

Hearing Officer Transmittal Checklist

Hearing Date 08/16/2016
Agenda Item No. 6

Project Number: R2014-02085-(2)
Case(s): Conditional Use Permit Case No. 201400091
Environmental Assessment Case No. 201400159
Planner: Shaun Temple

- Project Summary
- Property Location Map
- Staff Analysis
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions + Other department letters of recommended conditions
- Previous CUP Conditions of Approval
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Photo Simulations
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER

R2014-02085-(2)

HEARING DATE

August 16, 2016

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400091

Environmental Assessment No. 201400159

PROJECT SUMMARY

OWNER / APPLICANT

Verizon Wireless

MAP/EXHIBIT DATE

January 7, 2016

PROJECT OVERVIEW

The applicant, Verizon Wireless, requests a conditional use permit to authorize the construction, operation, and maintenance of a structure mounted wireless telecommunications facility (WTF) on the rooftop behind architecturally integrated screening of the Pacific Place Apartments in the community of Del Aire. The WTF consists of 16 panel antennas, one microwave dish, two outdoor equipment cabinets, one stand-by DC natural gas generator, and one GPS antenna.

LOCATION

5211 Pacific Concourse Drive, Del Aire

ACCESS

Pacific Concourse Drive

ASSESSORS PARCEL NUMBER(S)

4140-016-165

LEASE AREA

1,100 Square Feet

GENERAL PLAN / LOCAL PLAN

Countywide General Plan

ZONED DISTRICT

Del Aire

LAND USE DESIGNATION

4 – High Density Residential (22 or more du/ac)

ZONE

RPD (Residential Planned Development)

PROPOSED UNITS

None

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.20.460 (RPD Zone Uses and Development Standards)

CASE PLANNER:

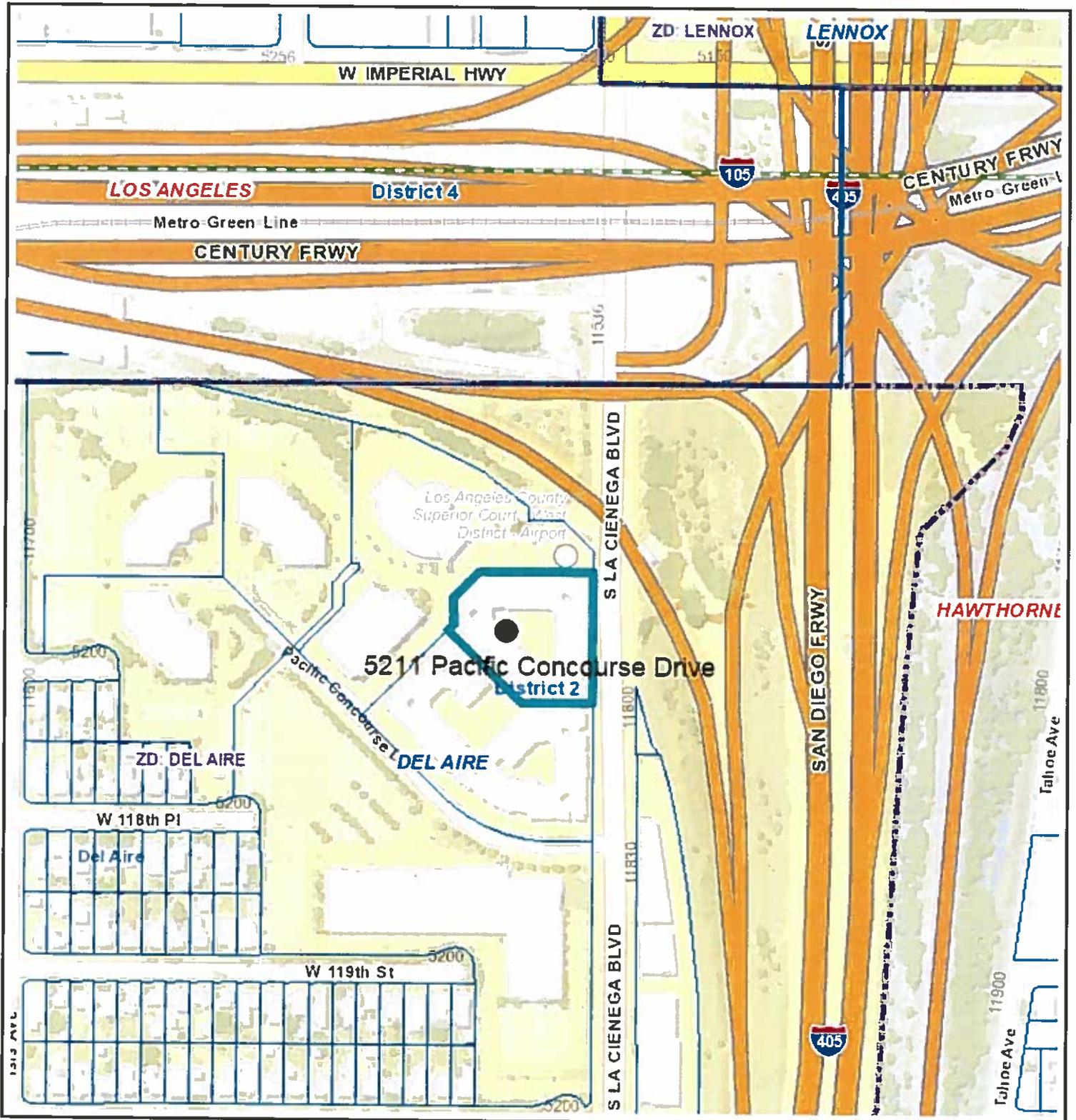
Shaun Temple

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5211 Pacific Concourse Drive Property Location Map

Printed: Aug 02, 2016



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ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for construction, operation, and maintenance of a wireless telecommunication facility (WTF). A WTF is not a specified use in the County Zoning Code. The comparable use is a radio transmission tower, which is subject to a CUP in the RPD (Residential Planned Development) Zone pursuant to County Code Section 22.20.460.

