



# CITY COUNCIL STAFF REPORT

DATE: JUNE 4, 2014

PUBLIC HEARING

SUBJECT: SPECTRUM SERVICES (VERIZON WIRELESS) FOR ARCHITECTURAL REVIEW TO CONSTRUCT A FORTY-EIGHT FOOT HIGH MONOPOLE STRUCTURE (DESIGNED AS A PALM TREE) WITH ASSOCIATED EQUIPMENT SHELTER AT 2101 SAHARA ROAD, ZONE P (CASE NOS. 5.1314 CUP & 6.530 VAR).

FROM: David H. Ready, City Manager

BY: Department of Planning Services

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## SUMMARY

The City Council will consider a request to construct and operate a wireless telecommunications facility at 2101 Sahara Road. The proposal includes a forty-eight (48) foot high monopole designed as a Mexican Fan Palm tree, equipment enclosure and block wall surrounding 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 CONDITIONAL USE PERMIT, CASE NO. 5.1314, TO INSTALL A FORTY-EIGHT FOOT HIGH WIRELESS COMMUNICATIONS ANTENNA AND VARIANCE, CASE NO. 6.530, TO EXCEED MAXIMUM ANTENNA HEIGHT FOR THE PROPERTY LOCATED AT 2101 SAHARA ROAD."

## ISSUES:

- Variance is required to exceed antenna height limit of fifteen feet.

ITEM NO. 1A

**BACKGROUND AND SETTING:**

<b>Planning Areas</b>		
Specific Plan	None	
Airport Overlay	Yes	Zone B1 of Airport Influence Area, Riverside County Airport Land Use Compatibility Plan
Indian Land	None	

<b>Most Recent Ownership</b>	
Dec 2003	Doug Jones purchased the property.

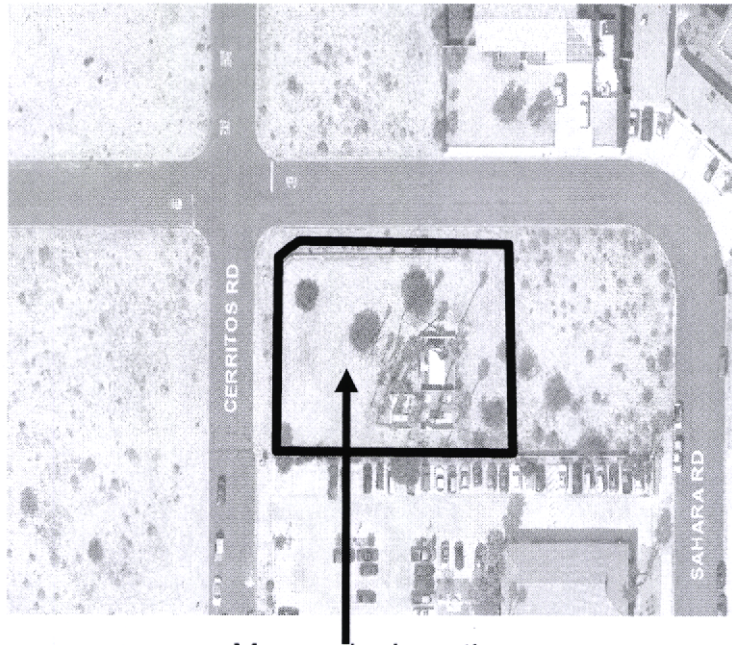
<b>Neighborhood Meeting</b>	
None	Not Required
<b>Field Check</b>	
Feb. 2014	Staff visited the site to observe existing conditions.

<b>Related Relevant City Actions by Planning, Fire, Building, etc...</b>	
9/01/2004	City Council approved a Conditional Use Permit to construct and operate a 55-high telecommunications structure designed as a Mexican Fan Palm. (Case 5.0997 CUP)
10/07/2009	City Council approved a Conditional Use Permit and Variance to construct and operate a 55-high telecommunications structure designed as a Mexican Fan Palm. (Case 5.1226 CUP & 6.513 VAR)
2/10/2014	The Architectural Advisory Committee recommended approval of the subject project with the following conditions: <ul style="list-style-type: none"> <li>• Trees shall consist of fan palms (not date palms)</li> <li>• Relocate tower out of setback</li> <li>• Three (3) palms be planted to screen, 25' to 30' tall</li> <li>• Landscape around screen wall to be Palo Verde or similar</li> </ul>
5/14/2014	The Planning Commission recommended approval of the proposed project to the City Council.

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

<b>Neighborhood Notification</b>	
None	No neighborhood organization within ½ mile.

<b>Site Area</b>	
Net Area	16,627-square feet



Monopalm Location

PROJECT DESCRIPTION:

The subject property is approximately 0.38 acres in size and located at the southeast corner of Sahara Road and Cerritos Road. The site is developed with two existing telecommunication antenna structures and associated equipment enclosures. If approved, this will be a third facility on the property.

The proposed wireless telecommunications facility will be located north of the existing structures. Structures consist of a 194-square foot equipment shelter and a forty-eight foot tall monopole designed as a Fan Palm tree. Twelve antenna panels that are six by one feet in size will be installed within the branch area near the top of the structure. A four foot parabolic antenna will be mounted below the panel antennas. The monopole and equipment enclosure is proposed to be surrounded by an eight foot high block wall.

ARCHITECTURAL ADVISORY COMMITTEE AND PLANNING COMMISSION:

On February 10, 2014, the AAC reviewed the project and recommended approval with four conditions:

1. Trees shall consist of Fan Palms (not Date Palm trees)
2. Relocate tower out of setback area.
3. Three (3) palms be planted to screen, at 25' – 30' tall.
4. Landscaping around block wall to be Palo Verde trees or similar.

The applicant has submitted a revised plan with three (3) Fan Palm trees and five (5) Palo Verde trees planted around the equipment enclosure block wall to provide screening. In addition, the tower location has been relocated fifty (50) feet from any

property line meeting the setback requirements of the zone.

On May 14, 2014, the Planning Commission reviewed the modified proposal and recommended approval, subject to the conditions contained in the draft resolution attached to this report.

**ANALYSIS:**

**General Plan Designations, Zones and Land Uses:**

	General Plan	Zoning	Existing Land Uses
Subject Site	O (Office)	P (Professional)	Two telecommunication facilities
North	VLDR (Very Low Density Residential)	N-R-1-C (Single Family Residential with Noise Overlay)	Vacant
South	O (Office)	P	Parking Lot
East	O (Office)	P	Vacant
West	O (Office)	P	Vacant

General Plan			
Land Use Designation	F.A.R.	Request	Compliance
Office	0.35 Floor Area Ratio	Cell Tower (Commercial Use with no FAR)	Yes

Zoning			
Zone	Proposed Use	Permitted?	
P (Professional)	Monopalm / 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	48 feet	15 feet above ground, unless variance is approved	No, variance being requested
Setback			
Front (west property line)	60 feet	25 feet	Yes
Street Side (north property line)	50 feet	50 feet	Yes
Interior Side (south property line)	60 feet	10 feet	Yes
Rear (east property line)	40 feet	15 feet	Yes

Above development standards may be found in Sections 93.23.08 and 92.08.03 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 is 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:**

**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 contains 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 (15) feet, and forty-eight (48) feet. Staff has determined that the applicant has sufficiently demonstrated that a 48 foot tall tower will provide greater coverage over a 15 foot tower and the finding has been met.

- 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 variance request for a monopalm at 48 feet tall will not constitute a granting of special privilege being that similar towers at 55 feet exist on the same parcel. The proposed tower will be designed as a Fan Palm tree in similar style as two other existing monopoles. Therefore, the approval of this Variance would not be constitute a special privilege and finding has not been met.

- 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. The tower as proposed at 48 feet will be consistent as compared to other existing site monopalms and live palm trees. Therefore, the project will not 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 has provided convincing evidence showing that the height limit of forty-eight (48) feet will provide increased coverage necessary to compete with other wireless communication carriers. The greater height does outweigh the adverse effects of a 70 foot monopalm.

**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 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 Office. 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 service to benefit of the community.

Other telecommunication facilities located on the same parcel are similar in height at fifty-five (55) feet. Further, live palm trees exist and are similar in height to the existing and proposed monopalms. Therefore, the proposal is not likely to be detrimental to existing or future uses permitted in the zone.

- 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.*

A twelve (12) foot wide non-exclusive access easement will be provided for exclusive ingress / egress to site. This easement will adequately serve the proposed facility. The use will occupy only a small portion of the entire parcel, therefore, the easement 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.

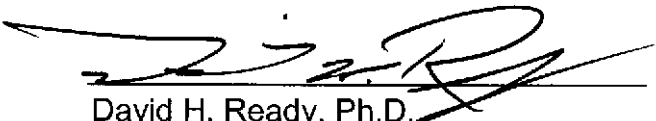
- e. *The conditions to be imposed and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare, including any minor modifications of the zone's property development standards.*

The project is likely to have no significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare have been met through setbacks, screening and new landscaping. The proposed tower height is similar to existing towers on site and in similarly zoned properties.

ENVIRONMENTAL DETERMINATION:

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

  
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Margo Wheeler, FAICP  
Director of Planning Services

  
\_\_\_\_\_  
David H. Ready, Ph.D.  
City Manager

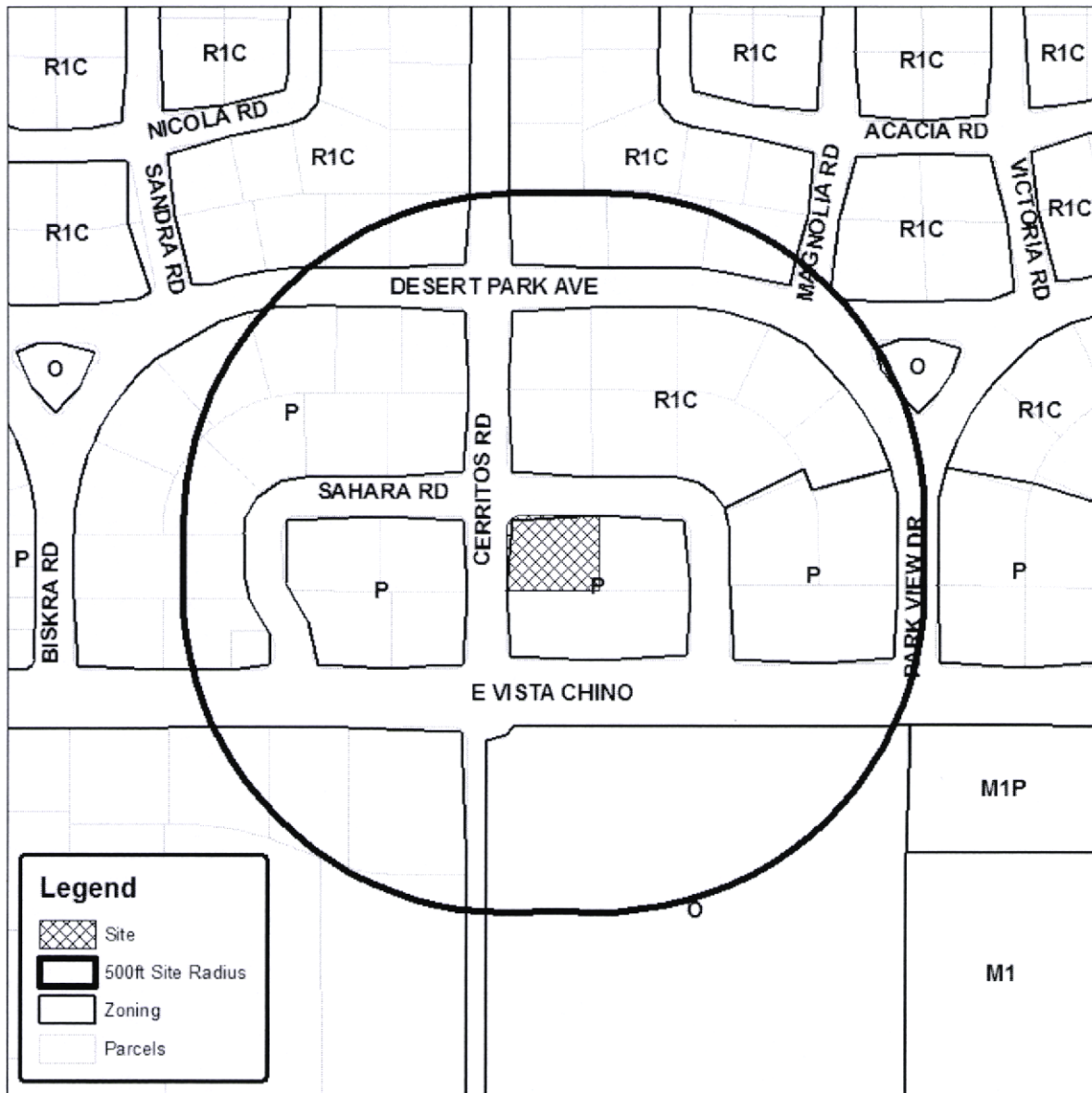
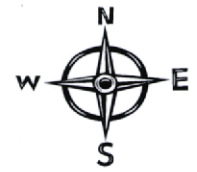
Attachments:

1. Vicinity Map
2. Draft Resolution with Conditions of Approval
3. 3/14/14 PC Minutes (draft excerpt)
4. 2/10/14 AAC Minutes (excerpt)
5. Riverside County Airport Land Use Commission Letter, dated April 10, 2014
6. Riverside County Airport Land Use Commission Letter, dated April 14, 2014
7. Coverage Maps
8. Reduced Plans
9. Photo Simulations





# Department of Planning Services Vicinity Map



**Legend**

- Site
- 500ft Site Radius
- Zoning
- Parcels

## CITY OF PALM SPRINGS

**CASE NO:** 5.1314 CUP &  
6.530 VAR

**APPLICANT:** Spectrum Services

**DESCRIPTION:** A request to construct and operate a forty-eight foot tall telecommunications facility at 2101 Sahara Road, Zone P, Section 1.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT, CASE NO. 5.1314, TO INSTALL A FORTY-EIGHT FOOT HIGH WIRELESS COMMUNICATIONS ANTENNA AND VARIANCE, CASE NO. 6.530, TO EXCEED MAXIMUM ANTENNA HEIGHT FOR THE PROPERTY LOCATED AT 2101 SAHARA ROAD.

WHEREAS, Spectrum Services for Verizon Wireless ("Applicant") has filed an application on behalf of Douglas C. Jones ("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 forty-eight foot high commercial communications monopole designed as a palm tree, an equipment enclosure and block wall located at 2101 Sahara Road, APN: 501-351-001, P Zone, Section 1; 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. 5.1314 and Variance Case No. 6.530 was given in accordance with applicable law; and

WHEREAS, on May 14, 2014, a public hearing on the application for Conditional Use Permit Case No. 5.1314 and Variance Case No. 6.530 was held by the Planning Commission in accordance with applicable law; and

WHEREAS, on May 14, 2014, the Planning Commission recommended conditional approval of Conditional Use Permit Case No. 5.1314 and Variance Case No. 6.530 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. 5.1314 and Variance Case No. 6.530 was given in accordance with applicable law; and

WHEREAS, on June 4, 2014, a public hearing on the application for Conditional Use Permit Case No. 5.1314 and Variance Case No. 6.530 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. 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 contains 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 (15) feet, and forty-eight (48) feet. Staff has determined that the applicant has sufficiently demonstrated that a 48 foot tall tower will provide greater coverage over a 15 foot tower and the finding has been met.

- 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 variance request for a monopalm at 48 feet tall will not constitute a granting of special privilege being that similar towers at 55 feet exist on the same parcel. The proposed tower will be designed as a Fan Palm tree in similar style as two other existing monopoles. Therefore, the approval of this Variance would not be constitute a special privilege and finding has not been met.

- 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. The tower as proposed at 48 feet will be consistent as compared to other existing site monopalms and live palm trees. Therefore, the project will not 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 has provided convincing evidence showing that the height limit of forty-eight (48) feet will provide increased coverage necessary to compete with other wireless communication carriers. The greater height does outweigh the adverse effects of a 70 foot monopalm.

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 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 Office. 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 service to benefit of the community.

Other telecommunication facilities located on the same parcel are similar in height at fifty-five (55) feet. Further, live palm trees exist and are similar in height to the existing and proposed monopoles. Therefore, the proposal is not likely to be detrimental to existing or future uses permitted in the zone.

- 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.*

A twelve (12) foot wide non-exclusive access easement will be provided for exclusive ingress / egress to site. This easement will adequately serve the proposed facility. The use will occupy only a small portion of the entire parcel, therefore, the easement 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 likely to have no significant impact on the proposed project site or its immediate surroundings. Conditions to ensure the protection of public health, safety and general welfare have been met through setbacks, screening and new landscaping. The proposed tower height is similar to existing towers on site and in similarly zoned properties.

NOW, THEREFORE BE IT RESOLVED that the City Council approves Conditional Use Permit Case No. 5.1314 and Variance Case No. 6.530, to install and operate telecommunications monopole and related equipment at 2101 Sahara Road, subject to those conditions set forth in Exhibit A, which are to be satisfied unless otherwise specified.

ADOPTED this 4th day of June, 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. 5.1314  
VARIANCE CASE NO. 6.530

SPECTRUM SERVICES / VERIZON WIRELESS

2101 SAHARA ROAD

JUNE 4, 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 5.1314 CUP and Case 6.530 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 April 10, 2014, 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 5.1314 CUP and Case 6.530 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 one – 30 foot tall palm trees in turf area south of existing equipment shelter. The species shall be a Washingtonian Robusta Palm consistent with the appearance of the 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. Off-street parking areas shall be maintained in conjunction with the Rimrock Shopping Center.
- 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. Fan Palm design to be utilized with maximum number of fronds.
  - b. Plant three Washingtonian Robusta Palms at least 30 feet tall.
  - c. Plant five Palo Verde trees or similar around equipment enclosure.
- 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. Riverside County Airport Land Use Commission (RCALUC). The applicant and property owner shall comply with all RCALUC conditions contained within their letter dated April 10, 2014.

