



CITY COUNCIL STAFF REPORT

DATE: MAY 20, 2015 PUBLIC HEARING

SUBJECT: SPECTRUM SERVICES (VERIZON WIRELESS) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY-FIVE FOOT TALL MONOPALM WITH ASSOCIATED EQUIPMENT SHELTER; A CEQA DETERMINATION OF CATEGORICAL EXEMPTION AS "NEW CONSTRUCTION OF SMALL STRUCTURES"; AND A VARIANCE REQUEST TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, ZONE M-1-P (CASE NOS. 5.1315 CUP & 6.531 VAR).

CASE: 5.1315 CUP & VAR 6.531

FROM: David H. Ready, City Manager

BY: Department of Planning Services

SUMMARY

The City Council to consider a request by Verizon Wireless for a Conditional Use Permit to install a fifty-five (55) foot high wireless communication monopalm and a Variance application to exceed the maximum antenna height of forty (40) feet above the permitted fifteen (15) feet located at a Desert Water Agency site on San Joaquin Drive. The request includes a 900-square foot equipment enclosure with an eight foot tall block wall surrounding the facility.

RECOMMENDATION:

1. Open the public hearing and receive public testimony.
2. Adopt Resolution No. _____, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT CASE 5.1315 CUP TO CONSTRUCT A FIFTY-FIVE FOOT TALL MONOPALM AND ASSOCIATED EQUIPMENT SHELTER; AND CASE 6.531 A VARIANCE REQUEST TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED LOCATED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, ZONE M-1-P SECTION 18.

ISSUES:

- Previous project as recommend by the Planning Commission was reviewed by the City Council on February 18, 2015 and voted 2-3 to deny the project as designed giving direction to the applicant as follows:
 1. Change structure to a “monopalm” design
 2. Equipment shelter block wall material to match existing Escena development
 3. Eliminate proposed 5 palm trees planted in a row on the Escena property as shown on landscape plan
- Revised application as a “monopalm” raises tower height to fifty-five (55) feet
- Increased height requires re-noticing and public hearing by Planning Commission and City Council
- Planning Commission at their April, 22, 2015 meeting directed the applicant to meet with a sub-committee to discuss the planting of additional trees along San Joaquin Drive.
- Planning Commission met on May 13, 2015 and recommended approval with one condition that 3 Mexican Fan Palms be planted in landscape area along San Joaquin Drive.

BACKGROUND:

Ownership	
4/24/2008	Desert Water Agency

Neighborhood Meeting	
None	Not Required – Staff has contacted the City of Cathedral City to alert the Dream Homes neighborhood.

Planning Areas		
Design Plan	None	
Airport Overlay	Yes	Zone D of Airport Influence Area, Riverside County Airport Land Use Compatibility Plan
Indian Land	None	

Site Posting	
1/13/14	“Project Under Consideration” sign posted on site.

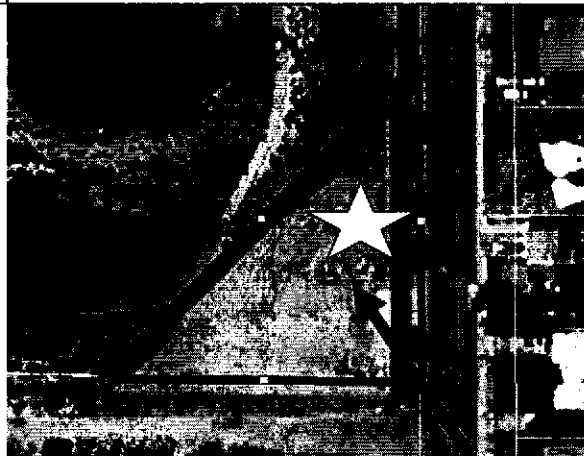
Field Check	
May 2015	Staff visited the site to observe existing conditions.

Related Relevant City Actions by Planning, Fire, Building, etc...	
2/24/2014	The AAC recommended conditional approval: <ul style="list-style-type: none"> • Cluster palm trees to provide visual buffer. • Plant 5 Washingtonian Robusta, 25’ tall inside DWA well site perimeter

	wall. <ul style="list-style-type: none"> • Use largest fronds available on tower.
3/12/2014	Planning Commission reviews application and votes to Table.
11/12/2014	Planning Commission conducts Study Session to discuss cell towers.
1/14/2015	Planning Commission holds public hearing, approves monopole design at 50 feet and recommends approval to City Council.
2/18/2015	City Council conducts public hearing and voted 2-3 to deny the project as designed giving direction to the applicant as follows: <ul style="list-style-type: none"> • Change structure to a “monopalm” design • Equipment shelter block wall material to match existing Escena development • Eliminate proposed 5 palm trees planted in a row on the Escena property as shown on landscape plan
4/11/2015	Planning Commission votes to continue public hearing to a date certain of May 13, 2015; and direct applicant to meet with sub-committee to address planting trees along San Joaquin Drive.
4/30/2015	Planning Commissioner Middleton meets the representative from Verizon to discuss the project and recommend planting several fan palms interspersed between existing trees along San Joaquin Drive.
5/13/2015	Planning Commission conducts public hearing and votes 7-0 to recommend approval to the City Council.

Neighborhood Notification	
None	Staff has contacted the City of Cathedral City Planning Department to discuss proposed cell tower and its potential impact on the Dream Homes Neighborhood.
	No Palm Springs neighborhood organization within ½ mile.

Site Area	
Net Area	25,268-square feet



Monopole Location

CHANGES TO APPLICATION PER CITY COUNCIL DIRECTION

At the City Council meeting of February 18, 2015, the proposed project as a 50 foot tall monopole was rejected and direction was given to Verizon Wireless to resubmit a revised application with the cell tower designed as a monopalm. Changes have been made to the project to include a tower designed as a palm tree. This change forces the structure to increase in height by 5 feet to a maximum of 55 feet. In addition, City Council questioned the placement of 5 palm trees to be planted in a row on the Escena Golf Course.

The increase in tower height to 55 feet requires a new public hearing before the Planning Commission and City Council. The Commission at their April, 11, 2015 meeting voted to continue the public hearing to May 13, 2015 with the direction that the applicant meet with a sub-committee to discuss the monopalm design and planting of trees along San Joaquin Drive. Commissioner Middleton met with the applicant to discuss the planting of several fan palms interspersed between existing trees along San Joaquin Drive.

In addition to the revised tower design to a monopalm, the applicant is proposing to plant two Mexican Fan Palms with a minimum height of 25 feet to fill in a gap in vegetation along San Joaquin Drive. Currently there are 4 mature Palo Verde trees planted in the landscape buffer area between the street and DWA site. This area is within the City right-of-way and is maintained by the Escena Golf Course maintenance crew.

PROJECT DESCRIPTION:

The subject property owned by the Desert Water Agency (DWA) is approximately 25,268-square feet in size located at the City boundary to Cathedral City along San Joaquin Drive. The site contains limited mechanical apparatus used by DWA to monitor/measure underground wells. Verizon proposes to lease 900-square feet located in the northwest corner of the triangular parcel. New construction will include a 55-foot monopole designed as a palm tree; a 194-square foot equipment shelter; and an inner eight (8) foot tall block containment wall. No other telecommunication facility is present on the site.

The proposed wireless telecommunications facility will consist of a 194-square foot equipment shelter and a 55 foot tall monopole designed as a palm tree. Twelve (12) antenna panels that are six by one feet in size will be installed at the top of the structure. A four foot parabolic antenna will be mounted below the panel antennas. The monopalm to be painted "Desert Tan" and equipment enclosure is proposed to be surrounded by an eight foot high block wall. The area between the DWA site perimeter wall and the street is currently landscaped and maintained by the Escena Community. The location of the proposed cell tower is within Zone "D" of the Airport influence area as shown on the Riverside County Airport Land Use Compatibility Map. This document

is administered by the Riverside County Airport Land Use Commission (ALUC). In their letter dated, February 5, 2014, ALUC states:

“Given the site’s proximity to the runway (approximately 2,050 feet), the applicant filed Form 7460-1 with the Federal Aviation Administration Obstructive Evaluation Service and obtained a Determination of No Hazard to Air Navigation, therefore ALUC finds the project Consistent with the 2005 Palm Springs International Airport Land Use Compatibility Plan subject to conditions as listed”

The compatibility letter lists eight conditions which have been included in the project’s Conditions of Approval.

The location of the proposed communication pole is 117 feet from the nearest residential property line along San Joaquin Drive. This street is the dividing line between Palm Springs and the City of Cathedral City. The PSZC development standards for the M-1-P zone require a minimum set back of 100 feet from the cell tower to a residential property.



Location of 3 cluster palm trees

PLANNING COMMISSION REVIEW

The Planning Commission first reviewed this project on March 12, 2014 and voted to Table based upon the following items:

- Broader discussion on evaluating cell tower heights.
- Siting of tower adjacent to the Dream Homes neighborhood.
- Expert opinion sought through a Planning Commission work session.
- Planting of large trees to represent a palm grove.

In response to the Planning Commission's concerns, Staff organized a Study Session on evaluating cell tower CUP applications which took place on November 12, 2014. At this meeting, the Commission received testimony from Dennis Hurvitz, PE, of Desert Engineers providing a discussion of cell tower technology and coverage analysis (see attached minutes). Staff notes that direction from this work session is on-going and will continue into the New Year.

The Planning Commission conducted a second public hearing on January 14, 2015 and reviewed a revised project. Staff worked with the applicant to re-evaluate several elements of the original project. Previously the tower was disguised as a Date Palm with a height of sixty (60) feet. The revised application has lowered the tower to fifty (50) feet in a monopole design. The elimination of the fake palm tree could allow co-location with other telecommunication carries thus reducing the overall number of towers in the City.

In addition, an overall coverage map of all Verizon towers in the City has been submitted. From viewing this coverage map an underserved area is clearly visible in the area around Gene Autry Trail and the Airport. Staff also prepared several maps showing the location of all permitted cell towers within the City.

Staff contacted the Planning Office in Cathedral City alerting them of the pending application in the hopes of reaching a neighborhood organization in the Dream Homes area. As of the writing of this report, formal contact has not been made; however the subject site has been posted for 11 months and public hearing notices have been sent to all property owners within 500 feet.

At the Planning Commission hearing, testimony was received from the applicant; coverage maps for Verizon service area were reviewed; with a final vote of 5-1-1 taken to approve the CUP and Variance request and recommend approval to the City Council.

The Planning Commission continued the April 11, 2015 scheduled public hearing requesting an increase in tower height to 55 feet designed as a palm tree with direction to meet with a sub-committee focusing on additional plantings along San Joaquin Drive.

On May 13, 2015 the Planning Commission conducted a public hearing and voted 7-0 to recommend approval of a 55 foot tall monopalm with the planting of three fan palm trees of at least 25 feet tall along San Joaquin Drive.

ANALYSIS:

Surrounding Property	Existing General Plan Designations	Existing Zoning Designation	Existing Land Use
Subject Site	Industrial	M-1-P (Light Industrial)	Desert Water Agency Well Site
South	Industrial	M-1-P (Light Industrial)	Palm Springs Unified School District Operation
East	Cathedral City	Cathedral City / Residential	Single-Family Residential
West	Industrial	M-1-P (Light Industrial)	Vacant
North	Open Space	Open Space	Escena Golf Course

Plan Designations, Zones and Land Uses:

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless communication facilities; however, staff has determined that the use as proposed is compatible with this designation as it supports cellular needs of the surrounding commercial and residential uses.

The zoning designation is M-1-P (Planned Research and Development), and the use is permitted with the approval of a Conditional Use Permit, pursuant to Section 93.08.00 and 94.02.00 of the Palm Springs Zoning Code (PSZC). The table below displays the PSZC's development standards and the proposed project's development proposal:

Zoning			
Zone	Proposed Use	Permitted?	
M-1-P (Planned Research and Development)	Monopole / Commercial Communication Antennas	Yes, proposed use allowed pursuant to Section 94.02.00(A)(2)(f) of Zoning Code.	
Development Standards	Proposed	Requirement	Compliance
Height	55 feet	15 feet above ground, unless variance is approved	No, variance being requested
Setback			
East (front property line)	100 feet	100 feet to residential property	Yes
South (side property line)	119 feet	No Requirement	Yes
North (side property line)	20 feet	No Requirement	Yes
Rear (east property line)	40 feet	No Requirement	Yes

Above development standards may be found in Sections 93.23.08 and 92.16.03(D) of the Zoning Code.

Antenna Height: Pursuant to Section 93.23.03(C)(2)(c)(ii) of the PSZC, the height and placement limitations of communication antennas within Commercial and Professional Zones is required to comply with the provisions governing broadcast receiving antennas or Section 93.23.03(C)(1)(c)(ii) of the PSZC; according to this Section, “*if the antenna is not mounted on the building, no part of the antenna structure shall extend to a height of more than fifteen (15) feet above the ground level nor shall it be located within any required yard.*” The top of the monopalm structure is proposed at fifty-five (55) feet above the existing ground level. The applicant has submitted a variance application to allow the antenna at its proposed height and provided a radio frequency map for all existing Verizon towers in the City. This map shows a gap in service in the general area of Gene Autry Trail and the Airport. Findings in support are found below.

REQUIRED FINDINGS:

Variance: State law requires four (4) findings be made for the granting of a variance. Staff has analyzed the findings in order below:

- 1) *Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The subject site has parcels in the vicinity that contain buildings and landscaping which inhibit cellular frequency at a height of fifteen feet. The applicant has provided a radio frequency map for all Verizon cell towers in the City which displays a gap in service in the area around Gene Autry Trail and the Airport. An additional map shows coverage after the 55 foot tower is in place greatly improving overall service to the immediate area and the greater network.

- 2) *Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.*

The subject property will be conditioned similar to other properties that have received height variances for antennas. These conditions include removal of the structure upon abandonment of the use, and compliance with Federal Aviation Administration (FAA) requirements. There are additional conditions that are proposed as recommended by the AAC to mitigate visual impacts. Therefore, the approval of this Variance would not constitute a grant of special privilege that is inconsistent with the limitations placed upon other providers in the vicinity and zoning designation.

- 3) *The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The monopalm will be structurally engineered in accordance with all applicable codes for the proposed height and location. Therefore, the project is unlikely to be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the area.

- 4) *The granting of such variance will not adversely affect the general plan of the city.*

The proposed project has been analyzed against the policies of the General Plan and no inconsistencies have been found.

Pursuant to Section 93.23.08(D) of the PSZC, in cases involving applications for height limit variances, no such variance shall be granted unless the director makes the following finding in addition to those required above:

- 5) *That in the area involved, transmission or reception is adversely affected by obstructions and, as verified by at least one (1) person holding a valid radio-telephone first-class operator's license issued by the Federal Communications Commission, it is not feasible to achieve and maintain satisfactory communications within the specified height limitations.*

The applicant provided coverage maps sufficient to determine that an increase in height to 55 feet will provide the coverage necessary to compete with other wireless communication carriers. Diagrams have been provided that show the top of the antenna at a height of fifteen feet, forty-five feet, and fifty-five feet. The documentation shows that the maximum height of fifteen feet does not appear to achieve and maintain satisfactory coverage within the specified height limitations.

Conditional Use Permit. The City Council must make certain findings in order to approve this Conditional Use Permit pursuant to Section 94.02.00 of the Palm Springs Zoning Code; those findings are analyzed by staff below:

- a. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by the City Zoning Ordinance.*

Pursuant to Section 94.02.00(A)(2)(f) of the Palm Springs Zoning Code, a commercial communications antenna is authorized within the M-1-P zone with the approval of a Conditional Use Permit.

- b. *The use applied for is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless communication facilities; however, the use as proposed is compatible with this designation as it supports cellular needs of the surrounding commercial and residential uses and the development of adequate cellular phone levels of services serves the ultimate benefit of the community.

There are no other telecommunication facilities located within the City limits in the immediate area of the proposed site. Further, the planting of two tall palm trees in the landscape area between San Joaquin Drive and the DWA site will soften the visual impact. Therefore, the proposal is unlikely to be detrimental to existing or future uses permitted in the zone, since it will be located in a similar environment.

- c. *The site for the intended use is adequate in size and shape to accommodate said use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses of the land in the neighborhood.*

The proposed height of the tower is within the required setbacks for the M-1-P zone. The use will occupy only a small portion of the parcel located within an existing Desert Water Agency site behind an eight (8) foot tall block wall. Therefore, the site for the intended use will accommodate the proposed facility.

- d. *The site for the proposed use related to streets and highways is properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The only traffic generated from the said use to and from the site will be for maintenance, and the existing infrastructure is anticipated to accommodate the traffic necessary for the maintenance of the facility.

