

## CITY COUNCIL STAFF REPORT

DATE: February 5, 2014

PUBLIC HEARING

SUBJECT: AT&T MOBILITY ON BEHALF OF SHARON DEAN FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY CONSISTING OF A FORTY-EIGHT FOOT TALL MONOPOLE DESIGNED AS A PALM TREE AND A VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED FROM 15' TO 48' LOCATED AT 4185 EAST PALM CANYON, ZONE C-2, SECTION 30. (CASE 5.1295 CUP / 6.528 VAR)

FROM: David H. Ready, City Manager

BY: Department of Planning Services

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### SUMMARY

The City Council will consider a Conditional Use Permit and Variance application for the construction and operation of a wireless telecommunications facility located at 4185 East Palm Canyon Drive. The proposal includes a forty-eight (48) foot high monopole designed as a Date Palm Tree.

### 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 CONDITIONAL USE PERMIT CASE NO. 5.1295 TO INSTALL A FORTY-EIGHT FOOT HIGH WIRELESS COMMUNICATIONS ANTENNA AND VARIANCE CASE NO. 6.528 TO EXCEED MAXIMUM ANTENNA HEIGHT FOR THE PROPERTY LOCATED AT 4185 EAST PALM CANYON DRIVE."

### ISSUES:

- Variance is required to exceed antenna height limit of fifteen feet.
- Existing off-street parking areas need to be restriped.

ITEM NO. 1A

**BACKGROUND:**

<b>Planning Areas</b>		
Specific Plan	None	
Design Plan	None	
Airport Overlay	Yes	Zone E of Airport Influence Area, Riverside County Airport Land Use Compatibility Plan
Indian Land	None	

<b>Most Recent Ownership</b>	
11/27/2001	Applicant purchased the property.

<b>Neighborhood Meeting</b>	
None	Not Required

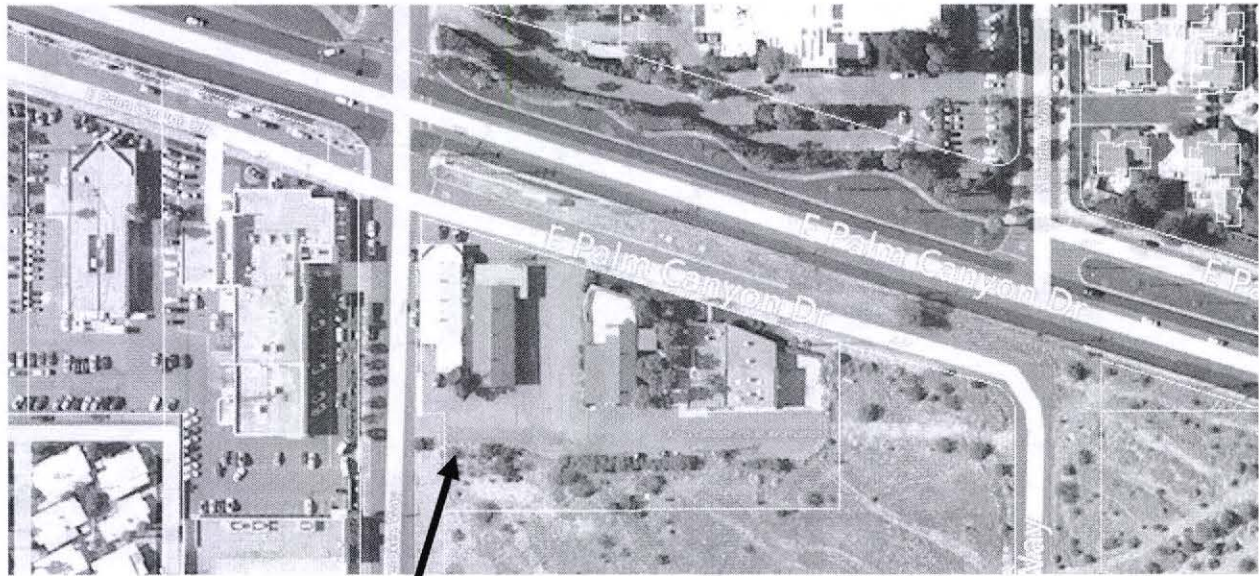
<b>Field Check</b>	
Feb. Aug. and Dec. 2013	Staff visited the site to observe existing conditions.

<b>Related Relevant City Actions by Planning, Fire, Building, etc...</b>	
2/25/2013	The Architectural Advisory Committee (AAC) tabled the project and requested a redesign of the structure to appear as a high quality monopalm, using an integral color block and providing enhanced landscaping around the facility.
08/26/2013	The AAC recommended conditional approval: <ul style="list-style-type: none"> <li>• Add 5 palms within the bollard area pursuant to staff recommendation.</li> <li>• Bollards to be painted more neutral color and allowed no closer than 7' on center.</li> </ul>
1/08/2014	The Planning Commission recommended conditional approval of the Conditional Use Permit and Variance (see attached meeting minutes).

<b>Neighborhood Meeting</b>	
None	Not required

<b>Site Area</b>	
Net Area	99,316-square feet

Surrounding Property	Existing General Plan Designations	Existing Land Use	Existing Zoning Designations
Subject Property	RC (Regional Commercial)	Antique Furniture Stores	C-2 (General Commercial)
North	TRC (Tourist Resort Commercial)	Parker Hotel	R-3 (Multi-family & Hotel)
South	RC	Vacant Land	C-2 and I.L. (Indian Land)
East	RC	Vacant Land	C-2 and I.L.
West	RC	Automobile Dealership	C-2



**PROJECT LOCATION**

**PROJECT DESCRIPTION:**

The subject property is approximately 2.28 acres in size and located at the southeast corner of East Palm Canyon Drive and Cherokee Way. A frontage road exists between the site and East Palm Canyon Drive. Most of the parcel is developed, consisting of four single story buildings, parking and landscaping; the rear portion is vacant land with various native bushes.

The proposed wireless telecommunications facility will be located within the developed portion of the site at the southwest corner. Structures consist of an equipment shelter and a forty-eight foot tall monopole disguised as a Date Palm Tree. Twelve antenna panels that are eight by one feet in size will be installed within the branch area near the top of the faux tree. The applicant has submitted photographs of the existing site and simulations of the structures' appearance in the current environment.

**ANALYSIS:**

<b>General Plan</b>			
<b>Land Use Designation</b>	<b>F.A.R. / Density</b>	<b>Request</b>	<b>Compliance</b>
Regional Commercial	0.50 Floor Area Ratio	Cell Tower (Commercial Use with no FAR)	Yes

<b>Zoning</b>			
<b>Zone</b>	<b>Proposed Use</b>	<b>Permitted?</b>	
C-2 (General Commercial)	Monopalm / Commercial Communication Antennas	Yes, proposed use allowed pursuant to Section 94.02.00(A)(2)(f) of Zoning Code.	
<b>Development Standards</b>	<b>Proposed</b>	<b>Requirement</b>	<b>Compliance</b>
Height	48 feet	15 feet above ground, unless variance is approved	No, variance being requested
Setback			
Front (Cherokee Way)	7 feet	5 feet	Yes
Street Side (Frontage Road)	200 feet	0 feet	Yes
Interior Side (south property line)	70 feet	0 feet	Yes
Rear (east property line)	465 feet	0 feet	Yes

Above development standards may be found in Sections 93.23.08 and 92.12.03 of the Zoning Code.

**Antenna Height:** Pursuant to Section 93.08.03(A)(2)(c)(ii) of the PSZC, the height and placement limitations of communication antennas within Commercial and Professional Zones are required to comply with the provisions governing broadcast receiving antennas or Section 93.08.03(A)(1)(c)(B) 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 monopole structure is proposed at forty-eight 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 maps showing coverage at fifteen feet and forty-eight feet. Findings in support are found below.

**REQUIRED FINDINGS:**

**Architectural Review:** Staff evaluated the proposal against the architectural review guidelines, pursuant to Section 94.04.00 of the Zoning Code, and prepared the following response:

<b>Item</b>	<b>Guideline:</b>	<b>Conforms?</b>	<b>Staff Evaluation:</b>
1	Does the proposed development provide a desirable environment for its occupants?	N/a	Communication tower
2	Is the proposed development compatible with the character of adjacent and surrounding developments?	N/a	

3	Is the proposed development of good composition, materials, textures, and colors?	N/a	
4	Site layout, orientation, location of structures and relationship to one another and to open spaces and topography. Definition of pedestrian and vehicular areas; i.e., sidewalks as distinct from parking lot areas	N/a	
5	Harmonious relationship with existing and proposed adjoining developments and in the context of the immediate neighborhood/community, avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted	N/a	
6	Maximum height, area, setbacks and overall mass, as well as parts of any structure (buildings, walls, screens, towers or signs) and effective concealment of all mechanical equipment	Yes	Facility will be designed to mimic palm tree.
7	Building design, materials and colors to be sympathetic with desert surroundings	Yes	Proposed structure will use a stealth design.
8	Harmony of materials, colors and composition of those elements of a structure, including overhangs, roofs, and substructures which are visible simultaneously	N/a	
9	Consistency of composition and treatment	N/a	
10	Location and type of planting, with regard for desert climate conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure maintenance of all plant materials	Yes	As conditioned, the project will include the addition of five palm trees within 100 feet of wireless facility. Trees will range in height between twenty-five feet and forty-five feet.

**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 property has properties in the vicinity that contain buildings and landscaping which inhibit cellular frequency at a height of fifteen feet. The applicant has provided radio frequency maps that display coverage of an antenna at fifteen feet in height and forty-eight feet in height. These maps show that a fifteen foot high antenna will not satisfy the necessary coverage due to inhibiting factors such as terrain variations, foliage and man-made structures enjoyed by other properties, or in this case cellular providers, in the vicinity and under identical zone classification.

- 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, compliance with Federal Aviation Administration (FAA) requirements and restriction to limit the antenna structure to no more than forty-eight feet in height. 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 93.08.03(B) 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 a study which shows that the height limit of fifteen feet will not 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 compared to forty-eight feet, and 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 C-2 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 Regional Commercial. 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.

Other telecommunication facilities are located to the east of the proposed facility and are similar in height and design. Further, live palm trees exist and will be planted to 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 proposal includes a variance to the antenna height requirement; the equipment will be placed on an unused portion of the site. Existing parking in the complex will adequately serve the proposed facility and existing commercial businesses. The use will occupy only a small portion of the site. 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 additional palm trees, removal of antenna upon use-change or abandonment of the subject property and compliance with all Federal Airport Administration requirements among others.

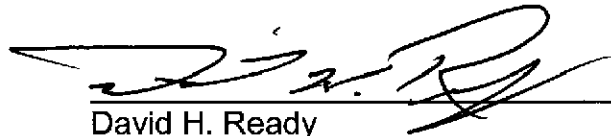
ENVIRONMENTAL DETERMINATION:

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).

FISCAL IMPACT:

There is no cost to the City associated with the construction of the proposed wireless communications facility.

