



## Legislation Text

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**File #:** 17-0474, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Anne McIntosh, Community Development Director

Laurie B. Jester, Planning Manager

Jason Masters, Assistant Planner

**SUBJECT:**

Adopt Resolutions for Telecommunications and Coastal Development Permits, Approving and Denying Sites for AT&T (Community Development Director McIntosh).

**ADOPT THE FOLLOWING RESOLUTIONS**

**RESOLUTIONS FOR CONDITIONAL APPROVAL:**

- a) Resolution No. 17-0148 - Manhattan Ave. / 35<sup>th</sup> & 36<sup>th</sup> St.
- b) Resolution No. 17-0149 - Manhattan Ave. / 29<sup>th</sup> St.
- c) Resolution No. 17-0150 - Morningside Dr. / 2<sup>nd</sup> St.
- d) Resolution No. 17-0151 - Alma Ave / 28<sup>th</sup> St & 28<sup>th</sup> Pl.
- e) Resolution No. 17-0155 - Highland Ave. / 32<sup>nd</sup> Pl. & 33<sup>rd</sup> St.
- f) Resolution No. 17-0156 - Bayview Dr. / 26<sup>th</sup> St.
- g) Resolution No. 17-0158 - Ingleside Dr. / 5<sup>th</sup> Pl.
- h) Resolution No. 17-0160 - N. Valley Dr. / Pacific Ave.

**RESOLUTIONS FOR DENIAL:**

- i) Resolution No. 17-0146 - Ocean Dr. / 18<sup>th</sup> St.
- j) Resolution No. 17-0147 - Manhattan Ave. / 5<sup>th</sup> Pl.
- k) Resolution No. 17-0152 - Highland Ave. / 19<sup>th</sup> St & 19<sup>th</sup> Pl.
- l) Resolution No. 17-0153 - Marine Ave. / Bayview Dr.
- m) Resolution No. 17-0154 - Manhattan Ave. / 11<sup>th</sup> St.
- n) Resolution No. 17-0157 - 2<sup>nd</sup> St. / N. Ardmore Ave.

**o) Resolution No. 17-0159 - Church St. / 13<sup>th</sup> St & 14<sup>th</sup> St.**

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**RECOMMENDATION:**

Staff recommends that the City Council adopt Resolutions for Telecommunications and Coastal Development Permits, approving eight sites and denying seven sites for AT&T consistent with the City Council direction on November 16, 2017.

**BACKGROUND AND DISCUSSION:**

At the City Council meeting of November 16, 2017, the City Council opened the Public Hearing, and took public testimony. After the public hearing was closed, the City Council directed staff to prepare eight resolutions approving, and seven resolutions denying the applications.

At the meeting, Councilmembers asked if it may be appropriate for future facilities to be located in the Veterans Parkway, and asked if telecom sites in the Parkway would conflict with the Veterans Parkway Landscape Master Plan. As new applications are submitted staff will review the proposals for consistency with the Veterans Parkways Master Plan as well as any applicable General Plan Goals and Policies. Staff will work with the applicant to explore alternative nonresidential sites in commercial areas and parks, in addition to Veterans Parkway.

Note that there is no Resolution for the application at Valley Drive and 9<sup>th</sup> Place since it was not appealed and the Director's decision as detailed in the decision letter dated October 19, 2017 documents that decision.

Resolutions for conditional approval have been prepared for the following sites. (Please note the votes on November 16, 2017 are reflected in parenthesis.)

