

Transmittal Checklist

Hearing Date
06/02/2009

Agenda Item Number
6

Project Number: 86-294
Case(s): CUP No. 200800196
Contact Person: Maral M. Tashjian

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Written Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input checked="" type="checkbox"/>	<input type="checkbox"/>	CUP No. 86-294 (Approved Findings and Conditions)

Reviewed By: _____





Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT NUMBER 86-294-(5)
Conditional Use Permit No. 200800196-(5)

PUBLIC HEARING DATE
6/2/2009

AGENDA ITEM

HO CONSENT DATE

CONTINUE TO

APPLICANT

Royal Street Communications
California LLC

OWNER

Apple Nine Hospitality Ownership, Inc.

REPRESENTATIVE

Jerry Ambrose, Wireless 1 Consulting
Services

PROJECT DESCRIPTION

The proposed project consists of the installation and maintenance of a wireless telecommunications facility with four roof-mounted ancillary electronic cabinets located within a screened enclosure and six wall- and roof-mounted panel antennas. All antennas will be painted and textured to match the color and texture of the structure. The enclosure design will match that of the existing wireless facility collocated on the same structure.

REQUIRED ENTITLEMENTS

The applicant is requesting a Conditional Use Permit for the development and maintenance of a new unmanned Wireless Telecommunications Facility located on an existing hotel (Hampton Inn), in the C-3-DP zone.

LOCATION/ADDRESS

25259 The Old Road, Santa Clarita

SITE DESCRIPTION

The site plan depicts an existing 55,000 square foot structure on a 2.08 acre property. The proposed wireless facility is located entirely within the building footprint at three locations. The wall-mounted panel antennas are attached at two locations, each at the north and south façade of the building. The electronic cabinets occupy a lease area of 12'x20' (240 sq. ft.) along the roof, and are enclosed by an 8.5' high gated screen wall. The proposed project shares the site with an existing wireless facility established by approved CUP No. 99-044.

ACCESS

The Old Road

ZONED DISTRICT

Newhall

ASSESSORS PARCEL NUMBER

2826-039-017

COMMUNITY

Santa Clarita Valley

SIZE

2.08 Acres

COMMUNITY STANDARDS DISTRICT

None

EXISTING LAND USE

EXISTING ZONING

Project Site

Hotel

C-3-DP (Unlimited Commercial - Development Program)

North

Commercial

C-3-DP, CPD (Commercial Planned Development), C-2 (Neighborhood Commercial)

East

Commercial, Interstate 5 Freeway

C-3-DP, City of Santa Clarita

South

Commercial, Vacant, Single-Family Residences

C-3-DP, RPD-1-1.4U (Residential Planned Development)

West

Vacant, Single-Family Residences

C-3-DP, RPD-1-1.4U

GENERAL PLAN/COMMUNITY PLAN

Santa Clarita Valley Area Plan

LAND USE DESIGNATION

C (Commercial)

MAXIMUM DENSITY

N/A

ENVIRONMENTAL DETERMINATION

Class 3 Categorical Exemption- New Construction or Conversion of Small Facilities

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE

RPC ACTION

NEEDED FOR NEXT MEETING

MEMBERS VOTING AYE

MEMBERS VOTING NO

MEMBERS ABSTAINING/ABSENT

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON:

RPC HEARING DATE(S)

RPC ACTION DATE

RPC RECOMMENDATION

MEMBERS VOTING AYE

MEMBERS VOTING NO

MEMBERS ABSTAINING

STAFF RECOMMENDATION (PRIOR TO HEARING):

