



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

December 4, 2019

Nico Perez
o/bo SPRINT
SAC Wireless LLC
540 West Madison Street, 9th Floor
Chicago, IL 60661

**RE: 227-229 NORTH CENTRAL AVENUE
WIRELESS TELECOMMUNICATIONS FACILITIES NO. PWTF1918577**

Dear Applicant:

The Planning Commission of the City of Glendale, at its meeting held on December 4, 2019, conducted a public hearing on Wireless Telecommunications Facility Case No. PWTF 1918577, and after due consideration, the Planning Commission APPROVED WITH CONDITIONS, the Wireless Telecommunications Facility Permit No. PWTF 1918577, located at **227-229 North Central Avenue**, to reuse and modify an existing wireless telecommunications facility (established by Conditional Use Permit 10288-CU, expired on January 31, 2007) on the roof of an existing, 88-foot, six-story, commercial building (constructed in 1929) at a height that exceeds the standards of the (DSP/TD) - Downtown Specific Plan/Transitional District Zone (88-feet proposed; 65-feet maximum) described as Portion of Lot 1, Block 2 of Moore's Re-subdivision of a Portion of Block 9, Glendale Boulevard Tract, in the City of Glendale, County of Los Angeles.

CODE REQUIRES

- (1) Wireless telecommunications facilities shall comply with the 65-foot maximum height standards of the DSP/TD Zone. Wireless telecommunications facilities exceeding the maximum height standards of the underlying zone shall be approved by the Planning Commission.

APPLICANT'S PROPOSAL

- (1) To reuse and modify an existing wireless telecommunications facility established by an expired conditional use permit located on the roof of an existing six-story commercial building at an overall height of 88 feet, where a maximum height of 65-feet is allowed.

ENVIRONMENTAL DETERMINATION

The project is exempt from CEQA review as a Class 1 "Existing Facilities" exemption pursuant to State CEQA Guidelines Section 15301 because the project involves no expansion of an existing use.

A motion adopted by the Planning Commission is attached.

APPEAL PERIOD, 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 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 **December 19, 2019**, 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 available on-line: <http://www.glendaleca.gov/agendas>

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.

REVOCACTION

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,
Phillip Lanzafame
Director of Community Development Department



Minjee Hahm
Planning Associate

MH: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- (J.Halpert); Dir of Public Works (Y.Emrani);Traffic & Transportation Section (P.Casanova); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove/T.Dodson); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian/R.Takidin); Glendale Water & Power--Electric Section (B. Alshanti/B.Ortiz/E.Olsen); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (R.Sada/J.Jouharian); and case planner – Minjee Hahm

MOTION

Moved by Commission Member Chraghchian seconded by Commission Member Minassian, that upon review and consideration of all materials and exhibits of current record relative to Wireless Telecommunications Facilities Permit No. PWTF 1918557, located at 227-229 North Central Avenue, and after conducting a hearing on said matter, the Planning Commission hereby **APPROVES** said Wireless Telecommunications Facilities Permit No. PWTF 1918557 in accord with the following findings and conditions.

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:

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

Aside from the proposed antenna and equipment replacements, there will be no changes to the existing wireless telecommunications facility that will affect the design of the building. The existing facility consists of 13-foot 4-inch tall penthouse screen walls above the roof of an existing 74-foot 6-inch tall building (total combined height is approximately 88-feet). The proposed antennas will be mounted on the exterior of the existing screen walls in a similar manner as the existing panel antennas. The screen walls are centrally located on the roof, approximately 5-feet from the nearest parapet wall and not readily visible at the building edge. Since the proposed antennas and associated equipment will be installed in the same location as the previous antennas and equipment, the appearance of the wireless facility on the building will look largely the same. In order to further minimize visual impact, the proposed antennas and accessory equipment will be painted to match the color of the building and its parapet walls. No building or structure within 500-feet of the project is at a height above or equal to the subject building; the facility is not visible from the street level and is designed to achieve community compatibility. In addition, the removal and replacement of the wireless equipment will not increase the height or significantly affect the overall appearance of the existing wireless facility. The location was selected to fill a gap in coverage, provide better quality service, and meet existing demand in the area. Therefore, it is compatible with the service needs of the community.