  
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M. Margo Wheeler, AICP  
Director of Planning Services

  
\_\_\_\_\_  
David H. Ready  
City Manager

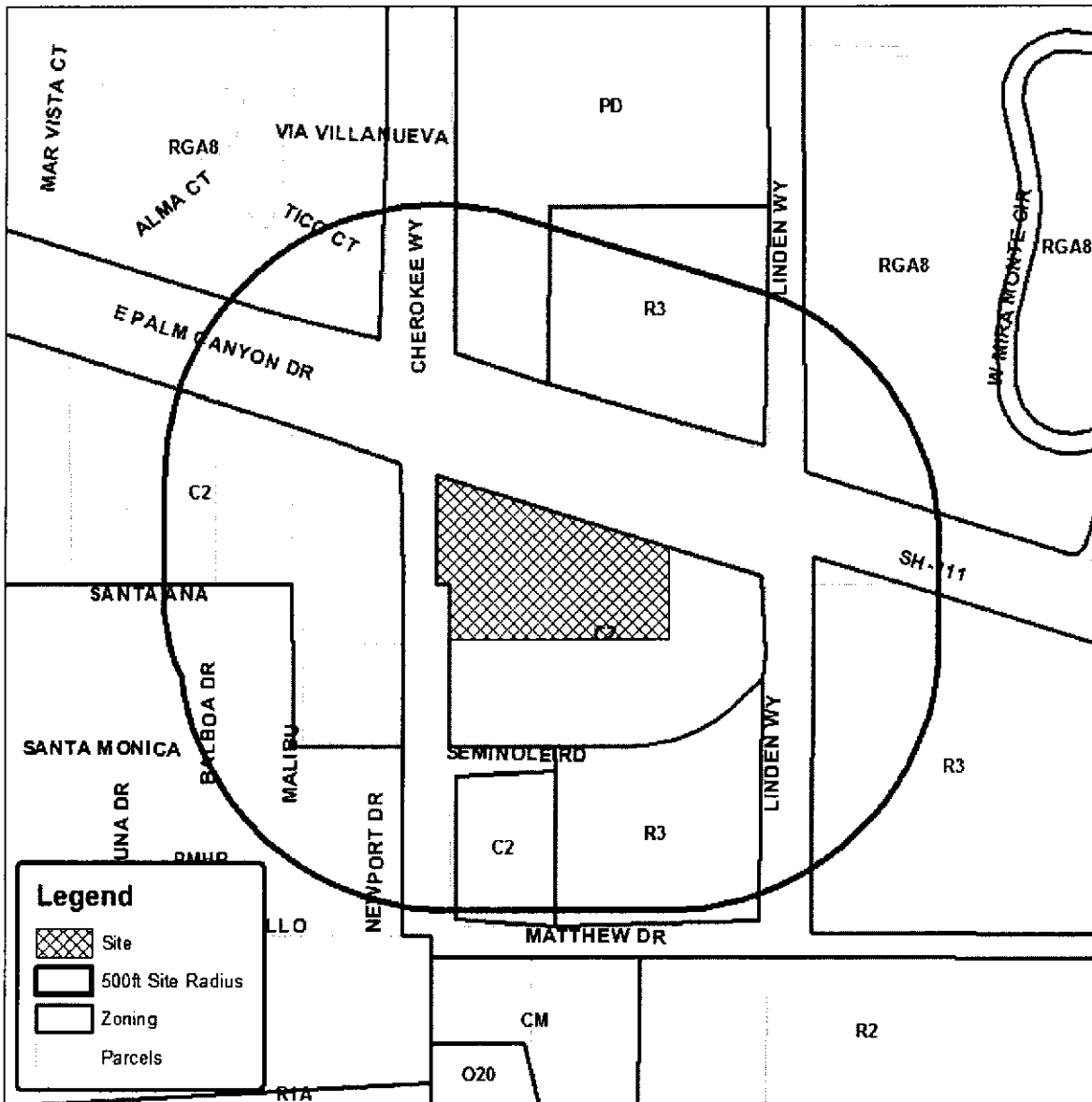
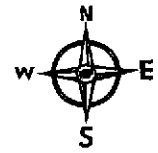


Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. 02/25/2013 AAC Minutes (excerpt)
4. 08/26/2013 AAC Minutes (excerpt)
5. 1/08/2013 Planning Commission Minutes (excerpt)
6. Coverage Maps
7. Reduced Plans



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE:** 5.1295 CUP &  
6.528 VAR

**APPLICANT:** Sharon Dean

**DESCRIPTION:** A request for a Conditional Use Permit and Variance to construct and operate a wireless communication facility on a 48-foot high monopalm structure located at 4185 East Palm Canyon Drive, Zone C-2, Section 30.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT CASE NO. 5.1295 TO INSTALL A FORTY-EIGHT FOOT HIGH WIRELESS COMMUNICATIONS ANTENNA AND VARIANCE CASE NO. 6.528 TO EXCEED MAXIMUM ANTENNA HEIGHT FOR THE PROPERTY LOCATED AT 4185 EAST PALM CANYON DRIVE.

WHEREAS, AT&T Mobility ("Applicant") has filed an application on behalf of Sharon Dean ("Property 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 forty-eight foot high commercial communications monopole designed as a palm tree and an equipment enclosure located at 4185 East Palm Canyon Drive, APN: 681-170-067, C-2 Zone, Section 30; 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. 5.1295 and Variance Case No. 6.528 was given in accordance with applicable law; and

WHEREAS, on January 8, 2014, a public hearing on the application for Conditional Use Permit Case No. 5.1295 and Variance Case No. 6.528 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, on January 8, 2014, the Planning Commission recommended approval of Conditional Use Permit Case No. 5.1295 and Variance Case No. 6.528 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. 5.1295 and Variance Case No. 6.528 was given in accordance with applicable law; and

WHEREAS, on February 5, 2014, a public hearing on the application for Conditional Use Permit Case No. 5.1295 and Variance Case No. 6.528 was held by the City Council 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 (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. 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 property has properties in the vicinity that contain buildings and landscaping which inhibit cellular frequency at a height of fifteen feet. The applicant has provided radio frequency maps that display coverage of an antenna at fifteen feet in height and forty-eight feet in height. These maps show that a fifteen foot high antenna will not satisfy the necessary coverage due to inhibiting factors such as terrain variations, foliage and man-made structures enjoyed by other properties, or in this case cellular providers, in the vicinity and under identical zone classification.

- 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, compliance with Federal Aviation Administration (FAA) requirements and restriction to limit the antenna structure to no more than forty-eight feet in height. 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 93.08.03(B) of the PSZC, in cases involving applications for height limit variances, no such variance shall be granted unless the director makes make 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 a study which shows that the height limit of fifteen feet will not 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 compared to forty-eight feet, and the maximum height of fifteen feet does not appear to achieve and maintain satisfactory coverage within the specified height limitations.

SECTION 3. Pursuant to Zoning Ordinance Section 94.02.00, the City Council 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 C-2 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 Regional Commercial. 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.

Other telecommunication facilities are located to the east of the proposed facility and are similar in height and design. Further, live palm trees exist and will be planted to 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 proposal includes a variance to the antenna height requirement; the equipment will be placed on an unused portion of the site. Existing parking in the complex will adequately serve the proposed facility and existing commercial businesses. The use will occupy only a small portion of the site. 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 additional palm trees, 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. 5.1295 and Variance Case No. 6.528, to install and operate telecommunications monopole and related equipment at 4185 East Palm Canyon Drive, subject to those conditions set forth in Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 5th day of February, 2014.

\_\_\_\_\_  
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



EXHIBIT A

CONDITIONAL USE PERMIT CASE NO. 5.1295  
VARIANCE CASE NO. 6.528

AT&T MOBILITY

4185 EAST PALM CANYON DRIVE

FEBRUARY 5, 2014

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, 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 5.1295 CUP and Case 6.528 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 August 14, 2013, 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 5.1295 CUP and Case 6.528 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 five palm trees on-site within one hundred feet of the facility. The species shall be a Date Palm consistent with the appearance of the appearance of the monopole structure. The location of the palm trees shall be approved by the Director of Planning Services or his / her designee.
- PLN 3. Off-street Parking Areas. Prior to final inspection, the applicant or property owner shall restripe all parking areas to the satisfaction of the Director of Planning Services or his / her designee.
- PLN 4. 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 5. Conditions Imposed from AAC Review. The applicant shall incorporate the following comments from the review of the project by the City's Architectural Advisory Committee:
- a. Bollards to be painted more neutral color and allowed no closer than 7' on center.
- 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(I) of the Zoning Code.
- PLN 11. Antenna Structure Height. The maximum height of the commercial communications antenna structure shall be forty-eight feet, as measured from finished grade to the highest point of the structure.

- PLN 12. 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 13. 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 14. FAA & FCC Compliance. The applicant shall comply with the requirements of the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC).
- PLN 15. 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 / fronds if deemed necessary by the Director of Planning Services.
- PLN 16. Co-location. 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.
- PLN 17. Bi-Annual Review. The tower operator shall submit a bi-annual maintenance report with photographs to the City Planning Department. Any design deterioration shall be corrected to the satisfaction of the Planning Director to avoid Conditional Use Permit revocation proceedings.

**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**

Lyon gave a summary of the project.

AAC members asked about the following:

1. Where are the mailboxes? (ans: On the outside of the gate in a collective mailbox)
2. How are the roofdecks configured? (ans: third floor as optional item; walled and in the center of the roof area (for privacy) and roofed (thus constitute a third floor) with views further controlled by walls.)
3. The project should have pedestrian gates along the perimeter roads to further connect this gated community to the rest of the neighborhood.
4. The private roads within the proposed development will have precast pavers.
5. Some homes have front yard pools and others have back yard pools based on views.
6. The small common green space is a good amenity.
7. The glass panel on the garage doors may be either translucent or opaque.

First motion (Harlan/Fauber) approve with requirement of pedestrian gates at perimeter public streets (failed 2/2)

Second motion (Harlan/Fauber) approve with recommendation that developer consider perimeter pedestrian gates (4-0) approved.

**ACTION:** M/S/C (Harlan / Fauber, 4-0) To recommend approval as submitted with the recommendation that the developer consider perimeter pedestrian gates to the back yards.

**AGENDA ITEM #4: Case 5-1295 CUP / 6-528 VAR – AT&T Mobility**

Cable Engineering Services on behalf of AT&T Mobility for a wireless telecommunications facility consisting of a forty-eight foot high broadleaf mono-tree and an 800-square foot equipment area surrounded by a ten-foot high block wall at the southeast corner of the property located at 4185 East Palm Canyon Drive, Zone C-2, Section 30. (DN)

Associate Planner Newell presented the project to the AAC as outlined in the staff memorandum. He stated that the applicant is proposing a co-locatable antenna structure designed to mimic a broadleaf tree. Staff is opposed to this type of design and would recommend a simple monopole structure or monopole designed to mimic a palm tree.

Rob Searcy of Prescott Communications stated that the broadleaf tree was proposed due to its higher durability than that of a monopalm structure. This design also allows for easier co-location of telecommunication carriers.

No other comments from the public were received.

Member Fauber stated his preference for a simple monopole tower. He felt the maintenance with the proposed design may be an issue.

Member Purnel expressed concern with the esthetics of a monopole, but did not feel the proposed broadleaf tree was acceptable either. A high quality monopalm would be better.

Member Thompson agreed and believed landscaping should be installed around the facility to soften the appearance.

Chair Kleindienst was not in favor of the proposed design, but would accept a monopole or monopalm design.

**ACTION:** M/S/C (Harlan / Fauber, 5-0) To re-study the proposal, subject to redesigning the structure to appear as a high quality monopalm, using an integral color block and providing enhanced landscaping around the facility.

**AGENDA ITEM #5: Case 5.1132 PDD – 333 – Dolce Hotel**

Preliminary discussion of future amendment to an approved Planned Development for hotel and condominiums by CDI Ventures LLC, located at northeast corner of Amado Road and Calle Alvarado, Zone HR, Section 14. (CE)

Planning Director Ewing stated that this item is before the AAC for preliminary discussions with no action and a formal submission will be filed at a later date. He gave a brief history of the project pointing out that the original approval for this site occurred in 2007 with an amendment on 2009 and subsequent time extensions of the PD.

John Raymond, City Economic Director described the history of the past and future needs of the Convention Center and discussed the need to increase group meeting business. The new site proposal is for an upscale boutique hotel to meet today's market of business groups and pleasure travelers. Studies have shown that Palm Springs needs 800 to 1,000 additional new hotel rooms to meet the need of bringing in larger conventions.

Laurie Kibby, developer of the site stated that the revised project will include 200 hotel rooms and possible 200 residential villa units with structured parking. The Dolce brand is a high end boutique hotel with meeting space, restaurants, and outdoor pool areas. The proposed hotel will have a height of 54 feet which is less than what was originally approved with underground parking. Access to the site will be from Amado Road with below grade check-in.

Vice Chair Harlan asked for clarification on future phasing. He is concerned with the pedestrian experience and feels that as proposed the hotel has a weak entry. The placing of a sidewalk next to the sloping driveway does not provide a good walking experience.

Member Pumel asked if the surfacing parking shown would be used by the Convention Center. He stated that he likes the hotel location setback from the street and the site plan is well thought out. He does not have an issue with the hotel height being that the originally approved plan includes a higher structure.

Member Fauber asked about pedestrian connections from the hotel and Convention Center. He supports the proposed hotel siting with the large curve design.

Member Thompson is concerned with pedestrian access.

