



CITY OF GLENDALE, CALIFORNIA
COMMUNITY DEVELOPMENT DEPARTMENT
Director of Community Development

633 East Broadway, Room 103
Glendale, California 91206-4386
(818) 548-2144 Fax (818) 240-0392
www.ci.glendale.ca.us

January 19, 2012

Jon Dohm, AICP
Zoning Manager, West Region
Crown Castle USA / West Area
510 Castillo Street, Suite 303
Santa Barbara, CA 93101

&

David Moss & Associates, Inc.
613 Wilshire Boulevard, Suite 105
Santa Monica, CA 90401

RE: 250 MESA LILA ROAD
WIRELESS TELECOMMUNICATION FACILITY
CASE NO. PWTF 2011-003

Ladies and Gentlemen:

The Planning Commission of the City of Glendale, at its meeting held on January 18, 2012, conducted a public hearing on Wireless Telecommunication Facility Case No. PWTF 2011-003 and after due consideration, the Planning Commission **APPROVED WITH CONDITIONS**, the Wireless Telecommunication Facility Review Case No. PWTF 2011-003 located at **250 Mesa Lila Road**, for an application for a Wireless Telecommunications Facilities Permit to request to renew an existing one hundred and twenty (120)-foot lattice tower (tower C) and a twelve (12)-foot tall accessory equipment building, and to place a new five hundred (500) gallon propane tank for an emergency generator on a parcel located in the "ROS III" - Residential Open Space – Floor Area District III Zone, described as a Portion of J.G. Hendrickson 332.91 acres and John Turner 303.61 acres allotments of V. Beaudry's Mountains in Section 5, Township 1 North, Range 13 West in Sections 31 and 32, Township 2 North, Range 13 West, located at 250 Mesa Lila Road, in the City of Glendale, County of Los Angeles.

APPLICANT'S PROPOSAL

- 1) A Class 4 Antenna wireless telecommunication facility is proposed in the "ROS" - Residential Open Space Zone.

- 2) Renew an existing one hundred and twenty (120)-foot lattice tower (tower C) and a twelve (12)-foot tall accessory equipment building, and to place a new five hundred (500) gallon propane tank for an emergency generator.

CODE REQUIRES

- 1) The Planning Commission shall review a Class 4 Antenna wireless telecommunication facility in the "ROS" - Residential Open Space Zone. A Class 4 Antenna means a monopole or an antenna mounted on an existing sports field light standard or utility lattice tower.
- 2) The Planning Commission shall review a wireless telecommunication facility that exceeds the permitted height [fifteen (15) feet maximum] in the "ROS" - Residential Open Space Zone.

ENVIRONMENTAL REVIEW: This project is categorically exempt.

A motion adopted by the Planning Commission is attached.

APPEAL PERIOD (effective date), TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 2.88, any person affected by the above decision has the right to appeal said decision to the City Council if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Building and Safety Division upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **FEBRUARY 2, 2012**, in the Building and Safety Division, 633 East Broadway, Room 101.

APPEAL FORMS available on-line:

<http://www.ci.glendale.ca.us/planning/SubmittingAProject.asp>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation.

Violations of conditions required by this determination may be grounds for a revocation.

REVOCAION

Section 30.64.020 of the Glendale Municipal Code, 1995, provides for the Director of Community Development Department to have continuing jurisdiction over any Wireless Telecommunication Facility which is or has been granted and may revoke any Wireless Telecommunication Facility in whole or in part at any time for failure to comply with any condition or requirement imposed at the time of approval.

GMC Chapter 30.41 provides for

TERMINATION: Every right or privilege authorized by a Wireless Telecommunication Facility shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

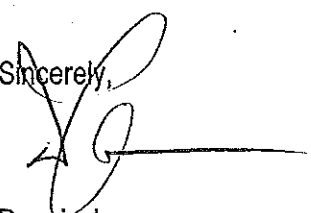
EXTENSION: An extension may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the Wireless Telecommunication Facility.

