

Date 8/10/2008

Mr. Don Ashton
Deputy Executive Officer
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Mr. Ashton:

Subject: Appeal of Project No. R2004-00805-(5)

Use: Conditional Permit No. 200700051-(5)

RPC Decision 7/30/2008

Address 2540 Foothill Blvd., La Crescenta, Ca.

Montrose

Zoned District

Related zoning matters:

Tract or Parcel Map No. 5810-001-033

Change of Zone Case No. _____

Other _____

This is a notice of appeal from the decision of the Regional Planning Commission on:
(Check One)

The Denial of this request

The Approval of this request

The following conditions of the approval:

Briefly, the reason for this appeal is as follows:

The community and tenants of the building came to all hearings and voiced strong disapproval of this project. We provided adequate proof and cited cases of Hottokus stating that adequate coverage existed and that the applicant needed to prove that Co-Location was not an option and cite Co-Location attempts. The CV Town Council also has been requesting that these companies Co-locate. The RPC recently approved a 60 foot Monopole within 1000-1500 feet of this project and it already exists and is operational. They could have Co-located there but showed no proof that they attempted to Co-locate. The Board ignored the Community and also chose to have the Cell Company educate them on undisputed facts they provided with no rebuttals. This should have been the RPC requesting to insist that the applicant move to the Co-locate facility since it exists in the circle of coverage that the Cell Company failed to mention to the Board. The Board failed on this one.

Enclosed is a check (or money order) in the total amount of \$ 775.00.
The amount of \$1,548.00 for applicants or \$775.00 for non-applicants is to cover the Regional Planning Department's processing fee.

FILED

2008 AUG 13 PM 2:34

BOARD OF SUPERVISORS
COUNTY OF CALIFORNIA

Glenn R. Workman
(Signed) Appellant

Glenn R. Workman
Print Name

2526 Community Ave
Address

Montrose, Ca. 91020

818-248-5205
Day Time Telephone Number

I feel that the Board heard the Cell Company prey on the Recent Earthquake and gave some statistics that implied that if they had more cell sites there would not have been such downtime. They are not building this system to be ready or handle Emergencies it is for increased revenues. I am in communications and I know that I could have rebutted to make the Board ask more valid questions but was not given the opportunity to speak anymore. I tried and they had to send someone to tell me I was done. This was UNFAIR!



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Bruce W. McClendon, FAICP
Director of Planning

July 31, 2008

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Eric Little
Derra Design
606 E. Chapman Ave., Ste. #203
Orange, CA 92866

Regarding: **PROJECT NUMBER: R2004-00805-(5)**
CONDITIONAL USE PERMIT CASE NUMBER: RCUP200700051-(5)
2540 FOOTHILL BOULEVARD
LA CRESCENTA, CA 91214

Dear Applicant:

The Regional Planning Commission, by its action of July 30, 2008, **APPROVED** the above described Conditional Use Permit. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on August 13, 2008.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Dennis Harkins in the Zoning Permits Section II at (213) 974-6483.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP
Director of Planning

Maria Masis, AICP, Supervising Regional Planner
Zoning Permits II Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: Commissioners, Testifiers, Building & Safety, Zoning Enforcement.

MM:DH

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NUMBER R2004-00805-(5)
CONDITIONAL USE PERMIT NO. 200700051-(5)**

REQUEST:

The applicant, Sprint-Nextel, requested a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

REGIONAL PLANNING COMMISSION HEARING DATE: July 30, 2008

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

The project was initially heard at the March 4, 2008 Hearing Officer meeting. The project was continued to the March 18, 2008 Hearing Officer meeting in order for the applicant's representative to meet with opponents to the project. On March 12, 2008, the applicant's representative and his radio frequency engineer meet with members of the community to discuss community opposition to the proposed project. At the March 18, 2008 Hearing Officer meeting, the project was referred to the Regional Planning Commission. After the hearing packets had been distributed for the May 21, 2008 Regional Planning Commission, the applicant requested that the project be continued. At the May 21, 2008 Regional Planning Commission, the Commission opened the public hearing, heard testimony, and the project was continued to the July 9, 2008 Regional Planning Commission. As the July 9, 2008 Regional Planning Commission did not have a quorum, the project was continued to the July 30, 2008 Regional Planning Commission.

The Regional Planning Commission made several comments during the July 30, 2008 hearing. Commissioner Valadez discussed the issue of co-locating wireless telecommunications facilities. Commissioner Rew questioned the site leasing policies of cellular providers.

The applicant was sworn in and testified in favor of the project. The applicant confirmed that he had reviewed the staff report and conditions recommended by staff and concurred with all conditions of approval. Six (6) persons testified against the project citing issues regarding the visual impact of the proposed project, the impact on employees located inside the building where the project is proposed to be located, and whether the proposed wireless telecommunications facility is needed to provide improved cellular service.

There being no further testimony, the Regional Planning Commission closed the public hearing and approved the permit subject to the Findings and Conditions as attached and as agreed to by the applicant.

Findings

1. Location

The project site is located at 2540 Foothill Boulevard (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. The applicant proposes to lease approximately 192 square feet of an existing 17,961 square foot office building and parking lot.

2. Project Description

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

3. General Plan Consistency

The subject property's General Plan designation is: C (Major Commercial).

4. Compliance with Applicable Development Standards

The proposed project complies with all applicable development standards' regulations and requirements.

5. Compatibility with Surrounding Development

The proposed project will be compatible with the surrounding, primarily commercial, development. The project does not increase any building square footage. While compliant with County Code requirements, the only substantial impact on surrounding development is that parts of the building façade will increase six (6) feet due to the wireless telecommunications facility's screening.

6. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, and property posting.

7. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to 10 years.

8. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits II Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

1. That the proposed use will be consistent with the adopted general plan for the area;
2. That the requested use at the location proposed will not:
 - i. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - ii. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - iii. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
4. That the proposed site is adequately served:
 - i. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - ii. By other public or private service facilities as are required.

REGIONAL PLANNING COMMISSION ACTION:

1. The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) requirements. On May 19, 2007, Department of Regional Planning staff completed its review of the Environmental Questionnaire and other data regarding the proposed development. The environmental document for the proposed project is attached.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200700051-(5) is approved subject to the attached conditions.
 - c: Each Commissioner, Zoning Enforcement, Building and Safety -

PROJECT NO. R2004-00805-(5)
CONDITIONAL USE PERMIT NO. 200700051-(5)

FINDINGS
Page 4 of 4

VOTE:

Concurring: Vice-Chair Bellamy, Commissioner Rew, Commission Valadez

Dissenting:

Abstaining:

Absent:

Action Date: July 30, 2008

MM: DH
5/21/08

1. This grant authorizes the Permittee to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel, as depicted on the approved Exhibit "A". This grant is subject to all of the following conditions of approval:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Construction and maintenance of the facility shall take place between the hours of 9:00 AM to 5:00 PM, Monday through Friday only;
 - c. Said facility shall be removed if in disuse for more than six months;
 - d. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time;
 - e. All structures shall conform to the requirements of the Building and Safety Division of the Department of Public Works or other appropriate agency and obtain encroachment permits if deemed necessary;
 - f. All equipment shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
 - g. The Permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this Conditional Use Permit. The Permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning;
 - h. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification required in Condition No. 1(g) and include the cumulative radiation and emissions of all such facilities.
 - i. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility;
 - j. The project shall be developed and maintained in substantial compliance with the plans marked Exhibit "A". Placement and height of all equipment to be in substantial

conformance with that shown on said Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner;

- k. The operator shall ensure that maintenance vehicles shall not block access to driveways or garages and shall obey all applicable on-street parking regulations;
 - l. Lighting shall be on motion sensors, be of low intensity, and be directed away from residential areas. No pole-mounted lighting shall be permitted on the leasehold. Exterior lighting shall be top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination;
 - m. Any areas of property shall remain free of trash and other debris; and
 - n. No equipment shall be placed directly on the ground.
2. Unless otherwise apparent from the context, the term "Permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9.
 4. The Permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall cooperate reasonably in the defense. If the County fails to promptly notify the Permittee of any claim action or proceeding, or if the County fails to cooperate reasonably in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
 5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with the payment of the applicable fee, at least six months before the expiration date.
 6. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten (10) days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the County's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to

Permittee or Permittee's counsel. The Permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to litigation's completion.
 - b. At the sole discretion of the Permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
 - c. The cost for collection and duplication of records and other related documents will be paid by the Permittee according to Los Angeles County Code Section 2.170.010.
7. Prior to the use of this grant, the property owner or Permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or Permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
8. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The Permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of approval. The fund provides for **five (5) biennial inspections**. Inspections shall be unannounced.
- If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being-used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.
10. **This grant will terminate on July 30, 2018.**

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.

11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. In the event such extraneous markings occur, the Permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
14. The height of the structure, including the antennas and roof-top screening, shall not exceed 48'-4" as measured from the lowest part of the lot's slope to the highest point of the antennas and roof-top screening.

MM:DH
5/21/2008



Los Angeles County
Department of Regional Planning



July 30, 2008

Bruce W. McClendon FAICP
Director of Planning

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Esther Valadez, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Maria Masis, AICP *MM*
Section Head, Zoning Permits II

SUBJECT: Additional Materials for Hearing
Project Number: R2004-00805-(5)
Case: 200700051-(5)
RPC Meeting: July 30, 2008
Agenda Item: 7

SUMMARY OF ISSUES

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. Implementing the proposed conditions of approval will make the proposed project compatible with both Los Angeles County Code and the surrounding community. Staff recommends approval of the project, subject to conditions.

PUBLIC HEARING

The project was initially heard at the March 4, 2008 Hearing Officer meeting. The project was continued to the March 18, 2008 Hearing Officer meeting in order for the applicant's representative to meet with opponents to the project. On March 12, 2008, the applicant's representative and his radio frequency engineer meet with members of the community to discuss community opposition to the proposed project. At the March 18, 2008 Hearing Officer meeting, the project was referred to the Regional Planning Commission. After the hearing packets had been distributed for the May 21, 2008 Regional Planning Commission, the applicant requested that the project be continued. At the May 21, 2008 Regional Planning Commission, the Commission opened the public hearing, heard testimony, and the project was continued to the July 9, 2008 Regional Planning Commission. As the July 9, 2008 Regional Planning Commission did not have a quorum, the project was continued to the July 30, 2008 Regional Planning Commission.

ADDITIONAL MATERIAL

After the hearing packets had been distributed for the July 30, 2008 Regional Planning Commission, additional material was submitted by the public stating opposition to the proposed project. The document is attached.

SUGGESTED APPROVAL MOTION

I move that the Regional Planning Commission close the public hearing and approve Conditional Use Permit No. 200700051-(5)/Project No. R2004-00805-(5) with the attached findings and final conditions.

Harkins, Dennis

From: Glenn R. Workman [glenn@ipcomLA.com]
Sent: Monday, June 30, 2008 8:44 AM
To: Harkins, Dennis
Subject: LA County Planning Commission Letter for 07092008

Dennis,

I apologize for not getting this to you sooner. I have been preparing for the next meeting on July 9th and realized I had not gotten this to you yet.

**Workman Family
and Neighbors**

2526 Community Ave.
Montrose, Ca. 91020

June 30, 2008

**Department of Regional Planning
County of Los Angeles
320 West Temple St.
Room 150
Los Angeles, Ca. 90012
Attn: Dennis Harkins**

RE: Project Number R2004-00805-(5)

Dear Sir or Madam:

We the residents of 2526 Community Ave., Montrose, Ca. and the surrounding neighborhood and neighbors would like to protest the Project Number R2004-00805-(5) and Conditional Use Permit Number 200700051-(5). We have come to all meetings since March 4, 2008 and have repeatedly opposed this project.

The Cellular Industry is out of control as it tries to expand its range of services trying to compete with the local Telephone Companies and gain significant market share not to improve services but to expand new services for increased revenue. The Telecom Act of 1996 has allowed them to continue this out of control behavior by depriving the local jurisdictions and citizens of these localities, rights granted to us by the constitution. In many jurisdictions around the country for the past decade, the cellular companies have faced fierce opposition to facilitate placements and have had many legal battles that indicates the growing dissatisfaction with siting decisions. Despite all this opposition, the Cellular Industry has flourished beyond expectation.

Local Jurisdictions have been legally battered by Federal Court Rulings with many restrictions and in many cases long-term appeals that favor the Cell Providers. Local Planning Boards follow many of these cases and seem to blindly approve the requests without first requiring a Public Forum in the locality offices inviting public comment. The cellular providers are requesting more and more sites with little to no resistance in conquered jurisdictions and localities.

La Crescenta has many Cell Sites consisting of both Towers and Antennae Locations, which allows us to say that we have allowed change to happen. If you look at the maps that Sprint provides on their websites, the coverage areas and strength indicators depict a relatively healthy system in the chosen area proposed by this project. To back up this data, I have previously referred to Rob Perez's findings as given to him by Sprint's RF Engineer to justify the need for a new facility. The stats given by the Optimization/Performance Engineer are; **4% Dropped Calls** (Acceptable Level is **1%**), **3% Blocks** (Acceptable Level is **1.2%**) I again must bring the Argument that any Business must try to achieve perfection but if the levels of service are at **96-97%**, I believe they are doing Very Well. We are insisting that nothing looks broken here. In their own words, they are at Acceptable Levels and service is sufficient.

I would like Board Consideration to the 3rd Circuit, in Ho-Ho-Kus, 197 F.3d 64 (1999) held that a town may completely ban wireless facilities in a borough or neighborhood, so long as wireless facilities outside the neighborhood provide "adequate coverage" within the neighborhood. Id. At 71. Furthermore, "adequate coverage" means there are no significant gaps in the availability of wireless service, or the ability either to connect with the land based national network or to maintain a connection capable of supporting a reasonable uninterrupted communication. Id. at 70. Notice that this definition of "adequate coverage" refers to wireless communication in general, not to gaps in the particular applicants network, in other words, there is "adequate coverage" in an area if one could maintain wireless communication through any provider, not just the applicant, the term "significant gap" refers to the coverage provided by the sum of all providers.

At the last meeting, I provided a small chart showing statistics of our own studies using a Sprint and Verizon phone and the results were good for one mile in either direction. This would substantiate the Sprint Optimization Engineers findings and conclude that 96-97% efficiency is adequate. We feel this was an appropriate test to validate adequate coverage even though we did not arbitrarily just conclude that landline services were good and Verizon Cellular was equally adequate we wanted to be fair and balanced so we included their service as well. The test was done in a moving vehicle with three people, a driver and one each Sprint and Verizon wireless tester.

The Project proposal for 2540 Foothill Blvd. also poses other serious concerns for our community. The Building height is already high enough and just barely allows some surrounding neighbors to barely see the spectacular views the mountain ranges have to offer. One of the neighbors daughters bedroom window looks at the roofline of the building and allows the view currently of the mountains, if the wall goes up it would totally block her view and I think that creates a serious problem to a young growing child's perception of scenic beauty.

In the last year, there have been many Planning Commission Denials of Cell Tower Applications. On July 3, 2007, the South Berkley ZAB rejected Verizon Wireless and Nextel Communications for the placement of 11 Cell Antennas at a storage building site for the second time because they failed to prove inadequate service levels.

On October 9, 2007, the Diamond Bar Planning Commission denied a request for Sprint/Nextel to place a Cell Tower at Ronald Regan Park on the grounds of their failure to convince the board that a "significant gap" existed as defined by the Telecommunications Act of 1996.

On December 17, 2007, Verizon Wireless was denied to place a Cell Tower in an R1 District in North Annville Township, Pa. Verizon tried to use an analogy that a Cell Phone Tower is similar to a principal utility structure and to a municipal structure, which would allow its use in an R1 District. The court found that the Cell Phone Tower could be placed in Commercial Districts, but held that the zoning ordinance was not de jure exclusionary.

In our community, we have spent a lot of time and effort opposing this project when the real burden should be on the Cellular Companies to show that no less intrusive alternatives are available. Our community leadership has for years stated that the Cellular Companies should first and foremost look to Co-locate. This leads us to the Facts of Entitlement. If we allow any site to be approved it automatically becomes an embedded site which now becomes one of the sites to become Co-Location points, so there is definitely an Entitlement that goes along with being an Approved Project. Again, we reject this project based on "adequate coverage" and "no significant gap" clauses.

We also would like to be helpful to the Los Angeles County Regional Planning Commission to try and invoke change in the State of California and even at the Federal Level to urge an awareness that there needs to be Documentation of Current Cell Sites and Future Cell Sites so that the Wireless Topography of our Landscapes can be managed and explained as the airwaves and signals continue to be sliced and diced. The process should be like all formal permit and design approval requests and that they are part of the public record against

properties or locations.

Sincerely,

Glenn R. Workman

Citizen of Los Angeles County



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Bruce W. McClendon FAICP
Director of Planning

July 9, 2008

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Esther Valadez, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Maria Masis, AICP *MM*
Section Head, Zoning Permits II

SUBJECT: Additional Materials for Hearing
Project Number: R2004-00805-(5)
Case: 200700051-(5)
RPC Meeting: July 9, 2008
Agenda Item: 7

SUMMARY OF ISSUES

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. Implementing the proposed conditions of approval will make the proposed project compatible with both Los Angeles County Code and the surrounding community. Staff recommends approval of the project, subject to conditions.

PUBLIC HEARING

The project was initially heard at the March 4, 2008 Hearing Officer meeting. The project was continued to the March 18, 2008 Hearing Officer meeting in order for the applicant's representative to meet with opponents to the project. On March 12, 2008, the applicant's representative and his radio frequency engineer meet with members of the community to discuss community opposition to the proposed project. At the March 18, 2008 Hearing Officer meeting, the project was referred to the Regional Planning Commission. After the hearing packets had been distributed for the May 21, 2008 Regional Planning Commission, the applicant requested that the project be continued. At the May 21, 2008 Regional Planning Commission, the Commission opened the public hearing, heard testimony, and the project was continued to the July 9, 2008 Regional Planning Commission.

SUGGESTED APPROVAL MOTION

I move that the Regional Planning Commission close the public hearing and approve Conditional Use Permit No. 200700051-(5)/Project No. R2004-00805-(5) with the attached findings and final conditions.

LOS ANGELES COUNTY LETTERGRAM

| | | | |
|-----------|---|-------------|---|
| TO | Los Angeles County Regional Planning Commission | FROM | Dennis Harkins Zoning Enforcement II |
|-----------|---|-------------|---|

SUBJECT: Continuation of CUP Project No. R2004-00805-(5)
DATE: May 21, 2008

SUMMARY OF ISSUES

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. Implementing the proposed conditions of approval will make the proposed project compatible with both Los Angeles County Code and the surrounding community. Staff recommends approval of the project, subject to conditions.

PUBLIC HEARING

The project was initially heard at the March 4, 2008 Hearing Officer meeting. The project was continued to the March 18, 2008 Hearing Officer meeting in order for the applicant's representative to meet with opponents to the project. On March 12, 2008, the applicant's representative and his radio frequency engineer meet with members of the community to discuss community opposition to the proposed project. At the March 18, 2008 Hearing Officer meeting, the project was referred to the Regional Planning Commission. Staff was also directed to review documents submitted into the record during the public hearing and to determine the impact of the proposed project on Los Angeles County Sheriff's Department and Los Angeles County Fire Department telecommunications systems.

SHERIFF'S DEPARTMENT TELECOMMUNICATIONS SYSTEMS

Ronald Wong, Acting Division Manager-Internal Services Department, Information Technology Services, Telecommunications, Radio Systems Division, states that wireless telecommunications facilities generally do not have an impact on Los Angeles County Sheriff's Department telecommunications systems. There is some impact for 800 megahertz wireless telecommunications equipment, but that is a general government frequency and does not affect Sheriff's Department radio communications systems. Any potential impact for 800 megahertz wireless telecommunications equipment is currently being resolved by the Federal Communications Commission (FCC).

FIRE DEPARTMENT TELECOMMUNICATIONS SYSTEMS

Scott England, Telecommunications Systems Consulting Engineer for the County of Los Angeles Fire Department Special Operations Bureau, states that the proposed wireless telecommunications facility is not located near Los Angeles County Fire Department communication sites or fire stations. Also, the frequency bands for the proposed project are not in the same spectrum band used by the Fire Department. Therefore, the proposed project will not impact Los Angeles County Fire Department telecommunications systems.

PUBLIC COMMENTS

After the staff report was prepared for the Hearing Officer meeting, Staff received additional emails, phone calls, and petitions from the public stating opposition to the proposed project. Also, Staff received a request from the Crescenta Valley Town Council (CVTC) on February 12, 2008 for a presentation by the project applicant for February 21, 2008. On March 14, 2008, Staff received a

letter from CVTC stating that the group never held a public meeting regarding the proposed project, and the CVTC has not voted to approve nor disapprove the proposed project.

PUBLIC NOTIFICATION

Required public hearing posting materials in the subject area are generally sent to the Los Angeles County Public Library-La Crescenta Branch. As of September 16, 2007, the La Crescenta Branch closed for the construction of a new library. All required public hearing posting materials are forwarded to:

County of Los Angeles Public Library-La Cañada Flintridge Branch
4545 North Oakwood Avenue
La Cañada Flintridge, CA 91011

SUGGESTED APPROVAL MOTION

I move that the Regional Planning Commission close the public hearing and approve Conditional Use Permit No. 200700051-(5)/Project No. R2004-00805-(5) with the attached findings and final conditions.



