

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 11-011 AMENDMENT (AT&T Mobility)
APN: 025-491-001

DATE: FEBRUARY 25, 2013

Needs: For the Planning Commission to consider a request by AT&T, to replace the existing 9 panel antennas with 12 new panel antennas on the existing mono-pole 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 requires that the prior Conditional Use Permit (CUP) be updated to reflect the current cellular facilities on the site. In addition, Table 21.16.200, requires the approval of a 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 and 9 panel antennas, along with the equipment structure and existing microwave antenna.
 5. In January 2012, the Planning Commission approved CUP 11-011 allowing T-Mobile to install 6 panel antennas, for a total of 15.
 6. The existing AT&T 9 panel antenna array is located at the top of the monopole. These antennas would be replaced with a new array of 12 panel antennas. T-Mobile's existing 6 panel antenna array would remain. The total number of panel antennas for this monopole would be 18, see attached photos, Attachments 2 & 3.
 7. The Development Review Committee (DRC) reviewed this project at its meeting of January 28, 2013, where the Committee recommended that the Planning Commission approve the request.

8. 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 cellular facility was previously approved by CUP 00-008 & CUP 11-011. This application is to replace the existing AT&T 9 panel array with a 12 panel array. The 12 antennas along with the 6 T-Mobile antennas would increase the total number of panel antennas from 15 to 18. Given the location of the site and the design of the existing facility, the proposed additional antennas 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 replacing the existing 9 panel array with a 12 panel array (for a total of 18) on the existing cellular mono-pole is reasonable, given the existing facility design and location, and adopt the attached resolution granting approval of Conditional Use Permit 11-011 Amendment.
- b). Amend, modify or alter the above noted options.

Attachments:

1. Location Map
2. Photo showing Existing and Proposed (From a distance)
3. Photo showing Existing and Proposed (Close)
4. Resolution approving CUP 11-011 Amendment
5. Newspaper notice and mail affidavits

T-Mobile
Get more from life[™]

4100 CHAMBERLAIN ST., SUITE 101
SHELL VALLEY, CA 95763

PROJECT INFORMATION:

SV00536A
PASO ROBLES LANDFILL
9000 E. HIGHWAY 46
PASO ROBLES, CA 93446

CURRENT ISSUE DATE:

11-23-11

ISSUED FOR:

ZONING

REVISIONS:

NO.	DATE	DESCRIPTION	BY
1	11-08-11	PRELIM. 60% ZD ₆ BK ISSUED FOR DRW	BK
2	11-23-11	100% ZD ₆ ISSUED FOR ZD	BK

PLANS PREPARED BY:



Synergy
Development Services, Inc.
10000 E. HIGHWAY 46, SUITE 101
PASO ROBLES, CA 93446

CONSULTANT:



Synergy
Development Services, Inc.
10000 E. HIGHWAY 46, SUITE 101
PASO ROBLES, CA 93446

DRAWN BY: CHK
CAO: SYNERGY
LICENSE NUMBER: BK

SHEET TITLE:

SITE PLAN

SHEET NUMBER: REVISION:

A-1 1

SV00536A

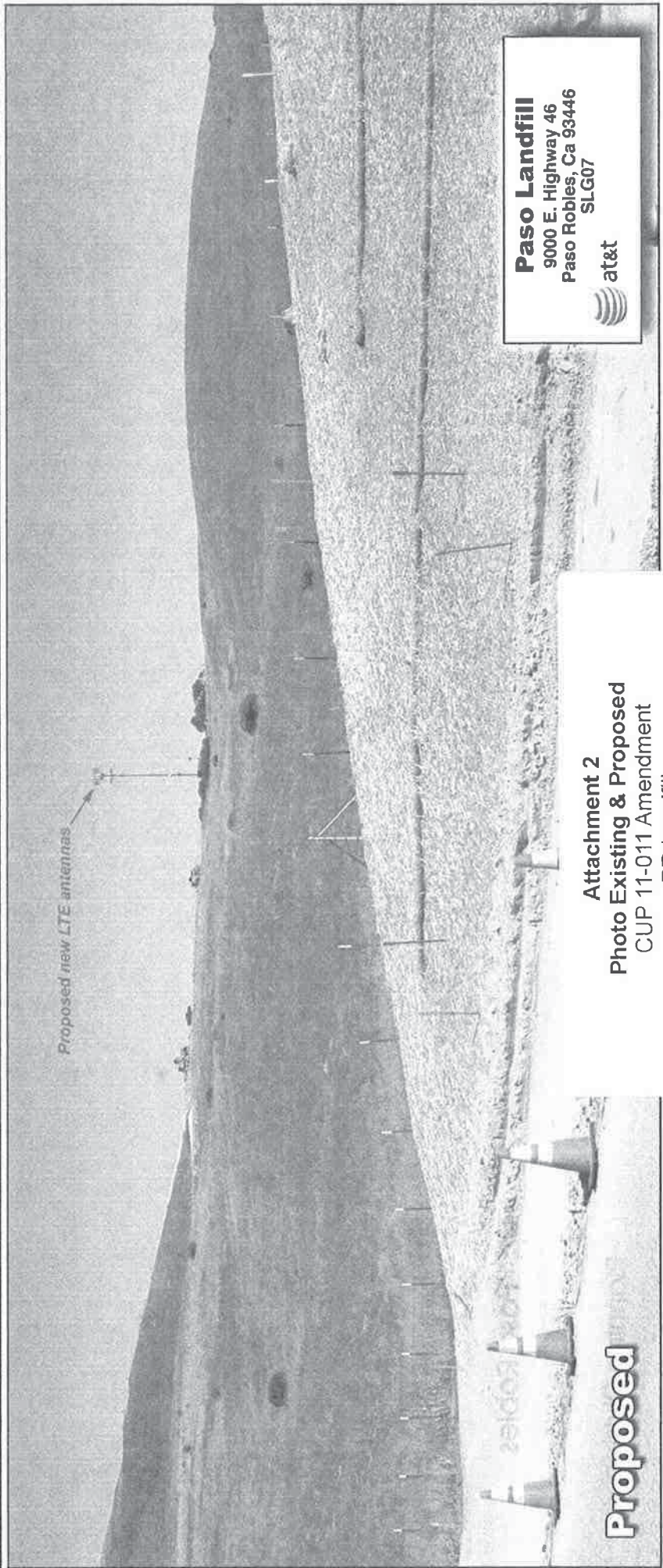
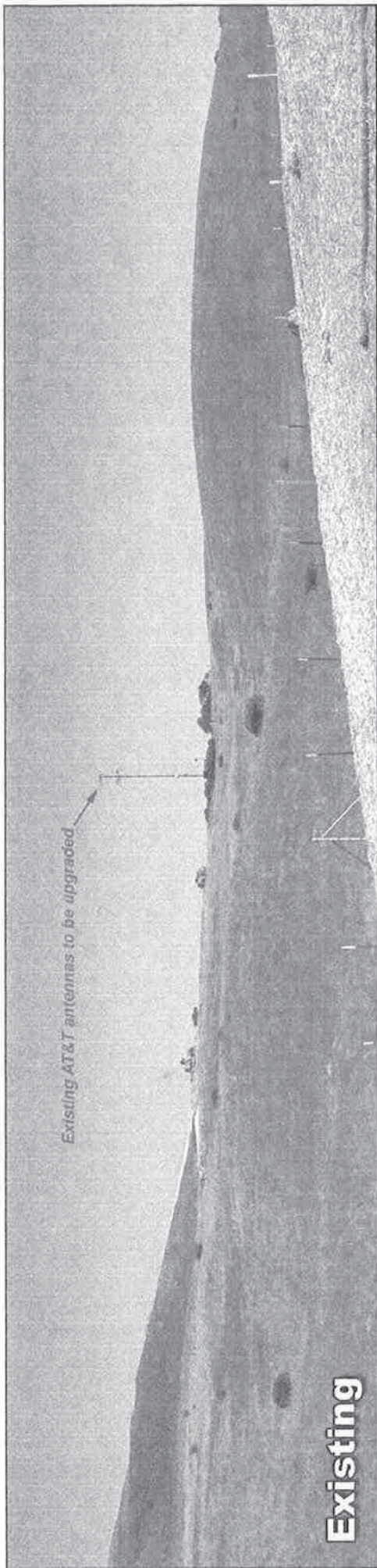


Attachment 1
Vicinity Map
CUP 11-011 Amendment
PR Landfill
(AT&T)