SPEAKERS*

(O) 0 (F) 0

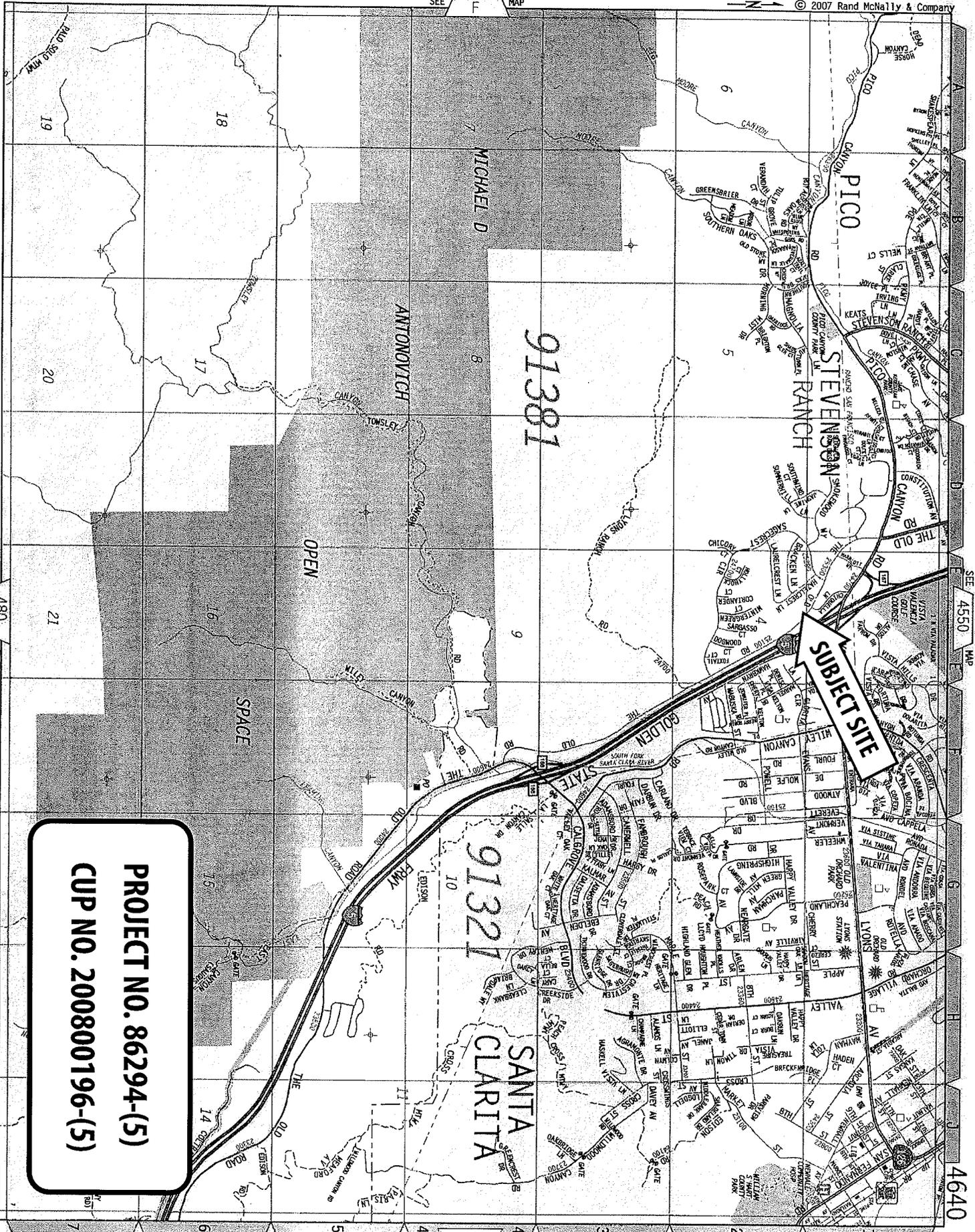
PETITIONS

(O) 0 (F) 0

LETTERS

(O) 0 (F) 0

*(O) = Opponents (F) = In Favor



SUBJECT SITE

PROJECT NO. 86294-(5)
CUP NO. 200800196-(5)

0 0.25 0.5 0.75 1.0
 0 0.25 0.5 0.75 1.0
 Miles 1 in. = 2400 ft.

SEE 480 MAP

SEE 4550 MAP

4640

STAFF ANALYSIS

PROJECT NUMBER 86-294-(5)

CONDITIONAL USE PERMIT NUMBER 200800196-(5)

ENTITLEMENT REQUEST

The applicant, Royal Street Communications California LLC, is requesting the approval of a Conditional Use Permit to install, operate and maintain an unmanned wireless telecommunications facility on an existing hotel (Hampton Inn), in the C-3-DP Zone.

PROJECT DESCRIPTION

The proposed project consists of a wireless telecommunications facility with four roof-mounted ancillary electronic cabinets located within a screened enclosure and six wall- and roof-mounted panel antennas. All antennas will be painted and textured to match the color and texture of the structure. The enclosure design will match that of the existing wireless facility collocated on the same structure.

LOCATION

The 2.08 acre subject property, Assessor Parcel Number 2826-039-017, is located at 25259 The Old Road, Santa Clarita in the Newhall Zoned District.

SITE PLAN DESCRIPTION

The site plan depicts an existing 55,000 square foot hotel and required parking on a 2.08 acre property. The hotel and 131 parking spaces were authorized by CUP No. 86-294, approved by the Hearing Officer on November 5, 1986. The parking includes one required parking space for the wireless telecommunication maintenance personnel. The proposed wireless facility is located entirely within the building footprint at three locations. The wall-mounted panel antennas are attached at two locations, each at the north and south façade of the building. The electronic cabinets occupy a lease area of 12'x20' (240 sq. ft.) along the roof, and are enclosed by an 8.5' high gated screen wall. The proposed project shares the rooftop with an existing wireless facility authorized by CUP No. 99-044, approved by the Hearing Officer on June 22, 1999. Access to the site is via the Old Road, a County designated highway, to the east.

EXISTING ZONING

Subject Property: The subject property is zoned C-3-DP (Unlimited Commercial - Development Program).

Surrounding Properties:

North: C-3-DP, CPD (Commercial Planned Development), C-2 (Neighborhood Commercial)

East: C-3-DP, City of Santa Clarita

South: C-3-DP, RPD-1-1.4U (Residential Planned Development – 1 acre minimum required lot area, 1.4 du/ac)

West: C-3-DP, RPD-1-1.4U

EXISTING LAND USE

Subject Property: The subject property is currently developed with a hotel. The subject leasehold is currently a vacant portion of the hotel rooftop.

