

**ITEM IV-D: CONDITIONAL USE PERMIT – 1550 MAIDU DRIVE – TELECOMMUNICATIONS MONOPOLE – FILE # PL14-0442**

**REQUEST**

The applicant requests approval of a Conditional Use Permit to; 1) construct a 92' monopole with stadium lights (replacing existing light pole); 2) install 8 telecommunications antennas above stadium lights on the pole, and; 3) install ground-mounted equipment within a 30' x 30' lease area enclosed by a chain link fence with slats, 8 feet in height.

Applicant: Verizon Wireless, Charnel James  
Property Owner: City of Roseville, Tara Gee

**SUMMARY RECOMMENDATION**

The Planning Division recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact for the Conditional Use Permit; and
- B. Approve the Conditional Use Permit with twenty-four (24) conditions of approval.

**SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended conditions of approval.

**BACKGROUND**

Maidu Regional Park is located within the City's Infill area, is 152 acres in size and is developed with multiple amenities; including softball and soccer fields, skateboard park, batting cages, community center, Maidu Historic Site, and library. The park has a zoning and land use designation of Parks and Recreation (PR) and is bounded by McLaren Drive to the south, Johnson Ranch Drive to the north and east, and Rocky Ridge Drive to the west.

The proposed cellular monopole with stadium light fixtures will be located in an area between existing softball fields and soccer fields, approximately 610 feet north of McLaren Drive. The antenna site is  $\pm$ 510 feet south of Maidu Elementary School and  $\pm$ 700 north of the nearest residence on the south side of McLaren Drive. The equipment enclosure will be located adjacent to an existing telecommunications equipment enclosure at the site (see Figure 1).



Since this project is located on City property, City Council must approve a lease agreement between the City and the applicant prior to commencement of construction.

Per the Zoning Ordinance, telecommunications facilities are a permitted use within the PR zone district. Approval of a Conditional Use Permit is required since the proposed tower height exceeds 60 feet.

### Vicinity Map



### **FINDINGS & EVALUATION**

Section 19.78.060(A) of the Zoning Ordinance requires that three (3) findings be made in order to approve a Conditional Use Permit. The required findings are listed below in bold italics, followed by an evaluation.

***1. The proposed use or development is consistent with the City of Roseville General Plan.***

The land use designation of the subject property is Parks and Recreation (PR). Telecommunication facilities, referenced in the General Plan as "Privately-Owned Utilities," are permitted in all land use designations provided that the facilities are designed and constructed in a manner consistent with adopted land use policies and design guidelines to the extent feasible. The General Plan relies on the Zoning Ordinance to determine the appropriate location and design of telecommunication facilities through the Conditional Use Permit process; therefore, the proposed project is consistent with the General Plan.

***2. The proposed use or development conforms with all applicable standards and requirements of the Zoning Ordinance.***

The subject property has a zoning designation of Parks and Recreation (PR). Telecommunications facilities exceeding 60' in height are permitted in the PR zoning district with approval of a Conditional Use Permit, subject to standards established in Zoning Ordinance Chapter 19.34.010. The intent of this Chapter is to minimize the adverse impacts of such equipment and structures on neighborhoods and surrounding developments by limiting the height, number, and location of such facilities. General

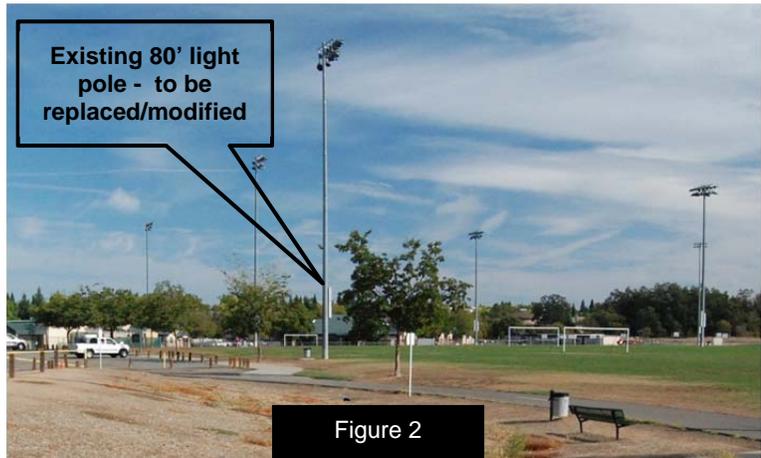
Standards for telecommunications towers are set forth in Section 19.34.030 A. of the Zoning Ordinance. The standards are shown below, in *italics*, with an evaluation following the standard.