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner on this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **by appointment only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Should you have any questions regarding this issue, please do not hesitate to contact the undersigned.

Sincerely,



Dennis Joe
Planning Assistant

DJ:sm

CC: City Clerk; City Attorney's Dept. (C.Sansone/G.van Muyden); Dir. Of Redevelopment and Housing Dept.-(P.Lanzafame); Fire Prevention Engineering Section-(D.Nickles); Community Planning Dept.-(H.Malis); City Engineer; Dir. of Public Works Dept.; Water Section (R.Takidin); Electric Section (M.Kelley/M.Jackson); Dir. of Parks, Recreation and Community Services Dept.(M.Stirdivant); Neighborhood Services Admin. (S. Dellis); Integrated Waste Management Admin. (D.Hartwell/T.Brady); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra);Traffic & Transportation Admin. (T.Mitchell); Information Services Admin. /Wireless Communications (S.Hronek); and case planner – Dennis Joe.

MOTION

Moved by Planning Commissioner Scheetz, seconded by Planning Commissioner Yesayan, that upon review and consideration of all materials and exhibits of current record relative to Wireless Telecommunications Facilities Case No. PWTF-2011-003, located at **250 Mesa Lila Road**, and after having conducted a hearing on said matter, that the Planning Commission hereby **APPROVES** said Wireless Telecommunications Facilities Case No. PWTF-2011-003, to renew an existing 120-foot lattice (tower C) and a 12-foot tall accessory equipment building, and to place a new 500 gallon propane tank for an emergency generator on a parcel located in the ROS (Residential Open Space – Floor Area District III) Zone, described as a portion of J.G. Hendrickson 332.91 acres and John Turner 303.61 acres allotments of V. Beaudry's Mountains in Section 5, Township 1 North, Range 13 West in Sections 31 and 32, Township 2 North, Range 13 West.

REQUIRED/MANDATED FINDINGS

Pursuant to Section 30.48.040 of the Glendale Municipal Code, a Wireless Telecommunications Facilities Permits may be granted by the reviewing authority only if the following findings of fact can be made:

- 1. To the maximum extent reasonably feasible, the proposed wireless telecommunications facility has been designed to achieve compatibility with the community.**

The subject lot is an irregularly shaped property located on a primary ridgeline in the Verdugo Mountains, and is surrounded by SR (Special Recreation) zoned open space properties. The existing 120-foot tall lattice tower proposed to be renewed is outfitted with equipment from multiple users. Such users include cellular phone telecommunication, radio broadcasting, communications for 9-1-1 response services, ambulance transport, private taxi, paging and nonprofit media. Compatibility does not appear to be an issue as the lattice tower has existed in excess of 40 years without any camouflage techniques. The applicant does not wish to modify the lattice tower and equipment building, but is requesting to place a 500 gallon propane tank for the existing backup generator adjacent to the tower on the ground. There are no residential land uses within 1,000 feet of the subject property. Given the extensive height of the subject tower, screening the facility is not a viable option as there are no other natural features, structures or buildings with the same stature.

- 2. Alternative configurations will not increase community compatibility or are not reasonably feasible.**

Each individual user's equipment on the tower has been placed with respect to specific coverage requirements. Reconfiguring the equipment on the tower will not increase community compatibility as appearance of the tower will not substantially change, or achieve a more compatible aesthetic.

3. Alternative locations on the site will not increase community compatibility or are not reasonably feasible.

The existing location of the tower is at the highest grade on the subject lot. Alternative locations on the site will not increase community compatibility as the tower was constructed to take advantage of the site's physical characteristics and its ability to meet generalized coverage goals for the users. While there are two other existing towers on the same parcel south of tower C, towers A & B are currently occupied by other multiple users. The applicant (Crown Castle, USA) had filed a wireless telecommunication facility (WTF) permit application and environmental initial study to consolidate these two towers with a taller structure in April, 2011; however, this application was rejected by the Planning Division due to the lack of a complete application submission. A future WTF application and environmental initial study is required for these two towers to continue to operate and be located at this site.

