

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONDITIONAL USE PERMIT 14-008 (VERIZON)
APN: 009-314-018

DATE: FEBRUARY 24, 2015

Needs: For the Planning Commission to consider the applicant's request to construct a new wireless communication facility for Verizon Wireless.

- Facts:
1. CUP 14-008 proposes to construct a 65-foot tall cellular mono pole structure designed to simulate a eucalyptus tree on the site located at 1770 Commerce Way.
 2. The facility would be located at the eastern edge of the site (rear), approximately 100-feet away from neighboring back yards of single family residential homes located on Westfield Road.
 3. The Planning Commission reviewed this CUP request at its meeting on January 13, 2015. As a result of concerns raised from neighbors and from the Commission related to height and aesthetics, the Planning Commission continued the hearing, requesting that the applicant consider other locations on the site away from the residential neighbors on Westfield Road.
 4. Tricia Knight the representative for Verizon Wireless provided an e-mail that indicated that she had a conversation with the property owner evaluating the possibility of other on-site locations to locate the facility (see attachment 1). The e-mail indicates that areas on the site where the facility could be located are areas that the owner would like to reserve for future expansion. Verizon is requesting that the Planning Commission evaluate the facility in the location previously presented.
 5. The Development Review Committee (DRC) reviewed the request including the Tricia Knight e-mail on February 9, 2015. While the DRC did not give a recommendation to approve or deny, the DRC indicated that the Commission will need to discuss height and design options. It was requested that the applicant provide specific electromagnetic radiation level information of the facility and how it would affect the neighboring properties, including a discussion on how the facility would meet required FCC guidelines. This information will be presented to the Planning Commission by Tricia Knight at the February 24th hearing.

Analysis
and

Conclusions: At the Planning Commission meeting on January 13th, Tricia Knight discussed that it is possible for the facility to be lowered in height from 65-feet down to around 45-feet. Lower heights may limit future colocation opportunities and require that additional cellular facilities be located in the area in the future to provide adequate cellular coverage. Also discussed was the faux eucalyptus tree design, where one version was a single trunk design and the other a multi-trunk design.

Option A of the staff report allows for the approval of the cellular facility in the proposed location subject to the Commission determining what height and design would be acceptable. Or, if the Commission determines that regardless of the height and design, the proposed location is not acceptable as a result that the facility would not be compatible with the neighborhood, the CUP can be denied, which is Option B.

Policy

Reference: Zoning Code, General Plan, Economic Strategy

Fiscal

Impact: None

Options: After consideration of any public testimony, the Planning Commission may consider the following options:

- a). Determine that the proposed ____ foot tall design is considered camouflaged and adopt the attached resolution granting approval of Conditional Use Permit 14-008, subject to standard and site specific conditions of approval.
- b). Determine the proposed height and location of the cellular facility, would not be compatible with the neighborhood, and therefore not be consistent with the General Plan, and deny the application.
- c). Amend, modify or alter the above noted options.

Attachments:

1. Tricia Knight Email
2. Staff Report from January 13th, 2015 Planning Commission meeting
3. Resolution approving CUP 14-008
4. Resolution denying CUP 14-008
5. Newspaper notice and mail affidavits

Amanda Ross

Subject: FW: Commerce Way Project

From: Tricia Knight [<mailto:triciaknight@charter.net>]

Sent: Thursday, January 29, 2015 1:58 PM

To: Amanda Ross

Cc: Darren Nash

Subject: Commerce Way Project

Hi Amanda/Darren,

We met with the property owner for this project and have determined the distinct reasons why this is the best location and I would like to take it back to commission with my reasoning and let them decide what they would like:

1. The area in between the two building has future expansion plans and this development would impede that.
2. There is not enough room on the property line side for the proposed project and I will go over those details for the commission
3. There is other potential location where the three existing storage containers live that is 85ft further away from the residences then the current site, which is 100ft away but it is in the middle of parcel and would be an obstacle to any logical development in the future, but the commission may decide this is a better choice.

Let me know your thoughts and when I could get on the next agenda.

Tricia Knight



TEK Consulting Inc.

Permit Processing Services

123 Seacliff Dr

Pismo Beach, Ca 93449

805.448.4221

805.888.2807 Fax

tek-consulting.net

Attachment 1

Tricia Knight E-mail

CUP 14-008

(Verizon - Commerce Way)
Agenda Item No. 1 Page 3 of 23

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: SUSAN DECARLI, ACTING COMMUNITY DEVELOPMENT DIRECTOR ^{SD}

SUBJECT: CONDITIONAL USE PERMIT 14-008 (VERIZON)
APN: 009-314-018

DATE: JANUARY 13, 2015

Needs: For the Planning Commission to consider the applicant's request to construct a new wireless communication facility.