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443
PROJECT No. R2004-00805-(5)
CASE NO. 200700051-(5)

| | |
|-------------------------------------|-------------|
| RPC/HO MEETING DATE | CONTINUE TO |
| AGENDA ITEM | |
| PUBLIC HEARING DATE July 9, 2008 | |

| | | | |
|---|---|---------------------------------------|---|
| APPLICANT Sprint-Nextel | OWNER Footcrest, LLC | REPRESENTATIVE N/A | |
| REQUEST Conditional Use Permit: To install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. | | | |
| LOCATION/ADDRESS 2540 Foothill Blvd. (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. | | ZONED DISTRICT Montrose | COMMUNITY La Crescenta-Montrose |
| ACCESS Foothill Boulevard, Rosemont Avenue | | EXISTING ZONING Zone C-2 BE | |
| SIZE 192 square feet. | EXISTING LAND USE Office Building | SHAPE Irregular | TOPOGRAPHY Sloping (Northeast to Southeast) |

| | |
|---|--|
| SURROUNDING LAND USES & ZONING North: Office Building/C-2 BE. South: Single Family Residence/C-2 BE. | East: Office Building/C-2 BE; Southeast: Single Family Residence/R-1. West: Commercial Center/C-2 BE; Southwest: Single Family Residence/R-1. |
|---|--|

| GENERAL PLAN | DESIGNATION | MAXIMUM DENSITY | CONSISTENCY |
|--------------|--|-----------------|--------------------|
| Countywide | Major Commercial | N/A | See Staff Analysis |
| Area Plan | La Crescenta-Montrose Community Standards District (CSD) | N/A | See Staff Analysis |

ENVIRONMENTAL STATUS
 Categorical Exemption – Class 3 (Existing Facilities)

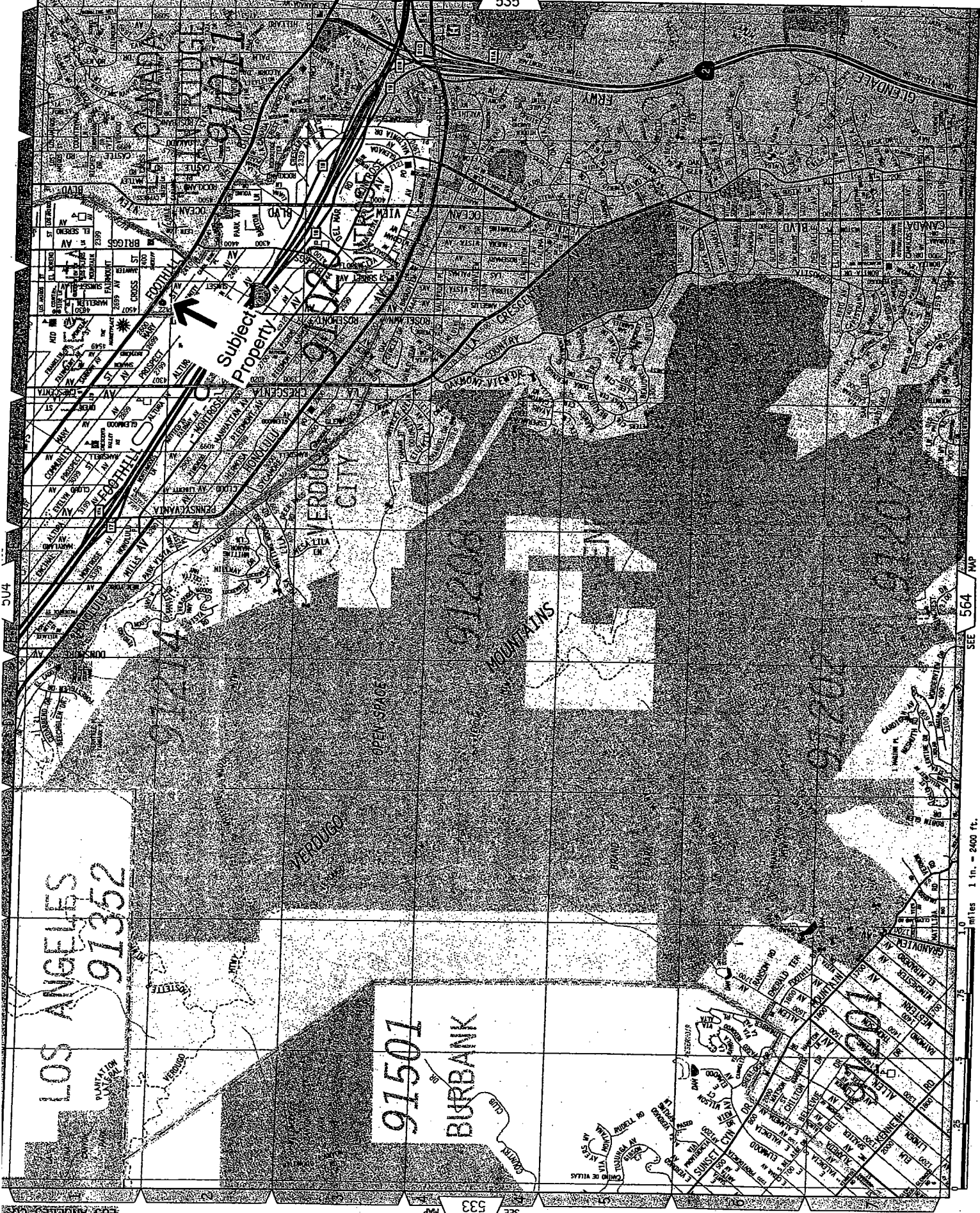
DESCRIPTION OF SITE PLAN
 The site plan depicts the proposed project, the existing 17,961 square foot professional office building, and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The equipment layout plan indicates the 192 square foot lease area with a 50.75 square foot raised concrete slab. The plan shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall. The elevation plan depicts both heights of the building and the rooftop screening, the proposed equipment enclosure and existing block wall, and the existing shrubbery and landscaping. The elevation plan also depicts the coax cable riser, coax cable support frame, and coax cable cover.

KEY ISSUES
 ▪ Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code CUP Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

| | | |
|--|----------------------|--------------------|
| STAFF CONTACT PERSON | | |
| RPC HEARING DATE(S) | RPC ACTION DATE | RPC RECOMMENDATION |
| MEMBERS VOTING AYE | MEMBERS VOTING NO | MEMBERS ABSTAINING |
| STAFF RECOMMENDATION (PRIOR TO HEARING) | | |
| SPEAKERS* (O) (F) | PETITIONS (O) (F) | LETTERS (O) (F) |

*(O) = Opponents (F) = In Favor



LOS ANGELES
91352

91501
BURBANK

SEE 564 MAP

1 in. = 2400 ft.

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER R2004-00805-(5)
CONDITIONAL USE PERMIT NO. 200700051-(5)

REQUEST:

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

REGIONAL PLANNING COMMISSION HEARING DATE: May 21, 2008

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

Findings

1. **Location**
The project site is located at 2540 Foothill Boulevard (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. The applicant proposes to lease approximately 192 square feet of an existing 17,961 square foot office building and parking lot.
2. **Project Description**
The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.
3. **General Plan Consistency**
The subject property's General Plan designation is: C (Major Commercial).
4. **Compliance with Applicable Development Standards**
The proposed project complies with all applicable development standards' regulations and requirements.
5. **Compatibility with Surrounding Development**
The proposed project will be compatible with the surrounding, primarily commercial, development. The project does not increase any building square footage. While compliant with County Code requirements, the only substantial impact on surrounding development is that parts of the building façade will increase six (6) feet due to the wireless telecommunications facility's screening.

6. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, and property posting.
7. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to 10 years.
8. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits II Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

1. That the proposed use will be consistent with the adopted general plan for the area;
2. That the requested use at the location proposed will not:
 - i. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 - ii. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - iii. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
4. That the proposed site is adequately served:
 - i. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - ii. By other public or private service facilities as are required.

REGIONAL PLANNING COMMISSION ACTION:

1. The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) requirements. On May 19, 2007, Department of

Regional Planning staff completed its review of the Environmental Questionnaire and other data regarding the proposed development. The environmental document for the proposed project is attached.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200700051-(5) is approved subject to the attached conditions.

c: Each Commissioner, Zoning Enforcement, Building and Safety

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

MM: DH
5/21/08

1. This grant authorizes the Permittee to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel, as depicted on the approved Exhibit "A". This grant is subject to all of the following conditions of approval:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Construction and maintenance of the facility shall take place between the hours of 9:00 AM to 5:00 PM, Monday through Friday only;
 - c. Said facility shall be removed if in disuse for more than six months;
 - d. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time;
 - e. All structures shall conform to the requirements of the Building and Safety Division of the Department of Public Works or other appropriate agency and obtain encroachment permits if deemed necessary;
 - f. All equipment shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
 - g. The Permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this Conditional Use Permit. The Permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning;
 - h. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification required in Condition No. 1(g) and include the cumulative radiation and emissions of all such facilities.
 - i. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility;
 - j. The project shall be developed and maintained in substantial compliance with the plans marked Exhibit "A". Placement and height of all equipment to be in substantial

conformance with that shown on said Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner;

- k. The operator shall ensure that maintenance vehicles shall not block access to driveways or garages and shall obey all applicable on-street parking regulations;
 - l. Lighting shall be on motion sensors, be of low intensity, and be directed away from residential areas. No pole-mounted lighting shall be permitted on the leasehold. Exterior lighting shall be top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination;
 - m. Any areas of property shall remain free of trash and other debris; and
 - n. No equipment shall be placed directly on the ground.
2. Unless otherwise apparent from the context, the term "Permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9.
 4. The Permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall cooperate reasonably in the defense. If the County fails to promptly notify the Permittee of any claim action or proceeding, or if the County fails to cooperate reasonably in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
 5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with the payment of the applicable fee, at least six months before the expiration date.
 6. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten (10) days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the County's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to

- Permittee or Permittee's counsel. The Permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to litigation's completion.
 - b. At the sole discretion of the Permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
 - c. The cost for collection and duplication of records and other related documents will be paid by the Permittee according to Los Angeles County Code Section 2.170.010.
7. Prior to the use of this grant, the property owner or Permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or Permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
8. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The Permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of approval. The fund provides for **five (5) biennial inspections**. Inspections shall be unannounced.
- If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.
10. **This grant will terminate on July 9, 2018.**

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six months prior to the termination of this permit, whether or not any modification of the use is requested at that time.

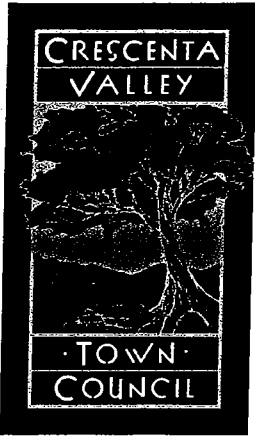
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. In the event such extraneous markings occur, the Permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
14. The height of the structure, including the antennas and roof-top screening, shall not exceed 48'-4" as measured from the lowest part of the lot's slope to the highest point of the antennas and roof-top screening.

MM:DH
5/21/2008

Exhibit 1- Burden Of Proof- Sprint-Nextel

A. Health/Welfare/Property Values

- The facility will not endanger public safety or health. The facility will meet all federal guidelines for RF emissions. Cellular technology does not interfere with any other forms of electronic communication, public or private. The facility will thus should not interfere with existing public safety communications systems. To the contrary, many public safety agencies (police, fire etc) rely on their cellphones in the event of emergencies.
- The proposed design utilizes hidden antennas, and is architecturally integrated into the existing building. The facility is designed in the least obtrusive manner possible, and is separated from areas of public access. The proposed use matches the character and General Plan development guidelines for this zone and this area in that the antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development. The proposed use blends well with the existing architecture so the public will not be able to recognize the facility as a wireless site. This is the least visible location for the shelter and antennas in the vicinity.
- No nuisances will be created by the proposed installation. The equipment associated with the Facility operates quietly. The equipment does not emit fumes, smoke, or odors that could be considered objectionable. The proposed site will in no way pose a menace to public health, safety or welfare.



ciCrescenta Valley Town Council

yourtowncouncil.org
P.O. Box 8676
La Crescenta, CA 91224-0676
(818) 248-9387

May 13, 2008

Los Angeles County
Regional Planning Commission
320 West Temple Street, Room 150
Los Angeles, CA 90012
Attn: Mr. Harkins

Grace Andrus
Mayor

Steve Pierce
Vice Mayor

Cheryl Davis
Recording Secretary

Frank Beyt
Treasurer

Robert Thomas
Corresponding Secretary

COUNCIL MEMBERS

Bruce Campbell

Curtis Clevon

Danette Erickson

Krista Smiley

Liz Arnold, alternate

Dennis Van Bremen, alternate

Charles Beatty, alternate

Dear Commissioners:

Project No. R2004-0085 a request for Sprint-Nextel to construct a wireless telecommunications facility in the C-2-BE zone, 2540 Foothill Boulevard should be denied for the following reasons:

1. Excessive Towers in our area - The Crescenta Valley has a high concentration of cell towers, as listed below, and our preference would be for cell facilities to co-locate.
 - Sheriff Station at Briggs just above Foothill
 - Phone Company at Ocean View and Foothill
 - Lutheran Church on Orange near Rosemont
 - Foothill Boulevard at Cloud on CV Tow property
 - Foothill Boulevard at Cloud on Storage property behind OSH
 - Second facility on other end of Storage property recently approved.
 - Albertson Property, a prominent tall tower, near Lowell and Foothill
 - Office building at Lowell and Foothill
2. Community Opposition - Approximately 200 concerned residents have signed two petitions against this cell facility between Rosemont and Briggs on Foothill Boulevard. One petition was from the residents and the other from the employees who will work in the building. At least one resident has indicated they will sell rather than live near cell transmissions. Employees in this building also object to this location for t
3. Sufficient coverage in our area - Sprint claims to have a lack of coverage. However, their own website information indicates the lack of coverage is in the neighboring City of La Canada/Flintridge. This is where the antenna should be located.
4. Aesthetic eyesore - This proposed antenna site will also add an ugly visual addition to the already architecturally unsavory building as well as further obstruct views of the mountains for the property owners south of the proposed site.

Please listen to concerns of residents who live near this latest facility and deny this permit.
Thank you,

Grace Andrus

Grace Andrus
Mayor

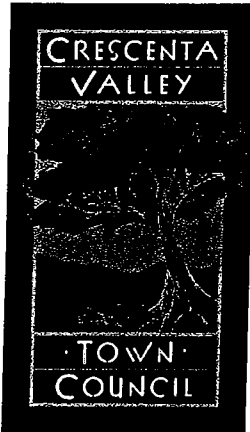
Crescenta Valley Town Council

yourtowncouncil.org

P.O. Box 8676

La Crescenta, CA 91224-0676

(818) 248-9387



Los Angeles County
Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012

March 13, 2008

Re: 2540 Foothill Boulevard, La Crescenta, CA 91214
Sprint-Nextel wireless telecommunications facility
Project No. R2004-00805 – (5)

Dear Mr. Dennis Harkins:

Grace Andrus
Mayor

The Crescenta Valley Town Council (CVTC) would like to clarify its position regarding the proposed subject project.

Steve Pierce
Vice Mayor

1. The CVTC has never held a public meeting regarding the proposed subject project.

Cheryl Davis
Recording Secretary

2. The CVTC has not voted to approve nor disapprove the proposed subject project.

Frank Beyt
Treasurer

It is the understanding of the CVTC after consultation with County representatives that we could ask cell companies to co-mingle their antennas, or to make cell towers try to blend by looking like a tree for example. This specific antenna is proposed for an area which is not near other antennas and is not a tower which would lend itself to look as a tree. A federal mandate prevents us from addressing health concerns relating to cell towers. Therefore, the CVTC did not feel it was necessary to address this issue at our public meeting on February 21, 2008.

Robert Thomas
Corresponding Secretary

COUNCIL MEMBERS

Bruce Campbell

We also understand that several residents are opposed to this project. Therefore, we hope the Planning Commission will consider their opinions about the addition of this antenna in an area that has sufficient land line coverage at that location and cell coverage within one block of that location.

Curtis Clevon

Danette Erickson

Krista Smiley

Sincerely,

Liz Arnold, alternate

Grace Andrus
Mayor

Dennis Van Bremen, alternate

Charles Beatty, alternate

"The Community That Cares"

#1

We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

| | |
|---------------------------|---------------------------|
| <u>Jacy Chiu</u> | <u>Tracey Chiu</u> |
| <u>Adela</u> | <u>Adela Bohner</u> |
| <u>Kim Hatten</u> | <u>Kristen Wheatley</u> |
| <u>Michael</u> | <u>Michael Lucas</u> |
| <u>Sara</u> | <u>Sonia GRIGORIAN</u> |
| <u>Lorinda Garcia</u> | <u>Lorinda Garcia</u> |
| <u>Rachelle Russell</u> | <u>Rachelle Russell</u> |
| <u>OTELIA PACAMBA</u> | <u>OTELIA PACAMBA</u> |
| <u>David Skogstrom</u> | <u>April Erickson</u> |
| <u>DAVID SKOGSTROM</u> | <u>DAVID SKOGSTROM</u> |
| <u>Stefanie McLeod</u> | <u>Stefanie McLeod</u> |
| <u>Edwin Avedian</u> | <u>Edwin Avedian</u> |
| <u>Harriette Avedian</u> | <u>Harriette Avedian</u> |
| <u>Julia Huh</u> | <u>Julia Huh</u> |
| <u>Rakitem Frankel</u> | <u>Rakitem Frankel</u> |
| <u>MARY SARA</u> | <u>MARY SARA</u> |
| <u>Sarah Lindoe</u> | <u>Sarah Lindoe</u> |
| <u>Emin Hatamian</u> | <u>Emin Hatamian</u> |
| <u>SORETA ASSADOURIAN</u> | <u>SORETA ASSADOURIAN</u> |

We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

| | |
|---------------------------|---------------------------|
| <u>Chrisoula Workman</u> | <u>Chrisoula Workman</u> |
| <u>Ariel Workman</u> | <u>Ariel Workman</u> |
| <u>Keith Cummings</u> | <u>Keith Cummings</u> |
| <u>Ashley Srebnack</u> | |
| <u>Orlando Ordonez</u> | <u>Orlando Ordonez</u> |
| <u>TATE HAWYOK</u> | <u>TATE HAWYOK</u> |
| <u>MICHAEL BIGGS</u> | <u>MICHAEL BIGGS</u> |
| <u>COURTNEY BIGGS</u> | <u>COURTNEY BIGGS</u> |
| <u>KELLY BIGGS</u> | <u>KELLY BIGGS</u> |
| <u>Odette Mangasarian</u> | <u>Odette Mangasarian</u> |
| <u>LES QUITO</u> | <u>LES QUITO</u> |
| <u>PATRICIA RUSSELL</u> | <u>PATRICIA RUSSELL</u> |
| <u>Roberta Trim</u> | <u>Roberta Trim</u> |
| <u>FRAN PERRAR</u> | <u>FRAN PERRAR</u> |
| <u>D.W. BEGGS</u> | <u>D.W. BEGGS</u> |
| <u>Melissa Wilson</u> | <u>Melissa Wilson</u> |
| <u>Russ Pacheco</u> | <u>Russ Pacheco</u> |
| <u>DANNY TAYLOR</u> | <u>DANNY TAYLOR</u> |
| <u>Rachel Hean</u> | <u>Rachel Hean</u> |

We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

Martha Rivera

Rivera Martha

~~HAR~~ ~~PLA~~

~~HARMONIA MEGARODRIGUEZ~~

Maria Dolores Rodriguez

~~PLA~~

Jessie Houston

Jade Houston

Robert Mead

Robert Mead

Mark Barker

Mark Barker

Cherr CASAburn

Cherr CASAburn

~~Mark Barker~~

~~Mark Barker~~

Joanne Notario

Joanne Notario

Susan Bates

Susan Bates

Amarda Rollins

Amarda Rollins

Yo Iezawa

Yo Iezawa

Cynthia Parker

Cynthia Parker

Jessie Gonzalez

Jessie Gonzalez

Catherine F. Eschraghi

Catherine F. Eschraghi

~~Shelley Bowers~~

LINDA R. ANDERSON

Shelley Bowers

Shelley Bowers

Bret Bowers

~~Bret Bowers~~

Arax B.

ARAX BAGHDASSARIAN'S

We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

Augusta D. Silva
Mark Meithe

Suzanne Da Silva
Mark Meithe

Soraya Serna
Sydney Rountree

Soraya Serna
Sydney Rountree

Welfer
Jovan

Megan DeLeon
Jovan

Danielle Hernandez
Scott Minkes

Danielle Hernandez
Scott Minkes

Theona White
Megan Allen

Theona White
Megan Allen

Geena Wheeler
Paula Dickley

Geena Wheeler
Paula Dickley

Cole Westerkemper
Alfonso Favela

Cole Westerkemper
Alfonso Favela

Mike Rickards
Diana Franco

Mike Rickards
Diana Franco


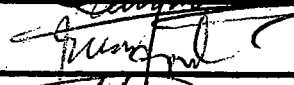
Amanda Anderson
Ani Karoganesyan

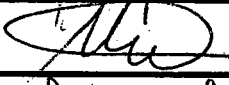

Amanda Anderson
Ani Karoganesyan

Ani Karoganesyan

Ani Karoganesyan


We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

 Arwa Jambarian
 ROSE CRAWFORD

 Mark Merthe
 Janya Jerome Soraya Serna
 Megan DeLeon

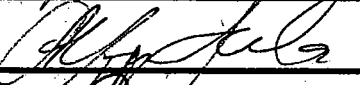
Sydney Rountree Sydney Rountree

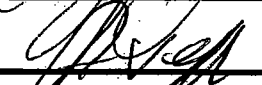
 Jane Kim

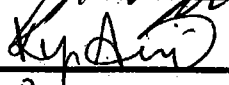
 Michael Chen Michael Chen

 Kevin Gonzalez

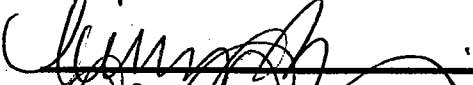
 Bonnie Lawler


 Alfonso Favela


 Luis Vera

 Kyra Amici

 Robert Edvardian

 Tamy Zadoori



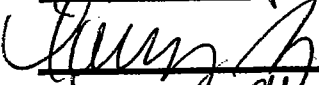
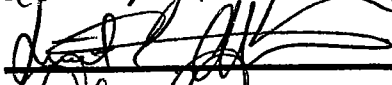
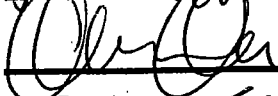

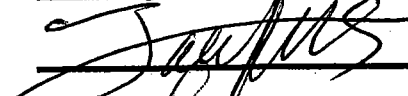
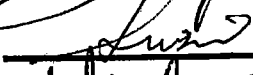
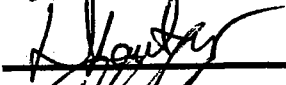

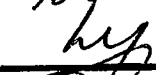

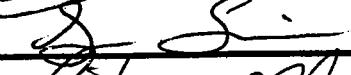

 Alina Alexanian

 Linef Alexanian

 HYO PARK

 Yunhi Kim

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| | |
|---|-------------------|
|  | Anthony Bautista |
|  | Mike Vener |
| Allison Perrault | allison perrault |
|  | Tony Zadoori |
|  | Linet Alexanian |
|  | Aiina Alexanian |
|  | Cindy Palc |
|  | Jae Sun Park |
|  | Sun Sim Jeong |
|  | Nikda Kantar |
|  | ROBERT MARULLAYAN |
|  | ALBERT |
| Patricia Connus | PATRICIA CONNUS |
|  | Ben Ken Amern |
|  | Sam Laurie |
| Richard R Marin | Richard R Marin |
|  | Sabito Muni |
| Federico Bossio | FEDERICO BOSSIO |
| GABE HORRIS | |