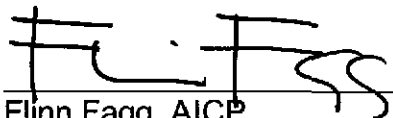
- e. *The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.*

The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for approval and include, but are not limited to, installation of two palm trees to provide screening, removal of antenna upon use-change or abandonment of the subject

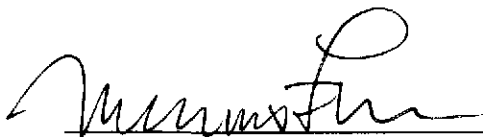
property and compliance with all Federal Airport Administration requirements among others.

ENVIRONMENTAL DETERMINATION:

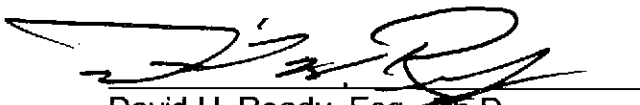
Section 21084 of the California Public Resources Code requires Guidelines for Implementation of the California Environmental Quality Act ("CEQA"). The Guidelines are required to include a list of classes of projects which have been determined not to have a significant effect on the environment and which are exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and are declared to be categorically exempt from the requirement for the preparation of environmental documents. In accordance with Section 15303 "New Construction of Small Structures," Class 3 projects consists of structures not involving the use of significant amounts of hazardous substances, and not exceeding 2,500-square feet in floor area. In urbanized areas the exemption also applies to up to four commercial buildings not exceeding 10,000-square feet of floor area in sites zoned for such use if not involving significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. Therefore, in accordance with Section 15303(c), staff has determined that Case 5.1513 CUP for the construction of a 55 foot tall monopalm for Verizon Wireless is considered categorically exempt from CEQA and a Notice of Exemption has been prepared and filed with the Riverside County Clerk. A copy of the Notice of Exemption is included.



Flinn Fagg, AICP
Director of Planning Services



Marcus L. Fuller, MPA, PE, PLS
Assistant City Manager/City Engineer



David H. Ready, Esq., Ph.D.,
City Manager

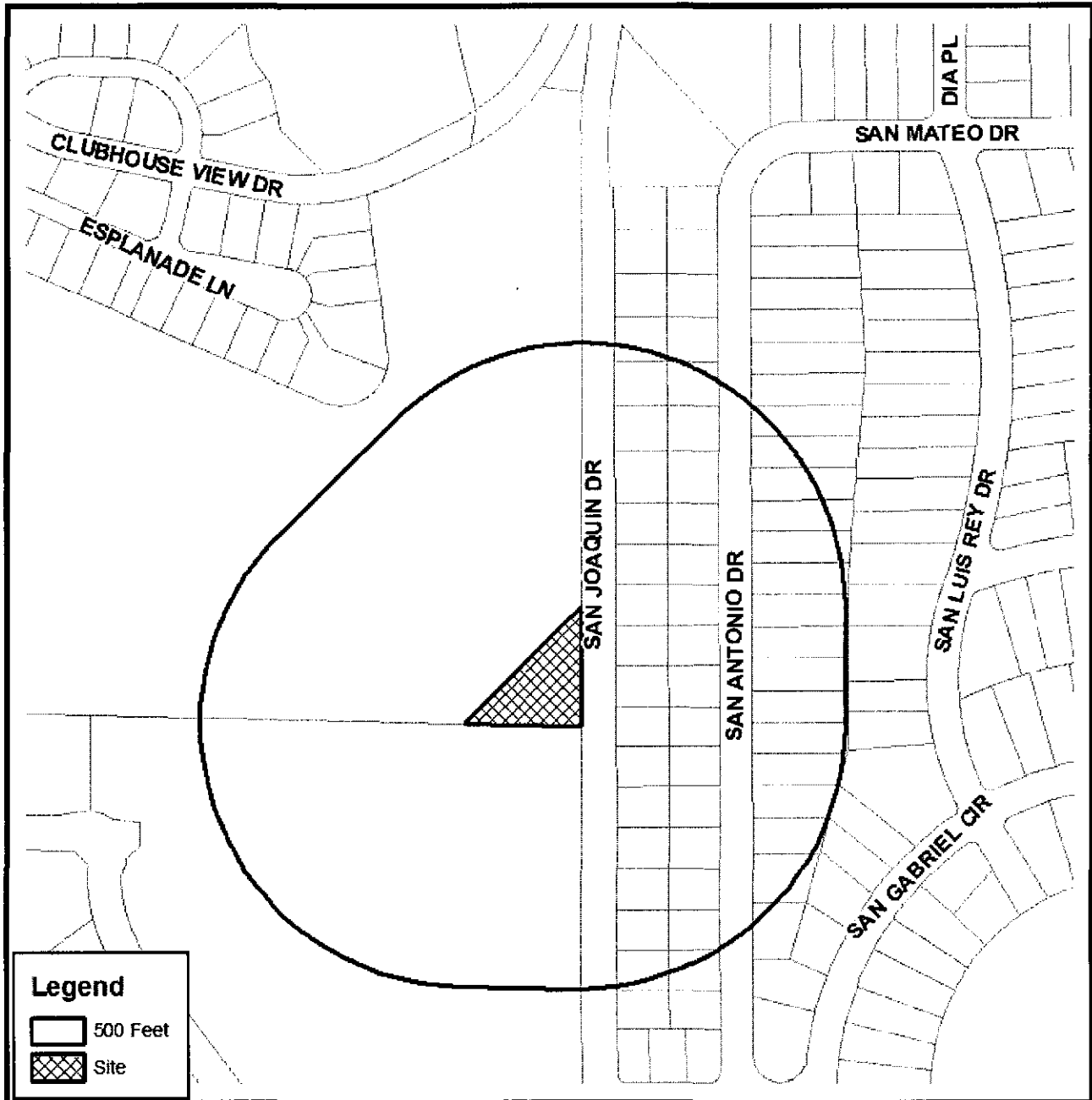
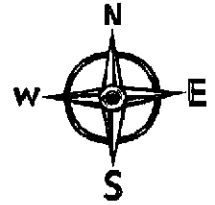
Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Planning Commission Staff Report, May 13, 2015
4. Planning Commission Resolution
5. Notes from the May 13, 2015 Planning Commission Meeting
6. Minutes of the April 22, 2015 Planning Commission Meeting
7. Minutes of the February 18, 2015 City Council Meeting
8. Reduced Plans

9. Coverage Maps
10. Planning Department Maps showing location of all cell towers in City
11. Photo Simulations
12. CEQA Notice of Exemption



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT, CASE NO. 5.1315, TO CONSTRUCT A FIFTY-FIVE FOOT TALL MONOPOLE WITH ASSOCIATED EQUIPMENT SHELTER; CEQA DETERMINATION OF CATEGORICAL EXEMPTION AS "NEW CONSTRUCTION OF SMALL STRUCTURES"; AND VARIANCE, CASE NO. 6.531, TO EXCEED MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE.

WHEREAS, Spectrum Services for Verizon Wireless ("Applicant") has filed an application on behalf of the Desert Water Agency ("Property Owner" or "Owner") with the City pursuant to Section 94.02.00 and Section 94.06.00 of the Palm Springs Zoning Code (PSZC) for the installation of a telecommunications facility, including fifty foot high commercial communications monopole, an equipment enclosure and block wall located at a Desert Water Agency Site on San Joaquin Drive, APN: 677-270-036, M-1-P Zone, Section 18; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider the application for Conditional Use Permit Case No. 5.1315 and Variance Case No. 6.531 was given in accordance with applicable law; and

WHEREAS, on May 13, 2015, a public hearing on the application for Conditional Use Permit Case No. 5.1315 and Variance Case No. 6.531 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, on May 13, 2015, the Planning Commission recommended conditional approval of Conditional Use Permit Case No. 5.1315 and Variance Case No. 6.531 to the City Council; and

WHEREAS, notice of public hearing of the City Council of the City of Palm Springs to consider the application for Conditional Use Permit Case No. 5.1315 and Variance Case No. 6.531 was given in accordance with applicable law; and

WHEREAS, on May 20, 2015, a public hearing on the application for Conditional Use Permit Case No. 5.1315 and Variance Case No. 6.531 was held by the City Council in accordance with applicable law; and

WHEREAS, the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3 – New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that this Conditional Use Permit and Variance are Categorically Exempt from environmental review pursuant to Section 15303 (Class 3 – New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).

SECTION 2. Variance: State law requires four (4) findings be made for the granting of a variance. Pursuant to the procedure set forth in Section 94.06.01 of the Zoning Code, the City Council finds as follows:

- 1) *Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The subject site has parcels in the vicinity that contain buildings and landscaping which inhibit cellular frequency at a height of fifteen feet. The applicant has provided a radio frequency map for all Verizon cell towers in the City which displays a gap in service in the area around Gene Autry Trail and the Airport. An additional map shows coverage after the 55 foot tower is in place greatly improving overall service to the immediate area and the greater network.

- 2) *Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.*

The subject property will be conditioned similar to other properties that have received height variances for antennas. These conditions include removal of the structure upon abandonment of the use, and compliance with Federal Aviation Administration (FAA) requirements. There are additional conditions that are proposed as recommended by the AAC to mitigate visual impacts. Therefore, the approval of this Variance would not constitute a grant of special privilege that is inconsistent with the limitations placed upon other providers in the vicinity and zoning designation.

- 3) *The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The monopalm will be structurally engineered in accordance with all applicable codes for the proposed height and location. Therefore, the project is unlikely to be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the area.

- 4) *The granting of such variance will not adversely affect the general plan of the city.*

The proposed project has been analyzed against the policies of the General Plan and no inconsistencies have been found.

Pursuant to Section 93.23.08(D) of the PSZC, in cases involving applications for height limit variances, no such variance shall be granted unless the director makes the following finding in addition to those required above:

- 5) *That in the area involved, transmission or reception is adversely affected by obstructions and, as verified by at least one (1) person holding a valid radio-telephone first-class operator's license issued by the Federal Communications Commission, it is not feasible to achieve and maintain satisfactory communications within the specified height limitations.*

The applicant provided coverage maps sufficient to determine that an increase in height to 55 feet will provide the coverage necessary to compete with other wireless communication carriers. Diagrams have been provided that show the top of the antenna at a height of fifteen feet, forty-five feet, and fifty-five feet. The documentation shows that the maximum height of fifteen feet does not appear to achieve and maintain satisfactory coverage within the specified height limitations.

SECTION 3. Conditional Use Permit: The City Council must make certain findings in order to approve this Conditional Use Permit pursuant to Section 94.02.00 of the Palm Springs Zoning Code:

- a. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by the City Zoning Ordinance.*

Pursuant to Section 94.02.00(A)(2)(f) of the Palm Springs Zoning Code, a commercial communications antenna is authorized within the M-1-P zone with the approval of a Conditional Use Permit.

- b. *The use applied for is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless communication facilities; however, the use as proposed is compatible with this designation as it supports cellular needs of the surrounding commercial and residential uses and the development of adequate cellular phone levels of services serves the ultimate benefit of the community.

There are no other telecommunication facilities located within the City limits in the immediate area of the proposed site. Further, the planting of two tall palm trees in the landscape area between San Joaquin Drive and the DWA site will soften the visual impact. Therefore, the proposal is unlikely to be detrimental to existing or future uses permitted in the zone, since it will be located in a similar environment.

- c. *The site for the intended use is adequate in size and shape to accommodate said use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses of the land in the neighborhood.*

The proposed height of the tower is within the required setbacks for the M-1-P zone. The use will occupy only a small portion of the parcel located within an existing Desert Water Agency site behind an eight (8) foot tall block wall. Therefore, the site for the intended use will accommodate the proposed facility.

- d. *The site for the proposed use related to streets and highways is properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The only traffic generated from the said use to and from the site will be for maintenance, and the existing infrastructure is anticipated to accommodate the traffic necessary for the maintenance of the facility.

- e. *The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.*

The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for approval and include, but are not limited to, installation of two palm trees to provide

screening, removal of antenna upon use-change or abandonment of the subject property and compliance with all Federal Airport Administration requirements among others.

NOW, THEREFORE BE IT RESOLVED that the City Council approves Conditional Use Permit Case No. 5.1315 and Variance Case No. 6.531, to install and operate telecommunications monopalm and related equipment at a Desert Water Agency Site on San Joaquin Drive, subject to those conditions set forth in Exhibit A.

ADOPTED this 20th day of May, 2015.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California

RESOLUTION NO.

EXHIBIT A

Case 5.1315 CUP and Case 6.531 VAR
Spectrum Services (Verizon Wireless) on behalf of Desert Water Agency

San Joaquin Drive
APN: 677-270-036

May 20, 2015

CONDITIONS OF APPROVAL

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Director of Building and Safety, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

ADMINISTRATIVE CONDITIONS

- ADM 1. Project Description. This approval is for the project described per Case 5.1315 CUP and Case 6.531 VAR, except as modified by the conditions below.
- ADM 2. Reference Documents. The site shall be developed and maintained in accordance with the approved plans, date stamped May 13, 2015, including site plans, architectural elevations and colors on file in the Planning Division except as modified by the approved by conditions below.
- ADM 3. Conform to all Codes and Regulations. The project shall conform to the conditions contained herein, all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, and any other City, County, State and Federal Codes, ordinances, resolutions and laws that may apply.
- ADM 4. Minor Deviations. The Director of Planning or designee may approve minor deviations to the project description and approved plans in accordance with the provisions of the Palm Springs Zoning Code.
- ADM 5. Indemnification. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of

Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1315 CUP and Case 6.531 VAR. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- ADM 6. Maintenance and Repair. The property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation all structures, sidewalks, bikeways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
- ADM 7. Time Limit on Approval. Approval of this Conditional Use Permit shall be valid for a period of two (2) years from the effective date of the approval. Extensions of time may be granted by the Planning Commission upon demonstration of good cause. Once constructed, the Conditional Use Permit, provided the project has remained in compliance with all conditions of approval, does not have a time limit.
- ADM 8. Right to Appeal. Decisions of an administrative officer or agency of the City of Palm Springs may be appealed in accordance with Municipal Code Chapter 2.05.00. Permits will not be issued until the appeal period has concluded.
- ADM 9. Comply with City Noise Ordinance. This use shall comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. Violations may result in revocation of this Conditional Use Permit.
- ADM 10. Conditional Use Permit Availability. The applicant shall provide a copy of this Conditional Use Permit to all buyers and potential buyers.

PLANNING DEPARTMENT CONDITIONS

- PLN 1. Signage. Signage is prohibited on the exterior of the monopole structure.
- PLN 2. Landscape. Prior to final inspection, the applicant shall plant three – 25 foot tall palm trees located in the landscape area between the Desert Water Agency site and San Joaquin Drive to provide screening the Dream Homes neighborhood. The species shall be a Washingtonian Robusta Palm. The location of the palm trees is reflected on approved site plan.
- PLN 3. Equipment Shelter. Block wall surrounding equipment shelter to be eight (8) feet tall constructed of concrete block to match perimeter Escena Development block wall.
- PLN 4. Off-street Parking Areas. Off-street parking areas shall be located within the Desert Water Agency site.
- PLN 5. Outdoor Lighting Conformance. Exterior lighting shall conform to Section 93.21.00, Outdoor Lighting Standards, of the Palm Springs Zoning Code. Manufacturer's cut sheets of all exterior lighting shall be submitted to the Planning Department for approval prior to the issuance of building permits. No lighting of hillsides is permitted.
- PLN 6. Outside Storage Prohibited. No outside storage of any kind shall be permitted except as approved as a part of the proposed plan.
- PLN 7. Outdoor Display of Merchandise. Unless specifically permitted by Land Use Permit, all driveways and parking areas shall remain clear of merchandise display at all times. Violations to this condition may result in fines, CUP revocation proceedings or other actions as deemed appropriate by the City.
- PLN 8. Modification or Addition. If the communication antenna(s), monopole or equipment cabinets are ever proposed to be modified in any manner such as the inclusion of other antennas, satellite dishes and / or other support equipment, the proposed modifications shall be submitted to the Director of Planning Services for review and approval prior to installation.
- PLN 9. Obsolete Technology. If the technology regarding the communications antenna(s) changes in where the antenna(s) and / or equipment cabinets as approved become obsolete, then the antenna shall be removed.
- PLN 10. Property Use and CUP. If the use of the subject property is ever changed, the City reserves the right to modify or revoke this Conditional Use Permit application pursuant to Section 94.02.00(l) of the Zoning Code.
- PLN 11. Antenna Structure. Antenna shall be a monoplam design with twelve (12) antenna panels that are six by one feet in size installed at top of structure with

a four foot parabolic antenna mounted below. The monopalm to utilize the maximum amount to palm fronds to provide a full tree canopy. This condition must be maintained throughout for the duration of this CUP approval.

