



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: April 13, 2010

SUBJECT: Modification No. 1 to Design Overlay Review No. 994-07, Conditional Use Permit No. 662-07, and Conditional Use Permit No. 641-06

APPLICANT: Lynn Van Aken (Blackdot Wireless) for Clearwire Communications  
27271 Las Ramblas, Suite 200  
Mission Viejo, California 92691

REQUEST: To permit a co-location of additional telecommunication panel antenna on an existing 60-foot high unmanned wireless telecommunication facility disguised as a pine tree (mono-pine) in the ML-D (Manufacturing, Light – Design Overlay) zone.

PROPERTY INVOLVED: 1421 E. Del Amo Boulevard

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#### COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

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

***Item No. 9C***

## **I. Introduction**

The applicant, Lynn Van Aken of Blackdot Wireless, is requesting approval of a modification to Design Overlay Review (DOR) No. 994-07, Conditional Use Permit (CUP) Nos. 662-07 and 641-06 on behalf of Clearwire Communications to permit a co-location of additional panel antennae below existing panels on an existing 60-foot-high unmanned telecommunication facility disguised as a pine tree ("mono-pine"). This request has been referred to the Planning Commission as a minor modification to the DOR and CUPs with no public hearing required.

## **II. Background**

The Planning Commission adopted Resolution No. 07-2136 (Exhibit No. 1) on April 10, 2007, thereby approving Design Overlay Review No. 994-07, Conditional Use Permit No. 662-07, and Conditional Use Permit No. 641-06 for the construction of the 60-foot-high monopine. Condition No. 4 of Resolution No. 07-2136 requires that the Planning Commission approve substantial modifications to the approved development plans.

The property is presently a public storage facility consisting of multiple single-story storage buildings and a sales office. The existing building sizes average approximately 5,500 square feet. The property area is approximately 3.5 acres in area. The cell facility and equipment cabinetry occupy a 280-square-foot lease area located in the southwest corner in the central part of the storage facility. There are no outstanding code violations existing on the subject site.

## **III. Analysis**

Currently, there are a total of 6 panel antennae, which are located in 3 sectors (2 panels per sector). The synthetic tree branches, colored to simulate real branches, feature synthetic, variegated (color) pine needles. The branches start from approximately 10 feet above ground level and taper toward the top of the tree to a total height of 60 feet, extending 10-12 feet at most from the center pole. The pole is wrapped in a synthetic rubber material designed to resemble bark.

The applicant is proposing to co-locate a new array of antennae consisting of three sectors each located one-and-a-half feet from the pole at the 45-foot mark and comprised of the following components: one panel antenna, a DAP unit and a microwave dish. The new antennae sectors will be colored to match the existing pole and "branches," and also will be covered in similar material as other antennae currently on the pole.

The monopine was designed to accommodate two to three future co-locaters, including space on the ground in the equipment cabinetry enclosure for additional cabinetry as required by additional antennae. This is the first co-location request for the existing monopine.

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

#### **IV. Conclusion**

Staff recommends that the proposed antennas can be approved for the site. It is staff's opinion that the antennas will not create any adverse effect to the site or adjacent properties.

#### **V. Environmental Review**

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

#### **VI. Recommendation**

That the Planning Commission:

- APPROVE the Modification to Design Overlay Review No. 994-07, Conditional Use Permit No. 662-07, and Conditional Use Permit No. 641-06; and
- WAIVE further reading and ADOPT a minute resolution and instruct staff to make necessary changes to Resolution No. 07-2136.

#### **VII. Exhibits**

1. Planning Commission Resolution No. 07-2136
2. Staff Report for Design Overlay Review No. 994-07, Conditional Use Permit No. 662-07, and Conditional Use Permit No. 641-06 dated April 10, 2007 (without exhibits)
3. Excerpt of Planning Commission Minutes dated April 10, 2007
4. Development Plans

Prepared by: \_\_\_\_\_  
Steven Newberg, AICP, Associate Planner

Reviewed by: \_\_\_\_\_  
John F. Signo, AICP, Senior Planner

Approved by:   
Sheri Repp, Planning Officer

**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 07-2136**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 994-07, CONDITIONAL USE PERMIT NO. 662-07 AND CONDITIONAL USE PERMIT NO. 641-06 FOR A FREESTANDING 60-FOOT HIGHTALL WIRELESS TELECOMMUNICATION FACILITY DISGUISED AS A PINE TREE (MONO-PINE) LOCATED AT 1421 E. DEL AMO BOULEVARD.**

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

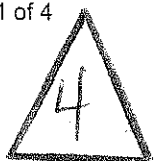
**Section 1.** An application was duly filed by the applicant, Jane Norine, with respect to real property located at 1421 E. Del Amo Boulevard and described in Exhibit "A" attached hereto, requesting approval to construct a 60-foot high unmanned wireless telecommunication facility disguised as a pine tree (mono-pine) on a private facility used for public storage in the ML-D (Manufacturing, Light – Design Overlay) zone.