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~~Maggie Lapre~~

MAGGIE LAPRE

Annie Kim

~~John~~

Angelina

Barbara Jayland

BARBARA JAYLAND

Todd

Todd Thornbury

~~John~~

Hannah Hal

~~John~~

Alice Kim

~~John~~

Kerka Silva

Matt Maxwell

Mariet Novasartian

~~John~~

YE DA CHONG

Kathleen Strauss

KATHLEEN STRAUSS

~~John~~

JENNIS RYAN

~~John~~

Andre Makarsin

Kenji

Armin Azadianfar

Juliet Bagdasarain

Juliet Bagdasarain

Leanne Oster

Leanne Oster

James Langenkam

JAMES LANGENKAM

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Martin C Briner

MARTIN C BRINER

Jafer Shukla

JAVIER GURMAN

Wahid

JUAN CARLOS HERRERA

Rafael

WILLIAM C RAFLAN

Christa Mares

Rebecca Anderson

Julia

Linda Moses

Ernet Khodagholian

PODD WOLF

Houssou

CS

Paula

Daniela Toroscu

Julian

TABE C. KEM

Timothy Beegman

Karla Lara

Carol Shin

TIMOTHY BEEGMAN

Diana Shin

Carol Shin

Jimmy Park

Diana Shin

Jonathan Garcia

JIMMY PARK

Joe Meinhardt

Jonathan Garcia

Edna Martinez

JOE MEINHART

Evan Sicker

Edna Martinez

EVAN SICKORA

LA72XC505B



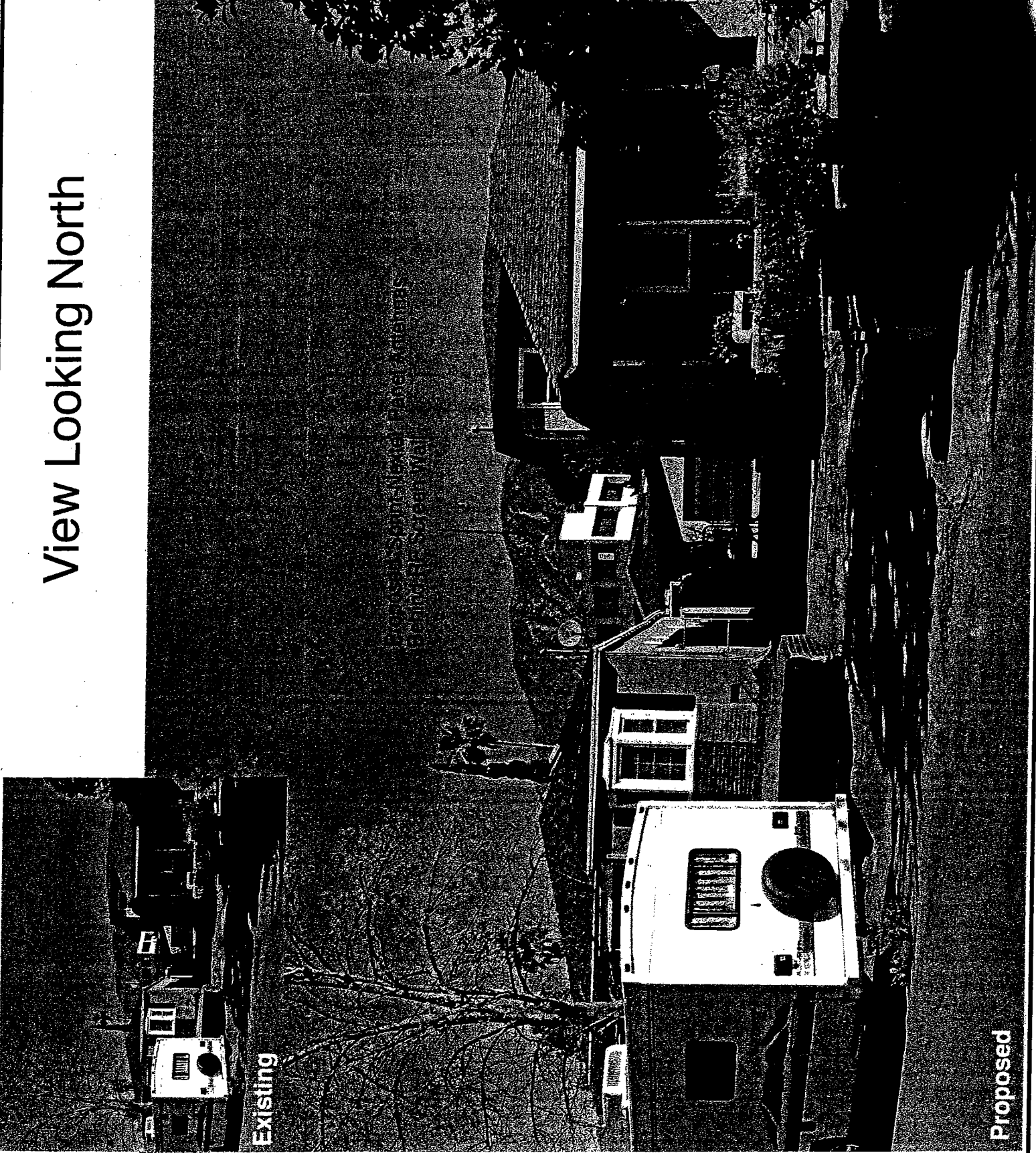
Prepared for:

2540 Foothill Blvd. La Crescenta, CA 91214

Foothill Blvd. & Rosemont

Project Name:

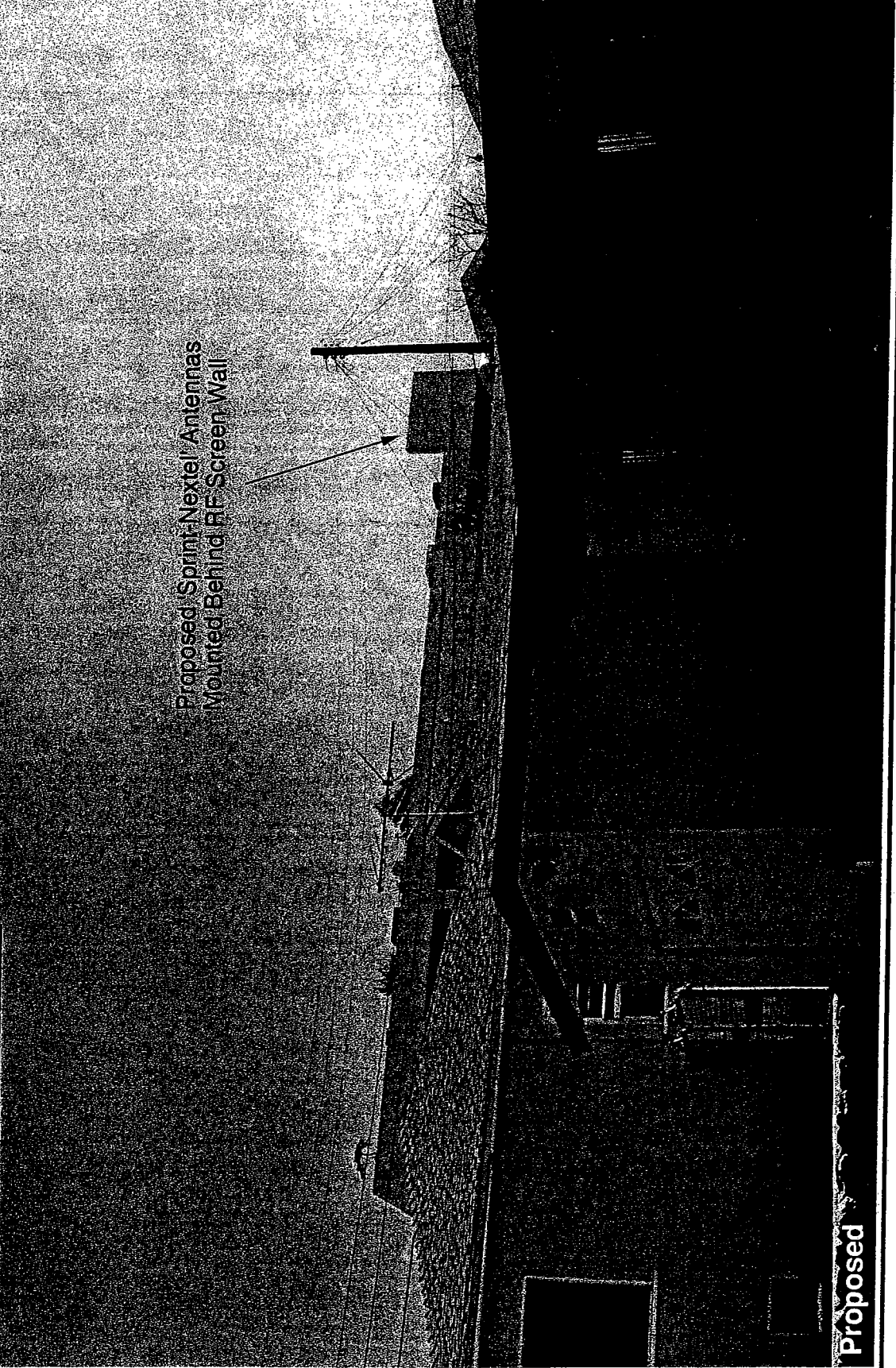
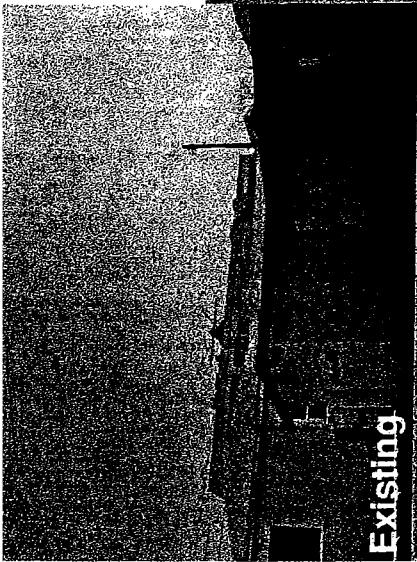
View Looking North



Existing

Proposed

View Looking North East



Project Name:

Foothill Blvd. & Rosemont

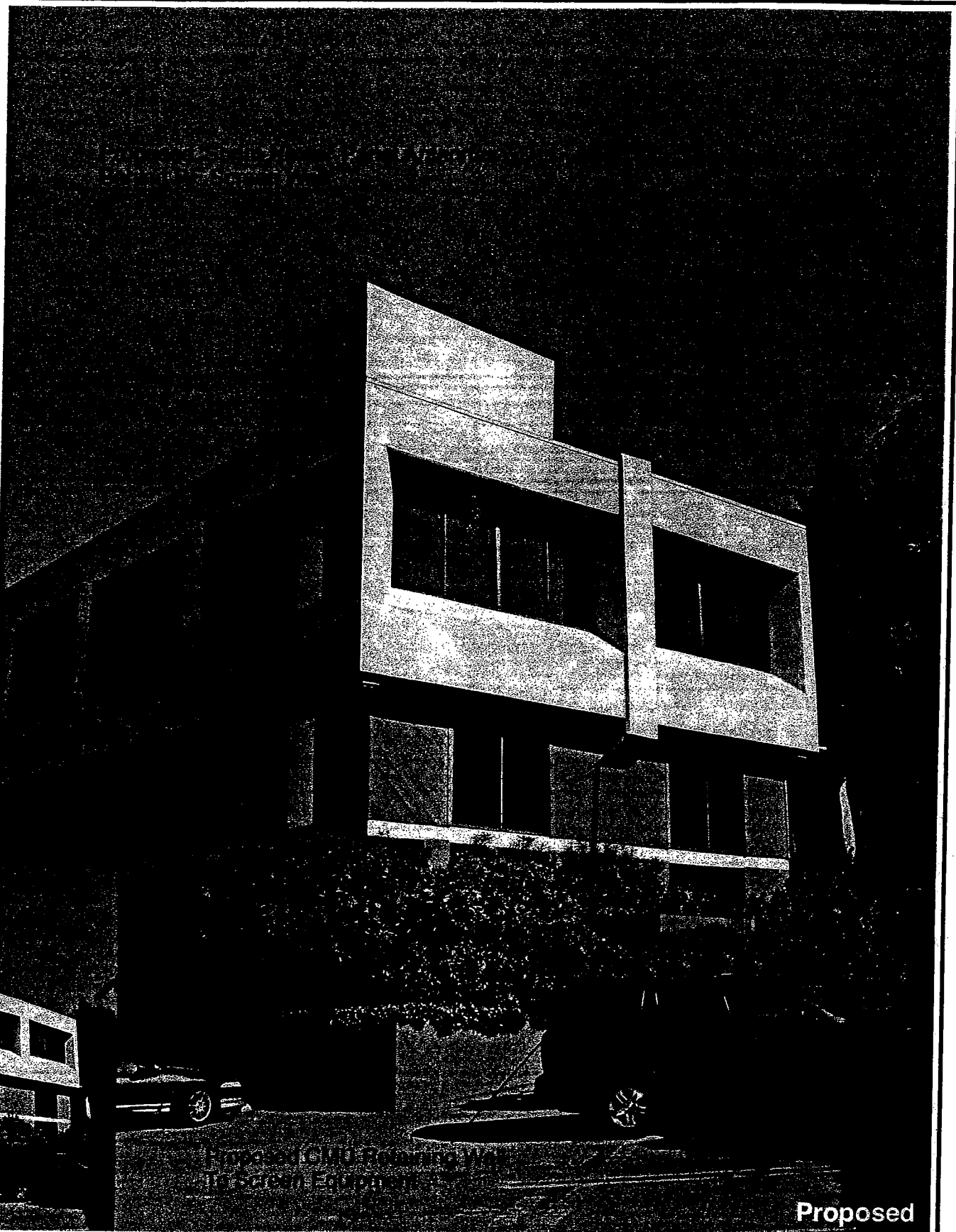
2540 Foothill Blvd. La Crescenta, CA 91214

Prepared for:



LA72XC505B

View Looking Northwest



sting

Proposed

Project Name:

Foothill Blvd. & Rosemont

2540 Foothill Blvd. La Crescenta, CA 91214

Prepared for:



LA72XC505B



Los Angeles County
Department of Regional Planning




Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

May 7, 2008

TO: Harold V. Helsley, Chair
Leslie G. Bellamy, Vice-Chair
Esther Valadez, Commissioner
Wayne Rew, Commissioner
Pat Modugno, Commissioner

FROM: Maria B. Masis, AICP 
Section Head, Zoning Permits II

**SUBJECT: AGENDA ITEM #7 – REFERRAL FROM HEARING OFFICER
CONDITIONAL USE PERMIT 200700051-(5), PROJECT R2004-
00805-(5)**

The abovementioned conditional use permit application for a wireless telecommunications facility to be placed on the roof of an existing commercial building was heard by the Hearing Officer on two occasions and subsequently referred to the Regional Planning Commission by the Hearing Officer due to substantial opposition to the project. Attached is a brief memo outlining the case and the Hearing Officer proceedings. The original staff report, draft conditions and correspondence is also included in this package for your review.

Should you have any additional questions prior to the public hearing feel free to contact the case planner, Mr. Dennis Harkins at (213) 974-6483 or via e-mail at DHarkins@planning.lacounty.gov.

LOS ANGELES COUNTY LETTERGRAM

| | | | |
|-----------|---|-------------|---|
| TO | Los Angeles County Regional Planning Commission | FROM | Dennis Harkins Zoning Enforcement II |
|-----------|---|-------------|---|

SUBJECT: Continuation of CUP Project No. R2004-00805-(5)
DATE: May 21, 2008

SUMMARY OF ISSUES

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. Implementing the proposed conditions of approval will make the proposed project compatible with both Los Angeles County Code and the surrounding community. Staff recommends approval of the project, subject to conditions.

PUBLIC HEARING

The project was initially heard at the March 4, 2008 Hearing Officer meeting. The project was continued to the March 18, 2008 Hearing Officer meeting in order for the applicant's representative to meet with opponents to the project. On March 12, 2008, the applicant's representative and his radio frequency engineer meet with members of the community to discuss community opposition to the proposed project. At the March 18, 2008 Hearing Officer meeting, the project was referred to the Regional Planning Commission. Staff was also directed to review documents submitted into the record during the public hearing and to determine the impact of the proposed project on Los Angeles County Sheriff's Department and Los Angeles County Fire Department telecommunications systems.

SHERIFF'S DEPARTMENT TELECOMMUNICATIONS SYSTEMS

Ronald Wong, Acting Division Manager-Internal Services Department, Information Technology Services, Telecommunications, Radio Systems Division, states that wireless telecommunications facilities generally do not have an impact on Los Angeles County Sheriff's Department telecommunications systems. There is some impact for 800 megahertz wireless telecommunications equipment, but that is a general government frequency and does not affect Sheriff's Department radio communications systems. Any potential impact for 800 megahertz wireless telecommunications equipment is currently being resolved by the Federal Communications Commission (FCC).

FIRE DEPARTMENT TELECOMMUNICATIONS SYSTEMS

Scott England, Telecommunications Systems Consulting Engineer for the County of Los Angeles Fire Department Special Operations Bureau, states that the proposed wireless telecommunications facility is not located near Los Angeles County Fire Department communication sites or fire stations. Also, the frequency bands for the proposed project are not in the same spectrum band used by the Fire Department. Therefore, the proposed project will not impact Los Angeles County Fire Department telecommunications systems.

PUBLIC COMMENTS

After the staff report was prepared for the Hearing Officer meeting, Staff received additional emails, phone calls, and petitions from the public stating opposition to the proposed project. Also, Staff received a request from the Crescenta Valley Town Council (CVTC) on February 12, 2008 for a presentation by the project applicant for February 21, 2008. On March 14, 2008, Staff received a

letter from CVTC stating that the group never held a public meeting regarding the proposed project, and the CVTC has not voted to approve nor disapprove the proposed project.

PUBLIC NOTIFICATION

Required public hearing posting materials in the subject area are generally sent to the Los Angeles County Public Library-La Crescenta Branch. As of September 16, 2007, the La Crescenta Branch closed for the construction of a new library. All required public hearing posting materials are forwarded to:

County of Los Angeles Public Library-La Cañada Flintridge Branch
4545 North Oakwood Avenue
La Cañada Flintridge, CA 91011

SUGGESTED APPROVAL MOTION

I move that the Regional Planning Commission approve Conditional Use Permit No. 200700051-(5)/Project No. R2004-00805-(5) with the attached findings and final conditions.



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443
PROJECT No. R2004-00805-(5)
CASE NO. 200700051-(5)

| | |
|-------------------------------------|-------------|
| RPC/HO MEETING DATE | CONTINUE TO |
| AGENDA ITEM | |
| PUBLIC HEARING DATE May 21, 2008 | |

| | | |
|-----------------------------------|--------------------------------|--|
| APPLICANT Sprint-Nextel | OWNER Footcrest, LLC | REPRESENTATIVE Rob Perez Parsons |
|-----------------------------------|--------------------------------|--|

REQUEST
 Conditional Use Permit: To install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

| | | | |
|--|---------------------------|---|--|
| LOCATION/ADDRESS 2540 Foothill Blvd. (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. | | ZONED DISTRICT Montrose | |
| ACCESS Foothill Boulevard, Rosemont Avenue | | COMMUNITY La Crescenta-Montrose | |
| SIZE 192 square feet. | | EXISTING ZONING Zone C-2 BE | |
| EXISTING LAND USE Office Building | SHAPE Irregular | TOPOGRAPHY Sloping (Northeast to Southeast) | |

| | | | |
|---|--|---|--|
| SURROUNDING LAND USES & ZONING North: Office Building/C-2 BE. South: Single Family Residence/C-2 BE. | | East: Office Building/C-2 BE; Southeast: Single Family Residence/R-1. | |
| | | West: Commercial Center/C-2 BE; Southwest: Single Family Residence/R-1. | |

| GENERAL PLAN | DESIGNATION | MAXIMUM DENSITY | CONSISTENCY |
|--------------|--|-----------------|--------------------|
| Countywide | Major Commercial | N/A | See Staff Analysis |
| Area Plan | La Crescenta-Montrose Community Standards District (CSD) | N/A | See Staff Analysis |

ENVIRONMENTAL STATUS
 Categorical Exemption – Class 3 (Existing Facilities)

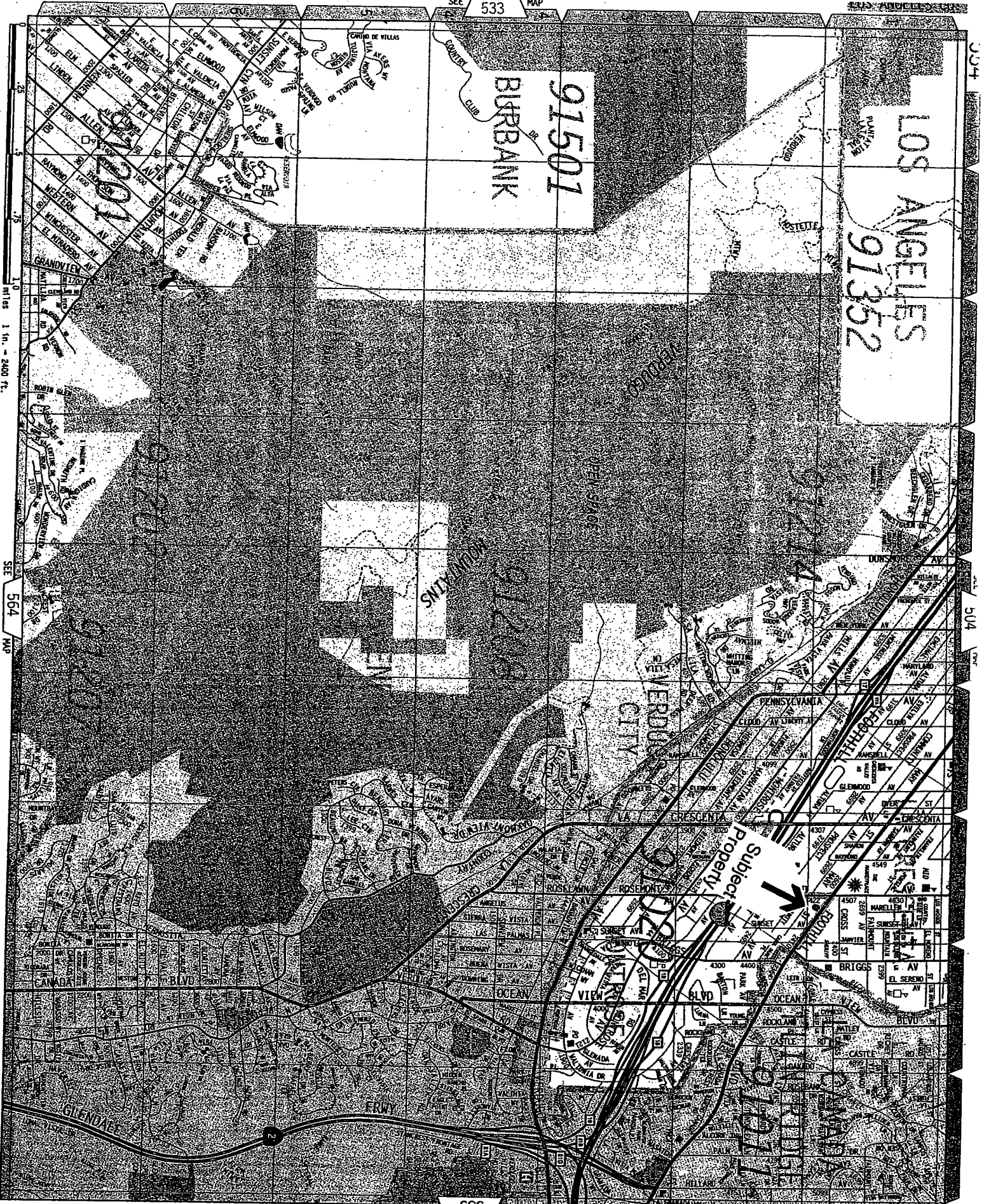
DESCRIPTION OF SITE PLAN
 The site plan depicts the proposed project, the existing 17,961 square foot professional office building, and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The equipment layout plan indicates the 192 square foot lease area with a 50.75 square foot raised concrete slab. The plan shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall. The elevation plan depicts both heights of the building and the rooftop screening, the proposed equipment enclosure and existing block wall, and the existing shrubbery and landscaping. The elevation plan also depicts the coax cable riser, coax cable support frame, and coax cable cover.

