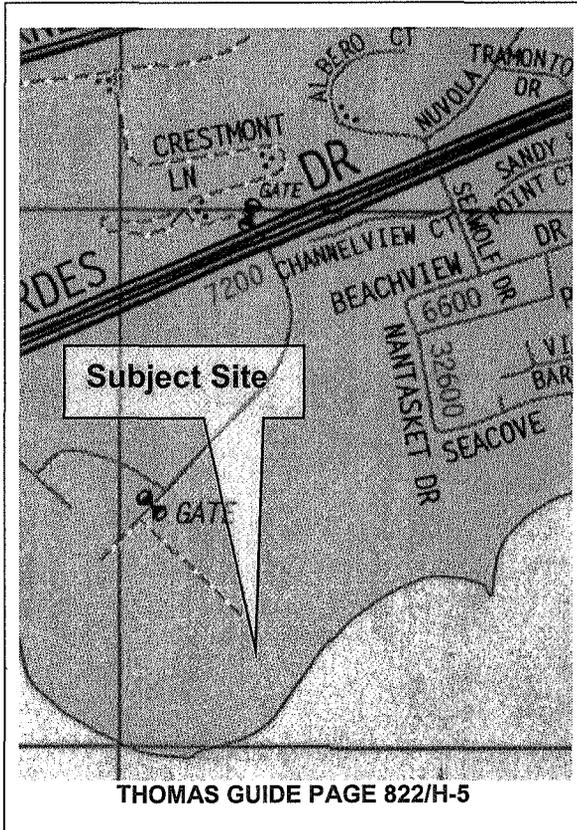


STAFF REPORT



TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: DIRECTOR OF PLANNING, BUILDING AND CODE ENFORCEMENT

DATE: MAY 12, 2009

SUBJECT: CONDITIONAL USE PERMIT & COASTAL PERMIT (CASE NOS. ZON2009-00131, ZON2009-00134 AND ZON2009-00135)

PROJECT ADDRESS: 6610 PALOS VERDES DRIVE SOUTH (TERRANEA RESORT & SPA)

APPLICANT: CAPITAL TOWER GROUP, LLC. 301 NORTH LAKE AVENUE, SUITE 800 PASADENA, CA 91101

PHONE: (310) 871-0048

LANDOWNER: LONG POINT DEVELOPMENT 6610 PALOS VERDES DRIVE SOUTH RANCHO PALOS VERDES, CA 90275

PHONE: (310) 802-7405

STAFF COORDINATOR: SO KIM  ASSISTANT PLANNER

REQUESTED ACTION: ALLOW T-MOBILE, AT&T AND VERIZON WIRELESS TO MOUNT A TOTAL OF 14 NEW ANTENNAS AND INSTALL RELATED EQUIPMENT CABINETS IN FOUR DIFFERENT LEASING AREAS ON THE ROOFTOP OF THE MAIN HOTEL BUILDING 'A' AT THE TERRANEA HOTEL & RESORT.

RECOMMENDATION: ADOPT P.C. RESOLUTION NO. 2009-___; THEREBY APPROVING THE CONDITIONAL USE PERMIT & COASTAL PERMIT (CASE NOS. ZON2009-00131, ZON2009-00134 AND ZON2009-00135).

REFERENCES:

ZONING: CR (COMMERCIAL RECREATIONAL)

LAND USE: COMMERCIAL RECREATIONAL

CODE SECTIONS: 17.12, 17.22, 17.38.60, 17.40.050, 17.40.060, 17.60, 17.72, 17.76, 17.78, 17.80, WIRELESS ANTENNA GUIDELINES

GENERAL PLAN: COMMERCIAL RECREATIONAL
TRAILS PLAN: MARINELAND SEGMENT (C5), LONG POINT TRAIL (D4) AND FLOWER FIELD TRAIL (E2)
SPECIFIC PLAN: DISTRICT I
CEQA: CATEGORICALLY EXEMPT (SECTION 15303)
ACTION DEADLINE: JUNE 19, 2009
PLANNING COMMISSION MEMBERS RESIDING WITHIN 500' OF SUBJECT PROPERTY: NONE

BACKGROUND

In August 2003, the City Council granted a final approval for Terranea Resort & Spa, consisting of a 400-room resort hotel, golf academy and practice facility, 50 casitas, 32 single keyed villas units, conference center, golf club house, spa, restaurants, other commercial uses, public trails, park areas, coastal access points, 100 public parking spaces, natural open space and habitat areas. Subsequently, minor modifications to the original approval were also granted. Currently, construction of the site is underway with the official opening date set for June 2009.

On April 8, 2009, the applicant (Capital Tower Group) submitted three separate Conditional Use Permit applications, requesting approval to install a total of 14 antennas and to locate related equipment to the top of the main hotel building 'A' of the Terranea Resort & Spa. It should be noted that each application applies to one of these specific carriers: T-Mobile, AT&T and Verizon Wireless.

The application was deemed incomplete on April 13, 2009, due to missing information. Upon receiving additional information, the project was deemed complete and a notice of the pending application was sent to 57 property owners within 500' radius of the subject site on April 20, 2009. On April 21, 2009, a revised notice was mailed out to the same property owners. The previous notice mailed out on April 20, 2009 indicated that the proposed project was a request to approve a Conditional Use Permit application. This revised notice includes the Coastal Permit aspect of the proposed project. Additionally, the public notice was published in the *Palos Verdes Peninsula News* on August 23, 2009. Staff received one correspondence from a resident in support of the proposed project.

SITE DESCRIPTION

The subject property is approximately 103.5 acres in size, situated south of Palos Verdes Drive South, on the Long point site within the Rancho Palos Verdes' Coastal Specific Plan area. The subject site is bounded by Palos Verdes Drive South to the north, the Pacific Ocean to the south, residential areas to the east, and the Pacific Ocean and open space to the west. Currently the site is being developed with the City Council approved Terranea Resort & Spa project and is near completion.

PROJECT DESCRIPTION

The proposed project involves the installation of the following antennas and related equipment to the rooftop of main hotel building 'A':

- 1) Allow Verizon Wireless to mount 4 antennas behind fiberglass tiles on an existing faux decorative chimney;
- 2) Allow AT&T to mount 4 antennas behind fiberglass tiles on an existing faux decorative chimney;
- 3) Allow T-Mobile to mount 2 antennas behind fiberglass tiles on an existing faux decorative chimney;
- 4) Allow T-Mobile to mount 4 antennas behind fiberglass screens on an existing elevator equipment room; and
- 5) Allow Verizon Wireless, AT&T and T-Mobile to install equipment cabinets within four separate leasing areas, located inside two separate existing rooftop equipment wells.

ENVIRONMENTAL ASSESSMENT

Categorical Exemptions are projects, which have been determined not to have a significant effect on the environment and have been exempted from the requirements of the California Environmental Quality Act (CEQA). Class 3 (Section 15303 – New Construction) consists of the construction and location of limited numbers of new, small facilities or structures. It is staff's opinion that the proposed project involving 14 new antennas are categorically exempt (Class 1 – Existing Facilities) from the provisions of CEQA, pursuant to Section 15301 of the CEQA guidelines.

DISCUSSION

The stated purpose of the City's regulations for commercial antennae (Rancho Palos Verdes Development Code Section 17.76.020(A)(1)) is *"to minimize visual impacts of towers through careful design, siting and vegetation screening; to avoid damage to adjacent properties from tower failure through engineering and careful siting of tower structures; to maximize use of an existing transmission or relay tower to minimize the need to construct new towers; and to ensure that antennas are compatible with adjacent uses."* The installation of new commercial antennas mounted within a Commercial Recreational district is permitted subject to the approval of a Conditional Use Permit (CUP), pursuant to RPVMC Sections 17.22.030. Additionally, the subject site is located in the appealable area of the Coastal Zone and requires approval of a Coastal permit from the Planning Commission. In granting a Coastal Permit, Development Code Section 17.72.090 requires the Planning Commission to make two findings in reference to the project. Furthermore, the Planning Commission has adopted development guidelines for wireless communications antennae that impose supplemental requirements upon CUP applications for commercial antennae. Finally, the Telecommunications Act of 1996 limits the City's ability to regulate certain aspects of commercial antenna operations. Staff's analysis of all three CUP requests' consistency with the applicable guidelines and regulations are noted below.

