

P95-002 - AirTouch Cellular Land Park Site

- REQUEST:
- A. Negative Declaration
 - B. **Special Permit** to construct a minicell, consisting of four panel antennas approximately 21 in. x 33 in., mounted on the north and south walls (two on each side) of the headhouse building at the Riverside Water Treatment Plant located on 1.81 ± developed acres in the Standard Single Family (R-1) zone.

LOCATION: Southwest corner of 10th Avenue and Riverside Blvd.
APN: 017-0036-018
Land Park
Sacramento City School District
Council District 4

APPLICANT:	AirTouch Cellular Karen Pardieck (916) 646-2269 2150 River Plaza Drive, Suite 400 Sacramento, CA 95833
OWNER:	City of Sacramento - Attn: Ron Soos 10th Avenue Sacramento, CA 95822
APPLICATION FILED:	January 4, 1995
STAFF CONTACT:	Lisa Burke, 264-7129

SUMMARY/RECOMMENDATION:

The applicant is proposing to construct a minicell, consisting of four panel antennas approximately 21 in. x 33 in. mounted on the north and south walls (two on each side) of the headhouse building at the Riverside Water Treatment Plant. The electronics for this minicell will be enclosed in a metal cabinet approximately 6 ft. x 6 ft. x 3 ft. that will be installed adjacent to the north wall. The minicell is necessary because the cellular signal in the Land Park area is degraded, specifically the area of I-5 between Fruitridge and Sutterville Roads. The facilities associated with this project will not increase the overall cellular communication coverage. Locating the antennas at the proposed location will avoid duplication of coverage. The proposed project site is developed with a water treatment facility.

Staff recommends approval of the project because the project site is appropriately zoned for the location of a cellular minicell. The antennas will broadcast to the west (over I-5) and not over any residential areas. The antenna signal will not affect radio or television reception.

PROJECT INFORMATION:

General Plan Designation: Public/Quasi-Public Misc.
Existing Land Use of Site: Developed with the Riverside Water Treatment Facility
Existing Zoning of Site: Standard Single Family Residential (R-1) zone

Surrounding Land Use and Zoning:

North: R-1; Residential
South: R-1; Water treatment plant/Residential
East: R-1; Residential
West: T-C; Interstate 5 Freeway

Property Dimensions: Irregular
Property Area: 1.81 acres
Height of Structure: 33 feet
Area of Equipment Room: 6 ft. x 6 ft. x 3 ft.
Parking Required: 1 Space
Parking Provided: 1 Space
Topography: Flat
Street Improvements: Existing
Utilities: Existing

The applicant is proposing the project because the cellular system requires uniform signal coverage and the current Land Park area signal is degraded. Signal degradation often results in static and "cross talk". The project will not increase the overall cellular communication coverage. Locating the antennas and associated facilities at this site will avoid duplication of coverage.

The proposed project includes that following features (see Exhibit C-1):

1. A minicell, consisting of four panel antennas (approximately 21 in. x 33 in.), two antennas will be attached to each the north wall and the south wall of the headhouse building at a height of 33 feet;
2. A 6 ft. x 6 ft. x 3 ft. unattended equipment structure;

OTHER APPROVALS REQUIRED:

In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Building Permit	City of Sacramento Building Division
Revocable Permit	City of Sacramento Real Estate Division

BACKGROUND INFORMATION:

A Special Permit is required to locate a cellular antenna on a City building in a residentially zoned area. Cellular One also has an application to locate cellular antennas on the Riverside Water Treatment Facility. However, their antennas are proposed to be located on the west wall of the facility, but will also direct over I-5 and not the residential areas.

Cellular One sent a letter to staff (Attachment D) indicating a concern over AirTouch's application to locate a minicell at the Water Treatment Facility. Cellular One was concerned that since AirTouch was going to operate at 350 watts, and Cellular One would only operate at 25 watts, that Cellular One's signal will be "knocked off" the air. AirTouch sent a letter in response stating that they would modify their proposal and operate at 140 watts (Attachment E). This modified proposal is satisfactory to Cellular One.

STAFF EVALUATION:**A. Land Use and Zoning**

The project site consists of 1.81 ± developed acres in the Standard Single Family Residential (R-1) zone. A cellular minicell can be located in this zone with a Special Permit. The site is designated as Public/Quasi-Public Misc. in the General Plan.

B. Site Plan Design

The project consists of the construction of a minicell at the headhouse building at the Riverside Water Treatment Plant. The minicell will consist of four panel antennas (2 on each side) which will direct over I-5, and not over residential areas. An equipment cabinet is also proposed for the site. The cabinet will be located adjacent to the north wall of the building and will be painted to match the existing building.

