

**CITY OF SACRAMENTO
DEPARTMENT OF PLANNING & DEVELOPMENT
ZONING ADMINISTRATOR
1231 I Street, Sacramento, CA 95814**

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, October 2, 1996, the Zoning Administrator ratified the Negative Declaration and approved with conditions a special permit to construct a monopole for cellular antenna for the project known as Z96-021. Findings of Fact and conditions of approval for the project are listed on pages 2-4.

Project Information

- Request: 1. Negative Declaration
2. Zoning Administrator Special Permit to construct a 75 foot high cellular communications monopole for six antenna panels and a 336 square foot equipment shelter on 0.22± partially developed acres in the Heavy Commercial (C-4) zone.

Location: 2570 3rd Street (D4, Area 1)

Assessor's Parcel Number: 009-0223-011

Applicant: Airtouch Cellular (Lisa Burke)
 2150 River Plaza Drive, Suite 400
 Sacramento, CA 95814

Property Owner: The CHY Company
 2555 3rd Street
 Sacramento, CA 95818

General Plan Designation: Heavy Commercial or Warehouse
Existing Land Use of Site: Industrial
Existing Zoning of Site: Heavy Commercial (C-4)

Surrounding Land Use and Zoning:
North: C-4; Commercial
South: M-2; Industrial
East: C-4; Industrial/Warehouse
West: T-C; Interstate 5

Property Dimensions: Irregular

Property Area: 0.22± acres
 Topography: Flat
 Street Improvements: Existing
 Utilities: Existing

Project Plans: See Exhibits A and B

Previous Files: P95-078 (Previous antenna application withdrawn)

Additional Information: The applicant proposes to construct a 75 foot tall monopole, a 4' x 12' "top hat" assembly, and a 4-foot tall whip antenna attached to the base of the "top hat". The total height of the structure will be 75 feet. The tower will be adjacent to the side of a proposed 10-foot tall, 12 foot by 28 foot, equipment shelter. The shelter will be located on a vacant gravel site parallel to, but setback four feet from, the existing warehouse building. The pole and shelter will be surrounded by a six-foot tall chain-link fence with three-strand barbed-wire at the top. Any cellular equipment (antennas) which both receives and transmits that is attached to existing structures on City owned land requires a Zoning Administrator's Special Permit according to the Zoning Ordinance.

The site is located within the South Land Park Neighborhood Association, Upper Land Park Neighborhood Association, and Land Park Neighborhood Association areas. The project plans were sent to the association and the Land Park Neighborhood Association has returned a letter indicating their complete opposition to the proposed pole. Their concerns are the lack of comprehensive citywide policy regarding cellular/wireless facilities and the visual impact on the Broadway Corridor. The project was noticed and staff received several calls from the neighborhood association representatives regarding their opposition to the project. There were no neighborhood residents or association members in attendance at the October 2, 1996, hearing.

The site is within the Central City Design Review area. An application has been submitted to Design Review staff. The Design Review Board will hear the project on October 16, 1996.

Environmental Determination: This project, as proposed, will not have a significant impact on the environment and a negative declaration with no mitigation measures has been prepared and filed.

Conditions of Approval

1. Size and location of the monopole shall conform to the revised plans submitted. The applicant shall use non-reflective paint on the antenna panels and monopole to prevent glare. Final design conditions are subject to the outcome of the Design Review Board decision.

2. Any additional antennas shall require a modification of the Special Permit. {Twelve antenna panels are approved}
3. The applicant shall obtain all necessary building permits prior to commencing construction.
4. On or before October 2, 2000, the applicant shall pursue relocating the antenna panels onto another existing pole structure either privately owned or owned by a public agency (e.g. City of Sacramento light standard, or structures within Cal Trans right-of-way). In the event the applicant is unable to relocate this facility to a pole structure within the public right-of-way or privately owned pole or similar structure, the applicant shall either obtain a Special Permit from the Zoning Administrator to extend the term of the Special Permit or shall remove the monopole by October 2, 2000. The application shall be filed four months prior to expiration.

