

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 11-009 (AT&T)  
APN: 025-491-001

DATE: JANUARY 24, 2012

Needs: For the Planning Commission to consider a request by AT&T, to replace an existing 4-foot cellular microwave antenna with a 6-foot microwave dish, located at 9000 E. Highway 46 (Paso Robles Landfill).

- Facts:
1. The Landfill is owned by the City, including the land where the cellular facility is located. See Location Map, Attachment 1.
  2. The existing facility is owned and leased by AT&T. AT&T has a lease agreement with the City for this facility and the property on which the facility is located.
  3. The lease between the City and AT&T, dated September 1, 2011, requires that the prior CUP be updated to reflect the current cellular facilities on the site. In addition, Table 21.16.200, requires the approval of a Conditional Use Permit (CUP) for cellular facilities.
  4. In October of 2000, the Planning Commission approved CUP 00-008 allowing for the existing 120-foot tall mono-pole, along with the equipment structure and existing microwave antenna.
  5. The existing 4-foot microwave dish is located on the equipment building located adjacent to the cellular mono-pole. This request is to replace the existing microwave antenna with a 6-foot dish, in the same location.
  6. The Development Review Committee (DRC) reviewed this project at its meeting of December 19, 2011, where the Committee recommended that the Planning Commission approve the request.
  7. The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement CEQA. Section 15303 exempts new construction of small structures. The monopole and equipment building would be small structures.

Analysis  
and

Conclusions: The existing microwave antenna was previously approved by CUP 00-008. This application is to replace the antenna with a 6-foot microwave antenna. Given the location of the site and the design of the existing facility, the proposed 6-foot microwave dish would seem appropriate.

Policy

Reference: Zoning Code, General Plan, Economic Strategy

Fiscal

Impact: None

Options: After consideration of any public testimony, the Planning Commission should consider the following options:

- a). Determine that the addition of the 6-foot microwave dish to the existing cellular facility is reasonable, given the existing facility design and location, and adopt the attached resolution granting approval of Conditional Use Permit 11-009.
- b). Amend, modify or alter the above noted options.

Attachments:

1. Location Map
2. Resolution approving CUP 11-009
3. Newspaper notice and mail affidavits

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4195 SANDHILL AVENUE, SUITE 101  
SAN JOSE, CA 95128


PROJECT INFORMATION:  
SV00536A  
PASO ROBLES LANDFILL  
5000 E HIGHWAY 46  
PASO ROBLES, CA 93246

CURRENT ISSUE DATE:  
11-23-11

ISSUED FOR:  
ZONING

REV. DATE DESCRIPTION BY  
 11-08-11 PRELIM FOR ZDA BK  
 ISSUED FOR URM BK  
 11-23-11 ISSUED FOR ZD BK

PLANS PREPARED BY:  
 Synergy  
 Engineering Services, LLC  
 14177 Highway 26, 1st Floor, Castroville  
 CA 95009

CONSULTANT:  
 Synergy  
 Engineering Services, LLC  
 14177 Highway 26, 1st Floor, Castroville  
 CA 95009

DRAWN BY: CAD  
 CHECKED BY: SYNERGY  
 LICENSE NUMBER: BK

SHEET TITLE:  
SITE PLAN

SHEET NUMBER: A-1  
 REVISION: 1  
 5/06/2014



**Attachment 1**  
Location Map  
CUP 11-009  
(AT&T)

SITE PLAN

RESOLUTION NO: \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 11-009  
(AT&T)  
APN: 025-491-001

WHEREAS, the City has leased a portion of its property (the "Site") at the City landfill to allow for the installation and operation of a cellular facility; and

WHEREAS, a new lease for the Site was entered into between the City and New Cingular Wireless PCS, LLC, a Delaware limited liability company ("AT&T"), dated September 1, 2011; and

WHEREAS, the lease requires that the existing conditional use permit for the facility be updated to reflect the correct number and configuration of antenna on the facility; and

WHEREAS, Resolution 00-075 was approved by the Planning Commission on October 24, 2000, allowing the upgrade of an existing cellular facility to the existing 120-foot tall mono-pole, which included the installation of a 4-foot diameter microwave dish; and

WHEREAS, AT&T has filed a Conditional Use Permit application to replace the existing microwave antenna with a larger 6-foot diameter dish; and

WHEREAS, a public hearing was conducted by the Planning Commission on January 24, 2012, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 11-009 subject to the following conditions:

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

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EXHIBIT	DESCRIPTION
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A	Photo of Existing Facility
B	Equipment and Antenna Plan

- This Conditional Use Permit (CUP) authorizes the installation of the 6-foot diameter microwave dish to replace the existing 4-foot dish, as shown in Exhibit B. Resolution 00-075 shall remain in effect.
- This project approval shall expire on January 24, 2013, unless a building permit is issued for the project, or unless a time extension request is filed with the Community Development Department prior to expiration.
- The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of January, 2012 by the following Roll Call Vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