This site was chosen since there is a break in coverage along I-5 in between Sutterville and Fruitridge Roads. This site is appropriate because the antennas will direct over I-5 and not over any residential areas. The minicell will improve cellular coverage in the area.

PROJECT REVIEW PROCESS:

A. Environmental Review

1. Environmental Issues

The Special Permit for the minicell is subject to approval by the Planning Commission and is subject to CEQA because it constitutes a project that has the potential to create an environmental impact. The potential impact includes the risk to human health. The potential human health risk associated with cellular antennas is not considered a health hazard. The Federal Communications Commission (FCC), the agency responsible for licensing and authorizing cellular communications facilities, has concluded that there is an insignificant risk associated with radio frequency radiation. While public controversy on this issue remains, studies conducted to date do not conclusively demonstrate that these magnetic fields adversely affect human health. The construction of the cellular minicell is not anticipated to result in a significant health risk.

2. Environmental Determination

The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration has been prepared.

B. Summary of Agency / Neighborhood Comments

The proposal was routed to the Transportation Division, Engineering Division, Communications Division, the Building Division, the Utility Department, the Fire Department, the Police Department, the Land Park Neighborhood Association and the B'Nai Israel Congregation. The following section summarizes the comments received:

1. Engineering Development Services

No comments.

2. Transportation Section

One parking space with adequate maneuvering area is required.

3. Neighborhood Comments

The project was routed to the Land Park Neighborhood Association and the B'Nai Israel Congregation. This project was routed to both groups in January. At that time it was thought that AirTouch would operate their minicell at 25 watts, as recommended by the B'Nai Israel congregation. If AirTouch was to abide by the 25 watts for the minicell both groups would be in support of the project (Attachments F and G). Since that time it was learned that Airtouch would be operating their minicell at 25 watts per channel (25 watts x 14 channels = 350 watts).

AirTouch has now agreed to operate at 10 watts per channel (10 watts x 14 channels = 140 watts). B'Nai Israel still has concerns about this power level and has sent a letter to staff regarding additional questions they have for AirTouch (Attachment H). AirTouch has responded to their questions (Attachment I). Staff contacted a representative of the B'Nai Israel Congregation to see if they were satisfied with AirTouch's response to their concerns. The representative was unable to say if the Congregation would be in support of the project until they had their Board meeting (Scheduled for 4/6/95). By the time this goes to hearing on April 13th, staff will know what the position of the B'Nai Israel Congregation and will let the Planning Commission know at that time.

PROJECT APPROVAL PROCESS:

The Planning Commission has the authority to approve or deny the requested Special Permit. The decision of the Planning Commission may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration;

-
- B. Adopt the attached Resolution approving the Special Permit to allow the construction of a minicell, consisting of four panel antennas.

