



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: December 14, 2010

SUBJECT: Design Overlay Review No. 1376-10
Conditional Use Permit No. 837-10
Conditional Use Permit No. 838-10

APPLICANT: Trillium for T-Mobile West
Attention: Tim Miller (tmiller@trilliumcos.com)
5912 Bolsa Avenue
Huntington Beach, CA 92649

OWNER: Public Storage
Attention: Lori Kind
701 Western Avenue
Glendale, CA 91201-2349

REQUEST: To construct a 60-foot high unmanned wireless telecommunication facility designed as a eucalyptus tree for T-Mobile Wireless West in the ML-D (Manufacturing, Light; Design Review) zone.

PROPERTY INVOLVED: 1421 East Del Amo Boulevard

COMMISSION ACTION

☐ Concurred with staff
☐ Did not concur with staff
☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairperson Faletogo			Gordon
		Vice-Chair Park			Saenz
		Brimmer			Schaefer
		Diaz			Verrett
		Goolsby			

ITEM NO. 11B

I. Introduction

Date Application Received

- July 14, 2010: Design Overlay Review No. 1376-10, Conditional Use Permit No. 837-10 and Conditional Use Permit No. 838-10

Applicant

- Trillium for T-Mobile West Corporation; Tim Miller, representative; 5912 Bolsa Avenue, Huntington Beach, CA 92649

Property Owner

- Public Storage; Attention: Lori Kind; 701 Western Avenue; Glendale, CA 91201-2349

Project Address

- 1421 E. Del Amo Boulevard

Project Description

- To install a 60-foot high, unmanned wireless 'monoeucalyptus' facility for T-Mobile at an existing public storage facility.
- The monoeucalyptus will have twelve antennas in three sets of four antennas at 60 feet above finished grade.
- The facility includes six (6) equipment cabinets within a 22 foot by 27 foot by 10 existing storage space.
- The monoeucalyptus and enclosure will be located in the northern portion of the property.
- The proposal includes the following discretionary requests:
 - *Site Plan and Design Review No. 1376-10 and Conditional Use Permit No. 837-10 (Use)*: Pursuant to Section 9138.16.D, the facility is considered a major wireless telecommunication facility because it is a freestanding structure and requires Planning Commission review and approval; and
 - *Conditional Use Permit No. 838-10 (Height)*: Pursuant to Section 9138.16.F, the facility exceeds the maximum height limit of 50 feet and approval of a conditional use permit to increase the height by 20 percent in conformance with Section 9138.16.G is required by the Planning Commission.

II. Background

The item was heard at the November 9, 2010 Planning Commission meeting. At that meeting, the item was continued to the December 14, 2010 meeting so that staff and the applicant can work on a mutually acceptable development.

Current Use of Property

- The project site is 3.5 acres and located on an industrial property developed with a public storage facility.



Previously Approved Discretionary Permits

- Design Overlay Review No. 994-07 / Conditional Use Permit No. 662-07 / Conditional Use Permit No. 641-06: The Planning Commission adopted Resolution No. 07-2136 on April 10, 2007, approving the construction of a 60-foot-high monopine. On April 13, 2010, the Planning Commission approved the collocation of additional antennas at a height of 45 feet.

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 3.5 acres and located at 1421 East Del Amo Boulevard east of Central Avenue.
- Adjacent to the subject property to the north is Mills Park. To the south and east are industrial properties. Residential properties are located approximately 100 feet west across Central Avenue.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned ML-D (Manufacturing, Light; Design Overlay). The property to the north is zoned OS (Open Space) and properties to the south are zoned MH (Manufacturing, Heavy). To the east are properties zone ML (Manufacturing, Light) and to the west are properties zoned RS (Residential, Single-family).
- The subject property has a General Plan Land Use designation of Light Industrial. Properties to the north, south, east and west have a General Plan Land Use designation of Recreational Open Space, Heavy Industrial, Light Industrial and Low Density Residential, respectively.

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. Pursuant to Section 9138.16.F, the facility exceeds the maximum height limit and is subject to approval of a conditional use permit in accordance with Section 9138.16.G and Conditional Use Permit (CUP) procedures as provided in Section 9172.21. The applicant may request up to a 20 percent increase from the maximum 50-foot height limit permitted in the ML-D zone.