Chair Kleindienst stated that pedestrian movement will need to be studied. A mid-block cross walk may work with the internal layout of the convention center. He likes the location of the hotel pulled away from the street to allow for the pool and outdoor activities. Proposed

TIM ELLIS, owner representative, said that the project had been built in three phases, dating back to the Oasis Hotel and the newest section added 24 years ago when the current owners took possession.

Committee Member Fauber asked about the Cahuilla balconies because the balconies are not ADA compliant.

TIM ELLIS said that improvements will continue.

FRANK TYSEN, neighboring property owner, stated that AAC items should be given notice like Planning Commission items. He said he was pleased the project had been scaled down.

CRAIG BLAU, neighboring hotel owner, said he was concerned about parking.

Committee Member Song wanted new doors arched like others and the 3 windows be recessed.

Committee Member Secoy-Jensen supported Song's suggestions.

M/S/C (Song/Fauber, 5-0) To approve with conditions:

- New doors' geometry to match existing.
- Triple windows on south, near parking to be recessed

5. **ARCHITECTURAL REVIEW REQUEST BY SHARON DEAN TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY FOR AT&T COMMERCIAL COMMUNICATION ANTENNAS ON A FORTY-EIGHT FOOT HIGH MONOPOLE DISGUISED AS PALM TREE AT 4185 E. PALM CANYON DRIVE (CASE 51295-001-  
[REDACTED] (DN)**

Associate Planner Newell gave a short report referencing that this item had been to the AAC previously and the minutes were attached to the staff report.

Committee Member Fauber confirmed with the applicant that the tower had been relocated on the site.

APPLICANT ROB SEARCY, said he disagreed with staff's recommendations to create a Mexican fan palm as maintenance of the larger leaves, susceptible to winds, was more costly, as was landscaping.

Committee Member Fauber suggested no palm just a pole.

Chair Secoy-Jensen agreed but said it is difficult to promote based upon prior review.



Committee Member Cassady commented that the bright yellow bollards are unsightly.

M/S/C (Secoy-Jensen/Fauber, 5-0) To approve with conditions:

- Add 5 palms within the bollard area pursuant to staff recommendation.
- Bollards to be painted more neutral color and allowed no closer than 7' on center.

**COMMITTEE MEMBER COMMENTS:**

Committee Member Song asked about having only one meeting in August.


Director Wheeler replied the Committee Members, of course, are free to take time off but that the priority was serving the development community.

**STAFF MEMBER COMMENTS:**

Director Wheeler reported that the AAC's Rule of Procedures would be presented at the next meeting.

The Joint Meeting with the Planning Commission will be scheduled for September 11th.

**ADJOURNMENT:** The Architectural Advisory Committee adjourned at 4:41 pm to Monday, September 9, 2013, at 3:00 pm, Council Chamber, City Hall, 3200 East Tahquitz Canyon Way, Palm Springs.

  
\_\_\_\_\_  
M. Margo Wheeler, AICP  
Director of Planning Services

**ACTION:** Approve the Planning Commission Minutes of December 11, 2013, (a correction on page 8) as amended.

Motion Commissioner Roberts, seconded by Commissioner Klatchko and unanimously carried 4-0-3 on a roll call vote.

**AYES:** Commissioner Calerdine, Commissioner Klatchko, Commissioner Roberts and Chair Donenfeld

**ABSENT:** Commissioner Lowe, Commissioner Weramjuk, Vice Chair Hudson

**2. PUBLIC HEARING:**

**2A. AT&T MOBILITY ON BEHALF OF SHARON DEAN FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY CONSISTING OF A FORTY-EIGHT FOOT TALL MONOPOLE DISGUISED AS A PALM TREE AND A VARIANCE TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED FROM 15' TO 48' LOCATED AT 4185 EAST PALM CANYON, ZONE C-2, SECTION 30 (CASE 5.1295 CUP / 6.528 VAR). (DN)**

Principal Planner Robertson presented the proposed project as outlined in the staff report.

Chair Donenfeld opened the public hearing.

ROB SEARCY, Prescott Communications, spoke about the height that is needed to provide for radio frequency. He described the location and the design of the monopalm. He noted that the AAC recommended five palms trees and requested a reduction be considered and require only two trees because of the high costs. Mr. Searcy provided details about the concerns associated with co-locations at the existing cell tower.

KELLY DUNN, owner, Safari Mobile Home Park, spoke in opposition to the wireless antennas; and reiterated the antenna height limit is 15 feet. He indicated he would litigate if approved.

There being no further appearances the public hearing was closed.

Principal Planner Robertson reported that staff is confident they can work with the applicant on finding a creative solution to arrange the trees so they will not encroach on the critical habitat area.

Commissioner Calerdine commented about the relatively new established endangered species that was found in this area and that established protocol for a new species could take a long time.

Commissioner Klatchko asked about clarification of the 15 foot requirement for the antenna height. Staff responded that this section of the Zoning Code may need to be updated; and clarified that the 15 feet is above an existing structure also.

Commissioner Klatchko asked if there are alternative towers in the neighborhoods to fill this gap.

ROB SEARCY responded that they looked at the area where they have the gap and searched for options within vicinity. He commented that they need a defined area; and if the antenna is too close to another cell site it would over-saturate the signals and create interference within the network.

Commissioner Calerdine commented on the necessity of the antennas and will support staff's recommendation.

**ACTION:** To approve, subject to Conditions of Approval, as amended with an additional condition:

- The applicant shall submit a bi-annual maintenance report with photographs to the City.

**Motion:** Commissioner Calerdine, seconded by Chair Donenfeld and unanimously carried 4-0-3 on a roll call vote.

**AYES:** Commissioner Calerdine, Commissioner Klatchko, Commissioner Roberts and Chair Donenfeld

**ABSENT:** Commissioner Lowe, Commissioner Weremiuk and Vice Chair Hudson

A recess was taken at 3:00 p.m.

The meeting resumed at 3:09 pm.

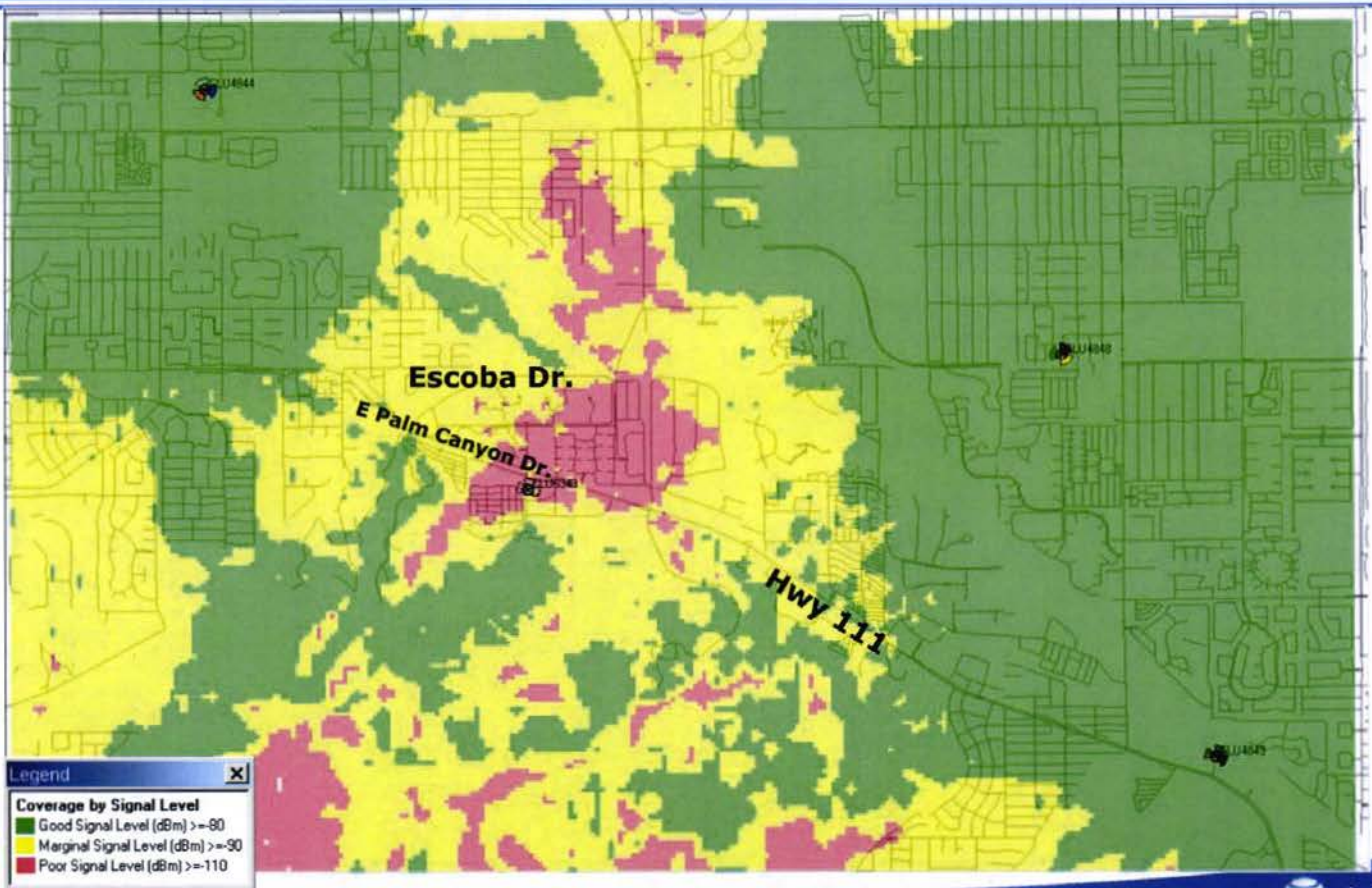
### 3. NEW BUSINESS

**3A. GARY AND JULIE CHANEY FOR ARCHITECTURAL APPROVAL TO REMODEL AND EXPAND AN EXISTING SINGLE-FAMILY RESIDENCE, INCLUDING THE ADDITION OF APPROXIMATELY 1,402-SQUARE FEET OF LIVING AREA AND A NEW TWO-CAR GARAGE ON A HILLSIDE LOT LOCATED AT 2343 BISNAGA AVENUE, ZONE R-1-B (CASE 3.2420 MAJ). (DN)**

Principal Planner Robertson presented the proposed project as outlined in the staff report. He reported a correction on page 3, the expansion is proposed near both the front and rear yards and page 4 the maximum proposed building height is 13 feet.

