



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: April 8, 2008

SUBJECT: Modification to Design Overlay Review No. 878-04 and Modification to Conditional Use Permit No. 584-04

APPLICANT: Sprint/Nextel
Attn: Leslie Zimmerman
310 Commerce
Irvine, CA 92602

REQUEST: Approval of development plans to replace equipment cabinetry and expand the lease area used for an existing 60-foot high wireless monopalm telecommunications facility in the ML (Manufacturing, Light) zone and within Redevelopment Project Area No. 4.

PROPERTY INVOLVED: 359 E. Gardena Boulevard

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Graber
		Vice Chair Hudson			Saenz
		Cannon			Verrett

Item No. 9B

I. Introduction

The applicant, Sprint/Nextel, proposes to replace equipment cabinetry for an existing 60-foot high wireless monopalm telecommunication facility and expand the lease area to accommodate the planting of two, live palm trees. The equipment housed in the proposed cabinetry will provide more efficient cellular phone and other wireless data service coverage to the immediate area currently affected by the existing monopalm telecommunications facility.

II. Background

At a duly noticed public hearing January 11, 2005, the Planning Commission passed Resolution No. 05-2018 (Exhibit No. 1), which approved Design Overlay Review (DOR) No. 878-04 and Conditional Use Permit (CUP) No. 584-04 for a 60-foot high monopalm and related equipment cabinetry. Pursuant to Condition No. 3, contained in Exhibit "B" of Planning Commission Resolution No. 05-2018, substantial revisions to these permits require review and approval by the Planning Commission.

The applicant intends to lease an additional 18' x 8' (144 square feet) area adjacent to the existing monopalm facility to accommodate the two, 20-foot high, live palm trees originally required by Condition no. 14A in Exhibit "B" of Planning Commission Resolution No. 05-2018, but were never planted. The new equipment cabinetry will occupy the same area as the existing equipment cabinetry. Wrought-iron fencing will be placed around the perimeter of the additional lease area to be consistent with the existing wrought-iron fencing.

III. Environmental Review

The expansion of the existing use permitted by the proposed modification to the Site Plan and Design Review and modification to the Conditional Use Permit will not have a significant effect on the environment. The expansion of the existing facilities will not alter the predominantly industrial character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed expansion is found to be exempt under the general rule of CEQA, Section 15061(b)(3)

IV. Recommendation

That the Planning Commission:

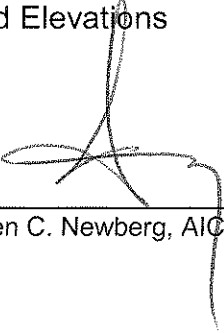
- **APPROVE** the Categorical Exemption;
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled: "A Resolution of the Planning Commission of the City of Carson Approving A Modification to Design Overlay Review No. 878-04 and A Modification to Conditional Use Permit No. 584-04 for the expansion of an existing wireless telecommunications facility located at 359 E. Gardena Boulevard."



V. Exhibits

1. Draft Resolution
2. Planning Commission Staff Report Dated January 11, 2005
3. Planning Commission Resolution No. 05-2018
4. Planning Commission Minutes Dated January 11, 2005
5. Site Plan and Elevations

Prepared by:



Steven C. Newberg, AICP, Associate Planner

Reviewed and Approved by:



Sheri Repp, Planning Manager



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING A MODIFICATION TO DESIGN OVERLAY REVIEW NO. 878-04 AND A MODIFICATION TO CONDITIONAL USE PERMIT NO. 584-04 FOR THE EXPANSION OF AN EXISTING WIRELESS TELECOMMUNICATION FACILITY LOCATED AT 359 E. GARDENA BOULEVARD

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, Sprint/Nextel, represented by Leslie Zimmerman, with respect to real property located at 359 E. Gardena Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of a modification to a Site Plan and Design Review and a modification to a Conditional Use Permit to authorize the expansion of the lease area and installation of new equipment cabinetry serving an existing, freestanding wireless telecommunications facility on a developed property in the ML (Manufacturing, Light) zone and within Redevelopment Project Area No. 4.