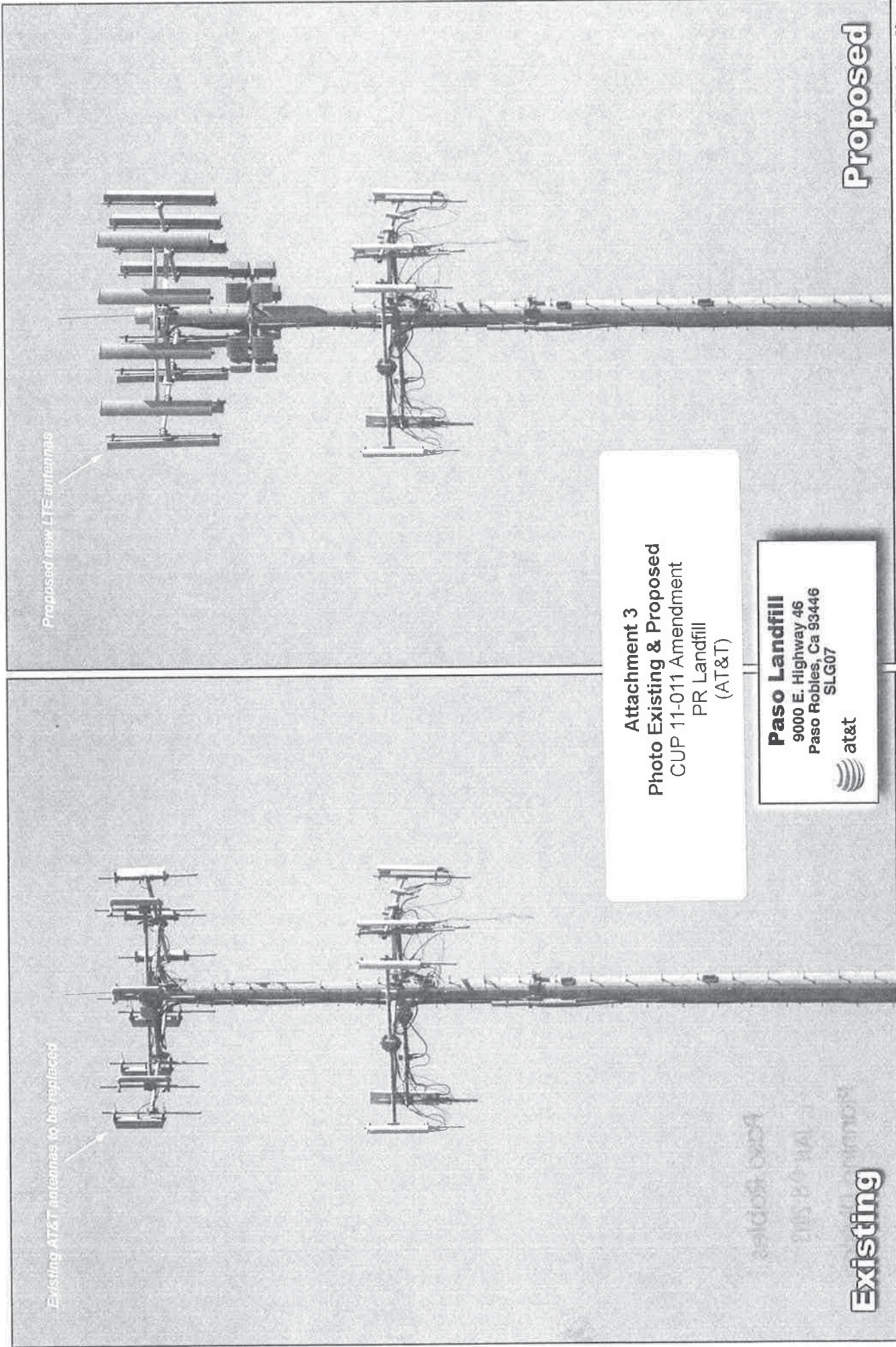


SITE PLAN

Photosimulation of the view from the intersection of Hwy 46 and, using a standard lens, looking in the northeast direction.



Photosimulation of a telephoto zoom view showing detail of the proposed upgrades, as seen from the access road.



RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 11-011 AMENDMENT
(AT&T MOBILITY)
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 Amendment application to replace the existing 9 panel antenna array with a new 12 panel antenna array; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 25, 2013, 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 11-011 Amendment 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:

EXHIBIT	DESCRIPTION
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A	Photo of Existing & Proposed Facility
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2. This Conditional Use Permit (CUP) authorizes the replacement of the existing 9-panel antenna array with a new 12-panel antenna array, as shown in Exhibit B. The 12 panel along with the existing 6 panel antennas would be a total of 18 panel antennas.
3. This project approval shall expire on February 25, 2015, 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.
4. 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.
5. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
6. 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 25th day of February, 2013 by the following Roll Call Vote:

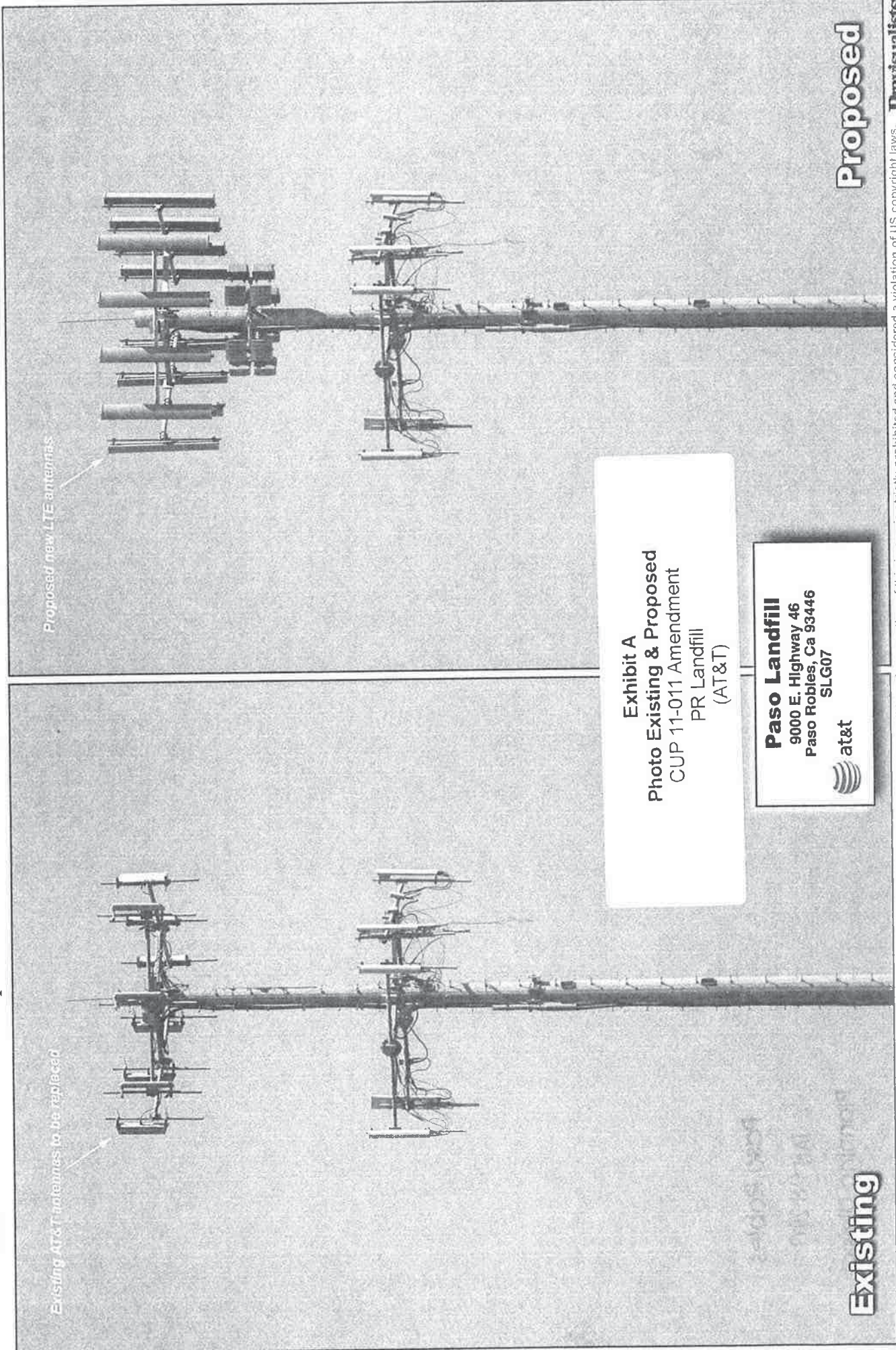
AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIRMAN, VINCE VANDERLIP

ATTEST:

ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION

Photosimulation of a telephoto zoom view showing detail of the proposed upgrades, as seen from the access road.




Proposed new LTE antennas

Existing AT&T antennas to be replaced

Exhibit A
Photo Existing & Proposed
CUP 11-011 Amendment
PR Landfill
(AT&T)

Paso Landfill
9000 E. Highway 46
Paso Robles, Ca 93446
SLG07



Proposed

Existing

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Tribune

Date of Publication: February 13, 2013

Hearing Date: February 25, 2013
(Planning Commission)

Project: Conditional Use Permit 11-011 Amendment
(AT&T Mobility)

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 an amendment to Conditional Use Permit 11-011, a request filed by AT&T Mobility, to replace the 9 existing AT&T antennas with 12 new panel antennas. This would increase the total number of antennas on the mono-pole from 15 to 18 (including 6 existing T-Mobile antennas). The antennas are located on the existing mono-pole 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 Monday, February 25, 2013, 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. 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 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.

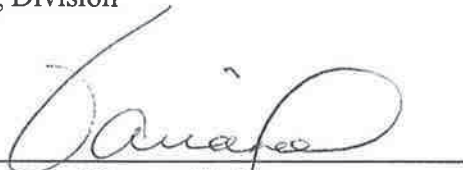
Darren Nash, Associate Planner
February 13, 2013 7013330

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Theresa Variano, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Conditional Use Permit 11-011 Amendment (AT&T Mobility) on this 11th day of February, 2013.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____


Theresa Variano