

CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

September 18, 2014

CHAIR AND PLANNING COMMISSIONERS

City of Long Beach
California

RECOMMENDATION:

Deny the appeal and uphold the Site Plan Review Committee's decision to deny a Site Plan Review request to modify an existing wireless telecommunications site by removing seven roof-mounted panel antennas and adding twelve new panel antennas and twelve new Remote Radio Units (RRU's) behind a new free-standing triangular steeple with a height of 48 feet, located at 2911 Santa Fe Avenue. (District 7)

APPLICANT: Ericsson for AT&T Mobility
c/o Stephen Bernot
330 Commerce, Suite 200
Irvine, CA 92602
(Application No.1401-03)

DISCUSSION

The project site is located at 2911 Santa Fe Avenue, between Canton Street and 29th Street within the Neighborhood Automobile-Oriented (CNA) District (Exhibit A – Location Map). The site is currently developed with a two-story church building of 3,885 square feet, and 24 parking spaces. The church building currently has an existing roof-mounted wireless telecommunications site, co-located with Verizon and AT&T antennas and related equipment. AT&T Mobility is requesting to modify the existing cell site by upgrading their antennas and equipment. They are proposing to remove seven panel antennas, add twelve new panel antennas, and add twelve Remote Radio Units (RRUs), all to be located behind a new freestanding triangular church steeple located behind the church structure. The applicant is proposing to allow Verizon antennas to be located behind the proposed freestanding steeple (Exhibit B – Plans & Photos).

In order for certain modifications to be made to an existing wireless cell site, a staff level Site Plan Review must be approved. During Site Plan Review for the proposed project, the Site Plan Review Committee determined that the request to replace antennas and equipment behind a new freestanding steeple structure of 48 feet in height would be incompatible in design, character and scale with neighboring structures in the surrounding area, and inconsistent within the subject site (Exhibit C – Findings). Staff has concluded that the proposed free-standing structure would be obtrusive to the adjacent residential properties in which a maximum height of 25 feet is allowed. Staff also concluded that although the applicant has made an attempt to incorporate the architecture of the existing church, the design is inadequate and inconsistent with the church structure. As stated, the

CHAIR AND PLANNING COMMISSIONERS

September 18, 2014

Page 2 of 2

proposed steeple is a free-standing triangular structure, erected on stilt-like support poles and is not attached as an actual architectural feature of the church. As a result, the proposed screening tower does not give the appearance of having been constructed with the original building, which is one of the design goals for roof-mounted installations. The church structure is octagonal in shape and layout, while the proposed structure is triangular. This creates a noticeable inconsistency in design.

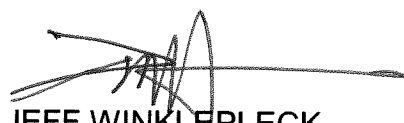
On July 24, 2014, a Notice of Final Action was drafted and sent to the applicant, indicating that the proposed project was denied by the Site Plan Review Committee, as staff could not make a positive finding regarding the design of the structure. Subsequent to the decision of the Site Plan Review Committee, an appeal was filed by the applicant on August 1, 2014. The applicant cited several reasons why the project should be approved including issues such as the inability of the existing church to hold any more antennas on the roof, due to structural integrity. These reasons are listed along with the appellant's application for appeal (Exhibit D – Appeals).

Staff believes that the proposed project is visually obtrusive to the adjacent residential properties because of the 48 foot height, at nearly twice the 25 foot limit allowed in the adjacent residential properties. The surrounding neighborhood does not have any other structures close to this height, and it is inconsistent within this community. Furthermore, staff believes that the design of the free-standing triangular structure is incompatible with the octagonal shape of the church. The only alternative design proposed by the applicant was to drop the height of the structure to 38 feet. However, lowering the height of the steeple structure would not mitigate the incompatibility in design with the existing church. Therefore, staff recommends that the Planning Commission deny the appeal and uphold the decision of the Site Plan Review Committee to deny a Site Plan Review decision for the modification of an existing wireless telecommunications site.

