

**CITY OF DANA POINT
PLANNING COMMISSION
AGENDA REPORT**

DATE: MARCH 27, 2017

TO: DANA POINT PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT
URSULA LUNA-REYNOSA, DIRECTOR
DANNY GIOMETTI, ASSOCIATE PLANNER

SUBJECT: ANTENNA USE PERMIT AUP16-0001 AND CONDITIONAL USE PERMIT 17-0001 TO ALLOW THE INSTALLATION OF A ROOF-MOUNTED COMMERCIAL WIRELESS TELECOMMUNICATION ANTENNA FACILITY OF AN EXISTING BUILDING LOCATED AT 24661 DEL PRADO AVENUE.

RECOMMENDATION: That the Planning Commission adopt the attached draft Resolution approving Antenna Use Permit Application (AUP16-0001) and Conditional Use Permit (CUP17-0001).

APPLICANT/OWNER: Sprint PCS/ Patrick and Rebecca Prendiville

APPLICANTS AGENT: Core Development Services

REQUEST: Approval of an antenna use permit (AUP) and conditional use permit (CUP) to allow the installation of a roof-mounted commercial wireless telecommunication antenna facility on an existing building located at 24661 Del Prado Avenue.

LOCATION: 24661 Del Prado Avenue (682-323-16)

NOTICE: Notice of the Public Hearing was mailed to property owners within a 500-foot radius of the subject site, published within a newspaper of general circulation on March 8, 2017 and posted at Dana Point City Hall, the Dana Point and Capistrano Beach Branch Post Offices, and the Dana Point Library on March 8, 2017. Notice was also provided pursuant to Section 9.62.010(f) of Dana Point Town Center Plan (DPTCP).

ENVIRONMENTAL: Pursuant to the California Environmental Quality Act (CEQA), the project is categorically exempt per Section 15301 of the CEQA

Guidelines (Class 1 – Existing Facility) due to the fact that the project consists of a minor alteration of an existing structure.

ISSUES:

1. Is the proposal consistent with the Dana Point General Plan, the Dana Point Town Center Plan (DPTCP) and the Dana Point Zoning Code?
2. Does the proposal satisfy all findings required pursuant to the DPZC for approval of an AUP and a CUP?
3. Is the proposed project compatible with and an enhancement to the site and surrounding neighborhood?

BACKGROUND:

The subject site is located on the north side of Del Prado Avenue between Violet Lantern and Golden Lantern within the Town Center Mixed-Use District. The site is developed with an existing two-level commercial building with multiple tenants, with a parking lot at the rear bordering the alley. The building's exterior finishes include a clay tile roof, sand-tone siding and off-white borders, and is reminiscent of no particular architectural style. A majority of the building's roofline is fully sloped with the aforementioned clay tile facing Del Prado Avenue and the rear parking lot. At each end of the building are flat parapet roof elements that are at the same height as the sloped roof element and which screen mechanical equipment for the building. The site is bounded by other commercial properties across the alley to the north and Del Prado Avenue to the South. An undeveloped lot borders the subject site to the west and the lot to the east is developed with a nine (9) unit residential structure.

DISCUSSION:

The subject application proposes the installation of a new roof-mounted, "stealth", commercial wireless antenna facility located within the Town Center Mixed-Use District. Although the project proposes the installation of six new Sprint antennas, it is essentially a relocation of an existing antenna facility located on the Union Bank building site (34177 Pacific Coast Highway), which is slated for redevelopment. In order to provide continued coverage in the area, the applicant chose the subject site due to its (1) proximity to the original location, (2) overall building height of 24 feet, and (3) the willingness of the owner to allow the installation.

During the preliminary and initial project review stages, staff reviewed multiple designs and worked through potential issues with the applicant. Although previous proposals provided a desirable screen design, the applicant was required to modify the screening to meet California Building Code (CBC) fire-resistance rating requirements for exterior walls based on fire separation distance (Table 602, 2017 CBC). Staff concluded that given the non-

distinct architecture, fire-resistance requirements and locational cell coverage constraints, the subject proposal and alternative screen cap design fulfills the stealth design criteria established in Section 9.07.020(5) of the DPZC.

Section 9.37.020(2)(4)(J), of the City's Zoning Code requires approval of a minor antenna use permit for all stealth and non-freestanding commercial wireless telecommunication antenna facilities located within 150 to 300 feet from a residential property line. Additionally, the DPTCP requires the approval of a CUP for all commercial antennas. The proposed installation includes the addition of six antennas with stealth screening, and associated equipment on a site located within the boundaries of the DPTCP and 230 feet from the nearest residential property line. Accordingly, Planning Commission approval is required.