- Facts:
1. The facility would be located at 1770 Commerce Way, at the southeast corner of the site behind the existing industrial buildings. See Vicinity Map, Attachment 1.
 2. The proposed facility would consist of a new 65-foot tall cellular mono pole structure designed to simulate a eucalyptus tree. See photo simulations, Attachment 2.
 3. The property is zoned PM (Planned Industrial) and the General Plan designation is BP (Business Park). Table 21.16.200 requires a Conditional Use Permit for wireless communication facilities in the PM zoning district.
 4. 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 facility.
 5. The Development Review Committee (DRC) reviewed this project at its meeting on December 15, 2014. The DRC was supportive of the proposal, but requested an additional photo simulation of the view from Westfield Road looking west towards the property. The additional photo simulation will be presented to the Planning Commission at the hearing on January 13th.
 6. 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 are considered small structures.

Analysis
and

Conclusions: New telecommunication facilities in the City are required to be camouflaged. For this application, the cellular mono pole is proposed to be designed to simulate a 65-foot tall eucalyptus tree with the intent that it would blend in with the other eucalyptus trees in adjacent to the facility location.

There are 12-15 other trees, including eucalyptus, in the area where the cellular facility is proposed to be located. The trees range in height from 15 feet to 50 feet tall. While the existing trees will help screen the new 65-foot tall facility, the facility will be visible from surround areas, including residential neighborhoods. The Commission may wish to consider whether this particular installation meets the intent of the City's regulations that requires camouflaging.

Policy

Reference: Zoning Code, General Plan, Economic Strategy

Fiscal

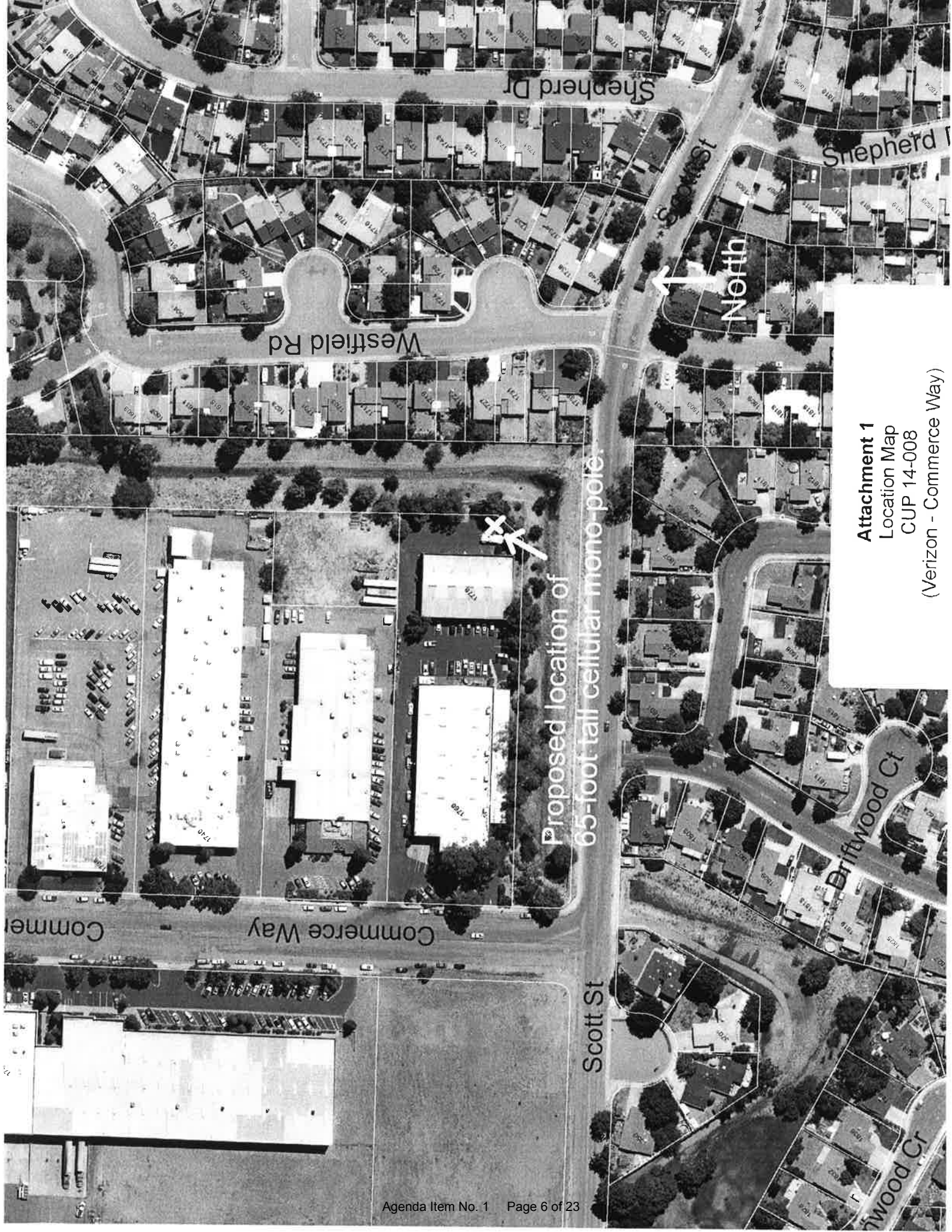
Impact: None

Options: After consideration of any public testimony, the Planning Commission may consider the following options:

