

411 W 1st St, Rm 208 * Duluth, Minnesota 55802-1197 Phone: 218/730.5580 Fax: 218/723-3559

File Number PL 18-06		3, CUP	Contact	Contact Steven Robertson, 218-730-5295	
Obstruct		ent Use Permit to Place Private ons in Public Right of lic Facilities (Utility Poles)	Planning Commission Date		June 12, 2018
Deadline	Application Date		May 8, 2018		
for Action	Date Extension Letter Mailed		N/A	90 Days* (237.163	August 6, 2018
Location of Subject 2150 Maple Grove Road					
Applicant Verizon		Vireless	Contact		
Agent Jayme		D Littlejohn	Contact		
Legal Description					
Site Visit Date		May 30, 2018	Sign Notice Date May		ay 25, 2018
Neighbor Letter Date		N/A for Concurrent Use	Number of Letters Sent N/A		A for Concurrent Use

Proposal

The applicant is proposing to "own or control a wireless facility in the public right-of-way, including the replacement of the existing, city owned poles and foundations to the support the new facilities. The City will continue to own the replacement poles/foundations".

The wireless facilities will not be stealthed or camouflaged; the equipment will be visibly attached to the exterior of the pole. The attachments will include 1 exterior mounted panel antenna, 2 power converters, and 2 radio units mounted approximately between at least 26 to 30 feet above the ground. The replacement poles will be 40 feet tall.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-C	Public Right of Way	Neighborhood Mixed Use
North	Varies	Commercial	Large-Scale Commercial
South	Varies	Commercial/Residential	Urban Residential
East	MU-C	Commercial	Public Right of Way
West	Hermantown	Hermantown	Hermantown

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:

- 1) The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
- 2) 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.

This application is one of three being present to the June 12, 2018 Planning Commission. The three applications are for four separate sites (Maple Grove Road, 6th Avenue West, Canal Park Drive, and Railroad Street). In 2016 the city issued a Special Use Permit for 3 small wireless facilities on utility poles on private property owned by St Scholastica, and in 2017 the city issued a concurrent use permit for 3 small wireless facilities on utility poles owned by Minnesota Power in city right of way.

Review and Discussion Items

1) Applicant is proposing to install small wireless facilities on existing city utility poles located within dedicated public rights-of-way. The proposed locations are located in rights-of-way near Maple Grove Road.

The wireless facilities will not be stealthed or camouflaged; the equipment will be visibly attached to the exterior of the pole. The attachments will include 1 exterior mounted panel antenna, 2 power converters, and 2 radio units mounted approximately between at least 26 to 30 feet above the ground. The replacement poles will be 40 feet.

- 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) Both small wireless facilities will be similar in general configuration. Ownership of the poles will remain with the City of Duluth, with the poles in dedicated public rights-of-way. 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 city utility poles will be replaced with new poles, as specified and approved by the City engineer. The new poles will have a structural analysis by the manufacturer to ensure that they can support the weight of the private small cell facilities and required public infrastructure. The poles will be embedded into the ground a distance of 15 feet.
- 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. The city 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.
- 8) At the time that this memo was written, only one written comment was received. Vic Lund, Traffic Engineering for St. Louis County, wrote that Installation of facilities within the county road right-of-way must be approved by St. Louis County Public Works Department by way of the St. Louis County Right-of-Way (Utility) Permit.

Staff Recommendation:

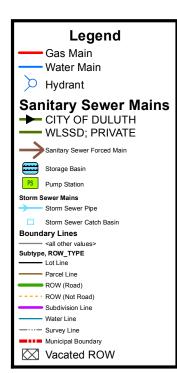
Based on the above findings, Staff recommends that the Planning Commission recommend approval of the two concurrent use permits subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to construction drawings signed May 3, 2018, and included with this staff report, and as revised per the City Engineer's comments of May 29, 2018, updated June 5, 2018.
- 2) Applicant, or successor, shall remove the proposed obstructions at applicant's expense if directed to do so by the City with appropriate notice, as outlined with other conditions in the concurrent use permit ordinance to be approved by the City Council.
- 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.