- PLN 12. Antenna Structure Height. The maximum height of the commercial communications antenna structure shall be fifty-five (55) feet, as measured from finished grade to the highest point of the structure.
- PLN 13. Valid Lease Agreement Required. If the lease agreement between the property owner and the applicant expires and is not renewed, the CUP will become null and void, and the applicant shall remove the antenna and equipment to the satisfaction of the Director of Planning Services.
- PLN 14. Use Abandonment. If the antenna(s) and/or monopole are ever abandoned or if this Conditional Use Permit ever expires, the monopole and antenna(s) shall be removed within 30 days.
- PLN 15. FAA & FCC Compliance. The applicant shall comply with the requirements of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC).
- PLN 16. Antenna Visibility and Safety. The City reserves the right to require, at any time in the future, one obstruction light on the tallest point of the structure extending 12" - 24" above the highest point of the pole if deemed necessary by the Director of Planning Services.
- PLN 17. Co-location. When feasible, the applicant / operator of the facility shall agree to allow the co-location of equipment of other wireless communications providers at this site when applications are received by the City and it is considered feasible, subject to an agreement between the applicant / operator, the other proposed wireless communications provider and the property owner.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION CONDITIONS (ALUC)

- ALUC 1. Any new outdoor lighting that is installed shall be hooded or shielded so as to prevent either spillage of lumens or reflection into the sky
- ALUC 2. The following uses shall be prohibited:
- a. Any use which would direct a steady light or flashing light red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

b. Any use which causes sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

c. Any use which generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area, including but not limited to, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, incinerators, and fly ash disposal.

d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and or aircraft instrumentation.

ALUC 3. The attached notice shall be provided to all potential purchasers of the property and tenants of any habitable buildings thereon.

ALUC 4. The Federal Aviation Administration has conducted an aeronautical study of the proposed structure (Aeronautical Study No. 2013-AWP-7124-OE) and has determined that neither marking nor lighting of the structure is necessary for aviation safety. However, if marking and / or lighting for aviation safety are accomplished on a voluntary basis, such marking and / or lighting (if any) shall be installed in accordance with FAA Advisory Circular 70/7460-1 K Change 2 and shall be maintained in accordance therewith for the life of the project.

ALUC 5. The maximum height of the proposed structure shall not exceed 60 feet above ground level, and the maximum elevation of the proposed structure, including all towers and antennas, shall not exceed 464 feet above mean sea level.

ALUC 6. The specific coordinates, height, top point elevation of the proposed structure, frequencies, and power shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in building height or elevation shall not require further review by the Airport Land Use Commission.

ALUC 7. Temporary construction equipment used during actual construction of the structure shall not exceed the height of the structure, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.

ALCU 8. Within five (5) days after construction of the structure reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction of Alteration, shall be completed by the project proponent or his/her designee and e-filed with the Federal Aviation Administration. (Go to <https://oeaaa.faa.gov> for

information) This requirement is also applicable in the event the project is abandoned.

POLICE DEPARTMENT CONDITIONS

POL 1. Developer shall comply with Section II of Chapter 8.04 "Building Security Codes" of the Palm Springs Municipal Code.

BUILDING DEPARTMENT CONDITIONS

BLD 1. Prior to any construction on-site, all appropriate permits must be secured.

END OF CONDITIONS



PLANNING COMMISSION STAFF REPORT

DATE: MAY 13, 2015

SUBJECT: SPECTRUM SERVICES (VERIZON WIRELESS) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY-FIVE (55) FOOT TALL MONOPOLE STRUCTURE (DESIGNED AS A PALM TREE) WITH ASSOCIATED EQUIPMENT SHELTER AND A VARIANCE REQUEST TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, ZONE M-1-P (CASE NOS. 5.1315 CUP & 6.531 VAR).

FROM: Department of Planning Services

SUMMARY

The Planning Commission to consider a revised application by Verizon Wireless for a Conditional Use Permit to install a fifty-five (55) foot high wireless communication tower designed like a palm tree and a Variance application to exceed the maximum antenna height of forty (40) feet above the permitted fifteen (15) feet located at a Desert Water Agency site on San Joaquin Drive. The request includes a 900-square foot equipment enclosure with an eight foot tall block wall surrounding the facility.

RECOMMENDATION:

Recommend approval of the Conditional Use Permit and Variance request to the City Council, subject to Conditions of Approval. **Revised site / landscape plan to be presented at meeting.**

ISSUES:

- Previous project as recommend by the Planning Commission was reviewed by the City Council on February 18, 2014 and voted 2-3 to deny the project as designed giving direction to the applicant as follows:
 1. Change structure to a "monopalm" design
 2. Equipment shelter block wall material to match existing Escena development
 3. Eliminate proposed 5 palm trees planted in a row on the Escena property as shown on landscape plan
- Revised application as a "monopalm" raises tower height to fifty-five (55) feet
- Increased height requires re-noticing and public hearing by Planning Commission

- Planning Commission at their April, 22, 2015 meeting directed the applicant to meet with a sub-committee to discuss the planting of additional trees along San Joaquin Drive

BACKGROUND AND SETTING:

Ownership	
4/24/2008	Desert Water Agency

Neighborhood Meeting	
None	Not Required

Planning Areas		
Design Plan	None	
Airport Overlay	Yes	Zone D of Airport Influence Area, Riverside County Airport Land Use Compatibility Plan
Indian Land	None	

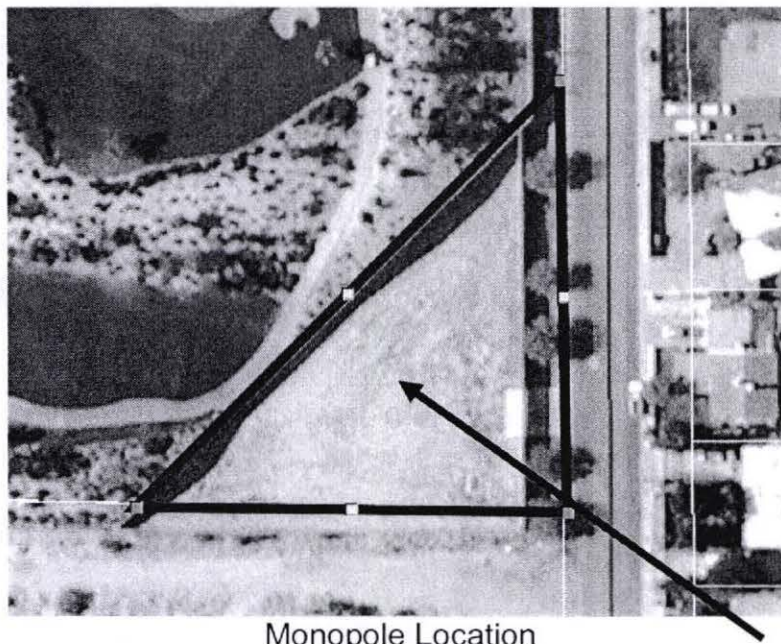
Site Posting	
1/13/14	"Project Under Consideration" sign posted on site.

Field Check	
April 2015	Staff visited the site to observe existing conditions.

Related Relevant City Actions by Planning, Fire, Building, etc...	
2/24/2014	AAC reviewed as a monopalm and recommended conditional approval: <ul style="list-style-type: none"> • Cluster palm trees to provide visual buffer. • Plant 5 Washingtonian Robusta, 25' tall inside DWA well site perimeter wall. • Use largest fronds available on tower.
3/12/2014	Planning Commission reviews application and votes to Table.
11/12/2014	Planning Commission conducts Study Session to discuss cell towers.
1/14/2015	Planning Commission adopts Resolution #6461 granting approval of a 50' tall monopole structure and Variance request; and recommending approval to the City Council
2/18/2015	City Council reviewed the proposal and votes 2-3 to deny the project as designed giving direction of the applicant as follows: <ol style="list-style-type: none"> 1. Change structure to a "monopalm" design 2. Equipment shelter block wall material to match existing Escena development 3. Eliminate proposed 5 palm trees in a line planted on Escena property as shown on landscape plan

4/11/2015	Planning Commission votes to continue public hearing to a date certain of May 13, 2015; and direct applicant to meet with sub-committee to address planting trees along San Joaquin Drive.
4/30/15	Planning Commissioner Middleton met with applicant to discuss planting of three Mexican Fan Palms interspersed between existing trees along San Joaquin Drive.

Site Area	
Net Area	25,268-square feet



Monopole Location

PLANNING COMMISSION AND CITY COUNCIL PAST REVIEWS

The Planning Commission reviewed a proposal at their January 14, 2015 meeting requesting a Conditional Use Permit and Variance request for the construction of a fifty (50) foot tall monopole structure. The Commission voted 5-1-1 to approve the project as a monopole to encourage colocation and recommend approval to the City Council.

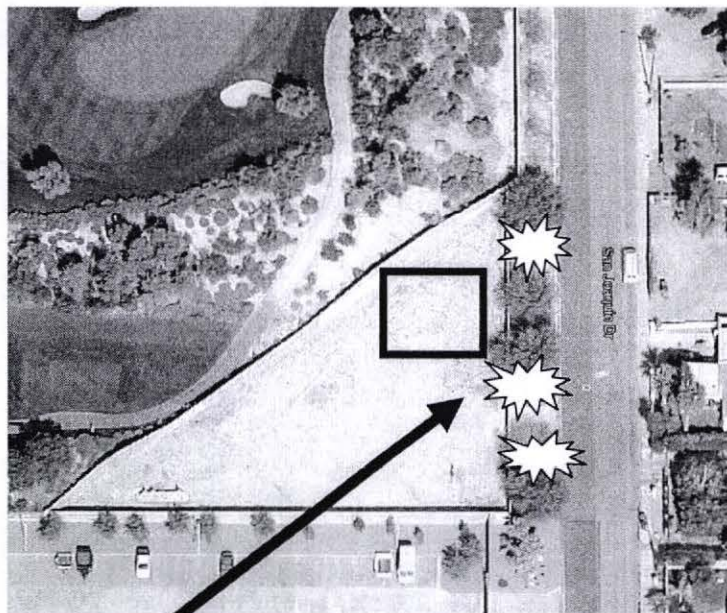
The City Council reviewed the project at their February 18, 2015 meeting and voted 2-3 to deny the project and give direction to the applicant as follows:

1. Change structure to a "monopalm" design.
2. Equipment shelters block wall material to match existing Escena development.
3. Eliminate proposed 5 palm trees planted in a line on Escena property as shown on landscape plan.

The minutes of the City Council meeting include a discussion of a monopalm design versus a monopole; the location of the proposed five (5) palm trees on the Escena Golf Club property planted in a line and if they provide screening; and the equipment enclosure block wall material to match the Escena perimeter wall.

The Planning Commission at their April 22, 2015 meeting vote to continue a public hearing to a date certain of May 13, 2015. At this meeting the Commission directed the applicant to meet with a sub-committee consisting to Members Middleton and Roberts to discuss the option of providing screening for the Dream Homes neighborhood to the East. Commissioner Middleton met with the applicant on Thursday, April 30, 2015 and reached a consensus with Verizon agreeing to remove proposed trees from the Escena Golf Course and the planting of three Mexican Fan Palms in the landscaped area adjacent to San Joaquin Drive. The trees are to be 25-30 foot tall interspersed with existing mature shade trees providing additional screening of the proposed tower.

Staff has worked with the applicant to revise the drawings to include a tower designed as a monopalm which raises the structure height to fifty-five (55) feet. In addition, three fan palms 25-30 feet tall to be planted in the landscaped area adjacent to street. Due to the long lead time required by the applicant to prepare revised drawings, final landscape plans will be presented at the Planning Commission meeting. Staff believes that applicant has been given clear direction and is comfortable with the project moving to public hearing.



Location of 3 new palm trees

PROJECT DESCRIPTION:

The subject property owned by the Desert Water Agency (DWA) is approximately 25,268-square feet in size located at the City boundary to Cathedral City along San Joaquin Drive. The site contains limited mechanical apparatus used by DWA to monitor/measure underground wells. Verizon proposes to lease 900-square feet located in the northwest corner of the triangular parcel. New construction will include a 55-foot monopole designed as a palm tree; a 194-square foot equipment shelter; and an inner eight (8) foot tall block containment wall. No other telecommunication facility is present on the site; however the use of a monopole could allow co-location by other telecommunication carriers.

The proposed wireless telecommunications facility will consist of a 194-square foot equipment shelter and a 55 foot tall monopole designed as a palm tree. Twelve (12) antenna panels that are six by one feet in size will be installed at the top of the structure. A four foot parabolic antenna will be mounted below the panel antennas. The monopole to be painted “Desert Tan” and equipment enclosure is proposed to be surrounded by an eight foot high block wall. The area between the DWA site perimeter wall and the street is currently landscaped and maintained by the Escena Community.

The location of the proposed cell tower is within Zone “D” of the Airport influence area as shown on the Riverside County Airport Land Use Compatibility Map. This document is administered by the Riverside County Airport Land Use Commission (ALUC). In their letter dated, February 5, 2014, ALUC states:

“Given the site’s proximity to the runway (approximately 2,050 feet), the applicant filed Form 7460-1 with the Federal Aviation Administration Obstructive Evaluation Service and obtained a Determination of No Hazard to Air Navigation, therefore ALUC finds the project Consistent with the 2005 Palm Springs International Airport Land Use Compatibility Plan subject to conditions as listed”

The compatibility letter lists eight conditions which have been included in the projects Conditions of Approval.

The location of the proposed communication pole is 117 feet away from the nearest residential property line along San Joaquin Drive. This street is the dividing line between Palm Springs and the City of Cathedral City. The PSZC development standards for the M-1-P zone require a minimum set back of 100 feet from the cell tower to a residential property.

ANALYSIS:

Surrounding Property	Existing General Plan Designations	Existing Zoning Designation	Existing Land Use
Subject Site	Industrial	M-1-P (Light Industrial)	Desert Water Agency

			Well Site
South	Industrial	M-1-P (Light Industrial)	Palm Springs Unified School District Operation
East	Cathedral City	Cathedral City / Residential	Single-Family Residential
West	Industrial	M-1-P (Light Industrial)	Vacant
North	Open Space	Open Space	Escena Golf Course

Plan Designations, Zones and Land Uses:

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless communication facilities; however, staff has determined that the use as proposed is compatible with this designation as it supports cellular needs of the surrounding commercial and residential uses.

The zoning designation is M-1-P (Planned Research and Development), and the use is permitted with the approval of a Conditional Use Permit, pursuant to Section 93.23.08 and 94.02.00 of the Palm Springs Zoning Code (PSZC). The table below displays the PSZC's development standards and the proposed project's development proposal:

Zoning			
Zone	Proposed Use	Permitted?	
M-1-P (Planned Research and Development)	Monopole / Commercial Communication Antennas	Yes, proposed use allowed pursuant to Section 94.02.00(A)(2)(f) of Zoning Code.	
Development Standards	Proposed	Requirement	Compliance
Height	50 feet	15 feet above ground, unless variance is approved	No, variance being requested
Setback			
East (front property line)	100 feet	100 feet to residential property	Yes
South (side property line)	119 feet	No Requirement	Yes
North (side property line)	20 feet	No Requirement	Yes
Rear (east property line)	40 feet	No Requirement	Yes

Above development standards may be found in Sections 93.23.08 and 92.16.03(D) of the Zoning Code

Antenna Height: Pursuant to Section 93.23.08(C)(2)(c)(ii) of the PSZC, the height and placement limitations of communication antennas within Commercial and Professional Zones is required to comply with the provisions governing broadcast receiving antennas or Section 93.23.08(C)(1)(c)(ii) of the PSZC; according to this Section, "if the antenna is not mounted on the building, no part of the antenna structure shall extend to a height of more than fifteen (15) feet above the ground level nor shall it be located within any

required yard.” The top of the monopalm structure is proposed at fifty-five (55) feet above the existing ground level. The applicant has submitted a variance application to allow the antenna at its proposed height and provided a radio frequency map for all existing Verizon towers in the City. This map shows a gap in service in the general area of Gene Autry Trail and the Airport. Findings in support are found below.

