



**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

August 16, 2023

DISH Wireless LLC  
Alex Tsaturov  
12526 High Bluff Drive, 300 300  
SAN DIEGO , CA 92130

**RE: 801 SOUTH CHEVY CHASE DRIVE  
WIRELESS TELECOMMUNICATIONS FACILITY CASE NO. PWTF-001621-2023  
(DISH Wireless LLC)**

Dear Applicant:

The Planning Commission of the City of Glendale, at its meeting held on August 16, 2023, conducted a public hearing on Wireless Telecommunications Facility Case No. PWTF-001621-2023, and after due consideration, the Planning Commission **APPROVED WITH CONDITIONS**, the Wireless Telecommunications Facility Permit No. PWTF-001621-2023 located at **801 South Chevy Chase Drive**.

Project Description

The applicant is proposing a new Wireless Telecommunications Facility (WTF) on the rooftop of an existing approximately 100,000 square-foot, two (2)-story medical office building on an approximately 4.68-acre (203,861 square-foot) lot located in the "R-2250" - (Medium Density Residential Zone), described as Lots 1-11, Tract 7641 and Portions of Lots 1 and 2, Subdivision of Lot 34 Watt's Subdivision. The proposed facility features six (6), eight (8)-foot-tall panel antennas and related equipment at four locations on the rooftop, with corresponding eight (8)-foot-tall antenna screens at each location. The existing building height is 45 feet, and the proposed height is 53 feet including the WTF, which exceeds the maximum allowed height in the zone of 36 feet.

ENVIRONMENTAL DETERMINATION

The project is exempt from environmental review as a Class 3 "New Construction or Conversion of Small Structures" exemption pursuant to section 15303 of the State CEQA Guidelines, because the project involves installation of small new equipment and facilities on an existing structure.

A motion adopted by the Planning Commission is attached.

## 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. Any appeal must be filed on the prescribed forms within fifteen (15) days (**AUGUST 31, 2023**) following the actual date of the decision.

***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," "Skip...", then type "appeal" in the search bar, and apply for "Appeal of Planning Decision." Any appeal must be filed within fifteen (15) days following the actual date of the decision with the prescribed fee prior to the expiration of the 15-day appeal period, on or before AUGUST 31, 2023. Information regarding appeals and appeals and fees may be obtained by calling the Community Development Department staff at 818.937.2140 or contacting the case planner, Cassandra Pruetz at [cpruetz@glendaleca.gov](mailto:cpruetz@glendaleca.gov) or 818-937-8186.***

## 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.

## REVOCATION

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.

### Cessation

A Wireless Telecommunication Facility may be terminated by the review authority upon any interruption or cessation of the use permitted by the Wireless Telecommunication Facility for one year or more in the continuous exercise in good faith of such right and privilege.

### 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,  
Bradley Calvert  
Director of Community Development Department



Cassandra Pruett  
Senior Planner

CP:sm

CC: City Clerk (K.Cruz); Building and Safety (S.Hairapetian); Neighborhood Services Division (J.Sada); Design Review & Historic (J.Platt/K.Conley); Economic De. (M.Berry); Housing (P.Zovak / M. Fortney); Urban Design and Mobility F.Zohrevand); Parks, Recreation and Community Services and Park (T. Aleksanian/ A.Limayo); Information Services (G.Arnold); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Engineering Section-(J.Diaz/ D.Stimson); Traffic & Transportation Section (P.Casanova/S.Roudsari); General Manager for Glendale Water and Power (M.Young); Glendale Water & Power--Water Section (S.Boghosian/R.Takidin/F.Garcia); Glendale Water & Power--Electric Section (C.Babakhanlou/ S.Boghosian / F.Garcia/ H.Barkhordian/ D.Scorza ); Police Dept. (Lt.S.Riley/Z.Avila); Dir. Of Public Works (Y.Emrani); Engineering and Land Development (A.Avazian/ S.Oganesyan / M.Oillataguerre/ R. Villaluna); Integrated Waste Management Admin. (D. Hardgrove); Maintenance Services/Street and Field / Urban Forester (L.Klick / C.Linares / O. Urquidez); V.Mkrтчyan; S.Jaghasbanian;and case planner– and case planner Cassandra Pruett

## **MOTION**

Moved by Planning Commissioner Lee seconded by Planning Commissioner Member Minassian, that upon review and consideration of all materials and exhibits of current record relative to Wireless Telecommunications Facility Case No. PWTF-001621-2023, located at 801 South Chevy Chase Drive, and after having conducted a public hearing on said matter, that the Planning Commission hereby APPROVES Wireless Telecommunications Facility PWTF-001621-2023 in accord with the findings and conditions set forth below:

To the maximum extent reasonably feasible, the proposed wireless telecommunications facility has been designed to achieve compatibility with the community. The site is located in the R-2250 zone and the existing land use is commercial (medical office). The equipment is architecturally integrated into the existing commercial building in terms of building form, and the equipment will be screened from public view on all four sides of the new enclosures. The enclosures will be painted and textured to match the building. The equipment is also located significantly far from the property boundaries (over 57 feet from the northern property line, and further from the other property lines), and is set back from the existing building facades (11 ½ feet from the northern façade and further from all other facades), which helps minimize its massing as viewed from other properties. Although the proposed height exceeds that allowed in the zone, the equipment location is sufficiently distant from surrounding buildings to minimize the impact of the increased height. The increased height is necessary to meet the technical requirements of the equipment as described in Exhibit 10.03 of the Supplemental Application (Exhibit 4). The wireless facility height will be three feet higher than other rooftop equipment on the building.

Alternative configurations will not increase community compatibility or are not reasonably feasible, since an alternative design would not meet the coverage objective or provide a less intrusive project. Reconfiguring the layout of the equipment would not increase community compatibility because the required setbacks are already being met and the equipment is already designed to be architecturally integrated into the existing building, and therefore visually unintrusive to the surrounding neighborhood.

Alternative locations on the site will not increase community compatibility or are not reasonably feasible, as the proposed location of the wireless facility is at an optimal location on the existing lot so that it can provide quality service and fill a gap in coverage within the area. If the equipment were on the ground, it would not meet the minimum height needed for effective signal transmission. If the equipment were moved to other locations on the building (further from the roof edge), the signal transmission would be interrupted by the roof.

The location of the wireless telecommunications facility on alternative sites will not increase community compatibility or is not reasonably feasible, and the carrier for the new facility has determined the most suitable location on the subject site that would provide the best wireless coverage based on FCC and City regulations and codes. The wireless carrier has a planned network of facilities, each facility designed to cover a particular area, which together provide full coverage to the community; therefore, potential alternative sites are limited to a finite area and will not fulfill the gap in coverage. Given the scope of the project, which is to construct a new facility, identifying an alternative site and going through the subsequent extensive FCC regulatory compliance and review process would not be reasonably feasible. Further, no other sites were identified that would provide a less visible or less obtrusive design option. Due to limited collocation opportunities on existing wireless tower structures, the only alternate location and design objective would require a new freestanding tower structure that would be less compatible and more intrusive.

The facility is necessary to close a significant gap in coverage. DISH Wireless is a new wireless carrier and currently has no sites providing coverage in Glendale and the surrounding areas. This site is part of the initial coverage deployment as mandated by the FCC. As such, this proposed facility will only provide coverage for the DISH network in the vicinity of the project area. In other words, there is a significant gap in coverage because there is currently no coverage.

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.

Noise generated by equipment will not be unnecessary, excessive, annoying nor be detrimental to the public health, safety, and welfare. The applicant submitted a statement that the facility would operate at 65 dbA during daytime, which, depending on the ambient noise levels at the location could potentially exceed the maximum allowed exterior noise level per Glendale's Noise Ordinance (Glendale Municipal Code Section 8.36). A condition of approval has been recommended to ensure the facility operates within the maximum allowed noise levels in accordance with Glendale's Noise Ordinance.

The facility complies with all of the requirements of state and federal laws, regulations and orders. The proposed facility will comply with all local, state and federal regulations related to FCC performance as well as zoning, building and public works department standards. Furthermore, the facility will adhere to all state and CPUC regulations.

## **CONDITIONS OF APPROVAL**

1. 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.
2. 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.
3. 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.
4. That the premises shall be made available and accessible to any authorized City personnel (e.g., Building, Fire, Police, Planning and Neighborhood Services, etc.) for inspection to ascertain that all conditions of approval are in compliance.
5. That any modification to these plans must be approved by the 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.
6. The facility must comply with the noise standards in the Glendale Noise Ordinance (Glendale Municipal Code Section 8.36).
7. 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.
8. That any equipment service lighting shall be directed into the work area and shielded away from adjacent properties.
9. That the premises be maintained in a clean and orderly condition, free of weeds, trash and graffiti.

10. That the authorization granted herein shall be valid for a period of 10 years until **AUGUST 16, 2033**, until at which time, a reapplication must be made prior to the expiration date.

**VOTE**

Ayes: Lee, Minassian Shahbazian, Fuentes  
Noes: None  
Abstain: None.  
Absent: Chraghchian