

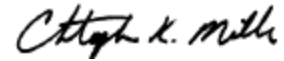
ROSEVILLE
REQUEST FOR COUNCIL ACTION

DATE: 10/11/2010
ITEM NO: 12 . c

Department Approval:



Acting City Manager Approval:



Item Description: Request by Eagle Crest Senior Housing LLC and Clear Wire for approval of a PUD AMENDMENT to allow additional wireless telecommunication equipment on the rooftop at 2925 Lincoln Drive (PF10-022)

1.0 REQUESTED ACTION

Prompted by a proposal by Clear Wire, EagleCrest Senior Housing LLC is requesting approval of a PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT to allow a limited amount of freestanding antennas and supporting equipment on the roof of the EagleCrest building at 2925 Lincoln Drive.

Project Review History

- Application submitted: August 5, 2010; determined complete: August 13, 2010
- Review deadline (extended by City): December 7, 2010
- Planning Commission recommendation (6-1 to approve): September 29, 2010
- Project report prepared: October 5, 2010
- Anticipated City Council action: October 11, 2010

2.0 SUMMARY OF RECOMMENDATION

The Planning Division concurs with the recommendation of the Planning Commission to approve the proposed PUD AMENDMENT, subject to certain conditions; see Section 7 of this report for the detailed recommendation.

3.0 SUMMARY OF SUGGESTED ACTION

Adopt a resolution approving the proposed PUD AMENDMENT, pursuant to §1008 (Planned Unit Developments) of the City Code, subject to conditions; see Section 8 of this report for the detailed action.

4.0 BACKGROUND

4.1 The original Planned Unit Development (PUD) was approved in 1993 to allow the creation of the EagleCrest Campus, which includes assisted living, independent senior apartments and a dementia residence. The PUD has been amended a few times since then, once in 1998 to allow for a larger dementia care facility than originally approved, and twice in 2009 to allow the installation of wireless telecommunication equipment for two cellular service providers.

4.2 Because the original PUD approval took the form of a City Council resolution rather than a longer document comprising a detailed PUD agreement, amendments to the PUD are

29 represented simply by new Council resolutions; there is no PUD agreement to amend as
30 in other, predominantly later, PUD approvals.

5.0 GENERAL COMMENTS

- 5.1 Section 1013.10A4 (Commercial Antennas on Non-City Sites) of the City Code allows commercial telecommunication antennas (with or without towers) on privately-owned properties as conditional uses in Business and Industrial zoning districts, but prohibits them in residential districts. Although EagleCrest is a residential campus, the zoning regulations that apply to high-density residential properties like this are closer in nature to the regulations in business zoning districts than low-density (e.g., single- or two-family) zoning districts. For this reason, Planning Division staff has determined that it is appropriate to consider allowing commercial antenna equipment at EagleCrest through the PUD AMENDMENT process, which is a PUD's equivalent to the CONDITIONAL USE review process in a standard zoning district.
- 5.2 Based on the experience of reviewing a proposal to mount antenna equipment as a conditional use on an office property earlier this year, Planning Division staff has begun requiring new proposals for telecommunication equipment to address accommodations for potential future providers as well as the specific provider which may have prompted an application. Instead of reviewing a PUD AMENDMENT now for Clear Wire's current proposal and other PUD AMENDMENTS for other potential providers in the future, staff requested that the present application come from the property owner so that this amendment can be used to establish an overall limit on the amount of freestanding antenna equipment at EagleCrest. Under such a PUD AMENDMENT, any new telecommunication equipment that fits within the established overall limit can simply be permitted rather; likewise, any proposed equipment that is outside of the scope of the PUD AMENDMENT would be prohibited.
- 5.3 A narrative description of the proposed PUD AMENDMENT and illustrations of how the property might look with the maximum amount of allowed, freestanding antenna equipment are included with this staff report as Attachments C and D, respectively. These materials depict a rather limited amount of total antenna equipment that seems mostly in keeping with the previously-approved installations by AT&T Wireless and T-Mobile.
- 5.4 Section 1013.10A12 (Exceptions) allows as *permitted* uses antennas which are mounted on commercial and industrial buildings but do not extend above the roofline, presumably because such equipment is practically invisible, unlike antennas and support structures that protrude above the roofline. Since a high-density, multi-family property such as EagleCrest has business-district-like zoning requirements, Planning Division staff would propose to include the same kind of flush-mounted antennas and interior-located support equipment as permitted uses in the amended PUD.
- 5.5 Section 1013.10A8 (Existing Facilities) further requires all telecommunication facilities to be "dismantled and removed from the site within one year" after the equipment is no longer in use. If this proposed PUD AMENDMENT is approved, any future equipment which fits within the scope of the approval would be considered *permitted*, and new providers could add their equipment when former providers have removed their equipment, as required, within a year of disuse.
- 5.6 Although the Comprehensive Plan does not address the installation of wireless telecommunication equipment in any one location, Planning Division staff believes that the following sections of the Comprehensive Plan generally promote such things:

75 **a. VISION CHAPTER**

76 Page 2-1, IR2025 vision statement: *"We value and invest in lifelong learning*
77 *opportunities and life-cycle housing that attract a diverse mix of residents and*
78 *businesses and keep our community strong. Leading-edge technology and a*
79 *comprehensive and reliable transportation system support residents and businesses,*
80 *and a variety of convenient, flexible, and safe transit alternatives serve all community*
81 *members."*

82 Page 2-2, IR2025 goals: *"Roseville has technology that gives us a competitive*
83 *advantage."*

84 **b. LAND USE CHAPTER**

85 Page 4-2, General goal/policy 1.10: *"Promote and support the provision of a citywide*
86 *technology infrastructure that is accessible to both the public and private sectors."*

87 **c. TRANSPORTATION CHAPTER**

88 Page 5-4, Sustainable Transportation Goals: *"Encourage telecommuting through the*
89 *development of technology infrastructure."*

90 **d. ECONOMIC DEVELOPMENT AND REDEVELOPMENT CHAPTER**

91 Page 7-2, business infrastructure policy 3.4: *"Encourage and promote the*
92 *development of advanced, state-of-the-art telecommunication and information*
93 *technology infrastructure to and within Roseville."*

94 **e. UTILITIES CHAPTER**

95 Page 10-2, goal 3: *"Coordinate the installation of communication technology*
96 *infrastructure to be responsive to rapidly evolving systems."*

97 **f. Page 10-11, Utility improvements:** *"In addition to water, sanitary sewer, and storm*
98 *sewer service, development relies upon the availability of private utilities, notably*
99 *electricity, natural gas, and communications. While local governments do not control*
100 *the provision of these services, they do have limited regulatory authority over the*
101 *location and design of the conveyance infrastructure. The City will continue to*
102 *facilitate development of these private utilities, while minimizing associated adverse*
103 *impacts. ... Although water supply and sanitary sewer are the primary focus of this*
104 *chapter, private utilities (electric, natural gas and telecommunications) are essential*
105 *elements of Roseville's well-being and future vitality.*

106 *Reliable and high-quality service is required to attract and keep people and*
107 *businesses in Roseville. As with municipal utilities, the ongoing replacement and*
108 *upgrading of aging infrastructure is essential. In the coming years, technology*
109 *infrastructure will be increasingly important. This technology connects Roseville to*
110 *the global economy."*

111 **6.0 PUBLIC HEARING**

112 The duly noticed public hearing for this application was held by the Planning
113 Commission at its special meeting of September 29, 2010. No members of the public
114 were present to comment on the proposal and draft minutes of the public hearing were
115 not available at the time this report was written; one email was received prior to the
116 Planning Commission meeting date and is included with this report as Attachment E.

117 After reviewing the application and public comment, the Planning Commission voted 6-1
118 to recommend approval of the proposed PUD Amendment.

119 **7.0 RECOMMENDATION**

120 Based on the comments and findings in Sections 4-6 of this report, Planning Division
121 staff concurs with the recommendation of the Planning Commission to approve the
122 proposed PUD AMENDMENT, subject to the following conditions:

- 123 **a.** Prior to installing any transmission equipment, all service providers shall submit
124 documentation demonstrating that the telecommunication equipment will operate
125 within the technical requirements of the Federal Communications Commission;
- 126 **b.** External lights (i.e., those not integral to the equipment itself) shall not be
127 installed on the outdoor equipment;
- 128 **c.** All wiring serving the equipment shall be attached to roof and/or wall surfaces of
129 the building and not aerially suspended;
- 130 **d.** Flush-mounted telecommunication equipment consistent with what is permitted
131 by the City Code on commercial properties may be allowed throughout the
132 EagleCrest campus, but freestanding telecommunication equipment shall be
133 confined to the rooftop at 2925 Lincoln Drive and shall be limited in general
134 scope to the narrative description and pictorial illustrations reviewed with this
135 application;
- 136 **e.** Structures in support of up to 4 wireless service providers may be installed on the
137 rooftop at 2925 Lincoln Drive, all of which shall be completely screened from
138 view at the property line, and all such screening shall be constructed either to
139 match the screening of existing service equipment or to blend in with the roof
140 itself; and
- 141 **f.** Additional transmitting and supporting equipment augmenting the service of an
142 established service provider or different equipment specific to a new provider
143 may be considered under the amended PUD. Plans for such future transmitting
144 and supporting equipment shall be reviewed by Planning Division staff for
145 determination of whether said equipment is consistent with the amended PUD;
146 equipment which is determined to be consistent with the approval may be
147 permitted, but equipment which is determined to be inconsistent with the
148 amended PUD shall be prohibited.

