

AMENDED
RESOLUTION NO. 2004-738

ADOPTED BY THE SACRAMENTO CITY COUNCIL
ON DATE OF SEP 14 2004

A RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT APPROVING THE SPECIAL PERMIT LOCATE SIX PANEL ANTENNAS AT A HEIGHT OF 58 FEET ON A 70-FOOT LIGHT POLE IN THE AGRICULTURE (A) ZONE LOCATED AT 6715 GLORIA DRIVE.

(APN: 030-0370-019)
(P04-031)

WHEREAS, the Environmental Coordinator has found the project to be exempt from environmental review as the proposed project involves the construction of a new antenna and associated equipment cabinet. Such structures are consistent with those found to be exempt under CEQA Section 15303 (e);

WHEREAS, at the public hearing on July 8, 2004, the City Planning Commission heard and considered evidence on the request for approval of various entitlements for the project known as the Kennedy High Sprint Antenna;

WHEREAS, on July 8, 2004, the City Planning Commission denied the requested entitlements;

WHEREAS, on July 15, 2004, the decision of the City Planning Commission's denial was appealed by the applicant; and

WHEREAS, the City Council conducted a public hearing on September 14, 2004 concerning the above project and based on documentary and oral evidence submitted at the public hearing, the Council hereby adopts the Notice of Decision and Findings of Fact, as set forth herein.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Sacramento that subject to the findings of fact and conditions of approval set forth below, the applicant's appeal is upheld, and the requested project is approved by the City Council.

NOTICE OF DECISION

At the regular meeting on the above date, the City Council heard and considered evidence in the above-entitled matter. Based on verbal and documentary evidence at said hearing, the

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Council took the following actions for the location listed above:

- A. **Environmental Determination:** Exempt (CEQA 15303 e);
- B. **Approved the Special Permit** to locate six panel antennas at a height of 58 feet on a 70-foot light pole in the Agriculture (A) zone located at 6715 Gloria Drive.

These actions were made based upon the following findings of fact:

FINDINGS OF FACT

- A. **Environmental Determination:** Exempt (CEQA 15303 e). The City Council finds that the project is exempt from CEQA review as Section 15303 allows for the new construction small structures to be exempt from the provisions of CEQA as they have been determined not to have a significant effect on the environment. Section 15303 (e) specifically allows for the exemption of accessory structures such as garages, carports, and fences. As proposed this project involves the construction of a new antenna and a 300 square foot equipment cabinet. Such structures are consistent with those found to be exempt under Section 15303 (e).
- B. **The Special Permit** to locate six panel antennas at a height of 58 feet on a 70-foot light pole in the Agriculture (A) zone located at 6715 Gloria Drive approved based on the following findings of fact:
 - 1. Granting of the Special Permit is based upon sound principles of land use in that:
 - A. The antennas will be located on an stadium lighting standard and will therefore be an accessory use;
 - B. The facility will serve to increase and improve telecommunications coverage for the area.
 - 2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - A. Construction of the antennas will be subject to City building permits;
 - B. The project has been conditioned to implement design lines to minimize visual impact and will be constructed of non-reflective materials therefore it should not significantly impact surrounding properties;

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- C. The equipment will be placed behind an existing, fenced, warm-up area;
3. The project is consistent with the General Plan in that it will improve communications services within the city

CONDITIONS OF APPROVAL

B. The Special Permit to locate six panel antennas at a height of 58 feet on a 70-foot light pole in the Agriculture (A) zone located at 6715 Gloria Drive is approved subject to the following conditions of approval