- a). Determine that the proposed design is considered camouflaged and adopt the attached resolution granting approval of Conditional Use Permit 14-008.
- 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. Vicinity Map
2. Photo simulations of existing and proposed appearance of location
3. Resolution approving CUP 14-008
4. Newspaper notice and mail affidavits



Attachment 1
Location Map
CUP 14-008

(Verizon - Commerce Way)

Proposed location of
65-foot tall cellular mono-pole

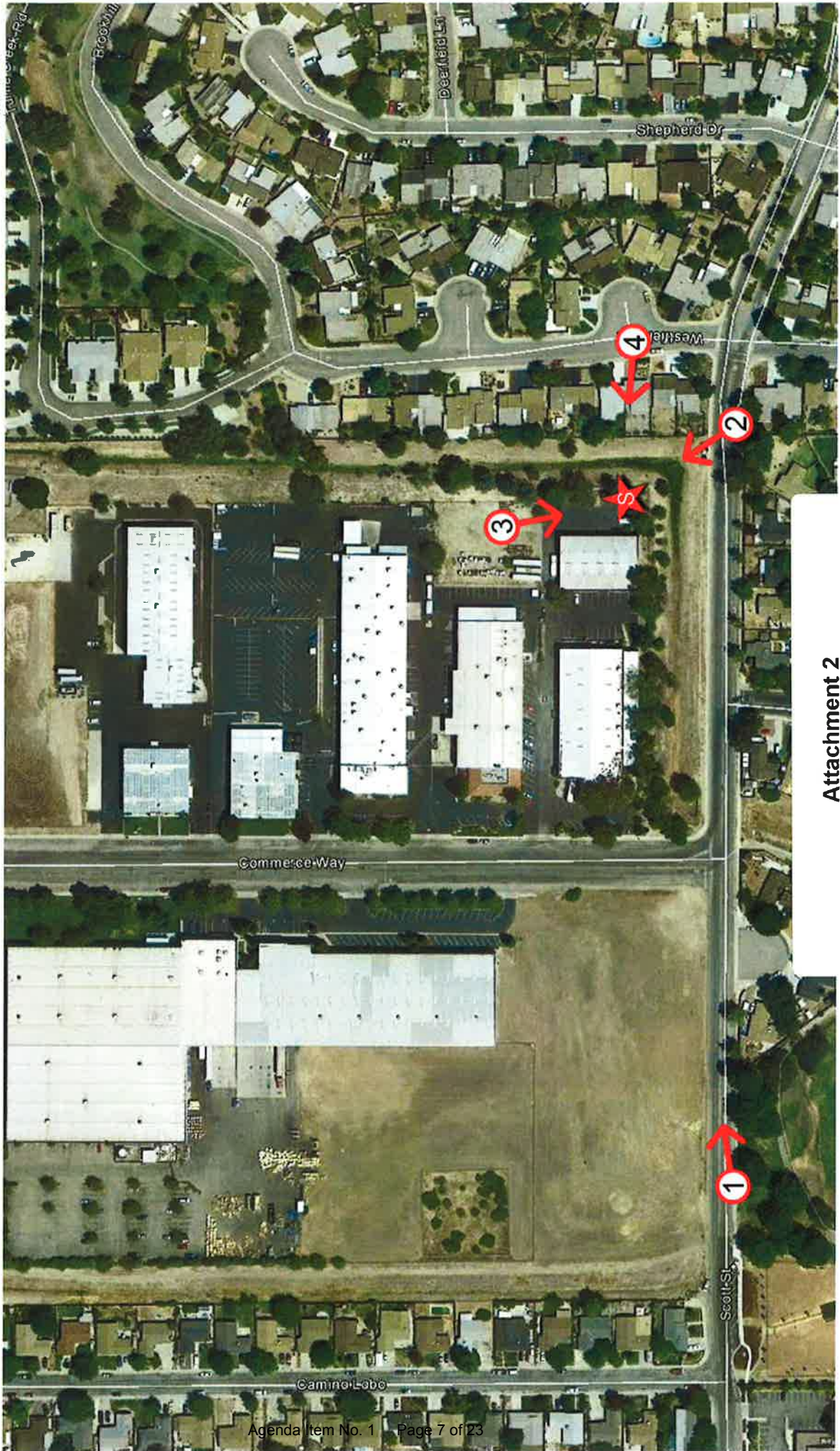
North



VICINITY MAP

PHOTOSIMULATION VIEWPOINTS

COMMERCE & SCOTT
PSL# 264545
1770 COMMERCE WAY
PASO ROBLES, CA 93446



Attachment 2
Photo Simulations
CUP 14-008
(Verizon - Commerce Way)