REQUIRED FINDINGS:

Variance: State law requires four (4) findings be made for the granting of a variance. Staff has analyzed the findings in order below:

- 1) *Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The subject site has parcels in the vicinity that contain buildings and landscaping which inhibit cellular frequency at a height of fifteen feet. The applicant has provided a radio frequency map for all Verizon cell towers in the City which displays a gap in service in the area around Gene Autry Trail and the Airport. An additional map shows coverage after the 55 foot tower is in place greatly improving overall service to the immediate area and the greater network.

- 2) *Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.*

The subject property will be conditioned similar to other properties that have received height variances for antennas. These conditions include removal of the structure upon abandonment of the use, and compliance with Federal Aviation Administration (FAA) requirements. There are additional conditions that are proposed as recommended by the AAC to mitigate visual impacts. Therefore, the approval of this Variance would not constitute a grant of special privilege that is inconsistent with the limitations placed upon other providers in the vicinity and zoning designation.

- 3) *The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The monopalm will be structurally engineered in accordance with all applicable codes for the proposed height and location. Therefore, the project is unlikely to be

materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the area.

- 4) *The granting of such variance will not adversely affect the general plan of the city.*

The proposed project has been analyzed against the policies of the General Plan and no inconsistencies have been found.

Pursuant to Section 93.23.08(D) of the PSZC, in cases involving applications for height limit variances, no such variance shall be granted unless the director makes the following finding in addition to those required above:

- 5) *That in the area involved, transmission or reception is adversely affected by obstructions and, as verified by at least one (1) person holding a valid radio-telephone first-class operator's license issued by the Federal Communications Commission, it is not feasible to achieve and maintain satisfactory communications within the specified height limitations.*

The applicant provided coverage maps sufficient to determine that an increase in height to 55 feet will provide the coverage necessary to compete with other wireless communication carriers. Diagrams have been provided that show the top of the antenna at a height of fifteen feet, forty-five feet, and fifty-five feet. The documentation shows that the maximum height of fifteen feet does not appear to achieve and maintain satisfactory coverage within the specified height limitations.

Conditional Use Permit: The Planning Commission must make certain findings in order to approve this Conditional Use Permit pursuant to Section 94.02.00 of the Palm Springs Zoning Code; those findings are analyzed by staff below:

- a. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by the City Zoning Ordinance.*

Pursuant to Section 94.02.00(A)(2)(f) of the Palm Springs Zoning Code, a commercial communications antenna is authorized within the M-1-P zone with the approval of a Conditional Use Permit.

- b. *The use applied for is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless

communication facilities; however, the use as proposed is compatible with this designation as it supports cellular needs of the surrounding commercial and residential uses and the development of adequate cellular phone levels of services serves the ultimate benefit of the community.

There are no other telecommunication facilities located within the City limits in the immediate area of the proposed site. Further, the monopole designed as a palm tree, and the planting of three (3) 25-30 foot tall fan palms in the landscaped area adjacent to San Joaquin Drive will provide screening for the adjacent Dream Home neighborhood. Therefore, the proposal is unlikely to be detrimental to existing or future uses permitted in the zone, since it will be located in a similar environment.

- c. *The site for the intended use is adequate in size and shape to accommodate said use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses of the land in the neighborhood.*

The proposed height of the tower is within the required setbacks for the M-1-P zone. The use will occupy only a small portion of the parcel located within an existing Desert Water Agency site behind an eight (8) foot tall block wall. Therefore, the site for the intended use will accommodate the proposed facility.

- d. *The site for the proposed use related to streets and highways is properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The only traffic generated from the said use to and from the site will be for maintenance, and the existing infrastructure is anticipated to accommodate the traffic necessary for the maintenance of the facility.

- e. *The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.*

The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for approval and include, but are not limited to, installation of three palm trees to help screen the adjacent residential neighborhood, removal of antenna upon use-change or abandonment of the subject property and compliance with all Federal Airport Administration requirements among others.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt as a Class III exemption per Section 15303 (New Construction or Conversion of Small Structures).

CONCLUSION

The proposed project has been revised several times to reflect the direction from City Staff, AAC, Planning Commission and City Council. The applicant has willingly made changes based upon comments and actions. The request before the Planning Commission reflects the direction of the City Council and the Planning Commission sub-committee for the applicant to plant three (3) 25-30 foot tall Mexican Fan Palms interspersed within the landscaped area along San Joaquin Drive.



Glenn Mlaker, AICP
Assistant Planner



Flinn Fagg, AICP
Director of Planning Services

Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. Planning Commission Resolution # 6461
4. Minutes of the February 18, 2015 City Council Meeting
5. Minutes of the January 14, 2015 Planning Commission Meeting
6. Site Plan / Elevations **(to be presented at meeting)**
7. Photo Simulations **(to be presented at meeting)**

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA RECOMMENDING APPROVAL OF A CONDITIONAL USE PERMIT, CASE NO. 5.1315, TO THE CITY COUNCIL FOR THE INSTALLATION OF A FIFTY-FIVE FOOT HIGH MONOPALM COMMERCIAL COMMUNICATIONS ANTENNA STRUCTURE AND OF A VARIANCE APPLICATION, CASE NO. 6.531, TO EXCEED THE MAXIMUM ANTENNA HEIGHT FOR THE PROPERTY LOCATED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE.

WHEREAS, Spectrum Services for Verizon Wireless, ("Applicant") has filed an application on behalf of Desert Water Agency (property owner) with the City pursuant to Sections 94.02.00, 93.23.08 and 94.06.00 of the Palm Springs Zoning Code (PSZC) for the installation of a telecommunications facility, including a fifty-five foot tall monopole designed like a palm tree and existing equipment shelter located at a Desert Water Agency site on San Joaquin Drive, APN: 677-270-036, M-1-P Zone, Section 18; and

WHEREAS, on January 14, 2015, a public hearing on the application for Conditional Use Permit, Case No. 5.1315 and Variance, Case No. 6.531 was held by the Planning Commission in accordance with applicable law and by a vote of 5-1-1 approved application and recommend approval to the City Council; and

WHEREAS, on February 18, 2015, a public hearing on the application for Conditional Use Permit Case No. 5.1315 and Variance No. 6.531 was held by the City Council in accordance with applicable law and by a vote of 2-3 denied the application as submitted giving direction to the applicant; and

WHEREAS, on May 13, 2015 a public hearing of the Planning Commission of the City of Palm Springs to consider a revised application for Conditional Use Permit, Case No. 5.1315 and Variance, Case No. 6.531 was given in accordance with applicable law; and

WHEREAS, the proposed Conditional Use Permit is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).; and

WHEREAS, the Riverside Airport Land Use Commission has reviewed the request and in a letter dated February 5, 2014 has deemed the project consistent with the 2005 Palm Springs International Airport Land Use Compatibility Plan; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the hearing on the project, including, but not limited to, the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION HEREBY FINDS AS FOLLOWS:

Section 1: The Planning Commission finds that this Conditional Use Permit is Categorically Exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act.

Section 2: Variance: State law requires four (4) findings be made for the granting of a variance. The Planning Commission finds as follows:

1. *Because of the special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Zoning Code would deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

The subject site has parcels in the vicinity that contain buildings and landscaping which inhibit cellular frequency at a height of fifteen feet. The applicant has provided a radio frequency map for all Verizon cell towers in the City which displays a gap in service in the area around Gene Autry Trail and the Airport. An additional map shows coverage after the 55 foot tower is in place greatly improving overall service to the immediate area and the greater network.

2. *Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.*

The subject property will be conditioned similar to other properties that have received height variances for antennas. These conditions include removal of the structure upon abandonment of the use, and compliance with Federal Aviation Administration (FAA) requirements. There are additional conditions that are proposed as recommended by the AAC to mitigate visual impacts. Therefore, the approval of this Variance would not constitute a grant of special privilege that is inconsistent with the limitations placed upon other providers in the vicinity and zoning designation.

3. *The granting of the variance will not be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the same vicinity and zone in which subject property is situated.*

The monopalm will be structurally engineered in accordance with all applicable codes for the proposed height and location. Therefore, the project is unlikely to be materially detrimental to the public health, safety, convenience, or welfare or injurious to property and improvements in the area.

4. *The granting of such variance will not adversely affect the general plan of the city.*

The proposed project has been analyzed against the policies of the General Plan and no inconsistencies have been found.

Pursuant to Section 93.23.08(D) of the PSZC, in cases involving applications for height limit variances, no such variance shall be granted unless the director makes the following finding in addition to those required above:

5. *That in the area involved, transmission or reception is adversely affected by obstructions and, as verified by at least one (1) person holding a valid radio-telephone first-class operator's license issued by the Federal Communications Commission, it is not feasible to achieve and maintain satisfactory communications within the specified height limitations.*

The applicant provided coverage maps sufficient to determine that an increase in height to 55 feet will provide the coverage necessary to compete with other wireless communication carriers. Diagrams have been provided that show the top of the antenna at a height of fifteen feet, forty-five feet, and fifty-five feet. The documentation shows that the maximum height of fifteen feet does not appear to achieve and maintain satisfactory coverage within the specified height limitations.

Section 3: Conditional Use Permit: Pursuant to Zoning Ordinance Section 94.02.00, the Planning Commission finds that:

a. *The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by the City Zoning Ordinance.*

Pursuant to Section 94.02.00(A)(2)(f) of the Palm Springs Zoning Code, a commercial communications antenna is authorized within the M-1-P zone with the approval of a Conditional Use Permit.

b. *The use applied for is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to future uses specifically permitted in the zone in which the proposed use is to be located.*

The General Plan designation of the subject site is Industrial. The General Plan does not specifically regulate the installation and operation of wireless communication facilities; however, the use as proposed is compatible with this designation as it supports cellular needs of the surrounding commercial and residential uses and the development of adequate cellular phone levels of services serves the ultimate benefit of the community.

There are no other telecommunication facilities located within the City limits in the immediate area of the proposed site. Further, the monopole designed as a palm

tree, and the planting of three (3) 25-30 foot tall fan palms in the landscaped area adjacent to San Joaquin Drive will provide screening for the adjacent Dream Home neighborhood. Therefore, the proposal is unlikely to be detrimental to existing or future uses permitted in the zone, since it will be located in a similar environment.

- c. *The site for the intended use is adequate in size and shape to accommodate said use, including yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses of the land in the neighborhood.*

The proposed height of the tower is within the required setbacks for the M-1-P zone. The use will occupy only a small portion of the parcel located within an existing Desert Water Agency site behind an eight (8) foot tall block wall. Therefore, the site for the intended use will accommodate the proposed facility.

- d. *The site for the proposed use related to streets and highways is properly designed and improved to carry the type and quantity of traffic to be generated by the proposed use.*

The only traffic generated from the said use to and from the site will be for maintenance, and the existing infrastructure is anticipated to accommodate the traffic necessary for the maintenance of the facility.

- e. *The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.*

The project is unlikely to have a significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare are required to be fulfilled by the applicant for approval and include, but are not limited to, installation of three palm trees to help screen the adjacent residential neighborhood, removal of antenna upon use-change or abandonment of the subject property and compliance with all Federal Airport Administration requirements among others.

NOW, THEREFORE, BE IT RESOLVED that, based upon the foregoing, the Planning Commission hereby recommends approval of Conditional Use Permit Case No. 5.1315 and Variance Case No. 6.531 to the City Council, subject to those conditions set forth in Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 13th day of May, 2015.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF PALM SPRINGS, CALIFORNIA

Flinn Fagg, AICP
Director of Planning Services

NOTES FROM MAY 13, 2015 PLANNING COMMISSION MEETING

Assistant Planner Mlaker gave a brief description of the project history and described the revised project. Streetscape pictures along San Joaquin Drive and approved landscape plan maintained by the Escena Golf Course were presented.

Chair Hudson opened the public hearing

Mike Hayes - Spectrum Services representing Verizon Wireless thanked Commissioner Middleton for meeting with him to discuss the project. Mr. Hayes stated that he agreed to plant 2 or 3 fan palms along San Joaquin Drive where appropriate without removing existing Palo Verde trees.

There were no requests to speak on this public hearing.

Chair Hudson closed the public hearing

Commissioner Middleton thanked Mr. Hayes for meeting and submitting revised plans. The placement of 2 or 3 trees along the street will be in context with the revised monopalm design. Maintenance of the area should be similar to the adjacent Palm Springs Unified School District site. Supports the proposal.

Commissioner Weremiuk suggested clustering 3 palms together along San Joaquin Drive per direction from sub-committee. Suggested Code Enforcement contact Escena Golf Course regarding maintenance of landscaped area.

Commissioner Calderine asked for clarification on views from Escena properties.

Motion by Commissioner Weremiuk / Second Commissioner Lowe to approve CUP request and recommend approval to City Council with one condition:

- Plant 3 Mexican fan palm trees in a cluster in area void of existing trees along San Joaquin Drive.

Vote 7-0

Chair Hudson stated that he sees no hardship for the reduced setbacks from 25 feet to 10 feet on Tachevah. He said that the elevations on Building B need to be studied and the mechanical rooftop equipment will need to be shielded.

Commissioner Roberts said for a project of this size this is a great use for this location. He stated that the way this is being proposed it will not have any visual impact on the neighborhood. Commissioner Roberts suggested increasing the setbacks to 50 ft. (100 ft. is excessive for a one-story) for Building C and D and connecting the trail on Gene Autry.

Commissioner Middleton concurred that this is an appropriate use for this site and suggested moving the buildings toward Gene Autry Trail to create more distance from the Escena development.

ACTION: To continue to a date certain to May 13, 2015; to allow:

1. The applicant to communicate with the neighbor;
2. 50 ft. setbacks along buildings C and D;
3. 25 ft. setbacks along Building B on Tachevah;
4. Articulation of the building facing the residential buildings and buildings facing the street;
5. Connect the meandering sidewalk on Gene Autry Trail between this project and the Desert Sun.

Motion: Commissioner Weremiuk, seconded by Commissioner Calderine and unanimously carried on a roll call vote.

AYES: Commissioner Calderine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

2C. SPECTRUM SERVICES (VERIZON WIRELESS) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY-FIVE (55) FOOT TALL MONOPOLE STRUCTURE (DESIGNED AS A PALM TREE) WITH ASSOCIATED EQUIPMENT SHELTER AND A VARIANCE REQUEST TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, ZONE M-1-P (CASE NOS. 5.1315 CUP & 6.531 VAR). (GM)

Director Fagg reported that staff has requested to continue this item to address a couple of errors in the staff report.

Chair Hudson opened the public hearing and with no speakers coming forward the public hearing was continued.

Commissioner Roberts commented that during a site visit it became apparent the monopole would have no impact to Escena; however, the impact would be to the Dream Homes neighborhood. He suggested landscaping be placed on the east side (San Joaquin).

The Commission further discussed the following items:

- Desert Water Agency will not allow trees on the DWA parcel;
- Redesign of this project and previous version;
- Monopalm design;
- Mitigation of view impacts;
- Establishing a subcommittee to review the issues.

ACTION: To continue to a date certain to May 13, 2015; and establish a subcommittee (Roberts and Middleton) to work with the involved parties to resolve the issues.

Motion: Commissioner Calderine, seconded by Commissioner Weremiuk and unanimously carried on a roll call vote.

AYES: Commissioner Calderine, Commissioner Lowe, Commissioner Middleton, Commissioner Roberts, Commissioner Weremiuk, Vice-Chair Klatchko, Chair Hudson

2D. NEW CHURCH II, LLC FOR A GENERAL PLAN AMENDMENT, PLANNED DEVELOPMENT DISTRICT, CONDITIONAL USE PERMIT AND ARCHITECTURAL REVIEW APPLICATION TO RENOVATE EXISTING HISTORIC STRUCTURES AND CONSTRUCT A BANQUET SPACE AND THREE-STORY HOTEL TO OPERATE A 93-ROOM HOTEL WITH RESTAURANT AND ACCESSORY COMMERCIAL USES ON 3.1-ACRES LOCATED AT THE NORTHWEST CORNER OF BARISTO ROAD AND BELARDO ROAD, ZONE R-3 (CASE 5.1345 GPA, PD-372, CUP AND 3.0678 MAJ). (DN)

Associate Planner Newell presented the proposed project consisting of a partial demolition and construction of a banquet hall and a three-story hotel. He reported this project was reviewed by the Historic Site Preservation Board and was approved with modifications.

Michael Daudt, City Attorney, requested a continuance due to the significant amount of comments received (including a lengthy letter that came in on April 21, 2015 from the legal representative for the Vineyard Shopping Center) and continue this meeting to the first meeting in May. He said the continuance would allow them to provide adequate time and consideration to the response to the comments. Mr. Daudt recommended public hearing be opened to receive public testimony.