PROJECT DESCRIPTION

The applicant, Verizon Wireless, requests a CUP to authorize the construction, operation, and maintenance of structure mounted WTF on the rooftop behind architecturally integrated screening of the Pacific Place Apartment in the community of Del Aire. The WTF will be mounted at a height of 66-feet above ground level and consists of 16 panel antennas, one microwave dish, two outdoor equipment cabinets, one stand-by DC natural gas generator, and one GPS antenna.

EXISTING ZONING

The subject property is zoned RPD (Residential Planned Development).

Surrounding properties are zoned as follows:

North: MPD (Manufacturing-Industrial Planned)
South: MPD and R-1 (Single Family Residential)
East: I-405 Freeway and the City of Hawthorne
West: MPD and R-1

EXISTING LAND USES

The subject property is developed with the 430-unit Pacific Place Apartment Complex.

Surrounding properties are developed as follows:

North: Los Angeles County Superior Court and the I-405/I-105 Freeway Interchange
South: Del Aire Business Park and single family homes
East: I-405 Freeway and the City of Hawthorne
West: Del Aire Business Park and single family homes

PREVIOUS CASES/ZONING HISTORY

Conditional Use Permit No. 87-060 (approved November 25, 1987), Development Agreement No. 87-060 (adopted January 12, 1988) and Parcel Map No. 18568 (recorded December 23, 1988) established development standards, permitted uses, rentable floor space, and other restrictions for the development of the approximately 30-acre Del Aire Business Park that has been developed with court, office, warehousing, retail, and light manufacturing uses.

On July 7, 2005, the Board of Supervisors approved Conditional Use Permit No. 03-139, which authorized a 5-acre multi-family residential project to be built within the existing business park. The residential project included 430 apartments together with appurtenant structures and facilities, including pools, spas, a fitness center, and subterranean parking for 805 cars. The CUP was heard in conjunction with CUP No. 04-

114 and Amendment to Development Agreement Case No. 87060 (approved February 27, 2008) to modify the previously approved business park to sever the five acres for the residential project and with Zone Change, General Plan Amendment, and Variance No. 03-139 (approved November 22, 2006) to change the Zone to RPD, the land use category to High Density Residential, and to allow the building coverage to exceed the 50-percent maximum at 55-percent.

On November 5, 2015, the update to the General Plan changed the land use category of the subject property to H100 (Residential 100 du/acre).

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is a request to mount a new wireless telecommunications facility within a total lease area of 1,100 square feet onto the rooftop of an existing apartment structure. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the H100 (Residential 100) land use category of the General Plan. This designation is intended for multifamily residences with 50 to 100 dwelling units per acre. WTFs are communication infrastructure that are commonly found in all land use categories throughout the County and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Policy PS/F 6.2 (Public Services and Facilities): Improve existing wired and wireless telecommunications infrastructure*

The proposed project will allow Verizon Wireless to fill a gap in their coverage of wireless service in the Del Aire Community.

- *Policy PS/F 6.3 (Public Services and Facilities): Expand access to wireless technology networks, while minimizing visual impacts through co-location and design.*

The proposed WTF will expand access to a wireless technology network by filling a gap in coverage for the Verizon network in Del Aire. The WTF will be structure mounted on the rooftop behind architecturally integrated screening of the Pacific Place Apartments to minimize visual impacts.

- *Policy S 4.1(Safety): Ensure that residents are protected from the public health consequences of natural or man-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information.*

Cell phones provide one of the primary methods in which the public engages in risk communication and the dissemination of public information. The proposed project will fill a gap in wireless coverage, which will improve the ability of the public to participate in risk communication and the dissemination of public information.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.20.460 of the County Code, the following development standards are applicable to WTFs in the RPD Zone:

- Parking – The WTF requires only periodic maintenance and the maintenance vehicle can use the on-site parking provided. No additional parking on the project site is required.

Condition 20.c. of the Conditions of Approval (CUP 03-139) for the development standards of the Pacific Place Apartment Building is applicable to WTFs:

- Screening of roof-top mechanical equipment – The WTF will be on the roof-top of the Pacific Place Apartment Building and will be screened behind architecturally integrated screening as shown on the elevation plans of the approved Exhibit “A” and the approved photo-simulations. This method of screening is also compliant with the development standards of the Department of Regional Planning’s Policy Memo on wireless telecommunications facilities.

Pursuant to Subdivision & Zoning Ordinance Policy No. 01-2010 (Wireless Telecommunications Facilities) the following development standards are applicable:

- Height – The height of the WTF is 66-feet above ground level, which is below the maximum 75-feet allowed.

Site Visit

Staff conducted a site visit on April 19, 2016. The parcel was developed with the Pacific Place Apartment Building as described in CUP No. 03-139-(2) and was maintained in good condition.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.040 of the County Code. The Burden of Proof with applicant’s responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The WTF will be architecturally integrated into the rooftop of the 430-unit Pacific Place Apartments in a manner to avoid visual impacts to a passer-by. The Department of Public Health-Environmental Health Division has reviewed the project for potential noise impacts to the residents and has determined that the potential noise impacts associated with the project have been sufficiently addressed through the use of noise isolators and restriction on the hours for test runs of the emergency generator and construction activities. WTFs are uses found in all zones throughout the County and provide valuable communication infrastructure.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Department of Public Works, Land Development Divisions: In a letter dated December 31, 2016, the project was cleared for public hearing with conditions to submit plans to Building and Safety and to fully comply with all protocols and regulations imposed by Caltrans' Division of Aeronautics and the Federal Aviation Administration and provide documentation to the County of Los Angeles prior to issuance of a building permit.