**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**

**EIGHT PERMITTED AT THE RIMROCK SHOPPING CENTER AT 4721 EAST PALM CANYON DRIVE, ZONE CDN (CASE NOS. 5.1324 CUP & 6.534 VAR). (GM)**

ACTION: To continue to June 11, 2014.

Motion: Commissioner Roberts, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Roberts, Commissioner Weremiuk, Vice Chair Hudson, Chair Donenfeld, Commissioner Lowe

A recess was taken at 2:48 pm.

The meeting reconvened at 2:55 pm.

**2C. SPECTRUM SERVICES (VERIZON WIRELESS) FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A FORTY-EIGHT FOOT TALL MONOPOLE STRUCTURE (DESIGNED AS A PALM TREE) WITH ASSOCIATED EXISTING EQUIPMENT SHELTER AND A VARIANCE REQUEST TO EXCEED THE MAXIMUM ANTENNA HEIGHT PERMITTED AT THE PROPERTY LOCATED AT 2101 SAHARA ROAD, ZONE P (CASE NOS. 5.1314 CUP & 6.530 VAR). (DN)**

Associate Planner Newell presented the proposed project as outlined in the staff report.

Director Wheeler provided the update received from legal consultation from an expert in the field.

Chair Donenfeld opened the public hearing.

MIKE HAYES, authorized agent for Verizon Wireless, applicant, commented that this location was guided by the city (existing cell towers) and FAA compliance has been received. He provided a recap on the four active applications in the city.

JOE LAPORTA, Dolly Sinatra Lodge, (across the street) commented that with the existing towers on this site this antenna will blend in.

BILL FERRA, resides near the site, commented that the existing antenna structures are taller than the proposed and noted that the utility lines are more offensive.

There being no further appearances the public hearing was closed.

Commissioner Roberts concurred that the cell tower is acceptable and co-locations are a benefit.

ACTION: Recommend approval to the City Council with conditions.

Motion: Commissioner Calerdine, seconded by Commissioner Lowe and unanimously carried on a roll call vote.

AYES: Commissioner Calerdine, Commissioner Klatchko, Commissioner Roberts, Commissioner Weremiuk, Vice Chair Hudson, Chair Donenfeld, Commissioner Lowe

Director Wheeler reported this project will move forward to the City Council.

**2D. CITY OF PALM SPRINGS FOR A ZONING TEXT AMENDMENT TO AMEND THE PALM SPRINGS ZONING CODE (PSZC) SECTION 93.20.07 RELATING TO PERMITTED SIGNS - REAL ESTATE (CASE 5.1338 ZTA). (MW)**

Director Wheeler presented the proposed project as outlined in the staff report.

Commissioner Roberts expressed concern with the issue of on-going commercial leasing signs (scale, enforcement and abandoned old signs).

Chair Donenfeld opened the public hearing.

JIM FRANKLIN, realtor, spoke about the importance of signs to realtors. They are requesting five square feet for the "for sale" signs and allowance of directional signs in the public right-of-way not blocking it.

JOHN BURGE, realtor, requested allowances of additional multiple directional signs and a two square foot flag.

There being no further appearances the public hearing was closed.

The Commission and staff commented on:

- \*Limit the size of the flags.
- \*Adding additional square foot in signs.
- \*Code Enforcement patrolling.

Commissioner Roberts requested staff provide guidelines for the Commission's review of signs in the public right-of-way.

ACTION: To recommend approval to City Council, as amended:

- For Sale Signs: The size shall not exceed five (5) square feet.
- Open House Signs: To allow one flag at 2 - 1/2' x 2 - 1/2' on a pole up to 6' high on the property offered for resale.

Staff confirmed no signage was being approved at this time.

COMMITTEE MEMBER PURNEL requested that landscaping be added in the corner planter bed.

VICE-CHAIR FAUBER AND CHAIR SECOY-JENSEN would like to see more plan details for finishes, landscaping and gate.

M/S/ (Secoy-Jensen/Fredricks, 7-0) Approve with a sub-committee (Fauber, Purnel and Secoy-Jensen) review of the following items:

1. Submit color and material board
2. Correct all drawings showing proper name of business
3. Provide more details of entry doors/ finishes
4. Remove signage from drawings
5. Provide landscape plan for corner planter bed
6. Lower the shade awning
7. Show pedestrian gate
8. Provide detail of patio railing iron work and wood finishes

5. **SPECTRUM SERVICES (VERIZON WIRELESS) FOR ARCHITECTURAL REVIEW TO CONSTRUCT A FORTY-EIGHT FOOT HIGH MONOPOLE STRUCTURE (DESIGNED AS A PALM TREE) WITH ASSOCIATED EQUIPMENT SHELTER AT 2101 SAHARA ROAD, ZONE P (CASE NOS. 5.1314 CUP & 6.530 VAR). (DN)**

COMMITTEE MEMBER FREDRICKS asked questions relating to the width of the palm tree.

COMMITTEE MEMBER SONG asked questions regarding the other buildings on the site.

MIKE HAYES, APPLICANT, responded to questions from AAC.

CHAIR SECOY-JENSEN asked why placement was within the setbacks.

MIKE HAYES, APPLICANT, responded that they fit it in among existing palms.

VICE-CHAIR FAUBER questioned if date palm will be changed to fan palm.

MIKE HAYES, APPLICANT, responded yes.

VICE-CHAIR FAUBER questioned if there is any treatment on the block wall.

MIKE HAYES, APPLICANT, responded graffiti treatment and they are willing to add more palms to screen.

CHAIR SECOY-JENSEN asked why it is located within the setback and if it would function outside the setback.

MIKE HAYES, APPLICANT, responded yes.

COMMITTEE MEMBER SONG asked what the color would be.

MIKE HAYES, APPLICANT, responded that the color is brownish and blends in with the tree trunk.

VICE-CHAIR FAUBER said that it needs additional palm trees.

CHAIR SECOY-JENSEN commented to push out of the setback.

COMMITTEE MEMBER PURNEL suggested adding more palm trees and shrubs to the screen wall and expressed concern with the upkeep and maintenance of the property.

COMMITTEE MEMBER FREDRICKS suggested pulling back and adding 2 -3 palm trees and shrubs.

M/S/C (Fauber/Fredricks, 7-0) Approve, with conditions:

- Trees shall consist of fan palms (not date palms)
- Relocate out of setback
- Three (3) palms to screen, 25' - 30'
- Landscape around screen wall to be palo verde or similar

**6. COACHELLA VALLEY ECONOMIC PARTNERSHIP FOR A MINOR ARCHITECTURAL APPLICATION FOR A NEW LANDSCAPE PLAN AT THE CVEP CVIHUB ACCELERATOR CAMPUS LOCATED AT 2901 EAST ALEJO ROAD, ZONE M-1-P (CASE 3.3702 MAA). (GM)**

COMMITTEE MEMBER SONG questioned if there will be any changes to the parking.

DIRECTOR WHEELER responded that it is not required.

JOE WALLACE, APPLICANT, provided details for the proposed project.

COMMITTEE MEMBER FREDRICKS questioned if the existing trees would remain.

CHRIS HERMANN, LANDSCAPE ARCHITECT, responded that the ficus would come

**AIRPORT LAND USE COMMISSION  
RIVERSIDE COUNTY**



April 10, 2014

**CHAIR**  
Simon Housman  
Rancho Mirage

**VICE CHAIRMAN**  
Rod Ballance  
Riverside

**COMMISSIONERS**

Arthur Butler  
Riverside

John Lyon  
Riverside

Glen Holmes  
Hemet

Greg Pettis  
Cathedral City

Richard Stewart  
Moreno Valley

**STAFF**

Director  
Ed Cooper

Russell Brady  
John Guerin  
Barbara Santos

County Administrative Center  
4080 Larran St., 14<sup>th</sup> Floor  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

Mr. David Newell, Associate Planner  
City of Palm Springs Planning Department  
3200 E. Tahquitz Canyon Way  
Palm Springs CA 92262

**RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW**

File No.: ZAP1020PS14  
Related File No.: CUP No. 5.1314 (Conditional Use Permit); VAR No. 6.530  
(Variance)  
APN: 501-351-001

Dear Mr. Newell:

On April 10, 2014, the Riverside County Airport Land Use Commission (ALUC) found the above-referenced conditional use permit and variance, which would authorize the development and operation of an unmanned telecommunications facility consisting of antennas on a 48-foot high tower disguised as a palm tree (monopalm), with associated equipment shelter, on an 900 square foot lease area within a 0.39-acre parcel located at the southeast corner of North Cerritos Road and Sahara Road, northerly of Vista Chino, in the City of Palm Springs, **CONSISTENT** with the 2005 Palm Springs International Airport Land Use Compatibility Plan, subject to the following conditions, as amended:

**CONDITIONS:**

1. Prior to issuance of a building permit for the proposed telecommunications facilities, the property owner shall convey an avigation easement to the City of Palm Springs as owner-operator of Palm Springs International Airport.
2. The following uses shall be prohibited:
  - (a) Any use which would direct a steady light or flashing light of 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 would cause 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 would 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 landscaping utilizing water features, aquaculture, livestock operations, production of cereal grains, sunflower, and row crops, artificial marshes, landfills, trash transfer stations that are open on one or more sides,

**Airport Land Use Commission**  
**Page 2 of 3**

recycling centers containing putrescible wastes, construction and demolition debris facilities, incinerators, fly ash disposal, and wastewater management facilities.

- d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
  - e) Children's schools, day care centers, libraries, hospitals, nursing homes, places of worship, buildings with greater than 2 aboveground habitable floors, highly noise-sensitive outdoor nonresidential uses, aboveground bulk storage of hazardous materials, and hazards to flight.
3. Any outdoor lighting that is installed other than FAA-required lighting shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky.
  4. Any new retention basins on the site shall be designed so as to provide for a maximum 48-hour detention period following the conclusion of the storm event for the design storm (may be less, but not more), and to remain totally dry between rainfalls. Vegetation in and around the retention basin(s) that would provide food or cover for bird species that would be incompatible with airport operations shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. In the event that a retention basin or detention basin is established on this site, on-site landscaping shall not include trees that produce seeds, fruits, or berries.
  5. The Federal Aviation Administration (FAA) has conducted an aeronautical study of the proposed structure (Aeronautical Study No. 2013-AWP-7273-OE), and has determined that lighting of the structure in accordance with FAA Advisory Circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights – Chapters 4, 5 (Red), and 12, will be necessary for aviation safety. Such lighting shall be installed and maintained in accordance therewith for the life of the project.
  6. The maximum elevation at the top of the proposed structure shall not exceed 552 feet above mean sea level.
  7. The specific coordinates, height, top point elevation, of the proposed structure, frequencies, and power specified in the Federal Aviation Administration letter dated February 13, 2014, shall not be amended without further review by the Airport Land Use Commission and the Federal Aviation Administration; provided, however, that reduction in structure height or elevation shall not require further review by the Airport Land Use Commission.
  8. Temporary construction equipment (such as cranes) used during actual construction of the structure shall not exceed the height of the structure or be stationed at coordinates that are closer to the runway than the coordinates specified in the Federal Aviation Administration letter dated February 13, 2014, unless separate notice is provided to the Federal Aviation Administration through the Form 7460-1 process.
  9. \*Within five (5) days after construction of structures reaches its greatest height, FAA Form 7460-2 (Part II), Notice of Actual Construction or 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 instructions.) This requirement is also applicable in the event the project is abandoned.
  10. The telecommunications facility shall be designed in such a manner as to ensure that



**Airport Land Use Commission**  
**Page 3 of 3**

spurious emissions signal levels from the proposed transmitter(s) will be less than -104 dBm in the 108-137 and 225-400 MHz frequency bands at a distance of 4,100 feet from the transmitter site, in accordance with the requirements of the Federal Aviation Administration Obstruction Evaluation Service letter dated February 13, 2014, a copy of which is attached hereto and incorporated herein by reference.

11. The proposed monopalm tower shall be located within **fifty-five feet (55')** of the existing monopalm towers on the site to accommodate the clustering of the towers to minimize obstruction hazard. (as amended by ALUC on April 10, 2014)

[\*Please note that the Federal Aviation Administration letter also requires e-filing of FAA Form 7460-2 (Part I) at least 10 days prior to the start of construction, in order to facilitate inclusion of a note in the *Take-off Minimums and (Obstacle) Departure Procedures* section in the U.S. Terminal Procedures publication.]

If you have any questions, please contact Russell Brady, Airport Land Use Commission Contract Planner, at (951) 955-0549, or John Guerin, Airport Land Use Commission Principal Planner, at (951) 955-0982.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



Edward C. Cooper, Director

Attachments: Notice of Airport in Vicinity  
FAA Aeronautical Study No. 2013-AWP-7273-OE

cc: **Michael Hayes, Spectrum Services**  
Brett Smirl, Spectrum Services  
Doug Jones (property owner)  
Spectrum Services – Las Vegas (payee)  
Michael Nolan, Palm Springs International Airport  
William Ferra and Ron Zimmerman (neighboring proponents)

Y:\Airport Case Files\Palm Springs\ZAP1020PS14\ZAP1020PS14.LTR.doc

# **NOTICE OF AIRPORT IN VICINITY**

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 2601 Meacham Boulevard  
 Fort Worth, TX 76193

Aeronautical Study No.  
 2013-AWP-7273-OE

Issued Date: 02/13/2014

Jim O'Dowd  
 Verizon Wireless  
 180 Washington Valley Rd  
 Bedminster, NJ 07921

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Monopole Desert Park  
 Location: Palm Springs, CA  
 Latitude: 33-50-43.81N NAD 83  
 Longitude: 116-31-24.26W  
 Heights: 504 feet site elevation (SE)  
 48 feet above ground level (AGL)  
 552 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked/lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, red lights - Chapters 4,5(Red),&12.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Any height exceeding 48 feet above ground level (552 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 08/13/2015 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.

- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before March 15, 2014. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted to the Manager, Airspace Regulations & ATC Procedures Group, Federal Aviation Administration, 800 Independence Ave, SW, Room 423, Washington, DC 20591.

This determination becomes final on March 25, 2014 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Airspace Regulations & ATC Procedures Group via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact Karen McDonald, at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2013-AWP-7273-OE.

**Signature Control No: 202110015-208050179**

( DNH )

John Page

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Case Description

Frequency Data

Map(s)

cc: FCC

The submitted proposal from Verizon Wireless will construct a 48-foot above ground level (agl) monopole with no appurtenances, in Palm Springs, California.

This site is approximately 1.26 nautical miles northwest of the Palm Springs International (PSP) airport reference point; 2,520 feet direct distance from the Runway 13R physical approach end, the closest civilian public-use landing area.

The PSP Field Elevation (FE) is 477 feet above mean sea level (amsl); Runway 13R physical approach end elevation is 477 feet amsl. The site elevation of this proposed structure is 504 feet amsl.

The structure height exceeds the obstruction standards of Title 14 Code of Federal Regulations (CFR) Part 77, as follows:

Section 77.17(a)(3) - (TERPS criteria); would penetrate the PSP RWY 31L 40:1 departure obstacle clearance surface (OCS) in the Initial Climb Area (ICA) by 14 feet (less than 35 feet.) Mitigation: The proposed structure height would not require an increase in the existing published departure climb gradient (cg), nor would it require an increase in departure weather minimums. It qualifies as a 'low close-in' obstacle penetration with climb gradient termination altitude 200 feet or less above DER, and upon receipt from the sponsor of the 7460-2 Part 1, a note will be added to the 'Take-off Minimums and (Obstacle) Departure Procedures in the U.S. Terminal Procedures publication.

Existing ORS # 06-022099 and # 06-002579, structures of similar height, are located adjacent to this proposal.

Details of this proposal were not distributed for public aeronautical comment because current internal FAA Obstruction Evaluation policy exempts structures that would exceed only the above-cited Section 77.17(a)(3) standard by 35 feet or less.

FAA airspace evaluation has found that the adverse effect of this structure is known. The structure height does not require a change to any existing instrument published climb gradient or departure weather minimums and would not have a significant adverse effect on the TERPS criteria. FAA evaluation finds that the proposal would not create substantial adverse effect on visual aeronautical operations or lessen the utility of the navigable airspace overlying the site.

Existing obstacles and terrain control the development of future approach and departure Terminal Instrument Procedures for PSP landing area. Therefore, no further attempt to negotiate the structure to a lower height was considered necessary.

This does not affect the right to petition for review determinations regarding structures which exceed the subject obstruction standards.

#### AERONAUTICAL STUDY FOR POSSIBLE EFFECT UPON THE OPERATION OF AN AIR NAVIGATION AID:

- At a distance of 4100 feet from transmitter site spurious emissions signal levels from proposed transmitters must be less than -104 dBm in the 108-137, 225-400 MHz frequency bands.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- The proposal would have no effect on any existing or proposed IFR minimum flight altitudes.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- The proposal would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- The proposal would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known civilian public use or military airports.
- The proposal would not penetrate those altitudes normally considered available to airmen for VFR en route flight.
- The structure shall be appropriately red obstruction lighted to make it more conspicuous to airmen flying in VFR weather conditions at night.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed civilian public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned civilian public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

This determination, issued in accordance with Part 77, concerns the effect of the proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to laws, ordinances, or regulations of any Federal, state, or local governmental bodies.

