



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: July 14, 2015

SUBJECT: Design Overlay Review (DOR) No. 1564-15
Conditional Use Permit (CUP) No. 970-15

APPLICANT: Tectonic Engineering and Surveying, Inc. for Verizon Wireless
Attention: Ryan Birdseye
(ryan@birdseyeplanninggroup.com)
2081 Business Park Drive Suite 219
Irvine, CA 92612

OWNER: PCG Carson Main LP
133 Penn Street
El Segundo, CA 90245

REQUEST: To construct a 65-foot high unmanned telecommunications facility disguised designed as a pine tree ('monopine') located in the MU-CS (Mixed-Use – Carson Street) zone.

PROPERTY INVOLVED: 164 West Carson Street

COMMISSION ACTION

___ Concurred with staff

___ Did not concur with staff

___ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Diaz			Mitoma
		Vice-Chair Madrigal			Post
		Andrews			Schaefer
		Faletogo			
		Guidry			

ITEM NO. 11A

I. Introduction

Applicant

- Tectonic Engineering and Surveying, Inc. for Verizon Wireless; Ryan Birdseye, representative; 2081 Business Park Drive Suite 219; Irvine, CA 92612

Property Owner

- PCG Carson Main LP; 133 Penn Street; El Segundo, CA 90245

Project Address

- 164 West Carson Street

Project Description

- To install a 65-foot high, unmanned wireless 'monopine' facility for Verizon Wireless on an existing multi-tenant commercial property.
- The monopine will have twelve antennas in three sets of four antennas with Radio Remote Units (RRU's).
- The facility includes two (2) equipment cabinets within a 10 foot by 20 foot by 8 foot lease area.
- The monopine and lease area will be located in the southeastern corner of the property.
- The proposal includes the following discretionary requests:
 - *Site Plan and Design Review and Conditional Use Permit (Use)*: Pursuant to Section 9138.16.D, the facility is considered a major wireless telecommunication facility because it is a freestanding structure and the Planning Commission has the approval authority

II. Background

Current Use of Property

- The project site is located on commercial property with an existing multi-tenant shopping center and is approximately 7.3 acres in size.

Previously Approved Discretionary Permits

- Variance No. 262-87: Planning Commission approved a variance from Section 9136.29 for the encroachment of a structure into the required side yard setback
- Design Overlay Review No. 516-90: Planning Commission approved a DOR to reface a portion of the existing commercial shopping center
- Design Overlay Review No. 1503-13: Planning Commission approved a DOR to remodel of portion of the existing commercial shopping center with limited landscape improvements.

Public Safety Issues

- The Public Safety Department has not reported any current code enforcement cases associated with this property.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is 7.3 acres in size and located on the southeastern corner of Main Street and Carson Street.
- Adjacent to the subject property to the north and west are mixed-use commercial properties. Residential properties are located to the east and approximately 80 feet south across 218th Street.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned MU-CS (Mixed-Use – Carson Street). Properties to the north, east and west are also zoned MU-CS. Properties to the south and east are zoned RS (Residential, Single-family).
- The subject property has a General Plan Land Use designation of Mixed-Use - Residential. Properties to the north, east and west also have a General Plan Land Use designation of Mixed-Use - Residential. Properties to the south have a General Plan Land Use designation of Low Density Residential.

Applicable Zoning Ordinance Regulations

Pursuant to Section 9138.16(D), the proposed project is a freestanding structure and is considered a Major Wireless Telecommunication Facility subject to the approval of a development plan in accordance with the Site Plan and Design Review (DOR) procedures as provided in Section 9172.23 and Conditional Use Permit (CUP) procedures as provided in Section 9172.21.

The following table summarizes the proposed project's consistency with current site development standards for the Mixed-Use-Carson Street zone district and other zoning code sections applicable to this type of proposed use:

Applicable Zoning Section	Compliant	Non-Compliant	Comments
Wireless Telecommunication Facilities Standards			
Section 9138.16C, Applicability	x		Procedures and rules in 9138.16 sections applicable to all new wireless telecommunication facilities.
9138.16D2, Procedural Standards: Major Wireless Telecommunication Facilities	x		As defined by Section 9138.16, the project is a major telecommunications facility and requires a Site Plan and Design Review permit per Section 9172.23 and Conditional Use Permit per Section 9172.21
9138.16E, Application Requirements		x	
9138.16F1, Setbacks	x		Proposed monopine to be compliant with applicable setback requirements
9138.16F2b-d, Height		x	Major and Minor Exceptions allow for greater height for facilities than the height allowed by the zone, subject to approval by the Planning Commission
9138.16F2-F7, Wiring; Painting; Lighting; Noise; and, Signs	x		
9138.16.G, Major Exceptions		x	Subject to Planning Commission approval of proposed height.
9138.16H, Required Findings			The proposed height of the antenna will allow co-location of other telecommunications facilities on the proposed 'monopine' facility. The facility has been designed to facilitate additional antennas. A collocation report was prepared which indicates that five (5) other nearby locations were considered but were not chosen due to conditions which include: 1) leasing terms; 2) proximity to primarily residential uses; and 3) located outside the required coverage ring (Exhibit No. 3).
9138.16I,K,L, Maintenance; Temporary Facilities; Facility Removal	x		Applicable to all wireless facilities upon approval of permit(s).
MIXED-USE (CARSON STREET) / GENERAL DEVELOPMENT REQUIREMENTS			
Section 9138.17.C - Uses Permitted	x		Permitted, subject to requirements of Section 9138.16
Procedures			
9171.4, Environmental Review Requirements	x		The proposed wireless telecommunications facility is exempt from the provisions of the California Environmental Quality Act – Section 15332 – In-Fill Development Projects

Environmental Effects of Telecommunication Facilities on Human Beings

The Federal Communications Commission (FCC) which regulates the use of telecommunication facilities has done studies on low level radiofrequency radiation but has not found that it causes harmful biological effects on human beings. In general, cities cannot regulate telecommunication facilities on the basis of environmental effects of radio frequency emissions if the emissions comply with the requirements of the Federal Communications Commission (FCC). Telecommunication providers are required to certify that their telecommunication facility complies with FCC guidelines regarding radiofrequency. Furthermore, cities cannot regulate radiofrequency interference (RFI) that interferes with the reception of television signals for nearby homes. The courts have held that the FCC has exclusive jurisdiction to regulate RFI.

Required Findings: Conditional Use Permit

Pursuant to Section 9172.21, Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
 - The proposed use and development will be consistent with General Plan goals, which include promoting sustainable energy, communication, and other systems which meet the needs of the community.
2. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
 - The subject property is approximately 7.3 acres, rectangle-shaped, and relatively flat. The site is a multi-tenant commercial center, located at the southeastern corner of two streets and surrounded mostly by developed commercial and residential properties that are served by adequate infrastructure and utilities. Thus there are adequate utilities to provide and maintain service to the proposed use. The applicant intends to underground required power, telephone and other utility to their respective sources.
3. There will be adequate street access and traffic capacity.
 - Access to the facility for routine maintenance or emergency repair is proposed from Main Street. The proposed facility will not impact traffic in the vicinity except possibly during the construction phase of the project and for the occasional maintenance vehicle.
4. There will be adequate water supply for fire protection.
 - This is an existing developed property and water supply to the project site is adequate.
5. The proposed use and development will be compatible with the intended character of the area.
 - The proposed use will not negatively impact the vicinity of the subject site, in terms of parking, traffic, noise and safety. The intended character of the area is predominantly commercial with residential to the south and the proposed use is compatible with the area.

6. Such other criteria as are specified for the particular use in other Sections of this chapter (Zoning Ordinance).

Required Findings: Site Plan and Design Review

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
 - The subject property is designated as Mixed-Use Residential within the Land Use Element of the General Plan. The project site is located in the western area of the City of Carson, on the south-east corner of Carson Street and Main Street within a predominantly commercial area. South of the subject property, across 218th Street, are residential single-family (RS) properties located approximately 80 feet from the proposed monopine. The proposed use within the MU-CS zoning district requires approval of a CUP and will be compatible with the surrounding uses in that it will not significantly impact adjacent properties, in terms of noise, dust, odor, or other environmental considerations. There are no specific plans for the area.
2. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.
 - The proposed monopine, related utilities and equipment shelter will occupy a 10-foot by 20-foot lease area in the rear of the existing multi-tenant commercial center. The property is rectangular in shape and has utility poles located along the southern property line. The proposed facility disguised as a monopine will lessen aesthetic impacts.
3. Convenience and safety of circulation for pedestrians and vehicles.
 - The subject property is occupied by a commercial center with parking located on the north side of the building. The proposed monopine will be located on the south side / rear of the building along a pathway primarily for service vehicles and so will not have an impact on pedestrians and vehicles.
4. Attractiveness, effectiveness and restraint in signing, graphics and color.
 - Apart from the required safety, directional or informational signs, no product advertising signs are proposed for the project. The proposed facility is intended to simulate a pine tree, in terms of shape and appearance. The use of synthetic rubber bark and leaves will be effective in helping to stealth the facility.
5. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.
 - The project is compliant with applicable design standards and guidelines.

Required Findings: Wireless Telecommunications Facilities

The Zoning Ordinance allows the Planning Commission to consider of approval of facilities to exceed the maximum height described in Section 9138.16(F)(2)(d) in conformance with Subsection G, Major Exceptions, of Section 9138.16. Subsection G provides for a thirty percent increase in the maximum height of 45 feet allowed by the MU-CS zoning district to 58.5 feet. This height increase can be only be approved by the Planning Commission if the applicant provides technical justification for a higher antenna. Exhibit 4 submitted by the applicant is not sufficient to justify the proposed height of 65 feet. The following findings are required to allow a 58.5-foot-high antenna which cannot be made at this time:

- a. If the applicant seeks the major exception in order to service the applicant's gap in service, the applicant shall submit an explanation and supporting engineering data establishing that a tower or antenna as proposed is technologically necessary.
- b. If the applicant seeks the major exception in order to accommodate the establishment of a co-located facility, the applicant shall demonstrate that conformance with the code would require the installation of new freestanding communications facility or other less desirable facility.
- c. If seeking a major exception from height standards set forth herein, the applicant shall demonstrate that the proposed height is designed at the minimum height necessary. The applicant shall specifically include an analysis comparing the operation of the facility at it proposed height with its operation at the maximum height permitted herein. The purpose of this analysis is to ensure that additional height is permitted only when technologically necessary for the provision of services. Further, the applicant shall certify that the facility shall not cause a hazard to aircraft.
- d. Locating the antenna in conformance with the specifications for the Section would obstruct the antenna's reception window or otherwise excessively interfere with reception, and the obstruction or interference involves factors beyond the applicant's control and relocation is not an option.
- e. The visual impacts are negligible because the facility is designed to architecturally integrate with the surrounding environment.
- f. Granting the major exception shall conform to the spirit and intent of this zoning code.
- g. Granting the major exception will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

Based on the applicant's submitted materials included in Exhibits 3, 4, and 5 the proposed height is not justified and the above findings cannot be made. The applicant's justification statement relies on language only relevant to commercial zones and not mixed use zones, Exhibit 4, paragraph 1. The applicant's statement does not also demonstrate that the proposed height is designed at the minimum height necessary, Exhibit 4, paragraph 3. Furthermore, the applicant's statements on the July 6, 2015 email are not substantiated by a qualified RF engineer, Exhibit 5.

Staff has requested information but has not received information justifying the height of the antennas. Therefore, the applicant needs to provide additional studies to justify a height above that allowed by the Ordinance. Therefore, staff is recommending approval

of the proposed facility at 45 feet. The proposed facility is designed to resemble a pine tree to minimize aesthetic impact by architecturally integrate the proposed project with the surrounding environment, (Exhibit 2).

Required Findings: Major Communications Facilities

Pursuant to Section 9138.16(H), Wireless Telecommunications Facilities, the Planning Division or Planning Commission may approve the development plan and conditional use permit for the proposal only if the following findings can be made in the affirmative:

1. The proposed site is the best alternative after considering co-location with another facility and location at another site.

Distributed Antenna Systems (DAS) are not discussed as an alternative to the monopine by a qualified RF engineer. DAS is a network of spatially separated antennas. DAS antenna elevations are generally at a lower level and antennas are smaller. A distributed antenna system may be deployed on structures such as light poles to close gaps in coverage. The applicant has not demonstrated that the proposed facility is the least intrusive for covering their coverage gap. As discussed in the issues section, the community may have concerns with the proposed height by the applicant.

2. The proposed wireless telecommunication facility will be located and designed to minimize the visual impact on surrounding properties and from public streets, including adequate screening through the use of landscaping that harmonize with the elements and characteristics of the property and/or stealthing which incorporates the facility with the structure in which it will be mounted through use of material, color, and architectural design.
 - There are a total of 12 panel antennae, which are proposed to be located in 3 sectors (4 panels per sector). The synthetic tree branches, colored to simulate real branches, will feature synthetic leaves. The branches will start from approximately 30 feet above ground level and crown at the top of the tree to a total height of 65 feet. The pole will be wrapped in a synthetic rubber material designed to resemble bark.
3. The proposed wireless telecommunication facility is not located on any residential dwelling or on any property which contains a residential dwelling, except as may be associated with a church, temple, or place of religious worship.
 - The existing project is proposed on a mixed-use property that does not have any residential dwellings on-site. The nearest residential properties are single-family homes located to the south of the subject property.

All of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit, Commission Findings and Decision", Section 9172.23(D), "Site Plan and Design Review, Approval Authority and Findings and Decision", Section 9138.16 (G), "Wireless Telecommunications Facilities, Major Exceptions" and Section 9138.16(H), "Wireless Telecommunications Facilities, Required Findings" can be made in the affirmative for a 45-foot high facility.

