

RESOLUTION NO. 2003-181

ADOPTED BY THE SACRAMENTO CITY COUNCIL

APR 15 2003

ON DATE OF _____

RESOLUTION ADOPTING THE NOTICE OF DECISION AND FINDINGS OF FACT FOR THE 21ST AND FRANKLIN MONOPOLE MODIFICATION LOCATED AT 4520 FRANKLIN BOULEVARD SACRAMENTO, CALIFORNIA IN THE GENERAL COMMERCIAL (C-2) ZONE.

(P02-049) (APN: 019-0101-028)

WHEREAS, the City Council conducted a public hearing on February 25, 2003 and 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.

Notice of Decision

At the regular meeting of February 25, 2003, the City Council heard and Considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the City council took the following actions for the location listed above:

- A. **Environmental Determination:** Exempt (CEQA 15301);
- B. **Denied the appeal, thereby approving the Special Permit** to increase the overall height of and add additional antenna and equipment to an existing telecommunications monopole.

These actions were made based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

- A. **Categorical Exemption:** The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines.

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B. The appeal of the Planning Commission approval of the Special Permit is denied and the project is approved based on the following findings of fact:

1. The special permit is based upon sound principles of land use in that:
 - a) The proposed cellular tower modification provides a collocation of facilities on an existing monopole;
 - b) and the project, as conditioned, would be compatible with surrounding commercial uses.
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) conditioning the project to require that all carriers upgrade to slim-mount antenna panels will result in a taller, but less visible monopole;
 - b) and the project will not introduce any new uses to the subject site.
3. The project, as conditioned would be consistent with the General Plan that designates the site for commercial uses

CONDITIONS OF APPROVAL

B. The appeal of the Planning Commission approval of the Special Permit is denied and the project is hereby approved subject to the following conditions of approval:

Planning

- B1. Any other changes or additions shall require additional Planning review and approval.
- B2. The antenna arrays shall be of slim-mount design and shall be substantially identical in appearance to the rendering(s) presented to the commission by the applicant, copies of which are retained within this file. 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 slim-mount design and shall appear no more obtrusive, in size, shape or color than the antenna array originally approved hereby (the cellular antennas in the middle position may extend up to 2.5 feet from the existing monopole).

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- B3. The applicant shall obtain all necessary building permits prior to commencing construction.
- B4. Any other changes or additions shall require additional Planning review and approval.
- B5. Every new item related to the attachment or operation of the antennas including antenna panels, cables, brackets, supports, etc. shall be painted to match the structure at the point of attachment.
- B6. At time of submittal for a Building permit a letter from the tower owner stating that their structural analysis shows that the tower and foundation will meet build code conditions with the additional vertical and lateral stresses caused by the antenna.

Fire

- B7. A KNOX box for emergency access shall be provided as necessary.

Public Works

- B8. Remove and replace any deteriorated curb, gutter, and sidewalk to city standards and to the satisfaction of Public Works adjacent to property frontage.
- B9. Repair any deteriorated on-site existing pavement.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT THE NOTICE OF DECISION AND THE FINDINGS OF FACT, SUBJECT TO THE CONDITIONS OF APPROVAL, ALL AS STATED HEREIN BE APPROVED AND ADOPTED.


MAYOR

ATTEST:


CITY CLERK

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