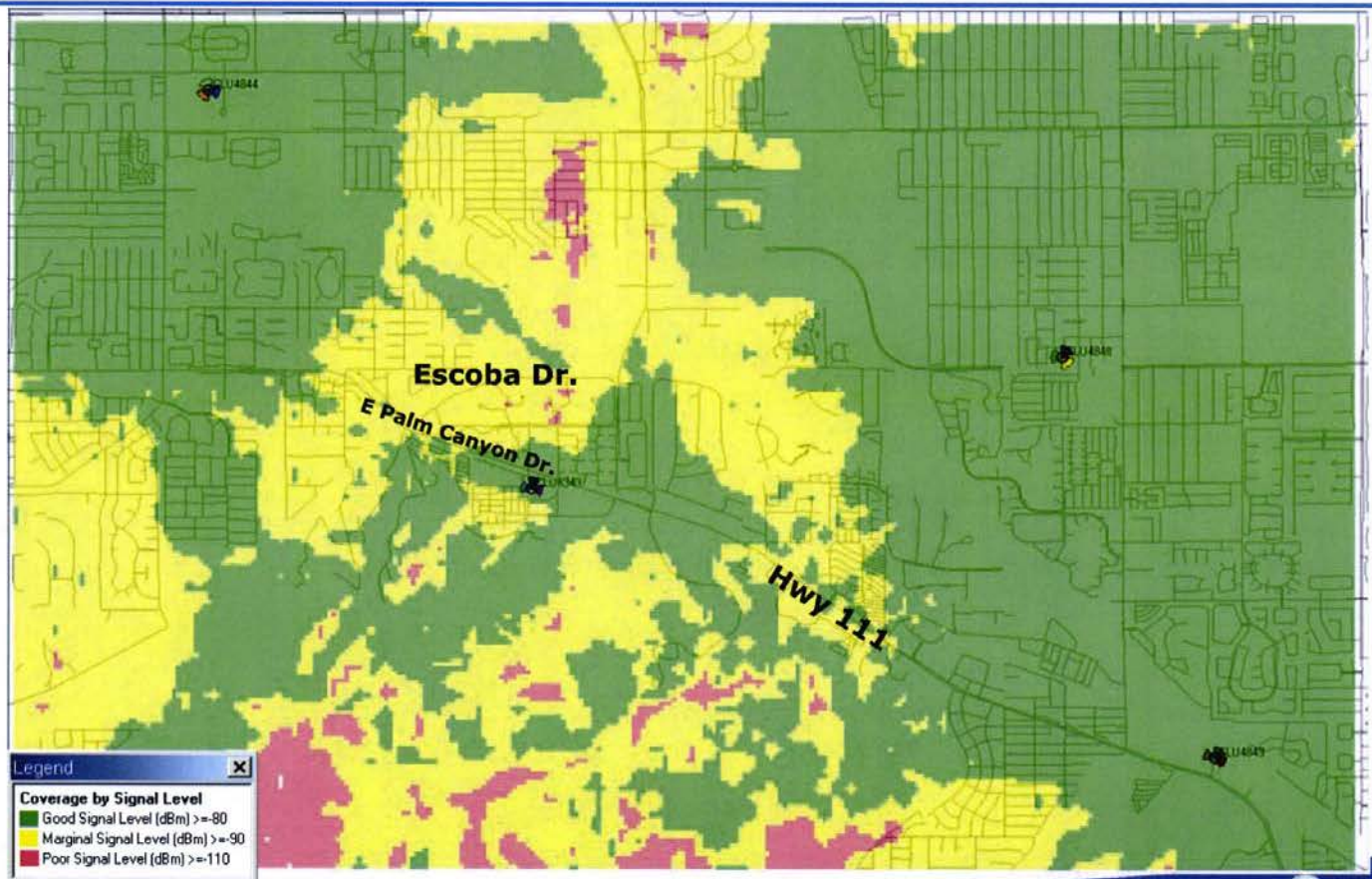
Coverage without Proposed site RS0397/CLU6343

Pilot Coverage – RSCP (dBm)

