Agenda Report

November 14, 2011

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: **APPEAL OF PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY AT GRAND AVENUE AND CALIFORNIA BOULEVARD (IE05372C)**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that this action is statutorily exempt from the California Environmental Quality Act (CEQA) per Section 15268 Ministerial Projects; and
2. Approve the application to allow the installation of a wireless telecommunications facility on top of an existing wood utility pole at the northeast corner of Grand Avenue and California Boulevard with mitigations.

BACKGROUND:

At the public hearing on July 11, 2011, there were several presentations given regarding the appeal of the proposed project to install a wireless telecommunications facility on Grand Avenue at California Boulevard (see Attachment A for a copy of the agenda report and minutes). After much discussion, the public hearing was continued to allow Public Works staff additional time to hold a neighborhood meeting, and to look at alternate locations.

On July 18, 2011, City staff met with West Pasadena area residents and T-Mobile representatives on the corner of Grand Avenue and California Boulevard to view the proposed location and to walk the neighborhood to identify alternate locations for evaluation. The field meeting minutes as prepared by Ms. Gretchen Brickson and concurred by City staff are referenced in Attachment B. The field meeting served its purpose of viewing the subject location and identifying alternate locations for evaluation.

On July 27, 2011, City staff and T-Mobile representatives conducted a community meeting at the La Casita del Arroyo Clubhouse. There were approximately 35 people in attendance comprised of City staff, T-Mobile staff, District 6 representative, area residents and local advocates of the appeal. The meeting minutes are referenced in

Attachment C. Both the field meeting and community meeting were forums where City staff and T-Mobile representatives provided background and rationale for selecting the proposed site, including specific references to constraints specified in Chapter 22 of the Pasadena Municipal Code (PMC 12.22). As part of their presentation, T-Mobile provided a summary table of alternatives for analysis that served as the basis for City staff review. In addition to the public forums, city staff received a number of public comments that are attached for reference (see Attachment D).

City staff conducted an analysis of the alternate locations to verify which locations met the guidelines as described in PMC 12.22 Telecommunications Facilities. T-Mobile's and subsequent city summary analysis of alternatives are reflected in Attachment E. Staff considered factors including the size and type of existing co-located facility, presence of overhead power lines, and front yard versus side yard frontage locations. Based on the initial screening of objective criteria, only the subject site and alternative 2 was considered for further review.

Subject site – Grand Ave. and California Blvd. (on side of 558 S. Grand Ave.)

The proposed location meets the pertinent sections of PMC 12.22. The size of the proposed cell antenna is 7.9 inches in diameter by 74.1 inches tall. The cell antenna is approximately the same diameter as the wood utility pole and will be painted brown to match. Attachment F reflects the photo simulations of the antenna as originally proposed. The existing wood utility pole serves as a guy pole so there are no overhead utility conflicts, however since the pole is part of the Joint Pole Association, the City cannot impose the license fee required by PMC Section 12.22.180 (E). The existing pole is located on the side frontage of a single-family residential property. This location provides the greatest cell coverage as compared to alternative 2. The existing wood pole was installed in 1959 and has been inspected every 5 years.

Proposed Mitigations at Subject Site:
In terms of visual impact, the original design included a stand-off riser assembly as well as a global positioning system (GPS) unit on the side of the pole. T-Mobile is amenable to lessening the visual impact by flush mounting the riser and eliminating the GPS unit. Attachment G shows the updated photo simulations of the recommended mitigations at the subject site. T-Mobile provided a structural analysis of the existing pole and deemed it suitable for the application. Additionally, as required by PMC Section 12.22.140 T-Mobile will be required to execute a hold harmless agreement in favor of the City, protecting the City from Liability for T-Mobile's activity on the pole. Finally, T-Mobile is willing to replace the existing utility pole at their expense with a new pole in the same location installed by Pasadena Water and Power.

Alternative 2 – Orange Grove Blvd. and California Blvd. (in front of 575 S. Orange Grove Blvd.)

