



# REPORT TO COUNCIL

## City of Sacramento

5

915 I Street, Sacramento, CA 95814-2604  
www. CityofSacramento.org

Public Hearing  
November 4, 2010

Honorable Mayor and  
Members of the City Council

**Title:** T-Mobile Riverside Monopine - Appeal

**Location/Council District:** 2661 Riverside Blvd., Sacramento, CA; APN: 009-0321-061; Council District 4

**Recommendation:** Conduct a public hearing and upon conclusion adopt a **Resolution** denying the appeal and denying a **Special Permit** to construct a new 65 foot pine tree monopole with antennas and associated equipment in the General Commercial (C-2) zone.

**Contact:** Antonio Ablog, Associate Planner, 808-7702; Lindsey Alagozian, Senior Planner, 808-2659

**Presenters:** Antonio Ablog

**Department:** Community Development Department

**Division:** Current Planning

**Organization No:** 1221

### Description/Analysis

**Issue:** The applicant is requesting to construct a new 65 foot monopine (pine tree cellular antenna) in the General Commercial (C-2) zone. The Planning Commission denied the Special Permit on September 9, 2010. On September 20, 2010, the Planning Commission's decision was appealed by the applicant (see attachment 3).

**Policy Considerations:** The subject site is designated Traditional Center in the 2030 General Plan. The General Plan promotes working with service providers to ensure access and availability of a wide range of state of the art telecommunication systems and services for households businesses, institutions, and public agencies throughout the city (U7.1.1). Though the monopine meets the intent of the General Plan to promote access to telecommunication services, the proposed antennas are inconsistent with the City's Telecommunications Siting Guidelines. Staff believes

that the cellular provider can provide comparable telecommunications coverage on a collocation site that is more consistent with the Siting Guidelines' goals promoting collocation and discouraging the construction of new monopoles.

**Guidelines for Telecommunication Facilities:** The City has developed policies concerning siting preferences and facility location and design. A primary objective of these policies is to reduce or minimize the number and visibility of telecommunication facilities. The City's Telecommunications Policy does not specifically prohibit the approval of new monopoles altogether, but lists the approval of new monopoles as the least desirable option for locating new telecommunications antennas.

At the May 27, 2010 Planning Commission hearing, the applicant was directed to investigate the possibility of collocating on a separate monopole application proposed by AT & T located on the Odd Fellows cemetery at 2720 Riverside Boulevard. The applicant has stated that its antennas would need to be placed at a height of 91 feet on the Odd Fellows site to provide comparable service to the intended service area. In response to this, AT & T has revised its application to allow T-Mobile to locate its antennas at the Odd Fellows cemetery site. AT & T has agreed to keep its 81 foot antenna height at that location and while allowing T-Mobile to locate at 91 feet. To accommodate the additional antennas, the design of the Odd Fellows cemetery monopole has been raised from 94 feet to 104 feet. Staff believes that this collocation option is superior to the approval of two new poles and recommends that the proposed project be denied because the carrier could collocate on the AT & T monopine at the Odd Fellows Cemetery site.

#### **Environmental Considerations:**

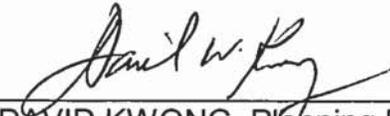
**California Environmental Quality Act (CEQA):** Staff is recommending denial of the Special Permit request. The California Environmental Quality Act (CEQA) does not apply to projects that are denied by the public agency. No action or further findings pursuant to CEQA are required.

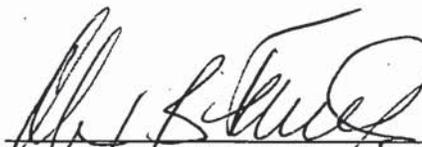
**Commission/Committee Action:** After several hearings and much public testimony, the Planning Commission took action on the Special Permit request on September 9, 2010. The Planning Commission denied the request with a vote of 6 ayes to 4 noes. The project applicant submitted an appeal of this decision on September 20, 2010. A summary of the Planning Commission proceedings can be found in Attachment 2, the project background.

**Rationale for Recommendation:** Staff recommends denial of the requested 65-foot monopine based upon staff's inability to make all of the necessary findings for approval. Specifically, recommending approval of a second new monopole would not constitute a sound land use decision and is contrary to the Telecommunications Siting Guidelines. Staff believes that the collocation opportunity at 91 feet on the Odd Fellows Cemetery site is a superior alternative as it necessitates the construction of only one new pole and will be less visually intrusive.

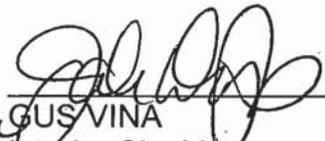
**Financial Considerations:** This project has no fiscal considerations.

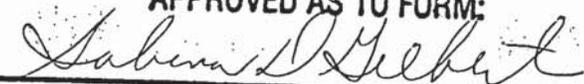
**Emerging Small Business Development (ESBD):** No goods or services are being purchased under this report.

Respectfully Submitted by:   
DAVID KWONG, Planning Director

Approved by:   
MAX FERNANDEZ, Director of Community Development

Recommendation Approved:

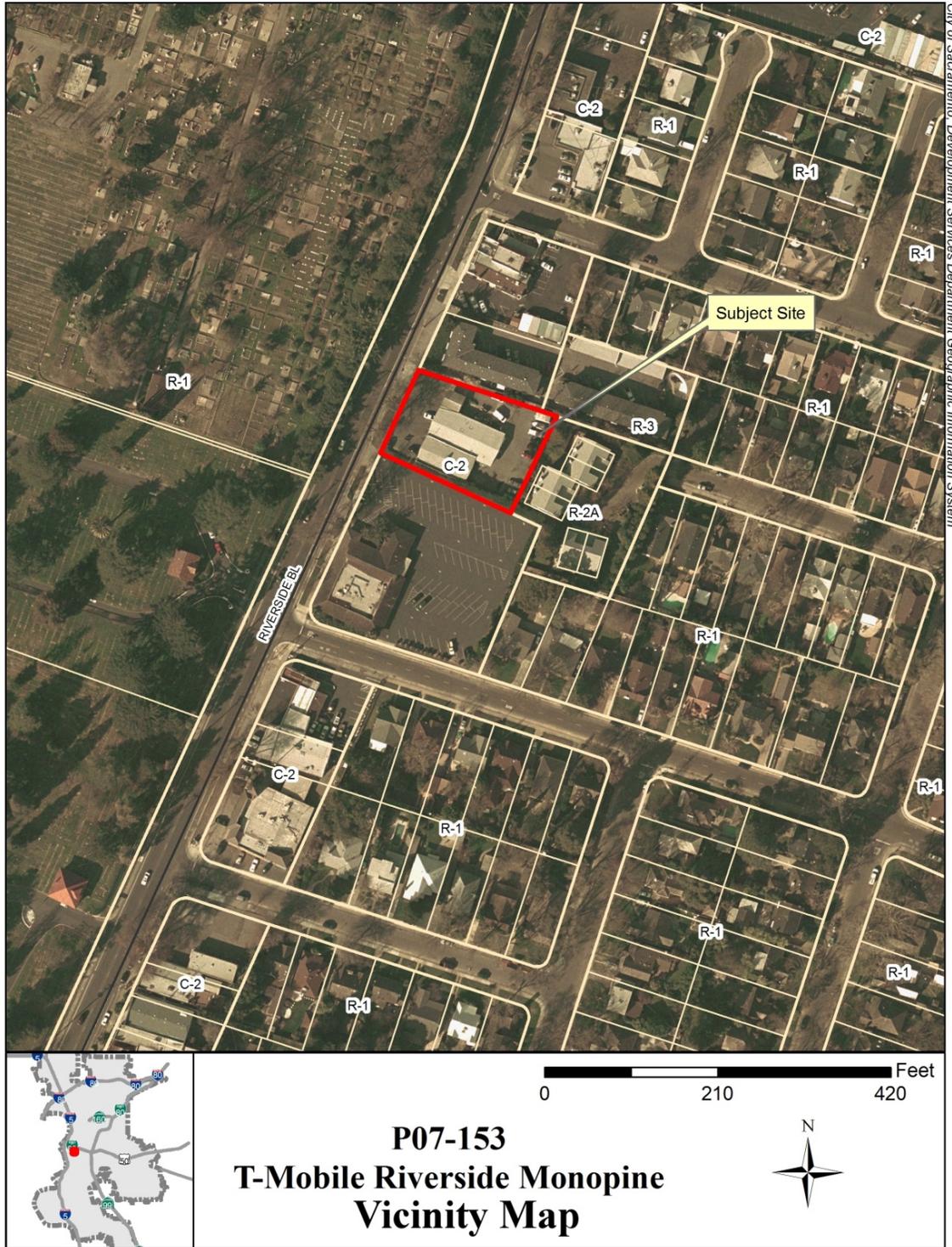
  
GUS VINA  
Interim City Manager

APPROVED AS TO FORM:  
  