A public hearing was duly held on April 10, 2007, at 6:30 P.M. at the Carson City Hall Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

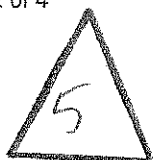
**Section 2.** Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 3.** Pursuant to Sections: 9172.23(D), Site Plan and Design Review – Approving Authority Findings and Decision; 9172.21(D) – Commission Findings and Decision; 9143 – Conditional Use Criteria; and, 9138.16(H), Wireless Telecommunication Facilities – Required Findings of the Carson Municipal Code; the Planning Commission finds that:

- a) The General Plan designates the property as Light Industrial which is compatible with the proposed use. There are no specific plans for the area. The project site is located in the central portion of the City of Carson near the northeast corner of the Del Amo Blvd. and Central Avenue intersection. Surrounding uses include: Mills Park, a municipal park facility, to the north; single family residential neighborhoods to the northeast and across Central Avenue to the west, approximately 200 feet from the project site; and, a gas station is currently located to the south of the subject site. The proposed project is compatible with these uses, given that the site location is adequately distanced away from sensitive receptors, such as the residential uses in the vicinity. The proposed project is appropriate as it will not alter the intended light industrial use of the subject property;



- b) The proposed monopine and related equipment, power and telephone company cabinetry will occupy a lease area of approximately 280 square feet. The subject property is 3.5 acres in size. There are multiple single-story buildings on the site which are currently used for self-storage. The proposed lease area is located along the southern property line on the west side of the property, adjacent to the gas station parking area. An approximately 8-foot high wall concrete wall currently separates the property. To the north of the subject site is Mills Park, which has a buffer of large, mature green trees along its southern property line which may help the proposed tower to be less conspicuous. As such, the proposed monopine cellular telecommunications facility is designed to be compatible with existing development in the vicinity, in terms of appearance and scale of structures, thereby facilitating the creation of a harmonious and attractive development of the area;
- c) The applicant intends to restripe the parking area adjacent to the project location 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 Del Amo Boulevard. 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. Safety and convenience of vehicular and pedestrian access will not be hindered by the proposed development;
- d) 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 pine tree, in terms of size, shape and appearance. The use of synthetic rubber bark and pine needles will be effective in helping to stealth the facility;
- e) The applicant considered alternative locations for possible development of a cellular telecommunications facility, but the proposed location was the best in terms of what land was available that could provide the widest coverage area with the greatest range of wireless telecommunication service;
- f) The subject property is 3.5 acres in size, rectangular and flat. The project location is on an interior corner of the subject property and adjacent to a gas station customer parking area. The subject property is surrounded by a major street, commercial use, a municipal park, and light manufacturing uses. The proposed use is compatible with the subject property surroundings. 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;
- g) The proposed use will have minimal impacts in the vicinity of the subject site, in terms of parking, traffic, noise and safety. Based on the subject property



zoning, the use will be compatible with the intended light industrial character of the area

- h) 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 to resemble a pine tree. The synthetic tree branches, colored to simulate real branches, will feature synthetic, variegated (color) pine needles. The pole will be wrapped in a synthetic rubber material designed to resemble bark. Screen trees will be provided, with species complimentary to the proposed monopine. Landscaping served with automatic irrigation is provided adjacent to the equipment cabinet and wall enclosure location;
- i) The proposed wireless telecommunication facility is justified to exceed the 50-foot limitation by 10 feet. By increasing the facility's height, accommodations are made for future co-location which will help to lessen possible aesthetic impacts of other cellular communication facilities being built in the vicinity, which is consistent with the intent of CMC Section 9138.16;
- j) The proposed project is designed to resemble a pine tree. The subject site is proximal to a municipal park which has numerous mature trees lining its southern border with the subject property. The intention is for the disguised telecommunications facility to blend in with trees in the vicinity. As such, efforts have been made to architecturally integrate the proposed project with the surrounding environment; and,
- k) 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 Sections 9172.23(D), Site Plan and Design Review – Approving Authority Findings and Decision; 9172.21(D) – Commission Findings and Decision; 9143 – Conditional Use Criteria; and, 9138.16(H), Wireless Telecommunication Facilities – Required Findings of the Carson Municipal Code can be made in the affirmative.