Report Prepared By,

Report Reviewed By,



Lisa Burke
Associate Planner



Barbara Wendt
Senior Planner

Attachments

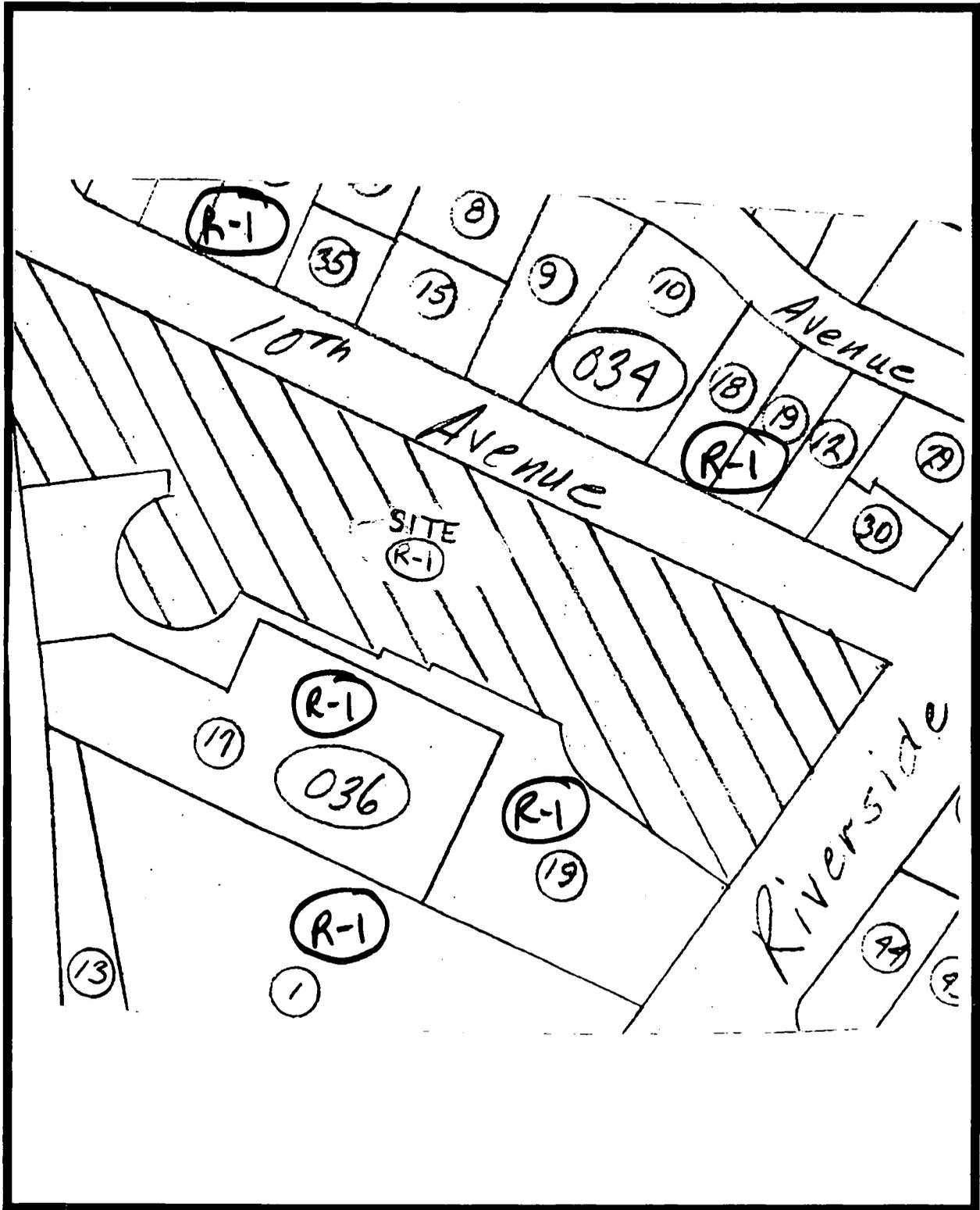
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|--------------|---|
| Attachment A | Vicinity Map |
| Attachment B | Land Use and Zoning Map |
| Attachment C | Resolution Approving Special Permit |
| Exhibit C-1 | Site Plan |
| Attachment D | Letter from Cellular One regarding AirTouch's proposal |
| Attachment E | Response from AirTouch regarding Cellular One's concerns |
| Attachment F | Letter from B'Nai Israel Congregation |
| Attachment G | Letter from Land Park Community Association |
| Attachment H | Letter from B'Nai Israel to AirTouch regarding additional concerns about the project. |
| Attachment I | Response from AirTouch to B'Nai Israel addressing the congregations concerns. |

