

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 11-013 (METRO - PCS)
APN: 009-314-013

DATE: APRIL 10, 2012

Needs: For the Planning Commission to consider the applicant's request to construct a new wireless communication facility located at Morro Bay Cabinets, 1720 Commerce Way.

- Facts:
1. The proposed facility would consist of a new 50'-tall cellular mono-pole, designed to be an American flag pole.
 2. The new monopole/flag pole would replace an existing 41-foot tall flag pole. The plans indicate that the flag will be displayed in compliance with U.S. federal flag codes. The project does include a light that would be directed at the flag during night time hours.
 3. The property is zoned PM (Planned Industrial) and the General Plan designation is BP (Business Park).
 4. The antennas and cables would be concealed within the flag pole. The pole would be 12-inches in diameter.
 5. The equipment associated with the cellular facility would consist of ground mounted equipment that would be located within a fenced in area adjacent to the flag pole.
 6. The Development Review Committee (DRC) reviewed this project at its meeting on March 5, 2012, where the Committee recommended that the wood fencing proposed to enclose and screen the equipment area, be upgraded to include a decorative cap and trim. The DRC recommended that the Planning Commission approve the request. The plans provided with this staff report include the fence details showing a decorative cap and trim as requested.
 7. The Planning Division staff has determined that this application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement CEQA. Section 15303 exempts new construction of small structures. The monopole and equipment building would be small structures.

Analysis
and

Conclusions: New telecommunication facilities in the City are required to be camouflaged. In this case the mono pole/flag pole standard will appear similar to the existing flag pole. However, the 12-inch diameter mono pole/flag pole is larger in diameter than a typical flag pole. The question for the Commission is whether this particular installation meets the intent of the City's regulations that requires camouflaging.

Given the remoteness of the site and the fact that the facility will be located approximately 200-feet back from the street, the proposed facility appears to blend in with the development in the area.

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). Determine that the proposed design is considered camouflaged and adopt the attached resolution granting approval of Conditional Use Permit 11-013.
- b). Determine the proposed design is not camouflaged, deny the application, and direct the applicant to present a design that complies with the intent of the City's regulations.
- c). Amend, modify or alter the above noted options.

Attachments:

1. Location Map
2. Photo simulations of existing and proposed appearance of location
3. Resolution approving CUP 11-013
4. Newspaper notice and mail affidavits



Attachment 1
 Vicinity Map
 CUP 11-013
 (Metro-PCS)



metroPCS. Paso Robles E
 1720 Commerc
 Paso Robles, C
 2/15/12

Attachment 2
 Photo Simulations
 CUP 11-013
 (Metro-PCS)

Aerial Map

Applied Imagination 510 914-0500



metroPCS.

Paso Robles East Site # SF90340B

Looking Southeast from Commerce Way

2/15/12

1720 Commerce Way
Paso Robles, CA 93446

View #1

Applied Imagination 510 914-0500

proposed antenna



Looking South
View #2
Applied Imagination 510 914-0500

metroPCS, Paso Robles East Site # SF90340B
8/15/11 1720 Commerce Way
Paso Robles, CA 93446

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 11-013
(METRO PCS)
APN: 009-314-013

WHEREAS, section 21.16.200.D.2 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 (Planned Industrial) zoning district; and

WHEREAS, the applicant, Metro PCS, has filed a Conditional Use Permit application to construct a wireless communication facility as a faux flag pole located at 1720 Commerce Way; and

WHEREAS, the facility will have a camouflaged design, consisting of a new 50'-tall monopole/flag pole; and

WHEREAS, separate ground mounted equipment would be located within a 7-foot tall fenced in area; and

WHEREAS, and since the antennas will be concealed within the flag pole, the project would be consistent with Land Use Element Policy 2B, relating to visual identity, including utility infrastructure; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 10, 2012, 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, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 11-013 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	Site Plan
B	Equipment and Antenna Plan
C	Elevations

2. This Conditional Use Permit (CUP) authorizes the construction of a wireless communication facility at 1720 Commerce Way, where the antenna panels would be concealed within a faux flag pole, that would be 50 feet tall, in a manner described in attached exhibits.
3. This project approval shall expire on April 10, 2014, 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.
4. 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.
5. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
6. 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.

PASSED AND ADOPTED THIS 10th day of April, 2012 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

AL GARCIA, CHAIRMAN

ATTEST:

ED GALLAGER, SECRETARY OF THE PLANNING COMMISSION

ARCHITECT



1725 COMMERCE WAY
 PASO ROBLES, CA 93246
 PHONE: 515.622.1200
 FAX: 515.625.1020

CONSULTANT

SEA:

REV.	DATE	DESCRIPTION	BY

DESIGNER:	CHC	APY	TR
SMS			

CURRENT SHEET DATE
 03/26/12

ISSUED FOR
 100% ZONING

PROJECT INFORMATION
PASO ROBLES EAST
 SF903408

1725 COMMERCE WAY
 PASO ROBLES, CA 93246
 COUNTY OF SAN LUIS OBISPO

SHEET TITLE
 ELEVATIONS

SHEET NUMBER
 2

REVISION

A-3

855-174A

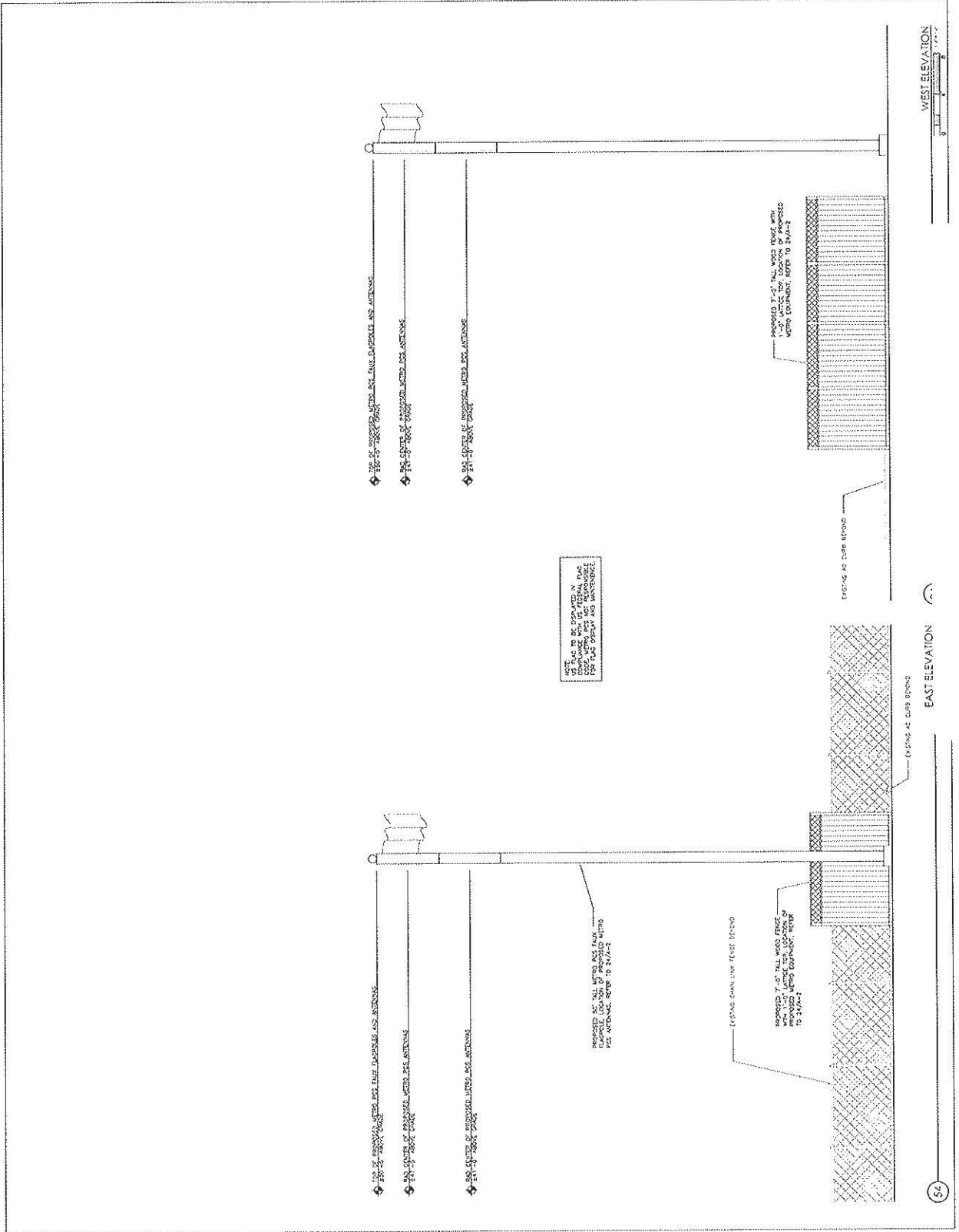


Exhibit C
 Elevations
 CUP 11-013
 (Metro-PCS)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Tribune

Date of
Publication: March 29, 2012

Hearing
Date: April 10, 2012
(Planning Commission)

Project: Conditional Use Permit 11-013 (Knight/
Metro PCS)

I, Theresa Variano, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Theresa Variano

forms/newsaffi.691

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 11-013, a request filed by Tricia Knight on behalf of Metro PCS, to establish a cellular antenna facility (faux flag pole) on the site located at 1720 Commerce Way (Morro Bay Cabinets).
APN: 009-314-013

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, April 10, 2012, at which time all interested parties may appear and be heard.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at planning@prcity.com. Comments on the proposed Conditional Use Permit may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to planning@prcity.com provided that such comments are received prior to the time of the hearing.

This application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

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 Nash, Associate Planner
March 29, 2012 6980827

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Theresa Variano, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Conditional Use Permit 11-013 (Knight/MetroPCS) on this 27th day of March 2012.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____


Theresa Variano