



City of San Leandro

City Hall
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San Leandro, California

Legislation Details (With Text)

File #: 24-496 **Version:** 1 **Name:** PLN23-0031 CUP 80-ft high Wireless Telecom Facility at 440 Peralta Ave

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On agenda: 11/7/2024 **In control:** Planning Commission and Board of Zoning Adjustments

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Enactment #:

Title: PLN23-0031; Consideration of a Conditional Use Permit (CUP) to build an 80-foot high Wireless Telecommunications Facility at 440 Peralta Ave. APN: 075-0225-001-04. Zoning District: DA-2. Applicant: Tower Engineering Professionals. Property Owner: Donald R. and Jo A. Lee Trust.

Indexes:**Code sections:**

Attachments: 1. Att 1 Resolution 24-XXX_PLN23-0031, 2. Att 1_Exhibit A_Project Statement_PLN23-0031, 3. Att 1_Exhibit B_Project Plans_11x17_PLN23-0031, 4. Att 2 Vicinity Map_PLN23-0031, 5. Att 3 Development Regulations_PLN23-0031, 6. Att 4 Photo Sims_PLN23-0031, 7. Att 5 EME Report_PLN23-0031, 8. Att 6 Five-Year Plan_PLN23-0031, 9. Att 7 Alternative Sites Analysis_PLN23-0031, 10. Att 8 Public Comments_PLN23-0031

Date	Ver.	Action By	Action	Result
11/7/2024	1	Planning Commission and Board of Zoning Adjustments	Received and Filed	Pass

PLN23-0031; Consideration of a Conditional Use Permit (CUP) to build an 80-foot high Wireless Telecommunications Facility at 440 Peralta Ave. APN: 075-0225-001-04. Zoning District: DA-2. Applicant: Tower Engineering Professionals. Property Owner: Donald R. and Jo A. Lee Trust.

SUMMARY AND RECOMMENDATIONS

The applicant is requesting approval of a Conditional Use Permit (CUP) to build a new Wireless Telecommunications Facility at 440 Peralta Avenue. The Wireless Telecommunications Facility would consist of a freestanding 80-foot high monopole designed to resemble a pine tree (“monopine”) and related equipment. Staff recommends that the Planning Commission adopt the attached Resolution, approving the Conditional Use Permit (PLN23-0031), based on the recommended Findings of Fact and subject to the recommended Conditions of Approval.

BACKGROUND AND RELATIONSHIP TO SURROUNDING AREA

The project site is 440 Peralta Avenue, a 57,784 square foot parcel in the DA-2 (Downtown Area 2) zoning district. The L-shaped parcel has frontage along San Leandro Boulevard and Peralta Avenue. The site contains a 23,200 square foot warehouse and a 2,100 square foot garage, with two ancillary parking areas. Nearby properties, to the northeast, include a tow yard, warehouses, public storage facilities, Siempre Verde Park, and single-family residences across San Leandro Boulevard. On the west side, there are overhead BART rail lines, Union Pacific rail lines, and the southern portion of Cherrywood residential tract.

PROJECT PROPOSAL

The applicant, Tower Engineering Professionals, is proposing to build a new Wireless Telecommunications Facility that will support cellular service in San Leandro and AT&T’s FirstNet broadband network, that is being developed for the use of emergency responders. See Attachment 1, Exhibit A: Project Statement.

The proposed Wireless Telecommunications Facility would be located at the rear of the subject property, within an

existing parking area near the north property line. The Wireless Telecommunications Facility would include an 80-foot high monopine with four levels of antennas and an equipment shelter (approx. 1,100 square feet) at the base of the tower. Two antenna levels would be reserved for co-locations by other carriers.

The proposal includes establishing a six-foot wide utility easement to bring power and fiber lines from Peralta Avenue to the facility, and a 20-foot wide utility and access easement from San Leandro Boulevard to the facility.

STAFF ANALYSIS

Conditional Use Permit

In the DA-2 zoning district, a Conditional Use Permit is required for new monopoles.

Consistency Development Regulations / Specific Design Criteria

The project complies with specific design criteria for new freestanding towers, as listed in Attachment 3 - Development Regulations, and as summarized below:

- Providing camouflaging in the form of a monopine;
- Incorporating branches and bark cladding to support the monopine design;
- Routing conduit underground and through the trunk of the monopine;
- Securing the facility with a masonry wall; and
- Landscaping the facility with live plants to provide a visual buffer.

Factors Considered in Evaluating Wireless Facilities Applications

Pursuant to Zoning Code Section 4.04.376(K), the Planning Commission shall consider several factors in evaluating the proposed monopine:

- *Height of the cell tower* - The monopine would be 80 feet in height. The applicant has submitted an Alternative Sites Analysis (Attachment 7 - Alternative Sites Analysis), which demonstrates that 80 feet is the minimum height needed to provide effective wireless service in the target coverage area. Per Z.C. Section 4.04.376(C)(1), the height limitations in the DA-2 zoning district do not apply to Wireless Telecommunications Facilities.
- *Proximity to elementary schools and residential structures, property lines, and district boundaries* - The subject site is not located near any elementary schools. The proposed Wireless Telecommunications Facility would be located a sufficient distance from residential properties to meet federal Radio Frequency (RF) emission standards, as documented in Attachment 5 - EME Report.
- *Visual and other potential impacts to surrounding land uses* - The applicant has submitted Photo Simulations (Attachment 4), with vantage points from within Siempre Verde Park, and Park Street, a residential street east of the subject property. The photo simulations demonstrate that the monopine would not create any negative visual impacts.
- *Surrounding topography* - The property is relatively flat and capable of accommodating the proposed facility.
- *Surrounding tree coverage and foliage* - On both the subject property and nearby properties, there are medium-height evergreen cypress trees, and tall deciduous and evergreen trees (such as spruces, pines, and cypresses) that are consistent with the proposed monopine design.
- *Design of the facility and the characteristics that reduce or eliminate visual impacts* - The masonry wall would be constructed to match existing masonry on the property and to provide landscaping. The monopine would provide sufficient branches and cladding to achieve effective camouflaging. (See Attachment 1, Exhibit B Project Plans, Sheet C-2.2, Northeast Elevation).
- *Existing and proposed parking, as well as site ingress and egress* - The facility would establish a 20-foot wide access easement, through an existing driveway, from San Leandro Boulevard to provide sufficient site access.

Due to the proximity to a Major Transit Stop (San Leandro BART), the site is not required to provide any parking pursuant to State Law.

- *Availability of suitable existing towers, buildings and structures that would provide site sharing and co-location opportunities in the project vicinity* - The applicant has submitted an Alternative Sites Analysis (Attachment 7), which includes a coverage map illustrating the exiting coverage gap, and a list of sites considered for co-location. The Alternative Sites Analysis indicates that the proposed Wireless Telecommunications Facility is needed to provide effective service in the target coverage area.

GENERAL PLAN CONFORMANCE

The proposed project would be consistent with the following goals and policies in the General Plan Community Services and Facilities Element:

Goal CSF-4: Maximize access to information and communication services for San Leandro residents and businesses.

Policy CSF-4.1: Telecommunications. Collaborate with telecommunication service providers, the business community, and investors to foster access to emerging information and communication technology.

GOAL CSF-6: Ensure that local water, sewer, storm drainage, solid waste, energy, and telecommunication facilities are well maintained; improvements meet existing and future needs; and land use decisions are contingent on the adequacy and maintenance of such facilities.

The subject site was identified in the City's 2023-2031 General Plan Housing Element's Sites Inventory as a suitable location for housing. The RF emissions analysis in Attachment 5 - EME Report demonstrates that the installation of the proposed Wireless Telecommunications Facility would not interfere with the ability to construct housing on the subject site in the future.

FINDINGS OF FACT

Staff has analyzed the proposal and determined that the required findings can be made for the project.

Conditional Use Permit

Pursuant to Zoning Code Section 5.08.124, to recommend approval of a Conditional Use Permit, the Planning Commission must make the findings below.

1. *The proposed location of the Project is in accord with the objectives of the Zoning Code and the purposes of the DA-2 (Downtown Area 2) Zoning District, in which the Property is located.*

The DA-2 zoning district encourages a range of commercial and residential uses, which would benefit from the improved wireless telecommunications service that the project would provide.

2. *The proposed location of the Project and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing, or working in, or adjacent to, the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity, or to the general welfare of the City.*

The proposed facility would be consistent with the General Plan, including policies which call for improving telecommunications in residences, businesses, and future desired uses. The project would not be detrimental to public health, safety, or welfare of nearby stakeholders or the City at large, because the facility would comply with federal and state regulations for the construction of the facility and the operation of the equipment.

3. *The proposed Project will comply with the provisions of the Zoning Code, including all requirements for the proposed use in the DA-2 Zoning District in which it would be located.*

The proposed project would comply with the applicable development regulations of the DA-2 zoning district, including required setbacks and access. The project would also comply with the development regulations / specific design criteria for freestanding towers.

4. *The proposed Project will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities, which cannot be mitigated.*

The proposed Project will not create adverse impacts on traffic or create demands exceeding the capacity of public

services and facilities because the subject property is already served by the necessary access and utilities necessary for the operation of the facility. The applicant would be required to install all necessary new electrical connections and to secure access easements. The amount of traffic anticipated would be limited to equipment servicing professionals, who would use the access easements.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures.

PUBLIC OUTREACH

A notice of public hearing was published for this project in the East Bay Times Daily Review newspaper, mailed to property owners within 500 feet of the subject property, and posted at the Project Site and City Hall on Friday, October 25, 2024. As of the publication of this staff report, one response has been received, in opposition to the project (**Attachment 8 - Public Comments**).

RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached Resolution, approving the Conditional Use Permit to build an 80-foot high Wireless Telecommunications Facility at 440 Peralta Avenue (PLN23-0031), based on the recommended Findings of Fact and subject to the recommended Conditions of Approval

ATTACHMENTS

1. Resolution No. 2024-XXX with Recommended Findings of Fact and Conditions of Approval Approving PLN23-0031
Attachment 1, Exhibit A: Project Statement
Attachment 1, Exhibit B: Project Plans (with Manufacturer's Specification Sheets)
2. Vicinity Map
3. Development Regulations Table
4. Photo Simulations
5. EME Report
6. Five-Year Master Plan
7. Alternative Sites Analysis
8. Public Comments

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