

Planning Commission Agenda Item

December 2, 2013

TO: Chair Steiner and

Members of the Planning Commission

THRU: Leslie Aranda Roseberry

Planning Manager

FROM: Chad Ortlieb

Senior Planner

SUBJECT

PUBLIC HEARING: Conditional Use Permit 2903-13 and Design Review Committee 4678-13 – VERIZON AT EL MODENA PARK

SUMMARY

The applicant proposes to replace an existing light standard with a light standard that would house wireless antennas. An enclosure would also be constructed to house their equipment and the El Modena Park trash bins.

RECOMMENDED ACTION

Adopt Planning Commission Resolution No. PC 40-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT 2903-13 AND DESIGN REVIEW COMMITTEE 4678-13 ALLOWING A WIRELESS ANTENNA ON A REPLACED LIGHT POLE AND AN ASSOCIATED EQUIPMENT ENCLOSURE THAT ALSO SERVES AS A TRASH ENCLOSURE AT 555 SOUTH HEWES STREET

AUTHORIZATION/GUIDELINES

Orange Municipal Code (OMC) Sections 17.08.020 and 17.10.030C. authorize the Planning Commission to review and take action on Conditional Use Permit requests for non-stealth wireless facilities in residential zoning districts.

PUBLIC NOTICE

On November 20, 2013, the City sent a Public Hearing Notice to a total of 76 property owners/tenants within a 300-foot radius of the project site, and persons specifically requesting notice. The project site was also posted in 2 locations with the notification on that same date.

ENVIRONMENTAL REVIEW

Categorical Exemption: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15302 (Class 3 - New Construction or Conversion of Small Structures) because the project includes the construction of small structures. There is no environmental public review required for a Categorical Exemption.

PROJECT BACKGROUND

Applicant:	Plancom, Inc for Verizon Wireless		
Property Owner:	City of Orange		
Property Location:	555 S Hewes Street		
Existing General Plan	Open Space Park (OS-P)		
Land Use Element designation:			
Existing Zoning	R-1-8 (Single-Family Residential)		
Classification:			
Old Towne:	No		
Redevelopment Project Area:	No		
Specific Plan/PC:	No		
Site Size:	8.21 acres		
Circulation:	Access occurs to the park from Fowler Avenue which is		
	located just off of South Hewes Street		
Existing conditions:	The roughly 9-acre park is City owned and designated as a neighborhood park, which provides for daily recreation needs of residents in the immediate area. Specifically, the park serves an area within a quarter mile to half mile radius. The park includes a paved parking lot, lighted ball field, picnic tables, covered shelter, tot lot and rest room facilities. El Modena Park is surrounded by single-family residences at varying topographical elevations due to the hilly terrain that characterizes this portion of the City and County. Towards the northwest are a vacant lot and the El Modena Branch Library.		
Surrounding land uses and Zoning:	Surrounding zones include Single Family Residential (R-1-6, R-1-7, and R-1-8). Additionally, the properties to the south and east are within the County's jurisdiction and		

	are also residential.
Previous	None applicable to this project.
Applications/Entitlements:	

PROJECT DESCRIPTION

The applicant is requesting to replace an existing 80'-5" tall light standard with an 80'-0" tall monopole light standard. The new monopole light standard would have six (6) panel antennas and one 2' diameter microwave dish, attached to the outside of the pole. The panel antennas would be 11.9"W x 72.7"H x 7.1"D. The microwave dish would be 2' in diameter. The antennas would be installed in two rows so they can be as close as possible to the pole, without the use of linear arrays.

The wireless equipment would be housed in a new equipment building that would also include a trash enclosure for the bins at the park. Currently the solid waste bins sit outside, along the northwest edge of the parking lot, on the asphalt. The new equipment/trash enclosure would be located at the northwest end of the parking lot, over the existing lawn. The total exterior dimensions of the trash enclosure and Verizon equipment enclosure are 35'-11"W x 16'D x 10'5"H. AT&T has also applied (CUP 2915-13) to replace a different stadium light to the north of the Verizon light pole and extend the equipment enclosure by 16' in width, as indicated on the plans. Each provider would be responsible to obtain entitlements and permits for their own respective proposals.

The proposed equipment/trash enclosure would be constructed to match the existing restroom building and patio cover at the park. The applicant proposes to use Orco split face CMU block in the tan color, GAF Timberline-Natural Shadow asphalt shingle roof in the Hickory color and the doors and trash enclosure trellis would be painted Dunn Edwards Tobacco Brown (DE #60-11). The roof would be mansard in shape, with a security mesh lid to allow for ventilation. A photo of the color board and security lid details are included in the project plans as Exhibit A.

Development Standards

	Required	Proposed	Code Section
Building Height	32 Feet Maximum	80 Feet	17.14.070
		(Does not Comply - See	
		Issue Item 1)	
Landscaping (non-	Existing landscaping.	N/A	N/A
residential)	Proposal does not include		
	landscape changes.		
Parking	Existing park. Proposal does	N/A	N/A
	not include building or		
	parking changes.		
Setback, Front	20 feet from Hewes St.	Antenna- 165 approximate	17.14.070
		feet	
		Equipment Enclosure - 45	
		or more feet	
Setback, Rear	10 feet	Antenna – 450 approximate	N/A

		feet Equipment Enclosure – 495 approximate feet	
Setback, Fowler Avenue Side	10 feet	Antenna – 150 approximate feet Equipment Enclosure – 215 approximate feet	N/A
Setback, North Side	5 feet to nearest side property line	Antenna – 150 approximate feet Equipment Enclosure – 70 approximate feet	N/A

APPLICATION(S) REQUESTED/REQUIRED FINDINGS

<u>Wireless Communication Facilities Conditional Use Permits:</u> The applicant is requesting a Conditional Use Permit to establish a new light pole and equipment enclosure to accommodate a new wireless facility in El Modena Park in the Single Family Residential (R-1-7) zone.

