



**CITY OF SUNNYVALE REPORT
ADMINISTRATIVE HEARING
August 12, 2009**

File Number: 2009-0424 **Permit Type:** Use Permit

Location: 904 Caribbean Drive (110-37-001)

Applicant/Owner: Verizon Wireless / Arden Realty

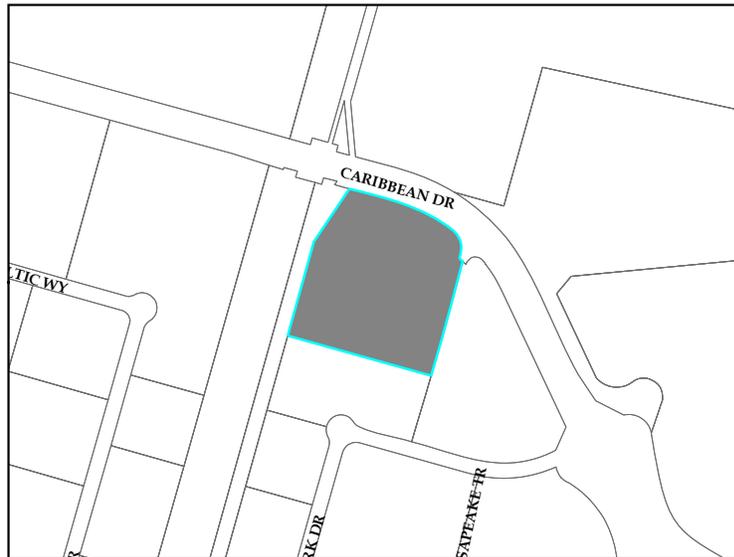
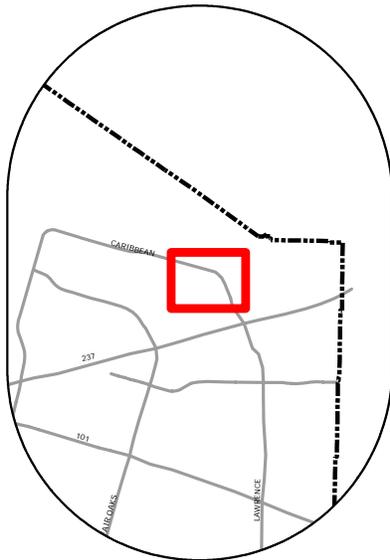
Staff Contact: Steve Lynch, Senior Planner, (408) 730-2723

Project Description: To allow nine additional panel antennas on a new 12' tower extension to an existing PG&E tower.

Reason for Permit: A Use Permit is required for the modification to an existing facility that would enable additional antennas.

Issues: Aesthetics

Recommendation: Approve with Conditions



500

Feet

PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Moffett Park Specific Plan	Same
Zoning District:	MPI	Same
Lot Size	321,037	Same
Tower Height	116'	128'

Use Description and Site Layout: The proposed use is to allow nine new Verizon Wireless 6' antennas to an existing PG&E high-tension tower. The facility is located near Caribbean Drive and a second PG&E tower. The tower is proposed to be raised 12' with a tower extension for a total of 128' high. Associated ground equipment is proposed to be located directly under the PG&E tower in a prefabricated 13' by 14' equipment shelter. The shelter will be 12'6" high.

The maximum height in the MPI (Moffett Park Industrial) zone is 130', but a major Use Permit is required for any proposed extension, up to 15', to the height of existing facilities. See Attachment B for more details.

Design: The proposed 6' panel antennas are similar in design to other existing antennas in Sunnyvale. The panels and rack are proposed to be painted to match the same color of tower. In an effort to reduce visibility and improve overall design, staff is requiring cabling to be placed within a tube or pipe to reduce the visual impact.

Public Contact: 12 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice.

Environmental Determination: A Categorical Exemption Class 1 (minor additions to existing facilities) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Use Permit, the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

Land Use and Transportation Sub-Element

Policy N1.3: Promote an attractive and functional commercial environment.

Policy N1.5: Establish and monitor standards for community appearance and property maintenance.

Telecommunications Policy

Action Statement A.1.e: Support retention of local zoning authority for cellular towers, satellite dish antennas, and other telecommunications equipment, facilities and structures.