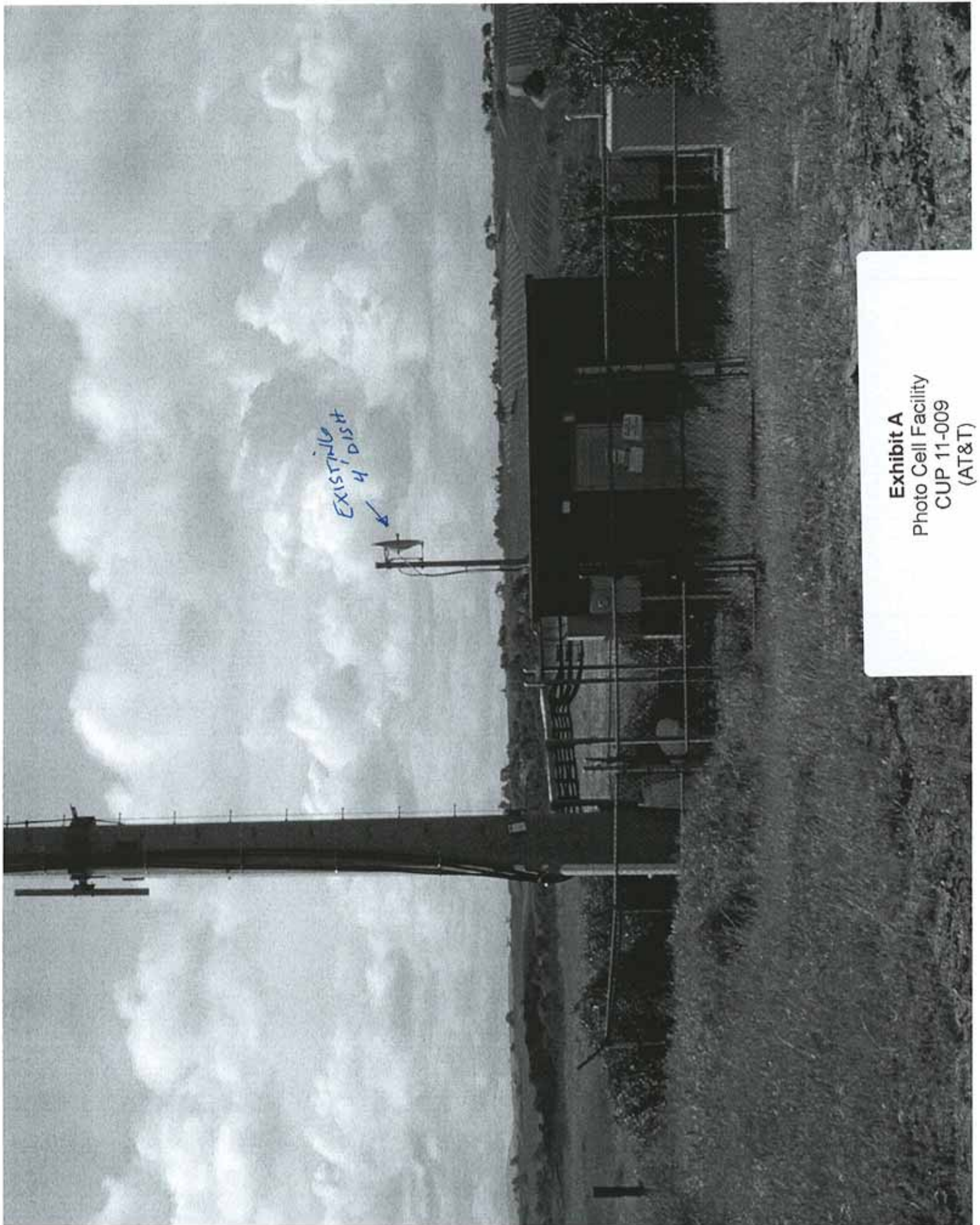
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CHAIRMAN, AL GARCIA

ATTEST:

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ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION



**Exhibit A**  
Photo Cell Facility  
CUP 11-009  
(AT&T)



1370 PARK PLACE DRIVE  
CERRITOS, CA 94730



PROJECT NO: 111111  
SHEET NO: 1 OF 1  
DATE: 11/08/11

NO.	DATE	DESCRIPTION
1	11/08/11	ISSUED FOR PERMITTING
2	11/08/11	ISSUED FOR PERMITTING
3	11/08/11	ISSUED FOR PERMITTING
4	11/08/11	ISSUED FOR PERMITTING
5	11/08/11	ISSUED FOR PERMITTING