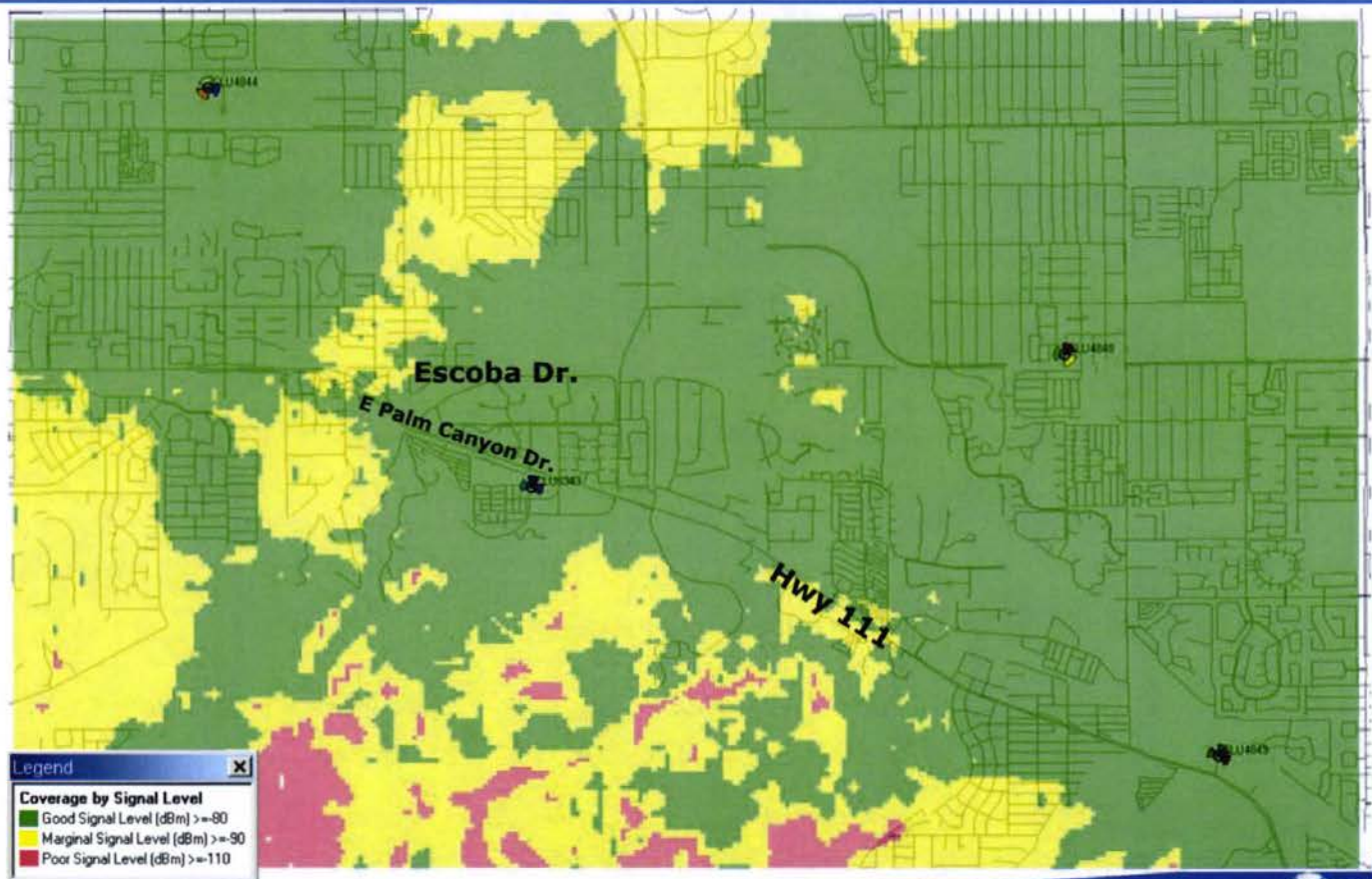




**Coverage With Proposed site RS0397/CLU6343 (@ 15 ft. Antenna Tip Height)**  
**Pilot Coverage – RSCP (dBm)**

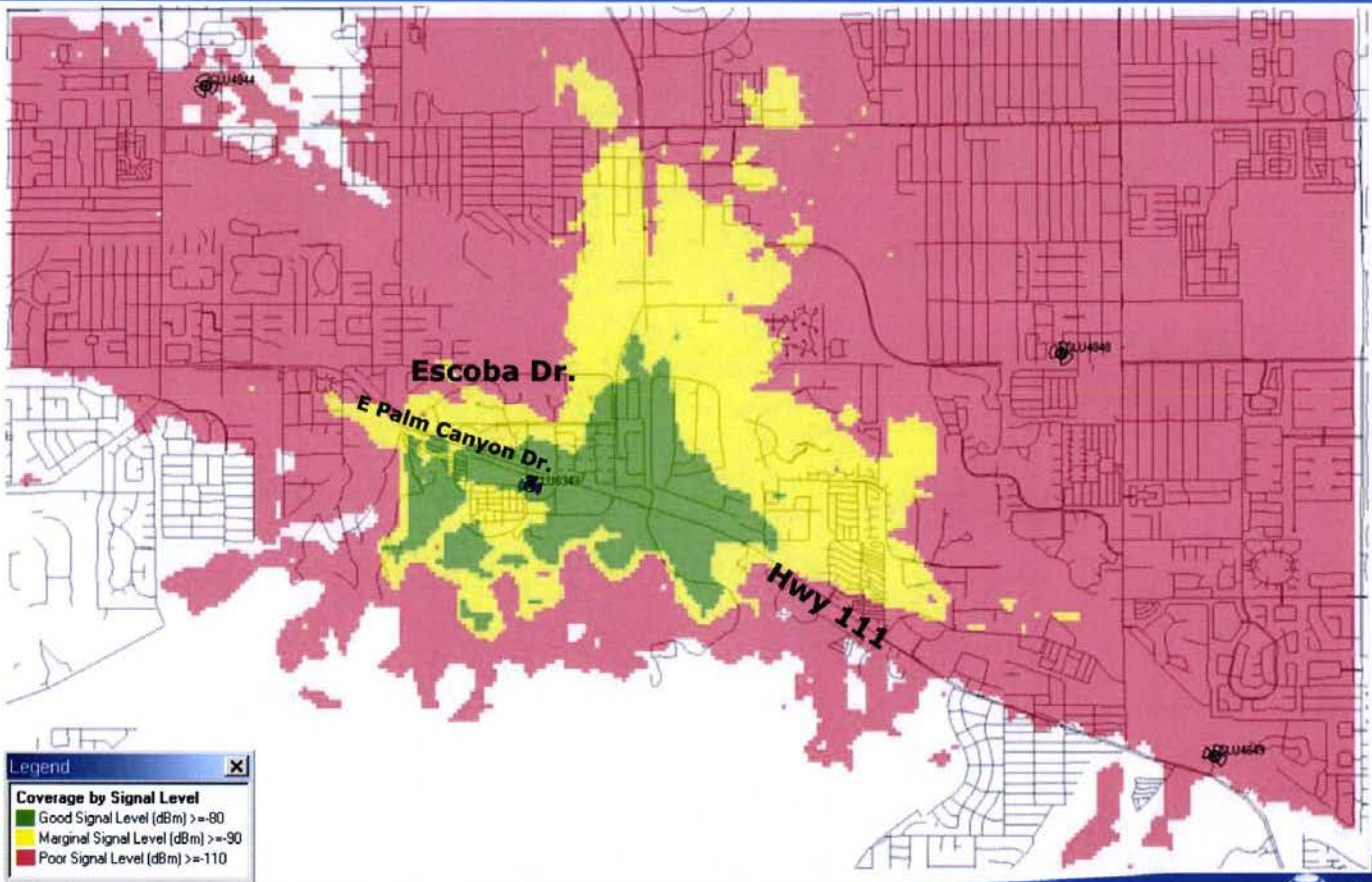


**Coverage With Proposed site RS0397/CLU6343 (@ 44 ft. Antenna Tip Height)**  
**Pilot Coverage – RSCP (dBm)**



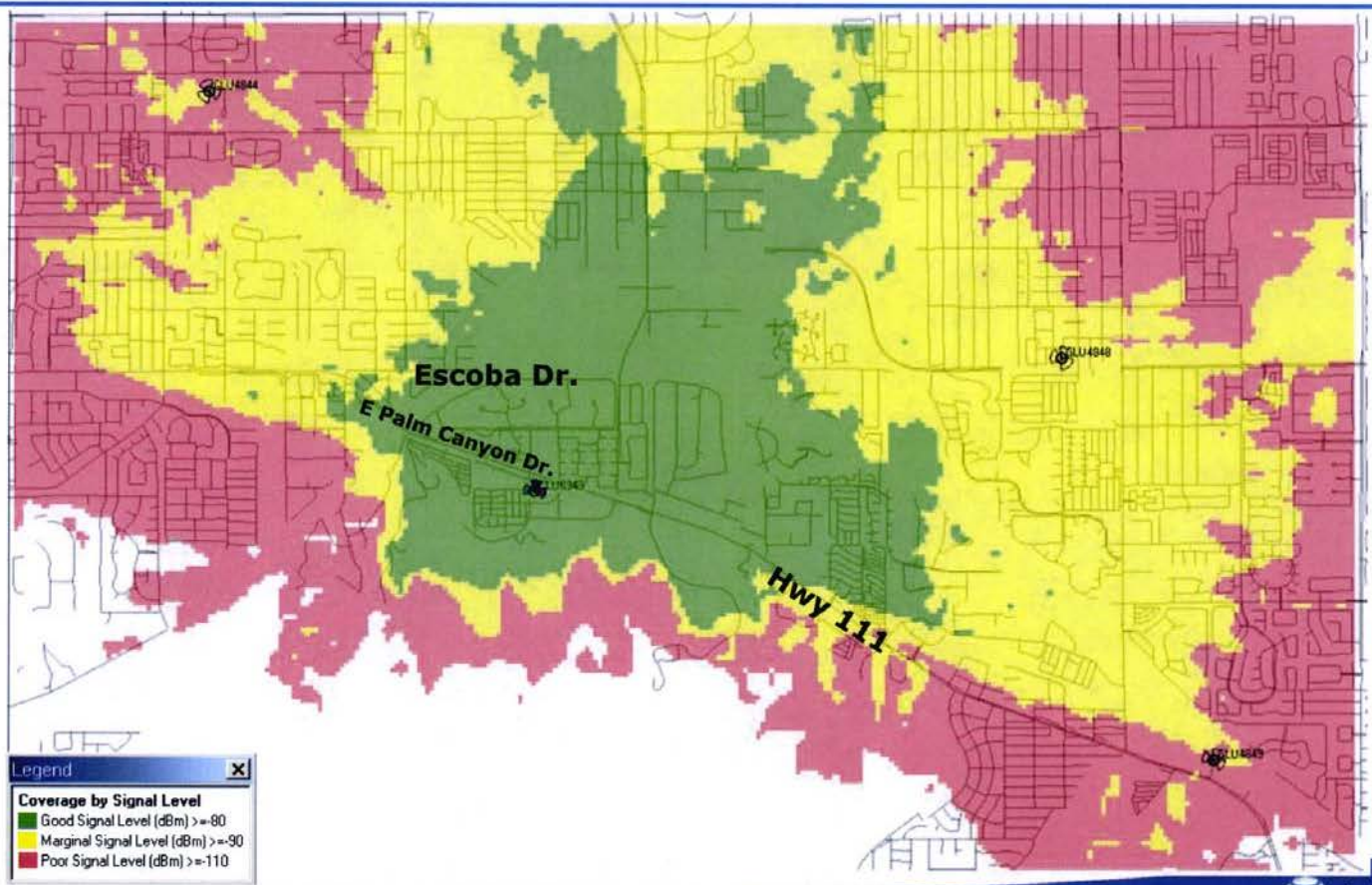


**Coverage With Proposed site RS0397/CLU6343 only (@ 15 ft. Antenna Tip Height)**  
**Pilot Coverage – RSCP (dBm)**





**Coverage With Proposed site RS0397/CLU6343 only (@ 44 ft. Antenna Tip Height)**  
**Pilot Coverage – RSCP (dBm)**



ENGINEERING
2010 CALIFORNIA BUILDING CODE
2010 CALIFORNIA TITLE 24
2010 CALIFORNIA FIRE CODE
2010 CALIFORNIA RESIDENTIAL CODE
2010 CALIFORNIA ENERGY CODE
2010 CALIFORNIA PLUMBING CODE
2010 CALIFORNIA MECHANICAL CODE
2008 NATIONAL ELECTRIC CODE
2008 NATIONAL MECHANICAL CODE
2008 NATIONAL PLUMBING CODE
2008 NATIONAL FIRE PROTECTION ASSOCIATION CODE
2008 INTERNATIONAL MECHANICAL CODE
2008 INTERNATIONAL PLUMBING CODE
2008 INTERNATIONAL FIRE PROTECTION ASSOCIATION CODE
TIA/EIA-222-F OR LATEST EDITION

**GENERAL NOTES**

THE FACILITY IS UNMANNED AND NOT FOR HUMAN OCCUPANCY. A TECHNICIAN MUST VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON SURROUNDING NEARBY RESIDENTS, POTABLE WATER, OR TRASH DISPOSAL. NO COMMERCIAL STORAGE IS PERMITTED.



**UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA**  
800-427-2539  
99.99% ACCURACY

SITE INFORMATION	
PROPERTY OWNER:	SHAWNEE S&S 17300 PARK PLAZA DR LA BURE, CA 92553
APPLICANT:	AT&T 12800 PARK PLAZA DRIVE CERRITOS, CA 90710
PROJECT:	12800 PARK PLAZA DRIVE CERRITOS, CA 90710
APPLICANT REPRESENTATIVE:	CE2 10840 MULLEN BLVD, SUITE 1 MIRTELLA HILLS, CA 91344
LATITUDE (NAD 83):	33° 47' 36.06" N
LONGITUDE (NAD 83):	116° 30' 09.00" W
UNIVERSITY DATUM TYPE:	NAD 83
GROUND ELEVATION:	288.20' AMSL
APN #:	060-110-047
ZONING JURISDICTION:	CITY OF PALM SPRINGS
ELEMENT ZONING:	C-2
OCCUPANCY:	W (RECREATION)
POWER COMPANY:	—
TILCO COMPANY:	—
PROPOSED USE:	UNMANNED TELECOM FACILITY
LEAS AREA (SF):	800 (SF)

PROJECT TEAM	
<b>PROJECT MANAGER</b>	<b>ARCHITECTURE/ENGINEERING</b>
10840 MULLEN BLVD	99 JACKSON CORPORATION 2600 MULLEN BLVD, SUITE 2000 LOS ANGELES, CA 90008
10840 MULLEN BLVD, SUITE 1 LOS ANGELES, CA 90008	CONTRACT BILL JACKSON PRINC, (310) 202-0039 PHONE: (818) 489-1034 FAX: (310) 202-0039 EMAIL: bill.jackson@aeac.com
10840 MULLEN BLVD, SUITE 1 LOS ANGELES, CA 90008	CONTRACT BILL JACKSON PRINC, (310) 202-0039 PHONE: (818) 489-1034 FAX: (310) 202-0039 EMAIL: bill.jackson@aeac.com

**SITE ACQUISITION**

12800 PARK PLAZA DRIVE  
SUITE 1  
CERRITOS, CA 90710  
CONTACT: ADL GAO  
PHONE: (916) 664-8857  
FAX: (916) 664-8857  
EMAIL: adl@at&t.com

**DEVELOPER**

12800 PARK PLAZA DRIVE  
SUITE 1  
CERRITOS, CA 90710  
CONTACT: ADL GAO  
PHONE: (916) 664-8857  
FAX: (916) 664-8857  
EMAIL: adl@at&t.com

**SITE NUMBER: RS0397**  
**SITE NAME: PALM CANYON DR.**

**PROJECT: NSB**  
**SITE TYPE: MONOTREE**  
**SITE ADDRESS: 4185 E. PALM CANYON DR.**  
**PALM SPRINGS, CA 92264**

**CONSTRUCTION DRAWING**  
IF USING 11"X17" PLOT, DRAWINGS WILL BE HALF SCALE

**APPROVALS**

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS & AUTHORIZE THE SUBCONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT & MAY IMPOSE CHANGES OR MODIFICATIONS.

AT&T OPERATOR: \_\_\_\_\_  
AT&T ENGINEER: \_\_\_\_\_  
SITE ACQUISITION MANAGER: \_\_\_\_\_  
PROJECT MANAGER: \_\_\_\_\_  
ZONING VENDOR: \_\_\_\_\_  
LEASING VENDOR: \_\_\_\_\_  
CONSTRUCTION MANAGER: \_\_\_\_\_  
A/E MANAGER: \_\_\_\_\_  
PROPERTY OWNER: \_\_\_\_\_

**PROJECT DESCRIPTION**

AT&T WIRELESS PROPOSES TO BUILD A NEW WIRELESS INSTALLATION THE WORK WILL CONSIST OF THE FOLLOWING:

- INSTALL (1) EQUIPMENT MOUNTED
- INSTALL (1) 45' TOWER MONOPILE WITH (24) BRU11's
- INSTALL (2) ANTENNAS @ 30' x 1' FT
- FUTURE COLLOCATION ANTENNAS @ 30'x1' FT

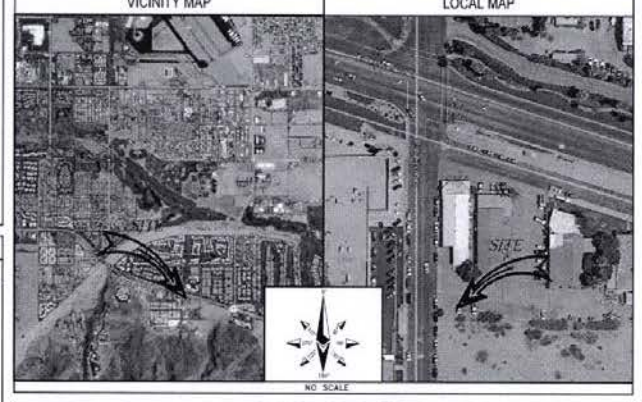
**DRAWING INDEX**

SHEET NO.	SHEET TITLE
T-1	TITLE SHEET
C-1	TOPOGRAPHIC SURVEY
C-2	TOPOGRAPHIC SURVEY
A-1	SITE PLAN
A-2	EQUIPMENT LAYOUT PLAN & ANTENNA LAYOUT PLANS
A-3	EXTERIOR ELEVATIONS
A-4	EXTERIOR ELEVATIONS
A-5	SITE CROSS SECTION

**DO NOT SCALE DRAWINGS**

SUBCONTRACTOR SHALL VERIFY ALL PLANS & ELEVATION DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

**LOCATION MAPS**



**DRIVING DIRECTIONS**

- DIRECTIONS FROM AT&T OFFICE FROM PARK PLAZA DRIVE:**
1. START OUT GOING EAST ON PARK PLAZA DR. TOWARD SUMMNER AVE. (1.4 MILES)
  2. TAKE THE 1ST RIGHT ONTO SHAGBARK AVE. (.1 MILES)
  3. TURN LEFT ONTO 162ND ST. (1.4 MILES)
  4. TURN RIGHT ONTO CANTONWAY RD. (.5 MILES)
  5. TURN LEFT ONTO GRANDESTREET AVE. (1.4 MILES)
  6. MERGE ONTO CA-91E. (4.3 MILES)
- DIRECTIONS FROM AT&T OFFICE FROM PARK PLAZA DRIVE:**
7. MERGE ONTO CA-91E TOWARD I-10 (3.8 MILES)
  8. MERGE ONTO I-10 VIA THE EXIT ON THE LEFT (2.3 MILES)
  9. TAKE THE PALM SPRINGS SOUTH RAMP (2.4 MILES)
  10. TURN RIGHT ONTO N. JENSEN AVENUE (1.3 MILES)
  11. TURN RIGHT ONTO E. PALM CANYON DR. (1.4 MILES)
  12. TAKE THE 1st LEFT ONTO S. CINDEREBA WAY (.02 MILES)
  13. TAKE THE 1st LEFT ONTO E. PALM CANYON DR. (.48 MILES)
  14. 4185 E. PALM CANYON DR IS ON THE RIGHT.

12800 PARK PLAZA DRIVE  
CERRITOS, CA 90710

PLANS PREPARED BY:

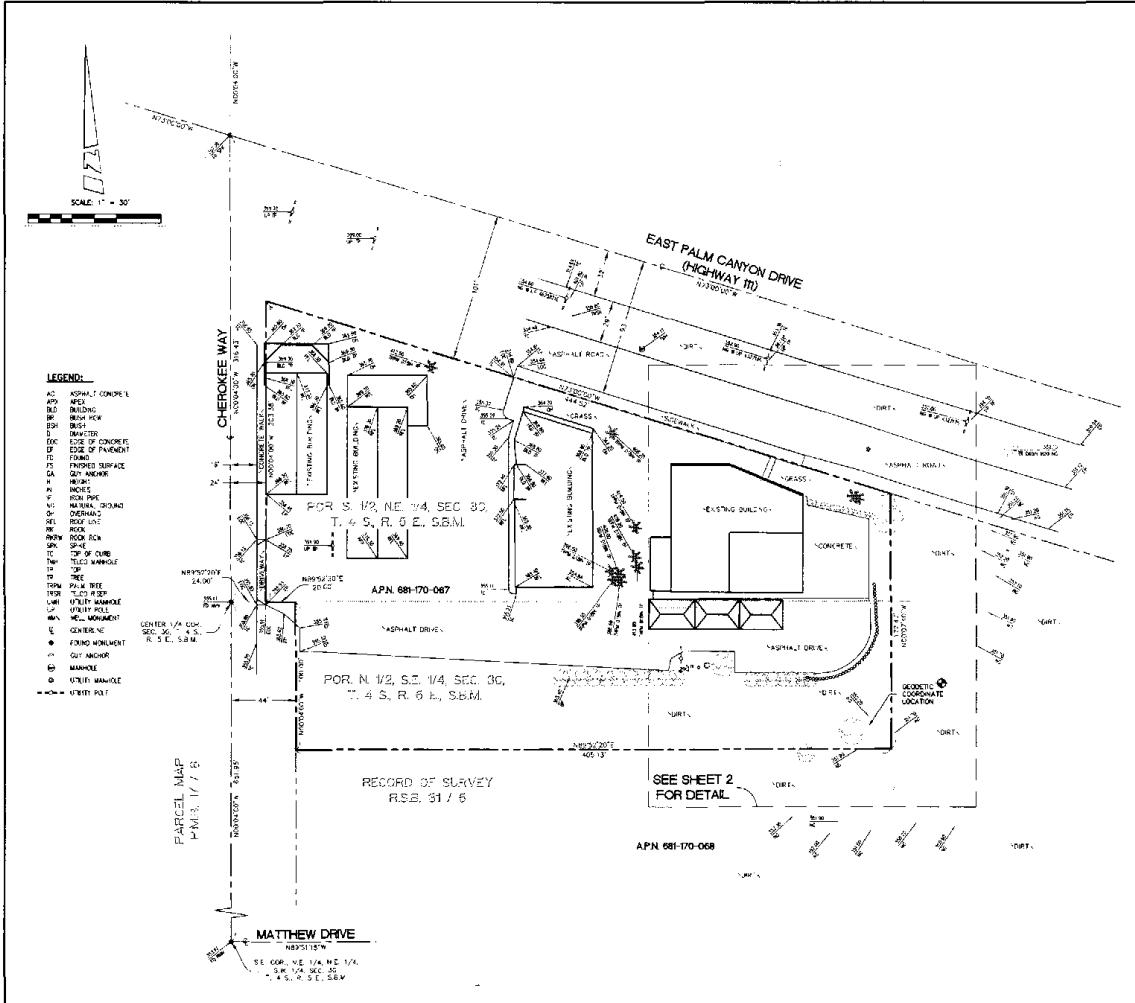
**CBS** **civil** **engineering**  
services  
PROJECT COMMUNICATIONS, INC.  
1800 BUCKLEBOURNE DRIVE • PALM HILLS, CA 91767  
PHONE: (916) 664-8857 FAX: (916) 664-8857

**W. E. Jackson Corporation**  
architecture  
planning & engineering

RS0397  
4185 E. Palm Canyon Dr.  
Palm Springs, CA 92264  
Cell Site

SHEET TITLE  
TITLE SHEET

SHEET NUMBER  
**T-1**



**COORDINATES:**  
 LAT. DE 32°47'35.87" N  
 LONG. DE 118°20'00.47" W  
 HAD 1982 GEODETIC COORDINATES AND ELEVATIONS WERE ESTABLISHED USING SURVEY GRADE ADJUSTED GPS RECEIVERS AND ANIMATED SURVEY GRADE PROGRAM SOFTWARE FOR POST-PROCESSING.

**BASIS OF BEARINGS:**  
 THE BEARINGS OF CHEROKEE WAY BEING NORTH 00°00'00" WEST PER PARCEL MAP, PLANS 17/8, RECORDS OF MATTHEW COUNTY.

**ASSESSOR'S IDENTIFICATION:**  
 MATTHEW COUNTY, APN 681-170-067

**AREA:**  
 2.38 ACRES PER MATTHEW COUNTY ASSESSOR

**BENCH MARK REFERENCE:**  
 U.S.G.S. BENCH MARK 15M 5437  
 UNITED STATES GEODETIC SURVEY CONTROL MARK 15M 5437 IS SHOWN ON THE TOPGRAPHIC SURVEY 7.5 MINUTE QUADRANT MAP ELEVATION: 5455 FEET AMSL. (ELEVATION SURVEY VERIFIED A FIELD TO BE WITHIN 1+4 ACCURACY STANDARDS)

**TITLE REPORT IDENTIFICATION:**  
 JAYVERS TITLE COMPANY, PRELIMINARY TITLE REPORT NO. 0303933, DATED AS OF OCTOBER 14, 2017

**EASEMENT NOTES:**  
 EASEMENTS SHOWN HEREON ARE OFFERED BY TITLE COMPANY, MATTHEW COUNTY, TITLE REPORT NO. 0303933, DATED AS OF OCTOBER 14, 2017

**LEGAL DESCRIPTION:**  
 THAT PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 4 SOUTH, RANGE 6 EAST, SAN BERNARDINO MOUNTAIN IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
 COMMENCED AT THE CENTER OF SAID QUARTER, ALL THENCE NORTH 88°00'00" EAST ALONG THE NORTHERN LINE OF THE NORTH 1/4 OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION TO A DISTANCE OF 364.5 FEET TO THE SOUTHWEST CORNER OF THE PRESENT IN SAID CERTIFICATE OF TOWNSHIP NO. 0303933, RECORDED OCTOBER 24, 1998 AS INSTRUMENT NO. 284233 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, SAID QUARTER CORNER ALSO BEING THE TRUE POINT OF BEGINNING, THENCE NORTH 00°04'21" WEST ALONG THE WESTERLY LINE OF SAID QUARTER A DISTANCE OF 220.0 FEET TO THE NORTHWEST CORNER HEREOF, THENCE SOUTH 89°00'00" EAST ALONG THE NORTHERN LINE OF SAID QUARTER A DISTANCE OF 144.2 FEET, THENCE SOUTH 00°00'00" EAST A DISTANCE OF 37.5 FEET TO A POINT ON A LINE PARALLEL WITH SAID DISTANT 122.50 FEET SOUTHWEST OF SAID INTERSECTION OF THE NORTHERN LINE OF SAID QUARTER QUARTER OF THE SOUTHWEST CORNER OF SECTION 30, THENCE SOUTH 88°00'00" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 40.00 FEET TO A POINT ON A LINE PARALLEL WITH SAID DISTANT 44.00 FEET EASTERN OF THE CENTERLINE OF CHEROKEE WAY, THENCE NORTH 00°00'00" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 100.00 FEET TO A POINT ON SAID NORTHERN LINE OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, THENCE SOUTH 88°00'00" WEST ALONG SAID PARALLEL LINE A DISTANCE OF 220.00 FEET TO THE TRUE POINT OF BEGINNING.

**DATE OF SURVEY:**  
 OCTOBER 25, 2017

**LIVING PLANTS STATEMENT:**  
 THE HEIGHTS AND ELEVATIONS FOR THE TREES, BUSHES AND OTHER LIVING PLANTS SHOWN HEREON SHOULD BE CONSIDERED APPROXIMATE (1+2) AND ONLY VALID FOR THE DATE OF THE SURVEY. THEY ARE PROVIDED AS CHECK-REFERENCE AND SHOULD NOT BE USED FOR OTHER PURPOSES.

REVISIONS	DATE	BY
1	10/25/17	JK
2	10/25/17	JK

PREPARED FOR:

**at&t**  
 TOPOGRAPHIC SURVEY  
 RS0397  
 418E EAST PALM CANYON DRIVE  
 PALM SPRINGS, CA 92264

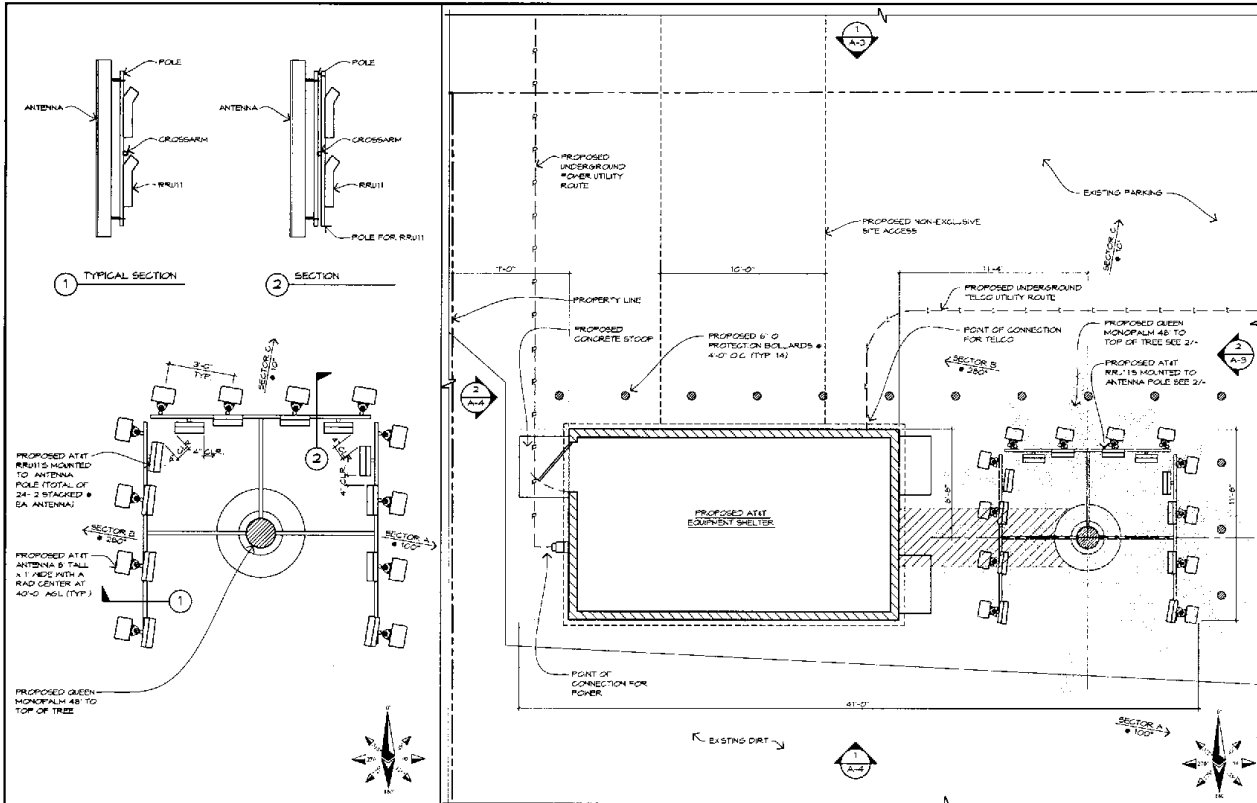
SCALE: 1" = 30'  
 DATE: 10/25/17  
 DRAWN BY: JK  
 CHECKED BY: JK  
 CANCELED BY: JK

SEE SHEET 2 FOR SITE DETAILS

SHEET 1 OF 2







12000 PARK PLAZA DRIVE  
DENVER, CO 80202

AS PREPARED BY:  
 W. E. Jackson Corporation  
 3600 WILSON ROAD, SUITE 2000  
 LOS ANGELES, CALIFORNIA 90008  
 (818) 330-0000  
 Walter E. Jackson & Sons, Inc. - President

W. E. Jackson Corporation  
 architecture  
 planning &  
 engineering

D	10/24/2013	100% Utility Drawings
C	10/23/2013	Design Development
B	07/22/2013	Design Development
A	12/20/2012	Design Development
A	11/27/2012	Design Development
A	11/08/2012	Design Development
REV	DATE	DESCRIPTION



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 MAKE A FAKE COPY OF THIS DOCUMENT  
 WITHOUT THE WRITTEN PERMISSION  
 OF THE ORIGINAL AUTHOR.

