



City of Huntington Beach Planning and Building Department  
**STAFF REPORT**

**TO:** Planning Commission  
**FROM:** Scott Hess, AICP, Director of Planning and Building  
**BY:** Hayden Beckman, Planning Aide *HB*  
**DATE:** May 11, 2010

**SUBJECT: CONDITIONAL USE PERMIT NO. 10-003 (CHRIST PRESBYTERIAN CHURCH - WIRELESS COMMUNICATION FACILITY)**

**APPLICANT:** John Moreland, Core Communication Group, 2903-H Saturn Street, Brea, CA 92821

**PROPERTY**

**OWNER:** Kathi Richardson, Christ Presbyterian Church, 20112 Magnolia Street, Huntington Beach, CA 92646

**LOCATION:** 20112 Magnolia Street (east side of Magnolia Street between Adams Avenue and Mediterranean Drive)

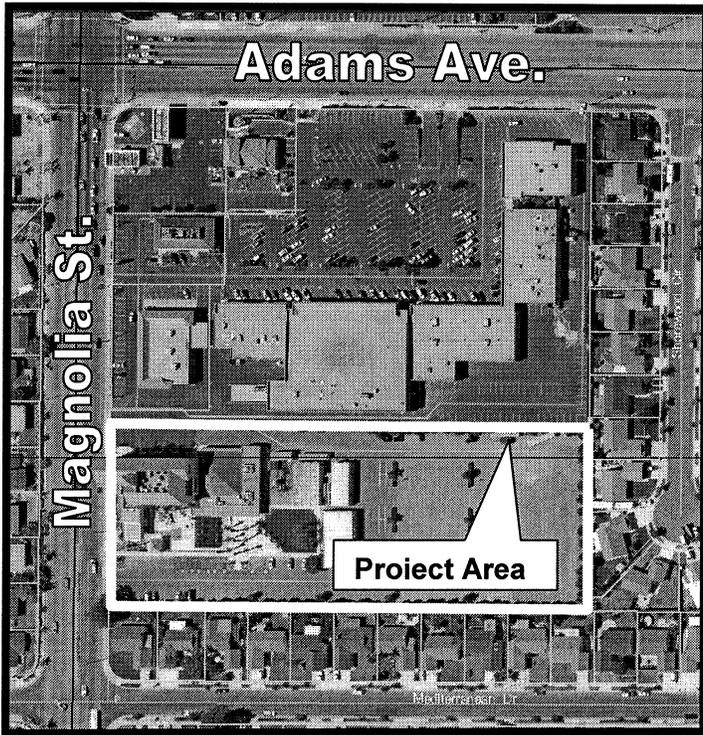
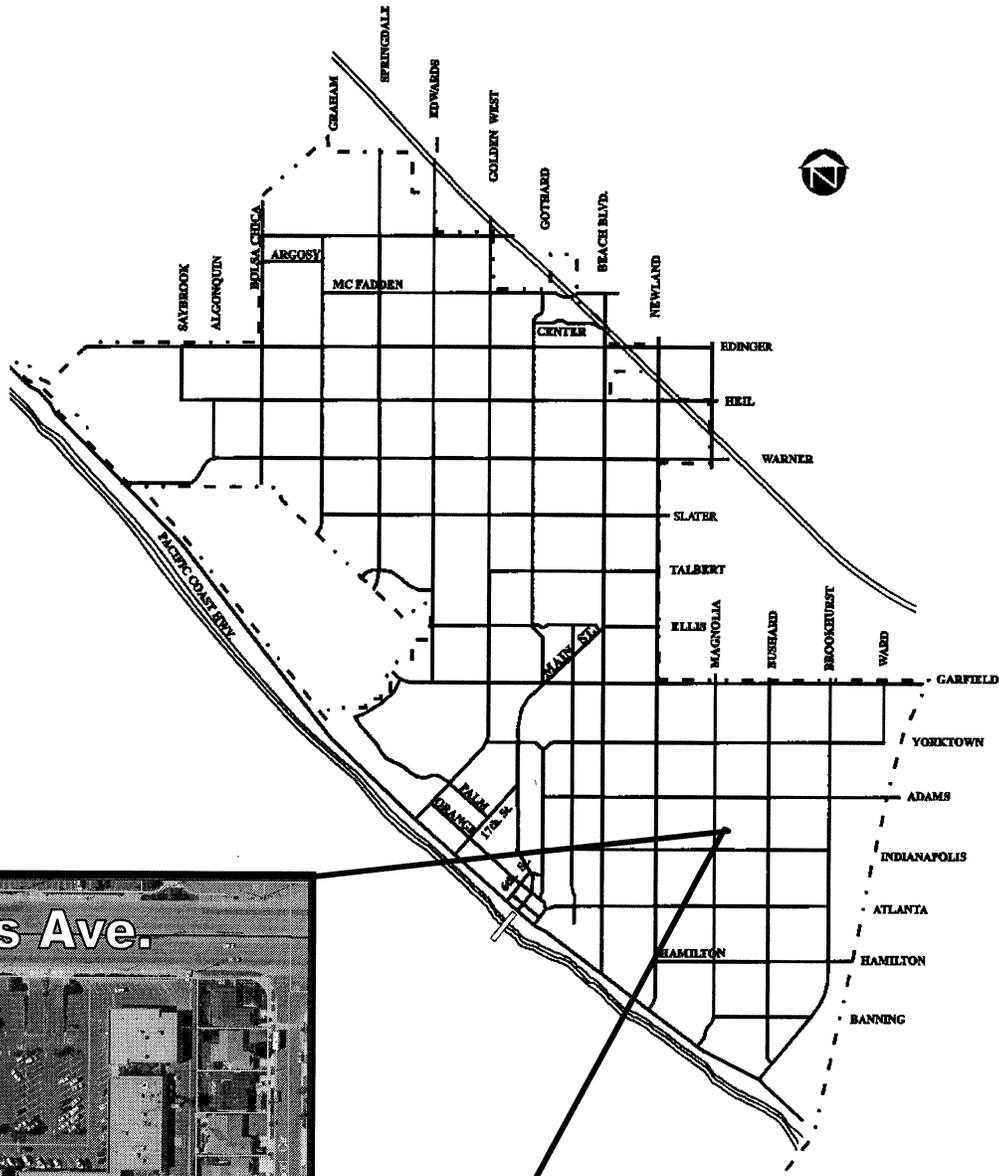
---