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

Applicable Zoning Section	Compliant	Non-Compliant	Comments
Wireless Telecommunication Facilities Standards			
Section 9138.16C, Applicability	x		Procedures and rules in 9138.16 sections applicable to all new wireless telecommunication facilities.
9138.16D2, Procedural Standards: Major Wireless Telecommunication Facilities	x		As defined by Section 9138.16, the project is a major telecommunications facility and requires a Site Plan and Design Review permit per Section 9172.23.
9138.16E, Application Requirements	x		
9138.16F2b-d, Height	x		Facilities greater than 50 feet in height will require the approval of a Conditional Use Permit.
9138.16F2-F7, Wiring; Painting; Lighting; Noise; and, Signs	x		
9138.16.G, Minor Exceptions	x		Subject to Planning Commission approval of proposed height.
9138.16H, Required Findings		x	Collocation on the existing monopine is feasible (See <i>Issues of Concern</i>)
9138.16I,K,L, Maintenance; Temporary Facilities; Facility Removal	x		Applicable to all wireless facilities upon approval of permit(s).
INDUSTRIAL ZONE / GENERAL DEVELOPMENT REQUIREMENTS			
Section 9141.1 Uses Permitted	x		Permitted, subject to requirements of Section 9138.16
Procedures			



Applicable Zoning Section	Compliant	Non-Compliant	Comments
9172.23, Site Plan and Design Review	x		Approved DOR permit required for the proposed telecommunication facility.

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 an industrial 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 (G), 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. Existing natural geographic conditions preclude an obstruction-free reception area and there is no other option, including relocation, available.
2. Relief from the development standards results in a more appropriate design which minimizes the visual impact of the facility.
3. The antenna height must be increased in order to accommodate the establishment of a co-located facility and there is no other option available.
4. Visual impacts are negligible because the facility is designed to architecturally integrate with the surrounding environment.

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.

The required findings as described above cannot be made in the affirmative for the following reasons:

- a) Currently a monopine facility is located on the subject property and collocation is possible on that existing facility. An additional telecommunications facility would not be the best location alternative considering the opportunity to collocate. Per Section 9138.16 - Wireless Telecommunications Facilities - of the Carson Municipal Code, "the purpose and intent is to minimize the aesthetic impacts"



through specific siting and design criteria such a collocation. Overconcentration of freestanding facilities would create a negative aesthetic impact on the surrounding area.

- b) Pursuant to Section 9138.16 (G), an increase in height may be approved if relief from development standards results in a more appropriate design, the increase in height is for collocation, and visual impacts are negligible. None of these findings can be made in the affirmative. There is an existing collocatable monopine on the property which could accommodate the proposed project; construction of a new facility is unnecessary.
- c) The existing monopine was designed for collocation. Pursuant to Section 9138.16 (H)(1), collocation is possible on an existing facility and should be considered. Collocation would be the best option because it eliminates the need for a second structure.

Issues of Concern: Proposed Monoeucalyptus Telecommunications Facility

Per Section 9138.16 - Wireless Telecommunications Facilities - of the Carson Municipal Code, "the purpose and intent is to minimize the aesthetic impacts" through specific siting and design criteria. This includes collocating on existing structures. It is possible to collocate on the existing monopine to eliminate a second structure on the property. The applicant claims this is not possible because a height of 30 to 35 feet would not allow the applicant to achieve coverage objectives. The applicant states that the height needed to meet a majority of the coverage objectives for the area is 60 feet. In addition, the applicant claims that because the equipment needs to be in close proximity to the pole/antennas, parking spaces would have to be removed due to the new equipment. For these reasons, the applicant believes collocation is not possible on the existing facility.

Staff's response is that there is space on the existing monopine to add the applicant's antennas. Since the site is developed as a self-storage center, there should be adequate space to locate equipment close to the monopine without having to remove parking. Furthermore, any electrical wiring would have to be undergrounded and concealed, and thus, would not require the removal of parking spaces. Although the lower height would cover a smaller coverage area, the applicant could propose other fully stealthed facilities elsewhere to cover the service gap. These other facilities could be incorporated into existing buildings or other structures and would have a negligible impact to aesthetics compared with a brand new freestanding facility at 60 feet high.