Issues of Concern: Zoning Requirements / Conditional Use Permit, Site Plan and Design Review and Wireless Telecommunications Facilities Findings

- Issue – Resident Comments
 - Prior to scheduling this item for a hearing, staff requested the applicant to meet with the residents to the south of the proposed project to address any questions or concerns the residents may have. The applicant has not scheduled this meeting and has provided an explanation letter attached as Exhibit No. 6.
- Issue-Height
 - Since applicant has not provided justification beyond that allowed by the Code, staff has conditioned the project to have a maximum height of 45 feet. If the applicant provides justification for a higher antenna, it will be presented to the Planning Commission at the hearing.

IV. Environmental Review

The proposed wireless telecommunications facility is exempt from the provisions of the California Environmental Quality Act – Section 15332 – In-Fill Development Projects.

V. Recommendation

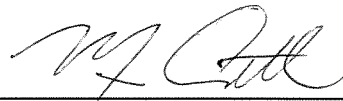
That the Planning Commission:

- **APPROVE** the Categorical Exemption;
- **APPROVE** Design Overlay No. 1564-15 and Conditional Use Permit No. 970-15, subject to conditions of approval attached as Exhibit “B” to the Resolution; and
- **WAIVE** further reading and ADOPT Resolution No._____, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1564-15 AND CONDITIONAL USE PERMIT NO. 970-15 TO CONSTRUCT A 45-FOOT HIGH UNMANNED WIRELESS TELECOMMUNICATION FACILITY DESIGNED AS A PINE TREE (‘MONOPINE’) AT 164 WEST CARSON STREET.”

VI. Exhibits

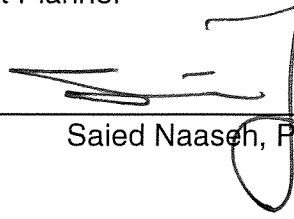
1. Land use map
2. Photosimulations
3. Site Justification Analysis
4. Major Exception Justification Statements, Dated June 25, 2015
5. Justification Email, Dated July 6, 2015
6. Proposed residents meeting – Letter dated June 10, 2015.
7. Resolution
8. Development Plans (Submitted under separate cover)

Prepared by:



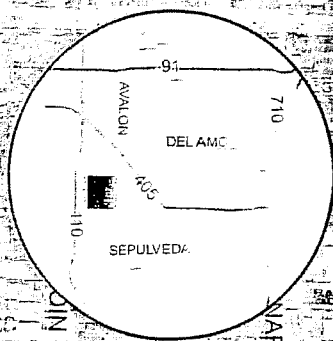
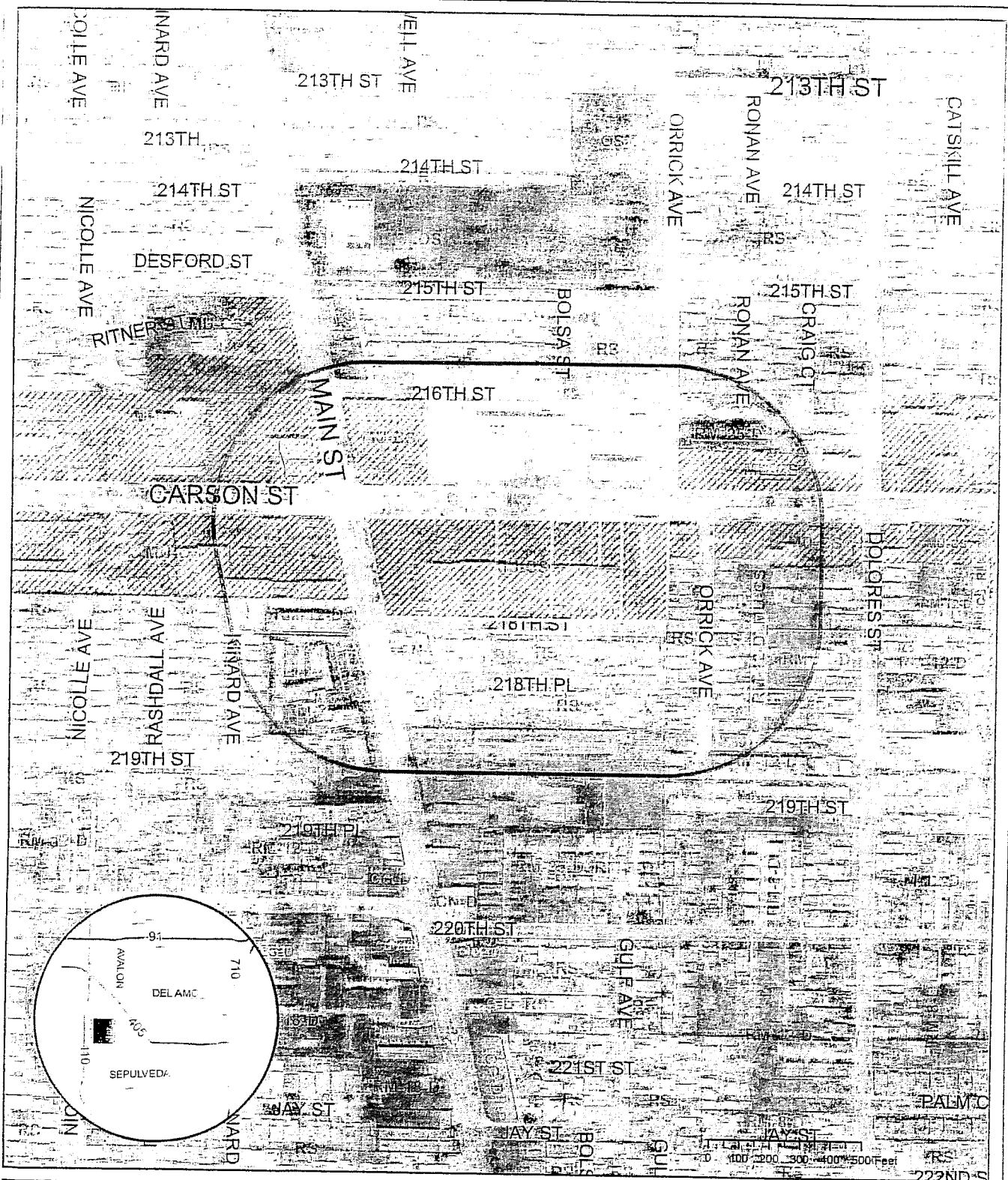
Max Castillo, Assistant Planner

Approved by:



Saied Naaseh, Planning Manager

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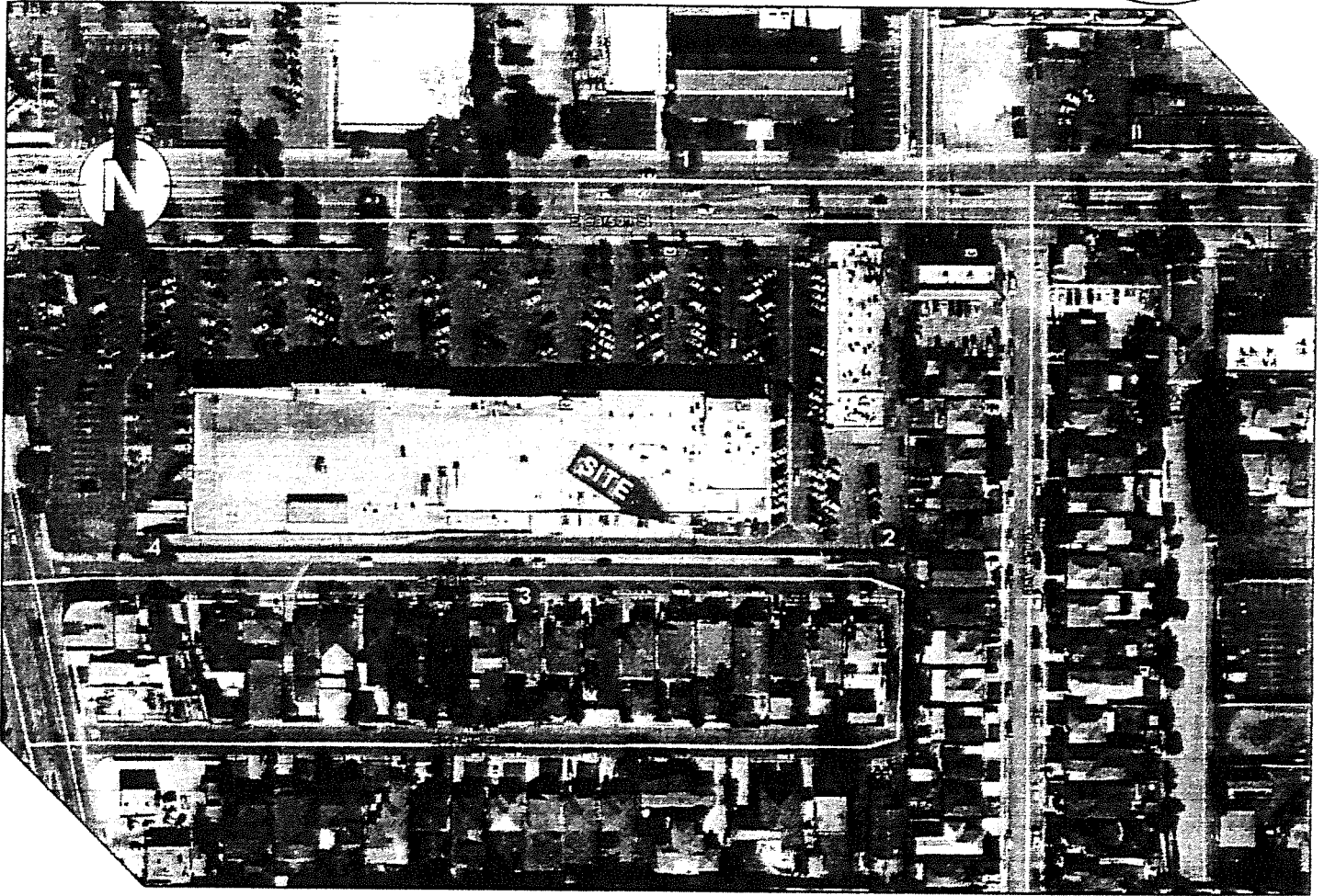
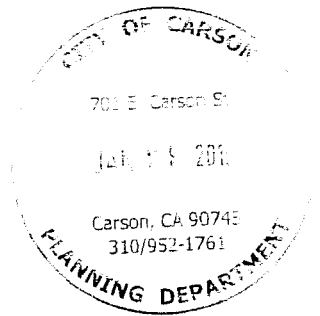


City of Carson
500 Foot Radius Map
21726 Main St. and 100-198 E. Carson St.

Map printed Tuesday, April 14, 2015
 Address: 21726 Main St. and 100-198 E. Carson St.

EXHIBIT NO. 01





TECTONIC

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Carson Park
21726 Main Street
Carson, California 90745

PHOTO
LOG
7288.33

EXHIBIT NO. 02

EXHIBIT NO. 02





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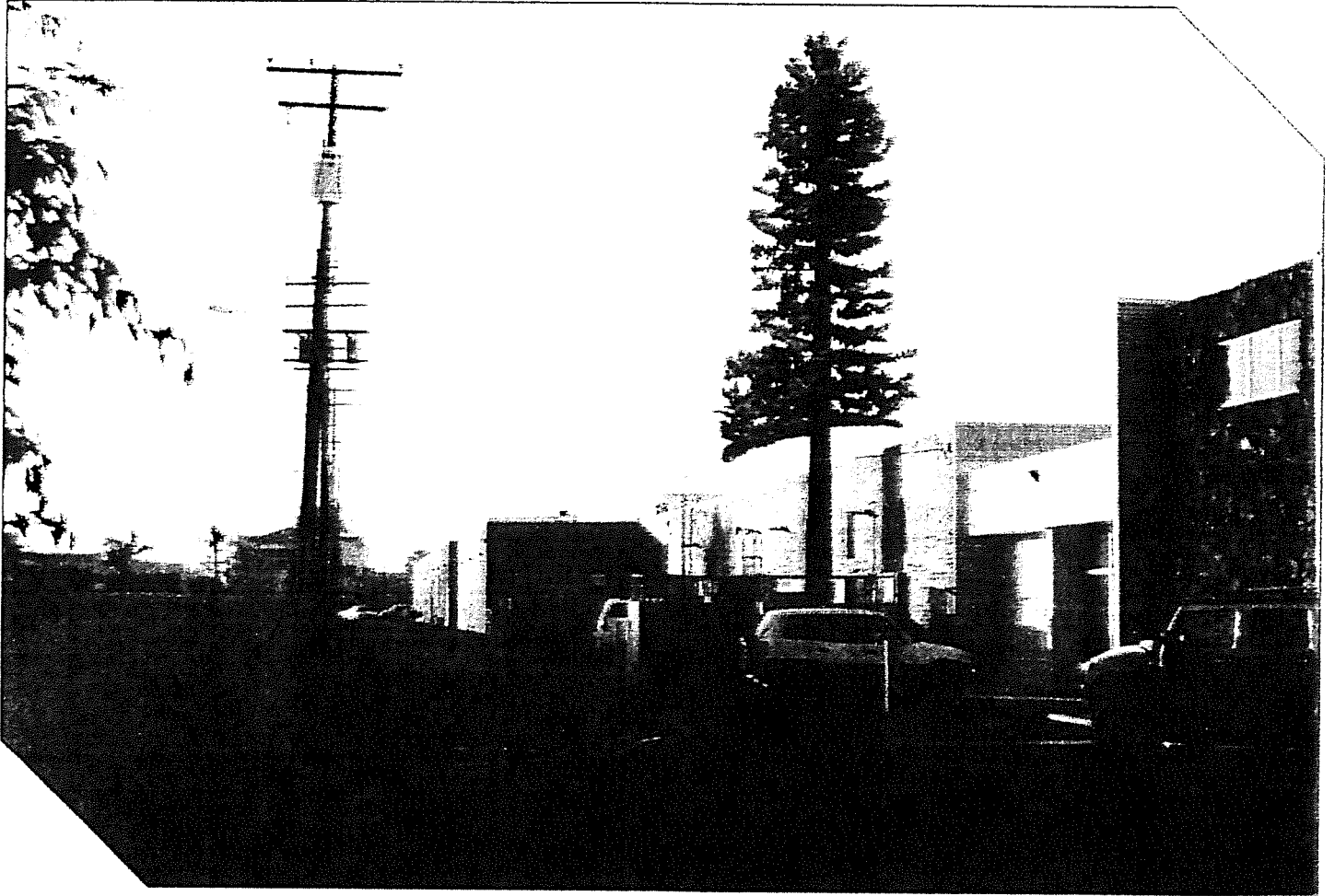
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Looking south toward the proposed monopine.