KEY ISSUES
 Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code CUP Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

| | | |
|--|-------------------|--------------------|
| STAFF CONTACT PERSON | | |
| RPC HEARING DATE(S) | RPC ACTION DATE | RPC RECOMMENDATION |
| MEMBERS VOTING AYE | MEMBERS VOTING NO | MEMBERS ABSTAINING |
| STAFF RECOMMENDATION (PRIOR TO HEARING) | | |
| SPEAKERS* | PETITIONS | LETTERS |
| (O) (F) | (O) (F) | (O) (F) |

*(O) = Opponents (F) = In Favor



91501
BURBANK

LOS ANGELES
91352

Subject Property
↓



STAFF ANALYSIS
PROJECT NO. R2004-00805-(5)
CONDITIONAL USE PERMIT NO. 200700051-(5)

PROJECT NUMBER

R2004-00805-(5)

CASE NUMBER

200700051-(5)

SUMMARY OF ISSUES

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. Implementing the proposed conditions of approval will make the proposed project compatible with both Los Angeles County Code and the surrounding community. Staff recommends approval of the project, subject to conditions.

OVERVIEW OF PROPOSED PROJECT

The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

DESCRIPTION OF SUBJECT PROPERTY

Location

The project site is located at 2540 Foothill Boulevard (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. The applicant proposes to lease approximately 192 square feet of an existing 17,961 square foot office building and parking lot.

Physical Features

The subject property is located within an urbanized area, developed with an office building and parking lot. The irregularly-shaped lot is located on a slope with the north (front) of the property situated higher than the south (rear). The only vegetation on site is within the setback area along the property's east side and the landscaped planters situated along the building's northeast (front), northwest (side), and southwest (rear). There are no oak trees on the site.

ENTITLEMENT REQUESTED

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

EXISTING ZONING

Subject Property

Zone C-2-BE (Neighborhood Business Zone-Billboard Exclusion).

Surrounding Properties

The lots to the north, south, east, and west are zoned C-2-BE (Neighborhood Business Zone-Billboard Exclusion). The lots to the southeast and southwest are zoned R-1 (Single-Family Residence Zone).

EXISTING LAND USES

Subject Property

The property's current use is as an existing 17,961 square foot office building.

Surrounding Properties

All of the surrounding lots are located in the La Crescenta-Montrose General Plan designation area. The lots to the north and east maintain office buildings. The lots to the southeast, south, and southwest are single-family residences. The lot to the west is a commercial center.

PREVIOUS CASES/ZONING ENFORCEMENT HISTORY

Previous Cases

RPP T200400495:

- Approved for the addition of a dance and exercise business to an existing professional office building. The occupancy load shall not exceed 45 persons for the business. No other retail, food uses or medical offices shall be permitted within the other lease spaces in the building. Approved on 01/06/2005 with conditions

Zoning Enforcement History

RFS04-0047665/EF021053:

- Current parking development standards were not being met (LACC 22.28.010, 22.28.020 and 22.28.170). The case was opened on 05/06/2002 and was closed on 01/13/2003 because the violation was abated.

SITE PLANS

The site plan depicts a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. The site plan also shows the existing 17,961 square foot professional office building and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The site plan depicts meters located inside the parking garage that service the project area, the sidewalk along the front of the property, and the chain link fence that exists between the office building and the single-family residences to the south. The site plan also depicts two (2) existing cargo storage containers in the southeast corner of the property. These containers were removed prior to the public hearing.

The equipment layout plan indicates the 192 square foot (12'-0" x 16'-0") lease area with a 50.75 square foot (7'-0" x 7'-3") raised concrete slab. The plan

shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. Also shown are the roof mounted coax cable tray, coax cable support frame, and utility trench. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall.

The elevation plan depicts the southwest and southeast elevation of the existing 17,961 square foot professional office building. Also shown are the heights of the building and the rooftop screening, the proposed equipment enclosure and the existing block wall, and the existing shrubbery and landscaping. The plan depicts the coax cable riser, coax cable support frame, and coax cable cover.

General Plan Consistency

The subject property's General Plan designation is: C (Major Commercial).

Compliance with Applicable Development Standards

Community Standards District

The subject property is within the La Crescenta-Montrose Community Standards District (CSD) (LACC 22.44.139). CSD development standards only apply to properties in Zone R-3 [LACC 22.44.139(E)]. Thus, the proposed project is not impacted by La Crescenta-Montrose CSD regulation.

Consistency with Use Designation

A wireless telecommunications facility is not a defined use in the Zoning Ordinance; however, staff has traditionally utilized the defined use of "radio and television stations and towers, not including studios" as a comparable use. Radio and television stations and towers are uses subject to Conditional Use Permits in Zone C-2-BE (Neighborhood Business Zone-Billboard Exclusion) (Los Angeles County Code [LACC] 22.28.160). The project complies with the use designation per approval of the permit application.

Lot Coverage

According to Section 22.28.170(A), building lot coverage is limited to ninety (90) percent of the lot net area. Ten (10) percent of the lot net area is required to be landscaped. There is a 17,961 square foot professional office building on a 28,520 square foot lot (63 percent lot coverage). There is 3,543 square feet of landscaping on the lot in landscaped planters (12.4 percent area landscaped).

Parking

Section 22.28.170(B) also requires that parking facilities be provided as required by Part 11 of Chapter 22.52. Per 22.52.1100, professional offices require one (1) parking space for every 400 square feet of building floor area. There is a 17,961 square foot professional office building on the lot, which requires 44 parking spaces. However, 43 parking spaces are required per approval of RPP T200400495, and there are 49 parking spaces located on the subject property. Therefore, the project meets the parking requirement.

Further, Section 22.52.1070(A)(1) requires that a minimum of two (2) handicapped parking spaces be provided for 41 to 80 regular parking spaces. There is only one (1) handicapped parking space on the subject lot, which does not meet County Code requirements. However, approval of RPP T200400495 required only one (1) handicapped parking space. As the proposed project does not increase building square footage, LACC parking requirements do not mandate increased parking.

Height

Section 22.28.170(C) also requires that "A building or structure shall not exceed a height of 35 feet above grade". The applicant proposes to install twelve (12) antennas and a GPS antenna mounted behind new six (6) foot high screens on the rooftop. Eight (8) of the antennas are located at the lot's south (rear) side, and four (4) antennas are located at the north (front) side. The existing office building maintains a height of 42'-4" from the lowest part of lot grade to the building's parapet. The existing office building at the highest part of the lot's slope maintains a height of 27'-6". With the proposed six (6) foot high screen, the structure's height at the lowest part of the lot's slope would be 48'-4". At the highest part of the lot's slope, the proposed height would be 33'-6". LACC 22.56.110 states "Unless specifically modified by a conditional use permit, all regulations prescribed in the zone in which such conditional use permit is granted shall apply". By implementing the final conditions of approval, the project will comply with Los Angeles County Code.

BURDEN OF PROOF

Burden of Proof per Code

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A) That the requested use at the location proposed will not: 1) adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, or 2) be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, or 3) jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.
- B) That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C) That the proposed site is adequately served: 1) by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and 2) by other public or private service facilities as are required.

The proposed project substantially meets the above requirements as is discussed in the following:

- A) The proposed project does not create negative impacts for public health, safety, or welfare. The proposed project's equipment operates quietly and does not emit objectionable fumes, smoke, or odor. The proposed project will also meet all federal guidelines for RF (radio frequency) emissions. As cellular technology does not interfere with other forms of electronic communication, the proposed project will not interfere with existing public safety communication systems.
- B) The proposed project complies with Title 22 (Planning and Zoning Code) and matches the character and the General Plan development guidelines for the C (Major Commercial) General Plan designation. The project is designed in the least obtrusive manner possible and is separated from areas of public access. The antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development.
- C) The proposed project will not generate a significant increase in traffic. Parking at the existing commercial center will accommodate the regularly-scheduled maintenance inspection.

FIELD INVESTIGATION

Field investigations were conducted on May 19, 2007 and on February 13, 2008. There are six (6) tandem parking spaces in the parking garage. One (1) of the tandem parking spaces is 9'-0" by 12'-0" and another measures 9'-0" by 16'-0". LACC 22.08.010 states that standard parking spaces measure 8'-6" by 18'-0" and compact spaces measure 8'-0" by 15'-0". However, 43 parking spaces are required per approval of RPP T200400495, and there are 49 standard parking spaces located on the subject property. Therefore, the project meets all LACC parking requirements.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) requirements. On May 19, 2007, Department of Regional Planning staff completed its review of the Environmental Questionnaire and other data regarding the proposed development. Staff concluded that the Initial Study was prepared in compliance with the California Environmental Quality Act Guidelines and the environmental procedures of Los Angeles County. The environmental document for the proposed project is attached.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

A total of 350 public hearing notices regarding the subject project were mailed out to property owners within the 1,000-foot radius of the property January 22, 2008. The notice was published in the News-Press Glendale and La Opinion on

January 26, 2008. Case-related material, including the hearing notice, factual and burden of proof were sent to:

County of Los Angeles Public Library-La Crescenta Branch
4521 La Crescenta Avenue
La Crescenta, CA 91214

According to the applicant, the hearing notice has been posted on the property for 30 days prior to the public hearing.

PUBLIC COMMENTS

Staff has received one (1) comment from the public. On February 6, 2008, Staff received a phone call from an anonymous person stating opposition to the proposed wireless telecommunications facility.

On February 12, 2008, Staff received a request from the Crescenta Valley Town Council for a presentation by the project applicant. The presentation is to occur February 21, 2008.

STAFF EVALUATION

Staff recommends approval of the proposed project for the following reasons:

Consistency with General Plan and Zoning Code

The proposed project substantially meets the Los Angeles County Code requirements. The subject property's General Plan designation is C (Major Commercial). The proposed conditions shall mitigate any aspects of the project that are not County Code compliant.

Compatibility with Surrounding Development

The proposed project will be compatible with the surrounding, primarily commercial, development. The project does not increase any building square footage. While compliant with County Code requirements, the only substantial impact on surrounding development is that parts of the building façade will increase six (6) feet due to the wireless telecommunications facility's screening.

If approved, staff recommends a ten (10) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected biennially (every other year) for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved, the following fees will apply unless modified by the Commission:

Zoning Enforcement

1. Inspection fees of \$750.00 to cover the costs of five (5) recommended biennial zoning enforcement inspections.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends **Approval** of Project Number R2004-00805-(5) and Conditional Use Permit Number 200700051-(5), subject to conditions.

Attachments:

Draft Conditions

Burden of Proof

Environmental Document

Site Photographs

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER R2004-00805-(5)
CONDITIONAL USE PERMIT NO. 200700051-(5)

REQUEST:

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

REGIONAL PLANNING COMMISSION HEARING DATE: May 21, 2008

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

Findings

1. **Location**

The project site is located at 2540 Foothill Boulevard (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. The applicant proposes to lease approximately 192 square feet of an existing 17,961 square foot office building and parking lot.

2. **Project Description**

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

3. **General Plan Consistency**

The subject property's General Plan designation is: C (Major Commercial).

4. **Compliance with Applicable Development Standards**

The proposed project complies with all applicable Community Standards District, Use designation, and development standards regulations and requirements.

5. **Compatibility with Surrounding Development**

The proposed project will be compatible with the surrounding, primarily commercial, development. The project does not increase any building square footage. While compliant with County Code requirements, the only substantial impact on surrounding development is that parts of the building façade will increase six (6) feet due to the wireless telecommunications facility's screening.

6. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
7. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to 10 years.
8. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits II Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A) The proposed project does not create negative impacts for public health, safety, or welfare. The proposed project's equipment operates quietly and does not emit objectionable fumes, smoke, or odor. The proposed project will also meet all federal guidelines for RF (radio frequency) emissions. As cellular technology does not interfere with other forms of electronic communication, the proposed project will not interfere with existing public safety communication systems.
- B) The proposed project complies with Title 22 (Planning and Zoning Code) and matches the character and the General Plan development guidelines for the C (Major Commercial) General Plan designation. The project is designed in the least obtrusive manner possible and is separated from areas of public access. The antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development.
- C) The proposed project will not generate a significant increase in traffic. Parking at the existing commercial center will accommodate the regularly-scheduled maintenance inspection.

REGIONAL PLANNING COMMISSION ACTION:

1. The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) requirements. On May 19, 2007, Department of Regional Planning staff completed its review of the Environmental Questionnaire

and other data regarding the proposed development. Staff concluded that the Initial Study was prepared in compliance with the California Environmental Quality Act Guidelines and the environmental procedures of Los Angeles County. The environmental document for the proposed project is attached.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200700051-(5) is approved subject to the attached conditions.

c: Each Commissioner, Zoning Enforcement, Building and Safety

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

MM: DH
5/21/08

1. This grant authorizes the Permittee to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel, as depicted on the approved Exhibit "A". This grant is subject to all of the following conditions of approval:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Construction and maintenance of the facility shall take place between the hours of 9:00 AM to 5:00 PM, Monday through Friday only;
 - c. Said facility shall be removed if in disuse for more than six months;
 - d. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time;
 - e. All structures shall conform to the requirements of the Building and Safety Division of the Department of Public Works or other appropriate agency and obtain encroachment permits if deemed necessary;
 - f. All equipment shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
 - g. The Permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this Conditional Use Permit. The Permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning;
 - h. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities;
 - i. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility;
 - j. The project shall be developed and maintained in substantial compliance with the plans marked Exhibit "A". Placement and height of all equipment to be in substantial conformance with that shown on said Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner;

- k. The operator shall ensure that maintenance vehicles shall not block access to driveways or garages and shall obey all applicable on-street parking regulations;
 - l. Lighting shall be on motion sensors, be of low intensity, and be directed away from residential areas. No pole-mounted lighting shall be permitted on the leasehold. Exterior lighting shall be top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination;
 - m. Any areas of property shall remain free of trash and other debris; and
 - n. No equipment shall be placed directly on the ground.
2. Unless otherwise apparent from the context, the term "Permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9.
 4. The Permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the Permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
 5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with the payment of the applicable fee, at least six months before the expiration date.
 6. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten (10) days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to Permittee or Permittee's counsel. The Permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to litigation's completion.
 - b. At the sole discretion of the Permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
 - c. The cost for collection and duplication of records and other related documents will be paid by the Permittee according to Los Angeles County Code Section 2.170.010.
7. Prior to the use of this grant, the property owner or Permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or Permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
 8. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
 9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The Permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of approval. The fund provides for **five (5) biennial inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

10. **This grant will terminate on May 21, 2018.**

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six

months prior to the termination of this permit, whether or not any modification of the use is requested at that time.

11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. In the event such extraneous markings occur, the Permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
14. The structure's height at the lowest part of the lot's slope will not exceed 48'-4".

MM:DH
3/25/2008

Exhibit 1- Burden Of Proof- Sprint-Nextel

A. Health/Welfare/Property Values

- The facility will not endanger public safety or health. The facility will meet all federal guidelines for RF emissions. Cellular technology does not interfere with any other forms of electronic communication, public or private. The facility will thus should not interfere with existing public safety communications systems. To the contrary, many public safety agencies (police, fire etc) rely on their cellphones in the event of emergencies.
- The proposed design utilizes hidden antennas, and is architecturally integrated into the existing building. The facility is designed in the least obtrusive manner possible, and is separated from areas of public access. The proposed use matches the character and General Plan development guidelines for this zone and this area in that the antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development. The proposed use blends well with the existing architecture so the public will not be able to recognize the facility as a wireless site. This is the least visible location for the shelter and antennas in the vicinity.
- No nuisances will be created by the proposed installation. The equipment associated with the Facility operates quietly. The equipment does not emit fumes, smoke, or odors that could be considered objectionable. The proposed site will in no way pose a menace to public health, safety or welfare.

LOS ANGELES COUNTY LETTERGRAM

| | | | |
|-----------|--------------------|-------------|---|
| TO | To File: 200700051 | FROM | Dennis Harkins, Regional Planning Assistant II |
|-----------|--------------------|-------------|---|

Subject: ENVIRONMENTAL DOCUMENTATION
CASE NO. RCUP 200700051-(5)

Date: May 19, 2007

PROJECT DESCRIPTION: Installation of a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

The staff of the Zoning Permits II Section has reviewed the above mentioned project to determine the appropriate environmental document.

The project qualifies for a Categorical Exemption since it meets the criteria set forth in Class 15301(e)(1) Existing Facilities of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 3 of the County Guidelines (Appendix G, Categorically Exempt Projects).

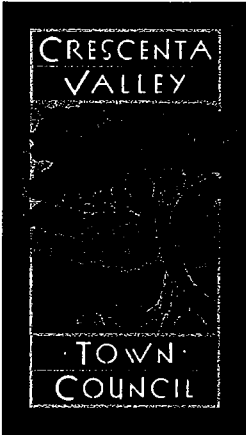
If you have any questions regarding the above determination or environmental document preparation, please contact Dennis Harkins, Regional Planning Assistant II (213) 974-6483.

NOTICE TO LEAD SECTION: A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.

COMMENTS: _____

Crescenta Valley Town Council

yourtowncouncil.org
P.O. Box 8676
La Crescenta, CA 91224-0676
(818) 248-9387



Los Angeles County
Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012

March 13, 2008

Re: 2540 Foothill Boulevard, La Crescenta, CA 91214
Sprint-Nextel wireless telecommunications facility
Project No. R2004-00805 – (5)

Dear Mr. Dennis Harkins:

Grace Andrus Mayor The Crescenta Valley Town Council (CVTC) would like to clarify its position regarding the proposed subject project.

Steve Pierce
Vice Mayor

1. The CVTC has never held a public meeting regarding the proposed subject project.
2. The CVTC has not voted to approve nor disapprove the proposed subject project.

Cheryl Davis
Recording Secretary

Frank Beyt
Treasurer

Robert Thomas
Corresponding Secretary

It is the understanding of the CVTC after consultation with County representatives that we could ask cell companies to co-mingle their antennas, or to make cell towers try to blend by looking like a tree for example. This specific antenna is proposed for an area which is not near other antennas and is not a tower which would lend itself to look as a tree. A federal mandate prevents us from addressing health concerns relating to cell towers. Therefore, the CVTC did not feel it was necessary to address this issue at our public meeting on February 21, 2008.

COUNCIL MEMBERS

Bruce Campbell

Curtis Clevon

Danette Erickson

Krista Smiley

Liz Arnold, alternate

We also understand that several residents are opposed to this project. Therefore, we hope the Planning Commission will consider their opinions about the addition of this antenna in an area that has sufficient land line coverage at that location and cell coverage within one block of that location.

Sincerely,

Grace Andrus
Mayor

Dennis Van Bremen, alternate

Charles Beatty, alternate

"The Community That Cares"

We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

| | |
|---------------------------|---------------------------|
| <u>Jacey Chiu</u> | <u>Tracey Chiu</u> |
| <u>Adela</u> | <u>Adela Rodriguez</u> |
| <u>Kristen Wheatley</u> | <u>Kristen Wheatley</u> |
| <u>Michael Lucas</u> | <u>Michael Lucas</u> |
| <u>Sonia Grigorian</u> | <u>Sonia Grigorian</u> |
| <u>Lorinda Garcia</u> | <u>Lorinda Garcia</u> |
| <u>Rachelle Russell</u> | <u>Rachelle Russell</u> |
| <u>Ofelia Pacamba</u> | <u>OFELIA PACAMBA</u> |
| <u>David Skogstrom</u> | <u>Apreil Erickson</u> |
| <u>DAVID SKOGSTROM</u> | <u>DAVID SKOGSTROM</u> |
| <u>Stefanie McLeod</u> | <u>Stefanie McLeod</u> |
| <u>Edwin Avedian</u> | <u>Edwin Avedian</u> |
| <u>Harriette Avedian</u> | <u>Harriette Avedian</u> |
| <u>Julia Huh</u> | <u>JULIA HUH</u> |
| <u>Rakitem Frankel</u> | <u>Rakitem Frankel</u> |
| <u>MARY SARA</u> | <u>MARY SARA</u> |
| <u>Sarah Lindoe</u> | <u>Sarah Lindoe</u> |
| <u>Emin Hatamian</u> | <u>Emin Hatamian</u> |
| <u>SORETA ASSADOURIAN</u> | <u>SORETA ASSADOURIAN</u> |

We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

| | |
|--------------------------|--------------------------|
| <u>Chrisoula Workman</u> | <u>Chrisoula Workman</u> |
| <u>Ariel Workman</u> | <u>Ariel Workman</u> |
| <u>Keith Cummings</u> | <u>Keith Cummings</u> |
| <u>Ashley Srebnack</u> | |
| <u>Orlando Ordonez</u> | <u>Orlando Ordonez</u> |
| <u>W. Tate Hawyok</u> | <u>TATE HAWYOK</u> |
| <u>Michael Biggs</u> | <u>MICHAEL BIGGS</u> |
| <u>Courtney Biggs</u> | <u>COURTNEY BIGGS</u> |
| <u>Kevin Biggs</u> | <u>KEVIN BIGGS</u> |
| <u>Odet Mangasanjan</u> | <u>Odet Mangasanjan</u> |
| <u>Cheryl</u> | <u>Cheryl</u> |
| <u>PATRICIA Russell</u> | <u>Patricia Russell</u> |
| <u>Roberta Trim</u> | <u>Roberta Trim</u> |
| <u>Fran Pehar</u> | <u>FRAN PEHAR</u> |
| <u>D.W. Biggs</u> | <u>D.W. BIGGS</u> |
| <u>Melissa Wilson</u> | <u>Melissa Wilson</u> |
| <u>Luis Pacheco</u> | <u>Luis Pacheco</u> |
| <u>DANNY TAYLOR</u> | <u>DANNY TAYLOR</u> |
| <u>Rachel Heenan</u> | <u>Rachel Heenan</u> |

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Martha Ruiz

Rivera Martha

HAR Mary

HARMON/MEGARICHAN

Maria Dolores Rodriguez

Jay Howard
Robert Mead

Jade Houston

Robert Mead

Mark Baker

Mark Baker

Chen CASAburi

Chen CASAburi

Joanne Notario

Joanne Notario

Susan Bates

Joanne Notario

Amanda Rollins

Susan Bates

Yo Iezawa

Amanda Rollins

Cynthia Parker

Yo Iezawa

Jessica Gonzalez

Cynthia Parker

Catherine F. Esquiveli

Jessica Gonzalez

Shelley Bowers

Catherine F. Esquiveli

Bret Bowers

LINDA R. ANDERSEN

Arax B.

