TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 09-006 (SAC Wireless) APN 025-421-047

DATE: DECEMBER 8, 2009

**Needs:** For the Planning Commission to consider the applicant's request to install a wireless communication facility located at 2231 Wisteria Lane.

**Facts:** 1. The request is to install antennas on the roof of the existing IQMS building within the existing building columns.

- 2. The antennas would be incorporated into the existing columns, and with the use of RF transparent material, the antennas would be camouflaged and not be noticeable.
- 3. The support equipment is proposed to be located within a new equipment shelter that would be located on the east end of the building near the existing trash enclosure.
- 4. The support equipment includes the installation of an auxiliary generator. The generator is for emergency purposes only and besides routine testing (once a month) would not be operated.
- 5. The property is zoned PM (Planned Industrial) and the General Plan designation is BP (Business Park).
- 6. Section 21.16.200 of the Municipal Code requires approval of a Conditional Use Permit for transmission and receiving stations in the PM zoning district.
- 7. The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15301 of the State's Guidelines to Implement CEQA.
- 8. The Development Review Committee (DRC) reviewed this project at its meeting of November 23, 2009, where the Committee recommended that the Planning Commission approve the request, with added conditions of approval requiring the support equipment to be located further to the north, beyond the trash enclosure, and to install landscaping to help screen the equipment from Wisteria Lane and the adjacent parcels.

**Analysis** 

#### and

**Conclusions**: Wireless telecommunications antennas and support equipment are allowed in the PM zoning district with approval of a conditional use permit, provided the Commission determines that the facility is camouflaged. In this case, the project could be considered "camouflaged," since the antennas would be incorporated into the existing columns on the building. A condition of approval has been added to the project that would require further setback and landscape screening be added to adequately screen the ground mounted support equipment. The condition requires a landscaping plan to be submitted for review by the DRC prior to the issuance of a building permit. With an equipment screening plan approved by the DRC, staff believes the proposed installation would be consistent with the intent of the Zoning Regulations and consistent with General Plan policies related to visual identity (LUE Policy 2B).

**Policy** 

**Reference:** Zoning Code, General Plan, Economic Strategy

**Fiscal** 

Impact: None

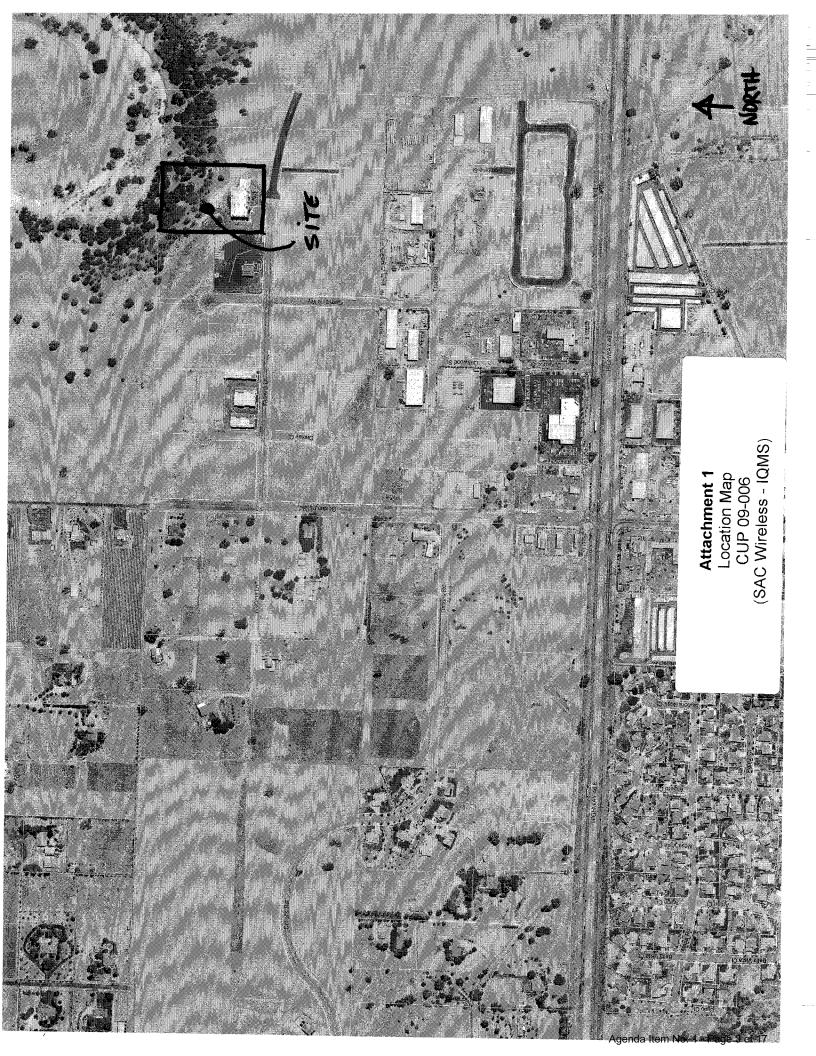
**Options:** After consideration of any public testimony, the Planning Commission should