Fire Department: In a letter dated October 21, 2015, the project was cleared for public hearing with a condition to contact the Hawthorne Fire Prevention Office prior to the issuance of a building permit to verify if review and approval by the County of Los Angeles Fire Department Fire Prevention Engineering Section Building Plan Check unit is required.

Department of Public Health: In a letter dated March 15, 2016, the project was cleared for public hearing with conditions to adhere to noise requirements contained in the Los Angeles County Noise Control Ordinance, Title 12, section 12.08, especially as it pertains to the use and operation of the emergency generator and for construction activities.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has not received any comments at this time.

FEES/DEPOSITS

If approved, fees identified 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 and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-02085-(2), Conditional Use Permit Number 201400091, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400091 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Shaun Temple, Senior Regional Planning Assistant, Zoning Permits West Section

Reviewed by Mi Kim, Supervising Regional Planner, Zoning Permits West Section

Attachments:

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Site Photographs, Photo Simulations

Site Plan, Land Use Map

MKK:sct

August 4, 2016

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02085-(2)
CONDITIONAL USE PERMIT NO. 201400091**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400091 ("CUP") on August 16, 2016.
2. The permittee, Verizon Wireless ("permittee"), requests the CUP to authorize the construction, operation, and maintenance of a wireless telecommunications facility ("Project") on a property located at 5211 Pacific Concourse Drive in the unincorporated community of Del Aire ("Project Site") in the RPD (Residential Planned Development) zone pursuant to Los Angeles County Code ("County Code") section 22.20.460.
3. The Project Site is a 1,100 square foot lease area located within the existing 430-unit Pacific Plan Apartment Complex, which is on a 5-acre site that is irregular in shape with flat topography.
4. The Project Site is located in the Del Aire Zoned District and is currently zoned RPD.
5. The Project Site is located within the H100 (Residential 100 dwelling units per acre) land use category of the General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: MPD (Manufacturing-Industrial Planned)
 - South: MPD and R-1 (Single Family Residential)
 - East: I-405 Freeway and the City of Hawthorne
 - West: I-405 Freeway and the City of Hawthorne
7. Surrounding land uses within a 500-foot radius include:
 - North: Los Angeles County Superior Court and the I-405/I-105 Freeway Interchange
 - South: Del Aire Business Park and single family homes
 - East: I-405 Freeway and the City of Hawthorne
 - West: Del Aire Business Park and single family homes
8. Conditional Use Permit No. 87-060 (approved November 25, 1987), Development Agreement No. 87-060 (adopted January 12, 1988) and Parcel Map No. 18568 (recorded December 23, 1988) established development standards, permitted uses, rentable floor space, and other restrictions for the development of the approximately 30-acre Del Aire Business Park that has been developed with court, office, warehousing, retail, and light manufacturing uses. On July 7, 2005, the Board of Supervisors approved Conditional Use Permit No. 03-139, which authorized a 5-acre

multi-family residential project to be built within the existing business park. The residential project included 430 apartments, together with appurtenant structures and facilities, including pools, spas, a fitness center, and subterranean parking for 805 cars. The CUP was heard in conjunction with CUP No. 04-114 and Amendment to Development Agreement Case No. 87060 (approved February 27, 2008) to modify the previously approved business park to sever the five acres for the residential project and with Zone Change, General Plan Amendment, and Variance No. 03-139 (approved November 22, 2006) to change the Zone to RPD, the land use category to High Density Residential, and to allow the building coverage to exceed the 50-percent maximum at 55-percent. On November 5, 2015, the update to the General Plan changed the land use category of the subject property to H100 (Residential 100 du/acre).

9. The Project Site is accessible via Pacific Concourse Drive to the south.
10. The WTF requires only periodic maintenance and the maintenance vehicle can use the on-site parking provided. No additional parking on the project site is required.
11. The Department of Public Works, Land Development Divisions, in a letter dated December 31, 2016, cleared the project for public hearing with conditions to submit plans to Building and Safety and to fully comply with all protocols and regulations imposed by Caltrans Division of Aeronautics and the Federal Aviation Administration and provide documentation to the County of Los Angeles prior to issuance of a building permit. The Fire Department, in a letter dated October 21, 2015, cleared the project for public hearing with a condition to contact the Hawthorne Fire Prevention Office prior to the issuance of a building permit to verify if review and approval by the County of Los Angeles Fire Department Fire Prevention Engineering Section Building Plan Check unit is required. The Department of Public Health, in a letter dated March 15, 2016, cleared the project for public hearing with conditions to adhere to noise requirements contained in the Los Angeles County Noise Control Ordinance, Title 12, section 12.08, especially as it pertains to the use and operation of the emergency generator and for construction activities.
12. Prior to the public hearing on the project, Regional Planning staff determined that this project qualifies for a Categorical Exemption (Class 3 Exemption, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project is a request to mount a new wireless telecommunications facility within a total lease area of 1,100 square feet onto the rooftop of an existing apartment structure.
13. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
14. Staff has not received any comments from the public at this time.
15. [Reserved for Hearing Proceedings]

16. The Hearing Officer finds that Policy PS/F 6.2 (Public Services and Facilities) of the General Plan supports the improvement of wireless telecommunications infrastructure and that Subdivision & Zoning Ordinance Policy No. 01-2010 states that a wireless facility is a use allowed in all zones with a conditional use permit. Therefore, this project is consistent with the General Plan.
17. The Hearing Officer finds that the height of the WTF is located at 66-feet above ground level, which is below the maximum 75-feet allowed and that the WTF will be on the roof-top of the Pacific Place Apartment Building and will be behind architecturally integrated screening. Therefore, the project is consistent with the Zoning Code.
18. The Hearing Officer finds that the WTF will be architecturally integrated into the rooftop of the existing Pacific Place Apartments and will not be visually obtrusive. In addition, the Department of Public Health-Environmental Health Division has reviewed the project for potential noise impacts and has determined that the potential noise impacts associated with the project have been sufficiently addressed so as not to be significant. Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
19. Hearing Officer finds that the proposed WTF will be constructed and architecturally integrated into the rooftop on a legally established 430-unit apartment building while still meeting all applicable development standards pertaining to that building. Therefore, 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 Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
20. The Hearing Officer finds that the Project is located in a developed urban area along La Cienega Boulevard and that the proposed WTF is unmanned and will not generate additional traffic. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
21. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the conditional use permit to 15 years.
22. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of the Del Aire community. On June 28, 2016, a total of six Notices of

Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as three notices to those on the courtesy mailing list for the Del Aire Zoned District and to any additional interested parties.

