glendale california

City of Glendale
Community Development
Planning & Neighborhood Services

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October 6, 2015

Sarah Freed
Synergy Development Services
7543 Woodley Ave. # 201
Van Nuys, CA 91406

RE: 1111 S. Glendale Avenue
Wireless Telecommunication Facilities PWTF 1504553

Dear Ms. Freed:

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 modify and renew the existing Verizon wireless telecommunication facility in the "C3" – (Commercial Service) Zone, Height District I, located at **1111 S. Glendale Avenue**, described as Lot 3, Block 1, Ayers Tract in the City of Glendale, County of Los Angeles.

ENVIRONMENTAL DETERMINATION
This project is exempt from environmental review as a Class 1 "Existing Facilities" exemption per State CEQA Guidelines Section 15301.

Background

There are two separate wireless facilities located on the roof of the existing building. Approvals for each facility consist of the following:

On May 31, 2002, the Planning Hearing Officer approved with conditions Conditional Use Permit Case No. 10349-CU to allow the operation and installation of a wireless telecommunication facility inside an enclosed area used for storage on the eastern portion of the roof of an existing two-story commercial building located at 1111 S. Glendale Avenue. This approval expired on June 1, 2007.

On May 24, 2005, the Planning Hearing Officer approved with conditions Conditional Use Permit Case No, 2005-012 to allow the installation and operation of a Wireless Telecommunication Facility (WTF) inside and enclosed penthouse area located on western portion of the roof of an existing two-story commercial building at 1111-1113 S. Glendale Avenue. This approval expired on May 31, 2010.

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:

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

The site is located within a commercial area. The existing wireless telecommunication facility (WTF) that was approved with PCUP Case No. 2005-012 is located within the two enclosed bulkheads located on the eastern portion of the roof of the commercial building. The bulkheads effectively screen the WTF and associated equipment. The proposal involves replacing some of the existing antennas and pipe mount including one new antenna per sector (three total) and one new RRU (Remote Radio Unit) per sector (three total) inside the existing bulkhead enclosure. The proposed modifications result in an upgrade to the subject WTF that will add a new frequency (700 MHz) to the T-Mobile network. No additional changes are proposed.

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

   This configuration is the most compatible as it is located at an existing site. Locating the facility at another location would increase incompatibility in the community. Alternate configurations on the site will not increase community compatibility or are not reasonably feasible. The proposal involves new upgrades to enable new frequency in the city for faster internet, better data, higher efficiency for emergency response teams and other features. As previously mentioned, no physical changes are proposed to the existing structures. All existing and new equipment and cabinets will remain in their present location inside the bulkhead.

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 City's Wireless Administrator reviewed the application and agreed that the existing location is necessary to fill a gap in coverage with as little impact as possible on the building and surrounding neighborhood. In addition, the upgrade will provide new frequency network. The existing WTF location meets their objective coverage and least intrusive.

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

   The existing equipment will not be significantly altered. The WTF and equipment cabinets are enclosed in the two bulkheads located on the rooftop of an existing commercial building. The bulkhead appropriately screens the WTF and associated equipment. The existing and new replacement equipment will remain screened within the bulkhead, not visible from public view. The location of the WTF at alternative sites will not increase community compatibility and is not reasonably feasible. Since its last approval in 2002, the facility has not proven to be a nuisance or detrimental to the public welfare. The current location will remain unchanged. The current location is the 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.

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

   The City's Wireless Administrator for the City's Information Services Department, reviewed the application materials and maps and concurred that this site appears necessary to fill a 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.**

   T-Mobile 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) 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. Existing equipment to remain along with the proposed equipment will not emit any noise decibels in excess of established noise standards contained in Chapter 8.36 of the Glendale Municipal Code.

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 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 Hearing Officer.

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, or 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 (Building, Fire, Police, Planning and Neighborhood Services, etc.) for inspection to ascertain that all conditions of approval are in compliance.

5. That design review approval or exemption shall be obtained prior to the issuance of a building permit.

6. That all non-functional or obsolete equipment shall be removed from the site.

7. That any transmissions shall not produce noise or other disturbances, which would interfere with normal activities in the area. The opinion of the Hearing Officer 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 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.

11. That 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 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 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.

13. That the authorization granted herein shall be valid for a period of **10 years until October 6, 2025**, until at which time, a reapplication must be made prior to the expiration date.

APPEAL PERIOD, TIME LIMITS, LAPSE OF PRIVILEGES, TIME EXTENSIONS

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.

APPEAL PERIOD

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 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 Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **October 21, 2015** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

APPEAL FORMS are available on-line at: http://www.glendaleca.gov/appeal

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 the City's website at www.glendaleca.gov.

TIME LIMITS (GMC Chapter 30.41)

Termination
Every right or privilege authorized by a Wireless Telecommunications 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.

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

Time Extension
Permits granted by such right or privilege 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 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 Telecommunications Facility.

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 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 variances, conditional use permits, administrative exceptions and 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 10 days notice by mail to the applicant or permittee.

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** (in order to assure customer 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 case planner, Milca Toledo during normal business hours at her direct line (818) 937-8181 or office line (818) 548-2115 or mitoledo@glendaleca.gov.

Sincerely,

PHILIP LANZAFAME
Director of Community Development

Erik Krause
Planning Hearing Officer

EK:BC:mt
Cc: City Clerk (K.Cruz); Police Dept. (Lt.S.Bickle/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (A. Jimenez); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Environmental Management (M. Oillataguerra); Property Owner (Oscar Pallares for T H Richter LLC); and case planner (Milca Toledo).