**Section 4.** The Planning Commission further finds that the new cellular telecommunications facility will not have a significant effect on the environment and as such, a Negative Declaration has been prepared pursuant to Section 15070 of the California Environmental Quality Act.

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 994-07, Conditional Use Permit No. 662-07 and Conditional Use Permit No. 641-06, 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 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 10<sup>th</sup> DAY OF APRIL, 2007**

  
\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

  
\_\_\_\_\_  
**SECRETARY**

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EXHIBIT "A"

LEGAL DESCRIPTION OF COMMERCIAL PARCEL AT THE NORTH-  
EASTERLY CORNER OF PROPOSED DEL AMO BOULEVARD AND  
PROPOSED CENTRAL AVENUE.

September 17, 1965.

PARCEL 1:

That portion of the 1326.58 acre allotment in the Rancho  
San Pedro County of Los Angeles, State of California,  
allotted to Susana Dominguez by Final Decree of Partition  
of said Rancho, entered in Superior Court Cause No. 544,  
in and for the county of Los Angeles, described as follows:

Commencing at the intersection of the center line of  
Proposed Del Amo Boulevard with the center line of proposed  
Central Avenue, as said intersection is shown on County  
Surveyor's Map B-617 page 4 as on file in the County En-  
gineer's office of said county; thence along the center  
line of said Central Avenue, shown as North 0° 03' 31" East  
West on said County Surveyor's Map, North 0° 03' 31" East  
80.99 feet; thence at right angles to said center line  
North 89° 56' 29" East, 50.00 feet to a point in a line  
that is parallel with and distant 50.00 feet Easterly, as  
measured at right angles, from the center line of said  
Central Avenue, said point being the true point of beginning;  
thence along said parallel line North 0° 03' 31" East 110.00  
feet; thence North 89° 56' 29" East 500.79 feet; thence South  
0° 03' 31" East 337.28 feet to a line that is parallel with  
and distant 50.00 feet Northerly, as measured at right angles,  
from the center line of said Del Amo Boulevard; thence along  
said parallel line South 89° 56' 29" East 470.81 feet to a  
tangent curve concave Northeasterly and having a radius of  
27.00 feet; thence along said curve 42.41 feet through a  
central angle of 89° 59' 21" to a point on a line tangent  
to said curve, said point being the true point of beginning.

EXCEPT from that portion of said land lying Westerly of a  
line which is parallel with and 200 feet Easterly measured  
at right angles, from said proposed center line of Central  
Avenue, that portion thereof lying Southerly of a line which  
is parallel with and 204 feet Northerly, measured at right  
angles from said proposed center line of Del Amo Boulevard.

AUG 31 '66

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**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**

**CONDITIONS OF APPROVAL**

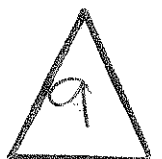
**DESIGN OVERLAY REVIEW NO. 994-07**

**CONDITIONAL USE PERMIT NO. 662-07**

**CONDITIONAL USE PERMIT NO. 641-06**

**GENERAL CONDITIONS**

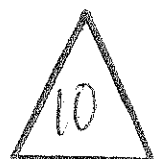
1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No.994-07, Conditional Use Permit No. 662-07 and Conditional Use Permit No. 641-06 is not submitted to the City of Carson within one year of its effective date, said permit shall be declared null and void 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 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 Design Overlay Review No. 994-07, Conditional Use Permit No. 662-07 and Conditional Use Permit No. 641-06. 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.

#### AESTHETICS

10. 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.
11. The wireless telecommunication facility shall not exceed 60 feet in height, up to and including the faux branches and pine leaves.
12. All electrical and equipment wiring shall be placed underground from the point of connection at the telecommunication tower and related equipment facilities to where the power/telco source is located.
13. The ground equipment enclosure shall be textured/stuccoed and painted to match existing building(s) on the property.
14. The main support structure (pole) for the telecommunication tower shall be coated with a synthetic rubber material resembling tree bark, subject to Planning



Director approval. All other supporting structure(s) shall be painted a non-glossy, neutral color, subject to Planning Director approval.