PHOTOSIMULATION VIEW 1
LOOKING NORTHEAST

COMMERCE & SCOTT
PSL# 264645
1770 COMMERCE WAY
PASO ROBLES, CA 93446



5685 AVENIDA EICHMANN, STE. 1429
CARLSBAD, CA 92008
OFFICE (951) 229-6028

EXISTING



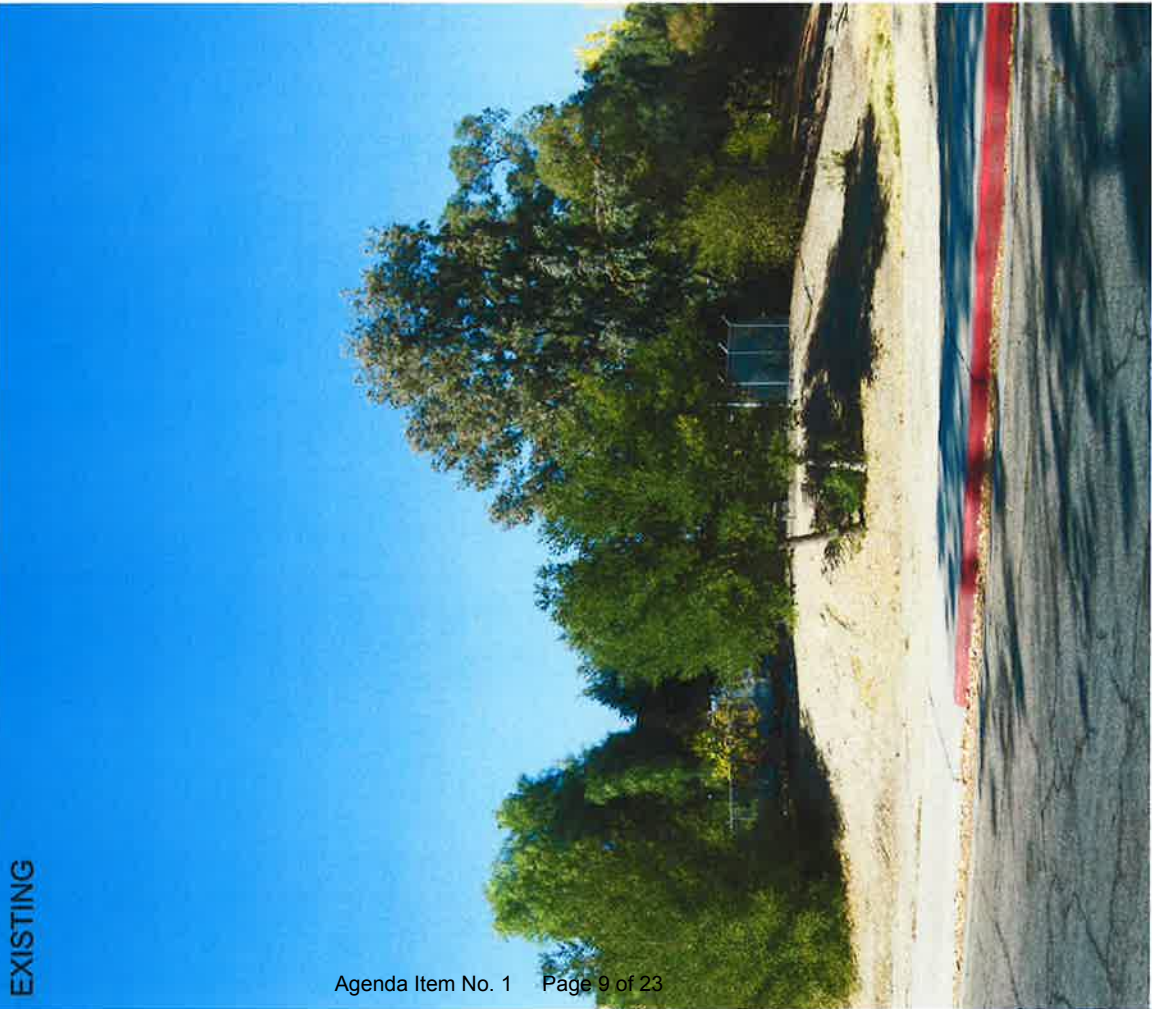
PROPOSED



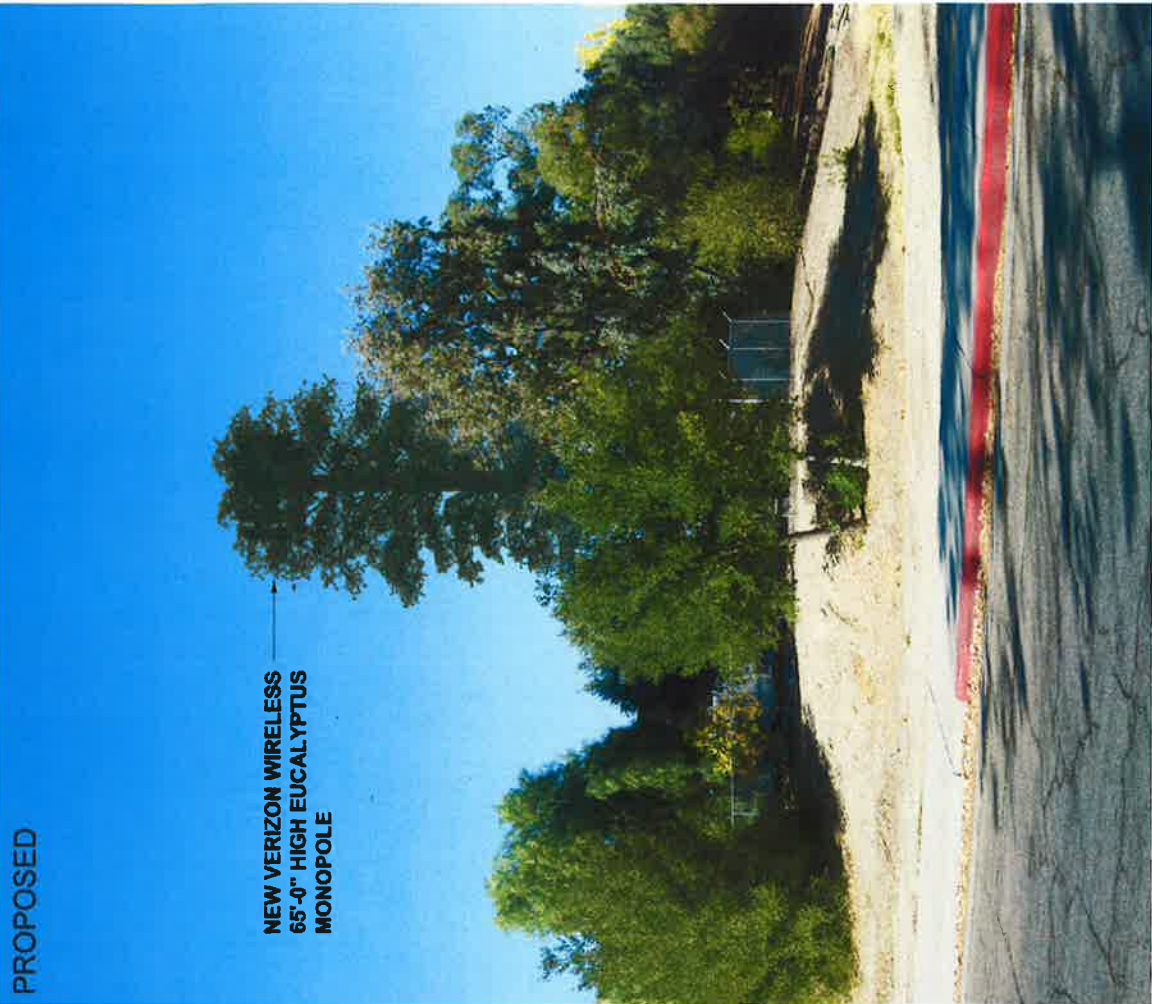


PHOTOSIMULATION VIEW 2
LOOKING NORTHWEST