The intent of this provision is to establish a process and procedure for timely negotiation and execution of all agreements necessary between the applicant and public or private agencies to enable the applicant to relocate this wireless communication facility on an existing public utility pole within the public right-of-way or other suitable existing private structure at a location that will allow the applicant to provide comparable service within the geographic area being serviced by the approved facility. It is the objective of the Planning Department that monopoles be eliminated and wireless facilities be integrated into existing structures to become "invisible wireless sites". The applicant can seek private or public sites to accomplish this objective.

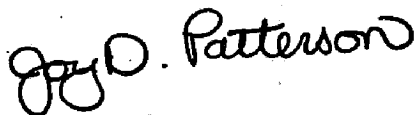
The applicant shall provide, as part of the application for a Special Permit Modification to extend the valid term of the Special Permit, documentation of the applicant's efforts to relocate onto existing pole within the public right-of-way or privately owned similar structures.

5. Should the applicant every discontinue using the pole for cellular services then the applicant shall remove the pole within six months of termination.
6. The applicant shall cooperate and provide a good faith effort towards allowing a second carrier to collocate an antenna array at this site. The foundation for the pole shall be sized to accommodate a larger pole capable of serving two sets of antennae.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the monopole with antenna panels will be located on a portion of a heavy industrial site adjacent to a warehouse building;

- b. the facility will be limited to a four year term to allow for further review after the implementation of the Broadway Corridor study area.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. the proposed cellular equipment and monopole will be located in a corner of a industrial site;
 - b. the design and location of the monopole with antenna panels will not significantly impact the surrounding industrial area and will be reviewed and approved by the Design Review staff;
 - c. will have a foundation designed to allow collocation of additional wireless facilities on the pole; and
 - d. the design and location of the monopole with an antenna array will be review again in four years.
 3. The project is consistent with the General Plan which designates the subject site as Heavy Commercial or Warehouse.