Surrounding Properties:

North: Commercial

East: Commercial, Interstate 5 Freeway
South: Commercial, Vacant, Single-Family Residences
West: Vacant, Single-Family Residences

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined this project to be Categorical Exempt (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the Los Angeles County environmental guidelines.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing. 178 public hearing notices were mailed out to property owners within a 1,000-ft radius of the property on April 27, 2009. The notice was published in the Signal News and in La Opinion on April 30, 2009. Case-related material were posted on the DRP website and made available at the Newhall County Library (22704 9th Street, Newhall) 30 days prior to hearing. The applicant posted the hearing notice on the property 30 days prior to the public hearing.

PREVIOUS CASES/ZONING HISTORY

Conditional Use Permit No. 86-294 was requested by Larwin Construction Company to establish the existing hotel. The grant was approved by the Hearing Officer on November 5, 1986.

Conditional Use Permit No. 99-044 was requested by Cox Communications PCS to install, operate and maintain a roof-mounted wireless telecommunications facility. The grant was approved by the Hearing Officer on June 22, 1999.

LOCAL / GENERAL PLAN CONSISTENCY

The subject property is located within the Commercial land use classification of the Santa Clarita Valley Area Plan. The Santa Clarita Valley Area Plan distinguishes between two Commercial sub-categories: "Community Commercial" which serves adjoining neighborhoods, and "Regional Commercial" which serves a market area of many square miles and population between 150,000 and 250,000 persons. The current use of the subject property most accurately falls under the "Regional Commercial" sub-category which is intended for major department stores, supporting clothing and service stores, automobile centers, hotel/motels, and other like facilities.

Wireless telecommunications facilities are not a use that is explicitly referenced in the Santa Clarita Valley Area Plan or the Los Angeles Countywide General Plan (the Plan). While this type of use is not referenced, it remains consistent with the land use designation listed above. The following Goals of the Plan, Land Use Section, Part D, are applicable to the subject properties and serve as guidelines for development:

1. *Coordination with Public Services: "To provide for land use arrangements that take full advantage of existing public service and facility capacities."*

- 2. Coordination with Transportation: "To coordinate land use with existing and proposed transportation networks."*

The proposed project will use existing roadways, utility poles, and power supplies to service the facility.

- 3. Quality Neighborhoods: "To maintain and enhance the quality of existing residential neighborhoods."*

The applicant contends that the proposed telecommunications facility will improve cellular telephone service, enhancing safety and standard usage in the area.

- 4. Quality, Compatible Design: "To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment."*

The proposed use will not compromise existing preservation and protection of local environmental and private resources. Use of an existing structure and camouflage design and screening will minimize facility impacts.

ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE

Wireless telecommunications facilities are not a specified use in Title 22 of the Los Angeles County Code (Zoning Code). However, wireless telecommunications facilities are comparable to radio towers which are a recognized use in the Zoning Code. Radio towers are permitted in Zone C-3-DP pursuant to Section 22.40.040, subject to the issuance of a conditional use permit according to the provisions of Part 1 of Chapter 22.56.

For uses where the parking requirements are not specified in the Zoning Code, Section 22.52.1220 authorizes the director to impose an amount of parking spaces that he or she finds adequate to prevent traffic congestion and excessive on-street parking. The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, approximately once per month. The existing parking lot of the hotel has adequate parking to accommodate the necessary maintenance visits.

Condition No. 10 of the existing Conditional Use Permit No. 86-294 (attached) requires that "all rooftop machinery and equipment shall be screened from view." The proposed project will be painted and textured to match the color and texture of the structure. The enclosure design will match that of the existing wireless facility collocated on the same structure.

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

No comments have been received from County departments at this time.

PUBLIC COMMENTS

Staff received an email from the West Ranch Town Council indicating their decision to refrain from taking any formal action for or against the proposed development.

STAFF EVALUATION

The proposed facility is designed to improve existing wireless communication coverage in the area, with negligible visual impact to the community and public aesthetics. The applicant is proposing to locate the wireless telecommunications facility on top of an existing hotel without significant modifications to the structure's height or appearance. The project is consistent with the Santa Clarita Valley Area Plan, Los Angeles County General Plan and the provisions of the Zoning Code.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

Zoning Enforcement:

Inspection fees of \$750.00 to cover the costs of 5 recommended biennial zoning enforcement inspections.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Conditional Use Permit Number 200800196, subject to the attached conditions.