The Commission asked technical questions pertaining to:

2118115

ACTION: Adopt Resolution No. 23766, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE ANNEXATION OF TERRITORY INTO COMMUNITY FACILITIES DISTRICT NO. 2005-1 (PUBLIC SAFETY SERVICES), AUTHORIZING THE LEVY OF A SPECIAL TAX, AND SUBMITTING THE LEVY OF SPECIAL TAX TO QUALIFIED ELECTORS (ANNEXATION NO. 8) (DESERT PALISADES, TRACT 35540)." **Motion Councilmember Mills, seconded by Mayor Pro Tem Lewin and unanimously carried on a roll call vote.**

City Clerk Thompson stated he canvassed the results of the special election and executed the Canvass and Statement of Result of election as follows: Annexation No. 8, 117 votes cast, 117 yes votes cast, zero no votes cast, 2/3rds of the property owners voting yes for the Annexation, the City Council may proceed with adopting the resolution and introduce the ordinance.

ACTION: 1) Adopt Resolution No. 23767, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING THE RESULTS OF A SPECIAL ANNEXATION LANDOWNER ELECTION, DETERMINING VALIDITY OF PRIOR PROCEEDINGS, AND DIRECTING THE RECORDING OF AN AMENDMENT TO NOTICE OF SPECIAL TAX LIEN (ANNEXATION NO. 8) (DESERT PALISADES, TRACT 35540);" and 2) Waive reading of the full text and introduce on first reading by title only, Ordinance No. 1872, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE LEVY OF SPECIAL TAXES IN A COMMUNITY FACILITIES DISTRICT, INCLUDING CERTAIN ANNEXATION TERRITORY (ANNEXATION NO. 8) (DESERT PALISADES, TRACT 35540)." **Motion Councilmember Mills, seconded by Councilmember Hutcheson and unanimously carried on a roll call vote.**

-
- 1.B. SPECTRUM SERVICES (VERIZON WIRELESS) CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY FOOT TALL MONOPOLE WITH ASSOCIATED EQUIPMENT SHELTER, VARIANCE REQUEST TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, APPROVING A CEQA CATEGORICAL EXEMPTION (CASE NOS. 5.1315 CUP AND 6.531 VAR):**

Item 1B Staff Report

Flinn Fagg, Director of Planning Services, provided background information as outlined in the Staff Report dated February 18, 2015.

Mayor Pougnet opened the public hearing, and the following speakers addressed the City Council.

MICHAEL HAYES, Applicant, requested the City Council approve the project.

No further speakers coming forward, the public hearing was closed.

The City Council discussed and/or commented on the following with respect to the cell tower: mono-palm v. mono-pole installation, the location and/or the removal of the five-palm trees, the proposed eight-foot wall should match the current Escena wall.

ACTION: Adopt Resolution "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY FOOT TALL MONOPOLE AND ASSOCIATED EQUIPMENT SHELTER, A VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, AND A CEQA CATEGORICAL EXEMPTION, ZONE M-1-P SECTION 18 (CASES 5.1315 CUP AND CASE 6.531 VAR)," in a mono-pole style, requiring the eight-foot fence match the existing Escena fence, and removing the condition for five additional palm trees. **Motion Councilmember Hutcheson, seconded by Councilmember Mills and failed 2-3 on a roll call vote.**

AYES: Councilmember Hutcheson, and Councilmember Mills.

NOES: Councilmember Foat, Mayor Pro Tem Lewin, and Mayor Pougnet.

ACTION: Adopt Resolution "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT A FIFTY FOOT TALL MONOPOLE AND ASSOCIATED EQUIPMENT SHELTER, A VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED

AT A DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE, AND A CEQA CATEGORICAL EXEMPTION, ZONE M-1-P SECTION 18 (CASES 5.1315 CUP AND CASE 6.531 VAR)," in a mono-pole style, requiring the eight-foot fence match the existing Escena fence, and requiring the installation of five additional palm trees. **Motion Councilmember Foat, seconded by Councilmember Hutcheson and failed 2-3 on a roll call vote.**

AYES: Councilmember Foat, and Councilmember Hutcheson.

NOES: Councilmember Mills, Mayor Pro Tem Lewin, and Mayor Pougnet.

PUBLIC COMMENT:

KATHLEEN ERCOL, announced the upcoming Riverside County Public Health Community Forum.

AL SMOOT thanked the City Council for the opportunity to serve the City in his various capacities constructing capital projects in the City of Palm Springs.

BUNNI BENARON, Rancho Mirage, commented on Item 5.A. and requested the R. Hero sculpture be placed at the Palm Springs Public Library.

KAREN BARONE, commented on Item 5.A. and requested the R. Hero sculpture be placed at the Palm Springs Public Library.

LEXIE MARTONE, Palm Springs, commented on golf-course noise in the early morning.

NANCY STUART, Palm Springs, provided an update on the Palm Springs Aerial Tramway.

COUNCILMEMBER COMMENTS:

Mayor Pougnet requested the City Manager provide information on traffic calming on Murray Canyon and the other issues in the Indian Canyons.

CITY MANAGER'S REPORT: City Manager Ready provided an update on the City Hall Parking Lot Repaving Project.

2. CONSENT CALENDAR:

ACTION: Approve Items 2.A., 2.B., 2.C., 2.D., 2.E., 2.F., 2.G., 2.H., 2.I., 2.J., 2.K., 2.L., 2.M., 2.N., 2.O., 2.P. 2.Q., 2.R., and 2.S. **Motion**



15505 SAND CANYON AVENUE
BUILDING D, 1ST FLOOR
IRVINE, CALIFORNIA 92618

NIGHTSHADE

UNADDRESSED PARCEL
APN: 677-270-036
PALM SPRINGS, CALIFORNIA 92263



PROJECT INFORMATION:
NIGHTSHADE
UNADDRESSED PARCEL
APN: 677-270-036
PALM SPRINGS, CALIFORNIA 92263
CURRENT ISSUE DATE:
05/04/15

ISSUED FOR:
ZONING

REV: DATE DESCRIPTION BY:

6	05/14/15	PLANNING REVISIONS	D.C.
5	12/15/14	PLANNING REVISIONS	R.S.
4	06/11/14	PLANNING REVISIONS	D.C.
3	02/14/14	PLANNING REVISIONS	G.H.
2	01/31/14	PLANNING REVISIONS	G.H.
1	10/24/13	100% ZONING	R.S.
0	10/17/13	90% ZONING	R.S.

PLANS PREPARED BY:
SPECTRUM
SPECTRUM SERVICES, INC.
4405 E. AIRPORT DRIVE, SUITE 100
ONTARIO, CALIFORNIA 91761
PHONE: (909) 456-8401
FAX: (909) 456-8408

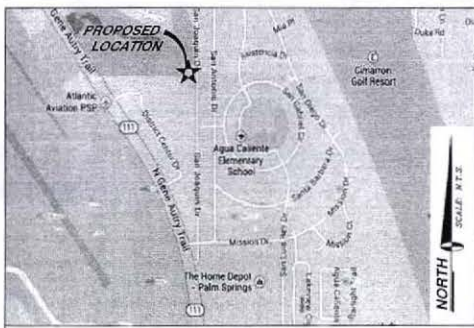
LICENSE:

SHEET TITLE:
TITLE SHEET

SHEET NUMBER: T1 REVISION: 6
LAX-294

- THE PROPOSED PROJECT INCLUDES:
- INSTALLATION OF A 900 SQ. FT. VERIZON WIRELESS TELECOMMUNICATIONS FACILITY
 - INSTALLATION OF (12) VERIZON WIRELESS PANEL ANTENNAS AT A 46" CENTERLINE MOUNTED ON A NEW 55" MONOPOLM
 - INSTALLATION OF (2) VERIZON WIRELESS PARABOLIC ANTENNAS
 - INSTALLATION OF (12) VERIZON WIRELESS REMOTE RADIO UNITS (RRUs) ((4) PER SECTOR)
 - INSTALLATION OF (2) VERIZON WIRELESS TOWER MOUNTED JUNCTION BOXES
 - INSTALLATION OF A VERIZON WIRELESS 11'-6" X 16'-10.5" EQUIPMENT SHELTER
 - INSTALLATION OF (2) VERIZON WIRELESS GPS ANTENNAS
 - INSTALLATION OF A VERIZON WIRELESS 8' BLOCK WALL
 - INSTALLATION OF A VERIZON WIRELESS 4' WIDE SOLID METAL GATE
 - INSTALLATION OF A VERIZON WIRELESS 30KW GENERATOR WITH A 211 GALLON DIESEL TANK ON A NEW 5' X 9' CONCRETE PAD
 - COAXIAL/HYBRIFLEX CABLE RUNS FROM RADIOS TO ANTENNAS
 - NEW FIBER CONDUIT RUN TO CABINETS
 - NEW 200A DEDICATED ELECTRICAL SERVICE TO METER

PROJECT DESCRIPTION



VICINITY MAP

APPLICANT / LESSEE
VERIZON WIRELESS
15505 SAND CANYON AVENUE
BUILDING D, 1ST FLOOR
IRVINE, CALIFORNIA 92618
(949) 296-7000

PROPERTY INFORMATION
OWNER: DESERT WATER AGENCY
PO BOX 1710
PALM SPRINGS, CALIFORNIA 92263
CONTACT: MARK KRAUSE
PHONE: (760) 323-4971 EXT. 110
AREA OF CONSTRUCTION: ~900 SQ. FT.
OCCUPANCY TYPE: S-2
CONSTRUCTION TYPE: V-B
CURRENT ZONING: PLANNED RESEARCH AND DEVELOPMENT PARK ZONE (M-1P)
JURISDICTION: CITY OF PALM SPRINGS
APN: 677-270-036
HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- 2013 CALIFORNIA ADMINISTRATIVE CODE
- 2013 CALIFORNIA BUILDING STANDARDS CODE
- 2013 CALIFORNIA ELECTRICAL CODE
- 2013 CALIFORNIA MECHANICAL CODE
- 2013 CALIFORNIA PLUMBING CODE
- 2013 CALIFORNIA FIRE CODE
- 2013 CALIFORNIA FIRE CODE

CODE COMPLIANCE

SITE ACQUISITION / PLANNING
SPECTRUM SERVICES, INC.
4405 EAST AIRPORT DRIVE, SUITE 100
ONTARIO, CALIFORNIA 91761
MICHAEL HAYES
PHONE: (909) 456-8401
FAX: (909) 456-8408

CIVIL ENGINEER
SPECTRUM SERVICES, INC.
4405 EAST AIRPORT DRIVE, SUITE 100
ONTARIO, CALIFORNIA 91761
CHRIS WENGER
PHONE: (909) 456-8401
FAX: (909) 456-8408

STRUCTURAL ENGINEER:
T.B.D.

ELECTRICAL ENGINEER:
DSS CONSULTING ENGINEERING SERVICES LLC
9811 W. CHARLESTON BOULEVARD, SUITE 2539
LAS VEGAS, NEVADA 89117
DEREK D. STEFUREK
PHONE: (702) 885-1552

SURVEYOR:
DIAMONDBACK LAND SURVEYING
5508 S. FORT APACHE ROAD SUITE 110
LAS VEGAS, NEVADA 89148
TRENT J. KEENAN
PHONE: (702) 823-3257

PROJECT TEAM

SHEET	DESCRIPTION	REV.
T1	TITLE SHEET	6
A1	SITE PLAN	6
A2	ENLARGED SITE PLAN	6
A3	SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT	6
A4	SITE DETAIL WITH DIMENSIONS	6
A5	NORTH & EAST ELEVATIONS	6
A6	SOUTH & WEST ELEVATIONS	6

ISSUED FOR:

SHEET INDEX	ZONING
-------------	--------

TITLE	SIGNATURE	DATE
RF ENGINEER		
REAL ESTATE		
PROPERTY OWNER		
ZONING APPROVAL		
CONSTRUCTION DIRECTOR		
ADDITIONAL APPROVAL		