Antenna Use Permit (AUP16-0001)

The Sprint antenna facility is intended to replace the existing cellular coverage and data transfer abilities for private, commercial and emergency users which were previously located at the 34177 PCH location within the City's Town Center. This project will include six panel antennas with ancillary equipment to be housed inside two (2), separate fire-rated-panel (FRP) screen structures that extend 7' - 6" above the height of the existing parapet. The subject roof screens and alternative cap screens will be set back five (5) feet from the interior side property line (exterior wall of the building) and will increase total building height from 24 feet to 33' - 3" and 33' - 6", respectively (See supporting document 2, sheets A-5 and A-7). Both proposals provide an increased height which is less than the maximum allowed building height within the DPTC of 40 feet. The proposed screens are architecturally compatible with the building incorporating sand-tone siding and clay tile roof-caps matching the existing finish materials. The applicant has also prepared an alternative design, which includes a spark arrestor roof-cap, whereby the antenna screens resemble a chimney.

Additionally, the applicant proposes to construct an equipment enclosure near the northwest corner of the site in the parking lot. The enclosure will house two (2) equipment cabinets and one (1) battery cabinet servicing the roof-mounted antennas. An existing wood fence and trash enclosure are located near the eastern side property line and in the northeast corner of the lot respectively and the equipment enclosure is designed to match those existing elements. Although the design will require a reorientation of four parking stalls to accommodate the equipment enclosure, the parking lot will maintain the same number of parking stalls, and DPZC required drive aisles and circulation will be maintained.

Pursuant to Section 9.07.020(b)(6) "Antenna Use Permit Findings" of the DPZC, the following are required findings for every Antenna Use Permit:

1. That the proposed antenna facility will not create any significant or meaningful blockage to public views; and,

2. That the proposed antenna facility will be an enhancement to the City due to its ability to provide additional communication capabilities; and,
3. That the proposed antenna facility will be aesthetically integrated into its surrounding environment; and,
4. That the proposed antenna facility will not interfere with the reception or transmission of other wireless telecommunication signals within the surrounding community; and,
5. That the proposed antenna facility will operate in compliance with all applicable Federal safety regulations for such facilities; and,
6. That the public need for the use of the antenna facility has been documented.

A Radio Frequency (RF) report has been submitted by the project applicant verifying that the proposed facility will comply with Federal Communication Commission (FCC) standards for public radio frequency exposure. In addition, the submitted coverage maps verify that placement of the new antennas would not only provide an adequate replacement, but an improvement to Sprint's cellular service for both public and private users within the Town Center plan area.

Conditional Use Permit CUP17-0001

Pursuant to the DPTCP, "Commercial Antennas" are subject to review and approval of a CUP. The subject application proposes the installation of new antennas atop an existing building located in the Town Center.

Pursuant to Section 9.65.060(b) "Basis of Approval, Conditional Approval, or Denial of a Conditional Use Permit" of the DPZC, the Planning Commission shall make the following findings:

1. That the proposed conditional use is consistent with the General Plan;
2. That the nature, condition, and development of adjacent uses, buildings, and structures have been considered;
3. That the proposed conditional use will not adversely affect or be materially detrimental to the adjacent uses, buildings, or structures;
4. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facility, landscaping, and other land use development features prescribed in this Code and required by the Commission or Council in order to integrate the use with existing and planned uses in the vicinity.

The application proposes six panel antennas with ancillary equipment to be housed inside two (2), individual 9'3" fire-rated-panel (FRP) screen structures and a ground level equipment enclosure. There would be no impact to existing parking, surrounding uses or structures, or to the subject building. Findings supporting both the entitlements are described in the attached draft Planning Commission Resolution.

CORRESPONDENCE:

To date, no correspondence had been received concerning the subject project.

CONCLUSION:

Based on the subject analysis, Staff has determined that the project is consistent with the policies and provisions of the City of Dana Point General Plan, the DPTCP and the DPZC and consequently, all applicable findings for approval can be made. Therefore, staff recommends approval of AUP16-0001 and CUP17-0001, subject to the conditions contained in the attached draft resolution.

Danny Giometti
Associate Planner

Ursula Luna-Reynosa, Director
Community Development Department

ACTION DOCUMENTS:

1. Draft PC Resolution 17-03-27-XX

Supporting Documents

2. Plans and Renderings
3. Project Vicinity Map and Site Photography