



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

CONSENT: February 9, 2010

SUBJECT: Modification No. 1 to Conditional Use Permit No. 746-09; Modification No. 1 to Conditional Use Permit No. 753-09; and Modification No. 4 to Design Overlay Review No. 676-98

APPLICANT: Trillium Consulting, Inc.
Attention: Tim Miller
5912 Bolsa Avenue, Suite 202
Huntington Beach, CA 92649

PROPERTY OWNER: Southern California Edison
4900 Rivergrade Road, Bldg. 2B1
Irwindale, CA 91706

REQUEST: To co-locate to an existing 60-foot-high stealthed wireless telecommunications facility on a property located in the ML (Manufacturing, Light) zone and within the Merged and Amended Redevelopment Project Area.

PROPERTY INVOLVED: 24000 South Broad Street

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Park
		Vice-Chair Saenz			Schaefer
		Brimmer			Verrett
		Gordon			DIAZ
		Graber			

Item No. 9B

I. Introduction

The applicant, Tim Miller of Trillium Consulting is requesting approval of Modification No. 1 to Conditional Use Permit (CUP) No. 746-09, Modification No. 1 to CUP No. 753-09 and Modification No. 4 to Design Overlay Review (DOR) No. 676-98 on behalf of AT&T to co-locate onto an existing 60-foot-high wireless facility located at 24000 South Broad Street. The site is zoned ML (Manufacturing, Light) and has a General Plan land use designation of Public Facilities. The existing wireless facility and supporting equipment are located within a Southern California Edison (SCE) substation which is developed with steel framework and electrical equipment. Approximately 50 percent of the subject property is vacant. The subject property is within the Merged and Amended Redevelopment Project Area.

The subject property is bound by single family residences to the east and west across Broad Street. North of the site across Sepulveda Boulevard are light industrial uses. There are additional light industrial uses south of the site, and commercial uses west of the site along Sepulveda Boulevard.

II. Background

DOR No. 676-98 was approved by the Planning Commission at a noticed public hearing on November 24, 1998. Subsequently, the Carson Redevelopment Agency approved DOR No. 676-98 on January 19, 1999.

Modification No. 1 to DOR No. 676-98 was approved by the Planning Commission on January 30, 2001 and the Redevelopment Agency on February 20, 2001 to replace the 60-foot wireless communication facility with a 72.2-foot wireless communication facility. No building permits were issued within a year of the approval and no extensions were requested, therefore approval of Modification No. 1 to DOR No. 676-98 expired on February 20, 2002.

Modification No. 2 to DOR No. 676-98 was denied by the Planning Commission on September 11, 2001 which requested the removal of Conditions requiring landscaping along Broad Street. No appeals were requested.

Modification No. 3 to DOR No. 676-98, CUP No. 746-09 and CUP No. 753-09 was approved by the Planning Commission on November 24, 2009 to permit the existing facility, stealth the existing facility, remove/replace existing antennas, and exceed the maximum height limit of 50 feet in the ML zoning district. Planning Commission Resolution No. 09-2276 was concurrently adopted by the Planning Commission.

Condition No. 17 of approved Resolution No. 09-2276 states, "Future modifications to the approved development plans, including the installation of additional panels and equipment cabinetry, shall be subject to Planning Division review and approval. If deemed to be a major modification, the Planning Commission shall be the approval authority".

The co-location to the existing wireless facility and a new equipment shelter has been deemed to be a major modification. Therefore, per Condition No. 17 and



Carson Municipal Code (CMC) Section 9138.16 (D)(1) the proposed modifications are subject to Planning Commission review.

III. Analysis

The existing facility includes a 60-foot monopole with three (3) panel antennas and a parabolic antenna. The proposed co-location includes adding six (6) panel antennas, a microwave dish, and a 160-square-foot equipment shelter.

The proposed project is consistent with the General Plan of the city of Carson in that the subject property is designated for Public Facilities and zoned ML (Manufacturing, Light). The site currently operates as a Southern California Edison Substation, therefore the proposed co-location to an existing wireless facility is consistent with the surrounding development.

Staff believes the proposed co-location will meet and exceed the requirements of the Carson Municipal Code. Existing and proposed conditions of approval will ensure that the proposed co-location will not have a negative impact on the surrounding areas.

Issues of Concern

Building permits for Modification No. 3 to DOR No. 676-98 to remove/replace the existing antennas, install landscaping along Sepulveda Blvd and place a new radome cover have been improved by Building and Safety. Construction is tentatively scheduled to begin in February 2010. To ensure all conditions of Modification No. 3 to DOR No. 676-98 are completed prior to the issuance of building permits for Modification No. 4 to DOR 676-98, staff recommends adding a condition to Resolution No. 09-2276 stating the following,

"Modification No. 3 to DOR 676-98 must be issued an approved final site inspection by the Planning Division prior to the issuance of any building permits."

IV. Environmental Review

Pursuant to Section 15301 – Existing Facilities (Class 1) of the California Environmental Quality Act (CEQA), the co-location to an existing 60-foot high wireless telecommunications facility is exempt. The project does not have the potential to cause a significant effect on the environment.

V. Recommendation

That the Planning Commission:

- APPROVE the proposed project; and
- ADOPT a minute resolution and staff's recommendation to add a condition to Resolution No. 09-2276 that states,

"Modification No. 3 to DOR 676-98 must be issued an approved final site inspection by the Planning Division prior to the issuance of any building permits".

