

Pamela Ransier

From: Vicky McClellan <mcclellanvicky@yahoo.com>
Sent: Friday, September 29, 2023 4:03 PM
To: Permits
Subject: CUP-22-0002 928 Sturm Ave. Cell Phone Platform Tower, comments for 9/21 hearing examiner additional comment
Attachments: Hearing Examiner Statement - Cell Phone Platform Tower.docx

Hello Mr. Kottcamp,
Please see my additional comment following:

The Cell Phone Tower proposed a 928 Sturm Ave is not an appropriate development for our neighborhood. Our neighborhood is ideally suited to fulfill the goal of Walla Walla's Comprehensive plan for infill of large and vacant properties with housing. The infrastructure for growth is already in place. Within walking distance of the proposed site there are 2 elementary schools, a middle school, excellent city bus service and the high school less than 2 miles away. Installation of a commercial cell phone platform tower will completely derail the progress we have made in attracting new housing. This is evident with the Aspire Homes development and consistent with the remarks of several neighbors who had planned to build housing and have cancelled those plans. For my family's part, we subdivided our property at 1212 Pleasant Street so that is in now 2 lots - 1202 and 1212 Pleasant Street. Our larger family home is on 1212, we have a housing footprint approved for 1202 and have plans to build , that project is now on hold.

I am very concerned that the Commercial Cell Phone tower in addition to being an unscreened eyesore and nuisance on other levels is also inanimate and unstaffed. When nuisance concerns inevitably arise how will they be addressed? Who is the contact ? This is not consistent of compatible with the norms of a residential neighborhood.

With preemptive Federal Law in place prohibiting monitoring of RF waves by the City, what entity has that responsibility? What is the process for making sure the tower is operating within the limits of the permit? How are citizen concerns addressed?

Thank you,
Vicky McClellan

City of Walla Walla Zoning Ordinances

General Provisions

20.02.040 Purpose and intent.

The purpose of this code is to protect the health and safety and enhance the general welfare and quality of life of the citizens of the City of Walla Walla. This Code intends to accomplish this purpose by defining and quantifying the uses of land designated by the Comprehensive Plan. This Code is the principal means of implementing the Plan. To this end, this code is intended to:

LAND USE Zoning code is based largely on the content of the Land Use Element. Walla Walla plans to maintain and improve quality of life for residents, including availability of affordable housing, through the policies in the Land Use Element, including an emphasis on infill development, increased residential densities, and greater flexibility for mixed-use developments.

Development of Cell Phone Platform towers in Residential neighborhoods is out of compliance with the goals of Walla Walla zoning code. "The purpose of the code is to protect the health and safety of residents and enhance their general welfare and quality of life". The residents of our neighborhood overwhelmingly object to the placement of a Cell Phone Platform tower at 928 Sturm Avenue.

There are strong and valid concerns that property values will drop, there will be pronounced and detrimental effect on the Avian population of Hawks, Owls, Waterfowl, songbirds and game birds that nest and hunt in our neighborhood. There are further concerns regarding the water springs that form the headwaters of Stone Creek will be negatively affected. Spring fed creeks are essential to the health of our valleys river systems, supply cold fresh water throughout the year. With construction disrupting the ground pressure in these important spring beds negative affect to water flow is certain.

Health and Safety

Nuisances

8.05.010 Purpose.

The purpose of this chapter is to exercise the police power in relation to public nuisances and abatement of such nuisances, to protect the public health, safety and welfare, and to promote the economic development of the city. It is also the purpose of this chapter to prevent and prohibit those conditions which reduce the value of private property, interfere with enjoyment of public and private property, create and constitute fire and other safety and health hazards, and generally create a menace to the health and welfare of the public and contribute to the degradation of the character of neighborhoods and depreciation of property values. It is necessary for the public health, safety and welfare to regulate, prevent and prohibit conditions which may constitute disorderly, disturbing, unsafe, unsanitary, fly-producing, rat-harboring and/or disease-causing places, conditions or objects. It is also necessary for the public social and economic welfare to regulate, prevent and prohibit conditions which degrade the city's scenic attractiveness and liveability and its economic development. (Ord. 95-7 § 1(Exh. A)(part), 1995).