It should be noted that each carrier is required to seek an approval of a CUP for its own antennas. In this manner, the operation and maintenance of each carrier's antennas are regulated by each CUP. Since the CUP requests are intended to regulate the antennas and not

the Terranea resort, these CUP applications are being presented to the Planning Commission for consideration as opposed to allowing them through a revision to Terranea's existing CUP.

Conditional Use Permit

Pursuant to RPVMC Section 17.60.050, the Planning Commission may grant a Conditional Use Permit, only if it finds (in **bold** font):

- 1. That the site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by this title or by conditions imposed under this section to integrate said use with those on adjacent land and within the neighborhood;**

The proposed antennas and related equipment will be located on the existing hotel structure and therefore will not require additional towers or structures for accommodation. Since the proposed antennas will be attached to existing faux chimneys and an existing elevator equipment room, only fiberglass screening material to match the color and texture of the existing structure will be necessary. Additionally, the proposed equipment cabinets will be located within leasing areas inside existing rooftop equipment wells that are located in the middle of the roof. The equipment wells are recessed areas, and thus the proposed equipment, which will be below the height of the existing ridgeline, will not be visible from surrounding properties. As such, staff feels that the subject site is adequate in size and shape to accommodate the proposed project. Therefore, this finding can be met.

- 2. That the site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use;**

The only traffic generated by the proposed project would be for routine maintenance of the antennas and the related equipment. The applicant has indicated that routine maintenance takes only couple of hours on a monthly basis. Staff feels that the additional traffic generated by the proposed project as part of the routine maintenance schedule is negligible. As such, staff feels that the existing streets are sufficient to carry the type and quantity of traffic caused by the routine maintenance for the proposed project. Therefore, this finding can be met.

- 3. That, in approving the subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof;**

As indicated in the previous findings, the proposed antennas will be fully integrated with the existing faux chimneys and an existing elevator equipment room. Additionally, the proposed support equipment will be located within recessed equipment wells within the new hotel roof. It should also be noted that there are currently other mechanical units, such as air conditioning units and exhaust fans that were already approved and installed in the same existing wells. Given that the proposed antennas will be mounted behind fiberglass tiles on existing structures and since no mechanical units within the equipment wells be seen from surrounding properties, staff believes that the proposed project will not cause an adverse effect to adjacent properties or their permitted use. Therefore, this finding can be met.

4. That the proposed use is not contrary to the general plan;

The project site is designated as Commercial Recreational in the General Plan. This land use designation is intended to permit entertainment and recreational activities which are of a commercial nature, provided that a Conditional Use Permit is obtained. The Commercial Recreation District section of the Municipal Code allows the installation and use of commercial antennas, provided that they are approved through a Conditional Use Permit. As such, the proposed antennas and related equipment is an allowed use on the subject property though the pending Conditional Use Permit.

Additionally, Infrastructure Policy No. 8 of the General Plan requires “*adequate landscaping or buffering techniques for all new and existing facilities and networks, in order to reduce the visual impact of many infrastructure facilities and networks.*” As described in the previous findings, the proposed antennas will not be visible since they will be fully integrated as part of existing structures and the related equipment will not be visible since it will be located below the ridgeline of the hotel, within a rooftop equipment well. As such, staff believes that the proposed project is consistent with the intent of the General Plan. Therefore, this finding can be met.

5. That, if the site of the proposed use is within any of the overlay control districts established by Chapter 17.40 (Overlay Control Districts) of this title, the proposed use complies with all applicable requirements of that chapter; and

The subject property is located within a Socio-Cultural overlay control district (OC-2) and Urban appearance overlay control district (OC-3). The purpose of OC-2 is to preserve, protect and maintain land and water areas, structures and other improvements which have significant historical, archaeological or cultural importance; and provide for the designation, protection and maintenance of land and water areas and improvements which may be of unique scientific or educational values. The purpose of OC-3 is to preserve, protect and maintain significant views and vistas from major public view corridors and public lands and waters within the city which characterize the city’s appearance. It should be noted that the proposed project is being located on an existing structure and will not adversely affect land, water, structures and other improvements located on the subject property. Additionally, granting the proposed project will not impede any views from the surrounding properties. As such, staff believes that this finding can be met.

6. That conditions regarding any of the requirements listed in this paragraph, which the Planning Commission finds to be necessary to protect the health, safety and general welfare, have been imposed (including but not limited to): setbacks and buffers; fences or walls; lighting; vehicular ingress or egress; noise, vibration, odors and similar emissions; landscaping; maintenance of structures, grounds or signs; service roads or alleys; and such other conditions as will make possible development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this title (Title 17 – Zoning).

The proposed antenna panels and support equipment comply with both the development standards of the Commercial Recreational district and the special standards for commercial antennae from RPVMC Section 17.76.020. The size, placement and screening methods for the proposed project are such that additional conditions are not necessary to reduce visual impacts.

Therefore, staff believes that the project as conditioned will provide the necessary safeguards to protect the health, safety and general welfare. As such, this finding can be met.

Coastal Permit

Pursuant to RPVMC Section 17.72.090, the Panning Commission may grant a Coastal Permit, only if it finds (in **bold font**):

A. That the proposed development is consistent with the coastal specific plan; and

Within the Coastal Permit, one of the structural design guideline indicates, “*No external masted antennas of any type should be permitted on any structure*” (p. U-71). The proposed antennas would not be considered to be “masted antennas”, since it is incorporated into existing faux chimney structures and an existing elevator equipment room. Additionally, it will not create an aesthetic or visual impact, which is what the Coastal Permit planning and design guidelines are intended to eliminate. As such, staff feels that the proposed project is consistent with the intent of the planning guidelines and the purpose of the design guidelines. Therefore, the proposed project is consistent with the coastal specific plan and this finding can be met.

B. That the proposed development, when located between the sea and the first public road, is consistent with applicable public access and recreation policies of the Coastal Act.

Given that the proposed antennas will be located on existing structures and will be fully screened from public right-of-ways and surrounding properties, it will not cause any adverse affects that would be inconsistent with applicable public access and recreation policies of the Coastal Act. As such, staff feels that this finding can be met.

Antennas

In addition to the Conditional Use Permit and Coastal Permit findings discussed above, RPVMC Section 17.76.020 requires the Planning Commission to make either of two findings related to commercial antenna proposals (in **bold font**):

i. No existing or planned tower approved after the effective date of the ordinance codified in this chapter (Chapter 17.76) can accommodate the applicant’s proposed antenna or proposed service area; or,

There are no existing or planned towers on the subject site that can accommodate the proposed project. As such, this finding can be met.

ii. The proposed tower cannot be located on the site of an existing or planned tower approved after the effective date of the ordinance codified in this chapter (Chapter 17.76).

The proposed project does not involve the installation of a new tower. As such, this finding does not apply.

Wireless Communications Antenna Development Guidelines

In 1997, the Planning Commission first adopted guidelines to assist in the review of applications for wireless communications facilities. The Guidelines were revised by the Planning Commission in October 2004. Staff has prepared a brief analysis of the consistency of the proposed project with the Guidelines for the Commission's reference (in **bold font**).

- **GUIDELINE 1: Expedious Processing of Applications**
This permit request is being heard by the Planning Commission less than sixty (60) days from the date it was deemed complete by the City.
- **GUIDELINE 2: Preference for Existing, Non-Single-Family Structures as Antenna Sites**
The antennas and related equipment will be located on a new hotel building.
- **GUIDELINE 3: Encourage Co-Location**
This proposed antenna panels will be mounted behind fiberglass screens on existing faux chimneys and an existing elevator equipment room on top of a new hotel building. Given that the proposed project does not involve the construction of new towers or structures and there are three different carriers using the hotel structure as a tower, the proposed project can be perceived as encouraging co-location.
- **GUIDELINE 4: Preservation of View Corridors**
The proposed antennae and the equipment enclosure will have no impact upon existing view corridors over the subject property because the antennas will be fully screened behind fiberglass tiles and the support equipment will be located entirely within and no higher than the existing rooftop equipment well.
- **GUIDELINE 5: Balance of Public and Private Costs and Benefits**
Since the proposed antennas and equipment will not be visible, nor cause any additional view impacts, and it will provide a great benefit to the public by the introduction of 3 new carriers to a location in the City where existing cellular service is weak, the proposed project will balance public and private costs and benefits.
- **GUIDELINE 6: Submittal of Network Master Plan Required**
The applicant has submitted a Network Master Plan (attached) during the completeness review.
- **GUIDELINE 7: Photographic Simulations and Full-Scale Mock-Ups Required**
Photographic simulations (attached) have been submitted during the completeness review. In regards to a mock-up, given that the proposed antennas will be located within existing structures and will not be seen, staff did not require a full-scale mock-up.
- **GUIDELINE 8: Periodic Updates on Wireless Communications Technology Required**
Staff added a condition in 'Exhibit A' of each attached resolution requiring T-Mobile, AT&T and Verizon Wireless to submit periodic updates on Wireless Communications Technology every five years, from the date of this approval, to be reviewed by the Director of Planning, Building and Code Enforcement.