consider the following options:

- a). Adopt the attached resolution granting approval of Conditional Use Permit 09-006, subject to site specific and standard conditions of approval.
- b). Amend, modify or alter the above noted options.

#### **Attachments:**

- 1. Location Map
- 2. Project Information provided by Applicant
- 3. Resolution Approving CUP 09-006
- 4. Newspaper notice and mail affidavits





# RECEIVED

OCT 28 7009



# **BUILDING DIVISION**

October 27, 2009

City of El Paso De Robles Community Development Department 1000 Spring St. Paso Robles, CA 93446

RE: VERIZON WIRELESS AT 2231 WISTERIA LN., APN 025-421-047

This firm represents Verizon Wireless. Enclosed with this letter are the materials your department requires in reviewing their proposed telecommunications facility at 2231 Wisteria Lane.

These materials are being submitted in accordance with Title 21 of the Paso Robles Municipal Code, and should satisfy the requirements herein for a Conditional Use Permit. Enclosed please find the following:

One	(1)	Development Application
One	(1)	Check for \$1,200 for a permit processing fee deposit
One	(1)	Project Description (please see below discussion)
One	(1)	Environmental Information Form
One	(1)	RF Compliance Report prepared by Hammet and Edison
One	(1)	Set of Color Photo Simulations
Two	(2)	Sets of typed mailing address labels for all property owners within 300 feet
Four	(4)	Labels each for the property owner of the project and the applicant
One	(1)	Certified Property Owner's list
Two	(2)	Copies of a Preliminary Title Report
Nine	(9)	Sets of Full Size Architectural Plans
Two	(2)	Sets of Reduced Plans

Verizon Wireless is a national telecommunications carrier which plans to expand and improve coverage in the Paso Robles area in the near future. The proposal at this site includes the installation of nine panel type antennas on an existing office building rooftop and a small enclosed equipment area adjacent to the building. The antennas will be screened by radio frequency transparent material designed to match the existing building in an effort to mitigate visual impact. Antenna radio emissions are designed to comply with all applicable federal safety

#### **Attachment 2**

Project Info. Letter CUP 09-006 (SAC Wireless - IQMS)





standards. More information is available in the enclosed RF compliance report prepared by third party engineering firm Hammet and Edison.

The equipment area will consist of a CMU shelter to house radio equipment for the operations and maintenance of the facility, as well as a 48KW/2.4L diesel generator to provide backup power in the event of an emergency. Both will be enclosed by a 6' block wall designed to match the existing refuse enclosure, and secured by a locked gate.

Power for the project will be taken from existing on site sources. No new above ground poles are proposed. No grading is proposed, except for grubbing for the equipment area and minor trenching for power and telco connections. The project will not require or remove parking spaces, and will have no impact on local traffic at the site, with the exception of a minor temporary increase during construction.

I look forward to answering any questions you may have regarding this project. Please contact me directly at 805.637.6670 to discuss this submittal and the next steps in your review.

Regards,

Jay Higgins

SAC Wireless on behalf of Verizon Wireless

4050 Calle Real, Suite 200B

Santa Barbara, CA 93110 Phone: 805.692.4705

Mobile: 805.637.6670

## RESOLUTION NO:

## A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO APPROVE CONDITIONAL USE PERMIT 09-006 (SAC Wireless / Verizon)

APN: 025-421-047

WHEREAS, section 21.16.200 of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for transmission and receiving stations in the PM zoning district; and

WHEREAS, the applicant, SAC Wireless, has filed a Conditional Use Permit application to construct a wireless communication facility within the existing building columns of the IQMS building located at 2231 Wisteria Lane; and