COMMERCE & SCOTT
PSL# 264645
1770 COMMERCE WAY
PASO ROBLES, CA 93446



EXISTING



PROPOSED

NEW VERIZON WIRELESS
65'-0" HIGH EUCALYPTUS
MONOPOLE



PHOTOSIMULATION VIEW 3
LOOKING SOUTH

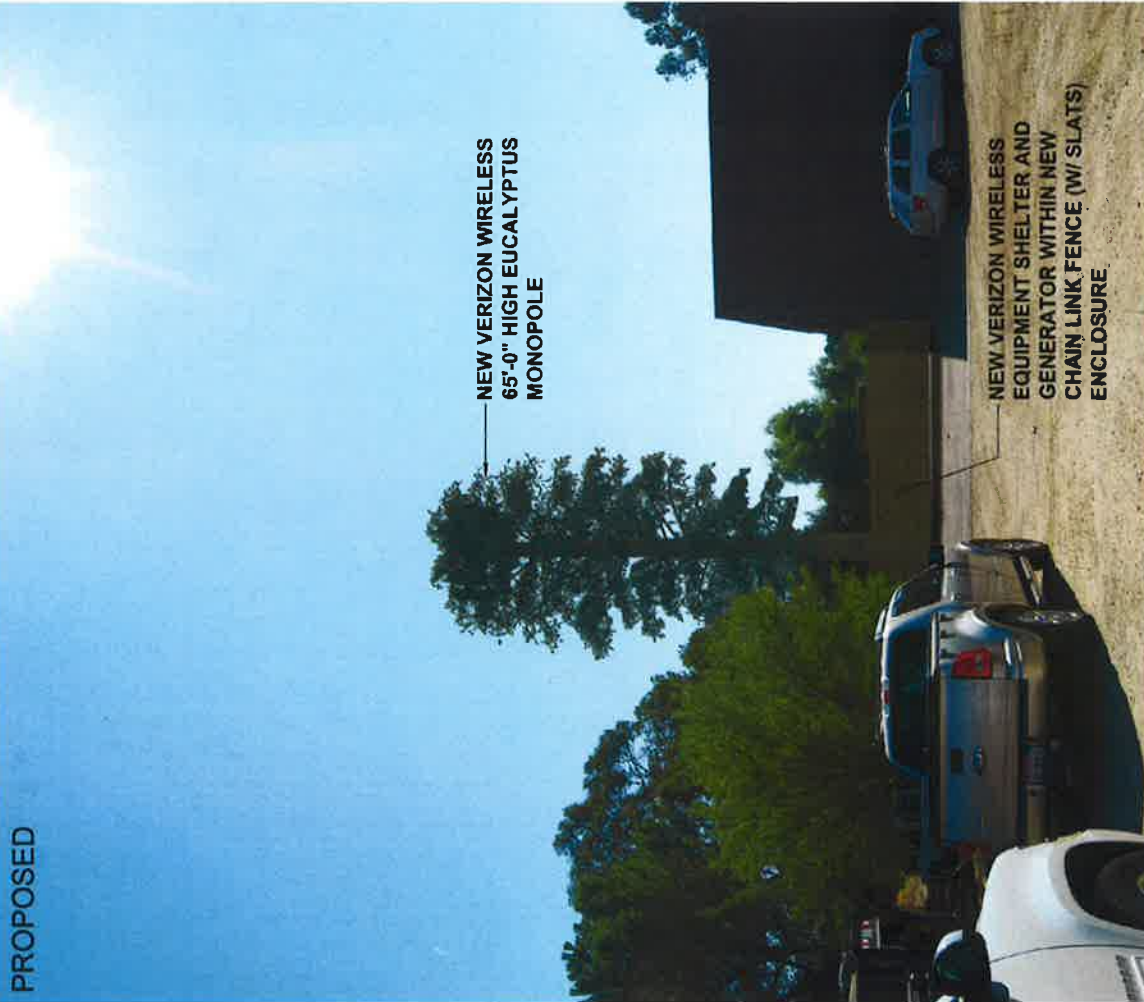
COMMERCE & SCOTT
PSL# 264545
1770 COMMERCE WAY
PASO ROBLES, CA 93446



5605 AVENIDA ENCINAS, STE. 142B
CARLSBAD, CA 92008
