

P99-152 - Promenade Cell Tower

- REQUEST:
- A. **Environmental Determination:** Exempt 15301;
 - B. **Special Permit** to construct a 52± foot tall monopole cellular phone communication antenna on 11.62± developed acres in the Shopping Center Review (SC-R) zone.

LOCATION: 7465 Rush River Dr.
APN: 031-0900-061
Pocket Area Community Plan
Council District 7

APPLICANT:	Karen Levitt, RCS Wireless, 772-3048 PO Box 969 Roseville, CA 95678
OWNER:	Pacific Retail Trust 22 Battery Street #610 San Francisco, CA 94111
APPLICATION FILED:	December 17, 1999
APPLICATION COMPLETED:	December 17, 1999
STAFF CONTACT:	Brad Shirhall, 916-264-7483

SUMMARY: The applicant is seeking a Special Permit to locate a 52 foot tall, slimline, monopole, cellular telephone antenna at the rear of an existing commercial development. The basic issues relate to aesthetics and placement of the tower.

RECOMMENDATION: Staff recommends approval of the project subject to conditions of approval. The proposed antenna is well designed and minimizes the visual intrusion on the surrounding area. The applicant was not able to find a suitable site to co-locate the antenna panels.

PROJECT INFORMATION:

General Plan Designation:	Community/Neighborhood Commercial & Offices
Community Plan Designation:	Commercial/Shopping
Existing Land Use of Site:	Shopping center
Existing Zoning of Site:	Shopping Center (SC-R) zone

Surrounding Land Use and Zoning:

North: Multi-family Residential; Multi-family Residential (R-2A-R) zone
 South: Multi-family Residential; Multi-family Residential (R-2B) zone
 East: Multi-family Residential; Multi-family Residential (R-2B) zone
 West: Single Family Residential; Standard Single Family (R-1A) zone

Setbacks:	Required	Provided (Approx.)
Front:	50'	200'
Side(St):	50'	300'
Side(Int):	5'	50'
Rear:	15'	35'

Property Dimensions:	Irregular
Property Area:	11.62± gross acres
Height of Tower:	52± feet
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

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	Building Division
FCC Station License	Federal Communications Commission
FAA Clearance	Federal Aviation Administration

BACKGROUND INFORMATION: On August 21, 1984 the City Council approved General and Community Plan Amendments and Rezones from residential to commercial land uses. On July 9, 1987 the Planning Commission approved a Plan Review (P87-273) for the 141,600 square foot main development currently on the site. Since then, numerous minor applications for Plan Reviews, Variances, and Special Permits have been approved by the Planning Commission, or the Planning Director.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

General Plan

The subject site is designated as Community Neighborhood Commercial and Offices by the General Plan. The applicant's proposal would not result in a change to the present or anticipated land use of the site. The proposal is compatible with the goals of the General Plan which encourage land use compatibility, promote sensitivity to design, and "continue to improve and provide communication & utility services to all areas of the City" (Sec. 7-11).

Community Plan

The subject site is designated as Commercial/Shopping-by-the Pocket Area Community Plan. The applicant's proposal would not result in a change to the present or anticipated land use of the site.

Zoning

The subject site is zoned Shopping Center (SC-R) Review which allows a wide range of goods and services. General commercial uses which are incompatible with shopping centers are prohibited. Chapter 2, Section 2 of the Zoning Ordinance provides that a Planning Commission Special Permit may be issued to locate a telecommunication structure and related equipment in a Shopping Center zone.

Collocation/ Siting Preference Policy

The City has developed guidelines concerning siting preference and facility location and design. A primary objective of these guidelines is to reduce or minimize the number and visibility of telecommunication facilities. To achieve this objective, the siting preference guidelines emphasize co-location or installation of new telecommunication facilities on existing structures. The facility location and design guidelines emphasize minimizing the visibility of new telecommunication facilities through construction and design techniques. The proposed slim-line monopole design meets these guidelines. The project is consistent with the following additional design guidelines as described in the City Telecommunication Policy:

- a) Antenna panels should match the building colors and/or architectural character so as to not be visible.

