

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1006-07, CONDITIONAL USE PERMIT NO. 673-07, AND CONDITIONAL USE PERMIT NO. 674-07 FOR A FREESTANDING, 36-FOOT HIGH, WIRELESS TELECOMMUNICATION FACILITY DISGUISED AS A LIGHT POLE BEHIND AN EXISTING SHOPPING CENTER LOCATED AT 615 E. UNIVERSITY DRIVE.

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, Saundra Jacobs of SFC Communications, with respect to real property located at 615 E. University Drive and described in Exhibit "A" attached hereto, requesting approval to construct a 36-foot high, freestanding wireless telecommunications facility disguised as a light pole located behind an existing shopping center in the CN (Commercial, Neighborhood) zone. The application includes:

- Design Overlay Review No. 1006-07 for construction of a major wireless telecommunication facility;
- Conditional Use Permit No. 673-07 for the construction of a freestanding wireless telecommunication facility; and
- Conditional Use Permit No. 674-07 for the proposed height of 36 feet.

A public hearing was duly held on February 26, 2008, 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 Section 9172.23(D), Site Plan and Design Review – Approving Authority Findings and Decision, Section 9172.21(D), Commission Findings and Decision, Section 9133, Conditional Use Criteria, and Section 9138.16(H), Wireless Telecommunication Facilities – Required Findings of the Carson Municipal Code, the Planning Commission finds that:

- a) The subject property is designated as General Commercial within the Land Use Element of the General Plan. Surrounding properties to the north, east, south, and west have a General Plan Land Use designation of Low Density Residential. There are no specific plans for the area. The project site is located at the northeastern corner of the intersection of Avalon Boulevard and University Drive. Surrounding uses include single-family residences to the north, east, south, and west. Towne Avenue Elementary School is located to the west across Avalon Boulevard. The Home Depot Center at the California State University Dominguez Hills campus is located less than 300 feet to the north. The proposed use is a permitted use in the CN zone and will be

compatible with these surrounding uses in that it will not significantly impact the adjacent properties in terms of noise, dust, odor, aesthetics or other environmental considerations. The proposed project is appropriate for the area as it will not alter the intended general commercial use of the subject property.

- b) The proposed wireless telecommunication facility will occupy a lease area of approximately 375 square feet. The cell facility and equipment enclosure are proposed against the rear of the shopping center and will be properly screened. The project site will require the removal of an existing trash enclosure and storage area. However, there are adequate trash facilities on the property and the proposal will not create a significant impact. There are two-story, single-family residences located to the north and east of the rear parking lot area. The proposed development is intended to resemble a light pole which is typical for a commercial parking lot. The proposal would also provide much needed lighting in the rear parking lot behind the shopping center. Lighting will be directed downward and inward so as not to create unnecessary lighting impacts to the adjacent residents. As such, the proposal will help achieve a harmonious and attractive development of the area.
- c) The applicant intends to improve the landscaping in the shopping center 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 University Drive. 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 and informational signs, no product advertising signs are proposed for the project. The proposed facility is intended to resemble a light pole that matches other light poles in the shopping center.
- e) Determining factors in site selection include the ability to lease the necessary property, ability to construct the proposed site, conformance to the zoning code, and the ability to provide adequate radio-frequency coverage and connection to surrounding network sites to fill a void in service coverage. The subject site was chosen based on these determinants.
- f) The existing shopping center is approximately 7.5 acres, rectangular, and flat. The site is located at the northeastern corner of Avalon Boulevard and University Drive, which are two major roadways. The shopping center is surrounded by developed properties that are served by adequate infrastructure and utilities. Thus, there are adequate utilities to provide and maintain service to the proposed use. The applicant intends to underground required power lines and cables used for the wireless telecommunication facility.

- g) The proposed use will not negatively impact the vicinity of the subject site in terms of parking, traffic, noise and safety. The proposed wireless telecommunication facility will be located in the parking lot behind the existing shopping so that it will not be in full view from the public right-of-way.
- 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 light pole.
- i) 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 9172.23(D), Site Plan and Design Review – Approving Authority Findings and Decision, Section 9172.21(D), Commission Findings and Decision, Section 9133, Conditional Use Criteria, and Section 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 proposed installation of a wireless telecommunications facility on a developed commercial property does not have the potential for causing a significant effect on the environment and is found to be categorically exempt, pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA).

Section 5. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1006-07, Conditional Use Permit No. 673-07 and Conditional Use Permit No. 674-07, 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 26th DAY OF FEBRUARY, 2008.

CHAIRMAN

ATTEST:

SECRETARY