**STATEMENT OF ISSUE:**

- ◆ Conditional Use Permit No. 10-003 request:
  - Permit the installation of a co-located wireless communications facility within a mounted enclosure on an existing 60 foot high wireless communication facility disguised as a palm tree.
- ◆ Staff's Recommendation:

Approve Conditional Use Permit No. 10-003 based upon the following:

  - The proposed wireless communications facility will not be detrimental to the general welfare of persons in the vicinity and to improvements in the neighborhood because the antennas and associated equipment will be completely stealth. The proposed structure will be setback approximately 100 feet from the adjacent residences. The project will not generate adverse impacts related to noise, traffic, or lighting.
  - The proposed wireless communications facility is compatible with surrounding uses, complies with the applicable codes, and is a feasible location to fill a gap in coverage.
  - The proposed wireless communications facility will not adversely affect the General Plan because it will improve wireless broadband signal transmission and reception in the project vicinity. The project is consistent with General Plan goals and policies related to land use and utilities.



**VICINITY MAP**  
**CONDITIONAL USE PERMIT NO. 10-003**  
**(CHRIST PRESBYTERIAN CHURCH – WIRELESS COMMUNICATION FACILITY)**

Motion to:

“Approve Conditional Use Permit No. 10-003 with suggested findings and conditions of approval (Attachment No. 1).”

**ALTERNATIVE ACTION(S):**

The Planning Commission may take alternative actions such as:

- A. “Deny Conditional Use Permit No. 10-003 with findings for denial.”
- B. “Continue Conditional Use Permit No. 10-003 and direct staff accordingly.”

**PROJECT PROPOSAL:**

Conditional Use Permit No. 10-003 represents a request, pursuant to Section 230.96(E) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), for the installation of a new wireless communication facility that will be co-located upon an existing 60 foot high wireless communications facility disguised as a palm tree. The request includes the installation of associated equipment to support the facility within an existing enclosure.

**Background**

The subject site is an approximately 4 acre property developed with a church and preschool. The existing 60 ft. tall wireless communication facility disguised as a monopalm was reviewed and approved by Wireless Permit No. 2008-033 on October 21, 2008 (Attachment No. 9). In approving the request, the City made the following findings and determination:

1. The proposed wireless communication facility complies with the height permitted in the zoning district;
2. The proposed wireless communication facility demonstrates an existing gap in service and is located in the least obtrusive location feasible so as to eliminate any gap in service; and
3. The proposed wireless communication facility is designed to be architecturally compatible with the surrounding buildings and land uses by incorporating stealth techniques, with the following modifications:
  - a. Redesign the co-location pod to reduce the visual impact and match the natural appearance of a palm in a more appropriate manner.
  - b. Reduce the overall height of the enclosure wall to a maximum of six (6) feet to comply with the HBZSO, or install a decorative trellis roof element.
  - c. Equipment cabinets shall be fully screened from view on all sides.

Based upon the suggested modifications, the request was subject to administrative approval only by the Director of Planning and Building. A building permit was issued on June 1, 2009 because the project

complied with the HBZSO, demonstrated a gap in coverage/service, was determined to be located in the least obtrusive location, and utilized stealth techniques (designed to resemble a palm tree). The facility was completed in September, 2009.

On November 9, 2009, Wireless Permit Application No. 09-055 was submitted to co-locate on the existing monopalm. The applicant also submitted radio frequency (RF) coverage maps (Attachment No. 7) demonstrating an existing gap in service and an alternative site analysis (Attachment No. 8). On December 15, 2009, the wireless permit application was conditionally approved by staff (Attachment No. 10). The conditions of approval noted that the proposed facility will be subject to a CUP by the Planning Commission and review by the Design Review Board (DRB). The CUP has been referred to the Planning Commission pursuant to Section 202.10(C) of the HBZSO due to the fact that the existing church includes classrooms for Sunday school activities and a pre-school.

*Wireless Communication Facility History*

At an emergency meeting of the City Council on April 27, 2009, the City Council directed staff to prepare a zoning text amendment (ZTA No. 09-02) to address the permitting and entitlements of wireless communications facilities. The ZTA is pending Planning Commission review and City Council approval. The City Council direction included the requirement to permit all wireless facilities located within 500 feet of school sites subject to a CUP at a noticed public hearing. Subsequent to the City Council direction, planning staff has been directed to review all wireless permit applications that propose a facility within 500 ft. of a school for possible referral to the Zoning Administrator (ZA) or Planning Commission (PC) pursuant to HBZSO Chapter 202.10 (C).