- a) ***Building mounted antennas are encouraged, provided that the wireless communication facility is compatible with the building design and does not negatively impact the surrounding area.***

No building-mounted antennas are proposed, as there are no buildings in the vicinity that would provide the required level of service coverage.

- b) ***Where building mounting is not possible, an attempt should be made to screen new monopoles from public view and to co-locate new antennas on existing monopoles.***

The site of the proposed cellular facility is in the developed area of Maidu Regional Park, with soccer and softball fields in the immediate vicinity (see Vicinity Map above). The soccer and softball fields are illuminated with numerous light standards to allow after-dark activities (see Figure 2). The proposed facility (92' cellular monopole with stadium light fixtures) will replace an existing light pole at the site (see Figure 2).



There are approximately 20 additional light standards in the immediate vicinity of the light pole that will be replaced. Additionally, an existing telecommunications facility (cellular antennas on a light pole) is located approximately 230 feet south of the proposed facility. Photo simulations (see Attachment 1) submitted by the applicant show that, due to the proposed facility's close proximity to multiple other light standards and an existing cellular facility in the immediate vicinity, the proposed monopole with light fixtures creates a minimal visual impact.

Staff explored possibilities for co-location on the nearby telecommunications facility; however, co-location is not feasible. The existing cellular facility consists of cellular antennas mounted above stadium lights. It is not feasible to co-locate antennas below the stadium lights as; 1) the required cellular coverage could not be achieved and; 2) the antennas would disrupt light distribution by creating large areas of dark shadow on the athletic fields.

- c) ***In order to minimize overall visual impact, wireless communication facilities should be designed to promote facility and site sharing.***

The proposed monopole and light standard is not a new facility. It is a replacement and modification of an existing light tower, and will serve as both a cellular monopole and stadium lighting. The proposed facility's design is similar to the nearby existing cellular tower (antennas mounted above stadium lighting). Co-location below the stadium lights is not feasible (as discussed in "b" above). In order to create co-location space above the lighting fixtures, the pole height would need to be increased by approximately 15 feet to provide adequate space for additional antennas. Such an increase in pole height would significantly increase the visual impact of the facility. Staff believes that the project as proposed (replacement of an existing light standard) is the most effective means of meeting the applicant's requirements and minimizing the visual impact of the cellular facility at the park.

- d) No facility should be installed on an exposed ridgeline, in or at a location readily visible from a public trail or other recreation area, or scenic area unless it is satisfactorily screened or made to appear as a natural environmental feature.**

The proposed tower, equipment cabinets and enclosure will not be located on an exposed ridgeline; however, the facility will be located within Maidu Regional Park. The Maidu Park Bike Trail is south and east the site. The proposed location is within the developed area of the park, and as discussed above, an existing cellular facility is in the immediate vicinity, and there are more than 20 existing light standards in the area to provide lighting for the soccer and softball fields (see Figure 2 above).

Therefore, it is not the first or only utility-type structure in the vicinity, which allows it to blend into the existing visual character of the area. Additionally, there are no large trees in the vicinity; therefore, a monopole made to appear as a tree (monopine) would result in more of a visual impact than the proposed monopole with a non-reflective finish.

