



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
January 13, 2010

To: Members of the Planning Commission

Subject Clearwire on Palo Verde Avenue – PG&E (P10-072)

A request to add three panel antennas, three microwave dishes, one GPS antenna, and an equipment cabinet on an existing PG&E lattice tower in the Standard Single Family Residential (R-1) zone.

- A. **Environmental Determination:** Categorical Exemption per CEQA Guidelines Section 15301;
- B. **Special Permit** to install three panel antennas three microwave dishes, one GPS antenna, and an equipment cabinet on an existing PG&E lattice tower.

Location/Council District

1418 Palo Verde Avenue, Sacramento

Assessor's Parcel Number: 265-0140-006-0000

Council District 3

Recommendation

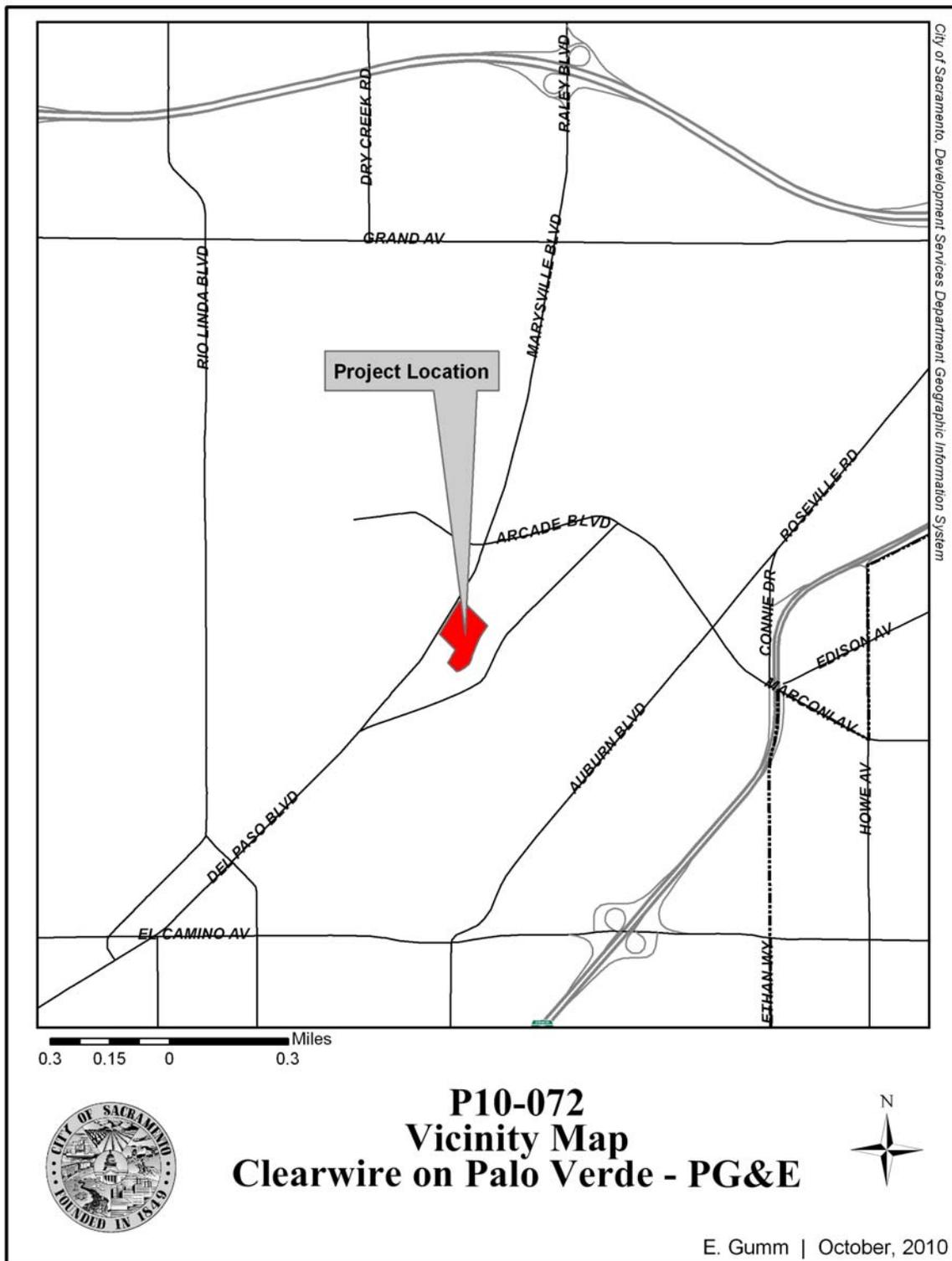
Staff recommends the Planning Commission approve the Special Permit request based on the findings and subject to the conditions listed in Attachment 1. The Planning Commission has final approval authority over items A-B above, and its decision is appealable to City Council. **Staff is not aware of any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

