

SALINAS PLANNING COMMISSION

Staff Report

City of Salinas
Community Development
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Planning Manager Approval	Agenda Item
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DATE: November 21, 2018
TO: Planning Commission
FROM: Courtney Grossman, Planning Manager
BY: Thomas Wiles, Senior Planner

SUBJECT: CONDITIONAL USE PERMIT 2018-009; A REQUEST TO CONSTRUCT AND OPERATE A MAJOR TELECOMMUNICATIONS FACILITY CONSISTING OF A 60-FOOT HIGH STEALTH MONOPINE AT AN EXISTING RELIGIOUS ASSEMBLY USE LOCATED AT 1230 LUTHER WAY IN THE PUBLIC/SEMIPUBLIC (PS) ZONING DISTRICT.

RECOMMENDATION

Staff recommends that the Planning Commission affirm the findings and adopt the attached Resolution adopting the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving Conditional Use Permit 2018-009 authorizing construction and operation of the proposed Major Telecommunications Facility.

BACKGROUND

Sequoia Deployment Services, representing Verizon Wireless is proposing to construct and operate a Major Telecommunications Facility consisting of a 60-foot high stealth facility (Monopine) with nine (9) six-foot tall antennas installed at a height of 55-feet, with a five (5) foot antenna radius, 18 Radio Remote Units (RRU's), within a 30-foot by 30-foot ground lease area with support equipment, including a generator, enclosed by an eight (8) foot high wood fence at an existing Religious Assembly use (Evangelical Lutheran Church). The property is owned by the Evangelical Lutheran Church.

The project was originally scheduled for the October 17, 2018 Planning Commission hearing date. However, on October 3, 2018, the Applicant (Verizon Wireless) requested that this item be rescheduled to the November 7, 2018 meeting to allow additional time per a tolling agreement between the Applicant and the City of Salinas. On November 7, 2018, the Planning Commission meeting was cancelled due to a lack of quorum; therefore, the item was rescheduled to November 21, 2018. On November 13, 2018, the agreement was extended to December 5, 2018.

The property is located in the PS (Public/Semipublic) District and is currently a Religious Assembly use. The following provides an overview of the land uses and zoning districts adjacent to the project site:

- North: Religious Assembly and Single-family Residential / Public/Semipublic (PS), Residential Low Density (R-L-5.5)
- South: Multi-family Residential / Residential High Density (R-H-2.1)
- East: Single-family Residential / Residential Low Density (R-L-5.5)
- West: Agricultural / County of Monterey

ANALYSIS

The proposed design of the 60-foot high monopine will blend in with existing on-site landscaping (see attached photosimulations in the CUP and Initial Study). A ground mounted generator is proposed to be located approximately 130-feet away from the nearest residential properties. The generator and other support equipment will be located within the lease area, which will be screened from public view by an eight-foot high solid wood fence with landscaping planted in front of the fence. In addition, the project site is screened by existing on-site landscaping. Per a Noise Study - Verizon Wireless – Proposed Base Station (Site No. 438760 “Luther & Blanco”) 1230 Luther Way prepared by Hammett & Edison Inc., Consulting Engineers dated March 19, 2018, the existing noise level at the nearest residential property line located to the south at 1240 Luther Way is 63.7 dBA CNEL, which exceeds the maximum allowed 60 dBA per Zoning Code Section 37-50.180, Table 37-50.50. The project proposes one (1) Generac Model G007090 pad mounted backup generator. The generator would only be used for emergency operations and for a single 15-minute period once a week during daytime hours on a weekday, to maintain its readiness. Per the Noise Study, the maximum noise level of the Generator was tested at 63.8 dBA CNEL, with a hypothetical level of 64.2 and 64.6 dBA CNEL to the south residential property line during emergency operations. Noise would be a less than a significant impact, because the generator would only be operated during emergency periods of operation and does not substantially increase the existing noise level at the residential property line. Noise levels from the generator shall not exceed the maximum allowed Zoning Code performance standards (NOI-1) except for emergency operations.

Section 65850.6 of the Californian Government Code states, in part, that all new

telecommunications facilities that may be collocated are subject to environmental review under the California Environmental Quality Act (CEQA). An Initial Study was prepared to evaluate the potential impacts associated with the project, and it has been determined that the proposed project will not have a significant effect on the environment because the project will be subject to the mitigation measures outlined in the proposed Mitigation Monitoring and Reporting Program (see Environmental Review below).

A Radio Frequency (RF) Study has been prepared for the proposed project by Hammett & Edison Incorporated, Consulting Engineers (Verizon Wireless – Proposed Base Station (Site No. 438760 “Luther & Blanco”) 1230 Luther Way RF Study prepared by Hammett & Edison Inc., Consulting Engineers dated March 19, 2018). The study was prepared to analyze the proposed project for compliance with the appropriate guidelines limiting exposure to RF energy (see Attachment No. 4 of the Initial Study). Per the RF Study, the proposed project will comply with the prevailing standards for limiting human exposure to RF energy in accordance with the regulations of the Federal Communications Commission (FCC). Therefore, no significant impact on the general population is expected.