ATTACHMENT B

P95-002

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LAND USE AND ZONING MAP

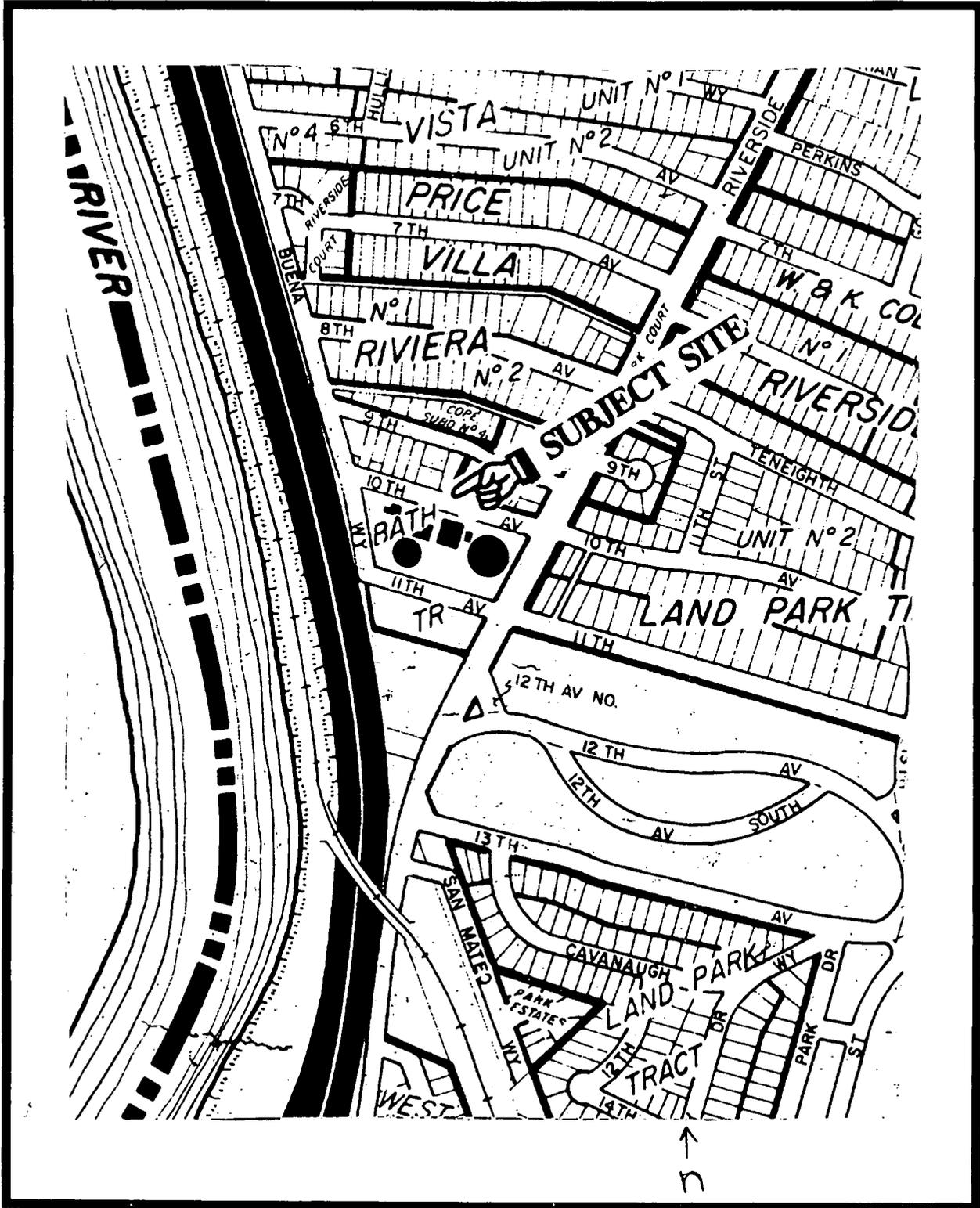


ATTACHMENT A

P95-002

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VICINITY MAP

ATTACHMENT C

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF APRIL 13, 1995

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SPECIAL PERMIT FOR PROPERTY LOCATED THE SE CORNER OF 10TH AVENUE AND RIVERSIDE BLVD. (P95-002)(APN:017-0036-018)

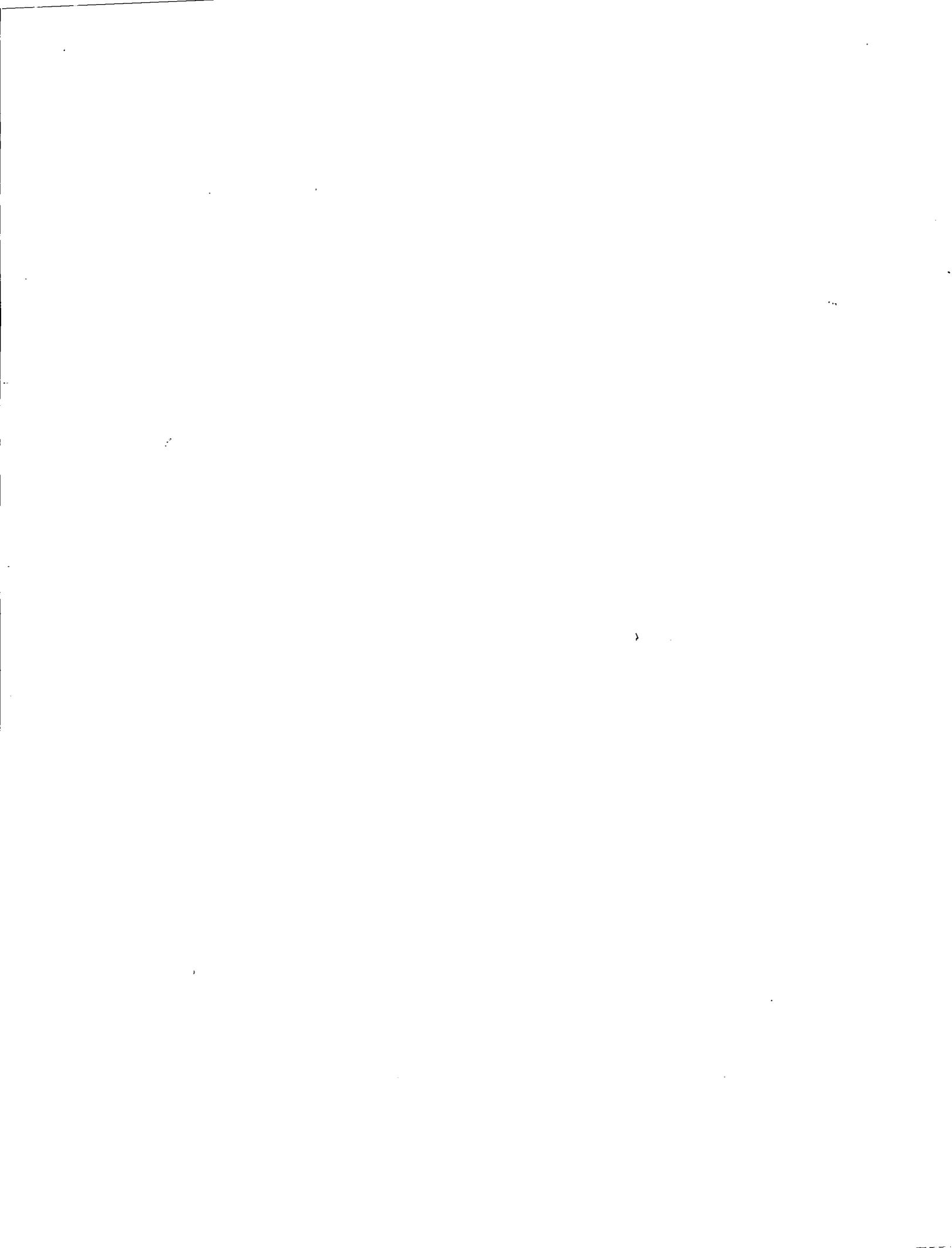
WHEREAS, the City Planning Commission on April 13, 1995, held a public hearing on the request for approval of a Special Permit to allow a minicell, consisting of four panel antennas, at the above described location;