Shelley Bowers

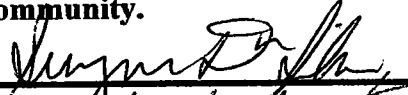
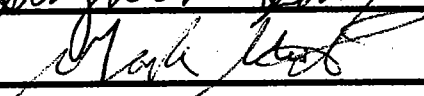
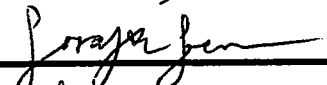
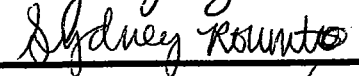
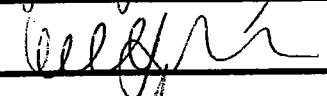
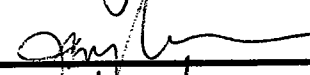
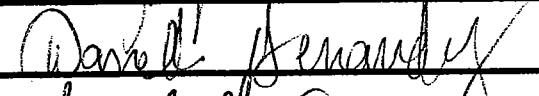
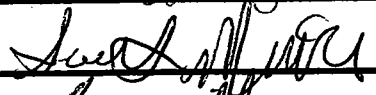

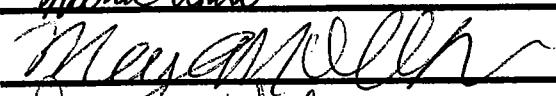

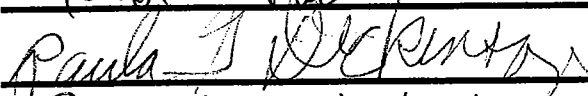
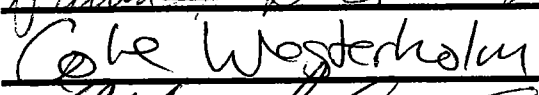
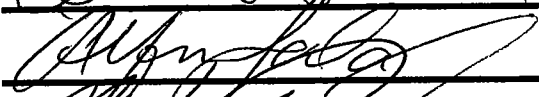
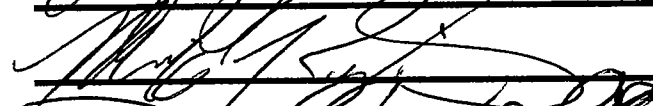

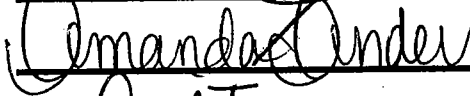
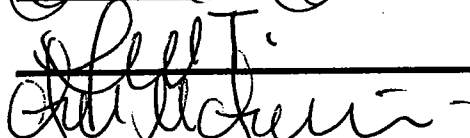
Bret Bowers

Arax B.

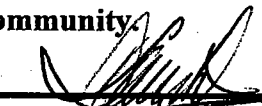
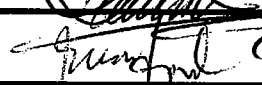
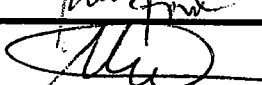

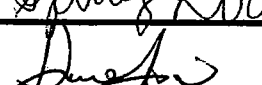


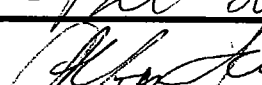
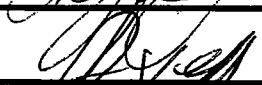
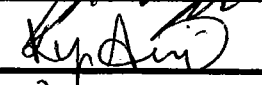
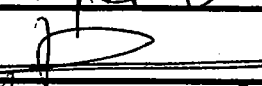
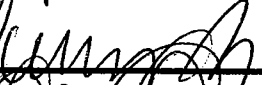

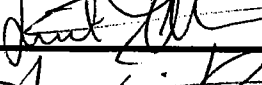
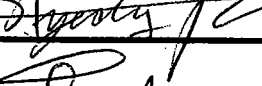
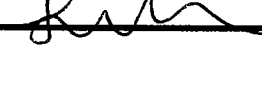
Arax B.

ARAX BAGHDASSARIANS



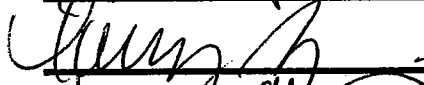

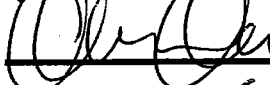

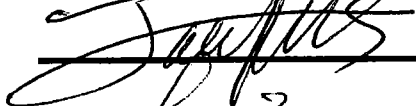

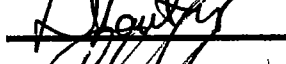
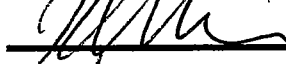





We, the undersigned community members of La Crescenta-Montrose, are against the installment of a wireless communications tower facility at 2540 Foothill Blvd. Modern research has shown that radio waves are linked to increases in cancer and childhood leukemia. Other diseases linked to the increase in radio waves are asthma, autism, multiple sclerosis, Alzheimer's, diabetes, testicular cancer, and more. The installment of this telecommunications tower so close to our homes and schools is a serious risk to the health of our children and all residents of the community.

| | |
|--|--------------------------|
| <u></u> | <u>Suzanne Da Silva</u> |
| <u></u> | <u>Mark Menthe</u> |
| <u></u> | <u>Soraya Serna</u> |
| <u></u> | <u>Sydney Rounree</u> |
| <u></u> | <u>Megan Delein</u> |
| <u></u> | <u>Dawn</u> |
| <u></u> | <u>Danelle Hernandez</u> |
| <u></u> | <u>Scott Minkes</u> |
| <u></u> | <u>Throna White</u> |
| <u></u> | <u>Megan Allen</u> |
| <u></u> | <u>Geena White</u> |
| <u></u> | <u>Paula Dickles</u> |
| <u></u> | <u>Cole Westerkolm</u> |
| <u></u> | <u>Alfonso Favela</u> |
| <u></u> | <u>Mike Rickards</u> |
| <u></u> | <u>Diana Franco</u> |
| <u>Amanda Anderson</u> | <u>Amanda Anderson</u> |
| <u></u> | <u>Ani Taroganesyan</u> |
| <u></u> | <u>Ani Arinjan</u> |

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| | |
|---|------------------|
|  | Ara Ghanbarian |
|  | ROSE CRUMFORD |
|  | MARK MENTHE |
| Janya Jerome | Soraya Serna |
|  | Megan DeLeon |
| Sydney Rountree | SYDNEY ROUNTREE |
|  | JANE KIM |
| Michael Chen | Michael Chen |
|  | Kevin Condreau |
|  | Bonnie Lawler |
|  | Alfonso Favela |
|  | LUIS VERA |
|  | Kyra Amici |
|  | Robert Edvardian |
|  | Teny Zadoori |
|  | Alina Alexanian |
|  | Linet Alexanian |
|  | HYO PARK |
|  | Yunhi Kim |

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| | |
|---|-------------------|
|  | Anthony Beutista |
|  | Mike Vener |
| Allison Perreault | allison perreault |
|  | Tony Zadori |
|  | Linet Alexanian |
|  | Alina Alexanian |
|  | Cindy Palc |
|  | Jae Sun Park |
|  | Sun Sim Jeong |
|  | Nikola Kantar |
|  | ROBERT MARULLAYAN |
|  | ALBERT |
| Patricia Connus | PATRICIA CONNUS |
|  | Ben Kca Arman |
|  | Sam Laurie |
| Richard Marin | Richard R Marin |
|  | Sabito Munc |
|  | PEDRO BOSSIO |
| GABE HORRIS | |

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Maggie Lapre

MAGGIE LAPRE

Annie Kim

Josh

Angel Com

Barbara Jayland

BARBARA JAYLAND

Todd Thornbury

TODD THORNBURY

Hannah Hal

HANNAH HAL

Alice Kim

ALICE KIM

Kenka Silva

KENKA SILVA

Mariet Novasartian

MARIET NOVASARTIAN

Yeda Chong

YEDA CHONG

Kathleen Strauss

KATHLEEN STRAUSS

Jenny Ryan

JENNY RYAN

Quetta Makarici

QUETTA MAKARICI

Armin Azadian

ARMIN AZADIAN

Juliet Baghdarian

JULIET BAGHDARIAN

Leanne Oster

LEANNE OSTER

James Langenkastm

JAMES LANGENKASTM

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Martin C Briner MARTIN C BRINER

JAVIER GUTIERREZ JAVIER GUTIERREZ

JUAN CARLOS HERRERA JUAN CARLOS HERRERA

WILLIAM C KAPLAN WILLIAM C KAPLAN

Rebecca Anderson REBECCA ANDERSON

Linda Moses LINDA MOSES

PODD WOLFF P. WOLFF

Ernest Rhodogolice ERNEST RHODOGOLICE

Daniela Ionescu DANIELA IONESCU

TABER C. KZM TABER C. KZM

Karla Lara KARLA LARA

TIMOTHY BEEGMAN TIMOTHY BEEGMAN

Carol Shin CAROL SHIN

Diana Shin DIANA SHIN

JIMMY PARK JIMMY PARK

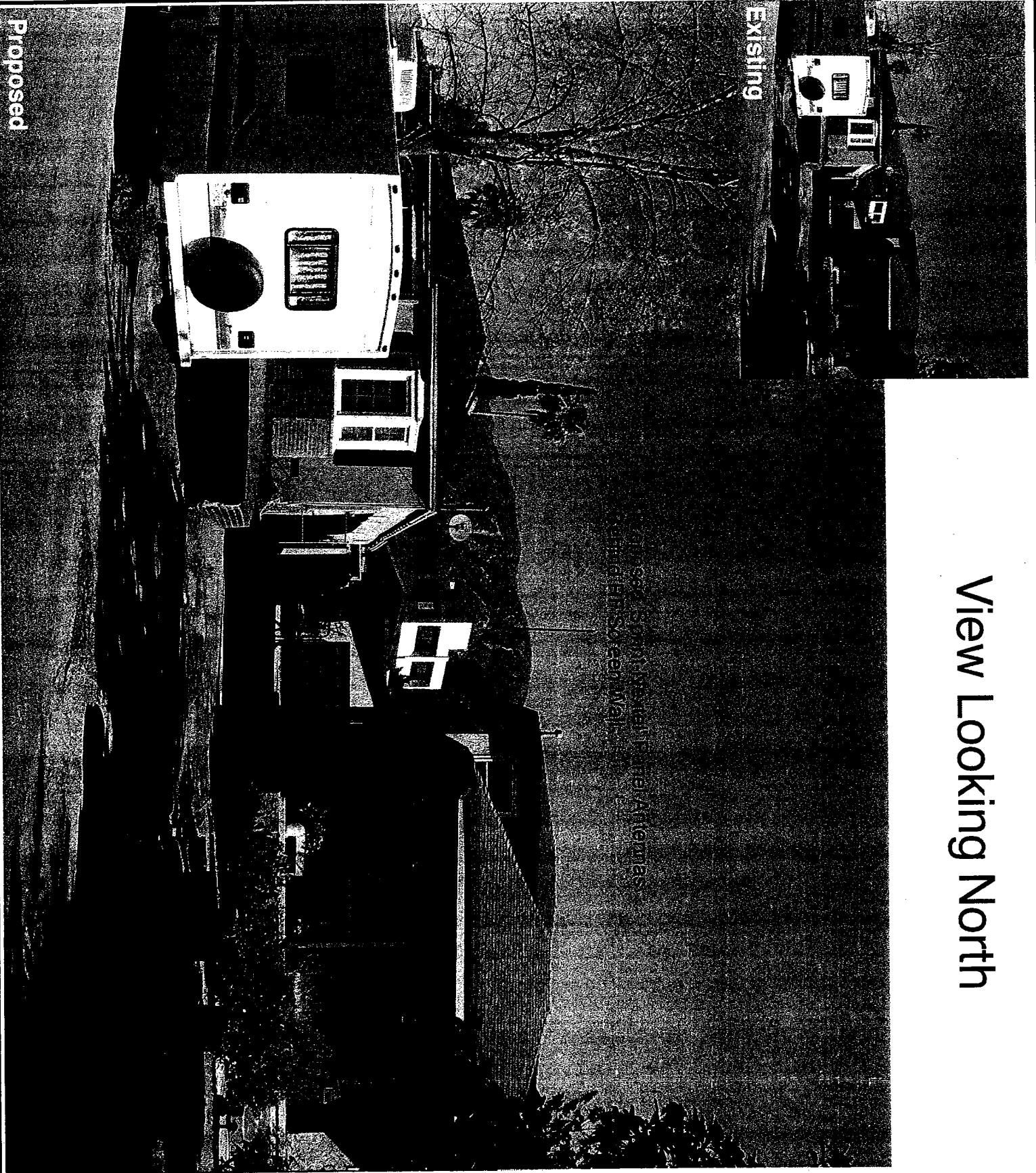
Jonathan Garcia JONATHAN GARCIA

Joe Meinhardt JOE MEINHART

Pedro Martinez PEDRO MARTINEZ

EVAN SICKERA EVAN SICKERA

View Looking North



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Project Name:

Foothill Blvd. & Rosemont

2540 Foothill Blvd. La Crescenta, CA 91214

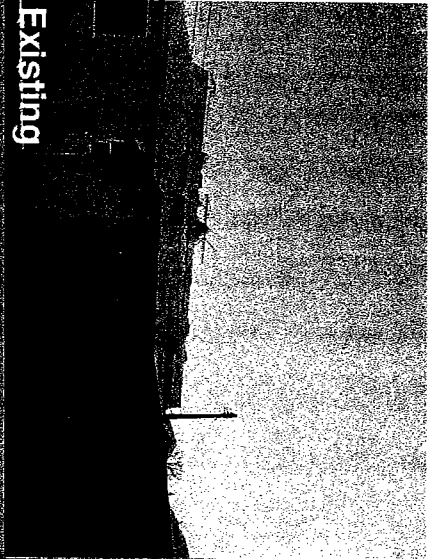
Prepared for:



LA72XC505B

View Looking North East

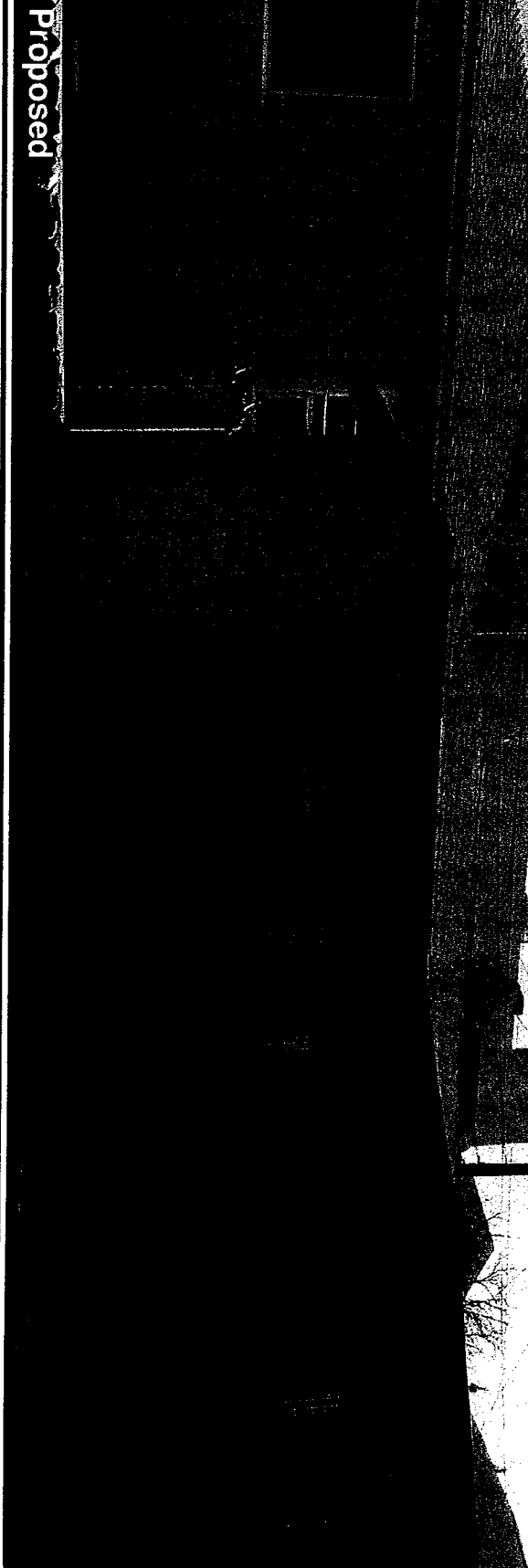
Existing



Proposed 'Sprint-Nextel' Antennas
Mounted Behind RF Screen Wall



Proposed



Project Name:

Foothill Blvd. & Rosemont

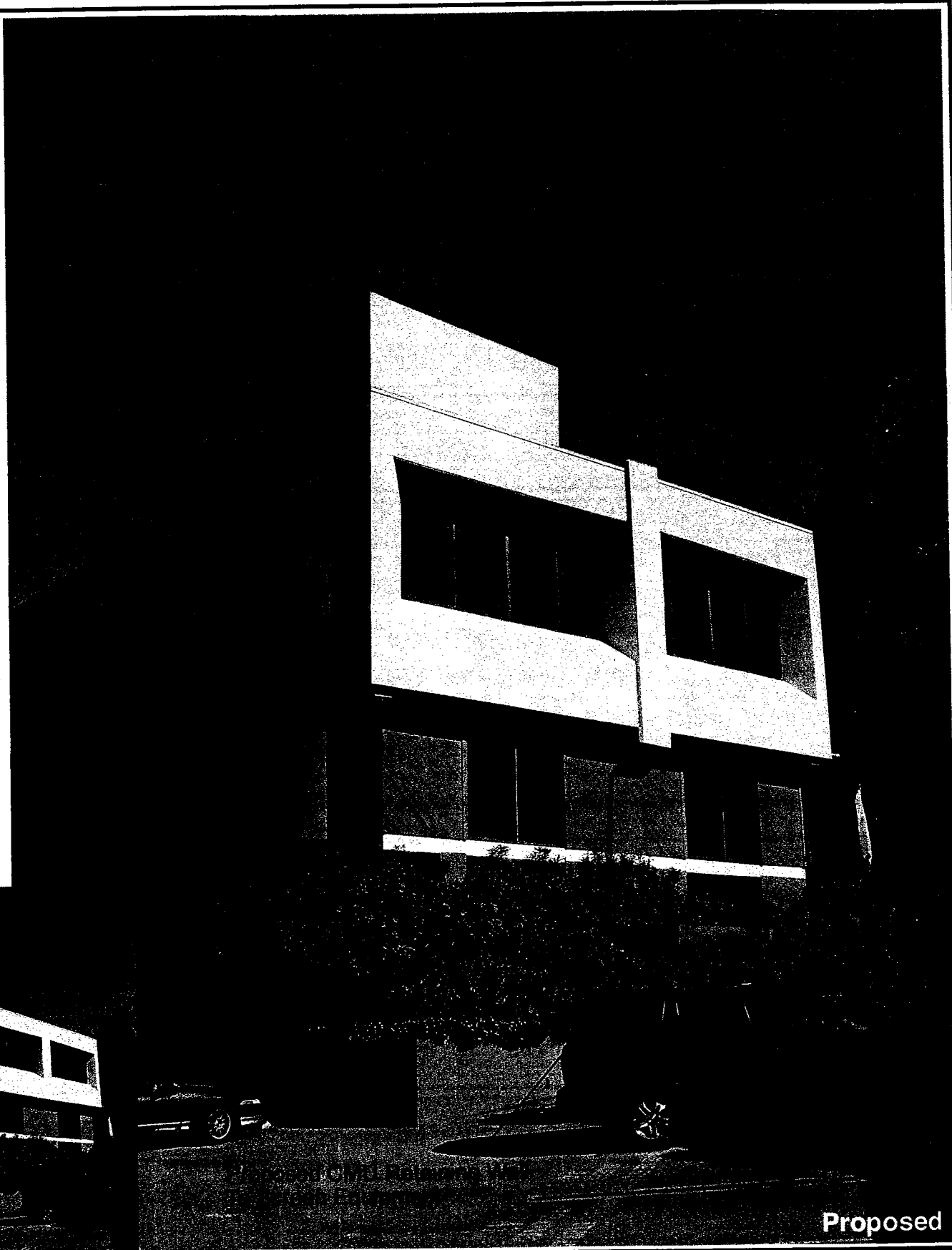
2540 Foothill Blvd. La Crescenta, CA 91214

Prepared for:



LA72XC505B

View Looking Northwest



Existing

Proposed

Project Name:

Foothill Blvd. & Rosemont

2540 Foothill Blvd. La Crescenta, CA 91214

Prepared for:



LA72XC505B



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443

PROJECT No. R2004-00805-(5)
CASE NO. 200700051-(5)

| | |
|---------------------------------------|-------------|
| RPC/HO MEETING DATE | CONTINUE TO |
| AGENDA ITEM 3. | |
| PUBLIC HEARING DATE March 18, 2008 | |

| | | |
|----------------------------------|--------------------------------|------------------------------|
| APPLICANT Print-Nextel | OWNER Footcrest, LLC | REPRESENTATIVE N/A |
|----------------------------------|--------------------------------|------------------------------|

REQUEST
 Conditional Use Permit: To install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

| | |
|---|---|
| LOCATION/ADDRESS 540 Foothill Blvd. (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. | ZONED DISTRICT Montrose |
| | COMMUNITY La Crescenta-Montrose |
| ACCESS Foothill Boulevard, Rosemont Avenue | EXISTING ZONING Zone C-2 BE |
| SIZE 92 square feet. | EXISTING LAND USE Office Building |
| | SHAPE Irregular |
| | TOPOGRAPHY Sloping (Northeast to Southeast) |

| | |
|---|---|
| SURROUNDING LAND USES & ZONING | East: Office Building/C-2 BE; Southeast: Single Family Residence/R-1. |
| North: Office Building/C-2 BE. | West: Commercial Center/C-2 BE; Southwest: Single Family Residence/R-1. |
| South: Single Family Residence/C-2 BE. | |

| GENERAL PLAN | DESIGNATION | MAXIMUM DENSITY | CONSISTENCY |
|--------------|--|-----------------|--------------------|
| Countywide | Major Commercial | N/A | See Staff Analysis |
| Area Plan | La Crescenta-Montrose Community Standards District (CSD) | N/A | See Staff Analysis |

ENVIRONMENTAL STATUS
 Categorical Exemption – Class 3 (Existing Facilities)