Development of Cell Phone Platform towers in Residential neighborhoods is wrong. They are out of compliance with Walla Walla's longtime nuisance ordinance. Walla Walla's visual and cultural aesthetic is borne out through our ordinances. The Nuisance Ordinance has stood the test of time and codifies the expected cultural and aesthetic norms of our city. The Project at 928 Sturm Ave will violate every tenet of the Nuisance Ordinance: reducing the value of private property, interfering with the enjoyment of private property both through excessive noise and as a highly visible eyesore, creating and constituting fire and other safety and health hazards, and generally creating a menace to the welfare of the public and contributing to the degradation of the character of neighborhood and depreciation of property values. It will also create a condition which will degrade our city's scenic attractiveness and livability and our economic development.

The Application for the Cell Phone Platform towers details landscaping that includes trees 30-40 feet at maturity. It needs to be noted that it will take decades of ideal growing conditions for the trees to reach mature height. It is unacceptable that a full generation of Walla Walla's will endure the visual eyesore of the Monopine and ground installation as the trees grow toward maturity, and even then the tallest trees will be at half the height of the tower leaving the top with multiple sets of telecom equipment covered in metal fringe completely unscreened.

Comprehensive Plan Update 2018-2040

Land Use Goals

LU Policy 1.3 Encourage infill development that provides additional housing within the city

LU Policy 2.3 Cooperate with neighboring communities to ensure the protection and revitalization of the region's natural resources.

The Cell Phone Platform Tower proposed at 928 Sturm Ave is in contravention of the Land Use Goals in the City of Walla Walla Comprehensive Plan. LU Policy 1.3 encourages infill development. The cell phone tower will eliminate effective infill of the open properties in our neighborhood. The planned housing development to the south of the proposed tower site is already stalled. The large properties to the north will no doubt have similar difficulty developing housing with a commercial cellphone platform tower in full view. Construction of a Cell Phone Platform Tower would cause significant disruption to the ground water springs that feed Stone Creek. The nesting and hunting range of the large and diverse population of raptors, owls, songbirds, waterfowl and game birds would be significantly affected.

Conditional Use Permits

As Hearing Examiner, the Municipal Code directs you to make your findings based on the criteria below. The project at 928 Sturm Avenue does not meet any of the four criteria.

20.216.040 General review criteria, decision process.

A. The Hearing Examiner shall make findings of fact and state reasons for granting the Conditional Use Permit. The findings of fact to include:

1. That the use will not endanger the public health or safety if located and developed where proposed, and that the use will not allow conditions which will tend to generate nuisance conditions to adjoining properties; *The cell phone platform tower proposed by applicant at 928 Sturm Ave will unquestionably create nuisance conditions – It will be an eyesore, it will be noisy, the planned landscaping is inadequate as there is NO way to screen a 65ft tower. National Real Estate statistics confirm properties are devalued in proximity to cell phone platform towers. The tower does not support future housing development in our neighborhood. The fire and emergency access road is not adequate to protect our neighborhood.*
2. That the location and character of the use, if developed according to the plan as submitted and approved or conditionally approved, will be compatible and in harmony with the area in which it is to

be located; *The Cell Phone Platform tower is not compatible or in harmony with our neighborhood. We have two elementary schools, a middle school, good public transportation, excellent proximity to Pioneer Park, shopping and medical services. Our neighborhood is for neighbors.*

3. That Conditional Use Permit approval would be in general conformity with the Walla Walla Urban Area Comprehensive Plan as amended; *Granting a CUP for this project would violate the Land Use Goals of the Comprehensive plan by derailing infill of properties for housing development. The CUP would allow significant disruption to the ground water springs that feed Stone Creek and the nesting and hunting range of the large and diverse population of raptors, owls , songbirds, waterfowl and game birds in our neighborhood.*

4. That the use meets all required conditions and specifications set forth in the zone where it proposes to locate. *The project as detailed in the Site Plan is sited on a parcel that cannot meet the setback requirements. The applicant has not provided the required Co-Location Study for siting of Cell Phone Platform Towers in Residential Neighborhoods.*