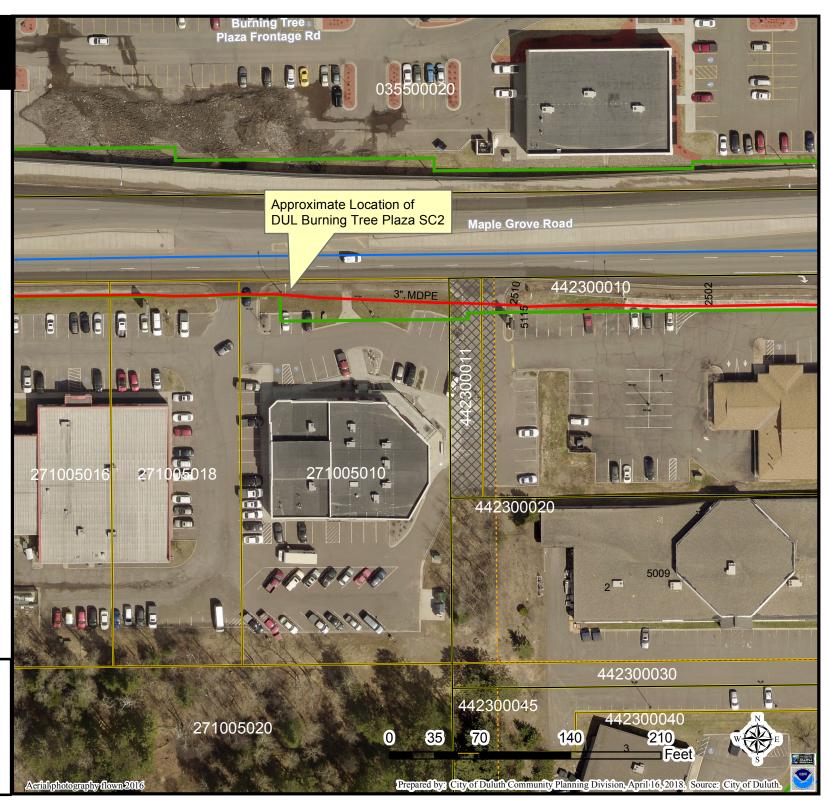


LegendZoning Boundaries

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.



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SITE NAME: **DUL BURNING TREE PLAZA SC2**

SITE NUMBER: 20151281300

LOCATION CODE: 393108

SITE TYPE: SMALL CELL

INSTALLATION TYPE: REPLACEMENT LIGHT POLE

verizon^v

Roseville, Minnesota 55113



2101 Highway 13 W Burnsville, MN 55337 608.644.1549 fc

PROJECT NO:	20151281300
LOCATION CODE:	393108
EDGE PROJECT NO:	16590
CHECKED BY:	OGD

- 1					
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4	П	Α	08/29/2017	PRELIM SMALL CELL DWGS	KJM
4	П	0	09/12/2017	FINAL DRAWINGS	MTS
4	П	1	10/26/2017	FINAL DRAWINGS	DGS
4	П	2	04/24/2018	FINAL DRAWINGS	MWH
4	П	3	05/03/2018	FINAL DRAWINGS	MWH
\dashv	П	4	06/05/2018	FINAL DRAWINGS	RJK
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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.

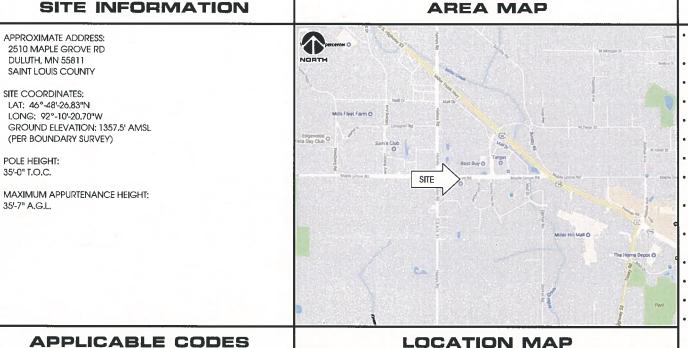
DUL BURNING TREE PLAZA SC2 DULUTH, MN REPLACEMENT LIGHT POLE SMALL CELL DRAWINGS