- b) Antennas should be screened with "stealth" materials (i.e., paint or camouflage) to minimize visibility.
- c) Monopoles should be constructed of materials that match the prevalent poles and/ or buildings and landscaping in the area or provide stealth for the pole (such as slim-line poles). Also carriers should consider using "close proximity/ bi polar or tight antenna arrays" configurations on monopoles instead of "traditional top hat" antenna arrays.
- d) Monopoles should be painted to match either the sky line (dull matte grey) or other prevalent architectural or natural features like trees.
- e) Carriers should avoid sites that will require monopoles to be painted or lighted per FAA standards.
- f) Carriers should consider the distance from residentially zoned properties when considering the placement of additional antennas on an existing monopole (or other collocation), or when installing a facade mounted antenna. The objective is to have the facility be invisible when viewed from the residentially zoned property.
- g) Carriers should locate all equipment shelters or cabinets to the rear of existing buildings away from streetscape view.

Concurrent with the City's collocation policy, the applicant investigated other potential antenna location sites. The following is a summary of their findings. "The commercial/retail areas at Greenhaven/Riverside and Pocket/ Greenhaven are too far from the target search area." "The firehouse at Greenhaven and Riverside was researched and found to be too far north and too close to site #62 and #64." "A two story commercial building located in the 6400 block of Greenhaven Drive was reviewed, and is too far west to cover the residential areas of the Pocket." "A tower at a private airport on South River Road in Yolo County was reviewed, however the location was too far west to cover the residential areas of the Pocket."

The City's Telecommunication Policy encourages Staff to only consider the recommendation of the approval of new monopoles as a last resort after exhausting all other alternatives, but does not specifically prohibit the approval of new monopoles altogether. Staff believes that this proposal is consistent with the intent of the Telecommunication Policy to prevent the proliferation of new monopoles in the City of Sacramento, and can be justified since the applicant has conducted a thorough review of the area for co-location opportunities.

B. Site Plan Design/Zoning Requirements

1. Setbacks

As indicated above, placement of the monopole at the proposed location meets all setback requirements.

2. Parking/Circulation

The monopole will not create any increased demand for parking other than an occasional maintenance vehicle.

Placement of the monopole at the proposed location will not interfere with vehicle or pedestrian circulation within the shopping center parking lot. One tenant in the shopping center was concerned that the monopole placement would interfere with delivery operations. In response, the project applicant developed a solution that places the monopole's support equipment inside the tenant's business. This will minimize the area dedicated to the monopole. The tenant found this solution to be acceptable.

3. Signage

No signage is proposed for the project.

C. Site Design

The monopole would be placed at the rear of the existing shopping center directly adjacent to the rear of the existing building (Exhibit 1B). The monopole would be protected by bollards placed in a 4 foot by 4 foot square configuration. Electronic support equipment for the monopole would be placed inside the adjacent commercial building completely out of site of the public. There will be no visible equipment cabinets. Staff found the rear of the shopping center is heavily screen from view of the adjacent apartment complex by landscaping located on the apartment site. Most of the trees at this complex are evergreen and are estimated to be fifty feet tall.

D. Monopole Design

The proposed monopole would be 52± feet tall. The existing building is approximately 27 feet tall. The antenna panels would be placed on top of the tower

(Exhibit 1C). The entire assembly would be unobtrusive to residents surrounding the existing commercial development. Staff believes that this is a state-of-the-art design which would not draw negative attention. Only about 10 feet of the monopole would be visible from the front of the shopping center along Rush River Drive (Exhibit 1D).

The existing city policy requires operators of this equipment to cooperate with other operators who might wish to co-locate their antennas on existing monopoles. However, in this case, given the unobtrusive design of the proposed monopole the City may not wish to allow modifications that increase the height of the tower or increase the cross-section of the slimline design. Additions or modifications to this monopole would require a Special Permit.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301).

B. Public/Neighborhood/Business Association Comments

Staff requested comments from the following neighborhood and homeowners associations:

Charter Point Neighborhood Association
Windwood Homeowners Association
Riverlake Community Association
Zephyr-Rivergate Homeowners Association
Park Place South Homeowners Association

Dennis Kellogg of the Sacramento County Alliance of Neighborhoods was also contacted.

Only the Windwood Homeowners Association responded. They indicated no opposition. Dennis Kellogg reviewed the application and, upon reviewing additional information from the applicant, indicated that locating a tower at "The Promenade" appeared justified. He also indicated that tower design was a substantial improvement over those of the past.

As indicated in the Parking/Circulation, one tenant at the shopping center had a concern regarding the proposed placement of the monopole and support equipment. However, a solution was proposed and accepted by all involved parties.

