

# PLANNING COMMISSION STAFF REPORT



## ITEM TITLE

Conditional Use Permit: Consideration of a Conditional Use Permit to Install a New Wireless Telecommunication Facility at an Existing Commercial Center on a 5.01-acre Site Located Within the Village Center (VC-5) Zone of the Eastlake II Specific Plan

**Location:** The project is located at 851 Showroom Place within the "District of Eastlake" commercial center.

**Environmental Notice:** The Project qualifies for a Class 3 Categorical Exemption pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA) State Guidelines.

## Recommended Action

Conduct a public hearing and adopt a resolution approving a Conditional Use Permit (CUP) for a new Wireless Telecommunication Facility (WTF) consisting of a 55-foot mono-broadleaf tree at an existing commercial center, based on findings and subject to conditions contained therein.

## SUMMARY

AT&T Wireless (the "Applicant") requests approval of plans for a new WTF, consisting of twelve (12) panel antennas mounted on a 55-foot mono-broadleaf tree and 8-foot-high concrete masonry unit (CMU) wall equipment enclosure (the "Project"). The Project is located at an existing commercial center within the Eastlake II Specific Plan. The property is owned by Eastlake Design District, LLC (the "Property Owner"). Zoning for the project site is Village Center (VC-5) per the Eastlake II Specific Plan and the General Plan designation is Commercial Retail (CR).

## ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a Class 3 Categorical Exemption pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines because the proposed Project would not result in a significant effect on the environment, create a cumulative impact, damage a scenic highway, or cause a substantial adverse change in the significance of a historical resource. Thus, no further environmental review is required.

## DISCUSSION

On December 15, 2021, the Applicant submitted an application for a CUP to install a new WTF at an existing commercial center located at 851 Showroom Place (the “Project Site”). In accordance with Chula Vista Municipal Code (CVMC) Section 19.89.060, the Planning Commission may allow stealth design facilities to exceed the zone district height limit. The maximum building height of the underlying zone for the project, Village Center (VC-5), is 35-feet and the proposed freestanding WTF will be 55-feet tall, thus an approval from the Chula Vista Planning Commission is required.

### Project Site Characteristics:

The 5.01-acre Project Site is a commercial center located on the east side of Showroom Place, north of Otay Lakes Road between Fenton Street and Hunte Parkway (Attachment 1 – Location Map). To the north of the site is a vacant lot. To the south, which is part of the existing commercial center, are a combination of retail, service, and restaurant uses. To the east is an existing permitted parking/storage lot and to the west are existing single-family residential dwellings. The existing surrounding land uses are as follows:

	<b>General Plan</b>	<b>Zoning District</b>	<b>Current Land Use</b>
Site	Central Retail	Village Center (VC-5)	Commercial
North	Limited Industrial (IL)	Business Center (BC-4)	Vacant
South	Central Retail	Village Center (VC-5)	Commercial
East	Single-Family (RP-2)	Residential Low Medium	Single-Family Dwellings
West	Limited Industrial (IL)	Business Center (BC-4)	Parking/Storage Lot

### Project Description:

The proposed project includes an unmanned WTF consisting of twelve (12) panel antennas mounted on a 55-foot-high freestanding structure designed to resemble a broadleaf tree. The mono-broadleaf tree will be located within four (4) existing parking spaces on the northeast corner of the Project Site. The facility also includes an 8-foot-high CMU wall, with a solid security gate, which will serve as an enclosure for the equipment and shelter the antenna structure. Other improvements include new landscape surrounding the enclosure which will help blend the project in with adjacent landscape areas. Additional planting material along the enclosure walls will provide protection against vandalism and graffiti.

## ANALYSIS

In accordance with CVMC Chapter 19.89 (Wireless Telecommunications Facilities), WTFs are allowed in any zone, subject to a CUP. Facilities that exceed the height limit within the particular zone must consist of a stealth design and require Planning Commission approval of the CUP. The Project Site is zoned VC-5 (Village Center), which has a maximum height limit of 35-feet. The 55-foot mono-broadleaf tree will exceed the maximum building height limit by 20-feet. The proposed mono-broadleaf tree will be built to comply with the Wireless Ordinance’s Development Criteria and all

other applicable City zoning and building regulations. Access to the site shall be kept at a minimum and conducted in a manner that does not negatively impact the residents or business customers.

Development Criteria for Wireless Facilities: The following provides an analysis of the Development Criteria in accordance with CVMC Section 19.89.060, the regulations for all wireless telecommunications facilities in terms of height, design, and co-location of wireless facilities.

#### *Height/Stealth Technology and Design*

The proposed stealth facility is designed to provide wireless telephone coverage in the area of the commercial center and through the residential areas near Proctor Valley Road. AT&T has demonstrated that the proposed 55-foot-high mono-broadleaf tree is necessary to close several gaps in coverage which will result in providing uninterrupted service to their customers. A facility built at the maximum building height (35-feet) would not be as effective at providing coverage to areas beyond the adjacent buildings constructed to the same height.

In order to minimize the visual impact, the proposed facility and all associated equipment will be located on the northeast corner of the project site behind the existing commercial buildings and approximately 300-feet away from the public street. Even though the location of the facility will be adjacent to a residential neighborhood to the east, the project site is located approximately 115-linear-feet away and 50-feet above from the adjacent neighborhood's elevation, thus only a portion of the mono-broadleaf tree will be visible to the residents. In addition, there are existing mature trees (both on-site and off-site) which are of relatively the same height as the facility, helping it to further blend into the surrounding area.

The facility will use a total of twelve (12) panel antennas mounted on a 55-foot-high mono-broadleaf tree that will provide the necessary connections to operate the facility. This facility has been designed and located to meet the current and anticipated needs of the AT&T Wireless network in the area. The facility is designed to resemble a broadleaf tree to partially conceal the antennas. The freestanding structure and associated equipment will be sheltered within an 8-foot-high CMU wall enclosure. The entire enclosure will displace four (4) existing off-street parking spaces. In order to further blend the enclosure, staff has recommended that the applicant include additional landscaping between the enclosure walls and adjacent existing landscape so that the enclosure appears to be within a landscape planter area rather than within existing parking spaces. Lastly, the enclosure will be painted to match the existing buildings.

#### *Co-location*

Section 19.89.060 of the CVMC states that wireless facilities should allow for co-location to the extent possible. The subject site with the use of the mono-broadleaf tree was found to be the best option for providing additional wireless services. The additional height of the mono-broadleaf tree will provide sufficient space for future co-location by other carriers.

## CONCLUSION

Based on the analysis of the proposed project, staff recommends that the Planning Commission approve the proposed project subject to the conditions contained in the resolution. The proposed project is consistent with the Eastlake II Specific Plan and applicable provisions for wireless telecommunication facilities found in CVMC Chapter 19.89.

## DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the Planning Commission members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, *et seq.*).

Staff is not independently aware and has not been informed by any Planning Commission member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

## FISCAL IMPACT

All costs incurred processing this application are borne by the Applicant, resulting in no net fiscal impact to the Development Services Fund or the General Fund.

## ATTACHMENTS

1. Location Map
2. Resolution No. 2022-002
3. Project Plans
4. Coverage Maps
5. Photo Simulations

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