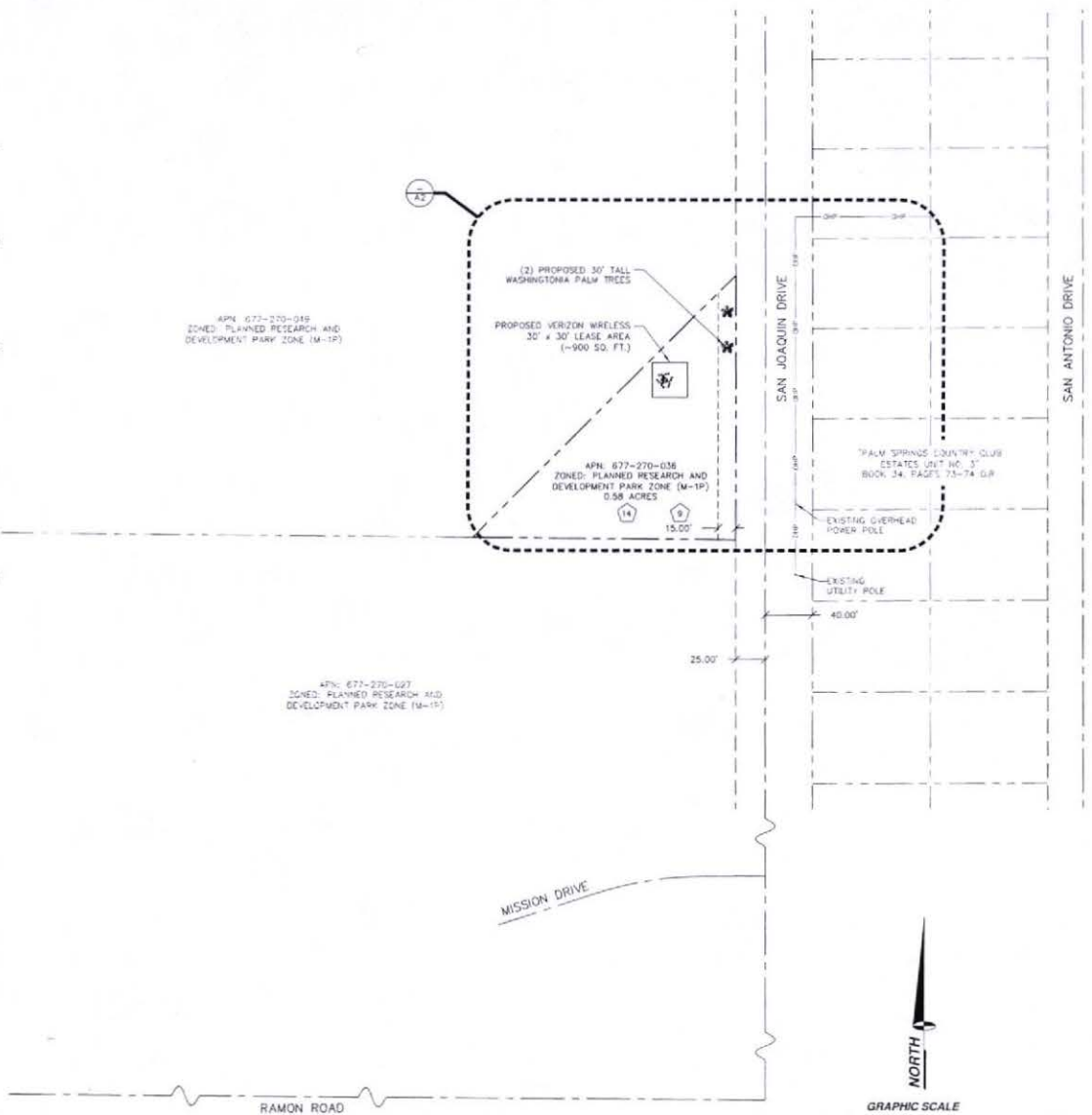
APPROVAL LIST

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION(S) LISTED IN TITLE REPORT ORDER NO. 00193415-990-002, DATED SEPTEMBER 6, 2013, 2013, PREPARED BY TCOM TITLE COMPANY OF CALIFORNIA, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- 6 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
PURPOSE: PUBLIC UTILITIES
RECORDING DATE: AUGUST 28, 1960
RECORDING NO. BOOK 75553, PAGE 31, OF OFFICIAL RECORDS
AFFECTS: SAID LAND
DOES NOT AFFECT THE SUBJECT PROPERTY
- 7 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
PURPOSE: PUBLIC UTILITIES AND INCIDENTAL PURPOSES
RECORDING DATE: OCTOBER 26, 1960
RECORDING NO. 92186, IN BOOK 2789 PAGES 28-30, OF OFFICIAL RECORDS
AFFECTS: SAID LAND
DOES NOT AFFECT THE SUBJECT PROPERTY
- 8 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
PURPOSE: DRAINAGE, INGRESS, EGRESS AND INCIDENTAL PURPOSES
RECORDING DATE: DECEMBER 19, 1960
RECORDING NO. 106771, IN BOOK 2817, PAGE 476, OF OFFICIAL RECORDS
AFFECTS: SAID LAND
DOES NOT AFFECT THE SUBJECT PROPERTY
- 9 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
PURPOSE: PUBLIC UTILITIES
RECORDING DATE: APRIL 24, 1979
RECORDING NO. 81915, OF OFFICIAL RECORDS
AFFECTS: SAID LAND
AFFECTS A PORTION OF THE SUBJECT PROPERTY
- 10 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
PURPOSE: STREETS, HIGHWAY UNDERGROUND SEWERS, PUBLIC UTILITY INSTALLATIONS AND INCIDENTAL PURPOSES
RECORDING DATE: MARCH 13, 1999
RECORDING NO. 1688-78285, OF OFFICIAL RECORDS
AFFECTS: SAID LAND
DOES NOT AFFECT THE SUBJECT PROPERTY
- 11 RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, AS HOLDER OF AN EASEMENT FOR FLOOD CONTROL, INGRESS, EGRESS AND INCIDENTAL PURPOSES, BY DEED RECORDED SEPTEMBER 24, 1999 AS INSTRUMENT NO. 1999-427787, OFFICIAL RECORDS AND WHITEWATER RIVER CHANNEL FIELD SURVEY ALIGNMENT MAP DATED OCTOBER 17, 1968, RIVERSIDE COUNTY SURVEYOR MAP NO. 800-H, DOES NOT AFFECT THE SUBJECT PROPERTY
- 12 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
PURPOSE: INGRESS AND EGRESS
RECORDING DATE: SEPTEMBER 24, 1999
RECORDING NO. 1999-427786, OF OFFICIAL RECORDS
AFFECTS: SAID LAND
DOES NOT AFFECT THE SUBJECT PROPERTY
- 13 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT.
PURPOSE: WATER DRAINAGE AND RETENTION
RECORDING DATE: DECEMBER 2, 2003
RECORDING NO. 2003-943229, OF OFFICIAL RECORDS
AFFECTS: SAID LAND
DOES NOT AFFECT THE SUBJECT PROPERTY
- 14 EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS PROVIDED IN A DOCUMENT.
PURPOSE: PERPETUAL AIR OR FLIGHT EASEMENT, ALSO REFERRED TO AS "NAVIGATION RIGHTS."
RECORDING DATE: MAY 9, 2005
RECORDING NO. 2005-0365654, OF OFFICIAL RECORDS
AFFECTS: ALL THE AIR SPACE ABOVE SAID LAND.
REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS.
AFFECTS THE ENTIRE SUBJECT PROPERTY

- LEGEND**
- LEASE AREA
 - - - CENTERLINE
 - - - EASEMENT
 - - - RIGHT-OF-WAY
 - - - SECTION LINE
 - - - PROPERTY LINE
 - - - OVERHEAD POWER
 - - - EXISTING CHAIN LINK FENCE
 - - - PROPOSED CHAIN LINK FENCE
 - - - PROPOSED WROUGHT IRON FENCE
 - - - EXISTING 1' CONTOUR
 - - - EXISTING 5' CONTOUR
 - █ EXISTING BLOCK WALL
 - █ PROPOSED BLOCK WALL
 - ⊕ FIRE HYDRANT
 - (-O-) PARKING LOT AREA LIGHT
 - O.R. OFFICIAL RECORD
 - ⊕ POWER POLE



SITE PLAN

11" x 17" SCALE 24" x 36" SCALE
1" = 100' 1" = 30' 1



PROJECT INFORMATION:
NIGHTSHADE
UNADDRESSED PARCEL
APN: 677-270-036
PALM SPRINGS, CALIFORNIA 92263
CURRENT ISSUE DATE:
05/04/15

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
6	05/14/15	PLANNING REVISIONS	D.C.
5	12/15/14	PLANNING REVISIONS	R.S.
4	06/11/14	PLANNING REVISIONS	D.C.
3	02/14/14	PLANNING REVISIONS	C.H.
2	01/31/14	PLANNING REVISIONS	C.H.
1	10/24/13	100% ZONING	R.S.
0	10/17/13	90% ZONING	R.S.

PLANS PREPARED BY:
SPECTRUM
SPECTRUM SERVICES, INC.
4405 E. AIRPORT DRIVE, SUITE 100
ONTARIO, CALIFORNIA 91761
PHONE: (909) 456-8401
FAX: (909) 456-8408

LICENSURE:

SHEET TITLE:
SITE PLAN

SHEET NUMBER: **A1** REVISION: **6**

LAX-294

PROJECT INFORMATION:

NIGHTSHADE

UNADDRESSSED PARCEL
 APN: 677-270-036
 PALM SPRINGS, CALIFORNIA 92263

CURRENT ISSUE DATE:

05/04/15

ISSUED FOR:

ZONING

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY
△ 6	05/14/15	PLANNING REVISIONS	D.C.
△ 5	12/15/14	PLANNING REVISIONS	R.S.
△ 4	06/11/14	PLANNING REVISIONS	D.C.
△ 3	02/14/14	PLANNING REVISIONS	G.H.
△ 2	01/31/14	PLANNING REVISIONS	G.H.
△ 1	10/24/13	100% ZONING	R.S.
△ 0	10/17/13	90% ZONING	R.S.

PLANS PREPARED BY:

SPECTRUM

SPECTRUM SERVICES, INC.
 4405 E. AIRPORT DRIVE, SUITE 100
 ONTARIO, CALIFORNIA 91761
 PHONE: (909) 456-8401
 FAX: (909) 456-8408

LICENSURE:

SHEET TITLE:

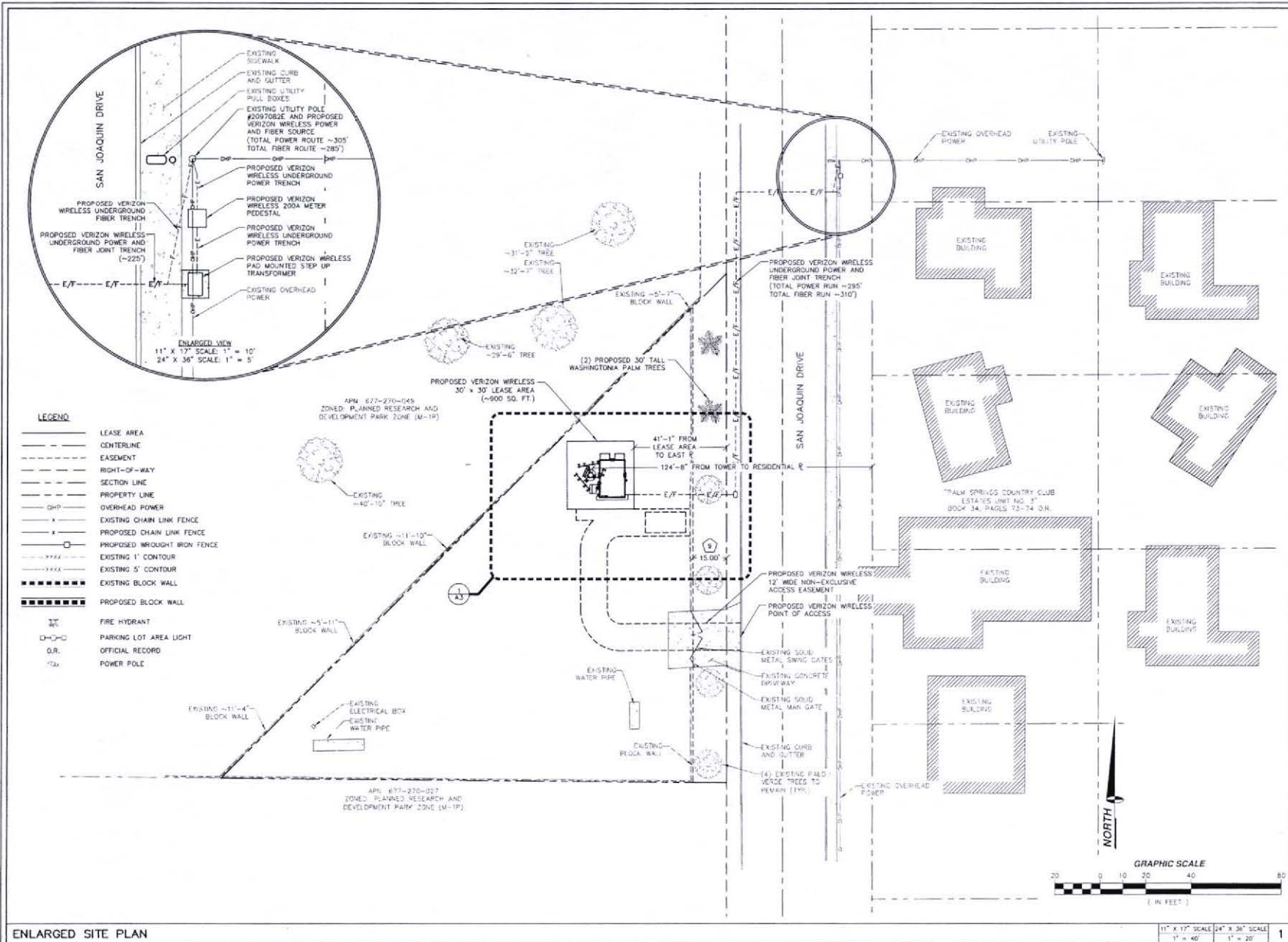
ENLARGED SITE PLAN

SHEET NUMBER: REVISION:

A2

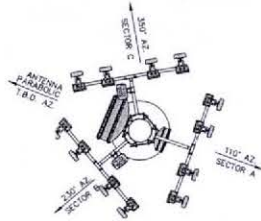
6

LAX-294



ENLARGED SITE PLAN

11" X 17" SCALE 1" = 10'
 24" X 36" SCALE 1" = 20'



ANTENNA SECTOR	AZMUTH	# OF ANTENNAS	# OF RRU'S	CENTERLINE	COAXIAL CABLE LENGTH	CABLE SIZE	COLOR CODE	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTOR A	110°	4	4	46'	70'	(4) 7/8" COAX	RED/GREEN RED/RED	15'	15'	...
SECTOR B	230°	4	4	46'	70'	(4) 7/8" COAX	BLUE/GREEN BLUE/RED	15'	15'	...
SECTOR C	350°	4	4	46'	70'	(4) 7/8" COAX	YELLOW/GREEN YELLOW/RED	15'	15'	...
MISC	-	-	-	-	70'	(2) 1 5/8" HYBRIFLEX	-	-	-	-
PARABOLIC ANTENNA	T.B.D.	2	-	-	-	-	-	-	-	...
GPS	N/A	2	-	-	25'	1/2" COAX	GRAY	-	-	...

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES.



PROJECT INFORMATION:
NIGHTSHADE
 UNADDRESSED PARCEL
 APN: 677-270-036
 PALM SPRINGS, CALIFORNIA 92283

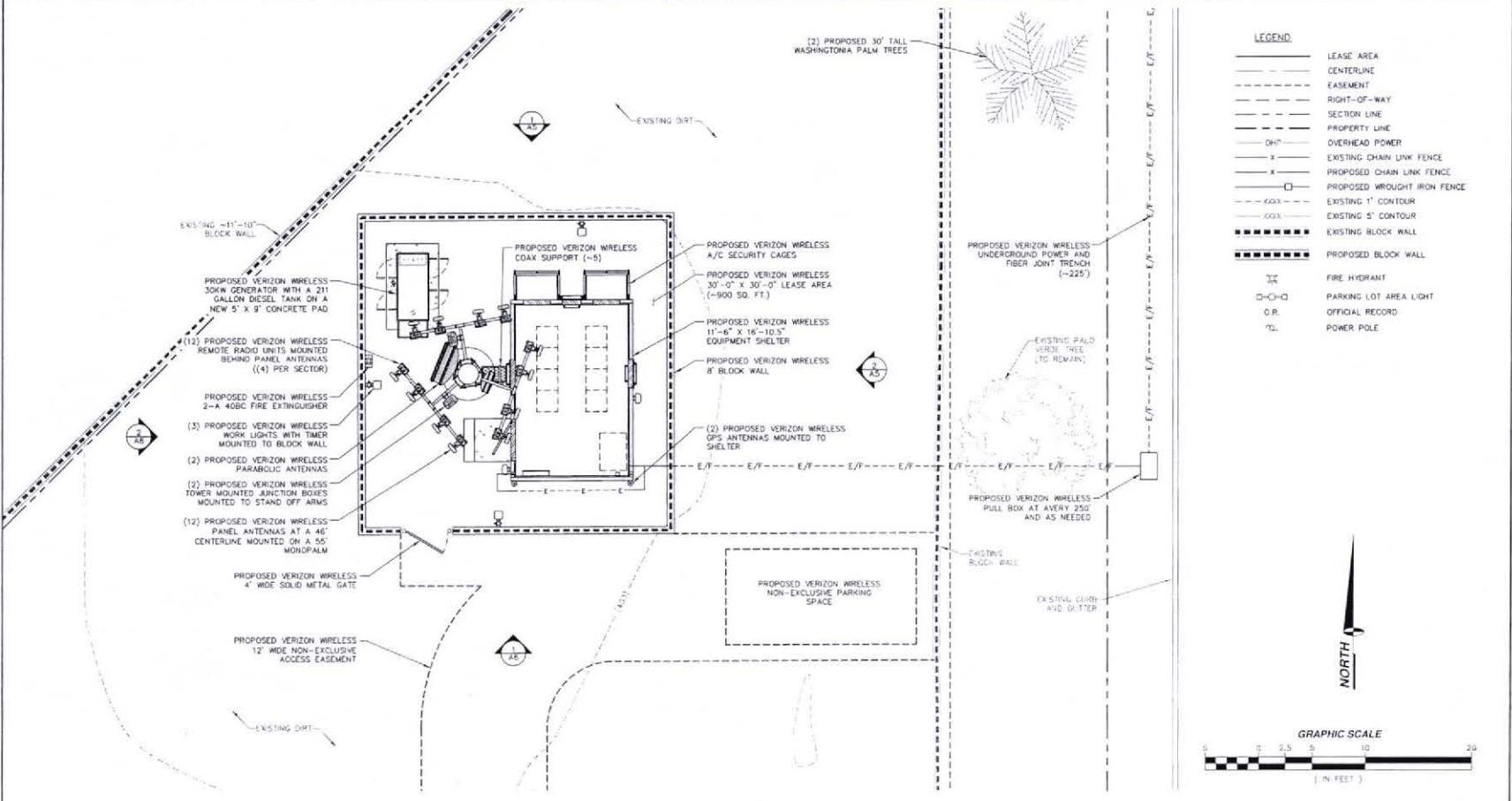
CURRENT ISSUE DATE:
05/04/15

ANTENNA LAYOUT

11" x 11" SCALE 24" x 36" SCALE
 1" = 10' 1" = 5' **3**

ANTENNA AND CABLE SCHEDULE

SEAL: NONE **2**



SITE DETAIL

11" x 11" SCALE 24" x 36" SCALE
 1" = 10' 1" = 5' **1**

ISSUED FOR:
ZONING

REV: DATE DESCRIPTION BY:

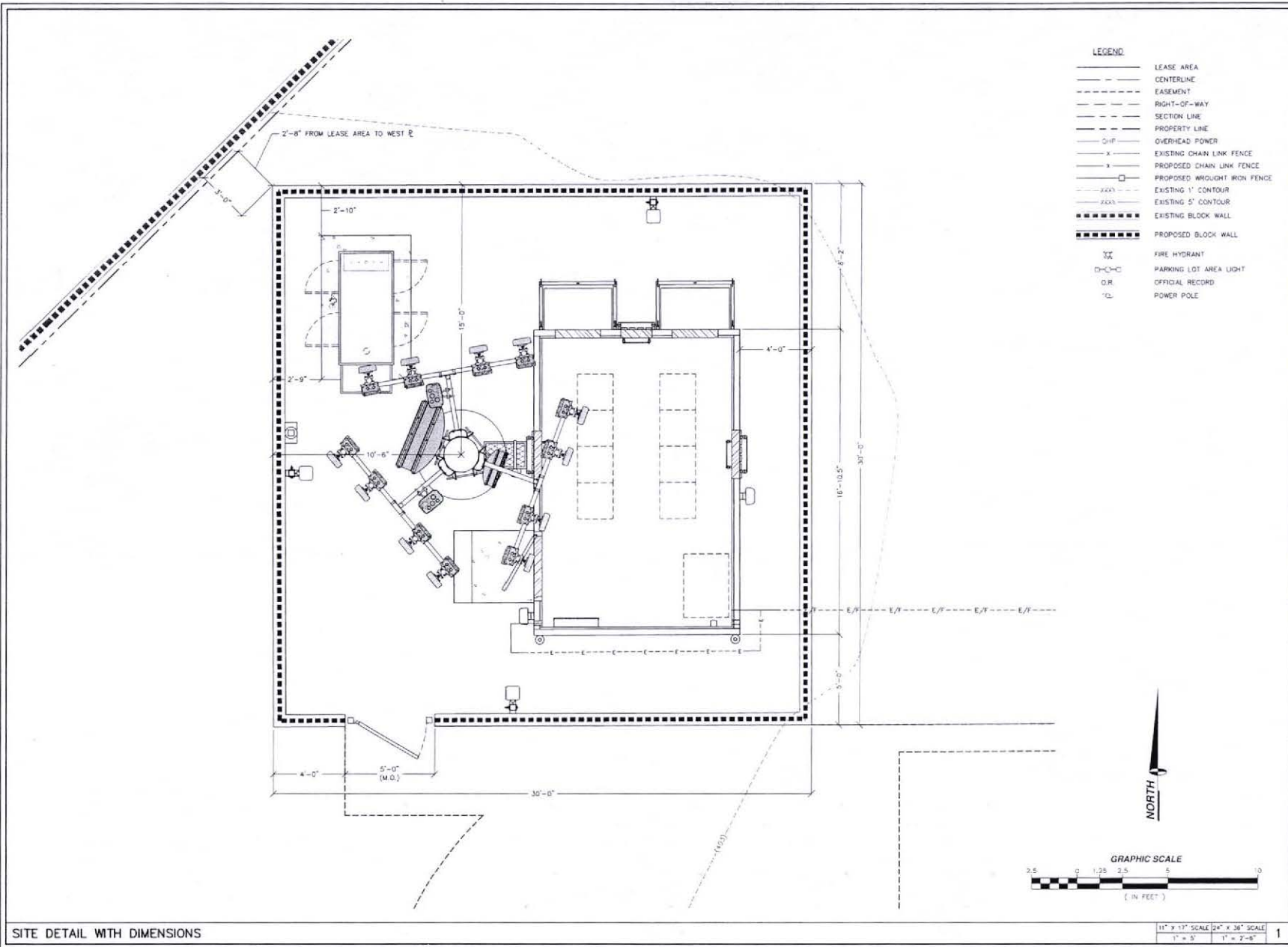
REV	DATE	DESCRIPTION	BY
6	05/14/15	PLANNING REVISIONS	D.C.
5	12/15/14	PLANNING REVISIONS	R.S.
4	08/11/14	PLANNING REVISIONS	D.C.
3	02/14/14	PLANNING REVISIONS	G.H.
2	01/31/14	PLANNING REVISIONS	G.H.
1	10/24/13	100% ZONING	R.S.
0	10/17/13	90% ZONING	R.S.

PLANS PREPARED BY:
SPECTRUM
 SPECTRUM SERVICES, INC.
 4405 E. AIRPORT DRIVE, SUITE 100
 ONTARIO, CALIFORNIA 91761
 PHONE: (909) 456-8401
 FAX: (909) 456-8408

LICENSURE:
 SHEET TITLE:
SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT

SHEET NUMBER: **A3** REVISION: **6**

LAX-294



verizonwireless
 15505 SAND CANYON AVENUE
 BUILDING D, 1ST FLOOR
 IRVINE, CALIFORNIA 92618

PROJECT INFORMATION:
 NIGHTSHADE
 UNADDRESSED PARCEL
 APN: 677-270-036
 PALM SPRINGS, CALIFORNIA 92263

CURRENT ISSUE DATE:
 05/04/15

ISSUED FOR:
 ZONING

REV.	DATE	DESCRIPTION	BY
8	05/14/15	PLANNING REVISIONS	D.C.
7	12/15/14	PLANNING REVISIONS	R.S.
6	06/11/14	PLANNING REVISIONS	D.C.
5	02/14/14	PLANNING REVISIONS	G.H.
4	01/31/14	PLANNING REVISIONS	G.H.
3	10/24/13	100% ZONING	R.S.
2	10/17/13	90% ZONING	R.S.

PLANS PREPARED BY:

SPECTRUM
 SPECTRUM SERVICES, INC.
 4405 E. AIRPORT DRIVE, SUITE 100
 ONTARIO, CALIFORNIA 91761
 PHONE: (909) 456-8401
 FAX: (909) 456-8408

LICENSURE:

SHEET TITLE:

SITE DETAIL WITH DIMENSIONS

SHEET NUMBER: **A4** REVISION: **6**
 LAX-294

SITE DETAIL WITH DIMENSIONS



15505 SAND CANYON AVENUE
BUILDING D, 1ST FLOOR
IRVINE, CALIFORNIA 92618

PROJECT INFORMATION:

NIGHTSHADE

UNADDRESSED PARCEL
APN: 677-270-036
PALM SPRINGS, CALIFORNIA 92263

CURRENT ISSUE DATE:

05/04/15

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY

REV.	DATE	DESCRIPTION	BY
Δ	05/14/15	PLANNING REVISIONS	D.C.
Δ	12/15/14	PLANNING REVISIONS	R.S.
Δ	06/11/14	PLANNING REVISIONS	D.C.
Δ	02/14/14	PLANNING REVISIONS	G.H.
Δ	01/31/14	PLANNING REVISIONS	G.H.
Δ	10/24/13	100% ZONING	R.S.
Δ	10/17/13	90% ZONING	R.S.

PLANS PREPARED BY:



SPECTRUM SERVICES, INC.
4405 E. AIRPORT DRIVE, SUITE 100
ONTARIO, CALIFORNIA 91761
PHONE: (909) 456-8401
FAX: (909) 456-8408

LICENSURE:

SHEET TITLE:

NORTH & EAST ELEVATIONS

SHEET NUMBER: REVISION:

A5 6

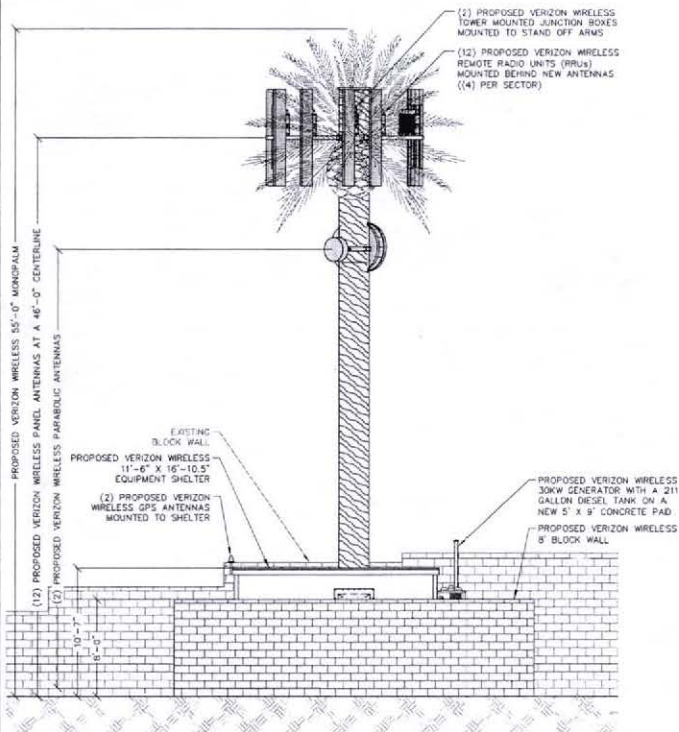
LAX-294

NOTE:

1. TOWER, ANTENNAS AND OTHER TOWER-MOUNTED EQUIPMENT TO BE PAINTED OR WRAPPED TO MATCH MONOPALM

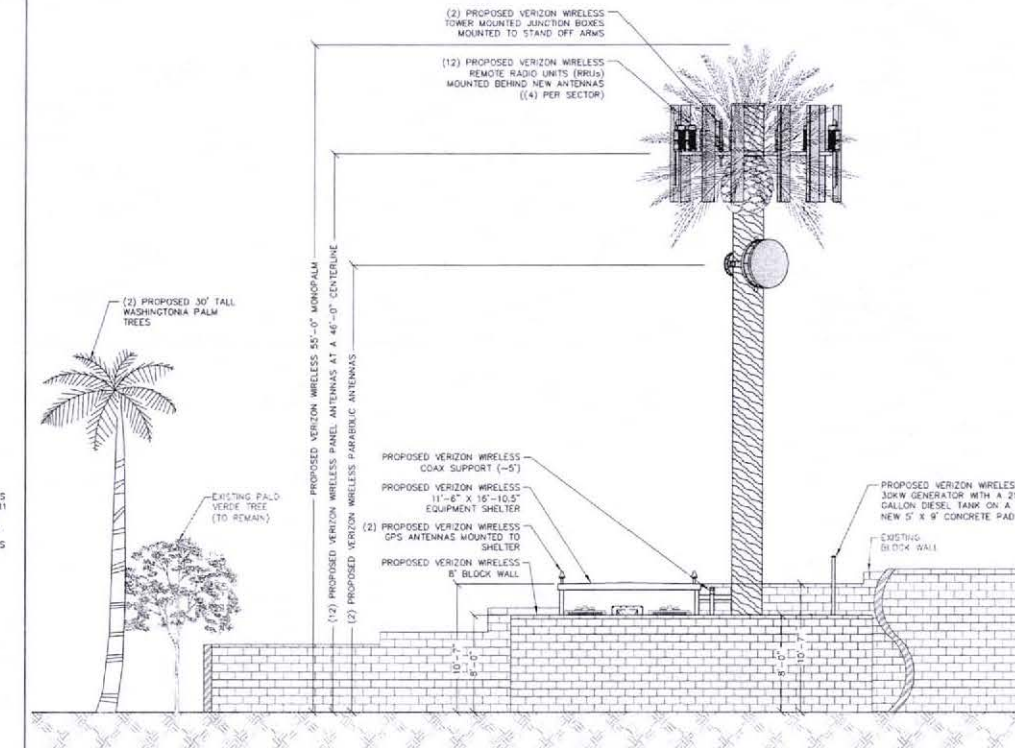
NOTE:

1. TOWER, ANTENNAS AND OTHER TOWER-MOUNTED EQUIPMENT TO BE PAINTED OR WRAPPED TO MATCH MONOPALM



EAST ELEVATION

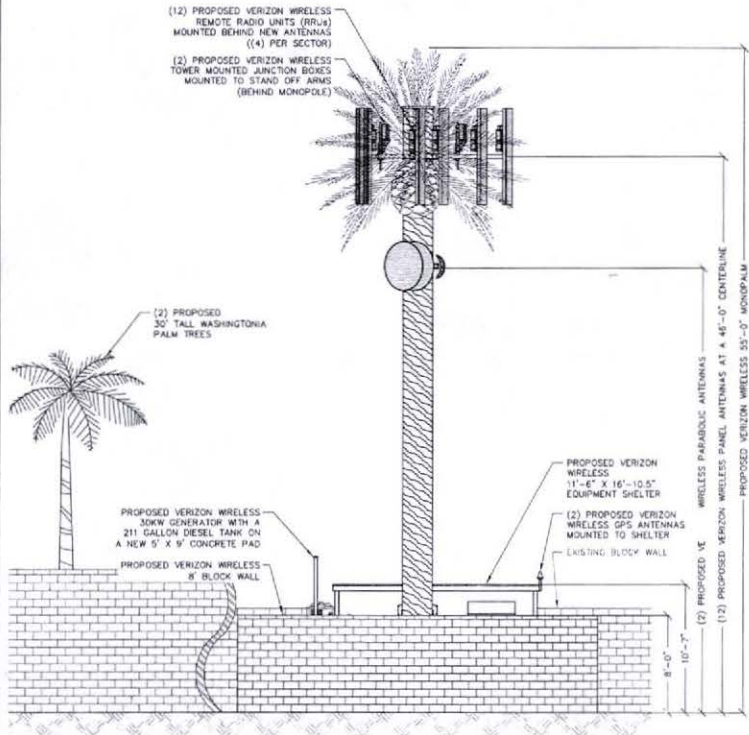
1 1/2" x 1 1/2" SCALE (24" x 36" SCALE)
1" = 10' 1" = 5'



NORTH ELEVATION

1 1/2" x 1 1/2" SCALE (24" x 36" SCALE)
1" = 10' 1" = 5'

NOTE:
 1. TOWER, ANTENNAS AND OTHER
 TOWER-MOUNTED EQUIPMENT TO BE
 PAINTED OR WRAPPED TO MATCH
 MONOPALM

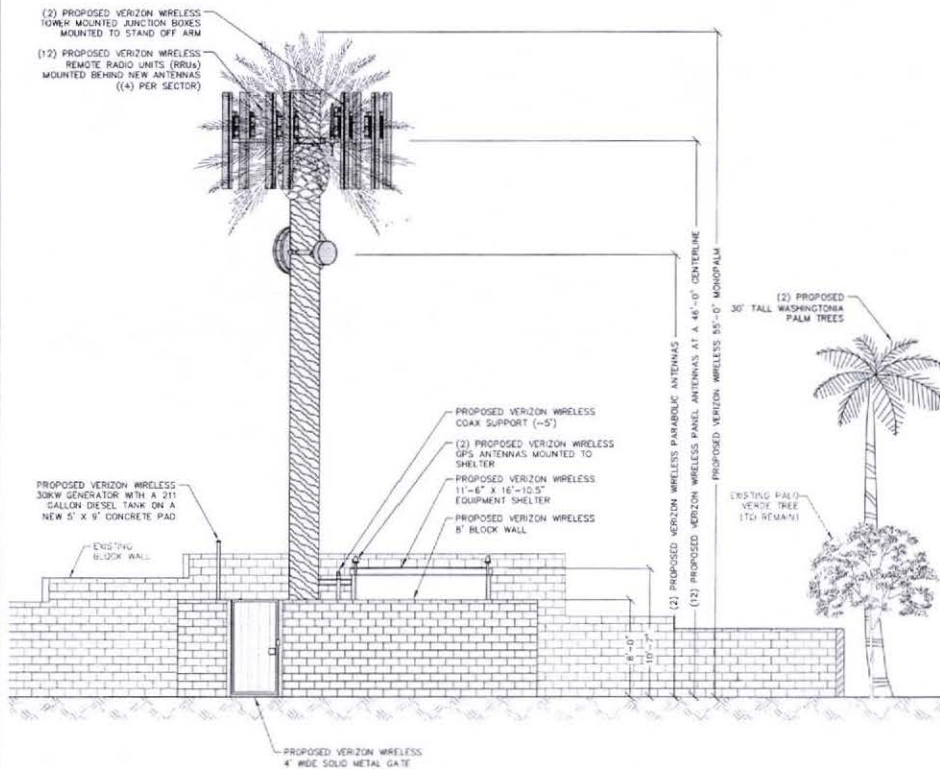


WEST ELEVATION

11" x 11" SCALE (24" x 36" SCALE)
 1" = 10' 1" = 5'

2 SOUTH ELEVATION

NOTE:
 1. TOWER, ANTENNAS AND OTHER
 TOWER-MOUNTED EQUIPMENT TO BE
 PAINTED OR WRAPPED TO MATCH
 MONOPOALM



11" x 11" SCALE (24" x 36" SCALE)
 1" = 10' 1" = 5'



PROJECT INFORMATION

NIGHTSHADE

UNADDRESSED PARCEL
 APN: 877-270-036
 PALM SPRINGS, CALIFORNIA 92263

CURRENT ISSUE DATE:

05/04/15

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY

REV.	DATE	DESCRIPTION	BY
6	05/14/15	PLANNING REVISIONS	O.C.
5	12/15/14	PLANNING REVISIONS	R.S.
4	06/11/14	PLANNING REVISIONS	O.C.
3	02/14/14	PLANNING REVISIONS	G.H.
2	01/31/14	PLANNING REVISIONS	G.H.
1	10/24/13	100% ZONING	R.S.
1	10/17/13	90% ZONING	R.S.