VI. Exhibits

1. Planning Commission Resolution No. 09-2276
2. Site Map
3. Development Plans (under separate cover)

Prepared by:


Sharon Song, Associate Planner

Reviewed by:


John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp, Planning Officer

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 09-2276

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING MODIFICATION NO. 3 TO
DESIGN OVERLAY REVIEW NO. 676-98, CONDITIONAL USE
PERMIT NO. 746-09, AND CONDITIONAL USE PERMIT NO. 753-
09 FOR AN EXISTING WIRELESS TELECOMMUNICATIONS
FACILITY LOCATED AT 24000 SOUTH BROAD 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, Al Gamboa (Milestone Wireless), with respect to real property located at 24000 South Broad Street, and described in Exhibit "A" attached hereto, approving Modification No.3 to Design Overlay Review No. 676-98, Conditional Use Permit No. 746-09, and Conditional Use Permit No. 753-09 for an existing wireless telecommunications facility on a developed property in the ML (Manufacturing, Light) zone and within the Merged and Amended Redevelopment Project Area.

A public hearing was duly held on November 24, 2009, 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 Public Facilities which is compatible with the proposed use. The continued 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 and the proposed project is compatible with those uses. The site is an existing Southern California Edison sub-station;
- 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) The proposed wireless telecommunication facility is located to minimize the visual impact on surrounding properties and from public streets, including stealthing which includes providing a cap on the existing monopole; and
- f) 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 Carson Municipal Code (CMC) Section 9172.21(D), "Conditional Use Permit", and CMC Section 9138.16(H), "Wireless Telecommunication Facilities" are made in the affirmative.

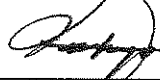
Section 4. The Planning Commission further finds that the use permitted by the proposed Conditional Use Permits will not have a significant effect on the environment. The proposed use will not alter the character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be exempt under the general rule of the California Environmental Quality Act (CEQA), Section 15301, Existing Facilities.

Section 5. Based on the aforementioned findings, the Commission hereby approves Conditional Use Permit No. 746-09 and Conditional Use Permit No. 753-09, and recommends approval of Modification No. 3 to Design Overlay Review No. 676-09 to the Carson Redevelopment Agency with respect to the properties 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.

PASSED, APPROVED AND ADOPTED THIS 24th DAY OF November, 2009



CHAIRMAN

ATTEST:



SECRETARY



LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL 1 OF PARCEL MAP NO. 13217, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 148, PAGES 66 AND 67 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS, BLOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENT IN INSTRUMENTS OF RECORD.

APN: 7404-012-806



CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL

MODIFICATION NO. 3 TO DESIGN OVERLAY REVIEW NO. 676-98

CONDITIONAL USE PERMIT NO. 746-09

CONDITIONAL USE PERMIT NO. 753-09

GENERAL CONDITIONS

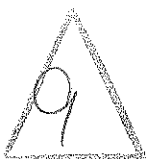
1. If a building permit plan check submittal proposing the implementation of Modification No. 3 to Design Overlay Review No. 676-98, Conditional Use Permit No. 746-09, and Conditional Use Permit No. 753-09 and is not submitted to the City of Carson within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. 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.
5. 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.
6. 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 may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



7. 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.
8. 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.
9. 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 Modification No. 3 to Design Overlay Review No. 676-98, Conditional Use Permit No. 746-09, and Conditional Use Permit No. 753-09. 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.

PLANNING

10. All parking areas and driveways shall remain clear and maintained. No encroachment into parking areas and/or driveways shall be permitted.
11. The proposed cap on the existing wireless facility shall match the existing color of the monopole (sky grey).
12. The wireless telecommunication facility shall not exceed the existing height of 60 feet.
13. The display of any sign or any other graphic on a wireless telecommunications facility or on its screening is prohibited, except for signs for health, safety, and welfare purposes, which is required to be posted in case of an emergency. Emergency signs shall be visibly posted at the facility and shall include contact information including the phone number of the utility provider.



14. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (Industrial Zones) of the Zoning Ordinance.
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.
17. Future modifications to the approved development plans, including the installation of additional panels and equipment cabinetry, shall be subject to Planning Division review and approval. If deemed to be a major modification, the Planning Commission shall be the approval authority.

LANDSCAPING

18. All damaged or disabled landscaping along Sepulveda Boulevard shall be removed and replaced to the satisfaction of the Planning Division prior to the issuance of any building permits.
19. Maintenance of the new landscaping along Sepulveda Boulevard shall be the sole responsibility of the property owner (Southern California Edison). The applicant (Verizon Wireless) will not be responsible for the long-term maintenance of the landscaping along Sepulveda Boulevard.

BUILDING AND SAFETY

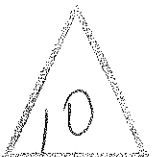
20. Submit for plan check, obtain all building permits and have a final inspection conducted for proposed project.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

21. Battery backup and storage areas shall be constructed and maintained in compliance with Article 64 of the uniform Fire Code (UFC).

ENGINEERING SERVICES

22. Any city-owned improvement damaged during the construction of the proposed project shall be removed and reconstructed per City Standard Plan and to the satisfaction of the City Engineer prior to the issuance of a building permit.
23. Prior to the 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

24. Per section 6310 of the Carson Municipal Code, all parties involved in the installation of the telecommunication facility to be located at 24000 South Broad Street, including but not limited to contractors and subcontractors, will need to obtain a City Business License.





Exhibit 2

City of Carson 100 Foot Radius Map 24000 Broad St