WHEREAS, the City Environmental Coordinator has determined that the proposed project will not have a significant effect on the environment, and has provided notice to the public of the preparation of a Negative Declaration.

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit is hereby approved based upon the following findings of fact:
 - a. The Negative Declaration has been prepared in compliance with CEQA, State and City Guidelines, and the City Planning Commission has reviewed and considered the information contained herein.
 - b. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 1. The minicell will be placed on an existing building and will not encroach on adjacent properties;
 2. Adequate parking has been provided.

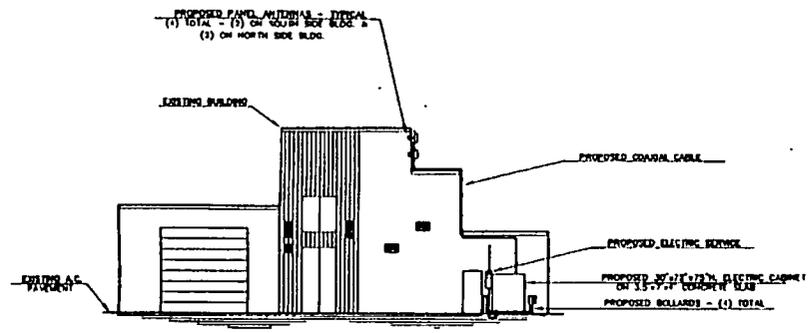


3. The minicell antennas will direct over I-5 and not over residential areas;
 4. The proposed minicell and equipment shelter will be painted to match the existing building; and
 5. The minicell will not interfere with other communication antennas nor aircraft.
- c. The project is consistent with the General Plan which designates the site for Public/Quasi-Public uses.

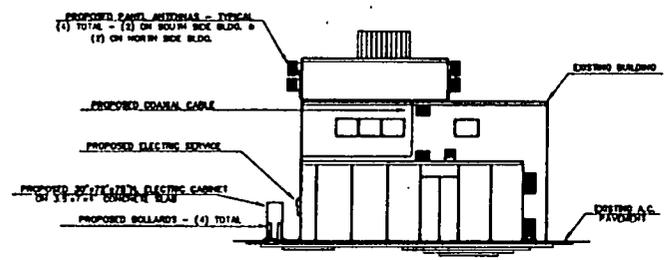
2. The Special Permit for the proposed minicell is hereby approved subject to the following conditions:

- a. All necessary building permits shall be obtained prior to construction of the minicell and equipment shelter.
- b. One on-site parking space and adequate turn around for vehicles is required pursuant to the Traffic Division.
- c. The equipment shelter shall be painted to match the existing building.
- d. The maximum power for this minicell shall be a total of 140 watts.
- e. The antennas must direct toward the freeway to the west, not toward the temple on the south or residential areas to the north.