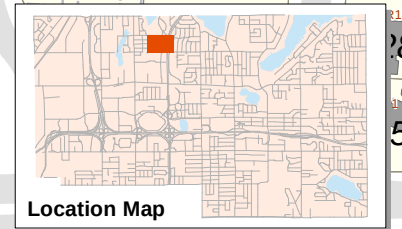
149 **8.0 SUGGESTED ACTION**

150 **Adopt a resolution approving the proposed PUD AMENDMENT** for EagleCrest Senior
151 Housing LLC allow the installation of additional freestanding and flush-mounted
152 telecommunication equipment on the EagleCrest campus, based on the comments and
153 findings of Sections 4-6 and the conditions of Section 7 of this report.

Prepared by: Associate Planner Bryan Lloyd (651-792-7073)

Attachments:	A: Area map	D: Proposed elevations and photo simulations
	B: Aerial photo	E: Public comment
	C: Applicant narrative	F: Draft resolution

Attachment A: Location Map for Planning File 10-022



Prepared by:
Community Development Department
Printed: August 17, 2010



Site Location

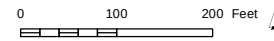
Comp Plan / Zoning
Designations

Data Sources

* Ramsey County GIS Base Map (8/2/2010)
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.



mapdoc: planning_commission_location.mxd

Attachment B: Aerial Map of Planning File 10-022





August 12, 2010

City of Roseville
Planning Department
Attn: Bryan Lloyd, AICP
2660 Civic Center Drive
Roseville, MN 55113

Re: Additional information regarding PUD Amendment request by Presbyterian Homes/Clear Wireless LLC for property located at 2925 Lincoln Drive, Roseville, MN 55113 (EagleCrest).

Dear Mr. Lloyd:

Carlson & Harrington, Inc. is working on behalf of Presbyterian Homes, the owner of the above-described property, in regards to new wireless rooftop antenna installations. We wish to address the issue of potential future wireless rooftop tenants and additional antennas that may be proposed at this property.

A complete description of new antenna and related electronic equipment being added to the EagleCrest building by Clearwire has been submitted for your review and consideration. In addition, Presbyterian Homes wishes to amend the existing PUD governing this property to allow for future wireless antenna to be placed on the building. We currently do not have plans to add more antennas, but believe there may be need with advancements in wireless technology to add more antennas either by existing tenants on the building (including AT&T Wireless and T-Mobile USA), or by other wireless providers seeking better network coverage in the neighborhood surrounding EagleCrest.

Presbyterian Homes believes there is enough space left on this rooftop to allow for potentially one more wireless tenant, and provide space for new antennas by existing tenants. Without knowing specific needs by potential and existing tenants, we cannot predict the total number of antennas or type and size of wireless antennas. We are very concerned with the overall safety, primary use and aesthetics of the EagleCrest property both for its residents and the surrounding neighbors. We also believe we are providing a service to both our tenants and our neighbors in regards to providing a means for wireless telecommunication providers to bring their state-of-the-art technologies to the area.

Attached are site elevations of the EagleCrest property showing the existing wireless tenant installations, the proposed Clearwire installation, and potential locations for new future antennas, either by a new tenant, or expansion of existing tenants. In addition, we've put together a photo simulation depicting the potential maximum wireless antenna locations for this property. The potential future antennas are based on average antenna installations for current technologies. We ask that the existing PUD be amended to include new future wireless antennas on the EagleCrest property as outlined in the attached exhibit.

Feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven J. Carlson".

Steven J. Carlson

Attachments:

- EagleCrest elevations showing existing and future antenna locations.
- Photo Simulation showing maximum numbers of visible rooftop antennas