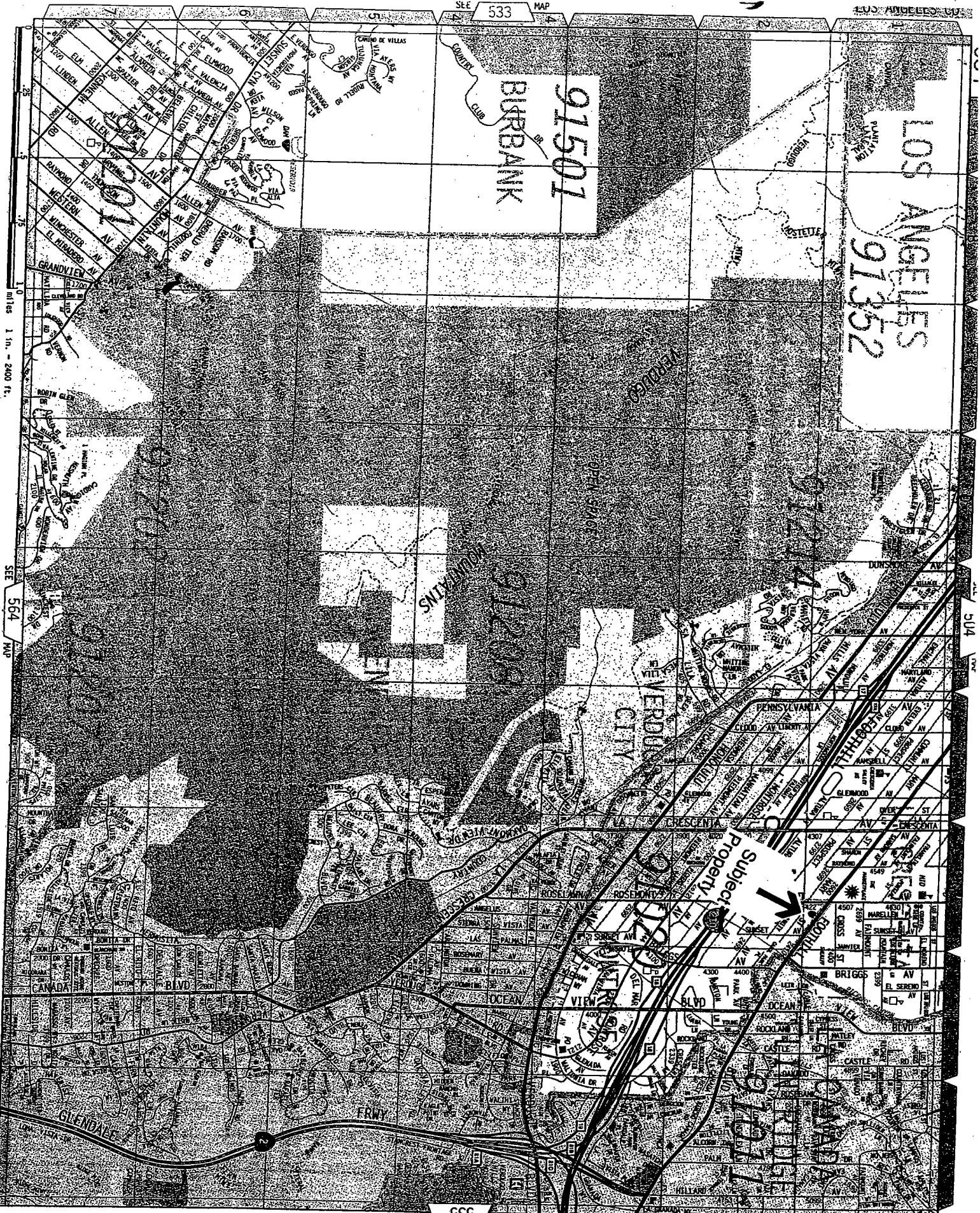
DESCRIPTION OF SITE PLAN
 The site plan depicts the proposed project, the existing 17,961 square foot professional office building, and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The equipment layout plan indicates the 192 square foot lease area with a 50.75 square foot raised concrete slab. The plan shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall. The elevation plan depicts both heights of the building and the rooftop screening, the proposed equipment enclosure and existing block wall, and the existing shrubbery and landscaping. The elevation plan also depicts the coax cable riser, coax cable support frame, and coax cable cover.

KEY ISSUES
 Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code CUP Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

| | | |
|--|-------------------|--------------------|
| STAFF CONTACT PERSON | | |
| RPC HEARING DATE(S) | RPC ACTION DATE | RPC RECOMMENDATION |
| MEMBERS VOTING AYE | MEMBERS VOTING NO | MEMBERS ABSTAINING |
| STAFF RECOMMENDATION (PRIOR TO HEARING) | | |
| SPEAKERS* | PETITIONS | LETTERS |
| (O) (F) | (O) (F) | (O) (F) |

*(O) = Opponents (F) = In Favor



BURBANK
91501

LOS ANGELES
91352

91200

Subject Property



STAFF ANALYSIS
PROJECT NO. R2004-00805-(5)
CONDITIONAL USE PERMIT NO. 200700051-(5)

PROJECT NUMBER

R2004-00805-(5)

CASE NUMBER

200700051-(5)

SUMMARY OF ISSUES

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. Implementing the proposed conditions of approval will make the proposed project compatible with both Los Angeles County Code and the surrounding community. Staff recommends approval of the project, subject to conditions.

OVERVIEW OF PROPOSED PROJECT

The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

DESCRIPTION OF SUBJECT PROPERTY

Location

The project site is located at 2540 Foothill Boulevard (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. The applicant proposes to lease approximately 192 square feet of an existing 17,961 square foot office building and parking lot.

Physical Features

The subject property is located within an urbanized area, developed with an office building and parking lot. The irregularly-shaped lot is located on a slope with the north (front) of the property situated higher than the south (rear). The only vegetation on site is within the setback area along the property's east side and the landscaped planters situated along the building's northeast (front), northwest (side), and southwest (rear). There are no oak trees on the site.

ENTITLEMENT REQUESTED

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

EXISTING ZONING

Subject Property

Zone C-2-BE (Neighborhood Business Zone-Billboard Exclusion).

Surrounding Properties

The lots to the north, south, east, and west are zoned C-2-BE (Neighborhood Business Zone-Billboard Exclusion). The lots to the southeast and southwest are zoned R-1 (Single-Family Residence Zone).

EXISTING LAND USES

Subject Property

The property's current use is as an existing 17,961 square foot office building.

Surrounding Properties

All of the surrounding lots are located in the La Crescenta-Montrose General Plan designation area. The lots to the north and east maintain office buildings. The lots to the southeast, south, and southwest are single-family residences. The lot to the west is a commercial center.

PREVIOUS CASES/ZONING ENFORCEMENT HISTORY

Previous Cases

RPP T200400495:

- Approved for the addition of a dance and exercise business to an existing professional office building. The occupancy load shall not exceed 45 persons for the business. No other retail, food uses or medical offices shall be permitted within the other lease spaces in the building. Approved on 01/06/2005 with conditions

Zoning Enforcement History

RFS04-0047665/EF021053:

- Current parking development standards were not being met (LACC 22.28.010, 22.28.020 and 22.28.170). The case was opened on 05/06/2002 and was closed on 01/13/2003 because the violation was abated.

SITE PLANS

The site plan depicts a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. The site plan also shows the existing 17,961 square foot professional office building and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The site plan depicts meters located inside the parking garage that service the project area, the sidewalk along the front of the property, and the chain link fence that exists between the office building and single-family residences to the south. The site plan also depicts two (2) existing cargo storage containers in the southeast corner of the property. These containers are scheduled to be removed prior to the public hearing.

The equipment layout plan indicates the 192 square foot (12'-0" x 16'-0") lease area with a 50.75 square foot (7'-0" x 7'-3") raised concrete slab. The plan

shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. Also shown are the roof mounted coax cable tray, coax cable support frame, and utility trench. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall.

The elevation plan depicts the southwest and southeast elevation of the existing 17,961 square foot professional office building. Also shown are both heights of the building and the rooftop screening, the proposed equipment enclosure and existing block wall, and the existing shrubbery and landscaping. The plan depicts the coax cable riser, coax cable support frame, and coax cable cover.

General Plan Consistency

The subject property's General Plan designation is: C (Major Commercial).

Compliance with Applicable Development Standards

Community Standards District

The subject property is within the La Crescenta-Montrose Community Standards District (CSD) (LACC 22.44.139). CSD development standards only apply to properties in Zone R-3 [LACC 22.44.139(E)]. Thus, the proposed project is not impacted by La Crescenta-Montrose CSD regulation.

Consistency with Use Designation

A wireless telecommunications facility is not a defined use in the Zoning Ordinance; however, staff has traditionally utilized the defined use of "radio and television stations and towers, not including studios" as a comparable use. Radio and television stations and towers are uses subject to Conditional Use Permits in Zone C-2 BE (Neighborhood Business Zone-Billboard Exclusion) (Los Angeles County Code [LACC] 22.28.160). The project complies with the use designation per approval of the permit application.

Lot Coverage

According to Section 22.28.170(A), building lot coverage is limited to ninety (90) percent of the lot net area. Ten (10) percent of the lot net area is required to be landscaped. There is a 17,961 square foot professional office building on a 28,520 square foot lot (63 percent lot coverage). There is 3,543 square feet of landscaping on the lot in landscaped planters (12.4 percent area landscaped).

Parking

Section 22.28.170(B) also requires that parking facilities be provided as required by Part 11 of Chapter 22.52. Per 22.52.1100, professional offices require one (1) parking space for every 400 square feet of building floor area. There is a 17,961 square foot professional office building on the lot, which requires 44 parking spaces. However, 43 parking spaces are required per approval of RPP T200400495, and there are 49 parking spaces located on the subject property. Therefore, the project meets the parking requirement.

Further, Section 22.52.1070(A)(1) requires that a minimum of two (2) handicapped parking spaces be provided for 41 to 80 regular parking spaces. There is only one (1) handicapped parking space on the subject lot, which does not meet County Code requirements. However, approval of RPP T200400495 required only one (1) handicapped parking space. As the proposed project does not increase building square footage, LACC parking requirements do not mandate increased parking.

Height

Section 22.28.170(C) also requires that "A building or structure shall not exceed a height of 35 feet above grade". The applicant proposes to install twelve (12) antennas and a GPS antenna mounted behind new six (6) foot high screens on the rooftop. Eight (8) of the antennas are located at the lot's south (rear) side, and four (4) antennas are located at the north (front) side. The existing office building maintains a height of 42'-4" from the lowest part of lot grade to the building's parapet. The existing office building at the highest part of the lot's slope maintains a height of 27'-6". With the proposed six (6) foot high screen, the structure's height at the highest part of the lot's slope would be 33'-6", which complies with Los Angeles County Code.

BURDEN OF PROOF

Burden of Proof per Code

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A) That the requested use at the location proposed will not: 1) adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, or 2) be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, or 3) jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.
- B) That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C) That the proposed site is adequately served: 1) by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and 2) by other public or private service facilities as are required.

The proposed project substantially meets the above requirements as is discussed in the following:

- A) The proposed project does not create negative impacts for public health, safety, or welfare. The proposed project's equipment operates quietly and does not emit objectionable fumes, smoke, or odor. The proposed project will also meet all federal guidelines for RF (radio frequency) emissions. As cellular technology does not interfere with other forms of electronic communication, the proposed project will not interfere with existing public safety communication systems.
- B) The proposed project complies with Title 22 (Planning and Zoning Code) and matches the character and the General Plan development guidelines for the C (Major Commercial) General Plan designation. The project is designed in the least obtrusive manner possible and is separated from areas of public access. The antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development.
- C) The proposed project will not generate a significant increase in traffic. Parking at the existing commercial center will accommodate the regularly-scheduled maintenance inspection.

FIELD INVESTIGATION

A field investigation was conducted on May 19, 2007 from 9 am to 11 am. There are six (6) tandem parking spaces in the parking garage. One (1) of the tandem parking spaces is 9'-0" by 12'-0" and another measures 9'-0" by 16'-0". LACC 22.08.010 states that standard parking spaces measure 8'-6" by 18'-0" and compact spaces measure 8'-0" by 15'-0". However, 43 parking spaces are required per approval of RPP T200400495, and there are 49 standard parking spaces located on the subject property. Therefore, the project meets all LACC parking requirements.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) requirements. On May 19, 2007, Department of Regional Planning staff completed its review of the Environmental Questionnaire and other data regarding the proposed development. Staff concluded that the Initial Study was prepared in compliance with the California Environmental Quality Act Guidelines and the environmental procedures of Los Angeles County. The environmental document for the proposed project is attached.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

A total of 350 public hearing notices regarding the subject project were mailed out to property owners within the 1,000-foot radius of the property January 22, 2008. The notice was published in the News-Press Glendale and La Opinion on January 26, 2008. Case-related material, including the hearing notice, factual and burden of proof were sent to:

County of Los Angeles Public Library-La Crescenta Branch
4521 La Crescenta Avenue
La Crescenta, CA 91214

According to the applicant, the hearing notice has been posted on the property for 30 days prior to the public hearing.

PUBLIC COMMENTS

Staff has received one (1) comment from the public. On February 6, 2008, Staff received a phone call from an anonymous person stating opposition to the proposed wireless telecommunications facility.

On February 12, 2008, Staff received a request from the Crescenta Valley Town Council for a presentation by the project applicant. The presentation is to occur February 21, 2008.

STAFF EVALUATION

Staff recommends approval of the proposed project for the following reasons:

Consistency with General Plan and Zoning Code

The proposed project substantially meets the Los Angeles County Code requirements. The subject property's General Plan designation is C (Major Commercial). The proposed conditions shall mitigate any aspects of the project that are not County Code compliant.

Compatibility with Surrounding Development

The proposed project will be compatible with the surrounding, primarily commercial, development. The project does not increase any building square footage. While compliant with County Code requirements, the only substantial impact on surrounding development is that parts of the building façade will increase six (6) feet due to the wireless telecommunications facility's screening.

If approved, staff recommends a ten (10) year term for the requested conditional use permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected biennially (every other year) for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved, the following fees will apply unless modified by the Commission:

Zoning Enforcement

1. Inspection fees of \$750.00 to cover the costs of five (5) recommended biennial zoning enforcement inspections.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends **Approval** of Project Number R2004-00805-(5) and Conditional Use Permit Number 200700051-(5), subject to conditions.

Attachments:

Draft Conditions

Burden of Proof

Environmental Document

Site Photographs

1. This grant authorizes the Permittee to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel, as depicted on the approved Exhibit "A". This grant is subject to all of the following conditions of approval:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Construction and maintenance of the facility shall take place between the hours of 9:00 AM to 5:00 PM, Monday through Friday only;
 - c. Said facility shall be removed if in disuse for more than six months;
 - d. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time;
 - e. All structures shall conform to the requirements of the Building and Safety Division of the Department of Public Works or other appropriate agency and obtain encroachment permits if deemed necessary;
 - f. All equipment shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
 - g. The Permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit. The Permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning;
 - h. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities;
 - i. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility;
 - j. The project shall be developed and maintained in substantial compliance with the plans marked Exhibit "A". Placement and height of all equipment to be in substantial conformance with that shown on said Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner;

- k. The operator shall ensure that maintenance vehicles shall not block access to driveways or garages and shall obey all applicable on-street parking regulations;
 - l. Lighting shall be on motion sensors, be of low intensity, and be directed away from residential areas. No pole-mounted lighting shall be permitted on the leasehold. Exterior lighting shall be top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination;
 - m. Any areas of property shall remain free of trash and other debris; and
 - n. No equipment shall be placed directly on the ground.
2. Unless otherwise apparent from the context, the term "Permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9.
 4. The Permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the Permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
 5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with the payment of the applicable fee, at least six months before the expiration date.
 6. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten (10) days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to Permittee or Permittee's counsel. The Permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to litigation's completion.
 - b. At the sole discretion of the Permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
 - c. The cost for collection and duplication of records and other related documents will be paid by the Permittee according to Los Angeles County Code Section 2.170.010.
7. Prior to the use of this grant, the property owner or Permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or Permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
 8. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
 9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The Permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of approval. The fund provides for **five (5) biennial inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

10. **This grant will terminate on March 3, 2018.**

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six

months prior to the termination of this permit, whether or not any modification of the use is requested at that time.

11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. In the event such extraneous markings occur, the Permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

MM:DH
2/21/2008

Exhibit 1- Burden Of Proof- Sprint-Nextel

A. Health/Welfare/Property Values

- The facility will not endanger public safety or health. The facility will meet all federal guidelines for RF emissions. Cellular technology does not interfere with any other forms of electronic communication, public or private. The facility will thus should not interfere with existing public safety communications systems. To the contrary, many public safety agencies (police, fire etc) rely on their cellphones in the event of emergencies.
- The proposed design utilizes hidden antennas, and is architecturally integrated into the existing building. The facility is designed in the least obtrusive manner possible, and is separated from areas of public access. The proposed use matches the character and General Plan development guidelines for this zone and this area in that the antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development. The proposed use blends well with the existing architecture so the public will not be able to recognize the facility as a wireless site. This is the least visible location for the shelter and antennas in the vicinity.
- No nuisances will be created by the proposed installation. The equipment associated with the Facility operates quietly. The equipment does not emit fumes, smoke, or odors that could be considered objectionable. The proposed site will in no way pose a menace to public health, safety or welfare.

LOS ANGELES COUNTY LETTERGRAM

| | | | |
|-----------|--------------------|-------------|---|
| TO | To File: 200700051 | FROM | Dennis Harkins, Regional Planning Assistant II |
|-----------|--------------------|-------------|---|

Subject: ENVIRONMENTAL DOCUMENTATION
CASE NO. RCUP 200700051-(5)

Date: May 19, 2007

PROJECT DESCRIPTION: Installation of a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

The staff of the Zoning Permits II Section has reviewed the above mentioned project to determine the appropriate environmental document.

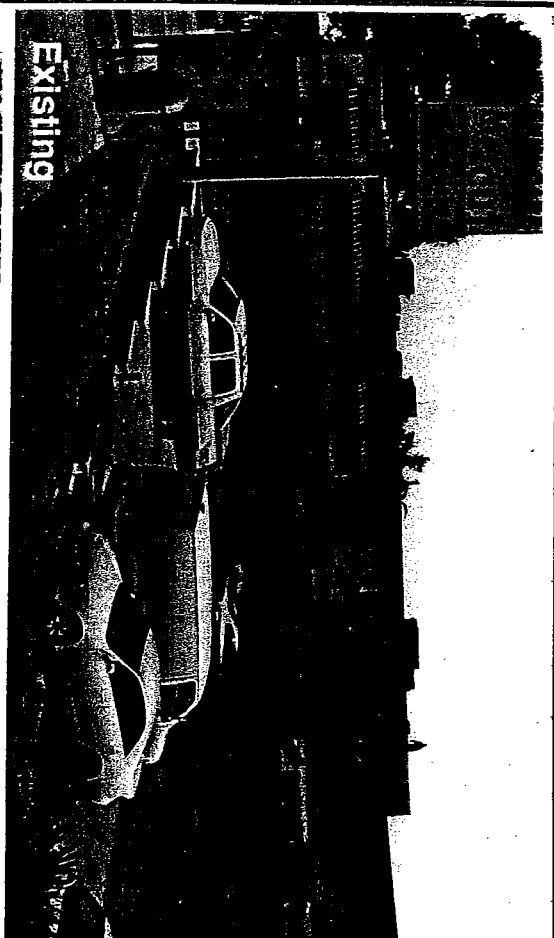
The project qualifies for a Categorical Exemption since it meets the criteria set forth in Class 15301(e)(1) Existing Facilities of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 3 of the County Guidelines (Appendix G, Categorically Exempt Projects).

If you have any questions regarding the above determination or environmental document preparation, please contact Dennis Harkins, Regional Planning Assistant II (213) 974-6483.

NOTICE TO LEAD SECTION: A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.