23. 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, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. 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.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
- 2. Approves Conditional Use Permit No. 201400091, subject to the attached conditions.

ACTION DATE: August 16, 2016

MKK:sct
August 4, 2016

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02085-(2)
CONDITIONAL USE PERMIT NO. 201400091**

PROJECT DESCRIPTION

The project is the construction, operation, and maintenance of a new rooftop wireless telecommunications facility subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. 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 Los Angeles County ("County") Department of Regional Planning ("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. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
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 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate 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. 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 make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on August 16, 2031.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. 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. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate

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 **eight (8) biennial (one 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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. 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 ("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, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by 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. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

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.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **October 16, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (WIRELESS)

19. This grant shall authorize the construction, operation, and maintenance of a wireless telecommunications facility.
20. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
21. Upon completion of construction of the facility, the permittee shall provide upon request to the Zoning Enforcement Section of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
22. Insofar as is feasible, the permittee 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.
23. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
24. All structures shall conform to the requirements of the Division of Building and Safety of Public Works or other appropriate agency and obtain an encroachment permit if deemed necessary.

25. If any external lighting is proposed, including security lighting, it shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
26. If the subject property is adjacent to residences, construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.
27. Placement and height of all equipment shall be in substantial conformance with that shown on said Exhibit "A". The facility shall be built as depicted in the photo simulations presented at the public hearing.
28. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.
29. The maximum height of the facility, including the rooftop height, shall not exceed 66-feet above finished grade.
30. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
31. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the building.
32. The facility shall be maintained in good condition and repair, and shall remain free of: general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice. Provided landscaping shall be maintained at all times and shall be promptly replaced if needed.
33. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
34. The FCC Antenna Structure Registration site number, conditional use permit number, primary leaseholder's and facility manager's contact information shall be kept current and prominently displayed on the facility where it can be easily viewed from ground level.

35. Upon termination of this grant or after the construction of this facility, if the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.
36. New equipment added to the facility shall not compromise the stealth design of the facility.
37. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated December 31, 2016.
38. The permittee shall comply with all conditions set forth in the attached County Fire Department Letter dated October 21, 2015.
39. The permittee shall comply with all conditions set forth in the attached County Public Health Department Letter dated March 15, 2016.

Attachments:

Public Works Department Letter dated December 31, 2016
Fire Department Letter dated October 21, 2015
Public Health Department Letter dated March 15, 2016



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: LD-2

December 31, 2015

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention Shaun Temple

FROM: Art Vander Vis 
Department of Public Works
Land Development Division

CONDITIONAL USE PERMIT (CUP) NO. 201400091
PROJECT NO. R201402085
5211 PACIFIC CONCOURSE DRIVE
ASSESSOR'S MAP BOOK NO. 4140, PAGE 16, PARCEL NOS. 163, 164, AND 165
UNINCORPORATED COUNTY AREA OF LOS ANGELES

Thank you for the opportunity to review the site plan and zoning permit application for the project located at 5211 Pacific Concourse Drive in the unincorporated County area of Los Angeles. The applicant is requesting authorization for a CUP to allow the installation and operation of an unmanned wireless telecommunication facility, which will include 22 panel antennas, 22 remote radio units, 12 raycaps, and a microwave dish behind a rooftop screening. The project will also include 8 outdoor cabinets, 2 standby generators, and 6 GPS antennas to be located on 2 rooftop equipment platforms.

- Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- Public Works has comments on the submitted documents; therefore, a Public Hearing shall **NOT** be scheduled until the following comments have been addressed:

1. Building and Safety

- 1.1 Submit building plans to Public Works' Building and Safety Division, Southwest District office, for review and permit issuance.

For questions regarding the building and safety condition, please contact Curtis Herbert of Building and Safety Division at (323) 820-6500 or cherbert@dpw.lacounty.gov.

2. Aviation

- 2.1 Fully comply with all protocols and regulations imposed by Caltrans' Division of Aeronautics and the Federal Aviation Administration and provide documentation to the County of Los Angeles prior to issuance of a building permit. The documentation shall include a description of all related actions that were taken by the applicant to ensure full compliance was achieved.

If you have any questions or require additional information, please contact Max Rodriguez of Public Works' Land Development Division at (626) 458-4910 or mrodrique@dpw.lacounty.gov.

MR:tb

P:\Ldpub\SUBPCHECK\Plan\CUP\CUP 201400091-5211 pacific\TCUP 201400091\2015-11-23 TCUP 201400091 .Doc



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02085

MAP DATE: 10/21/2015

LOCATION: 5211 Pacific Concourse Drive, Los Angeles

PLANNER: Shaun Temple

**THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO
PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE
FOLLOWING CONDITIONS OF APPROVAL.**

Review and approval by the County of Los Angeles Fire Department Fire Prevention Engineering Section Building Plan Check Unit may be required for this project prior to building permit issuance. Contact the Hawthorne Fire Prevention Office – Engineering Section Plan Check at:

Hawthorne Fire Prevention Office
Fire Prevention Engineering – Building Plan Check Unit
4475 W. El Segundo Blvd.
Hawthorne, CA 90250

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Deputy Director for Health Protection

TERRI S. WILLIAMS, REHS
Acting Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91708
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov

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Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

March 15, 2016

TO: Shaun Temple
Senior Regional Planning Assistant
Department of Regional Planning

FROM: Michelle Tsiebos, REHS, DPA M.T
Environmental Health Division
Department of Public Health

SUBJECT: CUP CONSULTATION
PROJECT NO. R2014-02085/ CUP201400091
New Roof-Mounted WTF
5211 Pacific Concourse Drive, Del Aire, CA 90045

- Public Health recommends approval of this CUP.
- Public Health does NOT recommend approval of this CUP.

