

# Transmittal Checklist

Hearing Date

09/15/2009

Agenda Item Number

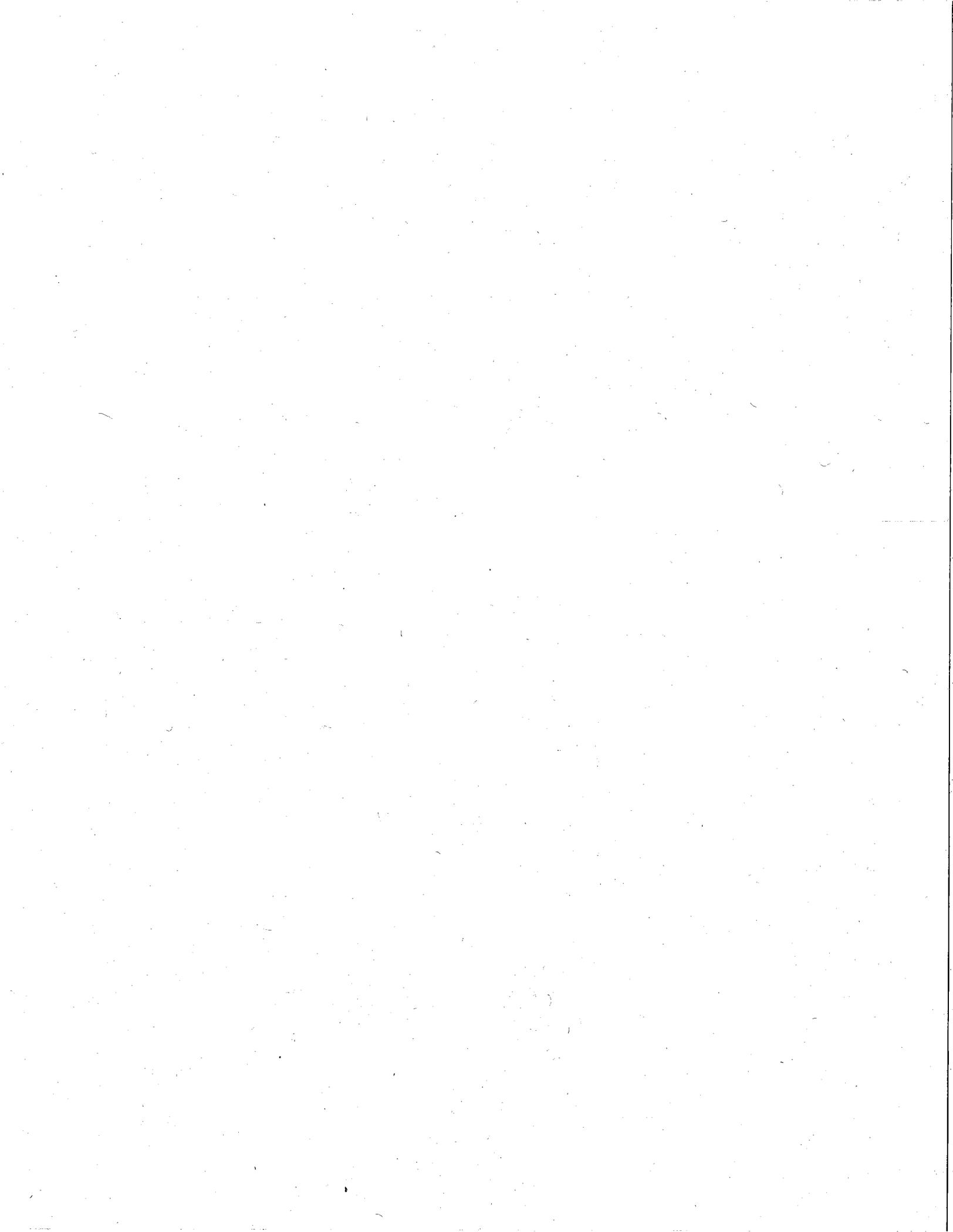
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**Project Number:** 2009-00634  
**Case(s):** CUP No. 200900033  
**Contact Person:** Rob Glaser

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	DPW Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Written Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photo Simulations

Reviewed By: \_\_\_\_\_







Los Angeles County Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012  
 Telephone (213) 9744808  
**PROJECT NUMBER R2009-00634 - (2)**  
**Conditional Use Permit No. 200900033**

**PUBLIC HEARING DATE**  
9/15/2009

**AGENDA ITEM**  
TBD

**RPC CONSENT DATE**  
N/A

**CONTINUE TO**  
N/A

<b>APPLICANT</b> T-Mobile West Corporation	<b>OWNER</b> Jacky and Amy Cheung	<b>REPRESENTATIVE</b> Reliant Land Services - Peter J. Ferraro
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**PROJECT DESCRIPTION**  
 The applicant is requesting approval for the development and maintenance of an unmanned wireless telecommunications facility (WTF). The facility includes a 16' high pole with 12 panel antennas mounted on the roof of an existing two-story commercial building. The antennas will be masked by a 15' x 15' square screen on the rooftop. Six outdoor equipment cabinets will be installed of the ground level in an undeveloped area (approximately 350 sq.ft.) behind a locked gate. A power meter will also be installed.

**REQUIRED ENTITLEMENTS**  
 A Conditional Use Permit to install and maintain a wireless telecommunication facility (WTF) in a C-3 zone.

**LOCATION/ADDRESS**  
 14909 Crenshaw Boulevard, Gardena, CA 90249

**SITE DESCRIPTION**  
 The site plan depicts a proposed 16 foot high pole with a 15'x15' square screen on a two-story, 26' tall, 15,576' square foot mixed commercial, office, and retail building. The screen will extend ten feet above the building's parapet. This screen will be painted and textured to match the existing building. Six outdoor equipment cabinets will be installed at an exterior ground level lease area on the subject property. A power meter will be installed next to the existing transformer and connected to the equipment cabinets and wired through an existing trench approximately 65' in length. There is an ingress/egress driveway from Crenshaw Boulevard to access the power meter, with a non-exclusive parking stall for maintenance vehicle. The plan also depicts 55 parking spaces (42 standard, 11 compact and 2 handicap spaces) north of the commercial building. Landscaping is provided around the parking lot and at west end of the property.

<b>ACCESS</b> From Crenshaw Boulevard (Designated Major Highway)	<b>ZONED DISTRICT</b> Gardena Valley
<b>ASSESSORS PARCEL NUMBER</b> 4071-017-028	<b>COMMUNITY</b> Alondra Park/El Camino Village
<b>SIZE</b> Approximately 12,000 square foot lease area	<b>COMMUNITY STANDARDS DISTRICT</b> None

	<b>EXISTING LAND USE</b>	<b>EXISTING ZONING</b>
Project Site	Multi-tenant commercial complex	C-3 (Unlimited Commercial)
North	Commercial, Motel, Auto Repair, Multi-Family Residential	C-3, R-3 (Limited Multiple Residence)
East	City of Gardena (Mixed Use Commercial and Low Density Residential)	City of Gardena (Commercial and Single-Family Residential)
South	Commercial, Auto Repair, Condos, Private Pre-School, Church	C-3, R-3
West	Multi-Family Residential	C-3, R-3

<b>GENERAL PLAN/COMMUNITY PLAN</b> Countywide General Plan	<b>LAND USE DESIGNATION</b> Category 3 (Medium Density Residential 12 to 22 units/gross ac.)	<b>MAXIMUM DENSITY</b> N/A
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**ENVIRONMENTAL DETERMINATION**  
 Class 3 Categorical Exemption- New Construction or Conversion of Small Structures

