



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 18-0813, Version: 1

REPORT TO PLANNING COMMISSION

SUBJECT

Proposed Project: DESIGN REVIEW to allow a Verizon wireless telecommunications facility on an existing utility pole located in the public right-of-way.

Location: In the public right-of-way on south side 1055 Dunford Way (APN 313-10-004) southwest of the intersection at Quail Avenue and Dunford Way and adjacent to the Raynor Park baseball diamond.

File #: 2018-7412

Zoning: PF (Public Facility)

Applicant / Owner: Verizon Wireless C/O The CBR Group / City of Sunnyvale

Environmental Review: Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions that includes installation of small new equipment and facilities in small structures (CEQA Guidelines Section 15303).

Project Planner: Cindy Hom, (408) 730-7411, chom@sunnyvale.ca.gov

REPORT IN BRIEF

General Plan: Public Facilities

Existing Site Conditions: PG&E utility pole in the right-of-way

Surrounding Land Uses:

North: Peterson Middle School, Sunnyvale Soccer Complex and Apple Seed Montessori School (zoned PF)

South: Raynor Park and Stratford School

East: Residential

West: Residential and Religious Facility

Issues: Aesthetics and Neighborhood Compatibility

Staff Recommendation: Approve the Design Review subject to the Findings in Attachment 2 and Conditions of Approval in Attachment 3.

BACKGROUND

Verizon Wireless (Verizon) is seeking to improve wireless voice and data coverage in the City of Sunnyvale. Verizon has applied to install 26 small cell telecommunications facilities in the right-of way in Sunnyvale since June of 2015:

- 22 projects - staff-level review:
 - 16 projects approved (two staff-level approvals affirmed on appeal by the Planning Commission)
 - 6 projects pending
- Four projects - Planning Commission review

- 2 project approved
 - 2 projects pending

This application is the second of the four Planning Commission review projects currently on file. According to the applicant's project letter, the proposed project intends to help address capacity, network demand, and future technologies (See Attachment 7).

DESCRIPTION OF THE PROPOSED PROJECT

Verizon Wireless proposes to install a small antenna facility in the public right-of-way on the south side of 1055 Dunford Way on an existing wooden PG&E utility pole. The proposal includes the following installation:

- A 4-foot canister antenna mounted at the top of a 47-foot tall existing utility pole resulting in an overall pole height of 51-feet and 40-inches (4-foot and 4-inch height increase from existing pole)
- Ground mounted support equipment and power cabinet measuring 4-feet long, 2-feet wide and 5-feet tall.
- There is no new overhead service (phone or power) to the facility.

See Attachment 1 for a Vicinity Map and 300-foot Notice Mailing Area. The proposed wireless telecommunication facility and associated equipment are shown on the project plans (Attachment 8) and photo simulations (Attachment 9).

EXISTING POLICY

The following are related policies that pertain to wireless telecommunication facilities

- (i) **Council Policy 7.2.16 - Telecommunications:** The purpose of this policy is to enable the City to retain and maintain regulatory authority within the confines of the state and federal legislation.
- (ii) **Resolution 626-13 - Adopted Design Criteria for wireless telecommunication facilities on utility poles in the public right-of-way.** (Attachment 6).
- (iii) **SMC 19.54.160 (Telecommunication Facilities in the Public ROW):** The wireless telecommunication facilities ordinance (SMC 19.54) adopted by the City Council in 2013 includes SMC 19.54.160 which regulates telecommunication facilities in the public right-of-way. The regulations adopted by the City Council in 2012 require applications for wireless telecommunications facilities within the public ROW to be submitted to the Planning Division.

DISCUSSION

Applications for wireless telecommunications facilities in the public ROW are reviewed using the policies shown in Attachment 6. These policies determined how the applications would be reviewed (staff level or Planning Commission) and include design criteria. If the design criteria are met, the application is reviewed at the staff level (with appeal possible to the Planning Commission). If the design criteria are not met, the application is considered by the Planning Commission (with appeal or call-up possible to the City Council).

Separate from the Design Criteria requirements, the Sunnyvale Municipal Code (SMC) Chapter 19.54.160 (c)(2) requires Planning Commission public hearing review when a project will be placed on a pole located within three hundred feet of a public school. Since this project is within 200 feet of

Raynor Park and Peterson Middle School, Planning Commission review is required.