CITY ATTORNEY

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Attachment 1 – Vicinity Map



## Attachment 2 – Background

**Background Information:** The subject site is approximately half an acre and zoned General Commercial (C-2). To the north and south are commercial properties also in the C-2 zone. To the west is a cemetery in the Single Family Residential (R-1) zone, and to the east are apartments in the Multi-Family (R-2A) zone. The original project application was submitted in November of 2007. The submittal included a request to construct a 75-foot slim-line monopole antenna. Staff did not support this original design and requested that the applicant consider either redesigning or relocating the proposed antenna. The applicant redesigned the pole as a 75 foot monopine (pine tree cellular antenna) and submitted a statement related to the infeasibility of locating the proposed antennas on nearby structures (see discussion in the Guidelines for Telecommunications Facilities).

Based on the redesign and analysis of the other sites, staff scheduled the project to be heard by the Planning Commission on April 23, 2009. At the time, the applicant agreed to reduce the height of the monopine to 65 feet. However, prior to the scheduled hearing, the Land Park Community Association (LPCA) expressed opposition to the project and requested that the applicant present the project at an LPCA meeting. Due to this request, the original hearing was continued so that the applicant could meet with the community association.

**Guidelines for Telecommunication Facilities:** The City has developed policies concerning siting preferences and facility location and design. A primary objective of these policies is to reduce or minimize the number and visibility of telecommunication facilities. The City's Telecommunications Policy does not specifically prohibit the approval of new monopoles altogether, but lists the approval of new monopoles as the least desirable option for locating new telecommunications antennas.

The applicant explored, as a possible location, the existing tower at KXTV-Channel 10, located at 400 Broadway. This site however, was too close to an existing T-Mobile site. A light standard changeout was proposed at 915 Broadway, but this location was also too close to an existing site. A rooftop site at 2725 Riverside Boulevard was also explored by the applicant, but was ruled out as it did not provided enough height to the coverage objectives. Although acceptable to T-Mobile's radio-frequency engineers, the following candidates were not interested in a long-term lease for a telecommunications site: 1) Target, 2505 Riverside Boulevard, 2) California Bank and Trust, 1331 Broadway, 3) Sacramento Business Journal, 1400 X Street.

The Guidelines for Telecommunication Facilities emphasize minimizing the number and visibility of new telecommunication facilities through location and design. At the time that this monopine request was scheduled to be heard by the Planning Commission in April of 2009, staff believed that the 65' monopine was appropriate for the subject site. The applicant had lowered the height and changed the design from the original application. Furthermore, the 65 foot height allowed for a second antenna array for future cellular

carriers to collocate.

At the May 27, 2010 Planning Commission hearing, the applicant was directed to investigate the possibility of collocating on a separate monopole application proposed by AT & T located on the Odd Fellows cemetery at 2720 Riverside Boulevard. The applicant has stated that its antennas would need to be placed at a height of 91 feet on the Odd Fellows site to provide comparable service to the intended service area. In response to this, AT & T has revised its application to allow T-Mobile to locate its antennas at the Odd Fellows site. AT & T has agreed to keep its 81 foot antenna height at that location and while allowing T-Mobile to locate at 91 feet. To accommodate the additional antennas, the design of the Odd Fellows monopole has been raised from 94 feet to 104 feet. Staff believes that this collocation option is superior to the approval of two new poles and recommends that the proposed project be denied because the carrier could collocate on the AT & T monopole at the Odd Fellows Cemetery site.

**Summary:** This project was first heard by the Planning Commission on May 27, 2010. Staff recommended denial of the request as staff believed that there was a separate application by AT & T (P10-001) within close proximity that provided the opportunity to collocate two sets of cellular antennas on a single pole. The Commission discussed the following:

- The approval of two new monopoles in light of the City's Telecommunications Siting Guidelines which list new monopoles as the least favorable siting option for new antennas;
- The possibility of collocating other antennas (namely AT & T) on the subject site; and
- The improvement of signal coverage with the requested new monopole.

The Commission voted to continue the public hearing and directed the applicant to work with AT & T and City Staff to determine if collocation a single pole was possible.

The proposal was brought back to the Planning Commission on August 12, 2010. The applicant stated that collocating on the AT & T monopole at the Odd Fellows Cemetery site would provide comparable coverage, but would not fill in the same coverage gaps that would be covered with the applicant's original proposal for the Balshor Florist site. The Commission discussed the following:

- During the public hearing the Planning Commission's discussion focused on; a) the aesthetics of the proposed monopole; and
- The Telecommunications Siting Guidelines which states that new monopole construction is the least desirable siting option for new cellular antennas.

After the project was discussed, two motions were made, one to approve the project and

one to deny the project. Neither motion passed as each motion resulted in a 4 to 4 vote. Since there was no decision on the Special Permit, the Commission voted to close the public hearing and continue the item for another vote on the Special Permit.

The Special Permit request was brought back to the Planning Commission on September 9, 2009. The Public Hearing was closed, but the Commission had a brief discussion related to the requested entitlements. The discussion, again, focused on the Telecommunications Siting Guidelines. Specifically, the Commission discussed the policies promoting collocation and the policies discouraging the construction of new monopoles. The Commission ultimately voted to deny the project with a vote of 6 ayes to 4 noes.

**Appeal:** On September 20, 2010, the project applicant submitted an appeal to the Planning Commission's decision arguing that the requested Special Permit was wrongfully denied as the proposed monopole met all of the appropriate Zoning Code requirements.

Staff continues to believe that supporting the requested monopole would be inconsistent with the Telecommunications Siting Guidelines. The Guidelines emphasize minimizing the number and visibility of new telecommunication facilities through location and design. Staff believes that placing the T-mobile antennas on the monopole requested for the Odd Fellows cemetery meets these objectives.

**Attachment 3 – Planning Commission Record of Decision**



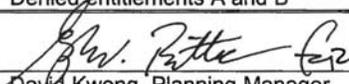
**CITY OF SACRAMENTO PLANNING COMMISSION  
RECORD OF DECISION**

300 Richards Boulevard, Sacramento, CA 95811

Project Name:	T-Mobile Riverside Boulevard Monopine	
Project Number:	P07-153	
Project Location:	2661 Riverside Boulevard	
Assessor's Parcel No.:	009-00321-061	
Applicant:	Rama Gulati, (916) 402-4019, 6728 Fair Oaks Blvd., Carmichael, CA 95608	
Action Status:	Denied	Action Date: 9/9/2010

- REQUESTED ENTITLEMENT(S):**
- A. Environmental Determination: Exempt per CEQA 15303
  - B. Special Permit to construct a new 65 foot pine tree monopole with antennas and associated equipment in the General Commercial (C-2) zone.

**ACTIONS TAKEN:** On 9/9/2010, the Planning Commission took the following actions based on the attached findings of fact :  
Denied entitlements A and B

**Action certified by:**   
David Kwong, Planning Manager

Sent to Applicant: 9/14/2010

By:   
Staff Signature

**NOTICE OF PROTEST RIGHTS**

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of

fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

**APPEALS**

Appeals of the Planning Commission decision of this item to the City Council must be filed at 300 Richards Boulevard, 3rd Floor, within 10 calendar days of this meeting, on or before 9/20/2010. If the 10<sup>th</sup> day falls on a Sunday or holiday, the appeal may be filed on the following business day.