Planning

- B1. The applicant shall use non-reflective paint on all equipment on the tower to prevent glare.
- B2. The antennas shall not be placed any higher than to 58± feet to the center. Any additional antennas, increased height for the pole, or and other changes to the design of the telecommunications facility shall require a modification of the Special Permit.
- B3. The applicant shall obtain all necessary building permits prior to commencing construction.
- B4. Should the applicant ever discontinue using the tower for wireless services then the applicant shall remove all equipment on the tower and the equipment cabinets within six months of termination.
- B5. The Fire Department requires all gated access to be equipped with a KNOX Lock. Contact Trish O'Connell at 264-5863 for information.
- B6. If the equipment cabinets do not come with an enameled-graffiti resistant coating, the applicant shall apply an anti-graffiti treatment to the exterior of the cabinets and monopole. If possible, the applicant shall install equipment cabinets of a similar color to the City's graffiti cover-up paint selection. For more information contact Noel Eusebio at 264-5948.
- B7. Any graffiti and garbage/trash shall be removed in a timely manner.
- B8. Should the antenna array installed pursuant to this permit ever need to be partially or entirely replaced, due to age, obsolescence, defect or for any other reason, the replacement antenna array shall also be of stealth design and shall

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appear no more obtrusive, in size, shape or color than the antenna array originally approved hereby.

HEATHER FARGO

MAYOR

ATTEST: SHIRLEY CONCOLINO

CITY CLERK

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Attachments:

Exhibit 1A	Overall Site Plan
Exhibit 1B	Plot Plan and Topography
Exhibit 1C	South/East Elevation
Exhibit 1D	Enlarged Plan, Equipment Elevation

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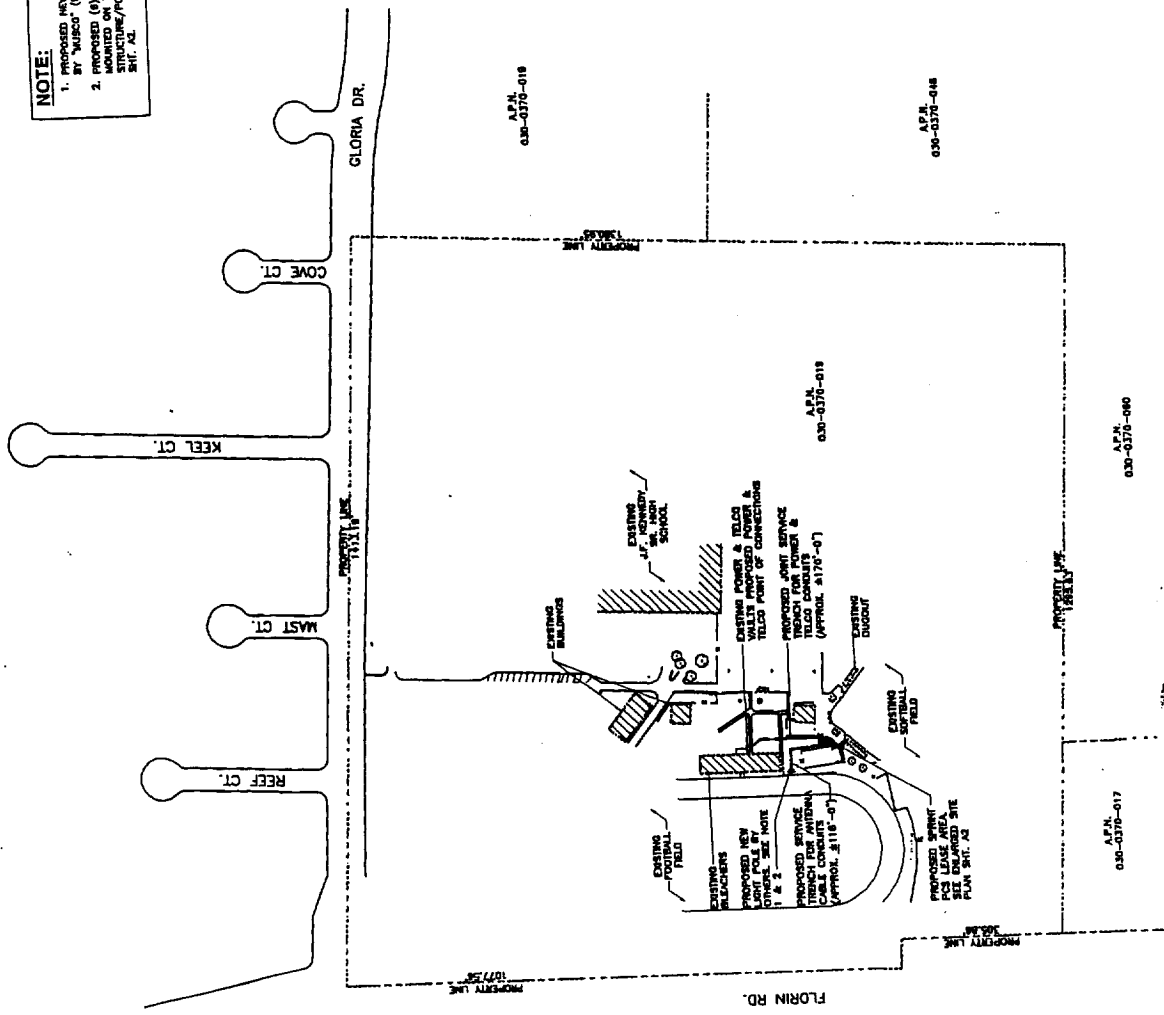
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Exhibit 1A Overall Site Plan



