

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jill Arabe, Associate Planner
DATE: January 16, 2013

SUBJECT: CONDITIONAL USE PERMIT NO. 12-028/ DESIGN REVIEW 12-020 (AT & T MONOPALM)

LOCATION: 9074 Adams Avenue, 92646 (southeast corner of Adams Avenue and Magnolia Street)

Applicant: Tim Miller, Zoning Manager, 5912 Bolsa Avenue, Suite 202, Huntington Beach, CA 92649

Property Owner: Lester Smull, 17631 Fitch, Irvine, CA 92614

Request: To permit the removal of an existing 38 ft. high monopalm and installation, maintenance, and operation of a new 50 ft. high wireless communications facility designed as a palm tree (monopalm) with twelve (12) new eight (8) ft. high antennas and associated equipment including one GPS antenna on the existing building and cabinets, racks and condensing units within a new ten (10) ft. high equipment room enclosure.

Environmental Status: This request is covered by Categorical Exemption, Section 15302, Class 2, California Environmental Quality Act.

Zone: CG (Commercial General)

General Plan: CG – F1 (Commercial General – Maximum **floor** area ratio 0.35)

Existing Use: Existing wireless communications facility within a multi-tenant commercial center.

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator 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 15302 of the CEQA Guidelines, because the project involves the replacement of an existing wireless facility with a new facility located on the same site and will have substantially the same purpose and capacity.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 12-028:

1. Conditional Use Permit No. 12-028 for the establishment, maintenance and operation of a new 50 ft. high wireless communications facility designed as a palm tree (monopalm) with twelve (12) new eight (6) ft. high antennas and associated equipment including one GPS antenna on the existing building and cabinets, racks and condensing units within a new ten (10) ft. high equipment room enclosure 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 project involves the replacement of an existing 38 ft. high wireless communications facility with a new facility in the same leased area at the rear of the commercial property. It is located approximately 240 feet from residential uses to the east. The facility will not generate noise, traffic, or demand for additional parking above that which already exists on the subject site. The associated equipment will be located within the new 10 ft. high equipment enclosure behind the existing building.
2. The conditional use permit will be compatible with surrounding uses because the wireless communications facility will be designed as a palm tree and located within the same leased area as the existing wireless facility (monopalm) at the rear of the commercial property. The 50 ft. high facility will be located behind the existing commercial buildings which vary in height from 15 to 21 feet. The height of the facility and antennas will be taller, but will not exceed the maximum height in the zoning district. Adjacent to the site to the south is another wireless facility designed as a palm tree at a height of 60 ft. Co-location is not appropriate with the adjacent facility because it is closer to residential uses and would involve the replacement of a facility at a greater height. As a condition, additional palm fronds shall be provided to blend the antennas into the tree. Associated equipment will not be visible from the street.
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. New ground mounted wireless communications facilities are subject to approval of a conditional use permit.
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 Commercial General 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 improving signal transmission and reception in the project vicinity. In addition, the proposed stealth facility is designed as a palm tree and will replace the existing monopalm onsite. The location of associated equipment will be within an equipment enclosure behind the existing commercial buildings. The roof mounted GPS antenna will not be visible from the street. As conditioned, additional palm fronds will be required to blend the panel antennas into the tree.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 12-028:

1. The site plans and elevations received and dated October 16, 2012 shall be the conceptually approved design with the following modifications:
 - a. Additional fronds shall be provided on the palm tree to provide screening of the antennas subject to the review and approval of the Planning Division.
 - b. The panel antennas shall be painted green to match the fronds. **(DRB)**
 - c. The panel antennas shall be reduced to a height of 6 ft.
2. CUP No. 12-028 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Division a minimum 30 days prior to the expiration date.
3. 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.