**RPC LAST MEETING ACTION SUMMARY**

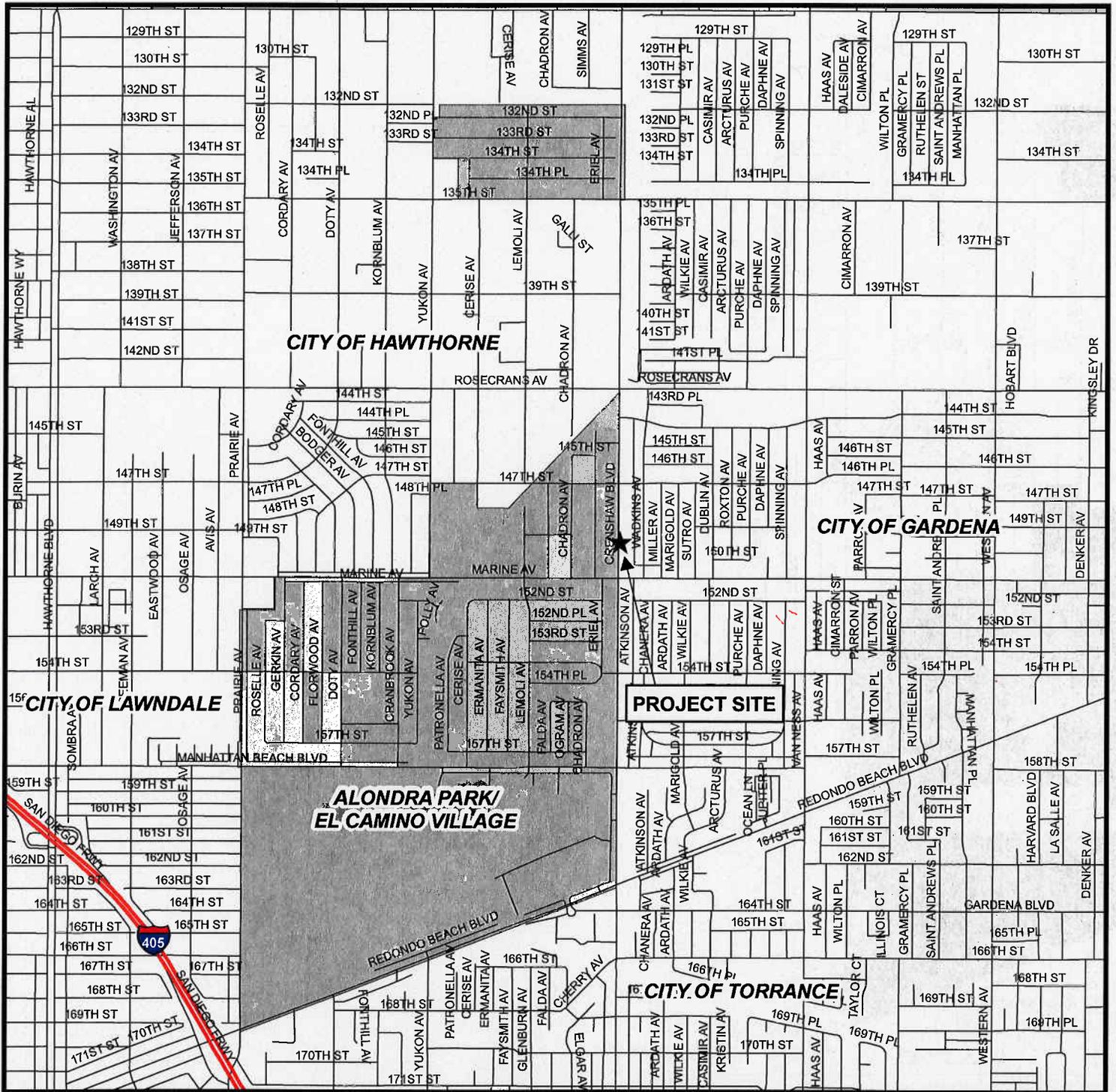
<b>LAST RPC MEETING DATE</b>	<b>RPC ACTION</b>	<b>NEEDED FOR NEXT MEETING</b>
<b>MEMBERS VOTING AYE</b>	<b>MEMBERS VOTING NO</b>	<b>MEMBERS ABSTAINING/ABSENT</b>

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

<b>STAFF CONTACT PERSON:</b> Rob Glaser		
<b>RPC HEARING DATE(S)</b>	<b>RPC ACTION DATE</b>	<b>RPC RECOMMENDATION</b>
<b>MEMBERS VOTING AYE</b>	<b>MEMBERS VOTING NO</b>	<b>MEMBERS ABSTAINING</b>
<b>STAFF RECOMMENDATION (PRIOR TO HEARING):</b>		
<b>SPEAKERS*</b> (O) 0 (F) 0	<b>PETITIONS</b> (O) 0 (F) 0	<b>LETTERS</b> (O) 0 (F) 0

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

# VICINITY MAP



## Legend

- Freeways
- TB Streets
- Unincorporated Area

**PROJECT NUMBER: R2009-00634 - (2)**  
**CONDITIONAL USE PERMIT NO. 200900033 - (2)**



1 inch = 2,000 feet

**STAFF ANALYSIS**  
**PROJECT NUMBER R2009-00634 – (2)**  
**Conditional Use Permit Number 200900033**

**PROJECT DESCRIPTION**

The applicant, T-Mobile, is requesting approval for the development and maintenance of an unmanned wireless telecommunications facility (WTF). The facility includes a 16 foot high pole with 12 panel antennas mounted on the roof of an existing two-story commercial building. The antennas will be masked by a 15' x 15' square screen on the rooftop. Six outdoor equipment cabinets will be installed of the ground level in an undeveloped area (approximately 350 sq.ft.) behind a locked gate. A power meter will also be installed.

**REQUIRED ENTITLEMENTS**

The applicant is requesting a conditional use permit to install and maintain an unmanned wireless telecommunication facility (WTF) in the C-3 (Unlimited Commercial) zone.

**DESCRIPTION OF SUBJECT PROPERTY**

**Location:** The subject property is located at 14909 Crenshaw Boulevard, Gardena, CA 90249 in the Gardena Zoned District.

**Physical Features (topography/vegetation):** The property is a rectangular, level, 26,752.4 square foot lot improved with a 15,576 square foot two-story mixed commercial, office, and retail building; and a surface parking lot with 55 parking spaces (42 standard, 11 compact, two handicapped). The subject property is landscaped along the north side of the parking lot.

**Access:** Via Crenshaw Boulevard through a 26 foot wide access driveway.

**Services:** Los Angeles County Sanitation District 5 and Southern California Water Company.

**SITE PLAN DESCRIPTION**

The site plan depicts a proposed 16 foot high pole with a twelve panel antenna and a 15'x15' concealing square screen on a two-story, 26' tall, 15,576 square foot mixed commercial, office, and retail building. The screen will extend ten feet tall above the building's existing parapet. This screen will be painted and textured to match the existing building. Six outdoor equipment cabinets will be installed at an exterior ground level leased area on the subject property. A power meter will be installed next to the existing transformer and connected to the equipment cabinets wired through an existing trench approximately 65' in length. There is an ingress/egress driveway from Crenshaw Boulevard to access the power meter, with a non-exclusive parking stall for the maintenance vehicle. The plan also depicts 55 parking spaces (42 standard, 11 compact and two handicap spaces) north of the commercial building. Landscaping is provided around the parking lot and at west end of the property.

### **ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning has determined that a Categorical Exemption, Class 3 Categorical Exemption- New Construction or Conversion of Small Structures, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) and the Los Angeles County Environmental Document Reporting Guidelines.

### **EXISTING ZONING**

**Subject Property:** The subject property is zoned C-3 (Unlimited Commercial).

#### **Surrounding Properties:**

North: C-3 (Unlimited Commercial), R-3 (Limited Multiple Residence)  
East: City of Gardena (Commercial and Single-Family Residential Zoning)  
South: C-3  
West: C-3, R-3

### **EXISTING LAND USE**

**Subject Property:** The subject property is developed as a multi-tenant mixed commercial shopping center with appurtenant parking and landscaping.

#### **Surrounding Properties:**

North: Commercial, Motel, Auto Repair and Multi-Family Residential  
East: City of Gardena (Mixed Use Commercial and Low Density Residential)  
South: Commercial, Auto Repair, Condos, Private Pre-School, Church  
West: Multi-Family Residential

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

- Plot Plan No. 35536 was approved on January 27, 1987 for two-story, 15,576 sq. ft. commercial structure;
- Plot Plan No. 35536 was approved on August 31, 1989 for a Korean Restaurant;
- Conditional Use Permit No. 98-163 was approved by the Hearing Officer on November 9, 1999 to authorize the sale of beer and wine for on-site consumption at an existing restaurant; and
- Parking Deviation No. 02-0320 was approved on May 9, 2002 to reduce the required parking of the commercial building from 63 to 55 spaces.

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

Pursuant to the provisions of Section 22.60.174 of the County Code, the Notice of Public Hearing was advertised in La Opinion, on August 11, 2009 and in The Daily Breeze, on August 7, 2009. A total of 102 public hearing notices regarding the subject application were mailed out to the owners of properties located within a 500-foot radius of the subject property on August 4, 2009. This number also includes notices sent to the local community groups and residents on the Gardena Valley Zoned District courtesy list.

Case information materials, including the Notice of Public Hearing, Factual Sheet, Site Plans and environmental documents were forwarded to the Alondra Library at 11949 Alondra Boulevard, Norwalk, on August 6, 2009. The same materials were also posted on the Department of Regional Planning's website.