- **GUIDELINE 9: Screening of Support Equipment and Structures Required**
As discussed in the previous CUP findings, the proposed antenna panels and support equipment will be substantially screened from adjacent rights-of-way and properties.
- **GUIDELINE 10: Expiration of Conditional Use Permit** - Staff recommends that the Planning Commission grant this permit for ten (10) years, and language to this effect has been included in each draft P.C. Resolution.

Based upon the summary presented above, Staff believes that the proposed project is generally consistent with the Guidelines.

Telecommunications Act of 1996

The provisions of the Telecommunications Act of 1996 establish limitations upon the City's authority to regulate certain aspects of commercial telecommunications applications (in **bold** font):

- *Subsections 47 U.S.C. 332(c)(7)(B)(i)(I) and (II)* state that the City's regulation of commercial antennae "**shall not unreasonably discriminate among providers of functionally equivalent services; and...shall not prohibit or have the effect of prohibiting the provision of personal wireless services.**" The proposed project involves three separate carriers with functionally equivalent services and staff is recommending approval. In addition, the types of conditions of approval recommended for this project are substantially similar to conditions applied to other commercial antenna applications that have been approved by the City.
- *Subsection 47 U.S.C. 332(c)(7)(B)(ii)* requires the City to "**act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.**" This application has been processed in a timely fashion and in accordance with the time lines established by the State Permit Streamlining Act and CEQA.
- *Subsection 47 U.S.C. 332(c)(7)(B)(iii)* states that "**any decision...to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.**" Staff is not recommending denial of the proposed project. Additionally, all substantial evidence to justify staff's recommendation is in this staff report and the attached draft resolutions. Once heard by the Planning Commission, the minutes from the public hearing is further supporting evidence for a decision made on this matter.
- *Subsection 47 U.S.C. 332(c)(7)(B)(iv)* prohibits the City from "**regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.**" The City acknowledges that radio frequency emissions are not within the City's purview to consider or regulate. Therefore, staff's recommendation is not based in any way upon any actual or perceived environmental effects attributable to radio frequency emissions.

Based upon the foregoing discussion, staff believes that the approval of this Conditional Use Permit is consistent with the local zoning authority reserved to the City under the Telecommunications Act of 1996.

ADDITIONAL INFORMATION

The conceptual trails plan identifies three trails (Marineland Segment, Long Point Trail and Flower Field Trail) on the subject property. As evidenced in the previous findings, the proposed antennas will be fully integrated on existing structures and the related equipment cabinets will be located within equipment wells that will not be visible from any trails or surrounding properties. As such, the proposed project will not have any adverse impacts to the trail users.

CONCLUSION

Based on the above discussion, staff recommends conditional approval of the requested Conditional Use Permit and Coastal Permit for each of the 3 proposed carriers (Case No. ZON2009-00131, ZON2009-00134 and ZON2009-00135).

ALTERNATIVES

In addition to the staff's recommendation, the following alternatives are available for Planning Commission's consideration:

1. Identify any issues of concern, provide staff and/or the applicant with direction in modifying the project, and continue the public hearing to a date certain.
2. Approve the Conditional Use Permit with modifications and direct staff to prepare an appropriate Planning Commission resolution and conditions of approval for consideration at the next meeting.
3. Deny the Conditional Use Permit without prejudice, and direct staff to prepare an appropriate Planning Commission resolution for Planning Commission's consideration at the next meeting.

ATTACHMENTS

- Planning Commission Resolution Nos. 2009-___, 2009-___ & 2009-___
- Correspondence
- Master Network Plan
- Visual Simulations
- Plans

P.C. RESOLUTION NO. 2009-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT AND COASTAL PERMIT (ZON2009-00131), ALLOWING T-MOBILE TO INSTALL SIX ANTENNAS BEHIND FIBERGLASS TILES/SCREENS ON EXISTING STRUCTURES AND INSTALL SUPPORT EQUIPMENT WITHIN AN EQUIPMENT WELL ON THE ROOFTOP OF THE MAIN HOTEL BUILDING 'A' OF TERRANEA RESORT & SPA, LOCATED AT 6610 PALOS VERDES DRIVE SOUTH.

WHEREAS, In August 2003, the City Council granted a final approval for Terranea Resort & Spa, consisting of a 400-room resort hotel, golf academy and practice facility, 50 casitas, 32 single keyed villas units, conference center, golf club house, spa, restaurants, other commercial uses, public trails, park areas, coastal access points, 100 public parking spaces, natural open space and habitat areas. Subsequently, minor modifications to the original approval were also granted. Currently, construction of the site is underway with the official opening date set for June 2009; and

WHEREAS, on April 8, 2009, the applicant (Capital Tower Group) submitted a Conditional Use Permit and Coastal Permit application, requesting approval to install six antennas and support equipment to the rooftop of the main hotel building 'A' of the Terranea Resort & Spa; and,

WHEREAS, on April 13, 2009, the application was deemed incomplete due to missing information; and,

WHEREAS, on April 14, 2009, the applicant submitted the remaining information and the project was deemed complete on April 20, 2009; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the Planning Commission found no evidence that the Conditional Use Permit and Coastal Permit will have a significant effect on the environment and, therefore, the proposed project has been found to be categorically exempt under Class 3 (Section 15303); and,

WHEREAS, after notice issued on April 20, 2009, pursuant to the requirements of the Rancho Palos Verdes Development Code, the Planning Commission held a duly noticed public hearing on May 12, 2009, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: That the proposed project includes the installation of two antennas behind fiberglass tiles on an existing faux decorative chimney; four antennas behind fiberglass screens on an existing elevator equipment room; and support equipment within an existing equipment well, located on the rooftop of main hotel building 'A' at the Terranea Resort & Spa.

Section 2: That the site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by this title (Title 17 – Zoning) or by conditions imposed under this section (RPVMC 17.60.050) to integrate said use with those on adjacent land and within the neighborhood. More specifically, the proposed antennas and related equipment will be located on an existing new hotel structure and therefore will not require additional space for accommodation. Since the proposed antennas will be integrated as part of an existing faux chimney and an existing elevator machine room, no additional screening methods are necessary. Additionally, the proposed equipment cabinets will be located within a leasing area inside an equipment well, which will not be visible from surrounding properties.

Section 3: That the site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use because the additional traffic generated by the monthly routine maintenance schedule for the new antennas and related equipment will be negligible.

Section 4: That in approving the subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof because the proposed project will not be readily visible or be near to any public right-of-ways and neighboring properties due to the proposed location and screening methods. More specifically, the proposed antennas will be mounted behind fiberglass tiles/screens on an existing faux decorative chimney and elevator equipment room; and the related support equipment will be located within a recessed equipment well on the roof.

Section 5: That the proposed use is not contrary to the General Plan because as proposed and conditioned, the project implements goals and policies of the General Plan to "ensure adequate public utilities and communication services to all residents, while maintaining the quality of the environment" and "*require adequate landscaping or buffering techniques for all new and existing facilities and networks, in order to reduce the visual impact of many infrastructure facilities and networks*". Additionally, the proposed project is consistent with the underlying land use designation of Commercial Recreational and does not adversely impact any views from public right-of-ways or neighboring properties.

Section 6: That the site of the proposed use is within Socio-Cultural and Urban appearance overlay control district, and the proposed use complies with all applicable requirements. More specifically, the proposed project will be located on an existing hotel structure and will not adversely affect land, water, structures and other improvements located on the subject property. Additionally, granting the proposed project will not impede any views from the surrounding properties.

