



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

NEW BUSINESS CONSENT: May 22, 2012

SUBJECT: Modification No. 1 to Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05

APPLICANT: Sprint PCS  
Attention: Kristin Cordray  
2903-H Saturn Street  
Brea, CA 92821

REQUEST: To approve the replacement of six panel antennas and minor equipment upgrades for an existing 60-foot high unmanned wireless 'monopine' facility in the ML-D (Manufacturing, Light – Design Overlay) zone

PROPERTY INVOLVED: 20850 South Alameda Street

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#### COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

| AYE | NO |                   | AYE | NO |          |
|-----|----|-------------------|-----|----|----------|
|     |    | Chairman Faletogo |     |    | Saenz    |
|     |    | Vice-Chair Gordon |     |    | Schaefer |
|     |    | Brimmer           |     |    | Verrett  |
|     |    | Diaz              |     |    | Williams |
|     |    | Goolsby           |     |    |          |

***Item 9B***

## **I. Introduction**

The applicant, Kristin Cordray for Sprint PCS, is requesting to replace six panel antennas with similar antennas and upgrade electrical equipment for an unmanned wireless telecommunications facility stealthed as a pine tree at 20850 South Alameda Street. The site is zoned ML-D (Manufacturing, Light; Design Overlay) zone.

On June 28, 2005, the Planning Commission approved Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05, which included the following:

- Design Overlay Review (DOR) for architectural design;
- Conditional Use Permit (CUP) to exceed the maximum height limit of 50 feet in the ML zoning district.

This request has been referred to the Planning Commission as a minor modification to the DOR and CUP with no public hearing required.

## **II. Background**

Lakeshore Learning Materials currently operates at the site. There is an existing 85,542 square-foot building on the property which was built in 1977. The remainder of the site is used for parking for Lakeshore employees. The existing monopine facility was permitted and constructed in 2005 for Sprint PCS and was subject to the requirements of the City's Wireless Telecommunications Facilities Ordinance of 2003.

## **III. Analysis**

Per Condition No. 3 of the approved conditions of approval, substantial changes require review by the Planning Commission.

The existing facility includes six (6) panel antennas at a height of 55 feet and an equipment cabinet within 425 square foot lease area. Sprint PCS proposes to replace six (6) panel antennas with antennas of similar size and radio units attached directly behind the antennas. Minor upgrades were also proposed and include replacing telecommunication cables, retrofitting cabinets and installing an equipment box with no change to the current lease area. The staff report (without exhibits) from this meeting is included as Exhibit No. 1.

The facility is disguised as a pine tree and blends with existing landscaping in the area as seen from a distance. Other surrounding land uses are industrial uses and the proposed project is compatible with those uses.

The site is a developed rectangular parcel. The site is 148,884 square feet in size and has a driveway approach along Dominguez Street. The property is



located on the east side of Alameda Street, which is designated as a state highway.

Staff believes the proposed antennas and equipment upgrades 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 and minor equipment upgrades can be approved for the site. The antennas and equipment will not intensify the existing communications facility.

#### V. Recommendation


That the Planning Commission:

- **APPROVE** Modification No. 1 to Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05; and
- **ADOPT** a minute resolution and instruct staff to make necessary changes to Resolution No. 05-2043

#### VI. Exhibits

1. Staff Report for Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05 dated June 28, 2005 (without exhibits)
2. Planning Commission Resolution No. 05-2043
3. Project Plans and Photosimulations (Separate from this report)

Prepared by:

  
Max Castillo, Assistant Planner

Reviewed by:

  
John F. Signo, AICP, Senior Planner

Approved by:

Sheri Repp-Loadsman, Planning Officer

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## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: June 28, 2005

SUBJECT: Design Overlay Review No. 881-04 and  
Conditional Use Permit No. 595-05

APPLICANT: Infranext, Inc. for Sprint PCS Assets, LLC  
Attention: Barbara Farash  
8577 Rugby Drive, Unit 103  
West Hollywood, CA 90069

REQUEST: To construct a 60-foot high unmanned wireless  
'monopine' facility for Sprint PCS Assets, L.L.C. in  
the ML-D (Manufacturing, Light – Design Overlay)  
zone