- e) Wireless communication facilities should be painted color(s), which are most compatible with their surroundings.**

Condition 3 requires that the tower and all its antennae and appurtenances shall be maintained in a medium non-reflective gray color (identical to existing light poles) which blends with most sky conditions. As discussed above, green slats will be placed in the chain link fence enclosure to match the existing equipment enclosure nearby and to provide additional visual screening of the equipment.

- f) Innovative design should be used whenever the screening potential for the site is low. For example, designing structures, which are compatible with surrounding architecture, or appear as a natural environmental feature, could help mitigate the visual impact of a facility.**

As discussed in General Standards 4 and 5 above, the visual impact of the proposed monopole will be minimal as it will be located in the vicinity of multiple existing stadium light towers and it will be maintained in a non-reflective gray color.

The proposed cellular tower project includes installation of ground-mounted equipment cabinets and an emergency generator within the 900 square foot enclosed area. As discussed above, the design, materials and colors of the proposed equipment enclosure will match that of the existing enclosure at the site.

- g) Wireless communication facilities and all other equipment, such as emergency generators and air conditioners, must be designed to be consistent with the City noise standards when in proximity to sensitive receptors.**

The conditionally permitted use on the site, which will be an unmanned telecommunications facility, typically generates minimal noise levels through the use of electrical equipment such as power supplies and cooling fans. A diesel-powered emergency generator will be located within the equipment enclosure, approximately 450 feet north of the nearest residence which is located south of McLaren Drive, and approximately 750 feet south of Maidu Elementary school.

The generator will operate only during periods of power outages, which are infrequent, and during short test periods which are generally done on a monthly basis. Typically, the noise levels of such generators are similar to that of an automobile. Similar generators are used at cellular sites throughout the City and have not been the source of any noise complaints. It is

anticipated that noise impacts will be minimal and well within the limits established by the City's Municipal Code Section 9.24.

- h) A professional telecommunications expert shall perform an evaluation of the radio frequency certifying that the frequency levels meet Federal standards and that the facility will not interfere with the City's or other public entities emergency broadcast systems.***

Prior to the placement and operation of any equipment on the site, the applicant shall submit a radio frequency evaluation to demonstrate that interference to the City's transmitters/receivers will not occur. Condition 24 reflects this requirement.

- i) Telecommunication Facilities located on a lot adjacent to a residential zone district shall be set back from the residential zone by two (2) feet for each one (1) foot of total height. The required setback shall be measured at its widest potential position.***

The nearest residential property is approximately 700 feet south of the proposed monopole's location. Based on the zoning standard referenced above, the minimum setback from a residential property for the proposed 92' cellular facility is 184 feet. Therefore, the location of the proposed monopole location exceeds the required setback.

- 3. The location, size, design, and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.***

Staff has reviewed the plans and concluded that the location, size, design and operating characteristics of the proposed telecommunications facility will be compatible with the area as discussed below.

**Location:** The proposed monopole will be located approximately 700 feet north of the nearest residence and approximately 500 feet south of Maidu Elementary School. Ground-mounted equipment will be located approximately 430 feet north of the nearest residence, and will not be visible from any nearby streets or properties.

The monopole will be located within the developed portion of Maidu Regional Park between a parking area and softball fields to the west, and soccer fields to the east. The ground equipment will be located adjacent to an existing cellular equipment enclosure (see Vicinity Map and Exhibit A). The lighting fixtures on the new monopole will provide lighting for the soccer field adjacent to the east. Since the new monopole with lighting fixtures will replace an existing soccer field light standard, the new facility will not impact park activities.

**Size and Design:** The height of the proposed monopole ( $\pm 92$  feet) is similar to the nearby existing cellular facility. As discussed above, an existing stadium lighting standard ( $\pm 81$  feet in height) will be replaced by a new cellular monopole with stadium lighting fixtures. Although the overall pole height will increase by approximately 11 feet, the height of the stadium light fixtures will not increase. The stadium lighting on the new monopole will be at a height of approximately 78 feet, which is one foot lower than the height of the light fixtures on the existing pole. Therefore, the visual impact of the stadium lighting on nearby properties will not change.

