



CITY OF POMONA

PLANNING COMMISSION REPORT

DATE: May 13, 2020

TO: Chairperson and Members of the Planning Commission

FROM: Planning Division

SUBJECT: MAJOR WIRELESS COMMUNICATION FACILITY (WIRE 13283-2020)
(CONTINUED FROM APRIL 22, 2020)

A request for a Major Wireless Communication Facility Permit to allow the installation of a new unmanned and freestanding 46-foot tall wireless communication facility with associated equipment designed as a eucalyptus tree and an 8-foot tall concrete masonry unite (CMU) enclosure with a wrought iron lid on an undeveloped property.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the attached PC Resolution (Attachment 1) denying Major Wireless Communication Facility Permit (WIRE 13283-2020) without prejudice so that the applicant may revisit the Planning Commission with a modified proposal of an alternate site.

Alternative

The Planning Commission has the following alternative:

Grant the applicant's request for a continuance to the Planning Commission meeting of May 27, 2020 to allow the applicant additional time to analyze the feasibility of alternate sites.

PROJECT/APPLICANT INFORMATION

Address	1748 Alameda Street
Assessor's Parcel Number (APN)	8359-014-011
Lot Size	14,305 sf (0.33 acres)
General Plan Land Use Designation	Neighborhood Edge
Zoning District	Workplace Gateway Segment of PCSP
Historic District	N/A

Specific Plan	Pomona Corridors Specific Plan (PCSP)
City Council District	District 6
Applicant	Dino Romeo at Smartlink LLC on behalf of AT&T
Property Owner	Reeves Family Properties LLC

RELATED ACTIONS

Historic Preservation Commission	None
Code Enforcement	No open Code Cases
Planning Commission	<p>8/26/1992: Recommended approval for a General Plan Amendment changing the land use designation from “Office Professional” to “Convenience Commercial.” (PC Reso. No. 7982)</p> <p>8/26/1992: Recommended approval for a Change of Zone amending the zoning classification from A-P Administrative Professional to C-3 General Commercial zone. (PC Reso. No. 7983)</p> <p>10/21/1992: Approved a Conditional Use Permit to allow an increase of four or more commercial units, three food-to-go restaurants and a Master Sign Program (PC Reso. No. 7979)</p> <p>10/21/1992: Approved a Variance to allow a reduction in size of the required street planter, a reduction in parking, and an increase in the maximum face area allowed for a freestanding sign. (PC Reso. No. 7980)</p> <p>12/16/1992: Approved a Tentative Parcel Map to reconfigure site from seven parcels to two. (PC Reso. No. 8039)</p> <p>10/09/2013: Denied a Major Wireless Communication Facility Permit to allow the establishment of a new freestanding wireless communication facility designed as a broadleaf tree. (PC Reso. No. 13-030)</p> <p>11/12/2014: Approved Major Wireless Communication Facility Permit for a new freestanding wireless communication facility designed as a broadleaf tree. (PC Reso. No. 14-049)</p>

PROJECT DESCRIPTION & BACKGROUND

On April 22, 2020, the Planning Commission conducted a public hearing on Major Wireless Communication Facility Permit (WIRE 13283-2020) to allow the installation of a new unmanned and freestanding 46-foot tall wireless communication facility with associated equipment designed as a eucalyptus tree and an 8-foot tall concrete masonry unite (CMU) enclosure with a wrought iron lid on an undeveloped property (Attachment 2). During the hearing, the Planning Commission raised several concerns regarding the close proximity of the proposed wireless communication facility to the adjacent single-family residential dwellings and the potential aethesitic, visual and operational impacts of the proposed facility onto the dwellings. The Commission commented on the lack of existing surrounding vegetation on site that could provide a natural screening to help mitigate any potential visual impacts from the wireless communication facility as well as the noise and pollution concerns from the proposed diesel backup generator to serve the facility.

In addition to the concerns raised by the Planning Commission, several residents including the residents of the adjacent residential property to the south, gave public testimony and shared many of the same concerns raised by the Commission, particularly the concern regarding the close proximity of the proposed wireless communication facility to the adjacent single family residential dwellings, stating a 46-foot tall facility would tower over their home and impede on any views they have from that side of their home.

After closing the public hearing and further discussion and deliberation by the Planning Commission, the Commission moved to re-open the public hearing again, continued the item to the meeting of May 13, 2020 and provided direction to staff to draft a resolution of denial and work with the applicant to complete a comprehensive alternative sites analysis.

APPLICABLE CODE SECTIONS

Pursuant to Section .5809-15-E-1 of the Pomona Zoning Ordinance (PZO) pertaining to Wireless Communication Facilities, a Major Wireless Communications Facilities Permit is required for a new freestanding facility on a site located within the Workplace Gateway segment of the PCSP.