The Wireless Telecommunications Policy promotes retention of local zoning authority when reviewing telecommunications facilities. The zoning code requires that the location of telecommunication facilities be designed with sensitivity to the surrounding areas. The proposed facility is compliant with all wireless telecommunication development standards:

- *The project, in addition to existing facilities on-site or in the area, meets all FCC RF emissions standards.*
- *The proposed antennas will be painted to better match the tower design and reduce its visibility.*
- *Associated equipment is not visible and is located within a prefabricated equipment shelter under the existing PG&E tower.*

Staff was able to make the findings as the design meets the guidelines described above.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

Staff finds the proposed antennas location on an existing tower, will have limited additional impact in comparison to a project that would add a new pole or tower. Conditions of Approval to this permit that reduces the overall visual impact to the proposed facility.

ALTERNATIVES:

1. Approve the Use Permit with recommended Conditions in Attachment A.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1: Approve the Use Permit with recommended Conditions in Attachment A.

Reviewed by:



Shaunn Mendrin
Senior Planner

Prepared By: Steve Lynch, project planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Photosimulations

Standard Requirements

The following is a list of standard requirements. This list is intended to assist the applicant and public in understanding basic related requirements, and is not intended as an exhaustive list. These requirements cannot be waived or modified.

- A. **Permit Expiration:** The Use Permit for the use shall expire if the use is discontinued for a period of one year or more.
- B. **Permit Lapse if not Exercised (Ordinance 2895-09):** The Use Permit shall be valid for three (3) years from the date of approval by the final review authority (as adopted by City Council on April 21, 2009, RTC 09-094). Extensions of time may be considered, for a maximum of two one year extensions, if applied for and approved prior to the expiration of the permit approval. If the approval is not exercised within this time frame, the permit is null and void.
- C. **Permit Renewal:** Every owner or operator of a wireless telecommunication facility shall renew the facility permit at least ten (10) years from the date of initial approval.
- D. **Building Permits:** Obtain Building Permits for interior improvements as required by the Building Safety Division.

Recommended Conditions of Approval

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing except that minor changes of the approved plans may be approved at staff level by the Director of Community Development.
- C. The panels and rack shall be painted to match the color of tower. A final color and design shall be subject to review and approval by the Director of Community Development prior to approval of a Building permit.
- D. All cabling, located on the leg of the existing tower, shall be enclosed in a pipe, tube, or other screening option that shall be painted to match the color of tower.

- E. The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.
- F. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Planning Commission.
- G. Each facility must comply with any and all applicable regulations and standards promulgated or imposed by any state or federal agency, including but not limited to, the Federal Communications Commission and Federal Aviation Agency.
- H. The owner or operator of any facility shall submit and maintain current at all times basic contact and site information on a form to be supplied by the city. Applicant shall notify city of any changes to the information submitted within thirty (30) days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to the following:
 - 1. Identity, including name, address and telephone number, and legal status of the owner of the facility including official identification numbers and FCC certification, and if different from the owner, the identity and legal status of the person or entity responsible for operating the facility.
 - 2. Name, address and telephone number of a local contact person for emergencies.
 - 3. Type of service provided.
- I. The owner or operator shall maintain, at all times, a sign mounted on site showing the operator name, site number and emergency contact telephone number.
- J. The owner or operator of any facility shall obtain and maintain current at all times a business license as issued by the City.
- K. All facilities and related equipment, including lighting, fences, shields, cabinets, and poles, shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism, and any damage from any cause shall be repaired as soon as reasonably possible so as to minimize occurrences of dangerous conditions or visual blight. Graffiti shall be removed from any facility or equipment as soon as practicable, and in no instance more than forty-eight (48) hours from the time of notification by the city.
- L. Each owner or operator of a facility shall routinely and regularly inspect each site to ensure compliance with the standards set forth in the Telecommunications Ordinance.
- M. The wireless telecommunication facility provider shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commission, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project when such claim or action is brought within the time

- period provided for in applicable state and/or local statutes. The city shall promptly notify the provider(s) of any such claim, action or proceeding. The city shall have the option of coordinating in the defense. Nothing contained in this stipulation shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.
- N. Facility lessors shall be strictly liable for any and all sudden and accidental pollution and gradual pollution resulting from their use within the city. This liability shall include cleanup, intentional injury or damage to persons or property. Additionally, lessors shall be responsible for any sanctions, fines, or other monetary costs imposed as a result of the release of pollutants from their operations. Pollutants mean any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, electromagnetic waves and waste. Waste includes materials to be recycled, reconditioned or reclaimed.
- O. Wireless telecommunication facility operators shall be strictly liable for interference caused by their facilities with city communication systems. The operator shall be responsible for all labor and equipment costs for determining the source of the interference, all costs associated with eliminating the interference, (including but not limited to filtering, installing cavities, installing directional antennas, powering down systems, and engineering analysis), and all costs arising from third party claims against the city attributable to the interference.
- P. No wireless telecommunication facility shall be sited or operated in such a manner that is poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end no facility or combination of faculties shall produce at any time power densities in any inhabited area that exceed the FCC's Maximum Permissible Exposure (MPE) limits for electric and magnetic field strength and power density for transmitters or any more restrictive standard subsequently adopted or promulgated by the city, county, the state of California, or the federal government.
- Q. Each facility shall be operated in such a manner so as to minimize any possible disruption caused by noise. At no time shall equipment noise from any source exceed an exterior noise level of 60 dB during daytime hours or 50 dB during nighttime hours as measured at the property line. Backup generators shall be allowed only during emergencies, and shall not be tested on weekends or holidays, or between the hours of 10:00 p.m. and 7:00 a.m. on weekday nights.
- R. All new signs shall be in conformance with Sunnyvale Municipal Code.