PROPERTY INVOLVED: 20850 South Alameda Street

#### COMMISSION ACTION

☒ Concurred with staff

☐ Did not concur with staff

☐ Other

Commissioner Hudson moved, seconded by Vice-Chairman Pulido, to approve the applicant's request, thus adopting Resolution No. 05-2043. Motion carried as follows:

AYES: Cottrell, Embisan, Faletogo, Hudson, Pulido, Saenz, Wilson  
NOES: None  
ABSTAIN: Verrett  
ABSENT: Diaz

| AYE                                 | NO |                       | AYE                                 | NO |         |
|-------------------------------------|----|-----------------------|-------------------------------------|----|---------|
| <input checked="" type="checkbox"/> |    | Cottrell –Chairperson | <input checked="" type="checkbox"/> |    | Hudson  |
| <input checked="" type="checkbox"/> |    | Pulido –Vice-Chairman | <input checked="" type="checkbox"/> |    | Saenz   |
| <i>Absent</i>                       |    | Diaz                  | <i>Abstain</i>                      |    | Verrett |
| <input checked="" type="checkbox"/> |    | Embisan               | <input checked="" type="checkbox"/> |    | Wilson  |
| <input checked="" type="checkbox"/> |    | Faletogo              |                                     |    |         |

EXHIBIT NO. 1

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## **I. Introduction**

### *Date Application Received*

- October 5, 2004: Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05

### *Applicant*

- Infranext, Inc. for Sprint PCS Assets, LLC; Barbara Farash, representative; 8577 Rugby Drive, Unit 103; West Hollywood, CA 90069

### *Property Owner*

- Michael Kaplan; 2695 East Dominguez Street; Carson, CA 90810

### *Project Address*

- 20850 South Alameda Street, Carson, CA 90810

### *Project Description*

- To install a 60-foot high unmanned wireless 'monopine' facility for Sprint PCS Assets, L.L.C. on a developed property.

## **II. Background**

### *Current Use of Property*

- Lakeshore Learning Materials currently operates at the site. There is an existing 85,542 square-foot building on the property which was built in 1977. The remainder of the site is used for parking for Lakeshore employees.

### *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 20850 South Alameda Street in the City of Carson, between El Presidio Street and Dominguez Street;
- There is one building on the property which was built in 1977;
- Adjacent to the subject property to the north, south, east, and west are industrial properties. Single family homes are located approximately 300 feet to the south, one property away across Dominguez Street; and
- The physical dimension of the subject lot is approximately 400' by 419' by 234' by 62' by 169' by 867', with a total area of 148,884 square feet.

### *Zoning/General Plan/Redevelopment Area Designation*

- The subject property is zoned ML (Manufacturing, Light) and properties to the south and east share the same zoning designation; properties to the north and west across Alameda Street are zoned MH (Manufacturing, Heavy);
- The subject property has a General Plan Land Use designation of Light Industrial; all adjacent properties have a General Plan Land Use designation of Light Industrial or Heavy Industrial

### *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                             | Compliant | Non-Compliant | Comments  |
|--|-----------|---------------|---|
| <b>MANUFACTURING, LIGHT DEVELOPMENT STANDARDS</b>                |           |               |   |
| 9141.1, "Uses Permitted"   | X         |               |   |
| Section 9143, "Conditional Use Criteria"                         | X         |               | Major Wireless Telecommunication Facility   |
| <b>WIRELESS TELECOMMUNICATION FACILITY DEVELOPMENT STANDARDS</b> |           |               |   |
| Section 9138.16A, "Purpose"                                      | X         |               | To minimize aesthetic impact of wireless telecommunication facilities through the use of carefully chosen site and design criteria. |
| Section 9138.16F1-7, "Design and Development Standards"          | X         |               |   |
| Section 9138.16G, "Minor Exceptions"                             | X         |               |   |



| Applicable Zoning Ordinance Sections   | Compliant | Non-Compliant | Comments   |
|--|-----------|---------------|--|
| Section 9138.16H, "Required Findings"  | X         |               | Compliance determined upon further review of required discretionary permits. |
| <b>PROCEDURES</b>                      |           |               |  |
| 9172.21, "Conditional Use Permit"      | X         |               | CUP required for freestanding facility and 20% height increase up to 60'     |
| 9172.23, "Site Plan and Design Review" | X         |               | DOR required for Major Wireless 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 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.

