

Chairman Eastman asked if staff looked at any alternatives in terms of church steeples or different types of stealth antennas. Acting Associate Planner Kusch said no. Chairman Eastman asked if the antenna can be moved closer to the street and made as a steeple integrated with the church. Acting Associate Planner Kusch said possibly. However, the church does not have a steeple now and due to the required street setback, there may not be room at the front of the property to accommodate a new steeple structure, unless integrated with the existing building.

Committee Member St. Paul said the skin looks like it will mimic a palm with a pineapple design at the bottom. He inquired as to the type of fronds proposed. He stated the photos show there are some palm trees that are relatively nearby and are similar to a Mexican Fan Palm species. Acting Associate Planner Kusch said the trees that are around the antenna location are not palm trees and the palm trees in the picture are on the next block over.

Chairman Eastman elaborated on the 1996 Telecommunications Act and explained it limits the ability of the City to regulate telecommunications facilities as it relates to the presumption of health and hazards and interference, which falls under the jurisdiction of the Federal Communications Commission (FCC).

Committee Member Tabatabaee added that the City has approved other antenna locations closer to residences and, so far, there have been no problems he is aware of.

Applicant Pete Shubin, represents the cellular carrier T-Mobile, and is with the company Sequoia Deployment Services and Omnipoint Communications. He explained why his company is interested in the church location. Mr. Shubin indicated that initially when they went to the church with a proposal for the facility, they did propose a church steeple, a free standing structure that would conceal all antennas inside of it, and had a cross on it. Mr. Shubin indicated that the church did not want a structure like that on their property or with any insignia on it and opted for the proposed antenna's palm tree design. He commented on staff's question in regard to the palm fronds, and said there is another site in the City with Mexican Fan palms being the predominant existing palm tree. Over time, having the longer narrower palm gives it more of a natural look, blows in the wind, and droops like a natural palm. Mr. Shubin said if they make it look similar to a Mexican Fan palm it will end up looking rather stiff. The location took into account parking areas and the possible future expansion of the church.

Chairman Eastman asked what the church's concern was with the structure. Mr. Shubin said the church does not have a steeple and does not have a cross on their roof. The congregation reviewed several options, including a steeple design, and chose the proposed palm tree design and site location.

Public hearing opened.

Virginia Babb asked why the Ralph's and Rite Aid shopping center at Brookhurst and Orangethorpe was not selected for the proposed antenna. Mr. Shubin indicated that the site was marginal and did not meet the desired antenna coverage and required setbacks.

Carl Babb asked if the proposal will interfere with existing telecommunications facilities and reception. Mr. Shubin explained the antennas and equipment are designed not to interfere with the other carrier's frequencies.

Mr. Babb stated a concern with creating an attractive nuisance with birds roosting on top of the antenna structure and health hazards with avian flu. Mr. Shubin said it is difficult to add anti-roosting thorns on a tower with so many palm fronds out. Mr. Babb said their neighborhood has restricted residents with above-ground antennas and now the towers are being installed in their neighborhood. It is unfair to the neighbors. The neighbor also stated a concern with the antenna installation creating a devaluation of property values.

Robert Hunt, neighbor, asked if there could be a co-location on an existing neighboring antenna operated by Sprint. He also asked that the proposed antenna be designed to accommodate a co-location for a future antenna installation. Mr. Shubin said that the location of the existing Sprint antenna would not provide the necessary antenna coverage.

Mr. Shubin answered Mr. Babb's question regarding impacts to property values. Mr. Shubin indicated that studies have been prepared with regard to an antenna's impact on adjacent property values. He mentioned that an antenna's proximity was a relatively small factor in assessing the value of a property since there are other market forces that have more direct impacts. There was no difference in housing values of houses that were near towers before or after they were erected. He explained that in his opinion it would improve property values due to improved cellular antenna reception.

Mr. Shubin indicated that with the proposed monopalm antenna design, additional collocated antennas would not be stealthed or screened from view. He indicated that a co-location design should be an enclosed structure, such as a steeple. Mr. Shubin said co-location with additional carriers onto monopalms can be done. Mr. Shubin indicated that a co-location design would include faux dead fronds underneath the top green fronds, for more screening, and incorporating equipment into the "pineapple" of the palm tree.