*EagleCrest - East elevation
Existing View from Snelling Ave*



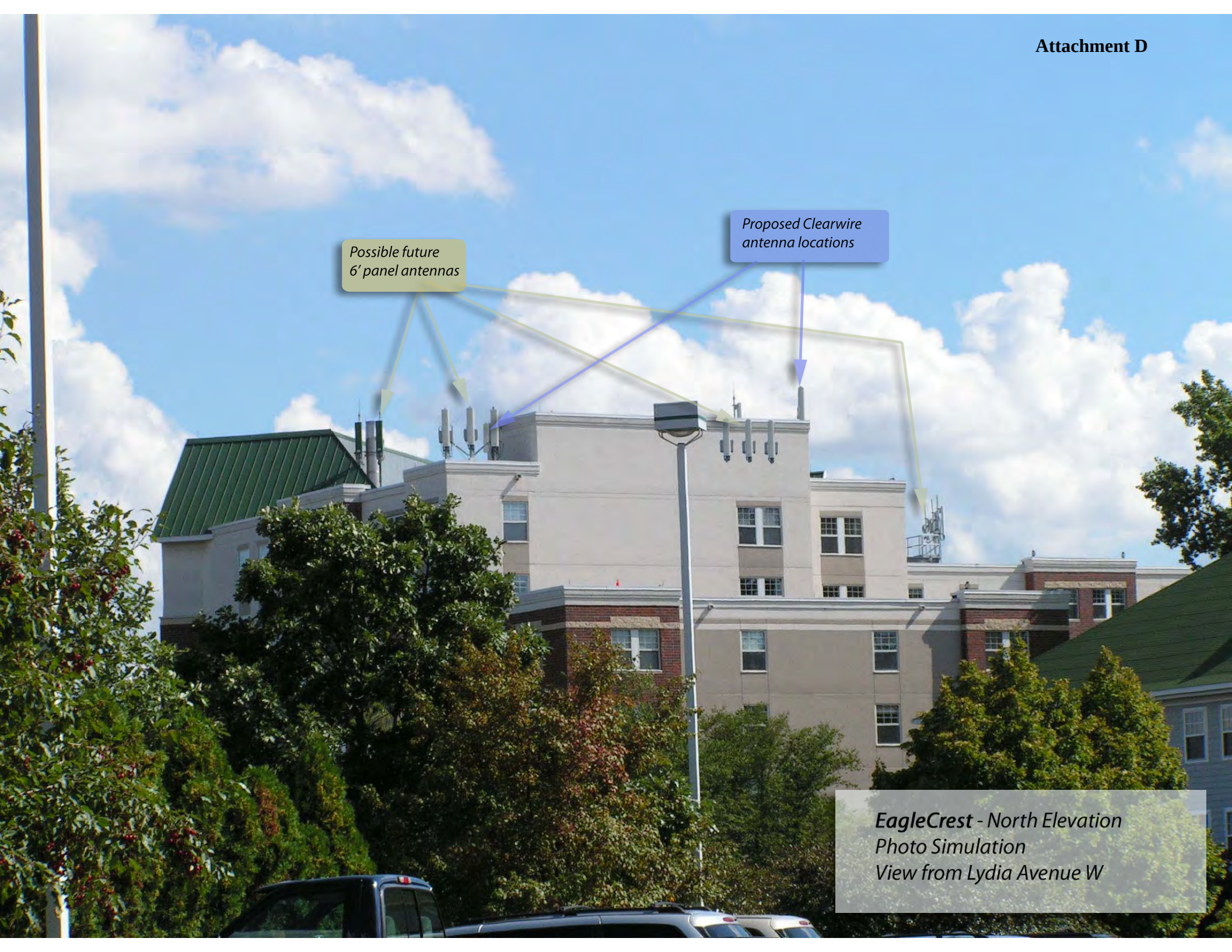
*Proposed Clearwire
Antenna locations*

*Possible future
antenna panel locations*

*EagleCrest - East elevation
Photo Simulation
View from Snelling Ave*



*EagleCrest - North Elevation
Existing View from Lydia Avenue W*



Possible future
6' panel antennas

Proposed Clearwire
antenna locations

*EagleCrest - North Elevation
Photo Simulation
View from Lydia Avenue W*



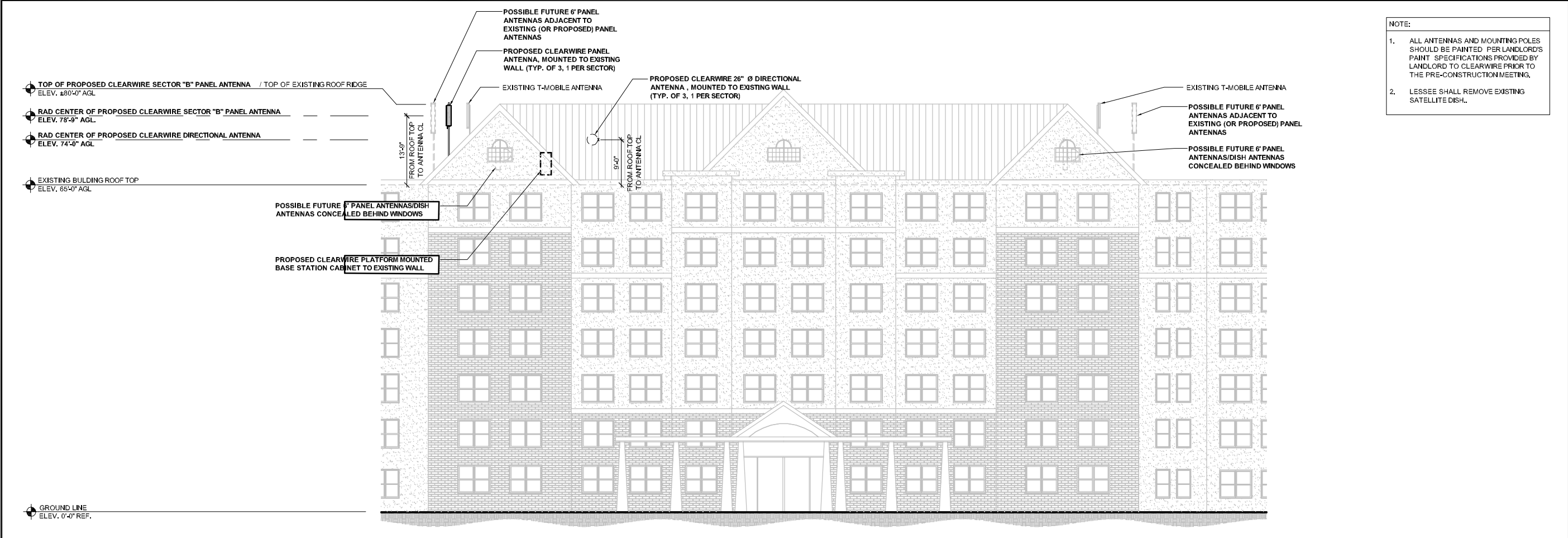