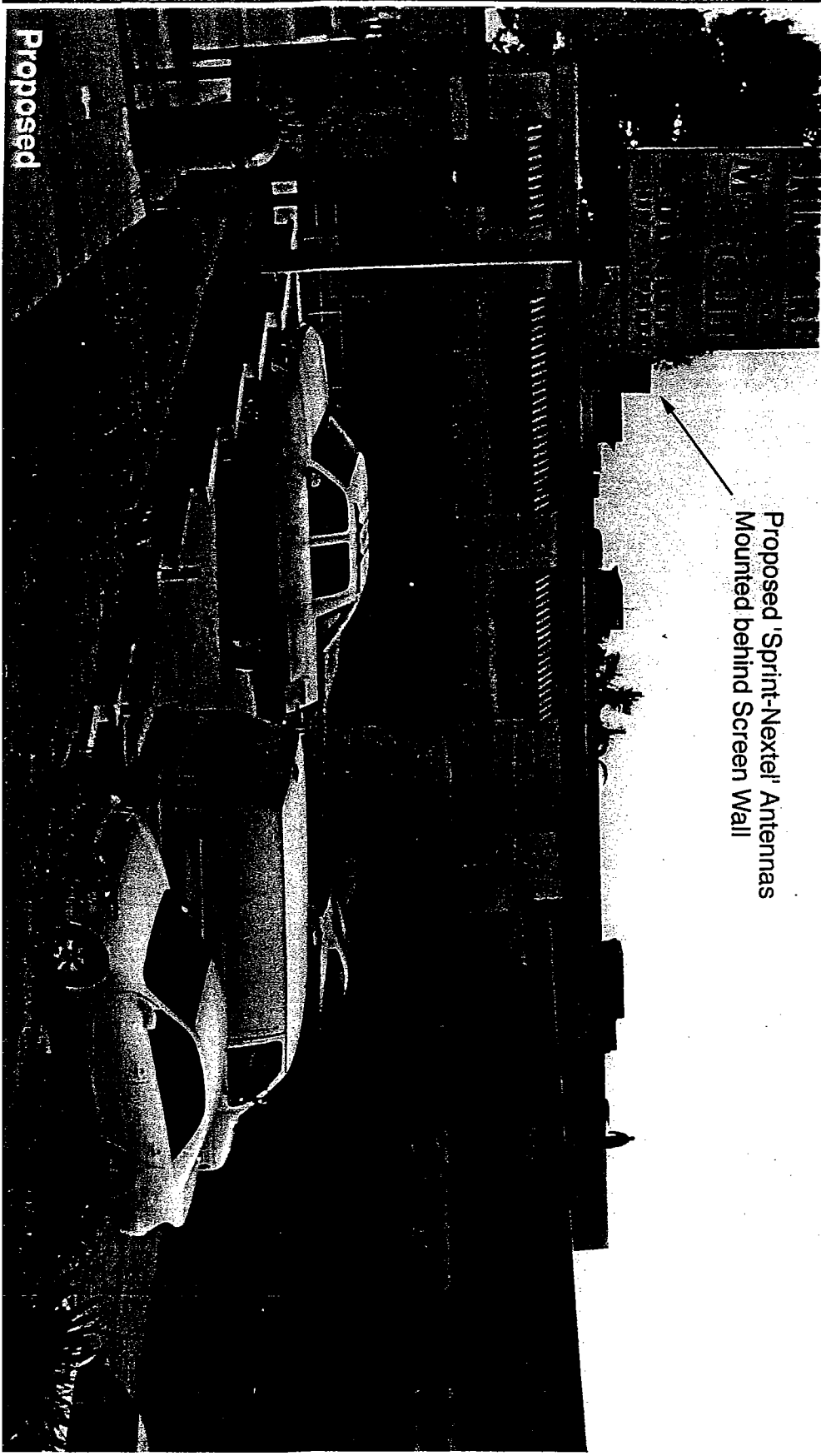
COMMENTS: _____

View Looking East



Existing

Proposed 'Sprint-Nextel' Antennas Mounted behind Screen Wall



Proposed

Project Name:

Foothill Blvd. & Rosemont

2540 Foothill Blvd. La Crescenta, CA 91214

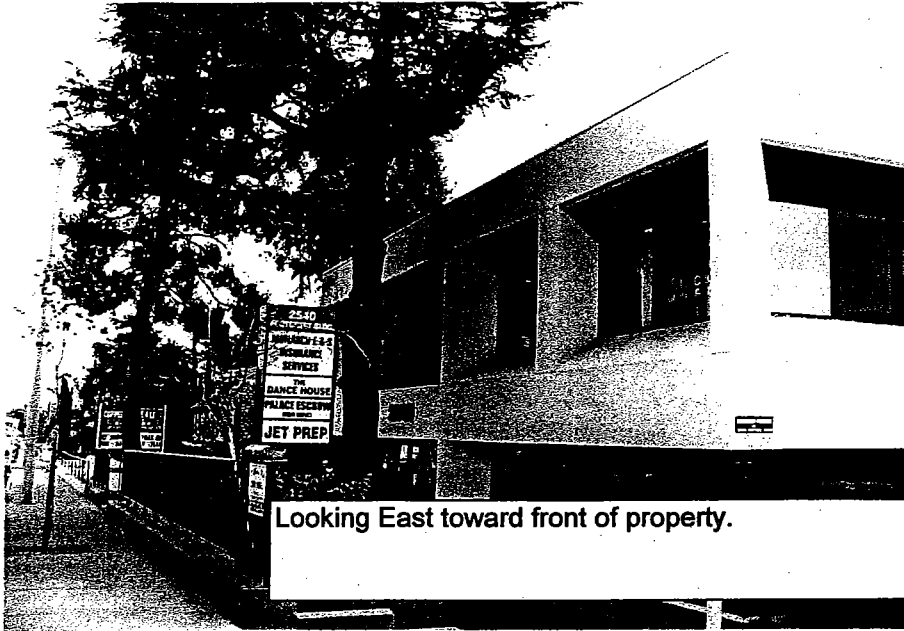
Prepared for:



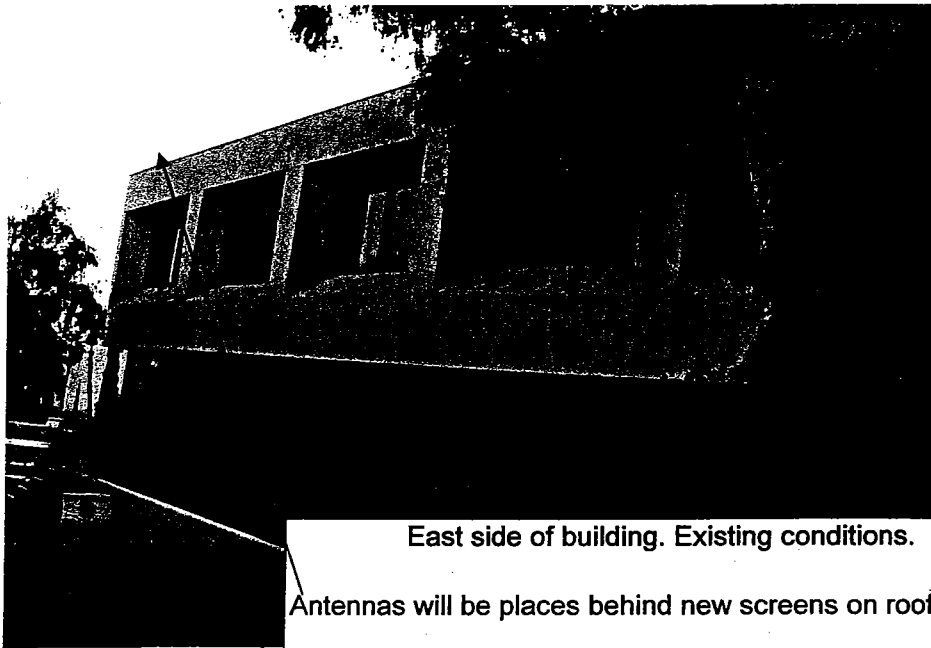
LA72XC505A

Sprint-Nextel at 2540 Foothill Blvd., La Crescenta

PARSONS



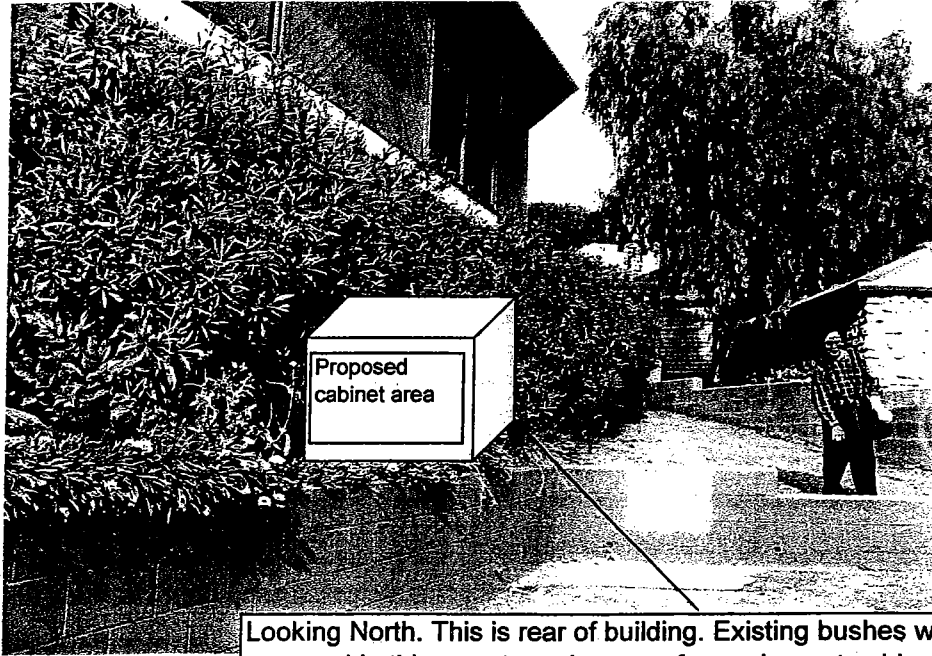
Looking East toward front of property.



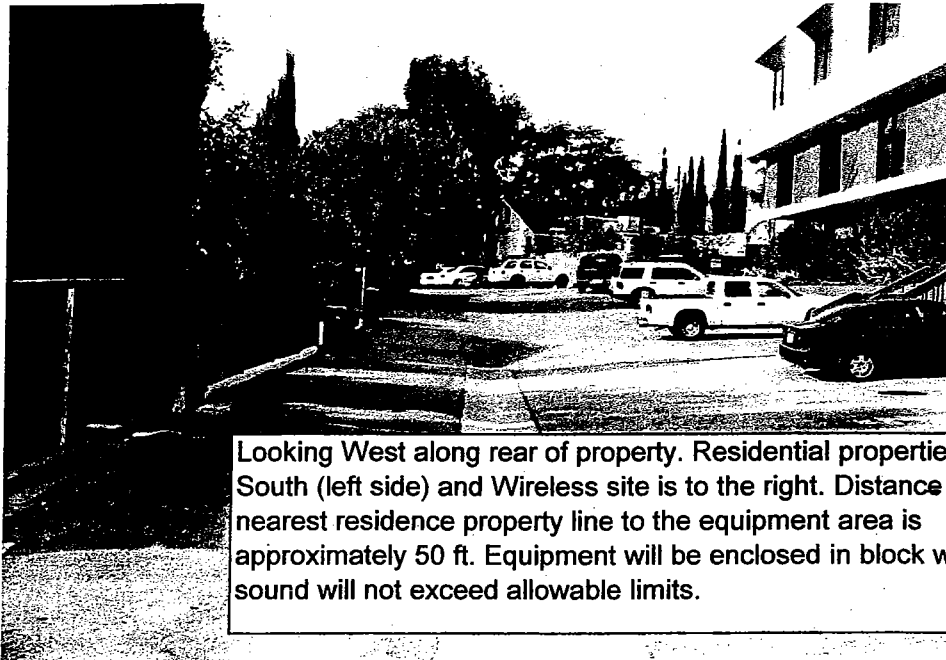
East side of building. Existing conditions.

Antennas will be placed behind new screens on roof.

Equipment cabinets will be located around the corner, beyond these bushes. Cabinet area not visible from street.



Looking North. This is rear of building. Existing bushes will be removed in this area to make room for equipment cabinets. Surrounding bushes to remain and will serve as visual buffer to the equipment area. Also equipment will be surrounded by new block wall.



Looking West along rear of property. Residential properties are to the South (left side) and Wireless site is to the right. Distance from nearest residence property line to the equipment area is approximately 50 ft. Equipment will be enclosed in block wall so sound will not exceed allowable limits.



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443
PROJECT No. R2004-00805-(5)
CASE NO. 200700051-(5)

| | |
|--------------------------------------|-------------|
| RPC/HO MEETING DATE | CONTINUE TO |
| AGENDA ITEM | |
| PUBLIC HEARING DATE March 4, 2008 | |

| | | |
|-----------------------------------|--------------------------------|--|
| APPLICANT Sprint-Nextel | OWNER Footcrest, LLC | REPRESENTATIVE Rob Perez Parsons |
|-----------------------------------|--------------------------------|--|

REQUEST
 Conditional Use Permit: To install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

| | |
|--|---|
| LOCATION/ADDRESS 2540 Foothill Blvd. (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. | ZONED DISTRICT Montrose |
| | COMMUNITY La Crescenta-Montrose |
| | EXISTING ZONING Zone C-2 BE |

| | | | | |
|--|---------------------------------|---|---------------------------|---|
| ACCESS Foothill Boulevard, Rosemont Avenue | SIZE 192 square feet. | EXISTING LAND USE Office Building | SHAPE Irregular | TOPOGRAPHY Sloping (Northeast to Southeast) |
|--|---------------------------------|---|---------------------------|---|

| | |
|---|--|
| SURROUNDING LAND USES & ZONING North: Office Building/C-2 BE. South: Single Family Residence/C-2 BE. | East: Office Building/C-2 BE; Southeast: Single Family Residence/R-1. West: Commercial Center/C-2 BE; Southwest: Single Family Residence/R-1. |
|---|--|

| GENERAL PLAN | DESIGNATION | MAXIMUM DENSITY | CONSISTENCY |
|--------------|--|-----------------|--------------------|
| Countywide | Major Commercial | N/A | See Staff Analysis |
| Area Plan | La Crescenta-Montrose Community Standards District (CSD) | N/A | See Staff Analysis |

ENVIRONMENTAL STATUS
 Categorical Exemption – Class 3 (Existing Facilities)

DESCRIPTION OF SITE PLAN
 The site plan depicts the proposed project, the existing 17,961 square foot professional office building, and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The equipment layout plan indicates the 192 square foot lease area with a 50.75 square foot raised concrete slab. The plan shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall. The elevation plan depicts both heights of the building and the rooftop screening, the proposed equipment enclosure and existing block wall, and the existing shrubbery and landscaping. The elevation plan also depicts the coax cable riser, coax cable support frame, and coax cable cover.

KEY ISSUES
 ▪ Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code CUP Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

| | | |
|--|-------------------|--------------------|
| STAFF CONTACT PERSON | | |
| RPC HEARING DATE(S) | RPC ACTION DATE | RPC RECOMMENDATION |
| MEMBERS VOTING AYE | MEMBERS VOTING NO | MEMBERS ABSTAINING |
| STAFF RECOMMENDATION (PRIOR TO HEARING) | | |
| SPEAKERS* | PETITIONS | LETTERS |
| (O) (F) | (O) (F) | (O) (F) |

*(O) = Opponents (F) = In Favor

STAFF ANALYSIS
PROJECT NO. R2004-00805-(5)
CONDITIONAL USE PERMIT NO. 200700051-(5)

PROJECT NUMBER

R2004-00805-(5)

CASE NUMBER

200700051-(5)

SUMMARY OF ISSUES

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility on an existing commercial building. Implementing the proposed conditions of approval will make the proposed project compatible with both Los Angeles County Code and the surrounding community. Staff recommends approval of the project, subject to conditions.

OVERVIEW OF PROPOSED PROJECT

The project consists of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

DESCRIPTION OF SUBJECT PROPERTY

Location

The project site is located at 2540 Foothill Boulevard (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. The applicant proposes to lease approximately 192 square feet of an existing 17,961 square foot office building and parking lot.

Physical Features

The subject property is located within an urbanized area, developed with an office building and parking lot. The irregularly-shaped lot is located on a slope with the north (front) of the property situated higher than the south (rear). The only vegetation on site is within the setback area along the property's east side and the landscaped planters situated along the building's northeast (front), northwest (side), and southwest (rear). There are no oak trees on the site.

ENTITLEMENT REQUESTED

The applicant, Sprint-Nextel, is requesting a Conditional Use Permit (CUP) to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

EXISTING ZONING

Subject Property

Zone C-2-BE (Neighborhood Business Zone-Billboard Exclusion).

Surrounding Properties

The lots to the north, south, east, and west are zoned C-2-BE (Neighborhood Business Zone-Billboard Exclusion). The lots to the southeast and southwest are zoned R-1 (Single-Family Residence Zone).

EXISTING LAND USES

Subject Property

The property's current use is as an existing 17,961 square foot office building.

Surrounding Properties

All of the surrounding lots are located in the La Crescenta-Montrose General Plan designation area. The lots to the north and east maintain office buildings. The lots to the southeast, south, and southwest are single-family residences. The lot to the west is a commercial center.

PREVIOUS CASES/ZONING ENFORCEMENT HISTORY

Previous Cases

RPP T200400495:

- Approved for the addition of a dance and exercise business to an existing professional office building. The occupancy load shall not exceed 45 persons for the business. No other retail, food uses or medical offices shall be permitted within the other lease spaces in the building. Approved on 01/06/2005 with conditions

Zoning Enforcement History

RFS04-0047665/EF021053:

- Current parking development standards were not being met (LACC 22.28.010, 22.28.020 and 22.28.170). The case was opened on 05/06/2002 and was closed on 01/13/2003 because the violation was abated.

SITE PLANS

The site plan depicts a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel. The site plan also shows the existing 17,961 square foot professional office building and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The site plan depicts meters located inside the parking garage that service the project area, the sidewalk along the front of the property, and the chain link fence that exists between the office building and single-family residences to the south. The site plan also depicts two (2) existing cargo storage containers in the southeast corner of the property. These containers are scheduled to be removed prior to the public hearing.

The equipment layout plan indicates the 192 square foot (12'-0" x 16'-0") lease area with a 50.75 square foot (7'-0" x 7'-3") raised concrete slab. The plan

shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. Also shown are the roof mounted coax cable tray, coax cable support frame, and utility trench. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall.

The elevation plan depicts the southwest and southeast elevation of the existing 17,961 square foot professional office building. Also shown are both heights of the building and the rooftop screening, the proposed equipment enclosure and existing block wall, and the existing shrubbery and landscaping. The plan depicts the coax cable riser, coax cable support frame, and coax cable cover.

General Plan Consistency

The subject property's General Plan designation is: C (Major Commercial).

Compliance with Applicable Development Standards

Community Standards District

The subject property is within the La Crescenta-Montrose Community Standards District (CSD) (LACC 22.44.139). CSD development standards only apply to properties in Zone R-3 [LACC 22.44.139(E)]. Thus, the proposed project is not impacted by La Crescenta-Montrose CSD regulation.

Consistency with Use Designation

A wireless telecommunications facility is not a defined use in the Zoning Ordinance; however, staff has traditionally utilized the defined use of "radio and television stations and towers, not including studios" as a comparable use. Radio and television stations and towers are uses subject to Conditional Use Permits in Zone C-2 BE (Neighborhood Business Zone-Billboard Exclusion) (Los Angeles County Code [LACC] 22.28.160). The project complies with the use designation per approval of the permit application.

Lot Coverage

According to Section 22.28.170(A), building lot coverage is limited to ninety (90) percent of the lot net area. Ten (10) percent of the lot net area is required to be landscaped. There is a 17,961 square foot professional office building on a 28,520 square foot lot (63 percent lot coverage). There is 3,543 square feet of landscaping on the lot in landscaped planters (12.4 percent area landscaped).

Parking

Section 22.28.170(B) also requires that parking facilities be provided as required by Part 11 of Chapter 22.52. Per 22.52.1100, professional offices require one (1) parking space for every 400 square feet of building floor area. There is a 17,961 square foot professional office building on the lot, which requires 44 parking spaces. However, 43 parking spaces are required per approval of RPP T200400495, and there are 49 parking spaces located on the subject property. Therefore, the project meets the parking requirement.

Further, Section 22.52.1070(A)(1) requires that a minimum of two (2) handicapped parking spaces be provided for 41 to 80 regular parking spaces. There is only one (1) handicapped parking space on the subject lot, which does not meet County Code requirements. However, approval of RPP T200400495 required only one (1) handicapped parking space. As the proposed project does not increase building square footage, LACC parking requirements do not mandate increased parking.

Height

Section 22.28.170(C) also requires that "A building or structure shall not exceed a height of 35 feet above grade". The applicant proposes to install twelve (12) antennas and a GPS antenna mounted behind new six (6) foot high screens on the rooftop. Eight (8) of the antennas are located at the lot's south (rear) side, and four (4) antennas are located at the north (front) side. The existing office building maintains a height of 42'-4" from the lowest part of lot grade to the building's parapet. The existing office building at the highest part of the lot's slope maintains a height of 27'-6". With the proposed six (6) foot high screen, the structure's height at the highest part of the lot's slope would be 33'-6", which complies with Los Angeles County Code.

BURDEN OF PROOF

Burden of Proof per Code

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A) That the requested use at the location proposed will not: 1) adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, or 2) be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, or 3) jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.
- B) That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C) That the proposed site is adequately served: 1) by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and 2) by other public or private service facilities as are required.

The proposed project substantially meets the above requirements as is discussed in the following:

- A) The proposed project does not create negative impacts for public health, safety, or welfare. The proposed project's equipment operates quietly and does not emit objectionable fumes, smoke, or odor. The proposed project will also meet all federal guidelines for RF (radio frequency) emissions. As cellular technology does not interfere with other forms of electronic communication, the proposed project will not interfere with existing public safety communication systems.
- B) The proposed project complies with Title 22 (Planning and Zoning Code) and matches the character and the General Plan development guidelines for the C (Major Commercial) General Plan designation. The project is designed in the least obtrusive manner possible and is separated from areas of public access. The antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development.
- C) The proposed project will not generate a significant increase in traffic. Parking at the existing commercial center will accommodate the regularly-scheduled maintenance inspection.

FIELD INVESTIGATION

A field investigation was conducted on May 19, 2007 from 9 am to 11 am. There are six (6) tandem parking spaces in the parking garage. One (1) of the tandem parking spaces is 9'-0" by 12'-0" and another measures 9'-0" by 16'-0". LACC 22.08.010 states that standard parking spaces measure 8'-6" by 18'-0" and compact spaces measure 8'-0" by 15'-0". However, 43 parking spaces are required per approval of RPP T200400495, and there are 49 standard parking spaces located on the subject property. Therefore, the project meets all LACC parking requirements.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (Existing Facilities) under the California Environmental Quality Act (CEQA) requirements. On May 19, 2007, Department of Regional Planning staff completed its review of the Environmental Questionnaire and other data regarding the proposed development. Staff concluded that the Initial Study was prepared in compliance with the California Environmental Quality Act Guidelines and the environmental procedures of Los Angeles County. The environmental document for the proposed project is attached.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

A total of 350 public hearing notices regarding the subject project were mailed out to property owners within the 1,000-foot radius of the property January 22, 2008. The notice was published in the News-Press Glendale and La Opinion on January 26, 2008. Case-related material, including the hearing notice, factual and burden of proof were sent to:

County of Los Angeles Public Library-La Crescenta Branch
4521 La Crescenta Avenue
La Crescenta, CA 91214

According to the applicant, the hearing notice has been posted on the property for 30 days prior to the public hearing.

PUBLIC COMMENTS

Staff has received one (1) comment from the public. On February 6, 2008, Staff received a phone call from an anonymous person stating opposition to the proposed wireless telecommunications facility.

On February 12, 2008, Staff received a request from the Crescenta Valley Town Council for a presentation by the project applicant. The presentation is to occur February 21, 2008.

STAFF EVALUATION

Staff recommends approval of the proposed project for the following reasons:

Consistency with General Plan and Zoning Code

The proposed project substantially meets the Los Angeles County Code requirements. The subject property's General Plan designation is C (Major Commercial). The proposed conditions shall mitigate any aspects of the project that are not County Code compliant.

Compatibility with Surrounding Development

The proposed project will be compatible with the surrounding, primarily commercial, development. The project does not increase any building square footage. While compliant with County Code requirements, the only substantial impact on surrounding development is that parts of the building façade will increase six (6) feet due to the wireless telecommunications facility's screening.

If approved, staff recommends a ten (10) year term for the requested conditional use permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected biennially (every other year) for compliance with the final conditions of approval.

FEES/DEPOSITS

If approved, the following fees will apply unless modified by the Commission:

Zoning Enforcement

1. Inspection fees of \$750.00 to cover the costs of five (5) recommended biennial zoning enforcement inspections.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing.

Staff recommends **Approval** of Project Number R2004-00805-(5) and Conditional Use Permit Number 200700051-(5), subject to conditions.