SHEET TITLE

TITLE SHEET & PROJECT DATA

SHEET NUMBER

G-001



INSTALL (1) REPLACEMENT STEEL LIGHT POLE AND ASSOCIATED CONCRETE

PROJECT DESCRIPTION/SOW

INSTALLATION OF PANEL ANTENNA

- INSTALLATION OF ERICSSON RRUS AND POWER CONVERTERS
- INSTALLATION OF LOAD CENTER
- INSTALLATION OF DIPLEXERS
- INSTALLATION OF ELECTRIC METER, BY VERIZON
- INSTALLATION OF HAND HOLE FOR FIBER AT POLE BASE, BY FIBER PROVIDER
- INSTALLATION OF CONDUIT FOR FIBER BETWEEN HAND HOLE AND POLE BASE (APPROX. 2'-0"), TO BE TRENCHED BELOW GRADE, BY VERIZON
- INSTALLATION OF CONDUIT FOR FIBER IN ROW, TO BE TRENCHED BELOW GRADE
- INSTALLATION OF NEW ELECTRIC SERVICE CONDUIT AND CONDUCTORS FROM POLE BASE TO POWER SOURCE, BY VERIZON
- REMOVE EXISTING FOUNDATION, BY VERIZON
- REMOVE EXISTING LIGHT POLE AND DELIVER TO CITY OF DULUTH, BY VERIZON
- INSTALLATION OF GROUND SYSTEM AROUND POLE FOUNDATION
- ALL OTHER CONSTRUCTION RELATED ACTIVITIES TO BE COMPLETED BY OTHERS

PROJECT DIRECTORY

LESSEE:

VERIZON WIRELESS 10801 BUSH LAKE RD BLOOMINGTON, MN 55438 CONTACT: RICK WENTA PHONE: 952,946,4690

ENGINEERING COMPANY:

EDGE CONSULTING ENGINEERS, INC. 2101 HIGHWAY 13 W BURNSVILLE, MN 55337 CONTACT: OTTO DINGFELDER III, P.E. PHONE: 608.644.1449

SITE ACQUISITION:

JACOBS ENGINEERING GROUP, INC. 2727 PATTON ROAD ROSEVILLE, MN 55113 CONTACT: AMY DRESCH PHONE: 952.831.1043

LESSOR: CITY OF DULUTH

411 W 1ST ST DULUTH, MN 55802 PHONE: 218.730.5000

RE ENGINEER:

VERIZON WIRELESS 10801 BUSH LAKE RD BLOOMINGTON, MN 55438 CONTACT: MICHAEL KOCH

ENGINEER OF RECORD

* REVIEWED AND APPROVED BY STRUCTURAL ENGINEER

11"x17" PLOT WILL BE HALF SCALE

UNLESS OTHERWISE NOTED

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING

DIMENSIONS/CONDITIONS ON SITE. IMMEDIATELY NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO PERFORMING ANY

WORK OR BE RESPONSIBLE FOR THE SAME.

SHEET INDEX

SHEET TITLE

TITLE SHEET & PROJECT DATA

GENERAL SPECIFICATIONS

GENERAL SPECIFICATIONS

TRAFFIC CONTROL PLANS

SITE PLAN

SITE ELEVATION

UTILITY PLAN

UTILITY PLAN

UTILITY DETAILS GROUNDING DETAILS

ANTENNA DETAILS

EQUIPMENT DETAILS

STRUCTURAL NOTES *

STRUCTURAL DETAILS

GROUNDING PLAN

NO:

G-001

G-002

G-003

C-101

C-501

T-201

T-501

T-502

5-001

S-501

F-101

E-103

E-601

EDGE CONSULTING ENGINEERS, INC. CONTACT: OTTO DINGFELDER III (PE # 49720 (MN))

STRUCTURAL REVIEW

FOUNDATION DESIGN: EDGE CONSULTING ENGINEERS PROJECT #: 16590 DATE: 10/17/2017

POLE DESIGN: VALMONT DRAWING #: MN379742P1 DATE: 10/12/2017

- 2012 INTERNATIONAL BUILDING CODE 2014 NATIONAL ELECTRIC CODE

- TIA/EIA-222-G OR LATEST EDITION

ALL WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES:

IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL

LOCATION SCAN

POLE HEIGHT

35'-0" T.O.C.