NOT TO SCALE - RENDERINGS ARE FOR DISCUSSION PURPOSES ONLY

S-1

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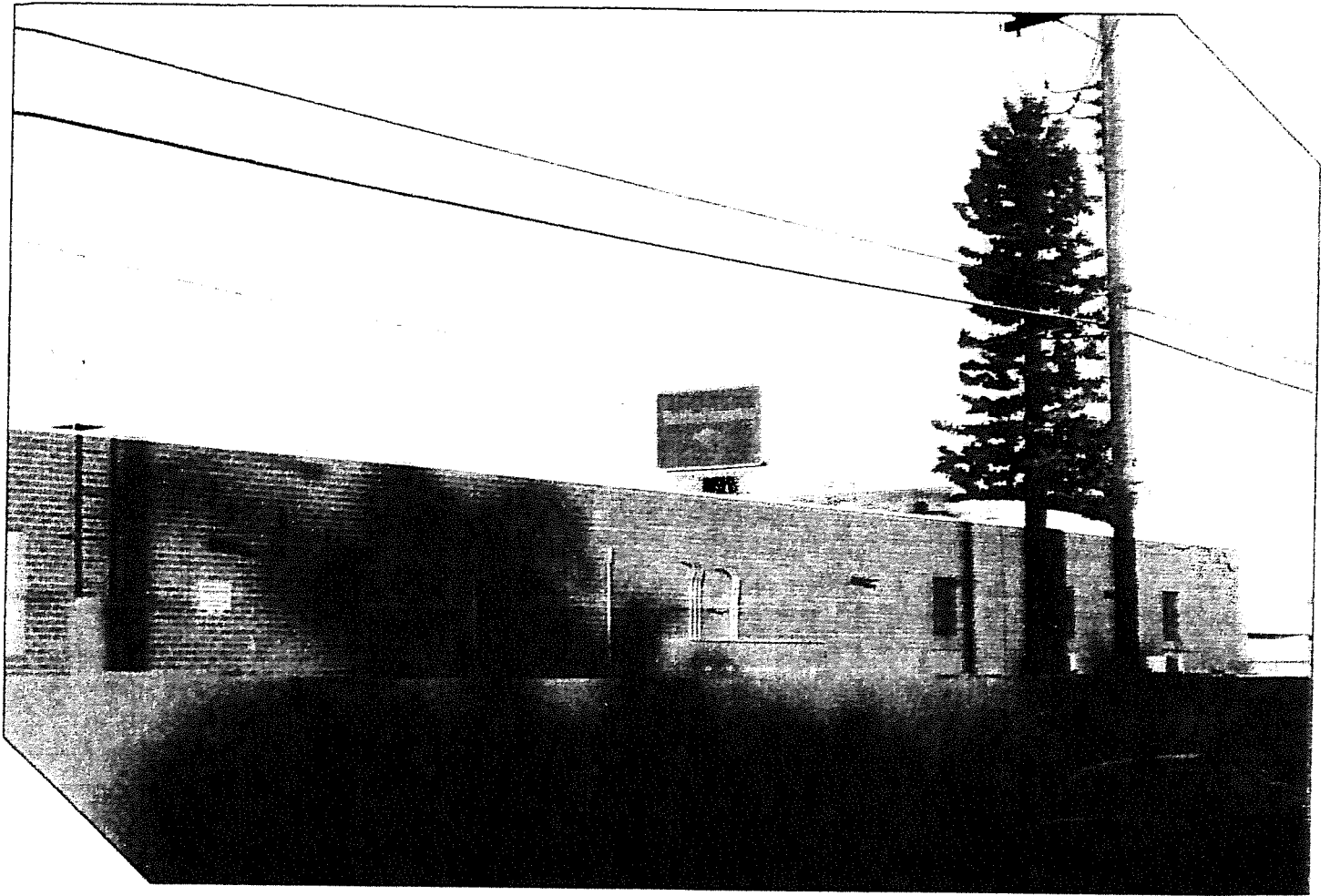
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Looking west toward the proposed monopine.

NOT TO SCALE - RENDERINGS ARE FOR DISCUSSION PURPOSES ONLY

S-2

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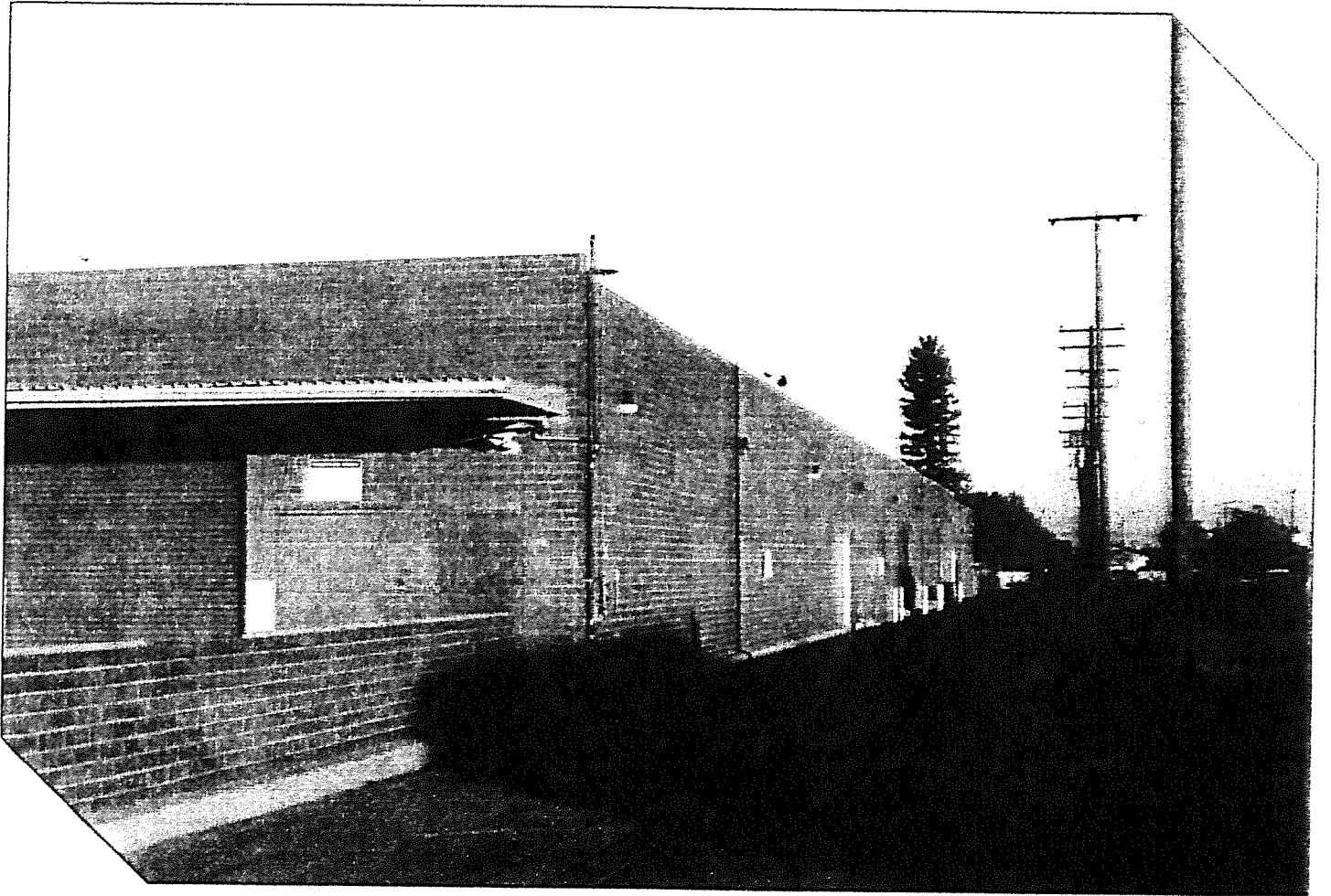
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Looking northeast toward the proposed monopine.

NOT TO SCALE - RENDERINGS ARE FOR DISCUSSION PURPOSES ONLY

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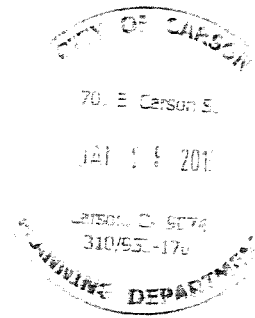
Looking east toward the proposed monopine.

NOT TO SCALE – RENDERINGS ARE FOR DISCUSSION PURPOSES ONLY

S-4

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January 26, 2015

To: City of Carson Planning Department

Subject: Verizon Wireless (VZW) Telecommunications Facility, "Carson Park" Site Justification Analysis

This letter is in reference to the proposed VZW telecommunications facility named "Carson Park" located at 21276 East Carson Street on the south side of the Albertson's Grocery Store. This site is an integral part of VZW's network of services and is designed to facilitate the location dependent nature of cell sites. The Carson Park facility has been designed to provide coverage and adequate call capacity for the surrounding area in combination with existing and planning facilities shown on the facility maps provided as part of the application package.

It is understood that the City of Carson has requested documentation regarding the site selection process. The Carson Park search ring was established to expand wireless coverage within a geographic area determined by Verizon Wireless to have less than optimal service. To correct this deficiency, the following sites were included in the site selection process:

- Carson Library - 151 East Carson Street, Carson, CA 90745. Los Angeles County owns this property; however, the timing and uncertainty associated with leasing property from the County caused VZW to reject this site.
- Carson Park - 21141 Orrick Street, Carson, CA 90745. This location is a community park. While City Parks Department staff indicated a location near the community was possible, VZW rejected the site as surrounding land use is primarily residential.
- Carson Emerald 101 - 117 East Carson Street, Carson, CA 90745. The landlord was interested in entering into a lease agreement; however, there was concern regarding remaining leases on the property relative to the lease terms VZW requires.
- Carson & Main Group - 111 East Carson Street, Carson, CA 90745. The same Carson Emerald 101 property is also owned by this entity. For similar reasons as stated above, VZW elected to reject this site.
- Harbor Community Church - 21739 Dolores Street, Carson, CA 90745. VZW evaluated a rooftop or stealth monopole at this location; however, it is too far outside the search ring.

The preferred site was selected because it is within the search ring and the property owners were willing to enter into lease negotiations with VZW. Further, this is a long term and stable business which VZW has worked with on other transactions. The site is located north of an existing residential area and separated by East 218th Street. To minimize aesthetic concerns, Verizon is proposing to install a monopole at this location that will provide the necessary coverage and be the least visually intrusive of the various WTF stealth designs.

EXHIBIT NO. 03



City of Carson
January 26, 2015
Page 2

Regards,

Ryan Birdseye, Principal
Birdseye Planning Group

BIRDSEYE PLANNING GROUP

1354 York Drive, Vista, CA 92084 | (760) 712-2199 | www.birdseyeplanninggroup.com



Radio Frequency Exposure Pre-Installation FCC Compliance Assessment

Site Specific Information

Site Name	Carson Park	Categorically Excluded?	NO
Street Address	21726 Main St.	1% Contributor To Areas Requiring Mitigation?	NO
City, State, Zip	Carson, CA. 90745	Max % MPE (Predictive)	0.8%
Multi-Licensee Facility	YES	Max % MPE (Measured)	N/A
Structure Type	Monopine	Assessment Date	N/A
Broadcast Equipment	YES	Assessment Purpose	Site Audit
# of Access Points	1	Compliance Status	IN COMPLIANCE

x	Worst-case RF power density levels are BELOW the MPE for Occupational Population/Uncontrolled Environments in accessible areas.
—	Worst-case RF power density levels are ABOVE the MPE for Occupational Population/Uncontrolled Environments but BELOW the MPE for Occupational/Controlled environments.
—	Worst-case RF power density levels are ABOVE the MPE for Occupational/Controlled Environments but BELOW 10x the MPE for Occupational/Controlled environments.
—	Worst-case RF power density levels are ABOVE 10x the MPE for Occupational/Controlled environments.

Compliance Requirements	Guidelines	Notice	Caution	Warning	NOC Information	Barrier
Access Points	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Alpha	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Beta	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Gamma	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>

Additional Compliance Requirements(s):

- Site Access Locations
No action required
- Alpha Sector Location
No action required
- Beta Sector Location
No action required
- Gamma Sector Location
No action required

Consultant Legal Name	Telnet Inc.	Phone/Fax	301-840-7110
Address	7630 Standish Place, Rockville, MD 20855		

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1. Executive Summary

Verizon Wireless has contracted with Telnet Inc., an independent Radio Frequency consulting firm, to conduct a Radio Frequency Exposure (RFE) Compliance **Pre-Installation Assessment** of the Carson Park cell site. The following report contains a detailed summary of the Radio Frequency environment as it relates to Federal Communications Commission (FCC) and Occupational Safety & Health Administration (OSHA) Rules and Regulations for all individuals.

The Verizon Wireless antenna data was provided by:

Name	Emanuel Higgins
Title	Assistant Project Manager
Date	1/20/2015
Region	SFO

This post-installation compliance assessment and report has been prepared and reviewed by:

	Preparer	Reviewer
Name	Shafin Mohammed	Maryam Ovichi
Title	RF Engineer	RF Engineer
Date	01/23/2015	01/23/2015

This report utilizes the following for predictive modeling of the ambient RF environment:

MPE Modeling Program: Roofview 4.15

Required Modeling Assumptions: 100% Duty Cycle and Maximum Total Power Output.