Mrs. Babb had concerns regarding health and having the towers in her neighborhood. Mr. Shubin explained there is an inspection conducted before the antenna is fully activated which provides a compliance report with regard to applicable FCC regulations. Committee Member Petropolus asked if they had any towers located at hospitals where there are lots of peacemakers. Mr. Shubin said there is a difference between cell phone reception interference and antenna sites. While in hospitals, they ask that you turn off your cell phone not the antenna site near it. He explained how they look at the function of the site and ensure there is not an interference problem with someone else's equipment.

Committee Member St. Paul indicated that the proposed location appeared to be a gathering area for the church. He was concerned that the base of the antenna structure may create a tripping hazard. Mr. Shubin said that the monopole design does not have anything to be able to grab or climb. Committee Member St. Paul asked what type of materials is used for the wrapping. Mr. Shubin said it is a textured, molded rubber that is spread onto the steel pole with integral color inside it. It is then stamped and with a rolled out colored texture. Committee Member St. Paul said he has seen monopoles where the "skin was drooping" and was concerned with the bark texture coming off of the structure due to climbing. Mr. Shubin indicated that new manufacturing techniques would mold the texture on the pole reducing the previous peeling problem.

Committee Member Voronel asked if the church was presented with simulations that show how the monopalm looks "at its worst" with additional collocated antennas. Mr. Shubin said the church was presented with the same photos and plans that were presented to the Committee. He said the church expressed no desire for a steeple. Committee Member Petropolus asked

the neighbors if they had talked to the church about the difference between how a steeple structure and palm would appear from their properties. Mrs. Babb said the church did not approach them. She said that the proposed location is a gathering place and did not know of the proposed project until she received the public hearing notice. Committee Member Petropolus asked if it would alleviate the neighbors' concerns if it was a steeple instead the proposed monopalm design. Mr. Hunt responded affirmatively, and indicated that there are other structures that can be built besides the steeple that would hide the antennas completely.

Mr. Shubin indicated that one of the options they presented to the church was a possible slim line design alternative, such as a light standard. A single light standard would not provide enough antennas to provide the desired coverage and service (voice, data, video etc.).

Public hearing closed.

Chairman Eastman indicated that the proposed monopalm sticks out and there is no back drop provided. He is concerned with the usability of the space and providing landscape as a barrier to the equipment and pole at the ground. There needs to be more options such as multiple light pole antennas or the planting of additional live palms to create the appearance of a grove.

Committee Member Petropolus said that although he has not read any studies on how antennas affect property values, as a potential buyer if this was 30 ft behind his property, he would not entertain the thought of buying if he had to look at it everyday. He said it would not bother him if he was looking at a steeple.

Chairman Eastman said the issue of having a cell antenna near the property would not lower the property values. It is the aesthetics. He would look at the potential of having other live palm trees planted adjacent to this creating a grove effect. Chairman Eastman said he was not in opposition of having an antenna at this location. He does not think they need to have a full recommended setback from an arterial street, Orangethorpe Avenue. Unless it is a well designed steeple, there should be some setback from Orangethorpe Avenue as it relates to the structures that are there. Chairman Eastman said the design should be better for the neighborhood and, as proposed, the monopalm does not seem to fit at the property location. He stated he would like to see some design options before any motion for denial of the application.

Committee Member Tabatabaee recommended a motion be made to continue the project and bring back the project with additional design options. Chairman Eastman asked Mr. Shubin if he would have a timeframe as to when he could bring it back to the Committee. Mr. Shubin reviewed the options including: light pole, steeple structure, and adding live palm trees. Chairman Eastman expressed some concern relating to the usability of the space and suggested some ground landscaping to help buffer the building from the open space where people will be in attendance. Mr. Shubin said a revised project could be prepared for consideration in two weeks.

MOTION by Committee Member Tabatabaee, SECONDED by Committee Member St. Paul, and CARRIED unanimously by all voting members present to CONTINUE the project to the next meeting on November 2, 2006.

Item No. 2

PRJ06-00304 – ZON06-00049. APPLICANT AND PROPERTY OWNER: GEORGE EMIGH.

