



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 12, 2007

SUBJECT: Design Overlay Review No. 985-07; Conditional Use Permit No. 653-07; and Conditional Use Permit No. 654-07

APPLICANT: T-Mobile
Attn: Joe Thompson
3 Imperial Promenade, Suite 1100
Santa Ana, CA 92707

REQUEST: To install a 36-foot high, unmanned wireless telecommunications facility disguised as a Eucalyptus tree (mono-euc) on a one-acre lot in the CG-D (Commercial, General – Design Overlay) zone.

PROPERTY INVOLVED: 23601 S. Main Street

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cannon			Hudson
		Faletogo			Saenz
		Graber			Verrett

I. Introduction

The applicant is proposing the development of a 36-foot high, unmanned wireless telecommunications facility disguised as a Eucalyptus tree (mono-euc) on an approximate one-acre lot in the CG-D (Commercial, General – Design Overlay) zone. A total of 12 panel antennas are proposed, four each in three separate sectors. A concrete block wall enclosure measuring eight-feet in height will enclose the related equipment cabinets adjacent to the base of the pole. Additional landscaping will be planted in a concrete island in the parking lot, near the new enclosure.

II. Background

The property is presently used as a church consisting of an 11,000 square-foot building located on the east side of the property. Parking for the church occupies the west half of the property and a portion between the front and rear of the main building. The property is approximately one acre in area.

III. Analysis

Section 9138.16(B)(8-11,14,18) of the Carson Municipal Code (CMC) defines the proposed project as a ground-mounted, stealth, major wireless telecommunication facility. Procedural standards contained in this Section require that a major wireless telecommunication facility shall be subject to the approval of a development plan in accordance with Section 9172.23, Site Plan and Design Review (DOR), and Section 9172.21, Conditional Use Permit (CUP).

DESIGN OVERLAY REVIEW NO. 985-07

The Planning Commission may approve Design Overlay Review No. 985-07 if the following findings can be made in the affirmative, as per CMC Section 9172.23(D):

a. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.

The subject property is designated as General Commercial within the Land Use Element of the General Plan. Surrounding properties to the north have General Plan Land Use designations of General Commercial and Low Density Residential. Adjacent to the east of the subject property is Main Street. Properties to the east have General Plan Land Use Designations of Low Density Residential. The adjacent property to the south has a General Plan Land Use designation of General Commercial. There are no specific plans for the area. The project site is located in the southwest area of the City of Carson facing east along Main Street, north of Sepulveda Boulevard and south of 223rd Street. Surrounding uses include: offices uses to the north and a medical clinic to the south; single family residences to the west and across Main Street to the east. The proposed use is a permitted use in the CG-D zone and will be compatible with these surrounding

uses in that it will not significantly impact the adjacent properties, in terms of noise, dust, odor, aesthetics or other environmental considerations.

b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of 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.

The proposed mono-eucalyptus and related equipment, power and telephone company cabinetry will occupy a lease area of approximately 400 square feet. The cell facility and equipment enclosure are proposed along the north property line adjacent to the west side of the church, in place of the existing trash area. A new trash area will be constructed, pursuant to applicable CMC sections, adjacent to the west side of the new equipment and cabinetry enclosure. This new trash area location is presently used for parking. The applicant intends to restripe 15 existing parking spaces located adjacent to the proposed facility. Also, the existing light pole will be removed and replaced adjacent to the new enclosure. The adjacent property to the north has a building built close to the subject property's north property line, next to the proposed development area. There are no windows on the south side of this building, which is approximately 20-25 feet in height. There are three, two-story, single-family residences located to the west of the parking lot area of the church. All of these houses are two-story and look down upon the parking lot area. The proposed development is intended to resemble a eucalyptus tree which will have a maximum height of 36-feet. As such, the aesthetic impacts will be lessened, thus helping to achieve a harmonious and attractive development of the area.

c. Convenience and safety of circulation for pedestrians and vehicles.

The applicant intends to remove an existing parking space and restripe new parking spaces to accommodate the proposed equipment enclosure. Staff has reviewed the number of parking spaces and determined that removing one will still provide the required number of parking spaces for the church, pursuant to Section 9162.21(B)(8) of the CMC. The driveway aisle widths and parking spaces will stay code-compliant, thereby adequately maintaining the convenience and safety of circulation for pedestrians and vehicles.

d. Attractiveness, effectiveness and restraint in signing, graphics and color.