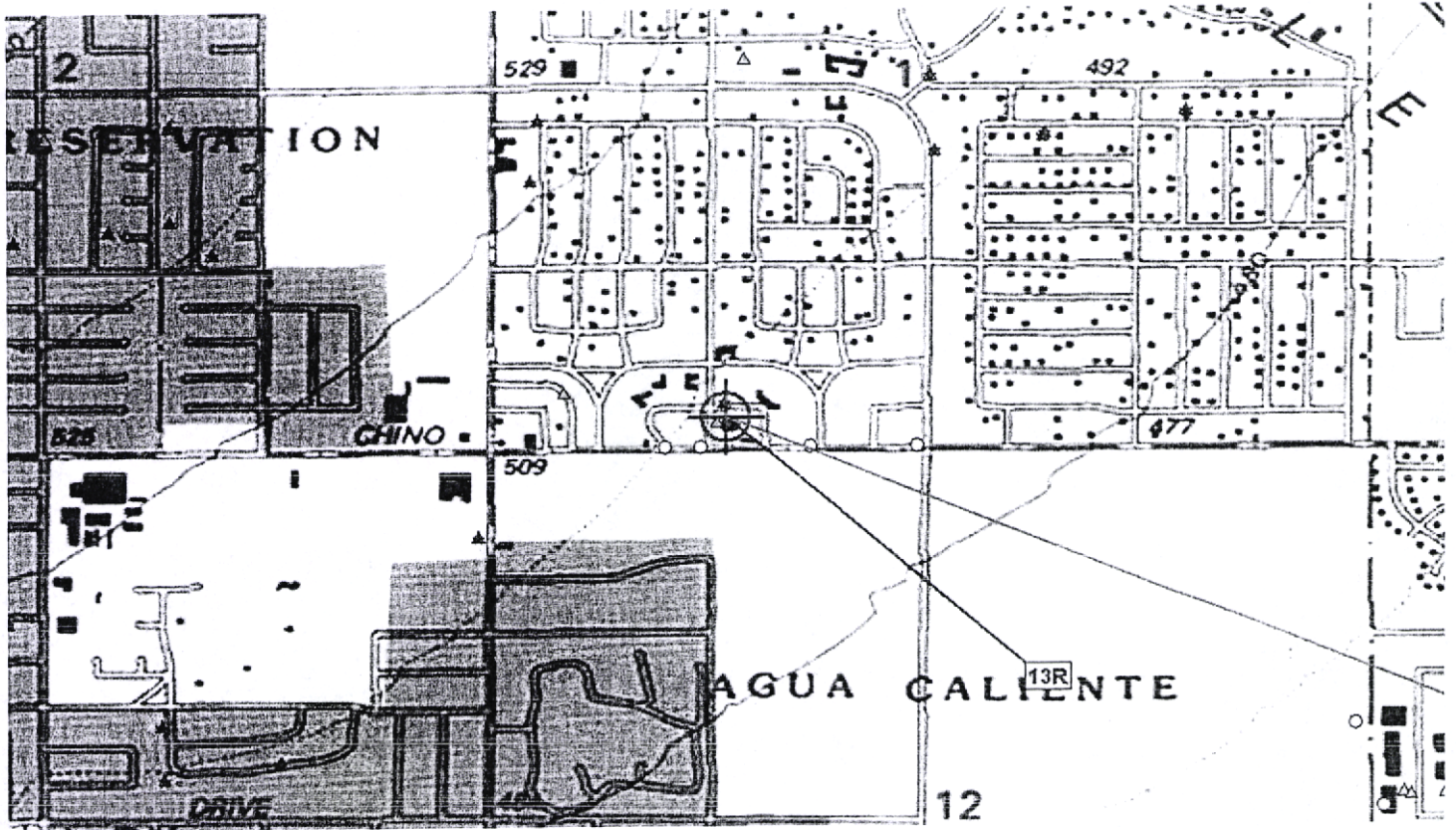
Determinations, which are issued in accordance with Part 77, do not supersede or override any state, county, or local laws, aviation easements, or ordinances, or local zoning maximum heights.

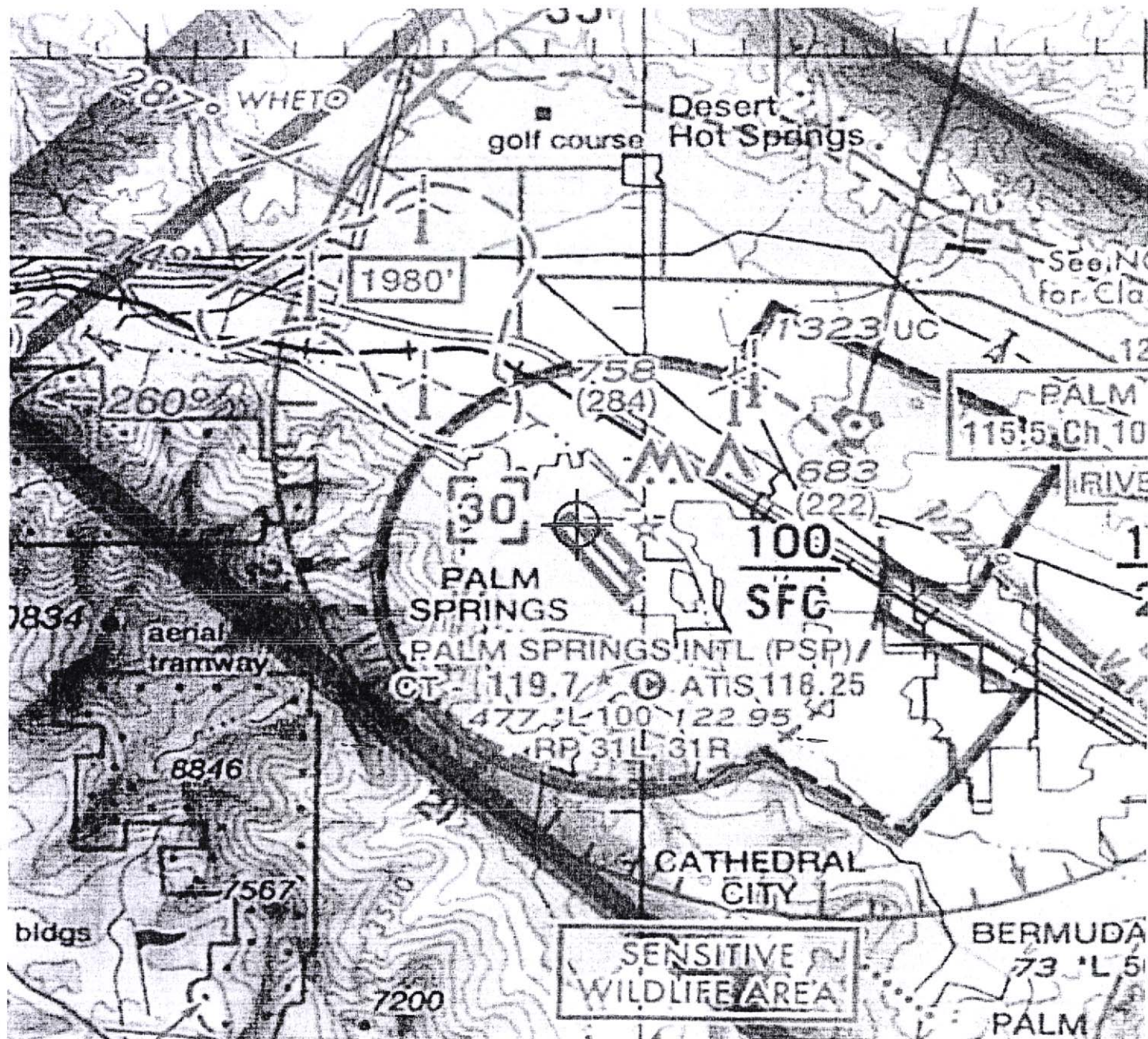
Proposed 48' agl monopole tower. Jim O'Dowd/Verizon Wireless/908-306-7439

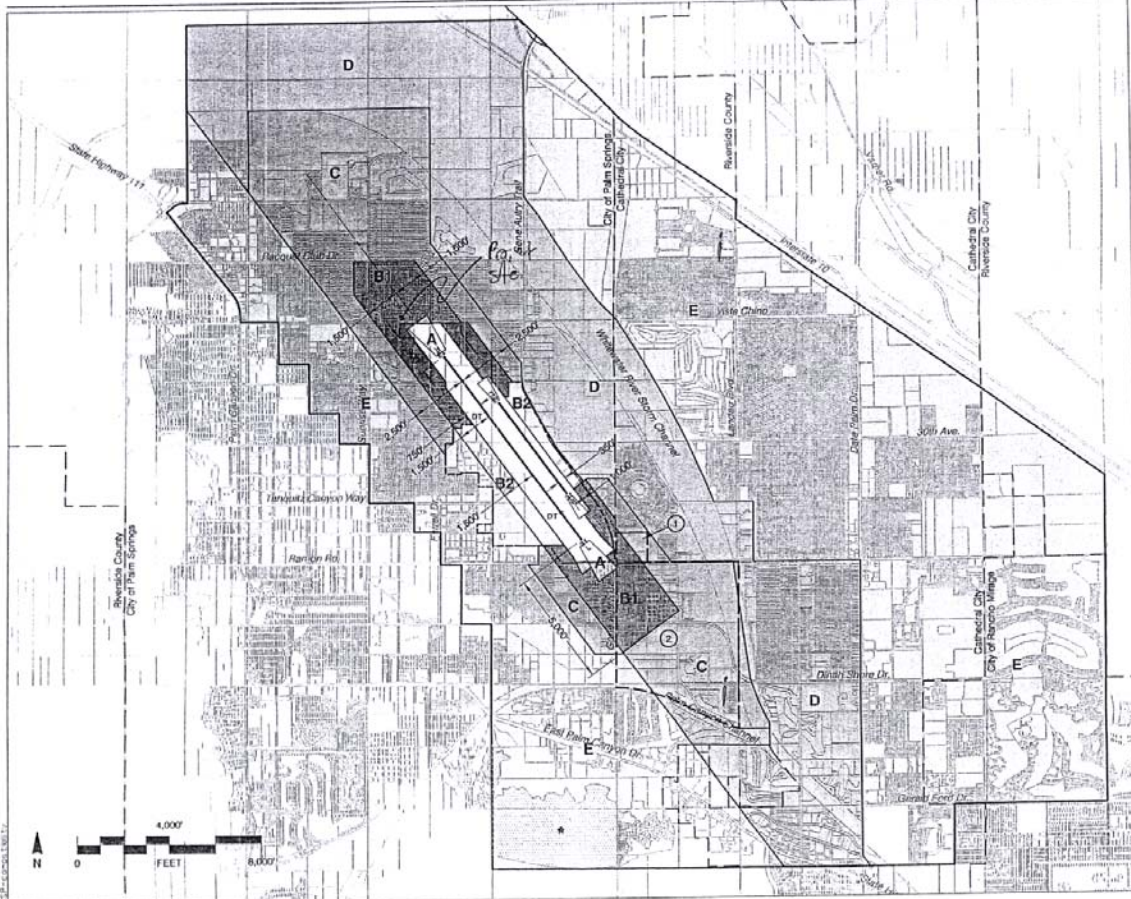


Frequency Data for ASN 2013-AWP-7273-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W







**Legend**

**Compatibility Zones**

- Airport Influence Area Boundary
- Zone A
- Zone B1
- Zone B2
- Zone C
- Zone D
- Zone E
- Height Review Overlay Zone

**Boundary Lines**

- Airport Property Line
- City Limits

**Notes**

All dimensions measured from runway ends and centerlines.

DT = Displaced Threshold

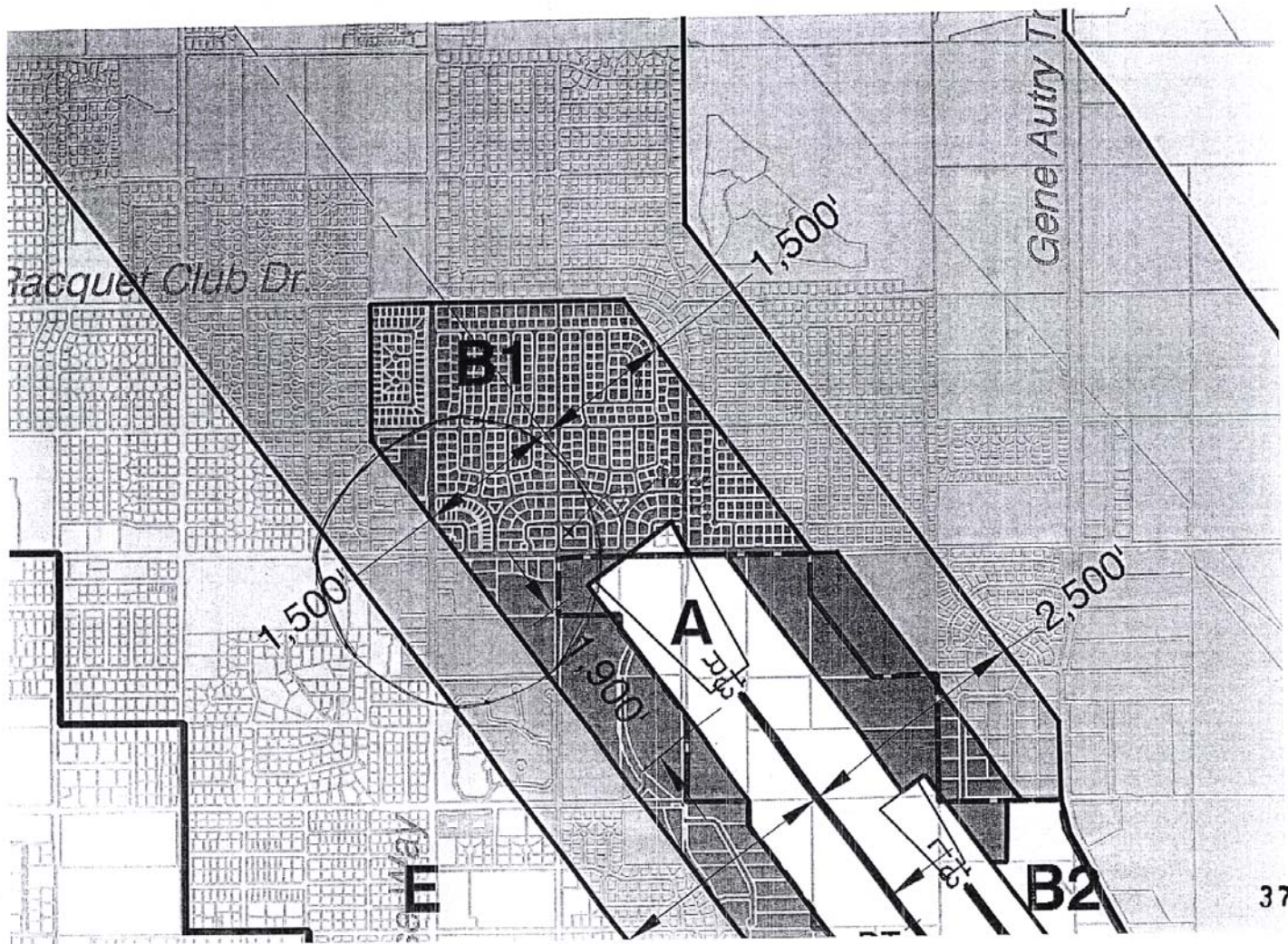
See Chapter 2, Table 2A for compatibility criteria associated with this map.

See Policy PS.2.1.