Section 7: That conditions regarding any of the requirements listed in this paragraph, which the Planning Commission finds to be necessary to protect the health, safety and general welfare, have been imposed (including but not limited to): setbacks and buffers; fences or walls; lighting; vehicular ingress or egress; noise, vibration, odors and similar emissions; landscaping; maintenance of structures, grounds or signs; service roads or alleys; and such other conditions as will make possible development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this title (Title 17 – Zoning), as described in the conditions of approval of the attached Exhibit 'A.' More specifically, the proposed antenna panels and support equipment comply with both the development standards of the Commercial Recreational district and the special standards for commercial antennae from RPVMC Section

17.76.020. Additionally, the size, placement and screening methods for the proposed project are such that additional conditions are not necessary to reduce visual impacts.

Section 8: That the proposed development is consistent with the coastal specific plan because one of the structural design guideline indicates, “*No external masted antennas of any type should be permitted on any structure*” and the proposed antennas would not be considered to be “masted antennas” since it is incorporated into existing faux chimney structures and an existing elevator equipment room. Additionally, the proposed project will not create an aesthetic or visual impact, which is what the Coastal Permit planning and design guidelines are intended to eliminate.

Section 9: That the proposed development, when located between the sea and the first public road, is consistent with applicable public access and recreation policies of the Coastal Act. Given that the proposed antennas will be located on existing structures and will be fully screened from public right-of-ways and surrounding properties, it will not cause any adverse affects that would be inconsistent with applicable public access and recreation policies of the Coastal Act.

Section 10: That the approval of the proposed project is consistent with the City's Wireless Communications Antenna Development Guidelines because this permit request is being heard by the Planning Commission less than sixty (60) days from the date it was deemed complete by the City; the proposed antennas and support equipment will be located on the rooftop of a hotel building; the proposed antennas will be mounted on an existing chimney and an existing elevator equipment room which is consistent with the intent of co-location; the location and design of the antennas and related equipment preserves view corridors; there is a balance of public and private costs and benefits; the applicant has submitted a network master plan; the applicant has submitted photographic simulations; a periodic update on wireless communications technology is being required; the screening of support equipment is adequate; and the issuance of the permit is being granted for a 10-year period.

Section 11: That the approval of this proposed project is consistent with limitations on local zoning authority imposed by the Telecommunications Act of 1996 because the City's conditional approval of this permit does not unreasonably discriminate among providers of functionally-equivalent services, or prohibit or have the effect of prohibiting the provision of personal wireless services; the City has acted upon this request within a reasonable period of time after the request was duly filed, considering its nature and scope; the decision to approve this permit has been made and supported by substantial evidence contained in a written record; and the City's conditional approval of this request has been made irrespective of any actual or perceived environmental effects attributable to radio frequency emissions, to the extent that the proposed project complies with the Federal Communications Commission's regulations concerning such emissions.

Section 12: Any interested person aggrieved by this decision or any portion of this decision may appeal to the City Council. The appeal shall set forth the grounds for appeal and any specific action being requested by the appellant. Any appeal letter must be filed within fifteen (15) calendar days of the date of this decision, or by 5:30 PM on Wednesday, May 27, 2009. An appeal fee must accompany any appeal letter. If no appeal is filed timely, the Planning Commission's decision will be final at 5:30 PM on May 27, 2009.

Section 13: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning

Commission of the City of Rancho Palos Verdes hereby approves a Conditional Use Permit and Coastal Permit for 1) the installation of two antenna panels behind fiberglass tiles on an existing faux chimney; 2) the installation of four antenna panels behind fiberglass screens on an existing elevator machine room; and 3) the installation of support equipment within an equipment well on the rooftop of main hotel building 'A' at 6610 Palos Verdes Drive South (Case No. ZON2009-00131), as conditioned in Exhibit 'A'.

PASSED, APPROVED AND ADOPTED this 12th day of May 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

RECUSALS:

ABSENT:

Jeffrey Lewis,
Chairman

Joel Rojas, AICP
Director of Planning, Building
and Code Enforcement; and,
Secretary of the Planning Commission

EXHIBIT 'A'
CONDITIONS OF APPROVAL FOR
CASE NO. ZON2009-00134
(T-MOBILE – 6610 Palos Verdes Drive South)

General Conditions:

1. Prior to the submittal of plans into Building and Safety plan check, the applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand, and agree to all conditions of approval contained in this Resolution. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
2. Prior to the submittal of plans into Building and Safety plan check, the applicant shall obtain an encroachment permit from the Director of Public Works for any curb cuts, dumpsters in the street or any other temporary or permanent improvements within the public rights-of-way.
3. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code shall apply.
4. The Director of Planning, Building and Code Enforcement is authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Otherwise, any substantive change to the project shall require approval of a revision by the final body that approved the original project, which may require new and separate environmental review.
5. The project development on the site shall conform to the specific standards contained in these conditions of approval or, if not addressed herein, shall conform to the multiple-family residential development standards of the City's Municipal Code, including but not limited to height, setback and lot coverage standards.
6. Failure to comply with and adhere to all of these conditions of approval is cause to revoke the approval of the project pursuant to the revocation procedures contained in Section 17.86.060 of the City's Municipal Code.
7. If the applicant has not submitted an application for a building permit for the approved project or not commenced the approved project as described in Section 17.86.070 of the City's Municipal Code within one year of the final effective date of this Resolution, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Department of Planning, Building and Code Enforcement and approved by the Director.
8. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.

9. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Resolution.
10. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but not be limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
11. Permitted hours and days for construction activity are 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. Trucks shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 AM, Monday through Saturday, in accordance with the permitted hours of construction stated in this condition.
12. All grading, landscaping and construction activities shall exercise effective dust control techniques, either through screening and/or watering.
13. All construction sites shall be maintained in a secure, safe, neat and orderly manner. Temporary portable bathrooms shall be provided on a construction site if required by the City's Building Official. Said portable bathrooms shall be subject to the approval of the City's Building Official and shall be placed in a location that will minimize disturbance to the surrounding property owners.

Project Specific Conditions:

14. This approval allows the following to the rooftop of main hotel building 'A':
 - i. Installation of two antennas behind fiberglass tiles on an existing faux decorative chimney;
 - ii. Installation of four antennas behind fiberglass screens on an existing elevator equipment room; and
 - iii. Installation of support equipment within a rooftop equipment well.
15. The related equipment shall be installed only within the leased area of the equipment well and shall not exceed the parapet height. All mechanical equipment shall be housed in enclosures designed to attenuate noise to a level of 65dBA at the project site's property lines.
16. No cable tray or other similar equipment shall be located on a sloped roof area or be visible from the public right-of-way or surrounding properties.
17. T-Mobile shall submit periodic updates on Wireless Communications Technology every five years, from the date of this approval, to be reviewed by the Director of Planning, Building and Code Enforcement.
18. This approval shall be valid for a period of 10 years from the date of the City's final action, or until May 12, 2019. The applicant and/or its successor(s) interest may request an extension of this approval, in writing and accompanied by the applicable fee, so long as such extension request is filed with the City on or before the date of expiration.

P.C. RESOLUTION NO. 2009-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT AND COASTAL PERMIT (ZON2009-00134), ALLOWING AT&T TO INSTALL FOUR ANTENNAS BEHIND FIBERGLASS TILES ON A FAUX DECORATIVE CHIMNEY AND INSTALL SUPPORT EQUIPMENT WITHIN A ROOFTOP EQUIPMENT WELL OF THE MAIN HOTEL BUILDING 'A' OF TERRANEA RESORT & SPA, LOCATED AT 6610 PALOS VERDES DRIVE SOUTH.