**Findings of Fact for the Denial of the T-Mobile Riverside Boulevard Monopole located at 2661 Riverside Boulevard**

**Findings of Fact**

- A. **Environmental Determination:** The project is denied, and the California Environmental Quality Act (CEQA) does not apply to projects that are denied by the public agency. No action or further findings pursuant to CEQA are required.
- B. The Special Permit to construct a new pine tree monopole with antennas and associated equipment in the General Commercial zone is hereby denied based upon the following findings:
  - 1. Granting the Special Permit is not based upon sound principles of land use in that:
    - A. A new monopine will be visually obtrusive against the backdrop of only a few mature evergreen trees;
    - B. The monopine will be located only 10 feet from the nearest residentially zoned parcel.
    - C. The construction of a new monopine represents the least desirable siting option in the Telecommunications Siting Guidelines.
  - 2. Granting the Special Permit would be detrimental to the public welfare or result in the creation of a public nuisance in that:
    - A. The installation of the monopine will result in the creation of a visual nuisance. While there are a few mature evergreen trees on the property to the east of the subject location, they are not enough to for a proper backdrop to camouflage a monopine tree antenna
  - 3. The proposed project is consistent with the General Plan Policy of promoting and supporting communications facilities within the City (GP Section 7-10).





Exhibit 1B - Site/Equipment Layout Plan

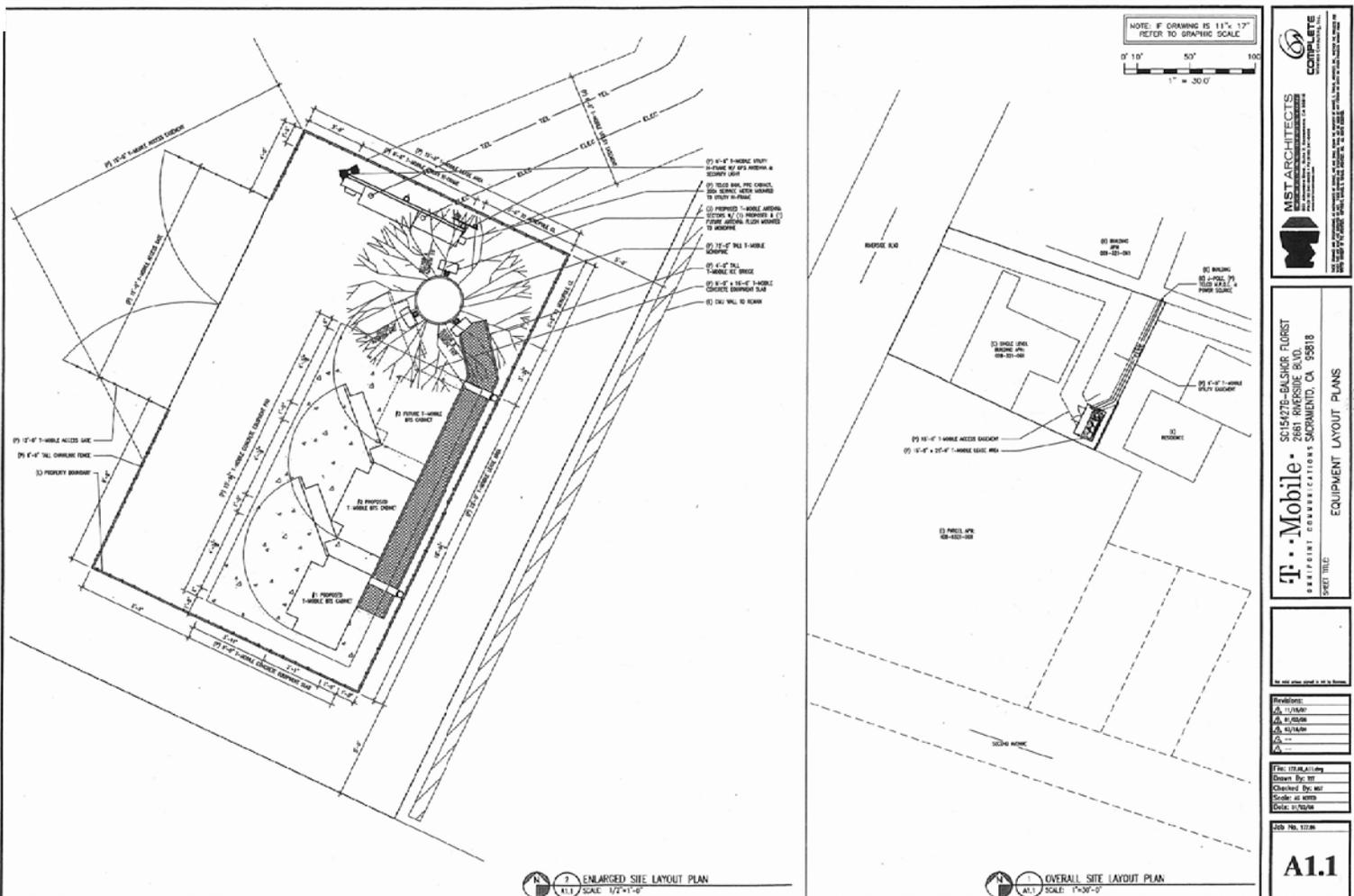
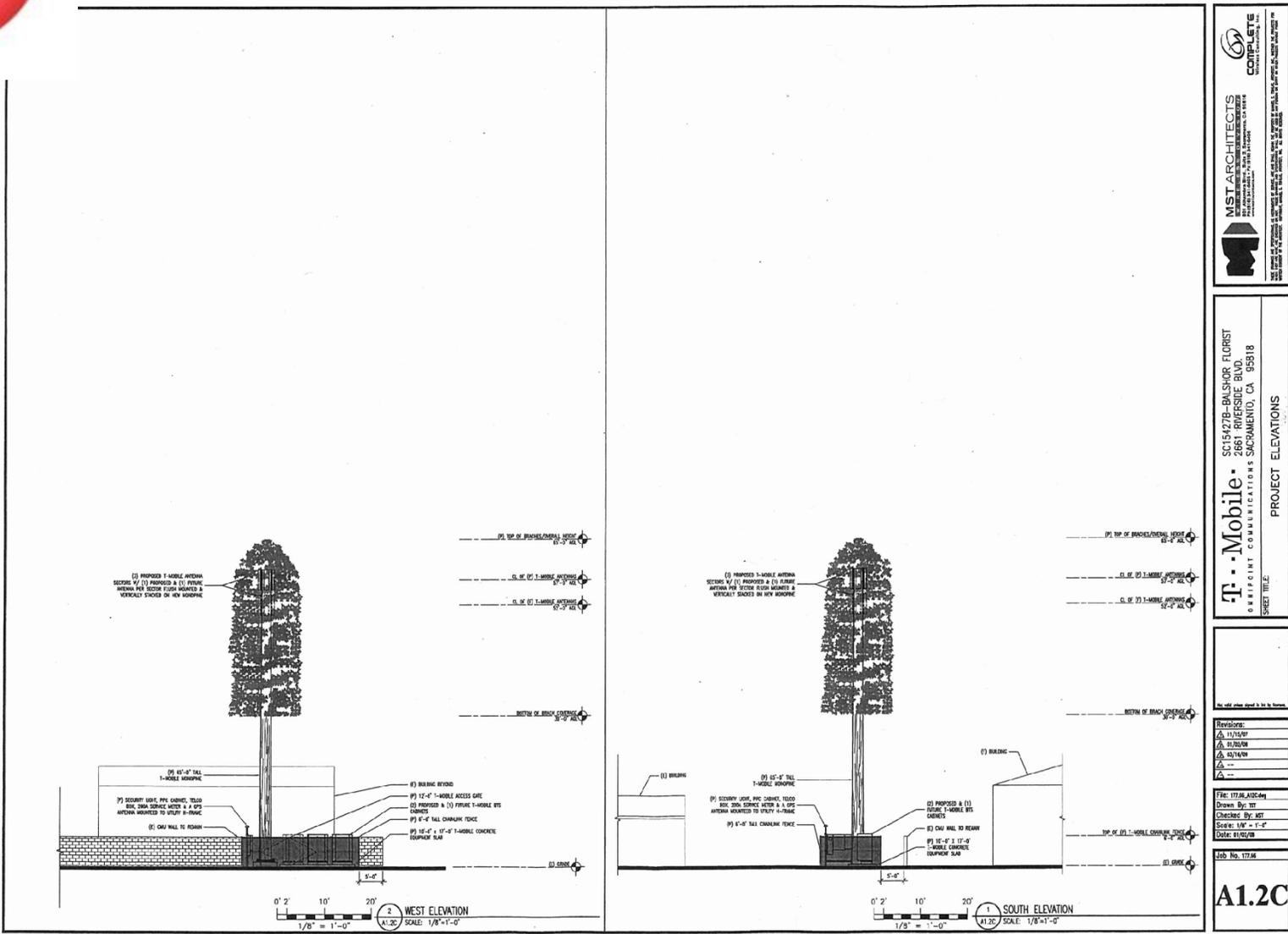