Staff also provided an early notification to property owners within 500 feet of The Promenade center. The only comment received was a single objection based on health concerns. However, the respondent asked to remain anonymous.

C. Summary of Agency Comments

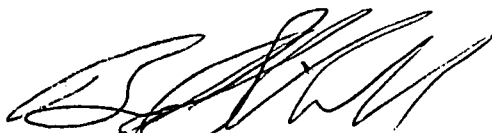
The City's Police, Fire, Public Works, and Utilities Departments have all reviewed the proposed tower placement and responded that they have no comments or concerns.

PROJECT APPROVAL PROCESS: Of the entitlements below, Planning Commission has the authority to approve or deny A and B. The Planning Commission action 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. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section 15301;
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit to construct a 52± foot tall monopole cellular phone communication antenna on 11.62± developed acres in the Shopping Center Review (SC-R) zone.

Report Prepared By,



Brad Shirhall, Associate Planner

Report Reviewed By,



Barbara Wendt, Senior Planner

Attachments

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1A	Plot Plan
Exhibit 1B	Site Plan
Exhibit 1C	Elevation
Exhibit 1D	Photosimulation 1
Exhibit 1E	Photosimulation 2
Attachment 2	Vicinity Map
Attachment 3	Land Use & Zoning Map

**NOTICE OF DECISION AND FINDINGS OF FACT FOR
PROMINADE CELL TOWER, LOCATED AT 7465 RUSH RIVER DR. SACRAMENTO,
CALIFORNIA IN THE SHOPPING CENTER (SC-R) REVIEW ZONE. (P99-152)**

At the regular meeting of May 11, 2000, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. Environmental Determination:** Exempt (CEQA Section 15301);
- B. Approved the Special Permit** to construct a 52± foot tall monopole cellular phone communication antenna on 11.62± developed acres in the Shopping Center Review (SC-R) zone.

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.
- B. The Special Permit to construct a 52± foot tall monopole cellular phone communication antenna on 11.62± developed acres in the Shopping Center Review (SC-R) zone is hereby approved based on the following findings of fact:
 - 1. The Special Permit, as conditioned, is based upon sound principles of land use in that:
 - a. The project will utilize a commercially zoned location;
 - b. The project is allowed in the General Commercial (C-2) zone with a Special Permit; and
 - c. The project will not adversely affect the surrounding land uses.
 - d. Co-location opportunities were explored prior to deciding that a new monopole was necessary.
 - 2. The Special Permit, as conditioned, will be not be detrimental to the public health, safety, or welfare, or result in the creation of a public nuisance in that:

- a. The antenna will be setback a sufficient distance so as to not encroach on adjacent properties;
 - c. The antenna will be designed to blend in with existing poles in the area, and will not interfere with other communication antennas or aircraft.
3. The Special Permit, as conditioned, complies with the General Plan in the area which it is to be located in that the project will not alter the present or anticipated density of the subject site or region.

CONDITIONS OF APPROVAL

- B. The Special Permit to construct a 52± foot tall monopole cellular phone communication antenna on 11.62± developed acres in the Shopping Center Review (SC-R) zone is hereby approved subject to the following conditions:
- B1. The applicant shall obtain all necessary building permits prior to commencing construction.
 - B2. Any modification to the project shall be subject to review and approval by Staff prior to the issuance of building permits.
 - B3. Placement of any externally visible additional antenna panels, or increases to the height of the 52± foot monopole shall require a Special Permit Modification.
 - B4. The applicant shall obtain all necessary federal telecommunication permits prior to commencing construction.
 - B5. The proposed telecommunications tower shall not be higher than 52 feet high from grade.
 - B6. Warning signs, for authorized personnel approaching within 5 feet directly in front of antenna faces, shall comply with American National Standards Institute (ANSI) C95.2 color, symbol, and content conventions.
 - B7. The monopole shall be painted a dull matte grey with non reflective paint.
 - B8. Should the monopole cease operation as a telecommunications device, the applicant shall remove the structure within 6 months of termination of use. The applicant and/ or RCS Wireless shall notify the City within 30 days of cease of operation as a telecommunications device.

- B9. The applicant shall make a good faith effort to encourage and cooperate with other telecommunication companies for collocation on the new monopole.

