



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: January 9, 2007

SUBJECT: Modification No. 1 to Design Overlay Review No. 02-07-789 (DOR No. 789-02)

APPLICANT: MMI Titan, Inc.
Attn: Ryan Wells
12900 Park Place Drive, 3rd Floor
Cerritos, CA 90703

REQUEST: Removal and replacement of existing cellular telecommunication panels currently located within a 32-foot high church steeple and relocation of equipment facilities used in conjunction with the telecommunication panels.

PROPERTY INVOLVED: 520 E. 228th Street

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cottrell –Chairperson			Saenz
		Pulido –Vice-Chairman			Tyus
		Faletogo			Verrett
		Graber			Wilson
		Hudson			

Item 11A

I. Introduction

Date Application Received

- July 18, 2006: Modification to Design Overlay Review No. 789-02.

Date Application Received

- MMI Titan, Inc., Attn: Ryan Wells, 12900 Park Plaza Dr., 3rd Floor, Cerritos, CA 90703

Property Owner

- Carson Baptist Church, Torrance, 520 E. 228th Street, Carson, CA 90745

Project Address

- 520 E. 228th Street

Project Description

- The applicant, requests permission to modify the existing Design Overlay Review No. 789-02 by removing and replacing six existing cellular telecommunication panels currently located within a 32-foot high church steeple and relocating existing equipment from the rear of the church building to the western yard.

II. Background

Previous Uses and Approved Discretionary Permits

- **2003** – Design Overlay Review No. 789-02 and Conditional Use Permit No. 528-02 were issued to the then lessee, AT&T Wireless, to permit the construction and operation of a thirty-four (34) foot high telecommunications facility on an existing church building.

Public Safety Issues

- The Public Safety Department has reported no current code violations with this property.

III. Analysis

Location/Site Characteristics/Existing Development

- The site is located near the southwest corner of Avalon Boulevard and 228th Street. The Carson Baptist Church occupies the property. A landscape setback is located along the 228th Street frontage. A six-foot high wrought iron fence surrounds the entire perimeter of the property. The parking lot is located on the eastern and southern portions of the property. The existing telecommunication antennas are located within the steeple ('stealthed') on the front of the building. The existing equipment cabinet is located adjacent to the rear of the church building behind a block wall.

Zoning/General Plan Designation

- The subject property is zoned CN (Commercial, Neighborhood). Adjacent land uses are all residentially zoned. To the north and west are single-family

residences. To the south and east are single-family residences which are within the gated community of The Arbors at Avalon.

- The General Plan Land Use Element designates the land use for the subject property as General Commercial and all other General Plan Land Use Element designations for adjacent properties are consistent with their respective zoning designations.

Project Details

The existing six telecommunication panels located within the church steeple will be removed and replaced with six upgraded communication panels in order to meet an increased demand for services and maintain consistency with new cellular technology. Also, the applicant is proposing to relocate related equipment facilities from the rear of the church building to a new 28-foot by 12-foot (336 sq. ft.) equipment shelter to be located just 11.5 feet to the west of the church building. This equipment cabinet will be placed 25 feet from existing single-family properties. An existing storage container will be removed as part of the final phase of construction (see *Issues of Concern* for details).

Required Findings: Design Overlay Review

Section 9172.23 (D) states that a Site Plan and Design Overlay Review application shall be submitted and recommended for approval if the project meets specified criteria as follows:

- a. Compatibility with the General Plan, any specific plans for the area and surrounding uses.
- b. The proposed project adheres to the goals and policies described in the Land Use Element of the General Plan.
- c. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of the site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.
- d. Convenience and safety of circulation for pedestrians and vehicles.
- e. Attractiveness, effectiveness and restraint in signing, graphics and color.
- f. Conformance to any applicable design standards and guidelines which have been adopted pursuant to Section 9172.15. Such design standards and guidelines may be generally applicable or may specify different requirements for different areas.

In addition to the provisions of CMC 9172.23, the Planning Commission shall approve a development plan for a wireless telecommunications facility if affirmative

findings can be made based upon the following criteria found in CMC Section 9138.16(H):

- a. The proposed site is the best alternative after considering co-location with another facility and location at another site.
- b. The proposed wireless telecommunications facility 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.
- c. The proposed wireless telecommunications facility is not located on any residential dwelling or on any property which contains a residential dwelling, except as may be associated with a church, temple, or place of religious worship.

All of the required findings pursuant to Sections 9172.23(d), "Site Plan and Design Review, Approval Authority and Findings and Decision" and 9138.16(h), "Wireless Telecommunication Facilities – Findings", can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern / Proposed Condition/Change:

- Issue – Non-permitted Storage Container: There is an existing storage container, about 20 feet by 12 feet, adjacent to the west property line that does not have required permits. It was placed there about eight years ago as part of the church's landscape/parking lot upgrades that were done at the time. It is encroaching approximately nine-feet into the required ten-foot side yard setback area. The church is currently using it as storage for holiday decorations, event seating (chairs/tables) and other equipment.
 - *Proposed Condition/Change*: The applicant is removing the existing equipment that is currently located behind the church building and replacing it within a new equipment shelter that is proposed for the west side of the church property. As a last phase of the telecommunications facilities upgrade, the applicant intends to convert the original equipment cabinet for church storage and remove the non-permitted storage container. A condition of approval has been added which requires removal of the non-permitted storage container prior to final Planning approval of the new equipment structure and upgraded telecommunication panels.
- Issue – Aesthetics: The church building currently has a shingled roof that appears to be unfinished. Approximately six years ago blue-colored shingles were added to about 2/3 of the roof. The remaining 1/3 (southwest quadrant) of the roof was finished using shingles of a different color.

- *Proposed Condition/Change:* Staff discussed this issue with the property owner representative, Pastor Martindale. Estimates for re-roofing the church all one color came in at approximately \$25,000. Pastor Martindale informed staff that at the time of the re-roof, the roofing contractor had run out of shingles and new shingles in the same color could not be found. As a result, the church worked with the contractor to choose an available color that most closely matched the original blue color. The Pastor stated that given the roof's 'newness' of being redone only six years ago, it would not be in the church's best interest to invest a large portion of the church's annual budget for re-roofing. Staff feels that the biggest color difference can only be seen from the southwest corner of the church property, which is a portion not too visible from the public rights-of-way, and thus concurs with the church. Therefore, no condition has been added regarding this issue.

IV. Environmental Review

Pursuant to Section 15301(b,e) of the California Environmental Quality Act (CEQA), modifications to existing facilities, such as those that are proposed, are "Categorically Exempt." No further significant environmental impacts would result from this modification.

V. Recommendation

That the Planning Commission:

- **APPROVE** the Modification to Design Overlay Review No. 789-02 subject to the Conditions of Approval;
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "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."

VI. Exhibits

1. Draft Resolution
2. Development Plans

Prepared by: _____

Steven Newberg, a/ Assistant Planner

Reviewed by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp, Planning Manager