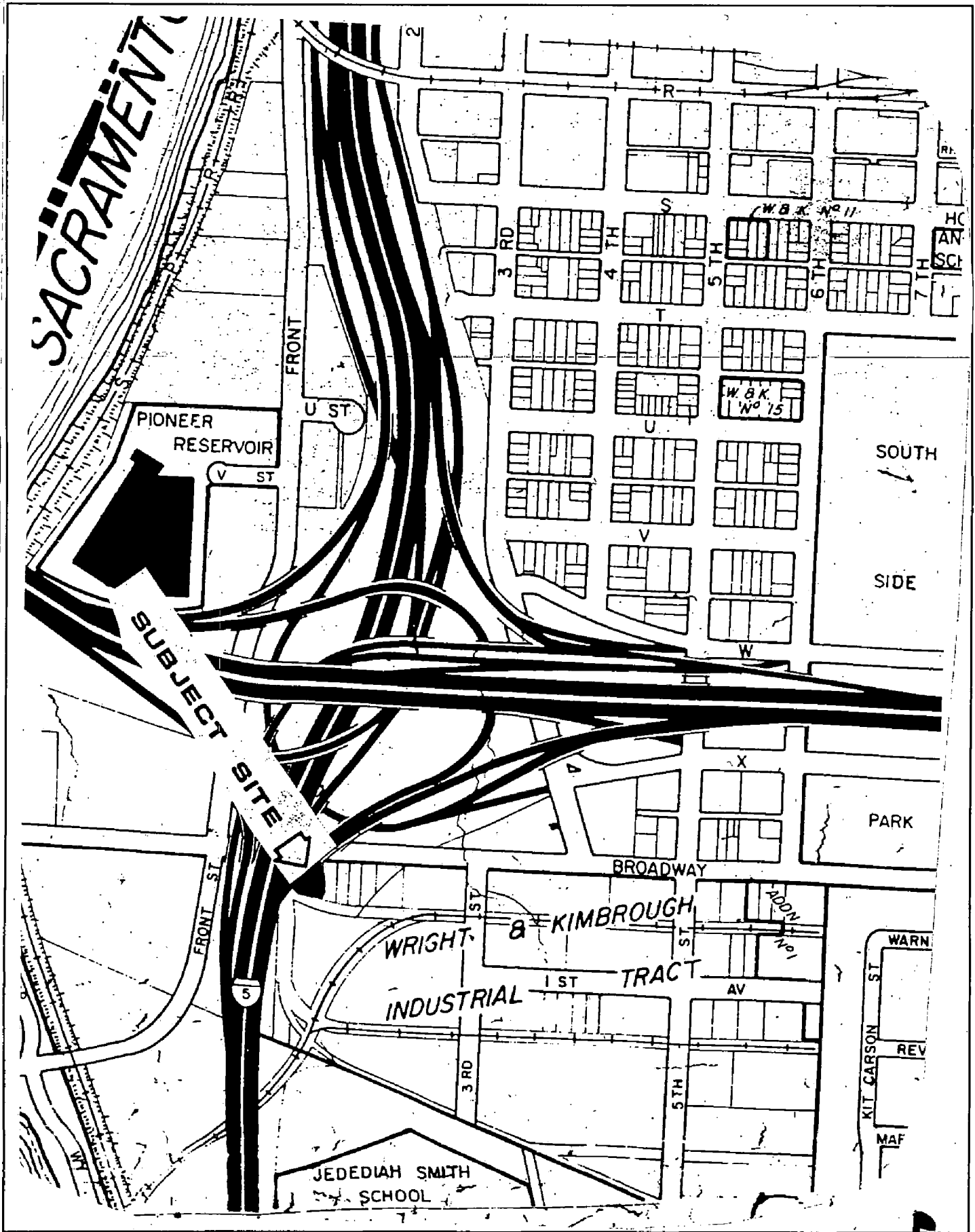


Joy D. Patterson
Zoning Administrator

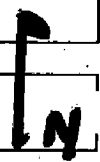
A use for which a Special Permit is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required, the use shall be deemed established when the activity permitted has been commenced.

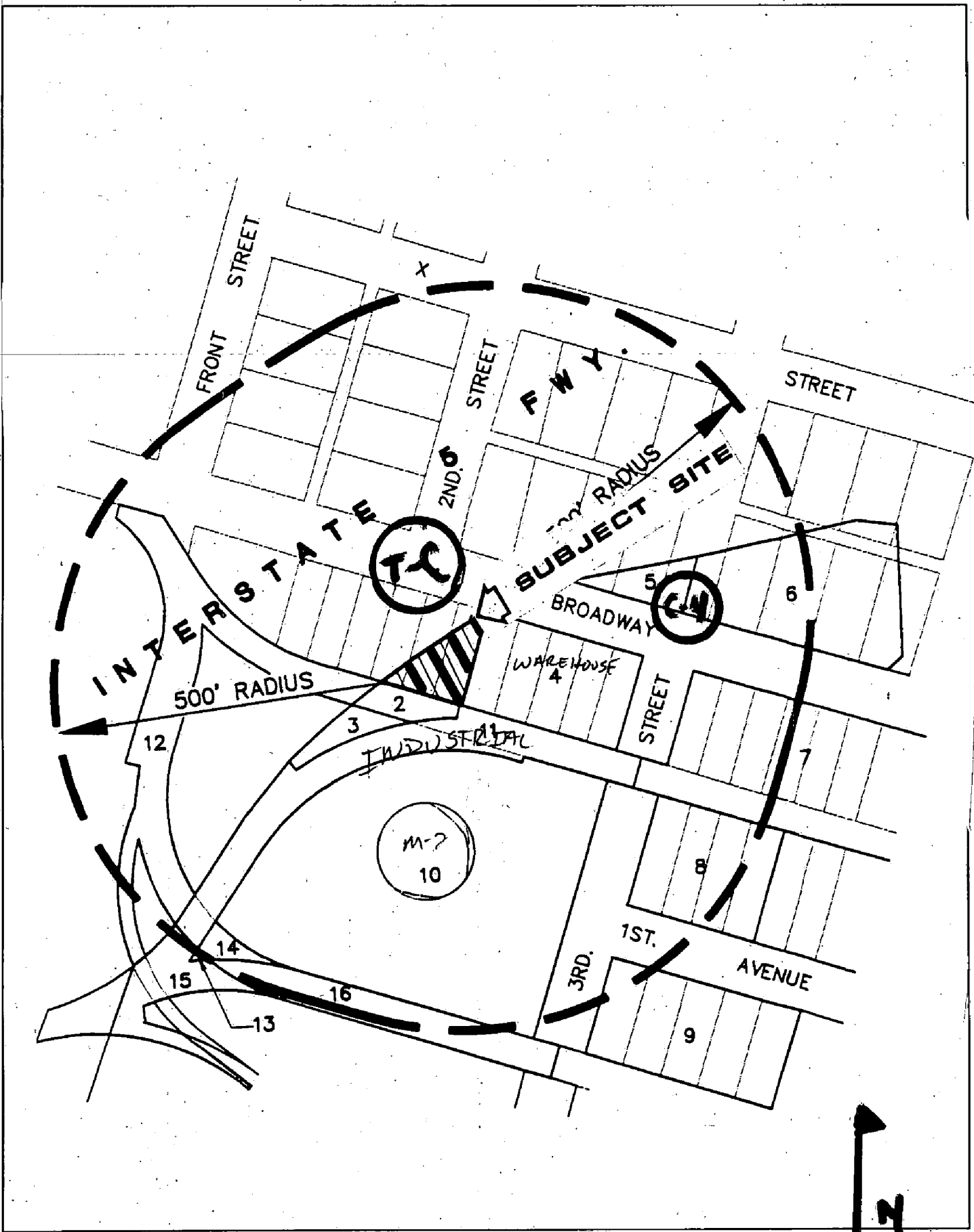
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final:

cc: File ✓
ZA Log Book ✓
Applicant ✓
Owner ✓

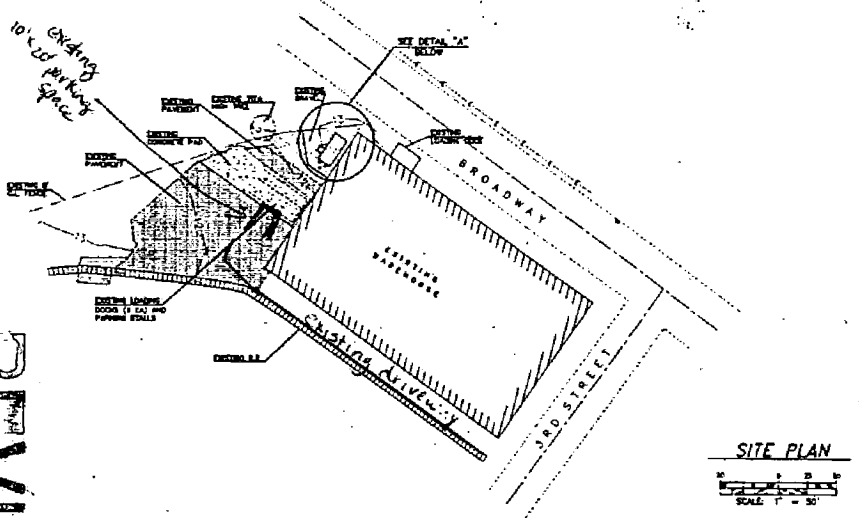


VICINITY MAP

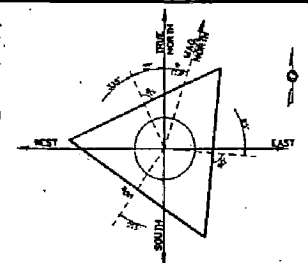




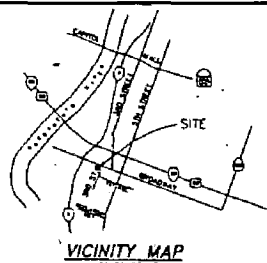
LAND USE & ZONING MAP



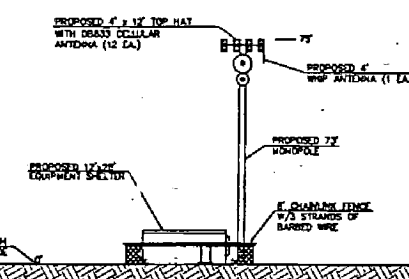
SITE PLAN
SCALE: 1" = 30'



TOWER TOP HAT ORIENTATION
NOT TO SCALE
DECLINATION SHOWN IS FROM U.S.G.S. 7.5' QUAD FOR "SACRAMENTO WEST"