Additional Modeling Assumptions:

General Model Assumptions

In this report, it is assumed that all antennas are operating at full power at all times. Software modeling was performed for all transmitting antennas located on the site. Telnet, Inc has further assumed a 100% duty cycle and maximum radiated power.

The site has been modeled with these assumptions to show the maximum RF energy density. Telnet Inc believes this to be a worst case analysis, based on best available data.

If at any time power density measurements were to be made, Telnet Inc believes the real time measurements would indicate levels below those shown in this report. By modeling in this way, we have conservatively shown exclusion areas (areas not to be entered without a personal RF monitor, carriers reducing power or performing real time measurements to show real time exposure levels).

Use of Generic Antennas

For the purposes of this report, the use of 'Generic' as an antenna model, or 'Unknown' for a wireless carrier, means that the information about the carrier, their FCC license and/ or antenna information was not provided and could not be obtained while on site. In the event of unknown information, Telnet will use our industry specific knowledge of equipment, antenna models and transmit power to model the site. If more specific information can be obtained for the unknown measurement criteria, remodeling of the site is recommended. If no information is available regarding the transmitting service associated with an unidentified antenna, using the antenna manufacturer's published data regarding the antenna's physical characteristics makes more conservative assumptions.

2. Proposed Site Characteristics

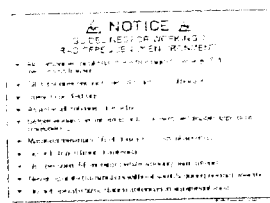

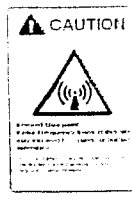
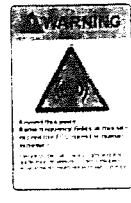
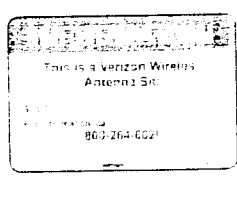
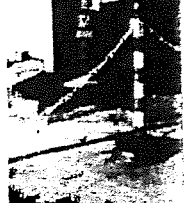
a. Structure

Physical Description	Monopine
Site Latitude (NAD 83)	33.830706
Site Longitude (NAD 83)	-118.275292
Site Elevation (AMSL)	34'
Structure Height (AGL)	55'
Overall Structure Height	65'

b. Accessibility

Open Area

c. Verizon Wireless Signage

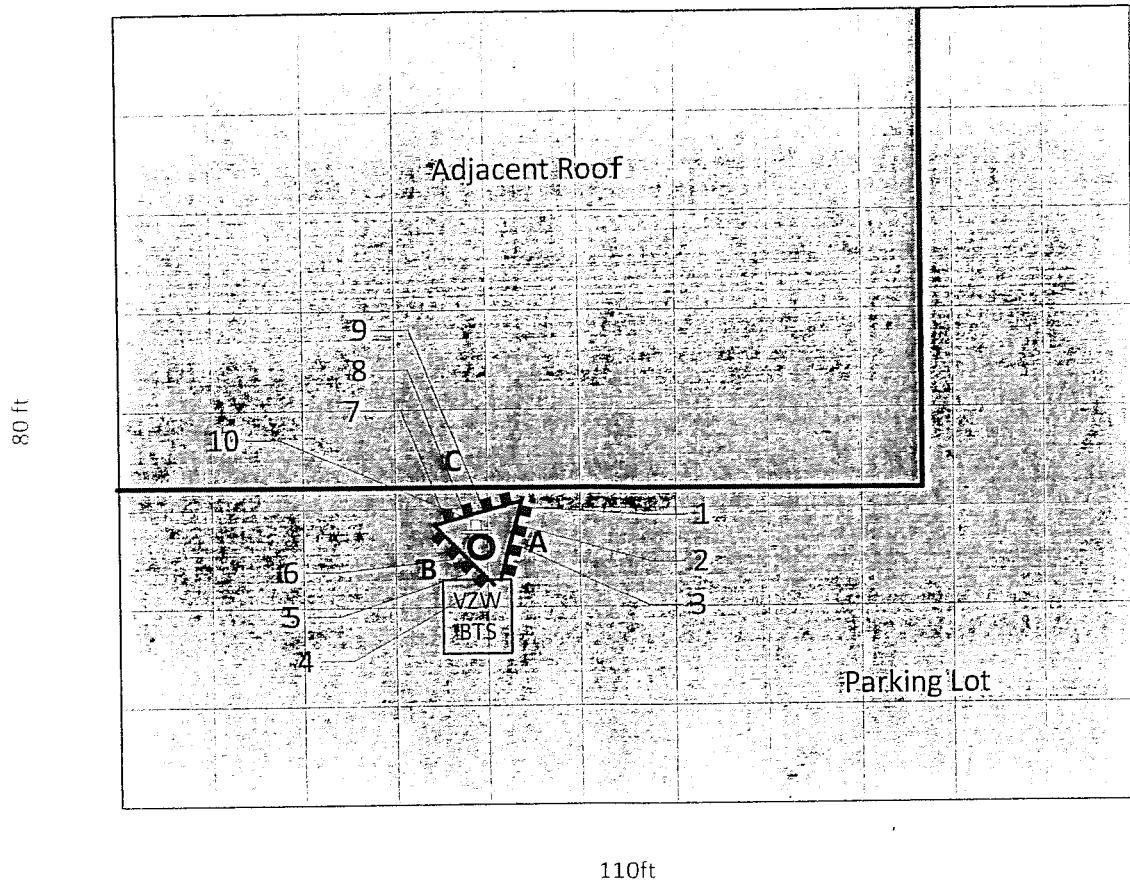
<u>Existing Signage</u>						
	Guidelines	Notice	Caution	Warning	NOC Information	Barrier
Access Points	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Alpha	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Beta	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Gamma	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Existing Signage Adheres to VZW Signage & Demarcation Policy?						N/A

d. Antenna Inventory

Antenna Number	Operator	Type	Tx Freq	ERP	Gain	Model	Azimuth	Length	Horizontal Beam width (Deg.)	X	Y	Z Adjacent Roof (ft)	Z Ground (ft)
			(MHz)	(Watts)	(dBd)		(deg)	(ft)					
1	Verizon	Panel	746	2813	13.7	Commscope SBNHH-1D65C	110	8	66	45.0	30.0	29	51
2	Verizon	Panel	2100	7928	18.2	Commscope SBNHH-1D65C	110	8	63	44.0	28.0	29	51
3	Verizon	Panel	1900	7231	17.8	Commscope SBNHH-1D65C	110	8	65	44.0	26.0	29	51
4	Verizon	Panel	746	2813	13.7	Commscope SBNHH-1D65C	230	8	66	40.0	23.0	29	51
5	Verizon	Panel	2100	7928	18.2	Commscope SBNHH-1D65C	230	8	63	38.0	24.0	29	51
6	Verizon	Panel	1900	7231	17.8	Commscope SBNHH-1D65C	230	8	65	37.0	26.0	29	51
7	Verizon	Panel	746	2813	13.7	Commscope SBNHH-1D65C	350	8	66	36.0	30.0	29	51
8	Verizon	Panel	2100	7928	18.2	Commscope SBNHH-1D65C	350	8	63	38.0	30.0	29	51
9	Verizon	Panel	1900	7231	17.8	Commscope SBNHH-1D65C	350	8	65	40.0	31.0	29	51
10	Microwave	Dish	5000	1268	32	Unknown	0	3	65	39	29.0	25	47

3. Analysis

a. Predictive Model : All Transmitters at Ground Level



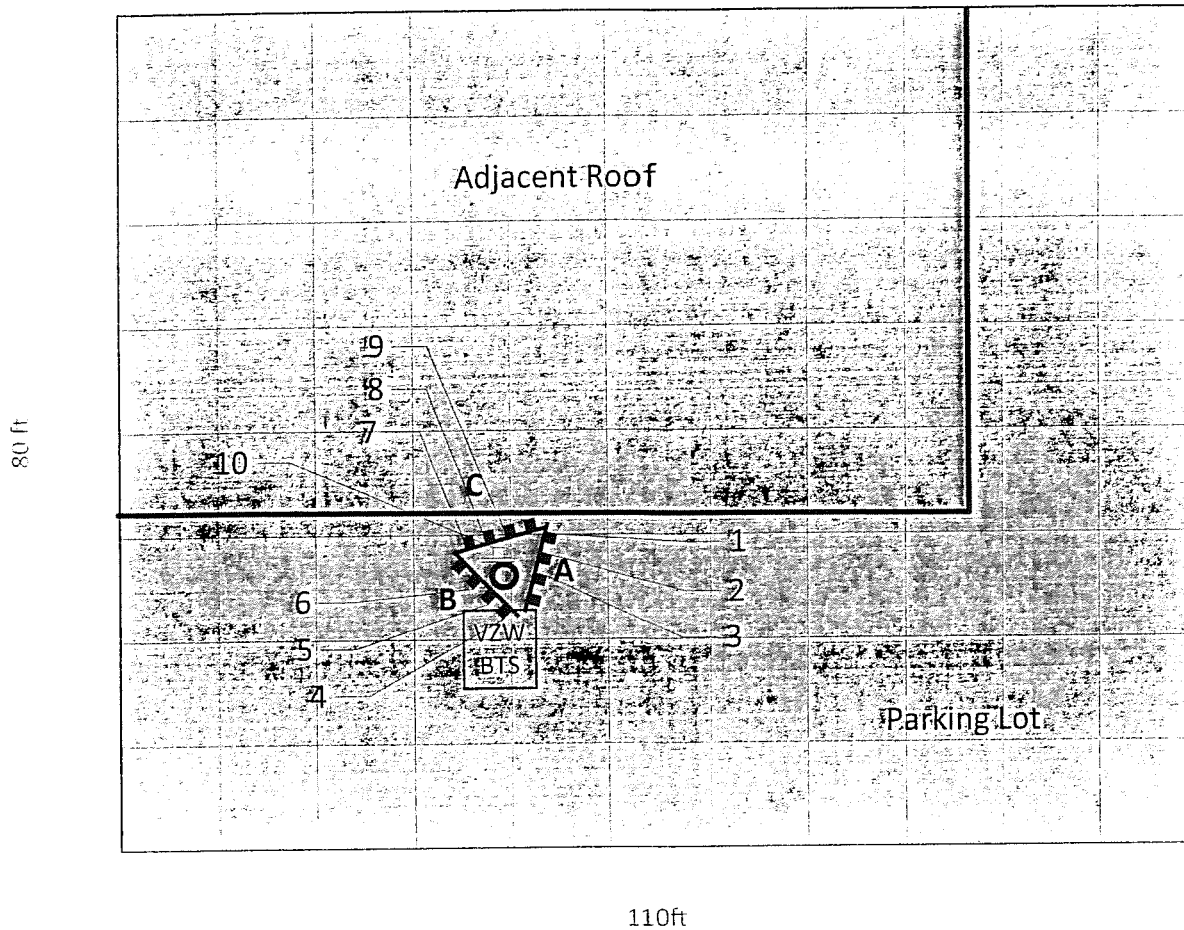
Max Verizon Simulation Level 0.8%

LEGEND:							
CARRIER ANTENNA:	VERIZON	SPRINT	AT&T	METRO PCS	CRICKET	UNKNOWN	
						Exterior Wall	—
						Rooftop Object	—
						RF Screen	---
						Cable Tray	----
						Barrier Area	■
						Anchor Point	●







TELNET, INC. 7530 Standish Place, Rockville, MD 20855, Phone: 888-883-5638 / Fax: 301-840-0162, Web: www.Telnet-Inc.com

Color	% Occupational MPE
	0 to 20
	20 to 100
	Greater Than 100
	Greater Than 1000

b. Predictive Model: Significant Contribution of Verizon Wireless at Ground Level

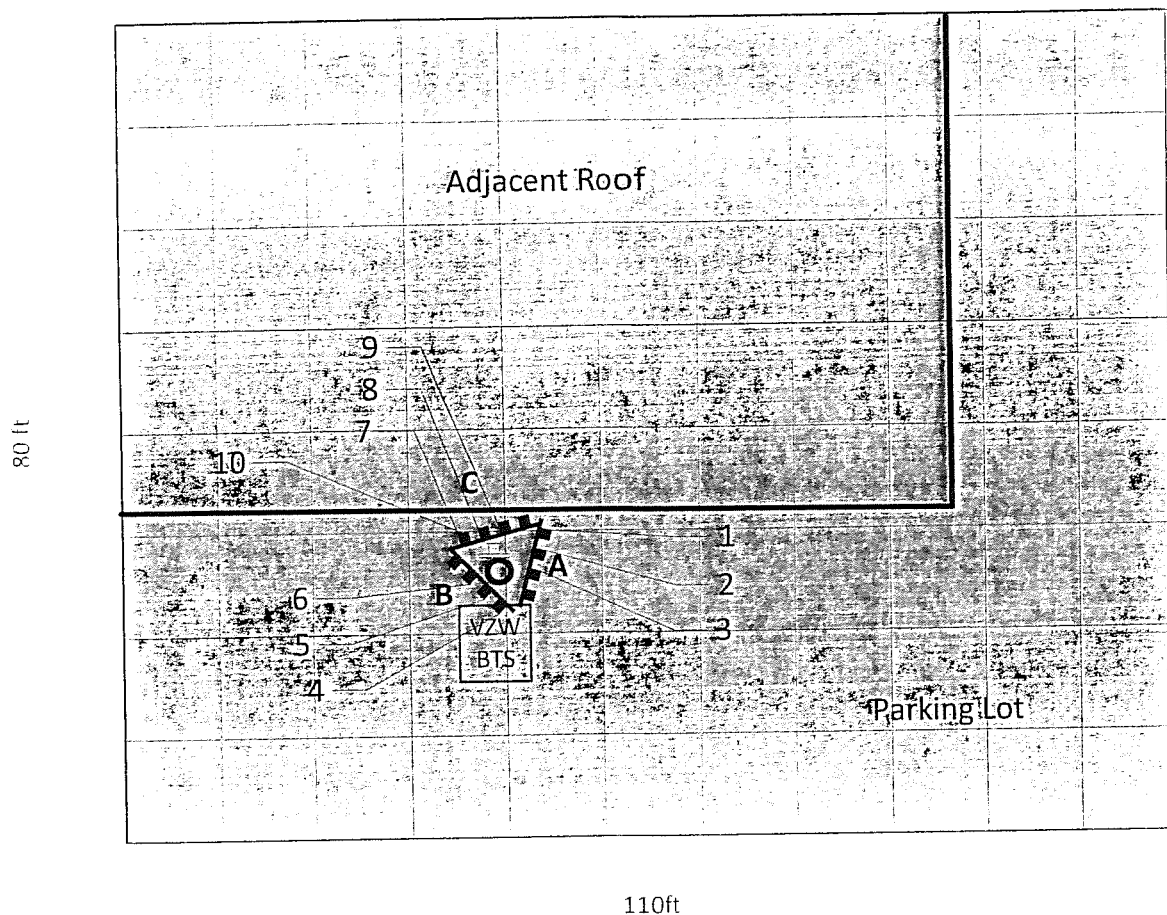


Max Verizon Simulation Level 0.8%

LEGEND:						
CARRIER ANTENNA:	VERIZON	SPRINT	AT&T	METRO PCS	CRICKET	UNKNOWN
				Exterior Wall		
				Rooftop Object		
				RF Screen		
				Cable Tray		
				Barrier Area		
				Anchor Point		
TELNET, INC. 7630 Standish Place, Rockville, MD 20855; Phone: 888-883-5638 / Fax: 301-840-0162; Web: www.Telnet-inc.com						