OFFICE (858) 228-6828



EXISTING



NEW VERIZON WIRELESS
65'-0" HIGH EUCALYPTUS
MONOPOLE

NEW VERIZON WIRELESS
EQUIPMENT SHELTER AND
GENERATOR WITHIN NEW
CHAIN LINK FENCE (W/ SLATS)
ENCLOSURE



PHOTOSIMULATION VIEW 4
LOOKING WEST

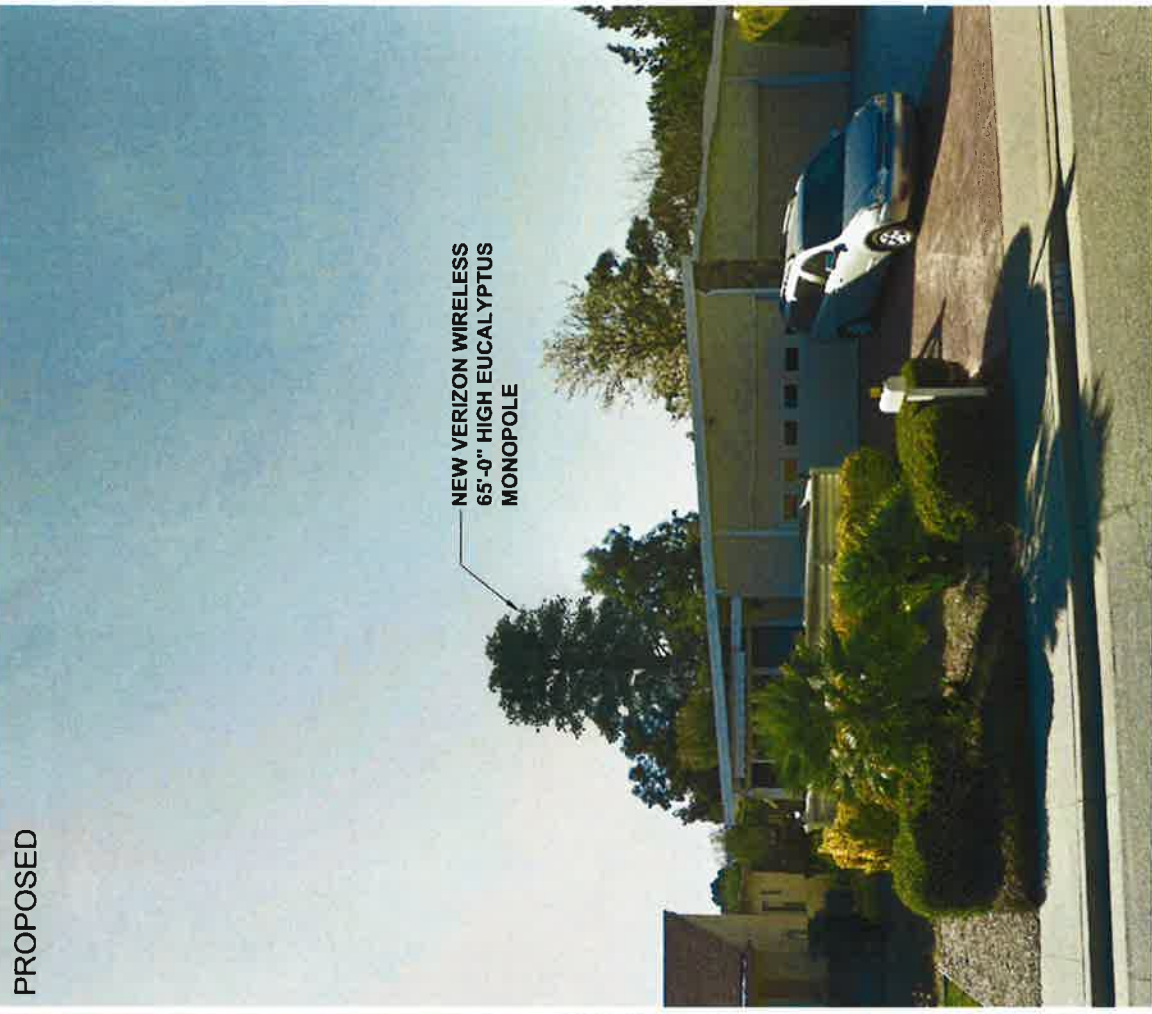
COMMERCE & SCOTT
PSL# 264545
1770 COMMERCE WAY
PASO ROBLES, CA 93446