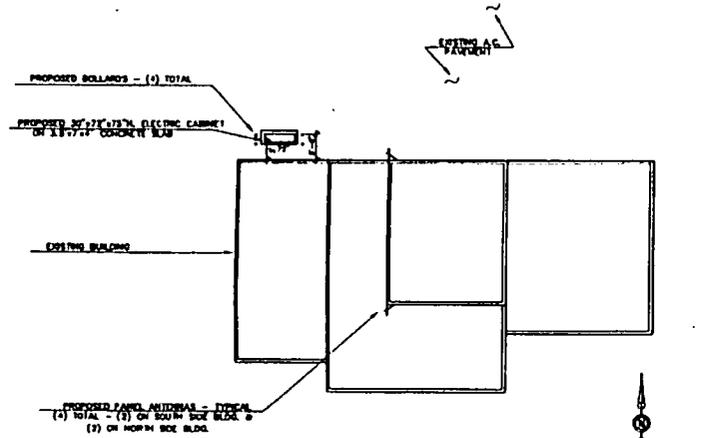
EXHIBIT C-1



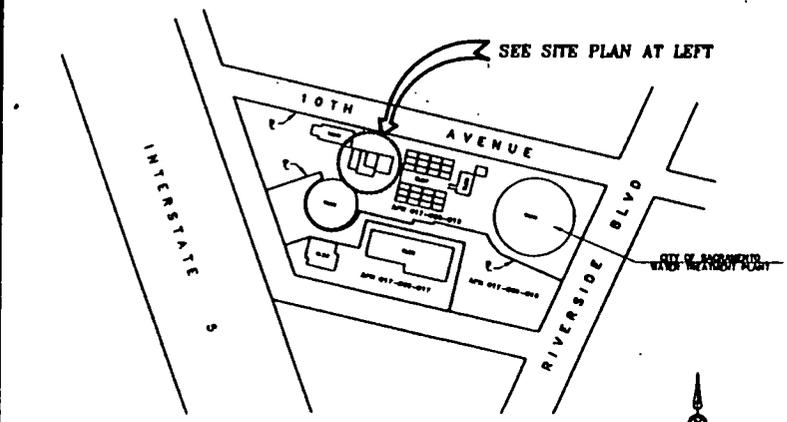
SOUTH ELEVATION
SCALE: 1" = 10'



WEST ELEVATION
SCALE: 1" = 10'



SITE PLAN
SCALE: 1" = 10'



OVERALL SITE PLAN
SCALE: 1" = 100'



VICINITY MAP
NO SCALE

OWNER ADDRESS:

CITY OF SACRAMENTO
1231 I STREET (MAILING ADDRESS)
SACRAMENTO, CALIFORNIA 95834
1076 AND SPENCER BLVD. (SITE ADDRESS)
SACRAMENTO, CALIFORNIA
PHONE: (916) 344-7110

ASSESSOR'S PARCEL NO.: 017 - 0538 - 018

APPLICANT:

INTERCOM CELLULAR
2150 OCKER PLAZA DRIVE, STE. 400
SACRAMENTO, CALIFORNIA 95833
PHONE: (916) 946-1200

PREPARED BY:

WESTERN PLANNING & ENGINEERING
11800 REDWOOD ROAD, SUITE 3
MILPITAS, CALIFORNIA 95035
PHONE: (916) 823-0917

WOLFE E. FISHBEIN, P.E., SHAUN BIRN

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 LINES FROM ASSESSOR'S PARCEL MAP NO. 17-03 AND ITS LOCATION IS APPROXIMATE.
4. THIS PLAN DOES NOT REPRESENT A FIELD SURVEY.
5. THERE IS NO GRADING PROPOSED FOR THIS PROJECT.

DATE PREPARED: JANUARY 5, 1995

DATE	REVISION	BY	APPRO.

WESTERN PLANNING & ENGINEERING
11800 REDWOOD ROAD, #3
MILPITAS, CA 95035
(916) 823-0917 FAX 823-1208

PLANS FOR: AIRTOUCH CELLULAR LEASE SITE
LAUD PARK
CITY OF SACRAMENTO, CA
CONDITIONAL USE PERMIT NO. _____ SITE PLAN
SITE PLAN, DETAILS, NOTES

DESIGNED		DRAWN		CHECKED	
SCALE	NOTED	JOB NO.	400	SHT.	

CELLULARONE®

10030 Goethe Road, Sacramento, California 95827 • FAX (916) 857-6438

February 8, 1995

Ms Lisa Burke, Project Manager
City of Sacramento Planning Department
1231 I Street, Room 300
Sacramento, CA 95814

RE: Sutterville Microcell
Project Nos. P94-130 and P95-002
Sacramento Market

Dear Ms Burke:

Relative to the request of AirTouch Cellular to place cellular antennas upon the headhouse building at the Riverside Water Treatment Plant, CellularOne shall not oppose their request provided the following conditions are met:

1. The total effective radiated power from their minicell, per their application, be 25 watts, not 25 watts from each transmitter.
2. If AirTouch's antennas are relocated to the west side of the building where CellularOne's antennas are to be located or directed in the same direction as CellularOne's antennas, the effective radiated power shall be equal to or less than CellularOne's power levels.
3. If AirTouch's antennas are relocated to the west side of the building where CellularOne's antennas are to be located, the antennas must be located at least 5' below CellularOne's antennas so as not to cause signal interference.