WHEREAS, the facility would have a camouflaged design with the antennas completely screened within the existing columns, and would therefore not be visible from a public street; and

WHEREAS, a public hearing was conducted by the Planning Commission on December 8, 2009, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15301 Existing Facilities of the State's Guidelines to Implement CEQA; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following finding:

- 1. The Planning Commission finds that the establishment, maintenance or operation of the communication facility will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the vicinity of the proposed use.
- 2. The Planning Commission finds that the proposed communication facility will not be injurious or detrimental to property and improvements in the area or to the general welfare of the City because it shall comply with all applicable zoning, building and municipal codes.
- 3. By allowing the use, the Planning Commission finds that proposed communication facility would be consistent with Land Use Element Policy 2B, relating to visual identity, including utility infrastructure since the antennas and equipment will not be visible; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of

El Paso de Robles does hereby approve Conditional Use Permit 09-006 subject to the following conditions:

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION .
A	Title Sheet
В	Site Survey
C	Site Plan
D	Enlarged Site Plan
E	South & East Elevations
F	North & West Elevations
G	Equipment Shelter Layout & Details

- 2. This Conditional Use Permit (CUP) authorizes the construction of a wireless communication facility within the existing columns of the IQMS building located at 2231 Wisteria Lane, where the project would be constructed in a manner described in attached exhibits and as required by the conditions contained within this resolution.
- 3. Prior to the issuance of a building permit a landscape and screening plan shall be submitted for review by the Development Review Committee (DRC). The plan shall set the ground mounted equipment further to the north approximately 25-feet from the existing trash enclosure to allow room for landscaping to be installed to screen the equipment from Wisteria Lane and the adjacent properties.
- 4. This project approval shall expire on December 8, 2011, unless a building permit is issued for the project, or unless a time extension request is filed with the Community Development Department prior to expiration.
- 5. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 6. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 7. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

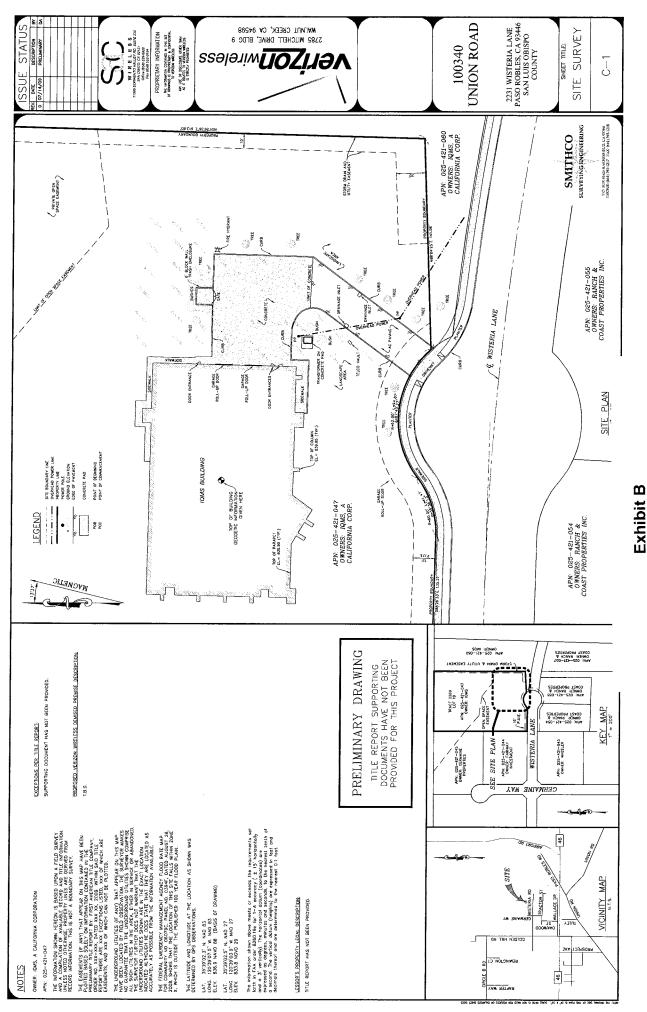
RON WHISENAND, SECRETARY OF TH	E PLANNING COMMISSION
ATTEST:	
	CHARLES E. TREATCH, CHAIRMAN
ABSTAIN:	
ABSTAIN:	
ABSENT:	
NOES:	
AYES:	
Vote:	December, 2009 by the following Roll Cal