Exhibit 1C - Elevations



**MST ARCHITECTS**  
MST ARCHITECTS  
2661 ROBERTS BLVD. SUITE 100  
SACRAMENTO, CA 95818  
TEL: 916.442.1111 FAX: 916.442.1112  
WWW.MSTARCHITECTS.COM

**COMPLETE**  
ARCHITECTURAL SERVICES

**T-Mobile**  
SACRAMENTO  
2661 ROBERTS BLVD. SUITE 100  
SACRAMENTO, CA 95818  
TEL: 916.442.1111 FAX: 916.442.1112  
WWW.T-MOBILE.COM

**PROJECT ELEVATIONS**

Revisions:

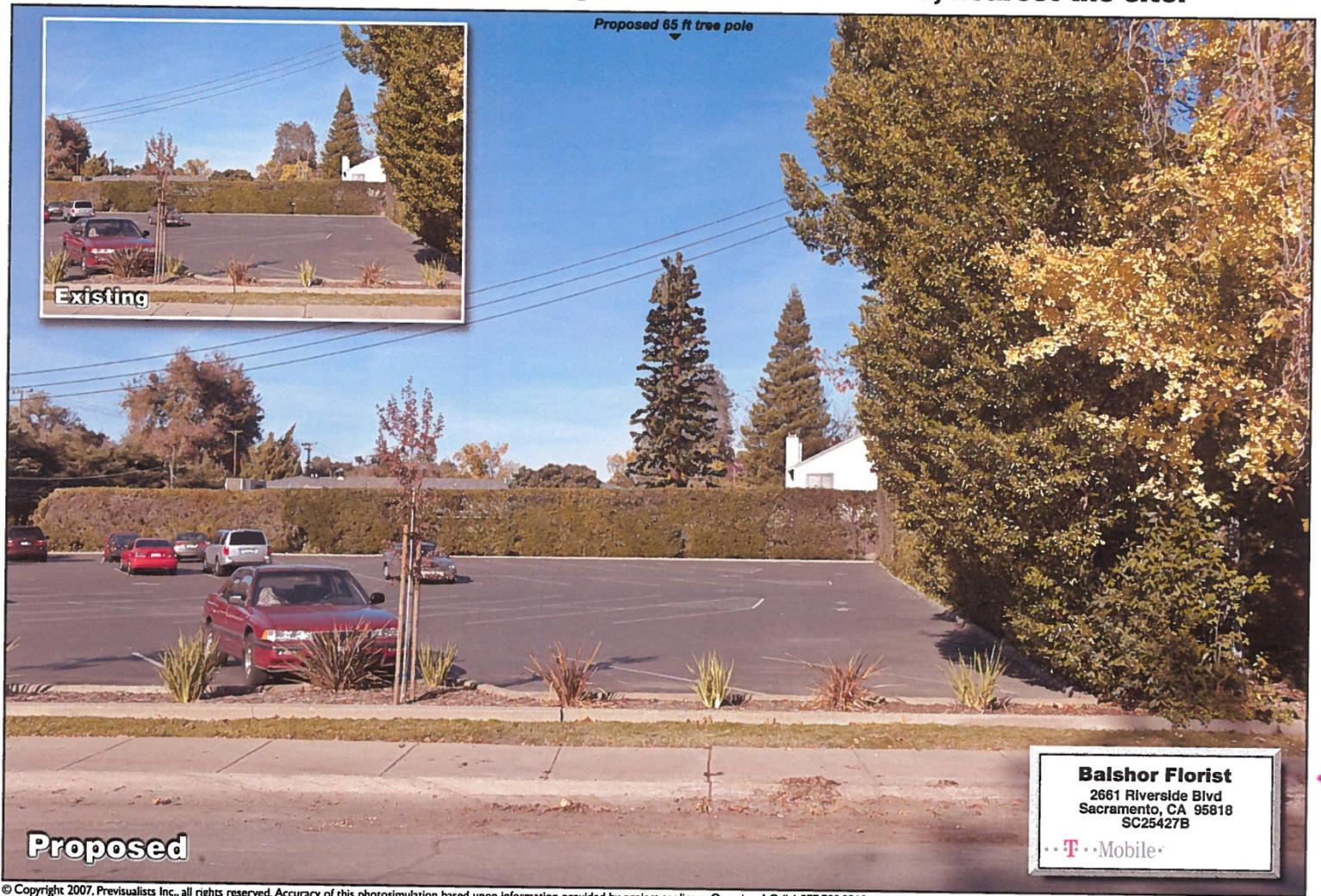
1	11/15/09	
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File: 177.M, A12C.dwg  
Drawn By: TTT  
Checked By: HST  
Scale: 1/8" = 1'-0"  
Date: 11/02/09  
Job No. 177.6

**A1.2C**

February 22, 2009

Photosimulation of view looking due north from 2nd Ave, nearest the site.



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February 22, 2009

**Photosimulation of view looking northeast from across Riverside Blvd at 2nd Ave.**



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**Previsualists**  
The Computer Graphics, Inc.

February 22, 2009

**Photosimulation of view looking east from across Riverside Blvd.**



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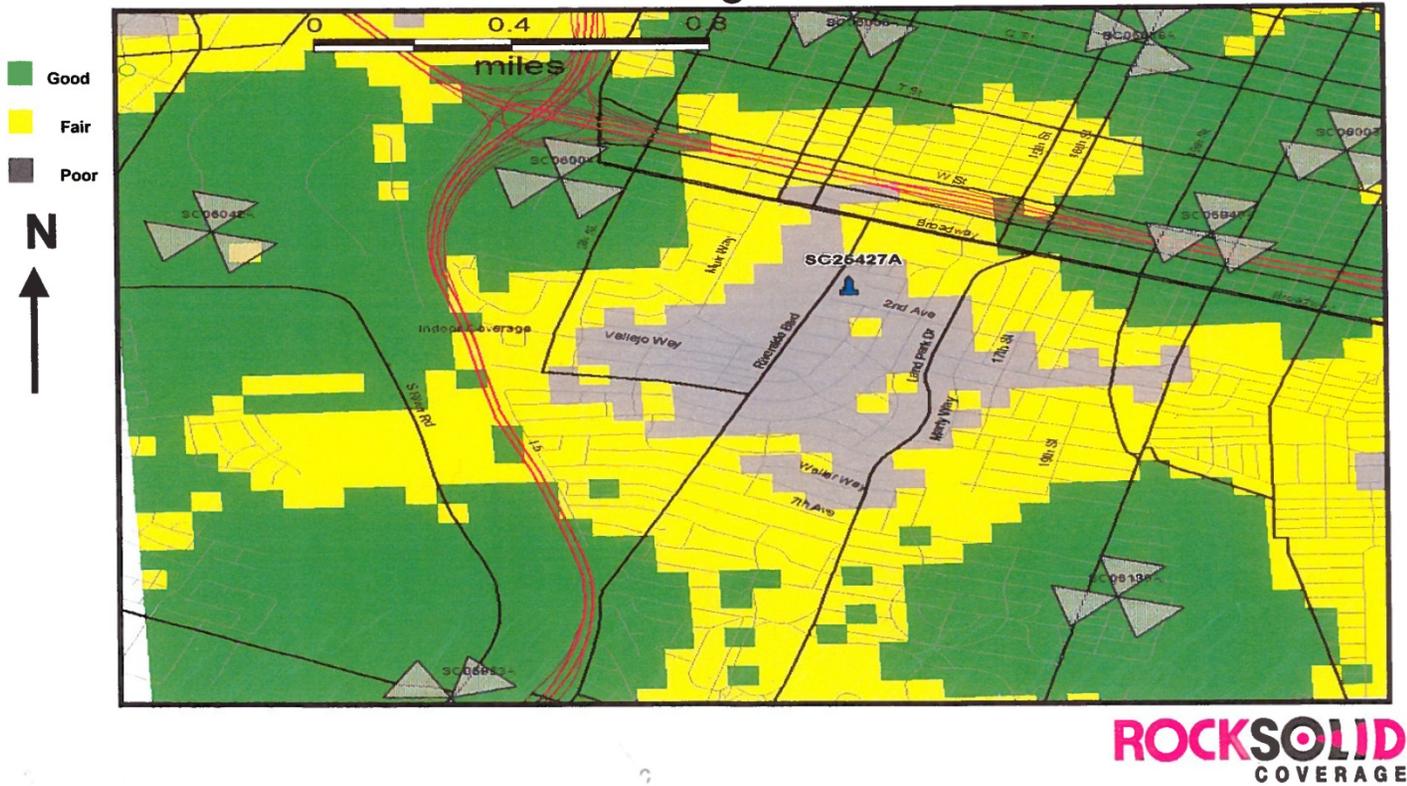
**Previsualists**  
Custom Computer Graphics, Inc.