Pursuant to Section 22.60.175 of the County Code, the applicant shall post the public hearing notice on the property no less than 30 days prior to the public hearing date. Staff received the Certificate of Posting stating that the Notice of Public Hearing was posted on August 14, 2009, and photos of the posting from the applicant's agent. In addition, the applicant contacted the El Camino Village Community Association and notified the community group regarding the proposed development.

### **STAFF EVALUATION**

#### **General Plan Consistency**

The land use category for the subject property is designated as Category 3 (Medium Density Residential, 12-22 du/ac) in the Los Angeles Countywide General Plan (Plan). Areas within this classification typically are located along major transportation corridors. Within the generalized mapped residential areas, a variety of use types and intensities presently exist. It is not the intent of the General Plan policy to preclude further development or expansion of such uses. The current use on the subject property is consistent with the Countywide General Plan. There are no specific policies related to wireless telecommunication facilities in the Plan. The pole and antennas will be screened, painted and textured to match the existing building which will blend with commercial corridor established along Crenshaw Boulevard. The proposed design of the WTF is consistent with the land use compatibility goals and policies of the Countywide General Plan. The following general policies of the Countywide General Plan are applicable to the subject property and serve as guidelines for development:

1. Public Services policy 54: *"Promote the full use of existing service systems in order to gain maximum benefit from previous public investments."*
  - Using the height of the existing building, new and available electrical services does not require the need for additional infrastructure, such as tall monopoles, to accommodate the proposed use.
2. Public Services policy 56: *"Extend new urban facilities and services only where new urban development is planned and permitted."*
  - The proposed facility will be located at an existing established urban commercial corridor (on a roof top of an existing commercial building) within a fully urbanized area.
3. Public Services policy 58: *"Maintain high quality emergency response services."*
  - Cellular service is often used to make emergency calls and the proposed facility will ensure that such service is readily available.

### **Zoning Ordinance and Development Standards Compliance**

A wireless telecommunication facility is a use not specified in Title 22 of the Los Angeles County Code (Zoning Ordinance). However, the proposed use may be considered a radio tower. Furthermore, until such times as the County of Los Angeles adopts a telecommunication provisions to the existing Zoning Ordinance, the County of Los Angeles requires a conditional use permit for such a use.

### **Neighborhood Impact/Land Use Compatibility**

The proposed wireless telecommunication antenna will be screened and located on top of an existing two-story commercial complex within a commercial corridor along Crenshaw Boulevard, a designated Major Highway. The antenna will be screened from the nearby residential uses and the existing motel adjacent to the subject property. Appurtenant equipment will be located at the exterior ground level lease area and appropriate screening from the surrounding neighborhood. Due to the screening of the antenna and associated ground equipment, staff does not anticipate potential visual intrusion to nearby neighborhoods and finds the project compatible with the surrounding uses.

### **BURDEN OF PROOF**

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached (Attachment A). Staff is of opinion that the applicant has met the burden of proof.

### **COUNTY DEPARTMENT COMMENT AND RECOMMENDATIONS**

No comments have been received from County departments at this time of this report.

### **PUBLIC COMMENTS**

No public comments had been received at this time of this report.

### **FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

### **Department of Regional Planning Zoning Enforcement:**

Cost recovery deposit of \$750 to cover the cost of five biennial zoning enforcement inspections. Additional funds would be required if violations are found on the subject property.

### **STAFF RECOMMENDATION**

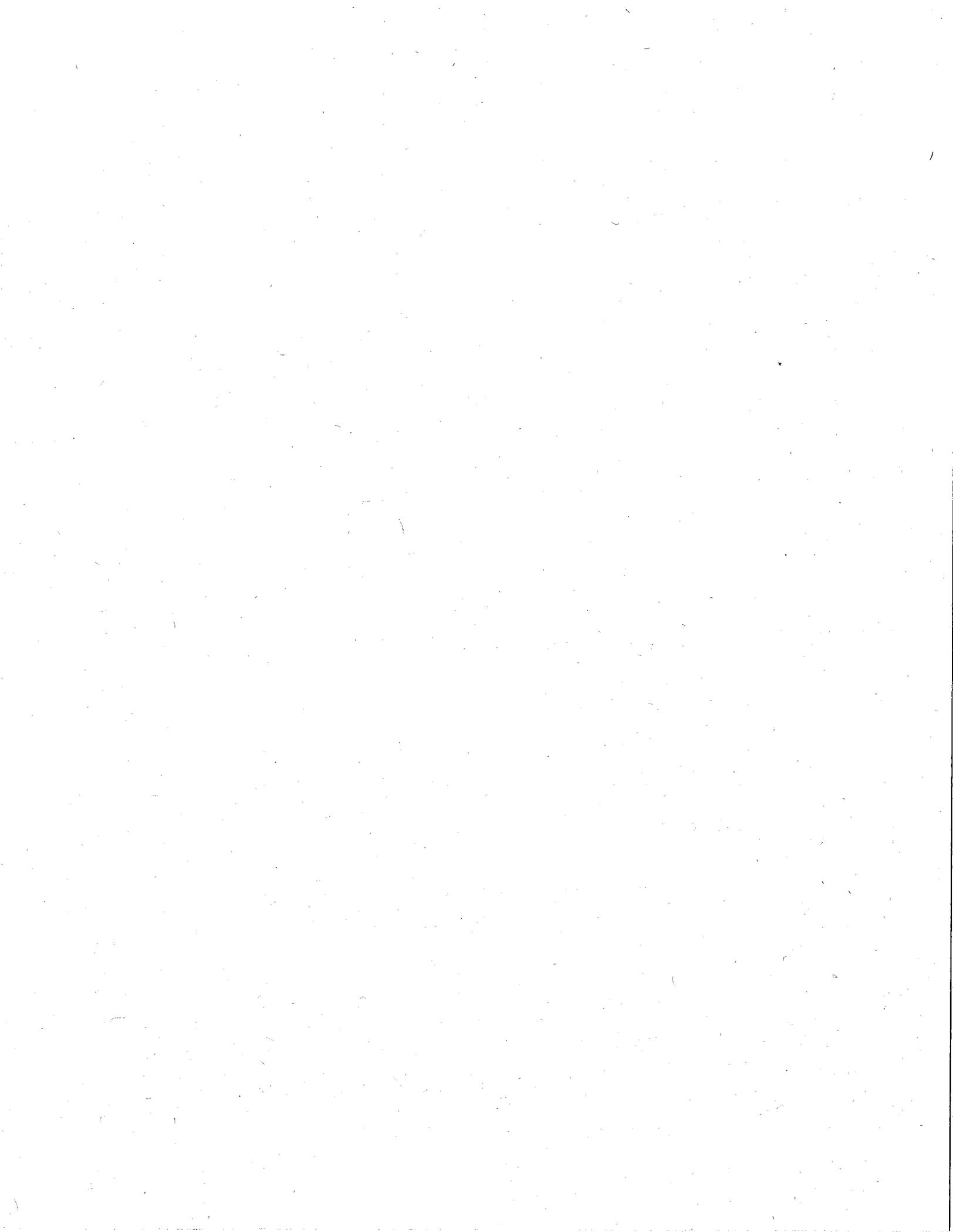
The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

If the Hearing Officer agrees with staff's evaluation above, staff recommends that the Hearing Officer close the public hearing, find that the project is categorically exempt, and approve Conditional Use Permit No. 200900033 with the attached draft findings and conditions.

Prepared by Robert Glaser, Principal Regional Planning Assistant  
Reviewed by Samuel Dea, Supervising Regional Planner, Special Projects Section

**Attachments:**

Factual, Findings and Conditions  
Applicant's Burden of Proof statement  
Photo Simulations  
Site Plan  
Land Use Map



## DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER COUNTY OF LOS ANGELES

**PROJECT NUMBER R2009-00634 – (2)  
CONDITIONAL USE PERMIT 200900033**

**REQUEST:** The applicant, T-Mobile West Corporation is requesting the approval of a conditional use permit to authorize the installation and maintenance of an unmanned Wireless Telecommunication Facility (WTF) in the C-3 (Unlimited Commercial) zone.

**HEARING DATE: September 15, 2009**

### **PROCEEDINGS BEFORE THE HEARING OFFICER:**

Insert proceedings text after hearing.

