

**ITEM IV-B:    **CONDITIONAL USE PERMIT – 1110 MELODY LANE – SPRINT WIRELESS TELECOMMUNICATION FACILITY – FILE# 2013PL-015 (CUP-000082)****

**REQUEST**

The applicant requests approval of a Conditional Use Permit to modify the design of an existing telecommunication facility by changing the stealth design to a traditional antenna array to accommodate new antenna technology.

Applicant: Tim Page, Crown Castle  
Property Owner: Rick Patterson, M2 Melody, LLC

**SUMMARY RECOMMENDATION**

The Planning 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 nine (9) 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 1110 Melody Lane within the City's Infill Area and is currently developed with a 5,100 square foot office building and related site improvements. In addition, an existing 51' tall Sprint monopole is located near the corner of Melody Lane and Harmony Way. The parcel has a Zoning and Land Use Designation of Neighborhood Commercial and Community Commercial, respectively, and is bounded by commercial parcels to the north and south, Melody Lane and Interstate 80 to the east, and commercial and residential properties to the west.

In February of 1997, a Conditional Use Permit (CUP) was approved by the Planning Commission allowing the construction of the 51' tall monopole adjacent to Melody Lane. The City's Zoning Ordinance (Chapter 19.34) establishes setback and height standards for the placement of antennas and towers in all zoning districts in an effort to ensure compatibility with adjacent land uses. Antennas and communication facilities are permitted on developed parcels within all commercial and industrial zones (Zoning Ordinance, Chapter 19.12). However, due to the location of the monopole (between the building and the street) approval of a Conditional Use Permit was required.

At this time, the applicant proposes to modify the monopole's existing streamline design to a more traditional design in order to accommodate new antenna technology. As such, the previously approved stealth design will be altered by the installation of Remote Radio Units (RRU's) which will require larger antennas with a greater separation from the pole. With the proposed modifications, the antenna array circumference will increase by approximately three feet; however, the installation of the new telecommunication equipment will provide enhanced coverage to Sprint's desired service areas.



- 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.***

There are no existing monopoles or suitable towers in the vicinity that would allow Sprint to achieve its coverage objectives. The current location of the monopole will not change and the scope of work is limited to replacing the existing antennas with new equipment and placing two cabinets in the existing equipment shelter. Staff does not recommend any additional changes to the monopole design based on the use of the existing pole and ground mounted equipment for the past eight years with no complaints.

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

Based on the current height, no additional carriers could co-locate at this 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 the existing monopole, and will not result in significant visual impacts on adjacent views beyond the current condition. The tower is located between two commercial buildings to the north and landscaping along Melody Lane to the south and is 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 existing tower.

- 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 remodel of the Sprint tower will result in a metal frame antenna array attached near the top of the pole in the same location as the existing antennas. The antenna panels will be attached to the metal frame such that they extend approximately three feet from the monopole (see Attachment 1). This design is typical of a standard monopole (and deviates from the current stealth design), but will provide Sprint with enhanced coverage and reduce the need for additional telecommunications facilities. Therefore, on balance, staff finds the increase in the antenna radius appropriate.

- 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.***

No additional noise impacts will result from the proposed antenna equipment and two new units located in the existing enclosure. It is anticipated that noise impacts 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 9** 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.**

With the proposed modifications, the existing monopole will not increase above the existing height of 51' and will maintain the 103' setback from the nearest residential property. As such, the project conforms to this standard.

- 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.**

Since the construction of the original monopole the landscaping has significantly grown. As such, the facility support equipment will not be visible from off site and the existing monopole is only partially visible from surrounding views as the facility is screened by two buildings, including a two-story office building, and mature landscaping.



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

The facility meets this criterion because the existing monopole is the sole support structure and guy wires are not proposed.

- l. The antennas attached to a monopole should be mounted as close as possible to the monopole as a means of reducing the visual impacts of the antenna structures.**

The proposed monopole will be equipped with three antenna panels that will need to be located near the top of the structure to provide service to the desired coverage area. With the required equipment for the proposed technology, the antennas will be mounted as close as possible to the pole, approximately three feet on center.

- 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 existing antennas will be replaced with the proposed RRU's and new antenna equipment. In addition, two new units will be installed in the existing enclosure. Beyond that, no additional changes to the facility will occur and access to the site will not change.

**Size and Design:** With the installation of the new telecommunication equipment, the antenna circumference will increase by approximately three feet. However, the height of the monopole will not increase and the enclosed ground mounted equipment area will not change.

**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 has concluded that the location, size, design, and operating characteristics of the proposed telecommunication facility will continue to be compatible with the area. The proposed equipment area will be adequately screened; and although the antennas will be visible from adjacent properties, the impact will not be significant as it is a minor change to the antenna array. Staff has notified the Cresthaven Neighborhood Association and notices were distributed to adjacent property owners within 300 feet of the subject site. To date, staff has not been contacted by any interested parties. Based on the evaluation 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 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 – 1110 MELODY LANE – SPRINT WIRELESS TELECOMMUNICATION FACILITY – FILE #2013PL-015 (PROJECT # CUP-000082)**; and
- B. Approve the **CONDITIONAL USE PERMIT – 1110 MELODY LANE – SPRINT WIRELESS TELECOMMUNICATION FACILITY – FILE #2013PL-015 (PROJECT # CUP-000082)**, with nine (9) conditions of approval.

### **CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP-000082)**

1. The project is approved as shown in Exhibit A and as conditioned or modified below. (Planning)
2. The Conditional Use Permit approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **June 27, 2015**. 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 **June 27, 2015**. (Planning)
3. The antenna panels and all visible appurtenances shall be painted a uniform low-gloss medium gray color to match the existing equipment. (Planning)
4. 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)

5. If it is necessary to relocate any existing electrical equipment, the relocation will be at the developer's expense. (Electric)
6. Use or storage of hazardous materials, liquids, gases and/or chemicals, including back-up batteries, shall meet the requirements of the Chapter 6.95 of the Health and Safety Code, the Roseville Fire Department and the National Fire Codes. The applicant shall submit a 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 the Hazardous Materials Division at (916) 774-5821. (Fire)
7. The applicant shall provide radio coverage documentation to the Fire Department indicating that this facility will not interfere with public safety amplification signals. (Planning, Fire)
8. 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)
9. 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)

#### **ATTACHMENT**

1. Photo Simulations

#### **EXHIBIT**

- A. Project Plans

<p><b>Note to Applicant and/or Developer:</b> Please contact the Planning &amp; 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 &amp; Redevelopment Director at, or prior to, the public hearing.</p>
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