4. The location of the wireless telecommunications facility on alternative sites will not increase community compatibility or is not reasonably feasible.

Two alternative sites (Flint Peak and Mt. Lukens) were reviewed by the applicant, but were dismissed due to capacity and coverage limitations. Because the subject WTF is existing, and no other modifications are proposed than the new 500 gallon propane tank, the renewal of the subject tower will make the least impact to the scenic vista. Relocating the WTF at a new location will require modification to undisturbed areas and cause unnecessary grading to the ridgelines in the area.

5. The facility is necessary to close a significant gap in coverage.

While tower C has eight individual user's equipment attached, only one user's (T-Mobile) equipment provides wireless telecommunication for cellular phone purposes. This creates a significant coverage gap. The remaining seven users provide radio and nonprofit media broadcasting, and land mobile radio functions such as 9-1-1 response services, ambulance transport, private taxi, and paging. The radio frequency propagation maps for T-Mobile submitted with this application show how the coverage gap is being met. Comments from the City's Wireless Administrator for Information Services agreed with the applicant that the proposed site is necessary to fill a significant gap in coverage consistent with the ordinance for Wireless Telecommunications Facilities Permits.

6. The applicant has submitted a statement of its willingness to allow other carriers to co-locate on the proposed wireless telecommunications facility wherever technically and economically feasible and where co-location would not harm community compatibility.

The applicant, Crown Castle, has submitted with the application a letter stating their willingness to allow other carriers to co-locate at this facility.

7. **Noise generated by equipment will not be unnecessary, excessive, annoying nor be detrimental to the public health, safety, and welfare.**

The Noise Element identifies the parcel as being in an area with an ambient noise contour less than 60 dBA. There are no buildings, structures, or residential land uses within 1,000 feet of the subject property. The existing wireless telecommunications facility noise level is minimal and almost silent.

8. **The facility complies with all of the requirements of state and federal laws, regulations and orders.**

The applicant has stated in the findings the subject WTF will comply with all requirements of the state and federal regulations. Included with this application is a Site Compliance Report generated by Site Safe on October 22, 2010, certifying its compliance to FCC rules and regulations, as described in OET Bulletin 62.

APPROVAL of this Wireless Telecommunications Facilities Permits application shall be subject to the following conditions:

COMMUNITY DEVELOPMENT DEPARTMENT CONDITIONS

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Hearing Officer.
2. That all licenses, permits as required or approvals from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
3. That all necessary permits (i.e., building, fire, engineering, etc.) shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations
4. That any modification to these plans must be approved by Planning Division staff prior to the changes on the working drawings or in the field. Changes considered substantial by Planning staff must be returned for review by the Planning Commission. The determination of whether or not a change is substantial shall be made by the Director of Community Development.
5. That transmissions shall not produce noise or other disturbances which would interfere with normal activities in the area. The opinion of the Director of Community Development shall determine or settle disputes concerning this condition.
6. That any equipment service lighting shall be directed into the work area and shielded away from the adjacent properties.

