

**STAFF ANALYSIS**  
**PROJECT NUMBER 96187-(2)**  
**CONDITIONAL USE PERMIT CASE NO T200700145**

**ENTITLEMENT REQUEST**

The applicant AT&T requests renewal of Conditional Use Permit to continue the operation and maintenance of a wireless telecommunication facility.

**OVERVIEW OF PROPOSED PROJECT**

The project consists of an existing 60-foot monopole with a total of 18 panel antennae, this includes 12 panel antennae at the top and six antennae at 47 feet high and a microwave dish mounted at 54 feet high. The equipment shelter, approximately 336 square-feet, lodges equipment cabinets, telephone lines, GPS and cables connecting to antennae and is enclosed with a 6-foot high chain link fence. The lease area is 1,355 square feet and lodges the monopole, equipment shelter, a generator, equipment cabinets mounted on a concrete pad and one parking space.

**LOCATION**

The subject property is located at 2105 East 90<sup>th</sup> Street in the unincorporated Los Angeles County in the Florence Firestone Community Standards District (CSD) and Florence Firestone Zoned District.

**DESCRIPTION OF SUBJECT PROPERTY**

The subject site is a pan-handle shaped parcel, 22,818 square feet in size, and currently is developed with a pallet storage yard. The site is located at the intersection of E. 90<sup>th</sup> Street to the south and Miner Street to the east and takes access from E. 90<sup>th</sup> Street. The access to the site is through 90<sup>th</sup> Street.

**EXISTING ZONING**

**Subject Property**

The subject property is zoned M-1 (Light Manufacturing) – and is within the Florence-Firestone Community Standards District.

**Surrounding Properties**

North: M-1 (Light Manufacturing)  
East: M-1 (Light Manufacturing)  
West: M-1 (Light Manufacturing)  
South: M-1 (Light Manufacturing)

**EXISTING LANDUSES**

**Subject Property**

The subject property contains a pallet storage yard. The site is surrounded by similar uses.

**Surrounding Properties**

North: Pallet Storage Yard  
East: Automobile dismantling and storage yard  
West: Pallet Storage Yard

South: Los Angeles County Public Works equipment yard

### **ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning has determined that a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the hearing notices were mailed to 50 neighbors within the 500-foot radius of the project site on May 21, 2008, two courtesy list notices and four notices to public agencies. The case materials were mailed to the Graham Library at 1900 E Firestone Blvd. on May 23<sup>rd</sup> 2008. Newspaper advertisement was posted in the Sentinel on May 29, 2008 and in LA Opinion on May 25, 2008. According to the applicant the Notice of Public Hearing was posted on the site on June 13, 2008 and also case materials were posted on DRP website.

### **PREVIOUS CASES/ZONING HISTORY**

96187-Cingular Wireless requested a Conditional Use Permit (approved on April 8, 1997) for the construction, operation and maintenance of an unmanned wireless telecommunication facility consisting of a 60-foot monopole with appurtenant panel antennae mounted at the top and a microwave dish and with additional lease area for equipment shelter.

Revised Exhibit “A” was approved for Royal Street Communications consisting of six additional panel antennae mounted at 47-feet high and one parabolic antenna mounted on the existing monopole with four additional equipment cabinets mounted on a concrete pad. The Revised Exhibit “A” expired on April 8, 2007 along with CUP 96187.

### **STAFF EVALUATION**

#### **General Plan Consistency**

The Countywide General Plan category is I - (Major Industrial). This plan category is generally appropriate for major industrial uses including manufacturing of all types and warehousing. Small scale local industrial services are not shown and may be established to serve local needs.

*The existing pallet storage site provides warehouse for pallets and is surrounded by other businesses of similar industrial uses.*

The following goal and policy applies to the subject property and the development project.

1. To provide commercial and industrial lands sufficient to accommodate the projected labor force. (General Plan policy 7 & 8, LU5)

- a. Protect prime industrial lands from encroachment of incompatible uses.
- b. Where appropriate, promote more intensive use of industrial sites, especially in areas requiring revitalization.