A public hearing was duly held on April 8, 2008, 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. The Planning Commission finds that:

- a) The proposed expansion is consistent with findings identified in Planning Commission Resolution No. 05-2018 for the original project's approval;
- b) The additional 144 square-foot lease area will be used to accommodate the planting of two, live, 20-foot high palm trees which will help to soften the aesthetic impact of the existing monopalm telecommunications facility;
- c) The new equipment cabinetry will replace the existing equipment and will not increase the footprint of the area originally approved for equipment cabinetry.

Section 4. The Planning Commission further finds that the expansion of the existing use permitted by the proposed modification to the Site Plan and Design Review and modification to the Conditional Use Permit will not have a significant effect on the environment. The expansion of the existing facilities will not alter the predominantly industrial character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed expansion is found to be exempt under the general rule of CEQA, Section 15061(b)(3).

Section 5. Based on the aforementioned findings, the Commission hereby grants a modification to Design Overlay Review No. 878-04 and modification to Conditional Use Permit No. 584-04 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.



Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. 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 8th DAY OF APRIL, 2008

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "ONE"

THE WEST 2.06 ACRES OF THE EAST 9.06 ACRES OF LOT 15 OF THE BASSETT TRACT, BOOK 2 PAGE 44 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER; THE EAST AND WEST LINE OF SAID 2.06 ACRES BEING PARALLEL WITH THE WEST LINE OF SAID LOT, AREAS BEING COMPUTED TO THE CENTER OF PALM AVENUE (NOW 165TH STREET).

Assessor's Parcel No: 6125-013-053



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL

MODIFICATION TO DESIGN OVERLAY REVIEW NO. 878-04

MODIFICATION TO CONDITIONAL USE PERMIT NO. 584-04

GENERAL CONDITIONS

1. All conditions contained in Exhibit "B", of Planning Commission Resolution No. 05-2018, passed and approved January 11, 2005 shall remain in full force and effect, except as expressly modified by this resolution.
2. If a Building and Safety plan check submittal proposing the implementation of a modification to Design Overlay Review No. 878-04 and modification to Conditional Use Permit No. 584-04 is not submitted to the City of Carson within one year of their effective dates, said modifications shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
3. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning the modification to Design Overlay Review No. 878-04 and modification to Conditional Use Permit No. 584-04. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.





CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: January 11, 2005

SUBJECT: Design Overlay Review No. 878-04 and
Conditional Use Permit No. 584-04

APPLICANT: Sprint LLC/Delta Groups Engineering
2362 McGaw Avenue
Irvine, CA 92614

REQUEST: To construct a freestanding monopalm wireless
telecommunication facility on a property located in
the ML (Manufacturing, Light) zone and within
Redevelopment Project Area No. 4.

PROPERTY INVOLVED: 359 E. Gardena Boulevard

COMMISSION ACTION

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

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cottrell –Chairperson			Hudson
		Pulido –Vice-Chairman			Philipp
		Boggs			Saenz
		Díaz			Wilson
		Embisan			



I. Introduction

Date Application Received

- September 22, 2004: Design Overlay Review No. 878-04 and Conditional Use Permit No. 584-04

Applicant

- Sprint LLC/Delta Groups Engineering; 2362 McGaw Avenue; Irvine, CA 92614

Property Owner

- Connors Family Trust; 26833 Westvale Rd.; Palos Verdes Peninsula, CA 90274

Project Address

- 359 E. Gardena Blvd.

Project Description

- To install a 60-foot wireless monopalm telecommunication facility on a developed property.

II. Background

Current Use of Property

- Sepulveda Building Materials currently operates at the site. There is an existing 1,128 square-foot building in the front of the property which was built in 1916. The remainder of the site is used for outdoor storage of various building materials.

Previously Approved Discretionary Permits

- There are no previously approved discretionary permits associated with this property.

Public Safety Issues

- The Public Safety Department has not reported any current code enforcement cases associated with this property.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is located at 359 E. Gardena Boulevard in the City of Carson, between Main Street and Avalon Boulevard;
- There is one building on the property which was built in 1916 and is being operated by Sepulveda Building Materials;
- Adjacent to the subject property to the north, south, east, and west are industrial properties. A mobilehome park is located 132 feet to the east, two properties away on Gardena Boulevard; and
- The physical dimension of the subject lot is 137' by 665', with a total area of 90,908 square feet.



Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned ML (Manufacturing, Light) and properties to the north, south, east, and west share the same zoning designation; the property two lots to the east is zoned ML and is used as a mobilehome park;
- The subject property and all adjacent properties have a General Plan Land Use designation of Light Industrial; and
- The subject property and all contiguous properties are within Redevelopment Project Area No. 4.

Applicable Zoning Ordinance Regulations

Pursuant to Section 9138.16(D), the proposed project is a freestanding structure and is considered a Major Wireless Telecommunication Facility subject to the approval of a development plan in accordance with the Site Plan and Design Review (DOR) procedures as provided in Section 9172.23 and Conditional Use Permit (CUP) procedures as provided in Section 9172.21.

The following table summarizes the proposed project's consistency with current site development standards for the ML zone district and other zoning code sections applicable to this type of proposed use:

Applicable Zoning Ordinance Sections	Compliance	Non-Compliance	Comments
Section 9141.1 – Uses Permitted	x		
Section 9143 – Conditional Use Criteria	x		Major Wireless Telecommunication Facility
Section 9145.3 – Street Frontage and Access	x		
Section 9146.12 – Height of Buildings and Structures	x		50' for wireless telecommunication facilities in an ML zone. 60' with CUP per Sect. 9138.16(F)(2) and (G)
Section 9146.22 – Future Rights-of-Way	x		
Section 9146.23 – Front Yard and Side Yard Abutting a Street	x		1" or 3' side and rear yard setback in an ML zone



Applicable Zoning Ordinance Sections	Compliance	Non-Compliance	Comments
Section 9146.29 - Encroachments	x		
Section 9146.3-6 – Other Site Development Standards (Parking, Trash, Walls, Etc.)	x		
Section 9146.7 – Signs	x		Subject to Section 9138.16(F)(7)
Section 9146.8 – Utilities	x		
Section 9146.9 – Site Planning and Design	x		
Part 4, Division 7 – Environmental Effects	x		Subject to Section 9138.16(F)
Section 9138.16 – Wireless Telecommunications Facilities	x		Major Wireless Telecommunication Facility subject to approval of DOR and CUP
Part 6 – General Development Standards	x		
Section 9172.21 – Conditional Use Permit	x		CUP required for freestanding facility and 20% height increase up to 60'
Section 9172.23 – Site Plan and Design Review	x		DOR required for Major Wireless Telecommunication Facility
Part 7, Division 3 – Elements of Procedure	x		

Environmental Effects of Telecommunication Facilities on Human Beings

The Federal Communications Commission (FCC) which regulates the use of telecommunication facilities has done studies on low level radiofrequency radiation but has not found that it causes harmful biological effects on human beings. In general, cities cannot regulate telecommunication facilities on the basis of environmental effects of radio frequency emissions if the emissions comply with the requirements of the Federal Communications Commission (FCC). Telecommunication providers are required to certify that their telecommunication facility complies with FCC guidelines regarding radiofrequency. Furthermore, cities cannot regulate radiofrequency interference (RFI) that interferes with the reception of television signals for nearby homes. The courts have held that the FCC has exclusive jurisdiction to regulate RFI.



Required Findings: Conditional Use Permit

Approval of a CUP is required for a Major Wireless Telecommunication Facility which is freestanding and exceeds the height limit by no more than 20 percent, up to 60 feet in a manufacturing zone. Pursuant to Section 9172.21, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.
6. Such other criteria as are specified for the particular use in other Sections of this chapter (Zoning Ordinance).

Required Findings: Site Plan and Design Review

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
2. 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.
3. Convenience and safety of circulation for pedestrians and vehicles.
4. Attractiveness, effectiveness and restraint in signing, graphics and color.
5. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

Required Findings: Wireless Telecommunications Facilities

Pursuant to Section 9138.16(H), Wireless Telecommunications Facilities, the Planning Division or Planning Commission may approve the development plan and conditional use permit for the proposal only if the following findings can be made in the affirmative:

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



2. 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.
3. 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.