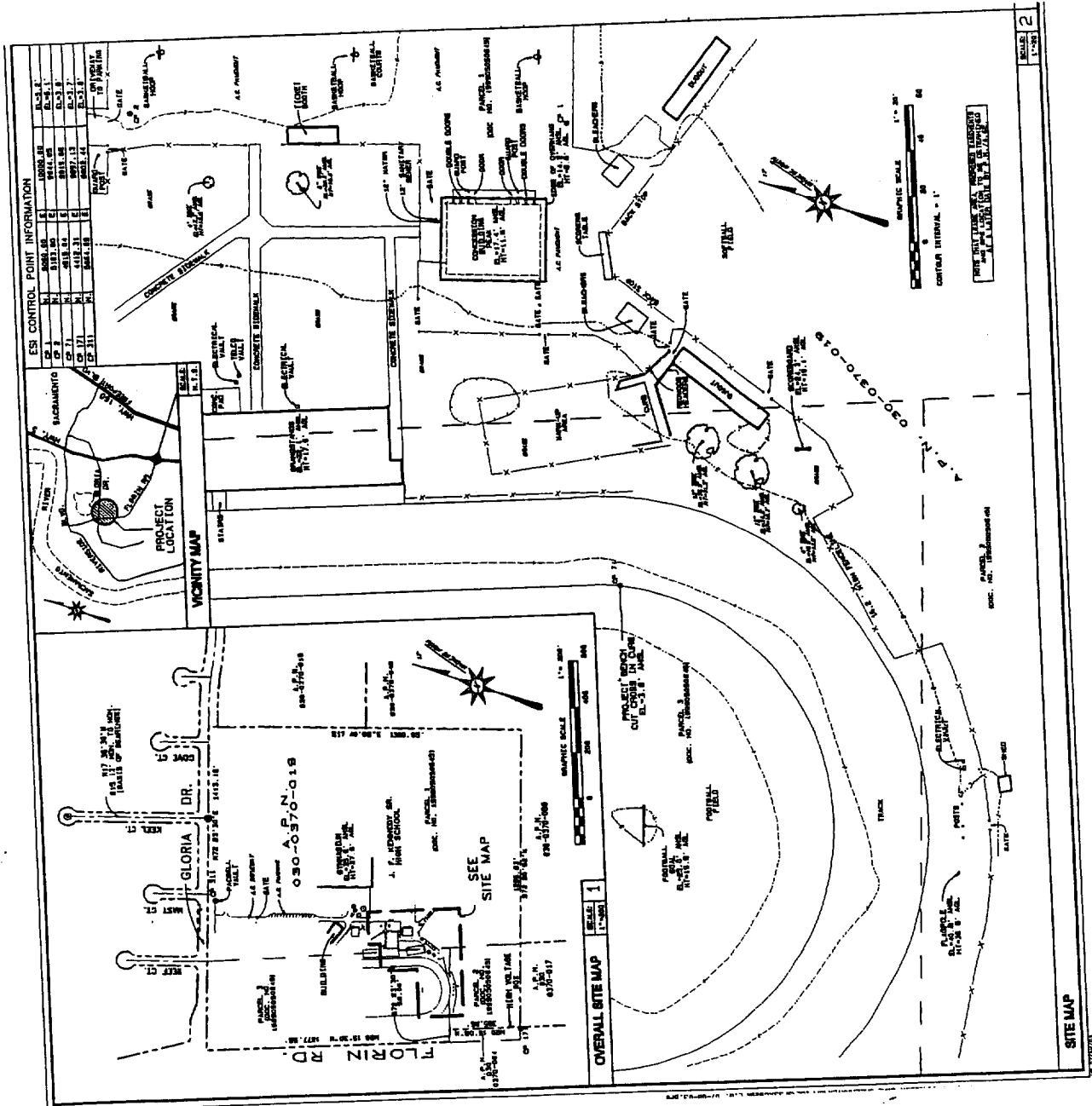
NOTE:
 1. PROPOSED NEW LIGHT STRUCTURE/POLE BY "MISCO" (UNDER SEPARATE PERMIT).
 2. PROPOSED (A) SPRINK PCS ANTENNAS LOCATED ON "MISCO" LIGHT STRUCTURE/POLE. SEE ANTENNA PLAN SHEET A2.