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### SC25427A – Coverage without the site

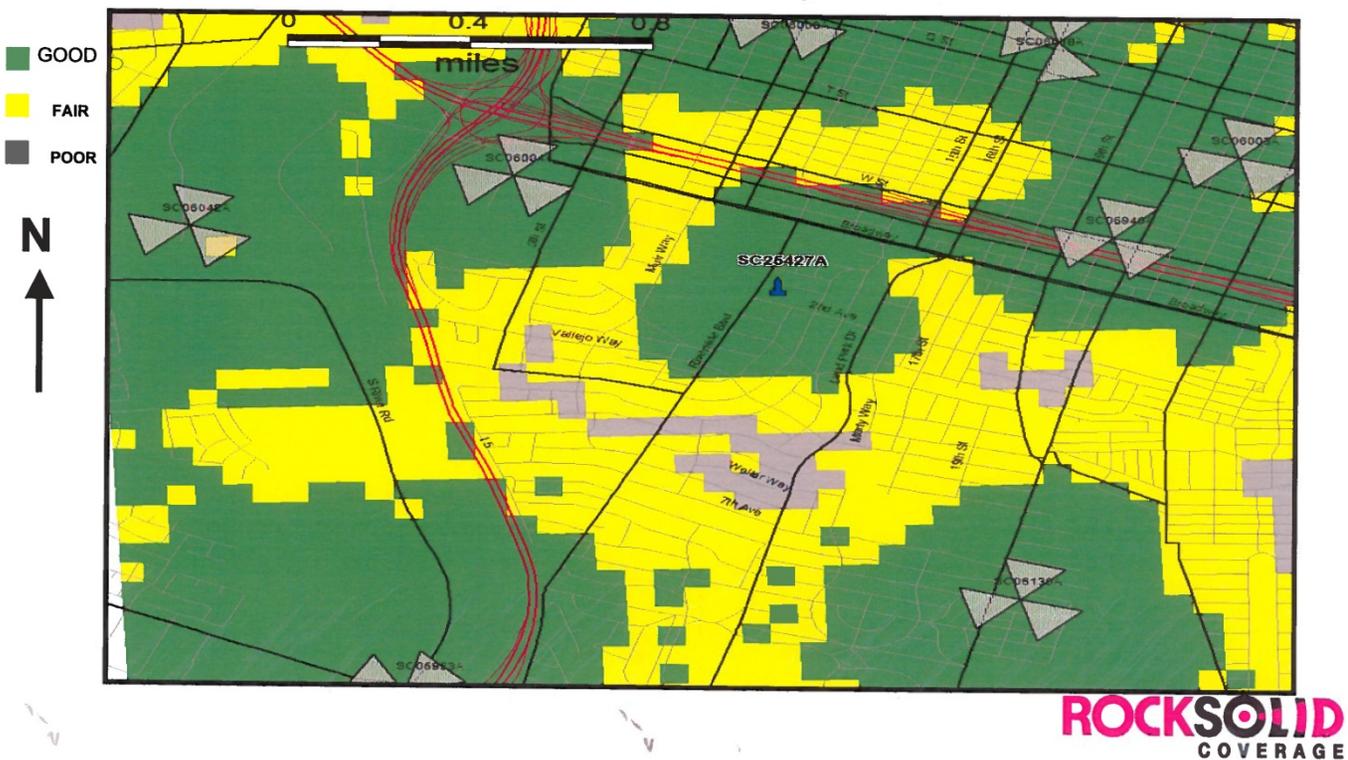




.. T .. Mobile .. T .. Mobile ..

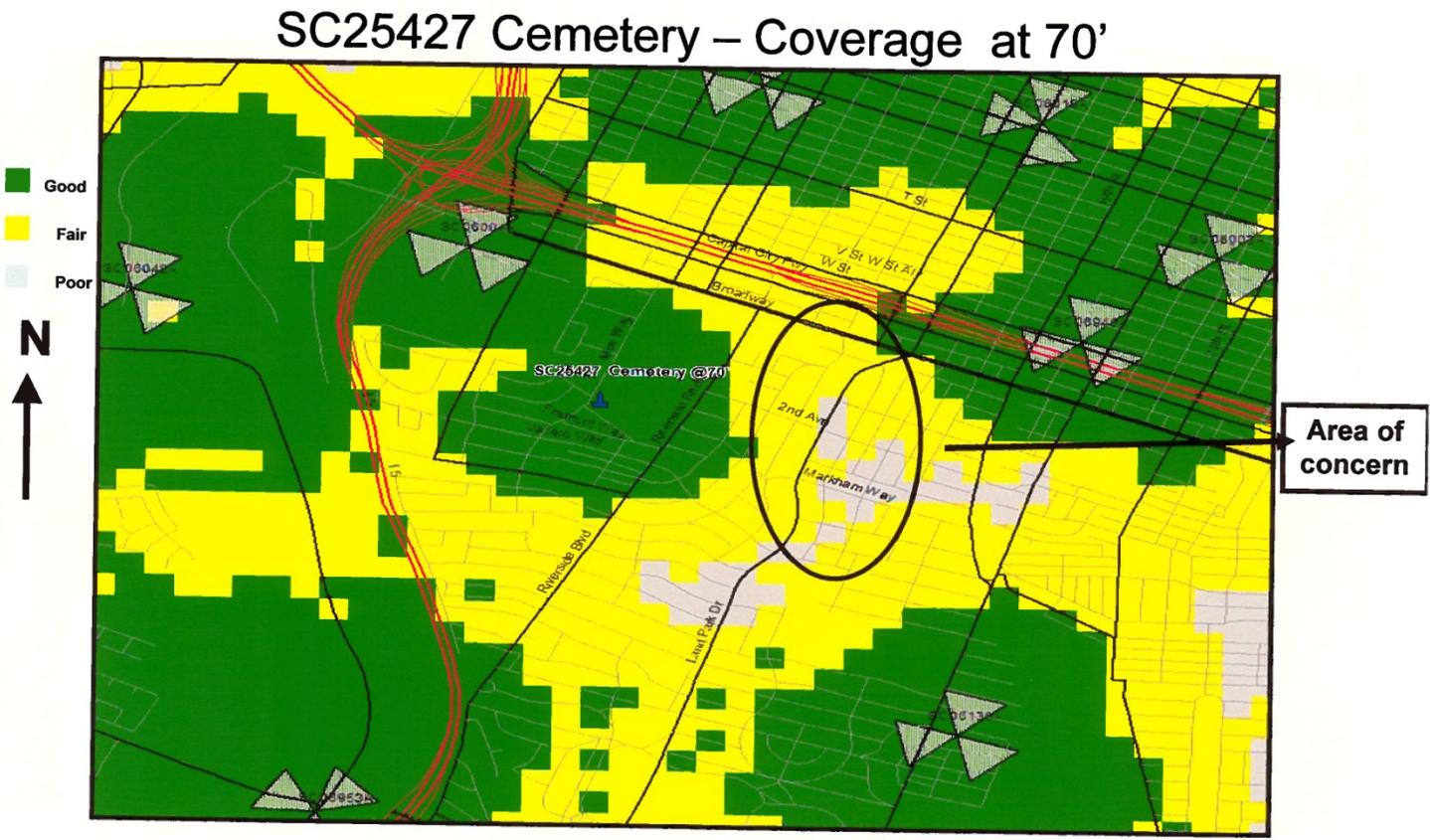
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SC25427A – Coverage at 57'