Prepared by Maral Tashjian, Regional Planning Assistant II
Reviewed by Samuel Dea, Supervising Regional Planner, Special Projects

Attachments:

Draft Findings
Draft Conditions of Approval
CUP No. 86-294 Conditions
Applicant's Burden of Proof statement
Site Photographs
Site Plan
Land Use Map

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant, Royal Street Communications California LLC, is requesting a Conditional Use Permit to install, operate and maintain an unmanned wireless telecommunications facility on an existing hotel (Hampton Inn), in the C-3-DP Zone. The proposed project consists of a wireless telecommunications facility with four roof-mounted ancillary electronic cabinets located within a screened enclosure and six wall- and roof-mounted panel antennas. All antennas will be painted and textured to match the color and texture of the structure. The enclosure design will match that of the existing wireless facility collocated on the same structure.

PROCEEDINGS BEFORE THE HEARING OFFICER:

June 2, 2009 Public Hearing

To be inserted to reflect hearing proceedings.

Findings

1. The 2.08 acre subject property, Assessor Parcel Number 2826-039-017, is located at 25259 The Old Road, Santa Clarita in the Newhall Zoned District.
2. The subject property is zoned C-3-DP (Unlimited Commercial, Development Program). Surrounding properties are zoned as follows:
 - North: C-3-DP, CPD (Commercial Planned Development), C-2 (Neighborhood Commercial)
 - East: C-3-DP, City of Santa Clarita
 - South: C-3-DP, RPD-1-1.4U (Residential Planned Development – 1 acre minimum required lot area, 1.4 du/ac)
 - West: C-3-DP, RPD-1-1.4U
3. The subject property is currently developed with a hotel. The subject leasehold is currently a vacant portion of the hotel rooftop. Surrounding land use is as follows:
 - North: Commercial
 - East: Commercial, Interstate 5 Freeway
 - South: Commercial, Vacant, Single-Family Residences
 - West: Vacant, Single-Family Residences
4. The site plan depicts an existing 55,000 square foot hotel and required parking on a 2.08 acre property. The hotel and 131 parking spaces were authorized by CUP No. 86-294. The onsite parking area includes one required parking space for the wireless telecommunication maintenance personnel. The proposed wireless facility is located entirely within the building footprint at three locations. The wall-mounted panel antennas are attached at two locations, each at the north and south façade of the building. The electronic cabinets occupy a lease area of 12'x20' (240 sq. ft.) along the roof, and are enclosed by an 8.5' high gated screen wall. The proposed

project shares the rooftop with an existing wireless facility authorized by CUP No. 99-044. Access to the site is via the Old Road, a County designated highway, to the east.

5. Previous cases on the subject property include:
 - Conditional Use Permit No. 86-294: a request by Larwin Construction Company to establish the existing hotel. The grant was approved by the Hearing Officer on November 5, 1986.
 - Conditional Use Permit No. 99-044: a request by Cox Communications PCS to install, operate and maintain a roof-mounted wireless telecommunications facility. The grant was approved by the Hearing Officer on June 22, 1999.
6. The proposed use complies with Section 22.52.1220 of Title 22 of the Los Angeles County Code (Zoning Code). The proposed wireless telecommunications facility will be unmanned and will require periodic maintenance visits, approximately once per month. The existing parking lot of the hotel has adequate parking to accommodate the necessary maintenance visits.
7. Wireless telecommunications facilities are not a specified use in the Zoning Code. However, wireless telecommunications facilities are comparable to radio towers which are a recognized use in the Zoning Code. Radio towers are permitted in Zone C-3-DP pursuant to Section 22.40.040, subject to the issuance of a conditional use permit according to the provisions of Part 1 of Chapter 22.56.
8. Condition No. 10 of the existing Conditional Use Permit No. 86-294 requires that “all rooftop machinery and equipment shall be screened from view.” The proposed project will be painted and textured to match the color and texture of the structure. The enclosure design will match that of the existing wireless facility collocated on the same structure.
9. The subject property is located within the Commercial land use classification of the Santa Clarita Valley Area Plan. The Santa Clarita Valley Area Plan distinguishes between two Commercial sub-categories: “Community Commercial” which serves adjoining neighborhoods, and “Regional Commercial” which serves a market area of many square miles and population between 150,000 and 250,000 persons. The current use of the subject property most accurately falls under the “Regional Commercial” sub-category which is intended for major department stores, supporting clothing and service stores, automobile centers, hotel/motels, and other like facilities.
10. The following goals and policies of the Plan are applicable to the subject property and serve as guidelines for development:
 - A. *Coordination with Public Services: “To provide for land use arrangements that take full advantage of existing public service and facility capacities.”*

B. Coordination with Transportation: "To coordinate land use with existing and proposed transportation networks."

The proposed project will use existing roadways, utility poles, and power supplies to service the facility.

C. Quality Neighborhoods: "To maintain and enhance the quality of existing residential neighborhoods."

The applicant contends that the proposed telecommunications facility will improve cellular telephone service, enhancing safety and standard usage in the area.

D. Quality, Compatible Design: "To encourage high quality design in all development projects, compatible with, and sensitive to, the natural and manmade environment."

The proposed use will not compromise existing preservation and protection of local environmental and private resources. Use of an existing structure and camouflage design and screening will minimize facility impacts.