ANALYSIS

The proposed location does not meet the “Minimum Distance from Residential uses in a Residential Zone” and “Complimentary Design” developments standards as required in Section 5809-15-E (Wireless Facilities) of the Pomona Zoning Ordinance (PZO). All new wireless communications facilities are required to have the least possible visual impacts on the surrounding area. The height of the proposed 46-foot tall wireless facility, in its proposed location and proximity to residential uses in a residential zone, has the potential to have visual impacts to the adjacent residential uses as the facility would be approximately 25 feet from the nearest residential structure and there are no other structures or natural features in the immediate area with a similar height that would lend themselves to help screen or blend the facility into the built environment (Attachement 3).

Further, the height of the proposed 46-foot tall wireless facility, in its proposed location and proximity to residential uses in a residential zone, also has the potential to have visual impacts to the adjacent residential uses as views of the San Gabriel Mountains would be blocked, particularly from the backyard of the nearest residential property. Overall, the proposed installation and support equipment will adversely impact the surrounding area and neighborhood by causing a negative aesthetic impact.

Alternate Sites Analysis

The applicant has not demonstrated that the proposed wireless communication facility at the subject site would have the least possible visual impact. During the public hearing, the applicant indicated that they had evaluated the potential placement of the antenna tower on at least three alternate sites. While the applicant indicated that the three alternate sites were dismissed for various reasons, the coverage map submitted by the applicant shows that many more alternate sites are available for consideration. Thus, it appears that there are several alternate sites with similar coverage as the subject site but with minimized visual impacts to the surrounding area.

Given the existence of additional alternate sites that can similarly close the coverage gap presented by the applicant, denial of this application does not have the effect of prohibiting the provision of personal wireless services. Further, the applicant has not fully evaluated less intrusive alternatives as only three alternate sites were presented, and was unable to prepare a comprehensive analysis of alternate sites evaluating less intrusive alternatives, as requested by the Planning Commission at the April 22 meeting. As such, the applicant is requesting a continuance to the Planning Commission meeting of May 27, 2020 to allow additional time to fully analyze the feasibility of alternate sites (Attachement No. 4).

The applicant has discussed with staff a possible alternate, less sensitive site where visual impacts would be minimized. The vacant property located at 158 W. Willow Street would provide a similar network coverage as the subject site but with minimized visual impacts to the surrounding area as it would have a greater distance to the nearest residential use in a residential zone. However, more time is requested by the applicant to fully analyze the site and complete the due diligence process before committing to the site and submitting an application to the City.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act (CEQA) guidelines, Section 15270, CEQA does not apply to projects that are denied. However, should the Planning Commission approve Major Wireless Communication Facility Permit (WIRE 13283-2020), the proposed project would be categorically exempt under Article 19, Section 15303 (Class 3 – New Construction of Small Structures) of CEQA, because it consists of the installation of a new free standing wireless communication facility.

PUBLIC COMMUNICATIONS

A copy of the public hearing notice was published on April 10, 2020 in the Inland Valley Daily Bulletin and was sent to the owners and occupants of properties within a 400-foot radius of the subject site on April 7, 2020 (Attachment 5). Prior to the Planning Commission meeting of April 22, 2020, staff had received one letter in support and two emails in opposition to the proposed project (Attachment 6). Public testimony given at the public hearing on April 22, 2020 by local residents, including the resident of the nearest residential structure, claimed that the proposed installation and support equipment would have an adverse impact on the surrounding area and neighborhood. Since this public hearing, staff has received one additional comment in opposition to the proposed project (Attachment 6).

CONCLUSION

The proposed freestanding wireless communication facility does not meet the development standards for new wireless communication facilities. The height of the proposed 46-foot tall wireless facility, in its proposed location and proximity to residential uses in a residential zone, has the potential to have visual impacts to the adjacent residential uses. The applicant has not provided an analysis of alternate sites. However, staff is generally supportive of the applicant's request for a continuance to the Planning Commission meeting of May 27, 2020 and is open to working with the applicant to fully analyze nearby alternate, less sensitive site with similar coverage as the subject site but with minimized visual impacts to nearby residential uses.

RECOMMENDED MOTION

Staff recommends the following motion:

- Move that the Planning Commission close the public hearing, determine that CEQA does not apply to projects that are not approved, and deny Major Wireless Communication Facility Permit (WIRE 13283-2020) without prejudice so that the applicant may revisit the Planning Commission with a modified proposal of an alternate site, per staff's recommendation.

Alternative motion:

- Move that the Planning Commission keep the public hearing open and grant the applicant's request for a continuance to the Planning Commission meeting of May 27, 2020 to allow the additional time to analyze the feasibility of alternate sites.

Respectfully Submitted:

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Planning Manager

Prepared By:

Alan Fortune
Planning Technician

ATTACHMENTS:

- 1) Draft PC Resolution (Denial)
- 2) Previous Staff Report from PC Meeting of April 22, 2020
- 3) Site Photographs
- 4) Applicant's Request for Continuance
- 5) Public Hearing Notice and Radius Map
- 6) Public Correspondence
- 7) Draft PC Resolution (Approval)
- 8) Vicinity Map and Aerial Photograph
- 9) Project Plans
- 10) Coverage Maps
- 11) Photo Simulations