

Pamela Ransier

From: Jennifer Feinstein <jennfeinstein@gmail.com>
Sent: Thursday, September 28, 2023 8:25 PM
To: Permits
Subject: Opposition to Conditional Use Permit Application
Attachments: Cell Tower Opposition September 29 2023.pdf

Please find attached my Opposition to the Application for a Conditional Use Permit. I am requesting confirmation of receipt of my letter. Thank you in advance.

Best regards,
Jennifer Knudson Feinstein

September 29, 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 Kottkamp:

I am again expressing my opposition to the Application of J5IP for a Conditional Use Permit.

During the hearing Mr. Busch, attorney for AT&T, discussed how the placement of cell towers in residential neighborhoods has little effect on property values and home sales. He referenced studies conducted by Valbridge Property Advisors. These studies suggest there is “no measurable difference in home sale values for properties located within 1,320 feet (.25 mile radius) compared to those located 2,640 – 5,280 feet (.50 – 1.0 mile radius).” However, information presented in these studies are inconsequential to the installation of this particular cell tower since, property lines are 65 feet from the cell tower, as well as 150 feet from a daycare, and many of the property lines are significantly less than the 1,320 feet from the cell tower.

The studies discuss research done in cities such as Boston, MA, population 654,776 (2022 Census Bureau), Dallas, TX population 1.288 million (2022 Census Bureau), Phoenix, AZ, Population 1.625 million (2022 Census Bureau), and Raleigh, NC, population 469,124 (2022 Census Bureau). It is irresponsible to apply the same data to Walla Walla, WA with a population of 33,927 (2022 Census Bureau). The character and aesthetics of Walla Walla are vastly different than large cities. It's not even analogous to comparing apples to other fruits. It would be akin to comparing apples to candy! In Walla Walla, high rise buildings consist of the Marcus Whitman Hotel. That's it! Residents are used to enjoying trees, sidewalks, parks, streams, and wildlife and they live there because Walla Walla has protected its rustic, rural charm that small town living without technology in your backyard provides. Residents have chosen not to live in a bustling, hi-tech metropolis. Generations of families still reside in Walla Walla. People have lived in their homes for numerous years. My mom lived in the home my father and grandfather built for 48 years! My dad and step-mom have lived in their home for 38 years. Neighborhoods are important and neighbors are more than friends, they become family. Walla Walla is a place where you know your direction by looking out to the Blue Mountains. Who wants to look toward the Blue Mountains and have their view obstructed by a cell tower? In Walla Walla, houses are not on top of each other as they are in larger cities. Sunshine isn't blocked by skyscrapers. A cell tower significantly taller than the canopy of trees is going to be noticed. The placement of a cell tower 65 or 85 feet tall in the residential neighborhood will have negative impacts on property values. I stated 85 feet because the plan is for a 65 foot tower, but we know that federal law permits the tower to become 85 feet tall without further permit approval.

I have been a residential Realtor for 17 years. I read the studies presented by AT&T about the effect of cell towers on home values. These studies are missing a critical component. Only the sale price of the home is being used as an indicator of the devaluation of property. There is no quantifier for the missed sale opportunity from perspective home buyers who will not even look at a home because of a nearby cell tower. The true value of a home is what the market will bear. A property's value is what someone will pay for it. In today's market, many people select homes on the internet. Buyers meet a Realtor to tour a home and when they pull up to the home, they either see what they thought they would see from the MLS or i-buyer photos, or they see something quite different. Sadly, many photos have been altered to show the home without power lines hanging across the property, or other unsightly things....such as a cell tower. Often times, buyers will not go in the home if it is located near a cell tower, or if they do, they try to determine their view of the tower from inside the home. As a Realtor, home buyers have expressed their aversion to cell towers, as well as large utility poles, substations, high power lines and utility lines. In real estate, it's location, location, location! Buyers determine where they want to live and what is available. In my experience, most buyers do not want to live near cell towers. Cell towers do effect property values.

In addition to lowering property values, this cell tower would not be consistent with the City Comprehensive Plan in keeping the aesthetics and "feel" of Walla Walla and protecting the near pristine environment. As the cell tower proposed to be located at 928 Sturm Avenue will be the first "residentially" located cell tower in Walla Walla, are residents going to have to move and suffer financial losses by having to pay real estate commissions, excise taxes, moving expenses, and receiving lower values for their homes because of being located near that cell tower? Only then will that traumatic experience produce a home value sufficient to analyze in a study as an effect of living near a cell tower?

It is deceptive that AT&T produced photos in their application to the City of Walla Walla that alters the reality of the impact of the cell tower to nearby residents. Additionally, it is deceptive that AT&T omitted photos of the Blue Mountain Community Church Daycare and the housing development owned by Dan Preas throughout the application and in the hearing slideshow.

In a widely cited case, *Omnipoint Communications Inc. v. The City of White Plains*, 430 F3d 529 (2nd Cir. 2005), the United States Court of Appeals for the Second Circuit explicitly ruled that where a proponent of a wireless facility presents visual impact depictions where they "omit" any images from the perspectives of the homes which are in closest proximity to the proposed installation, such presentations are inherently defective, and should be disregarded by the respective municipality that received it.