Taso Robies

(SAC Wireless - IQMS)

Title Sheet CUP 09-006

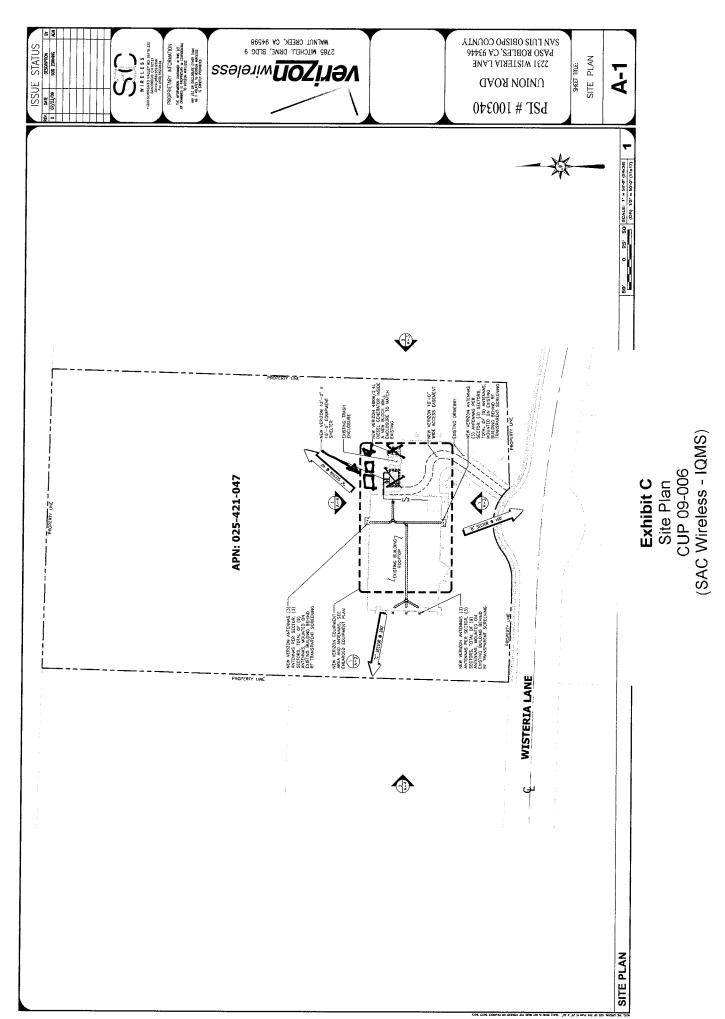
**Exhibit A** 



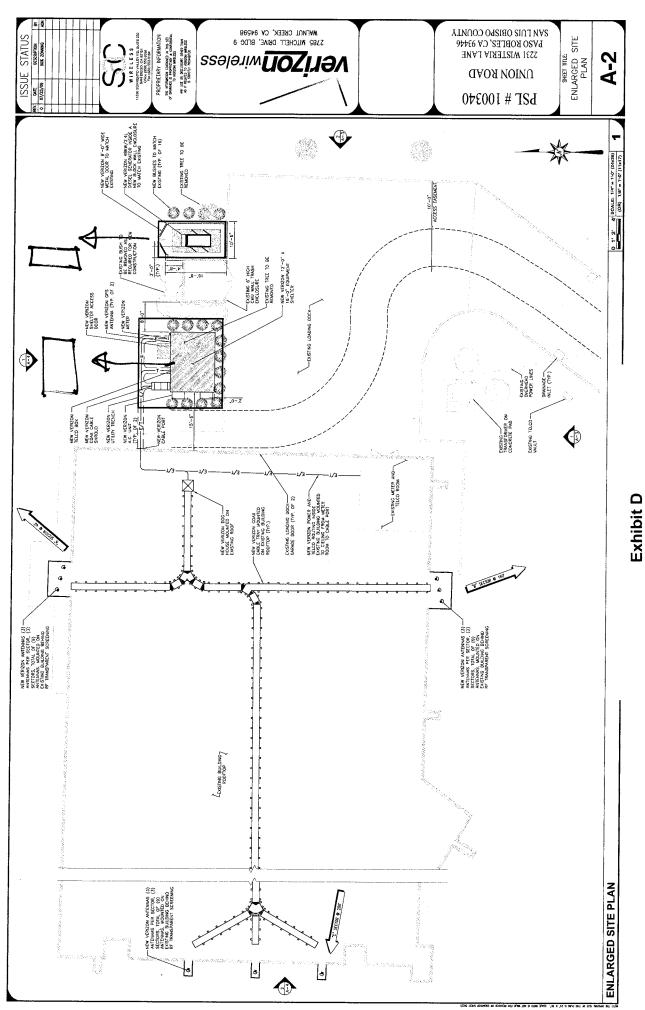
(SAC Wireless - IQMS)