Color	% Occupational MPE
■	0 to 1
■	> 1%

c. Predictive Model : All Transmitters at Adjacent Level

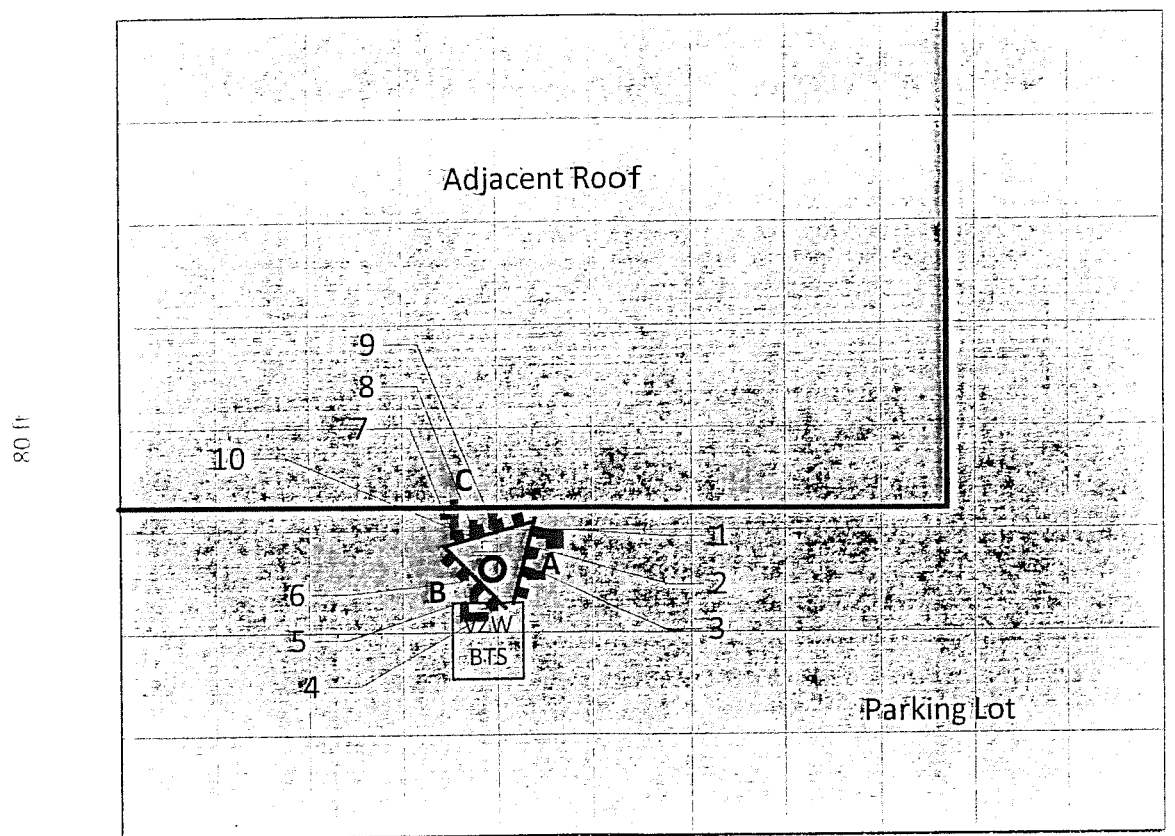


Max Verizon Simulation Level 2.6%

LEGEND:							
CARRIER ANTENNA:	VERIZON	SPRINT	AT&T	METRO PCS	CRICKET	UNKNOWN	
							Exterior Wall
							Rooftop Object
							RF Screen
							Cable Tray
							Barrier Area
							Anchor Point
TELNET, INC. 7630 Standish Place, Rockville, MD 20855; Phone: 888 883 5638 / Fax: 301-840 0162, Web: www.Telnet-Inc.com							

Color	% Occupational MPE
	0 to 20
	20 to 100
	Greater Than 100
	Greater Than 1000

d. Predictive Model: Significant Contribution of Verizon Wireless at Adjacent Level



110ft

Max Verizon Simulation Level 2.6%

10 ft

LEGEND:						
CARRIER ANTENNA:	VERIZON	SPRINT	AT&T	METRO PCS	CRICKET	UNKNOWN
				Exterior Wall	———	
				Rooftop Object	———	
				RF Screen	- - - -	
				Cable Tray	———	
				Barrier Area	———	
				Anchor Point	■	
TELNET, INC., 7630 Standish Place, Rockville, MD 20855; Phone: 888-883-5638 / Fax: 301-840-0162; Web: www.Telnet-Inc.com						

Color	% Occupational MPE
	0 to 1
	> 1%

4. Conclusion

a. Conclusion Narrative

Description of MPE-Limit Exceeding Areas: (Adjacent Roof level)

VZW Alpha sector is not exceeding 20% Occupational population limits
VZW Beta sector is not exceeding 20% Occupational population limits
VZW Gamma sector is not exceeding 20% Occupational population limits

Verizon Significant Contribution Areas: (Adjacent Roof level)

VZW Alpha sector is exceeding 1% Occupational population limits
VZW Beta sector is exceeding 1% Occupational population limits
VZW Gamma sector is exceeding 1% Occupational population limits

Colocator Significant Contribution Areas: (Adjacent Roof level)

Microwave 10 is not exceeding 1% Occupational population limits

Description of MPE-Limit Exceeding Areas: (Ground level)

VZW Alpha sector is not exceeding 20% Occupational population limits
VZW Beta sector is not exceeding 20% Occupational population limits
VZW Gamma sector is not exceeding 20% Occupational population limits

Verizon Significant Contribution Areas: (Ground level)

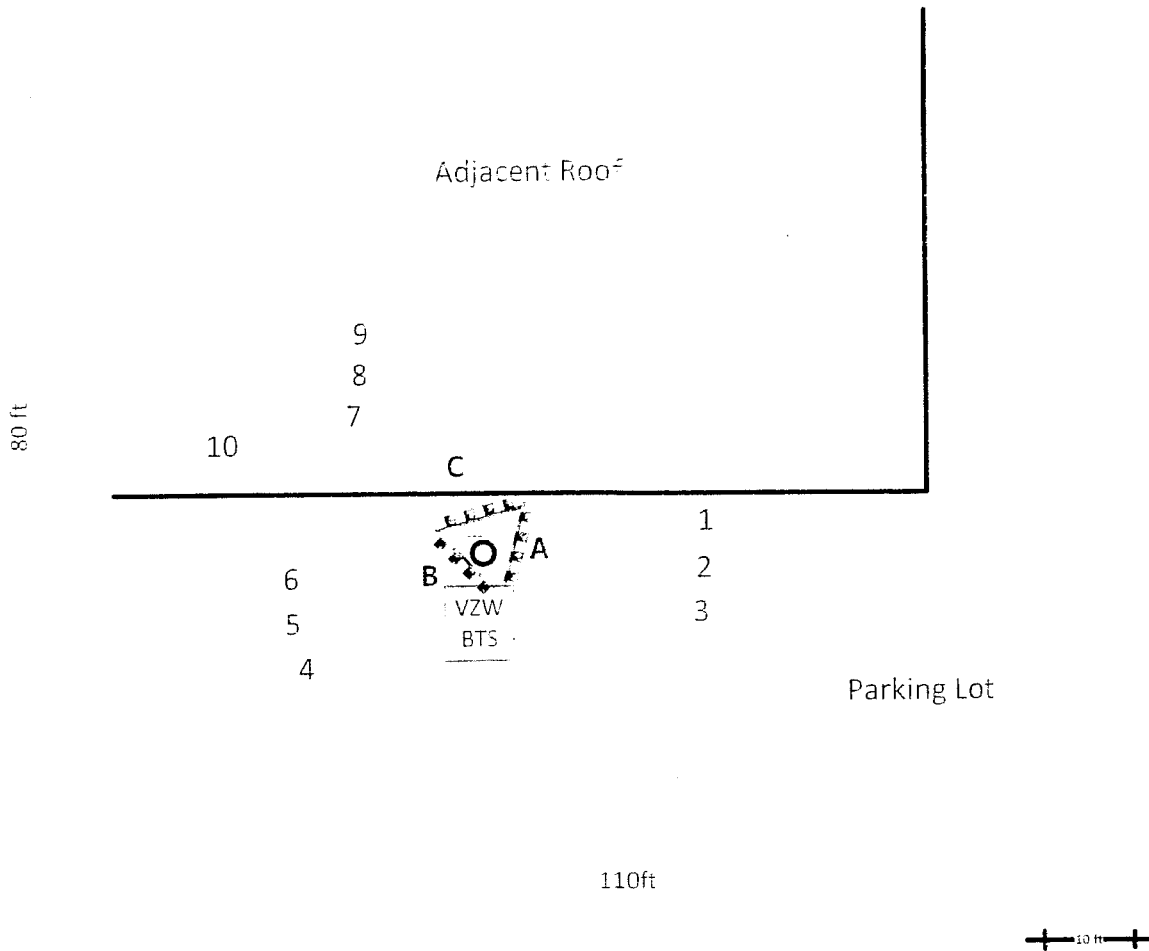
VZW Alpha sector is not exceeding 1% Occupational population limits
VZW Beta sector is not exceeding 1% Occupational population limits
VZW Gamma sector is not exceeding 1% Occupational population limits

Colocator Significant Contribution Areas: (Ground level)

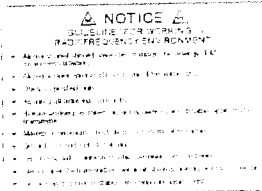


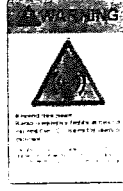
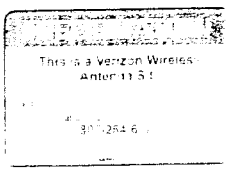
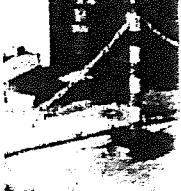
Microwave 10 is not exceeding 1% Occupational population limits

b. Compliance Requirements

Signage/Barrier Diagram



LEGEND:							
CARRIER ANTENNA:	VERIZON	SPRINT	AT&T	METRO PCS	CRICKET	UNKNOWN	
							Exterior Wall
							Rooftop Object
							RF Screen
							Cable Tray
							Barrier Area
							Anchor Point
TELNET, INC. 7530 Standish Place, Rockville, MD 20855; Phone: 888-883-5638 / Fax: 301-840-0162; Web: www.Telnet-inc.com							

Compliance Requirements						
	Guidelines	Notice	Caution	Warning	NOC Information	Barrier
Access Points	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Alpha	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Beta	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>
Gamma	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/> [#]	<input type="checkbox"/>

Signage/Barrier Installation Detail

Site Access Locations

No action required

Alpha Sector Location

No action required

Beta Sector Location

No action required

Gamma Sector Location

No action required

5. Appendix C: RF Consultant Certifications

a. Preparer Certification

I, Shafin Mohammed, the preparer of this report, am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also fully aware of and familiar with the Verizon Wireless Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Shafin Mohammed

b. Reviewer Certification

I, Maryam Ovichi, the reviewer and approved of this report, am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation. I am also fully aware of and familiar with the Verizon Wireless Signage & Demarcation Policy. I have reviewed this Radio Frequency Exposure Assessment report and believe it to be both true and accurate to the best of my knowledge.

Maryam Ovichi

6. Appendix D: Reference Information

a. FCC Rules & Regulations

The Federal Communications Commission (FCC) has established safety guidelines relating to RF exposure from cell sites. The FCC developed those standards, known as Maximum Permissible Exposure (MPE) limits, in consultation with numerous other federal agencies, including the Environmental Protection Agency, the Food and Drug Administration, and the Occupational Safety and Health Administration. The standards were developed by expert scientists and engineers after extensive reviews of the scientific literature related to RF biological effects. The FCC explains that its standards "incorporate prudent margins of safety." The following represents explanations of the most applicable information:

Two Classifications for Exposure Limits

Occupational – Applies to situations in which persons are "exposed as a consequence of their *employment*" and are "*fully aware* of the potential for exposure and can *exercise control* over their exposure".

General Population – Applies to situations in which persons are "exposed as a consequence of their employment *may not be made fully aware* of the potential for exposure or *cannot exercise control* over their exposure". Generally speaking, those without significant and documented RF Safety & Awareness training would be in the General Population classification.