11. The Department of Regional Planning has determined this project to be Categorically Exempt (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the Los Angeles County environmental guidelines.
12. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.
13. Staff received an email from the West Ranch Town Council indicating their decision to refrain from taking any formal action for or against the proposed development.
14. The proposed facility is designed to improve existing wireless communication coverage in the area, with negligible visual impact to the community and public aesthetics. The project is consistent with the Los Angeles Countywide General Plan, Santa Clarita Valley Area Plan, and the provisions of the Zoning Code.
15. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to **ten (10)** years.
16. The location of documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records,

320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section or the Special Projects Section, Los Angeles County Department of Regional Planning.

BASED ON THE FORGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be consistent with the adopted general plan for the area;
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in section 15303 of the State CEQA Guidelines and Class 3 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
2. In view of the findings of facts presented above, Conditional Use Permit Number 200800196 is **APPROVED**, subject to the attached conditions.

Attachments: Conditions
Affidavit

- c: Each Commissioner, Zoning Enforcement, Building and Safety

1. This grant authorizes the use of the subject property for the construction, operation and maintenance of an unmanned wireless telecommunications facility as depicted on the approved Exhibit "A", subject to all of the following conditions of approval:
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 9, and until all required monies have been paid pursuant to Condition No. 11.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
6. The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.
7. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.

8. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
9. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
10. **This grant will terminate on June 2, 2019.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination date of this permit, whether or not any modification of the use is requested at that time.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$750.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for five (5) biennial inspections. Inspections shall be unannounced.
12. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).
13. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

14. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
15. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
16. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
17. In the event of such extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
18. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
19. Said facility shall be removed if in disuse for more than six months.
20. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
21. All buildings or structures shall be painted to match the existing Southern California Edison tower or a neutral color, excluding black, and shall not be glossy or reflective in nature, to blend with its surroundings and shall be maintained in good condition at all times.
22. The equipment cabinets and apparatus shall be enclosed within an equipment shelter.
23. The permittee shall maintain all areas of the subject property in a neat and orderly fashion, free of litter and debris.
24. The permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit. The permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning.

25. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities.
26. Said facility, including any lighting, fences, shields, cabinets, and poles shall be maintained by the operator in good repair, free from trash, debris, litter and graffiti and other forms of vandalism. Any damage from any cause shall be repaired as soon as reasonably possible to minimize occurrences of dangerous conditions or visual blight.
27. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility.
28. Facility lighting shall be low intensity and directed away from the adjacent residential properties. No pole-mounted lighting is permitted.
29. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." All revised plot plans must be accompanied by the written authorization of the property owner.

SD:mt
5/12/09



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

SEE ATTACHED

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

SEE ATTACHED

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

SEE ATTACHED

CUP-Burden of Proof
Site # LA2088 - B
25259 The Old Road, Newhall, CA 91381

A. That the requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

After comparison of other potential site locations in the surrounding area, the project site at 25259 The Old Road offered the most desirable location in the interest of public convenience and welfare. The proposed project design and location will have only positive effects on the community in that the project will provide access to reliable wireless telecommunications services. Reliable access to wireless services is necessary in times of emergencies, for business use, and convenient for personal and family use. The proposed use of a stealth design will allow the facility to provide reliable wireless services without being unsightly or causing adverse impacts to persons residing or working in the surrounding area.

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

The proposed project will not be detrimental to the site or areas surrounding the site in that the proposed facility structures and equipment will be located, designed and screened to blend with the existing hotel building so as to alleviate any adverse impacts to adjacent uses and structures in the vicinity. The proposed project will be integrated into the design of the existing hotel and will not adversely impact the primary use of the property.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed project will not endanger or otherwise constitute a menace to the public health, safety or welfare in that the project will be unmanned and will not generate any smoke, odor, noise, or other adverse impacts to the surrounding properties. The proposed use will also have no impact on parking, traffic, circulation or density in the area. The proposed project will also not adversely affect existing viewsheds nor will it adversely affect any scenic or natural vistas.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed project will occupy only about 300 square feet of rooftop space and will not impact the primary use of the property. The size and shape of the property in relation to the small size and location of the proposed project, will allow sufficient area for required yards, walls, parking, etc.

C. That the proposed site is adequately served:

- 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and**

The proposed project is unmanned so it generates no traffic above and beyond existing traffic in the area. The project will be accessed via an existing improved driveway to the hotel.

- 2. By other public or private service facilities as are required.**

The proposed project will need connections to existing electrical and telephone services that already exist at the hotel. There is adequate electrical and landline telephone service to accommodate the project needs.

Tashjian, Maral

From: Jerry Ambrose [jc.ambrose@yahoo.com]
Sent: Thursday, May 07, 2009 9:04 AM
To: Tashjian, Maral
Subject: Fw: Metro PCS @ Hampton Inn-25259 The Old Road

Hi Maral,

Please see the Town Council's position on our case at the Hampton Inn. Please let me know if you need anything else.

