



**DATE:** October 26, 2006

**TO:** File/Record/Applicant

**FROM:** Tim S. Neely, Director, Planning and Development Services

**SUBJECT:** Planning Application PA06-0067 is a privately-initiated request to install a wireless telecommunications facility within an existing system (Cingular compound) on existing monopalm.

This Site Development Permit would provide for enhanced wireless communications services for the build out of services in the County of Orange for both business and residential purposes.

The site is located at 26111 Antonio Parkway in the Las Flores Planned Community zoning district (Fifth Supervisorial District).

**APPLICANT:** Royal Street Communications, property owner - Santa Margarita Water District, project agent - Sandra Steele.

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## **I. PROJECT HISTORY/NATURE OF PROJECT**

In December of 2005, the Federal Communications Commission granted Royal Street Communications, LLC (Royal Street) a license for radio wave bandwidths to provide wireless phone service in the greater Los Angeles area.

Royal Street contracted MetroPCS to develop and market the wireless phone service network under the MetroPCS brand name and business plan. They provide non-contract, unlimited anytime local and long distance wireless phone service to their members for a pre-assessed, single payment monthly fee.

MetroPCS is currently in the process of leasing property and obtaining necessary permits for the development of the Royal Street wireless phone system in the greater Los Angeles area. The wireless phone system will be comprised of a large number of individual wireless sites, each interconnected with neighboring sites. This site will become an integral part of the entire Royal Street wireless system to be marketed under the MetroPCS brand name.

The site is located at 26111 Antonio Parkway in the Los Flores Planned Community zoning district (Fifth Supervisorial District). The property is owned by the Santa Margarita Water District. The surrounding properties immediate to the of the proposed site are zoned Neighborhood Center and Service Station, the properties to the immediate south and east are zoned open space and the properties to the immediate west are zoned residential. The proposed wireless facility will be located not less than two hundred feet from the nearest residence.

The wireless facility would be comprised of six panel antennas mounted below existing Cingular antennas on an existing monopalm; four exterior equipment cabinets (two radio cabinets and two battery cabinets) would be installed within a new wall enclosure adjacent to an existing Cingular equipment enclosure.

#### *Antennas*

The six panel antennas would be flush mounted to the existing 69-foot monopalm. The top of the proposed antennas would be at a height of 50 feet. The antennas would be flush mounted and painted to match the existing bark, thus mitigating any visual impacts. The dimensions of the antennas would be 57 inches tall by 10.5 inches wide by 2.4 inches deep. There would also be a GPS antenna located within the equipment enclosure.

#### *Equipment*

The Royal Street Communications equipment would be comprised of four exterior equipment cabinets (two radio cabinets and two battery cabinets) and a power and telecommunications cabinet installed on a new concrete pad and would be entirely enclosed within an eight-foot high concrete wall. The lease area for the equipment is 13 feet, four inches by 15 feet with a total of 240 square feet. The dimensions of the proposed equipment cabinets are 72 inches tall by 35.4 inches wide by 40 inches deep.

The site would require power and telephone services, which would be provided by the local utility providers. All power and telephone lines to the site will be installed below ground adjacent to an existing Cingular conduit trench.

#### *Construction/Maintenance*

Construction is expected to take up to 30 days. Vehicular traffic would be limited to one routine maintenance visit per month. The proposed site would be an unmanned facility. All electronic equipment needed to operate the facility would be housed within the equipment cabinets. The proposed facility requires no water or sewer services.

#### *FCC Compliance*

The proposed facility would comply with all current federal Communications Commissions' guidelines and specifically OET Bulletin 65 for cumulative measurements of radio frequency power densities and electromagnetic fields. Royal Street Communications technology does not interfere with any other forms of communication devices either public or private.

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**II. REFERENCE:** Authority for Administrative action is given by the County of Orange Zoning Code, Section 7-9-150.3 (d) for site development permits.

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**III. ENVIRONMENTAL DOCUMENTATION:**

The proposed project is Categorically Exempt (Class 1, Section 15301) from the provisions of CEQA. Class 1 provides for the exemption of projects involving minor alterations with negligible or no expansion of the existing use.

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**IV. CERTIFICATION:**

I hereby certify that the subject proposal has been Conditionally Approved as noted below.

Tim S. Neely, Director  
Planning and Development Services Department

By: \_\_\_\_\_  
Ron Tippets, Chief  
Site Planning Section

2006 Planning Projects FOLDER:

**APPEAL PROCEDURE**

Any interested person may appeal the decision of the Director on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$ 760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.

**ATTACHMENTS:**

Appendix A - Findings

Appendix B - Conditions of Approval



**APPENDIX A**  
**Royal Street Communications, PA 060067**  
**26111 Antonio Parkway, Los Flores Planned Community**  
**Findings**

**1. [AA01] General Plan**

That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.

**2. [AA02] Zoning**

That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.

**3. [AA03] Compatibility**

That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.

**4. [AA04] General Welfare**

That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.

**5. Categorical Exemption (Custom)**

That the proposed project is Categorically Exempt (Class 1, Section 15301) from the provisions of CEQA. Class 1 provides for the exemption of projects involving minor alterations with negligible or no expansion of the existing use.



**APPENDIX B**  
**Royal Street Communications, PA 060067**  
**26111 Antonio Parkway, Los Flores Planned Community**

**Conditions of Approval**

**1. [Z01]                    BASIC/ZONING REG**

**Approval: CP   CP   NA**

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

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**2. [Z02]                    BASIC/TIME LIMIT**

**Approval: CP   CP   NA**

This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

**3. [Z03]                    BASIC/PRECISE PLAN**

**Approval: CP   CP   NA**

Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

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**4. [Z04]                    BASIC/COMPLIANCE**

**Approval: CP   CP   NA**

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Zoning Administrator.

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**5. [Z05]                    BASIC/OBLIGATIONS**

**Approval: CP   CP   NA**

Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any

action, but such participation shall not relieve applicant of his/her obligations under this condition.

**6. [Z06] BASIC/Appeal Exactions**

**Approval:** CP CP NA

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

**7. [N10] CONSTRUCTION NOISE**

**Approval:** BP BP G

A. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building Permits Services, that:

(1) All construction vehicles or equipment, fixed or mobile, operated within 1,000' of a dwelling shall be equipped with properly operating and maintained mufflers.

(2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).

(3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.

B. Notations in the above format appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

**Hazardous Materials (FP11)**

**Service Code: 2.50 (Battery Systems and Cell Sites)**

Prior to the issuance of a building permit, the applicant shall submit to the Fire Chief a plan for review and approval of the battery system. The plans shall be in accordance with the CFC Article 64.