



REPORT TO PLANNING COMMISSION City of Sacramento

7

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
June 24, 2010

To: Members of the Planning Commission

Subject: Meissner ClearWire (P10-026)

A request to extend an existing 71' high PG&E transmission tower by 12' and place telecommunication antennas and dishes on the extension, on an approximately .50 acre parcel located in the Light Industrial (M-1) zone. This request requires a Special Permit.

- A. Environmental Determination: Exempt, CEQA Guidelines section 15301;
- B. Special Permit to locate telecommunication antennas and dishes within the Light Industrial (M-1) zone.

Location/Council District:

1655 Silica Avenue

Assessor's Parcel Number: 277-0054-012

Council District 3

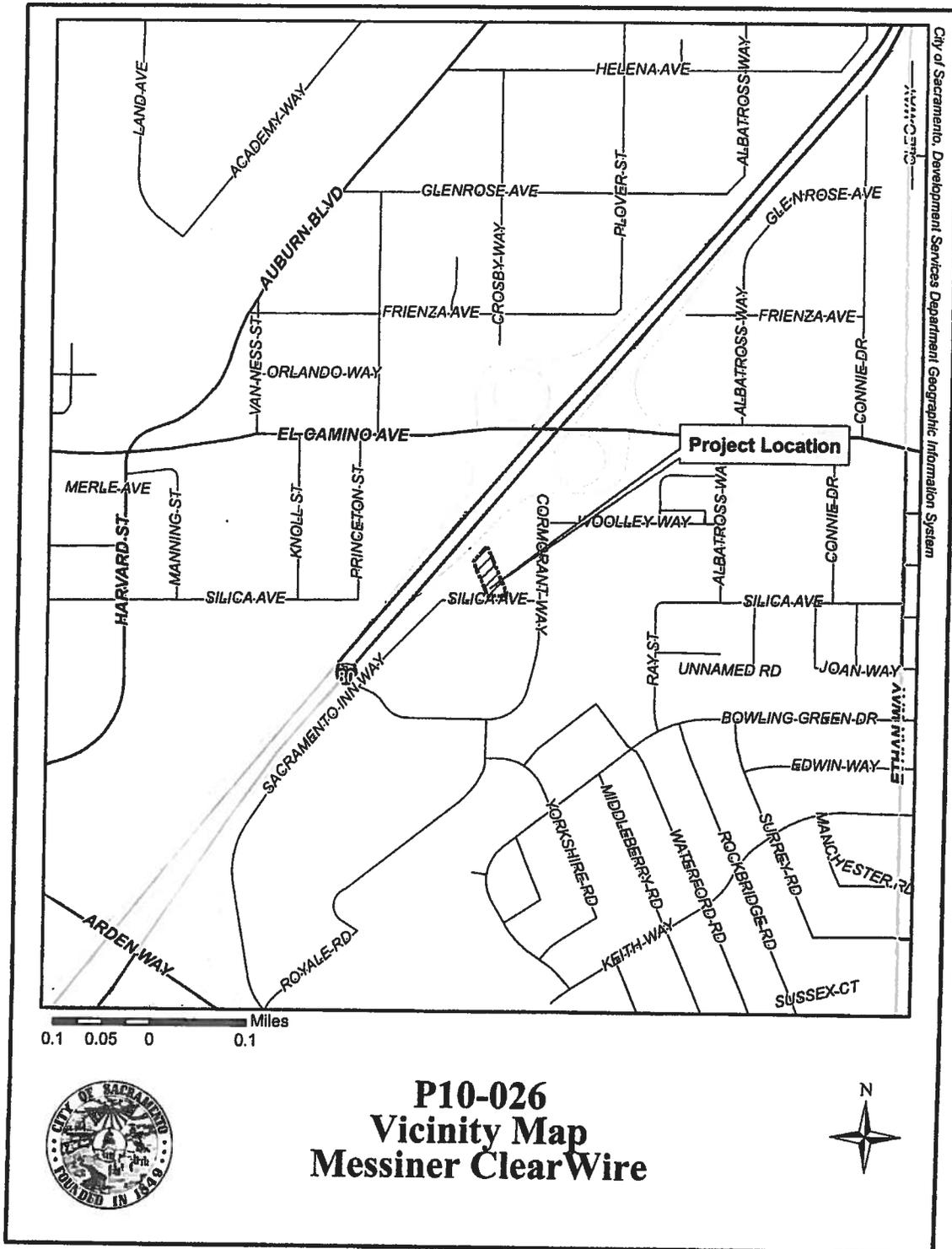
Recommendation: Staff recommends the Commission approve the Special Permit request based on the findings of fact and subject to the conditions of approval listed in Attachment 1. The Commission has final approval authority over items A-B above, and its decision may be appealed to City Council. **Staff is not aware of any issues and the project is considered non-controversial.**