### Findings

1. The subject property is located at 14909 Crenshaw Boulevard, Gardena, CA 90249 in the Gardena Zoned District.
2. The subject property is zoned C-3 (Unlimited Commercial). The surrounding properties are zoned as follows:
  - North: C-3 (Unlimited Commercial), R-3 (Limited Multiple Residence)
  - East: City of Gardena (Commercial and Single-Family Residential zoning)
  - South: C-3, R-3
  - West: C-3, R-3
3. The existing land use for the subject property is developed as a multi-tenant mixed commercial shopping complex with appurtenant parking and landscaping. The existing land use for the surrounding properties are as follows:
  - North: Commercial, Motel, Auto Repair and Multi-family residential
  - East: City of Gardena (Mixed Use Commercial and Low Density Residential)
  - South: Commercial and private pre-school
  - West: Multi-family residential
4. The applicant is requesting approval for the development and maintenance of an unmanned Wireless Telecommunications Facility (WTF). The facility includes a 16' tall pole with 12 panel antennas mounted on the roof of an existing two-story commercial building. The antennas will be masked by a 15' x 15' square screen on the rooftop. Six outdoor equipment cabinets will be installed of the ground level in an undeveloped area (approximately 350 sq.ft.) behind a locked gate. A power meter will also be installed.

5. The land use category for the subject property is designated as Category 3 (Medium Density Residential, 12-22 du/ac) in the Los Angeles Countywide General Plan (Plan). Areas within this classification typically are located along major transportation corridors. Within the generalized mapped residential areas, a variety of use types and intensities presently exist. It is not the intent of the General Plan policy to preclude further development or expansion of such uses. The current use on the subject property is consistent with the Countywide General Plan. There are no specific policies related to wireless telecommunication facilities in the Plan. The pole and antennas will be screened, painted and textured to match the existing building which will blend with commercial corridor established along Crenshaw Boulevard. The proposed design of the WTF is consistent with the land use compatibility goals and policies of the Countywide General Plan. The following general policies of the Countywide General Plan are applicable to the subject property and serve as guidelines for development:
  - a. Public Services policy 54: *"Promote the full use of existing service systems in order to gain maximum benefit from previous public investments."*
    - Using the height of the existing building, new and available electrical services does not require the need for additional infrastructure, such as tall monopoles, to accommodate the proposed use.
  - b. Public Services policy 56: *"Extend new urban facilities and services only where new urban development is planned and permitted."*
    - The proposed facility will be located at an existing established urban commercial corridor (on a roof top of an existing commercial building) within a fully urbanized area.
  - c. Public Services policy 58: *"Maintain high quality emergency response services."*
    - Cellular service is often used to make emergency calls and the proposed facility will ensure that such service is readily available.
6. A wireless telecommunication facility is a use not specified in Title 22 of the Los Angeles County Code (Zoning Ordinance). However, the proposed use is similar to a radio tower. Furthermore, until such times as the County of Los Angeles adopts a telecommunication provisions to the existing Zoning Ordinance, the County of Los Angeles requires a conditional use permit for such a use.
7. The proposed wireless telecommunication antenna will be screened and located on top of an existing two-story commercial complex within a commercial corridor along Crenshaw Boulevard, a designated Major Highway. The antenna will be screened from the nearby residential uses and the existing motel adjacent to the subject property. Appurtenant equipment will be located at the exterior ground level lease area and appropriate screening from the surrounding neighborhood has been proposed. Due to the screening of the location of the antenna and associated ground equipment, staff does not anticipate potential impacts to the neighborhood and finds the project compatible with the surrounding uses.

8. 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.
9. To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 10 years.
10. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> 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 Special Projects, Samuel Dea, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

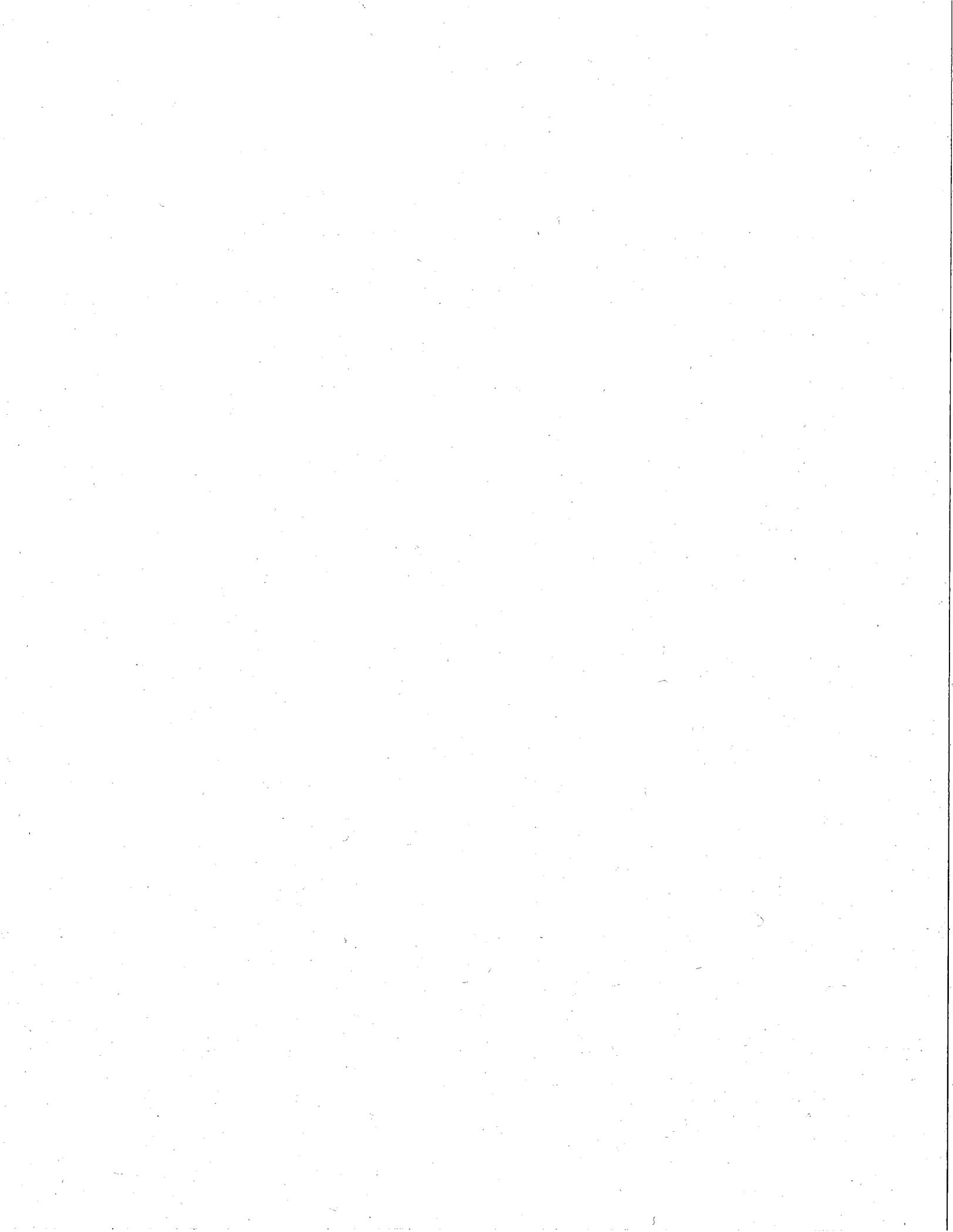
The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached (Attachment A). Staff is of the opinion that the applicant has met the burden of proof.

HEARING OFFICER ACTION:

1. The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached (Attachment A). Staff is of opinion that the applicant has met the burden of proof.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200900033 is **approved** subject to the attached conditions.

c: Hearing Officer, Zoning Enforcement, Building and Safety

SD:rg  
September 3, 2009



This grant authorizes the development, operation and maintenance of an unmanned Wireless Telecommunications Facility (WTF). The facility includes a 16' high pole with 12 panel antennas mounted on the roof of an existing two-story commercial building. The antennas will be masked by a 15' x 15' square screen on the rooftop. Six outdoor equipment cabinets will be installed of the ground level in an undeveloped area (approximately 350 sq.ft.) behind a locked gate. A power meter will also be installed to serve the WTF. This approval is subject to the following conditions of approval;

1. 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.
2. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County 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. 6, and until all required fees have been paid pursuant to Condition No. 9, Notwithstanding the foregoing, this Condition No. 2, and Condition Nos. 3, 4, and 7 shall be effective immediately upon final approval of this grant by the County.
3. 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 fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten 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 completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

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.