15. All barbed wire located along the wall adjacent to the cell facility location must be removed prior to the issuance of a building permit.

#### PARKING

16. Parking spaces adjacent to the cell facility location shall be restriped to be consistent with CMC section 9162.51.

#### LANDSCAPING/IRRIGATION

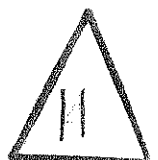
16. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
17. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
18. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
19. A minimum of four, 36-inch box tree specimens are required to be placed along the southerly property line of the subject property at 12-15 feet, on center, starting from the west edge of the equipment enclosure.

#### NOISE

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

#### ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

22. As necessary, the applicant shall remove and replace broken driveway approach per City of Carson Standard.
23. If needed, easements shall be granted to the City, appropriate agency, or entity for the purposes ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
24. Any city-owned improvements 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.



25. 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.

FIRE DEPARTMENT – LOS ANGELES COUNTY

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

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

27. Per section 6310 of the Carson Municipal Code, all parties involved in the construction of the monopalm telecommunication facility to be located at 1421 E. Del Amo Boulevard, including but not limited to contractors and subcontractors, will need to obtain a City Business License.





## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 10, 2007

SUBJECT: Design Overlay Review No. 994-07; Conditional Use Permit No. 662-07; and Conditional Use Permit No. 641-06

APPLICANT: Royal Street Communications  
Attn: Jane Norine  
2913 El Camino Real  
Tustin, CA 92782

REQUEST: To construct a 60-foot high unmanned wireless telecommunication facility disguised as a pine tree (monopine) on a private facility used for public storage in the ML-D (Manufacturing, Light – Design Overlay) zone.

PROPERTY INVOLVED: 1421 E. Del Amo Boulevard

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#### COMMISSION ACTION

☐ Concurred with staff

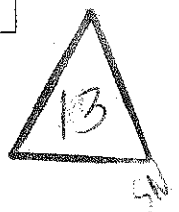
☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

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

**Item 12B**  
**EXHIBIT NO. - 2**



## **I. Introduction**

The applicant proposes the installation of a cellular communications facility disguised as a pine tree consisting of a pole, cellular antennas, and equipment cabinets surrounded by a concrete block wall. The cellular telecommunications industry commonly refers to this type of antenna structure as a monopine. The monopine will be 60 feet high to the tops of the faux pine branches. There will be equipment cabinets at the base of the pole. A concrete block wall measuring eight feet in height will enclose the cabinets and the base of the pole.

## **II. Background**

The property is presently a public storage facility consisting of multiple single-story storage buildings and a sales office. The existing building sizes average approximately 5,500 square feet. The property is approximately 3.5 acres. The cell facility is proposed in a southwest corner in the central part of the storage facility. This location is presently used for parking. The applicant intends to restripe existing parking spaces located adjacent to the proposed facility. There are no outstanding code violations for the subject site.

The applicant is working in conjunction with Global Tower Partners (GTP), LLC, which is a provider of outsourced antennae site facilities to the wireless communications industry. Once constructed, GTP will maintain ownership and control of the monopine by leasing space, including the location of ground equipment, to two or three co-locating cellular phone service providers. The applicant will be the first to locate on the new tower.

## **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 Sections 9172.23, Site Plan and Design Review (DOR) and 9172.21, Conditional Use Permit (CUP).

### **DESIGN OVERLAY REVIEW NO. 948-06**

The Planning Commission may approve Design Overlay Review No. 994-07 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 Light Industrial within the Land Use Element of the General Plan. Surrounding properties to the north have General Plan Land Use designations of Open Space and Low Density Residential. Adjacent to the west of the subject property is Central Avenue. 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 central portion of the City of Carson near the northeast corner of the Del Amo Blvd. and Central Avenue intersection. Surrounding uses include: Mills Park to the north; single family residences to the northeast and across Central Avenue to the west, approximately 200 feet from the project site; and a gas station to the south of the subject site. The proposed project is compatible with these uses in that the site is adequately located away from sensitive receptors, such as residential uses.

**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 monopine and related equipment, power and telephone company cabinetry will occupy a lease area of approximately 280 square feet. The subject property is 3.5 acres in size. There are multiple single-story buildings on the site which are currently used for self-storage. The proposed lease area is located along the southern property line on the west side of the property, adjacent to the gas station parking area. An approximately 8-foot high concrete wall currently separates the property. The applicant is proposing to remove the existing barbed wire from atop the wall. The proposed lease area is currently being used as a customer parking area for the self-storage facility. As part of the development, the applicant intends to restripe the existing parking to accommodate the equipment enclosure. To the north of the subject site is Mills Park, which has a buffer of large, mature green trees along its southern property line which may help the proposed tower to be less conspicuous.