7. That Design Review Board approval or exemption shall be obtained prior to the issuance of a building permit.
8. The permittee shall obtain and maintain the most current information from the FCC regarding allowable radio frequency emissions and all other applicable regulations and standards and, at the following indicated times, shall file a report with the Director of Community Development Department indicating whether permittee is in compliance with such standards, advising the Director of Community Development Department of any regulatory changes that require modifications to the wireless telecommunications facilities, and advising the Director of Community Development Department of the measures taken by the permittee to comply with such regulatory changes as follows: (1) prior to the commencement of the installation of the wireless telecommunications facility, (2) every year, on the anniversary of the submittal of the initial compliance report, and (3) upon any proposed increase of at least ten percent (10%) in the effective radiated power or any proposed change in frequency use. Both the initial and update certifications shall be subject to review and approval by the city. At the Director of Community Development Department's sole discretion, a qualified independent radio frequency engineer, selected by and under contract to the city, may be retained to review said certifications for compliance with FCC regulations. All costs associated with the city's review of these certifications shall be the responsibility of the permittee, which shall promptly reimburse city for the cost of the review.
9. All equipment cabinets shall display a legible sign clearly identifying the addresses, email contact information, and 24-hour local or toll-free contact telephone numbers for both the permittee and the agent responsible for the maintenance of the wireless telecommunications facility. Such information shall be updated in the event of a change in the permittee, the agent responsible for maintenance of the wireless telecommunications facility, or both.
10. Public access to a wireless telecommunications facility shall be restricted. Security measures shall include fencing, screening, and security signage, as deemed appropriate by the Director of Community Development Department.
11. Upon assignment or transfer of an authorization to operate a wireless telecommunications facility or any of the rights under said authorization, the owner or operator shall, within thirty (30) days, provide written notice to the Director of Community Development Department of the date of transfer and the identity of the transferee.
12. That the premises be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
13. That the authorization granted herein supersedes all prior discretionary approvals for the project site and shall be valid for a period of ten years until January 18, 2022, at which time reapplication must be made.

GLENDALE WATER AND POWER DEPARTMENT: ELECTRIC DIVISION

1. Project personnel are responsible for maintaining a ten foot (10') radial clearance from all overhead electrical lines during construction.
 - This clearance includes operation of any construction equipment.
 - To verify clearance or if the ten foot (10') radial clearance cannot be met, contact the GWP Customer Service Engineering to determine the appropriate actions.
 - Any work required by GWP to maintain proper clearance shall be at the developer's expense.
2. Project to maintain a minimum of five (5) feet clearance from face of power pole in all horizontal directions. Clearance shall extend from below ground level and clear to sky. Contact GWP Customer Service Engineering to obtain pole height and line clearance requirements.
3. Project is responsible for supporting and maintaining of GWP owned poles, overhead power lines and underground conduits, power lines and any other appurtenances in a safe and as-is condition.

GLENDALE FIRE ENGINEERING

1. Project is located in an area with restricted access and/or narrow streets; limited turnaround capability for emergency vehicles.
2. Add 2011 Glendale Building and Safety Code to the Code Compliance list on Sheet T1 of Architectural plans.
3. Add Occupancy U for (E) towers on Sheet T1 of Architectural plans.
4. Provide code-compliant emergency lighting. Show locations on Architectural plans.
5. Approved address numbers, building numbers or approved building identification shall be placed in a position that is plainly legible and visible from the road giving access to the property. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7mm) and shall be illuminated in an approved manner. Number height and stroke width shall be increased as needed for legibility based on visibility distance.
6. Project is located in the High Fire Hazard Area and must comply with all related regulations.
7. Provide a Fuel Modification Zone per the Hillside Development Landscape Guidelines for all proposed and existing structures; must submit plans and obtain Fire Permit.

8. All landscaping/fuel modification shall comply with the Hillside Development Landscape Guidelines; must submit plans and obtain Fire Permit.
9. All material and material assemblies for projects within the High Fire Hazard Area shall comply with Section 703A CBC 2007.
10. Obtain a Right of Entry Permit for annual hazard abatement on adjacent City Property prior to approval of fuel modification plans, to the satisfaction of the Fire Chief or waived to the satisfaction of the Fire Chief.
11. Provide an access road for fire department apparatus per Section 503 and Appendix "D" CFC 2007; depict all dimensions (minimum width 20 feet), to the satisfaction of the Fire Chief or waived to the satisfaction of the Fire Chief.
12. Update the Fire Road Access Permit. Submit a Road Maintenance Access Plan for use of Fire Roads. Provide documentation for legal right of access. Provide written documentation permitting access and use of Hostetter Motorway from the City of Los Angeles (Fire Department). The above shall be to the satisfaction of the Fire Chief or waived to the satisfaction of the Fire Chief.

VOTE

Ayes: Landregan, Scheetz, Yesayan, Lee
Noes: None
Abstain: None
Absent: Astorian