Committee Member St. Paul presented a staff report for a request for a 20% reduction in the front yard setback from 103'-6" to 95'-10" and side yard setback from 10'-0" to 8'-0" (based on the average of adjacent properties) for property located at 711 Rodeo Road (north side of Rodeo Road, approximately 155 feet west of the centerline of Richman Knoll (R-1-20 zone) (Categorically exempt under Section 15301 of CEQA Guidelines)

Chairman Eastman said this request has come to the Committee before and there was additional information that was provided since it was last heard. Chairman Eastman stated that staff has been asked to reconsider part of the decision made on this project.

Committee Member St. Paul said the Committee had previously approved the front yard setback reduction of 20 percent due to the setback of the building and how far away the structure was from the front property line. Committee Member St. Paul said the applicant has discussed with his neighbor on the east who provided a letter to staff saying he did not have an issue with this reduction at this site.

Chairman Eastman summarized by saying that staff had previously felt it was reasonable to allow for the encroachment of the front yard setback. He said there was also a decision to allow for the habitable space on the west side and at the time there was a lack of justification for waving the 10 ft. setback on the east property line. Chairman Eastman said for clarification, he spoke with the applicant after that meeting and spoke about additional options that could be done through an administrative process, which would not be as extensive in terms of the depth of the setback of the entire structure, only partial deviation. He received an e-mail from the property owner to the east who expressed complete support of the applicant's request to encroach in that setback. Staff has reconsidered the position that was made by the Staff Review Committee in an interest of the public and felt it was reasonable to bring it back for reconsideration. Chairman Eastman said from his position in reconsidering this item, his view is that the only person that would be affected by this would be the eastern property. It is not a site that is seen from the public right-of-way due to the slope. There is a reasonable setback in the front yard as determined. The circulation of the slope makes it difficult to make some turns at the top of the driveway coming out. He stated it was reasonable to consider the request by the Committee for discussion.

Committee Member Tabatabaee asked what changes were made by the applicant since the last submittal? Committee Member St. Paul said at this time this is the original submittal. Chairman Eastman said there were no changes made, but there has been more clarity in terms of the justification. At the time, the Committee made the decision staff did not have many photographs, nor has evidence from the neighbor on the eastern side provided that supported the request. He said after considering it and seeing some of the site photos and understanding how the site topography is made up, he believes there is some justification to allow for the 2 ft. deviation.

George Emigh, applicant, distributed photos to the Committee showing the hardscape, structure, slope, and roof tiles.

Chairman Eastman said the adjacent neighbor was very clear of her support of the project in the e-mail sent to staff. He stated the neighbor to the south directly across the street attended the previous meeting and expressed support.

Staff discussed the turnaround setback. Chairman Eastman read the previous conditions listed in the resolution:

1. Applicant shall provide a letter from the property owners at 721 Rodeo Rd indicating consent to request setback reduction to the west property line.
2. Applicant shall have up to 10 percent reduction of the front yard setback.
3. The addition shall be architecturally compatible with the existing residence.
4. Corrections generated during the plan check review process shall be incorporated as conditions of approval.

Public hearing opened.

Trudy Durette, neighbor, said she supports the Emigh's and they are good neighbors.

Public hearing closed.

Chairman Eastman said that the only person impacted is the neighbor on the east and that person has expressed strong support. Chairman Eastman said he does not think it has a public impact to the right-of-way on the front. Committee Member Tabatabaee would like to amend Condition No. 1 to require something in writing in support from the neighbor at 701 E. Rodeo Road. Chairman Eastman said the change in the condition is okay, but the owner at 701 Rodeo has already provided a written approval. Committee Member Tabatabaee said to comply with the setbacks they probably have to adjust a significant portion of the driveway as it currently exists in topography. He said given that it does not impact the public he is in support.

MOTION by Committee Member Thompson, SECONDED by Committee Member Petropolis and CARRIED unanimously by all voting members present to APPROVE with a condition to include written verification from the eastern property owner.

Chairman Eastman explained the 10-day appeal process.

ADJOURNMENT

MOTION by Chairman Eastman, SECONDED by Committee Member Tabatabaee and CARRIED unanimously by all voting members present to ADJOURN as Site Plan Review Committee at 10:31 a.m.

BY: _____
Ruth Leopold, Clerical Support