RS0397  
 4185 E. Palm Canyon Dr.  
 Palm Springs, CA 92264  
 Cell Site

SHEET TITLE  
 EQUIPMENT LAYOUT PLAN  
 & ANTENNA LAYOUT PLAN

SHEET NUMBER  
 A-2

ANTENNA LAYOUT PLAN		SCALE 1/2" = 1'-0"	2
FENCE:	WOOD/IRON FENCE:	ICE BRIDGE:	
LEASE AREA:		CABLE TRAY:	
		WALL/PARTITION:	

EQUIPMENT LAYOUT PLAN		SCALE 3/8" = 1'-0"	1
YBI: 4370 FACILITY INTERFACE FRAME	RR1:	REMOTE RADIO UNIT	
OBP: OPTICAL BASISTATION INTERFACE	RE:	REMOTE ELECTRICAL UNIT	
TMA: TIME DIVISION MULTIPLE ACCESS	TA:	TOWER MOUNTED AMPLIFIER	
CDMA: CODE DIVISION MULTIPLE ACCESS	CM:	CONCRETE MASONRY UNIT	
CSM: GLOBAL SYSTEM FOR MOBILE COMMUNICATIONS	GPS:	GLOBAL POSITIONING SYSTEM	
IS-136: IS-136 SYSTEM FOR MOBILE COMMUNICATIONS	MVC:	MIXING VENTILATION AIR CONDITIONING	

GRAPHICS LEGEND

1/81143

ACRONYM LEGEND



12000 PARK PLAZA DRIVE  
CERRITOS, CA 94033

PLANNED BY:  
  
 W. E. Jackson Corporation  
 architecture & engineering  
 1800 WILSON BOULEVARD, SUITE 2000  
 LOS ANGELES, CALIFORNIA 90024  
 (213) 330-0828

W. E. Jackson Corporation  
 architecture & engineering  
 1800 WILSON BOULEVARD, SUITE 2000  
 LOS ANGELES, CALIFORNIA 90024  
 (213) 330-0828

1	06/20/2013	100% Design Drawing
2	07/22/2013	Issuing Drawing
3	07/22/2013	Issuing Drawing
4	07/22/2013	Issuing Drawing
5	07/22/2013	Issuing Drawing
6	07/22/2013	Issuing Drawing
7	07/22/2013	Issuing Drawing
8	07/22/2013	Issuing Drawing
9	07/22/2013	Issuing Drawing
10	07/22/2013	Issuing Drawing

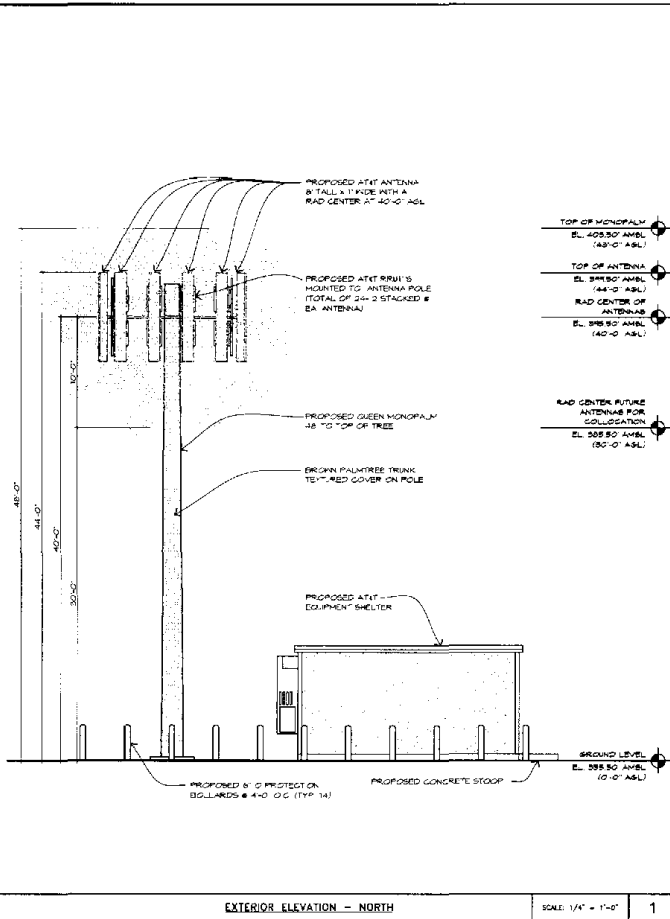
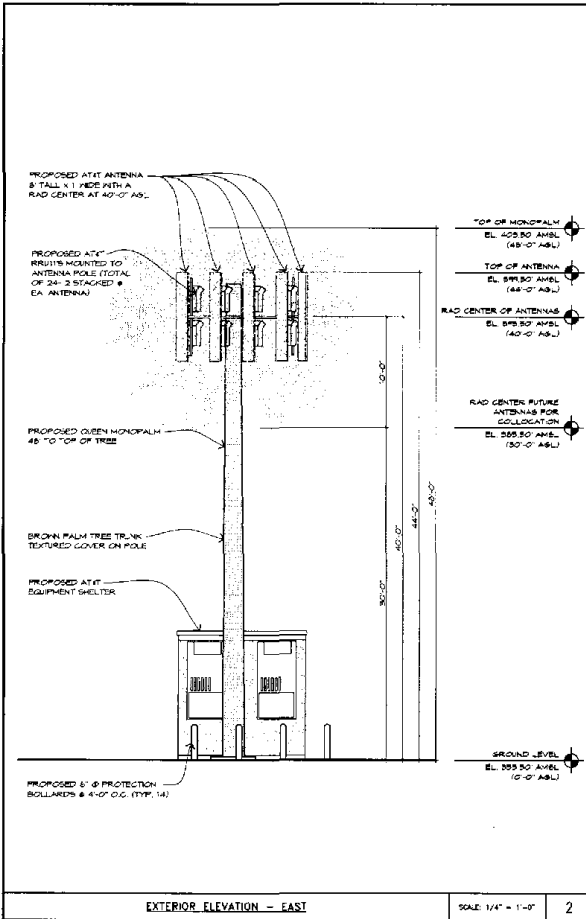


IT IS A VIOLATION OF LAW FOR ANY PERSON, WHOSE NAME AND PROFESSIONAL DESIGNATION IS ON THIS DOCUMENT, TO ALTER THIS DOCUMENT.

RS0397  
 4185 E. Palm Canyon Dr.  
 Palm Springs, CA 92264  
 Cell Site

SHEET TITLE  
 EXTERIOR ELEVATIONS

SHEET NUMBER  
 A-3



EXTERIOR ELEVATION - EAST

SCALE: 1/4" = 1'-0"

2

EXTERIOR ELEVATION - NORTH

SCALE: 1/4" = 1'-0"

1





12800 PARK PLAZA DRIVE  
CENTRO, CA 95025

PLANS PREPARED BY:  
**W. E. Jackson Corporation**  
 architecture & engineering  
 3800 WILSHIRE BOULEVARD, SUITE 2000  
 LOS ANGELES, CALIFORNIA 90020  
 (310) 330-0000  
 Walter E. Jackson & Son, Inc. Successors - 20-000

3800 WILSHIRE BOULEVARD, SUITE 2000  
LOS ANGELES, CALIFORNIA 90020  
(310) 330-0000  
Walter E. Jackson & Son, Inc. Successors - 20-000

1	10/20/07	2008 Issues Drawings
2	07/21/09	Issued Drawings
3	07/22/09	Issued Drawings
4	10/28/09	Issued Drawings
5	11/27/09	Issued Drawings
6	11/28/09	Issued Drawings
REV	DATE	DESCRIPTION

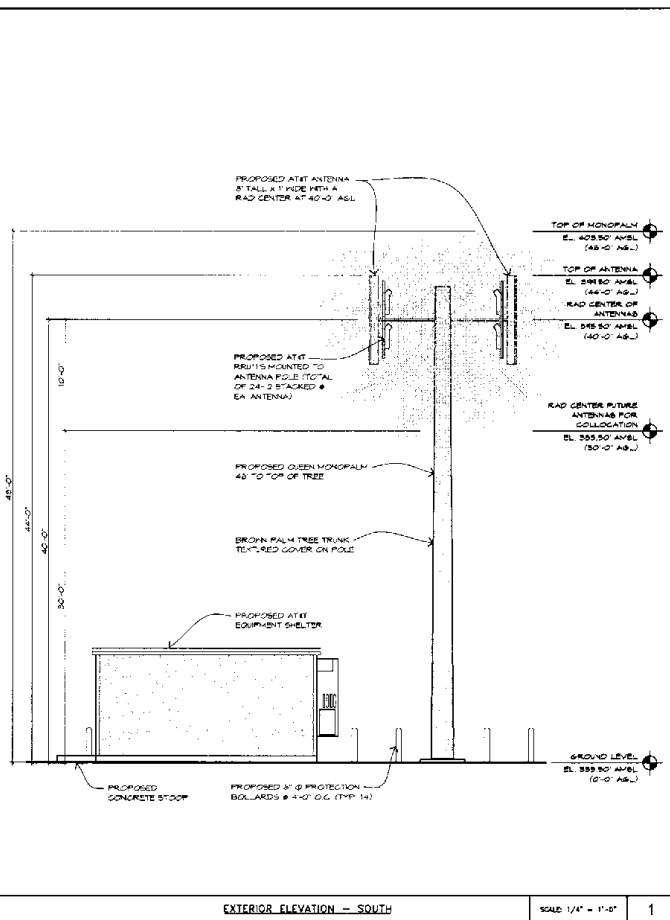
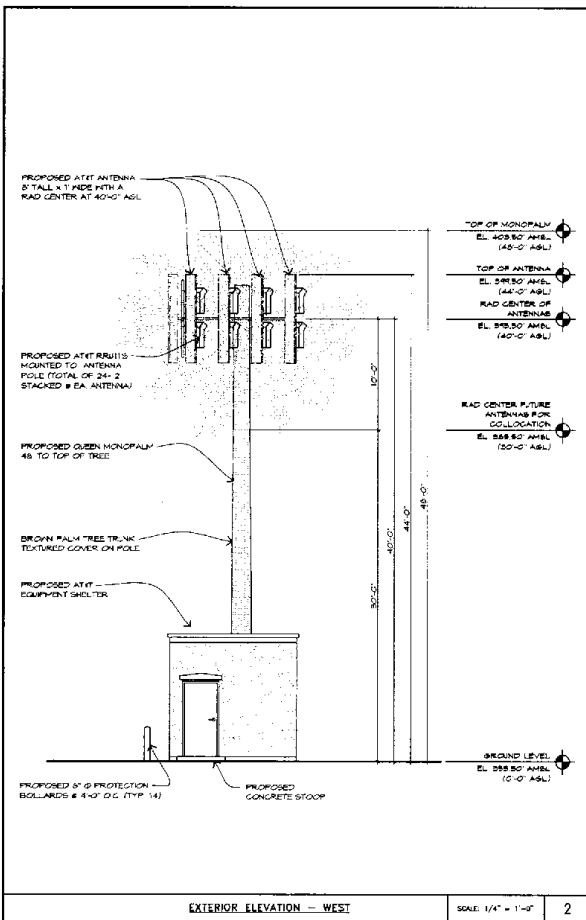


IT IS A VIOLATION OF LAW FOR ANY PERSON, OTHER THAN THE ARCHITECT, ENGINEER, OR A LICENSED PROFESSIONAL, TO ALTER THIS DOCUMENT.