Staff Contact Elise Gumm, LEED AP, Associate Planner, (916) 808-1927;
Lindsey Alagozian, Senior Planner, (916) 808-2659

Applicant Bell & Associates, c/o: Gordon Bell, (530) 647-1932
4020 Sierra Springs Drive, Pollock Pines, CA 95726

Owner North Sacramento School District, c/o Jeff Dolye
3222 Winona Way, North Highland, CA 95660

Vicinity Map



Summary

The applicant is proposing to install three (3) panel antennas, up to three (3) parabolic antennas (microwave dishes), one GPS antenna, and an equipment cabinet on an existing PG&E transmission tower in the Standard Single Family Residential (R-1) zone. The existing tower height is approximately 69 feet. The proposed project will increase the existing tower by approximately twelve feet to an overall height of 81 feet. All related equipment, including cabinet and GPS antenna, will be constructed on a 10' x 10' concrete pad under the tower.

Staff notified all property owners within 1,000 feet of the site for this public hearing and received no opposition at the time of writing of this report. Staff finds that the proposal is consistent with the applicable policies of the General Plan and the City's Guidelines for Telecommunications Facilities.

Table 1: Project Information	
General Plan designation:	Public/Quasi-Public
Existing zoning of site:	R-1 (Standard Single Family Residential zone)
Existing use of site	Hagginwood Elementary School
Property area:	7.4± acres

Background Information

The property currently consists of two PG&E towers and the complex for Hagginwood Elementary School. A special permit for a telecommunication facility to increase the existing PG&E tower (same tower) height by 10 feet and install six antennas was approved by the Planning Commission on September 13, 2001 (P01-062). However, no building permit was ever pulled for the antennas, so the special permit expired. The current proposal requires a new Special Permit.

Public/Neighborhood Outreach and Comments

The project application package was routed to the Hagginwood Community Association (HCA) and staff did not receive any comments. The Planning Commission meeting was noticed to all property owners within a 1,000 foot radius of the subject site. At the time of writing of this report, staff has received one call from a neighbor, who wants clarification for the project. Staff is not aware of any opposition to the project.

Environmental Considerations

The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15301, Existing Facilities. The project consists of the minor alteration of an existing structure, involving no expansion of use beyond that existing.

The Telecommunications Act of 1996 includes provisions relating to the exclusive federal jurisdiction to regulate human exposure to RF emissions from certain

transmitting devices. In particular, Section 704 of the Act states that, “No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission’s regulations concerning such emissions.” The facilities at issue would comply with federal regulations and thus fall within the above provision restricting the City’s authority to regulate on the basis of environmental effects of radio frequency emissions.

Policy Considerations

General Plan

The subject site is designated as Public/Quasi-Public on the 2030 General Plan Land Use and Urban Form Diagram. The proposal is located on the site of a school facility on an existing transmission tower and has been designed and conditioned so that it will have a minimal visual impact on the surrounding area. The proposal is consistent with the General Plan Policy which encourages cooperation with service providers to ensure access to 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 (Policies U 7.1.1). The project will improve wireless network capacity and coverage for both residential and business customers in the area.