Following installation of the lighting on the new pole, the applicant will be required to perform a photometric study to ensure that the level and distribution of lighting has not changed and that Parks Lighting Standards are met (see Condition 11).

The facilities will be constructed in compliance with all applicable Building Codes and Engineering Standards (see Condition 5) and will blend with existing light standards in the area. The associated ground equipment will be enclosed by a chain link fence with slats which will reduce the visual impact and match the existing telecommunications equipment enclosure at the site.

**Hazards to Public Safety:** As discussed above, the facility must meet applicable Building Codes and Engineering Standards. The monopole and attached light fixtures will be engineered to meet or exceed applicable wind load factors to ensure that the pole will safely withstand storms or high wind events. The Fire Department has included a condition requiring the applicant to comply with safety precautions for handling of hazardous materials associated with the backup batteries and diesel generator that will be used at the site (see Condition 18). The applicant is aware of the conditions and will provide the required information to the Fire Department.

### **SUMMARY / CONCLUSION**

Staff has reviewed the plans and has concluded that the location, size, design, and operating characteristics of the proposed telecommunication facility will be compatible with the area, will not adversely affect or be materially detrimental to the public health, safety or welfare, and will not be detrimental or injurious to public or private property or improvements.

The proposed equipment area will not be visible from adjacent streets or properties and will be constructed to match an existing telecommunications equipment enclosure at the site. The visual impact of the monopole with lighting fixtures will be minimal because; 1) the height of the stadium light fixtures will not change and; 2) there are many light standards in the vicinity to provide lighting for nearby and adjacent athletic fields. Based on the evaluations above, and as conditioned, staff believes that the Planning Commission can make the required findings and approve the Conditional Use Permit.

In addition to the required findings listed above:

- There were no additional comments or issues raised by other City departments not noted within the conditions of approval.
- In addition to publication and distribution of the Public Hearing Notice for the project, a letter was sent to the Maidu Neighborhood Association and the RCONA (Roseville Coalition of Neighborhood Associations) Board advising of the proposed project. To date, staff has not received any comments about the project.

### **ENVIRONMENTAL DETERMINATION**

The application is Categorically Exempt from environmental review pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) and Section 305 of the City of Roseville CEQA Implementing Procedures.

### **RECOMMENDATION**

The Planning Division recommends that the Planning Commission take the following actions:

- A. Adopt the three findings of fact as stated in the staff report for the **CONDITIONAL USE PERMIT 1550 MAIDU DRIVE – TELECOMMUNICATIONS MONOPOLE - FILE #PL14-0442**; and
- B. Approve the **CONDITIONAL USE PERMIT 1550 MAIDU DRIVE – TELECOMMUNICATIONS MONOPOLE - FILE #PL14-0442**, with 24 conditions of approval.