*EagleCrest - South elevation
Existing View from Lincoln Drive
looking north*



Possible future
panel antenna locations

Proposed Clearwire
Antenna location

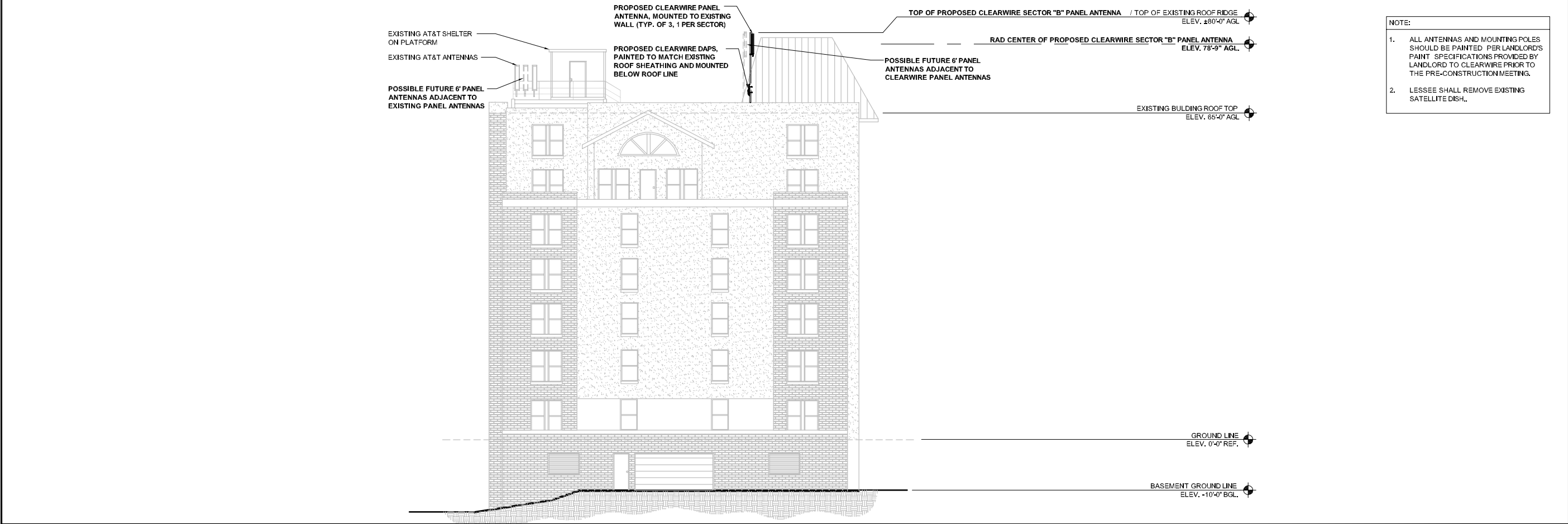
*EagleCrest - South elevation
Photo Simulation
View from Lincoln Drive
looking north*



- NOTE:
1. ALL ANTENNAS AND MOUNTING POLES SHOULD BE PAINTED PER LANDLORD'S PAINT SPECIFICATIONS PROVIDED BY LANDLORD TO CLEARWIRE PRIOR TO THE PRE-CONSTRUCTION MEETING.
 2. LESSEE SHALL REMOVE EXISTING SATELLITE DISH..