5695 AVENIDA ENCINAS, STE. 142B
CARLSBAD, CA 92008
OFFICE (858) 228-6328



EXISTING



PROPOSED

NEW VERIZON WIRELESS
65'-0" HIGH EUCLYPTUS
MONOPOLE

RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 14-008
(VERIZON – 1770 COMMERCE)
APN: 009-314-008

WHEREAS, Table 21.16.200 of the City of El Paso de Robles Zoning Code requires approval of a Conditional Use Permit for transmission and receiving stations in the PM (Planned Industrial) zoning district; and

WHEREAS, the facility would be located at 1770 Commerce Way, at the south east corner of the site behind the existing industrial buildings; and

WHEREAS, the facility would consist of a new ____-foot tall cellular mono pole structure designed to simulate a eucalyptus tree; and

WHEREAS, 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 facility; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15303 of the State’s Guidelines to Implement CEQA; and

WHEREAS, a public hearing was conducted by the Planning Commission on January 13, 2015, 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, the Planning Commission on January 13, 2015 continued the item requesting that the applicant consider other locations on the site further away from the residential neighbors on Westfield Road, and to consider reducing the height to match the surrounding tree line; and

WHEREAS, the applicants provided an e-mail indicating other locations on the site would impede the owners plans for future expansion of his business, and requested that the Commission consider the facility in the location at the east end of the site as originally proposed; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 24, 2015, 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, since the mono-pole would be designed to be a eucalyptus tree __ feet in height which would adequately blend in with the adjacent trees, the facility would be considered camouflaged, therefore, the project would be consistent with Land Use Element Policy 2B, relating to visual identity, including utility infrastructure; 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 14-008 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:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site Plan
B	Equipment/Antenna Layout
C	Elevations (North & East)
D	Elevations (South & West)
E	Photo Rendering of Mono-Pole

2. This Conditional Use Permit (CUP) authorizes the construction of a ____-foot tall wireless communication mono-pole designed to simulate a eucalyptus tree, at 1770 Commerce Way in a manner described in attached exhibits.
3. This project approval shall expire on February 24, 2017, 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. Future requests to co-locate additional antennas on this mono-pole facility may be reviewed by the Development Review Committee (DRC). The DRC's approval of the additional antennas would be based on the antennas not increasing the height or width of the existing facility being substantially compliant with Exhibits A-D of this resolution.
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 regulations.

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.

PASSED AND ADOPTED THIS 24th day of February, 2015 by the following Roll Call Vote:

AYES:

NOES:

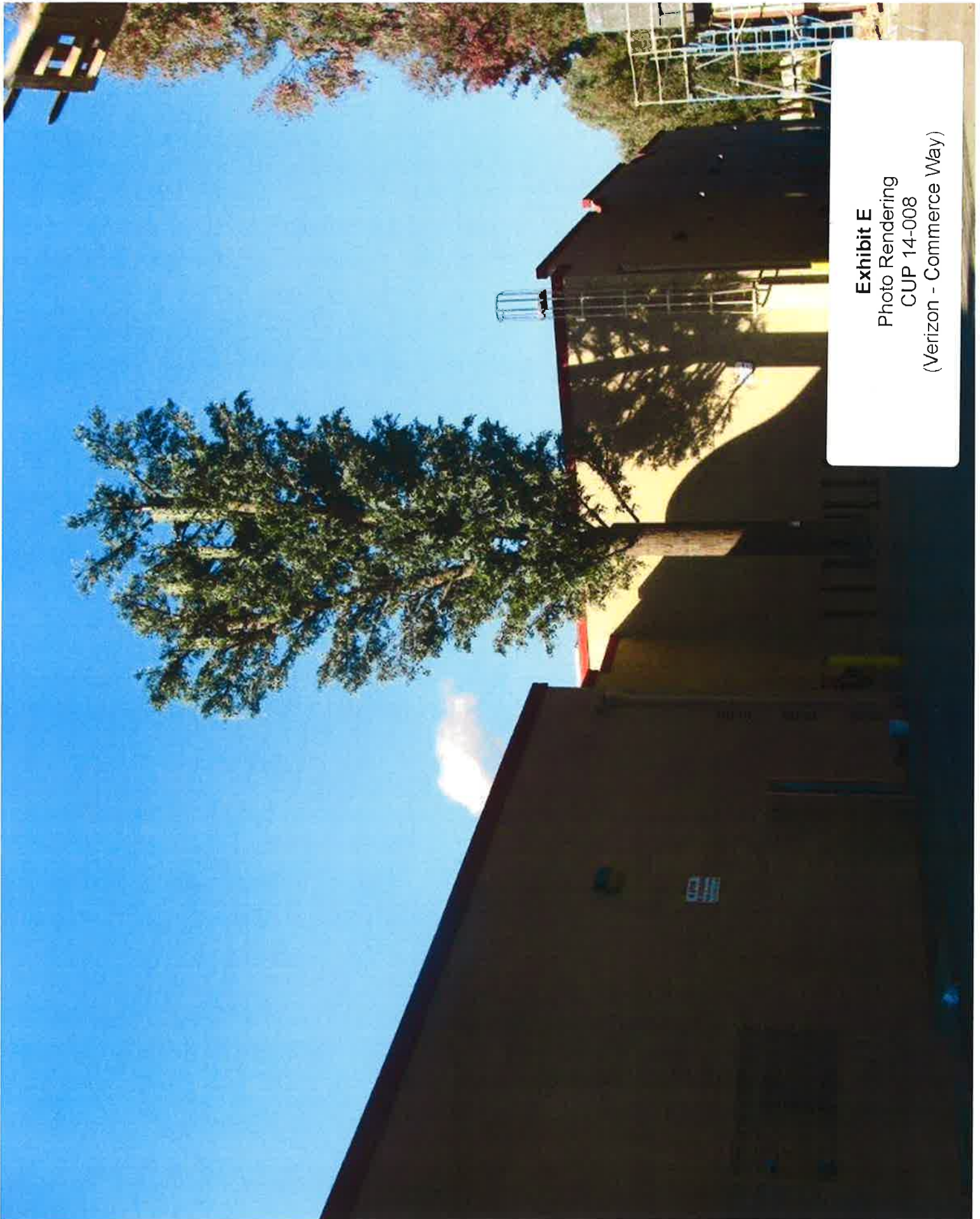
ABSENT:

ABSTAIN:

CHAIRMAN, DOUG BARTH

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION



RESOLUTION NO: _____

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO DENY CONDITIONAL USE PERMIT 14-008
(VERIZON – 1770 COMMERCE)
APN: 009-314-008

WHEREAS, Table 21.16.200 of the City of El Paso de Robles Zoning Code requires approval of a Conditional Use Permit for transmission and receiving stations in the PM (Planned Industrial) zoning district; and

WHEREAS, the facility would be located at 1770 Commerce Way, at the south east corner of the site behind the existing industrial buildings; and

WHEREAS, the facility would consist of a new 65-foot tall cellular mono pole structure designed to simulate a eucalyptus tree; and

WHEREAS, 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 facility; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was conducted by the Planning Commission on January 13, 2015, 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, the Planning Commission on January 13, 2015 continued the item requesting that the applicant consider other locations on the site further away from the residential neighbors on Westfield Road, and to consider reducing the height to match the surrounding tree line; and

WHEREAS, the applicants provided an e-mail indicating other locations on the site would impede the owners plans for future expansion of his business, and requested that the Commission consider the facility in the location at the east end of the site as originally proposed; and

WHEREAS, based on the facts and analysis presented in the staff report and the attachments thereto, and public testimony received, the Planning Commission finds that based on the height and location of the proposed cellular facility, it would not be considered compatible with the neighborhood, and therefore it would not be consistent with General Plan Policy LU-2D, which requires development to “strive to maintain and create livable, vibrant neighborhoods and districts with coordinated site design, architecture, and amenities”.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby find the proposed use inconsistent with the requirements of the General Plan and, deny Conditional Use Permit 14-008.

PASSED AND ADOPTED THIS 24th day of February, 2015 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN, DOUG BARTH

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION



CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Kristen Buxkemper, 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 14-008, on this 30th day of December, 2014.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Kristen Buxkemper
Kristen Buxkemper