PUBLIC HEARING NOTICE

Public hearing notices were distributed on September 2, 2014, as required by the Long Beach Municipal Code. No responses have been received as of the date of this report.

Respectfully submitted,



JEFF WINKLEPLECK
ACTING PLANNING ADMINISTRATOR

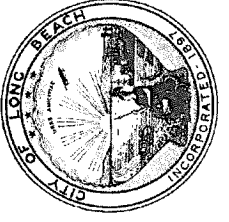
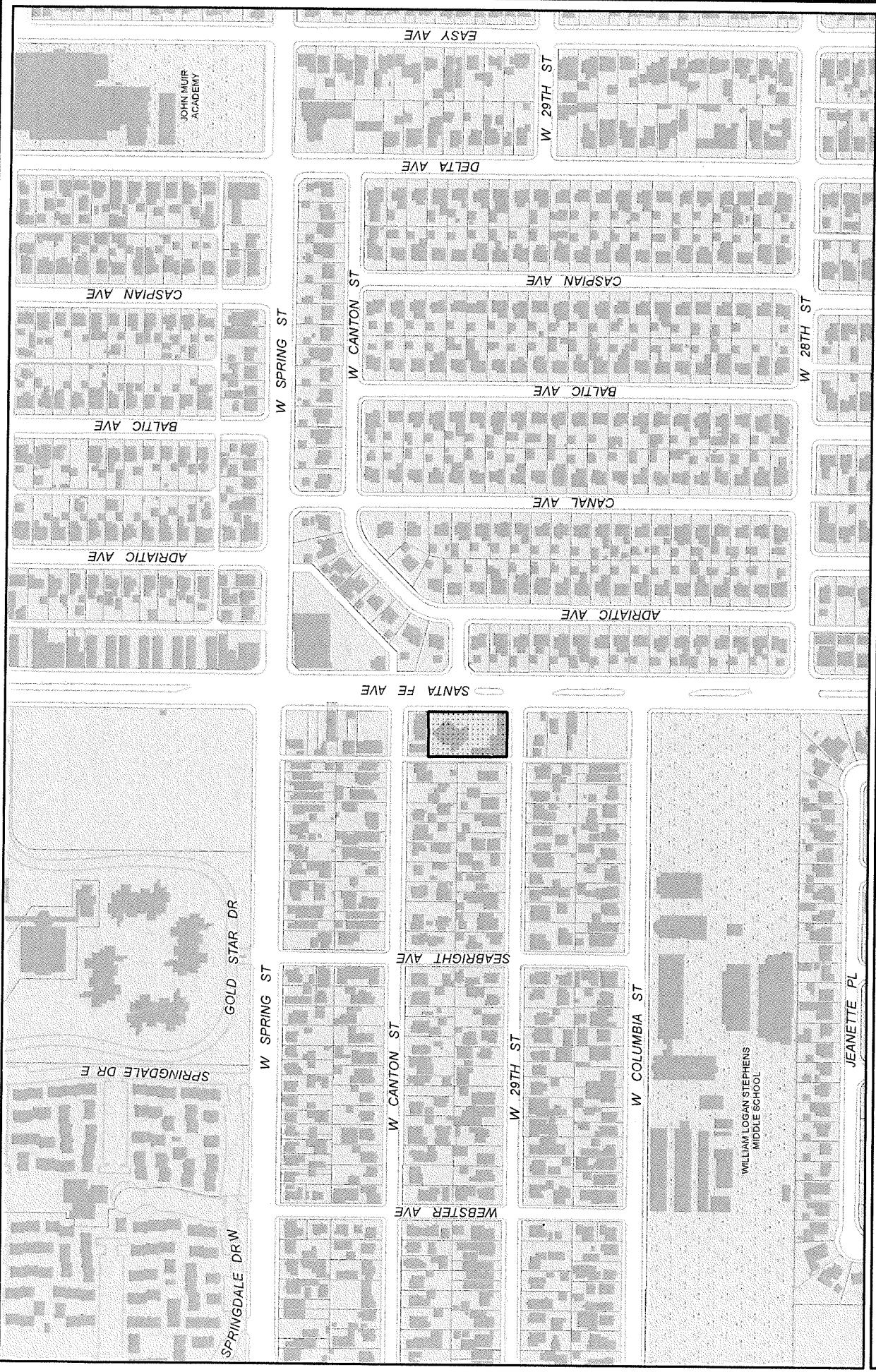