Contact: Heather Forest, Associate Planner, 808-5008, Lindsey Alagozian, Senior Planner, 808-2659

Applicant: Jillian Faria for ClearWire
4412 Harlin Drive
Sacramento, CA 95826
(619) 212-1686

Owner: James Meissner
2417 Cormorant Way
Sacramento, CA 95815
(916) 920-2121

Vicinity Map



Summary: The applicant is proposing to extend an existing 71' high PG&E transmission tower by 12' and place telecommunication antennas and dishes on the extension, on an approximately .50 acre parcel located in the Light Industrial (M-1) zone. Staff notified all property owners within 500 feet of the site for this public hearing and received no opposition from the surrounding neighborhood. **This item is non-controversial as staff is not aware of any neighborhood concerns.**

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| Table 1: Project Information |
| General Plan Designation: Urban Center High |
| Existing zoning of site: Light Industrial (M-1) |
| Existing use of site: Vacant/Parking Lot |
| Property area: Approximately 0.5 acres |

Background Information: The subject site is a stand-alone parking lot, with PG&E transmission towers running east to west along the center of the property. The site is zoned Light Industrial (M-1) and is located in an area surrounded by similarly zoned Industrial properties. Business 80, and the El Camino Avenue off-ramp is adjacent to the subject site.

Public/Neighborhood Outreach and Comments: An early project notification was sent to all property owners within five hundred feet of the project site, as well as the Swanston Estates Neighborhood Association. City staff did not receive any phone calls or comments on the proposed project. Additionally, all property owners within five hundred feet of the project site and the Swanston Estates Neighborhood Association received a public hearing notice for this project. City staff received no phone calls or comments in opposition to this project.

Environmental Considerations: Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that the project is exempt under the provisions of the California Environmental Quality Act (CEQA) Class 1, Section number 15301, which consists of the operation, repair or minor alteration of existing public or private structures or facilities involving negligible or no expansion of capacity of an existing use beyond that existing at the time of the lead agency's determination.

Policy Considerations

2030 General Plan: The subject site is designated Urban Center High in the Land Use Element of the General Plan. The Urban Center High land use designation provides for a balanced mix of high-density/intensity single-use commercial or residential development or horizontal and vertical mixed-use development. The Urban Center High designation is intended to result in development of uses similar to downtown such as retail, office, plazas, and compatible public, quasi-public, and special uses. As the proposed project is a special public use, it is consistent with the intent of the General Plan. The 2030 General Plan has also identified goals and policies within the Land Use

and Urban Design Element and the Utilities Elements, which are furthered by the proposed project:

Adequate Community Supporting Uses. The City shall seek to ensure that all manner of public and private community-supportive facilities and services are located throughout the city to provide places that serve the varied needs of the community, provide for community meeting places, and provide community neighborhood landmark buildings and places. (Policy LU 8.1.2)

Telecommunication Technology. Provide state-of-the-art telecommunication services for households, businesses, institutions, and public agencies throughout the city that connect Sacramento to the nation and world. (Goal U 7.1)

As the proposed cellular and telecommunications services will be located on an existing PG&E transmission tower, providing essential telecommunication services for residents, staff finds that the proposed project is consistent with the 2030 General Plan.

Guidelines for Telecommunications Facilities: The Guidelines for Telecommunication Facilities, adopted by the City Council on April 29, 1997, emphasize minimizing the visibility of new telecommunication facilities through construction and design techniques. The proposed antennas, dishes, and associated equipment co-located on an existing PG&E transmission tower are a preferred siting option of the Guidelines for Telecommunications Facilities. Key objectives for the City were outlined to maximize the number of “invisible” telecommunications facility sites, such as the proposed project.

Project Design

The applicant, ClearWire, is proposing to construct a 12' high “top hat” extension to the existing 71' PG&E transmission tower, and locate three (3) panel antennas and three (3) microwave dishes on the extension. The overall height of the tower will be eighty-three (83) feet. The external equipment would be located at the base of the tower, within an existing raised landscaped bed. The equipment will be located within a proposed six-foot high redwood fence. All of the proposed additions, equipment, and associated hardware will be painted and finished to match the existing tower. The proposed equipment is intended to provide 24-hour wireless broadband internet service to residential and business customers in the area.

Land Use

In order to locate microwave dishes on a transmission tower, the approval of a Special Permit is required (Zoning Code Section 17.24.050 footnote 58(d)(v)(b)). In evaluating **Special Permit** proposals of this nature, the Commission is required to make the following findings:

- A. A special permit shall be granted upon sound principles of land use.

