

PLANNING COMMISSION MINUTES OF OCTOBER 26, 2009

2009-0507 – Clearwire LLC [Applicant] / **Sunnyvale Village Associates** [Owner]: Application for a project located at **333 W El Camino Real** in an O/ECR (Office/ El Camino Real Precise Plan) Zoning District. Special Development Permit to allow the installation of three panel antennas, three microwave dishes, a GPS antenna, and a radio cabinet on the rooftop of an existing office building. (APN: 209-29-068) RK

Comm. Klein recused himself and left the Council Chambers as his residence is within 500 feet of the proposed site.

Andrew Miner, Principal Planner, presented the staff report. He said staff recommends approval subject to the conditions of approval (COAs).

Comm. McKenna discussed with staff whether general screening around the entire top of the building rather than around the tower had been considered. Staff confirmed that the Commission has review authority regarding the aesthetics which would include screening. **Trudi Ryan**, Planning Officer, discussed different options and considerations of more extensive screening. **Comm. McKenna** expressed concern for the long term, due to the increasing number of applications. Staff noted that sometimes the antennas or dishes are incorporated into the pattern of a building.

Comm. Rowe discussed with staff the location, height of the antennas, and height of the enclosure. Staff explained how signals project out from the antennas. **Comm. Rowe** asked about Attachment C with staff explaining the equipment on the plans.

Chair Chang opened the public hearing.

Gordon Bell, representing the applicant, said that staff adequately presented the project. He said the applicant agrees with the COAs and that they have worked with staff to reduce the visibility of the structure. **Mr. Bell** confirmed that staff's explanation regarding the height of the pole and the way the antennas project out was correct.

Vice Chair Travis discussed with **Mr. Bell** how the antennas have to be raised to allow the signals to project. **Comm. Travis** asked about the availability of vertical mounting brackets that were discussed at a previous meeting. **Mr. Bell** said engineers are working on a design, he thinks the brackets are feasible, and that a profile may be presentable soon on a future project.

Chair Chang discussed with Mr. Bell the testing, and that the Federal Communications Commission regulates the auctioning of band widths to ensure there is no conflict with Public Safety band widths.

Chair Chang closed the public hearing.

Vice Chair Travis moved for **Alternative 1** to approve the **Special Development Permit with attached conditions**. **Comm. Rowe** seconded the motion.

Vice Chair Travis said he thinks adding this service at this site will add to the community and that there are no major issues with the proposal.

Comm. Rowe said she thinks the COAs provide the appropriate safeguards for the community.

ACTION: Vice Chair Travis made a motion on 2009-0507 to approve the **Special Development Permit with attached conditions**. **Comm. Rowe** seconded. The motion carried, 5-0, with **Comm. Klein** recusing himself, and **Comm. Hungerford** absent.

APPEAL OPTIONS: This action is final unless appealed to the City Council no later than November 10, 2009.