WHEREAS, In August 2003, the City Council granted a final approval for Terranea Resort & Spa, consisting of a 400-room resort hotel, golf academy and practice facility, 50 casitas, 32 single keyed villas units, conference center, golf club house, spa, restaurants, other commercial uses, public trails, park areas, coastal access points, 100 public parking spaces, natural open space and habitat areas. Subsequently, minor modifications to the original approval were also granted. Currently, construction of the site is underway with the official opening date set for June 2009; and

WHEREAS, on April 8, 2009, the applicant (Capital Tower Group) submitted a Conditional Use Permit Coastal Permit application, requesting approval to install four antennas and support equipment to the rooftop of the main hotel building 'A' of the Terranea Resort & Spa; and,

WHEREAS, on April 13, 2009, the application was deemed incomplete due to missing information; and,

WHEREAS, on April 14, 2009, the applicant submitted the remaining information and the project was deemed complete on April 20, 2009; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the Planning Commission found no evidence that the Conditional Use Permit and Coastal Permit will have a significant effect on the environment and, therefore, the proposed project has been found to be categorically exempt under Class 3 (Section 15303); and,

WHEREAS, after notice issued on April 20, 2009, pursuant to the requirements of the Rancho Palos Verdes Development Code, the Planning Commission held a duly noticed public hearing on May 12, 2009, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: That the proposed project includes the installation of four antennas behind fiberglass tiles on a faux decorative chimney and support equipment within an existing rooftop equipment well of main hotel building 'A' at the Terranea Resort & Spa.

Section 2: That the site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by this title (Title 17 – Zoning) or by conditions imposed under this section (RPVMC 17.60.050) to integrate said use with those on adjacent land and within the neighborhood. More specifically, the proposed antennas and related equipment will be located on an existing new hotel structure and therefore will not require additional space for accommodation. Since the proposed antennas will be integrated as part of an existing faux chimney, no additional screening methods are necessary. Additionally, the proposed equipment cabinets will be located within a leasing area inside a rooftop equipment well, which will not be visible from surrounding properties.

Section 3: That the site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use because the additional traffic generated by the monthly routine maintenance schedule for the new antennas and related equipment will be negligible.

Section 4: That in approving the subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof because the proposed project will not be readily visible or be near to any public right-of-ways and neighboring properties due to the proposed location and screening methods. More specifically, the proposed antennas will be mounted behind fiberglass tiles on an existing faux decorative chimney and the related support equipment will be located within a recessed rooftop equipment well.

Section 5: That the proposed use is not contrary to the General Plan because as proposed and conditioned, the project implements goals and policies of the General Plan to "ensure adequate public utilities and communication services to all residents, while maintaining the quality of the environment" and "*require adequate landscaping or buffering techniques for all new and existing facilities and networks, in order to reduce the visual impact of many infrastructure facilities and networks*". Additionally, the proposed project is consistent with the underlying land use designation of Commercial Recreational and does not adversely impact any views from public right-of-ways or neighboring properties.

Section 6: That the site of the proposed use is within Socio-Cultural and Urban appearance overlay control district, and the proposed use complies with all applicable requirements. More specifically, the proposed project will be located on an existing hotel structure and will not adversely affect land, water, structures and other improvements located on the subject property. Additionally, granting the proposed project will not impede any views from the surrounding properties.

Section 7: That conditions regarding any of the requirements listed in this paragraph, which the Planning Commission finds to be necessary to protect the health, safety and general welfare, have been imposed (including but not limited to): setbacks and buffers; fences or walls; lighting; vehicular ingress or egress; noise, vibration, odors and similar emissions; landscaping; maintenance of structures, grounds or signs; service roads or alleys; and such other conditions as will make possible development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this title (Title 17 – Zoning), as described in the conditions of approval of the attached Exhibit 'A.' More specifically, the proposed antenna panels and support equipment comply with both the development standards of the Commercial Recreational district and the special standards for commercial antennae from RPVMC Section

17.76.020. Additionally, the size, placement and screening methods for the proposed project are such that additional conditions are not necessary to reduce visual impacts.

Section 8: That the proposed development is consistent with the coastal specific plan because one of the structural design guideline indicates, “*No external masted antennas of any type should be permitted on any structure*” and the proposed antennas would not be considered to be “masted antennas” since it is incorporated into existing faux chimney structures and an existing elevator equipment room. Additionally, the proposed project will not create an aesthetic or visual impact, which is what the Coastal Permit planning and design guidelines are intended to eliminate.

Section 9: That the proposed development, when located between the sea and the first public road, is consistent with applicable public access and recreation policies of the Coastal Act. Given that the proposed antennas will be located on existing structures and will be fully screened from public right-of-ways and surrounding properties, it will not cause any adverse affects that would be inconsistent with applicable public access and recreation policies of the Coastal Act.

Section 10: That the approval of the proposed project is consistent with the City's Wireless Communications Antenna Development Guidelines because this permit request is being heard by the Planning Commission less than sixty (60) days from the date it was deemed complete by the City; the proposed antennas and support equipment will be located on the rooftop of a hotel building; the proposed antennas will be mounted on an existing chimney which is consistent with the intent of co-location; the location and design of the antennas and related equipment preserves view corridors; there is a balance of public and private costs and benefits; the applicant has submitted a network master plan; the applicant has submitted photographic simulations; a periodic update on wireless communications technology is being required; the screening of support equipment is adequate; and the issuance of the permit is being granted for a 10-year period.

Section 11: That the approval of this Conditional Use Permit is consistent with limitations on local zoning authority imposed by the Telecommunications Act of 1996 because the City's conditional approval of this permit does not unreasonably discriminate among providers of functionally-equivalent services, or prohibit or have the effect of prohibiting the provision of personal wireless services; the City has acted upon this request within a reasonable period of time after the request was duly filed, considering its nature and scope; the decision to approve this permit has been made and supported by substantial evidence contained in a written record; and the City's conditional approval of this request has been made irrespective of any actual or perceived environmental effects attributable to radio frequency emissions, to the extent that the proposed project complies with the Federal Communications Commission's regulations concerning such emissions.

Section 12: Any interested person aggrieved by this decision or any portion of this decision may appeal to the City Council. The appeal shall set forth the grounds for appeal and any specific action being requested by the appellant. Any appeal letter must be filed within fifteen (15) calendar days of the date of this decision, or by 5:30 PM on Wednesday, May 27, 2009. An appeal fee must accompany any appeal letter. If no appeal is filed timely, the Planning Commission's decision will be final at 5:30 PM on May 27, 2009.

Section 13: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning

Commission of the City of Rancho Palos Verdes hereby conditionally approves a Conditional Use Permit and a Coastal Permit for 1) the installation of four antenna panels behind fiberglass tiles on an existing faux chimney and 2) the installation of support equipment within a rooftop equipment well on the rooftop of main hotel building 'A' at 6610 Palos Verdes Drive South (Case No. ZON2009-00134), as conditioned in Exhibit 'A'.

PASSED, APPROVED AND ADOPTED this 12th day of May 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

RECUSALS:

ABSENT:

Jeffrey Lewis,
Chairman

Joel Rojas, AICP
Director of Planning, Building
and Code Enforcement; and,
Secretary of the Planning Commission

EXHIBIT 'A'
CONDITIONS OF APPROVAL FOR
CASE NO. ZON2009-00134
(AT&T – 6610 Palos Verdes Drive South)

General Conditions:

1. Prior to the submittal of plans into Building and Safety plan check, the applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand, and agree to all conditions of approval contained in this Resolution. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
2. Prior to the submittal of plans into Building and Safety plan check, the applicant shall obtain an encroachment permit from the Director of Public Works for any curb cuts, dumpsters in the street or any other temporary or permanent improvements within the public rights-of-way.
3. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code shall apply.
4. The Director of Planning, Building and Code Enforcement is authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Otherwise, any substantive change to the project shall require approval of a revision by the final body that approved the original project, which may require new and separate environmental review.
5. The project development on the site shall conform to the specific standards contained in these conditions of approval or, if not addressed herein, shall conform to the multiple-family residential development standards of the City's Municipal Code, including but not limited to height, setback and lot coverage standards.
6. Failure to comply with and adhere to all of these conditions of approval is cause to revoke the approval of the project pursuant to the revocation procedures contained in Section 17.86.060 of the City's Municipal Code.
7. If the applicant has not submitted an application for a building permit for the approved project or not commenced the approved project as described in Section 17.86.070 of the City's Municipal Code within one year of the final effective date of this Resolution, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Department of Planning, Building and Code Enforcement and approved by the Director.
8. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.

9. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Resolution.
10. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but not be limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
11. Permitted hours and days for construction activity are 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. Trucks shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 AM, Monday through Saturday, in accordance with the permitted hours of construction stated in this condition.
12. All grading, landscaping and construction activities shall exercise effective dust control techniques, either through screening and/or watering.
13. All construction sites shall be maintained in a secure, safe, neat and orderly manner. Temporary portable bathrooms shall be provided on a construction site if required by the City's Building Official. Said portable bathrooms shall be subject to the approval of the City's Building Official and shall be placed in a location that will minimize disturbance to the surrounding property owners.

Project Specific Conditions:

14. This approval allows the following to the rooftop of main hotel building 'A':
 - i. Installation of four antennas behind fiberglass tiles on an existing faux decorative chimney; and
 - ii. Installation of support equipment within a rooftop equipment well.
15. The related equipment shall be installed only within the leased area of the equipment well and shall not exceed the parapet height. All mechanical equipment shall be housed in enclosures designed to attenuate noise to a level of 65dBA at the project site's property lines.
16. No cable tray or other similar equipment shall be located on a sloped roof area or be visible from the public right-of-way or surrounding properties.
17. AT&T shall submit periodic updates on Wireless Communications Technology every five years, from the date of this approval, to be reviewed by the Director of Planning, Building and Code Enforcement.
18. This approval shall be valid for a period of 10 years from the date of the City's final action, or until May 12, 2019. The applicant and/or its successor(s) interest may request an extension of this approval, in writing and accompanied by the applicable fee, so long as such extension request is filed with the City on or before the date of expiration.

P.C. RESOLUTION NO. 2009-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT AND COASTAL PERMIT (ZON2009-00135), ALLOWING VERIZON WIRELESS TO INSTALL FOUR ANTENNAS BEHIND FIBERGLASS TILES ON A FAUX DECORATIVE CHIMNEY AND INSTALL SUPPORT EQUIPMENT WITHIN AN EQUIPMENT WELL ON THE ROOFTOP OF THE MAIN HOTEL BUILDING 'A' OF TERRANEA RESORT & SPA, LOCATED AT 6610 PALOS VERDES DRIVE SOUTH.

WHEREAS, In August 2003, the City Council granted a final approval for Terranea Resort & Spa, consisting of a 400-room resort hotel, golf academy and practice facility, 50 casitas, 32 single keyed villas units, conference center, golf club house, spa, restaurants, other commercial uses, public trails, park areas, coastal access points, 100 public parking spaces, natural open space and habitat areas. Subsequently, minor modifications to the original approval were also granted. Currently, construction of the site is underway with the official opening date set for June 2009; and

WHEREAS, on April 8, 2009, the applicant (Capital Tower Group) submitted a Conditional Use Permit and Coastal Permit application, requesting approval to install four antennas and support equipment to the rooftop of the main hotel building 'A' of the Terranea Resort & Spa; and,

WHEREAS, on April 13, 2009, the application was deemed incomplete due to missing information; and,

WHEREAS, on April 14, 2009, the applicant submitted the remaining information and the project was deemed complete on April 20, 2009; and,

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Sections 21000 *et. seq.* ("CEQA"), the State's CEQA Guidelines, California Code of Regulations, Title 14, Section 15000 *et. seq.*, the City's Local CEQA Guidelines, and Government Code Section 65962.5(f) (Hazardous Waste and Substances Statement), the Planning Commission found no evidence that the Conditional Use Permit and Coastal Permit will have a significant effect on the environment and, therefore, the proposed project has been found to be categorically exempt under Class 3 (Section 15303); and,

WHEREAS, after notice issued on April 20, 2009, pursuant to the requirements of the Rancho Palos Verdes Development Code, the Planning Commission held a duly noticed public hearing on May 12, 2009, at which time all interested parties were given an opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RANCHO PALOS VERDES DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

Section 1: That the proposed project includes the installation of four antennas behind fiberglass tiles on a faux decorative chimney and support equipment within an existing equipment well, on the rooftop of main hotel building 'A' at the Terranea Resort & Spa.

Section 2: That the site is adequate in size and shape to accommodate the proposed use and for all of the yards, setbacks, walls, fences, landscaping and other features required by this title (Title 17 – Zoning) or by conditions imposed under this section (RPVMC 17.60.050) to integrate said use with those on adjacent land and within the neighborhood. More specifically, the proposed antennas and related equipment will be located on an existing new hotel structure and therefore will not require additional space for accommodation. Since the proposed antennas will be integrated as part of an existing faux chimney, no additional screening methods are necessary. Additionally, the proposed equipment cabinets will be located within a leasing area inside an equipment well, which will not be visible from surrounding properties.

Section 3: That the site for the proposed use relates to streets and highways sufficient to carry the type and quantity of traffic generated by the subject use because the additional traffic generated by the monthly routine maintenance schedule for the new antennas and related equipment will be negligible.

Section 4: That in approving the subject use at the specific location, there will be no significant adverse effect on adjacent property or the permitted use thereof because the proposed project will not be readily visible or be near to any public right-of-ways and neighboring properties due to the proposed location and screening methods. More specifically, the proposed antennas will be mounted behind fiberglass tiles on an existing faux decorative chimney and the related support equipment will be located within a recessed equipment well on the roof.

Section 5: That the proposed use is not contrary to the General Plan because as proposed and conditioned, the project implements goals and policies of the General Plan to *"ensure adequate public utilities and communication services to all residents, while maintaining the quality of the environment"* and *"require adequate landscaping or buffering techniques for all new and existing facilities and networks, in order to reduce the visual impact of many infrastructure facilities and networks"*. Additionally, the proposed project is consistent with the underlying land use designation of Commercial Recreational and does not adversely impact any views from public right-of-ways or neighboring properties.

Section 6: That the site of the proposed use is within Socio-Cultural and Urban appearance overlay control district, and the proposed use complies with all applicable requirements. More specifically, the proposed project will be located on an existing hotel structure and will not adversely affect land, water, structures and other improvements located on the subject property. Additionally, granting the proposed project will not impede any views from the surrounding properties.

Section 7: That conditions regarding any of the requirements listed in this paragraph, which the Planning Commission finds to be necessary to protect the health, safety and general welfare, have been imposed (including but not limited to): setbacks and buffers; fences or walls; lighting; vehicular ingress or egress; noise, vibration, odors and similar emissions; landscaping; maintenance of structures, grounds or signs; service roads or alleys; and such other conditions as will make possible development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this title (Title 17 – Zoning), as described in the conditions of approval of the attached Exhibit 'A.' More specifically, the proposed antenna panels and support equipment comply with both the development standards of the Commercial Recreational district and the special standards for commercial antennae from RPVMC Section

17.76.020. Additionally, the size, placement and screening methods for the proposed project are such that additional conditions are not necessary to reduce visual impacts.

Section 8: That the proposed development is consistent with the coastal specific plan because one of the structural design guideline indicates, "*No external masted antennas of any type should be permitted on any structure*" and the proposed antennas would not be considered to be "masted antennas" since it is incorporated into existing faux chimney structures and an existing elevator equipment room. Additionally, the proposed project will not create an aesthetic or visual impact, which is what the Coastal Permit planning and design guidelines are intended to eliminate.

Section 9: That the proposed development, when located between the sea and the first public road, is consistent with applicable public access and recreation policies of the Coastal Act. Given that the proposed antennas will be located on existing structures and will be fully screened from public right-of-ways and surrounding properties, it will not cause any adverse affects that would be inconsistent with applicable public access and recreation policies of the Coastal Act.

Section 10: That the approval of the proposed project is consistent with the City's Wireless Communications Antenna Development Guidelines because this permit request is being heard by the Planning Commission less than sixty (60) days from the date it was deemed complete by the City; the proposed antennas and support equipment will be located on the rooftop of a hotel building; the proposed antennas will be mounted on an existing chimney which is consistent with the intent of co-location; the location and design of the antennas and related equipment preserves view corridors; there is a balance of public and private costs and benefits; the applicant has submitted a network master plan; the applicant has submitted photographic simulations; a periodic update on wireless communications technology is being required; the screening of support equipment is adequate; and the issuance of the permit is being granted for a 10-year period.

Section 11: That the approval of the proposed project is consistent with limitations on local zoning authority imposed by the Telecommunications Act of 1996 because the City's conditional approval of this permit does not unreasonably discriminate among providers of functionally-equivalent services, or prohibit or have the effect of prohibiting the provision of personal wireless services; the City has acted upon this request within a reasonable period of time after the request was duly filed, considering its nature and scope; the decision to approve this permit has been made and supported by substantial evidence contained in a written record; and the City's conditional approval of this request has been made irrespective of any actual or perceived environmental effects attributable to radio frequency emissions, to the extent that the proposed project complies with the Federal Communications Commission's regulations concerning such emissions.