- a. The proposed telecommunication antennas, dishes, and equipment will be sited on an existing transmission tower;
 - b. The proposed telecommunication antennas, dishes, and equipment will provide greater internet services to the surrounding area; and
 - c. The proposed project meets all development standards for the site including Title 17 Zoning Code requirements and is consistent with the City's Guidelines for Telecommunication Facilities.
- B. A special permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance.
- a. The proposed telecommunication antennas, dishes, and equipment will be located in an area that will not interfere with existing land uses or future land uses on the project site and surrounding area; and
 - b. The proposed telecommunications equipment will be required to comply with building code and safety standards in its construction through the building permit process.
- C. A special permit use must comply with the objectives of the general or specific plan for the area in which it is to be located.
- a. The proposed project is consistent with the General Plan Urban Center High Land Use Designation as well as General Plan Land Use and Utilities policies.

Summary

The proposed project complies with the 2030 General Plan, the Zoning Code, and the City's Guidelines for Telecommunications Facilities. For these reasons, staff recommends that the Planning Commission approve the request based on the findings of fact and subject to the conditions of approval listed in Attachment 1.

Respectfully submitted by:  _____
 HEATHER FOREST
 Associate Planner

Approved by:  _____
 LINDSEY ALAGOZIAN
 Senior Planner

Recommendation Approved:



GREGORY BITTER, AICP
Principal Planner

Attachments:

| | |
|--------------|---|
| Attachment 1 | Recommended Findings of Fact and Conditions of Approval |
| Exhibit 1A | Title Sheet |
| Exhibit 1B | Site Plan |
| Exhibit 1C | Enlarged Site Plan |
| Exhibit 1D | South & West Elevations |
| Exhibit 1E | North & East Elevations |
| Exhibit 1F | Propagation Map |
| Exhibit 1G | Propagation Map |
| Exhibit 1H | Propagation Map |
| Exhibit 1I | Photosimulation |
| Exhibit 1J | Photosimulation |
| Attachment 2 | Land Use & Zoning Map |

**Attachment 1
Recommended Findings of Fact and Conditions of Approval
Meissner ClearWire
1655 Silica Avenue**

Findings Of Fact

A. Environmental Determination: Exemption

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under CEQA Guidelines Section 15301, Class 1, Existing Facilities as follows:

This project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

B. The Special Permit to locate telecommunication antennas and dishes within the Light Industrial (M-1) zone is approved subject to the following findings of fact:

1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. The proposed telecommunication antennas, dishes, and equipment will sited on an existing transmission tower,
 - b. The proposed telecommunication antennas, dishes, and equipment will provide greater internet services to the surrounding area; and
 - c. The proposed project meets all development standards for the site including Title 17 Zoning Code requirements and are consistent with the City's Guidelines for Telecommunication Facilities.
2. The project, as conditioned, will not be detrimental to the public welfare, safety, or result in the creation of a public nuisance in that:
 - a. The proposed telecommunication antennas, dishes, and equipment will be located in an area that will not interfere with existing land uses or future land uses on the project site and surrounding area; and

- b. The proposed telecommunications equipment will be required to comply with building code and safety standards in its construction through the building permit process.
- 3. The proposed project is consistent with the General Plan Urban Center High Land Use Designation as well as General Plan Land Use and Utilities policies.

Conditions Of Approval

B. The **Special Permit** to locate telecommunication antennas and dishes within the Light Industrial (M-1) zone is approved subject to the following conditions of approval:

- B1.** The applicant shall obtain all necessary building permits prior to commencing construction.
- B2.** The facility shall be constructed in substantial conformance to the submitted plans. Any modification to the project shall be subject to review and approval by planning staff prior to the issuance of building permits.
- B3.** The applicant shall obtain all necessary federal telecommunications permits prior to commencing construction.
- B4.** The applicant shall paint and finish all proposed structures to match the existing tower.
- B5.** The size and location of the antennas, microwave dishes, and all associated equipment shall conform to the plans submitted.
- B6.** The applicant shall construct the six-foot high redwood fence as depicted on the plans.
- B7.** Any additional antennas and/or dishes shall require a modification to the Special Permit, three panels and three microwave dishes are approved).
- B8.** Should the applicant discontinue using the antennas for wireless services, the applicant shall remove the antennas and any associated equipment within six months of termination.