EAST ELEVATION

0 3' 6' 11' SCALE: 3/32" = 1'-0" (24x36)
(OR) 1/32" = 1'-0" (11x17) 1



- NOTE:
1. ALL ANTENNAS AND MOUNTING POLES SHOULD BE PAINTED PER LANDLORD'S PAINT SPECIFICATIONS PROVIDED BY LANDLORD TO CLEARWIRE PRIOR TO THE PRE-CONSTRUCTION MEETING.
 2. LESSEE SHALL REMOVE EXISTING SATELLITE DISH..

SOUTHWEST ELEVATION

0 3' 6' 11' SCALE: 3/32" = 1'-0" (24x36)
(OR) 1/32" = 1'-0" (11x17) 2

THE INFORMATION CONTAINED IN THIS SET OF ZONING DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

Attachment D

Clear Wireless
- a Sprint affiliate.

8800 HWY 7 STE 203
SAINT LOUIS PARK, MN 55426

A&E:

SAC
WIRELESS

11300 SORRENTO VALLEY ROAD
STE 230, SAN DIEGO, CA 92121
WWW.SACW.COM

MN-MSP0632-A
2925 LINCOLN DR
ROSEVILLE, MN 55113

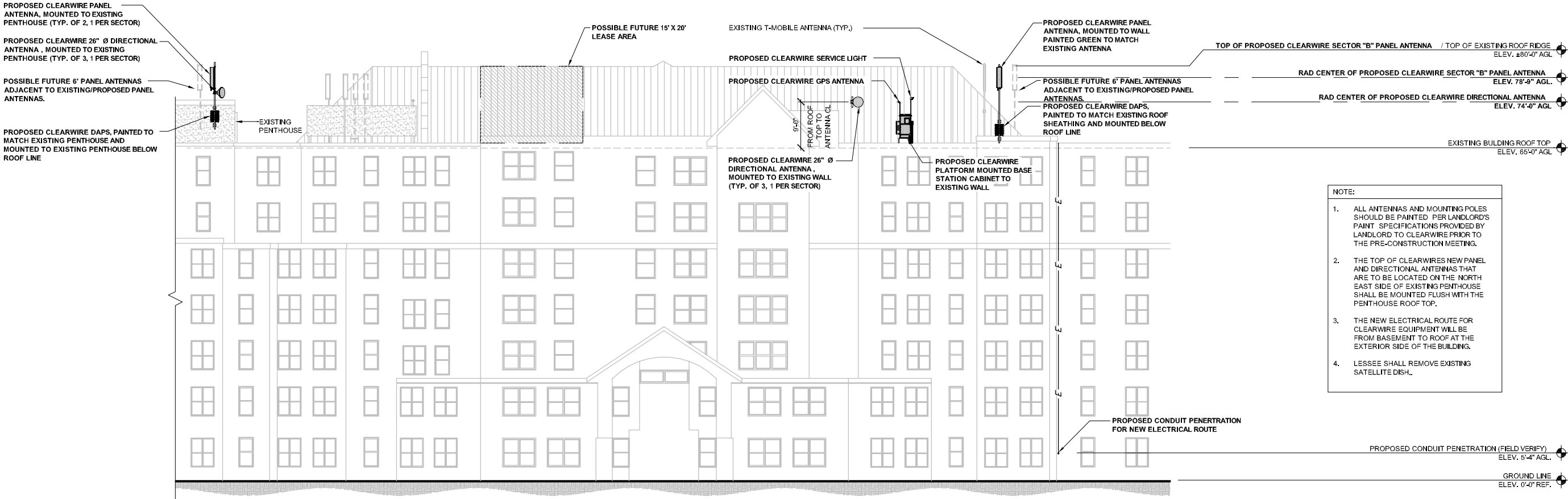
REVISIONS			
NO.	DATE	DESCRIPTION	BY
A	08/12/10	ELEVATION EX-HIBIT	MA
NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET			