Attachments:

Draft Conditions
Burden of Proof
Environmental Document
Site Photographs

1. This grant authorizes the Permittee to install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel, as depicted on the approved Exhibit "A". This grant is subject to all of the following conditions of approval:
 - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission;
 - b. Construction and maintenance of the facility shall take place between the hours of 9:00 AM to 5:00 PM, Monday through Friday only;
 - c. Said facility shall be removed if in disuse for more than six months;
 - d. Insofar as is feasible, the operator shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time;
 - e. All structures shall conform to the requirements of the Building and Safety Division of the Department of Public Works or other appropriate agency and obtain encroachment permits if deemed necessary;
 - f. All equipment shall be a neutral color excluding black to blend with its surroundings and shall be maintained in good condition at all times;
 - g. The Permittee shall provide written verification that the proposed facility's radio-frequency radiation and electromagnetic field emissions will fall within the adopted FCC standards for safe human exposure to such forms of non-ionizing electromagnetic radiation when operating at full strength and capacity for the lifetime of this conditional use permit. The Permittee/operator shall submit a copy of the initial report on the said facility's radio frequency emissions level, as required by the Federal Communications Commission requirements, to the Department of Regional Planning;
 - h. Any proposed wireless telecommunications facility that will be co-locating on the proposed facility will be required to submit the same written verification and include the cumulative radiation and emissions of all such facilities;
 - i. The operator shall submit an annual maintenance report to the Department of Regional Planning by January 1, verifying the continued operation and maintenance of the said facility;
 - j. The project shall be developed and maintained in substantial compliance with the plans marked Exhibit "A". Placement and height of all equipment to be in substantial conformance with that shown on said Exhibit "A". All revised plot plans must be accompanied by the written authorization of the property owner;

- k. The operator shall ensure that maintenance vehicles shall not block access to driveways or garages and shall obey all applicable on-street parking regulations;
 - l. Lighting shall be on motion sensors, be of low intensity, and be directed away from residential areas. No pole-mounted lighting shall be permitted on the leasehold. Exterior lighting shall be top-shielded or hooded design intended to direct light away from adjacent parcels and prevent off-site illumination;
 - m. Any areas of property shall remain free of trash and other debris; and
 - n. No equipment shall be placed directly on the ground.
2. Unless otherwise apparent from the context, the term "Permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9.
 4. The Permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the Permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
 5. This grant will expire unless used within 2 years from the date of approval. A one-year time extension may be requested, in writing with the payment of the applicable fee, at least six months before the expiration date.
 6. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten (10) days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to Permittee or Permittee's counsel. The Permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to litigation's completion.
 - b. At the sole discretion of the Permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
 - c. The cost for collection and duplication of records and other related documents will be paid by the Permittee according to Los Angeles County Code Section 2.170.010.
7. Prior to the use of this grant, the property owner or Permittee shall record the terms and conditions of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or Permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director.
 8. If any material provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
 9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The Permittee shall deposit with the County of Los Angeles the sum of **\$750.00**. The monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of approval. The fund provides for **five (5) biennial inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

10. **This grant will terminate on March 3, 2018.**

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six

months prior to the termination of this permit, whether or not any modification of the use is requested at that time.

11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use subject to this grant or that do not provide pertinent information about the premises. In the event such extraneous markings occur, the Permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
13. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

MM:DH
2/21/2008

Exhibit 1- Burden Of Proof- Sprint-Nextel

A. Health/Welfare/Property Values

- The facility will not endanger public safety or health. The facility will meet all federal guidelines for RF emissions. Cellular technology does not interfere with any other forms of electronic communication, public or private. The facility will thus should not interfere with existing public safety communications systems. To the contrary, many public safety agencies (police, fire etc) rely on their cellphones in the event of emergencies.
- The proposed design utilizes hidden antennas, and is architecturally integrated into the existing building. The facility is designed in the least obtrusive manner possible, and is separated from areas of public access. The proposed use matches the character and General Plan development guidelines for this zone and this area in that the antenna screens and the equipment shelter match the aesthetic character of the area and are in keeping with the intended aesthetic goals for future development. The proposed use blends well with the existing architecture so the public will not be able to recognize the facility as a wireless site. This is the least visible location for the shelter and antennas in the vicinity.
- No nuisances will be created by the proposed installation. The equipment associated with the Facility operates quietly. The equipment does not emit fumes, smoke, or odors that could be considered objectionable. The proposed site will in no way pose a menace to public health, safety or welfare.

LOS ANGELES COUNTY LETTERGRAM

| | | | |
|-----------|--------------------|-------------|---|
| TO | To File: 200700051 | FROM | Dennis Harkins, Regional Planning Assistant II |
|-----------|--------------------|-------------|---|

Subject: ENVIRONMENTAL DOCUMENTATION
CASE NO. RCUP 200700051-(5)

Date: May 19, 2007

PROJECT DESCRIPTION: Installation of a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

The staff of the Zoning Permits II Section has reviewed the above mentioned project to determine the appropriate environmental document.

The project qualifies for a Categorical Exemption since it meets the criteria set forth in Class 15301(e)(1) Existing Facilities of the State EIR Guidelines (Article 19, Categorical Exemptions) and Class 3 of the County Guidelines (Appendix G, Categorically Exempt Projects).

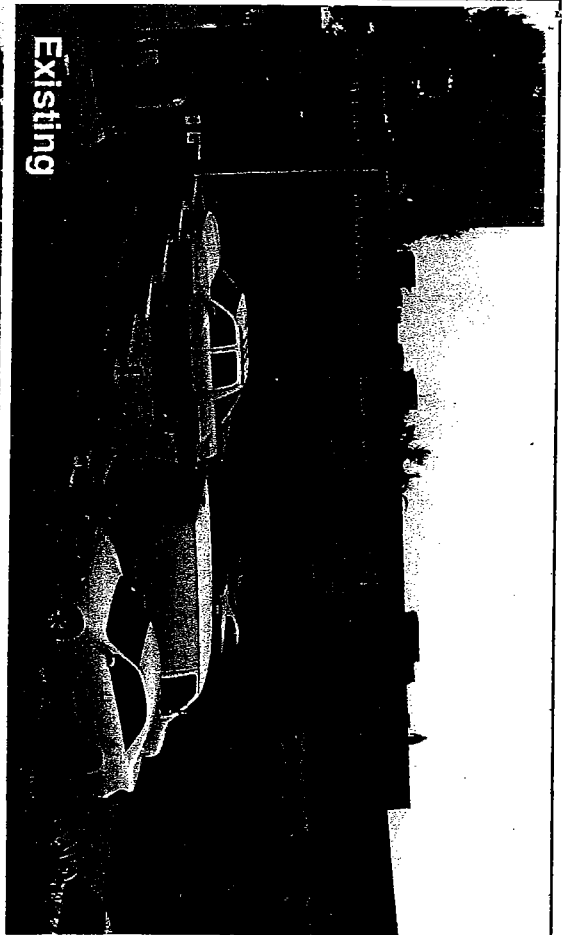
If you have any questions regarding the above determination or environmental document preparation, please contact Dennis Harkins, Regional Planning Assistant II (213) 974-6483.

NOTICE TO LEAD SECTION: A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.

COMMENTS: _____

View Looking East

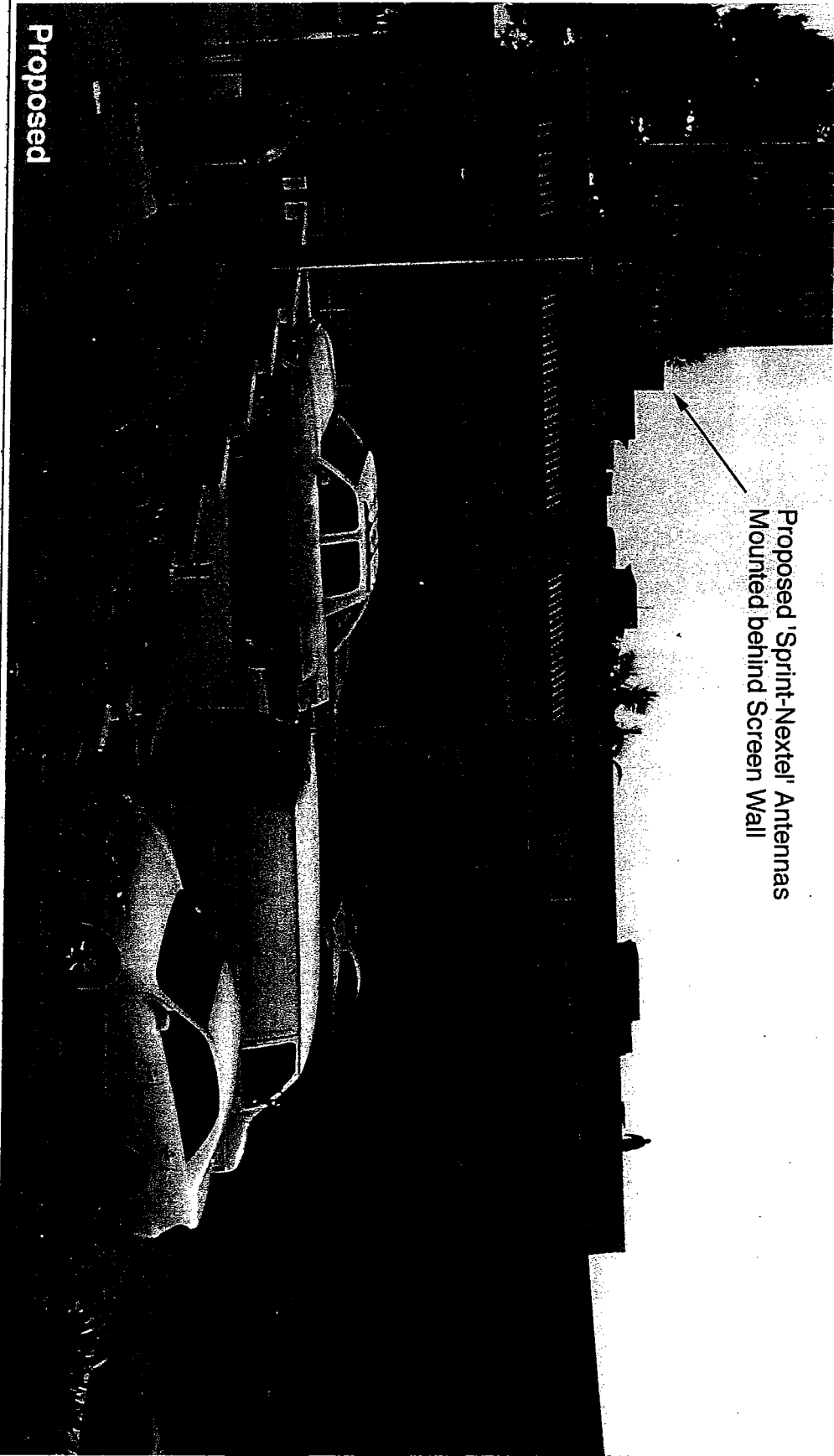
Existing



Proposed 'Sprint-Nextel' Antennas
Mounted behind Screen Wall



Proposed



Project Name:

Foothill Blvd. & Rosemont

2540 Foothill Blvd. La Crescenta, CA 91214

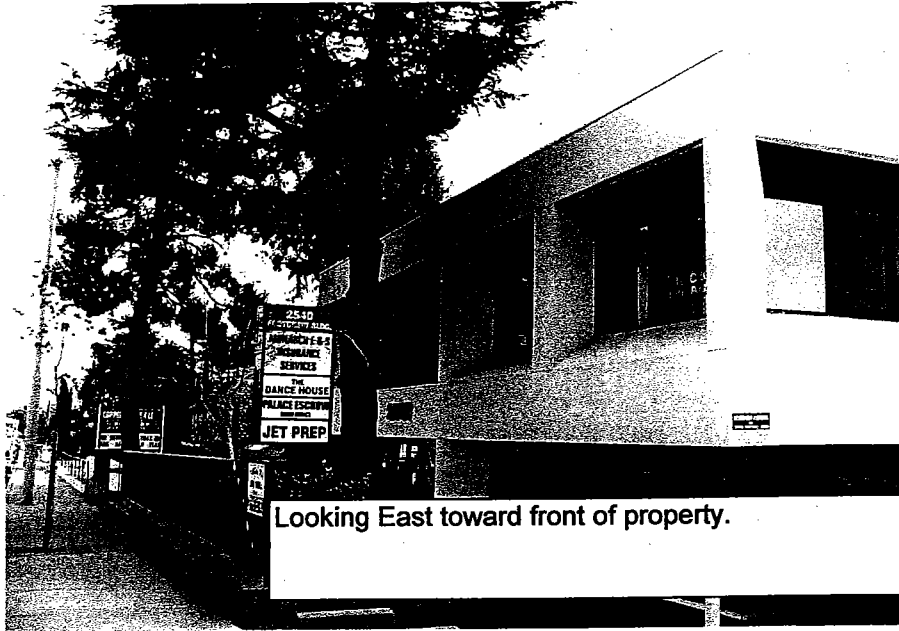
Prepared for:



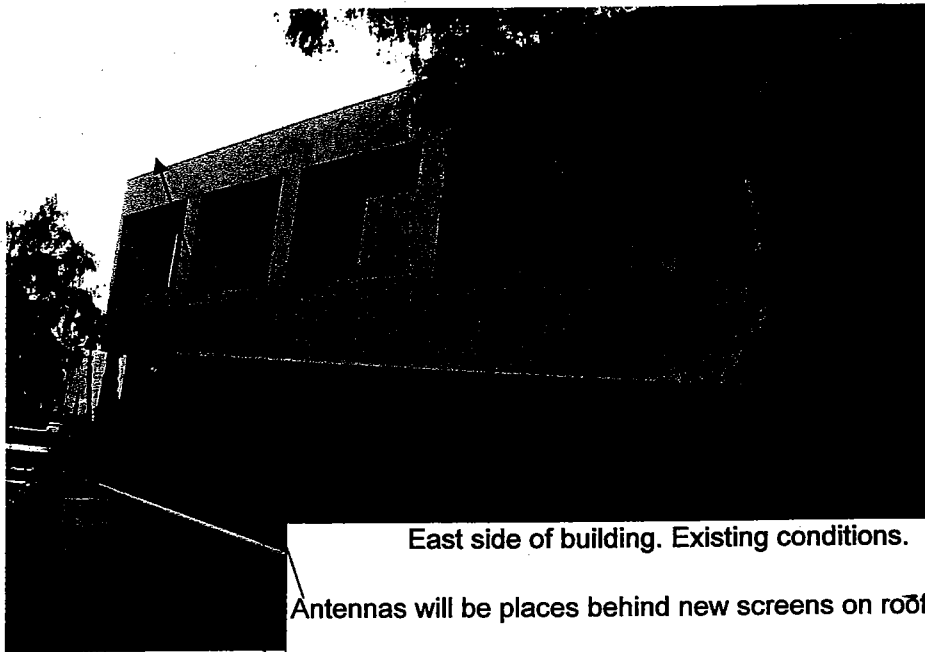
LA72XC505A

Sprint-Nextel at 2540 Foothill Blvd., La Crescenta

PARSONS



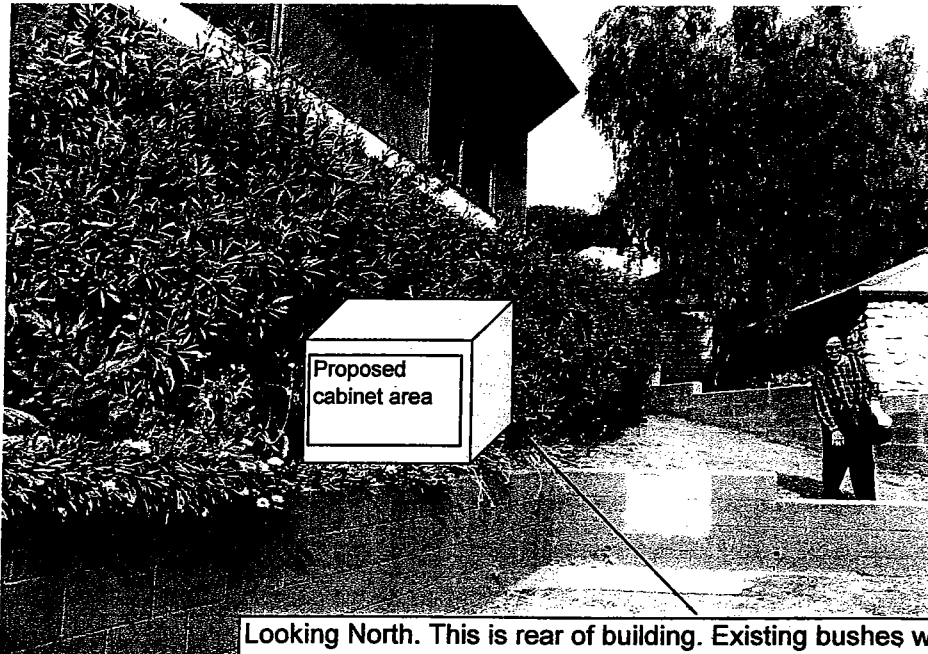
Looking East toward front of property.



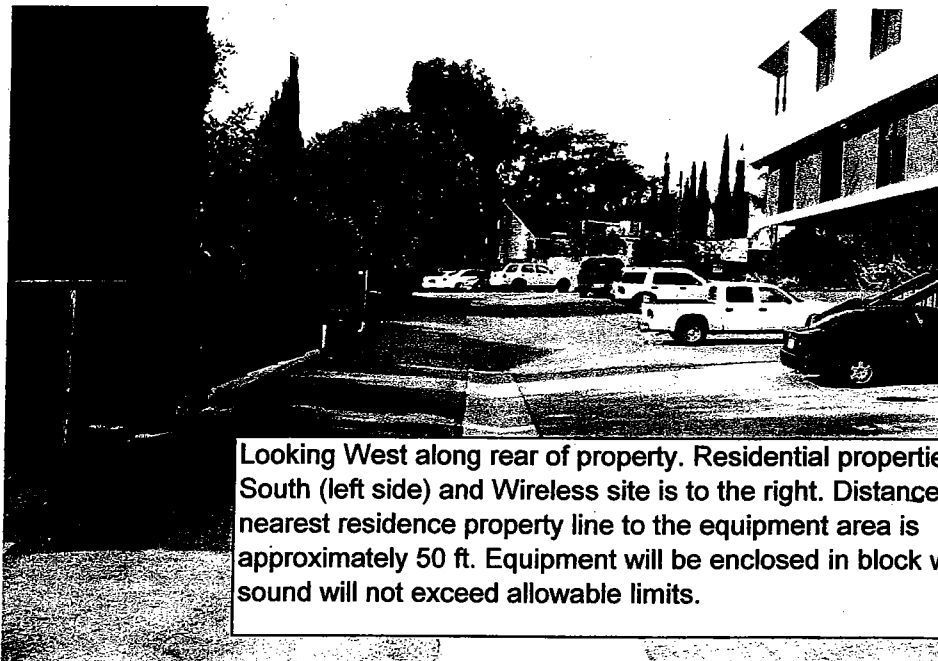
East side of building. Existing conditions.

Antennas will be placed behind new screens on roof.

Equipment cabinets will be located around the corner, beyond these bushes. Cabinet area not visible from street.



Looking North. This is rear of building. Existing bushes will be removed in this area to make room for equipment cabinets. Surrounding bushes to remain and will serve as visual buffer to the equipment area. Also equipment will be surrounded by new block wall.



Looking West along rear of property. Residential properties are to the South (left side) and Wireless site is to the right. Distance from nearest residence property line to the equipment area is approximately 50 ft. Equipment will be enclosed in block wall so sound will not exceed allowable limits.



Los Angeles County Department of Regional Planning
 320 West Temple Street, Los Angeles, California 90012
 Telephone (213) 974-6443
PROJECT No. R2004-00805-(5)
CASE NO. 200700051-(5)

| | |
|--------------------------------------|---------------------------------------|
| RPC/HO MEETING DATE 5/21/2008 | CONTINUE TO 7/9/2008 and 7/30/2008 |
| AGENDA ITEM | |
| PUBLIC HEARING DATE July 30, 2008 | |

| | | |
|-----------------------------------|--------------------------------|------------------------------|
| APPLICANT Sprint-Nextel | OWNER Footcrest, LLC | REPRESENTATIVE N/A |
|-----------------------------------|--------------------------------|------------------------------|

REQUEST
 Conditional Use Permit: To install a wireless telecommunications facility consisting of twelve (12) antennas and a GPS antenna mounted behind new screens on the rooftop, with two (2) equipment cabinets and a wall-mounted Telco panel.

| | |
|--|---|
| LOCATION/ADDRESS 2540 Foothill Blvd. (APN 5810-001-033) along Foothill Boulevard at Rosemont Avenue in La Crescenta. | ZONED DISTRICT Montrose |
| ACCESS Foothill Boulevard, Rosemont Avenue | COMMUNITY La Crescenta-Montrose |
| SIZE 192 square feet. | EXISTING ZONING Zone C-2 BE |
| EXISTING LAND USE Office Building | SHAPE Irregular |
| | TOPOGRAPHY Sloping (Northeast to Southeast) |

| | |
|---|---|
| SURROUNDING LAND USES & ZONING North: Office Building/C-2 BE. | East: Office Building/C-2 BE; Southeast: Single Family Residence/R-1. |
| South: Single Family Residence/C-2 BE. | West: Commercial Center/C-2 BE; Southwest: Single Family Residence/R-1. |

| GENERAL PLAN | DESIGNATION | MAXIMUM DENSITY | CONSISTENCY |
|--------------|--|-----------------|--------------------|
| Countywide | Major Commercial | N/A | See Staff Analysis |
| Area Plan | La Crescenta-Montrose Community Standards District (CSD) | N/A | See Staff Analysis |

ENVIRONMENTAL STATUS
 Categorical Exemption – Class 3 (Existing Facilities)

DESCRIPTION OF SITE PLAN
 The site plan depicts the proposed project, the existing 17,961 square foot professional office building, and the exterior parking spaces. The surrounding lots are shown, as well as the two (2) buildings located on the lot to the east. The equipment layout plan indicates the 192 square foot lease area with a 50.75 square foot raised concrete slab. The plan shows the proposed six (6) foot high block wall, two (2) equipment cabinets, and a wall-mounted Telco panel. The four (4) foot wide access gate and the proposed landscaping are also depicted. The plan shows the meters located inside the parking garage and the existing five (5) foot high block wall. The elevation plan depicts both heights of the building and the rooftop screening, the proposed equipment enclosure and existing block wall, and the existing shrubbery and landscaping. The elevation plan also depicts the coax cable riser, coax cable support frame, and coax cable cover.

KEY ISSUES
 ▪ Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code CUP Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

| | | |
|---|------------------------------|--|
| STAFF CONTACT PERSON Dennis Harkins, Regional Planning Assistant II | | |
| RPC HEARING DATE(S) 5/21/2008, 7/9/2008, 7/30/2008 | RPC ACTION DATE 7/30/2008 | RPC RECOMMENDATION Approved with Conditions |
| MEMBERS VOTING AYE 5 | MEMBERS VOTING NO 0 | MEMBERS ABSTAINING 0 |
| STAFF RECOMMENDATION (PRIOR TO HEARING) Approve with Conditions | | |
| SPEAKERS* (O) 12 (F) 3 | PETITIONS (O) 3 (F) 0 | LETTERS (O) 17 (F) 0 |

*(O) = Opponents (F) = In Favor