IV. Environmental Review

The California Environmental Quality Act (CEQA) does not apply to projects that are disapproved by a public agency pursuant to Section 15270 of the CEQA Guidelines.

V. Recommendation

That the Planning Commission:

- DENY Design Overlay Review No. 1376-10, Conditional Use Permit No. 837-10 and Conditional Use Permit No. 838-10; and

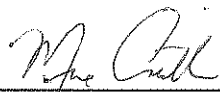


- WAIVE further reading and ADOPT Resolution No. _____, entitled "A Resolution of the Planning Commission of the City of Carson denying Design Overlay Review No. 1376-10, Conditional Use Permit No. 837-10 and Conditional Use Permit No. 838-10 to construct a 60-foot high unmanned wireless telecommunication facility designed as a eucalyptus tree at 1421 East Del Amo Boulevard."

VI. Exhibits

1. Land use map
2. Photosimulations
3. Resolution
4. Site plan, elevations, floor plans (C-1, D-1)

Prepared by:


Max Castillo, Assistant Planner

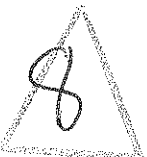
Reviewed by:

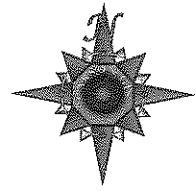
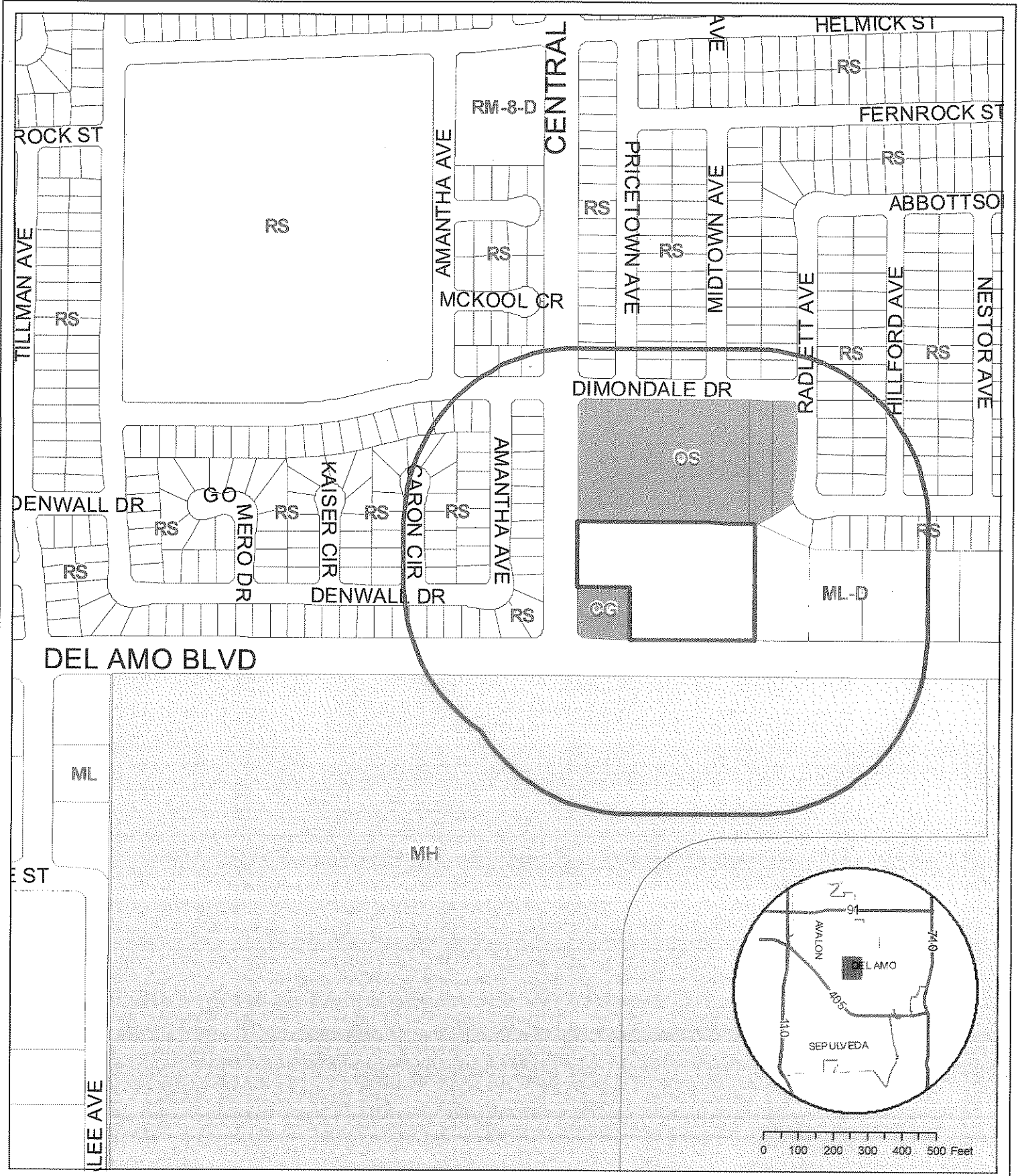