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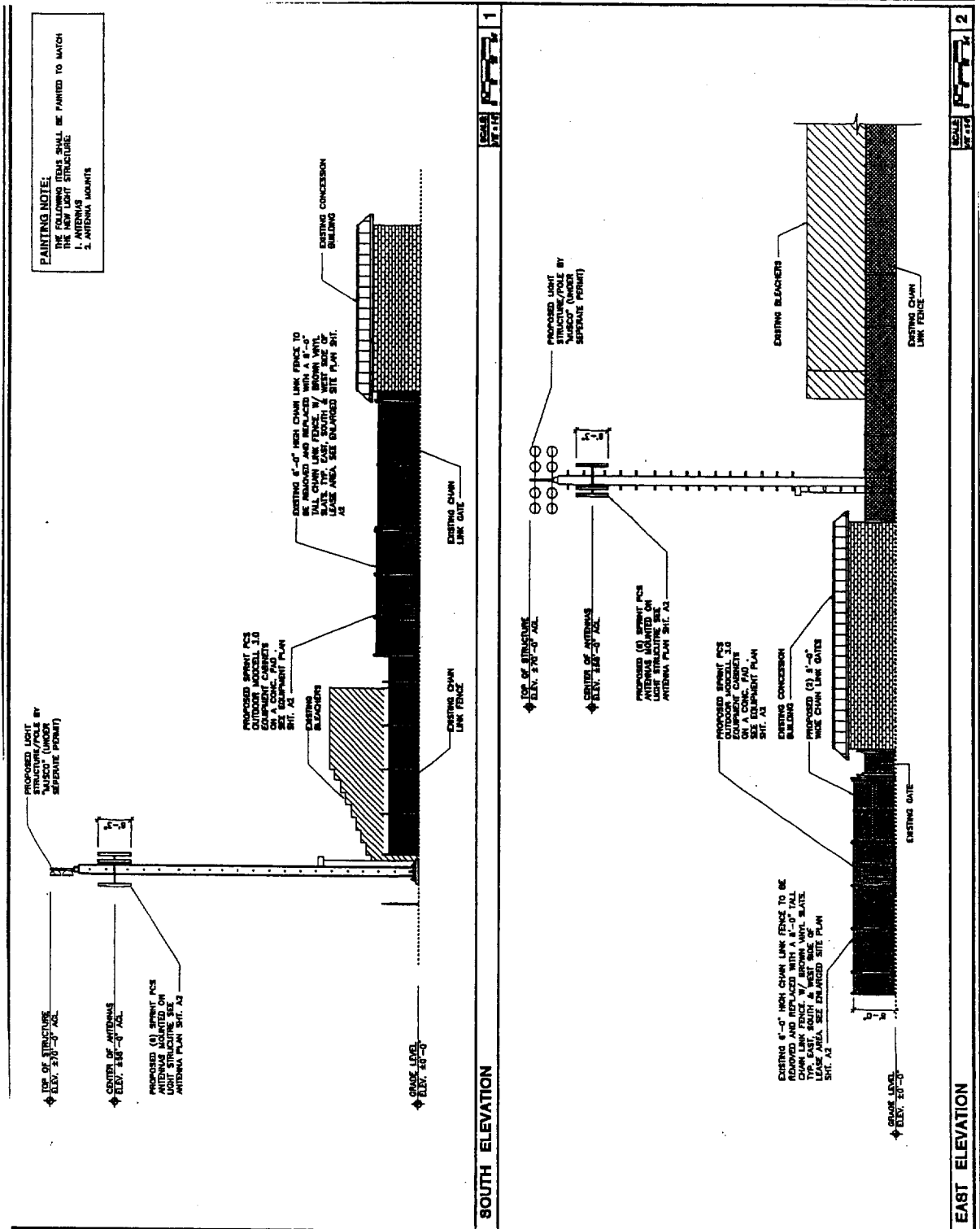