Neighbors surrounding 928 Sturm Avenue utilized a boom truck and raised the lift 65 feet to give a realistic visual of the impact on homes located nearby the proposed cell tower to be sited at Blue Mountain Community Church. It is important to keep in mind that the cell tower can be increased 20 more feet. Note some photos were taken from the front of homes to avoid trespassing on homeowners. However, upon seeing the view from the front, it is not difficult to visualize what the homeowners can see from their backyards. On the following pages are photos taken from nearby homes and locations to demonstrate the adverse aesthetic impacts on the homeowners. (All less than 1,320 from the proposed cell tower.)



See Above: View from Parker Powell's front porch at 1127 East Chestnut. Boom lift is at 65 feet.



See Above: View from front yard of 1107 Chestnut Drive.



See Above: Side angle view of 1107 Chestnut Drive.



See Above: View from driveway of 1127 East Chestnut.



See Above: View from front yard of 1135 Chestnut Drive.



See Above: 1131 East Chestnut. View from side of home. Cell tower will be only 65' from fence. Antenna arrays will come down to top of home's roof.

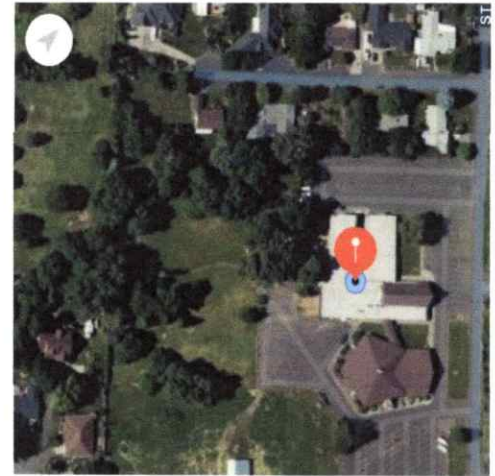
This is also the view from Lot 10 and 11 at Bryant Park Subdivision. These 2 story homes will have upstairs views of the 65' tower and look down onto the equipment base. Trees will never grow tall enough to screen the cell tower. All homes at Bryant Park Subdivision will have a view of the cell tower.



See Above: The placement of the boom truck depicts the view from the backyards of 1135 and 1137 Chestnut Drive. It also depicts the 65 foot distance of the cell tower from the homes' property lines.



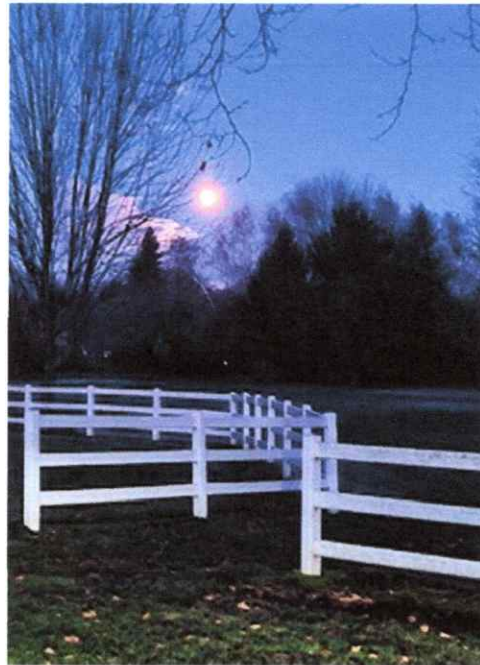
See Above: View from back parking lot of church. The 30' high power lines would be 20' from the cell tower. The cell tower would be 35' higher than the power poles.



See Above: The orange circle depicts the Church Daycare that would only be 150' from the cell tower.



See Above: The view from the front porch of 1011 Home Avenue. The home on the right of the photo is 1131 East Chestnut. You can see the cell tower directly behind the middle pine tree.



See Above: The view from the porch at 1011 Home Avenue at night. The cell tower would be directly in front of the moon, and in the morning the cell tower will be directly in front of the rising sun.



See Above: View from my future homesite backyard located on land at 1011 Home Avenue. This dense brush is all along the neighbor's properties. The entire section is urban wild forest land that has never been cleaned up. After it is cleared away, the tower will be clearly visible, as will the base of the tower. No matter what tree is planted, it will take a long time to screen the base.



See Above: Cell Tower located at The Municipal Golf Course. This tower has a gas meter. The Cell Tower at 928 Sturm Avenue will look similar but have a 450-gallon diesel tank next to a stream.



See Above: Unsightly view of the fence around the base of cell tower at Municipal Golf Course. The trees are voluntary sucker trees. No one maintains the aesthetics of the base of the cell tower.



See Above: This is the equipment building for the cell tower with graffiti painted on it. This cell tower and its equipment are not in keeping with the neighborhood and will be clearly visible.

The application of J5IP for a Conditional Use Permit should be denied because of its negative effect on the value of the nearby homeowners' properties. In addition, the cell tower is not in keeping with the aesthetics, environment, and feel of the neighborhood. For all the forgoing reasons, I request the application be denied.

Respectfully submitted,


Jennifer Knudson Feinstein