900 XEVES AVENUE S., 3RD FLOOR BLOOMINGTON, MN 55401		 540 W. MADISON ST. 8TH FLOOR CHICAGO, IL 60661 www.wireless.com		 RAMAKER employee-owned (608) 643-4100 www.ramaker.com	
PHOTO RENDERING/SIMULATION - LOOKING NORTH		PROJECT TITLE: MRUMW022370 (14810154)		PROJECT LOCATION: 1439 N 8TH AVENUE E, DULUTH, MN 55805	
PROJECT NUMBER: 47153		This document contains confidential or proprietary information of Ramaker & Associates, Inc. Neither the document nor the information herein is to be reproduced, distributed, used or disclosed either in whole or in part, except as authorized by Ramaker and Associates, Inc.			



STATEMENT REGARDING AESTHETIC DESIGN CRITERIA

DLLND_010 / 14810154 / MRUMW022370/ 1439 N 8th Ave. E.

Pursuant to Ordinance 19-0027R, a SWF must adhere to the eight criteria listed below. Applicant's responses are stated below in red.

- (a) Except as established in Minnesota State Statute, the height of a new facility may not exceed the average height of existing utility poles or streetlights in the immediate area (150-foot radius of the proposed site) by more than five (5) feet, or forty (40) feet, whichever is greater; antennas mounted at the top of the pole shall not increase the height of the pole by more than five (5) feet; and

Applicant asserts that this proposed SWF will only extend three (3) feet above the top of the replaced MN Power utility pole. (See p. A3 of Exhibit "F," Construction Drawings).

- (b) New facilities shall be located as near as practicable to street intersections and shall be located to the extent practicable on existing poles or other structures currently in the right of way and shall be limited to the heights in section (a) above; and

Applicant's proposed pole is located directly on a street corner and is within the ROW.

- (c) Decorative lights, banner poles, clocks, flagpoles, and other public street furniture that was not designed to accommodate small cell facilities shall not be used if accommodating the small cell facilities interfere with the operation of the public street furniture; and

Applicant's proposed pole is not decorative.

- (d) Concealment elements shall be incorporated into new sites, including approved camouflage or shrouding techniques, to the greatest extent practicable; and

Applicant has made every practicable effort to camouflage and conceal its proposed equipment. Any additional concealment efforts would result in additional shrouds or screens that would cause the pole to look more crowded and abnormal than as proposed.

- (e) New electrical and other utility service lines must be undergrounded whenever possible to avoid additional overhead lines; for metal poles, undergrounded cables and wires must transition directly into the pole base without any external junction box; and

Barring any unforeseen issues, this SWF will draw power from existing electrical lines attached to it. It will therefore not require the construction of any new overhead or underground lines. The subject pole is not metal.

- (f) Unless otherwise required for compliance with FAA or FCC regulations, new wireless facilities shall not include any permanently installed lights; and

The Proposed SWF will not include any permanently installed lights besides a streetlight like the one currently mounted to the pole.



(g) Any new facility and/or equipment and other improvements associated with a new facility must not obstruct any access to fire hydrants or fire escapes, or aboveground or underground public infrastructure, such as underground public utility lines; and

The proposed SWF will not obstruct access to fire hydrants or fire escapes, or aboveground or underground public infrastructure, such as underground public utility lines.

(h) Unless indicated otherwise by the Land Use Supervisor or City Engineer, the color of the antennas and related accessory equipment shall be made to match the existing pole color; if no pole exists, color should match the poles in the immediate area.

Applicant intends to paint the proposed equipment to match the pole as close as possible.

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read 'Joe Goldshlack', written over a horizontal line.

Dated: July 6, 2021

Joe Goldshlack
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