The Department of Public Health – Environmental Health Division has reviewed the CUP request for the above referenced project. The CUP is for a new roof-mounted WTF on a residential structure consisting of three antenna sectors on two rooftop equipment platforms. The project includes 2 standby generators.

The Department recommends approval of the CUP. The applicant has satisfactorily met the conditions outlined in the section below, and provided the requested information.

Toxics-Epidemiology Program

Staff from the Toxics Epidemiology Program reviewed the documents and plans provided by the applicant of the subject property located at the above location. Based on the submitted information, staff recommends the following conditions as conditions of the permit.

- Investigate the impact of vibration related to standby generators operation. Are the platforms structural materials enough to isolate vibration from equipment? If not, what kind of isolators will be used to mitigate this issue?
- The emergency generator maintenance test run shall be restricted to the hours between 9:00 am and 9 pm.

- Construction activities shall be limited to the hours of 7am to 7pm Monday through Saturday. No construction work on Sunday and Holidays. The applicant shall adhere to the construction noise requirements contained in the Los Angeles County Noise Control Ordinance, Title 12, section 12.08 Part 3.
- The applicant shall adhere to the requirements of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12.
- Follow all applicable recommendations and equipment specifications as directed by the manufacturer of the noise enclosure associated with the generators.
- Please provide this office with enclosure equipment noise specifications.

The noise impacts associated with the project should be less than significant if the proposed conditions are implemented.

If you have questions regarding the above section, please contact Robert Vasquez or Evenor Masis of the Toxics-Epidemiology Program at (213)738-3220 or at rvasquez@ph.lacounty.gov and emasis@ph.lacounty.gov.

For any other questions regarding this report, please feel free to contact me at (626) 430-5380 or at mtsiebos@ph.lacounty.gov.



Los Angeles County
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.

Verizon Wireless facilities are regulated by the FCC. The stealthed nature of the facility as an architecturally integrated roofmounted facility allows it to be unobtrusive.

It will not create any hazardous materials, fumes, odors, light, glare, traffic or noise. The facility will provide needed voice, data, and E911 services to the area.

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 project site is adequate in size and shape to accommodate all the development features prescribed in Title 22. The proposed facility will not impact any required yards/setbacks, parking or loading facilities, fencing or landscaping. The location on the property is unobstrusive and the completely stealthed design should blend in with the architecture of the existing building.

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 facility will be unmanned. It will only be visited occasionally (about once a month), for maintenance purposes. The existing highways, streets and driveways will adequately provide access to the facility. The facility will be properly connected to all utilities such as power, telco and fiber utilities.

Complete Set of Photographs- Verizon "LAX Court"

Verizon Wireless New Disguised Unmanned Wireless Facility
5211 Pacific Concourse Dr, Los Angeles, CA 90045
APN: 4140-016-163 & -165

