



Legislation Details (With Text)

File #: 19-0310 **Version:** 1

Type: *Public Hearing - Staff Report **Status:** Agenda Ready

In control: City Council Regular Meeting

On agenda: 7/16/2019 **Final action:**

Title:

1. Resolution No. 19-0066 Conditionally Approving a Telecommunications Facility in the Public Right of Way at Deegan Place/14th Street.
2. Resolution No. 19-0067 Denying an Application for a Telecommunications Facility at Highland Avenue/19th Street.
3. Seeking Direction for Two Facilities at Alternative Locations at Ardmore/2nd Street and Ardmore/9th Street and Return with Resolutions on August 6, 2019 (Community Development Director McIntosh).
 - a) ADOPT RESOLUTION NOS. 19-0066 AND 19-0067
 - b) DISCUSS AND PROVIDE DIRECTION

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution No. 19-0066, 2. Resolution No. 19-0067, 3. Alternative Designs and Locations for Ardmore Avenue at 2nd Street and 9th Street

Date	Ver.	Action By	Action	Result
7/16/2019	1	City Council Regular Meeting	adopted	Pass
7/16/2019	1	City Council Regular Meeting	accept	Pass

TO:
Honorable Mayor and Members of the City Council

THROUGH:
Bruce Moe, City Manager

FROM:
Anne McIntosh, Community Development Director
Laurie Jester, Planning Manager
Jason Masters, Assistant Planner

SUBJECT:

1. Resolution No. 19-0066 Conditionally Approving a Telecommunications Facility in the Public Right of Way at Deegan Place/14th Street.
2. Resolution No. 19-0067 Denying an Application for a Telecommunications Facility at Highland Avenue/19th Street.
3. Seeking Direction for Two Facilities at Alternative Locations at Ardmore/2nd Street and Ardmore/9th Street and Return with Resolutions on August 6, 2019 (Community Development Director McIntosh).
 - a) **ADOPT RESOLUTION NOS. 19-0066 AND 19-0067**
 - b) **DISCUSS AND PROVIDE DIRECTION**

RECOMMENDATION:

Staff recommends that the City Council:

1. Adopt Resolution 19-0066 approving the proposed telecommunications facility in the Public Right of Way at Deegan Place/14th Street;
2. Adopt Resolution No. 19-0067 denying an application for a telecommunications facility at Highland Avenue/19th Street; and
3. Review the alternative designs and locations for Ardmore Avenue/2nd Street and Ardmore Avenue/9th Street in the Veterans Parkway and direct staff to return with Resolutions approving those alternative sites, subject to conditions, on August 6, 2019.

FISCAL IMPLICATIONS:

There are no fiscal implications associated with the recommended action as the one facility Staff recommends for approval would not be located on a City-owned pole. Should the City Council consider one or both of the alternative designs and locations in the Veterans Parkway, License Agreements will provide the City monthly revenue.

BACKGROUND AND DISCUSSION:

On June 18, 2019, the City Council considered AT&T's request for: approval of four proposed oDAS facilities; and modification to an existing telecommunications facility on the rooftop of City Hall. After hearing public testimony, the City Council approved the modification, and directed staff to prepare a resolution conditionally approving the application for the Deegan/14th Street location and a resolution denying the application for the Highland/19th Street location, for Council consideration.

With respect to the two other sites, the Council directed staff to prepare resolutions to deny the applications for the proposed locations. As part of that direction, the Council directed the applicant to work with staff to identify alternative designs and locations for the two Ardmore Avenue locations in the Veterans Parkway, and to bring back alternatives, which are attached. The City Council may consider these revised locations in lieu of denying the proposed facilities at Ardmore Avenue/2nd Street and Ardmore Avenue/9th Street. Should the City Council support these revised locations, Staff will prepare for consideration at the City Council meeting on August 6, 2019, two Resolutions recommending approval of the facilities located in Veterans Parkway, subject to conditions. If the Council does not support the alternative sites, then resolutions of denial will be prepared for consideration at the City Council meeting on August 6, 2019, instead.

A Resolution for conditional approval has been prepared for the following site: (Please note the votes on June 18, 2019, are reflected in parenthesis.).

Resolution No. 19-0066 - Deegan Place/14th Street -TCP#18-10 (MBCH18)
(Vote - Aye: Hadley, Napolitano, Stern, and Hersman; Nay: Montgomery)

A Resolution for denial has been prepared for the following site:

Resolution No. 19-0067 - Highland Avenue/19th Street - TCP#18-06 (MBCH06)
(Vote - Aye: Hadley, Montgomery, Napolitano, Stern, and Hersman)

POLICY ALTERNATIVES:

After the City Council considers public comments, and the applicant's revised requests for both Ardmore Avenue locations, the City Council may consider the following actions in lieu of directing staff to draft resolutions approving the two sites on Ardmore Avenue:

ALTERNATIVES:

Direct staff to draft for consideration at the August 6, 2019 City Council meeting, one/two resolutions denying the original and alternative location facilities located at Ardmore Avenue/2nd Street and/or Ardmore Avenue/9th Street.

PUBLIC OUTREACH:

The public meeting and Telecommunications Open House on June 18, 2019, were noticed with a mailing to neighbors within 500 feet of each site. In light of the revised locations for the two Ardmore sites, staff mailed additional notices to residents that fall within the updated 500-foot radius after June 18, 2019, including residents that did not previously receive a notice, in addition to notifying interested parties. The City will provide an opportunity for anyone wishing to comment on the draft Resolutions or the alternative Ardmore locations and designs before the City Council considers the matter. Staff has not received any additional public comments since the previous public meeting.

ENVIRONMENTAL REVIEW:

The City has reviewed the proposed sites ("project," for CEQA purposes) for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 3 categorical exemption pursuant to Section 15303(d) of the State CEQA Guidelines since the proposed project requires installation of small new equipment and facilities and the conversion or replacement of existing poles where only minor modifications are made in the exterior of the structure. Thus, no further environmental review is necessary.

LEGAL REVIEW:

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

ATTACHMENTS:

1. Resolution No. 19-0066
2. Resolution No. 19-0067
3. Alternative Designs and Locations for Ardmore Avenue at 2nd Street and 9th Streets