

ITEM IV-B. CONDITIONAL USE PERMIT – 2000 WINDING CREEK ROAD – METRO PCS TOWER EXTENSION – FILE #2008PL-073 (PROJECT # CUP-000052)

REQUEST

The applicant requests approval of a Conditional Use Permit to allow three 12-foot tall cellular stealth antennas to be placed on top an existing 134-foot tall transmission line tower and to allow a 192 square foot six-foot tall equipment enclosure to be located at the base of the tower. A Conditional Use Permit is required for towers that exceed sixty-feet in height and equipment enclosures that exceed 160 square feet.

Applicant – Karen Lienert, Metro PCS
Property Owner – Mark IV Capital Inc.

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 eleven (11) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

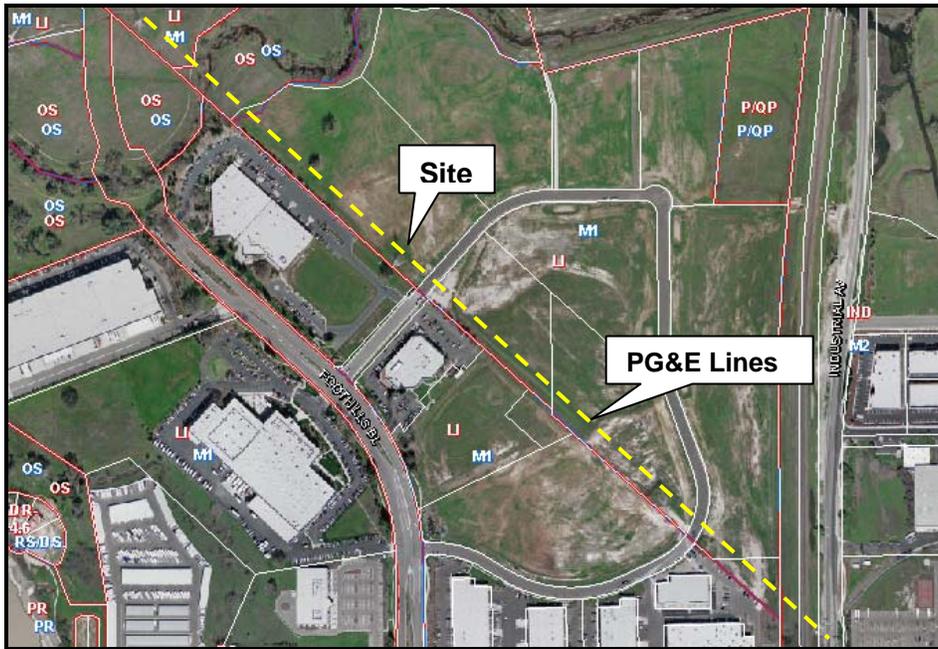
There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended conditions of approval.

BACKGROUND

The project site is located at 2000 Winding Creek Road in the North Industrial Planning Area. Winding Creek Road is accessed from Foothills Boulevard and is north of Blue Oaks Boulevard (see Figure 1). The subject parcel is currently vacant with the exception of one 134-foot tall PG&E tower and accompanying power lines that traverse the site. The parcel is part of the nine lot Foothills Business Park subdivision, which was approved by the Planning Commission on October 26, 2007. The City has yet to receive an application for development of the subject parcel.

The current request is to increase the height of an existing PG&E tower from 134 feet to approximately 146 feet. The applicant proposes to locate three antennas atop the PG&E tower and locate associated facility support equipment below within a 192 square-foot enclosure and within the existing footprint of the tower. A Conditional Use Permit is required for telecommunication towers that exceed 60-feet in height and equipment enclosures that exceed 160 square feet.

Figure 1: Land Use and Zoning



FINDINGS & EVALUATION

An existing 134-foot tall PG&E transmission tower is located towards the southwest end of the subject property, approximately 100 feet from Winding Creek Road. The high voltage transmission tower is currently void of any telecommunication antennas and the applicant proposes to attach three Metro PCS antennas atop the tower. A 12-foot extension, inclusive of the antennas, will be necessary to provide adequate separation between the power lines and the proposed panel antennas, as shown in Figure 2. The electronic equipment will be located below, within the footprint of the tower and concealed behind a new six-foot tall CMU wall.

Figure 2: Photo Simulation



The City encourages co-locating antennas on existing towers wherever feasible; as facility and site sharing results in minimal impacts to the surrounding properties, while also providing the necessary improvements needed to enhance service capacity.