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT - PL14-0442**

1. The project is approved as shown in Exhibits A – E, and as conditioned or modified below. (Planning)
2. This Conditional Use Permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **January 22, 2017**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of one year from **January 22, 2017**. (Planning)
3. The stadium light pole, antennas and supporting hardware shall be of a non-reflective grey color to match existing stadium light standards at the site. (Planning)
4. All antennae attached to the tower shall be mounted as close as possible to the tower as a means of reducing the visual impacts of the structure. (Planning)
5. Building permit plans shall comply with all applicable code requirements (California Building Code – CBC – based on the International Building Code, California Mechanical Code – CMC – based on the Uniform Mechanical Code, California Plumbing Code – CPC – based on the Uniform Plumbing Code, California Fire Code – CFC – based on the International Fire Code – with City of Roseville Amendments – RFC, California Electrical Code – CEC – based on the National Electrical Code, and California Energy Standards – CEC T-24 Part 6), California Title 24 and the American with Disabilities Act - ADA requirements, and all State and Federally mandated requirements in effect at the time of submittal for building permits (contact the Building Department for applicable Code editions). (Building)
6. Prior to approval of improvement plans or issuance of a building permit for the monopole and related ground-mounted equipment, a lease agreement shall be approved and associated fees shall be paid. (Parks, Planning)
7. All required easements must be obtained prior to start of construction. (Parks, Electric)
8. The applicant shall provide signage on the fencing surrounding the ground-mounted indicating “Flammable Liquid” (generator) and “High Voltage” (electrical). (Parks)
9. Design and construction of the equipment enclosure, including fence post spacing and footings, shall comply with the current Parks Construction Standards. (Parks)
10. Privacy slats in chain link fence enclosure shall match the color (green) of the existing equipment enclosure located south of the proposed enclosure. (Planning, Parks)
11. The applicant shall perform a photometric study and test stadium lights relocated on the new pole to ensure that the level and distribution of lighting has not changed, and that proper photometric coverage on athletic fields is provided. (Parks, Planning)
12. The applicant shall pay City’s actual costs for providing plan check, mapping, GIS, and inspection services. This may be a combination of staff costs and direct billing for contract professional services. (Public Works, Environmental Utilities, Electric, Finance)
13. Applicant shall specify the facility’s electric service requirements at the time of plan submittal. An electrical sheet with a power one-line diagram is required for Roseville Electric to determine the equipment and routing requirements to serve this project. (Electric)

14. An existing 120/240Volt single phase transformer is located approximately 330 feet southwest of the proposed lease area and will be the Point Of Connection for this electric service. The developer shall install an electric metered service pedestal in accordance with Roseville Electric's Specifications for Commercial Construction and the National Electric Code. (Electric)
15. If it is necessary to relocate any existing electrical equipment, the relocation will be at the developer's expense. (Electric)
16. Developer shall pay all costs associated with establishing electrical service to this site, as designed by Roseville Electric. (Electric)
17. Since a generator is utilized at the site, a designated break-before-make transfer switch will be required. (Electric)
18. Due to the proposed cell site's utilization of cabinet/storage back-up batteries, diesel generator and fuel tank, a fire department hazardous material permit shall be required prior to use as indicated in the conditions of approval. A permit fee shall be applied to such review and inspections. For further information regarding this matter, contact Steve Anderson with the Fire Department at (916) 774-5821. (Fire)
19. Over-grading onto the adjacent park property shall be prohibited. (Parks)
20. No access to the cell tower site shall be permitted off the bicycle path/access road adjacent to McLaren Drive south of the project site. (Parks, Planning)
21. Construction activity associated with the project (trenching, boring, etc.) shall not occur within the dripline of existing trees in the vicinity of the project area. Damage to the trees during the course of construction shall be the property owner's responsibility. (Parks)
22. The project is subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is exempt between the hours of seven a.m. and seven p.m. Monday through Friday, and between the hours of 8:00 a.m. and 8:00 p.m. Saturday and Sunday. Provided, however, that all construction equipment shall be fitted with factory installed muffling devices and that all construction equipment shall be maintained in good working order. (Building)
23. The design and installation of all fire protection equipment shall conform to the California Fire Code and the amendments adopted by the City of Roseville, along with all standards and policies implemented by the Roseville Fire Department. (Fire)
24. Prior to improvement/building plan approval, the applicant shall provide radio coverage documentation indicating that this cellular facility will not interfere with public safety amplification signals to the satisfaction of the City. (Fire)

## **ATTACHMENT**

1. Photosims

## **EXHIBITS**

- A. Site Plan
- B. Antenna Plan
- C. Complete Facility (Monopole & Equipment Shelter) Elevations
- D. Equipment Enclosure Elevations

## E. Monopole Elevations

**Note to Applicant and/or Developer:** Please contact the Planning & Redevelopment Department staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning & Redevelopment Director at, or prior to, the public hearing.