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. 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 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.
7. **This grant will terminate on September 15, 2019.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.
8. This grant shall expire unless used within 2 years from the date of approval by the County. A single one-year time extension may be requested in writing and with payment of the applicable fee no earlier than six (6) months prior to such expiration date.
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 deposit 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 deposit provides for **ten (5) biennial (once every other year)** 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 approved 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. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
14. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
16. In the event of graffiti or other extraneous markings occurring, 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
19. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be

submitted to the Department of Regional Planning within sixty (60) days of the date of approval for the Conditional Use Permit. In the event the subsequent revised plans are submitted, the permittee shall submit three (3) copies of the proposed plans to the director for review and approval. All revised plans must be accompanied by written authorization of the property owner.

The subject property shall be developed and maintained in substantial compliance with the photo simulations of the wireless telecommunication facility presented at the time of approval.

20. The permittee shall install an 8.5" x 11" sign made of weatherproof material on the outdoor equipment cabinets. This sign shall contain contact information for the company responsible for maintenance of the said cabinets, in case of damage or graffiti.

SD:rg



# ATTACHMENT A

PLANNING

Applicant's Burden of Proof

09 - 0063

Department of Regional Planning

Planning for the Challenges Ahead



## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

A. That the requested use at the location 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.

The facility will not have any adverse impact to the health, safety, welfare, valuation or enjoyment of surrounding land uses. It will, however, benefit surrounding land use by providing enhanced wireless communication coverage in an area currently experiencing radio coverage interference. The site will be unmanned and require only monthly maintenance, so will not impact traffic circulation on roads or parking lots.

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.

The site will be designed to be fully integrated within the confines of existing walls and gated areas so as to not impact any use of the property. The site will be in full compliance with Setbacks and will not require any loading facilities. It is not anticipated that Landscaping will be required, as the facility will be installed in an area of the property that is not readily visible to the general public.

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 facility is unmanned requiring only monthly maintenance visits Existing roads will not be significantly impacted. The site will be reviewed by LA County Fire Dept., and Building and Safety offices to ensure public service facilities are adequate to provide protection as may be required in the case of an emergency.

REC'D MAY 11 2009 09 - 00634

# ***SITE JUSTIFICATION NARRATIVE***

## ***T-Mobile***

**Site: LA33699C Odanis Beauty**  
**14909 Crenshaw Boulevard, Gardena, CA 90249-3665**  
Wireless Telecommunications Facility Application  
County of Los Angeles

### **Project Description**

Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., d/b/a T-Mobile, is a registered public utility, regulated by the Public Utilities Commission (PUC) and licensed by the Federal Communications Commission (FCC) to provide Personal Communication Services (PCS). T-Mobile utilizes an all-digital high frequency system that will operate in the 1800MHZ range.

T-Mobile proposes to construct, operate and maintain an unmanned wireless telecommunication facility located at 14909 Crenshaw Boulevard, Gardena, CA (APN: 4071-017-028) in unincorporated Los Angeles County. This site is designed to increase radio coverage and capacity along Crenshaw Boulevard from 139th Street to Manhattan Beach Boulevard along Marine Avenue from Yukon Avenue to Van Ness Avenue, provide much-needed in building portable coverage for the surrounding area and to off load radio traffic from surrounding sites (please refer to the attached map for surrounding site locations). Proposed is the construction of twelve (12) 11.9" x 59" directional panel antennas and one two foot diameter parabolic antenna within a new screened penthouse atop an existing two-story commercial building. Radio Overall, maximum height of the antennas is proposed at 42' (16' above the existing roofline at 26' agl) due to radio coverage requirements and a need to "handoff" radio traffic between nearby antenna facilities surrounding the project site.

Radio equipment cabinets necessary to operate the proposed facility will be installed on the ground behind existing CMU Walls and visually obscuring gate in an unused portion of paved ground at the west end of the property. The facility will be unmanned requiring only periodic routine maintenance visits, approximately once per month. The proposed facility will not have any significant impact to on site parking, circulation, noise, or views from adjacent properties.

### **General Zoning**

Requested is approval of a conditional use permit to allow the construction and operation of a wireless telecommunication facility located on a parcel Zoned C-3 – Commercial. Surrounding land use consists of typical retail commercial uses to the north, south and east, and medium density residential to the west.

## Conditional Use Permit Findings

### *A. The proposed location will be desirable to the public convenience or welfare.*

The proposed location will be desirable to the public convenience. Installation of the proposed wireless telecommunications facility is designed to provide a seamless integration of a communications network which is an inherently beneficial use where the general public will benefit by improved service. The number of dropped and blocked calls in the neighborhood surrounding the site will be reduced. Further, the existing T-Mobile customers living in this neighborhood, and those who are on the other end of the wireless telephone call, will have better service once this site goes on air.

Wireless telecommunications systems have proven to be an invaluable communications tool in the event of emergencies (such as traffic accidents and fires), and natural disasters (earthquakes, floods, etc.) where normal landline communications are often disrupted, overlooked or inaccessible during and after such events occurred. Wireless technology is utilized by numerous governmental and quasi-governmental agencies that provide emergency service. Wireless telecommunications systems have also proven to be invaluable tools in business communications and everyday personal use.

### *B. The location is proper in relation to adjacent uses or the development of the community.*

The project site is located in an established commercial zone adjacent to a residential area. Commercial retail centers have proved themselves in the past to be ideal locations for wireless telecommunication facilities because the antenna use can easily be integrated into the operation of the retail center, having no negative impact to the functioning of this business or surrounding land uses. The proposed Rooftop Penthouse will be located within the perimeter of the exterior walls of the existing building. The Site may be visible from a limited number of public vantage points. If the site is viewed, it is anticipated that the proposed penthouse will blend with existing structures on the subject property and adjacent properties. No significant visual impact to surrounding land use is anticipated.

T-Mobile's proposed wireless telecommunication facility will not have any adverse impact to the health, safety, welfare, valuation or enjoyment of surrounding land uses. It will, however, benefit surrounding land use by providing enhanced wireless communication coverage in an area currently experiencing radio coverage interference.

### *C. The use will not be detrimental to the character of the development in the immediate neighborhood.*

The proposed facility will be unmanned requiring approximately one maintenance visit per month and will not have any significant impact to existing roadways and on and off site circulation nor have any impact on the character of existing development in the neighborhood.

THE ORDINANCE CURRENTLY PROPOSED FOR WIRELESS TELECOMMUNICATION FACILITIES IN THE COUNTY OF LOS ANGELES permits the construction and operation of wireless telecommunication facilities in commercial zones subject to the approval of a conditional use permit. T-Mobile's proposed monopalm is consistent with this requirement and is in conformance with all height and setback requirements of the Zoning Code.

*D. The proposed location will be in harmony with the various elements and objectives of the General Plan.*

The proposed project is in harmony with the general goals and the intent of the Plan in that the proposed antennae does not significantly alter the positive characteristics of the surroundings (i.e., scale, height of existing buildings, bulk and appearance).

To support the existing population and population growth, County of Los Angeles, in its cooperation with cities and communities situated therein, needs a strong and expanding economy, healthy neighborhoods, and a tax base that can support the basic public services necessary to maintain and improve quality of life of its residents. In order for the County to provide services that the public expects, it must embrace the vision of becoming a sustainable city; one which manages its infrastructure and public services in a manner that avoids depletion or permanent damage to its natural resources and avoids missed opportunities to benefit from wise management of its resources (i.e., public right-of-way, and airwaves).

T-Mobile is authorized and regulated by the Federal Communications Commission (FCC) to operate their wireless network in the Southern California market area. Transmit power is typically between 100 to 500 watts per antenna sector, transmitting at a frequency of 1962.6 to 1964.6 and 1970.4 to 1979.6 MHz and receiving at a frequency of 1882.6 to 1884.6 and 1890.4 to 1899.6 MHz. These levels are well below the safety standards established by the FCC and no health impacts are anticipated with this project in conformance with city goals for telecommunication uses. As indicated on the attached plans, photo-simulations and project description, the proposed project is in conformance with all development standards of the city's wireless telecommunication ordinance.

*E. An effort in good faith was made by the applicant to locate on existing sites or facilities.*

Numerous alternative site locations were considered for this project including adjacent commercial properties, but there was not adequate space; a church at 3153 Marine Avenue, but Landlord was unresponsive. We also considered the County Parks within the area of coverage objective but were advised that County Parks and Recreation are unable to process leases for wireless facilities at this time. Efforts were also made to elicit interest by El Camino College; however, the college chose to not respond to our inquiries.

## System Description

T-Mobile, Inc. is based in Bellevue, Washington. The U.S. operations of T-Mobile International AG & Co. K.G. consist of T-Mobile USA, Inc. (formerly Voice Stream Wireless) and Powertel, Inc. (together "T-Mobile"). T-Mobile International AG & Co. K.G. is the mobile communications subsidiary of Deutsche Telekom AG (NYSE: DT). T-Mobile USA is a national provider of wireless voice, messaging and data services.