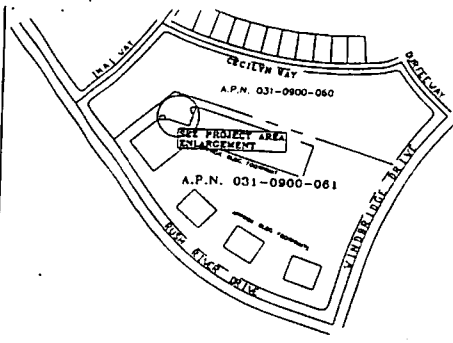
CHAIRPERSON

ATTEST:

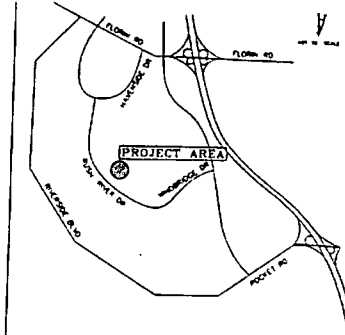
SECRETARY TO CITY PLANNING COMMISSION

DATE (P99-152)

- Exhibit 1A Plot Plan
- Exhibit 1B Site Plan
- Exhibit 1C Elevation
- Exhibit 1D Photosimulation 1
- Exhibit 1E Photosimulation 2



SCALE 1" = 200'



VICINITY MAP

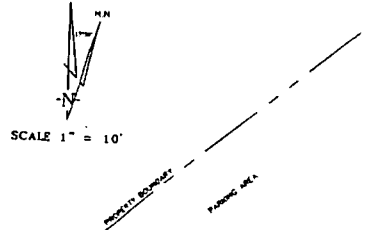
SUPPLIED BY OR UNDER DIRECTION OF: KENNETH D. GIL
P.C.E. 14883
LOCATED IN SACRAMENTO, SACRAMENTO COUNTY, STATE OF CALIFORNIA
REMARKS SHOWN ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION THIS IS NOT A BOUNDARY SURVEY
ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.C.S. NAD 83 DATUM, AND ON MEAN SEA LEVEL
N.A.S.D. 1988 CORRECTION ADD 2.31' TO ELEVATIONS SHOWN
CONTOUR INTERVAL: N/A
THE LATITUDE AND LONGITUDE WERE DETERMINED USING TRIMBLE 5400 SERIES GPS IN L.P.S. AND UTILIZING PROCTOR DIFFERENTIAL CORRECTION SOFTWARE AT THE CENTER OF THE PROPOSED LEASE AREA:
LAT. 38°12'03.37" NAD 83
LONG. 121°32'08.17" WAD 83
LAT. 38°12'03.81" NAD 27
LONG. 121°32'08.32" WAD 27
THIS SURVEY MEETS OR EXCEEDS F.M. 14 ACCURACY TOLERANCES
SITE NAME & NUMBER: 894-A / SOUTH POCKET
SITE ADDRESS: 7465 RUSH RIVER DR. SACRAMENTO, CA 95831 SACRAMENTO COUNTY
ASSIGNOR'S PARCEL NUMBER: 21-0900-061
CURRENT ZONING IS R CITY CC - SHOPPING CENTER
OWNER'S: PACIFIC RETAIL TRUST 62 BATTERY ST. 9408 SAN FRANCISCO, CA 94111
SITE CONTACTS: JEFF BARSTUBER REGISTRY PARTNERS 925-723-5900
LEASE AREA: 300 Square Feet, 0.0069 Acres ±
PARCEL AREA: 507,949 Square Feet ±, 11.6 Acres ±

REVISIONS		
NO.	DESCRIPTION	DATE
1	NOT ZONING CODES	8-21-99
2	NOT ZONING CODES	8-23-99
3	NOT ZONING CODES	9-08-99
4	ROADWAY WIDENING	12-01-99
5	REV. 1988 GPS	02-15-99

PROJECT
SOUTH POCKET
094-A
7465 RUSH RIVER DR.
SACRAMENTO, CA 95831
SACRAMENTO COUNTY

CONTACTS
RCS WIRELESS
P.O. BOX 963
224 WERNON STREET
ROSEVILLE, CA 95678
CONTACT: DAVID SPINALE
PH: (916) 773-3003
FAX: (916) 777-3032

GIL ENGINEERING
ENGINEERING SURVEYING PLANNING
1228 HIGH STREET
AUBURN, CALIFORNIA 95603
Phone: (530) 885-0428
Fax: (530) 823-1300



