

**Item No. 3**  

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**Supplemental Material**  
For  
**City of Sacramento  
Planning Commission  
Agenda Packet**

**For the Meeting of:** August 12, 2010

- Additional Material  
 Revised Material

**Contact Information:** Heather Forest, Associate Planner, (916) 808-5008

**Project Name:** Riverside ClearWire (P10-013)

**Subject:**

Attached are emails stating opposition to the proposed project. Copies of this supplemental material have been made available to the public.

**Heather Forest**

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**From:** Michael Notestine [mnotestine@mognot.com]  
**Sent:** Thursday, August 12, 2010 1:15 PM  
**To:** Heather Forest; Lindsey Alagozian; Stacia Cosgrove; Gregory Bitter  
**Subject:** FW: Business owners in 3200 Riverside objection to approval of clear Wire cell tower public hearing tonight

FYI – received today

**MIKE NOTESTINE**

**MOGAVERO NOTESTINE ASSOCIATES**

building communities through architecture planning and development

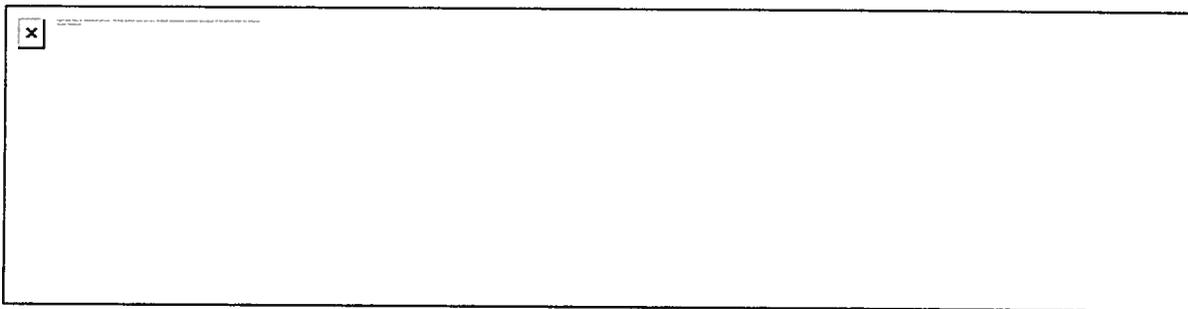
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916.443.1033 | Fax.443.7234 | [www.mognot.com](http://www.mognot.com)



Please consider the environment before printing this e-mail

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**From:** Optimum Health [mailto:optimumhealthonline@comcast.net]  
**Sent:** Thursday, August 12, 2010 12:10 PM  
**To:** Michael Notestine  
**Subject:** Business owners in 3200 Riverside objection to approval of clear Wire cell tower public hearing tonight



I am writing on behalf of the business owners tenants of 3200 Riverside Blvd. to state our oppostiton to the proposed cell tower... we will

be at the hearing this evening please review the pdf attachment.

**Dear Michael,**

We have an immediate need for your attention regarding the mater of the cell tower in our building ... we just found out 48 hours ago that the City Planning Commisson is planning an approval Thurday at 5:30 pm to install a cell tower on and IN our building. None of the tenants of the building had knowledge of this scheduled event and we were never contacted by the building owner or the Land Park Association, which also approved it for installation. Needless to say we don't want it located here for the following concerns:

- **It increases our fire hazard risk**
- **It will cause a noise nuisance in the buliding**
- **It will cause a security risk to all the business, though an immediate risk to Planet Gymnastics**
- **It will cause a devalued price on all our business as sellable personal assets.**

I have put together the information to this issue with links to you tube videos that support our position along with links around our concerns. As tenants we are the most intimately aware of the limitations and structure of the building in which operate our business. As business owners we span from operation that have been 20 plus years in the building to new tenants just opening their business... yes even in this economy we are the recovery inn action. Having the knowledge of the buidling we believe that the this building lacks the structure and functionality to make this a workable site for any cell tower. Please take the time to look at our information, we have included pictures of our concerns from inside the building that neither the Land Park Association had to assess the approval.