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 and associated equipment, collocating on an existing transmission tower, are consistent with the applicable policies as described in the Guidelines for Telecommunications Facilities. Key objectives for the City were outlined to maximize the number of “invisible” telecommunication facility sites. The proposed antennas located on top of an existing structure represent a preferred siting location as the new antennas do not require the construction of a new monopole.

Project Design

The applicant is proposing to utilize an existing transmission tower on the site of a school facility for purposes of installing telecommunication antennas. The project requires a Special Permit based on the fact that the proposed parabolic antennas (microwave dishes) are not considered to be exempt per the Zoning Code, Land Use Regulation (Section 17.24), footnote 58, and increasing the overall height by 12 feet requires a Planning Commission Special Permit. The project includes three panels and three parabolic antennas to be mounted at the new “top hat” that will be added to the top of the tower. As a result, the overall height of the tower will increase from 69 feet to 81 feet. The existing PG&E tower is approximately 125 feet away from the closest residential unit and is approximately 25 feet away from the edge of the school buildings. The antennas are conditioned to be painted with a non-reflective paint to match the existing PG&E tower, and the related equipment will be installed within the tower

footprint on a new concrete pad. Lighting at the equipment area is conditioned to be activated only when the facility is being serviced by the representative of Clearwire. Staff has no issues with the proposed antennas and the proposed height of the tower.

Land Use

The City of Sacramento encourages the placement of wireless facilities with minimal visual impacts and provides guidelines for the design of wireless facilities. The current Zoning Code, Chapter 17.24, footnote 58, c, viii, allows panel antennas placed on transmission towers as a matter of right and they are exempted from planning entitlements if the proposal does not increase the existing structure 12 feet or more in height. However, the proposed parabolic antennas are not the exempted panel antennas and the overall height is increased by 12 feet; thus, the project requires a Special Permit, subject to Zoning Code, Chapter 17.24, footnote 58, d, v, (B). City staff encourages carriers to consider siting on existing infrastructure, such as transmission towers.

Even though the site is zoned Standard Single Family (R-1), it is currently not being used for residential purposes and the telecommunication facility will be collocated on the existing transmission tower. Thus, staff supports the proposed project based on its design, location, and its consistency with the City's Guidelines for Telecommunications Facilities. Collocation on an existing transmission tower is a preferred siting option. Staff is in support of the project because it is consistent with the General Plan Policy of promoting and supporting communications facilities within the City as well as the Guidelines for Telecommunication Facilities.

Access, Circulation and Parking

The applicant proposes to improve the access to the transmission tower for regular maintenance and repairs. A new 54 foot long by 12 foot wide driveway will connect the existing vehicle access from Marysville Boulevard to the transmission tower.

Respectfully submitted by:



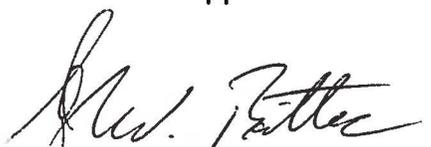
ELISE GUMM, LEED AP
Associate Planner

Approved by:



LINDSEY ALAGOZIAN
Senior Planner

Recommendation Approved:



GREG BITTER, AICP
Principal Planner

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Attachment 1 Recommended Findings of Fact and Conditions of Approval**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 Section **15301, Existing Facilities** of the California Environmental Quality Act Guidelines as follows:

The project consists of the minor alteration of an existing structure, involving no expansion of use beyond that existing.