**ISSUES:**

**Subject Property And Surrounding Land Use, Zoning And General Plan Designations:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	P(CG-F1) – (Public underlying Commercial General – 0.35 FAR)	PS (Public – Semipublic)	Church and Preschool
South, West (across Magnolia St.), East of the Subject Property	RL-7 (Residential Low Density – 7 du/ac)	RL	Single Family Residential
North of Subject Property	CG-F1	CG	Commercial Center

**General Plan Conformance:**

The General Plan Land Use Map designation on the subject property is P(CG-F1) – (Public underlying General Commercial—Maximum 0.35 Floor Area Ratio). The proposed project is consistent with this designation and the objectives and policies of the City’s General Plan as follows:

A. Land Use Element

Goal – LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

*Policy LU 2.1.1:* Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

B. *Utility Element*

*Policy U 5.1:* Ensure that adequate natural gas, telecommunication and electrical systems are provided.

*Policy U 5.1.1:* Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by establishing wireless broadband signal transmission and reception in the project vicinity. In addition, the proposed completely stealth co-located facility will be placed within an existing mounted enclosure. The location of associated equipment will be fully screened within an existing equipment enclosure so as to eliminate any visual impacts to surrounding uses. There will be no exterior alteration to the existing monopalm structure as a result of project implementation.

**Zoning Compliance:**

The project is located in the PS (Public – Semipublic) zoning district and is permitted subject to HBZSO Chapter 230.96 Wireless Communication Facilities. The existing monopalm wireless communication facility as well as the subject co-located facility comply with all the requirements of that zone, including land use and setbacks. The project request has been referred to the Planning Commission pursuant to Section 202.10(C) of the HBZSO due to the fact that the existing church includes classrooms for Sunday school activities and a pre-school.

**Urban Design Guidelines Conformance:** Not applicable.

**Environmental Status:**

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, which states operation and minor alteration to existing structures are exempt from further review under CEQA.

**Coastal Status:** Not applicable.

**Redevelopment Status:** Not applicable.

**Design Review Board:**

On March 12, 2010, the DRB recommended approval of the subject co-located wireless communications facility to the Planning Commission as proposed.

**Subdivision Committee:** Not applicable.

**Other Departments Concerns and Requirements:**

The Building Division and Public Works Department have reviewed the application and identified applicable code requirements in Attachment Nos. 4 and 5.

**Public Notification:**

Legal notice was published in the Huntington Beach/Fountain Valley Independent on April 29, 2010, and notices were sent to property owners of record within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department's Notification Matrix), tenants at the commercial center, applicant, and interested parties. As of May 3, 2010, no communication supporting or opposing the request has been received.

**Application Processing Dates:**

<b><u>DATE OF COMPLETE APPLICATION:</u></b>	<b><u>MANDATORY PROCESSING DATE(S):</u></b>
February 22, 2010	May 22, 2010

**ANALYSIS:**

The primary issues for the Planning Commission to consider in evaluating the proposed project are the potential impacts to the general welfare of the community, compatibility with surrounding uses, elimination of an existing gap in service and placement in the least obtrusive location.

***General Welfare of the Community***

The existing 60 foot high monopalm facility features a mounted equipment enclosure designed to resemble a palm 'nut'. The proposed panel antennas and microwaves will be concealed within the mounted enclosure. The subject co-located facility is completely stealth due to the fact that the palm 'nut' enclosure is integrated into the existing monopalm facility and proposed to be installed in a manner that it cannot be identified as an additional wireless communications facility. Based on the design, the project will not have aesthetic impacts detrimental to the general welfare of the community and surrounding properties because the facility is proposed to be placed within an enclosure on an existing wireless communication facility, and therefore will be consistent with the existing church use.

The proposed wireless communications facility is accessory to the church and the equipment enclosure is located more than 100 feet from adjacent residential homes. The distance provides a sufficient buffer from residential uses to protect them from any potential noise generated by the facility. Potential noise associated with the facility is anticipated to be minimal due to the requirement to enclose all associated equipment.

### ***Compatibility with Surrounding Uses***

Existing single family residential uses are adjacent to the west, south, and east of the subject site. The subject site is used for religious assembly and a preschool. The proposed wireless communications facility will not generate traffic, noise, lighting, odor, or any other impacts detrimental to the area and based on its completely stealth design is considered a compatible use.

The proposed co-located wireless communications facility complies with applicable requirements of the HBZSO, including land use. Over the years, the City has approved several requests to allow wireless communications facilities adjacent to residential uses and at existing residential and commercial sites because they demonstrated compliance with applicable zoning requirements, as well as were designed in a manner to be compatible.

Stealth and completely stealth facilities are intended to minimize the visibility of the antennas and equipment by blending into the environment. The approved design of the existing monopalm facility is stealth and screens the existing antennas from public view. The proposed completely stealth co-location facility is compatible because the wireless communication equipment will be placed within an existing mounted enclosure upon an existing monopalm wireless communication facility, and no visual impacts will occur.