SCALE 1" = 10'

LEGAL DESCRIPTION per 1999010108 Office Records Sacramento County
PARCEL B, AS SHOWN ON THAT PARCEL MAP ENTITLED 'LOTS 9 THRU 17, 136 B.M. 15, LOTS 350 THRU 408, METO COURT AND SILVA CIRCLE, 154 B.M. 20 AND PARCEL D, 31 P.M. 17, ACCORDING TO THE ORIGINAL PLAT THEREOF, RECORDED IN THE OFFICE OF THE RECORDER OF SACRAMENTO COUNTY IN BOOK 87 OF PARCEL MAPS AT PAGE 22.
EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 300 FEET MEASURED VERTICALLY FROM THE SURFACE OF SAID LAND, IN WHOLE, HOWEVER THE RIGHT OF ENTRY THROUGH THE SURFACE OF SAID LAND ON THE LOWER 300 FEET THEREOF, AS RESERVED IN THE DEED EXECUTED BY ROBERT ROBERTS AND BETTY W. ROBERTS, HUSBAND AND WIFE, RECORDED IN BOOK 77-02-01, PAGE 831, SERIES NO 15792.

LEASE AREA DESCRIPTION
A portion of Parcel "B" as shown on that Parcel Map entitled 'Lots 9 thru 17, 136 B.M. 15, Lots 350 Thru 408, Meto Court and Silva Circle, 154 B.M. 20 and Parcel D, 31 P.M. 17' and Dated in Book 87 of Parcel Maps at page 22 in the Office of the County Recorder, Sacramento County and more particularly described as follows:
Beginning at a point which bears South 18°34'47" West 107.50 feet from the North most corner of the aforementioned Parcel "B"; thence from said point of Beginning South 00°05'45" East 13.00 feet; thence South 84°34'15" West 20.00 feet; thence North 00°05'45" West 13.00 feet; thence South 84°34'15" East 13.00 feet to the point of Beginning
Together with a dynamic easement for ingress and egress twelve feet in width over and across the existing parking areas and traversed may from the above described lease area to the road commonly known as Rush River Drive.
Also together with a dynamic easement for utility purposes five (5) feet in width over and across and through the existing parking areas and traversed may from the above described lease area to the nearest or most convenient location.

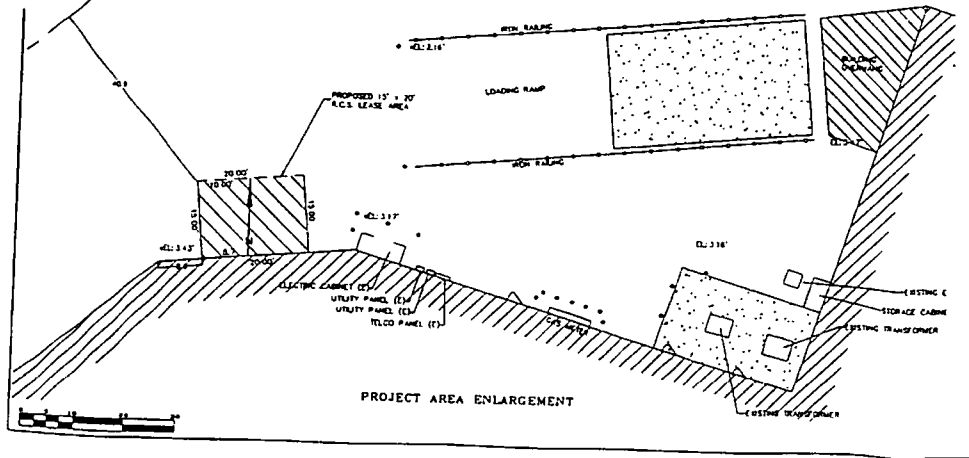
SEAL

APPROVALS	
DATE	BY:

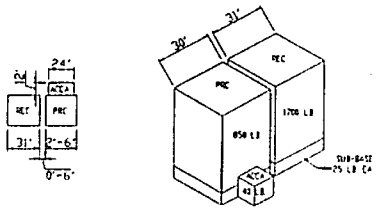
DRAWN BY: D. GIL
CHECKED BY: K. GIL

SHEET TITLE
PLOT PLAN AND SITE TOPOGRAPHY

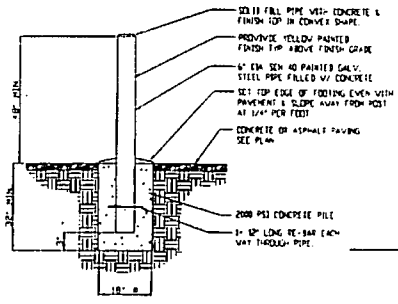
SHEET NUMBER
C-1



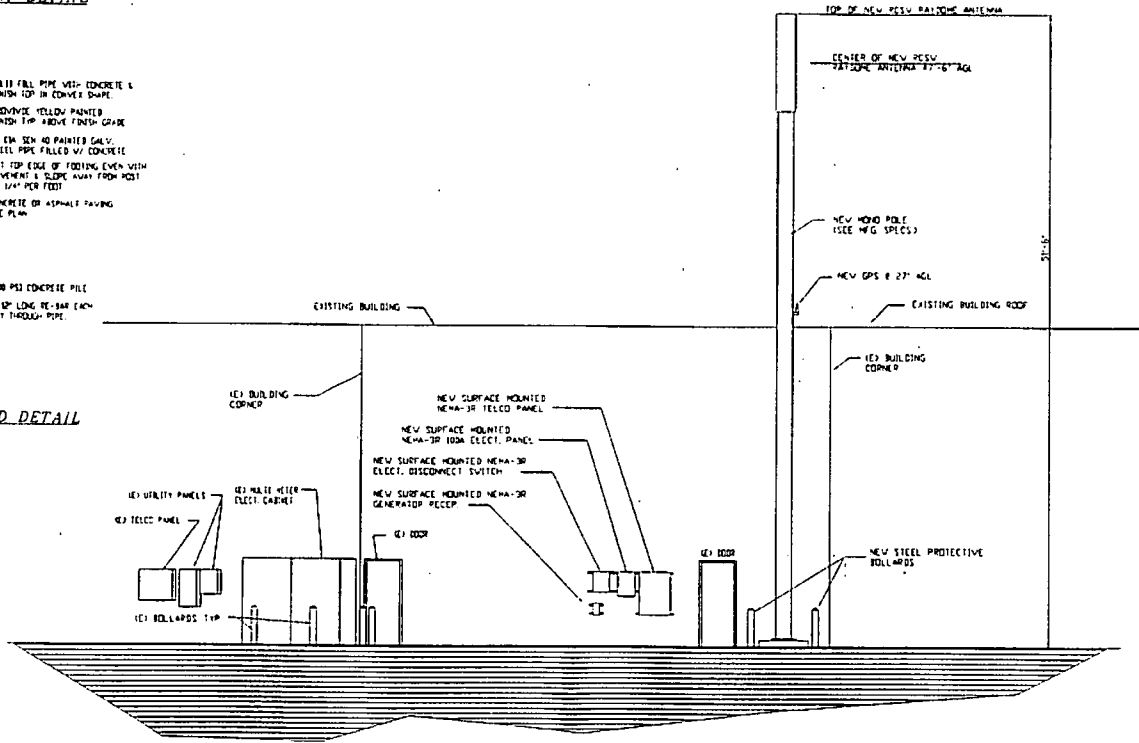
PROJECT AREA ENLARGEMENT



1 NEW RGSW EQUIPMENT DETAIL
NOT TO SCALE



2 PROTECTIVE BOLLARD DETAIL
NOT TO SCALE



WEST ELEVATION
SCALE 1/4" = 1'-0"

REVISIONS		094-A	
NO.	DESCRIPTION	DATE	BY
1	REV. IDING. DEC'S	9-2-99	TAP
2	REV. CONTRACTOR DEC'S	9-22-99	TAP
3	REV. IDING. DEC'S	12-7-99	TAP
4	REV. LEASE DEC'S	1-31-00	TAP
5	REV. IDING. DEC'S	2-15-00	TAP
6	REV. CONTRACTOR DEC'S	3-21-00	TAP
7	REV. IDING. DEC'S	4-30-00	TAP

PROJECT
THE PROMINADE
094-A
2450 BUSH AVENUE DRIVE
SACRAMENTO, CA 95821
SACRAMENTO COUNTY

CONTACTS
RCS WIRELESS
P.O. BOX 909
224 MERRIMON STREET
ROCKVILLE, CA 95978
CONTACT: DAVID SPRUACH
PH: (916) 772-3028
FAX: (916) 772-3022

