

ITEM IV-B: CONDITIONAL USE PERMIT – 2030 TAYLOR RD – CLEARWIRE TELECOMMUNICATIONS TOWER – FILE# 2007PL-128 (PROJECT# CUP-000048)

REQUEST

The applicant requests approval of a Conditional Use Permit to increase the height of an existing 63-foot tall cellular tower to 78 feet, and to construct a nine square foot, 5'-2" tall cellular equipment cabinet. The Zoning Ordinance requires approval of a Conditional Use Permit for the increased tower height.

Applicant – Clearwire US LLC
Property Owner – Frank P. Andrews Jr.

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 seven (7) 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 all recommended conditions of approval.

BACKGROUND

The subject property is located at 2030 Taylor Road within the Infill Area. The site is adjacent to and visible from Interstate 80 and the HWY 65 on-ramp. The parcel is currently developed with an industrial building that is occupied by a rental car company and an auto repair business. A 63 foot monopole and associated equipment enclosure is located behind the building and at the northeast corner of the property. According to City records, the existing telecommunications facility was constructed in 1996.

The existing monopole is shared by two companies with antennas attached to the pole at two different locations. The first set of antennas is flush mounted and is attached at a height of 45 feet. The second set of antennas is a series of panels that extend horizontally from the pole approximately 10 feet and are located at the top of the monopole. Both companies also have equipment located within an enclosure that surrounds the base of the monopole. The enclosure is constructed of an 8 feet tall chain link fence and is approximately 33 feet wide by 49 feet deep.

The current request is to co-locate additional antennas on the existing monopole and increase the pole height from 63 feet to 78 feet. Specifically, the applicant proposes to remove the existing panel antennas, locate three new Clearwire antennas on top the existing pole, add a new fifteen foot pole extension, and replace the panel antennas with flush mounted antennas on top of the pole extension. The applicant is also proposing to locate a new cellular equipment cabinet and associated facility support equipment within the existing equipment enclosure.

SITE INFORMATION

Location: 2030 Taylor Road, APN 015-162-005-000

Roseville Coalition of Neighborhood Associations (RCONA): This parcel is located within the east Roseville Parkway Neighborhood Association. To date, the Planning & Redevelopment Department has not received any inquiries or comments regarding the project.

Total Size: The total Clearwire leased area is 6' x 7' (42 square feet) within the existing enclosure.

Site Access: Access to the subject property will be provided through an existing driveway on Taylor Road. The monopole and equipment enclosure are located at the rear of the property and can be accessed via existing drive isles onsite.

ADJACENT ZONING AND LAND USE



FINDINGS & EVALUATION

The existing 63-foot tall monopole is located towards the northwest property line of the subject site. The tower is only slightly visible from Taylor Rd as it is located behind an existing building. The monopole is also slightly visible from the Interstate 80 and Hwy 65 interchange. The applicant is proposing to extend the height of the monopole and streamline the appearance by attaching the antennas as close to the pole as possible (as seen in the following Figure 1 photo simulation).

Figure 1: Photo Simulation (Interstate 80/Hwy 65 Interchange)



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.

The Zoning Ordinance requires a Conditional Use Permit for all telecommunications towers/facilities exceeding 60 feet in height. 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.

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, appropriate design guidelines, and zoning regulations. The General Plan relies on the Zoning Ordinance to regulate the height and placement of telecommunication facilities. The existing tower and proposed antennas and telecommunication facility are consistent with the General Plan. If the Conditional Use Permit is approved, the tower height increase will be consistent with the General Plan.

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. The application to extend the monopole will allow for an additional service provider to co-locate on an existing tower with minimal visual impact, thus meeting the intent of the development standards.

The following standards from the Zoning Ordinance Section 19.34.030 also 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 locate three antennas on an existing tower and locate the associated ground equipment within the existing enclosure. The proposed location is appropriate because it allows for co-location and joint use of the site. In addition, the existing monopole is located in an area that provides screening of the enclosure and partial screening of the monopole.

- 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 on an existing monopole as close as possible to reduce the visual impact. The increase in height of the tower will allow for three providers to co-locate on the monopole and share the facility 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 property is not visible from any recreation areas or scenic vistas. The monopole is slightly screened by existing landscaping surrounding the parcel.

- 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, all visible appurtenances, and the extension pole to be painted a uniform low-gloss gray color to blend with the existing monopole.

- 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. Additionally, the telecommunications facility is not in a highly visible location, so camouflage is not necessary.

- 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 facility is located adjacent to Interstate 80, HWY 65 and in close proximity to the railroad tracks. Staff does not anticipate any significant noise related impacts from the equipment.

- 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 6 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 facility is not located adjacent to a residential zone district.

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 monopole and the associated equipment will be located within an existing enclosure. The co-locating of the facility will minimize the impacts by reducing the number of towers required to allow an additional service provider.

Size and Design: The size and design of the monopole and antennas is compatible with and will not adversely affect or be detrimental to person or property within the vicinity.

Hazards to Public Safety: The Fire Department included **Condition 7**, 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 due to its location and surrounding landscaping; and although the antennas will be visible from adjacent views, the increase in height will not be significant. 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 – 2030 TAYLOR RD – CLEARWIRE TELECOMMUNICATIONS TOWER – FILE # 2007PL-128**; and
- B. Approve the **CONDITIONAL USE PERMIT – 2030 TAYLOR RD – CLEARWIRE TELECOMMUNICATIONS TOWER – FILE # 2007PL-128** with seven (7) conditions of approval.

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #CUP-00048

1. The project is approved as shown in Exhibits A - F 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 **October 25, 2009**. 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 **October 25, 2009**. (Planning)
3. The antenna panels and all visible appurtenances shall be painted a uniform low-gloss gray color to match the existing monopole. (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. 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)
6. A fire department hazardous material permit is required prior to operations. (Fire).
7. 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)

Attachments

1. Photo Simulation
2. Project Description (by Applicant)

Exhibits

- A. Title Sheet
- B. Site Plan
- C. Enlarged Lease Area
- D. Elevations
- E. Elevations
- F. Antenna Layout & Cabinet Details

Note to Applicant and/or Developer: Please contact the Planning 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.