Site Survey CUP 09-006

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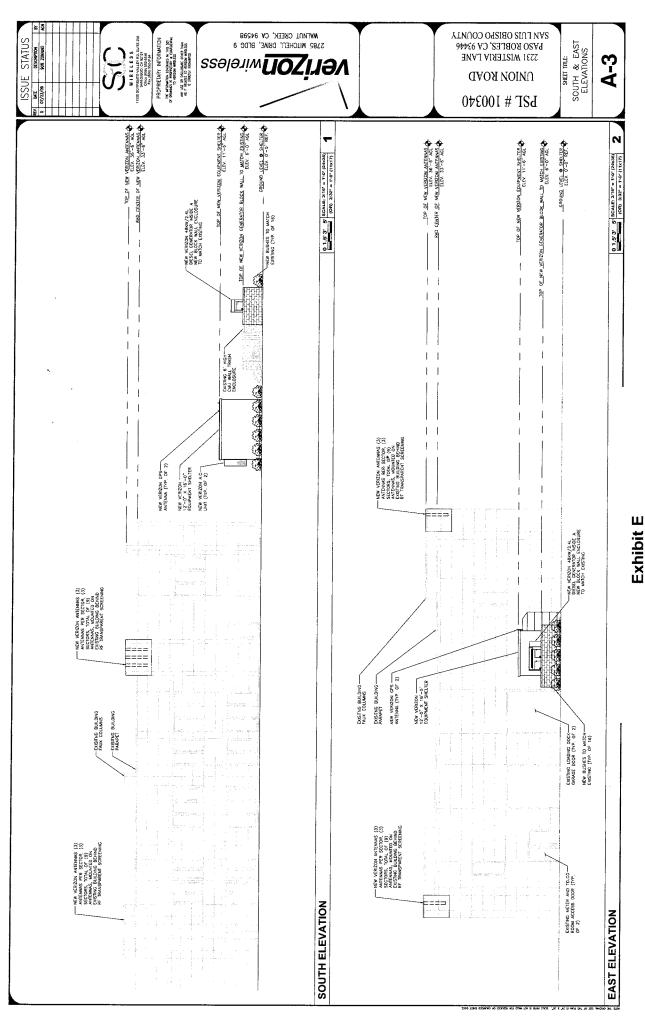
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(SAC Wireless - IQMS)