**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 public storage facility, pursuant to Section 9162.21D3 of the CMC. The first 6 spaces adjacent to the west of the proposed equipment cabinet enclosure will be marked 'compact', which will enable those spaces to be 15-feet deep, instead of the 18-foot depth required of standard spaces. This extra space will allow for planting of required screening trees and landscaping adjacent to the proposed cellular telecommunications facility. 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 pine tree, in terms of size, shape and appearance. The use of synthetic rubber bark and pine needles 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 submitted a justification letter which stated that alternative locations were considered, but the proposed location was the best in terms of what land was available that could provide the widest coverage area with the greatest range of wireless telecommunication service.

**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 6 panel antennae, which are proposed to be located in 3 sectors (2 panels per sector). The synthetic tree branches, colored to simulate real branches, will feature synthetic, variegated (color) pine needles. The branches will start from approximately 10 feet above ground level and taper toward the top of the tree to a total height of 60 feet, extending 10-12 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.**

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The nearest residential properties are the single-family homes approximately 200 feet to the west, across Central Avenue and approximately 400 feet to the northeast. The proposed wireless telecommunication facility is not associated with a church.

**CONDITIONAL USE PERMIT NO. 649-06**

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 telecommunications facility will be built to accommodate and encourage an intensification of the proposed use by allowing co-location. This will help to integrate communication facilities and reduce the need for additional towers in the vicinity. By doing so, 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.**

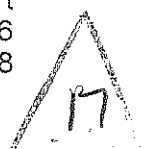
The subject property is 3.5 acres in size, rectangular and flat. The project location is on an interior corner of the subject property and adjacent to a gas station customer parking area. The subject property is surrounded by a major street, commercial use, park, and light manufacturing uses. The proposed use is compatible with the surroundings. 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 Del Amo Boulevard. 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 have minimal impacts in the vicinity of the subject site, in terms of parking, traffic, noise and safety. Based on the subject property zoning, the use will be compatible with the intended light industrial character of the area.

- 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 9143 of the CMC outlines special criteria and limitations as indicated below that shall be considered in acting upon a Conditional Use Permit in the ML-D zone:

- a. Possible hazards to the surrounding area as a result of the proposed use.**

Staff has conducted an Initial Study on the proposed project, pursuant to California Environmental Quality Act (CEQA) guidelines, and determined that the project will not have significant impacts on the surrounding area.

- b. Possible hazards to the proposed use due to proximity or interaction with uses in the surrounding area.**

The adjacent uses, and those in the surrounding area, include a gas station, park, public storage facilities, and single-family residential. The proposed use is not in proximity to other uses to which it may pose a significant hazard.

- c. Cumulative and interactive effects upon the environment and public safety resulting from the interrelation, magnitude and intensity of industrial activities in the area.**

Based on the Initial Study conducted by staff, the proposed use will not have significant cumulative or interactive effects upon the environment and public safety.

**CONDITIONAL USE PERMIT NO. 662-07**

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 50 feet in the ML-D zone. Thus, a total height of 60 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.

Current development plans call for future cell panel locations to be located at approximately 35 feet and 45 feet above grade level. Given the current gap in cellular service coverage in the proposed project area, it is anticipated that there will be future development proposals similar to this one. Thus, the proposed monopine will be useful for future cellular phone service companies who wish to co-locate, or for future expansion of the existing service as plans call for future cell panel locations. Increasing the antennae height will accommodate future co-location which will help to lessen possible aesthetic impacts of other cellular communication facilities being built in the vicinity, which is consistent with the intent of CMC Section 9138.16.

- 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 pine tree. The subject site is proximal to a municipal park which has numerous mature trees lining its southern border with the subject property. The intention is for the disguised telecommunications facility to blend in with 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.

#### IV. Environmental Review

Upon reviewing the Initial Study for the project, the Planning Division has determined that this project will not have a significant effect on the environment. Accordingly, a Negative Declaration has been prepared pursuant to California Public Resources Code Section 15070.

