

# Town of Tiburon STAFF REPORT

AGENDA ITEM \_\_\_\_\_



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TO: **PLANNING COMMISSION**

FROM: **DANIEL M. WATROUS, PLANNING MANAGER**

SUBJECT: **FILE #10505: REQUEST TO MODIFY A PREVIOUSLY APPROVED  
CONDITIONAL USE PERMIT TO INSTALL AND OPERATE A  
WIRELESS COMMUNICATIONS FACILITY; 1505 TIBURON  
BOULEVARD; TOWN OF TIBURON, OWNER; CINGULAR WIRELESS,  
APPLICANT; ASSESSOR'S PARCEL NO. 058-171-90**

MEETING DATE: **NOVEMBER 9, 2005** REVIEWED BY: SA

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## PROJECT DATA

Address:	1505 Tiburon Boulevard
Assessor's Parcel Number:	058-171-90
File Number:	10505
Lot Size:	12,500 square feet
General Plan:	Public/Quasi-Public
Zoning:	P (Public/Quasi-Public)
Current Use:	Tiburon Town Hall
Owners:	Town of Tiburon
Applicant:	Cingular Wireless
<u>Date</u> Complete:	October 21, 2005

## SUMMARY

On July 27, 2005, the Planning Commission adopted Resolution No. 2005-09 approving a conditional use permit to install and operate a wireless communications facility (WCF) on property located at 1505 Tiburon Boulevard (Tiburon Town Hall). The use permit approved the installation of six (6) panel antennas within the clock tower of Town Hall and three (3) equipment cabinets within the building itself.

The applicant (Cingular Wireless) has indicated that further investigation of the space available inside Town Hall does not provide adequate room for the equipment cabinets. Therefore the applicant is now requesting to modify this approved use permit to relocate the equipment cabinets to a location to the rear of Town Hall. Two equipment cabinets would be installed within a 17 foot by 15 foot fenced enclosure in the rear parking lot adjacent to the existing trash and recycling enclosure; the enclosure would also provide space for three additional cabinets if needed to handle future capacity needs for this facility. The enclosure would be finished with wood fencing to match the materials of the existing adjacent enclosure.



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### ANALYSIS

#### Site Conditions

Two (2) parking spaces would be eliminated by the proposed enclosure. Staff has observed that the rear portion of the Town Hall parking lot furthest from the library is infrequently filled in the few years since Town employees have been required to park on the adjacent gravel parking lot. However, there are occasions when functions at the library or Town Hall result in all parking spaces being utilized. Although the removal of these two spaces would not affect the overall parking requirements for Town Hall and the library, this could become more critical in the future if the plans for expanding the library are realized.

The two parking spaces that would be eliminated are currently designated for Town fleet vehicles; two other currently open spaces in the parking lot would be designated for these cars if the proposed enclosure is approved. A temporary file storage container currently occupies three parking spaces opposite the existing and proposed enclosure locations; it is anticipated that this container will eventually be removed by moving its files back into Town Hall, thereby opening up three more parking spaces in this portion of the lot.

There appear to be few alternate locations for the proposed facility equipment outside the Town Hall building. The area to the rear of the enclosure is not feasible because it is outside the limits of Town Hall property and would be located within a drainage channel which is situated above a sewer force main. The equipment could be sited adjacent to the existing generator area adjacent to the rear entry to Town Hall, but would eliminate the grassed area used as an outdoor space for Town employees; the construction of an additional 7 foot tall fenced enclosure in this location would also create an undesirable "tunnel" effect for all pedestrians entering Town Hall from the rear parking lot. If none of the proposed locations is found to be acceptable, the applicant would either need to find an appropriate location for the equipment within the Town Hall building or would be faced with the prospect of not installing the wireless communications facility on the Town Hall site.

The proposed WCF equipment enclosure would be 7 feet tall, which would be somewhat taller than the adjacent enclosure. The applicant has indicated that the additional height is requested to fully screen the equipment cabinets. Although the additional enclosure height may create some visual inconsistency, the requested structure height would appear to provide a more appropriate level of screening for the facility equipment.

Concerns were raised during the review of the previously approved use permit about the visibility of the antennas to be mounted on the clock tower. The information submitted with the current application makes it clear that the antennas would be physically sited entirely within the clock tower, not attached to the outside of the structure. This design would accomplish the goal contained within Resolution No. 2005-09 of ensuring that the installation of these antennas would "leave the exterior appearance of the building unchanged." The revised design would also reduce the number of antennas from six to five.



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### **Wireless Communications Facilities Standards**

The Town's current Interim Standards and Criteria for Wireless Communications Facilities state that all WCF structures and equipment shall be sited, designed, and screened to blend with the surrounding natural or built environment in order to reduce visual impacts to the maximum extent feasible. The design of the enclosure is intended to blend in with the built environment to the rear of Town Hall by matching the materials and design of the existing trash and recycling enclosure.

The updated Wireless Communications Facilities Standards were adopted by the Town Council on November 2, but do not go into effect until December 2. Section C (2 [E]) of these standards states:

“Whenever possible, base stations, equipment cabinets, back-up generators, and other equipment associated with building-mounted antennas shall be installed within the existing confines of a building or underground. If this is not feasible, the equipment shall be painted, screened, fenced, landscaped or otherwise treated architecturally to minimize its appearance from off-site locations and to visually blend in with the surrounding natural and/or built environment as appropriate. Equipment buildings shall be designed in an architectural style, and constructed of exterior building materials, that are compatible with surrounding development and/or land use setting.”

The applicants have indicated that it is infeasible to locate the equipment cabinets inside Town Hall. The proposed enclosure would be screened and fenced to visually blend in with the surrounding built environment, and would use a similar design and building materials as the adjacent enclosure.

### **ENVIRONMENTAL STATUS**

Staff has made a preliminary determination that the subject application is categorically exempt from the requirements of CEQA per Section 15303 of the CEQA Guidelines.

### **PUBLIC COMMENT**

No comments have been received regarding the subject application.

### **CONCLUSION**

The proposed equipment enclosure would be visually compatible with its surroundings, and consistent with the policies of the current and foreseeable standards for wireless communications facilities. However, the enclosure would eliminate two parking spaces which could limit the effectiveness of the parking lot to meet the current and future parking needs of Town Hall and the library. If the Planning Commission determines that the remaining parking would still be generally sufficient to meet these parking needs, then the proposed equipment location should be approved.

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### RECOMMENDATION

Staff recommends that the Planning Commission take public testimony on this item, close the public hearing and deliberate upon the project merits, and then either:

1. Adopt the draft resolution conditionally approving the project; or
2. Direct Staff to prepare a resolution denying the project.

### EXHIBITS

1. Application form and supplemental materials
2. Planning Commission Resolution No. 2005-09
3. Planning Commission Staff report dated July 27, 2005
4. Draft resolution
5. Submitted plans

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