Environment Classification

Controlled – Applies to environments that are restricted or "controlled" in order to prevent access from members of the General Population classification.

Uncontrolled – Applies to environments that are unrestricted or "uncontrolled" that allow access from members of the General Population classification.

<i>Limits for Occupational/Controlled Exposure</i>		
Frequency	Power Density	Averaging Time
Range	(S)	$ E ^2$, $ H ^2$, or S
(MHz)	(mW/cm ²)	(minutes)
300-1500	f/300	6
1500-100,000	5	6
<i>Limits for General Population/Uncontrolled Exposure</i>		
Frequency	Power Density	Averaging Time
Range	(S)	$ E ^2$, $ H ^2$, or S
(MHz)	(mW/cm ²)	(minutes)
300-1500	f/1500	30
1500-100,000	1	30
f = frequency in MHz		

Significant Contribution to the RF Environment

Any carrier contributing an aggregate MPE percentage of 5 or more (to the applicable RF Environment Classification) is defined as a significant contributor. This means that if any area is determined to be out of compliance with FCC rules, all significant contributors are jointly responsible for correcting any deficiencies.

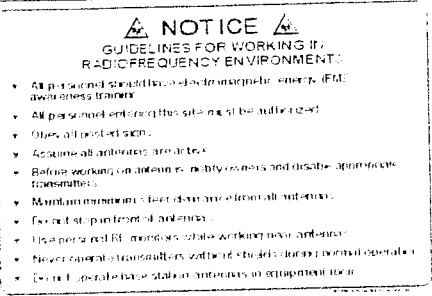
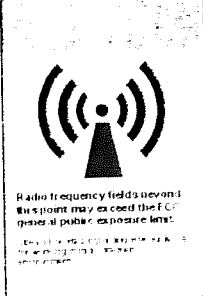
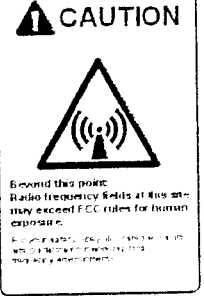
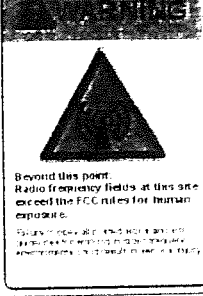
b. Occupational Safety and Health Administration (OSHA) Requirements

A formal adopter of FCC Standards, OSHA stipulates that those in the Occupational classification must complete training in the following: RF Safety, RF Awareness, and Utilization of Personal Protective Equipment. OSHA also provides options for Hazard Prevention and Control:

Hazard Prevention	Control
<ul style="list-style-type: none"> Utilization of good equipment Enact control of hazard areas Limit exposures Employ medical surveillance and accident response 	<ul style="list-style-type: none"> Employ Lockout Tag out Utilize personal alarms & protective clothing Prevent access to hazardous locations Develop or operate an administrative control program

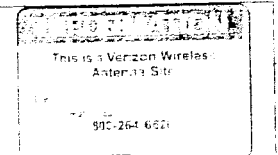
c. RF Signage

Areas or portions of any transmitter site may be susceptible to high power densities that could cause personnel exposures in excess of the FCC guidelines. These areas must be demarcated by conspicuously posted signage that identifies the potential exposure. Signage MUST be viewable regardless of the viewer's position.

GUIDELINES	NOTICE	CAUTION	WARNING
Used anytime hazard signage is employed to achieve FCC compliance. This sign will inform visitors of the basic precautions to follow when working around radiofrequency equipment.	Used to distinguish the boundary between the General Population/Uncontrolled and the Occupational/Controlled areas. The limits associated with this notification must be less than the Occupational/Controlled MPE.	Identifies RF controlled areas where RF exposure can exceed the Occupational/Controlled MPE but below 10 x the Occupational/Controlled MPE.	Denotes the boundary of areas with RF levels substantially above the FCC limits, normally defined as those greater than ten (10) times the Occupational/Controlled MPE.
			

INFORMATION SIGN

Information signs are used as a means to provide contact information for any questions or concerns. They will include specific cell site identification information and the Verizon Wireless Network Operations Center phone number.



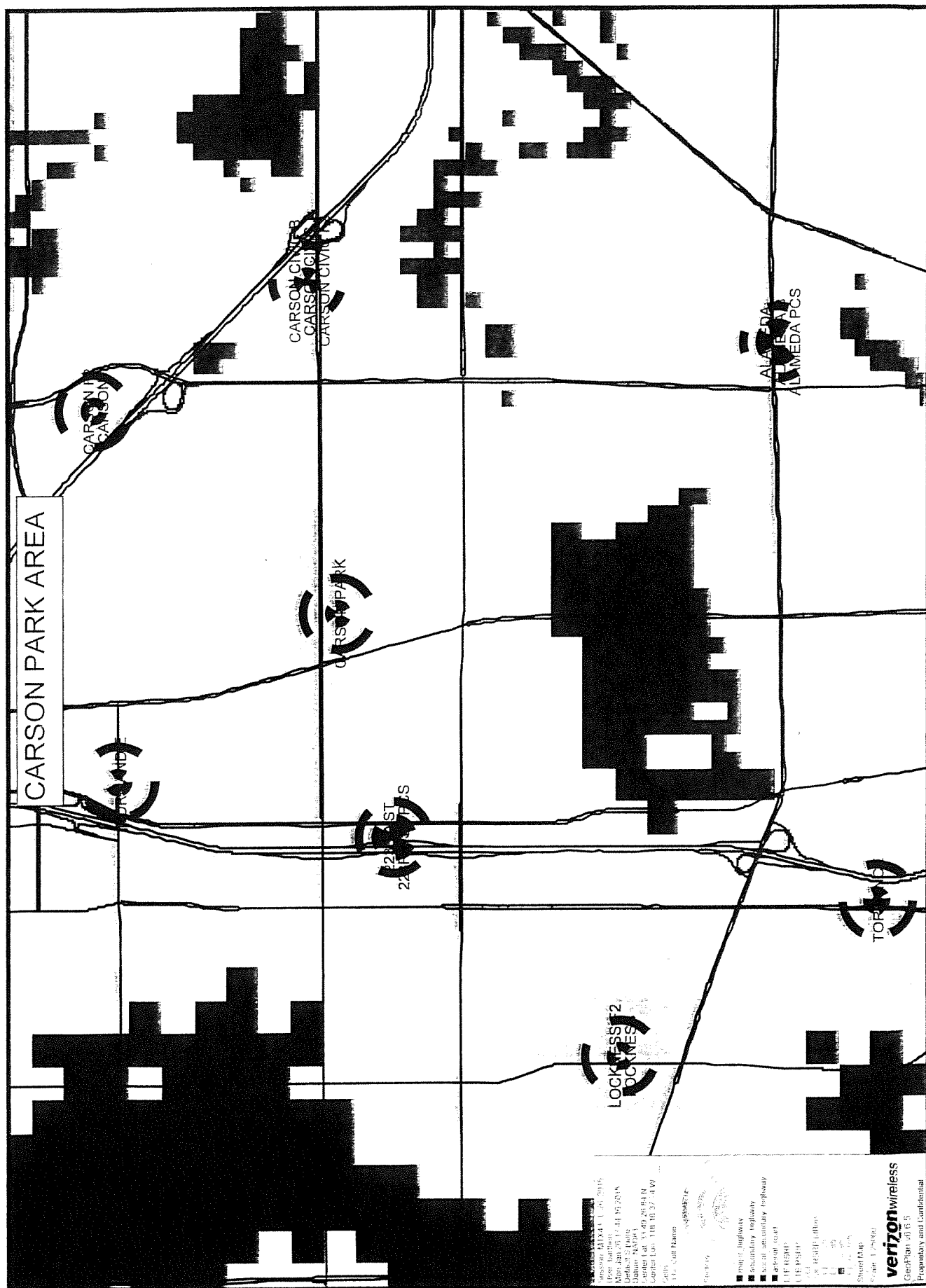
d. Barriers

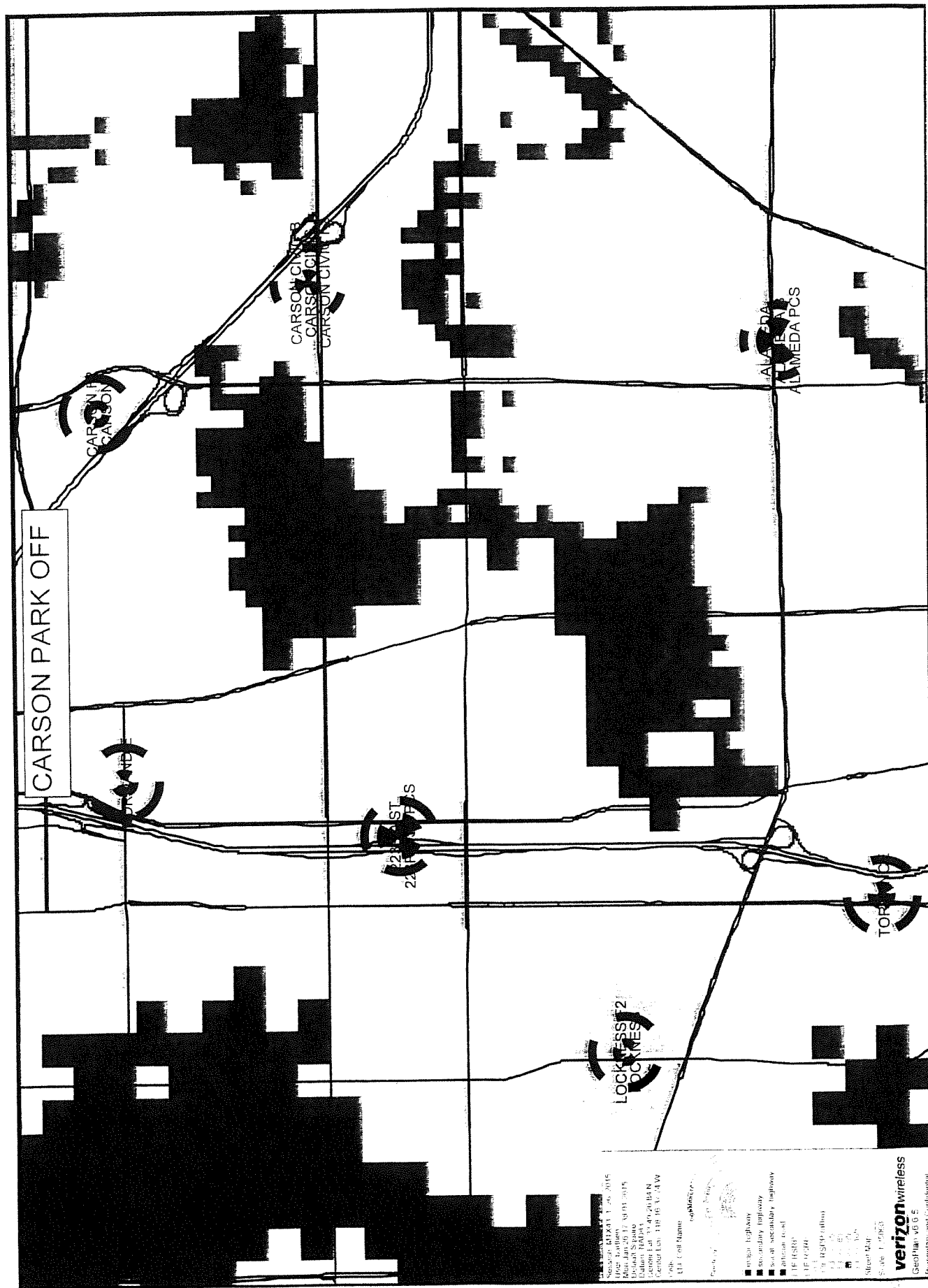
A barrier is any physical demarcation employed as a preventative and/or notification measure that one is entering into an area with RF power density levels greater than the General Population/Uncontrolled limit.



CITY OF CARSON
701 E. Carson St.
JAN 29 2012
Carson, CA 90745
310/954-1751
PLANNING DEPARTMENT







2081 Business Center Drive, Suite 219
Irvine, CA 92612(949) 502-8555 FAX: (949) 502-8557
www.tectonicengineering.comJune 25, 2015
Revised July 6, 2015Conditional Use Permit No. 970-15
City of Carson
Wireless Telecommunication FacilityAlbertson's Grocery Store
21726 Main Street, Carson, CA
APN 7335-001-024
Proposed Verizon Wireless Telecommunication Facility
Site Number 278051

Section 9138.16(G)(1)(b) Findings:

- (1) If the applicant seeks the major exception to service the applicant's gap in service, the applicant shall submit an explanation and supporting engineering data establishing that a tower or antenna as proposed is technologically necessary.

As allowed per code, a transmitter, receiver or repeater station (radio, television, microwave) tower may exceed the height limits for the zoning district if such height is approved in connection with a conditional use permit. The purpose of the project is to fill a coverage gap identified by Verizon Wireless for the area surrounding the Main Street/East Carson Street intersection. The gap in service is depicted in the coverage maps provided as part of the Conditional Use Permit application and are attached with this letter for your review. As shown, a red color is limited or no wireless coverage, yellow is marginal coverage and green is good coverage. Coverage without the project is shown in Attachment 1 as all red. The antenna array was designed to be at the lowest possible height to achieve the Radio Frequency (RF) Engineering objectives for this facility. This includes creating a line of sight connection with the nearest towers and transmitting/receiving RF signals over the top of the adjacent grocery store building. Coverage with the project is shown in Attachment 2. As depicted, the coverage is improved with the new facility; however, areas of marginal (yellow) coverage will remain with the facility. The stealth mono-pole was selected as the preferred design because it will shield the appearance of the antennas and provide a balancing effect relative to the overall bulk of the tower structure. The requested height (65') is needed in part to accommodate the tree design and taper which provides a natural appearance at the top.

- (2) If the applicant seeks the major exception to accommodate the establishment of a co-located facility, the applicant shall demonstrate that conformance with the code would require installation of a new freestanding communication facility or other less desirable facility.