SHEET TITLE

EAST & SOUTHWEST ELEVATIONS

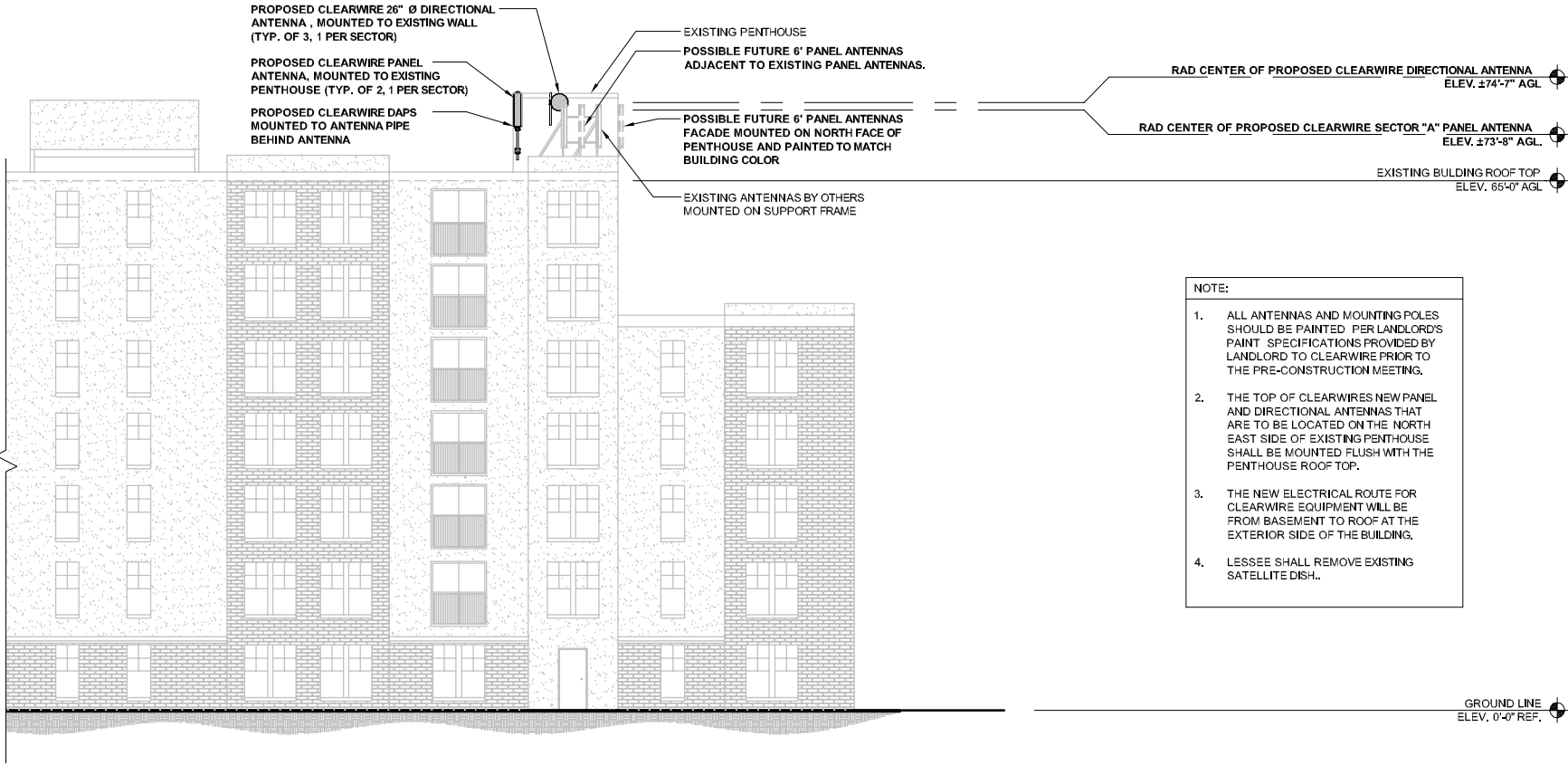
SHEET NUMBER

A-3



WEST ELEVATION

0 3' 6' 11' SCALE: 3/32" = 1'-0" (24x36)
(OR) 1/32" = 1'-0" (11x17) 1



NORTHEAST ELEVATION

0 3' 6' 11' SCALE: 3/32" = 1'-0" (24x36)
(OR) 1/32" = 1'-0" (11x17) 2

Attachment D

Clear Wireless

- a Sprint affiliate.