All of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit, Commission Findings and Decision", Section 9172.23(D), "Site Plan and Design Review, Approval Authority and Findings and Decision", and Section 9138.16(H), "Wireless Telecommunications Facilities, Required Findings" can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern / Mitigation:

- Issue – Aesthetics/Visibility: The proposed location of a freestanding monopalm would be visible from at least a mile from the site. There currently are no such palms on the subject property. However, the proposed monopalm would be located in the rear of the property where it is least visible from the public right-of-way and would be disguised as a palm tree so that it is not obvious. There is a concern that the monopalm would not look "natural" as viewed from a distance because the palm fronds and trunk appear too perfect. Staff recommends the design of the monopalm to include various frond shades and imperfections in order to appear more natural.
 - *Condition:* The proposed monopalm shall be designed to include imperfections such as darkened or withered leaf fronds, various-sized leaf fronds, and a multi-toned trunk. An asymmetrical design is encouraged in order to create a more natural appearance.
- Issue – Nonconforming Roof Sign: Pursuant to Section 9146.7(B)(5), a roof sign is not permitted.
 - *Condition:* The existing roof sign shall be removed. Replacement of the sign as a wall sign, if necessary, shall be approved by the Planning Division prior to installation.
- Issue – Enforcement of Conditions: Staff has noticed that similar projects approved in the past have not complied with all required conditions. In order to ensure the implementation of the condition discussed above regarding the roof sign, a condition should be included to require removal of the roof sign prior to operation of the monopalm.



- *Condition:* All conditions included herein regarding site improvements, including removal of the roof sign, shall be implemented prior to installation and operation of the wireless telecommunication facility.

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 light industrial property does not have the potential for causing a significant effect on the environment and is found to be exempt.

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. 878-04 and Conditional Use Permit No. 584-04 for the installation of a new wireless telecommunication facility located at 359 E. Gardena Boulevard."

VI. Exhibits

1. Resolution
2. Site plan, elevations, floor plans (under separate cover)
3. Land use map
4. Aerial photo / property information sheet

Prepared by: _____
John F. Signo, Associate Planner

Reviewed by: _____
Sean Scully, Senior Planner

Approved by: _____
Sheri Repp, Planning Manager

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CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 05-2018

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 878-04 AND CONDITIONAL USE PERMIT NO. 584-04 FOR THE INSTALLATION OF A NEW WIRELESS TELECOMMUNICATION FACILITY LOCATED AT 359 E. GARDENA BOULEVARD

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, Sprint LLC/Delta Groups Engineering, with respect to real property located at 359 E. Gardena Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of a Site Plan and Design Review and Conditional Use Permit to install a freestanding wireless telecommunications facility on a developed property in the ML (Manufacturing, Light) zone and within Redevelopment Project Area No. 4.

A public hearing was duly held on January 11, 2005, 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. The Planning Commission finds that:

- a) The General Plan designates the property as Light Industrial which is compatible with the proposed use. The proposed use and development of a wireless telecommunication facility will be consistent with the surrounding light industrial uses and is appropriate for the subject property as proposed;
- b) The project is compatible in 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;
- c) The site is also adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development. The surrounding land uses are primarily light industrial uses and the proposed project is compatible with those uses. The site is 90,908 square feet in size, flat and located in an industrial area;
- d) The proposed telecommunication facility will only require monthly maintenance visits and is otherwise not occupied, therefore the off-street parking requirements are not applicable and circulation on the adjacent public streets will not be adversely impacted. Safety and convenience of vehicular and pedestrian access is provided with the on-site private driveway;



- e) There are no signs intended for the proposed project other than those required for safety purposes, which will meet the requirements of the Municipal Code;
- f) The proposed site is located in the rear of the subject property where it is least visible from the public right-of-way. The facility will be disguised as a palm tree and will blend with existing landscaping in the area as seen from a distance;
- g) The proposed wireless telecommunication facility is located and designed to minimize the visual impact on surrounding properties and from public streets, including stealthing which includes disguising the facility as a palm tree;
- h) The proposed wireless telecommunication facility meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit", Section 9172.23(D), "Site Plan and Design Review, Approval Authority and Findings and Decision" and Section 9138.16(H), "Wireless Telecommunication Facilities" are made in the affirmative.