AMY J. BODEK, AICP
DIRECTOR OF DEVELOPMENT SERVICES

AJB:JW:CJ

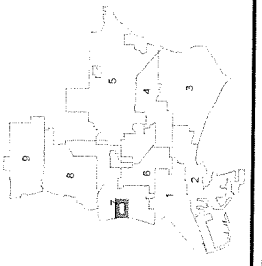
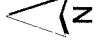
P:\Planning\PC Staff Reports (Pending)\2014-09-18\Staff Report – 2911 Santa Fe Ave – 1401-03

Exhibits: A. Location Map C. Findings
 B. Plans & Photos D. Appeals



Subject Property:
 2911 Santa Fe Ave
 Application No. 1401-03
 Council District 7
 Zoning Code : CNA

Exhibit A



SITE PLAN REVIEW FINDINGS

Case No. 1401-03

Date: September 18, 2014

Pursuant to Chapter 21.25, Division V of the Long Beach Municipal Code, the Site Plan Review Committee or City Planning Commission shall not approve a Site Plan Review unless positive findings are made consistent with the criteria set forth in the Site Plan Review regulations.

- 1. THE DESIGN IS HARMONIOUS, CONSISTENT AND COMPLETE WITHIN ITSELF AND IS COMPATIBLE IN DESIGN, CHARACTER AND SCALE WITH NEIGHBORING STRUCTURES AND THE COMMUNITY IN WHICH IT IS LOCATED;**

The proposed project consists of the construction of a freestanding triangular steeple structure to screen wireless panel antennas at an existing church. The proposed height of the structure is 48 feet. Staff has determined that the proposed design is not harmonious, or compatible in design, character and scale with neighboring structures and the community in which it is located. The subject site is 2911 Santa Fe Avenue, in the Neighborhood Auto-Oriented (CNA) District. The surrounding neighborhood is predominantly single-family residential, including the properties directly to the east and west of the subject site. Single-family dwellings do not exceed two stories, or 25 feet in height. Although the applicant has attempted to incorporate the architecture of the existing church by designing a steeple, staff believes that approval of a freestanding structure with a height of 48 feet would be obtrusive to neighboring residential properties and adversely impact the visual quality of the neighborhood. As shown on photo-simulations submitted to staff, the detached freestanding structure has the appearance of a random triangular enclosure erected on stilts, and is not incorporated as an actual architectural feature of the existing church structure. The proposed screening tower also fails to give the appearance of having been constructed with the original building, which is a principal requirement of cell site additions or modifications. The original church structure has an octagonal layout and shape while the proposed freestanding screening tower is triangular, creating a noticeable inconsistency in design. Also, the existing cell site is a roof-mounted installation. Staff believes that the construction of a new freestanding structure is equivalent to creating an entirely new cell tower, which is contrary to the goals of the amended wireless telecommunications ordinance. The only alternative design offered the applicant was to drop the height of the structure to 38 feet. However, dropping the height of the structure would not mitigate the incompatibility in design of the triangular screening tower erected on stilt-like support columns behind an octagonal shaped building.

- 2. THE DESIGN CONFORMS TO THE "DESIGN GUIDELINES FOR R-3 AND R-4 MULTI-FAMILY DEVELOPMENT, THE "DOWNTOWN DESIGN GUIDELINES",**

THE GENERAL PLAN, AND ANY OTHER DESIGN GUIDELINES OR SPECIFIC PLANS WHICH MAY BE APPLICABLE TO THE PROJECT;

The proposed project is not subject to any particular design guidelines or specific plans.

3. THE DESIGN WILL NOT REMOVE SIGNIFICANT MATURE TREES OR STREET TREES, UNLESS NO ALTERNATIVE DESIGN IS FEASIBLE;

The design will not remove significant mature trees or street trees.