PROJECT NO: 111111  
SHEET NO: 1 OF 1  
DATE: 11/08/11

SLG07  
PASO LANDFILL  
9000 E. HIGHWAY 46  
PASO ROBLES, CA  
O.D. CARRIQUET TOWER

SHEET TITLE  
SITE PLAN, ELEVATION  
AND DETAILS

SHEET NUMBER  
**A-1**



**SITE NUMBER: SLG07**  
**SITE NAME: PASO LANDFILL**  
**SITE ADDRESS: 9000 E. HIGHWAY 46**  
**PASO ROBLES, CA**



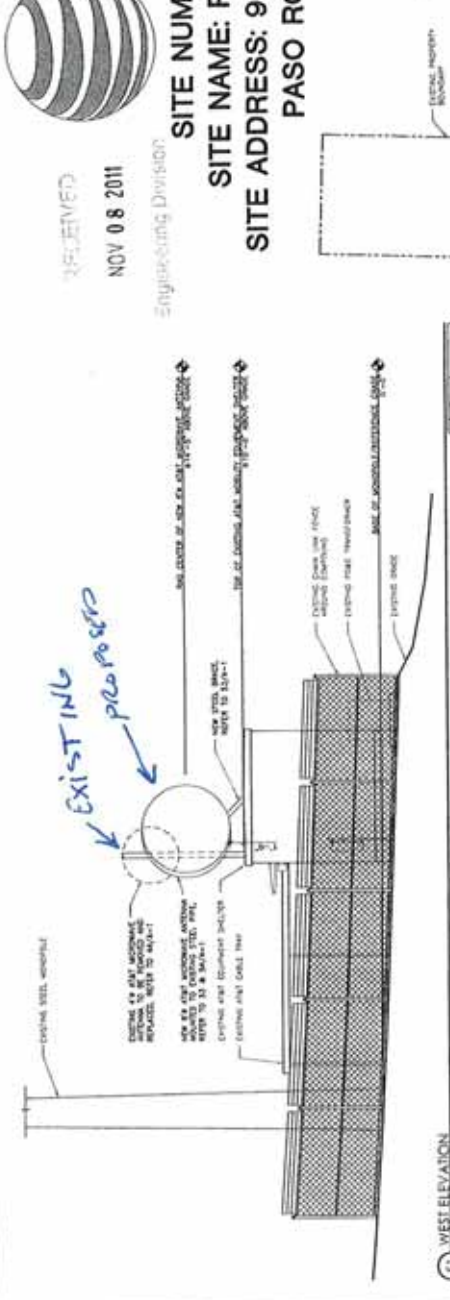
**DRIVING DIRECTIONS**  
FROM SAN JOSE: TAKE SR 88 SOUTH TO SR 101 WEST TO SR 46 SOUTH TO SITE.  
FROM SAN FRANCISCO: TAKE SR 101 EAST TO SR 46 SOUTH TO SITE.

**PROJECT DATA**  
ARCHITECT:  
BLACK & VEATCH  
3000 BAY AREA BLVD  
EMERYVILLE, CA 94608  
PROJECT NO: 111111  
DATE: 11/08/11

**SCOPE OF WORK**  
THE PROPOSED PROJECT CONSISTS OF THE FOLLOWING:  
1. CONSTRUCTION OF ONE (1) NEW 28.5 KW EQUIPMENT SHELTER.  
2. CONSTRUCTION OF ONE (1) NEW 28.5 KW ANTENNA MOUNT/BRACE.  
3. CONSTRUCTION OF ONE (1) NEW 28.5 KW WEST ELEVATION.

14. SF DATA TABLE

NO.	REVISION	DATE	BY	CHKD	APP'D	DATE
1	ISSUED FOR PERMITTING	11/08/11	...	...	...	...



NEW 28.5 KW ANTENNA MOUNT/BRACE  
NEW 28.5 KW EQUIPMENT SHELTER  
EXISTING WEST ELEVATION  
EXISTING EAST ELEVATION  
EXISTING SOUTH ELEVATION  
EXISTING NORTH ELEVATION

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

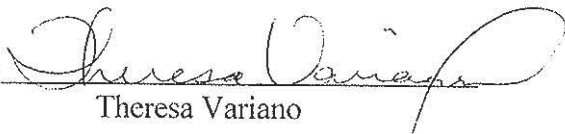
Newspaper: Tribune

Date of  
Publication: January 12, 2012

Hearing  
Date: January 24, 2012  
(Planning Commission)

Project: Conditional Use Permit 11-009  
(AT&T/Knight)

I, Theresa Variano, employee of the Community  
Development Department, Planning Division, of the City  
of El Paso de Robles, do hereby certify that this notice is  
a true copy of a published legal newspaper notice for the  
above named project.

Signed:   
Theresa Variano

forms\newsaffi.691

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 11-009, a request filed by AT&T to replace an existing 4-foot diameter microwave antenna with a 6-foot microwave antenna, located on the existing building at the Paso Robles Landfill, located at 9000 East Highway 46. APN: 025-491-001

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, January 24, 2012, at which time all interested parties may appear and be heard.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at [planning@prcity.com](mailto:planning@prcity.com). Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to [planning@prcity.com](mailto:planning@prcity.com) provided that such comments are received prior to the time of the hearing.

This application is Categorically Exempt from environmental review per Section 15301 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

If you challenge the Conditional Use Permit application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Darren Nash, Associate Planner  
January 12, 2012 6972276



PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

**Newspaper:** Tribune

**Date of  
Publication:** January 9, 2012

**Hearing  
Date:** January 24, 2012  
(Planning Commission)

**Project:** Conditional Use Permit 11-009  
(AT&T/Knight)

I, Theresa Variano, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed:   
Theresa Variano