Thanks,

Jerry Ambrose
Wireless 1 Consulting Services, Inc.
5266 Hollister Ave. Suite 106
Santa Barbara, CA 93111
phone: (805) 637-7407
fax: (805) 967-7300
email: jambrose@wireless01.com

----- Forwarded Message -----

From: Ron Mechsner <RMechsner@westranchtowncouncil.com>
To: Jerry Ambrose <jc.ambrose@yahoo.com>
Sent: Thursday, May 7, 2009 8:51:33 AM
Subject: RE: Metro PCS @ Hampton Inn-25259 The Old Road

Jerry,

The West Ranch Town Council did discuss the pending CUP application as a New Business item in last night's Town Council Meeting. The consensus of the Council was to not take any action for or against the application.

Sincerely,

Ron Mechsner

From: Jerry Ambrose [mailto:jc.ambrose@yahoo.com]
Sent: Wednesday, May 06, 2009 8:38 AM
To: rmechsner@westranchtowncouncil.com
Subject: Metro PCS @ Hampton Inn-25259 The Old Road

Hi Ron,

Good speaking with you today. As discussed, Metro PCS is proposing to place some cellular antennas and equipment atop the Hampton Inn at 25259 The Old Road. We have a CUP application submitted to the County and a hearing has been scheduled for June 2nd. The County project # is 86294.

Sprint currently has antennas and equipment atop the Hampton Inn and we are proposing essentially the same kind of project. Everything will be screened and/or painted to match the building. I've attached a set of plans which illustrates the details of what we are proposing.

If the Town Council does not object to our project, we would appreciate some kind of letter or return email noting the Town Council's position on the project.

Thank you again for your review on such short notice.

Jerry Ambrose

Wireless 1 Consulting Services, Inc.

5266 Hollister Ave. Suite 106

Santa Barbara, CA 93111

phone: (805) 637-7407

fax: (805) 967-7300

email: jambrose@wireless01.com

CONDITIONAL USE PERMIT NO. 86-294-(5)

November 12, 1986

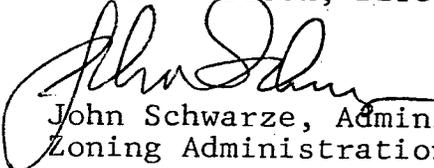
Page Two

The Regional Planning Commission of the County of Los Angeles, under the provisions of Title 22 of the Los Angeles County Code, grants a conditional use permit for the property shown on the attached legal description to allow development of commercial offices, eating facilities and a hotel, subject to the attached conditions numbered 1 through 18.

The foregoing is the decision of the Regional Planning Commission on November 5, 1986, upon adoption of the attached findings.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
Norman Murdoch, Director of Planning



John Schwarze, Administrator
Zoning Administration Branch

JS:DCC:rm

Attachments: Legal Description
Findings & Conditions
Affidavit

cc: Building & Safety, Board of Supervisors, Zoning Enforcement,
Department of Public Works, Department of Health Services,
Forester & Fire Warden, South Coast Air Quality Management
District,
Paul Bickner, 24013 Ventura Blvd., Calabasas, CA
David McNamara, 16255 Ventura Blvd., Encino, CA 91435