1. Resolution No. 17-0148 - Manhattan Ave. / 35<sup>th</sup> & 36<sup>th</sup> St.  
(Vote - Ayes: Lesser, Howorth and Hersman; Noes: Napolitano and Montgomery)
2. Resolution No. 17-0149 - Manhattan Ave. / 29<sup>th</sup> St.  
(Vote - Ayes: Lesser, Howorth and Hersman; Noes: Napolitano and Montgomery)
3. Resolution No. 17-0150 - Morningside Dr. / 2<sup>nd</sup> St.  
(Vote - Ayes: Lesser, Howorth and Hersman; Noes: Napolitano and Montgomery)
4. Resolution No. 17-0151 - Alma Ave / 28<sup>th</sup> St & 28<sup>th</sup> Pl.  
(Vote - Ayes: Lesser, Howorth and Hersman; Noes: Napolitano and Montgomery)
5. Resolution No. 17-0155 - Highland Ave. / 32<sup>nd</sup> Pl. & 33<sup>rd</sup> St.  
(Vote - Ayes: Lesser, Howorth, Napolitano, Hersman and Montgomery)
6. Resolution No. 17-0156 - Bayview Dr. / 26<sup>th</sup> St.  
(Vote - Ayes: Lesser, Howorth, Napolitano, Hersman and Montgomery)
7. Resolution No. 17-0158 - Ingleside Dr. / 5<sup>th</sup> Pl.  
(Vote - Ayes: Lesser, Napolitano and Montgomery; No: Hersman; Abstain: Howorth)
8. Resolution No. 17-0160 - N. Valley Dr. / Pacific Ave.  
  
(Vote - Ayes: Lesser, Howorth, Napolitano, Hersman and Montgomery)

Resolutions for denial have been prepared for the following sites:

9. Resolution No. 17-0146 - Ocean Dr. / 18<sup>th</sup> St.  
(Vote - Ayes: Lesser, Howorth, Napolitano and Montgomery; No: Hersman)
10. Resolution No. 17-0147 - Manhattan Ave. / 5<sup>th</sup> Pl.  
(Vote - Ayes: Howorth, Napolitano and Montgomery; Noes: Lesser and Hersman)
11. Resolution No. 17-0152 - Highland Ave. / 19<sup>th</sup> St & 19<sup>th</sup> Pl.  
(Vote - Ayes: Lesser, Howorth, Napolitano, Hersman and Montgomery)
12. Resolution No. 17-0153 - Marine Ave. / Bayview Dr.  
(Vote - Ayes: Lesser, Howorth, Napolitano and Montgomery; No: Hersman)
13. Resolution No. 17-0154 - Manhattan Ave. / 11<sup>th</sup> St.  
(Vote - Ayes: Lesser, Howorth, Napolitano, Hersman and Montgomery)
14. Resolution No. 17-0157 - 2<sup>nd</sup> St. / N. Ardmere Ave.  
(Vote - Ayes: Lesser, Howorth, Napolitano, Hersman and Montgomery)
15. Resolution No. 17-0159 - Church St. / 13<sup>th</sup> St & 14<sup>th</sup> St.  
(Vote - Ayes: Lesser, Howorth, Napolitano, Hersman and Montgomery)

#### **PUBLIC OUTREACH/INTEREST:**

The Public Hearing on November 16, 2017 was noticed with a mailing as well as a ¼ page ad. At the City Council meeting of November 16, 2017 the City Council directed staff to draft resolutions for City Council consideration at the December 5, 2017 Council meeting. Staff has received public comments after the public hearing was closed, including a letter regarding the site at Morningside Drive and 2<sup>nd</sup> Street. Such correspondence has been attached to the staff report. In that the public hearing is closed, any correspondence and public comment received after the close of the hearing cannot form a basis for any Council action on the proposed resolutions. Nevertheless, pursuant to the Brown Act, the City will provide an opportunity for anyone wishing to comment on the draft resolutions before the Council considers adopting such resolutions.

#### **ENVIRONMENTAL REVIEW:**

The City has reviewed the proposed project 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 of existing light 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 the draft resolutions.

#### **Attachments:**

1. Resolution No. 17-0148 - Manhattan Ave. / 35<sup>th</sup> & 36<sup>th</sup> St.
2. Resolution No. 17-0149 - Manhattan Ave. / 29<sup>th</sup> St.
3. Resolution No. 17-0150 - Morningside Dr. / 2<sup>nd</sup> St.
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