John F. Signo, AICP, Senior Planner

Approved by:


Sheri Repp-Loadman, Planning Division Manager

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City of Carson
 500 Foot Radius Map
 1421 E Del Amo Blvd

EXHIBIT NO. 1

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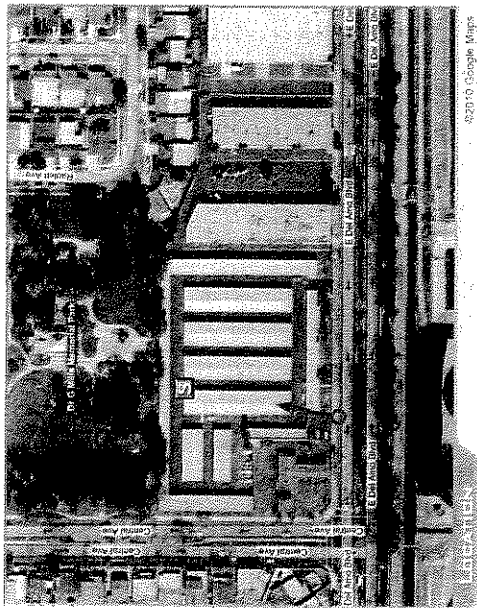
T-Mobile

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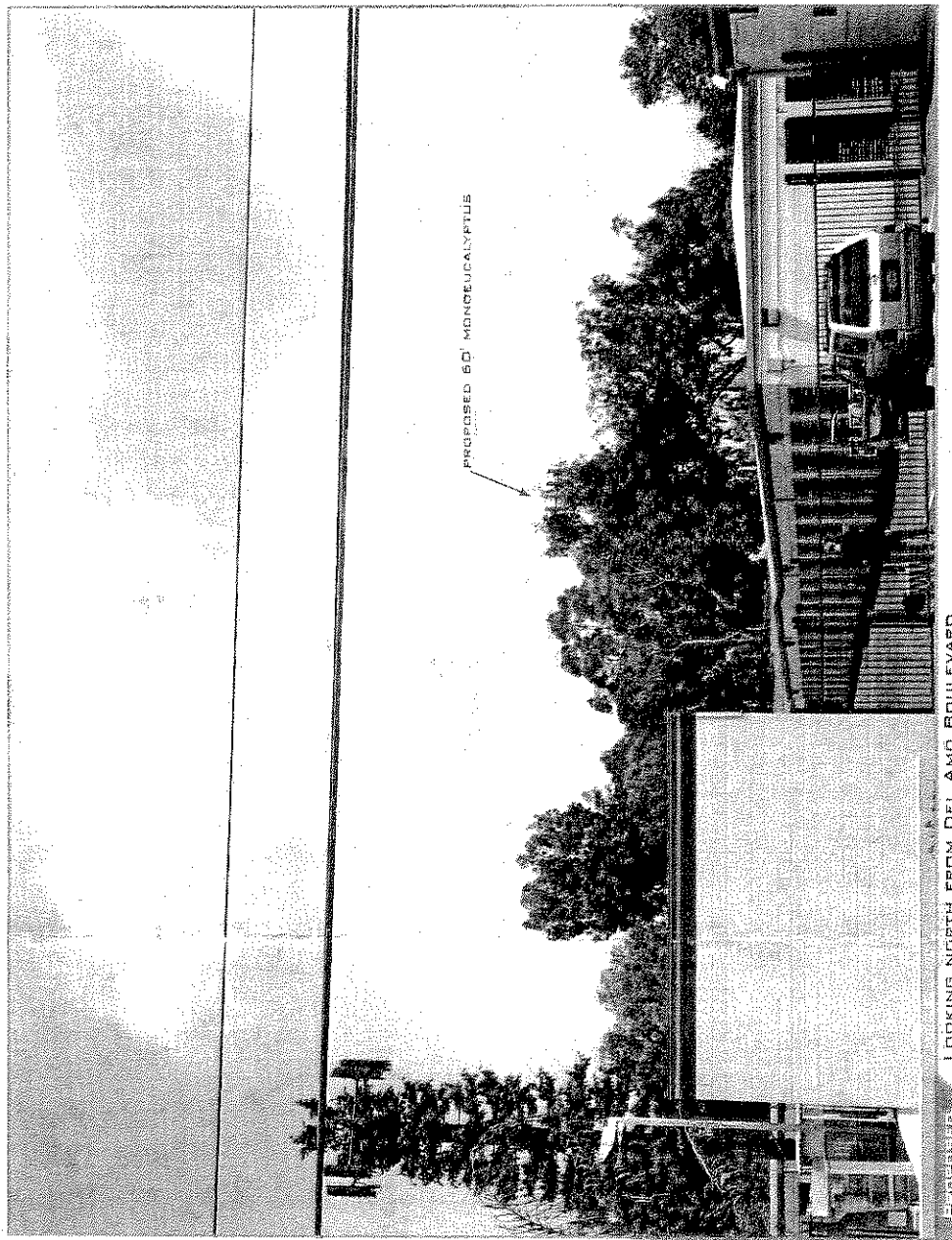
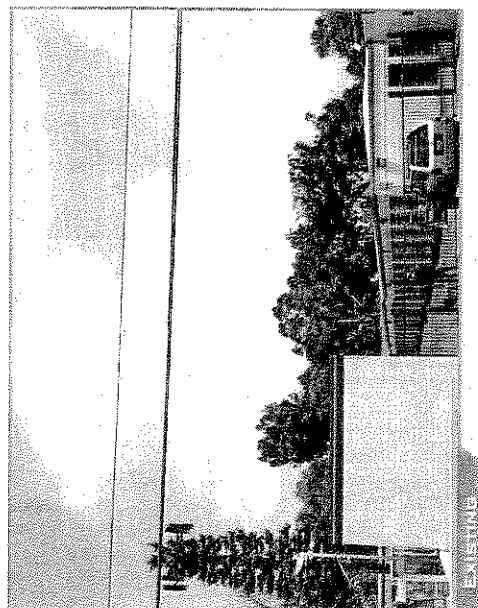
DEL AMO RL