Section 4. The Planning Commission further finds that the use permitted by the proposed Site Plan and Design Review and Conditional Use Permit will not have a significant effect on the environment. The proposed facilities will not alter the predominantly industrial character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be exempt under the general rule of CEQA, Section 15061(b)(3).

Section 5. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 878-04 and Conditional Use Permit No. 584-04 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. 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 11th DAY OF JANUARY, 2005

CHAIRMAN

ATTEST:

SECRETARY



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 878-04
CONDITIONAL USE PERMIT NO. 584-04

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No. 878-04 and Conditional Use Permit No. 584-04 is not submitted to the City of Carson within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
4. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
5. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit shall be determined to be automatically revoked, provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
6. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
7. The operator of a lawfully erected facility, and the owner of the premises upon which it is located, shall promptly notify the Planning Division in writing in the event that the use of the facility is discontinued for any reason. In the event the facility is discontinued or abandoned for a period of more than 180 days, then the owner(s) and/or operator(s) shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises as appropriate so as to be in conformance with applicable zoning codes at the owner's and/or operator's expense. All such removal, repair and restoration shall be completed within 90 days after the use is discontinued or



abandoned, and shall be performed in accordance with all applicable health and safety requirements.

AESTHETICS

8. The specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division prior to the issuance of any building permits.
9. The wireless telecommunication facility shall not exceed the height specified in the development plan.
10. All electrical and equipment wiring shall be placed underground or concealed within the building or structure in which the facility will be mounted.
11. The ground equipment and supporting structure(s) shall be painted a neutral, non-glossy color.
12. The proposed monopalm shall be designed to include imperfections such as darkened or withered leaf fronds, various-sized leaf fronds, and a multi-toned trunk. An asymmetrical design is encouraged in order to create a more natural appearance.
13. The existing roof sign shall be removed. Replacement of the sign as a wall sign, if necessary, shall be approved by the Planning Division prior to installation.
14. All conditions included herein regarding site improvements, including removal of the roof sign, shall be implemented prior to installation and operation of the wireless telecommunication facility.
- 14A. The applicant shall plant at least two (2) live palm trees at a minimum height of 20 feet on this site. The locations of the palm trees shall be determined by staff. The live palms shall be irrigated and maintained in good condition at all times.

NOISE

15. All wireless telecommunication facilities shall be constructed and operated in such a manner as to meet the requirements of the Noise Ordinance.
16. Backup generators shall only be operated during power outages and for testing and maintenance purposes.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

18. As necessary, the applicant shall remove and replace broken driveway approach per City of Carson Standard.
19. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

20. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.



MINUTES

**PLANNING COMMISSION
REGULAR MEETING**

**CITY COUNCIL CHAMBERS
CARSON, CALIFORNIA 90745**

January 11, 2005 – 6:30 P.M.

1. **CALL TO ORDER** Chairperson Cottrell called the meeting to order at 6:36 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Commissioner Diaz.
3. **ROLL CALL**
Planning Commissioners Present: Boggs, Cottrell, Diaz, Embisan, *Philipp, Pulido, Wilson (*Philipp arrived at 6:40 P.M.)

Planning Commissioners Absent: Hudson, Saenz (both excused)

Staff Present: Community Planning Manager Repp, Assistant City Attorney Galante, Senior Planner Scully, Associate Planner Signo, Recording Secretary Bothe
4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Vice-Chairman Pulido moved, seconded by Commissioner Wilson, to approve the Agenda as presented. Motion carried (Philipp had not yet arrived; absent Hudson, Saenz).
6. **INSTRUCTIONS TO WITNESSES** Chairperson Cottrell requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation.
7. **SWEARING OF WITNESSES** Assistant City Attorney Galante
8. **CONSENT CALENDAR** None.
9. **CONTINUED PUBLIC HEARING** None.