*The pallet storage and the surrounding intense industrial uses are consistent with the General Plan Guidelines.*

- 2. Give priority to upgrading existing facilities and services in areas needing or undergoing revitalization or lacking adequate facilities.

*The existing wireless communication facility will improve the wireless communication in the area and provide adequate service coverage.*

The Land Use Policy states, “The intent of this classification is to assure that sufficient land is allocated for a wide range of industry and industry-related activities serving the domestic and export markets.” Since the equipment of the proposed wireless facility will be located within the existing structure and will not adversely impact the viability of surrounding areas for the maintenance or expansion of industrial activities, it is Staff’s opinion that the project is consistent with the General Plan.

**Zoning Ordinance and Development Standards Compliance**

There are no known Zoning Ordinance violations for the subject property.

The project site is zoned M1 - (Light Manufacturing) which requires that “Any property used for the outside storage or display of raw materials, equipment or finished products shall comply with the requirements of Part 7 of Chapter 22.52.”

Wireless telecommunications facility use is not specified in the Zoning Code, although the similar use of radio transmitter station or towers is allowed by CUP. The proposed project does not increase the height of the monopole. The proposed wireless telecommunications facility will be unmanned and will be visited for a periodic maintenance only. There is adequate parking for periodic maintenance.

<b>Requirement</b>	<b>Required</b>	<b>Existing</b>
Height	No change	60’
Front Yard Setback	No building setback required	N/A
Side Setback	No building setback required	N/A

**Neighborhood Impact/Land Use Compatibility**

The project site is within the Florence-Firestone Community Standards District (Code Section 22.44.138). The CSD establishes standards to improve the compatibility between industrial and neighboring residential uses. The property is surrounded by concrete block wall and wire fencing on the top screening the storage yard. The subject

property is surrounded by other similar storage uses. The residential neighborhoods are a few block to the north.

### **ISSUES**

Cingular obtained the original Conditional Use Permit to install 12 antennae on the top of the monopole with equipment cabinets and accessory equipment in the lease area. AT&T merged with Cingular and became the new owner of the pole. Royal Street Communications filed a Revised Exhibit A on May 15, 2006 to add six antennae mounted at 47 feet high of the monopole with additional equipment cabinets without increasing the lease area. Royal Street Communications became Metro PCS after merger. The conditional use permit renewal is to renew the permit for both carriers.

### **SITE PLAN**

The site plan depicts the 60 foot height monopole with twelve panel antennae, four in each arm and equipment shelters in a 6 feet high chain linked fence with three strands of barbed wire above the fence and existing assigned parking for AT&T formerly Cingular wireless. The height of the monopole is uniform with power poles located on the adjacent site and it does not appear to have any significant visual effect in the area.

### **Burden of Proof**

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, wells, fence, 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 applicant's Burden of Proof responses are attached to this document. Staff is of the opinion that the applicant has met the burden of proof.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The previous permit required that the applicant requests the Fire Department whether any additional requirements are required to prevent fire hazard. Staff requested that the applicant provides a clearance letter from the Fire Department but the applicant has not provided any correspondence at this time.

### **ENVIRONMENTAL DOCUMENTATION**

The Department of Region Planning has determined that a categorical Exemption (Class 1, existing facilities) is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

### **PUBLIC COMMENTS**

Staff has not received any comments at this time.

### **FIELD INVESTIGATION**

Staff visited the site on April 24, 2008. The area has other similar pallet storage yard businesses. Staff also noticed other lattice towers on the adjacent lots. There are no immediate residential neighborhoods in the area and the visual impacts of the monopole seem to be minimal

### **FEES/DEPOSITS**

Fees in the attached project conditions will apply unless modified by the Hearing Officer.

### **STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony evidence presented at the public hearing:

Staff recommends **approval** of Conditional Use Permit number RCUP200700145 - (2) subject to the attached conditions.

Prepared by Jeantine Nazar, Regional Planning Assistant II

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits 1 Section

Attachments:

Draft Conditions of Approval

Applicant's Burden of Proof statement

Environmental Document

Site Photographes

Site Plan

Land Use Map

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