The Mitigation Monitoring Program includes the following three (3) mitigation measures.

Mitigation Measure CU-1; Requires that in the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Section 21083.2 of the California Public Resources Code;

Mitigation Measure HAZ-1; For any future proposed antennas, a Radiofrequency (RF) analysis demonstrating that radio frequency energy would not cumulatively exceed amounts permitted by the Federal Communications Commission (FCC) shall be submitted to the Community Development Department prior to any approvals for additional antennas on the subject facility; and

Mitigation Measure NOI-1; Requires that the maximum noise level of the generator shall not exceed the maximum allowed Zoning Code performance standards.

ENVIRONMENTAL REVIEW

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). An Initial Study was prepared to evaluate the potential impacts associated with the project. Based upon review of the Initial Study, the proposed project will not have a significant effect on the environment because the mitigation measures outlined in the proposed Mitigation Monitoring Program have been included in the project (see attached Initial Study and Mitigated Negative Declaration). The Initial Study and Mitigated Negative Declaration were routed to responsible agencies and posted at the County Clerk’s Office on September 24, 2018; the deadline for comments was October 15, 2018. Action on the environmental document should precede any action

on the requested permits. As of the date this report was written, no comments from responsible agencies were received.

FINDINGS

Mitigated Negative Declaration:

Prior to taking action on the requested Conditional Use Permit, the Planning Commission will need to confirm that the proposed environmental document is adequate for the proposed project by establishing the finding set forth in the attached Planning Commission Resolution.

Conditional Use Permit:

The Planning Commission may approve an application for a Conditional Use Permit, if all of the findings set forth in the attached proposed Planning Commission Resolution are established.

TIME CONSIDERATION

The project was deemed complete on July 7, 2018. Final action was required by October 18, 2018 (150 days following a submitted application) pursuant to federal regulations. However, on October 3, 2018, the Applicant (Verizon Wireless) signed a tolling agreement with the City of Salinas to extend the final deadline to November 21, 2018. On November 13, 2018, the agreement was extended to December 5, 2018. Furthermore, California Environmental Quality Act (Section 15107) requires approval on the environmental document within 180 days of a complete application. California Government Code Section 65950(a)(3) requires final action within 60 days of adoption of the negative declaration.

ALTERNATIVES AVAILABLE TO THE COMMISSION

The Planning Commission has the following alternatives:

1. Affirm the findings set forth in the attached Resolution, adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approve Conditional Use Permit 2018-009 with modifications; or
2. Find that the proposal is not appropriate and establish findings at the public hearing stating the reasons for not approving Conditional Use Permit 2018-009.

CONCLUSION

The proposed project is consistent with the Zoning Code and the General Plan. The project will provide telecommunications services in the City of Salinas. The Initial Study did not

identify significant environmental impacts.

COURTNEY GROSSMAN
Planning Manager

BY:

Thomas Wiles
Senior Planner

- Attachments: Proposed Planning Commission Resolution, including the following exhibit:
 Exhibit "1" Mitigation Monitoring and Reporting Program
- Draft Conditional Use Permit (CUP 2018-009), including the following exhibits:
- Exhibit "A" Vicinity Map
 - Exhibit "B" Title Sheet (Sheet T-1)
 - Exhibit "C" Topographic Survey (Sheet LS-1)
 - Exhibit "D" Final Survey (Sheet LS-2)
 - Exhibit "E" Site Plan (Sheet A-1)
 - Exhibit "F" BMP Plan (Sheet A-1.1)
 - Exhibit "G" Enlarged Site Plan (Sheet A-2)
 - Exhibit "H" Equipment and Antenna Layout (Sheet A-3)
 - Exhibit "I" Architectural Elevations (Sheet A-4)
 - Exhibit "J" Architectural Elevations (Sheet A-5)
 - Exhibit "K" Photosimulations
 - Exhibit "L" Engineer's Report, dated June 13, 2018
 - Exhibit "M" Mitigation Monitoring and Reporting Program
- Initial Study, including the following attachments:
1. Vicinity Map
 2. Project Plans (Sheets T-1, LS-1, LS-2, A-1, A-1.1, A-2, A-3, A-4, and A-5)
 3. Photosimulations
 4. RF Study - Verizon Wireless – Proposed Base Station (Site No. 438760 "Luther & Blanco") 1230 Luther Way –Statement of Hammett & Edison Inc., Consulting Engineers dated March 19, 2018
 5. Noise Study - Verizon Wireless – Proposed Base Station (Site No. 438760 "Luther & Blanco") 1230 Luther Way –Statement of Hammett & Edison Inc., Consulting Engineers dated March 19, 2018
 6. Engineer's Report, dated June 13, 2018
 7. Response from Ohlone/Costanoan-Esselen Nation dated August 28, 2018
 8. Mitigation Monitoring Program

Cc: Sequoia Deployment Services, representing Verizon Wireless
Evangelical Lutheran Church

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