

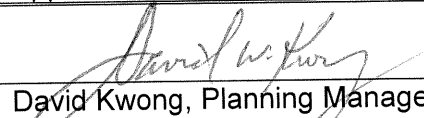


CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION
New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: Sim Park Monopole
Project Number: P06-039
Project Location: 6141 Logan Street
Assessor's Parcel No.: 038-0141-010
Applicant: Ken Stockero
Action Status: Approved Action Date: 07/13/06

REQUESTED ENTITLEMENT(S): A. Environmental Determination: Exempt (15303 d);
B. Special Permit to construct a cellular telecommunications facility in a single family (R-1) zone.

ACTIONS TAKEN: On 7/13/06, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
Determined that the proposed project was exempt from environmental review pursuant to Section 15303 of the California Environmental Quality Act.
Approved the Special Permit for the proposed telecommunications facility.

Action certified by: 
David Kwong, Planning Manager

Sent to Applicant: 07/13/2006

By: 
Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of

fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 07/24/06. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings of Fact

- A. **Environmental Determination:** Categorical Exemption. The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15303 of the California Environmental Quality Act.
- B. The **Special Permit** for the proposed telecommunications facility is approved subject to the following Findings of Fact:
 1. Granting the Special Permit is based upon sound principles of land use in that:
 - A. The facility will improve telecommunications coverage for the area;
 - B. Collocating on a stadium light pole in a City Park is a preferred siting option; and
 - C. The monopole would provide revenue to Neighborhood Enhancement Programs/Projects near the site within the Council District.
 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. Installation of the monopole and antennas will be subject to building permits;
 - B. The equipment shelter will have transparent iron sides to prevent people from hiding behind the structure and assaulting passersby; and
 - C. The equipment shelter will have a roof, both to prevent foul balls from entering the enclosure and deter persons who might try and retrieve the foul balls.
 3. The proposed project is consistent with the General Plan Policy of promoting and supporting communications within the City as well as the Guidelines for Telecommunications Facilities (GP Section 7-10)

Conditions Of Approval

The Special Permit for the construction of a 65 foot cellular telecommunications facility is hereby approved subject to the following conditions:

1. Applicant shall obtain all necessary building and/or encroachment permits prior to commencing construction.
2. Any modification to the project shall be subject to review and approval by Planning Department staff prior to the issuance of building permits.
3. Unless specified by any condition below, this project shall be developed and constructed in full compliance with the Zoning Ordinance.
4. The applicant shall obtain all necessary federal telecommunications permits prior to commencing construction.
5. The monopole shall have a maximum diameter of 18 inches, with a 24 inch diameter radome.
6. The coax cables shall run along the interior of the monopole.
7. Size and location of the panels shall conform to the plans submitted. The panels shall be painted to match the monopole. The applicant shall use non-reflective paint on all equipment on the tower to prevent glare. Each new item on the tower including cables, brackets, supports, etc. shall be painted to match the monopole.
8. The height of the antennas and related support structure shall be limited to 65+ feet. Any additional antennas (two 6 antenna panels are approved), or increased height for the structure (65+ feet), shall require a modification of the Special Permit.
9. 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.
10. The proposed cable run from the tower to the equipment cabinets shall be attached to the interior tower leg or existing cable run. The new cable run shall either be ground level, or underground.
11. Any graffiti and garbage/trash shall be removed in a timely manner.