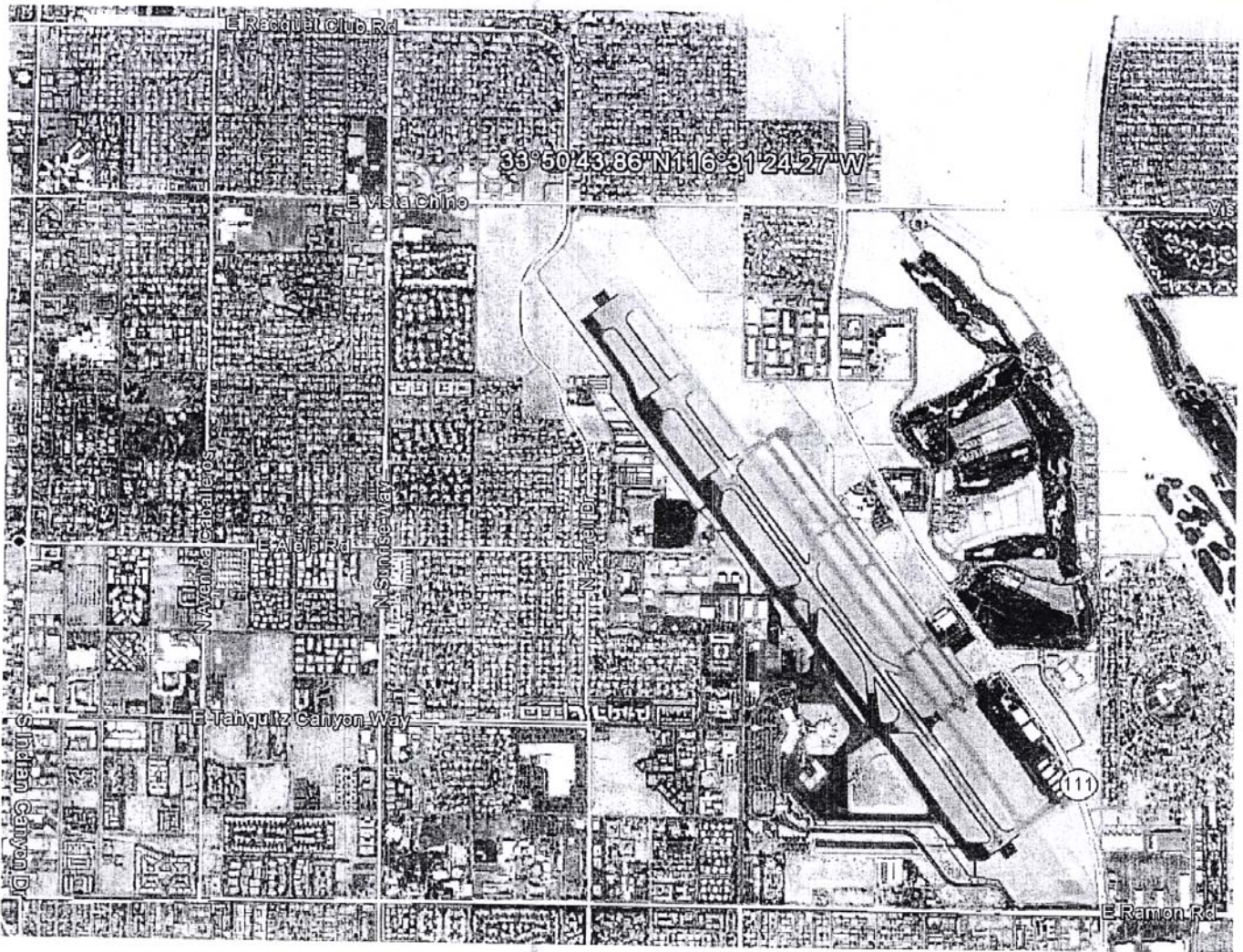
Riverside County  
 Airport Land Use Commission  
 Riverside County  
 Airport Land Use Compatibility Plan  
 Policy Document  
 (Adopted March 2005)

Map PS-1

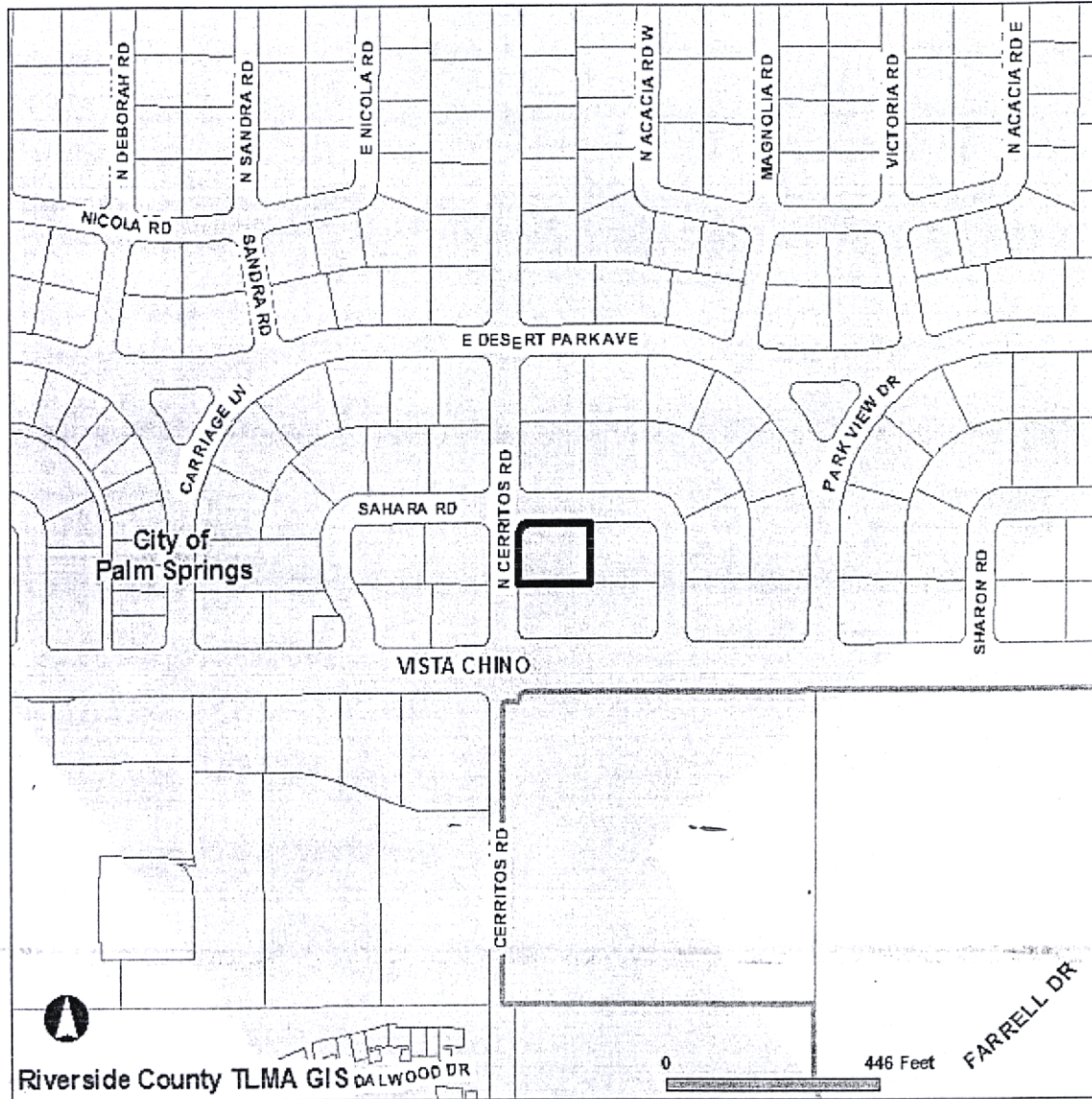
Compatibility Map  
 Palm Springs International Airport



Project In Relationship to Airport (Desert Park)



RIVERSIDE COUNTY GIS



Selected parcel(s):  
501-351-001

**AIRPORTS**

- SELECTED PARCEL
- AIRPORT RUNWAYS
- AIRPORT INFLUENCE AREAS
- AIRPORT BOUNDARIES
- PARCELS
- COMPATIBILITY ZONE A
- COMPATIBILITY ZONE B1
- COMPATIBILITY ZONE C
- INTERSTATES
- HIGHWAYS

**\*IMPORTANT\***

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

**STANDARD REPORT**

**APNs**

501-351-001-8

**OWNER NAME**

NOT AVAILABLE ONLINE





**NOTES & TITLE REPORT EXCEPTIONS**

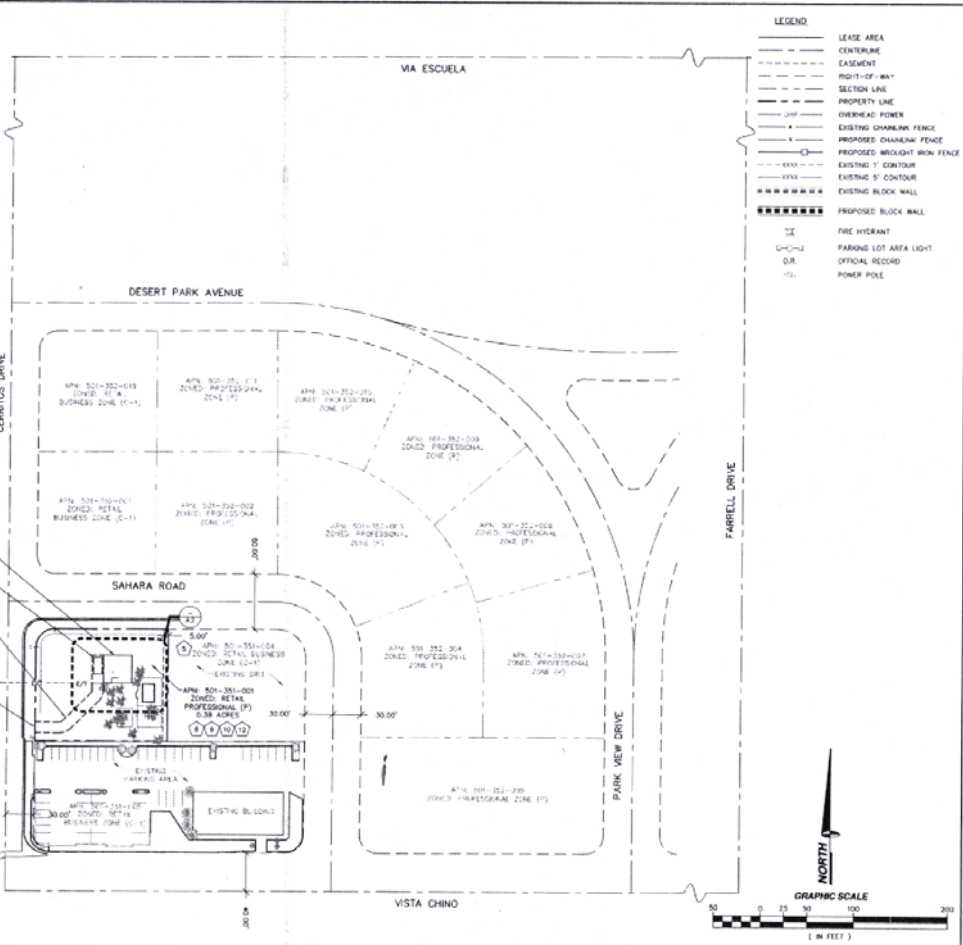
ONLY THOSE EXCEPTIONS LISTED IN TITLE REPORT ORDER NO. 0019245-00-002, DATED SEPTEMBER 10, 2011, PREPARED BY TROW TITLE COMPANY OF CALIFORNIA, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFER TO A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RECORDED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- 1) EASEMENTS FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS delineated OR AS OFFERED FOR DEDICATION, ON THE MAP OF SAID TRACT/PLAT, AFFECTS EXTERIORLY 5 FEET OF SAID LAND, AFFECTS A PORTION OF THE SUBJECT PROPERTY.
- 2) EASEMENTS FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT, GRANTED TO CALIFORNIA ELECTRIC POWER COMPANY, PUBLIC UTILITIES RECORDING DATE: JULY 20, 1995, RECORDING NO. BOOK 1768, PAGE 477, OF OFFICIAL RECORDS, AFFECTS WITHIN 5 FEET OF ALL DIVISION PROPERTY LINES (EXCEPT SUCH LINES AS CORNER WITH ADJACENT LINES OF STREETS OR ALLEYS) OF SAID LAND, AFFECTS THE ENTIRE SUBJECT PROPERTY.
- 3) COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILY STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OF RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT, RECORDING DATE: NOVEMBER 14, 1996, RECORDING NO. BOOK 1787, PAGE 99, OF OFFICIAL RECORDS.

- 4) SAID COVENANTS, CONDITIONS AND RESTRICTIONS PROVIDE THAT A VIOLATION THEREOF SHALL NOT DEFEAT THE LION OF ANY MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE, DOES NOT DESCRIBE THE SUBJECT PROPERTY.
- 5) AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT ENTITLED MEMORANDUM OF AGREEMENT LESSOR: MARYANN J. CORRETE, A MARRIED WOMAN LESSEE: SPRINT PCS ASSETS, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY RECORDING DATE: AUGUST 18, 2004, RECORDING NO. 2004-084910, OF OFFICIAL RECORDS.

- 6) THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.
- 7) AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT ENTITLED MEMORANDUM OF AGREEMENT LESSOR: DOUGLAS C. JONES AND TERENCE B. JONES, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHTS OF SURVIVORSHIP LESSEE: ROYAL STREET COMMUNICATIONS CALIFORNIA, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY RECORDING DATE: NOVEMBER 3, 2009, RECORDING NO. 2009-0575204, OF OFFICIAL RECORDS.

- 8) THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN.
- 9) MATTERS CONTAINED IN THAT CERTAIN DOCUMENT (ENCROACHMENT LICENSE AGREEMENT) DATED: SEPTEMBER 18, 2010, EXCLUDED BY: ROYAL STREET COMMUNICATIONS CALIFORNIA, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY AND CITY OF PALM SPRINGS, A CALIFORNIA CHARTER CITY RECORDING DATE: NOVEMBER 23, 2010, RECORDING NO. 2010-0861106, OF OFFICIAL RECORDS, REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS, DOES NOT AFFECT THE SUBJECT PROPERTY.
- 10) A RIGHT OF FIRST REFUSAL TO PURCHASE SAID LAND WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS AS SET FORTH IN THE DOCUMENT, ERECTED BY: DOUGLAS C. JONES AND TERENCE B. JONES, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHTS OF SURVIVORSHIP AND ROYAL STREET COMMUNICATIONS CALIFORNIA, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY RECORDING DATE: MAY 31, 2011, RECORDING NO. 2011-0333181, OF OFFICIAL RECORDS, AFFECTS THE ENTIRE SUBJECT PROPERTY.



**LEGEND**

---	LEASE AREA
---	CENTERLINE
---	EASEMENT
---	RIGHT-OF-WAY
---	SECTION LINE
---	PROPERTY LINE
---	OVERHEAD POWER
---	EXISTING CHAINLINK FENCE
---	PROPOSED CHAINLINK FENCE
---	PROPOSED WROUGHT IRON FENCE
---	EXISTING 1" CONTOUR
---	EXISTING 5" CONTOUR
---	EXISTING BLOCK WALL
---	PROPOSED BLOCK WALL
---	FIRE HYDRANT
---	PARKING LOT AREA LIGHT
---	O.R.
---	OFFICIAL RECORD
---	POWER POLE

**verizon**wireless

15505 SAND CANYON AVENUE  
BUILDING 5, 1ST FLOOR  
PALM SPRINGS, CALIFORNIA 92518

---

**PROJECT INFORMATION:**

**DESERT PARK (JONES)**

UNADDRESSSED  
APN: 501-351-001  
PALM SPRINGS, CALIFORNIA  
92282

**CURRENT ISSUE DATE:**  
10/31/13

**ISSUED FOR:**  
**ZONING**

**REV. DATE DESCRIPTION BY:**

REV.	DATE	DESCRIPTION	BY
10/31/13	10/31/13	100% ZONING	T.R.
10/24/13	10/24/13	50% ZONING	C.P.

**PLANS PREPARED BY:**

**SPECTRUM**

SPECTRUM SERVICES, INC.  
8590 MAPLE PLACE, SUITE 110  
RANCHO CUCAMONGA, CA 91730  
PH (866) 515-3358  
FAX (866) 515-3359

---

**ENCLOSURE**

---

**SHEET TITLE:**  
**SITE PLAN**

---

**SHEET NUMBER:** **1** / **REVISION:**

A1

1

LAX-324



ANTENNA SECTOR	AZIMUTH	# OF ANTENNAS	# OF RRU/S	CENTERLINE	DIAGNAL CABLE LENGTH	CABLE SIZE	COLOR CODE	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTOR A	110°	4	2	40'	50'	(4) 7/8" COAX (2) 1 5/8 HYDRFLEX	RED/GREEN RED/RED	5'	15'	...
SECTOR B	230°	4	2	40'	50'	(4) 7/8" COAX (2) 1 5/8 HYDRFLEX	BLUE/GREEN BLUE/RED	5'	15'	...
SECTOR C	350°	4	2	40'	50'	(4) 7/8" COAX (2) 1 5/8 HYDRFLEX	YELLOW/GREEN YELLOW/RED	5'	15'	...
PARABOLIC ANTENNA	TBD	-	-	-	-	-	-	-	-	...
GPS	N/A	2	-	-	25'	1/2" COAX	GRAY	-	-	...

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

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

PROJECT INFORMATION  
**DESERT PARK (JONES)**

UNADDRESSED  
 APN: 501-351-001  
 PALM SPRINGS, CALIFORNIA  
 92262

CURRENT ISSUE DATE:  
**10/31/13**

ISSUED FOR:  
**ZONING**

REV. DATE DESCRIPTION

REV.	DATE	DESCRIPTION	BY
10/31/13	1006 2000MG		T.R.
10/24/13	1006 2000MG		C.P.

