

**Pamela Ransier**

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**From:** Jennifer Feinstein <jennfeinstein@gmail.com>  
**Sent:** Thursday, September 21, 2023 5:44 PM  
**To:** Permits  
**Subject:** Opposition to Application for Special Use Permit  
**Attachments:** Cell Tower Opposition Letter.docx

Please find attached a Letter of Opposition to the Application for Special Use Permit.

Best Regards,

Jennifer Knudson Feinstein

September 21, 2023

City of Walla Walla Development Services  
55 East Moore Street  
Walla Walla, WA 99362

**RE: Application of J5IP for a Conditional Use Permit for the construction of a new wireless communication facility located at 928 Strum Avenue (File# CUP-22-0002; SEPA-22-0020)**

Dear Hearing Examiner:

I am writing to you **in opposition** to the Application of J5IP for a Conditional Use Permit. I am the daughter of Everett and Barbara Knudson and as such have an interest in the property located at 1126 Pleasant Street in Walla Walla, as well as property located at 1011 Home Avenue in Walla Walla.

I was born and raised in Walla Walla so I know Walla Walla is a special place. I can still hear my father's voice in my head from childhood telling me that Walla Walla is God's country. Walla Walla ignites all senses with the scenery of blue mountains and golden wheat fields; the sounds of wildlife and of water flowing through Mill Creek; the smell of harvest and summer rains; the taste of local beverages and foods, and the feel of community. It is a beautiful place to live.

I have been able to watch Walla Walla evolve from a sleepy little southeastern Washington farming town to a vibrant tourist destination. It is understandable that with this growth comes the need to add necessary infrastructure to support the community and its businesses. However, it is important to continue the aesthetics and "feel" of the community. The City's Zoning Codes and Comprehensive Plan were enacted to protect Walla Walla's character and charm and to protect the quality of life for its citizens.

Thirty-Eight (38) years ago, my family selected the land located at 1011 Home Avenue for two reasons: (1) to build their forever home, a home in which they could age in place; and (2) to own enough acreage so their children could build their home-sites there as well. I am planning on building my forever home on that land, but at this time, I am deeply saddened to say that I do not believe it would be safe to do so. The home I would build would have property lines only 65 feet from the cell tower. Because of allowable heights the cell tower can grow, it should be placed 85 feet from property lines, but it's not per the plans. It is 65 feet away. I cannot choose to build a home close to a hazardous situation as it would be!

I am concerned about fire hazards from the cell tower if hit by lightning. I have seen lightning hit transformers along the property tree line between 928 Strum Avenue and 1011 Home Avenue shooting flames up to 75 feet causing serious fire and destruction along the tree lines. I cannot imagine the effects of a lightning strike on a cell tower so close to my future home. There are power lines located along that area as well. It's not just lightning that may cause a fire, but any malfunction that could occur causing a fire. I am equally concerned about the inability of emergency vehicles to enter the cell tower site and the lack of a water source to fight such a fire.

I am not only concerned about the risk to my home, but also to the Daycare at Blue Mountain Community Church and the future homesites to be built by developer Dan Preas on his adjacent land. The Application should be denied because the placement of the cell tower is a fire hazard.

I have diligently listened to the recordings of the Walla Walla City Council meetings. I am frustrated hearing select council members state that they cannot do anything as “their hands are tied.” That is simply not true!

The Telecommunications Act, Section 332 (c)(7) preserves state and local authority over zoning and land use decisions for personal wireless service facilities. Subsection (A) provides for general authority:

(7) Preservation of local zoning authority

(A) General Authority

Except as provided in this paragraph, nothing in this chapter shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

The City has the authority to determine the placement of cell towers. The Applicant has the obligation to conduct a comprehensive search for alternative locations before cell towers are placed in residential neighborhoods. The Applicant has repeatedly failed to meet the application requirements by omitting documentation of its comprehensive search. It is my belief that a strong resistance to a request is a red flag. Why is the Applicant refusing to provide evidence of its comprehensive search attempts? I believe the Applicant predetermined 928 Sturm Avenue as its cell tower location because they want to own the tower to generate more income, rather than collocating. I also believe the Applicant desires this location for this particular cell tower as it will be the entrée for cell towers going into other residential areas in Walla Walla.

The City’s hands are not tied. The application should be denied because it is not complete and omits the comprehensive search requirement for consideration of a Special Use Permit.

There are numerous reasons to deny the Applicant the Special Use Permit. I have heard many neighbors and community members voice their opposition to the cell tower being placed in a residential neighborhood. It is misleading to believe that the residents of Walla Walla agreed with the proposed Amendment to Ordinance No. 2022-26. In the beginning of the year, a City Council Meeting was held and the Survey used to determine residents’ opinions about the residential cell tower was discussed. It was said that a “robust survey” was conducted. However, that survey was conducted on Facebook and only 158 people of 30,000 responded. The majority of those people did not want a cell tower close to their homes.

The proposed cell tower is not fitting with the character and aesthetics of the neighborhood, nor is it of any residential neighborhood in Walla Walla. The cell tower is described as “stealth” and appearing to blend in with other trees in the area. This is not true. The “stealth monopine” cell tower is obviously a cell tower. There is no hiding or camouflaging it. The base of the cell

tower cannot be overlooked. The cell tower isn't just a poor attempt at replicating a pine tree, but has heavy equipment and chain link fencing at its base.

I am an experienced Real Estate Broker and I know cell towers impact the value of homes. The pure aesthetics of a cell tower is a significant reason people do not want to purchase a home near a cell tower. Buying or building a home is one of the biggest investments people make. No one wants to knowingly and willingly risk suffering a decline in their property value. This is another reason I would not want to build a home at 1011 Home Avenue. It is too much of a risk both financially in property value decrease and property damage due to fire.

The Applicant's application has been riddled with multiple errors and omissions throughout this process. It is concerning that the City Zoning Codes and Comprehensive Plan designed to protect the essence of what makes Walla Walla special now seem to be meaningless.

If 928 Sturm Avenue was in fact the only possible location for the proposed cell tower, people would have to accept that. However, there are other cell tower sites available, as well as collocation options. How is this Applicant making residential neighborhoods the first option for siting. This is not permissible per the codes. As mentioned, they have provided no evidence to the contrary.

In consideration of the foregoing, I request that the Application of J5IP for a Conditional Use Permit **be denied.**

Respectfully submitted,

Jennifer Knudson Feinstein