The home offices of T-Mobile in the USA is, 12920SE 38th Street, Bellevue, WA 98006 with the office phone number of 1-800-318-9270

The market office of Omnipoint Communications is 3, MacArthur Place, Suite 1100, Santa Ana, CA 92707

The market representative for this application is Peter Ferraro, Project Manager, Reliant Land Services, Inc. 1588 N. Batavia Street, Suite 1-D Orange, CA 92867 949-400-5245

T-Mobile is a limited liability company, d/b/a. T-Mobile is a registered public utility, licensed and regulated by the Public Utilities Commission (PUC) and the Federal Communications Commission (FCC). As a public company, T-Mobile receives a license from the FCC to provide Personal Communication Services throughout the United States of America. T-Mobile utilizes an all-digital high frequency system that operates in the 1800-1900 MHz range.

Transmit power is adjusted to provide adequate coverage and typically is within the range of 100-500 watts ERP (effective radiated power) per sector. Mobile units and antenna installations transmit at a radio frequency of 1962.6 to 1964.6 and 1970.4 to 1979.6 MHz and receive at a frequency of 1882.6 to 1884.6 and 1890.4 1899.6 MHz.

T-Mobile is regulated by the Federal Communications Commission (FCC) and is authorized to operate in the frequencies established for Specialized Mobile Radio operators. T-Mobile's wireless telecommunication facilities operate at the lowest possible power levels and are well below established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. These standards have been tested and proved safe by the American National standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE).

This Site Justification Narrative submitted by

Peter J. Ferraro, Site Development Specialist  
Reliant Land Services,

Agent for Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc.

1588 N. Batavia St., Suite 1-D

Orange, CA 92867

949-400-5245

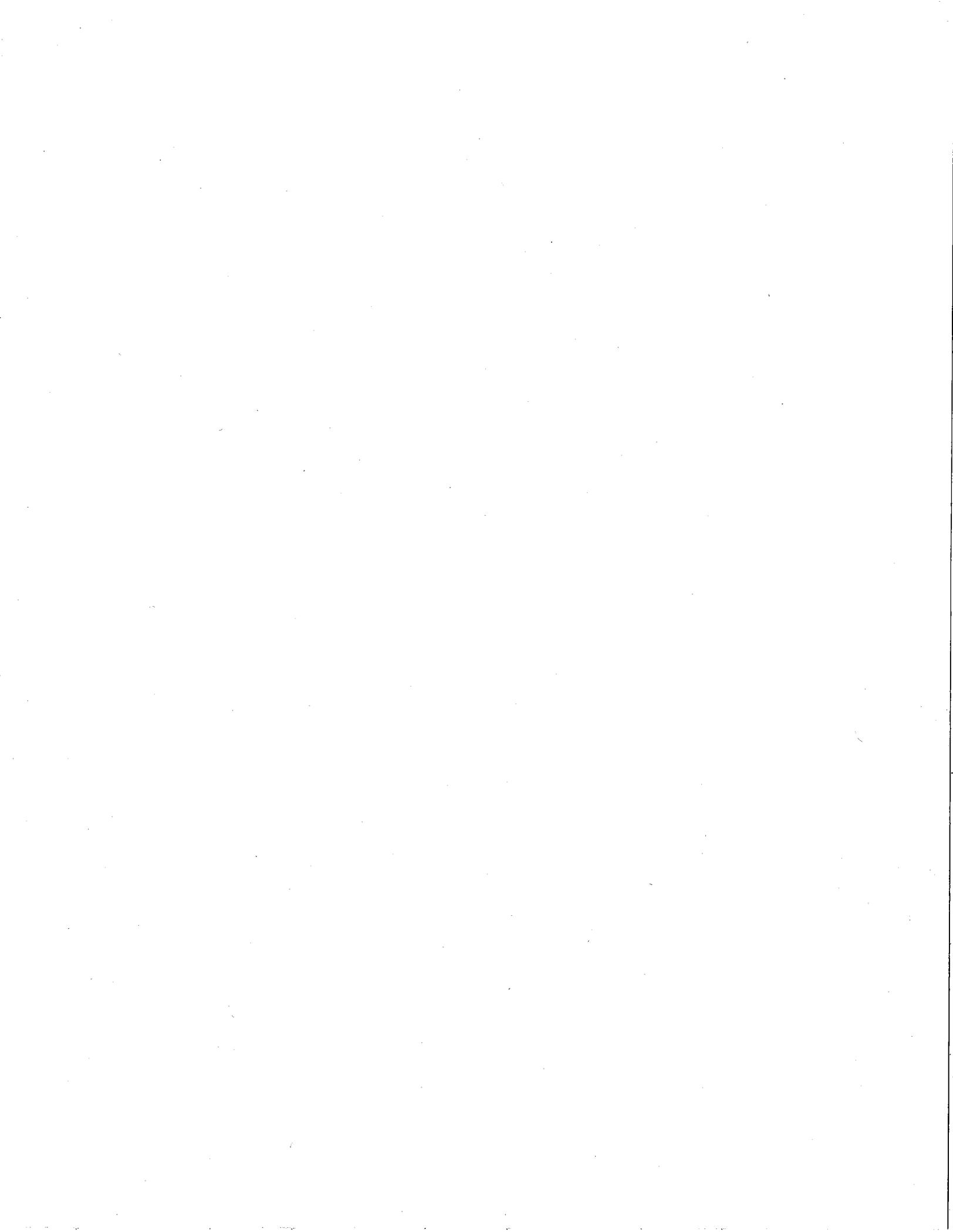




Photo taken from west end of the parking lot facing southeast.



Photo taken from middle of the parking lot facing south.

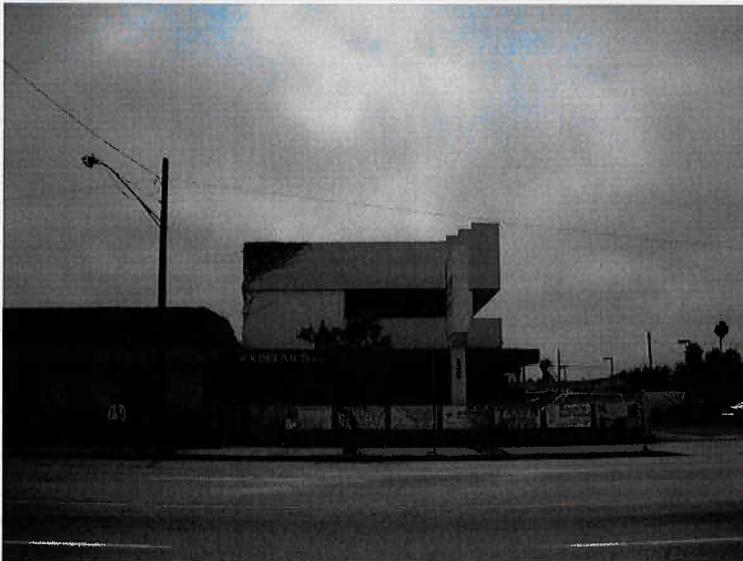


Photo taken from Crenshaw Blvd. facing west.



Photo taken from Crenshaw Blvd. facing southwest.



Photo taken from Crenshaw Blvd. facing southwest.  
(zoomed in)



Photo taken from east end on the parking lot facing southwest.