PLANS PREPARED BY:  
**SPECTRUM**

SPECTRUM SERVICES, INC.  
 8390 MAPLE PLACE, SUITE 110  
 RANCHO CUCAMONGA, CA 91730  
 PH: (866) 515-3358  
 FAX: (866) 515-3359

LICENSE:

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

SHEET NUMBER: **A2** REVISION: **1**

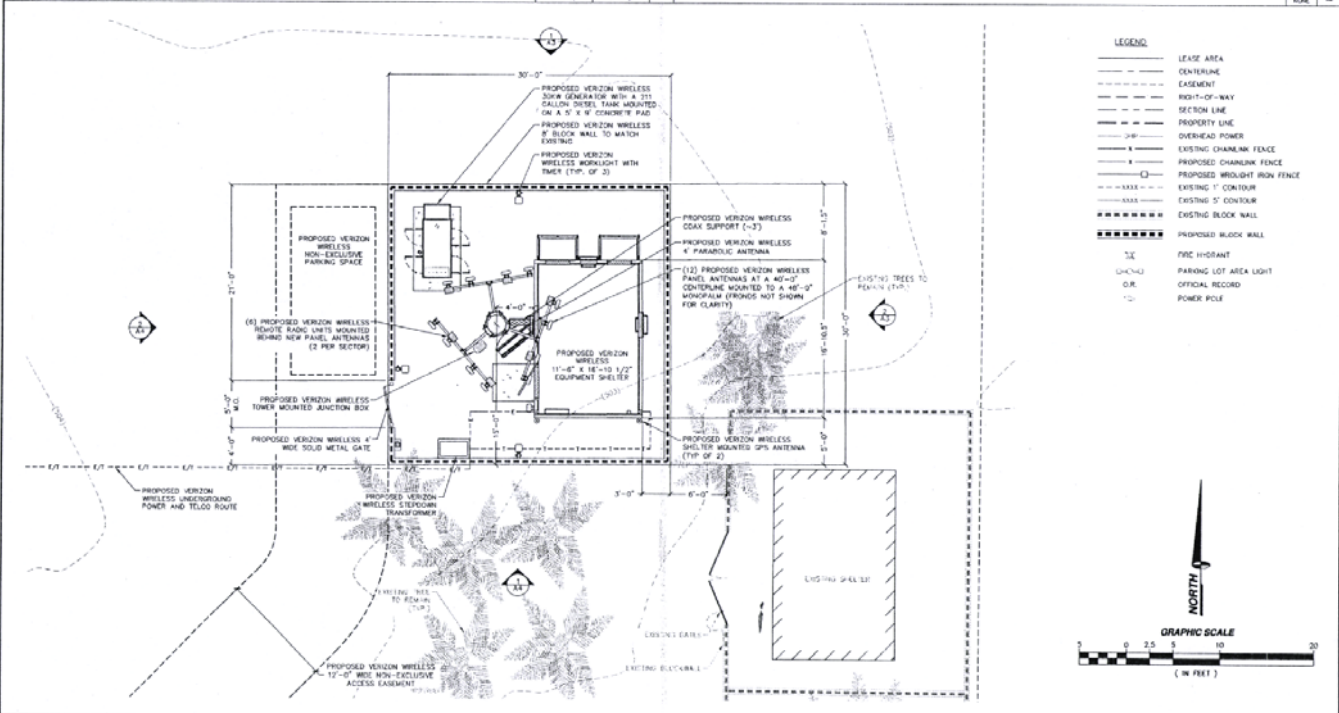
LAX-324

ANTENNA LAYOUT

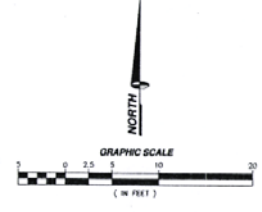
1" = 12' SCALE  
 1" = 12' SCALE  
 1" = 12' SCALE

3 ANTENNA AND CABLE SCHEDULE

SCALE: 2



- LEGEND**
- LEASE AREA
  - CENTERLINE
  - EASEMENT
  - RIGHT-OF-WAY
  - SECTION LINE
  - PROPERTY LINE
  - OVERHEAD POWER
  - EXISTING CHAINLINK FENCE
  - PROPOSED CHAINLINK FENCE
  - PROPOSED WROUGHT IRON FENCE
  - EXISTING 5' CONTOUR
  - EXISTING 5' CONTOUR
  - EXISTING BLOCK WALL
  - PROPOSED BLOCK WALL
  - FIRE HYDRANT
  - PARKING LOT AREA LIGHT
  - OFFICIAL RECORD
  - POWER POLE

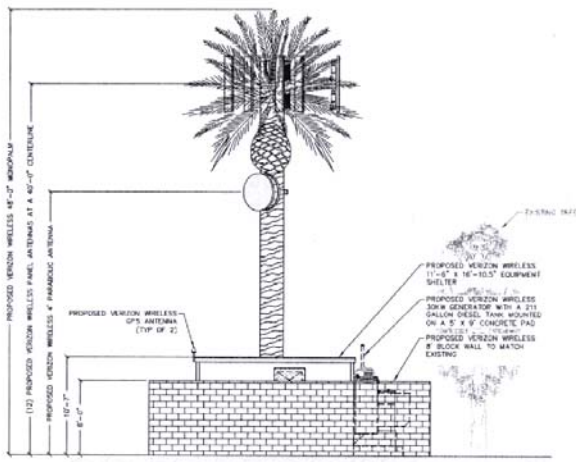


SITE DETAIL

1" = 12' SCALE  
 1" = 12' SCALE  
 1" = 12' SCALE

SCALE: 1

**NOTE:**  
 1. ALL TOWER MOUNTED APPARATUS SHALL BE PAINTED TO MATCH THE PROPOSED MONOPALM.  
 2. CARRIER COMPOUND IN FOREGROUND, NOT DRAWN FOR CLARITY.

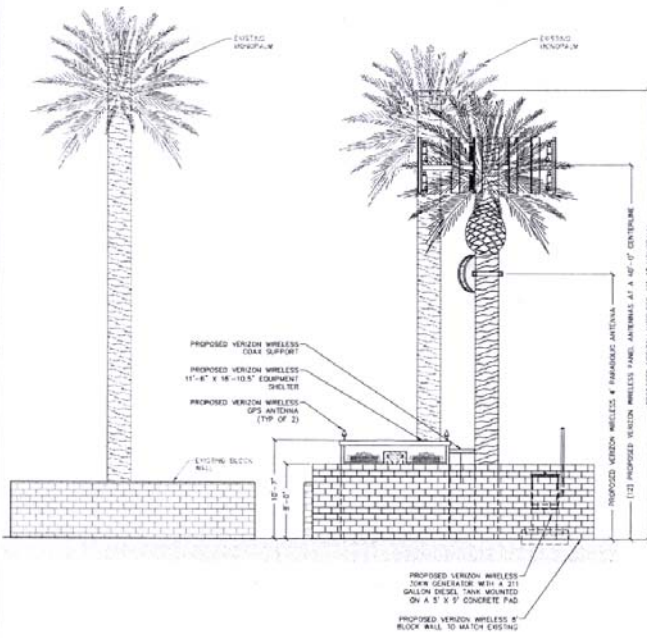


EAST ELEVATION

1/4" = 1'-0" SCALE 1/8" = 1'-0" SCALE 1/4" = 1'-0" SCALE

2

**NOTE:**  
 ALL TOWER MOUNTED APPARATUS SHALL BE PAINTED TO MATCH THE PROPOSED MONOPALM.



NORTH ELEVATION

1/4" = 1'-0" SCALE 1/8" = 1'-0" SCALE 1/4" = 1'-0" SCALE

1



**PROJECT INFORMATION:**  
 DESERT PARK (JONES)

UNADDRESSSED  
 APR. 501-351-501  
 PALM SPRINGS, CALIFORNIA  
 92252

CURRENT ISSUE DATE: 10/31/13

ISSUED FOR: ZONING

REV. DATE DESCRIPTION

REV.	DATE	DESCRIPTION	BY
1	10/31/13	100% ZONING	T.R.
2	10/24/13	80% ZONING	C.P.

LAND PREPARED BY: SPECTRUM

**SPECTRUM**  
 SPECTRUM SERVICES, INC.  
 8700 MAPLE PLACE, SUITE 110  
 RANCHO CUCAMONGA, CA 91730  
 PH. (661) 515-3358  
 FAX (661) 515-3359

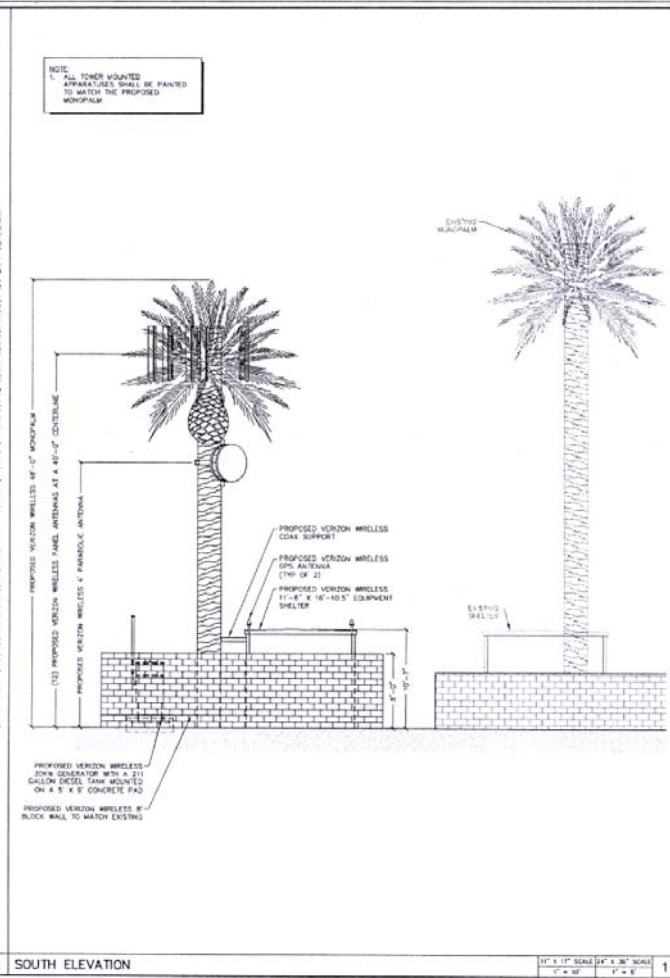
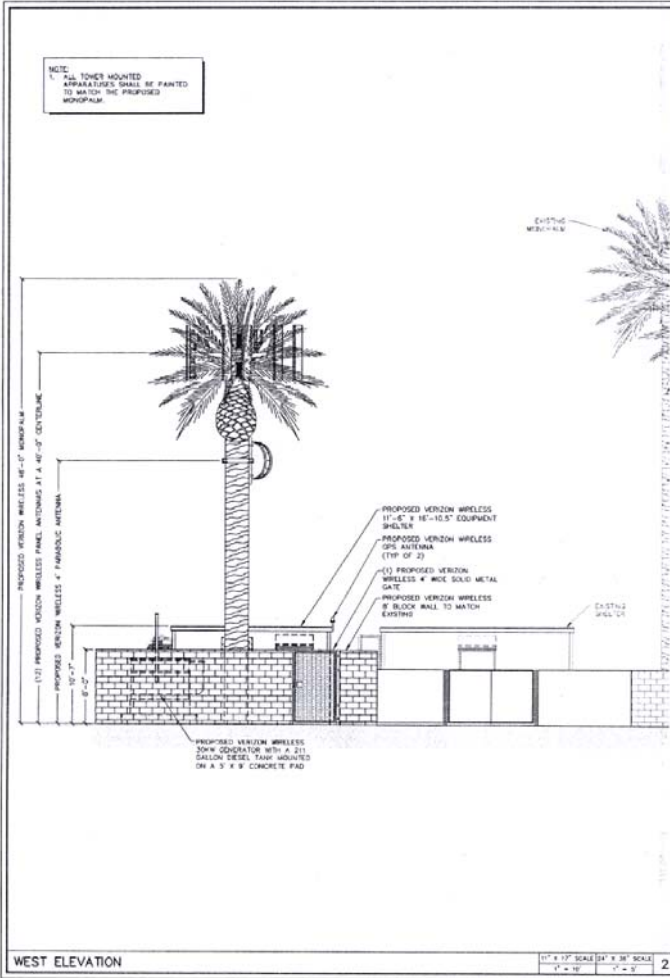
CENSURE:

SHEET TITLE:  
 NORTH & EAST ELEVATIONS

SHEET NUMBER: 1

REVISION:

**A3** 1  
 LAX-324



**verizon**wireless  
15500 SAND CANYON AVENUE  
BUILDING C, 1ST FLOOR  
RIVINE, CALIFORNIA 92518

PROJECT INFORMATION:  
**DESERT PARK (JONES)**  
UNADDRESSED  
APN: 501-351-001  
PALM SPRINGS, CALIFORNIA  
92252

CURRENT ISSUE DATE:  
10/31/13

ISSUED FOR:  
**ZONING**

REV.	DATE	DESCRIPTION	BY
10/21/13	10/21/13	100% EXHIBIT	T.A.
10/24/13	10/24/13	REV 200% EXHIBIT	C.P.

PLANS PREPARED BY:  
**SPECTRUM**  
SPECTRUM SERVICES, INC.  
8350 MAPLE PLACE, SUITE 110  
RANCHO CUCAMONGA, CA 91730  
PH: (866) 515-3358  
FAX: (866) 515-3359

