

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING MODIFICATION NO. 1 TO DESIGN OVERLAY REVIEW NO. 789-02 FOR THE RELOCATION OF TELECOMMUNICATION EQUIPMENT AND THE REMOVAL AND REPLACEMENT OF EXISTING TELECOMMUNICATION PANELS WITHIN A CHURCH STEEPLE LOCATED AT 520 E. 228TH STREET.

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by the applicant, MMI Titan (Ryan Wells), with respect to real property located at 520 E. 228th Street and described in Exhibit "A" attached hereto, requesting the approval of a modification to a Design Overlay Review (DOR) for the removal and replacement of telecommunication panels within a church steeple and the relocation of related telecommunications equipment in a commercial neighborhood (CN) zone.

A public hearing was duly held on January 9, 2007, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. Pursuant to Sections 9172.23(d) and 9138.16(h) of the Carson Municipal Code (CMC), the Planning Commission finds that:

- a) The existing facility and proposed modifications adhere to the goals and policies described in the Land Use Element of the General Plan. According to this document, "Commercial activities should be screened or buffered from adjacent residential uses wherever possible." This project does achieve this goal because it is a stealth project that is incorporated into the existing church steeple and the proposed equipment area will be screened by a wall that is colored and stuccoed to match the existing church building.
- b) The existing structure is 32 feet in height, which is above the 30-foot height limit allowed in the CN zone. The project was originally approved in conjunction with Conditional Use Permit No. 528-02 which approved the height at 34 feet. The existing facility utilizes the existing architecture of the building and is incorporated as a stealth design, so no visual impacts are present from the increased height.
- c) The existing cellular facility and proposed modifications do not affect or impact the safe circulation of either pedestrian or vehicular traffic as the facility is essentially unmanned and incorporated into an existing church building.

- d) No signage exists for the cellular facility other than what is required for safety purposes for the equipment cabinets. The color of the church steeple and equipment cabinet walls will match the color of the existing building.
- e) The existing site is the best alternative after considering co-location with another facility and location at another site, given that there are no similar cellular facilities within the immediate cell phone service area.
- f) The existing facility is, and the proposed modifications will be, located and designed to minimize the visual impact on surrounding properties and from public streets, including adequate screening through the use of landscaping that harmonize with the elements and characteristics of the property and/or stealthing which incorporates the facility with the structure in which it will be mounted through use of material, color, and architectural design.

Section 5. The Planning Commission further finds that the proposed modifications will not have a significant effect on the environment and is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(b,e) of the CEQA guidelines, which exempts certain modifications to existing facilities. No further significant environmental impacts would result from this proposal.

Section 6. Based on the aforementioned findings, the Commission hereby adopts the categorical exemption and grants Modification No. 1 to Design Overlay Review No. 789-02, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 7. The Secretary shall certify to the adoption of this Resolution and shall transmit copies of the same to the applicant.

Section 8. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 9TH DAY OF JANUARY, 2007.

CHAIRMAN

ATTEST:

SECRETARY