Design Criteria

City Council Resolution No. 626-13 was used as the design criteria to evaluate the proposed project. Based on the review of the project, Staff finds the project is consistent with the adopted design criteria and recommends the findings shown in Attachment 2. In summary, the project complies with the following requirements:

- The pole height is less than 65-feet
- The overall height increase is less than 12-feet
- No new overhead wires are proposed
- All associated equipment is consolidated within a ground mounted equipment cabinets that occupies an approximately 8 square feet area to minimize visual clutter
- The proposed small wireless antenna facility is located along a street lined with evergreen and deciduous trees and does not have a direct interface with any residential homes.

Neighborhood Compatibility

Staff does not anticipate an issue with neighborhood compatibility. The proposed antenna will result in a modest increase of 4-feet to the existing utility pole. The diameter of the canister antenna will be relatively similar to the diameter of the existing utility pole. The proposed facility will be painted and textured to match the existing utility pole to ensure design consistency and help minimize potential visual impacts. As proposed, the facility will not appear bulky or detract from the general appearance of the utility pole.

The associated equipment will be consolidated within a ground mounted mesh metal equipment cabinet to help minimize visual clutter. The proposed location of the equipment cabinet will not interfere with landscaping, obstruct accessibility or create a hazard since it is proposed outside of the public sidewalk. However, staff is recommending a condition of approval that require installation of additional landscaping to make the above ground equipment more compatible with the public park setting. (Recommended Condition No. 7)

RF Emission

The Federal Communication Commission (FCC) has established guidelines that place limits on human exposure to radio frequency fields generated by personal wireless service facilities. These guidelines have been endorsed by the U.S. Environmental Protection Agency and the Food and Drug Administration. The FCC requires all personal wireless facilities to comply with these guidelines. If a proposal meets the FCC standards, the City is not permitted to make additional judgments on health and safety issues. The Federal Communications Commission (FCC) is the final authority on safety of telecommunications facilities.

A Radio Frequency Emission Report prepared by EBI Consulting dated October 17, 2017 was submitted as part of the analysis of the project. EBI conducted theoretical modeling to estimate the worst-case power density at the ground level. The analysis indicated the maximum power density generated by the proposed Verizon antenna is approximately 2.50% of the FCC's general public limit and 0.50% of the FCC's occupational limit (Attachment 10). As proposed, the project meets the FCC standards for acceptable RF emission levels.

The Sunnyvale Municipal Code requires the permit for the facility must be renewed with the City of Sunnyvale every 10 years. The 10-year renewal procedure includes submitting an RF study showing the facility meets the current RF emission requirements.

Noise

The City did not require a noise study for the proposed site because the proposal is not located adjacent to residential uses. As conditioned, the facility must comply with the City's noise standards (SMC 19.54.050 and 19.42.030) at all times. Conditions also prevent any unauthorized addition of noise emitting equipment in the future.

Fiscal Impact

No fiscal impacts are expected.

Public Contact

Notice of Public Hearing

- Published in the *Sun* newspaper
- Posted on the site
- 47 notices mailed to property owners and residents within 300 feet of the project site

Staff Report

- Posted on the City's website
- Provided at the Reference Section of the City's Public Library

Agenda

- Posted on the City's official notice bulletin board
- Posted on the City's website

Public Contact

- Community Outreach Meeting - A community outreach meeting conducted by Verizon was held at the Sunnyvale Community Center on September 5, 2018 from 6:30 - 7:30p.m. 10 days prior to the meeting, notices were sent to all interested parties within 300 ft. of the project. Eight people from the public attended the meeting.
- Comments from Neighbors - Staff has not received any correspondence or phone calls from neighbors at the time of writing of this report.

ALTERNATIVES

1. Approve the Design Review based on the Findings in Attachment 2 and the Conditions of Approval in Attachment 3.
2. Approve the Design Review with modified conditions.
3. Deny the Design Review and provide direction to staff and the applicant where changes should be made.

STAFF RECOMMENDATION

Recommend Alternative 1 to approve the Design Review based on the Recommended Findings in Attachment 2 and the Recommended Conditions of Approval in Attachment 3.

Prepared by: Cindy Hom, Associate Planner

Reviewed by: Gerri Caruso, Principal Planner

Approved by: Andrew Miner, Assistant Director of Community Development

ATTACHMENTS

1. Vicinity and Noticing Map
2. Recommended Findings
3. Recommended Conditions of Approval
4. List of Telecom Project in the Public ROW
5. Approved and Pending Telecom Facilities Map
6. Design Criteria Resolution No. 626-13
7. Project Description
8. Project Plans
9. Photo simulations
10. RF Report