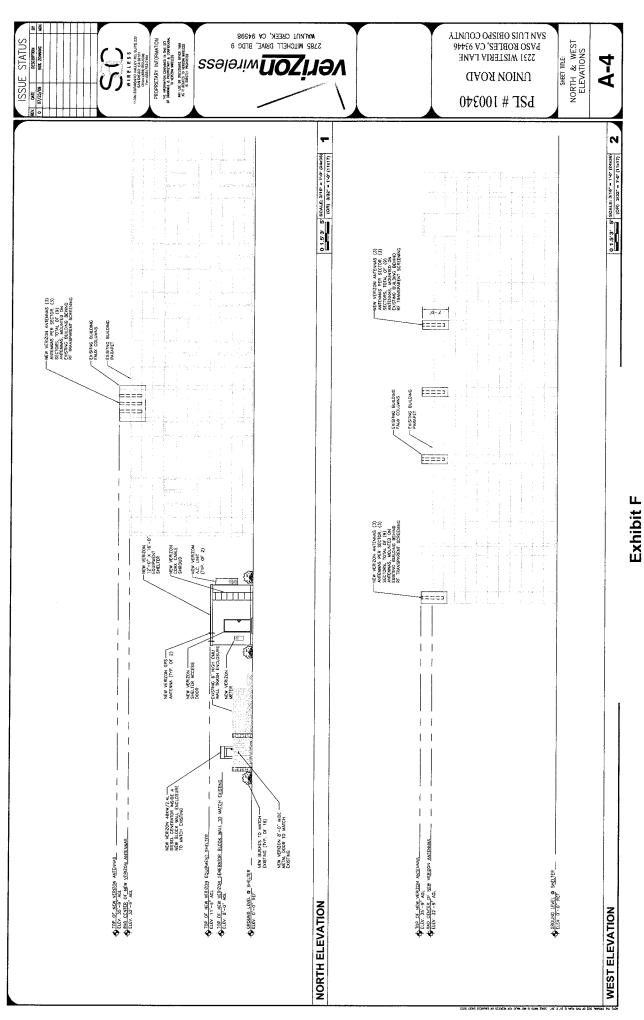
Enlarged Site Plan CUP 09-006

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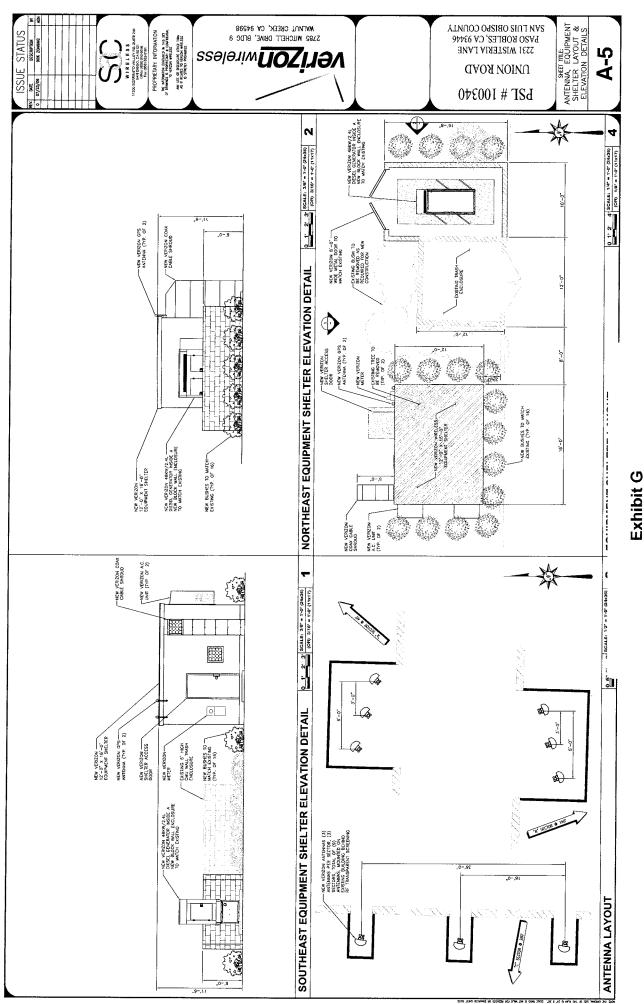
South & East Elevations CUP 09-006

(SAC Wireless - IQMS)



North & West Elevations CUP 09-006

(SAC Wireless - IQMS)



Agenda Item No. 1 - Page 15 of 17

Equipment Shelter Layout & Details CUP 09-006

(SAC Wireless - IQMS)

## **AFFIDAVIT**

## **OF MAIL NOTICES**

## PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Lonnie Dolan</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for <u>Conditional Use Permit 09-006 (SAC Wireless/Verizon</u> on this <u>23rd</u> day of <u>November</u>, <u>2009</u>.

City of El Paso de Robles Community Development Department Planning Division

) Lonnie Dolan

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### PROOF OF PUBLICATION

## LEGAL NEWSPAPER NOTICES

# PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper:	Tribune
Date of Publication:	November 24, 2009
Hearing Date:	December 8, 2009 (Planning Commission)
Project:	Conditional Use Permit 09-006 (Verizon at IQMS Building)
I, <u>Lonnie Do</u>	lan, employee of the Community
Development I	Department, Planning Division, of the City
of El Paso de R	obles, do hereby certify that this notice is
a true copy of a	published legal newspaper notice for the
above named p	roject.
Signed:	niedu

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider Conditional Use Permit 09-006, a request to install new lelecommunications antennas on the roof top of the existing building and install a new support equipment shelter. Project is proposed for the existing IQMS building located at 2231 Wisteria Lane.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, December 8, 2009, at which time all interested parties may appear and be heard.

This application is Categorically Exempt from environmental review per Section 15301c of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing.

If you challenge the Conditional Use Permit application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Darren R. Nash, Associate Planner November 24, 2009 6857253

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Lonnie Dolan