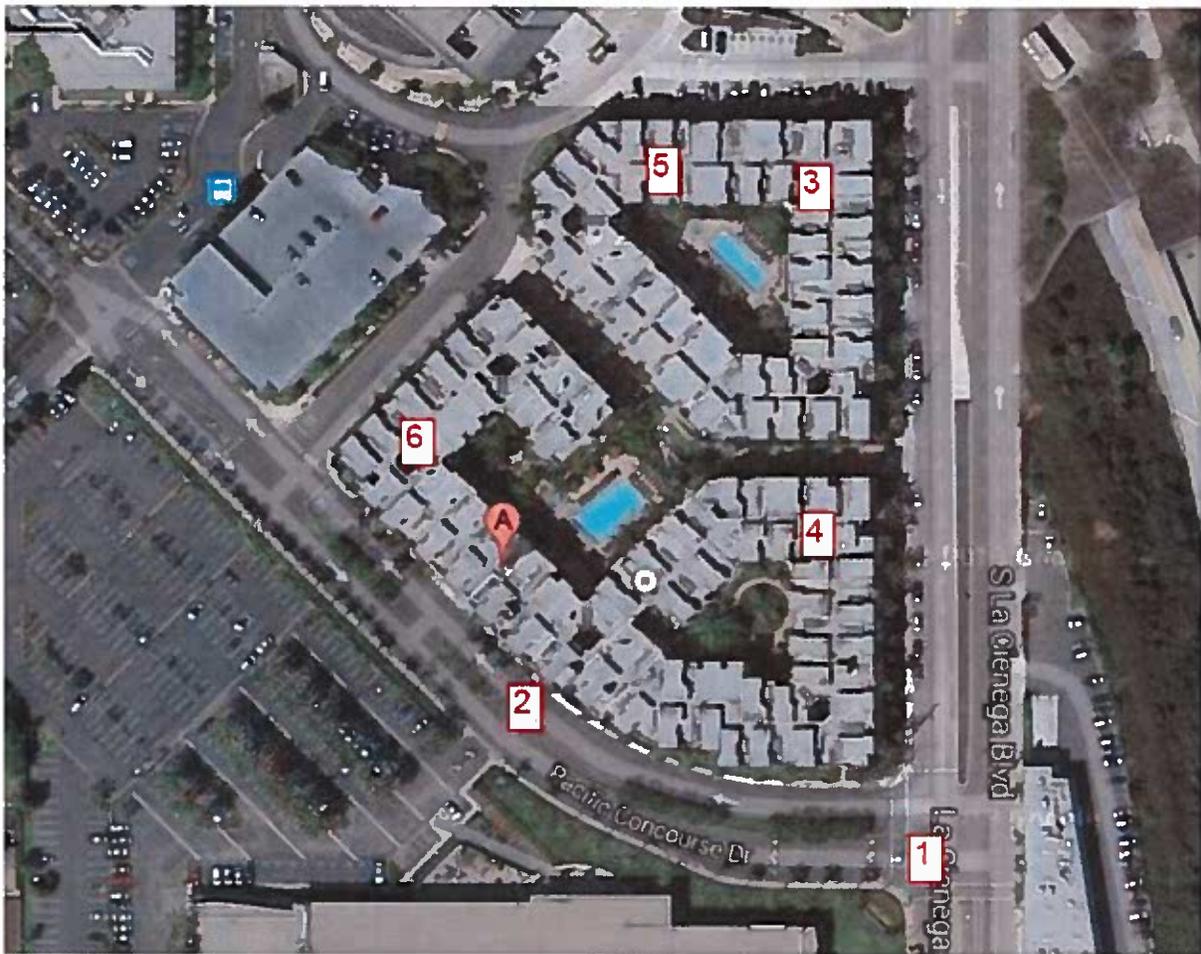


Photo Key Map



1) Overall View (Pacific Place Apartments)



2) View of Site Access

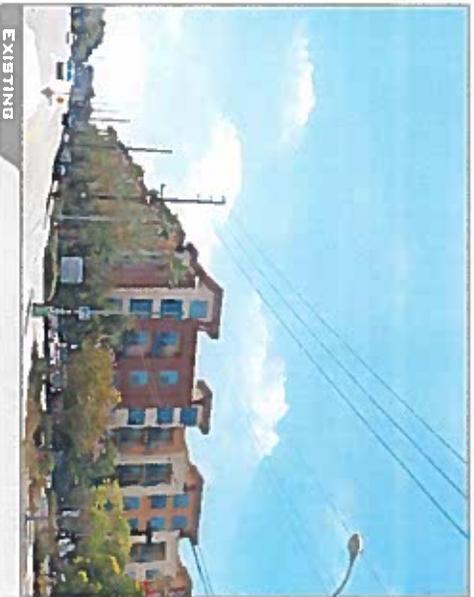


LAX COURT

5211 PACIFIC CONCOURSE DRIVE LOS ANGELES CA 90045



VIEW 1



Accuracy of Antenna Simulation based upon information provided by project applicants.

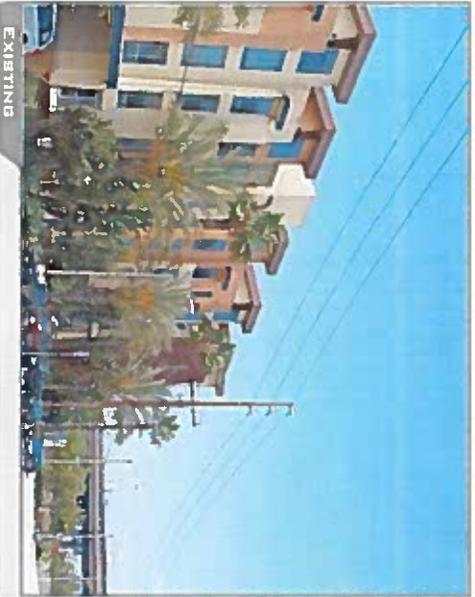


LAX COURT

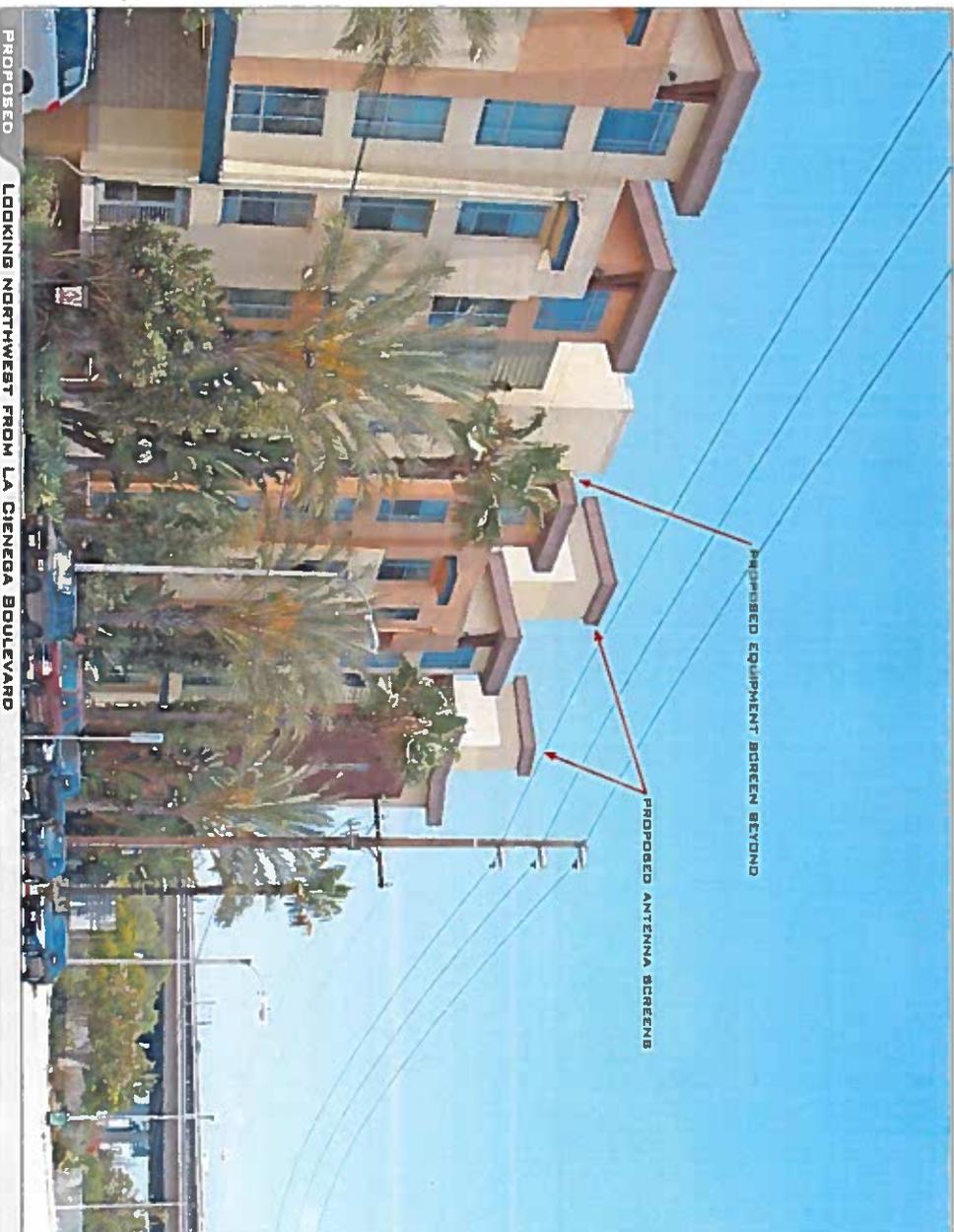
5211 PACIFIC CONCOURSE DRIVE LOS ANGELES CA 90045