Apart from the required safety, directional or informational signs, no product advertising signs are proposed for the project. The proposed facility is intended to simulate a eucalyptus tree, in terms of size, shape and appearance. The use of synthetic rubber bark and leaves will be effective in helping to stealth the facility.

e. Conformance to any applicable design standards and guidelines that have

been adopted pursuant to Section 9172.15.

The project is compliant with applicable design standards and guidelines.

In addition to the findings in Section 9172.23(D) of the CMC, the Planning Commission shall be guided by the provisions of Subsection F, Development and Design Standards, of Section 9138.16, which includes standards for setbacks, height, wiring, painting, lighting, noise and signs. Also, Subsection H, Findings, of Section 9138.16, which includes the following:

- a. **The proposed site is the best alternative after considering co-location with another facility and location at another site.**

The applicant considered alternative sites, such as 393 E. Walnut Avenue and 23621 Main Street, but could not locate due to the negative impact on existing parking. Determining factors in site selection included the ability to lease the necessary property, ability to construct the proposed site, conformance to the zoning code, and the ability to provide adequate radio-frequency coverage and connect to surrounding network sites. The subject site was chosen based on these determinants.

- b. **The proposed wireless telecommunication 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.**

There are a total of 12 panel antennae, which are proposed to be located in 3 sectors (4 panels per sector). The synthetic tree branches, colored to simulate real branches, will feature synthetic, leaves. The branches will start from approximately 15 feet above ground level and crown at the top of the tree to a total height of 36 feet, extending 10 feet at most from the center pole. The pole will be wrapped in a synthetic rubber material designed to resemble bark.

- c. **The proposed wireless telecommunication 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.**

The nearest residential properties are the single-family homes approximately 150 feet to the west, and approximately 400 feet to the east, across Main Street.

CONDITIONAL USE PERMIT NO. 653-07

Approval of a CUP is required for a freestanding Major Wireless Telecommunication Facility in a manufacturing zone. Section 9172.21(D) of the Zoning Ordinance requires that the Planning Commission, by Resolution, render its approval for a Conditional Use Permit based on the ability to make affirmative findings concerning the following:

a. The proposed use and development will be consistent with the General Plan.

The proposed use and development will be consistent with General Plan goals, which include promoting sustainable energy, communication, and other systems which meet the needs of the community.

b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.

The subject property is approximately one acre in size, rectangular and flat. The site is already developed as a church. The site is located off of a major street and is surrounded by developed properties that are served by adequate infrastructure and utilities. Thus, there are adequate utilities to provide and maintain service to the proposed use. The applicant intends to underground required power, telephone, and other utilities to their respective sources.

c. There will be adequate street access and traffic capacity.

The applicant intends to restripe the parking areas in a manner consistent with applicable zoning codes. Access to the facility for routine Maintenance or emergency repair is made possible by an easement for ingress and egress that will be recorded against the subject property. This easement will provide access to the project site from Main Street. The proposed facility will not impact traffic in the vicinity, except for the occasional maintenance vehicle, and possibly during the construction phase of the project.

d. There will be adequate water supply for fire protection.

The Los Angeles County Fire Department has reviewed the proposed project. Their concerns did not address water supply adequacy. Based on their review, it is assumed that water supply to the project site is adequate.

e. The proposed use and development will be compatible with the intended character of the area.

The proposed use will not negatively impact in the vicinity of the subject site, in terms of parking, traffic, noise and safety. The intended character of the area is for all types of commercial activities not grouped in commercial centers, with which the proposed use is compatible.

f. Such other criteria as are specified for the particular use in other Sections of this Chapter.

In addition to the general criteria for the approval of a Conditional Use Permit, Section 9133 of the CMC outlines special criteria and limitations as indicated below that shall be considered in acting upon a Conditional Use Permit for transmitter, receiver or repeater stations – including radio, television and microwaves in the CG-D zone:

a. No excessive electronic interference shall be generated.

The proposed antennas operate on radio frequencies that are different than typical household electronic devices and other electronic office equipment (fax, copier, computer modem, etc.). Thus, it is not anticipated that the proposed use shall generate excessive electronic interference.

b. No unusual or unnecessary hazards to aircraft shall be created.

The subject property is not in an aircraft flight path, nor does the proposed use constitute an unusual or unnecessary hazard to aircraft should they fly over it.

c. The height and appearance of structures shall not be detrimental to the character of the surrounding area.

The height of the proposed mono-eucalyptus will be shorter than most mature trees in the vicinity. Also, the design is intended to resemble a tree. Therefore, the height and appearance of the proposed structure should fit in with the existing character of the surrounding area.