B. The **Special Permit to install three panels antennas, up to three parabolic antennas, one GPS antennas, and its related equipment to the top of an existing PG&E transmission tower, 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 project will utilize an existing transmission tower;
 - b. The proposed telecommunication antennas, dish and equipment meet all development standards for the site including Title 17 zoning Code requirement and are consistent with the City's Guidelines for Telecommunication Facilities; and
 - c. The project will not adversely affect the surrounding land uses in that the visual impacts are nominal and the wireless network capabilities for North Sacramento are enhanced greatly.
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 antennas are proposed in a location that will not interfere with existing land uses or future uses on the subject parcel and the surrounding area; and
 - b. The proposed telecommunications equipment will be required to comply with building codes and safety standards in its construction through the building permit process.
3. The project is consistent with the General Plan Public/Quasi-Public Land Use Designation as well as the General plan Land Use and Utilities

policies. The project is also consistent with the telecommunication policy of siting telecommunication facilities on existing transmission towers.

Conditions of Approval

- B.** The **Special Permit** to install three panel antennas, up to three parabolic antennas, one GPS antennas, and its related equipment to the top of an existing PG&E transmission tower, is hereby approved subject to the following conditions of approval:

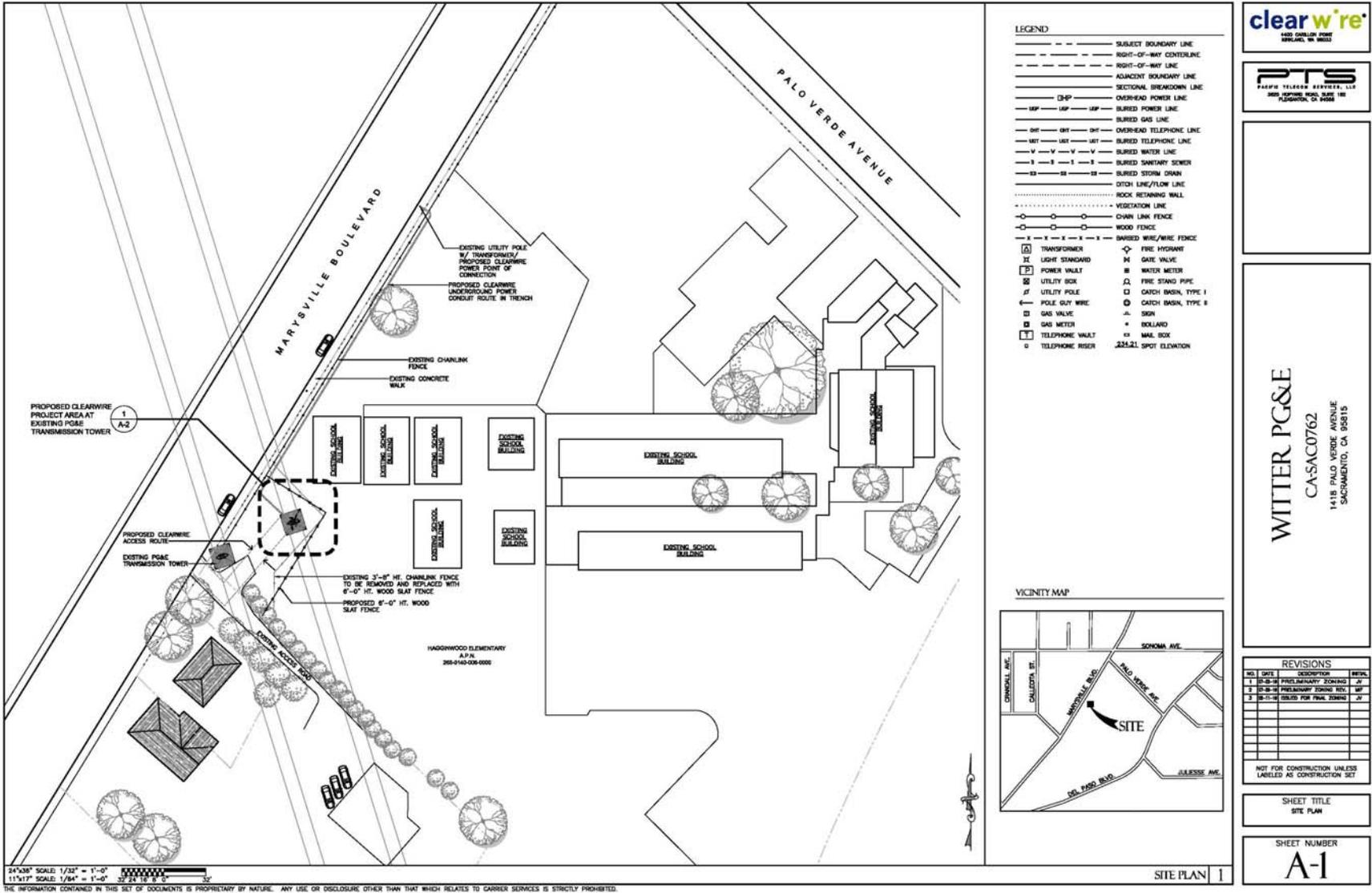
PLANNING

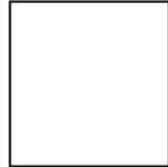
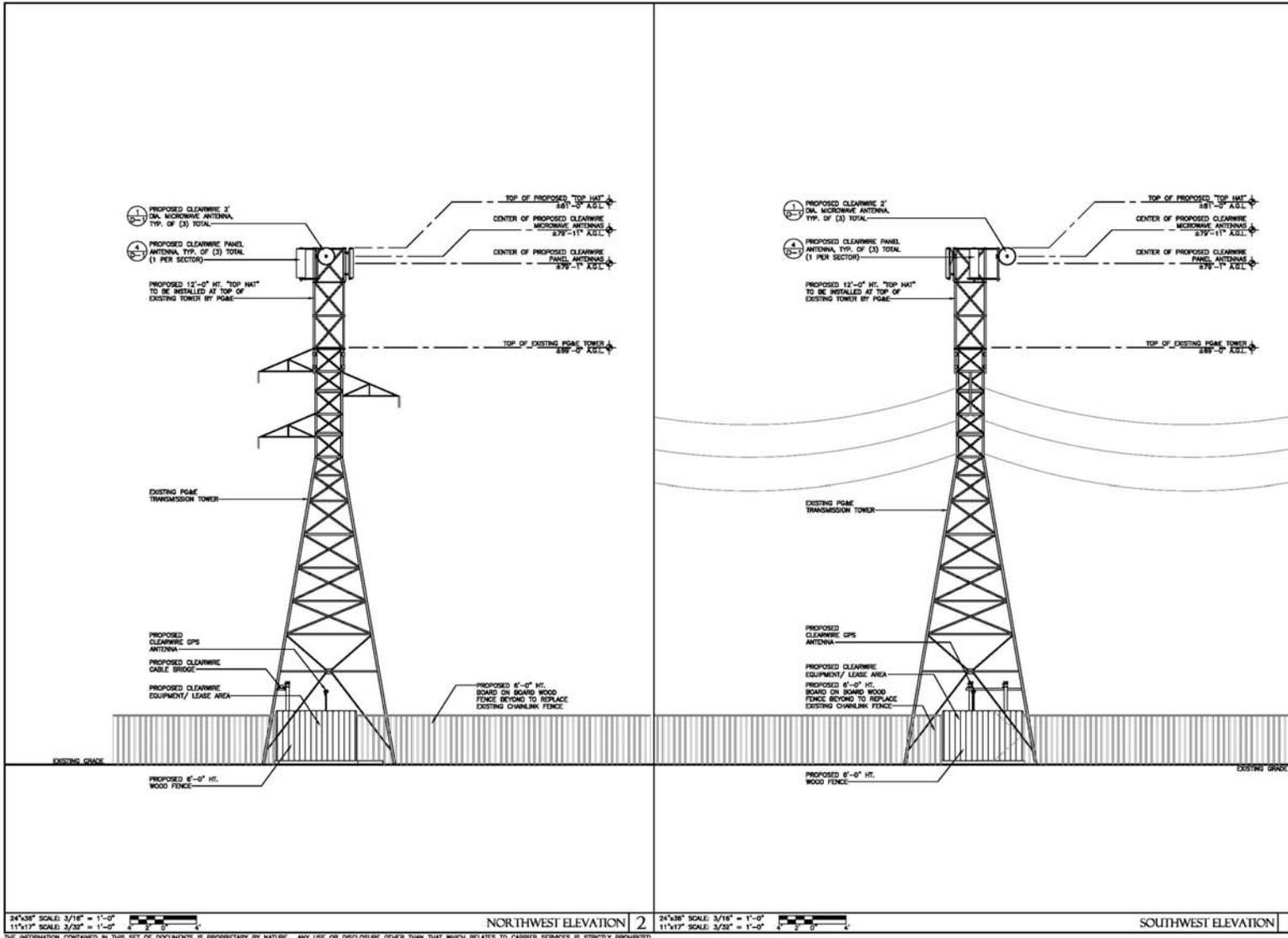