Just so you know ,we as business owners get the fact that the building owner is just looking for additonal income... it is an income producing investment. I have met Mr. Harris and know that he and his wife rely on the income to support their retirement needs... however many of the businesses, myself included, would likely move out of the building in the event of the installation. It is our position that this approval is not in his best interest as a building owner. Losing numerous tenants that make up over half the building would cost him much more in lost rents than he could make with the cell tower contract. Additonally any business moving in would have full knowledge of why so many business moved

out. There just was lack of a full conversation with the tenants to know what our position would be regarding the issue.

If there are typos in this message then you will know it is from me... and that my spell check is not working on my site... I am here by myself and I don't have my trusted staff to proof read this... so please forgive any typos I just feel it is more important to get this out as quickly as possible. I will be commenting at the meeting on the concerns, thank God I talk better than I spell!

Heres the PDF of the issues.

[Business Owners opposed to cell tower](#)

**Your faithful friend and fan,**

Nancy Yilk

Optimum Health and the rest of the business owners in the building

**Forward email**

[Redacted]

This email was sent to mnotestine@mognot.com by [optimumhealthonline@comcast.net](mailto:optimumhealthonline@comcast.net).  
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Optimum Health | 3220 Riverside Blvd | Sacramento | CA | 95818

Email Marketing by



Re: Proposed installation of Cell Tower at 3200 Riverside Blvd. Sacramento CA 95818

## Issues:

### Increased Fire risk

Objection to Cell Tower due to Increase fire hazard to the building and the businesses in the building

**The SMUD utility pole is technically located within the 7<sup>th</sup> Avenue/8<sup>th</sup> Avenue alley, which was vacated by the City, with ownership reverting to the owner of the commercial building. A SMUD utility easement for the pole remains adjacent to the commercial building. *From meeting agenda sheet***



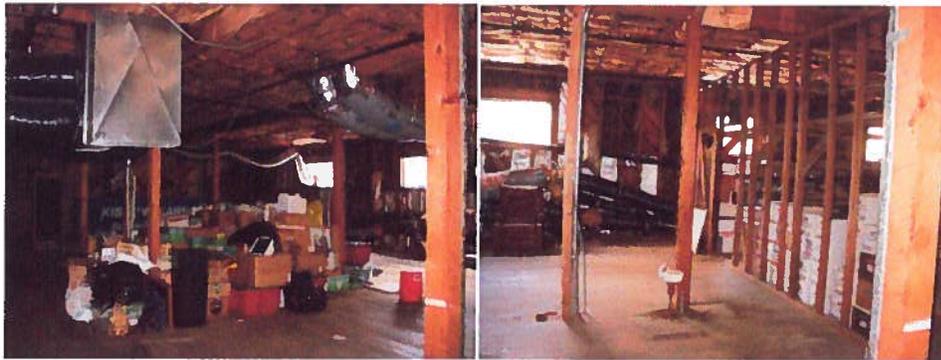
**Fact: This pole is less than 9 inches from the outside wall of the building**



**Extending the pole another 12 feet and putting more electronic equipment on the top of the pole increases the risk of electrical fires. Especially since the corresponding equipment would be placed inside the building in the attic.**

**Facts on the building: This building was constructed prior to 1940, was one large grocery store originally name Stop and Shop, the building as it was sold over time was converted in individual retail and commercial spaces, however the construction was grandfathered into current building codes, here is our concern as owner of businesses... there are no fire walls throughout the building. The building also has a shared open attic above businesses that in the event of a fire**