RS0397  
4185 E. Palm Canyon Dr.  
Palm Springs, CA 92264  
Cell Site

SHEET TITLE  
EXTERIOR ELEVATIONS

SHEET NUMBER  
**A-4**



EXTERIOR ELEVATION - WEST

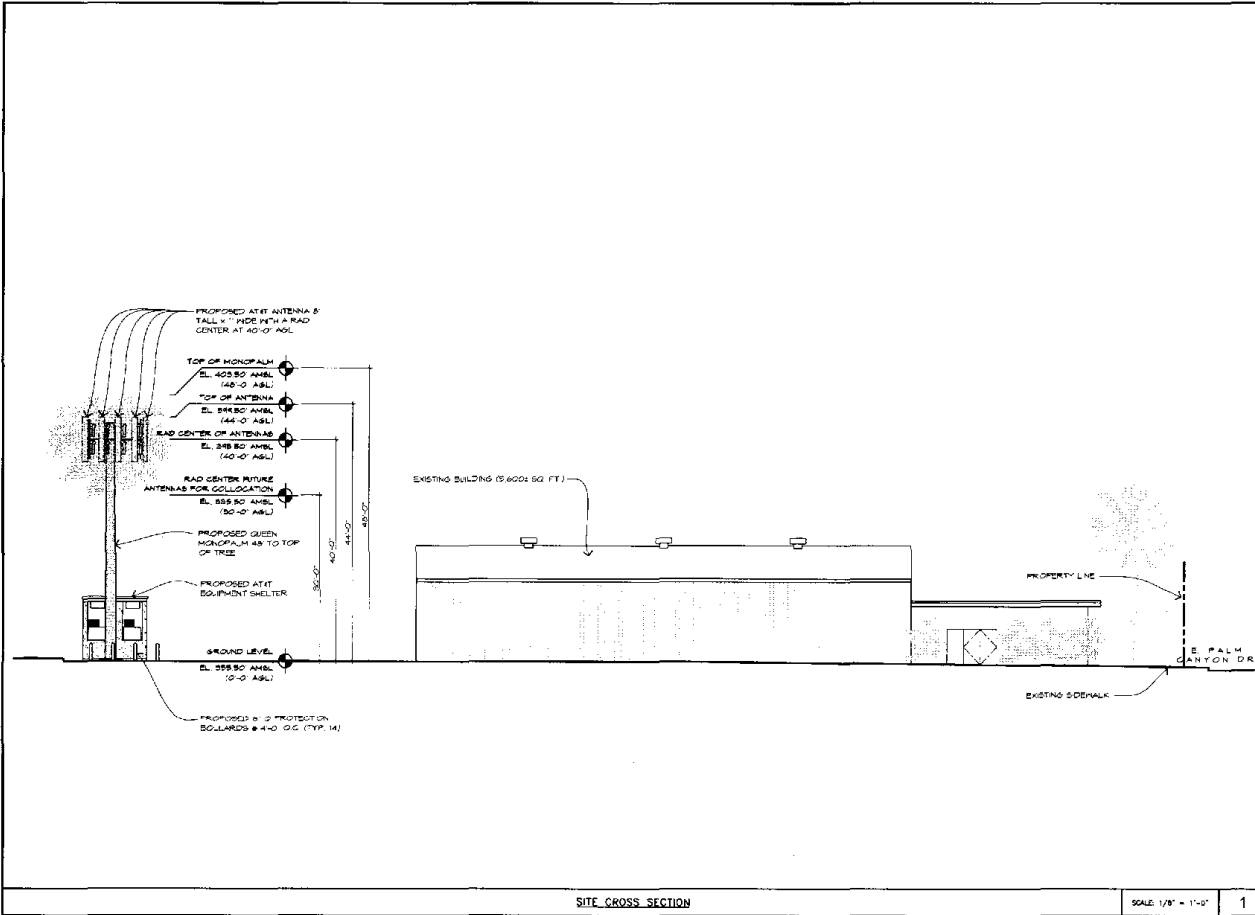
SCALE: 1/4" = 1'-0"


2

EXTERIOR ELEVATION - SOUTH

SCALE: 1/4" = 1'-0"


1





12600 PARK PLAZA DRIVE  
SERRITOS, CA 94563

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DESIGNED BY:  W. E. JACKSON CORPORATION  
3600 WILSHIRE BOULEVARD, SUITE 2000  
LOS ANGELES, CALIFORNIA 90010  
(310) 330-0029


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W. E. Jackson Corporation  
architecture  
planning & engineering

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NO.	DATE	DESCRIPTION
1	08/16/2011	ISSUE FOR PERMITS
2	07/27/2011	ISSUE FOR PERMITS
3	07/12/2011	ISSUE FOR PERMITS
4	03/02/2011	ISSUE FOR PERMITS
5	11/22/2010	ISSUE FOR PERMITS
6	11/06/2010	ISSUE FOR PERMITS

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IT IS A VIOLATION OF LAW FOR ANY PERSON  
UNLESS THEY ARE PROPERLY LICENSED  
TO SEAL THIS DOCUMENT.

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RS0397  
4185 E. Palm Canyon Dr.  
Palm Springs, CA 92264  
Cell Site

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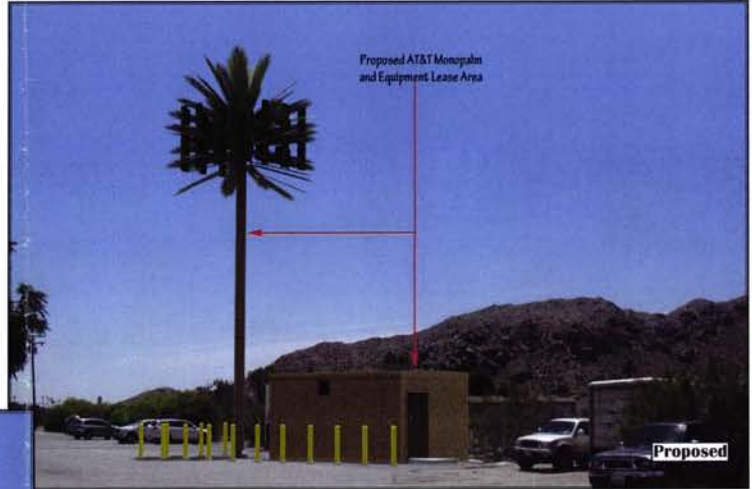
SHEET TITLE  
SITE CROSS SECTION

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SHEET NUMBER  
A-5

# RS0397

4185 E. Palm canyon Dr., ~ Palm Springs, CA 92264



View 1

View Notes:  
Looking south east at proposed project



Applicant



PRESCOTT COMMUNICATIONS INC.  
10640 SEPULVEDA BLVD, SUITE 1  
MISSION HILLS, CA 91345  
(818) 898-2352 FAX (818) 898-9186

Contact

RECEIVED  
MAY 1 2013  
Planning & Zoning

# RS0397

4185 E. Palm canyon Dr., ~ Palm Springs, CA 92264



View 2

View Notes:  
Looking north at proposed project



Applicant



PRESCOTT COMMUNICATIONS INC.  
10640 SEPULVEDA BLVD, SUITE 1  
MISSION HILLS, CA 91345  
(818) 898-2352 FAX (818) 898-9186

Contact

RECEIVED  
MAY 21 2013  
Planning & Zoning  
40

# RS0397

4185 E. Palm canyon Dr., ~ Palm Springs, CA 92264



View 3

View Notes:  
Looking west at proposed project



Applicant



PRESCOTT COMMUNICATIONS INC.  
10640 SEPULVEDA BLVD, SUITE 1  
MISSION HILLS, CA 91345  
(818) 898-2352 FAX (818) 898-9186

Contact

RECEIVED  
MAY 1 2011  
Planning & Zoning 41

**CITY OF PALM SPRINGS  
PUBLIC HEARING NOTIFICATION**



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Date: February 5, 2014

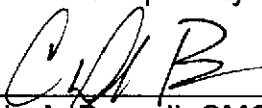
Subject: Case 5.1295 CUP / 6.528 Variance at 4185 E. Palm Canyon Drive

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**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 January 25, 2014.


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 and on January 23, 2014.

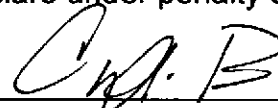
I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
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 January 23, 2014, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California. (110 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

CASE NO. 5.1295 CONDITIONAL USE PERMIT / 6.528 VARIANCE  
AT&T MOBILITY ON BEHALF OF SHARON DEAN  
4185 EAST PALM CANYON 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 February 5, 2014. 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 AT&T Mobility on behalf of Sharon Dean for a Conditional Use Permit to construct a wireless communication facility consisting of a forty-eight foot tall monopole designed as a palm tree at 4185 East Palm Canyon Drive. In addition, the applicant is seeking a Variance to exceed the maximum antenna height permitted from fifteen feet to forty-eight feet.

**ENVIRONMENTAL DETERMINATION:** This project is categorically exempt from environmental review pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).

**REVIEW OF PROJECT INFORMATION:** The proposed application, site plan and related documents are available for public review at City Hall between the hours of 8:00 a.m. to 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.

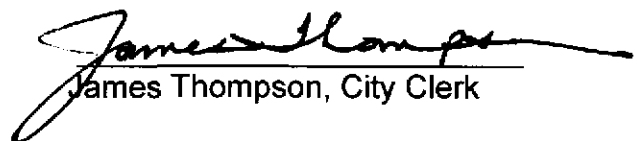
**COMMENT ON THIS APPLICATION:** Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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]).

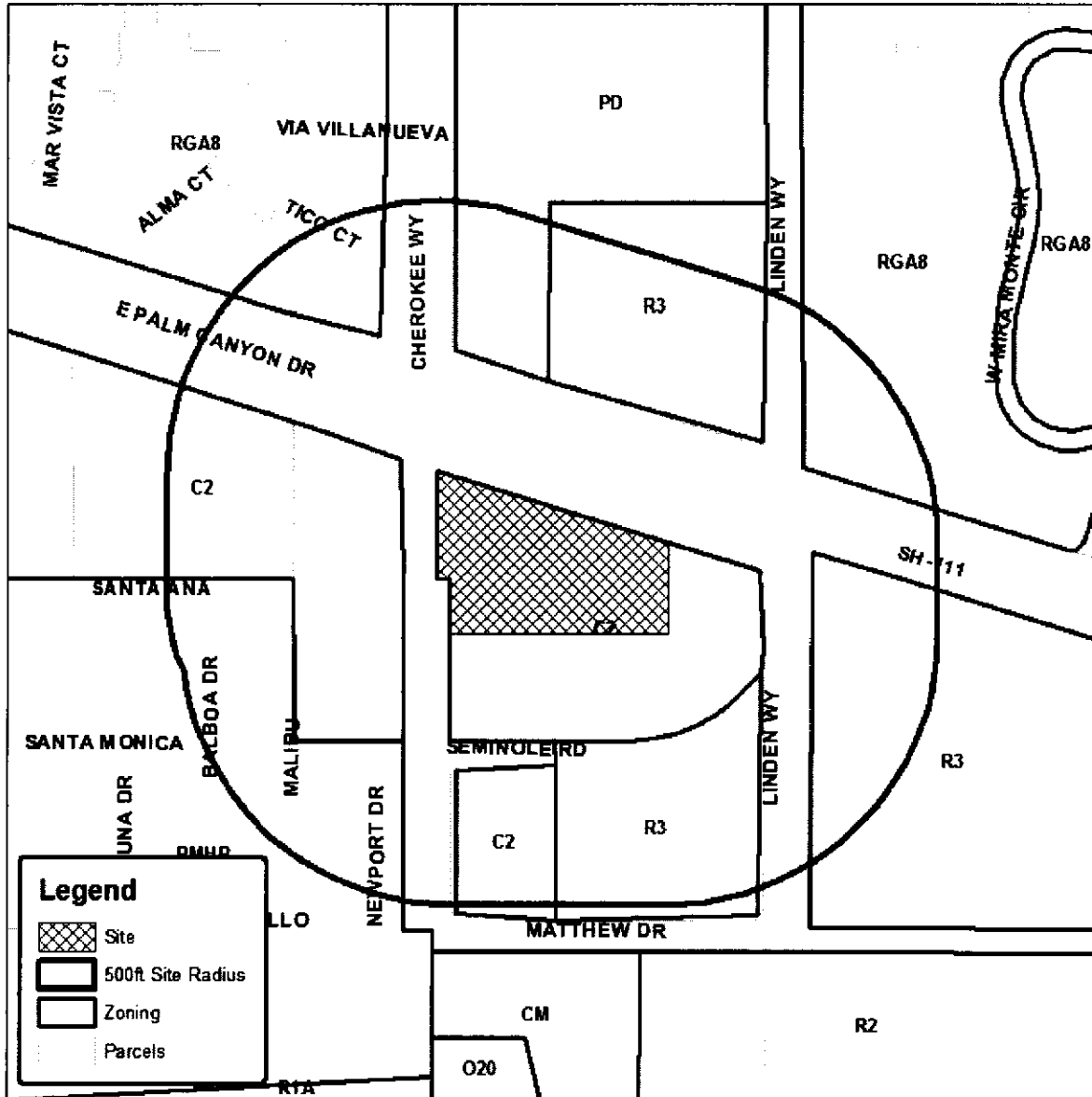
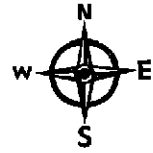
An opportunity will be given at said hearing for all interested persons to be heard. Questions regarding this case may be directed to David A. Newell, Planning Services Department at (760) 323-8245.

Si necesita ayuda con esta carta, porfavor llame a la Ciudad de Palm Springs y puede hablar con Nadine Fieger telefono (760) 323-8245.

  
James Thompson, City Clerk



# Department of Planning Services Vicinity Map



## CITY OF PALM SPRINGS

**CASE:** 5.1295 CUP &  
6.528 VAR

**APPLICANT:** Sharon Dean

**DESCRIPTION:** A request for a Conditional Use Permit and Variance to construct and operate a wireless communication facility on a 48-foot high monopalm structure located at 4185 East Palm Canyon Drive, Zone C-2, Section 30.