2. COMPLY WITH OR OBTAIN OTHER PERMITS

- A. The applicant shall test any wireless telecommunications site installed in the City of Sunnyvale within 15 days of operating the tower. The test shall confirm that any Emergency 911 wireless call made through the wireless telecommunications site shall provide Enhanced 911 capability (including phase 2 information when available from the caller's device) and direct the call to the City of Sunnyvale Department of Public Safety dispatcher, ensuring phase 2 information is transferred. If the call is to be directed elsewhere pursuant to State and Federal law the applicant shall ensure that the Enhanced 911 information transfers to that dispatch center. This capability shall be routinely tested to ensure compliance as long as the approved wireless telecommunications site is in service.



2783 MITCHELL, INC.
MILLARY CREEK, CA 94089

PROJECT INFORMATION:

LOCKHEED EAST
SITE#: PS 117280
904 EAST CARIBBEAN DRIVE
SUNNYVALE, CA. 94089
COUNTY OF SANTA CLARA

CURRENT ISSUE DATE:

4/30/09

ISSUED FOR:

100% ZONING

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
1	08/28/08	82K 2D'S DESIGN REVIEW	MPC
2	10/01/08	82K 2D'S DESIGN REVIEW	JM
3	10/15/08	82K 2D'S DESIGN REVIEW	AW
4	10/20/08	82K 2D'S DESIGN REVIEW	JM
5	4/30/09	100% 2D'S FOR SUBMITTAL	MPC

COORDINATING ARCHITECT:

ORNI
ARCHITECTURE
288 TOWNFARM BL, SUITE 140
SAN JOSE, CALIFORNIA 95128
PHONE: (408) 544-4700
WWW.ORNIAARCHITECT.COM
EMAIL: ORNI@ORNIA.COM

SEAL:



CONSULTANT:

RIDGE COMMUNICATIONS, INC.

DRAWN BY: MPC CHK.: BKA APV.: TGR

SHEET TITLE:

TITLE SHEET

SHEET NUMBER: REVISION:

T-1 755-142A

verizon wireless

LOCKHEED EAST SITE#: PS 117280

**PG&E TOWER #SAP 40818823 8/59 NEWARK - LAWRENCE 115 KV
904 EAST CARIBBEAN DRIVE
SUNNYVALE, CA. 94089**

VERIZON SIGNATURE BLOCK

DISCIPLINE	SIGNATURE	DATE
SITE ACQUISITION		
CONSTRUCTION		
RADIO		
MICROWAVE		
TELECOM		
EQUIPMENT		
PROJECT ADMINISTRATOR		
NO ADMINISTRATOR		

PROJECT DESCRIPTION

THE PROPOSED VERIZON WIRELESS PROJECT DETAILS: INSTALLATION OF A NEW 12'-0"x14'-0" PREFABRICATED EQUIPMENT SHELTER.
INSTALLATION OF (3) ANTENNAS, (3 PER SECTION), ON A 12' EXTENSION OF AN EXISTING 118' TALL POLE TOWER, (EXTENSION PROVIDED BY PG&E).
INSTALLATION OF (2) GPS/911 ANTENNAS.
INSTALLATION OF COAXIAL CABLE RUNS FROM EQUIPMENT SHELTER TO ANTENNAS.
INSTALLATION OF ELECTRIC AND TELECOM SERVICE TO EQUIPMENT SHELTER.