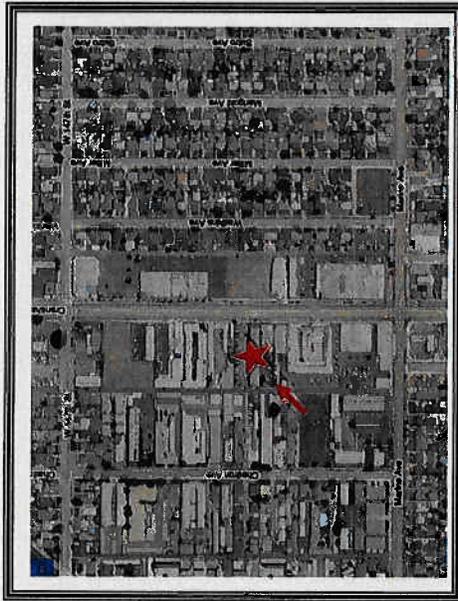
# LA33699C Odanis Beauty

14909 Crenshaw Boulevard, Gardena, CA 90249-3665

Prepared For:  
Reliant Land Services  
1588 N. Batavia Street, Suite 1D  
Orange, CA 92626  
714-685-0123

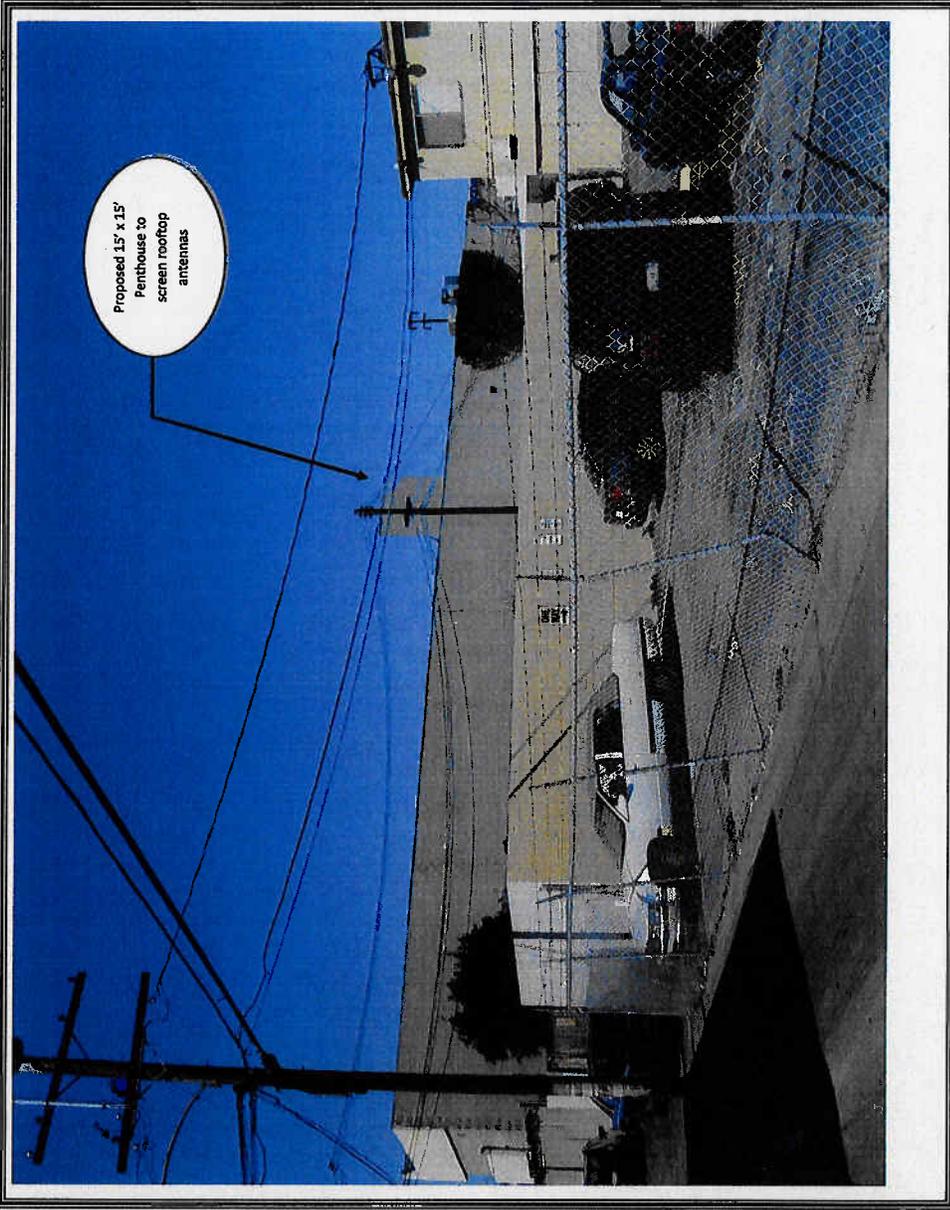


**AERIAL MAP**

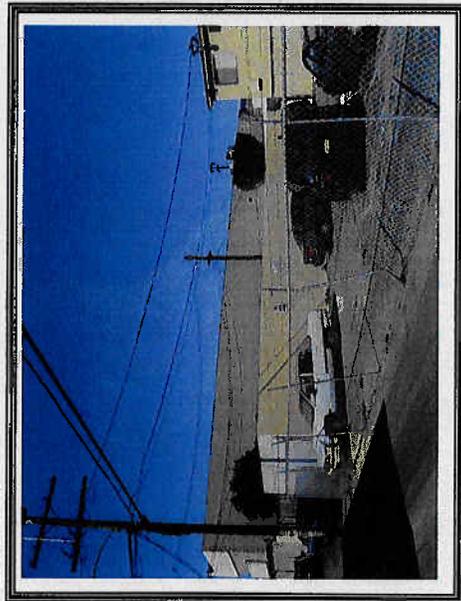


**VIEW 1**

**PROPOSED**



**EXISTING**



Accuracy of photo simulation based upon information provided by project applicant. The proposed installation is an artistic representation of a tree, and not intended to be an exact reproduction of an actual living tree. The final installation will have cables, cable ports, and various attachments, such as antennas, nuts, and bolts. Every effort will be made to disguise these components and they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.



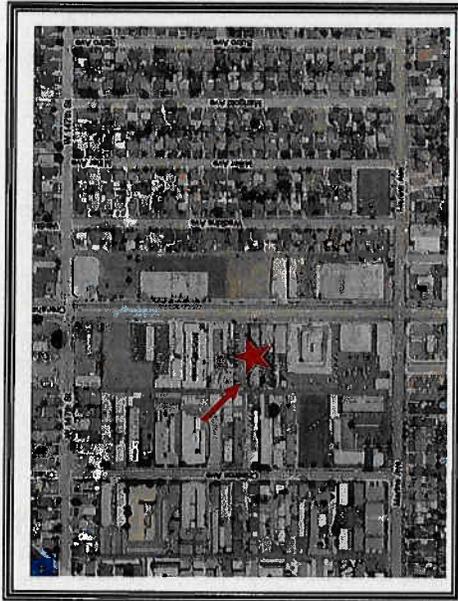
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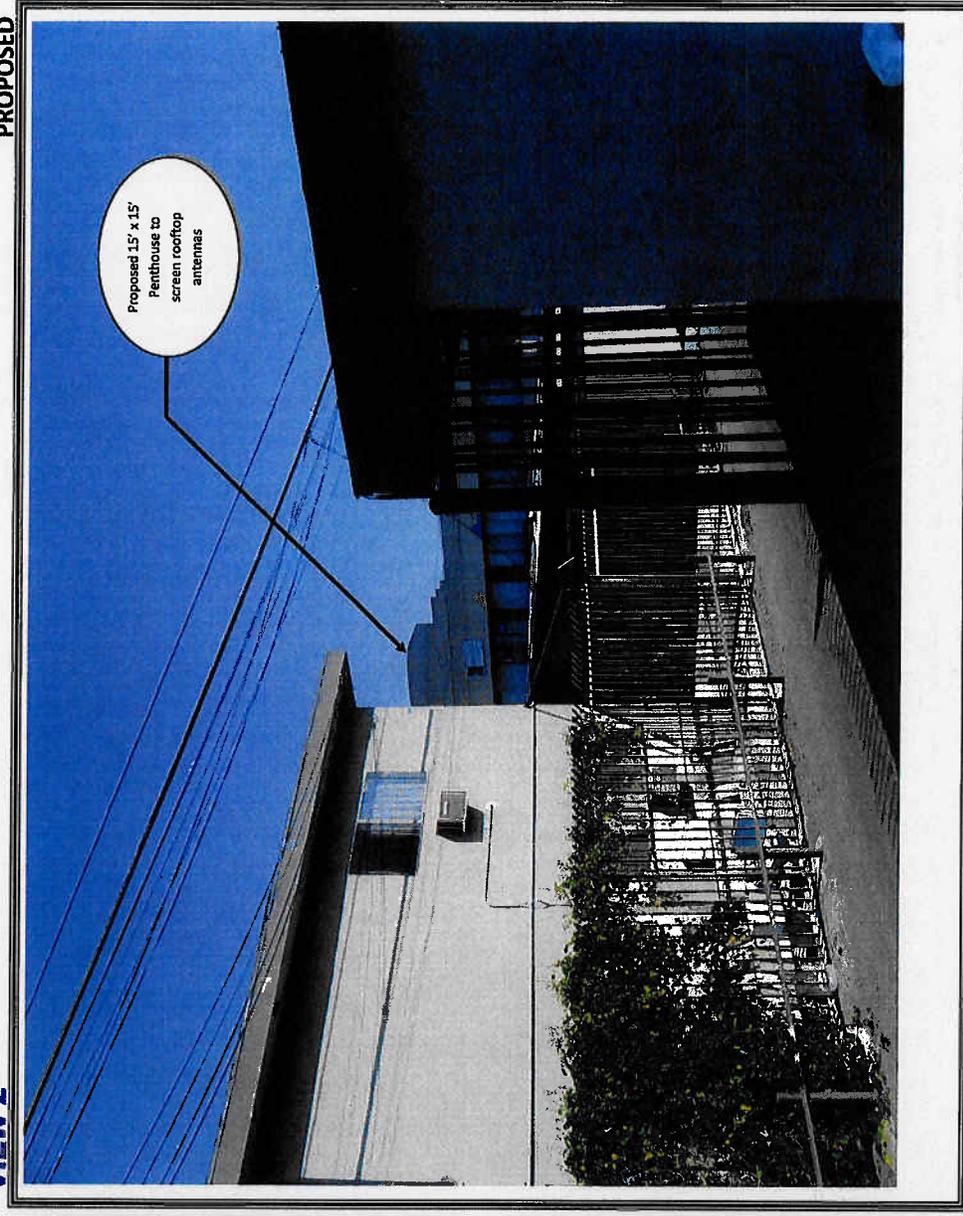
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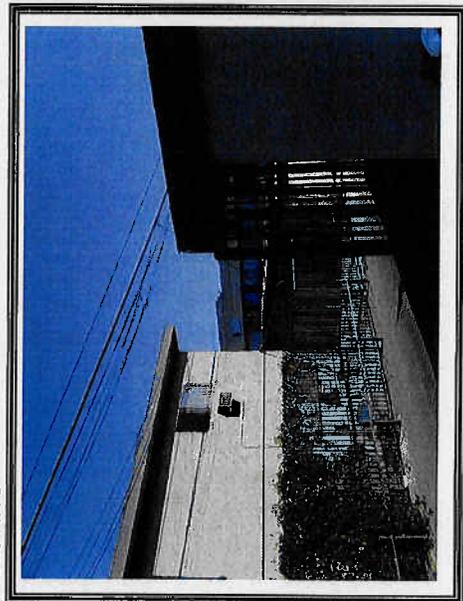
**AERIAL MAP**