35'-7" A.G.L.

CONTRACTOR TO REVIEW STRUCTURAL REPORT IN ITS ENTIRETY. ANY DISCREPANCIES OR DISAGREEMENTS BETWEEN THE REPORT AND THESE PLANS SHOULD BE RESOLVED PRIOR TO CONSTRUCTION **AERIAL OVERVIEW**



SITE OVERVIEW [LOOKING WEST]



POWER SOURCE

CONTRACTOR TO COMPLETE A UTILITY LOCATE PRIOR TO COMMENCING ALL CONSTRUCTION

CONTRACTOR TO RE-SEED ANY AND ALL DISTURBED GRASS AREAS. REFER TO THE LOCAL MUNICIPALITY FOR SEEDING SPECIFICATIONS.

POWER AND FIBER ROUTING NOTE:

THE PROPOSED POWER AND FIRER ROLLTES ARE THE PROPOSED POWER AND RIBER ROUTES ARE PRELIMINARY, AND WILL BE CONFIRMED WITH THE LANDLORD AND RIBER PROVIDER PRIOR TO CONSTRUCTION, IF THE GENERAL CONTRACTOR NOTICES ANY DISCREPANCIES BETWEEN THESE PLANS AND THE ACTUAL SOURCES OF POWER AND FIBER. THE VERIZON CONSTRUCTION ENGINEER AND PROJECT ENGINEER ARE TO BE NOTIFIED PRIOR TO COMMENCING WORK.

QUALIFICATION OF WORKERS NOTE:

ANY WORK ON EQUIPMENT WILL NEED TO BE DIRECTLY SUPERVISED OR PERFORMED BY A CONTRACTOR EMPLOYEE WHO IS MINDOT SIGNAL AND LIGHTING CERTIFIED:

MINNESOTA 2016 STANDARD SPECIFICATIONS 2545 LIGHTING SYSTEMS 2545.1 DESCRIPTION B QUALIFICATION OF WORKERS

PARSONS ELECTRIC CONTACT: TORY PHONE: 218-591-1621 HUNT ELECTRIC CONTACT: JEFF PHONE: 218-628-3323

PERSUANT TO DIRECTION FROM DULUTH CITY ENGINEER: VERIZON ELECTRICAL SERVICE WILL BE ROUTED USING SEPARATE CONDUIT OUTSIDE OF CITYS EXISTING CONDUIT, #10 AWG CONDUCTORS ARE NOT REQUIRED.

PROPOSED ELECTRIC CONDUIT TO ROUTE FROM POLE BASE TO POWER SOURCE, BY VERIZON; —
SEE SHEET E-101 FOR DETAILS

-PUBLIC RIGHT OF WAY

MAPLE GROVE RD

-SECTION LINE-

EXISTING UNDERGROUND UTILITY EXISTING UNDERGROUND UTILITY REPLACEMENT LIGHT POLE PROPOSED CONDUIT FOR FIBER OPTIC SERVICES BETWEEN BASE OF POLE AND HAND HOLE BY VERIZON; SEE SHEET E-101 FOR DETAILS PROPOSED CONDUIT FOR FIBER OPTIC SERVICES TO ROUTE WITHIN RIGHT OF WAY BY FIBER PROVIDER PROPOSED FIBER HAND HOLE/DEMARC, BY PROVIDER

verizon /

JACOBS Jacobs Engineering Group, Inc 2727 Patton Road RosevIIIe, Minnesota 55113 www.jacobs.com



2101 Highway 13 W BurnsvIIIe, MN 55337 608.644.1449 volce 608.644.1549 fax www.edgeconsulf.com

PROJECT NO: 20151281300 LOCATION CODE: 393108 EDGE PROJECT NO: 16590

OGD CHECKED BY:

REV. DATE DESCRIPTION A 08/29/2017 PRELIM SMALL CELL DWGS KJM 0 09/12/2017 FINAL DRAWINGS 1 10/26/2017 FINAL DRAWINGS MWH 2 04/24/2018 FINAL DRAWINGS 3 05/03/2018 FINAL DRAWINGS 4 06/05/2018 FINAL DRAWINGS

APPROVED SEESHEEF GOOT

I HEREBY CERTIFY THAT THIS PLAN, SPECFICATION, 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.