PROJECT TEAM

ARCHITECT:
NAME: ORNI DESIGN GROUP, INC.
ADDRESS: 288 TANK FARM ROAD, SUITE 140
CITY, STATE, ZIP: SAN JOSE, CALIFORNIA 95128
ARCHITECT: TOM REAY, C-18442
CONTACT: BRIAN ANDERSON, PROJECT COORDINATOR
PHONE: (925)-544-9700
FAX: (925)-544-4327
E-MAIL: banderson@ornia.com

SURVEYOR:
NAME: ORNI DESIGN GROUP, INC.
ADDRESS: 288 TANK FARM ROAD, SUITE 140
CITY, STATE, ZIP: SAN JOSE, CALIFORNIA 95128
ARCHITECT: TOM REAY, C-18442
CONTACT: BRIAN ANDERSON, PROJECT COORDINATOR
PHONE: (925)-544-9700
FAX: (925)-544-4327

UTILITY COORDINATOR
NAME: TELECOM PLUS
CONTACT: DEWY EYERSON
PHONE: (915) 847-3754
FAX: (925) 254-8815

SHEET INDEX

SHEET	DESCRIPTION
T-1	TITLE SHEET
A-1	SITE PLAN/EQUIPMENT LAYOUT PLANS
A-2	ELEVATIONS
C-1	LEASE AREA DETAIL, SITE & BOUNDARY PLAN

RIDGE SIGNATURE BLOCK

DISCIPLINE	SIGNATURE	DATE
SITE ACQUISITION		
PLANNER		
CONSTRUCTION		
PROJECT MANAGER		
UTILITY MANAGER		
LANDLORD		

PROJECT SUMMARY

LESSEE
VERIZON WIRELESS
2783 MITCHELL DRIVE
MILLARY CREEK, CA 94089
CONTACT: JAMES GRHAM
PHONE: (925) 278-5533
FAX: (925) 278-4580

PROPERTY INFORMATION
OWNER: ARDEN REALTY
ADDRESS: 11801 WILKINS BLVD #2
LOS ANGELES, CA 90025
CONTACT: JOAN HARVEY
PHONE: (310) 888-2834

TOWER OWNER CONTACT: SEAN RANDALL, PG&E
PHONE: (415) 515-9549

UTILITY CONTACTS:
NAME: SEAN RANDALL
PHONE: (415) 515-9549

NAME: KEATY BROWN
CONTACT: LOR WEST
PHONE: (509) 284-8322

ZONING:
CONTACT: KAREN MOPHERSON
PHONE: (415) 200-8328
E-MAIL: karen.moperson@ridgecommunications.com

SITE ACQUISITION:
CONTACT: SUE FINCH
PHONE: (925) 518-5708
FAX: (925) 488-2341
E-MAIL: sue.finch@ridgecommunications.com

CONSTRUCTION MANAGER:
CONTACT: KEITH SCHMO
CONSTRUCTION MANAGER
PHONE: (408) 678-1181
E-MAIL: keith.schmo@ridgecommunications.com

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THE PLANS IS TO BE CONSIDERED TO BE PERMIT WORK NOT CONFORMING TO THESE CODES.

1. CALIFORNIA ADMINISTRATIVE CODE 2. IBC/IBC-2006/IFC LIFE SAFETY CODE 2006/IFC
3. CALIFORNIA ELECTRICAL CODE 2008 4. CALIFORNIA PLUMBING CODE 2007
5. CALIFORNIA MECHANICAL CODE 2008 6. CALIFORNIA FIRE CODE 2007
7. CALIFORNIA GEOTECHNICAL CODE 2008 8. LOCAL BUILDING CODE
9. LOCAL PLUMBING CODE
10. LOCAL ELECTRICAL CODE
11. LOCAL MECHANICAL CODE
12. LOCAL FIRE CODE
13. LOCAL GEOTECHNICAL CODE

SITE ADDRESS
LOCKHEED EAST
904 EAST CARIBBEAN DRIVE
SUNNYVALE, CA 94089

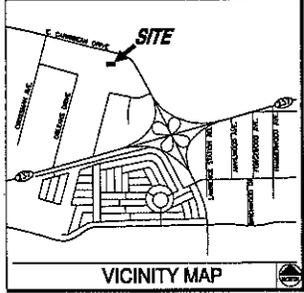
AREA OF CONSTRUCTION: 400 SQ. FT.
SHELTER OCCUPANCY TYPE: B
CURRENT ZONING: O-3
CONSTRUCTION TYPE: VB
APJAL: 110-37-001

ACCESSIBILITY REQUIREMENTS:
FACILITY IS UNHABITED AND NOT FOR HUMAN HABITATION, HANDICAPPED ACCESS NOT REQUIRED.

