



ITEM IV-C: CONDITIONAL USE PERMIT – 350 ATLANTIC ST – AAT COMMUNICATIONS TOWER – FILE# CUP 05-03

REQUEST

The applicant requests approval of a Conditional Use Permit to construct a 120 foot high lattice tower, capable of supporting antennae of five wireless carriers. The tower will also provide a platform for mounting video cameras for monitoring the Union Pacific rail yard.

Applicant – Nathan Smith, AAT Communications
 Property Owner – Union Pacific Railroad

SUMMARY RECOMMENDATION

The Planning & Redevelopment Department 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 ten (10) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues. The applicant has reviewed the recommendations and is in agreement with all conditions of approval.

SITE INFORMATION

Location: 350 Atlantic Street, in the Union Pacific rail yard

Roseville Coalition Of Neighborhood Associations (RCONA): This parcel is located within the Roseville Heights Neighborhood (20). No comments have been received in response to this application.

Adjacent Zoning and Land Use

	Zoning	General Plan Land Use	Actual Use Of Property
Site	Light Industrial, M1	General Industrial, IND	Union Pacific Railroad
North	Attached Housing District, R3	Low Density Residential, LDR	Residential
East	Central Business District, CBD	Central Business District, CBD	Commercial
South	CBD	CBD	Commercial
West	Old Town Historic District, HD	CBD	Commercial

EVALUATION

The applicant proposes to construct a 120 foot high tower on a 4,500 square foot lease area located in the Union Pacific rail yard. The location is approximately 350 feet northwest of Atlantic Street, 350 feet southwest of Roseville Street and 425 feet northeast of Lincoln Street (Attachments 1 & 2). The three-legged self-supporting tower will be sturdy enough to support antennae for five telecommunications carriers. As an added benefit, the tower will support the video cameras currently mounted on a less sturdy four-legged lattice tower; then that old tower will be removed. The lease space is also sized to accommodate ground-mounted equipment for five telecommunications carriers. The Zoning Ordinance requires a Conditional Use Permit for all telecommunications towers/facilities exceeding 60 feet in height (Section 19.34.020.D).

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 is consistent with the City of Roseville General Plan.

The site is designated IND, General Industrial in the General Plan and the existing operations of the Union Pacific rail yard are consistent with this land use designation. Telecommunication facilities are allowed in every land use designation as a public service.

2. The proposed use conforms with all applicable standards and requirements of the City of Roseville Zoning Ordinance.

Telecommunications facilities are allowed in all zoning districts subject to conformance with general standards. The following criteria from Section 19.34.030 apply to towers.

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.

A building mounted antenna is not possible because there are no multi-story buildings in the vicinity.

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

The applicant considered using the existing 115 foot high Union Pacific camera tower for co-locating antennae, but determined the four-legged lattice structure is not rigid enough. Communications carriers prefer the more rigid three-legged structure because their service tends to degrade when the antennae sway in the wind.

The tower will be visible from the central business district and surrounding neighborhoods, but will be in context with the industrial character of the rail yard. The applicant has submitted photo simulations of the proposed tower, which depicts its aesthetic impact (Attachments 3 & 4). The existing tower in the rail yard will be removed and result in there being only one tower on the site.

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

The proposed tower is designed to support antennae for five carriers and the ground lease area has space for five equipment pads, consistent with this standard. Metro PCS will begin operations as soon as the facility is constructed. The video monitoring cameras will also be installed and the existing tower will be removed so the visual impact will be of one tower. Up to four additional carriers may be established on the facility subject to the requirements of Section 19.34.030. Antennae and equipment

that meet the requirements can be approved administratively; those that do not may require an Administrative Permit or a Use Permit.

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 facility is consistent with this criterion, because the site is not visible from these sensitive locations.

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

The permit conditions require the tower, antenna panels and all visible appurtenances to be maintained in a non-reflective medium gray color.

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.