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Exhibit 1C South/East Elevation

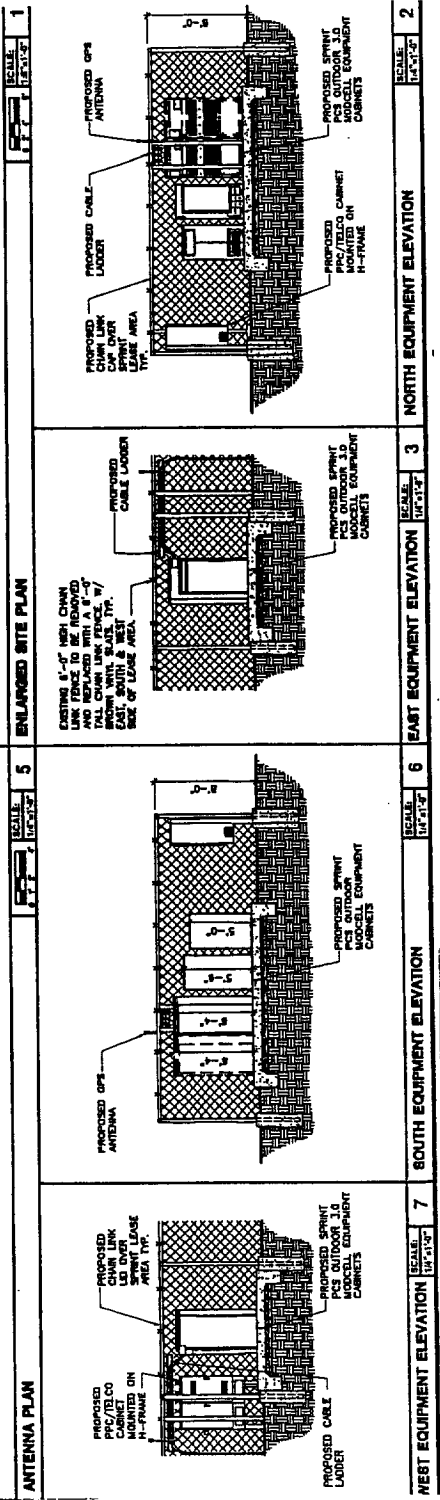
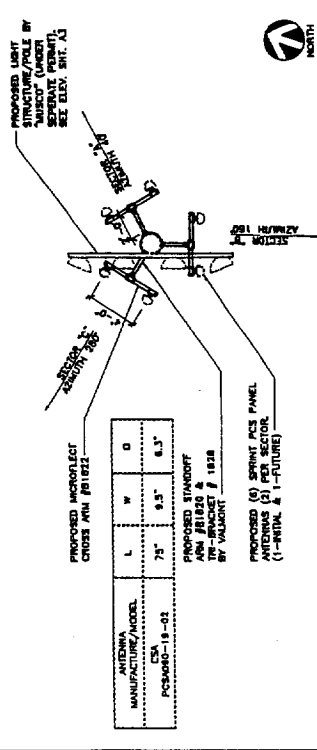
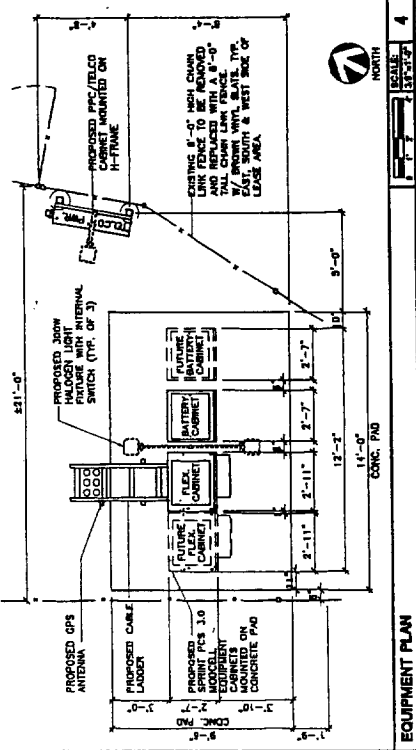
