



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

Project Name: East Lawn Cemetery Antenna
Project Number: P08-044
Project Location: 4300 Folsom Blvd.
Assessor's Parcel No.: 008-0010-011
Applicant: Frank Schabrarum, AT&T Mobility
Action Status: Approved Action Date: 07/17/2008

REQUESTED ENTITLEMENT(S): A. Environmental Determination: Categorical Exemption pursuant to CEQA Guidelines Section 15301 for Existing Facilities;

B. Special Permit to locate a cellular facility within the Standard Single Family (R-1) zone.

ACTIONS TAKEN: On 07/17/08, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
Approved

Action certified by: 
David Kwong, Planning Manager

Sent to Applicant: 07/18/2008

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 (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); 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 07/27/08. 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: Exemption

Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Planning Commission finds that the Project is exempt from review under

CEQA Guidelines Section 15301, Existing Facilities of the California Environmental Quality Act Guidelines as follows:

This project consists of the applicant proposal to located 9 panel antennas on an existing building at 63' height.

This project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

B. The Special Permit to install up to nine cellular panel antennas within the East Lawn Cemetery Administration Building at an elevation of 63 feet, located in the Standard Single Family (R-1) zone is approved subject to the following Findings of Fact:

1. The project, as conditioned, is based upon sound principles of land use in that:
 - a. The project will utilize an existing building;
 - b. The antenna panels and related equipment will be designed to blend in with the existing East Lawn Cemetery Administrative building; and
 - c. The project will not adversely affect the surrounding land uses in that the visual impacts are nominal and the wireless cellular phone capabilities for East Sacramento are enhanced greatly.
2. The project, as conditioned, will not be detrimental to the public welfare, safety, or result in the creation

of a public nuisance in that:

- a. The antennas are proposed in a location that will not interfere with existing land uses or future uses on the subject parcel and the surrounding area; and
 - b. No additional parking, utilities, or services are required at this site as a result of this proposal.
3. The project, as conditioned, complies with the General Plan in that telecommunication facilities are permitted with a Special Permit. The project is also consistent with the telecommunication policy of siting telecommunication facilities on existing structures.

Conditions Of Approval

B. The Special Permit A request to install up to nine cellular panel antennas within the East Lawn Cemetery Administration Building at an elevation of 63 feet, located in the Standard Single Family (R-1) zone is hereby approved subject to the following conditions of approval:

PLANNING:

B1. That applicant shall comply with all federal telecommunications requirements and obtain all necessary permits prior to commencing construction.

B2. The applicant shall obtain all necessary building permits prior to commencing construction.

B3. Size and location of antennas shall conform to the plans submitted. Any modifications of the plans, such as additional antennas or increased height of the antennas shall require a modification of the Special Permit.

B4. The applicant shall preserve the East Lawn Cemetery Administrative building during any construction or placement or maintenance of the antennas and corresponding telecommunications facilities located on site to the satisfaction of the Preservation Director.

B5. All related telecommunications facility equipment, shelter, cabinet, etc must be located on the roof of the East Lawn Cemetery Administrative building and must be screened from public view.

B6. Should the applicant discontinue using the antennas or equipment for wireless service, the applicant shall remove the panels and equipment within ninety (90) days of termination.