Section 12: Any interested person aggrieved by this decision or any portion of this decision may appeal to the City Council. The appeal shall set forth the grounds for appeal and any specific action being requested by the appellant. Any appeal letter must be filed within fifteen (15) calendar days of the date of this decision, or by 5:30 PM on Wednesday, May 27, 2009. An appeal fee must accompany any appeal letter. If no appeal is filed timely, the Planning Commission's decision will be final at 5:30 PM on May 27, 2009.

Section 13: For the foregoing reasons and based on the information and findings included in the Staff Report, Minutes and other records of proceedings, the Planning

Commission of the City of Rancho Palos Verdes hereby conditionally approves a Conditional Use Permit and Coastal Permit for 1) the installation of four antenna panels behind fiberglass tiles on an existing faux chimney and 2) the installation of support equipment within an equipment well on the rooftop of main hotel building 'A' at 6610 Palos Verdes Drive South (Case No. ZON2009-00134), as conditioned in Exhibit 'A'.

PASSED, APPROVED AND ADOPTED this 12th day of May 2008, by the following vote:

AYES:

NOES:

ABSTENTIONS:

RECUSALS:

ABSENT:

Jeffrey Lewis,
Chairman

Joel Rojas, AICP
Director of Planning, Building
and Code Enforcement; and,
Secretary of the Planning Commission

EXHIBIT 'A'
CONDITIONS OF APPROVAL FOR
CASE NO. ZON2009-00134
(VERIZON WIRELESS – 6610 Palos Verdes Drive South)

General Conditions:

1. Prior to the submittal of plans into Building and Safety plan check, the applicant and the property owner shall submit to the City a statement, in writing, that they have read, understand, and agree to all conditions of approval contained in this Resolution. Failure to provide said written statement within ninety (90) days following the date of this approval shall render this approval null and void.
2. Prior to the submittal of plans into Building and Safety plan check, the applicant shall obtain an encroachment permit from the Director of Public Works for any curb cuts, dumpsters in the street or any other temporary or permanent improvements within the public rights-of-way.
3. Approval of this permit shall not be construed as a waiver of applicable and appropriate zoning regulations, or any Federal, State, County and/or City laws and regulations. Unless otherwise expressly specified, all other requirements of the City of Rancho Palos Verdes Municipal Code shall apply.
4. The Director of Planning, Building and Code Enforcement is authorized to make minor modifications to the approved plans and any of the conditions of approval if such modifications will achieve substantially the same results as would strict compliance with the approved plans and conditions. Otherwise, any substantive change to the project shall require approval of a revision by the final body that approved the original project, which may require new and separate environmental review.
5. The project development on the site shall conform to the specific standards contained in these conditions of approval or, if not addressed herein, shall conform to the multiple-family residential development standards of the City's Municipal Code, including but not limited to height, setback and lot coverage standards.
6. Failure to comply with and adhere to all of these conditions of approval is cause to revoke the approval of the project pursuant to the revocation procedures contained in Section 17.86.060 of the City's Municipal Code.
7. If the applicant has not submitted an application for a building permit for the approved project or not commenced the approved project as described in Section 17.86.070 of the City's Municipal Code within one year of the final effective date of this Resolution, approval of the project shall expire and be of no further effect unless, prior to expiration, a written request for extension is filed with the Department of Planning, Building and Code Enforcement and approved by the Director.
8. In the event that any of these conditions conflict with the recommendations and/or requirements of another permitting agency or City department, the stricter standard shall apply.

9. Unless otherwise designated in these conditions, all construction shall be completed in substantial conformance with the plans stamped APPROVED by the City with the effective date of this Resolution.
10. The construction site and adjacent public and private properties and streets shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess material may include, but not be limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
11. Permitted hours and days for construction activity are 7:00 AM to 7:00 PM, Monday through Saturday, with no construction activity permitted on Sundays or on the legal holidays specified in Section 17.96.920 of the Rancho Palos Verdes Development Code. Trucks shall not park, queue and/or idle at the project site or in the adjoining public rights-of-way before 7:00 AM, Monday through Saturday, in accordance with the permitted hours of construction stated in this condition.
12. All grading, landscaping and construction activities shall exercise effective dust control techniques, either through screening and/or watering.
13. All construction sites shall be maintained in a secure, safe, neat and orderly manner. Temporary portable bathrooms shall be provided on a construction site if required by the City's Building Official. Said portable bathrooms shall be subject to the approval of the City's Building Official and shall be placed in a location that will minimize disturbance to the surrounding property owners.

Project Specific Conditions:

14. This approval allows the following to the rooftop of main hotel building 'A':
 - i. Installation of four antennas behind fiberglass tiles on an existing faux decorative chimney; and
 - ii. Installation of support equipment within a rooftop equipment well.
15. The related equipment shall be installed only within the leased area of the equipment well and shall not exceed the parapet height. All mechanical equipment shall be housed in enclosures designed to attenuate noise to a level of 65dBA at the project site's property lines.
16. No cable tray or other similar equipment shall be located on a sloped roof area or be visible from the public right-of-way or surrounding properties.
17. Verizon Wireless shall submit periodic updates on Wireless Communications Technology every five years, from the date of this approval, to be reviewed by the Director of Planning, Building and Code Enforcement.
18. This approval shall be valid for a period of 10 years from the date of the City's final action, or until May 12, 2019. The applicant and/or its successor(s) interest may request an extension of this approval, in writing and accompanied by the applicable fee, so long as such extension request is filed with the City on or before the date of expiration.

From: Nelsongang@aol.com
To: planning@rpv.com; sok@rpv.com;
cc: TMajcher@LoweEnterprises.com;
Subject: May 12 Mtng: Terranea Resort Request (Case Zon2009-00131, -00134, -00135)
Date: Friday, April 24, 2009 9:40:36 AM

Chairman Lewis, members of RPV Planning Commission, Ass't Planner So Kim, VP Todd Majcher

This is written to support Terranea Resort multiple cell tower requests as in the above case and request your approval.

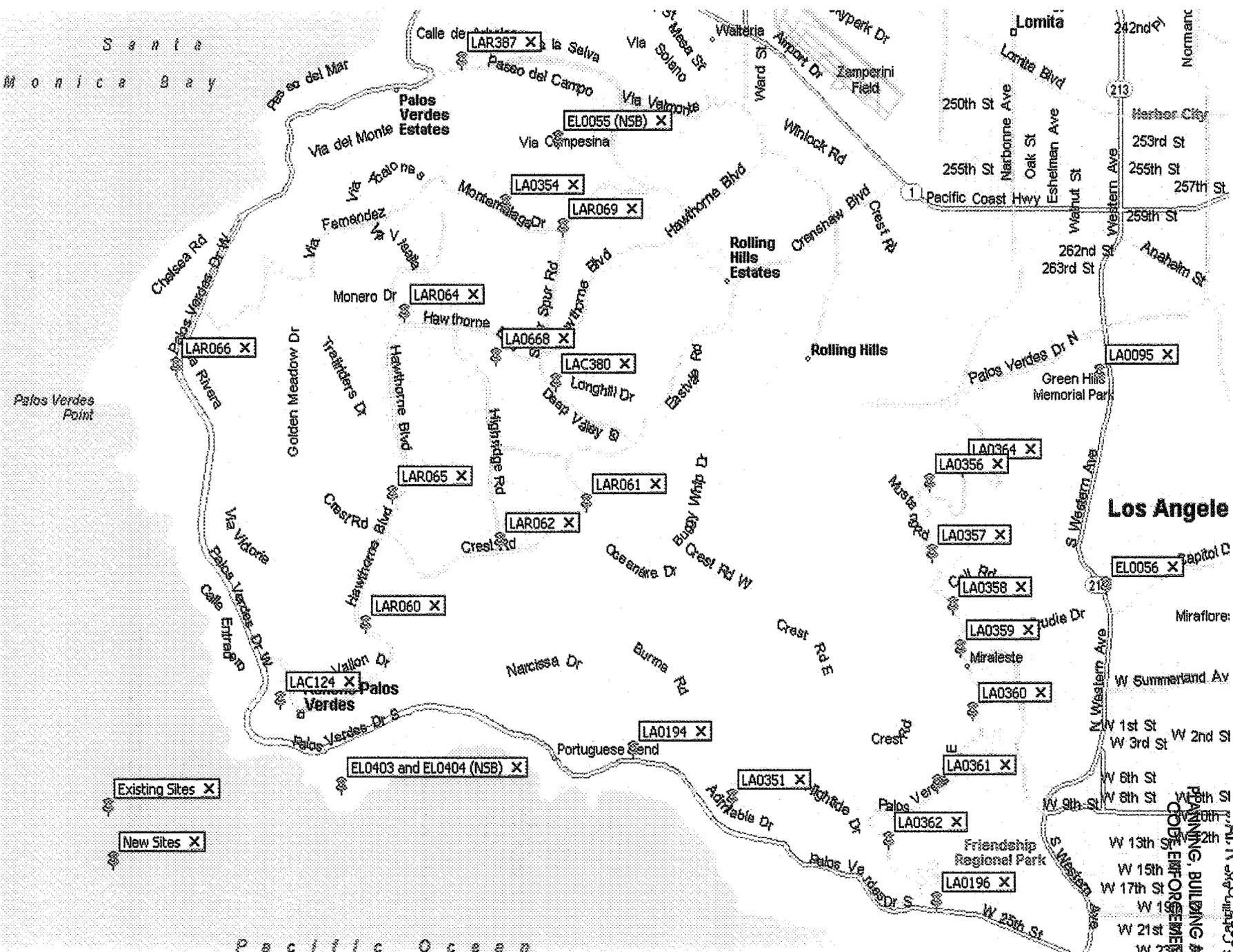
This is written as an individual and continues mine and my wife's support of Terranea Resort development since 1999.

