

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING DECEMBER 10, 2009

Prepared by: Wayne Wiley, Associate Planner

ITEM IV-C:

CONDITIONAL USE PERMIT - 1620 EAST ROSEVILLE PARKWAY - NERSP PARCEL 3 CLEARWIRE CELL TOWER EXTENSION - FILE # 2009PL-100 (CUP-000058)

REQUEST

The applicant requests approval of a Conditional Use Permit to allow a 6-foot extension of an existing 139-foot PG&E tower with three new cellular antennas and three microwave dishes. A Conditional Use Permit is required for increasing the height of towers that exceed sixty feet in height.

Applicant – Dale Smith, Clearwire US, LLC Property Owner – Eric Jacobson, Pacific Gas and Electric Company

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 eight (8) 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

The project site is located at 1620 E. Roseville Parkway in the Northeast Roseville Specific Plan area. The site is zoned Business Professional and is developed with an office building. The parcel is located on the corner of Lead Hill Boulevard and East Roseville Parkway and has an existing 139-foot tall PG&E tower located towards the northwest of the property. The property is roughly bounded by single family homes to the east, an apartment complex to the north, and office buildings to the south and west (See Figure 1, page 2).

At this time, the applicant proposes to co-locate three antennas and three microwave dishes on the existing PG&E tower. The PG&E lattice tower itself is 139 feet tall. There is an existing six-foot tall extension ("top hat") on the tower that was placed by Sprint Wireless Communication when a previous co-location was attached to the tower. The current request is to increase the height of the existing tower from 139 feet to approximately 145 feet. The applicant proposes to remove the existing six-foot extension and replace it with a 12-foot extension. The 12-foot extension, inclusive of three antennas and three dishes, will be necessary to provide adequate separation between the power lines and the proposed panel antennas. The antennas will be mounted at the top of the extension, approximately 140-feet above grade. The electronic equipment will be located below, within the footprint of the tower and concealed behind a six-foot tall wooden fence.



Figure 1: Zoning and Land Use

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 and the Northeast Roseville Specific Plan.

The land use designation of the subject property is Business Professional. Telecommunication facilities are allowed in every land use designation as a public service. The proposed facility will be designed and constructed in a manner consistent with adopted land use policies and appropriate design guidelines to the extent possible. The existing PG&E tower, proposed antennas, and telecommunication facility are consistent with the General Plan. The proposed use does not conflict with any policies identified in the Northeast Roseville Specific Plan. The General Plan relies on the Zoning Ordinance to determine the appropriate location and design of telecommunication facilities through the Conditional Use Permit process.

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

Telecommunications facilities are allowed in all zoning districts subject to conformance with general standards. The following standards from Zoning Ordinance Section 19.34.030 (General Standards) apply to all antennas and telecommunication facilities and were used to evaluate the request.

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 desired 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 Zoning Ordinance encourages the co-location of antennas on existing towers wherever feasible, because facility and site sharing minimizes impacts to the surrounding properties and facilitates the improvements needed to enhance telecommunications service capacity. As such, the applicant proposes to co-locate six antennas on an existing PG&E tower and locate the associated ground-equipment within the footprint of the tower. The proposed location is appropriate because it allows for co-location and joint use of the site which will eliminate the need for a new monopole and only result in an overall increase of the tower height by approximately six feet.

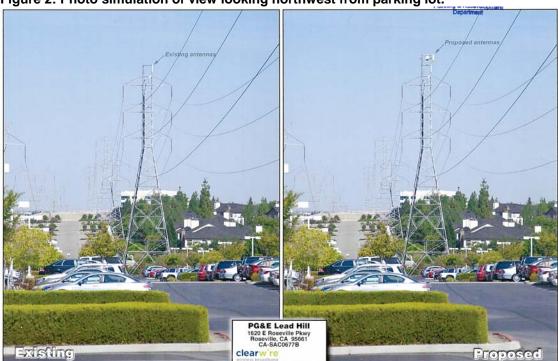


Figure 2: Photo simulation of view looking northwest from parking lot.

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

PG&E towers are ideal for telecommunications co-locations. They provide the necessary height for optimal antenna placement in areas that generally have maximum height restrictions. Additionally, these towers have a dedicated power source, and often have established access to the site.

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 antennas will be placed on an existing PG&E tower, which will prevent the need for a new facility where one does not already exist. The tower is setback approximately 100 feet from the nearest street (Lead Hill Boulevard), and is located towards the northwest corner of the parcel. The primary use of the property is for an office building. Although not a "natural" feature, PG&E towers are a consistent feature throughout the City. In addition, the subject tower is located within a power line easement corridor that contains several towers of similar height. There are two PG&E towers of similar height located within 180 feet of the subject tower and additional towers are visible along the sight lines of the easement corridor. The proposed tower height will be increased by six feet, and given the existing height and the latticed design, and based on similar features within close proximity, the increased tower height will not be significantly noticeable from adjacent parcels (see Attachment 1).

