



CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION
300 Richards Boulevard, Sacramento, CA 95811

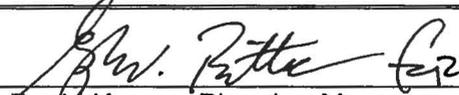
Project Name: T-Mobile Riverside Boulevard Monopine
Project Number: P07-153
Project Location: 2661 Riverside Boulevard
Assessor's Parcel No.: 009-00321-061
Applicant: Rama Gulati, (916) 402-4019, 6728 Fair Oaks Blvd., Carmichael, CA 95608
Action Status: Denied Action Date: 9/9/2010

**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 (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); 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 10th 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).