1421 EAST DEL AMO BOULEVARD CARSON CA 90746

ARTISTIC
877-887-7639
AESims.com
877-9AE-sims



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PROPOSED 60' MONTECALANPTUS

LOOKING NORTH FROM DEL AMO BOULEVARD

DEL AMO BLVD

DEL AMO BLVD

ARTIST'S CONCEPT OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

EXHIBIT NO. 2 -

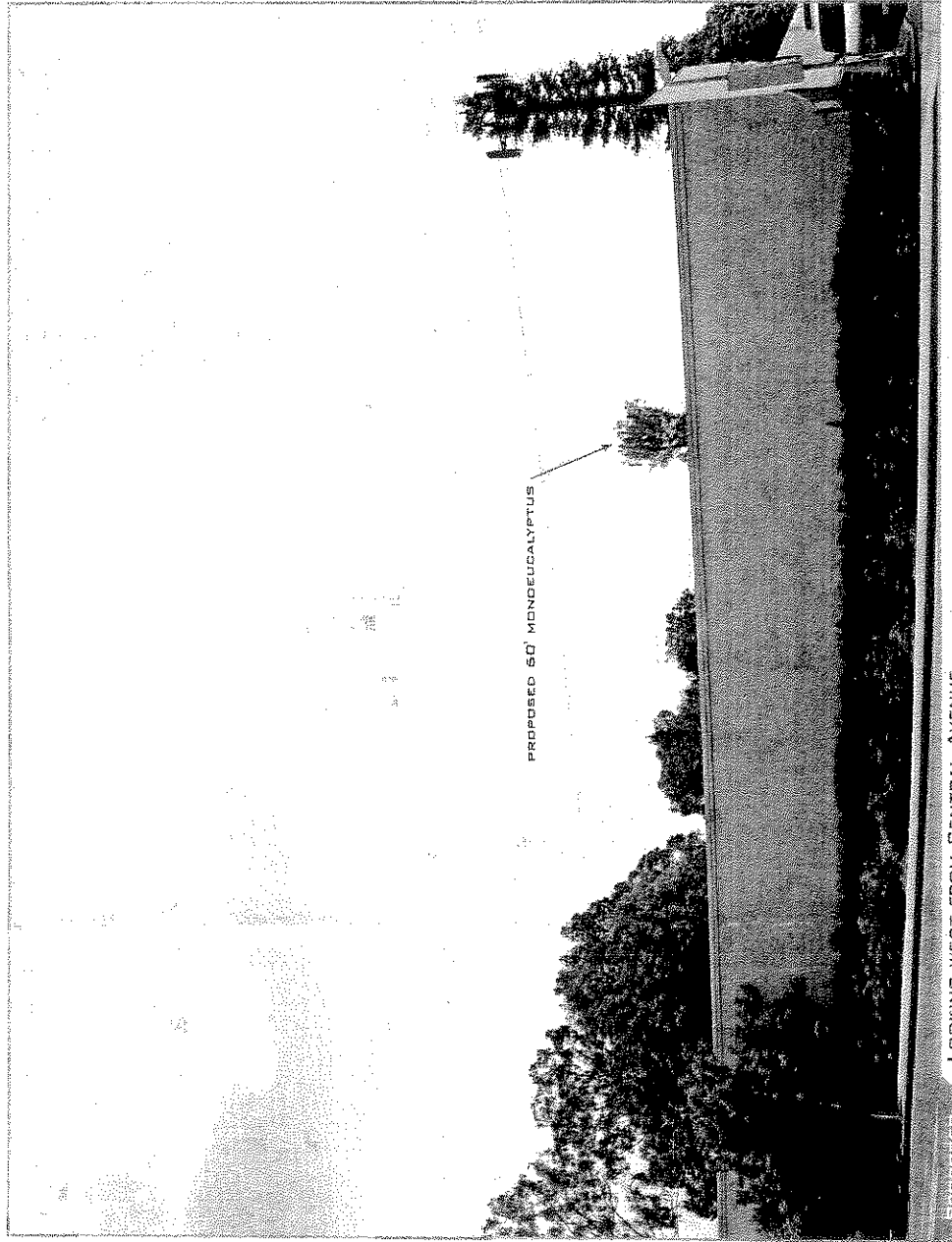
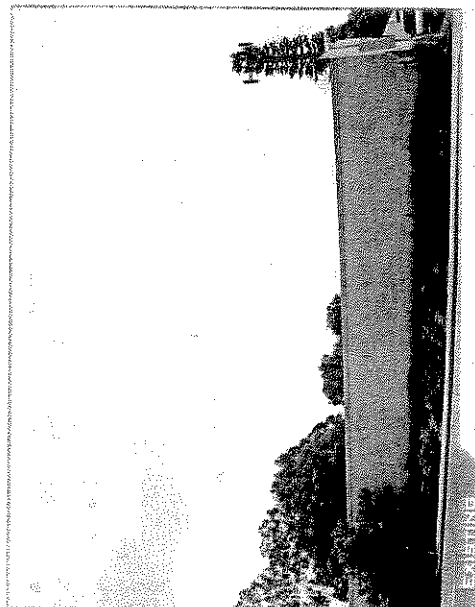
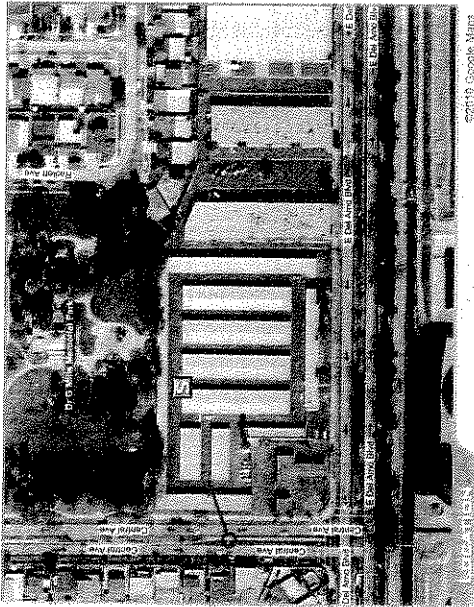
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T-Mobile