**V. Recommendation**

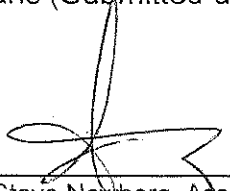
That the Planning Commission:

- WAIVE further reading and ADOPT Resolution No.\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 994-07, CONDITIONAL USE PERMIT NO. 662-07 AND CONDITIONAL USE PERMIT NO. 641-06 FOR A FREESTANDING 60-FOOT HIGH WIRELESS TELECOMMUNICATION FACILITY DISGUISED AS A PINE TREE (MONO-PINE) LOCATED AT 1421 E. DEL AMO BOULEVARD."

**VI. Exhibits**

1. Land Use Map
2. Draft Resolution
3. Initial Study
4. 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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Jennifer Adams, property owner, stated that the addition is necessary to accommodate her growing family; and she advised that some changes had been made to the upper level windows to provide more privacy for the neighboring properties.

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

Planning Commission Decision:

Commissioner Wilson moved, seconded by Commissioner Saenz, to approve the applicant's request with the following changes: Section 5 of the Resolution add, "...Categorically Exempt under California Environmental Quality Act (CEQA), Article 19, Section 15301(e)(2)"; Condition No. 3, add "Proposed changes after substantial revisions will require review and approval by the Planning Commission"; Condition No. 12, add "...interest to the satisfaction of the Planning Division"; and moved to approve Resolution No. 07-2135. Motion unanimously carried.

**12. PUBLIC HEARING**

**B) Design Overlay Review No. 994-07; Conditional Use Permit No. 662-07; and Conditional Use Permit No. 641-06**

Applicant's Request:

The applicant, Royal Street Communications, is requesting to construct a 60-foot high unmanned wireless telecommunication facility disguised as a pine tree (monopine) on a private facility used for public storage in the ML-D (Manufacturing, Light – Design Overlay) zone. The property involved is located at 1421 East Del Amo Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. \_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 994-07, Conditional Use Permit No. 662-07 and Conditional Use Permit No. 641-06 for a freestanding 60-foot high wireless telecommunication facility disguised as a pine tree (mono-pine) located at 1421 East Del Amo Boulevard."

Chairperson Cottrell opened the public hearing.

Sandra Jacobs, representing the applicant, stated that the height of the tower is necessary for efficient service coverage; and noted concurrence with the conditions of approval.

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

Commissioner Tyus addressed his concern with the height of the tower and potential health concerns related to the cell tower operations.

Staff explained that the Federal Communications Commission (FCC) regulates the use of telecommunication facilities; and that the FCC has conducted many studies on low level radiofrequency radiation but found no harmful biological effects to human beings.

Planning Commission Decision:

Commissioner Graber moved, seconded by Commissioner Verrett, to approve the applicant's request, thus adopting Resolution No. 07-2136. The motion carried as follows:

AYES: Cottrell, Faletogo, Graber, Hudson, Saenz, Verrett  
NOES: Pulido, Tyus, Wilson  
ABSTAIN: None  
ABSENT: None

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**12. PUBLIC HEARING**

**C) Zone Change Case No. 154-07**

Applicant's Request:

The applicant, city of Carson, is requesting zoning changes from MH-D (Manufacturing, Heavy-Design Overlay Review) to ML-D (Manufacturing, Light-Design Overlay Review), ML (Manufacturing, Light) to OS (Open Space) and MH-ORL-D (Manufacturing, Heavy – Organic Refuse Landfill – Design Overlay Review) to ML-ORL-D (Manufacturing, Light-Organic Refuse Landfill-Design Overlay Review). The properties involved are located in the northwest section of Carson.

Staff Report and Recommendation:

Consultant Planner Ketz presented staff report and the recommendation to RECOMMEND APPROVAL to the City Council zoning changes to ML-D (Manufacturing, Light), ML-ORL-D (Manufacturing, Light-Organic Refuse Landfill-Design Overlay Review) and OS (Open Space) on certain properties to bring the zoning into conformance with the General Plan and WAIVE further reading and ADOPT Resolution No. , entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of zone changes on certain properties." The properties involved are located in the northwest section of Carson.

Chairperson Cottrell opened the public hearing.

Staff Sergeant Togiola, 200 East Gardena Boulevard, expressed his belief there are too many heavy manufacturing uses in Carson.

Andrew Leaney, Redlands, stated his family owns the property at 17828 South Main Street; and urged the City not to change the zoning from MH to ML, believing it will have a negative impact upon the marketability and value of the property.

Frank Politeo, representing Prime Wheel, expressed his concern with the proposal to change the MH designation to ML, believing this may negatively impact Prime Wheel's plans to expand.