VIEW 2



EXISTING



PROPOSED

LOOKING NORTHWEST FROM LA CIENEGA BOULEVARD

ACCURACY OF AUDIO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



LAX COURT

5211 PACIFIC CONCOURSE DRIVE LOS ANGELES CA 90045



VIEW 3



ACCURACY OF AUDIO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

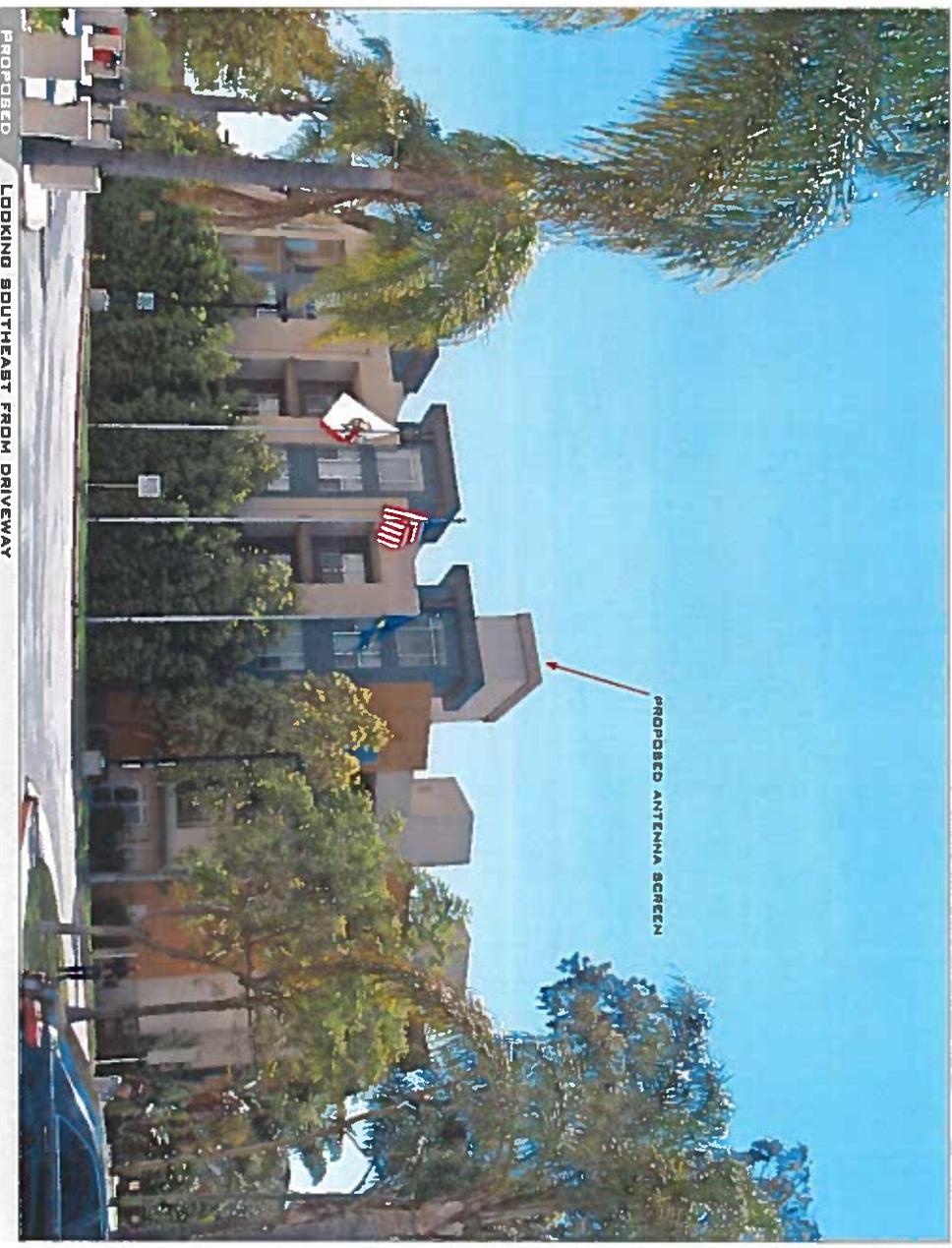
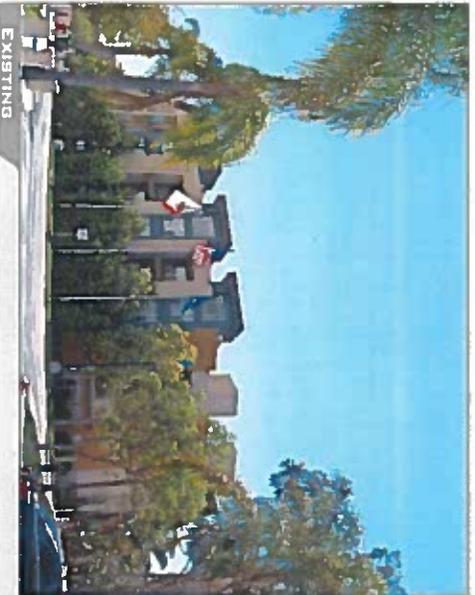
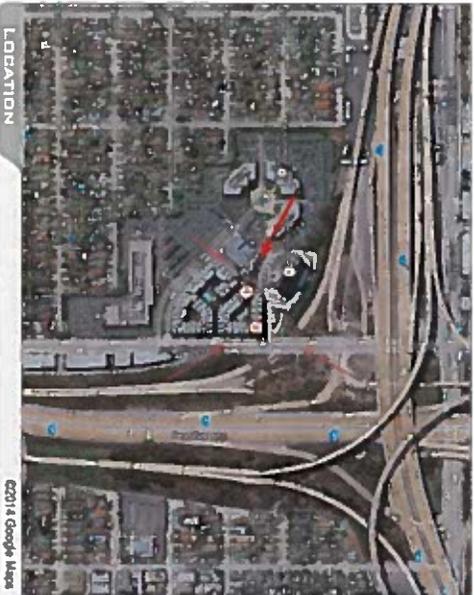