DUL BURNING TREE PLAZA SC2 DULUTH, MN REPLACEMENT LIGHT POLE SMALL CELL DRAWINGS

SHEET TITLE

SITE PLAN

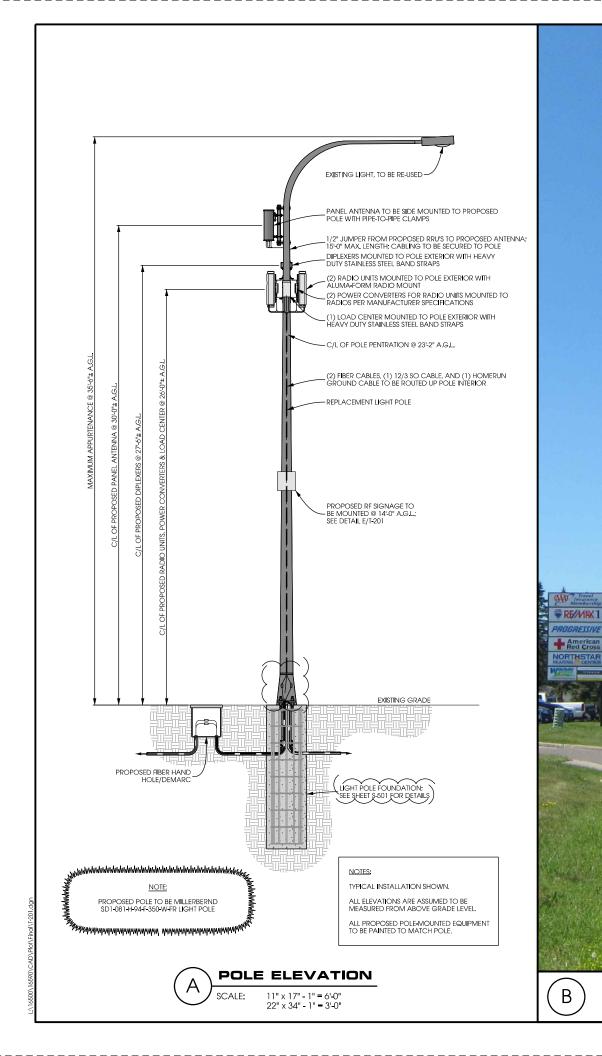
SHEET NUMBER

C-101



-PUBLIC RIGHT OF WAY-

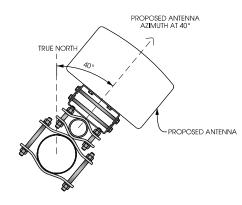
В



В

SITE ELEVATION







ANTENNAS					
QUANTITY MAKE		MODEL CENTERLINE		TIP HEIGHT	AZIMUTH
1	JMA	X7CQAP-FRO-260	30' AGL	31'-6" AGL	40°

EQUIPMENT					
QUANTITY	TYPE	MAKE	MODEL		
1	RRU	ERICSSON	RRUS32 B66		
1	RRU	ERICSSON	RRUS32 B2		
2	DIPLEXER	COMMSCOPE	CBC 1923T-4310 E11F13PO6		

CABLING				
QUANTITY TYPE MAKE MODEL				
6	COAX	COMMSCOPE	LFD4-50	

ANTENNA AND CABLING SCALE: NTS











RF WARNING SIGNS



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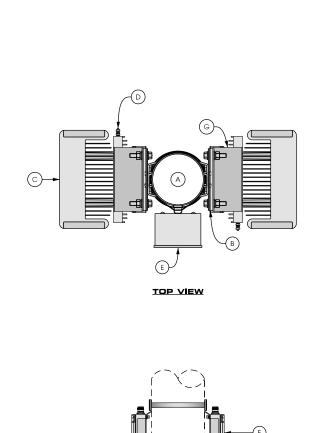
DUL BURNING TREE PLAZA SC2 DULUTH, MN REPLACEMENT LIGHT POLE SMALL CELL DRAWINGS