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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 monopine would be visible from residential properties 300 feet south of the site. There are several trees located on the subject property. However, the proposed monopine would be located where additional trees will be planted to screen the facility.
  - Condition: Additional trees of comparable height shall be planted around the telecommunication site to screen the facility from residential areas to the south of the property.
- Issue – Parking: Staff's review of City records indicate the site meets and exceeds parking requirements. The excess spaces will be occupied by the telecommunications facility, associated ground equipment and additional screening trees and the proposal will not impact parking requirements for the site.

**IV. Environmental Review**

Pursuant to Section 15332 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:

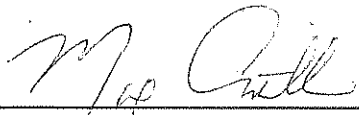
- WAIVE further reading and ADOPT Resolution No.\_\_\_\_\_, entitled "A Resolution of the Planning Commission of the City of Carson approving Conditional Use Permit No. 595-05 and Design Overlay Review No. 881-04"

**VI. Exhibits**


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

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**Prepared by:**

  
Max Castillo, Assistant Planner

**Reviewed by:**

  
Sean Scully, Senior Planner

**Approved by:**

  
Sheri Repp, Planning Manager

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CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 05-2043

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 595-05 AND DESIGN OVERLAY REVIEW NO. 881-04.

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

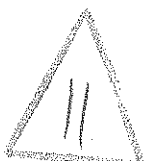
**Section 1.** An application was duly filed by the applicant, Infranext, Inc. for Sprint PCS Assets, LLC, with respect to real property located at 20850 South Alameda Street, and described in Exhibit "A" attached hereto, requesting the approval of a Site Plan and Design Review and Conditional Use Permit to construct a 60-foot high unmanned wireless 'monopine' facility in the ML-D (Manufacturing, Light – Design Overlay) zone

Public hearings were duly held on April 12, 2005 and June 14, 2005, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. Notices of time, place and purpose of the aforesaid meeting were duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid hearings. At the meeting of June 14, 2005, the public hearing was continued until June 28, 2005.

**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 and heavy 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 light and heavy industrial uses and the proposed project is compatible with those uses. The site is 148,884 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 pine 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 pine 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 15332.

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05 with respect to the property described in Section 1 hereof, subject to the conditions and plans set forth in Exhibit "B" and "C" respectively 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 28<sup>th</sup> DAY OF JUNE, 2005

  
CHAIRMAN

ATTEST:

  
SECRETARY



EXHIBIT "A"

Legal Description

PARCEL A:

PARCEL 1 OF PARCEL MAP NO. 8483, AS PER MAP FILED IN BOOK 92, PAGES 46 AND 47 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL B:

ALL EASEMENTS APPURTENANT TO SAID PARCEL 1 OF PARCEL MAPS 8483 PROVIDED FOR IN THAT CERTAIN DECLARATION OF RESTRICTIONS AND COVENANTS EXECUTED BY SAID SUTTER HILL LIMITED AND RECORDED MARCH 29, 1978 AS INSTRUMENT NO. 78-324237, AND RE-RECORDED ON JUNE 5, 1978 AS INSTRUMENT NO. 78-602322, AND RE-RECORDED JUNE 22, 1978 AS INSTRUMENT NO. 78-677101.

Assessor's Parcel No: 7306-023-048



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**DESIGN OVERLAY REVIEW NO. 881-04**  
**CONDITIONAL USE PERMIT NO. 595-05**

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05 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. Additional trees of comparable height shall be planted around the telecommunication site to screen the facility from residential areas to the south of the property.

#### NOISE

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

#### ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

15. 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

16. 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.
17. The 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. 881-04 and Conditional Use Permit No. 595-05. 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.