Exhibit 1C - Enlarged Site Plan

clearwire®
wireless broadband
4000 CABLELON POINT
HUNTINGTON BEACH
TEL: 800-216-7600
FAX: 415-216-3900

ASB
SO
WIRELESS
11300 S ORCHARD VALLEY ROAD
STE 101, SAN DIEGO, CA 92121
WWW.SOACI.COM

CA-SAC146
1655 SILICA AVENUE
SACRAMENTO, CA 95815

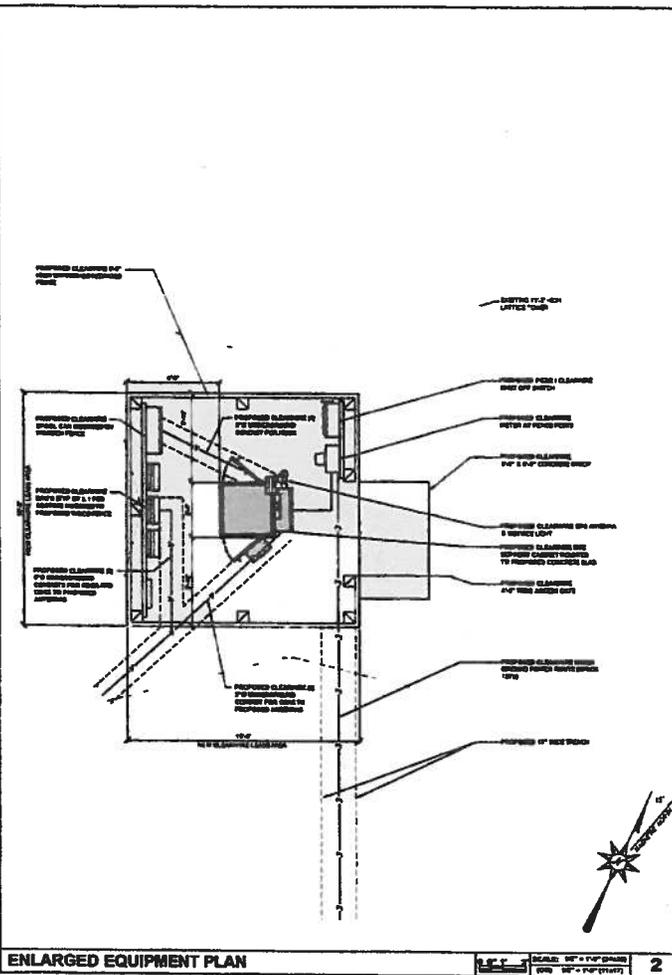
REVISIONS

| NO. | DATE | DESCRIPTION | BY |
|-----|----------|-------------------|----|
| 1 | 06/23/10 | ISSUE FOR PERMITS | ME |
| 2 | 06/23/10 | ISSUE FOR PERMITS | ME |
| 3 | 06/23/10 | ISSUE FOR PERMITS | ME |
| 4 | 06/23/10 | ISSUE FOR PERMITS | ME |
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| 10 | 06/23/10 | ISSUE FOR PERMITS | ME |

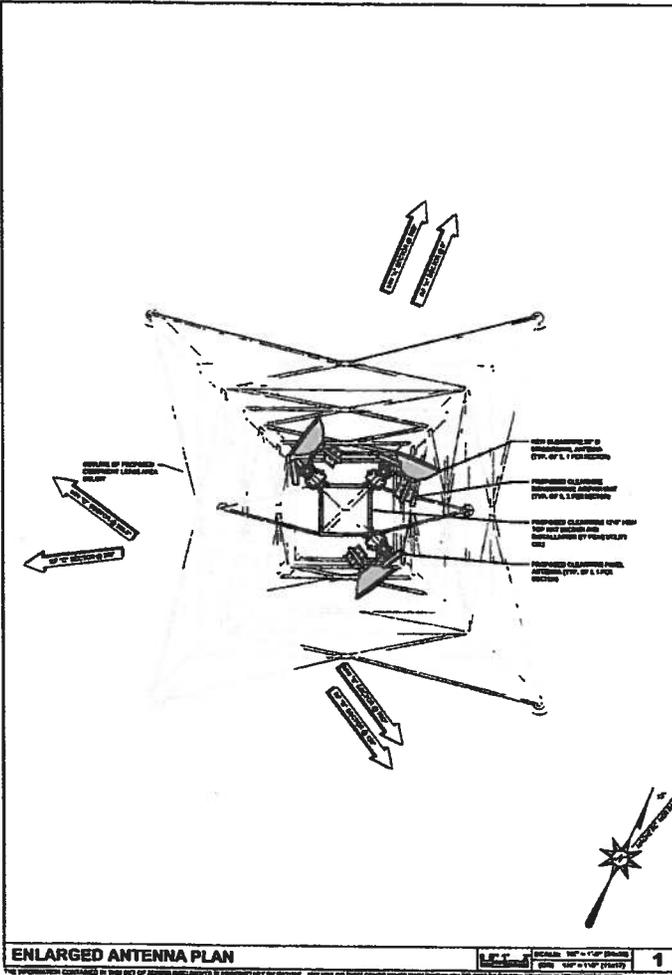
NOT FOR CONSTRUCTION USE UNLESS Labeled AS CONSTRUCTION

SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
A-2



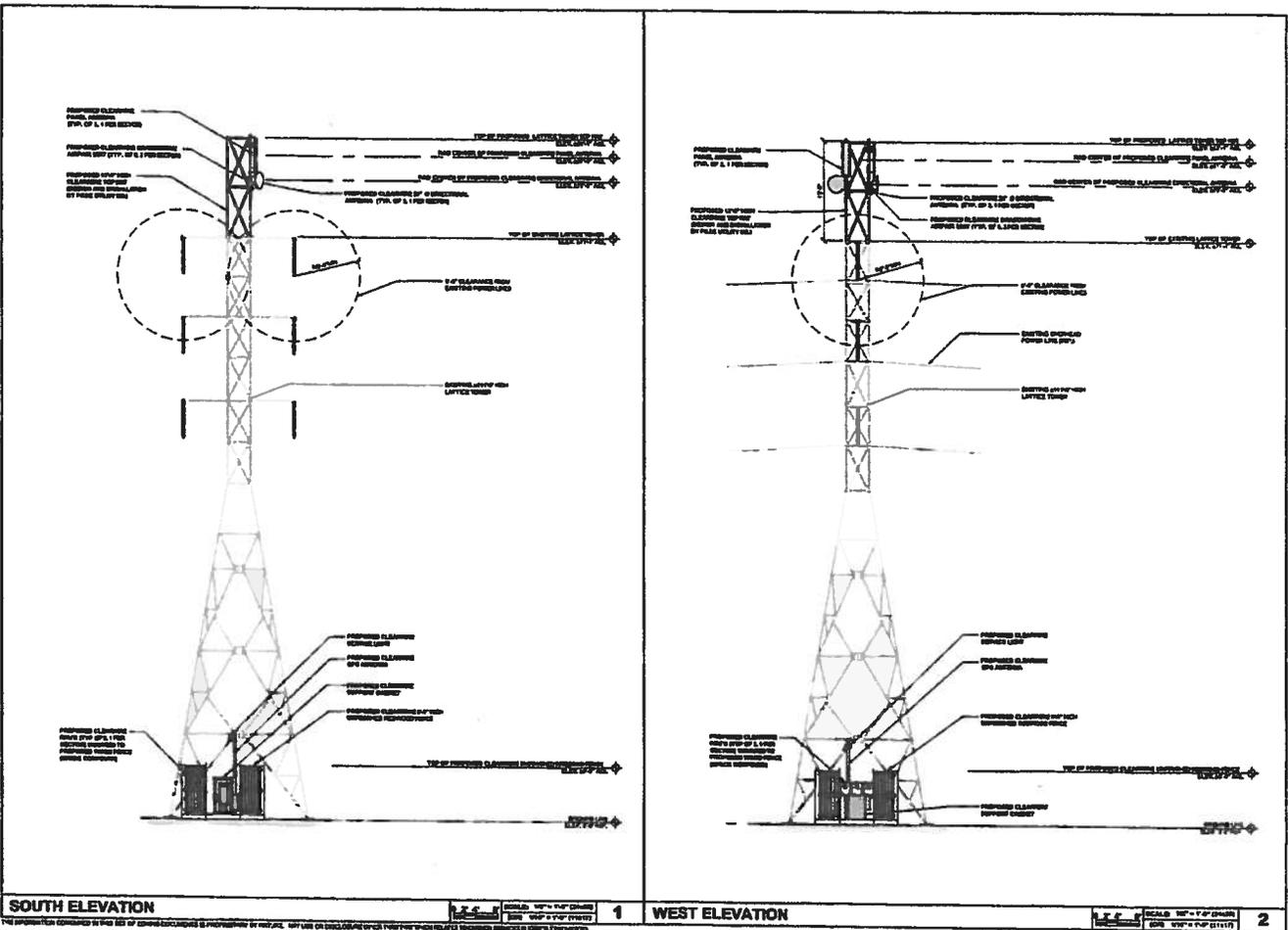
ENLARGED EQUIPMENT PLAN 2



ENLARGED ANTENNA PLAN 1

ALL DIMENSIONS SHOWN ON THIS SET OF DRAWINGS ARE APPROXIMATE. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE SPECIFIED.