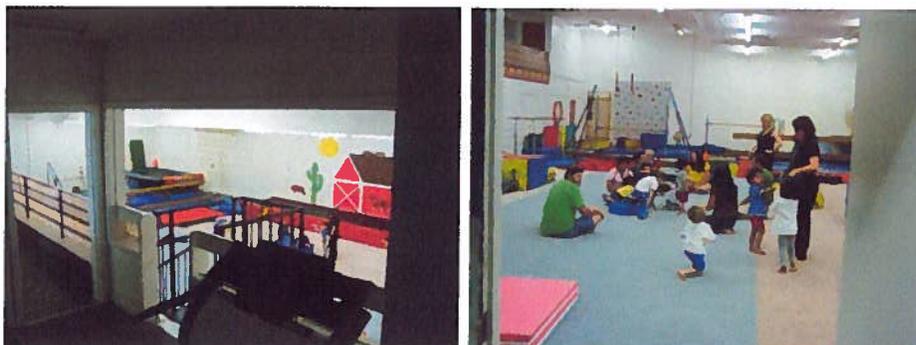
would move quickly throughout the entire complex. We as tenants are aware intimately with the construction of the building and it quarks, it is an old building escaping newer building and fire code requirements. Following are pictures of the attic where the equipment would be located and our concerns as business owners is if there was a electrical fire from the proposed unit for whatever reasons of weather, service calls by tower workers or malfunctions could risk our financial investment in our businesses and personal income for both ourselves and staffs.



This is the attic where the equipment would be stored linking it electronically to the outside equipment, the two as a unit are not separate since if one is affected so is the other. Any fire would move quickly throughout the building.

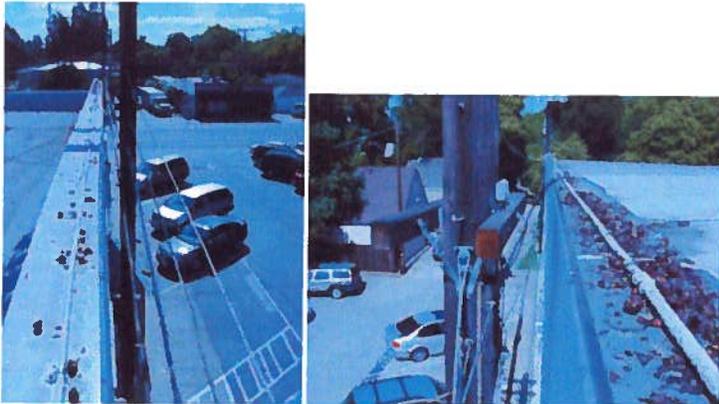


First picture shows how close the pole is to the window and attic, the second picture shows a view of the openness of the shared attic in the building.



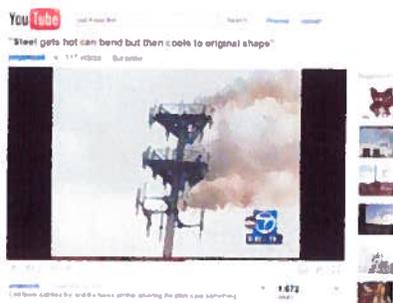
The door to the attic opens up and is accessed to the Planet Gymnastic business. We have over 700 hundred children

that go through our building a week, this is just too risky. As business owners we are bound to look out for the safety of our clients and safe guard our risk to financial damages from injury. We would make this our recorded public statement that we believe that this would increase the risk to us on insurance premiums due to safety concerns. If the owners of the building and City approves this tower we will see them as complacent in any future losses.



building.

This shows how close the pole is to



<http://www.youtube.com/watch?v=U3IPcp3wmwU>

Video showing the risk of tower on fire.

## Noise Nuisance

We as business owners believe that the noise from the unit will cause a noise nuisance to our businesses. Below is a link that shows the noise issues specific to Clear Wire installations of cell towers in Portland Oregon. First is a message

# FROM THE CO-CHAIR

MESSAGES

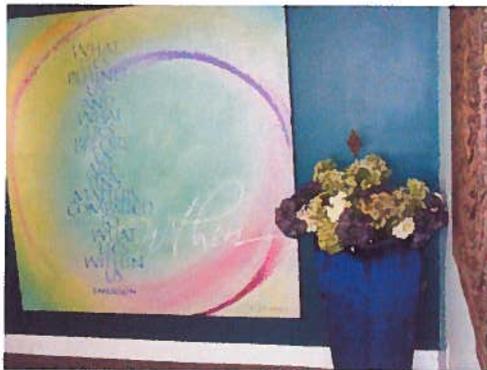
Messages from S.Stewart, one of the Land Use Chairs for the Mt. Tabor Neighborhood Association (Portland, Oregon)