**VIEW 2**



**EXISTING**



Accuracy of photo simulation based upon information provided by project applicant. The proposed installation is an artistic representation of a tree, and not intended to be an exact reproduction of an actual living tree. The final installation will have cables, cable ports, and various attachments, such as antennas, nuts, and bolts. Every effort will be made to disguise these components and they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.



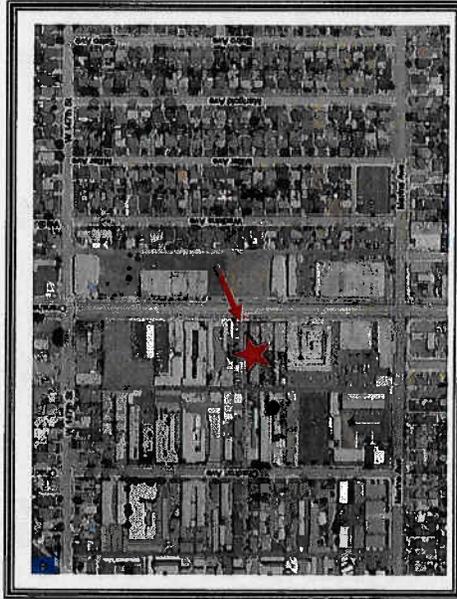
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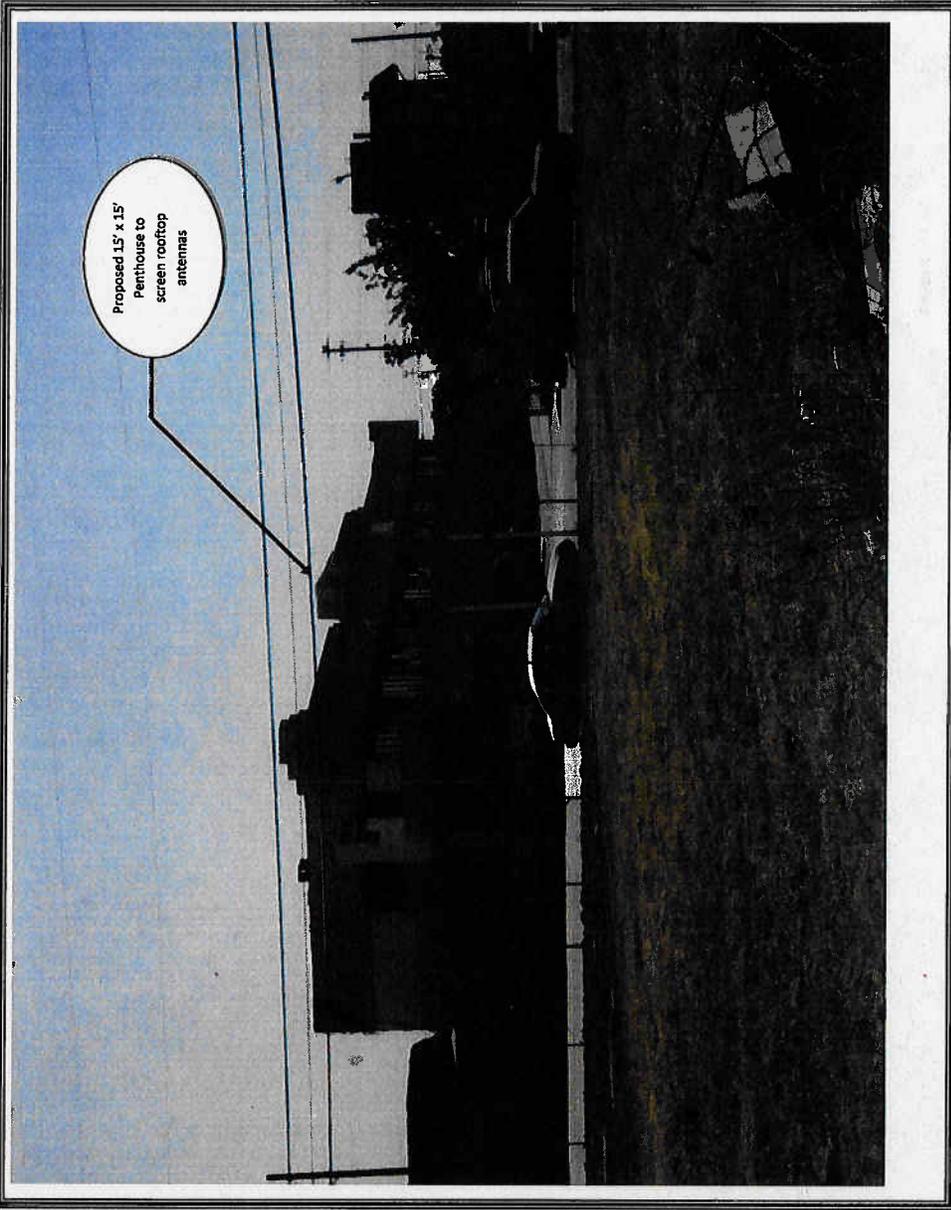


**AERIAL MAP**

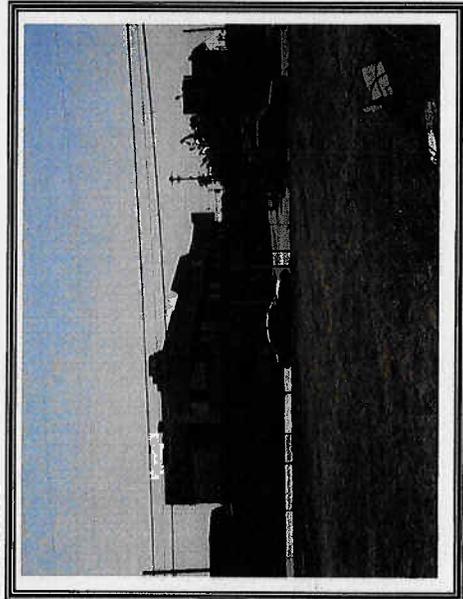


**VIEW 3**

**PROPOSED**



**EXISTING**



Accuracy of photo simulation based upon information provided by project applicant. The proposed installation is an artistic representation of a tree, and not intended to be an exact reproduction of an actual living tree. The final installation will have cables, cable ports, and various attachments, such as antennas, nuts, and bolts. Every effort will be made to disguise these components and they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.