### ***Wireless Coverage***

The purpose of the project is to establish a radio frequency (RF) signal level to provide wireless broadband services in an existing coverage area. The coverage maps provided by the applicant (Attachment No. 7) indicate that no wireless broadband coverage exists to provide service to the area. Staff considered the information and determined the proposed co-located wireless communications facility will provide the necessary coverage objective.

Alternative locations considered include an existing monopalm facility built in 2005 located in the southeast corner of the commercial center located north of the subject site, and a future wireless facility to be located on a commercial property located at the northeast corner of Magnolia Street and Adams Avenue. (Attachment No. 8). A co-location upon the existing monopalm facility located north of the subject site was not pursued since the facility does not provide adequate height needed for a co-located facility. The required approval and construction timeline of the second identified candidate site did not fit the applicant's timeline for project implementation. The existing monopalm facility on the site of the Christ Presbyterian Church is the only site for a co-located wireless communications facility providing an adequate height within the coverage gap area.

Staff recommends approval of CUP No. 10-003/DR No. 10-002 since the proposed wireless communications facility is compatible with surrounding uses, complies with the applicable codes, and is a feasible location to fill a gap in coverage.

**ATTACHMENTS:**

1. Suggested Findings and Conditions of Approval – CUP No. 10-003
2. Site Photographs & Site Plan dated January 22, 2010
3. Design Review Board Notice of Action dated March 12, 2010
4. Public Works Department Code Requirements dated February 25, 2010
5. Building Division Code Requirements dated February 25, 2010
6. Project Narrative dated January 22, 2010
7. Coverage Maps dated December 3, 2009
8. Alternative Site Analysis dated March 26, 2010
9. Wireless Permit Application No. 2008-033 dated approved October 21, 2008
10. Wireless Permit Application No. 2009-055 dated approved December 15, 2009

SH:HF:MBB:HB:lw

# **ATTACHMENT NO. 1**

## **SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL**

### **CONDITIONAL USE PERMIT NO. 10-003**

#### **SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:**

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of the minor alteration of an existing wireless communications structure.

#### **SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 10-003:**

1. Conditional Use Permit No. 2010-003 for the establishment, maintenance and operation of a new wireless communications facility with three (3) panel antennas, three (3) DAP units and three (3) microwave dishes, including completely stealth associated equipment co-located on an existing wireless communications facility disguised as a palm tree will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed co-located wireless communication facility will be placed inside an existing mounted equipment enclosure. The existing monopalm facility is setback approximately 100 ft. from the nearest adjacent residences located to the east of the site. The existing equipment enclosure designed to resemble a palm 'nut' will screen the associated antennas from public view. The project will not generate noise, traffic, or demand for additional parking above that which already exists on the subject site. Potential noise associated with the facility will be minimal because of the distance from residential uses and the placement of associated equipment within an existing enclosure. The proposed co-located facility will enhance wireless communications in the community by improving broadband signal transmission and reception in the project vicinity. The proposed project will satisfy the necessity for wireless broadband coverage and applicable regulations.
2. The conditional use permit will be compatible with surrounding uses because the co-located wireless communications facility will be placed in an existing enclosure designed as a palm 'nut', and will blend into the stealth wireless communication facility upon which it will be placed. The co-located equipment will not be visible from public view as it will be fully concealed within the mounted enclosure structure. The facility incorporates stealth techniques and is considered completely stealth because of its integration within the existing monopalm wireless facility. The project will not generate noise, traffic, lighting, odor or adverse impacts to surrounding uses. Based on information supplementing the necessity to close a gap in coverage, the project will improve the wireless broadband network and benefit customers within the vicinity.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. Wireless communication facilities are permitted to exceed the maximum height of 50 ft. for the base

zoning district by no more than 10 ft. Based on the wireless permit application and supplemental maps and information, the project is necessary to fill a gap in coverage. Alternative locations were not feasible to provide the coverage objective in the vicinity. The owner of the existing monopalm wireless communications facility was the only site authorizing the leasing space for a co-located wireless communications facility located within the coverage gap area.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Public – Semipublic on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal – LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

B. Utility Element

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by establishing wireless broadband signal transmission and reception in the project vicinity. In addition, the proposed completely stealth co-located facility will be placed within an existing mounted enclosure. The location of associated equipment will be fully screened within an existing equipment enclosure so as to eliminate any visual impacts to surrounding uses. There will be no exterior alteration to the existing monopalm structure as a result of project implementation.

**SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2010-007:**

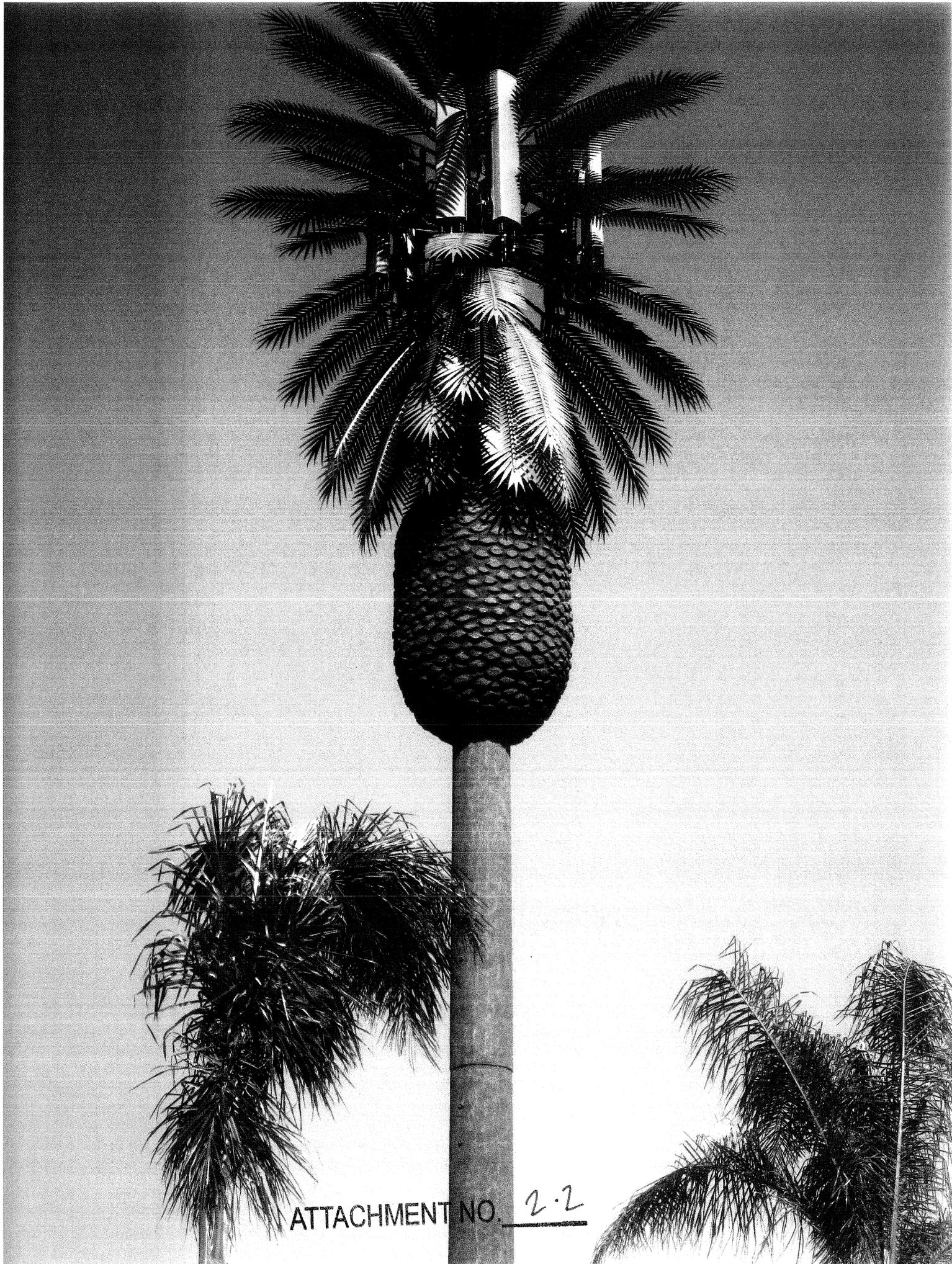
1. The site plan and elevations received and dated January 22, 2010, shall be the conceptually approved design.
2. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating/>).

**INDEMNIFICATION AND HOLD HARMLESS CONDITION:**

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.