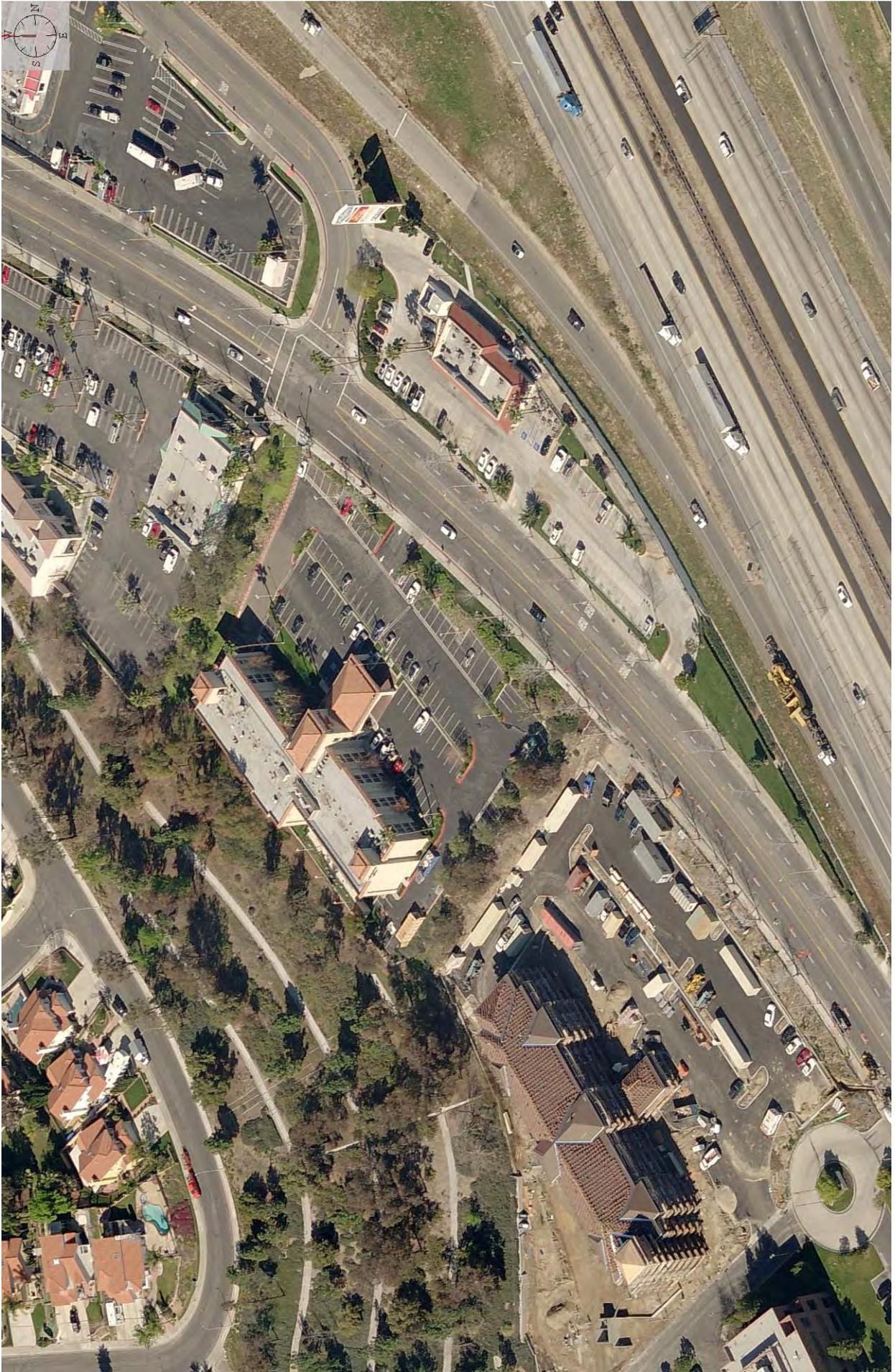
View looking West (from I-5 Freeway, Lyons Ave off ramp)



South Wing



North Wing



CONDITIONAL USE PERMIT CASE NO. 86-294-(5)

COMMISSION HEARING DATE: October 22, 1986

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

This conditional use permit and parcel map were heard concurrently with Zone Change Case No. 85-052-(5), a request to change the RPD 1-1.4U and CPD to C-3-DP and local plan amendment for a land use category change from U-1 to C.

Six persons were sworn, two of whom (applicant and applicant's engineer) testified in favor of the proposal to establish a commercial development of offices, eating facilities and a hotel.

One person testified in opposition to the project on the grounds that the cumulative traffic impacts resulting from existing developments around the intersection of Pico Canyon/Lyons Avenue overcrossing of the Golden State Freeway as well as recently approved projects, as yet, not built, plus a large project recently filed, will create major problems. The fear is that traffic impacts may not be alleviated even when the bridge and ramp improvements by Cal Trans are completed.

FINDINGS:

1. The 13.3 acre, vacant subject property consists of three district areas separated by The Old Road and the California Highway Patrol office. The sites are located on the westerly side of the Golden State Freeway approximately 725 feet southerly of the Pico Canyon-Lyons Avenue overcrossing.
2. The concurrent Parcel Map (#18001) proposes creation of seven (7) commercial lots and four (4) open space lots, totaling 23.49 acres.
3. The commercial development of seven (7) parcels (13.3 acres) will contain three (3) three-story office buildings, parking structure, a four-story office building, a one-story restaurant, 130 room four-story hotel, and fast food stand;
4. These cases arise from the applicant's earlier requests: the first, to realign and adjust the existing zone boundary between the present CPD and RPD-1-1.4U zones to reflect changes in lot configurations, slope design, street alignments, grading design, etc. dictated by subdivision tract map (#31399) and secondly to expand the existing commercial area; to better meet the increased demand for highway oriented commercial uses; and third; by the Board of Supervisors referral of the request back to the Regional Planning Commission.

5. Today's rehearing arises from the applicant subsequently revising his request from CPD zoning to C-3-DP in order accommodate a more intense commercial development.
6. The area surrounding the subject property is developed with a cluster of commercial uses to the north; a subdivision under construction to the west, model homes to the south, the Golden State Freeway to the east with a mix of commercial, public utility and residential uses beyond.
7. The existing access and street pattern will be altered by this proposal since Chiquella Lane will be relocated to provide a "T" intersection with the proposed southerly extension of The Old Road.
8. Intermediate traffic mitigation measures for the Lyons Avenue overcrossing are being implemented at this time. This includes restriping of traffic lanes and traffic signals.
9. The applicant's request for a zone change from CPD and RPD-1-1.4U to C-3-DP requires a conditional use permit to implement the DP addendum.
10. The applicant's request included several signs which were of concern to the Commission, consequently they requested that the applicants sign program be subject to review and approval by the Commission and the Director of Planning.
11. That the Environmental Impact Report complies with the California Environmental Quality Act and if the proposed use is granted, there would not be a significant effect on the Environment.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. Granting the proposed conditional use permit with the conditions and restrictions hereinafter mentioned will not be in substantial conflict with any general plan adopted for the area.
- B. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, and will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Ordinance, and as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site has adequate traffic access and said site is adequately served by other public or private service facilities which it requires.