LAX COURT

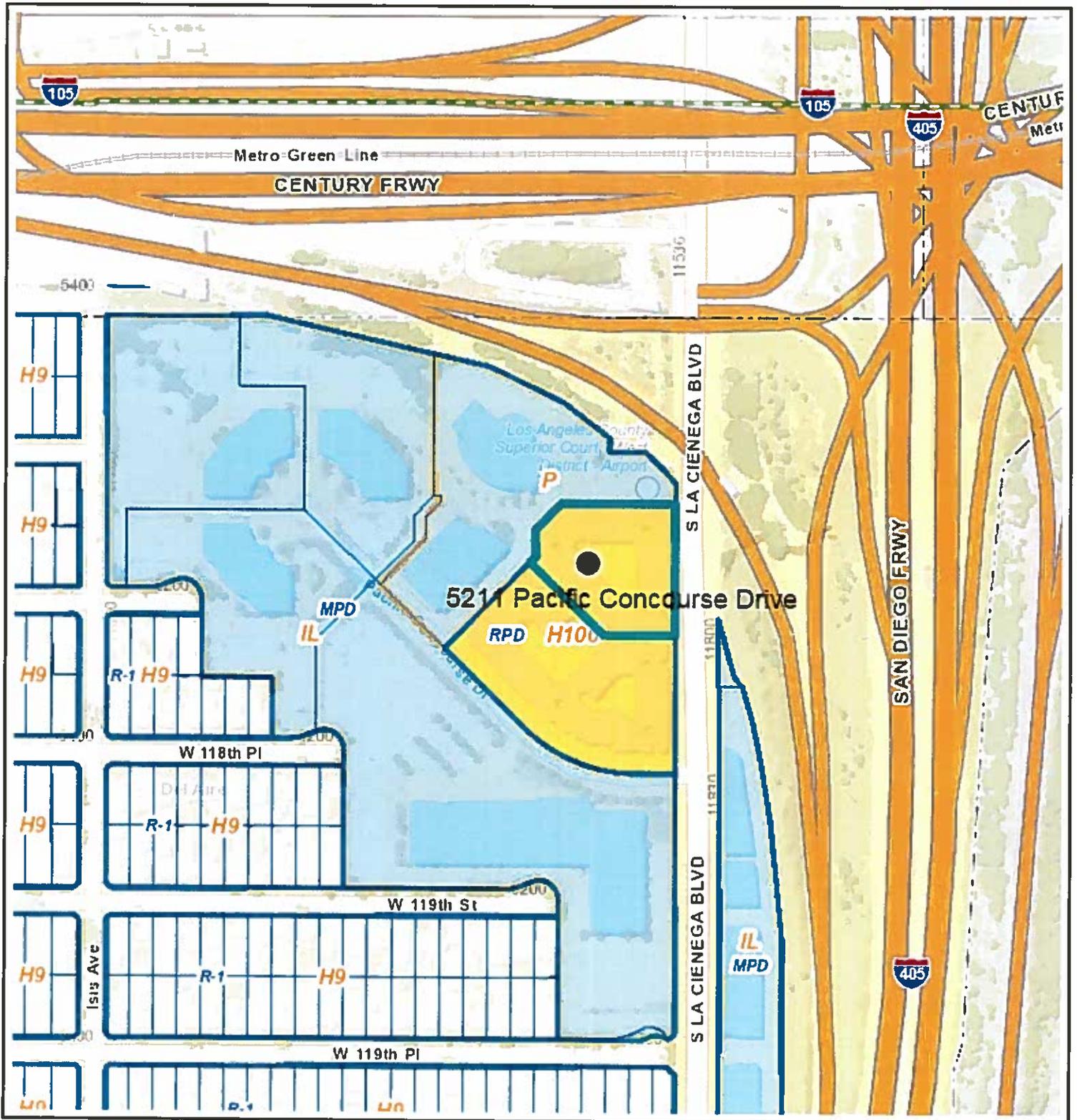
5211 PACIFIC CONCOURSE DRIVE LOS ANGELES CA 90045



VIEW 4



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



R2014-02085-(2) Zoning & Land Use Map

Printed: Aug 02, 2016

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