ATTACHMENT NO. 2.1



ATTACHMENT NO. 2.2

VIEW 1



EXISTING

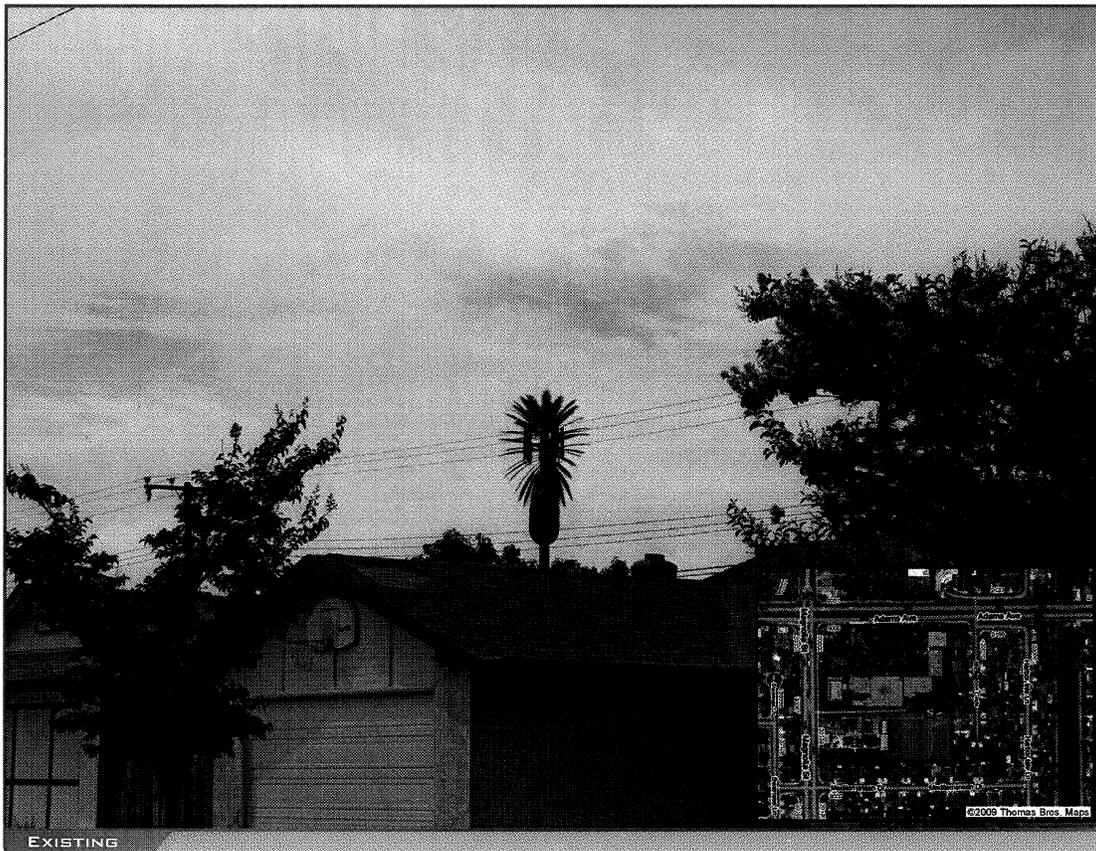


PROPOSED

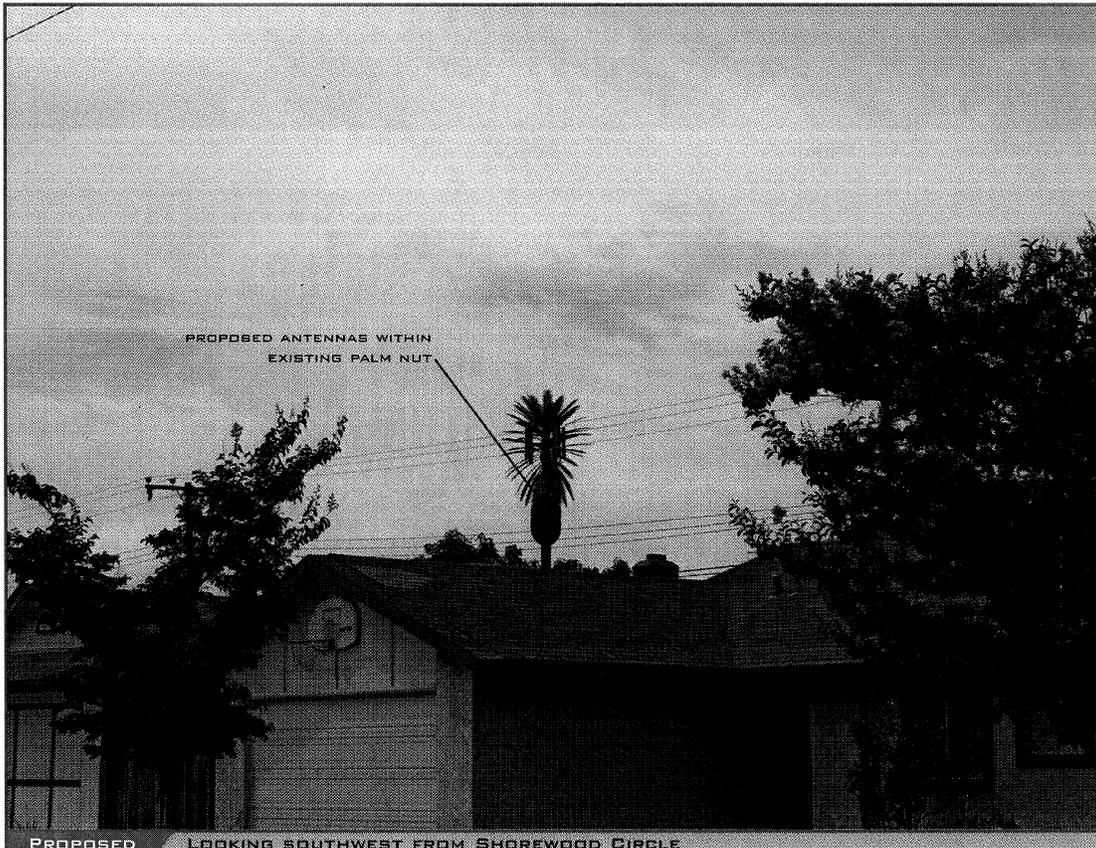