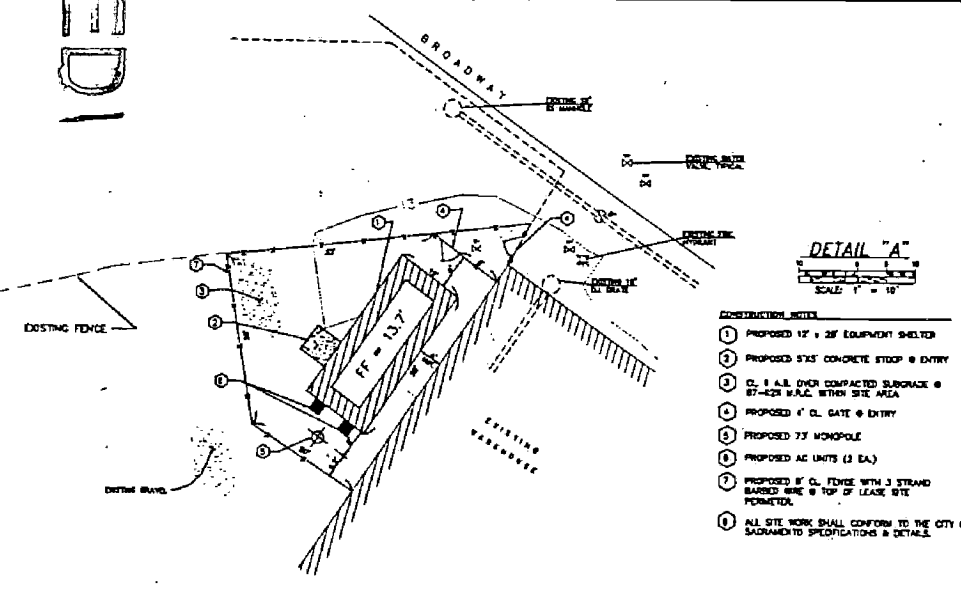


VICINITY MAP
NOT TO SCALE



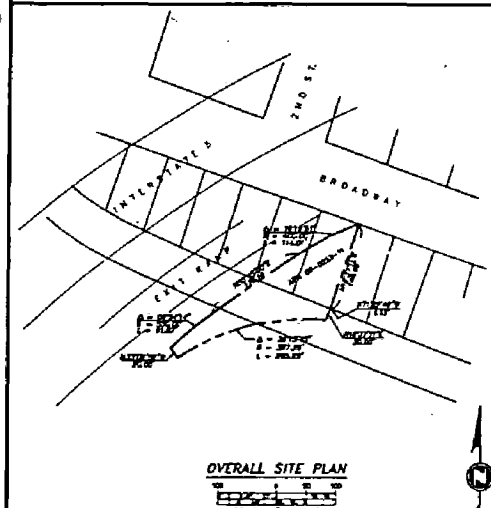
WEST ELEVATION
SCALE: 1" = 20'

REVISED!



DETAIL "A"
SCALE: 1" = 10'

- CONSTRUCTION NOTES**
1. PROPOSED 12' x 20' EQUIPMENT SHELTER
 2. PROPOSED 5'x5' CONCRETE STUMP @ ENTRY
 3. 0.8 I.A.B. OVER COMPACTED SURFACE @ 87'-42" W.A.L. WITHIN SITE AREA
 4. PROPOSED 1' O.L. GATE @ ENTRY
 5. PROPOSED 7'3" MONOPOLE
 6. PROPOSED AC UNITS (2 EA.)
 7. PROPOSED 0.4' FENCE WITH 3 STRAND BARBED WIRE @ TOP OF LEASE SITE PERMITS.
 8. ALL SITE WORK SHALL CONFORM TO THE CITY OF SACRAMENTO SPECIFICATIONS & DETAILS.