Coverage with Subject Site

Coverage with Odd Fellows Cemetery Site





**Attachment 6 – Letters from Applicant and owner**



January 29, 2009

Antonio Ablog  
City of Sacramento  
Development Services Department  
300 Richards Blvd  
Sacramento, CA 95811

Subject: P07-153/ T-Mobile site SC25427 (Balshor Florist)

Dear Antonio:

Thank you for meeting with us last week. As we discussed, we would like to have this project scheduled for the earliest available Planning Commission hearing. Attached please find an alternative site analysis describing the various locations T-Mobile considered but were deemed infeasible either because the location did not meet T-Mobile's RF engineering needs, the property owner was not interested or because the site was incongruent with siting guidelines or a combination of these factors. In particular, please note that T-Mobile initially reviewed the Odd Fellows Cemetery site in January 2009 (and then again in July 2009) and the only space available on the cemetery grounds was too far west from T-Mobile's coverage objective (see attached propagation maps).

As this project has changed hands multiple times, it may be helpful to briefly recap its history as follows: The subject application was filed in November 2007. After extensive review by planning staff which included multiple meetings with the project planner and senior planning staff as well as an independent review by the City's engineer, Scott Andrews, the project was noticed and scheduled for a hearing in April 2009 with a staff recommendation of approval. Two days before the April 2009 hearing, planning staff called me to request that the hearing be continued in order to give LPCA additional time to review the project. We agreed to the continuance and worked closely with various members of LPCA to help answer any questions regarding the project.

Unfortunately, despite our best efforts, we were unable to find a suitable collocation option with the requisite height necessary to meet our RF engineering needs. With all other factors being equal, the subject site is an ideal location as it allows T-Mobile to provide enhanced wireless coverage, with little, if any, visual impact. The proposed treepole will be tucked behind the Balshor Florist building and is specifically designed to blend with the existing mature pine trees. All in all, the subject location is an ideal site for a treepole.

We are committed to working with the City of Sacramento in bringing this project to fruition. Please let me know if you have any questions or require additional information. Thank you.

Sincerely,  
Rama S. Gulati  
Applied Wireless Consulting representing T-Mobile  
916.402.4019 mobile  
916.482.6235 fax

# Brief History

- Site search started in March 2007
- From March to October 2007, five candidates were considered before SUP application for Balshor Florist was submitted on November 19, 2007.
- Original design was for a 75' slimline pole.
- After multiple meetings with planning staff, design is changed to treepole with staff now in support.
- Scheduled for PC for February 2009. Notices sent out to neighbors with no calls or correspondence opposing the site.
- February hearing continued at request of planning staff.
- Dozens of neighbors have signed petition in support of project.

## Sites Evaluated

- Collocation on Channel 10 tower at 400 Broadway. Unfortunately too close to existing T-Mobile site SC06004A.
- A light standard change out at 915 Broadway, but this location is also too close to existing T-Mobile site SC06004A.
- New facility at Odd Fellows Lawn Cemetery. Only space available is at end of cemetery grounds which is too far from T-Mobile's coverage area.
- Target store, 2505 Riverside Boulevard: Not interested in a long-term lease for a telecommunications site.
- California Bank & Trust, 1331 Broadway: Not interested in a long-term lease.
- Sacramento Business Journal, 1400 X Street: Not interested in a long-term lease.
- Rooftop site at 2725 Riverside Blvd. Building does not provide sufficient height for T-Mobile's RF engineering needs.

January 26, 2010

**Al and Marie Balshor**  
**Balshor Florist Owners**  
2661 Riverside Boulevard  
Sacramento, CA 95818

Personal Residence  
1101 Theo Way  
Sacramento, CA 95822

To: City Planning Commission

Re: T. Mobile Proposed Riverside Cellular Tower (P07-153) AT 2661 Riverside  
Boulevard, Sacramento, CA 95818

**Background of the Project**

In 2007, we were approached by representatives from T. Mobile to place a cellular tower in the rear parking lot of our commercial property at 2661 Riverside Boulevard. We were shown photos of the tree like devise that would allow for improved telecommunication services without impact on our business or the surrounding neighborhood.

We entered into a lease/option at that time and T. Mobile engaged in planning and engineering reports to implement the tower plan. The lease/option was again renewed in 2008 and 2009.

In October 2007, T. Mobile did their preliminary survey with photo simulation. T Mobile submitted in 2008 the completed City's requirements.

In April of 2009, the City Planning Commission set a meeting to approve this permit, but was suddenly cancelled by objection from the Land Park Community Association, Land Use Committee. This was the first and only objection received. The objection from the three (3) members of the Land Use Committee does not reflect the local residences.

The City sent us a list of residents within 300 feet of the area giving notice of the "Mono Pine Project". We obtained signatures of all home with "approval". Not a single area resident offered any objection. This was completed in October 2009.

The Land Use Committees' objections were not reasonable. They wanted the tower located in the City Cemetery which is not commercial property. This idea is not supported by the City Cemetery. The Cemetery Historical society and the City of Sacramento do not want the "Mono Pine Project" at the City Cemetery. A cemetery is a place for quiet reflection and is not commercially zoned.

The Land Use Committee also suggested a SMUD pole. High voltage electrical poles can be extremely dangerous. Multiple special precautions would be required. Currently, the Balshor Florist rear parking yard provides an ideal location for placement and servicing the tower without impacting the neighboring traffic or parking demands.

The above options were not desired by T. Mobile. T. Mobile selected this location and has invested their time and money because of its ideal location, commercial zoning, minimal impact and beneficial specifications to the telecommunication needs of this community.

#### **Personal Background**

As owners of 6 parcels in the City of Sacramento, most in Land Park, and native Sacramentans for over 80 years, we care about this community. We have operated Balshor Florist for over 60 years and would not agree to anything that would damage or detract from the neighborhood or the City of Sacramento. However, we do believe in a free enterprise system and especially in the current market, we need to support businesses, not over regulate or restrict their development.

Please find enclosed letters from our many years of support in this community.

#### **Conclusion**

The fact that the Land Park Land Use Committee can find existing structures or alternatives should not prevent people from constructing projects permitted within the City Zoning Code. The impact is minimal compared to other locations and given the existing commercial uses at our Florist Shop, there will be no difference and no impact once installed.

T. Mobile invested significant moneys and resources in developing this site. The "Mono Pine" structure was developed to minimize the aesthetic impact to the community. The lone objector, (Land Park Community Association, Land Use Committee) does not even represent the majority of Land Park residences who work and live in the area of this project. (See attached consent forms from the surrounding neighborhood).

T. Mobile simply wishes to conveniently service their customers with a non-obtrusive structure placed in a rear parking lot on an existing commercial business property. Infrequently, service personnel may need access to the "Mono Pine" but for the most part no one will know this project even exists. There will be no significant noise, traffic or pollution impact.

Please approve this project without further delay.

Sincerely,



Al Balshor



Marie Balshor

**Attachment 7 – Letter from the Land Park Community Association**

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December 6, 2009

Jamie Cutlip, Assistant Planner  
City of Sacramento  
300 Richards Blvd, 3rd Floor  
Sacramento CA 95811

RE: 2661 Riverside Blvd. Cell Tower (P07-153)

Dear Ms. Cutlip,

The purpose of this letter is to advise you that the Land Park Community Association (LPCA) opposes the construction of a new cell tower at the above location.