10. PUBLIC HEARING

A) Design Overlay Review No. 878-04 and
Conditional Use Permit No. 584-04

Applicant's Request:

The applicant, Sprint LLC/Delta Groups Engineering, is requesting to construct a freestanding monopalm wireless telecommunication facility on a property located in the ML (Manufacturing, Light) zone and within Redevelopment Project Area No. 4. The subject property is located at 359 East Gardena Boulevard.

Staff Report:

Associate Planner Signo presented staff report (of record).

Staff Recommendation:

- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled, "A Resolution of the Planning Commission of the City of Carson approving Design Overlay Review No. 878-04 and Conditional Use Permit No. 584-04 for the installation of a new wireless telecommunication facility located at 359 E. Gardena Boulevard."

Assistant City Attorney Galante recommended adding the following condition, 14A: The applicant shall plant live palm trees, at least four live palms, at a minimum height of 20 feet on this site, locations to be determined by staff. The live palms shall be irrigated and maintained in good condition at all times.

Associate Planner Signo noted for Commissioner Boggs that the homes are more than 100 feet away from this project site; and indicated that staff is suggesting the placement of two palm trees at the back near the proposed monopalm and two palm trees at the front, locations to be determined by staff at a later point.

Chairperson Cottrell opened the public hearing.

Tim Miller, representing Sprint PCS, briefly addressed the need to increase coverage in this area; and explained that the placement of four palm trees will be very difficult given the limited space that was available for leasing. He noted concern that the property owner had already moved his supplies around just enough to provide room for the monopalm and the accompanying equipment at the back corner of the lot so that it didn't interfere with the owner's business, but stated that he would have to speak with the property owner to see if the leased area can be enlarged to find a location for the trees. He added that he could possibly put two palm trees on the south side where there may be a small area available; but noted that the leased area does not come close to the front and that he would need to speak with the property owner. He mentioned that the monopalm will be located next to the equipment; that it will be located over 600 feet from Gardena Boulevard and that it shouldn't be noticeable from the street. He stated that he concurs with the other conditions of approval and added that the property owner has agreed to remove the existing sign and to apply for a new wall or monument sign.

Commissioner Wilson questioned whether it is possible to place the four palm trees on site.

In response, Mr. Miller expressed his belief that the owner has already maximized the area that can be leased, but reiterated that he'd have to go back to the owner to see if there is additional space for the extra trees staff is proposing.

Responding to Commissioner Philipp's inquiry regarding the square footage of the leased area, Mr. Miller stated that the leased area is approximately 22.5 feet by 20 feet where the pole and equipment will be housed and enclosed; and that the four cabinets measure approximately 5 to 6 feet tall, 3 feet by 2.5 feet wide, and that the pole is approximately 2 feet in diameter.

There being no further input, Chairperson Cottrell closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Wilson, to concur with staff recommendation; moved to add Condition 14A: "Applicant shall plant, and at all times maintain in a healthy condition, at least two live, mature *Washitonia* palms of at least 20 feet in height at locations to be approved by the Planning Manager or her designee. An automatic irrigation system shall be installed for the palm trees"; and moved to adopt Resolution No. 05-2018. Motion carried (absent Commissioners Hudson and Saenz).

Commissioner Boggs pointed out that this area is heavy industrial; expressed her belief that the conditions should be no more demanding than they currently exist; and pointed out that the antenna is at the back of the property.

10. PUBLIC HEARING

B) Design Overlay Review No. (DOR) 868-04

Applicant's Request:

The Applicant, JCA Resources, Inc./Steve Holloway, is requesting to construct a new four-story, 126,400-square-foot office building, including a 2,100-square-foot café/coffee shop and a 1,500-square-foot credit union on approximately ten (10) acres in the MH (Manufacturing, Heavy) zoned district and within the Merged and Amended Redevelopment Project Area. The property is located at 2350 (2384) East 223rd Street.

Staff Report:

Associate Planner Signo presented staff report (of record).

Staff Recommendation:

- **APPROVE** the Mitigated Negative Declaration;
- Recommend **APPROVAL** to the Redevelopment Agency of Design Overlay Review No. 868-04, subject to the conditions of approval; and