LOOKING SOUTHEAST FROM ADAMS AVENUE

ATTACHMENT NO. 2.3

VIEW 2



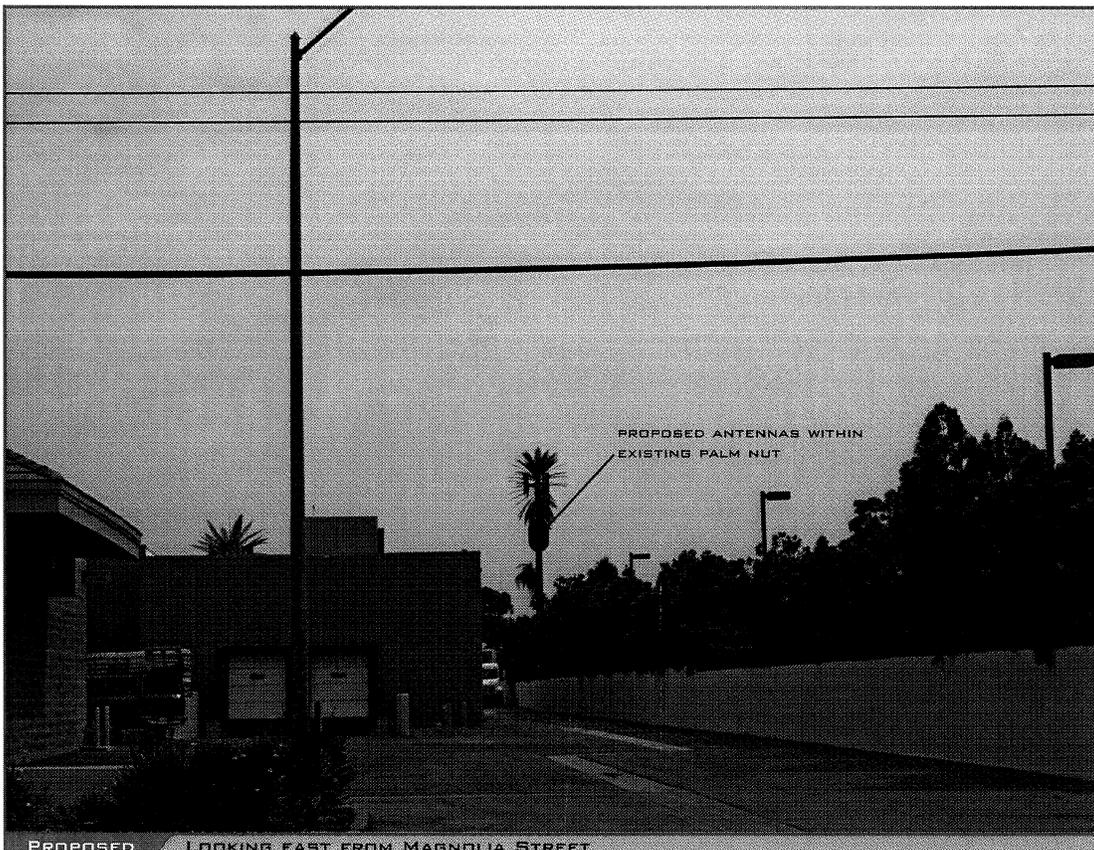
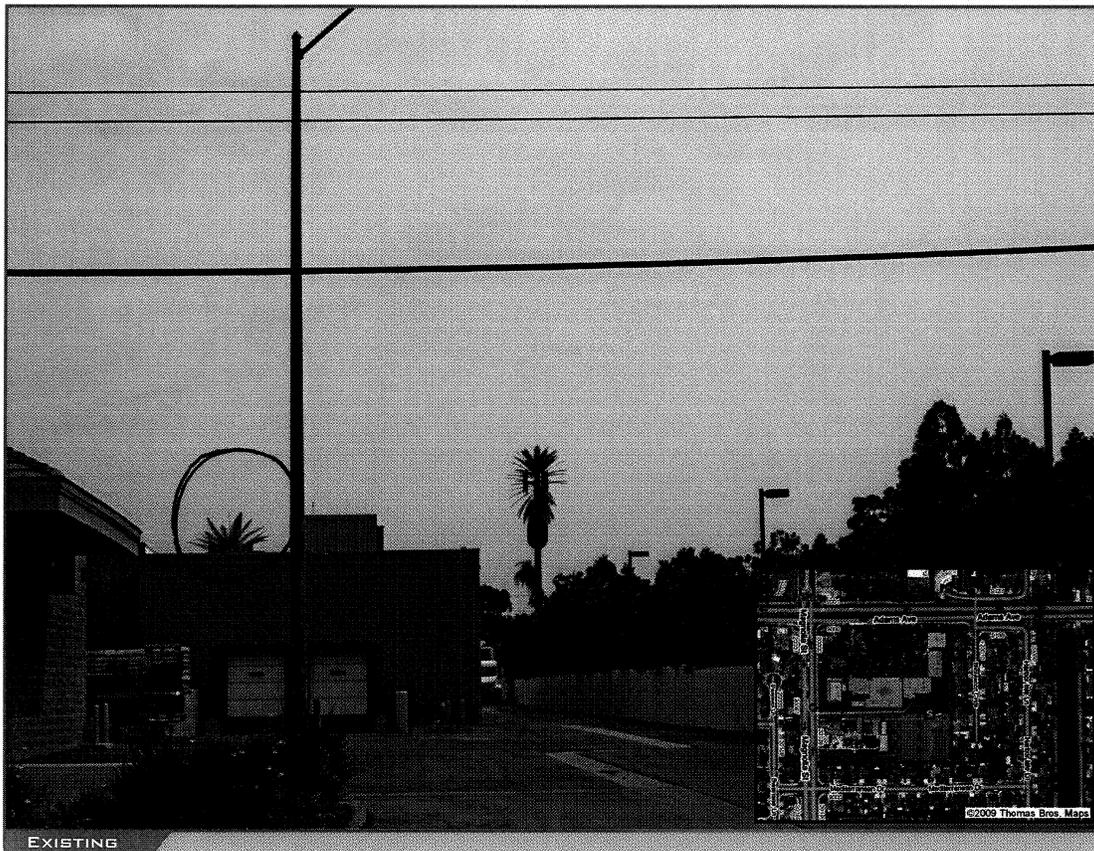
EXISTING