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.*

Telecommunication facilities are allowed in every land use designation as a public service. The proposed facilities 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 and proposed antennas and telecommunication facility are consistent with the General Plan. The General Plan relies on the Zoning Ordinance for 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 pertinent standard is that telecommunications facilities should be designed to promote facility and site sharing in order to minimize visual impacts. The intent is that by sharing towers, fewer towers need to be constructed, resulting in fewer visual impacts. Transmission towers are increasingly being used for co-locating telecommunications antennas, which minimizes the need for new towers and does not detract from the existing appearance.

The following standards from the Zoning Ordinance Section 19.34.030 apply to all antennas and telecommunication facilities.

- 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 applicant proposes to co-locate three 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. However, in order to provide appropriate clearance from the transmission line and to provide adequate cellular service, the new antennas will need to be placed above the highest power line, which will result in an increase of the tower height by approximately 12 feet.

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

The antenna panels will be mounted atop the existing PG&E tower as close as possible to reduce the visual impact. The antennas will be stealth antennas and will appear as an extension of the tower structure.

- 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 transmission tower, which will minimize the visual impact from adjacent views. The tower is in an industrial area of the City and not in a recreational or scenic area.

- 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 and all visible appurtenances be painted a uniform low-gloss medium gray color to blend with the surrounding transmission 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.***

The proposed design will allow for maximum service capacity, while presenting the least visible impact to surrounding properties. There are no surrounding architectural or environmental features that could be used to help mitigate the visual impact. The structure supporting the antennas has been designed to match the existing tower and will appear as a seamless extension of the tower. The associated equipment will be screened by a split-face CMU block wall (Condition 3).

- 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 site is in a predominately undeveloped industrial area. The equipment will not be in proximity to any sensitive receptors. In addition, the applicant indicates that the equipment will generate minimal noise output (comparable to a household refrigerator). The six-foot tall wall will also effectively reduce noise transmission.

- 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 10 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.***

The subject lot is not adjacent to residential parcels.

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 transmission tower to minimize the need and impact of additional towers. The location will not be detrimental to the health, safety or welfare of

persons working in the area, nor will it prevent future improvements of the site. The tower is not located near residential properties.

Size and Design: The applicant proposes to install three antennas on an existing PG&E tower and locate two unmanned equipment cabinets and support equipment within a 192 square-foot area below the transmission tower (see Exhibits A). A six-foot tall CMU wall will enclose and screen the equipment area. Upon development of the adjacent site, landscaping will be incorporated that will add additional screening of the wall.

Hazards to Public Safety: The Fire Department included **Condition 11**, 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 existing transmission towers nearby. 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 15301(e) pertaining to existing facilities.

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 – 2000 WINDING CREEK ROAD – METRO PCS TOWER EXTENSION - 2008PL-073; and
- B. Approve the CONDITIONAL USE PERMIT – CONDITIONAL USE PERMIT – 2000 WINDING CREEK ROAD – METRO PCS TOWER EXTENSION - 2008PL-073 with eleven (11) conditions of approval.

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP-000052)

1. The project is approved as shown in Exhibit A 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 **August 14, 2010**. 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 **August 14, 2010**.
3. The antenna panels and all visible appurtenances shall be painted a uniform low-gloss medium gray color to match the transmission tower. The CMU wall shall be earth toned split-face and the access doors shall be painted a similar color. (Planning)

4. 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)
5. Winding Creek Road is a moratorium street. The electrical crossing shall be done through jack and bore. (Engineering)
6. For all work to be performed off-site, permission to enter and construct shall be obtained from the property owner, in the form of a notarized right-of-entry. Said notarized right-of-entry shall be provided to Engineering prior to approval of any plans. (Engineering)
7. Roseville Electric will generate an electrical site design indicating the extension of an electrical utility service box from existing transformer on Winding Creek to the base of the electrical tower. The electrical service box will act as the point of connection from the utility to the customer. The proposed metered pedestal will need to be located near the base of the tower. Any labor and materials required to extend electrical power to tower will be at the developer's expense. Developer will be required to submit electrical drawings to the City of Roseville's Electric department. Electrical drawings are to include site location of metered pedestal, manufactures drawings of proposed metered pedestal with make, model, voltage, main breaker size, and single line diagrams. Roseville Electric will approve a maximum panel size of 200amp from the proposed electrical service location. Electrical permit will be approved only after these electrical drawings have been reviewed and approved by the Electric Department. (Electric)
8. The developer will be responsible for obtaining all easements necessary to extend service from the transformer to the metered service pedestal and to the tower. (Electric)
9. 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)
10. 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)
11. A fire department hazardous material permit is required for the installation of this cell site in accordance with the conditions of approval. A fire department approval is required prior to operations. (Fire).

ATTACHMENTS

1. Photo Simulation (looking north along Foothill Bl)
2. Photo Simulation (looking northeast from Winding Creek Rd)

EXHIBITS

- A. Project Plans

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.