LA33756C
DEL AMO RL

1421 EAST DEL AMO BOULEVARD CARSON CA 90746

ARTISTIC
DESIGN
A&S
A&Sims.com
877.916.5ims



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON DENYING DESIGN OVERLAY REVIEW NO. 1376-10, CONDITIONAL USE PERMIT NO. 837-10 AND CONDITIONAL USE PERMIT NO. 838-10 TO CONSTRUCT A 60-FOOT HIGH UNMANNED WIRELESS TELECOMMUNICATION FACILITY DESIGNED AS A EUCALYPTUS TREE AT 1421 EAST 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, Trillium for T-Mobile West Corporation, represented by Tim Miller, with respect to real property located at 1421 East Del Amo Boulevard, and described in Exhibit "A" attached hereto, requesting approval of Design Overlay Review No. 1376-10, Conditional Use Permit No. 837-10 and Conditional Use Permit No. 838-10 to construct a 60-foot high unmanned wireless telecommunication facility designed as a eucalyptus tree for T-Mobile Wireless West in the ML-D (Manufacturing, Light; Design Review) zoning district.

Section 2. A public hearing was duly held on November 9 and December 14, 2010, 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. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meetings.

Section 3. 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. Pursuant to Section 9138.16.F, the facility exceeds the maximum height limit and is subject to approval of a conditional use permit in accordance with Section 9138.16.G and Conditional Use Permit (CUP) procedures as provided in Section 9172.21. The Planning Commission finds that:

- a) Currently a monopine facility is located on the subject property and collocation is possible on that existing facility. An additional telecommunications facility would not be the best location alternative considering the opportunity to collocate. Per Section 9138.16 - Wireless Telecommunications Facilities - of the Carson Municipal Code, "the purpose and intent is to minimize the aesthetic impacts" through specific siting and design criteria such a collocation. Overconcentration of freestanding facilities would create a negative aesthetic impact on the surrounding area.
- b) Pursuant to Section 9138.16 (G), an increase in height may be approved if relief from development standards results in a more appropriate design, the increase in height is for collocation, and visual impacts are negligible. None of these findings can be made in the affirmative. There is an existing collocatable monopine on the property which could accommodate the proposed project; construction of a new facility is unnecessary.



- c) The existing monopine was designed for collocation. Pursuant to Section 9138.16 (H)(1), collocation is possible on the existing facility and should be considered. Collocation would be the best option because it eliminates the need for a second structure.

Section 4. The California Environmental Quality Act (CEQA) does not apply to projects that are disapproved by a public agency pursuant to Section 15270 of the CEQA Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby denies Design Overlay Review No. 1376-10, Conditional Use Permit No. 837-10 and Conditional Use Permit No. 838-10 with respect to the property described in Section 1 hereof.

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 14th DAY OF DECEMBER, 2010.

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

LEGAL DESCRIPTION OF COMMERCIAL PARCEL AT THE NORTH-
EASTERLY CORNER OF PROPOSED DEL AMO BOULEVARD AND
PROPOSED CENTRAL AVENUE.
September 17, 1905.

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 Case No. 3456,
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" West 110.20
feet; thence North 89° 56' 29" East 337.28 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" West 110.20 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 '06

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