- B1. The applicant shall obtain all necessary building permits prior to commencing construction.
- B2. The applicant shall obtain all necessary federal telecommunications permits prior to commencing construction.
- B3. Size and location of antennas shall conform to the approved plans as shown on the attached exhibits and as conditioned to revise. Any modification to the project shall be subject to review and approval by Planning staff (and may require additional entitlements) prior to the issuance of building permits. A total of six telecommunications antennas (three panel antennas and three microwave dishes) and one GPS antennas are approved.
- B4. The applicant shall use non-reflective paint and materials to match the transmission tower at the point of attachment and connection points on all sides and on all equipment, cables, connections, panels and any other appurtenance.
- B5. Should the operation of this telecommunications facility be discontinued, the applicant(s) shall remove of all equipment, including, but not limited to the: top hat array, antennas, equipment and cabinet(s), cable(s) and conduit, concrete pad(s), foundation, telephone and power lines to the facility, access gates, and fencing materials, within six (6) months of the cessation of facility operations.
- B6. All cable runs shall be in weather-proof conduit or shall run underground;
- B7. No telecommunications equipment shall be visible above the proposed wood fencing except the GPS antenna.
- B8. Proposed new 6 foot tall wood fence shall be constructed around the perimeter of the lease area as shown on the attached exhibits. The fence and gate(s) shall be maintained in a graffiti free and sound structural condition for the duration of the operation of the facility.
- B9. No barbed, razor, or other prohibited wire material shall be used in or on this site.