Alternative 2 is to co-locate on the existing traffic signal pole on the northeast corner of the intersection of Orange Grove Boulevard and California Boulevard. Attachment H is

a photo of the existing traffic signal. This location also meets the site criteria per PMC 12.22. It is located within the intersection on a concrete island fronting a multi-family residential property. The projected cell coverage as compared to the proposed site is noticeably less in terms of indoor coverage and an additional antenna to the southwest would be necessary to close the coverage gap which would require the processing of an additional telecommunications application. Due to the adjacency of this site to the cell antennas to the east as well as the target area to the west, the size of the required radome would be increased from 7.8 inches to 18 inches in diameter, thus requiring a substantially larger replacement traffic signal pole to accommodate the design forces from the larger antenna assembly in addition to the streetlight and traffic signal heads. Also in Attachment H is a photo simulation of alternative 2 with the increased radome and stouter traffic signal pole. It is the City's and T-Mobiles preference not to co-locate on a traffic signal for various reasons. From a design standpoint, the facilities while co-located would need to be separated internally within the pole and the possibility of power outages, collision damage, etc. interfering with the traffic signal and/or telecommunications operations exposes both entities to increased liability should an event occur. From a maintenance perspective, any maintenance for T-Mobile would require lane closures due to the location of the pole in the public right-of-way. On a side note, this location would be subject to an annual license fee because the facility is city-owned.

Outside Consultant Analysis:
City staff met with T-Mobile staff on several occasions and made requests for further information to justify the alternatives. City staff retained the services of an outside consultant, Jonathan L. Kramer for his experience and familiarity with telecommunications facilities site selection to review the T-Mobile's coverage maps and to provide feedback of the alternatives, specifically to address the section of the PMC 12.22.070 (A) which states:

> "No permit shall be granted for any wireless telecommunications facility if the following findings cannot be made by the director:
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> A. The applicant has demonstrated, by way of a justification study, the rationale for selecting the proposed use, a detailed explanation of the coverage gap that the proposed use would serve, and how the proposed use is the least intrusive means for the applicant to provide wireless service."

The memorandum dated November 7, 2011 by Mr. Kramer (Attachment I) discusses the various issues in detail and substantiates city staff's analysis of the proposed site versus an alternative site.

Staff Findings:
Based on staff's analysis of the subject site and alternative locations, coupled with the review and recommendations from the outside consultant, staff recommends that the subject location along with T-Mobile's proposed mitigations will be the least intrusive means to provide improved cell service in the coverage gap. Alternative 2 was a viable

option based on the criteria in PMC 12.22, however due to the visual impact of the increased radome and traffic signal pole and lesser cell coverage, this alternative is not the least intrusive means of improving the cell service.

Process Improvements:
There were a number of process improvements undertaken during this appeal that will be utilized for future telecommunications facility applications. City staff will provide improved public notifications by posting the relevant project information, project plans and photo renderings at the site and as an attachment to the mailed notifications to the residents/businesses/neighborhood associations in the 300-foot radius. Pertinent project information will be made available at City Hall and also on the City's website. Finally, consistent with the PMC, an outside telecommunications consultant was retained to provide city staff with review and recommendations for this application as well as future telecommunication processes.

COUNCIL POLICY CONSIDERATION:

The Federal Communication Commission (FCC) is the agency responsible for regulating radio frequency (RF) emissions to ensure public safety. As such, the FCC determines the operating parameters and thresholds for use whereas; PMC 12.22 specifies the means in which telecommunications facilities in the public right-of-way may be processed and permitted.

ENVIRONMENTAL ANALYSIS:

This project has been determined to be Statutorily Exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, Administrative Code, Title 14, Chapter 3, Section 15268, Ministerial Projects. The application for the installation of the antenna and related equipment is a ministerial project. Per Section 15268 ministerial projects are exempt from the requirements of CEQA.

FISCAL IMPACT:

The applicant has submitted a deposit to cover all costs to process the application. The project is subject to applicable construction permit fees, which is estimated at $850, as well as the actual cost of electric usage.

Respectfully submitted,

SIOBHAN FOSTER
Director
Department of Public Works

Prepared by:

Richard K. Yee, Principal Engineer

Approved by:

MICHAEL J. BECK
City Manager

Attachments:

A – Agenda Report and Minutes for Public Hearing on July 11, 2011
B – Field Meeting Minutes on July 18, 2011
C – Community Meeting Minutes on July 27, 2011
D – Summary of Public Comments and Department Responses
E – T-Mobile and City Summary Analysis of Alternate Sites
F – Subject Site Photo Simulations
G – Revised Photo Simulations
H – Alternative 2 Existing Condition and Photo Simulation
I - Memorandum from Consultant Jonathan L. Kramer