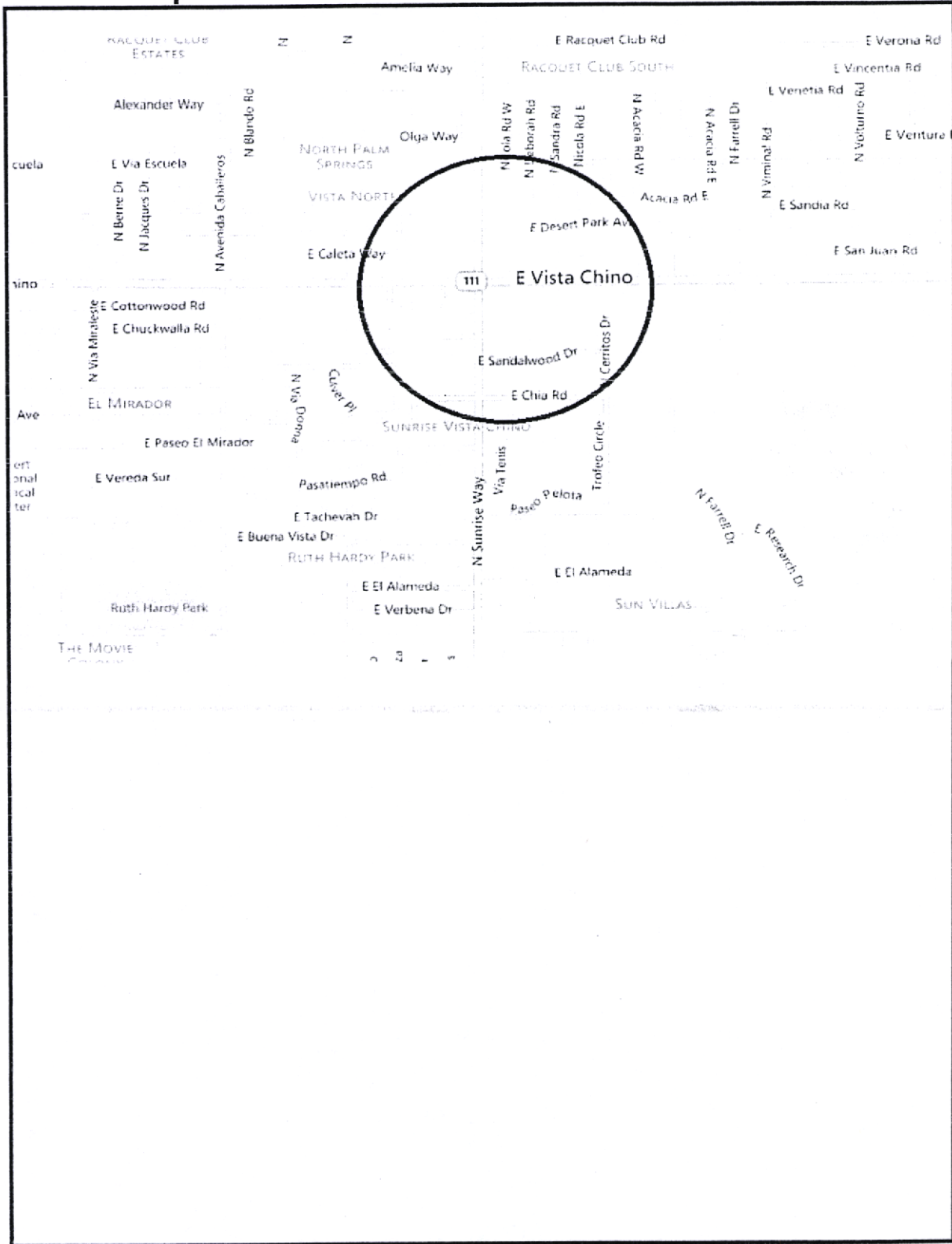
LICENSURE

SHEET TITLE:  
**SOUTH & WEST ELEVATIONS**

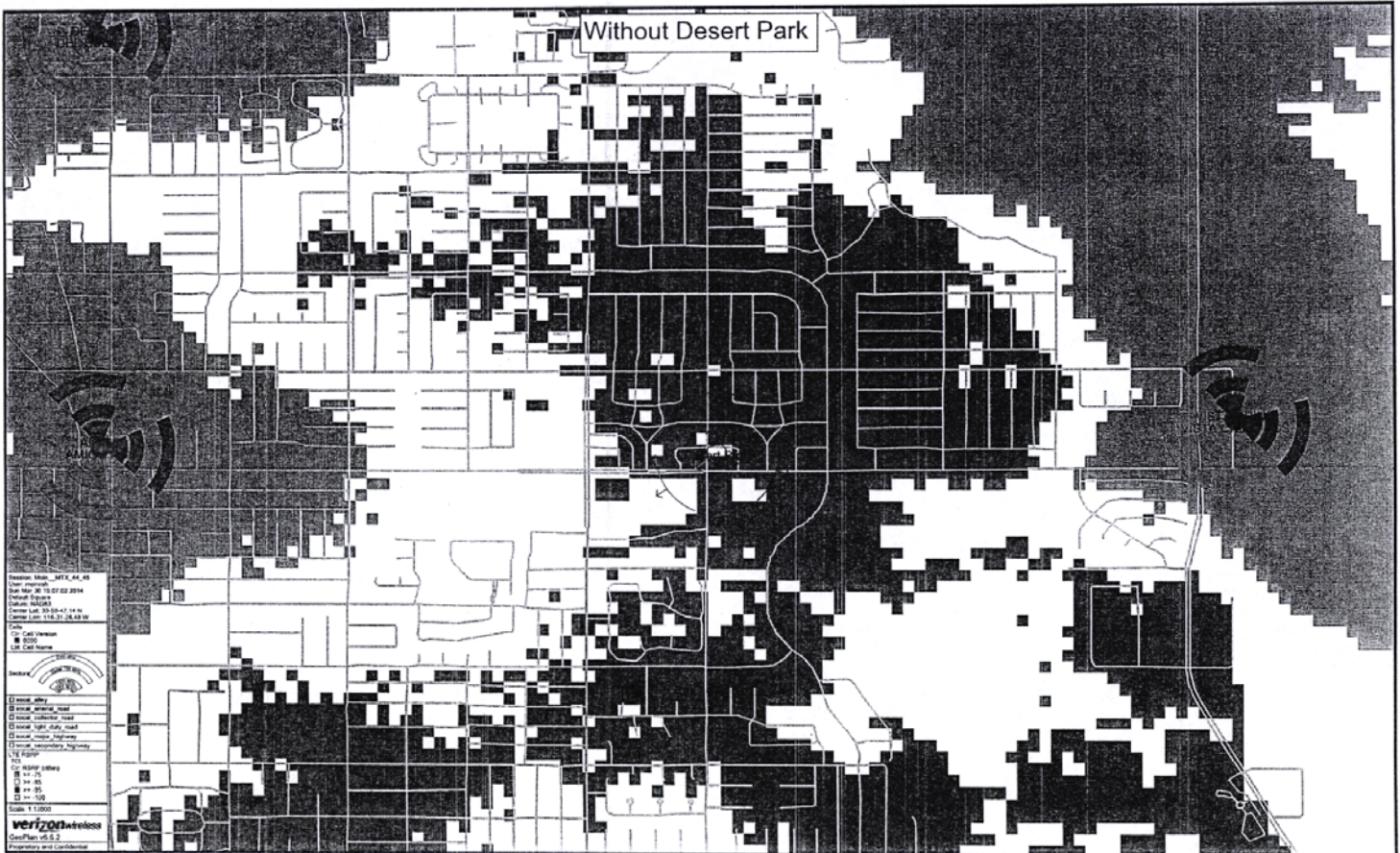
SHEET NUMBER: **A4** REVISION: **1**

LAX-324

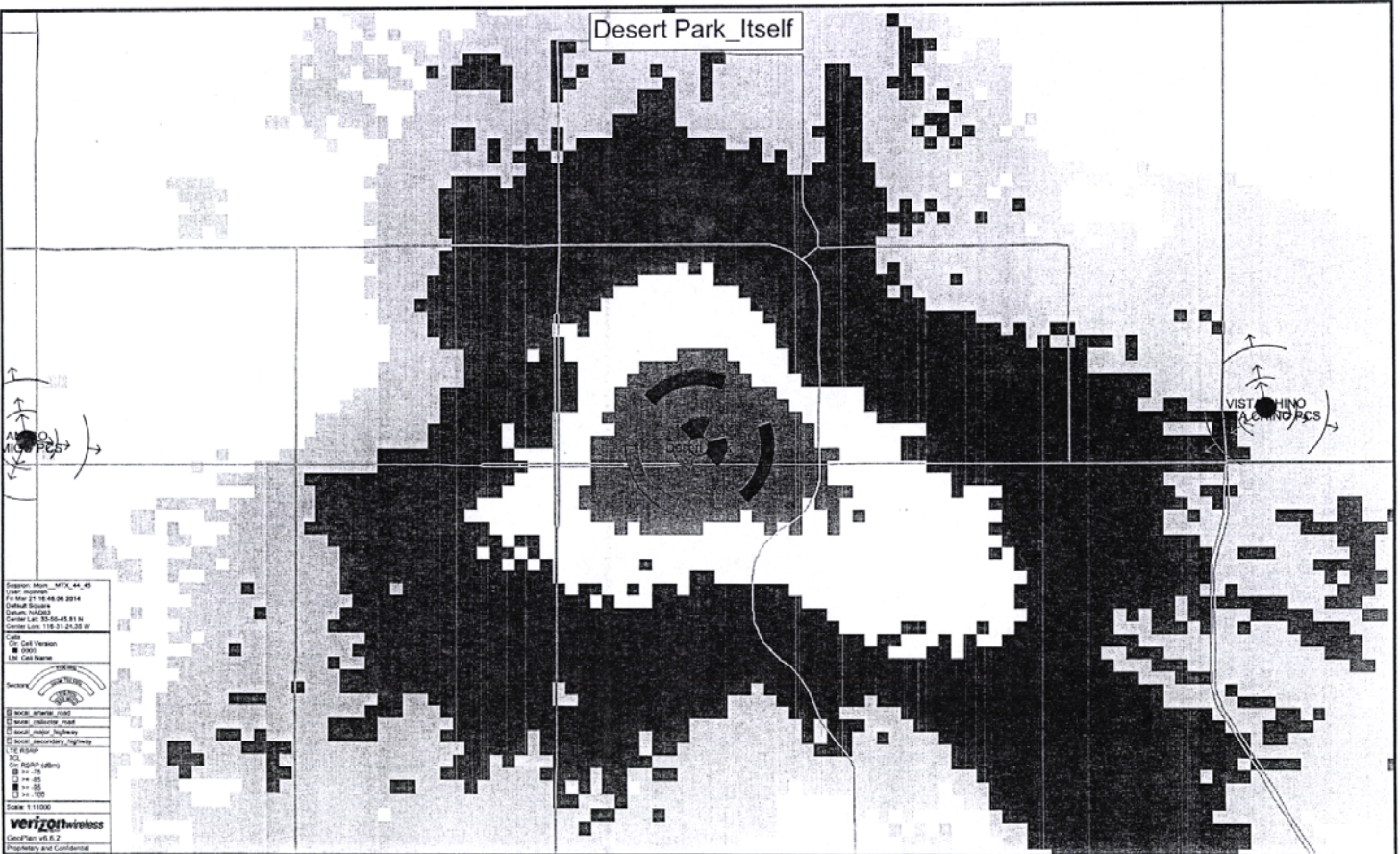
# SARF Map



Without Desert Park



Desert Park\_Itself



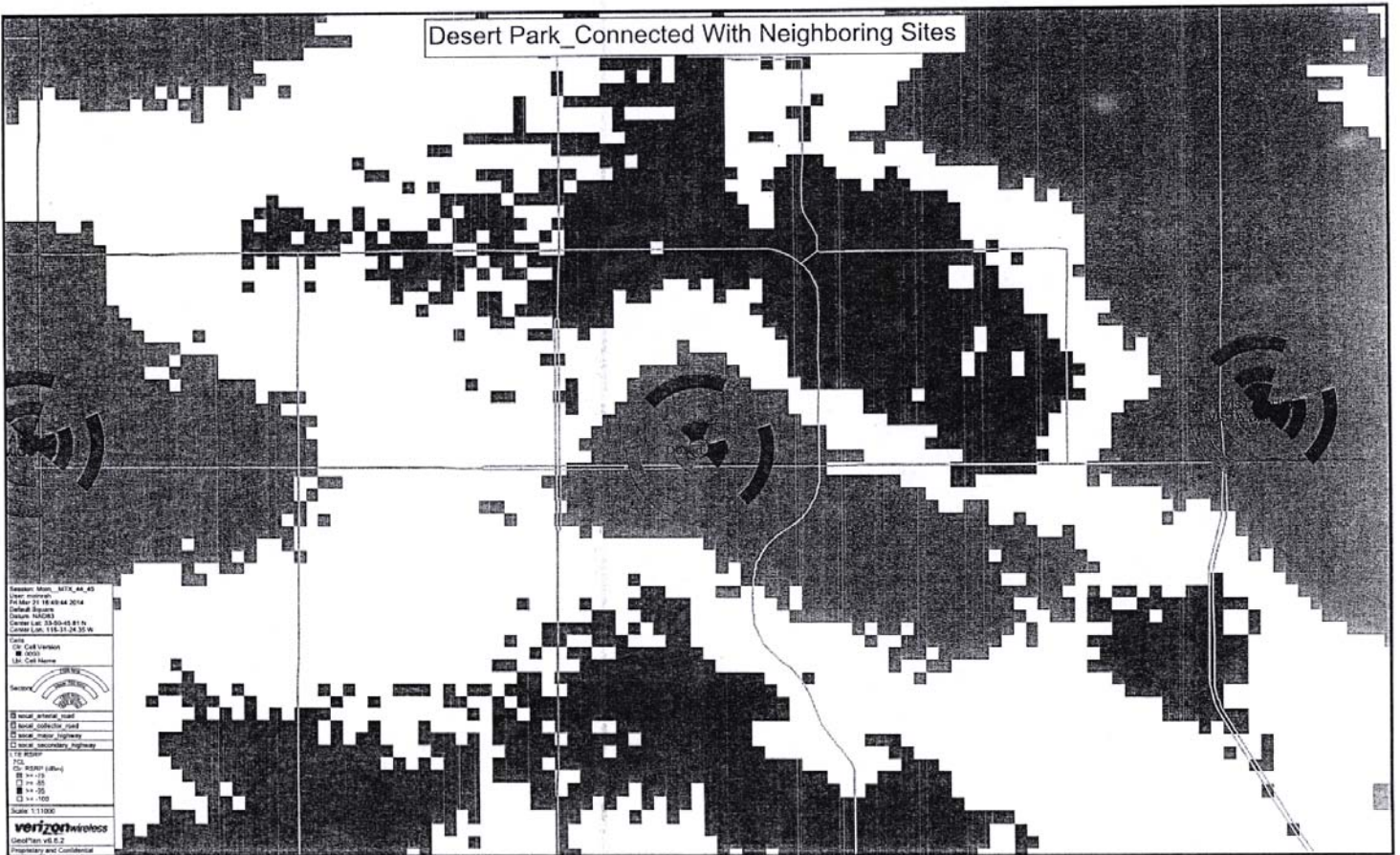
Region: Mex\_MTK\_A4\_45  
 User: m...  
 File: 21-10-08 2014  
 Default: 10000  
 Center Lat: 33-00-45 N  
 Center Long: 105-31-20 W

Color:  
 - Cell Version  
 - 2000  
 - Cell Name

Section:  
 - road\_arterial  
 - road\_collector  
 - road\_highway  
 - road\_local  
 - road\_secondary\_highway

Scale: 1:10000  
 Verizon Wireless  
 Geoplan v5.6.2  
 Proprietary and Confidential

Desert Park\_Connected With Neighboring Sites





# PHOTOGRAPHIC SIMULATION

PROPOSED WIRELESS COMMUNICATIONS FACILITY



## SITE LOCATION MAP

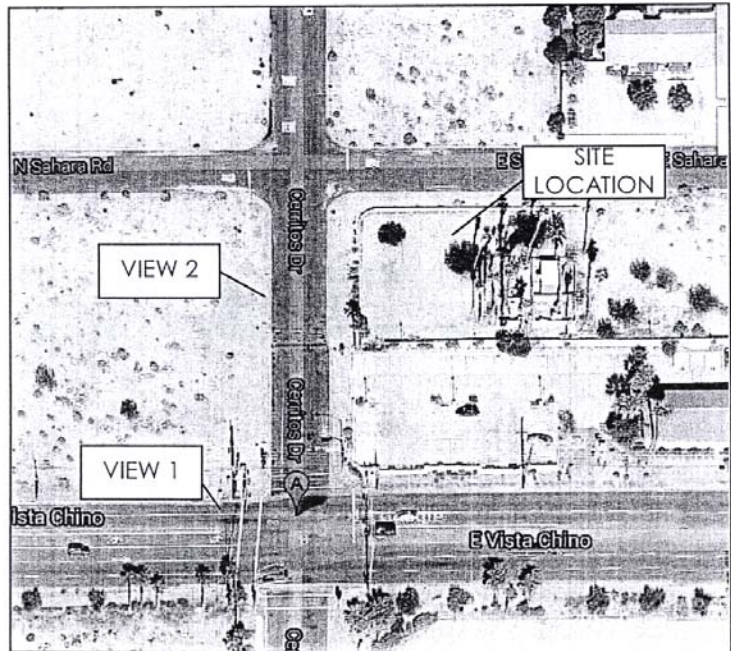
SITE NAME: DESERT PARK  
SITE NUMBER: LAX-324

SITE ADDRESS: UNADDRESSED  
CORNER OF CERRITOS RD. AND  
VISTO CHINO  
PALM SPRINGS, CA 92262

DATE: 11/7/2013

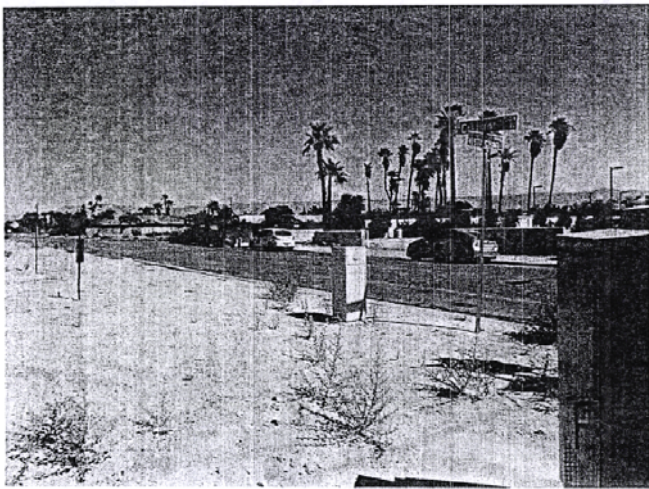
APPLICANT: VERIZON WIRELESS  
15505 SAND CANYON AVE.  
BUILDING D, 1ST FLOOR  
IRVINE, CA 92618

MICHAEL HAYES, PROJECT MGR.  
909-268-3920



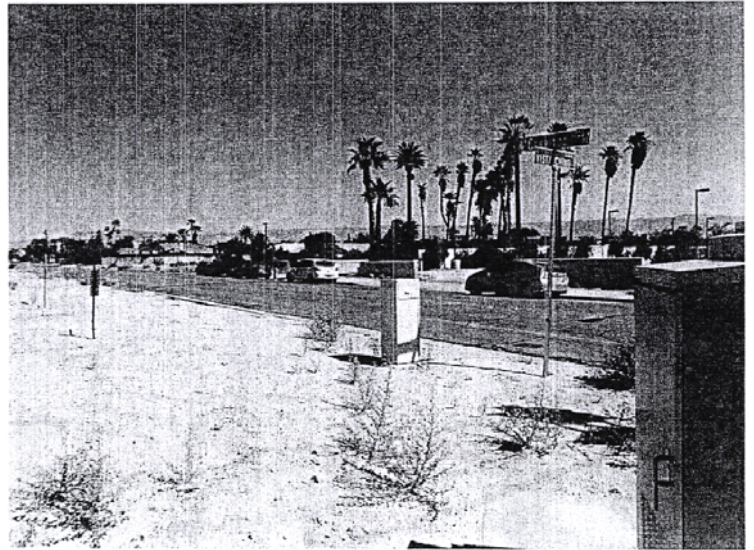
2013 ©GOOGLE MAPS

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.

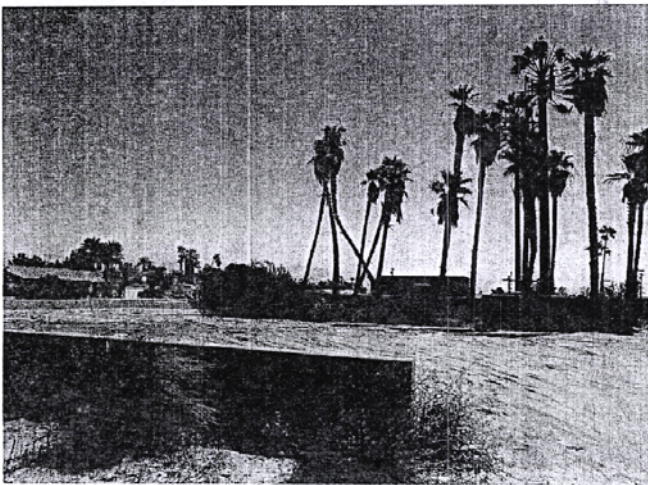


EXISTING -VIEW 1

PHOTOGRAPHIC SIMULATION -  
VIEW 1

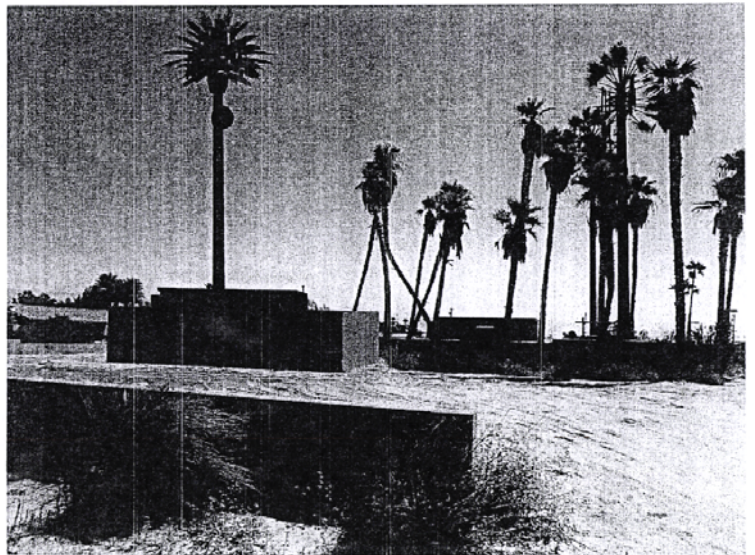


PROPOSED INSTALLATION OF 48' MONOPALM WITH ANTENNA ARRAY,  
INCLUDING EQUIPMENT COMPOUND WITH SHELTER, GENERATOR, AND 8' BRICK  
WALL.



EXISTING -VIEW 2

PHOTOGRAPHIC SIMULATION -  
VIEW 2



PROPOSED INSTALLATION OF 48' MONOPALM WITH ANTENNA ARRAY,  
INCLUDING EQUIPMENT COMPOUND WITH SHELTER, GENERATOR, AND 8' BRICK  
WALL.


## Guerin, John

---

**From:** Bill Ferra <rezwefttet@gmail.com>  
**Sent:** Monday, March 31, 2014 10:05 AM  
**To:** Guerin, John  
**Subject:** ZAP1020PS14 -cell/antennas on 48ft monopalm tower, southeast corner Sahara Rd. and N Cerritos Rd in Palm Springs

John Guerin - Per our discussion today, we are in favor of the additional cell tower at the above referenced location. We live very close and can see this property unobstructed and endorse this additional cell tower. The maintenance has been very consistent and good as far the the property is concerned. We assume the additional tax revenues will help the city of Palm Springs and therefore we would hope the city would approved the additional tower... we would normally attend these meetings as in the past they were held in the city of Palm Springs, but we have a prior commitment making it impossible for us to attend. John thank you for your attention in this matter, William Ferra and Ron Zimmerman 2101 E. Desert Park Ave. Palm Springs, Ca. 92262.