City of Sacramento Guidelines for Telecommunications Facilities provide that construction of a new monopole such as the one proposed is the least desirable of six alternative siting preferences.<sup>1</sup> Five other alternatives, including ones for placement on an existing structure or collocation on an existing pole or light standard, are considered more desirable. In this case, there are two locations that are within these more desirable types of locations where telecommunications equipment could be placed. The first is an existing power pole located next to an equipment storage site on City Cemetery grounds west of the proposed site. The second is an existing SMUD power pole on the west side of Riverside Blvd. across from the proposed site. Both have been declared viable alternatives from a technical perspective by T-Mobile, the planned user of the proposed tower.

The proposed tower would be new construction in an essentially residential area that results in an outsized artificial tree whereas the two alternatives would be located in an area where the City Cemetery is the backdrop and would require no additional concealment.

Consistent with longstanding LPCA policy, the organization has attempted to work with the proposed site developer, Ms. Rama Gulati, to consider one of the two more desirable sites. In our view, the location on the grounds of the City cemetery adjacent to the equipment storage site is clearly superior to any other. We have offered to provide Ms. Gulati our support in resolving any issues associated with location of telecommunications equipment here. Unfortunately, Ms. Gulati has advised us she has instead chosen to pursue development of the 2661 Riverside location.

Sincerely yours,

*Signed by*

Jon Jensen  
LPCA Land Use Chair

Cc: City Councilmember Rob Fong  
Ms. Rama Gulati  
Mr. Albert Balshor

<sup>1</sup> <http://www.cityofsacramento.org/planning/policies-and-programs/telecomm.cfm>



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### T-Mobile at Balshor Florist

Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.

Name	Address	Phone	Email
Michelle Silva	2622 12th St	(916) 613-2065	silvumms@yahoo.com
Jim Mc	3008 24th St	916-873-3269	joharel@pacbell.net
Cary Fries	2757 Curtis Way	916 (451-5667)	
TIM FRANCO	2558-17th ST.	916-446-1492	FRANCOJIM@AOL.COM
Vincent Leza	1101 Broadway	916 442 2327	
Max Carson	6669 14th St	916-716-5014	MaxwellCarson@aol.com

Attachment 8 – Petition for Support of the Monopine

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## T-Mobile at Balshor Florist

Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.

Name	Address	Phone	Email
x Fred J. Bonetti III	2713 13 <sup>th</sup> street	(916) 768-9360	tbonetti@cockreathy.net
x Mary Collins	2665 Riverside	(916) 448-7575	MarysALTER@comcast.net
x Ashley Rutledge	1120 Marian Way	(916) 443-2613	
x Ashley Rutledge	3199 Riverside uses T-Mobile	(916) 448-2501 4093	
x Natalie Feil	7422 Seal Rock Way	(916) 425-4554	
x Maribeth D. Thebaus	2505 W St SAE 95818	(916) 307-2329	maribeth55703@yahoo.com
x Kathy Gaurzgo	6750 LANGRILL way	(916) 391-4297	
x Melissa Yeager	4300 Roeder Way Sacramento	(916) 600-8906	
x Judee Plummer	6355 Orleans Way	(916) 393-8003	
x Rick Rodgers	1250 Marian Way	916 444 3354	rick@rogerslawfirm.net
x MARTIN GARIBO	6750 Langrill way	916 391 4297	

### T-Mobile at Balshor Florist

Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.

Name	Address	Phone	Email
* L. STEVE WINLOCK	2753 13th St CA 95818	916 718-8664	
Barbara Hudson	952 G Street 95811	916 446-1351	
* JOE RADAN	1985 4th AVE	916 9958932	
Michelle Ramirez	4816 78th Ave	916-381-7747	
* Maria Ramirez	"	"	
* Jerry Balshor	848 -38th St	916-451-0877	
* Spilly Cassehrman	5413 Del Rio Rd	916 447-2474	
* Patricia Lavelle	2951 19th St	916-446-4627	
* Paul Tomei	2731-17th St.	916-447-5559	
* Doug ENOS	1800 2nd ave		
* MARLENE DEACER	2691 RIVERSIDE	916-443-7917	

## T-Mobile at Balshor Florist

Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.

Name	Address	Phone	Email
DOROTHY KLISHEVICH	1140 2nd Ave.	709 1430	
Norio Zindel	1148 2nd Ave		
JIM CAGGIE	2161 14TH ST	916 442-7846	
Chacha Brode	1150 - 2nd Ave	916 442-6289	
Darcy Wegner	2700 13th St.	916 447-4513	
Eleanor Kuecher-VanAchee	2712 - 13th St.	441-1624	
John Meyers	2683 13th St	441-6581	
MIKE GONZALES	1151 2nd Ave.	447-1790	
Marilyn Gumper	1116 Beverly Way	443-5469	
Lynn Roby	1124 Beverly Way	448-2033	
Paulina Luna			
Selma Santos	1232 Beverly Way	—	

### T-Mobile at Balshor Florist

Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.

Name	Address	Phone	Email
Bernadette Tuten	2638 13th St.	916-254-0508	
Kathleen Newman	2601 Patten Way	916-302-7625	
Kelly Lounney	2602 Patten Way	916-47305367	
Ed Nutzyl	2412 12 <sup>th</sup> St	916-441-3622	
Kevin Williams	2600 12 <sup>th</sup> St	447-1974	
Mike Spencer	2600 12 <sup>th</sup> St.	447-1974	

## T-Mobile at Balshor Florist

**Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.**

Name	Address	Phone	Email
x PETER WAYLORD	1221 LARKIN WAY	916-443-6030	pagaylord@yahoo.com
x Melinda Shapiro <sup>Com</sup>	1177 Larkin Wy	<del>916</del> 628-5831	
x Paul Adelsbach	1155 Larkin Wy	916 947 5394	
x ARTHUR TEJADA	1171- LARKIN Wy	916 442-8379	
x Eiva Duran	1150 Larkin Way	916-448-9844	
x Gillian Shively	1144 Larkin Way	916 599-7352	
x Michelle Anapolsky	1146 Larkin Way	916-498-9731 <del>916-889-864</del>	m-anapolsky@yahoo.com

### T-Mobile at Balshor Florist

Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.

Name	Address	Phone	Email
Linda Ricci	2701 13th Street	916 447-1944	lricci@oneman.com
Jackie Wong	2657 RIVERSIDE	916 443 3560	

### T-Mobile at Balshor Florist

Yes! I support T-Mobile's proposed "monopine" project at Balshor Florist as shown on T-Mobile's drawings dated 11/8/07 and photosimulation dated January 6, 2008.

Name	Address	Phone	Email
* Kyla Christoffersen	1232 Larkin Way		
* Criss Speake	1224 Larkin Way	916 441 3939	crisspeake@hotmail.com
* Mary A. Montevio	1208 Larkin Way	916-442-6848	marygeraniums@gmail.com
* Fusako Mizushima	2739 Riverside Blvd.	916-441-0251	
* Yong B. IM	2735 Riverside Blvd	916-442-2678	
* Eugene Clark	2615	916-442-0631	
* Dennis Sycamore	1201 Maudslayi Way	(916) 541-2435	dlsycamore@comcast.net



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**Attachment 9 – June 29 Letter to Staff**

June 29, 2010

Antonio Ablog  
City of Sacramento  
Development Services Department  
300 Richards Blvd  
Sacramento, CA 95811

Subject: P07-153/ T-Mobile site SC25427 (Balshor Florist)

Dear Antonio:

As directed by the planning commission and planning staff, T-Mobile's RF engineers have reviewed the possibility of locating its antennas at the Odd Fellows Cemetery location. We have studied several height options (81', 91' and 101') and in order to provide a thorough response, it is important to understand the history and context of both the T-Mobile and AT&T projects so that the best informed decision can be made.

In May 2007, T-Mobile began its search for a suitable location for its wireless facility with the understanding that planning staff would not support any project above 65-70' in the Land Park area as the tallest wireless facility supported by LPCA to date was 55'. (See attached email from planning staff asking T-Mobile to lower the height of the proposed facility at Balshor Florist from 75' to 65' in order for staff to recommend approval). In fact, at our initial meeting with LPCA representative, Mr. Dennis Kellog, informed us that the LPCA would not support any new structures that were not collocations.