COMMISSION ACTION:

1. The Final Environmental Impact Report for Zone Change Case No. 81-098 with the revised and updated traffic report dated June 16, 1986, and the fact that the other basic identifiable impacts remain essentially the same, has been completed in compliance with the California Environmental Quality Act (CEQA), the State Guidelines and the County Guidelines and that the Commission has reviewed and considered the information contained in the Final Environmental Impact Report, and determines that the proposed project will not have a significant effect on the environment;
2. In view of the findings of fact presented above, this Conditional Use Permit and Parcel Map are GRANTED with the attached conditions.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and the Board of Supervisors has adopted a change of zone consistent with this grant and the change of zone has become effective.
3. The time limits for use of this grant shall be concurrent and consistent with those for Parcel Map No. 18001.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. The subject property shall be developed, maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
6. This grant allows construction of:
 - One four-story office building (80,000 square feet)
 - One four-story hotel with maximum of 130 rooms
 - Three three-story office buildings (128,000 feet total)
 - One one-story restaurant (8,000 square feet)
 - One one-story fast food restuarant (3,170 square feet)

A. PARKING SUMMARY

		Total	Stand.	Comp.	Handic.	RV
PARCEL I	Ground Level	72	48	20	4	
	Subt. Level	72	49	23	-	
	TOTAL	144	97	43	4	
PARCEL II	TOTAL	100	68	29	3	
PARCEL III	TOTAL	131	74	45	4	8
PARCEL IV	Ground Level	222	182	34	6	
	Subt. Level	88	52	36	-	
	TOTAL	310	234	70	6	
PARCEL V	TOTAL	230	180	45	5	
PARCEL VI	Ground Level	43	23	17	3	
	Subt. Level	77	59	18	-	
	TOTAL	120	82	35	3	
PARCEL VII	TOTAL	54	47	5	2	
GRAND TOTALS		1089	782	272	27	8

B. MAXIMUM HEIGHTS OF BUILDINGS

Parcel 1	Three-story office	45'
Parcel 2	One-story restaurant	30'
Parcel 3	Four-story hotel	45'
Parcel 4	Four-story office	58½'
Parcel 5	Three-story office	45'
Parcel 6	Three-story office	52'
Parcel 7	One-story fast food <i>in/out</i>	25'

C. That the only signs permitted for this project are:

a. One double faced, on-site sign for the fast food restaurant as follows:

1. Maximum overall height from grade - 42 feet
2. Maximum size of each sign face - 160 square feet
3. May be illuminated

b. Parcel Numbers 1 thru 6 inclusive are permitted signs as follows:

Two building monument signs each-ht.=5 ft. length=10 ft
One project monument sign - ht.=5 ft. 3 inches
length = 33 ft.

c. Any other signs shall be permitted only upon submittal of a site plan and approval by the Director of Planning.

7. The subject property shall be developed and maintained in substantial conformance with the plans on file marked Exhibit "A" dated September 25, 1986, Exhibits B, B-1, B-2, B-3, dated August 4, 1986 and Exhibit B-4 dated September 23, 1986.
8. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
9. Three copies of a landscape plan, which may be incorporated into a revised plot plan, shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary. Trees shall be specimen size.

10. That all roof top machinery and equipment of all buildings shall be screened from view.
11. Provisions shall be made for all natural drainage to the satisfaction of the Department of Public Works. Drainage plans and two signed grading plans shall be submitted to the Department of Public Works for approval before grading or construction.
12. That all requirements of the subdivision ordinance as they pertain to Parcel Map 18001 shall be complied with.
13. The subject facility shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided as may be required by said Department.
14. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Water mains, fire hydrants, and fire flow shall be provided as may be required by said Department.
15. The permittee shall secure any necessary permits from the South Coast Air Quality Management District and shall fully comply with the terms of said permits.
16. The permittee shall contact the Department of Public Works to determine whether an Industrial Waste Disposal Permit is required. No activity for which a permit is required shall be initiated on the subject property before a permit is obtained and any required facilities are installed. The permittee shall keep any required permits in full force and effect and shall fully comply with any requirements thereof.
17. That applicant shall comply with all current and future requirements imposed by the Los Angeles County Department of Public Works, with respect to: construction of street improvements, right-of-way dedications for widening and slope easements, re-alignments of abutting streets, contribution of funds to the proposed Lyons Avenue-McBean Parkway Bridge and Thoroughfare District, provide necessary minor widening on Pico Canyon Road - Lyons Avenue to accommodate an additional fourth lane and fund the costs of installation of necessary traffic signals, etc.
18. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.