<http://mtna-landuse.blogspot.com/2010/01/noise-of-clearwires-wireless-internet.html>

Second is a TV News video that shows a person that had 24/7 noise from an installed unit 25 feet from his home... we can only image what it is like if it is sitting above and adjacent to our businesses. With a share open attic the noise would travel to all businesses, however below are the two closest to the pole. WellnessKnowHow offices at 3228 Riverside showing the office waiting rooms and treatment rooms directly below the unit and the Planet Gymnastic facility is shown in above pictures.



<http://www.katu.com/news/35688754.html?video=YHI&t=a>



*As stated previously, staff is aware of opposition to the proposed project. In regard to the concern over the proximity of the telecommunications facility to single family residences, City staff notes that the closest residence is approximately one-hundred feet (100') to the west. The Zoning Code does not contain a threshold or minimum distance for telecommunication facilities and residentially zoned or used parcels. Rather, the Zoning Code emphasizes the stealthing requirements in order to reduce the appearance of such facilities, especially when proposed within predominantly residential neighborhoods. As wood SMUD utility poles are prevalent within the surrounding neighborhood, the proposed modified SMUD pole is an appropriate stealthing technique.*

*Due to the residential nature of the surrounding neighborhood and the low profile commercial businesses that exist, a modified SMUD utility pole appears to be the least offensive means of co-location and therefore, City staff supports to the proposed design. From meeting agenda sheet*

Since NONE of the businesses were made aware of this proposed tower until 72 hours ago we would have to say that tenants were not considered in how this would affect us. If we would have known we would have communicated them to the Land Park Association Land Use Committee our objections long ago.

## Security issues



<http://youtu.be/QCaOazQauvc>

As discussed above, the attic has access to the Gymnastics business and due to the open attic of the building there is access to all the businesses that are in the building. Since the unit must be available for service 24/7 it means that we would have security risk to our businesses from workers of the tower company at any time of the day and night. This is not acceptable to the tenants of the building.

## Economic Consequences of our businesses as a personal asset at resell.

We as business owners have invested time, energy and certainly money in the creation and sustainability of our businesses and we regarding them as saleable assets for our future.

**Proven** or **Unproven** the public's concerns around the issue of cell towers are voted on by the dollar or the lack of them if clients question the location of a tower. Would a parent feel really comfortable about have their children so close to what they see as a risk, are clients still willing to pay us fees when they have to sit and listen to noising equipment... we doubt it. For this same reason it affects all the business owners if and when we decide to sell our businesses as a personal financial asset. We are located in a charming and quaint neighborhood because of the ambience and its historical nature of Old Land Park. We do not want an industrial look to our businesses, which we now believe would happen with the installation of the tower. Future purchasers of our businesses would be looking for the same ambience. Having a cell tower near and in the building has an economic consequence damaging to the value of all of our businesses.

Thank you all for your attention.

The community of business owners in Riverside Shopping Center.

Respectively submitted Nancy Yilk Owner of Optimum Health 3220 Riverside Blvd

Nancy Yilk Owner of WellnessKnowHow 3228 Riverside Blvd

Annette Riveria Planet Gymnastics 3228A Riverside Blvd

Ilene Combs Owner International Beads and Gems 3214 Riverside Blvd

Tyler Humphries Owner Land Bark 3200 Riverside Blvd

Jan Homdus Owner Mother Goose 3218 Riverside Blvd

Bill Trainor Owner Bill Trainor Music 3216 Riverside Blvd

Linda Truong Owner Galaxy Nails 3224 Riverside Blvd

Gayle Ishihara Owner Gayle and I Hair Salon 3212 Riverside Blvd