8800 HWY 7 STE 203
SAINT LOUIS PARK, MN 55426

A&E:



11300 SORRENTO VALLEY ROAD
STE 230, SAN DIEGO, CA 92121
WWW.SACW.COM

MN-MSP0632-A
2925 LINCOLN DR
ROSEVILLE, MN 55113

REVISIONS

NO.	DATE	DESCRIPTION	BY
A	08/12/10	ELEVATION EX-HIBIT	MA

NOT FOR CONSTRUCTION UNLESS LABELED
AS CONSTRUCTION SET

SHEET TITLE

WEST & NORTHWEST ELEVATIONS

SHEET NUMBER

A-4

Bryan Lloyd

From: [REDACTED]
Sent: Wednesday, September 29, 2010 1:32 PM
To: Bryan Lloyd
Subject: Eagle Crest Senior Housing

Dear Mr. Lloyd,

Thank you for the invitation to comment on the Eagle Crest Senior Housing application to add wireless telecommunication equipment at 2925 Lincoln Drive. Due to the close proximity to residential property, my husband and I are strongly opposed to this request. We have researched the health risks associated with this equipment and do not feel it is a safe distance from our home and that there is not enough definitive research regarding health risks to people living in-line of communication equipment signals to support human exposure.

We commented to several council members to not approve Eagle Crest's last request to add communication equipment. We once again ask the Council to consider opposing Eagle Crest Senior Housing's request to allow wireless telecommunication equipment at 2925 Lincoln Drive. Thank you for your consideration of our request.

Sincerely,

Cory and Pam Biladeau
1654 Stanbridge Avenue
Roseville, MN 55113
[REDACTED]

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the 11th day of October 2010 at 6:00 p.m.

The following members were present: _____
and _____ was absent:

Council Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION NO. _____
A RESOLUTION APPROVING AN AMENDMENT TO THE EAGLECREST PLANNED
UNIT DEVELOPMENT, 2925-2945 LINCOLN DRIVE (PF10-022)**

WHEREAS, two separate amendments to the EagleCrest Planned Unit Development were approved in 2009 for the purpose of installing telecommunication antennas and support equipment on the rooftop at 2925 Lincoln Drive; and

WHEREAS, the property owner, EagleCrest Senior Housing, LLC has requested approval of a third amendment allowing additional telecommunication antennas and support equipment on the same rooftop; and

WHEREAS, the City of Roseville is supportive of additional telecommunication installations in this location but wishes to address the previous and future installations in a single, more comprehensive amendment rather than in several individual amendments; and

WHEREAS, the property is legally described as:

**Lot 2, Block 1, College Properties
PID 04-29-23-14-0066**

WHEREAS, the Roseville Planning Commission held the public hearing regarding the proposed Planned Unit Development amendment on September 29, 2010, voting 6-1 to recommend approval of the amendment based on the comments and findings of the staff report prepared for said public hearing;

NOW THEREFORE BE IT RESOLVED by the Roseville City Council to approve the amendment to the EagleCrest Planned Unit Development, based on the information contained in the project report prepared for the City Council meeting on October 11, 2010 and the following conditions:

- a. Prior to installing any transmission equipment, all service providers shall submit documentation demonstrating that the telecommunication equipment will operate within the technical requirements of the Federal Communications Commission;
- b. External lights (i.e., those not integral to the equipment itself) shall not be installed on the outdoor equipment;
- c. All wiring serving the equipment shall be attached to roof and/or wall surfaces of the building and not aurally suspended;
- d. Flush-mounted telecommunication equipment consistent with what is permitted by the City Code on commercial properties may be allowed throughout the EagleCrest

campus, but freestanding telecommunication equipment shall be confined to the rooftop at 2925 Lincoln Drive and shall be limited in general scope to the narrative description and pictorial illustrations included with this resolution as Exhibit A;

- e.** Structures in support of up to 4 wireless service providers may be installed on the rooftop at 2925 Lincoln Drive, all of which shall be completely screened from view at the property line, and all such screening shall be constructed either to match the screening of existing service equipment or to blend in with the roof itself; and
- f.** Additional transmitting and supporting equipment augmenting the service of an established service provider or different equipment specific to a new provider may be considered under the amended Planned Unit Development. Plans for such future transmitting and supporting equipment shall be reviewed by Planning Division staff for determination of whether said equipment is consistent with the amended Planned Unit Development; equipment which is determined to be consistent with the approval may be permitted, but equipment which is determined to be inconsistent with the amended Planned Unit Development shall be prohibited.

AND BE IT FURTHER RESOLVED by the Roseville City Council that this resolution shall TERMINATE AND REPLACE the previous telecommunication-related amendments under City Council Resolution 10704 (County Recorder document #4170811) and City Council Resolution 10710 (County Recorder document #4170812).

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor: _____ and none voted against: _____

WHEREUPON said resolution was declared duly passed and adopted.

[illegible]

WITNESS MY HAND officially as such Manager this 11th day of October 2010.

Page 3 of 3