4. THERE IS AN ESSENTIAL NEXUS BETWEEN THE PUBLIC IMPROVEMENT REQUIREMENTS ESTABLISHED BY THIS ORDINANCE AND THE LIKELY IMPACTS OF THE PROPOSED DEVELOPMENT; AND

Public improvement requirements do not apply to this project.

5. THE PROJECT CONFORMS TO ALL REQUIREMENTS SET FORTH IN CHAPTER 21.64 (TRANSPORTATION DEMAND MANAGEMENT)

The proposed project is not subject to the requirements set forth in Chapter 21.64.



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor Long Beach, CA 90802 (562) 570-6194 FAX (562) 570-6068

PLANNING BUREAU

APPLICATION FOR APPEAL

An appeal is hereby made to Your Honorable Body from the decision of the

<input type="checkbox"/> Zoning Administrator	on the <u>First</u> day of <u>August</u> , 20 <u>14</u>
<input checked="" type="checkbox"/> Planning Commission	
<input type="checkbox"/> Cultural Heritage Commission	
<input type="checkbox"/> Site Plan Review Committee	

Project Address: 2911 Santa Fe Avenue, LGB Application 1401-03

Reasons for Appeal: See attached.

Your appellant herein respectfully requests that Your Honorable Body **reject** the decision and **Approve** / **Deny** this application.

	Appellant 1	Appellant 2
Name:	Stephen Bernot, Applicant	
Organization	Ericsson US as Agent for AT&T Mobility LLC	
Address:	330 Commerce, Suite 200	
City/ZIP:	Irvine CA	
Phone:	503.502.4410	
Signature:		
Date:	Aug 1, 2014	

- A separate appeal form is required for each appellant party, except for appellants from the same address, or those representing an organization.
- Appeals must be filed within 10 days after the decision is made (LBMC 21.21.502).
- You must have established *aggrieved* status by presenting oral or written testimony at the hearing where the decision was rendered; otherwise, you may not appeal the decision.
- See reverse of this form for the statutory provisions on the appeal process.

(Below This Line for Staff Use Only)