COORDINATES:
NAD 83
LATITUDE: N 37.34°49.23'
LONGITUDE: W 122°00'14.10"

JURISDICTION

CITY OF SUNNYVALE BUILDING SAFETY DIVISION
PHONE: (408) 736-4444



DRIVING DIRECTIONS

From Milpitas: Take I-880 SOUTH towards SAN JOSE. Take the MISSION BLVD/MILPITAS SPRINGS DIST(1-880) exit and turn RIGHT onto Mission Blvd. Take I-880 SOUTH towards SAN JOSE. Take the CA-237 EAST/CALAVAS BLVD exit, towards MILPITAS/MOUNTAIN VIEW and turn RIGHT onto ALMOND-HILFING RD/MILPITAS ALMOND RD towards MOUNTAIN VIEW. Immediately take the CA-237 WEST entrance ramp. Exit CA-237 West at the CARIBBEAN DRIVE/LAWRENCE EXPRESS and turn RIGHT onto EAST CARIBBEAN DRIVE. Turn LEFT on MOFFETT PARK DRIVE. Follow Moffett Park Drive around the curve. The site is located behind the Lockheed offices at the intersection of Moffett Park Drive and Moffett Park Court.



2700 MITCHELL DR.
WALNUT CREEK, CA 94598

PROJECT INFORMATION:

LOCKHEED EAST
SITE#: PS117280
104 EAST CARIBBEAN DRIVE
SAN YOSE, CA 94588
COUNTY OF SANTA CLARA

CURRENT ISSUE DATE:

4/30/09

ISSUED FOR:

100% ZONING

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
1	08/29/08	BOX 20'S DESIGN REVIEW	MPC
2	10/01/08	BOX 20'S DESIGN REVIEW	JM
3	10/18/08	BOX 20'S DESIGN REVIEW	AW
4	10/22/08	BOX 20'S DESIGN REVIEW	JM
5	4/30/09	100% ZP'S FOR SUBMITAL	MPC

COORDINATING ARCHITECT:

Omni Group
Civil Engineering
Surveying
Professional Geomatics

2575 York Ave. Suite 100
San Luis Obispo, California 93401
Phone: (805) 544-7711
www.omnigroup.com
www.omnicad.com

SEAL:



CONSULTANT:



DRAWN BY: CHK.: APV.:

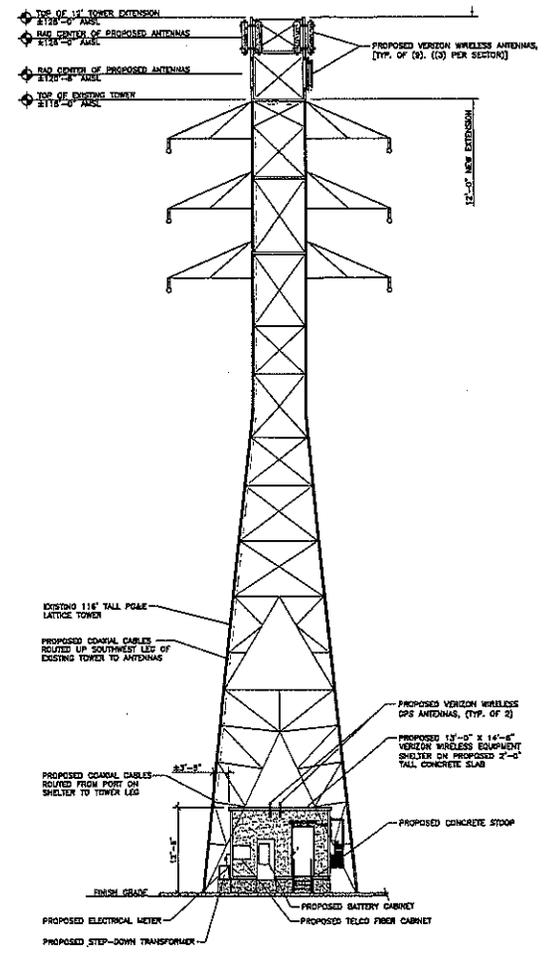
MPC	BKA	TR
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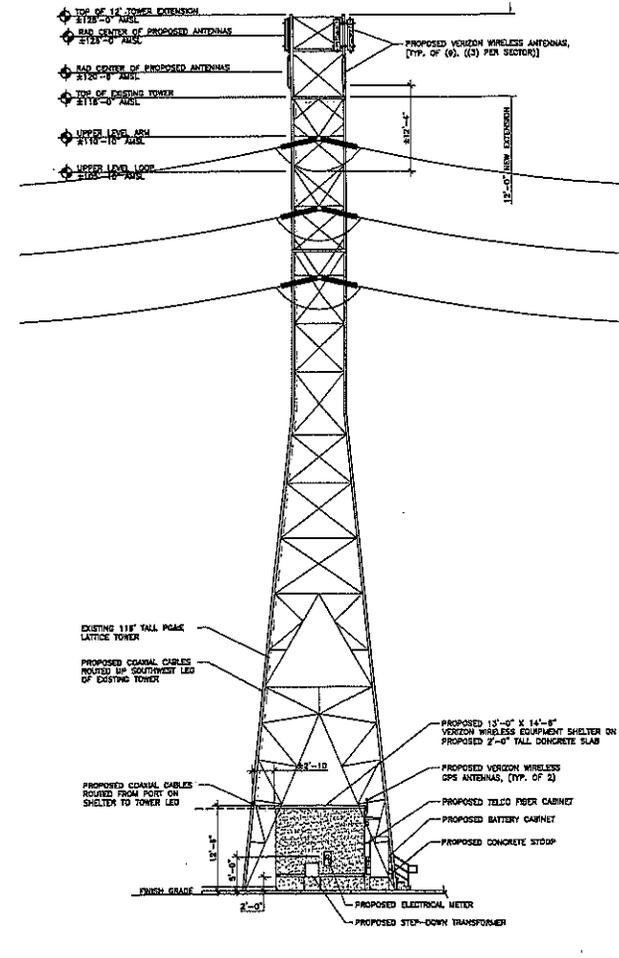
ELEVATIONS