- B10. All graffiti and trash/garbage shall be removed in a timely manner.
- B11. Lighting shall affect only the lease area and the light standard shall not exceed 15 feet in height, shall be vandal resistant and shall be shielded from the adjacent properties and roadways so as not to create glare for the adjacent properties. The lighting shall also reflect away from City streets. A maximum lighting of 1.5 foot-candles per square foot of lease area is allowed for the site.

ADVISORY NOTES

- B12. The applicant should ensure that they have the rights to access the antennas and equipment cabinets for continuous maintenance through their lease agreement with the property owners.
- B13. Applicant shall provide the gate with a minimum 4' wide access and an approved Knox Padlock.
- B14. A signed copy of the Affidavit of Zoning Code Development Standards and each of the pages of this Record of Decision shall be scanned and inserted as a general sheet(s) in the plan set for any building permit submittal associated with this project.





WITTER PG&E
 CA-SAC0762
 1418 PALO VERDE AVENUE
 SACRAMENTO, CA 95815

REVISIONS			
NO.	DATE	DESCRIPTION	INITIALS
1	10-28-10	PRELIMINARY DURING	JY
2	10-28-10	PRELIMINARY DURING	MF
3	10-11-10	REVISED FOR FINAL DESIGN	JY

NOT FOR CONSTRUCTION UNLESS LABELED AS CONSTRUCTION SET

SHEET TITLE
 ELEVATIONS

SHEET NUMBER
A-3

Photosimulation of view looking south from Marysville Blvd, just south of Palo Verde Ave.



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Photosimulation of view looking northwest from Del Paso Blvd, underneath the utility corridor.