PROPOSED ANTENNAS WITHIN  
EXISTING PALM NUT

PROPOSED      LOOKING SOUTHWEST FROM SHOREWOOD CIRCLE

VIEW 3



VIEW 4



EXISTING



PROPOSED ANTENNAS WITHIN  
EXISTING PALM NUT

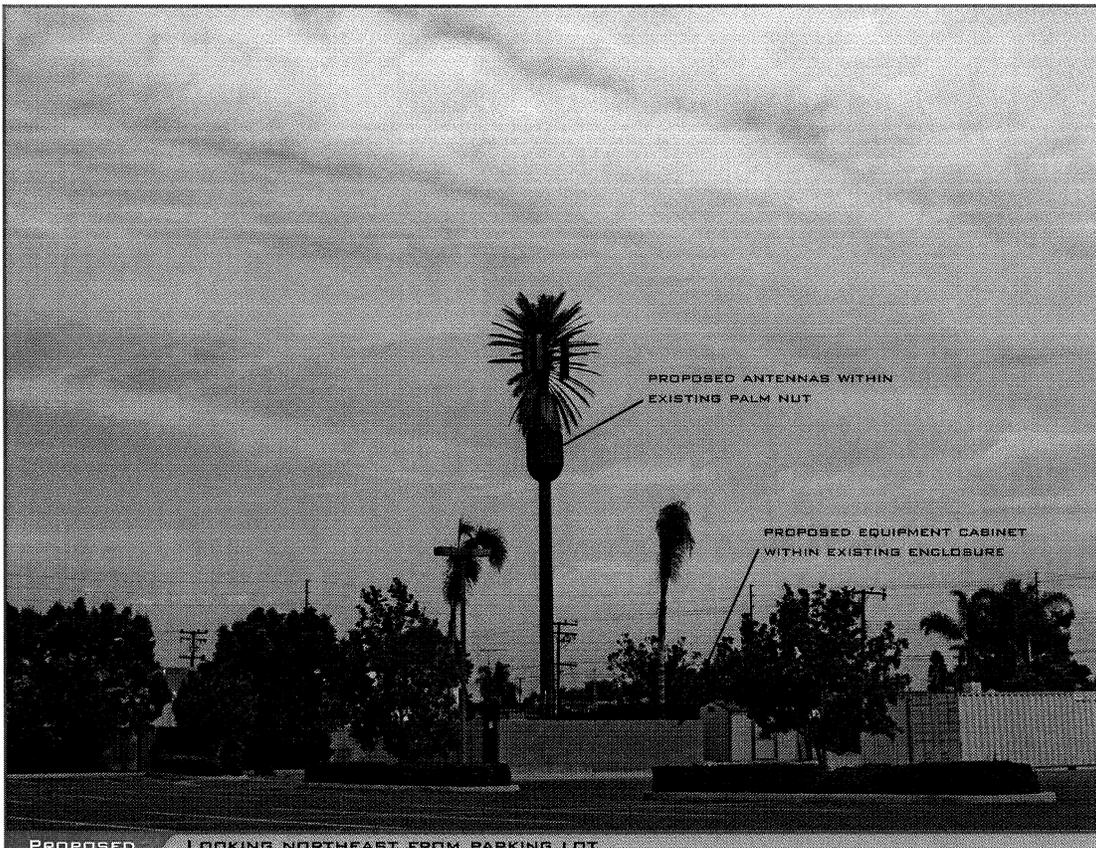
PROPOSED

LOOKING NORTHWEST FROM SHOREWOOD CIRCLE

VIEW 5



EXISTING



PROPOSED ANTENNAS WITHIN  
EXISTING PALM NUT

PROPOSED EQUIPMENT CABINET  
WITHIN EXISTING ENCLOSURE

PROPOSED      LOOKING NORTHEAST FROM PARKING LOT



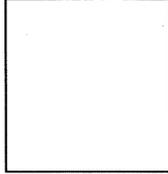
**clear wire**<sup>®</sup>  
 1400 CARILLON POINT  
 KIRKLAND, WA 98033

**core**  
 COMMUNICATIONS

2001-H EIGHTH  
 STREET, BERKELEY, CA  
 94704

**CDG**  
 CONNELL DESIGN GROUP, LLC  
 1000 CALIFORNIA STREET, SUITE 100  
 OAKLAND, CA 94612

CA-ORC1567A  
 20112 MAGNOLIA ST.  
 HUNTINGTON BEACH, CA 92646



NO.	DATE	DESCRIPTION	INITIAL
1	01/15/15	ISSUE FOR PERMITS	ZD
2	02/02/15	ISSUE FOR PERMITS	ZD
3	02/02/15	ISSUE FOR PERMITS	ZD
4	02/02/15	ISSUE FOR PERMITS	ZD
5	02/02/15	ISSUE FOR PERMITS	ZD
6	02/02/15	ISSUE FOR PERMITS	ZD
7	02/02/15	ISSUE FOR PERMITS	ZD
8	02/02/15	ISSUE FOR PERMITS	ZD
9	02/02/15	ISSUE FOR PERMITS	ZD
10	02/02/15	ISSUE FOR PERMITS	ZD

NOT FOR CONSTRUCTION UNLESS  
 LABELED AS CONSTRUCTION SET

SHEET TITLE  
**SITE PLAN**

SHEET NUMBER  
**A-1**