Should any addressed have questions, or wish to see our immediate neighbor, Terranea, from our balcony, just give us a call.

Bob Nelson
6612 Channelview Court
Rancho Palos Verdes, CA 90275
310-544-4632

The Average US Credit Score is 692. See Yours in Just 2 Easy Steps!
(<http://pr.atwola.com/promoclk/100126575x1221421330x1201417418/aol?redir=http://www.freecreditreport.com/pm/default.aspx?sc=668072&hmpgID=62&bcd=AprilAvgfooter424NO62>)

Santa Monica Bay



Existing Sites X
 New Sites X

Los Angeles

RECEIVED

APR 08 2009

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PLANNING, BUILDING AND
CODES ENFORCEMENT

SiteNum	ITS_Siten	District	Zone	County	Struct_Type	Address	City	State	Lat_NAD83	Long_NAD83
EL0056	CLU2871	2	2E	LOS ANGELES	Roof Mount	29000 S WESTERN AVE	RANCHO PALOS VERDES	CA	33.7555	-118.3092778
LA0095	CLU2878	2	2E	LOS ANGELES	Roof Top	27501 S WESTERN AVE	RANCHO PALOS VERDES	CA	33.77420556	-118.3100639
LA0194	CLU2892	2	2E	LOS ANGELES	Utility Light Pole	1 HALF PEPPERTREE DRIVE	RANCHO PALOS VERDES	CA	33.74088889	-118.3643611
LA0196	CLU2886	2	2E	LOS ANGELES	Utility Light Pole	3000 PALOS VERDES DRIVE	RANCHO PALOS VERDES	CA	33.72752778	-118.3291389
LA0351	CLU2891	2	2E	LOS ANGELES	Utility Light Pole	EXULTANT AND SCHOONER	RANCHO PALOS VERDES	CA	33.73672222	-118.3528056
LA0354	CLU2917	2	2E	LOS ANGELES	Wood Pole	GRAYSLAKE AND MONTEMALAGA	RANCHO PALOS VERDES	CA	33.78922222	-118.3791389
LA0356	CLU2879	2	2E	LOS ANGELES	Wood Pole	28339 PALOS VERDES DRIVE EAST	RANCHO PALOS VERDES	CA	33.76452778	-118.3298056
LA0357	CLU2880	2	2E	LOS ANGELES	Utility Light Pole	EAST/SOUTH PALOS VERDE DRIVE EAST	RANCHO PALOS VERDES	CA	33.75833333	-118.3295
LA0358	CLU2881	2	2E	LOS ANGELES	Utility Pole	29270 PALOS VERDES DR.	RANCHO PALOS VERDES	CA	33.75366667	-118.3270556
LA0359	CLU2882	2	2E	LOS ANGELES	Utility Pole	4004 MIRALESTE	RANCHO PALOS VERDES	CA	33.74991667	-118.32625
LA0360	CLU2883	2	2E	LOS ANGELES	Monopole	PALOS VERDES DR. EAST & VIA COLINITA	RANCHO PALOS VERDES	CA	33.74430556	-118.3248333
LA0361	CLU2884	2	2E	LOS ANGELES	Pole Mount	30530 1/2 PALOS VERDES DRIVE EAST	RANCHO PALOS VERDES	CA	33.738	-118.3289722
LA0362	CLU2888	2	2E	LOS ANGELES	Light Pole	PALOS VERDES DRIVE AND GANADO	RANCHO PALOS VERDES	CA	33.73285	-118.3346583
LA0364	CLU2877	2	2E	LOS ANGELES	Wood Pole	27959 PALOS VERDES DRIVE	RANCHO PALOS VERDES	CA	33.76589444	-118.3260278
LA0668	CLU2921	2	2E	LOS ANGELES	Facade	28340 HIGHRIDGE RD.	ROLLING HILLS	CA	33.77569444	-118.3802222
LAC124	CLU2894	2	2E	LOS ANGELES	Monopole	30940 HAWTHORNE BOULEVARD	RANCHO PALOS VERDES	CA	33.74527778	-118.4054444
LAC380	CLU2920	2	2E	LOS ANGELES	Roof Mount	500 SILVER SPUR	RANCHO PALOS VERDES	CA	33.77341667	-118.3733056
LAR060	CLU2896	2	2E	LOS ANGELES	Utility Light Pole	30349 HAWTHORNE BOULEVARD	RANCHO PALOS VERDES	CA	33.752	-118.3954722
LAR061	CLU2900	2	2E	LOS ANGELES	Utility Light Pole	SOUTH OF CRENSHAW AND CREST	RANCHO PALOS VERDES	CA	33.76277778	-118.3698056
LAR062	CLU2898	2	2E	LOS ANGELES	Utility Light Pole	NORTHEAST LIGHT POLE AT CREST AND HIGHRIDGE	RANCHO PALOS VERDES	CA	33.75930556	-118.3797778
LAR064	CLU2922	2	2E	LOS ANGELES	Roof Mount	28041 HAWTHORNE BOULEVARD	RANCHO PALOS VERDES	CA	33.77955556	-118.3910278
LAR065	CLU2897	2	2E	LOS ANGELES	Facade	6507 1/2 OCEAN CREST DRIVE	RANCHO PALOS VERDES	CA	33.7635	-118.39225
LAR066	CLU2926	2	2E	LOS ANGELES	Roof Mount	2325 PALOS VERDES DRIVE WEST	PALOS VERDES ESTATES	CA	33.77483333	-118.4175
LAR069	CLU2918	2	2E	LOS ANGELES	Wood Pole	SILVER 24642 U SILVERSPUR ROAD	PALOS VERDES PENINSULA	CA	33.78711111	-118.3723889
LAR387	CLU2916	2	2E	LOS ANGELES		4010 PALOS VERDES DR. NORTH	ROLLING HILLS	CA	33.80194444	-118.3841667
EL0055 (NSB)	CLU2912	2	2E	LOS ANGELES		3301 VIA CAMPESINA	PALOS VERDES ESTATES	CA	33.79488611	-118.37301389
EL0403 (NSB)	CLU2913	2	2E	LOS ANGELES		6610 PALOS VERDES DRIVE SOUTH	RANCHO PALOS VERDES	CA	33.73777778	-118.3983333
EL0404 (NSB)	CLU2914	2	2E	LOS ANGELES		6610 PALOS VERDES DRIVE SOUTH	RANCHO PALOS VERDES	CA	33.73777778	-118.3983333





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