OVERALL SITE PLAN
SCALE: 1" = 100'

SITE ADDRESS:
2570 3RD STREET
SACRAMENTO, CALIFORNIA 95818
ASSESSOR'S PARCEL NO.: 009-0223-11

OWNER:
THE CITY COMPANY
2570 3RD STREET
SACRAMENTO, CALIFORNIA 95818
(916) 444-5888

APPLICANT:
ARTOUCH CELLULAR
2150 MIDWAY PLAZA DRIVE
SACRAMENTO, CALIFORNIA 95833
PHONE: (916) 844-3770

PREPARED BY:
LAUGENOUR AND MERKLE, CIVIL ENGINEERS
408 COURT STREET
WOODLAND, CALIFORNIA 95695
PHONE: (916) 862-1753

LEGAL DESCRIPTION:
A PORTION OF THE "MORFITT AND EMBERTON INDUSTRIAL TRACT," A MAP OF WHICH WAS FILED JANUARY 3, 1927 IN BOOK 18 OF MAPS, MAP NO. 72, RECORDS OF SACRAMENTO COUNTY.

SAID PORTION IS ALL THAT PART THEREOF LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:
BEGINNING AT POINT DISTANT SOUTH 75°21'45" WEST 347.53 FEET FROM THE INTERSECTION OF 3RD AND BROADWAY AS SAID STREETS ARE SHOWN ON THE MAP OF THE CITY OF SACRAMENTO SAID POINT ALSO BEING DISTANT 48.83 FEET SOUTHWESTWARD MEASURED AT RIGHT ANGLES FROM THE "DEPT. OF ENGINEERS" STATION 202-4634-23-47 OF THE DEPARTMENT OF PUBLIC WORKS ON ROAD 05-340-3, POST MILE 21.7/24.7, THENCE FROM SAID POINT OF BEGINNING SOUTH 1°57'11" WEST 30.00 FEET, THENCE FROM A TANGENT THAT BEARS NORTH 1°57'11" WEST ALONG A CURVE TO THE LEFT WITH A RADIUS OF 287.25 FEET, THROUGH AN ANGLE OF 31°57'58" AN ARC LENGTH OF 268.29 FEET, THENCE NORTH 57°03'31" WEST 20.00 FEET, THENCE FROM A TANGENT THAT BEARS NORTH 49°19'48" EAST ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 232.00 FEET, THENCE NORTH 56°45'07" EAST 176.18 FEET, THROUGH AN ANGLE OF 1°19'51" AN ARC LENGTH OF 114.01 FEET, THENCE SOUTH 1°19'51" WEST 148.88 FEET, THENCE NORTH 71°22'45" WEST 1.13 FEET TO THE POINT OF BEGINNING.