The proposed tower is designed to support five telecommunications carriers and the rail yard monitoring cameras, thus reducing the need for additional towers. There are no surrounding architectural or natural environmental features that could be used to help mitigate the visual impact.

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.

Typical ground mounted equipment may include air condition units. However, the nearest sensitive receptors are residential units approximately 400 feet away and the distance will effectively attenuate the noise to the General Plan standard.

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.

The frequencies used by Metro PCS are more than 1 GHz above the City's transmitters/receivers and will not interfere with the City's systems. Before any additional carrier may locate on the tower, it also must demonstrate that it will not interfere.

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 proposed facility meets this criterion because the 120 foot high tower will be 350 feet from the adjacent residential zone district to the northeast.

j. Substantial landscaping or other screening should be provided to reasonably buffer any adjoining residential uses from the potential visual impacts of the facility. Landscape screening should be designed to achieve its desired appearance in a reasonable period of time.

The facility will be visible from off-site and landscape screening of a 120 foot high tower is not feasible. The chain link fence surrounding the ground equipment will be fitted with privacy slats.

k. Guy wires or support structures shall not overhang any property line.

The facility meets this criterion because the proposed three-legged lattice tower is self-supporting and guy wires are not proposed.

1. The antennas attached to a tower should be mounted as close as possible to the tower as a means of reducing the visual impacts of the antenna structures.

The permit conditions require the antenna panels to be mounted at the top of the tower as close as possible to reduce the visual impact.

3. The location, size, design and operating characteristics of the proposed use 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.

The proposed tower will not be detrimental or injurious to other properties because it is in the middle of the rail yard and at least 350 feet from adjacent properties. The tower will be visible from the central business district and surrounding neighborhoods, but will be in context with the industrial character of the rail yard. The existing 115 foot high tower in the rail yard will be removed with this project. The design and operating characteristics of the facility will not affect the health, safety or welfare of persons and businesses in the area.

SUMMARY / CONCLUSION

Based on the evaluations above, staff believes that the Planning Commission can make the required findings and approve the Conditional Use Permit.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, which exempts new construction of small facilities and structures.

RECOMMENDATION

The Planning & Redevelopment Department 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 – 350 Atlantic Street – AAT Telecommunications Tower – File # CUP 05-03; and
- B. Approve the Conditional Use Permit – 350 Atlantic Street – AAT Telecommunications Tower – File # CUP 05-03 with ten (10) conditions of approval.

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #CUP 05-03

- 1. The project is approved as shown in Exhibits A - E and as conditioned or modified below.
(Planning)
- 2. This permit shall be valid for a period of two (2) years from this date and shall expire on **June 23, 2007**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, that this approval shall be extended for no more than one year from **June 23, 2007**.
(Planning)

3. The plans submitted to the Building Department for permits shall indicate all approved revisions/alterations as approved by this permit, including all conditions of approval. (Building)
4. Building permit plans shall comply with all applicable code requirements (Uniform Building Code - UBC, Uniform Mechanical Code - UMC, Uniform Plumbing Code - UPC, Uniform Fire Codes - UFC and National Electrical Code - NEC), 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)
5. 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 eight a.m. and eight 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)
6. The tower and all its antennae and appurtenances shall be maintained in a medium non-reflective gray color. (Planning)
7. 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)
8. An updated frequency evaluation shall be submitted to the Planning & Redevelopment Department prior to the establishment of any new service to demonstrate the frequencies will not interfere with the City's emergency broadcast services. (Planning)
9. The tower shall be designed to support antennae for five carriers and shall be made available for lease to other carriers. (Planning)
10. The existing camera tower shall be removed within thirty days of the construction of the new tower. (Planning)

ATTACHMENTS

1. Vicinity Map
2. Aerial Photograph
- 3, 4 Photosimulations

EXHIBITS

- A. Title Page and Project Information
- B. Site Survey
- C. Site Plan
- D. Elevations
- E. 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 Director at, or prior to, the public hearing.