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

For the past 20 years, the existing wireless facility has operated without incidents or complaints on record. Given the minor scope of the project, which is to remove and replace three antennas and associated equipment, alternative configurations would not increase community compatibility. The existing configuration effectively mounts antennas and associated equipment onto the exterior wall of the centrally located screen wall (approximately 5 feet from the nearest parapet wall), which results in less visibility from surrounding properties. Changing the configuration may result in covering a larger area and may require additional structures on which to mount the wireless equipment. Further, alternative configurations would reduce the effectiveness of the wireless facility. The existing configuration appears to be the most compatible as it is located at an existing site.

C. Alternative locations on the site are not reasonably feasible and will not increase community compatibility.

The location of the existing facility is on the roof of an existing, approximately 88-foot tall (74-foot 6-inch tall building with 13-foot 4-inch tall rooftop penthouse screen walls) commercial building. The wireless facility needs to be located at the highest elevation possible in order to effectively transmit signals. The current location is the most effective, as the proposed and existing antennas are mounted on the exterior walls of the existing screen wall enclosure. The location fills a gap in coverage with as little impact as possible on the building and the surrounding neighborhood. Because the application request is to make minor modifications to an existing facility, relocating it elsewhere on the subject site would not be reasonably feasible.

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

Locating the facility on alternative sites will not increase community compatibility and is not reasonably feasible, because the application request is to reuse an existing wireless facility without changing or expanding its physical layout. The existing location and physical layout were in place for the last 20 years. The wireless carrier has a network of facilities, with each facility designed to cover a particular area. Locating the facility on an alternative site will cause significant connectivity issues and loss of cellular coverage within the carrier's targeted area. In addition, relocating to an alternate site would create an additional facility, which would not be compatible with the community. Given the minor scope of the project, which is to remove and replace three antennas and associated

equipment, identifying a new site or relocating to an alternative site would not be reasonably feasible and will not increase community compatibility.

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

The proposed site is necessary to boost existing cellular coverage for the surrounding residential and commercial areas, as well as for those passing through North Central Avenue and West California Avenue. The City's Wireless Systems Administrator reviewed the application materials and maps, and concurred that this site and the proposed modifications are necessary to fill a gap in coverage consistent with the ordinance for Wireless Telecommunications Facilities Permits.

F. The applicant has submitted a statement of their willingness to allow other carriers to collocate on the site, wherever technically and economically feasible and aesthetically desired, as required in Glendale Municipal Code Section 30.40.020(H)(1)(i).

G. 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 work, as the existing equipment is on the roof. The 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.

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

The Wireless Telecommunications Facilities ordinance requires that at all times, the permittee shall ensure that its wireless telecommunications facilities comply with the most current regulatory and operational standards. The applicant stated that the proposed facility has met and will continue to meet 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 operate under licenses issued by the Federal Communications Commission (FCC) and will also be regulated by the California Public Utilities Commission (CPUC).

CONDITIONS OF APPROVAL

APPROVAL of this Wireless Telecommunications Facility shall be subject to the following conditions:

1. 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.
2. That the premises shall be made available and accessible to any authorized City personnel (Building, Fire, Police, Neighborhood Services, Planning, etc.), for inspection to ascertain that all conditions of approval of this Wireless Telecommunications Facilities Permit are complied with.
3. That additional or other building code requirements or specific code requirements (i.e. CA Green Building Code, etc.) will be required upon submittal of plans for building plans check and permit.
4. That the project approved herein shall be completely constructed as depicted on those sets of drawings, elevations, etc. and stamped approved by staff on the approval date. Any minor 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 the Planning staff must be reviewed 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 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.
6. That design approval or exemption shall be obtained prior to the issuance of a building permit.
7. That all nonfunctional or obsolete equipment shall be removed from the site.
8. That equipment transmission shall not produce noise or other disturbances, which could interfere with normal activities in the area. The opinion of the Planning Commission shall determine or settle disputes concerning this condition.
9. That equipment service lighting shall be directed into the work area and shielded away from adjacent properties.
10. That premises shall be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
11. That authorization granted herein shall be valid for a period of ten years until **December 4, 2029**, at which time reapplication must be made prior to the expiration date.

Adopted this 4th day of December, 2019.

This motion shall take effect and be in force upon the tenth (10th) day after its passage.

VOTE

Ayes: Astorian, Chraghchian, Minassian, Shahbazian

Noes: None

Absent: Lee

Abstain: None