CellularOne reserves the right to object to any modifications of AirTouch's application, except as noted above.

Yours very truly,


Michael L. Shoaff



The new name for PacTel

AirTouch Cellular
2150 River Plaza Drive, Suite 400
Sacramento, CA 95833

Telephone: 916 646 3773

Mark Parham
Sr. RF Engineer , AirTouch Cellular
2150 River Plaza Drive, Suite 400
Sacramento, CA 95833

March 16, 1995

Lisa Burke
Associate Planner
Dept. of Planning and Development

Dear Lisa:

AirTouch Cellular has come to an agreement with Cellular One that we will transmit no more than 10 Watts ERP per channel at the proposed water treatment facility. In addition , we will reduce our power as necessary if interference problems should arise between our equipment and that of Cellular One. I hope that this agreement will mitigate any concerns over the transmit power at this site.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Neumann", is written over a horizontal line.

Cc: Dan Neumann, Karen Pardieck

**Congregation B'nai Israel**

3600 Riverside Boulevard
Sacramento, California 95818
(916)446-4861

received
4/13/95

January 11, 1995

Ms. Lisa Burke, Project Manager
City Planning Division
1231 I Street, Rm. 300
Sacramento, CA 95814

RE: Project Numbers P94-130 and P95-002

Dear Ms. Burke:

Congregation B'nai Israel will not oppose the projects of AirTouch Cellular (AirTouch) or Cellular One (Cellular) to install microcell panel antennae on the headhouse building at the Riverside Water Treatment Plant provided the following conditions are met:

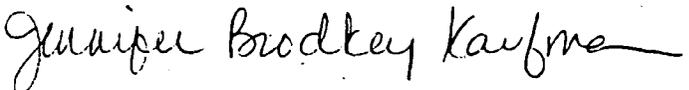
1. The permit between Cellular and City be amended in paragraph 5(c) to allow a maximum effective radiated power of 25 watts, rather than 50 watts.
2. Any permits issued to AirTouch contain the same restrictions included in Cellular's permit, including the above limitation on radiated power.
3. The antennae described in AirTouch's proposal will be installed on brackets on the north and south sides of the building, but the antennae themselves will be directed toward the freeway on the west, not toward the temple on the south or residential areas to the north.

Congregation B'nai Israel reserves the right to object to any alterations in Cellular's proposal of December 16, 1994 or AirTouch's proposal of January 4, 1995. We also reserve the

APRIL 13, 1995

right to object to the installation of any further facilities or equipment at this site by these or other companies. Our stated position is based on the applicants' conclusions that the proposed installations are safe and that their individual and combined effects do not pose any health or safety hazard to the community. If scientific thought changes on this subject, or if the installations are determined to be unsafe or otherwise constitute a public nuisance, we reserve the right to take whatever action is deemed necessary. We are specifically relying on the representations of the applicants and what we presume has been a thorough review on the City's part to insure that the proposed installations do not, in fact, constitute any safety hazard.

Very truly yours,



Jennifer Brodkey Kaufman
Vice-President of Administration

cc: Jim Wiley, Cellular One
Karen Pardieck, AirTouch
Joanna Burris, Office of City Council Member Jimmy Yee
Gary Ziegenfuss, Neighborhood Services Department
Steve Kahn, Land Park Community Association
Judie Panneton, Land Park News
Robyn Brunscher, Temple Administrator



LAND PARK COMMUNITY ASSOCIATION

March 30, 1995

Ms. Lisa Burke, Associate Planner
Department of Planning and Development
City of Sacramento
1231 I Street Suite 300
Sacramento, CA 95814-2904

Re: Projects P95-002 & P94-130

Dear Ms. Burke:

The Land Park Community Association (LPCA) Board of Directors has voted not to oppose the above two referenced projects subject to the project proponents agreeing to the conditions as outlined in the letter to you dated January 11, 1995 from Congregation B'nai Israel. LPCA has further voted that any expansion of these projects or any other cellular project proposals will be subject to the conditions as set forth in our letter to the Planning Commission on March 16, 1995.

LPCA continues to be concerned with the placement of cellular sites within the City and looks forward to a response to our March 16, 1995 letter. Thank you for your assistance in these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Kahn", written over a white background.