Exhibit 1D – South & West Elevations



clearwire
 wireless broadband
 3485 CARLETON POINT
 FORTLAND, WASHINGTON 98502
 TEL: 360-218-7888
 FAX: 360-218-7888

A&E:
SD
 CONSULTANTS
 11280 CORONADO VALLEY ROAD
 STE 202, SAN DIEGO, CA 92111
 WWW.SACKCON.COM

CA-SAC146
 1686 SILICA AVENUE
 SACRAMENTO, CA. 95818

REVISIONS

| REV | DATE | DESCRIPTION | BY |
|-----|----------|-------------------|----|
| 1 | 06/23/10 | ISSUE FOR PERMITS | MM |
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| 10 | 06/23/10 | ISSUE FOR PERMITS | MM |

NOT FOR CONSTRUCTION UNLESS LABELED AS SUCH BY CONTRACTOR

4-001 1010
 SOUTH & WEST ELEVATIONS

4-001 1010
A-3

Exhibit 1F -- Propagation Map

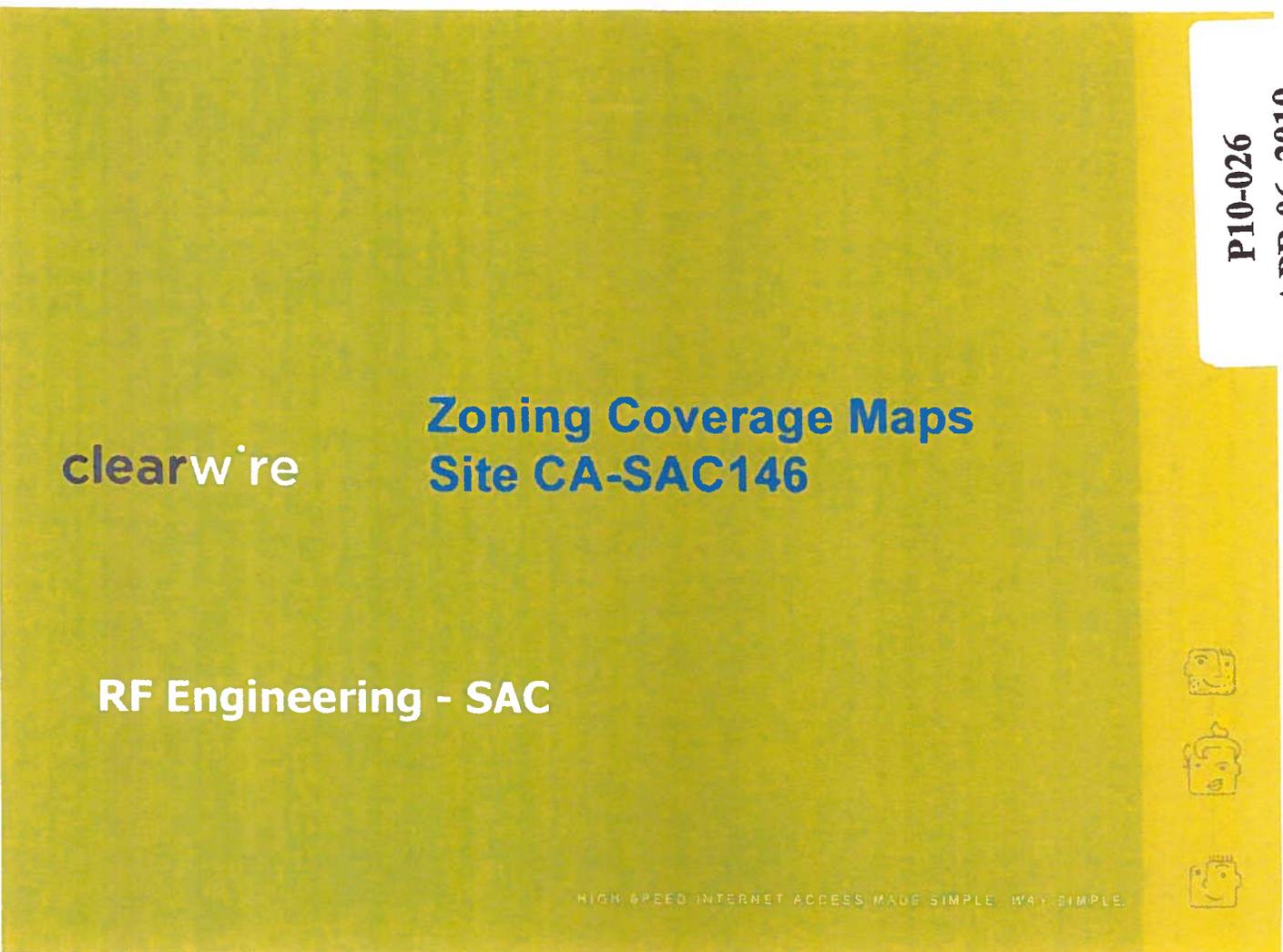


Exhibit 1G – Propagation Map

P10-026
APR 06, 2010



Coverage Without Site CA-SAC146



clearwire

HIGH SPEED INTERNET ACCESS MADE SIMPLE WAY SIMPLE

Exhibit 1H – Propagation Map

P10-026
APR 06, 2010



Coverage With Site CA-SAC146

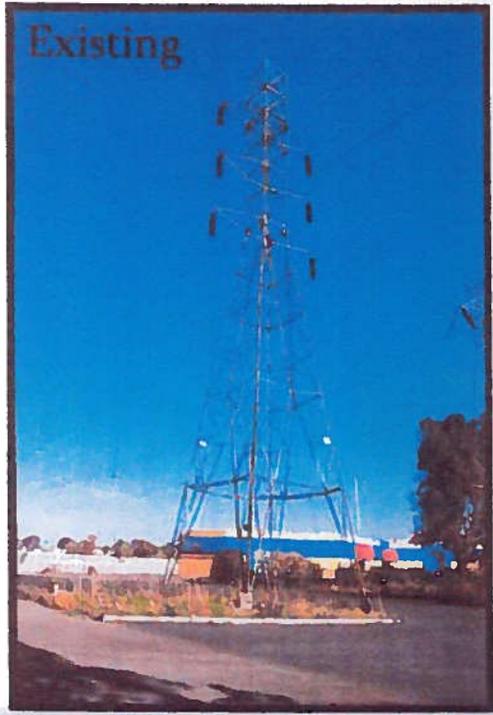


clearwire

HIGH SPEED INTERNET ACCESS MADE SIMPLE. WAY SIMPLE.

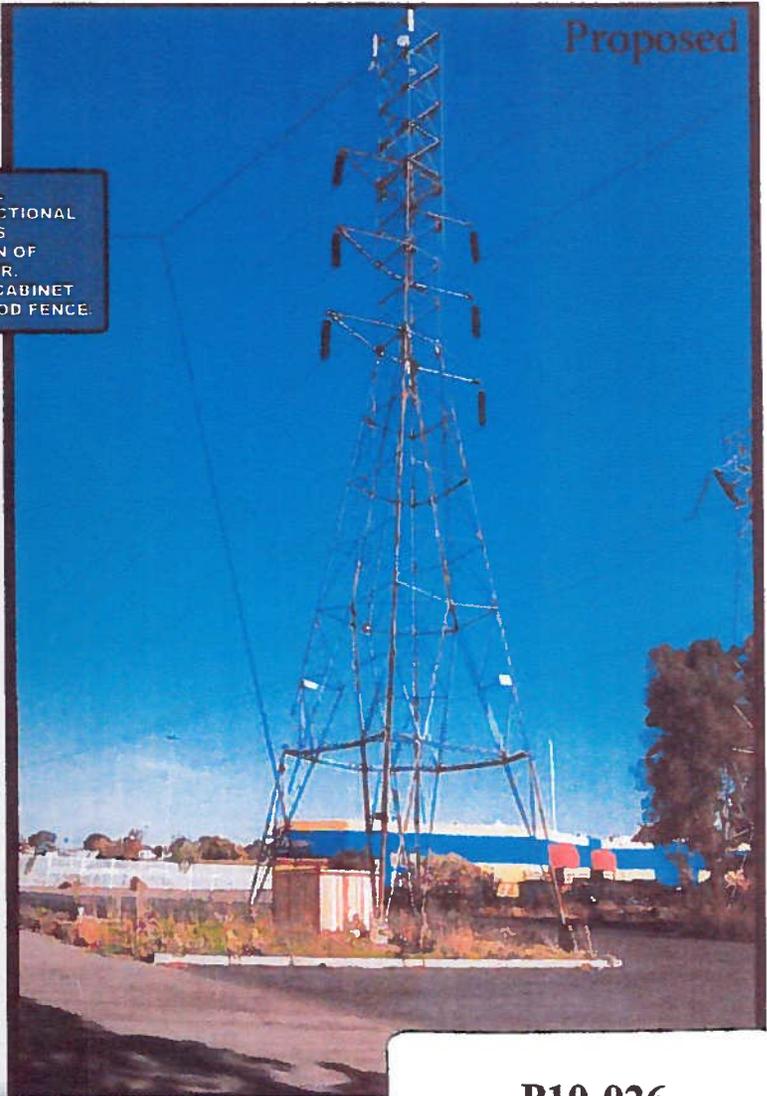
CA-SAC146
1655 SILICA AVENUE
SACRAMENTO, CA. 95815