With these parameters, T-Mobile spent over 6 months combing the subject area for a suitable location. As a part of its search, T-Mobile reviewed the Odd Fellows Cemetery as a possible location at a height of 70' **back in May 2007** but it did not meet T-Mobile's RF engineering needs due to interference by the existing 80'± trees onsite. After exhausting all possible collocation options, T-Mobile submitted its application for a 75' slimline pole at the Balshor Florist site in November 2007 and worked diligently with planning staff to modify the design of the proposed facility from a 75' slimline pole to a 65' treepole as staff felt that a smaller tree would integrate better with the existing trees. In March 2009, T-Mobile was scheduled for a planning commission hearing with a **staff recommendation of approval**; however at the request of the LPCA representative, Mr. Dennis Kellog, T-Mobile agreed to continue the hearing and worked with LPCA representatives to address their concerns.

While working with LPCA representatives, T-Mobile revisited the Odd Fellows Cemetery **in July 2009** (prior to the AT&T application being filed), and again working with the height guidelines set out by

6728 Fair Oaks Blvd., Suite 400 • Carmichael, CA 95608 • Fax: 916.482.6235

LPCA and planning staff, we deemed the location unsuitable for T-Mobile as the signal would not be able to propagate at a height of 70' due to the tall, dense trees in the area.

We are now being asked to re-revisit the Odd Fellows Cemetery for the third time but for a facility at a height that was unthinkable just 7 months ago; and with very different parameters from what has been the LPCA's policy to date. T-Mobile has spent over 3 years and thousands of dollars working on this project with the support of Mrs. and Mr. Al Balshor who have patiently worked with us to accommodate the City's guidelines and direction to design a low profile treepole that would blend with the existing environment.

While T-Mobile has studied the option of locating its antennas at the Odd Fellows Cemetery site (T-Mobile will need a minimum antenna mounting height of 91' to achieve coverage that is comparable to the Balshor Florist site which would raise the overall height of the proposed treepole to over 104'.

We, however, feel that two smaller treepoles – one at Balshor Florist and one at Odd Fellows Cemetery will integrate better with the surrounding trees, have a minimal impact on the neighborhoods and allow for future collocation opportunities (thus limiting the need for additional poles in the area).

Sincerely,  
Rama S. Gulati  
Applied Wireless Consulting representing T-Mobile  
916.402.4019 mobile  
916.482.6235 fax



**Attachment 10 - Letters of Support submitted to staff August 11, 2010**

June 26, 2010

To Whom It May Concern,

My name is Mary A. Monteiro. I reside at 1208 Larkin Way, Sacramento, CA, 95818.

Please consider having the T Tower installed in my area. Hopefully this will improve the reception on my cell phone at home and also my TV reception may be improved.

Let's get it done.

Mary A. Monteiro  
1208 Larkin Way  
Sacramento, CA 95818

A handwritten signature in cursive script that reads "Mary A. Monteiro".



June 29, 2010

TO WHOM IT MAY CONCERN:

Since 1950 we have enjoyed a "business neighbor" working relationship with Balshor Florist when located across the street from Klumpp's Funeral Home at the corner of 8<sup>th</sup> and O Streets in downtown Sacramento. Developments in that area made it necessary to move to our current locations on Riverside Boulevard.

I look for your favorable action/decision for placement of a cell tower on Balshor's property at 2661 Riverside Boulevard. The cell would not be an aesthetic detriment to the neighborhood and would be a good blend with the trees we have to enjoy.

Thank you for your consideration.

Sincerely,



Marlene M. Oehler  
Owner

2691 Riverside Boulevard • Sacramento, CA 95818  
(916) 443-7917  
(FD 360)

June 29, 2010

I support Marie Balshor to work with the phone companies to have a cell tower placed in her property. I live in a townhouse that adjoins her place of business. I am not aware of the controversy surrounding the placement of the cell tower in her property but I still offer my support for this project that I will not benefit from in any way.

Sincerely,

A handwritten signature in cursive script that reads "Elva Duran".

Elva Duran  
1150 Larkin Way  
Sacramento, CA. 95818

Ken Freedlander  
1149 Fremont Way  
Sacramento, CA 95818

To Whom It May Concern:

This letter is written as support for a Cellular Phone Tower on the Balshor Property at or near the Balshor Property at 2661 Riverside Blvd Sacramento, CA 95818.

The current level of phone reception in the neighborhood is poor. Improved reception will help the neighborhood. The Balshors are great neighborhoods and offer a valued service in our community. The photograph of the tower appears as though it will not "industrialize" our neighborhood. The choice of a tower that resembles a tree is quite desirable.

Please contact me if you require additional information. I can be reached at 916.444.2996 or 916.833.3385.

Thank you for your consideration.



Ken Freedlander.

July 9<sup>th</sup>, 2010

To: Sacramento City Council  
Sacramento Planning Commission

Fr: Frederick James Bonetti, III,  
2713 13<sup>th</sup> Street, Sacramento, 95818

Re: Cellular Tower at Balshor Florist, Riverside Blvd.

Dear Council and Commission,

I live and work in the Land Park Area. I own the property at 2713 13<sup>th</sup> Street, which is located two short blocks behind the proposed T Mobile Cellular Tower at the Balshor's place of business.

I am strongly in favor of the installation of the tower at the Balshor location. The Balshor location will help my reception, and the reception of many incoming customers that I do business with through out the day.

Please consider and approve this location.

Yours truly,



Frederick James Bonetti, III

5<sup>th</sup> Generation Sacramentan and Consistent Voter

To Whom It May Concern:

I write this letter in support of the proposed cell tower to be placed behind Balshor Florist on 2661 Riverside Blvd. I have been a neighbor on 13<sup>th</sup> street for over twenty years.

My support is due to a number of reasons such as the development of the use of the mobile phone and technical devices in our area. I would like to have the enhance services and reception that at time has been lacking in our neighborhood. I have had many experiences where calls have been "dropped" and it has been shared with me it is due to the need to increase our reception. My other reason is that this tower is welcomed in the neighborhood due to the on going contacts with the neighbors by Balshor Florist. They consider themselves good neighbors and have been very clear and up front with those in the neighborhood as how it would affect our services as well as the esthetics of our very desirable neighborhood.

Please do not hesitate to call for more discussion around the proposed tower for our neighborhood. I look forward to this situation being resolved soon, as it will benefit the needs of all us involved.



Dr. L. Steven Winlock  
2753 13<sup>th</sup> Street  
Sacramento, Ca. 95818  
[swinlock@aol.com](mailto:swinlock@aol.com)  
916-718-8667

10/6/10  
12/20  
2685



## Attachment 11 – Project Resolution

### RESOLUTION NO.

Adopted by the Sacramento City Council

### ADOPTING FINDINGS OF FACT AND DENYING THE T-MOBILE RIVERSIDE MONOPINE PROJECT (P07-153)

#### BACKGROUND

- A. On September 9, 2010, the City Planning Commission conducted a public hearing on, and denied the T-Mobile Riverside Monopine.
- B. On September 20, 2010, the project applicant filed a timely appeal of the Planning Commission’s action to the City Council.
- C. On November 4, 2010, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(1)(d), and received and considered evidence concerning the AT & T Odd Fellows Cemetery Monopine.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the AT & T Odd Fellows Cemetery Monopine, the City Council denies the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council denies the Project entitlements based on the following findings of fact:

- A. **Environmental Determination:** The project is denied, and the California Environmental Quality Act (CEQA) does not apply to projects that are denied by the public agency. No action or further findings pursuant to CEQA are required.
- B. The **Special Permit** to construct a new pine tree monopole with antennas and associated equipment in the General Commercial zone is hereby denied based upon the following findings:
  - 1. Granting the Special Permit is not based upon sound principles of land use in that:

- A. A new monopine will be visually obtrusive against the backdrop of only a few mature evergreen trees;
  - B. The monopine will be located only 10 feet from the nearest residentially zoned parcel.
  - C. The construction of a new monopine represents the least desirable siting option in the Telecommunications Siting Guidelines.
2. Granting the Special Permit would be detrimental to the public welfare or result in the creation of a public nuisance in that:
    - A. The installation of the monopine will result in the creation of a visual nuisance. While there are a few mature evergreen trees on the property to the east of the subject location, they are not enough to for a proper backdrop to camouflage a monopine tree antenna
3. The proposed project is consistent with the General Plan Policy of promoting and supporting communications facilities within the City as well as the Guidelines for Telecommunications Facilities (GP Section 7-10).