CONDITIONAL USE PERMIT NO. 654-07

Section 9138.16(F)(2)(d) of the Zoning Ordinance allows the Planning Commission to consider of approval of facilities to exceed the maximum height described in Section 9138.16(B)(10) subject to approval of a Conditional Use Permit. Such Conditional Use Permit for new facilities shall authorize a height limit in conformance with Subsection G, Minor Exceptions, of Section 9138.16. Subsection G provides for a twenty percent increase in the maximum height allowed by Section 9138.16(B)10, which is 30 feet in the CG-D zone. Thus, a total height of 36 feet is allowed if the Planning Commission approves a height modification. The height modification can be approved if at least *one* of the following findings is made based on evidence submitted by the applicant:

a. Existing natural geographic conditions preclude an obstruction-free reception area and there is no other option, including relocation, available.

- b. Relief from the development standards results in a more appropriate design which minimizes the visual impact of the facility.**
- c. The antennae height must be increased in order to accommodate the establishment of a co-located facility and there is no other option available.**
- d. Visual impacts are negligible because the facility is designed to architecturally integrate with the surrounding environment.**

The proposed project is designed to resemble a eucalyptus tree. There are other mature trees in the vicinity with heights much greater than the proposed use. Large trees, approximately 30-feet in height line the south property line of the subject property. The proposed mono-eucalyptus will be constructed to a height to approximate existing trees in the vicinity. As such, efforts have been made to architecturally integrate the proposed project with the surrounding environment.

Based upon the information found in this Analysis section, all of the required findings pursuant to Section 9172.23(d), Site Plan and Design Review, Approval Authority and Findings and Decision, Section 9171.21(d), Conditional Use Permit, Commission Findings and Decision, as well as all other specific criteria identified for each of the discretionary permits can be made in the affirmative.

Issues of Concern

- 1) Existing cargo container: A cargo container approximately 20 feet long by 12 feet wide is currently located at the northwest corner of the property. The church uses this container to store needed supplies. Outdoor storage is permitted in the CG-D zone, provided it is screened from view along public walkways and not located in required parking or front yard setback areas. Although the storage is located in the appropriate area of the subject property, in order to meet these criteria, CMC Section 9131.3 states that all uses are prohibited except as expressly permitted by the provision of this Chapter (commercial development standards). Since outdoor storage of cargo containers is not an expressly permitted use, it is prohibited.
 - Mitigation: Staff has included a recommended condition of approval in the attached resolution which states that the cargo container must be removed prior to the issuance of a building permit for the permitted use. The applicant and property owner are aware of the issue and are working together to find a solution that is amenable. Ideas include removing the storage completely, or building a new storage facility in the same location.
- 2) Landscaping: Typically, with projects such as this, staff will recommend that like trees be placed adjacent to the equipment cabinet enclosure to help to stealth the proposed use. In this case, staff suggested the use of red-bark eucalyptus trees that grow to a size and shape similar to the proposed mono-eucalyptus. The

church pastor's wife, according to the applicant, is allergic to eucalyptus trees. Given the size of the enclosure, additional landscaping cannot be provided around the enclosure, such as climbing vines, trees or shrubs, because the enclosure would not fit without occupying additional parking spaces. If the church was deficient anymore spaces, it would not comply with parking requirements found in CMC Section 9162.21(B)8.

- Mitigation: Additional landscaping in the parking lot area adjacent to the trash enclosure. The applicant has provided a landscape and irrigation plan for the existing concrete island located on the east side of the parking lot area and adjacent to the south side of the equipment enclosure block wall. Two 36-inch box Brazilian Pepper trees will be planted in this area, along with ten, five-gallon hedge specimens. In the concrete island located on the west side of the parking lot, additional landscaping will be placed, where needed to replace dead or missing hedges.

IV. Environmental Review

Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the proposed installation of a wireless telecommunications facility on a developed commercial property does not have the potential for causing a significant effect on the environment and is found to be exempt. A Notice of Exemption will be prepared if this project is approved.

V. Recommendation

That the Planning Commission:

- WAIVE further reading and ADOPT Resolution No._____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 985-07, CONDITIONAL USE PERMIT NO. 653-07 AND CONDITIONAL USE PERMIT NO. 654-07 FOR A FREESTANDING 36-FOOT HIGH WIRELESS TELECOMMUNICATION FACILITY DISGUISED AS A EUCALYPTUS TREE (MONO-EUC) LOCATED AT 23601 S. MAIN STREET."

VI. Exhibits

1. Land Use Map
2. Draft Resolution
3. Proposed Plans (Submitted under separate cover)

Prepared by: _____
Steve Newberg, Associate Planner

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

Approved by: _____
Sheri Repp, Planning Manager

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