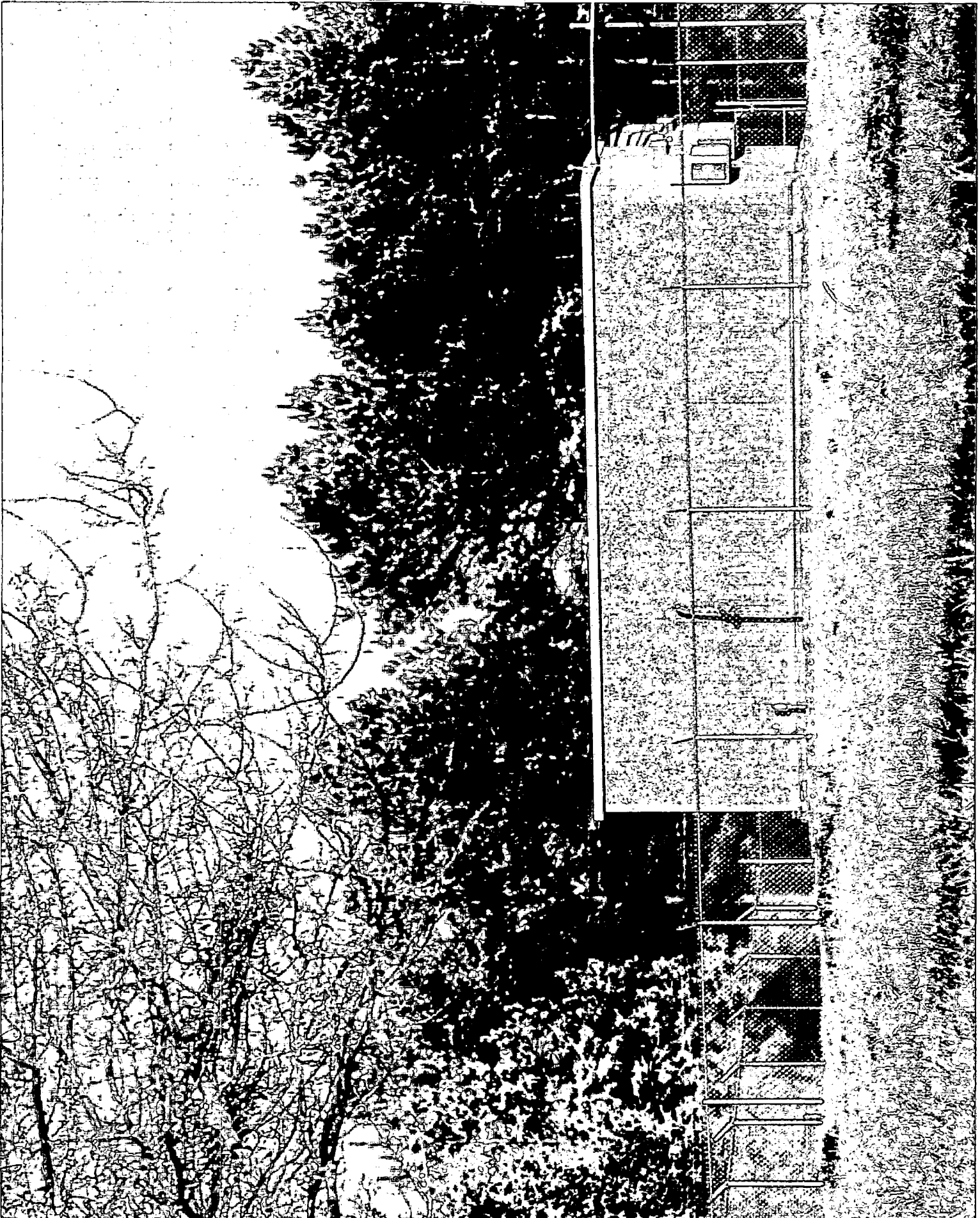
BASIS OF BEARINGS:

- NOTES:**
1. CONTRACTOR TO FIELD VERIFY EXACT LOCATIONS OF EXISTING AND PROPOSED STRUCTURES AT TIME OF CONSTRUCTION.
 2. THERE ARE NO PUBLIC ROAD IMPROVEMENTS PROPOSED.
 3. BOUNDARY TAKEN FROM RECORD DEEDS AND RECORD MAPS WERE USED TO LOCATE SITE.
 4. THE EXISTING ZONING FOR THIS PROPERTY IS "C-1," HEAVY COMMERCIAL, AS PROVIDED BY CITY OF SACRAMENTO PLANNING.
 5. GRADING PROPOSED INCLUDES BUILDING PAD.
 6. MINIMUM SETBACKS FROM PROPERTY LINE SHOWN WERE PROVIDED TO LAUGENOUR AND MERKLE, CIVIL ENGINEERS, FROM THE CITY OF SACRAMENTO PLANNING DEPARTMENT AND ARE AS FOLLOWS:
FRONT BUILDING SETBACK = 0'
REAR BUILDING SETBACK = 0'
SIDE BUILDING SETBACK = 0'
SETBACKS ARE MEASURED TO CONTROL BUILDING AND TOWER.

EXHIBIT A

DESIGNED BY <u>B.P.B.</u>	BENCH MARK, ELEVATION _____	LAUGENOUR AND MERKLE			SITE PLAN FOR CONDITIONAL USE PERMIT NO. _____ MILLER PARK LEASE SITE 3RD STREET CITY OF SACRAMENTO, CALIFORNIA	SCALE AS SHOWN	SHEET 1 OF 1
DRAWN BY <u>M.S.W.</u>	_____	BY <u>BYRAN P. BOHNO</u>					
CHECKED BY <u>B.P.B.</u>	REV. DATE _____	DESCRIPTION _____	BY APP'D _____	REGISTRATION NUMBER <u>3-31-00</u>			