SHEET NUMBER: REVISION:

A-2 755-142A



44 NORTH ELEVATION
SCALE: 1/4"=1'-0"



24 EAST ELEVATION
SCALE: 1/4"=1'-0"



3784 MITCHELL DR.
HEALY CREEK, CA 94029

PROJECT INFORMATION:

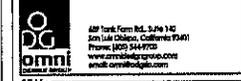
LOCKHEED EAST
SITE#: PS117280
104 EAST CARIBBEAN DRIVE
SUNNYVALE, CA 94089
COUNTY OF SANTA CLARA

CURRENT ISSUE DATE:
4/30/09

ISSUED FOR:
100% ZONING

REV.	DATE	DESCRIPTION	BY:
1	05/29/08	80% 2D'S DESIGN REVIEW	MPC
2	10/01/08	80% 2D'S DESIGN REVIEW	JM
3	10/15/08	80% 2D'S DESIGN REVIEW	AJM
4	10/20/08	85% 2D'S DESIGN REVIEW	JM
5	4/30/09	100% 2D'S FOR SUBMITAL	MPC

COORDINATING ARCHITECT:



SEAL:



DRAWN BY: MPC CHK: BKA APV: TR

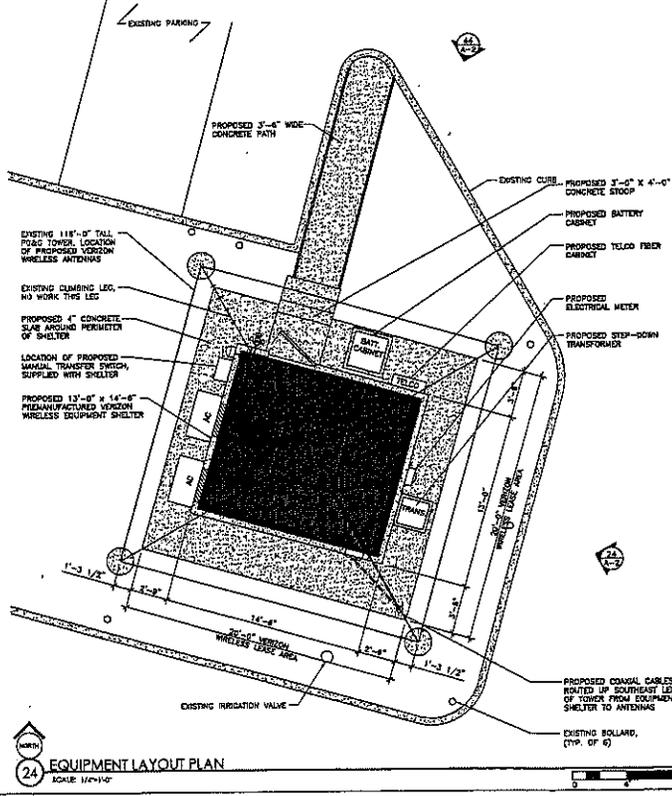
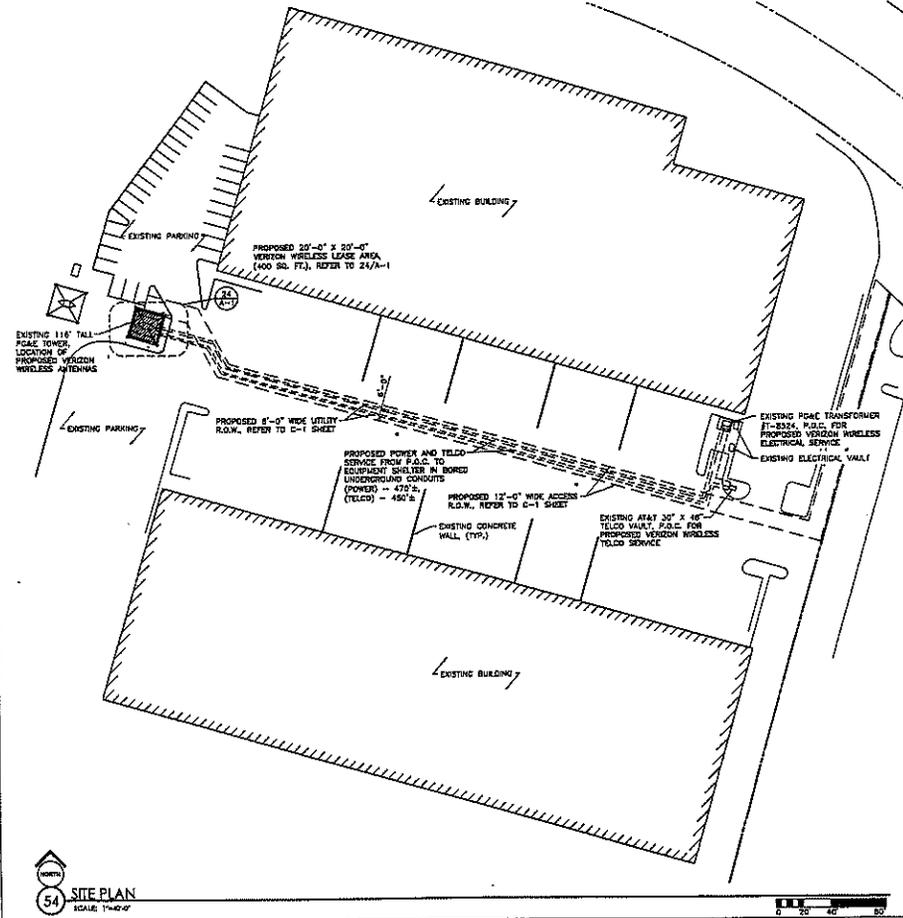
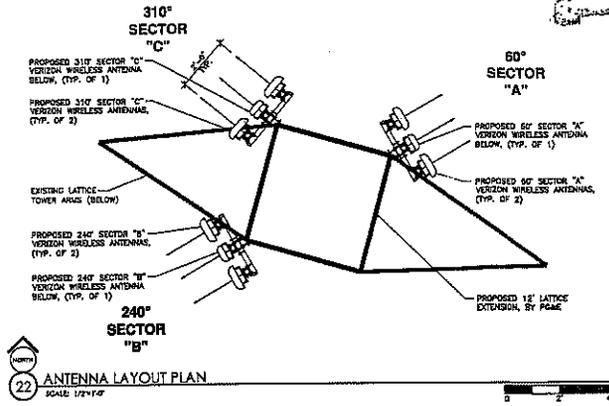
SHEET TITLE:
SITE PLAN/EQUIPMENT AND ANTENNA LAYOUT PLANS