clearwire
wireless broadband



Existing

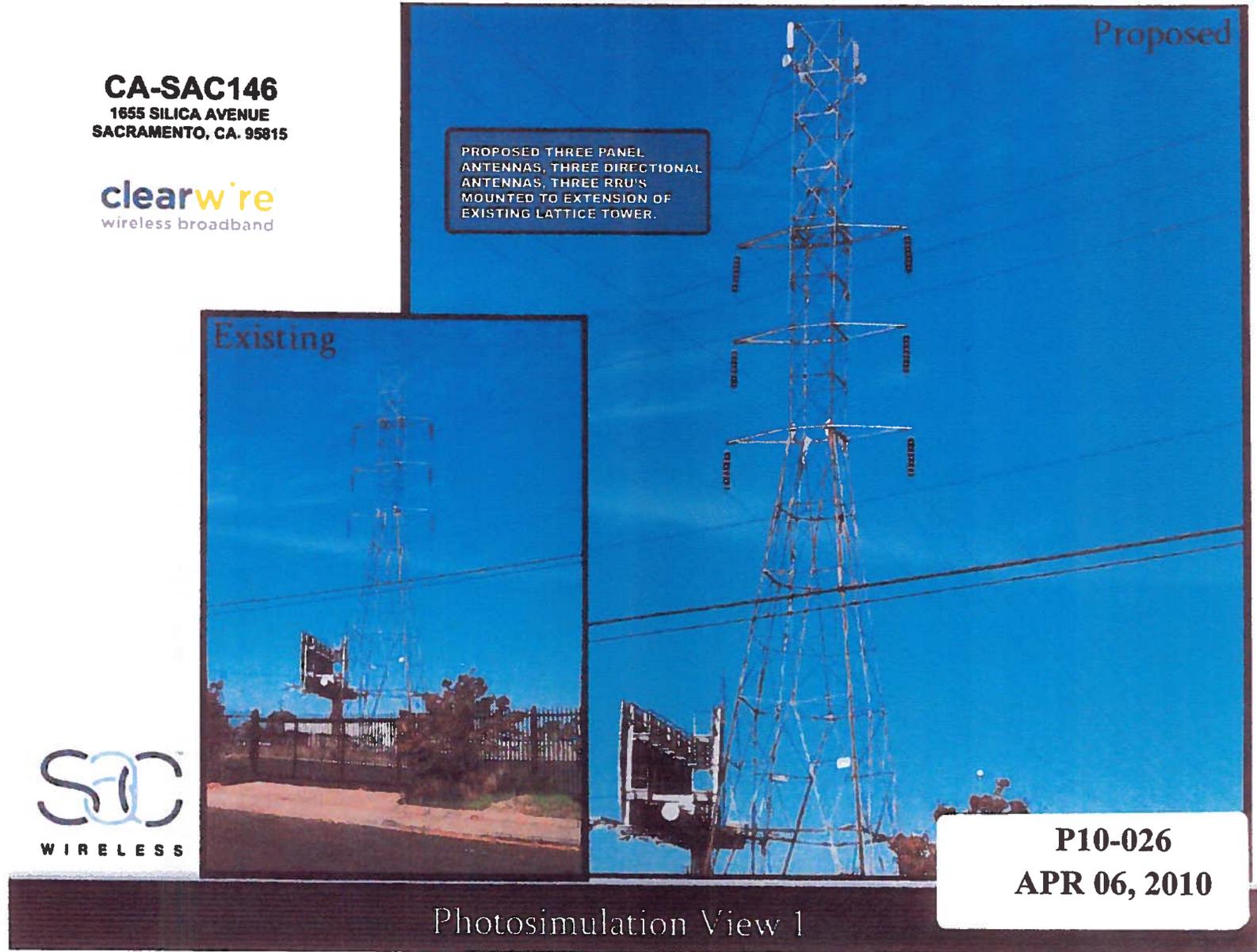
PROPOSED THREE PANEL ANTENNAS, THREE DIRECTIONAL ANTENNAS, THREE RRU'S MOUNTED TO EXTENSION OF EXISTING LATTICE TOWER. PROPOSED EQUIPMENT CABINET BEHIND PROPOSED WOOD FENCE.



Proposed

P10-026
APR 06, 2010

Photosimulation View 2



CA-SAC146
 1655 SILICA AVENUE
 SACRAMENTO, CA. 95815

clearw're
 wireless broadband



Photosimulation View 1

Attachment 2 – Land Use & Zoning Map