Appeal by Applicant, or **Appeal by Third Party**

Received by: CJ App. No.: 1401-03 Filing Date: 8/1/14

Fee: \$3,825.50 Fee Paid Project (receipt) No.: PLNB 32265

APPEALANT'S REASONS FOR APPEAL

1. Appellant is the Applicant of Long Beach Site Plan Review Application 1401-03, which was denied in a Notice of Action received via email from LGB Planner Cuentin Jackson on July 24, 2014.
2. Applicant received the Findings from the July 23, 2014 Site Plan Review Meeting (Findings) via email on July 28, 2014, three days after the Denial was issued.
3. Appellant is the agent of AT&T Mobility LLC (AT&T), AT&T currently operates an existing wireless facility at this location. There is one other wireless carrier onsite.
4. The subject property is owned by the Westside Church of the Nazarene. Currently both carriers have antennas on the roof of the sanctuary building, and both carriers are seeking governmental approvals to increase the number and size of antennas at their sites. Due to increased voice and data service demands, modern wireless facilities require more antennas, larger antennas, and more electronic equipment to support those antennas at elevation. Specifically, the equipment located directly behind the antennas cannot be located with the ground equipment, and must be mounted with the antennas at elevation.
5. The sanctuary building cannot accommodate the increased equipment of both carriers. The antenna count will double, the size and weight of the antennas will increase, and ancillary equipment, primarily Remote Radio Units (RRUs), adds additional weight.
6. For these reasons, in Site Plan Review 1401-03 AT&T proposed building a faux bell tower at the rear of the building. The proposed structure has a triangular shaped footprint, and is only 15' wide on each side, the minimum size necessary to accommodate the proposed AT&T antennas array.
7. The height of the sanctuary wall is 27'. In an effort to comply with of the Long Beach Municipal Code, Applicant originally proposed a 48' structure in which both carriers could conceal their now exposed antennas. That is, AT&T was and remains open and eager to cooperate with Planning to make a design that reduces the visual impact of wireless facilities. The feedback from Planning was that a lower elevation was less impactful. Appellant agreed to a structure height of 37' – ten feet above the height of the existing building.
8. In correspondence with Planning regarding this application Appellant repeatedly asked Planning for any height limitation or other codified restriction that would effect this proposal. Appellant's application satisfies all relevant code provisions. Further, Appellant collaborated with Planning on the design for the freestanding faux bell tower, which would permit both carriers to remove existing visible antennas from the roof top. As a result, Applicant objects to and seeks reversal of the Site Plan Review Committee's discretionary determination that the design was not "harmonious, consistent and complete within itself and is compatible in design, character and scale, with neighboring structures and the community in which it is located).
9. LGBMC 21.56.100(G)(2) allows that telecommunications facilities may exceed 10' feet above the a roof deck for building mounted facilities. Applicant does not hold that this provision is technically applicable to this appeal, the bell tower structure is not on the roof, it is adjacent, touching the building. Nevertheless, this height at this location is allowed outright if it were on the roof. Applicant believes this is recognition that 10' about the existing building is a reasonable and customary accommodation for wireless facilities.
10. Appellant believes the July 23, 2014 Findings confuse the facts by quoting a 25' height limitation in the adjacent zone. This project is in the CNA Zone, where the height limitation is 28'. LGBMC 21.56.100(G) provides that wireless facilities may be built at a height greater than the limit for the underlying zone. Applicant believes that 10' above the building height is reasonable. The technical restriction is 120'.
11. The Findings refer to a "random triangular screening tower" and structure on "stilt-like support columns." Appellant first heard of these objections on July 28, 2014, three days after the denial was issued. The support columns can be completely concealed so that the structure is indistinguishable from the building. The triangular shape can be modified to a rectangular, or any other shape thought to be more compatible with the building.

Applicant holds that the triangular shape is compatible with the contemporary design of the sanctuary building, and makes the smallest footprint possible.

12. The Findings indicate that Staff believes the construction of a new support structure constitutes a new cell site, and thus, the Application is contrary to the goals of the telecommunications ordinance. Appellant does not agree with this conclusion. Following construction at this modified site the AT&T site count in Long Beach remains unchanged. This site will serve the same customers, in the same coverage area, pays rent to same Landlord, and is connected to the larger telephone network at the same geographic coordinates. The support structure is one component of a cell site. The fact that the work associated with the application removes the existing visible antennas from the building and conceals them inside a faux bell tower, which improves the aesthetics of the site, does not make it a new cell site.

Applicant believes that their application is in compliance with the purpose and objectives of the Long Beach wireless code, section 21.56.010:

The purpose of this Chapter is to regulate the establishment and operation of wireless telecommunications facilities within the City of Long Beach, consistent with the General Plan, and with the intent to:

- A. Allow for the provision of wireless communications services adequate to serve the public's interest within the City; *The purpose of the AT&T upgrade is to answer the increased demand of wireless voice and data services.*
- B. Require, to the maximum extent feasible, the co-location of wireless telecommunications facilities; *AT&T offered a co-location facility at this site, but Planning declined due to height concerns.*
- C. Minimize the negative aesthetic impact of wireless telecommunications facilities, establish a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of environmental impacts of such facilities, and protect the health, safety and welfare of the City of Long Beach; *AT&T is proposing location specific design to match the building it is next to, is architecturally congruent, and is not recognizable as a wireless support structure without close inspection.*
- D. Strongly encourage the location of wireless telecommunications facilities in those areas of the City where the adverse aesthetic impact on the community is minimal; *AT&T holds that their proposal actually improves aesthetics by concealing antennas of antennas that are currently exposed to public view.*
- E. Strongly encourage wireless telecommunications providers to configure all facilities in such a way that minimizes displeasing aesthetics through careful design, siting, landscaping, screening, and innovative camouflaging techniques; *AT&T is proposing a creative camouflage design where the antennas are 100% concealed.*
- F. Enhancing the ability of the providers of telecommunications services to provide such services to the City quickly, effectively, and efficiently;.