Currently, there is no screening provided for the existing PG&E ground equipment. A wooden fence, six feet (6') in height will screen the equipment, and provide security for the site. Since ground equipment for the tower already exists at the site, and additional screening is planned for the site, staff does not anticipate any adverse impacts to the surrounding properties. To ensure the attractiveness and longevity of the fence, staff has included **Condition 4** which requires that the fence be constructed of redwood and be water sealed.

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

Condition 3 has been included to require the antenna panels, microwave dishes, and all visible appurtenances be painted a uniform low-gloss medium gray color to blend with the surrounding PG&E towers.

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.

There are no surrounding architectural or environmental features that could be used, and the visual impact of the proposed antennas is low, given that the tower already exists, the new antennas will be mounted at a height of 140', and there is other electric equipment at that height.

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 closest sensitive receptors (Rosemead Apartments) are approximately 150 feet away (across Lead Hill Boulevard) from the tower. The proposed equipment will be located next to the existing ground-mounted equipment, which typically generates minimal noise levels through the use of electrical equipment, such as power supplies and cooling fans. The applicant indicates that the equipment will generate minimal noise output (comparable to a household refrigerator). It is anticipated that long-term noise impacts over and above the ambient noise levels (traffic, power lines, residential dwellings, etc.) will be minimal and well within the limits established by the City's Municipal Code Section 9.24. To ensure this, staff has included **Condition 5** which requires the project to comply with the City's Noise Ordinance.

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.

Condition 7 requires the applicant to provide documentation that the telecommunications facility will not interfere with public safety amplification signals.

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.

This standard is intended to be applied to the location of new towers. The PG&E tower is existing and is not adjacent to any residential zones.

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.

Location: The proposed antennas will be located on an existing PG&E tower to minimize the need and impact of additional towers. The facility and ground equipment will be accessed from the parking lot. The site has been operating as a cell site without any problems and adding another six feet and six more antennas/dishes will not be detrimental.

Size and Design: The applicant proposes to install three antennas and three one to two-foot tall microwave dishes on an existing tower and locate the associated unmanned equipment within a 200 square-foot lease area within in the tower's footprint (see Exhibit A). All ground equipment will be screened by a six-foot wooden fence.

Hazards to Public Safety: The Fire Department included **Condition 6**, requiring the applicant to comply with safety precautions for handling of hazardous materials. 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 concluded that the location, size, design, and operating characteristics of the proposed telecommunication facility will be compatible with the area. The proposed equipment area will be adequately screened; and although the antennas will be visible from adjacent views, the impact will not be significant due to the appearance and height of the existing PG&E tower. 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 application is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines pertaining to alterations to existing facilities, and pursuant to Section 305 of the Roseville CEQA Implementing Procedures.

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 – 1620 E. ROSEVILLE PARKWAY – NERSP PARCEL 3 CLEARWIRE CELL TOWER EXTENSION – FILE # 2009PL-100 (CUP-000058); and

B. Approve the CONDITIONAL USE PERMIT – 1620 E. ROSEVILLE PARKWAY – NERSP PARCEL 3 CLEARWIRE CELL TOWER EXTENSION – FILE # 2009PL-100 (CUP-000058) with eight (8) conditions of approval.

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP-000058)

- 1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
- 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 **December 10, 2011**. 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 **December 10, 2011**. (Planning)
- 3. The antenna panels, microwave dishes, and all visible appurtenances shall be painted a uniform low-gloss medium gray color to match the transmission tower. (Planning)
- 4. The equipment pad area shall be screened by a six (6) foot tall redwood fence. The fence shall be water sealed to the satisfaction of the Planning & Redevelopment Department. (Planning)
- 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. Use or storage of hazardous materials, liquids, gases and/or chemicals shall meet the requirements of the Chapter 6.95 of the Health and Safety Code, the Roseville Fire Department and the National Fire Codes. Submit a complete plan set and the Hazardous Materials Business Plan, including names and amount of any hazardous materials that will be stored or used, to the Bureau of Fire Prevention for review and approval. A permit application shall also be provided at the time of submittal. Contact Steve Anderson of our Hazardous Materials Division within the Fire Department at (916) 774-5821 to initiate the process. (Fire)
- 7. 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)
- 8. 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

EXHIBIT

1. Photo Simulations

A. Site Plan and 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.