Steven A. Kahn, President
Land Park Community Association

cc: Councilmember Jimmie Yee
Gary Little, Neighborhood Services
Gary Ziegenfuss, Neighborhood Services
Karen Pardieck, Air Touch Cellular
Michael L. Shoaff, Cellular One

PAS-002

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Congregation B'nai Israel

3600 Riverside Boulevard
Sacramento, California 95818
(916)446-4861

Lester A. Frazin
Rabbi

Susan E. Halpern
Educator

Carl K. Nalvai, Jr.
Chazzan

Judy H. Hersher
President

April 4, 1995

Ms. Lisa Burke, Project Manager
City Planning Division
1231 I Street, Rm. 300
Sacramento, CA 95814

RE: Project Numbers P94-130 and P95-002

Dear Ms. Burke:

In January 1995, we notified you that Congregation B'nai Israel would not oppose the projects of AirTouch Cellular and Cellular One at the Riverside Boulevard water treatment plant provided certain conditions were met. One of these conditions limited Cellular One and AirTouch to a maximum total effective radiated power of 25 watts for each company. Cellular One had also requested that the total effective radiated power from AirTouch's minicell be 25 watts.

Last week we received notification that AirTouch and Cellular One had come to an agreement permitting Air Touch to "transmit no more than 10 Watts ERP per channel at the proposed water treatment facility." Given that AirTouch's minicell will have 14 channels, the maximum total effective radiated power would be 140 watts. However, AirTouch also agreed to "reduce its power as necessary if interference problems should arise between [its] equipment and that of Cellular One."

Our concerns about this agreement stem from our desire to see any cellular projects at this site operate at the lowest possible power levels, and our apprehensions about this site becoming a preferred location for the installation of

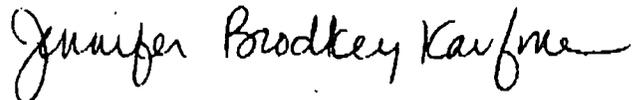
additional and/or more powerful equipment. We have two questions, therefore, in response to the Cellular One-AirTouch agreement:

1. Why is there such a discrepancy in the amount of power needed for each company to operate? Cellular One proposes to operate seven channels at a total effective radiated power of 25 watts, while AirTouch needs 140 watts to operate its 10 channels.

2. If AirTouch can in fact operate its equipment at a lower level, as indicated by its willingness to reduce its power if necessary to avoid interfering with Cellular One's operation, why shouldn't that lower level of operation be required from the outset?

We would like to reiterate our interest in working cooperatively in resolving these matters, and look forward to hearing from you. Thank you for your consideration.

Very truly yours,



Jennifer Brodkey Kaufman
Vice-President of Administration

P95-002

Attachment I

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The new name for PacTel

AirTouch Cellular
2150 River Plaza Drive, Suite 400
Sacramento, CA 95833

Telephone: 916 646 3773

April 5, 1995

Lisa Burke
City Planning Division
1231 I Street, Rm. 300
Sacramento, CA 95814

Dear Ms. Burke:

I am writing to respond to the two questions set forth by Jennifer Brodkey Kaufman in her letter to you on April 4. Those questions follow:

Q - Why is there such a discrepancy in the amount of power needed for each company to operate?

A - AirTouch and Cellular One have designed our systems completely independent of one another. For every site that AirTouch has in the surrounding area, Cellular One has one closer, thus the lower power requirements for their site.

Q - If AirTouch can in fact operate its equipment at a lower level, as indicated by its willingness to reduce its power if necessary to avoid interfering with Cellular One's operation, why shouldn't that lower level of operation be required from the outset?

A - We have never experienced any interference between Cellular One and AirTouch as result of co-location, therefore we do not anticipate having to turn down our power. As you know, we are currently seeking a taller tower in the area with 25 W. per channel and 360 degrees of coverage. The Water Facility site with 10 W. per channel will cover a portion of the stretch of I-5 where our coverage needs improvement. Lowering the aggregate power to 25 Watts would reduce the coverage area significantly, which would not be acceptable to us.

The proposed power levels should not cause concern considering Dr. Bushberg's report (page 3) which states, "... the maximum exposures from this site represents a "safety margin" from this threshold of potentially adverse health effects of more than 2,300 times. The maximum cumulative exposure anywhere on the property of Temple B'Nai Israel ($1.2 \mu\text{W}/\text{cm}^2$) represents a "safety margin" from the threshold of potentially adverse health effects of more than 24,450 times." Dr. Bushberg's study was performed using an effective radiated power of 100 W. per channel for AirTouch, ten times greater than the 10 W. per channel currently proposed.

Sincerely,

Mark Parham

cc: Dan Neumann, Karen Pardieck