---

 This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

**AIRPORT LAND USE COMMISSION  
RIVERSIDE COUNTY**



RECEIVED

APR 17 2014

PLANNING SERVICES  
DEPARTMENT

April 14, 2014

**CHAIR**  
Simon Housman  
Rancho Mirage

**VICE CHAIRMAN**  
Rod Ballance  
Riverside

Mr. Russell G. Coward  
2121 E. Desert Park Avenue  
Palm Springs CA 92262

**RE: Your letter of April 4, 2014**

**COMMISSIONERS**

Arthur Butler  
Riverside

John Lyon  
Riverside

Glen Holmes  
Hemet

Greg Pettis  
Cathedral City

Richard Stewart  
Moreno Valley

File No.: ZAP1020PS14  
Related File No.: CUP No. 5.1314 (Conditional Use Permit); VAR No. 6.530  
(Variance)  
APN: 501-351-001

Dear Mr. Coward:

**STAFF**

Director  
Ed Cooper

Russell Brady  
John Guerin  
Barbara Santos

Thank you for responding to our Notice of Public Hearing regarding the above-referenced case. Unfortunately, your letter was not received until after the hearing by this Commission had already been held. On April 10, 2014, the Riverside County Airport Land Use Commission (ALUC) found the above-referenced conditional use permit and variance consistent with the 2005 Palm Springs International Airport Land Use Compatibility Plan, subject to the conditions included in the attached letter submitted to the City of Palm Springs.

We are forwarding your letter to the case planner for the City of Palm Springs, Mr. David Newell, for consideration as the process moves forward at the City level.

If you have any questions, please contact Russell Brady, Airport Land Use Commission Contract Planner, at (951) 955-0549, or John Guerin, Airport Land Use Commission Principal Planner, at (951) 955-0982.

County Administrative Center  
4080 Larron St., 14<sup>th</sup> Floor  
Riverside, CA 92501  
(951) 955-5132

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

  
\_\_\_\_\_  
Edward C. Cooper, Director

[www.rcaluc.org](http://www.rcaluc.org)

cc: David Newell, City of Palm Springs

Russell G. Coward  
2121 E. Desert Park Avenue  
Palm Springs, CA. 92262

**AIRPORT LAND USE COMMISSION (ALUC)**

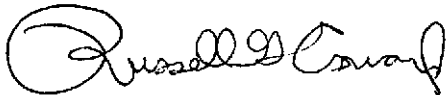
**Re: ZAP1020PS14 – Spectrum Services, Inc. (Representative: Brett Smirl/Michael Hayes)**  
**CITY OF PALM SPRINGS CASE #S – CUP 5.1314 (CONDITIONAL USE PERMIT) & VAR 6.530 (VARIANCE)**

April 4, 2014

To whom it may concern:

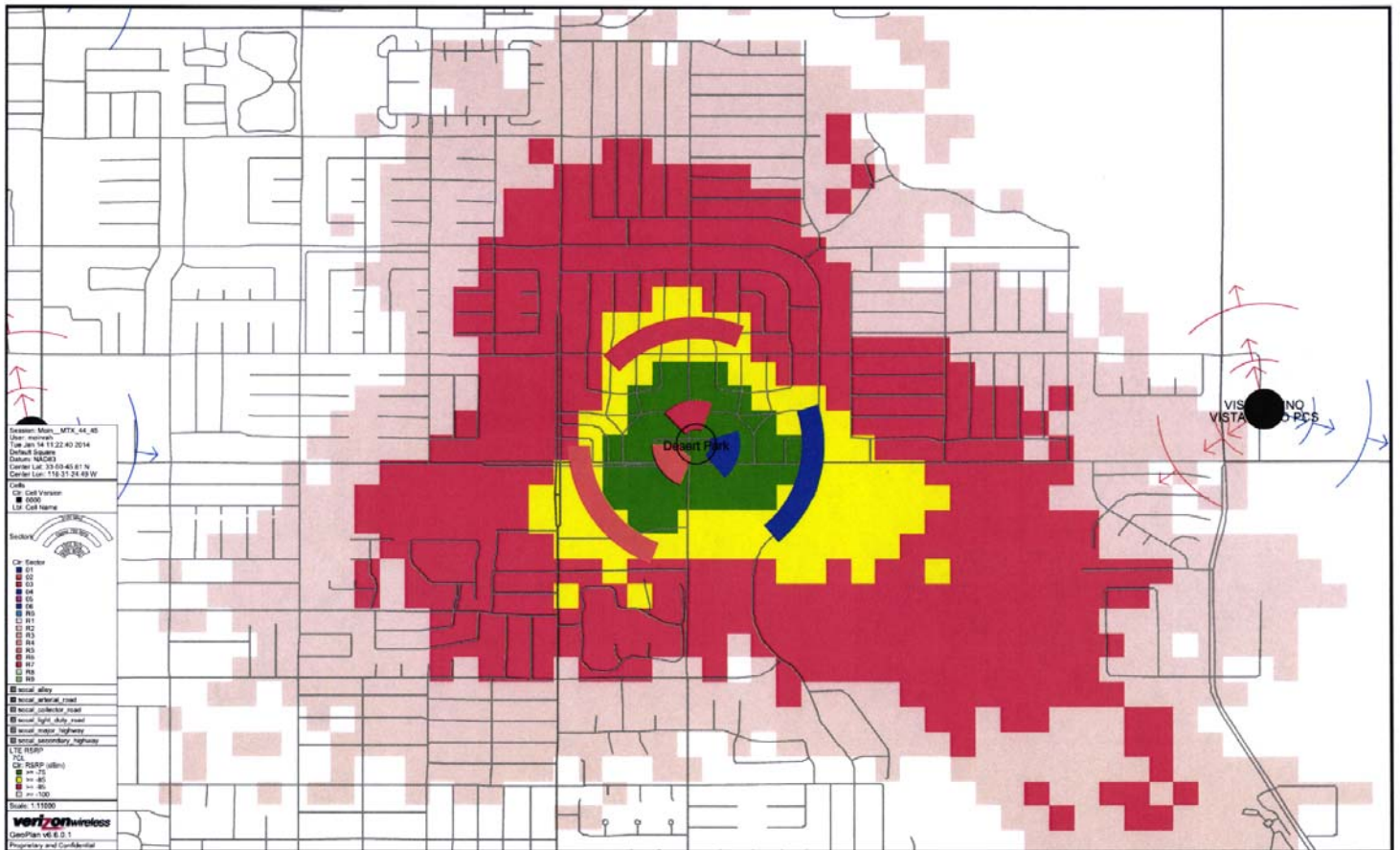
I, Russell G. Coward am **OPPOSED** to this proposal to establish an unmanned telecommunications facility consisting of antennas on a 48 foot high monopalm tower, with associated equipment shelter and the proposal to allow the 48 foot high structure in the P (Professional) zone on a 900 square foot lease area within a 0.39 acre parcel located at the southeasterly corner of Sahara Rd and North Cerritos Rd in the City of Palm Springs.

Sincerely,

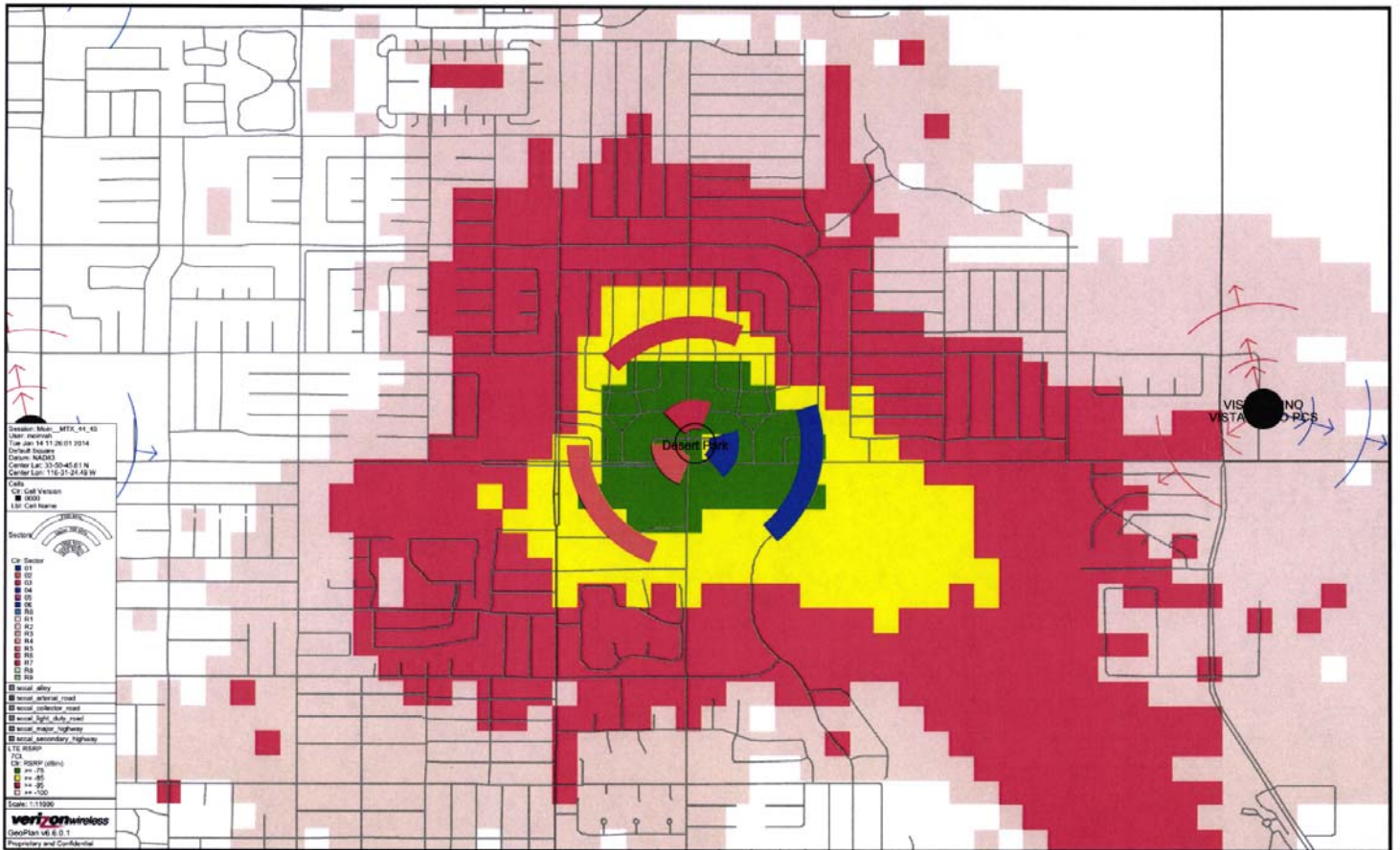


Russell G. Coward

Rc:dc



15'



48'

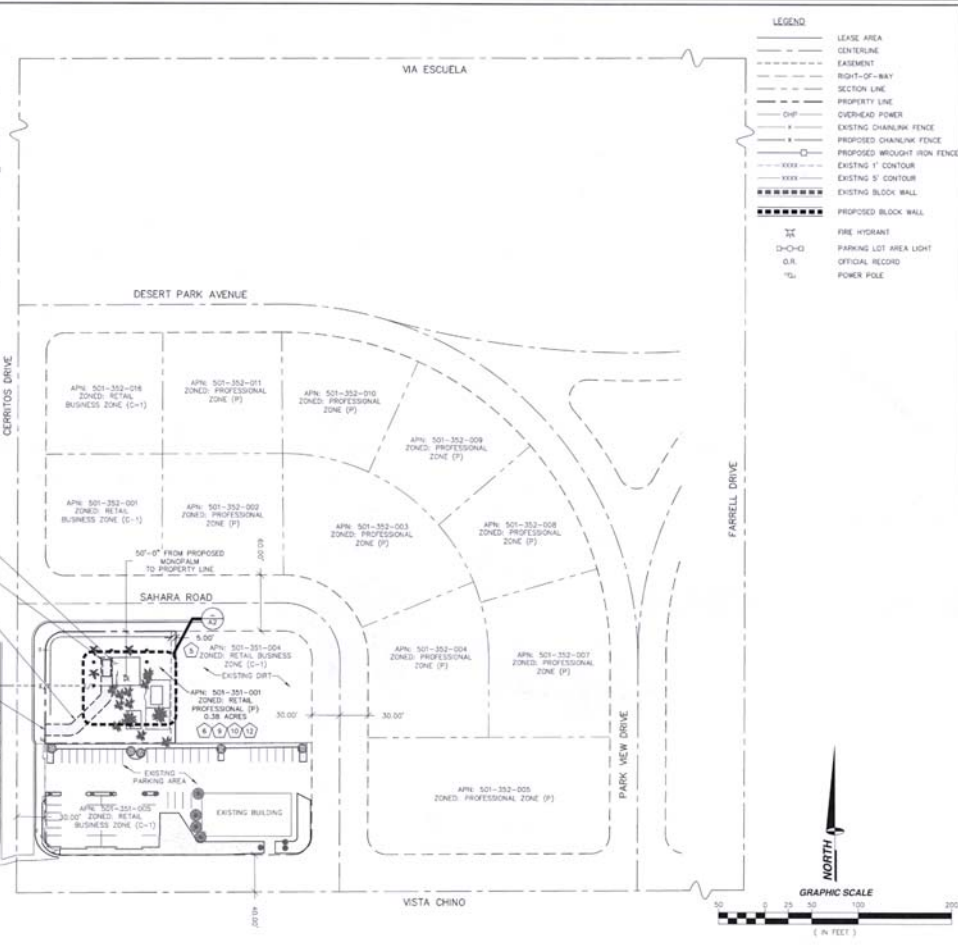




**NOTES & TITLE REPORT EXCEPTIONS**

ONLY THOSE EXCEPTIONS LISTED IN TITLE REPORT ORDER NO. 2013-04-000-002, DATED SEPTEMBER 10, 2013, PREPARED BY ROSE 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. FEW NUMBERS CORRESPOND TO TDMS NUMBERS IN SAID TITLE REPORT.

- 1) EASEMENTS FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THEREON AS DELINEATED OR AS OFFERS FOR DEDICATION ON THE MAP OF SAID TRACT/PLAT, PURPOSE: PUBLIC UTILITY, AFFECTS A PORTION OF THE SUBJECT PROPERTY
- 2) EASEMENTS FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THEREON AS GRANTED IN A DOCUMENT GRANTED TO CALIFORNIA ELECTRIC POWER COMPANY, PUBLIC UTILITIES, RECORDING DATE: JULY 20, 1955, RECORDING NO. BOOK 1794, PAGE 472, OF OFFICIAL RECORDS
- 3) COVENANTS, CONDITIONS AND RESTRICTIONS BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, INCLUDING BUT NOT LIMITED TO THOSE BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILY STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, SOURCE OF INCOME, GENDER, GENDER IDENTITY, GENDER EXPRESSION, MEDICAL CONDITION OR GENETIC INFORMATION, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, AS SET FORTH IN THE DOCUMENT, RECORDING DATE: NOVEMBER 14, 1998, RECORDING NO. BOOK 1793, PAGE 29, OF OFFICIAL RECORDS
- 4) SAID COVENANTS, CONDITIONS AND RESTRICTIONS PROVIDE THAT A VIOLATION THEREOF SHALL NOT BE A BASIS FOR THE LOSS OF ANY MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR WHICH DOES NOT DEBORSE THE SUBJECT PROPERTY
- 5) AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT ENTITLED, MEMORANDUM OF AGREEMENT LESSOR: MARYANN J. CORNELL, A MARRIED WOMAN LESSEE: SPRINT PCS ASSETS, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY, RECORDING DATE: AUGUST 18, 2004, RECORDING NO. 2004-049470, OF OFFICIAL RECORDS
- 6) THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN AFFECTS A PORTION OF THE SUBJECT PROPERTY, EXACT LOCATION UNDISCLOSED IN DOCUMENT
- 7) AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS SET FORTH THEREIN AS DISCLOSED BY THE DOCUMENT ENTITLED, MEMORANDUM OF AGREEMENT LESSOR: DOUGLAS C. JONES AND TERENCE B. JONES, HUSBAND AND WIFE AS COMMUNITY PROPERTY NEW RIGHTS OF SURVIVORSHIP LESSEE: ROYAL STREET COMMUNICATIONS CALIFORNIA, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY, RECORDING DATE: NOVEMBER 5, 2009, RECORDING NO. 2009-025224, OF OFFICIAL RECORDS
- 8) THE PRESENT OWNERSHIP OF THE LEASEHOLD CREATED BY SAID LEASE AND OTHER MATTERS AFFECTING THE INTEREST OF THE LESSEE ARE NOT SHOWN HEREIN AFFECTS THE ENTIRE SUBJECT PROPERTY
- 9) MATTERS CONTAINED IN THAT CERTAIN ENTITLED, ENCROACHMENT LICENSE AGREEMENT DATED SEPTEMBER 14, 2010 EXCLUDED BY: ROYAL STREET COMMUNICATIONS CALIFORNIA, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY AND CITY OF PALM SPRINGS, A CALIFORNIA CHARTER CITY, RECORDING DATE: NOVEMBER 22, 2010, RECORDING NO. 2010-0581158, OF OFFICIAL RECORDS REFERENCE IS HEREBY MADE TO SAID DOCUMENT FOR FULL PARTICULARS, DOES NOT AFFECT THE SUBJECT PROPERTY
- 10) A RIGHT OF FIRST REFUSAL TO PURCHASE SAID LAND WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS AS SET FORTH IN THE DOCUMENT, EXECUTED BY: DOUGLAS C. JONES AND TERENCE B. JONES, HUSBAND AND WIFE AS COMMUNITY PROPERTY NEW RIGHTS OF SURVIVORSHIP AND THERESA ADAMS, L.L.C. A DELAWARE LIMITED LIABILITY COMPANY, RECORDING DATE: MAY 21, 2012, RECORDING NO. 2012-0232181, OF OFFICIAL RECORDS AFFECTS THE ENTIRE SUBJECT PROPERTY



**LEGEND**

--- (dashed)	LEASE AREA
--- (dotted)	CENTERLINE
--- (dash-dot)	EASEMENT
--- (long-dash)	RIGHT-OF-WAY
--- (short-dash)	SECTION LINE
---	PROPERTY LINE
--- (thick)	OVERHEAD POWER
--- (thin)	EXISTING CHAINLINK FENCE
--- (dotted)	PROPOSED CHAINLINK FENCE
--- (dashed)	PROPOSED WROUGHT IRON FENCE
--- (dash-dot)	EXISTING 1' CONTOUR
--- (dotted)	EXISTING 3' CONTOUR
--- (thick)	EXISTING BLOCK WALL
--- (dotted)	PROPOSED BLOCK WALL
--- (thick)	FIRE HYDRANT
--- (dotted)	PARKING LOT AREA LIGHT
--- (dotted)	OFFICIAL RECORD
--- (dotted)	POWER POLE

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

**PROJECT INFORMATION:**

**DESERT PARK (JONES)**

UNADDRESSED  
APN: 501-351-001  
PALM SPRINGS, CALIFORNIA  
92262

**CURRENT ISSUE DATE:**  
04/08/14

**ISSUED FOR:**  
ZONING

REV.	DATE	DESCRIPTION	BY
04/08/14		PLANNING REVISION	V.H.
10/31/13		1308 ZONING	T.R.
10/24/13		1308 ZONING	C.P.

