

PLANNING COMMISSION MINUTES OF DECEMBER 8, 2008

2008-1015 – AT&T [Applicant] Aircoa Equity Interests, Inc [Owner]: Application for a Special Development Permit to allow continued use of a temporary telecommunications site. The property is located at **1250 Lakeside Drive** (near Oakmead Pkwy.) in the LSP (Lakeside Specific Plan) Zoning District. (APN: 216-43-035) EH

Gerri Caruso, Principal Planner, presented the staff report. She said staff is recommending the Planning Commission approve the Special Development Permit with the recommended conditions of approval found in Attachment B.

Comm. Klein asked staff if there are current plans for the Four-Points Sheraton project to move forward. **Trudi Ryan**, Planning Officer, said that staff has reviewed construction documents for the residential component of the project and the permits are still valid. She said that staff met several times with the Four-Points Sheraton applicant to discuss the final architecture for the hotel and at this point the applicant is not stating when they anticipate having the architectural plans completed. Comm. Klein discussed with staff the construction on the Four-Points Sheraton project and if the construction is further delayed how it might affect the telecommunications applicant. He asked how long it takes to process a Use Permit for a telecommunications site permit with staff indicating that it might take a couple of months. Comm. Klein asked about the current cell tower and the current ground equipment as he said it seemed fairly noisy on his site visit. Staff said that the applicant could better answer the current status of the generator and equipment at the site.

Comm. Hungerford said that the report indicates if the redevelopment to the site does not begin in one year that this applicant has agreed to apply separately for a permanent telecommunications facility to replace the temporary site. He said feasibly the applicant could begin the application process, and it could get turned down. He said he was thinking it would be good to have a time limit for beginning the process and have some end point. Ms. Caruso said to begin the application process means to submit an application. She said if the applicant submits an application it could take two months to get to a public hearing. She said if the Commission was to deny the application, conditions could be added requiring removal of the temporary site.

Vice Chair Chang opened the public hearing.

Leah Hernikl, representing the applicant AT & T, said staff's presentation accurately covered their request. She said, to address Comm. Klein's question about noise, that possibly he had gone out to the site when a portable generator had been brought to temporarily replace the generator that had gone down. She

said she has been by the site and thought the noise level of the equipment was not loud adding that there are no sensitive receptors nearby.

Comm. Klein said he was by the site today and what he heard did sound like a portable generator. He said it seemed pretty loud to him. Ms. Ryan said that the site would be required to meet the noise ordinance levels at the property line. Comm. Klein further discussed the noise situation with staff.

Ms. Hernikl said she is available to answer questions.

Vice Chair Chang closed the public hearing.

Comm. Klein moved **Alternative 1** to approve the **Special Development Permit with the recommended conditions of approval found in Attachment B**. **Comm. Travis** seconded the motion.

Comm. Klein said he was able to make the findings to grant the extension of this temporary permit. He said that hopefully within the year there will be development on this site for the Four-Points Sheraton. He said he thinks this application provides enough leeway for the applicant to continue operating at this site and that a year from now there will be some movement on the Four-Points Sheraton. He said his only comment would be for the applicant to take a look at the noise situation.

Comm. Travis said that he was able to make the required findings and would be supporting the motion.

Vice Chair Chang said he would be supporting the motion and that hopefully by next year there would be development or a new tower to consider.

ACTION: Comm. Klein made a motion on 2008-1015 to approve the Special Development Permit with the recommended Conditions of Approval. Comm. Travis seconded. Motion carried, 6-0, with Chair Rowe absent.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than December 23, 2008.