Architect
J Lee Buckingham
10420 J. MCARTHUR WAY, SUITE 200
SACRAMENTO, CALIFORNIA 95828
CONTACT: TODD PEE+
PH: (530) 898-0750
FAX: (530) 898-0740

SEAL

APPROVALS	
DATE	BY

DRAWN BY: I-PEE+

CHECKED BY:

SHEET TITLE
ELEVATION, DETAILS
AND NOTES

SHEET NUMBER
A-2

100

Exhibit 1D - Photosimulation 1

P 99-152
DEC 17 1999
View looking north at the front of Bel Air from across Rush River.

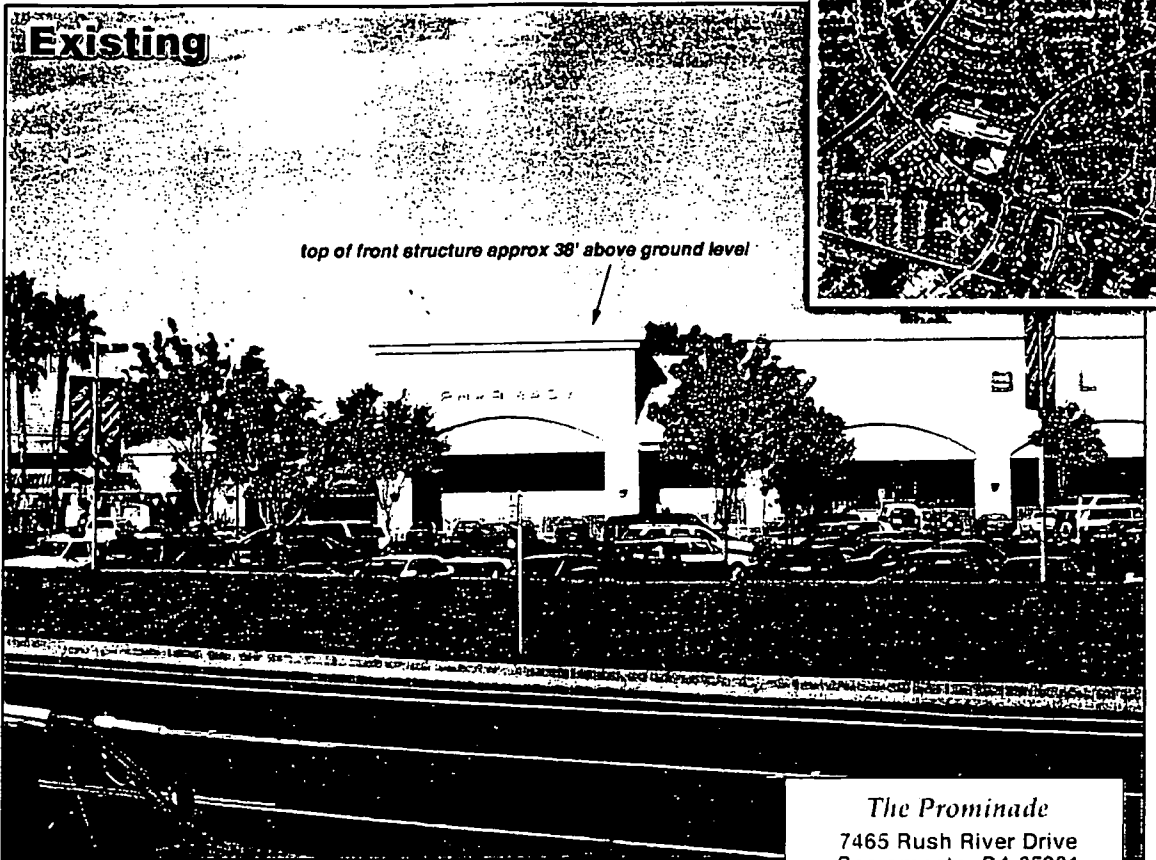


Exhibit 1E - Photosimulation 2

View looking south at the back loading dock area behind the building.

Existing



The Promenade
7465 Rush River Drive
Sacramento, CA 95831
094 A

RCS Wireless, Inc.

Proposed

proposed silhouette cylinder



Attachment 2