**PLANS PREPARED BY:**

SPECTRUM SERVICES, INC.  
8390 MAPLE PLACE, SUITE 110  
RANCHO CUCAMONGA, CA 91730  
PH: (666) 515-3358  
FAX: (666) 515-3358

**LICENSURE:**

**SHEET TITLE:**  
SITE PLAN

**SHEET NUMBER:** A1 **REVISION:** 2

LAX-324

SITE PLAN



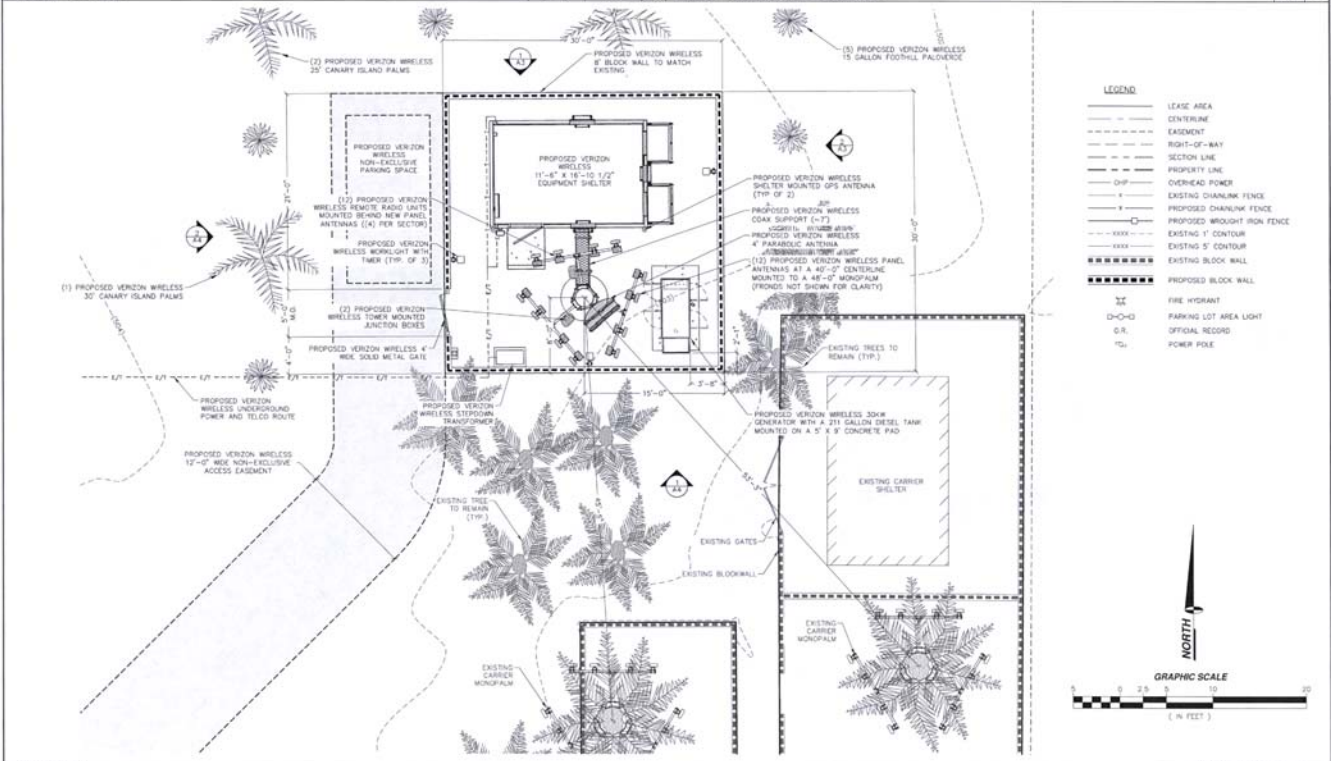
ANTENNA SECTOR	AZIMUTH	# OF ANTENNAE	# OF SUPPORTS	CENTERLINE	COAXIAL CABLE LENGTH	CABLE SIZE	COLOR CODE	TOP JAMPER LENGTH	BOTTOM JAMPER LENGTH	COMMENTS
SECTOR A	110°	4	4	40'	50'	(4) 7/8" COAX (2) 1 5/8 HYBRIFLEX	RED/GREEN RED/RED	5'	15'	
SECTOR B	230°	4	4	40'	50'	(4) 7/8" COAX (2) 1 5/8 HYBRIFLEX	BLUE/GREEN BLUE/RED	5'	15'	
SECTOR C	350°	4	4	40'	50'	(4) 7/8" COAX (2) 1 5/8 HYBRIFLEX	YELLOW/GREEN YELLOW/RED	5'	15'	
PARABOLIC ANTENNA	180°	-	-	-	-	-	-	-	-	
GPS	N/A	2	-	-	25'	1/2" COAX	GRAY	-	-	

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

ANTENNA LAYOUT

3 ANTENNA AND CABLE SCHEDULE

2



SITE DETAIL

1



PROJECT INFORMATION  
**DESERT PARK (JONES)**  
 UNADDRESSED  
 APN: 501-351-001  
 PALM SPRINGS, CALIFORNIA  
 92262

CURRENT ISSUE DATE:  
**04/08/14**

ISSUED FOR:  
**ZONING**

REV.	DATE	DESCRIPTION	BY
04/08/14		PLANNING REVISION	V.H.
10/31/13		100R ZONING	T.R.
10/24/13		100R ZONING	C.P.

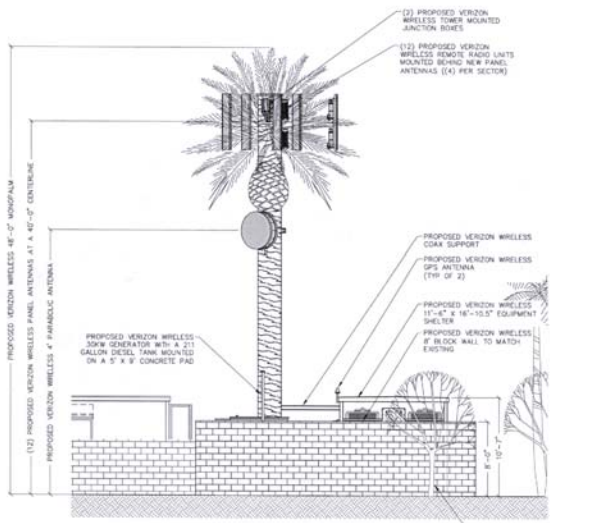
PLANS PREPARED BY:  
**SPECTRUM**  
 SPECTRUM SERVICES, INC.  
 8300 MAPLE PLACE, SUITE 110  
 RANCHO CUCAMONGA, CA 91730  
 Ph: (666) 515-3358  
 Fax: (666) 515-3358

PLICENSEURE:

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

SHEET NUMBER: **A2** DIVISION: **2**  
 LAX-324

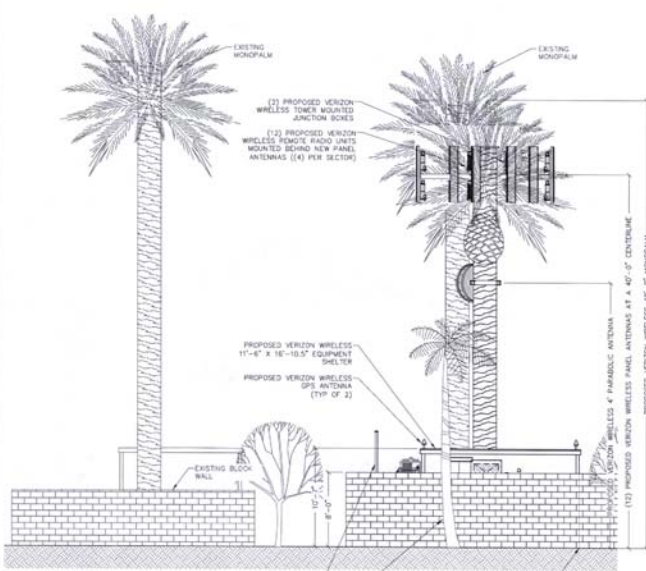
NOTE:  
 1. ALL TOWER MOUNTED APPARATUS SHALL BE PAINTED TO MATCH THE PROPOSED MONOPALM.  
 2. CARRIER COMPOUND IN FOREGROUND, NOT SHOWN FOR CLARITY.  
 3. EXISTING TREES NOT SHOWN FOR CLARITY.



EAST ELEVATION

1" = 12' SCALE 1/4" = 8' SCALE 2

NOTE:  
 1. ALL TOWER MOUNTED APPARATUS SHALL BE PAINTED TO MATCH THE PROPOSED MONOPALM.



NORTH ELEVATION

1" = 12' SCALE 1/4" = 8' SCALE 1



PROJECT INFORMATION  
**DESERT PARK (JONES)**  
 UNADDRESSED  
 APN: 501-351-001  
 PALM SPRINGS, CALIFORNIA  
 92262

CURRENT ISSUE DATE:  
 04/08/14

ISSUED FOR:  
**ZONING**

REV.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			

DATE	REVISION	BY
04/08/14	PLANNING REVISION	V.H.
10/31/13	100R ZONING	T.R.
10/24/13	100R ZONING	C.P.

PLANS PREPARED BY:  
**SPECTRUM**  
 SPECTRUM SERVICES, INC.  
 8390 MAPLE PLACE, SUITE 110  
 RANCHO CUCAMONGA, CA 91730  
 PH: (866) 515-3358  
 FAX: (866) 515-3359

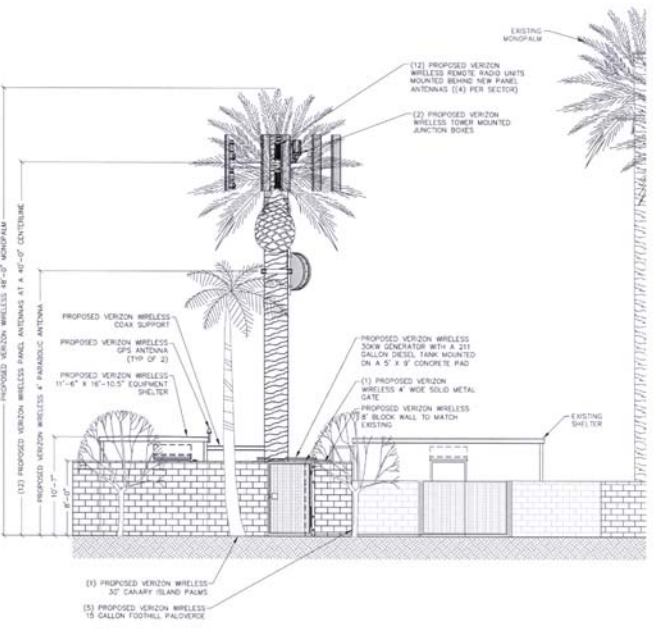
LICENSE:

SHEET TITLE:  
**NORTH & EAST ELEVATIONS**

SHEET NUMBER: **A3** REVISION: **2**

LAX-324

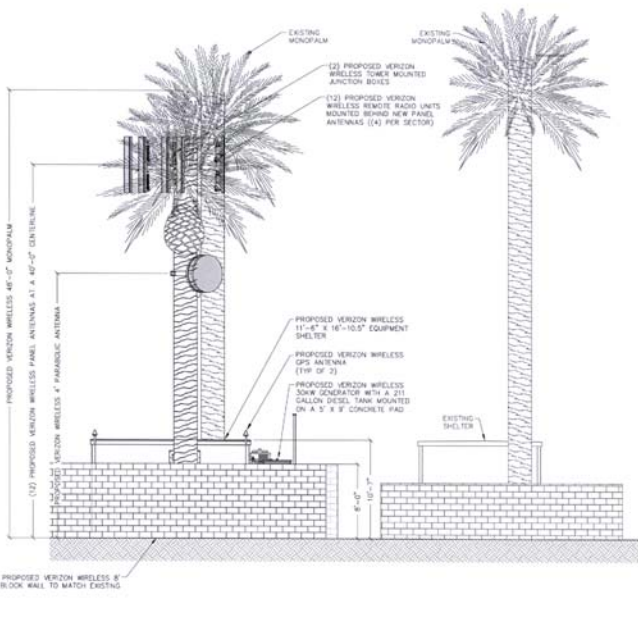
NOTE:  
 1. ALL TOWER MOUNTED APPARATUS SHALL BE PAINTED TO MATCH THE PROPOSED MONOPALM.  
 2. CARRIER COMPOUND IN FOREGROUND, NOT SHOWN FOR CLARITY.  
 3. EXISTING TREES NOT SHOWN FOR CLARITY.



WEST ELEVATION

1/4\"/>

NOTE:  
 1. ALL TOWER MOUNTED APPARATUS SHALL BE PAINTED TO MATCH THE PROPOSED MONOPALM.



SOUTH ELEVATION

1/4\"/>



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

PROJECT INFORMATION  
 DESERT PARK (JONES)

UNADDRESSSED  
 APN: 501-351-001  
 PALM SPRINGS, CALIFORNIA  
 92262

CURRENT ISSUE DATE:  
 04/08/14

ISSUED FOR:  
 ZONING

REV.	DATE	DESCRIPTION	BY
04/08/14		PLANNING REVISION	J.H.
10/21/13		1008 ZONING	T.R.
10/24/13		1008 ZONING	J.P.

PLANS PREPARED BY:  
**SPECTRUM**  
 SPECTRUM SERVICES, INC.  
 8300 MAPLE PLACE, SUITE 110  
 RANCHO CUCAMONGA, CA 91730  
 Ph: (666) 515-3358  
 Fax: (666) 515-3358

LICENSURE:  
 [Blank space for license information]

SHEET TITLE:  
 SOUTH & WEST ELEVATIONS

SHEET NUMBER: REVISION

**A4** 2  
 LAX-324

# PHOTOGRAPHIC SIMULATION

PROPOSED WIRELESS COMMUNICATIONS FACILITY



SITE LOCATION MAP

SITE NAME: DESERT PARK  
SITE NUMBER: LAX-324

SITE ADDRESS: UNADDRESSED  
CORNER OF CERRITOS RD. AND  
VISTO CHINO  
PALM SPRINGS, CA 92262

DATE: 11/7/2013

APPLICANT: VERIZON WIRELESS  
15505 SAND CANYON AVE.  
BUILDING D, 1ST FLOOR  
IRVINE, CA 92618

MICHAEL HAYES, PROJECT MGR.  
909-268-3920



2013 ©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 48' MONOPALM WITH ANTENNA ARRAY,  
INCLUDING EQUIPMENT COMPOUND WITH SHELTER, GENERATOR, AND 8' BRICK  
WALL.



EXISTING -VIEW 2

PHOTOGRAPHIC SIMULATION -  
VIEW 2



PROPOSED INSTALLATION OF 48' MONOPALM WITH ANTENNA ARRAY,  
INCLUDING EQUIPMENT COMPOUND WITH SHELTER, GENERATOR, AND 8' BRICK  
WALL.



NOTICE OF PUBLIC HEARING  
CITY COUNCIL  
CITY OF PALM SPRINGS

CASE NO. 5.1314 CONDITIONAL USE PERMIT / 6.530 VARIANCE  
SPECTRUM SERVICES (VERIZON WIRELESS) ON BEHALF OF DOUGLAS C. JONES  
2101 SAHARA ROAD

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Palm Springs, California, will hold a public hearing at its meeting of June 4, 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 Spectrum Services on behalf of Douglas C. Jones for a Conditional Use Permit to construct a wireless telecommunications facility consisting of a forty-eight foot tall monopole designed as a palm tree at 2101 Sahara Road. 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.

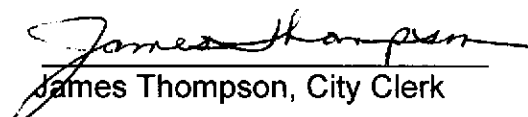
**COMMENT ON THIS APPLICATION:** Response to this notice may be made verbally at the Public Hearing and/or in writing before the hearing. Written comments may be made to the City Council by letter (for mail or hand delivery) to:

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