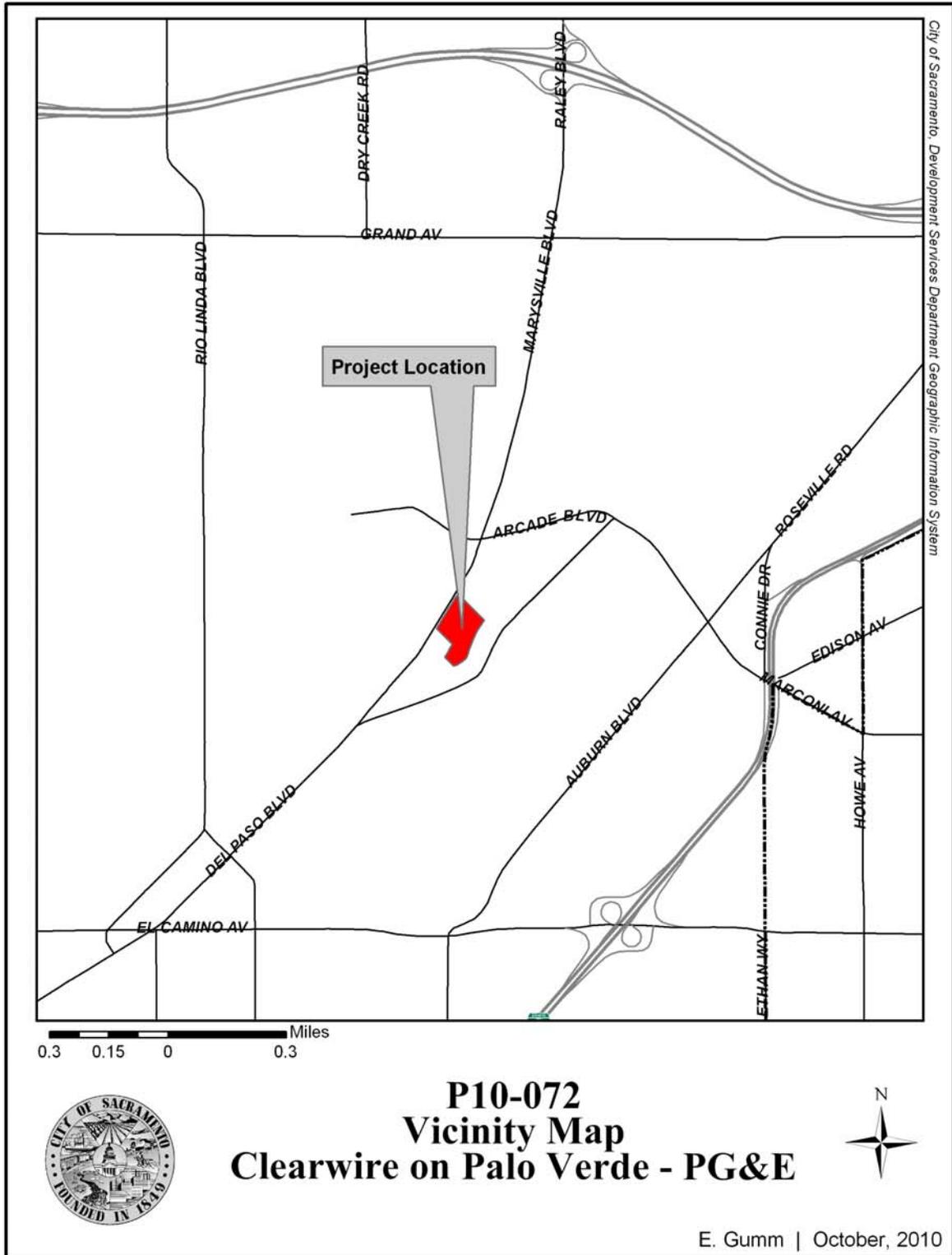


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Photosimulation of view looking southwest from Palo Verde Avenue, at Hagginwood Elementary School.



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Attachment 3 Land Use and Zoning Map