PLANS PREPARED BY:



LICENSURE:

SHEET TITLE:

SOUTH & WEST
 ELEVATIONS

SHEET NUMBER: REVISION:

A6 6
 LAX-294

EXISTING

RECEIVED
 DEC 18 2014
 PLANNING SERVICES
 DEPARTMENT



Session: Car_C_A
 User: cherr
 Thu Dec 18 07:45:45 2014
 Default: Square
 Datum: NAD83
 Center Lat: 33-50-03.59 N
 Center Lon: 116-30-20.99 W

Sectors:

major_highway
 secondary_highway
 arterial_road
 collector_road
 bts

LTE RSRP
 TOL
 Cir: RSRP (dBm)
 >= -75
 >= -85
 >= -95

Scale: 1:20000

verizonwireless
 GeoPlan v6.6.4
 Proprietary and Confidential

5

PROPOSED



Session: Car_C_A
 User: charter
 Thu Dec 18 07:50:14 2014
 Default Square
 Datum: NAD83
 Center Lat: 33-50-03.59 N
 Center Lon: 118-30-20.99 W

Sectors:

- major_highway
- secondary_highway
- arterial_road
- collector_road
- bta

LTE RSRP
 TCL
 Cr: RSRP (dBm)

- >= -75
- >= -85
- >= -95

Scale: 1:20000

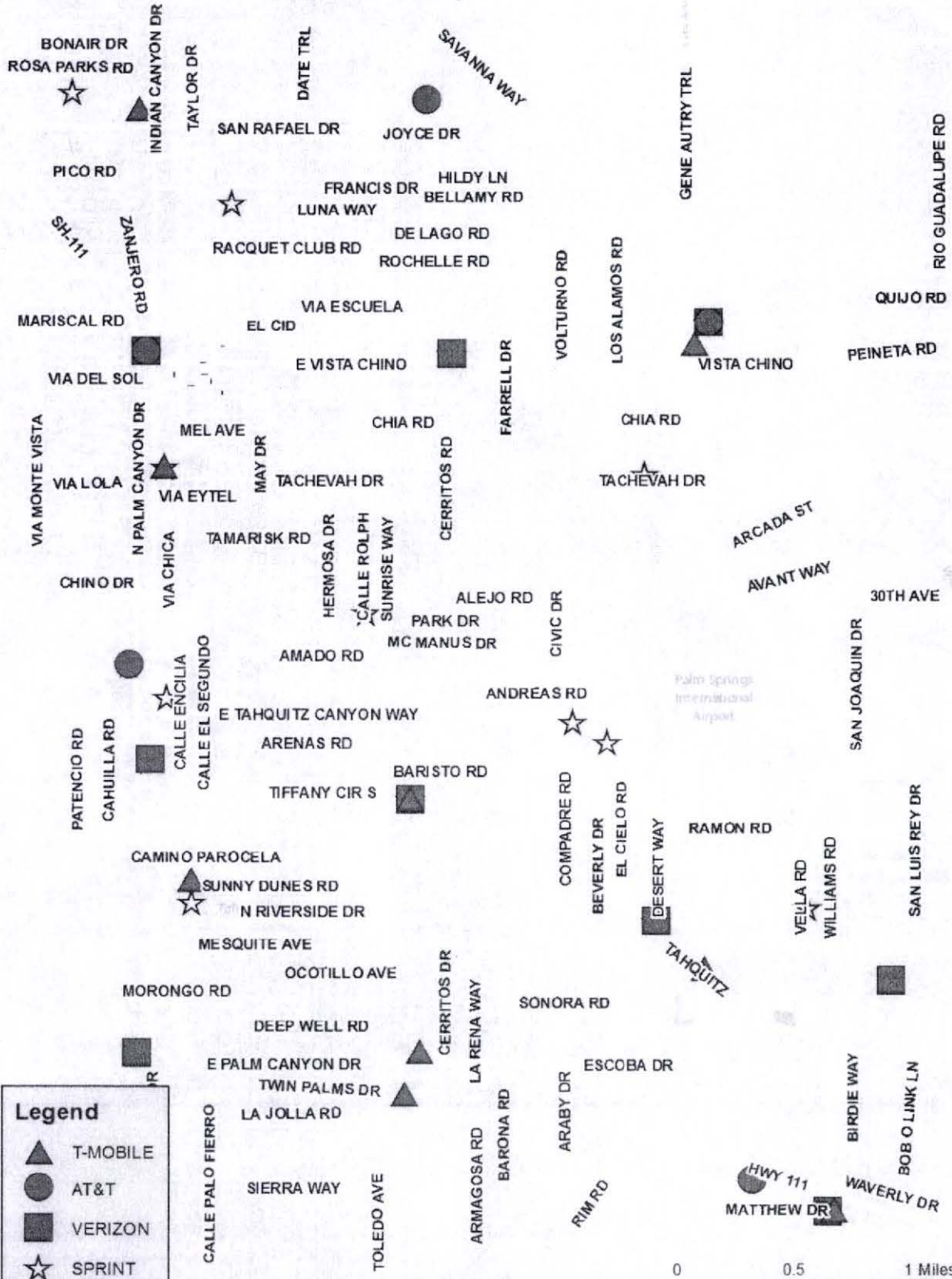
verizonwireless
 GeoPlan v6.6.4
 Proprietary and Confidential



All Cellular Antennas

SUNRISE PKWY

I-10 EBON
I-10
BANNING-INDIO RD
I-10



PHOTOGRAPHIC SIMULATION

PROPOSED WIRELESS COMMUNICATIONS FACILITY



SITE LOCATION MAP

SITE NAME: NIGHTSHADE
SITE NUMBER: LAX-294
SITE ADDRESS: UNADDRESSED
LOCATED OFF OF SAN JOAQUIN DR.
PALM SPRINGS, CA 92263
DATE: 5/8/2015
APPLICANT: VERIZON WIRELESS
15505 SAND CANYON AVE.
BUILDING D, 1ST FLOOR
IRVINE, CA 92618
MICHAEL HAYES, PROJECT MGR.
909-268-3920



2014 GOOGLE MAPS

The included Photograph Simulation(s) are intended as visual representations only and should not be used for construction purposes. The materials represented within the included Photograph Simulation(s) are subject to change.



EXISTING -VIEW 1

PHOTOGRAPHIC SIMULATION -
VIEW 1



PROPOSED INSTALLATION OF 55' MONOPALM WITH ANTENNA ARRAY AND RRU'S, INCLUDING EQUIPMENT COMPOUND WITH SHELTER, GENERATOR, AND 8' BRICK WALL. ADDITION OF TWO (2) 30' LIVE WASHINGTONIA PALM TREES.



EXISTING -VIEW 2

PHOTOGRAPHIC SIMULATION -
VIEW 2



PROPOSED INSTALLATION OF 55' MONOPALM WITH ANTENNA ARRAY AND RRU'S, INCLUDING EQUIPMENT COMPOUND WITH SHELTER, GENERATOR, AND 8' BRICK WALL. ADDITION OF TWO (2) 30' LIVE WASHINGTONIA PALM TREES.

Notice of Exemption

TO: _____ Office of Planning & Research
1400 Tenth Street - Room 212
Sacramento, California 95812-3044

FROM: Planning Services Department
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, California 92262

County Clerk- County of Riverside
2720 Gateway Drive
Riverside, California 92507

Project Title: Verizon Wireless – Nightshade – 55 foot tall monopalm

Project Location: Desert Water Agency Site on San Joaquin Drive – APN 677-270-036

Description of Project: Construction of a 55 foot tall monopole designed as a palm tree and 900-square foot equipment enclosure with 8 foot tall block wall.

Name of Public Agency Approving Project: City of Palm Springs, Planning Department

Name of Person or Agency Carrying Out Project: Spectrum Services representing Verizon Wireless

Exempt Status: *(Check One)*

- _____ Ministerial (Section 21080(b)(1); 15268:
 Categorical Exemption **CEQA Section 15303**
_____ Declared Emergency (Section 21080 (b)(3); 15269(a);
_____ Emergency Project (Section 21080 (b)(4); 15269(b)(c);

Reasons why project is exempt: The project qualifies as a Categorical Exemption pursuant to Section 15303 New Construction of Small Structures of the California Environmental Quality Act. Per the General Rule exemption criteria, the City first determined that the activity is a project subject to CEQA (Guidelines Section 15378(a)(1), but after review of the project determined that it does not have the potential for causing a significant effect on the environment.

Categorical Exemption Section 15303 consists of projects characterized as new construction of small structures meeting the following conditions:

- (c) A structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500-square feet in floor area. In urbanized areas the exemption also applies to up to four commercial buildings not exceeding 10,000-square feet of floor area in sites zoned for such use if not involving significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

The subject project site has a General Plan designation of I (Industrial) and is zoned M-1-P (Light Industrial) zone. This project is consistent with both the General Plan and Zoning. The subject site has not been identified as a site that has value as a habitat for endangered, rare or threatened species. The approval of this project would not result in any significant effect relating to traffic, noise, air quality, or water Quality. The site will be served by Southern California Edison Company (Electric), Veolia Water Company (Sewer), Desert Water Agency (Water), Verizon (Telephone), Southern California Gas Company (Gas), and the City of Palm Springs Police And Fire Departments.

Lead Agency Contact Person: Glenn Mlaker

Telephone: (760) 323-8245

Signature _____

Date: _____

**CITY OF PALM SPRINGS
NOTIFICATION OF APPEAL**



Date: May 20, 2015
Subject: CUP Case 5.1315 Variance 6.531 by Spectrum Services

AFFIDAVIT OF PUBLICATION

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was published in the Desert Sun on May 9, 2015.

I declare under penalty of perjury that the foregoing is true and correct.



Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF POSTING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was posted at City Hall, 3200 E. Tahquitz Canyon Drive, on the exterior legal notice posting board, and in the Office of the City Clerk on May 7, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

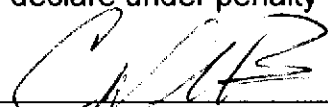


Cynthia A. Berardi, CMC
Deputy City Clerk

AFFIDAVIT OF MAILING

I, Cynthia A. Berardi, Deputy City Clerk, of the City of Palm Springs, California, do hereby certify that a copy of the attached Notice of Public Hearing was mailed to each and every person on the attached list on May 7, 2015, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (120 notices)

I declare under penalty of perjury that the foregoing is true and correct.



Cynthia A. Berardi, CMC
Deputy City Clerk

NOTICE OF PUBLIC HEARING
CITY COUNCIL
CITY OF PALM SPRINGS

CONDITIONAL USE PERMIT 5.1315 & VARIANCE 6.531
SPECTRUM SERVICES (VERIZON WIRELESS)
DESERT WATER AGENCY SITE ON SAN JOAQUIN DRIVE

NOTICE IS HEREBY GIVEN that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of May 20, 2015. The City Council meeting begins at 6:00 p.m., in the Council Chamber at City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

The purpose of the hearing is to consider an application by Spectrum Services representing Verizon Wireless, for a Conditional Use Permit to install a fifty-five (55) foot tall commercial communication antenna. The hearing will also include a Variance request to increase the antenna height forty (40) feet above the permitted fifteen (15) feet for the property located at the Desert Water Agency Site on San Joaquin Drive adjacent to Escena Golf Club and 711-feet north of San Jose Avenue, Zoned M-1-P.

ENVIRONMENTAL DETERMINATION: This project is categorically exempt from environmental review pursuant to Section 15332 (Class 32 – In-Fill Development) of the California Environmental Quality Act (CEQA).

REVIEW OF PROJECT INFORMATION: The staff report and other supporting documents regarding this project are available for public review at City Hall between the hours of 8:00 a.m. and 6:00 p.m. Monday through Thursday. Please contact the Office of the City Clerk at (760) 323-8204 if you would like to schedule an appointment to review these documents.

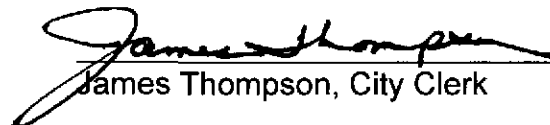
COMMENT ON THIS APPLICATION: Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the Planning Commission by letter (for mail or hand delivery) to:

James Thompson, City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

Any challenge of the proposed project in court may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the City Clerk at, or prior to, the public hearing. (Government Code Section 65009[b][2]).

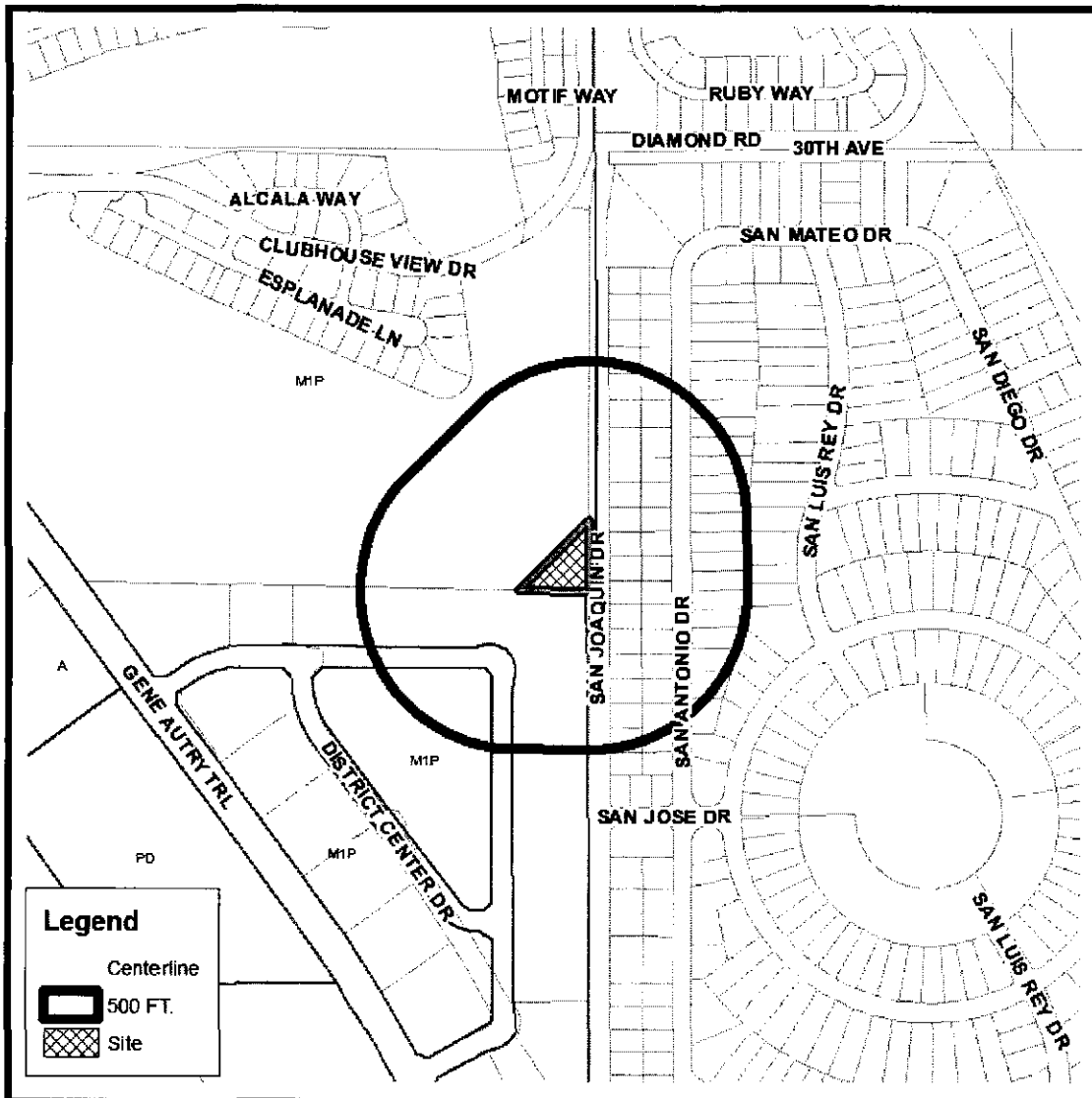
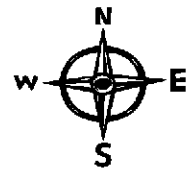
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to Glenn Mlaker, Assistant Planner, at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Felipe Primera telefono (760) 323-8253.


James Thompson, City Clerk



Department of Planning Services Vicinity Map



CITY OF PALM SPRINGS

Cindy Berardi

From: Joanne Bruggemans
Sent: Thursday, May 07, 2015 5:09 PM
To: Cindy Berardi
Cc: Glenn Mlaker
Subject: Case 5.1315 CUP & 6.531 VAR - Spectrum Services
Attachments: CC PHN CUP Case 5 1315 May 20 2015.pdf

Hi Cindy,

There are no neighborhood organizations within the ½ mile radius.

Thanks,

Joanne

Joanne Bruggemans
City of Palm Springs
Planning Services Department
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262
Phone: (760) 323-8245 Fax: (760) 322-8360
Email: joanne.bruggemans@palmspringsca-gov