Required Findings:

- 1. A conditional use permit shall be granted only if the wireless communication facility can be installed and operated in a manner that preserves the aesthetic character of the portion of the community in which it is located;
- 2. A conditional use permit shall not be granted if it will cause deterioration of aesthetics for the area in which it is located;
- 3. A conditional use permit shall be granted if it can be found that the distance separation standards between ground-mounted wireless communication facilities precludes the wireless supplier from providing service.

<u>Design Review Committee:</u> The applicant is requesting approval of a Design Review Committee application to establish a new light pole and equipment enclosure to accommodate a new wireless facility in El Modena Park in the Single Family Residential (R-1-7) zone.

Required Findings:

- 1. In the Old Towne Historic District, the proposed work conforms to the prescriptive standards and design criteria referenced and/or recommended by the Design Review Committee or other reviewing body for the project.
- 2. In any National Register Historic District, the proposed work complies with the Secretary of the Interior's standards and guidelines.
- 3. The project design upholds community aesthetics through the use of an internally consistent, integrated design theme and is consistent with all adopted specific plans, applicable design standards and their required findings.
- 4. For infill residential development, as specified in the City of Orange infill residential design guidelines, the new structure(s) or addition are compatible with the scale,

massing, orientation and articulation of the surrounding development and will preserve or enhance existing neighborhood character.

ANALYSIS/STATEMENT OF THE ISSUES

Issue 1: Wireless Antennas/Light Pole

The applicant is requesting to replace an existing 80'-5" tall light standard with an 80'-0" tall monopole light standard. The new pole would be similar to the existing light pole; however, the new pole would be engineered to hold the weight of the wireless facilities. There are currently Sprint wireless facilities on the north end of the ball field and these would be similar in that the antennas/microwave dish will be attached as close as possible to the pole.

The applicant has stated that they are not able to co-locate with other wireless facilities due to the engineering requirements of the pole.

Pursuant to Orange Municipal Code Section 17.12.025 D.2. "The maximum height of any wireless communication facility, other than roof-mounted facilities, shall be governed by the height requirements of the zone in which the facility is located. Exceedance of the maximum height may be granted through a conditional use permit subject to the following provisions or restrictions:

a. The conditional use permit provision noted above shall not be applicable for any wireless ground mounted communication facility located in any residential district;"

Therefore, the proposed antenna exceeds the 32 foot height limit of the R-1-7 zone where it is proposed and a Conditional Use Permit may not be applied to exceed the height of the district. Precedent has been set by City approval of other wireless antennas over 32 feet tall on light poles in El Modena Park. The light pole itself is not an antenna and would exist at an equivalent height with or without the antenna. By policy, the City is allowed to exceed height limitations of the code for park facilities such as light poles. Therefore, the proposed antenna will merely be using the opportunity of an available light pole and need not be interpreted as requiring strict adherence to the height limitations of the district, especially given that the policy and precedent has been set for other antennas on City park light poles.

Issue 2: Equipment Building/Trash Enclosure

As part of the lease agreement, the applicant would construct a 10'-8"W x 8'-2" D x 6'8" H on-site trash enclosure that would meet the Public Works Standards and Specifications. Currently, the trash bins sit unprotected on the asphalt on the north end of the parking lot. Although the bins do not obstruct the drive aisle or the parking spaces, they attract dumping and are unsightly. The new trash enclosure would match the existing buildings in the park.

A 26'W x 16' D wireless equipment enclosure would also be attached to the west of the new trash enclosure. It would also match the split face CMU block, asphalt roof and doors used on the existing restroom building. Currently, the plans show three (3) GPS antennas attached to the south end of the equipment enclosure roof. Staff added a condition that they shall be mounted in the

middle of the equipment enclosure and no taller than 6" above the roof so they are less visible to park visitors.

ADVISORY BOARD RECOMMENDATION

The Design Review Committee (DRC) reviewed the plans on October 16, 2013, and recommended approval to the Planning Commission subject to the Conditions of Approval contained within Planning Commission Resolution No. PC 40-13. The October 16, 2013 DRC meeting minutes are included as Attachment 5.

ATTACHMENTS/EXHIBITS

Attachments to Report:

- 1. Planning Commission Resolution No. PC 40-13
- 2. Vicinity Map
- 3. Visual Simulations
- 4. Design Review Committee Staff Report Dated October 16, 2013
- 5. Design Review Committee Meeting Minutes from October 16, 2013
- 6. Applicant's Project Justification Letter Dated March 25, 2013,
- 7. Applicant's Application Addendum

Exhibits provided to the Planning Commission:

- A. Plans (exhibit dated December 2, 2013)
- B. Photo of Color Board and metal mesh security lid details

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