



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

633 E. Broadway, Suite 103  
Glendale, CA 91206-4311  
Tel. (818) 548-2140 Fax (818) 240-0392  
glendaleca.gov

May 11, 2023

Adrian Culici  
Eukon Group  
65 Post, Suite 1000  
Irvine, CA 92618

**RE: 412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626**

Dear Mr. Culici:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.48.020 for a Wireless Telecommunications Facility Permit, the Community Development Department has processed your application to install a new AT&T Wireless Telecommunication Facility in the "IND" (Industrial) Zone, located at **412 Magnolia Avenue**, described as Lot 8, Block 1, Breedloves Subdivision in the City of Glendale, County of Los Angeles.

**ENVIRONMENTAL DETERMINATION**

The project is exempt from environmental review as Class 3 "New Construction of Conversion of Small Structures" exemption pursuant to section 15303 of the State CEQA Guidelines, because the project involves installation of monopole and associated equipment on the site with an existing commercial building and surface parking lot.

Note: Pursuant to Section 704(a), Title 7 of the Federal Telecommunications Act of 1996, only the Federal Government may regulate the environmental effects of radio frequency emissions from wireless telecommunications facilities.

**REQUIRED/MANDATED FINDINGS**

After considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following findings:

412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626

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

The proposed installation consists of the following:

- 50-foot-high faux Eucalyptus monopole
- 12 panel antennas
- 36 remote radio units (RRU)
- 5 DC9 surge suppressors
- 4 DC12 surge suppressors
- Concrete walk in closest 8 feet x 8 feet
- 20kW Polar generator with 125-gallon fuel tank
- 8'-0" high wrought iron fence enclosure
- 2 GPS antennas
- 2 Microwave antennas

The proposed monopole and associated equipment are compatible with the existing building, as illustrated in the photo simulations. The height of the monopole at 50 feet is consistent with the IND Zone development standards.

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

This configuration appears to be the most compatible as it is located at an existing site developed with a one-story industrial building. Locating the facility at another location would increase incompatibility in the community.

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

Other locations at the proposed site are not reasonably feasible. The location was selected due to the height and design of the existing building. The antennas mounted on the faux Eucalyptus monopole fill a gap in coverage with as little impact as possible on the building and surrounding neighborhood. Other locations on the site are not reasonably feasible or compatible. The equipment enclosures will be located at the back of the property at the ground level and will be screened from public view by the existing building and 8'-0" high wrought iron fence.

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

Adding new wireless facility to the existing developed site results in a proposal most compatible and feasible with the purpose of the Wireless Telecommunications Facilities ordinance and the radio frequency coverage objectives. Alternate locations would create an additional facility, which may not be compatible with the community. An alternative

412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626

location is not reasonably feasible due to the ability to secure other locations through a lease as the area is already built out.

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

The radio frequency propagation maps submitted with the application show how the coverage gap is being met. The Wireless Systems Administrator for the City's Information Services Department, reviewed the application materials and maps, and determined that the applicant provided satisfactory evidence of 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.**

AT&T stated their willingness to allow other carriers to collocate on the site, wherever technically and economically feasible and compatible, as required in Section 30.40.020 (H) of the GMC.

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

No excessive noise will be generated by the proposed scope of work. The proposed equipment will not emit any noise decibels more than established noise standards contained in Chapter 8.36 of the GMC.

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

The applicant has provided satisfactory evidence that the existing and proposed facility will meet all Federal Communications Commission (FCC) requirements, state and federal laws, and local regulations and orders.

## **CONDITIONS OF APPROVAL**

**APPROVAL** of this Wireless Telecommunication Facility (WTF) shall be subject to the following conditions:

1. That the proposed monopole shall not exceed a total height of 50 feet. The overall height of the monopole shall be measure to the highest point of the monopole including all elements of the faux eucalyptus in compliance with the IND zoning designation height limits included in Table 30.13-B of the GMC.

412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626

2. That all exterior antennas and equipment, including cables and supports, shall be painted to match the faux Eucalyptus monopole and existing building.
3. That the premises be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
4. That the applicant, tower owner, and/or property owner shall be responsible for regular maintenance and upkeep of this wireless facility and associated areas consistent with the adopted plans, drawings and photo simulations as conditioned, including but not limited to:
  - a. re-finishing any painted and textured surfaces where needed on the trunk, base, branches, mounting systems or equipment area.
  - b. replacing any damaged camouflage element, such as faux bark, branches, or antenna socks.
  - c. maintenance of surrounding landscape in good health.

In the event that the wireless facility is not maintained, the Director of Community Development shall give notice to the applicant, tower owner, and property owner to correct the stated problems. If the problem is not corrected within 30 days, the Director may initiate Code Enforcement proceedings seeking revocation of the WTF.

5. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Director of Community Development.
6. 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.
7. That all licenses, permits as required or approvals from Federal, State, or County or City authorities, including the City Clerk, shall be obtained, and kept current at all times.
8. That the premises shall be made available and accessible to any authorized City personnel (Building, Fire, Police, Planning and Neighborhood Services, etc.) for inspection to ascertain that all conditions of approval are in compliance.
9. That any equipment service lighting shall be directed into the work area and shielded away from adjacent properties.
10. This project involves a wireless service provider that complies with the Federal Communication Commission (FCC) regulations regarding radio frequency (RF) emissions. The applicant and its successors, heirs, and assigns are responsible for keeping up to date on current information from the FCC regarding allowable RF emissions. If, in the future, the FCC adopts more stringent RF emission regulations,

412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626

the applicant and its successors, heirs, and assigns, shall submit an application to the City to modify the WTF in order to demonstrate compliance with the revised FCC regulations. In the event such compliance requires modification of the WTF, the applicant shall submit a new WTF application for a modification. Failure by the applicant or its successors, heirs, or assigns to at all times comply with the FCC rules, or to fail to apply for a necessary modification to the subject WTF shall result in Code Enforcement proceeding seeking compliance with or revocation of the WTF.

11. That all non-functional or obsolete equipment shall be removed from the site.
12. That any 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.
13. In the event of a noise complaint is received during the operation of the facility, the applicant shall submit a noise study for review and approval by the Director of Community Development which demonstrates that the equipment cabinet complies with the Noise Ordinance. The study shall include cut-sheets detailing the following information:
  - a. The ambient noise levels in the immediate area.
  - b. The maximum dB level emitted from the equipment cabinet without sound attenuation measures installed.
  - c. If the equipment cabinet noise levels can be heard above ambient or are in excess of the City's Noise Ordinance standard, the noise study shall recommend attenuation measures that are in keeping with the wireless facility's surroundings and overall design context.
  - d. The maximum dB level emitted from the equipment cabinet with the recommended attenuation measure(s).
14. That in accordance with the provisions of Government Code Section 66474.9, the applicant shall defend, indemnify, and hold harmless the City of Glendale and its agents, officers, and employees from and against any claim, action, or proceeding against the City agency or its agents, officers, or employees to attack, set aside, void, or annul an approval by the City, including, without limitation, an action by an advisory agency, appeal board, or legislative body concerning this discretionary approval. This defense and indemnification shall include the payment of all legal costs incurred on behalf of the City in connection with the application, and the defense of any claim, action or proceeding challenging the approval. The city will promptly notify the applicant of any claim, action, or proceeding and will cooperate fully in the defense.

412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626

In the event a legal challenge to the discretionary approval is successful, and an award of attorney fees is made to the challenger, the applicant shall be responsible to pay the full amount of such an award.

15. That the authorization granted herein shall be valid for a period of **10 YEARS UNTIL MAY 11, 2033**, until at which time, a reapplication must be made prior to the expiration date.

### **APPEAL PERIOD**

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 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission, 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 so that imperfections/incompleteness may be corrected before the appeal period expires. Appeals must be filed prior to expiration of the 15-day period, on or before **MAY 26, 2023**. Information regarding appeals and fees may be obtained by calling the Community Development Department (CDD) staff at 818-548-2140, or by contacting Roger Kiesel at [rkiesel@glendaleca.gov](mailto:rkiesel@glendaleca.gov) or 818-937-8152.

### **APPEAL FORMS**

All appeals must be filed using the City's online permit portal:

[www.glendaleca.gov/Permits](http://www.glendaleca.gov/Permits). Create an account, click "Apply," type "appeal" in the search bar, and apply for "Appeal of Planning Decision."

### **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 sold, 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

412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626

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.

## REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over wireless telecommunication facilities. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least ten (10) days' notice by mail to the applicant or permittee.

## 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 contacts with this office regarding this determination must be with the Case Planner. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **by appointment only** (to assure customer service with a minimum amount of waiting). You should advise any consultant representing you of this requirement as well.

412 MAGNOLIA AVENUE  
WIRELESS TELECOMMUNICATION FACILITIES PWTF2208626

Should you have any questions regarding this issue, please do not hesitate to contact Roger Kiesel during normal business hours at (818) 937-8152 or office line (818) 548-2115 or [rkiesel@glendaleca.gov](mailto:rkiesel@glendaleca.gov).

Sincerely,  
Bradley Calvert  
Director of Community Development



Erik Krause  
Planning Hearing Officer

EK:RK:NL:sm

CC: City Clerk (K.Cruz); Police Dept. (J.Newton/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(S.Demirjian/F.McLean); Traffic & Transportation Section (P.Casanova/Mark Bueno-Traffic Engineer Assoc.); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (G. Tom/S.Boghossian/R.Takidin/ C.Babakhanlou/D.Scorza); Glendale Water & Power--Electric Section (B.B.Ortiz/E.Olsen/.Navareete/M.Kouassi); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (J.Sada/R.Mardian); Integrated Waste Management Admin. (D. Hartwell);Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); case planner – Nikki Laureola