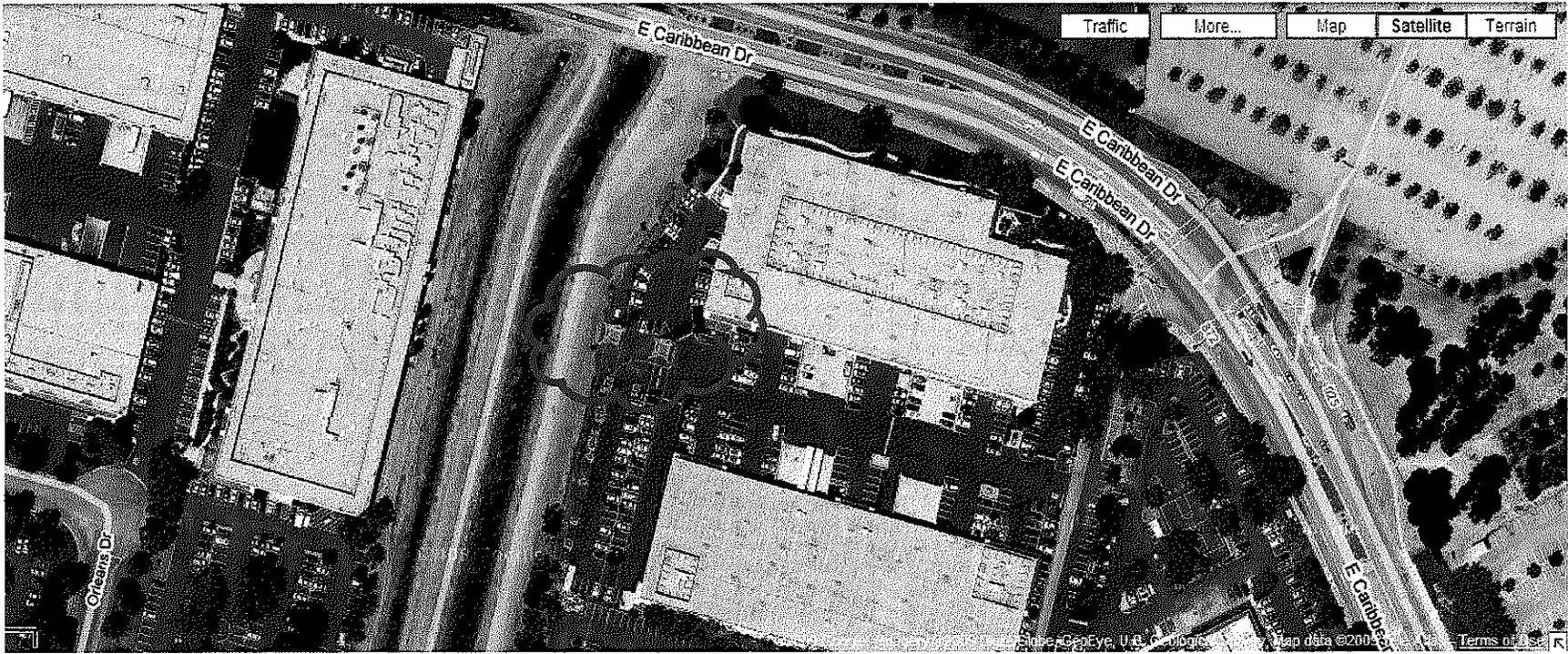
SHEET NUMBER: **A-1** REVISION:

755-142A

FREQ	SECTOR	ANT. TYPE	ANT. LENGTH	RAD. Q.	DOWNTILT	CABLE LENGTH	CABLE DIAMETER
850 MHz	90° A	(1) PANEL	47.4"	128°-0"	0	±135°-0"	1-5/8"
	240° B	(1) PANEL	47.4"	128°-0"	0	±135°-0"	1-5/8"
	310° C	(1) PANEL	47.4"	128°-0"	0	±135°-0"	1-5/8"
1900 MHz	50° A'	(1) PANEL	47.4"	128°-0"	0	±135°-0"	1-5/8"
	(1) PANEL	48.8"	120°-0"	0	±135°-0"	1-5/8"	
	240° B'	(1) PANEL	47.4"	128°-0"	0	±135°-0"	1-5/8"
	(1) PANEL	48.8"	120°-0"	0	±135°-0"	1-5/8"	
1900 MHz	310° C'	(1) PANEL	47.4"	128°-0"	0	±135°-0"	1-5/8"
	(1) PANEL	48.8"	120°-0"	0	±135°-0"	1-5/8"	

NOTE:
1. ALL AZIMUTHS REFERENCE TRUE NORTH. ALL ELEVATIONS REFERENCE ADJACENT GRADE.
2. AZIMUTH SHOWN IS PROPOSED; CONTRACTOR SHALL INSTALL ANTENNAS TO CONFORM TO THE SITE BUILD FORM PROVIDED BY VERIZON WIRELESS COMMUNICATIONS.
3. CONTRACTOR SHALL NOTIFY THE PROJECT MANAGER SHOULD ANY VARIATION IN AZIMUTH BETWEEN THAT INDICATED HEREIN AND THAT SPECIFIED ON THE SITE BUILD FORM, CREATE POSSIBLE IMPACT OR DEGRADATION OF SITE PERFORMANCE.
4. VERIFY ANTENNA MAKE AND MODEL NUMBER WITH THE RF ENGINEER PRIOR TO THE START OF CONSTRUCTION.





Photosimulation of view from Caribbean Drive at the property entrance.



Proposed

Lockheed East
 904 East Caribbean Drive
 Sunnyvale, CA 94089
verizon wireless

Photosimulation of view looking north from the adjacent parking lot.



Lockheed East
904 East Caribbean Drive
Sunnyvale, CA 94089
verizonwireless

Photosimulation of view looking south from the nearest point along Caribbean Drive.



ATTACHMENT