



Memorandum

TO: Mayor and City Council

FROM: Councilmember Madison P. Nguyen
Councilmember David Cortese

SUBJECT: Approval of Conditional Use Permit
Application CP06-030

DATE: January 8, 2007

Approved Madison P. Nguyen Date 1-8-2007
P.C. R.C.

Council District: District 7

RECOMMENDATION:

Support applicant's appeal and approve the applicant's request to allow collocation without the required conditions.

BACKGROUND:

The applicant, T-mobile, has submitted a Conditional Use Permit for collocation of six antennas at a height of 50' on an existing 75' tall monopole located on the northside of Lano Street, approximately 390 feet east of the Almaden Expressway. The site is bordered by commercial and industrial uses to the north, and industrial uses to the east, south and west.

The existing monopole was approved in 1990 with a Conditional Use Permit and a Development Variance. This 75 foot tall pole was approved prior to the adoption of the City Council Policy for Wireless Communication Facilities in 1991. There is no expiration date conditioned in the Conditional Use Permit and there are currently two carriers with antennas on the pole: Cingular and Sprint.

The monopole is appropriately located in a heavy industrial zoned area and to date there has not been any opposition from the community or surrounding neighborhoods. City policy encourages siting monopoles in industrial areas and encourages carriers to collocate their facilities when possible. The visual impact that staff proposes to mitigate, by requiring the existing carrier (Cingular) to flush mount its antennas, does not affect any particular community. In addition, T-Mobile does not have the authority to accomplish this.

The monopole is a telecommunications asset for the City of San Jose-- improving cell phone coverage, public safety and economic development for our citizens.

Cc: City Attorney
City Manager
City Clerk