No existing wireless towers are located within the search ring that would provide collocation opportunities. Thus, collocation was not evaluated as a siting option for this facility. The proposed project has been designed to be visually compatible with existing uses in proximity to the site.

- (3) If seeking a major exception from height standards set forth herein, the applicant shall demonstrate that the proposed height is designed at the minimum height necessary. The applicant shall specifically include an analysis comparing the operation of the facility at its proposed height with its operation at the maximum height permitted herein. The purpose of this analysis is to ensure that additional height is permitted only when technologically necessary for the provision of services. Further the applicant shall certify that the facility shall not cause a hazard to aircraft.

The application material included a set of coverage/propagation maps that show Verizon's wireless coverage within Carson and neighboring jurisdictions. It is the applicant's intent to minimize the number of individual towers by constructing taller towers as the network is built out within the service area. The tower height is designed to fill the gap between the proposed site and the nearest towers. Towers that are taller than needed cost more and do not provide any additional benefit. A shorter tower would not fill the gap and additional towers would be needed to achieve Verizon's coverage objectives. A tower that is consistent with the height allowed in the zone would not transmit/receive signals over intervening buildings; and therefore, would not be effective. The tower would be 65 feet in height. The RAD center, or center of the antenna panels would be 55 feet. The panels are 8 feet tall so the highest point on the tower necessary for operation is 59 feet. The additional 6 feet in height is dedicated to the tree taper to ensure a conical appearance. At 65', the tower does not pose a danger to aircraft.

- (4) Locating the antenna in conformance with the specifications of this Section would obstruct the antenna's reception window or otherwise excessively interfere with the reception, and the obstruction or interference involves factors beyond the applicant's control and relocation is not an option.

As stated above, a 30 foot tall tower would not transmit/receive signals over the intervening structures particularly to the north. The Albertson's Grocery Store building is approximately 30 feet tall; thus, a tower of the same height would have antenna arrays below the building height. This would block the signal from towers to the north such as those located at the South Bay Pavilion Mall and the Normandie facility located to the northwest. Multiple sites were evaluated within the search ring as documented within the application package. The proposed site was selected because it is secluded in a loading/utility area behind the existing grocery store building. Regardless of the location in the search ring, the height proposed would be the same as proposed to meet coverage objectives.

- (5) The visual impacts are negligible because the facility is designed to architecturally integrate with the surrounding environment.

The facility is located within a utility/loading area behind the Albertson's Grocery Store. This site was selected as the preferred option because it avoids public areas associated with Carson Library and Carson Park which were also evaluated. It is also screened from East Carson Street as well as Main Street to the west. However, the site is located in proximity to residential areas to the south across East 218th Street. The intervening concrete wall would screen the tower base and equipment cabinets; however, the facility would be visible from these residences. The mono-pine structure was selected because it would meet the service objectives and allow for future collocation; however, it is also the least intrusive from an aesthetic perspective.

(6) Granting a major exception shall conform to the spirit and intent of this zoning code.

The proposed project is allowed subject to a Conditional Use Permit. The applicant has designed to facility to meet coverage objectives while ensuring the least visually intrusive structure is developed. The site was selected to avoid public areas located to the north and minimize visual changes to the residential neighborhood to the south. The project incorporates stealth requirements stipulated in Section 9138.16 of the Carson Municipal Code.

(7) Granting the major exception will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

As designed, the mono-pine is the least visually intrusive option for development of a wireless telecommunication facility at this location. The facility was placed as far away from the residential area as possible and integrated into the loading/utility area behind the Albertson's Grocery Store. The top of the tower will be visible from East Carson Street and Main Street; however, it will be screened in part by the street trees located along these corridors. The facility would be visible from the residential area to the south; however, as noted, the mono-pine design was selected because it is the least visually intrusive. Granting the major exception will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

Section 9138.16(H) Findings:

1. The proposed site is the least intrusive after considering collocation with another facility, other networks available such as distributed antenna systems, and location at another site. If located in the public works right-of-way or on City-leased property, the facility must meet the requirements of the Engineering Division

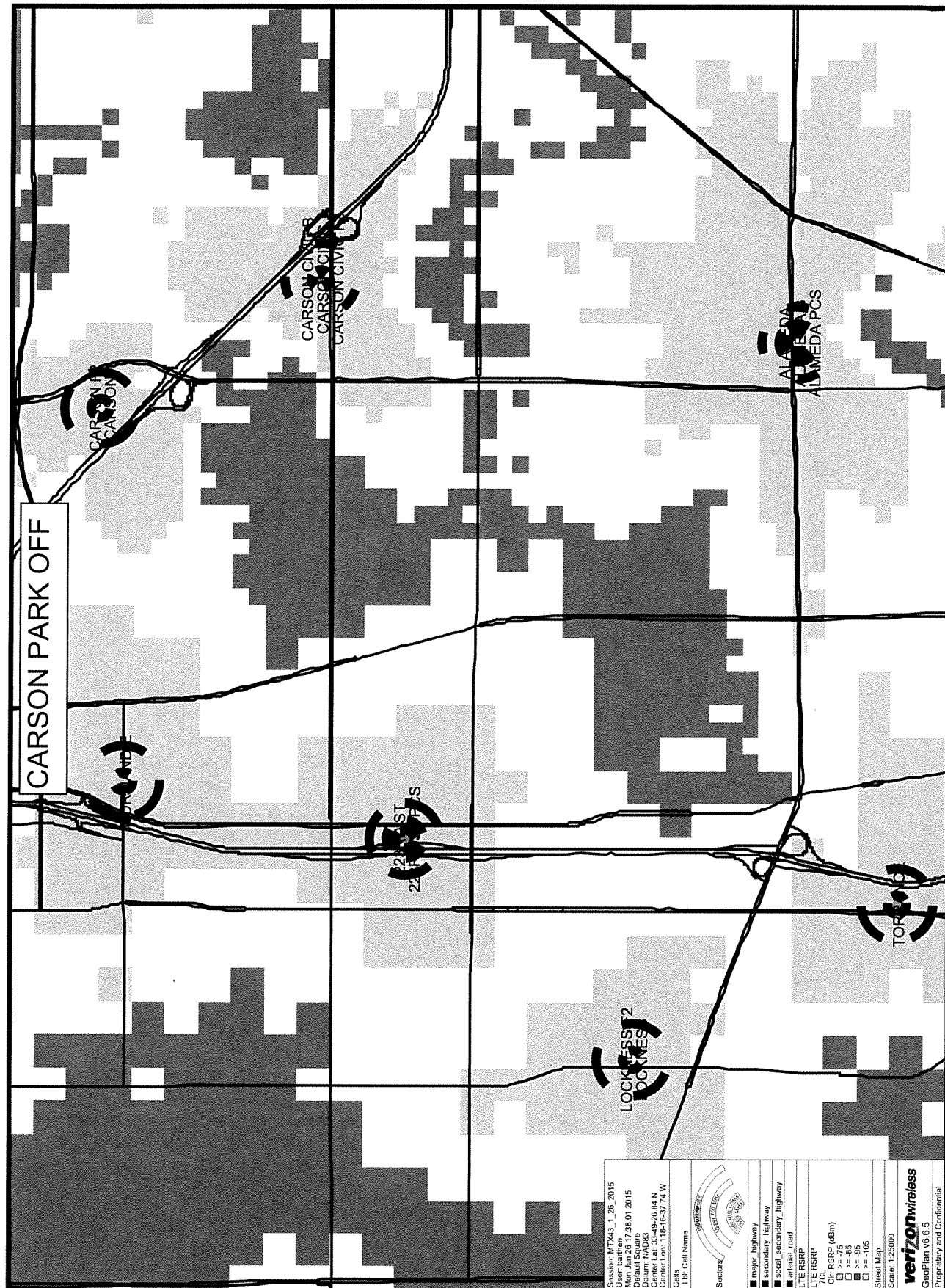
As referenced, the applicant considered collocation opportunities as part of the site selection process; however, none are available in the search ring. A DAS would not meet the coverage and capacity objectives of the network and was not considered as a design option. The subject property provides the best option within the search ring. It avoids public areas in proximity to Carson Park and the Carson Library and is screened from East Carson Street and South Main Street. The mono-pine design was selected to provide the least visually intrusive option to minimize the visual change for residents located south of the site. The project is not located within a public right of way or on City-leased property.

2. The proposed communication facility will be aesthetically compatible, located and designed to minimize the visual impact on surrounding properties and from public streets, including adequate screening through the use of landscaping that harmonizes with the elements and characteristics of the property and/or stealth which incorporates the facility with the structure in which it will be mounted through use of material, color and architectural design.

The facility was placed as far away from the residential area as possible and integrated into the loading/utility area behind the Albertson's Grocery Store. The project site avoids public areas in proximity to Carson Park and the Carson Library which were evaluated as siting options and is screened from East Carson Street and South Main Street. The mono-pine design was selected to provide the least visually intrusive option to meet service objectives and minimize visual changes.

3. The proposed communication facility is not located on any residential dwelling or on any property which contains a residential dwelling, or any property wherein a person resides, except as may be associated with a church, temple or place of religious worship.

The project is not proposed for construction on a residential dwelling, a property where a person resides nor are there residences located on the subject property.



Session: MTX43_1_26_2015
 User: barfien
 Run: Jan 26 17:38:01 2015
 Datum: NAD83
 Center Lat: 33-49-26.84 N
 Center Lon: 118-16-37.74 W

Cells:
 Ltr: Cell Name

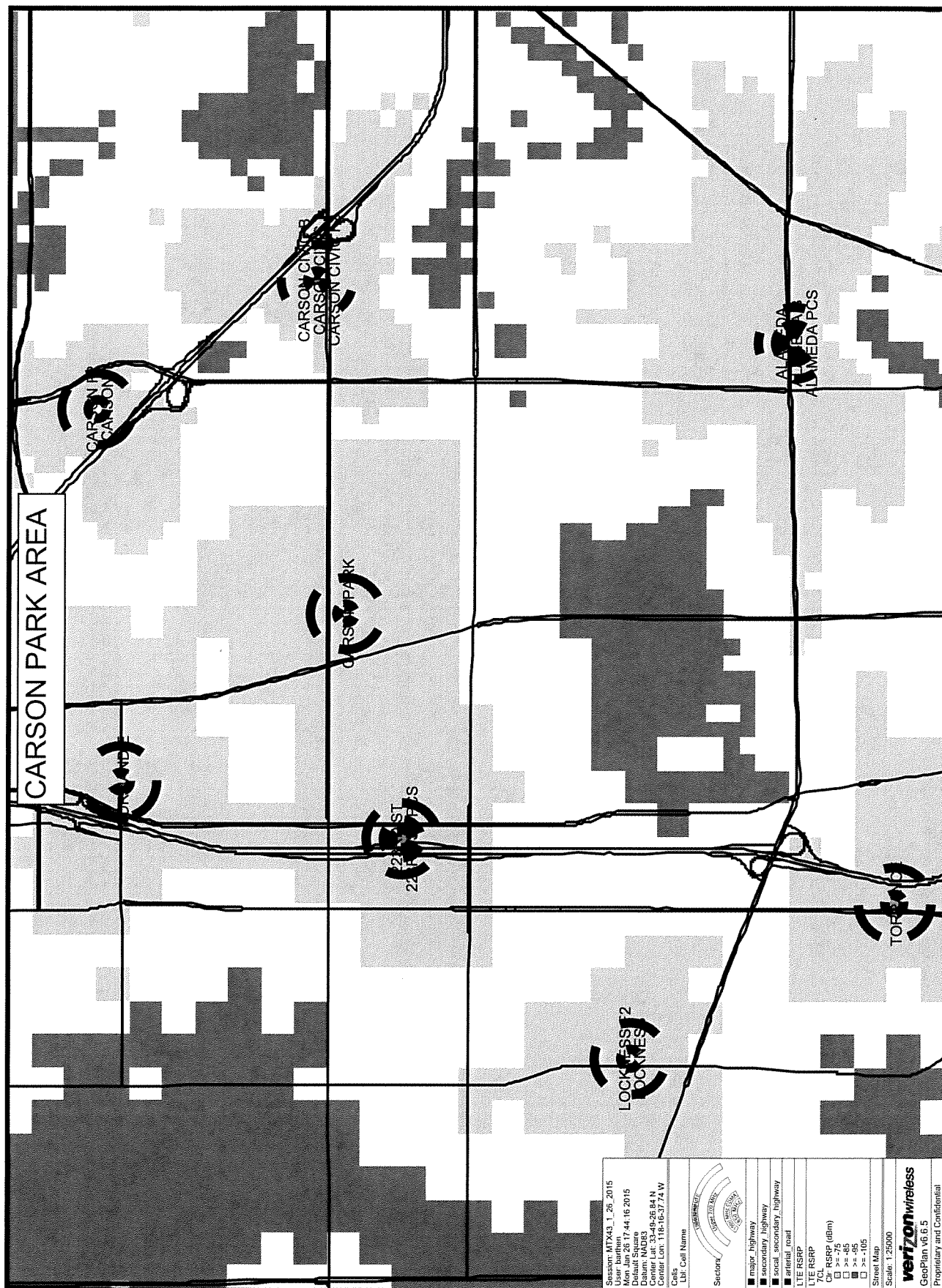
Section:

- major highway
- secondary highway
- local secondary highway
- arterial road
- arterial road

LTE RSRP
 7CL
 Or RSRP (dbm)
 >= -75
 >= -80
 >= -85
 >= -90
 >= -105

Street Map
 Scale: 1:25000

verizonwireless
 GeoPlan v6.6.5
 Proprietary and Confidential



Saied Naaseh

From: Ryan Birdseye <Ryan@birdseyeplanninggroup.com>
Sent: Monday, July 06, 2015 9:03 PM
To: Christy M. Lopez
Cc: Saied Naaseh
Subject: RE: Carson WCF proposal

Good evening –

Our preference at this point is to not ask for a continuance based on the following –

1. The propagation maps provided, specifically, Attachment 2 shows wireless coverage with the project. As shown, even with the project, there's a deficiency in coverage (depicted in yellow) between the proposed site and the hand off site to the west along I-110. To the east, there's a large area of poor coverage (depicted in red) between the yellow area, the Carson City Hall area and the hand off site along I-405. To completely fill this gap, VZW would need a taller facility than what is proposed at the Carson Park site. If the project as proposed is reduced in height, portions of the yellow will turn red and an additional facility will be required east of the proposed site to close the gap. The project is designed to avoid the proliferation of towers within the City of Carson.