SHEET TITLE

SITE ELEVATION

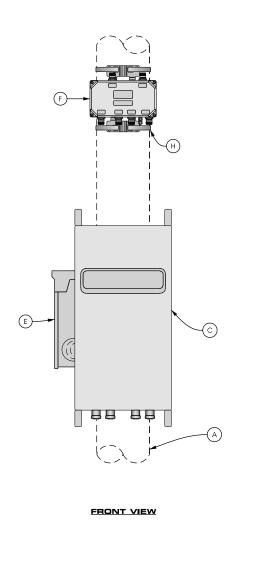
SHEET NUMBER

T-201



B)-

SIDE VIEW



NOTE:

KEYED NOTES:

UP TO 8" DIA. POLE

RADIO UNIT (TYP. OF 2); SEE DETAIL D THIS SHEET

STEEL BAND STRAP; SEE DETAIL E THIS SHEET

PAINT ALL ANTENNAS, OUTDOOR EQUIPMENT, CABLING, AND MOUNTING HARDWARE TO MATCH THE POLE

REMOTE RADIO UNIT MOUNT (TYP. OF 2); SEE DETAIL B THIS SHEET

POWER SUPPLY UNIT SECURED TO BACK OF REMOTE

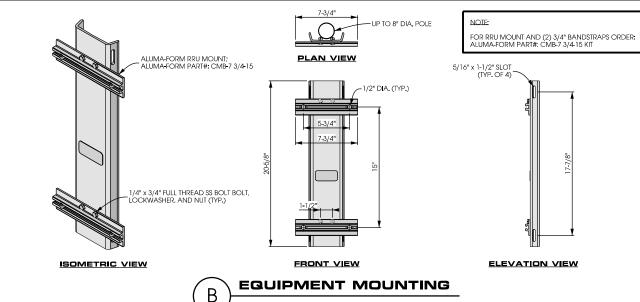
LOAD CENTER SECURED WITH HEAVY DUTY STAINLESS

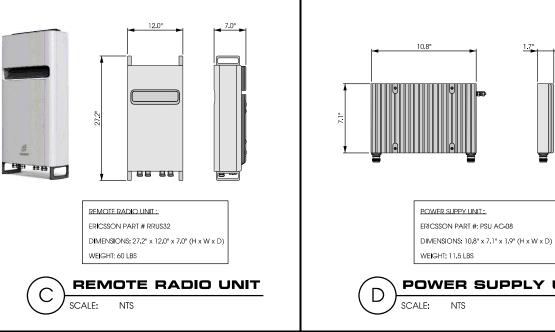
DIPLEXER SECURED WITH HEAVY DUTY STAINLESS STEEL BAND STRAP (TYP. OF 2); SEE DETAIL F THIS SHEET

ANGLE ADAPTER MOUNTED TO BACK OF REMOTE RADIO UNIT PER MANUFACTURER'S SPECIFICATIONS (TYP.)

HEAVY DUTY STAINLESS STEEL BAND STRAP (TYP.)

REMOTE RADIO UNIT (TYP. OF 2);

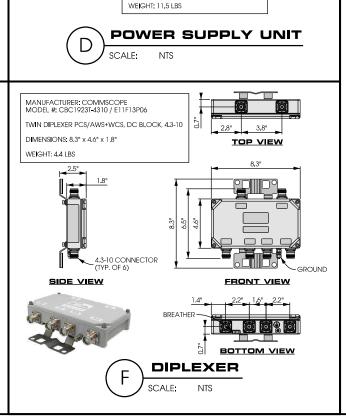






MANUFACTURER: SIEMENS MODEL: W0408ML1125

DIMENSIONS: 12.25" x 6" x 4.25" (H x W x D)





JACOBS

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www.jacobs.com



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EDGE PROJECT NO: 16590

CHECKED BY:

OGD

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DUL BURNING TREE PLAZA SC2

DULUTH, MN

REPLACEMENT LIGHT POLE

SMALL CELL DRAWINGS

SHEET TITLE

EQUIPMENT DETAILS

SHEET NUMBER

T-502





20151281300

393108

16590

OGD

MWH