EXHIBIT B



Typical Equipment Shelter

296-021

296 021
OCTOBER 2, 1967

[Handwritten signature]

296.912

View looking west

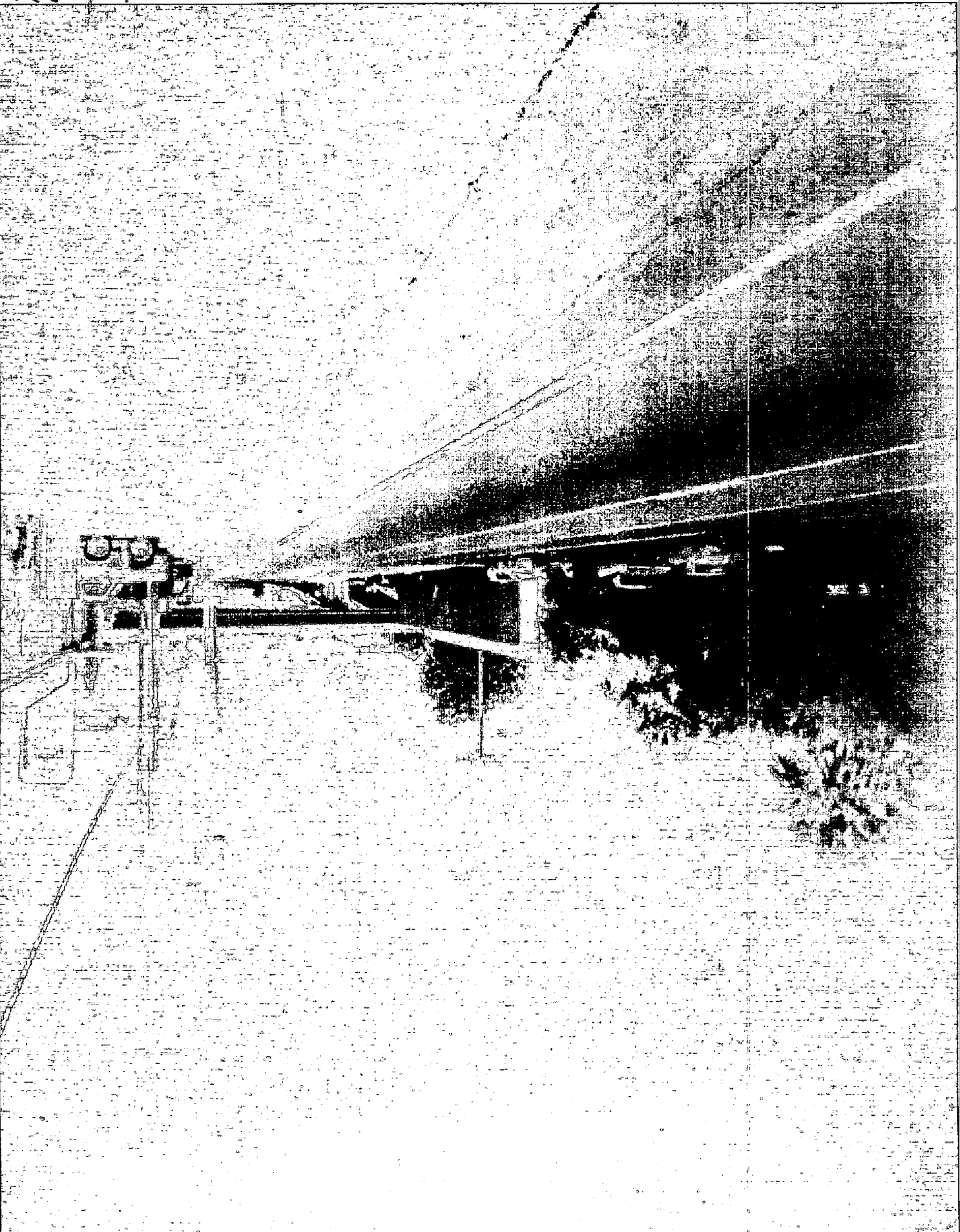
~~796-021~~

OCTOBER 2, 1991

120

7967

120



8

2960-021 View Looking East

OCTOBER 2 1956

796 021

ITEM 8

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