Preparing maps showing a shorter tower will depict larger yellow and red areas. Thus, it is clear from the applicant's perspective that we have demonstrated a significant coverage gap. Continuing the hearing at this point will not change the circumstances – we're prepared to make a presentation to the Planning Commission that shows the coverage gap and justifies need for the project.

2. The other question that was raised references construction of a DAS. DAS antennas are approximately 28' in height and have a 300' operational radius. They are designed to be part of a dense communication network. They are not designed to cover the area we need to close the gap in coverage nor are they tall enough to transmit/receive over intervening structures. Thus, a DAS would not work at this location and was not evaluated an option.

As we discussed, the project is approaching the shot clock deadline which is on or about July 17, 2015. With the exception of the appeal period, resolution of this project at the July 14, 2015 PC hearing would avoid a shot clock violation per the Spectrum Act Order. I trust this addresses questions raised late this afternoon. If you need additional information, please let me know.

Regards,

Ryan Birdseye, Principal

1354 York Drive

Vista, CA 92084

(760) 712-2199

ryan@birdseyeplanninggroup.com



EXHIBIT NO. 05





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June 10, 2015

Mr. Saied Naaseh
Planning Manager
City of Carson
701 E. Carson Street
Carson, CA 90745

RE: Statement of Concern regarding Verizon Wireless Carson Park Site Conditional Use
Application CUP No. 970-1521726/DOR No. 1564

Dear Mr. Naaseh:

This letter was prepared in response to our June 8, 2015, telephone conversation regarding the above referenced project application. The initial application was submitted on January 29, 2015. A Notice of Incomplete (NOI) letter was provided by the City of Carson on February 27, 2015. The letter requested several items which were provided in a resubmittal package submitted on March 17, 2015. An e-mail was received from Mr. Max Castillo, Assistant Planner, on April 2, 2015, stating the application was preliminarily complete. Mr. Castillo sent another e-mail on April 9, 2015, stating that per the Planning Manager, the best possible public hearing date would be June 9, 2015. An e-mail was sent to Mr. Castillo on May 5, 2015, inquiring about the status of the staff report. A reply was received on May 14, 2015, informing our team that because there are new planning commissioners, staff had reservations about scheduling the project for hearing on June 9, 2015. It was explained that staff is of the opinion that the Planning Commission would be more likely to approve the project if they knew there were no concerns from neighboring residents to the south and recommended the applicant meet with the residents prior to scheduling the hearing to address questions or concerns. Subsequent e-mails were sent to Mr. Castillo and yourself on May 18, 2015, May 21, 2015, requesting detailed direction on the process and protocol for holding meetings with residents independent of the discretionary review process. Voice mails were left for both of you on May 19, 2015. You replied via e-mail on May 25, 2015, stating in summary that a meeting with the residents was necessary to assist the City in determining whether the proposed site was appropriate for the project. A reply was sent May 26, again requesting details on the process and protocol for meetings with residents and referenced 150-day shot clock provisions within the Spectrum Order Act. An e-mail was sent on June 4, 2015, again requesting information from the City on the meeting process. You sent a reply on June 6, 2015, stating our team had to set a meeting on our own at a location of our choice and that this would not be a city event. A chronology of all e-mail correspondence will be provided if requested.

As communicated to you and Mr. Castillo, there is no provision in the Carson Municipal Code (CMC), wireless telecommunication facility code section or Development Application process requiring an applicant to organize and hold informal public meetings to receive comment on discretionary review applications. Section § 9173.21 of the CMC states that: "All required

PLANNING . ENGINEERING . CONSTRUCTION AND PROGRAM MANAGEMENT

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EXHIBIT NO. 06



hearings shall be held, in the first instance, by the Commission. The Director shall set the time and place for Commission hearing. Any hearing on appeal from a Commission action, or other required hearing subsequent to a Commission hearing shall be held by the Council." Referring to California Government Code Section § 65091, a public hearing is the appropriate legal setting where a wireless telecommunication facility application for a conditional use permit can be heard for public comment and consideration. It is Verizon Wireless' position that the legal course of action is to have our case presented before the Planning Commission and public at the next available public hearing.

The applicant is not opposed to meeting with residents; however, it is our position that the proper forum for initially addressing this matter is at a public hearing held consistent with provisions of the Brown Act. All concerns raised can be properly heard and recorded. As we have stated, if concerns are raised, the applicant is willing to continue the hearing until the issues have been addressed in partnership with City staff and residents.

With respect to the Telecommunication Act of 1996, the 2009 Federal Communication Commission (FCC) shot clock ruling and Spectrum Act Order, there is specific protocol which must be followed when reviewing wireless telecommunication facility applications. The applicant addressed the comments contained in the February 27, 2015, NOI letter. The letter did not request a meeting with the residents nor was the request received within the 10-day response period allowed under the Spectrum Act Order after our resubmittal on March 17, 2015. In fact, we did not receive this request until two days before the notices were to go out for the June 9, 2015, Planning Commission hearing. Please note that the 150-day shot clock period for approving this application is on or about July 17, 2015. Given the 15-day appeal period after the public hearing, the shot clock requirements will not be met.

In interest of moving this process forward, we respectfully request that our item is placed on the July 14, 2015, Planning Commission agenda. Thank you in advance for your continued consideration of our application and we look forward to working in partnership with the City of Carson.

Regards,



Ryan Birdseye, Principal
Birdseye Planning Group
Agent to Tectonic Engineering and Surveying, Inc.

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON
APPROVING DESIGN OVERLAY REVIEW NO. 1564-15 AND CONDITIONAL
USE PERMIT NO. 970-15 TO CONSTRUCT A 45-FOOT HIGH UNMANNED
WIRELESS TELECOMMUNICATION FACILITY DESIGNED AS A PINE TREE
(‘MONOPINE’) AT 164 WEST CARSON STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY
FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, Tectonic Engineering and Surveying, Inc. for Verizon Wireless; represented by Ryan Birdseye, with respect to real property located at 164 West Carson Street, and described in Exhibit "A" attached hereto, requesting the approval of a site plan and design review and conditional use permit to construct a 45-foot high unmanned wireless telecommunication facility designed as a pine tree in the MU-CS (Mixed-Use – Carson Street) zoning district.

A public hearing was duly held on July 14, 2015, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. Notices of time, place and purpose of the aforesaid meeting were duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid hearings.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The subject property is approximately 7.3 acres, rectangle-shaped, and relatively flat. The site is a multi-tenant commercial center, located at the southeastern corner of two streets and surrounded mostly by developed commercial and residential properties that are served by adequate infrastructure and utilities.
- b) The proposed monopine, related utilities and equipment shelter will occupy a 10-foot by 20-foot lease area in the rear of the existing multi-tenant commercial center. The property is rectangular in shape and has utility poles located along the southern property line. The proposed facility disguised as a monopine will lessen aesthetic impacts.
- c) Access to the facility for routine maintenance or emergency repair is proposed from Main Street. The proposed facility will not impact traffic in the vicinity except possibly during the construction phase of the project and for the occasional maintenance vehicle.
- d) Apart from the required safety, directional or informational signs, no product advertising signs are proposed for the project.
- e) The Zoning Ordinance allows the Planning Commission to consider of approval of facilities to exceed the maximum height described in Section 9138.16(F)(2)(d) in



conformance with Subsection G, Major Exceptions, of Section 9138.16. Subsection G provides for a thirty percent increase in the maximum height of 45 feet allowed by the MU-CS zoning district to 58.5 feet. The requested height increase can be only be approved by the Planning Commission if the applicant provides technical justification for a higher antenna. Information submitted by the applicant is not sufficient to justify the proposed height of 65 feet. The applicant's justification statement relies on language only relevant to commercial zones and not mixed use zones. The applicant's statement does not also demonstrate that the proposed height is designed at the minimum height necessary. Furthermore, the applicant's statements are not substantiated by a qualified RF engineer. Therefore, a maximum height of 45 feet can be supported.

- f) There are adequate utilities to provide and maintain service to the proposed use. The applicant intends to underground required power, telephone and other utility to their respective sources.
- g) The proposed wireless telecommunication facility meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit", Section 9172.23(D), "Site Plan and Design Review, Approval Authority and Findings and Decision", Section 9138.16(G), "Wireless Telecommunication Facilities, Major Exceptions" and Section 9138.16(H), "Wireless Telecommunication Facilities, Required Findings" are made in the affirmative for a 45-foot high facility.
- h) Distributed Antenna Systems (DAS) are not discussed as an alternative to the monopine by a qualified RF engineer. DAS is a network of spatially separated antennas. DAS antenna elevations are generally at a lower level and antennas are smaller. A distributed antenna system may be deployed on structures such as light poles to close gaps in coverage. The applicant has not demonstrated that the proposed facility is the least intrusive for covering their coverage gap. As discussed in the issues section, the community may have concerns with the proposed height by the applicant.
- i) Based on the applicant's submitted materials included in Exhibits 3, 4, and 5 of the staff report the proposed height is not justified and the above findings cannot be made. The applicant's justification statement relies on language only relevant to commercial zones and not mixed use zones, Exhibit 4, paragraph 1 of the staff report. The applicant's statement does not also demonstrate that the proposed height is designed at the minimum height necessary, Exhibit 4, paragraph 3 of the staff report. Furthermore, the applicant's statements on the July 6, 2015 email are not substantiated by a qualified RF engineer, Exhibit 5 of the staff report.

Section 4. The Planning Commission further finds that the use permitted by the proposed site plan and design review and conditional use permit will not have a significant effect on the environment. The proposed facility will not alter the predominantly commercial character of the surrounding area and meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be exempt under the general rule of CEQA, Section 15332.

Section 5. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1564-15 and Conditional Use Permit No. 970-15 with respect to the property described in Section 1 hereof, subject to the conditions and plans set forth in Exhibit "B" respectively attached hereto.



Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF JULY, 2015

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

Legal Description

The easterly 550 feet of Lot 44 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, page 31 of Maps, in the Office of the Recorder of Said County.

EXCEPT THE easterly 220 feet of said land.

ALSO EXCEPT the Westerly 180 fee of said land.

All measurements are at right angles to the Easterly line of said Lot 44.



CITY OF CARSON
COMMUNITY DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1564-15
CONDITIONAL USE PERMIT NO. 970-15

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No. 1564-15 and Conditional Use Permit No. 970-15 is not submitted to the City of Carson within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review by the Planning Commission.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



7. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
8. The operator of a lawfully erected facility, and the owner of the premises upon which it is located, shall promptly notify the Planning Division in writing in the event that the use of the facility is discontinued for any reason. In the event the facility is discontinued or abandoned for a period of more than 180 days, then the owner(s) and/or operator(s) shall promptly remove the facility, repair any damage to the premises caused by such removal, and restore the premises as appropriate so as to be in conformance with applicable zoning codes at the owner's and/or operator's expense. All such removal, repair and restoration shall be completed within 90 days after the use is discontinued or abandoned, and shall be performed in accordance with all applicable health and safety requirements.
9. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
10. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
11. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
12. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1564-15 and Conditional Use Permit No. 970-15. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the



Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.

PARKING

13. All driveways shall remain clear. No encroachment into driveways shall be permitted.

AESTHETICS

14. The specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division prior to the issuance of any building permits.
15. **The major communications facility shall not exceed 45 feet in height, up to and including the faux branches and leaves.**
16. All electrical and Telco wiring shall be placed underground as noted in the approved drawings.
17. The ground equipment enclosure(s) shall be compatible with the architectural design of the property.
18. The main support structure (pole) for the major communications facility shall be coated with a synthetic rubber material resembling tree bark, subject to approval by the Planning Manager. All other supporting structure(s) shall be painted a non-glossy, neutral color, subject to approval by the Planning Manager.
19. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

SIGNS

20. The display of any sign or any other graphic on a communications facility or on its screening is prohibited, except for signs for health, safety, and welfare purposes, which is required to be posted in case of an emergency. Emergency signs shall be visibly posted at the facility and shall include contact information including the phone number of the utility provider.

FENCES/WALLS

21. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9136.3 (commercial zones) of the Zoning Ordinance.

LIGHTING

22. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (Commercial Zones) of the Zoning Ordinance.

NOISE

23. All major communication facilities shall be constructed and operated in such a manner as to meet the requirements of the Noise Ordinance.
24. Backup generators shall only be operated during power outages and for testing and maintenance purposes.

BUILDING AND SAFETY

25. Submit for plan check, obtain all building permits and approved final inspection for proposed project.
26. Prior to the issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles county Building and Safety Department

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

27. Battery backup and storage areas shall be constructed and maintained in compliance with Article 64 of the uniform Fire Code (UFC).

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

28. If needed, easements shall be granted to the City, appropriate agency, or entity for the purposed ingress, egress, construction and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and/or appropriate agency or entity.
29. Any city-owned improvement damaged during the construction of the proposed project shall be removed and reconstructed per City Standard Plan and to the satisfaction of the City Engineer prior to the issuance of a building permit.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

30. Per Section 6310 of the Carson Municipal Code, all parties involved in the construction project, including but not limited to contractors and subcontractors, shall obtain a City Business License.



PUBLIC SAFETY - CITY OF CARSON

31. Ensure compliance with current seismic mitigation codes.

OTHER

32. Future modifications to the approved development plans, including the installation of additional panels and equipment cabinetry, shall be subject to Planning Division review and approval. If deemed to be major modifications, the Planning Commission shall be the approval authority.

