



MEMORANDUM

TO: Marin County Planning Commission

FROM: Immanuel Bereket, Senior Planner

DATE: September 15, 2020

RE: Jones' Appeal of the Presbytery of the Redwoods (AT&T) Conditional Use Permit and Design Review

BACKGROUND

The applicant, Epic Wireless LLC, on behalf of AT&T Wireless and the property owner, is requesting Conditional Use Permit and Design Review approval to construct a new wireless communications facility disguised as a bell tower on the grounds of the St. Luke Presbyterian Church lot located in San Rafael. Developing the wireless facility entails building a new 12 foot by 12 foot wide and 33 foot and five inch tall faux bell tower structure at the front of the church to house and hide nine panel antennas (three sets of three antennas), 15 relay radio units (RRUs) and associated equipment cabinets. The proposed structure would be set back at least 65 feet from all property lines. The WCF and related equipment would be installed within the proposed faux bell tower and would provide 4G and LTE wireless technology.

The Community Development Agency provided a mailed public notice on April 26, 2020, identifying the applicant, describing the project and its location, hearing date, and location in accordance with California Government Code requirements. The notice was mailed to all property owners within 600 feet of the subject property and interested groups. On Thursday, May 28, 2020, the Deputy Zoning Administrator denied the project. After the Deputy Zoning Administrator's decision, Carl Jones, an agent for AT&T, filed a timely appeal of the Deputy Zoning Administrator's action.

The appeal hearing was scheduled for consideration by the Planning Commission at the July 20, 2020 hearing. At the request of the applicants, it was postponed to September 28, 2020, to allow the applicants additional time to consider alternate designs and placements. As part of the postponement, the applicants agreed to extend the Federally mandated deadline (also known as shot-clock) to October 31, 2020, during which time any appeal to the Board of Supervisors must occur. The Community Development Agency has mailed a public notice on September 14, 2020 to all property owners within 600 feet of the subject property and also published the notice in the Independent Journal. The planning package of July 20, 2020, for the proposed project, including project plans, technical reports, and the petition for appeal, are provided as Attachment No. 2 to this memorandum.

To date, staff has not received any revised plans, designs, or considerations from the applicant but has received numerous correspondences from the public since the publication of the

Commission's staff report dated July 20, 2020 hearing. All those correspondences are provided as Attachment No. 3 to this memorandum.

Planning Division staff has prepared an updated recommended Resolution for your Commission's review, which is substantively the same as the Resolution distributed to your commission for the July 20, 2020 hearing.

RECOMMENDATION

Staff recommends that the Planning Commission review the administrative record, conduct a public hearing, deny the Jones' appeal and affirm the Deputy Zoning Administrator's denial of the Presbytery of the Redwoods (AT&T) Conditional Use Permit and Design Review.

Attachments:

1. Recommended resolution
2. Planning Commission package of July 20, 2020
3. All correspondence received since July 20, 2020