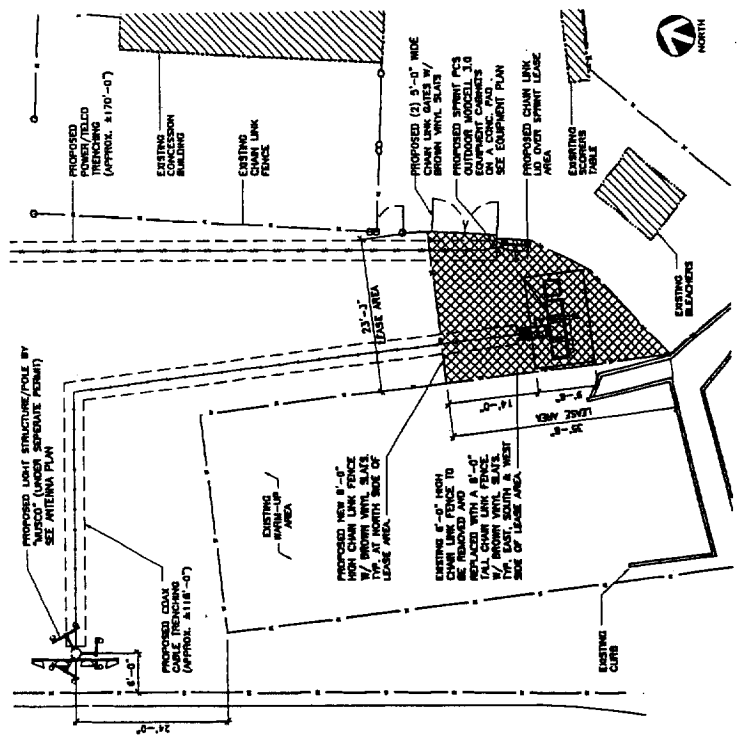


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Exhibit 1D Enlarged Plan/Equipment Elevations



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