DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT

West Los Angeles
Area Planning Commission
Date: April 16, 2008
Time: After 4:30 p.m.
Place: Henry Medina West Los Angeles Parking
Enforcement Facility
11214 W. Exposition Boulevard
2nd Floor Roll Call Room
Los Angeles, CA. 90064

Public Hearing: December 10, 2007, February 14,
2008 and March 27, 2008
Appeal Status: To City Council
Expiration Date: May 1, 2008
Multiple Approval: Specific Plan Exception is
appealable by the applicant to City
Council if disapproved in whole or
in part.
Per LAMC Sec. 12.36 (Multiple
Entitlements) Specific Plan
Exception, Zone Variance and
Design Review are appealable to
City Council.

Case No.: APCW-2007-2509-SPE-ZV-
SPP DRB
CEQA No.: ENV-2007-2510-MND
Related Cases:
Council No.: 11
Plan Area: Brentwood-Pacific Palisades
Specific Plan: San Vicente Scenic Corridor
and West Los Angeles
Transportation Improvement and Mitigation
Certified NC: None
GPLU: Community Commercial
Zone: C1.5-1VL
Applicant: T-Mobile, c/o Brian
Stotelmeyer
Representative: Trillium Telecom Services
c/o Steven Lee

PROJECT
LOCATION: 11726 San Vicente Boulevard

PROPOSED
PROJECT: Installation, use and maintenance of an unmanned wireless telecommunication facility
consisting of antennae and equipment cabinets to be located on the roof and penthouse of an
existing six-story commercial building located on a 13,125 square foot lot classified in the
C1.5-1VL zone and also located within the boundaries of the San Vicente Scenic Corridor
Specific Plan area.

REQUESTED
ACTIONS: 1. Pursuant to Section 11.5.7 F of the Municipal Code, a Specific Plan Exception to permit
the location of a wireless telecommunication facility along a designated Scenic Highway
within the San Vicente Scenic Corridor Specific Plan (Ordinance No.’s 161,766 and
173,381).
2. Pursuant to Section 12.27 of the Municipal Code, a Zone Variance to allow wireless
telecommunication antennae and equipment to be located on the rooftop of an existing
office building which is 56 feet tall, in lieu of the maximum height limit of 45 feet permitted
by the C1.5-1VL zone. The proposed wireless telecommunication facility will not exceed
the height of the existing building.
3. Pursuant to Section 11.5.7 of the Municipal code, a Project Permit Compliance
determination with the San Vicente Scenic Corridor Specific Plan.
4. Pursuant to Sections 16.50; 11.5.7; the San Vicente Scenic Corridor Specific Plan; and with recommendation given by the San Vicente Design Review Board a Design Review determination.

RECOMMENDED ACTIONS:

1. **Approve** a **Specific Plan Exception** to permit the location of a wireless telecommunication facility along a designated Scenic Highway.
2. **Approve** a **Zone Variance** to allow wireless telecommunication antennae and equipment to be located on the rooftop of an existing office building which is 56 feet tall, in lieu of the maximum height limit of 45 feet permitted by the C1.5-1VL zone.
3. **Approve** a **Project Permit** Compliance determination with the San Vicente Scenic Corridor Specific Plan.
4. **Approve** a **Design Review** determination with the San Vicente Scenic Corridor Specific Plan.
5. **Adopt** Mitigated Negative Declaration No. 2007-2510-MND.
6. **Adopt** the attached Findings.
7. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that the mitigation conditions, identified as “(MM)” on the condition pages, are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. **Advise** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

S. GAIL GOLDBERG, AICP
Director of Planning

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Betsy Weisman, Principal City Planner
Kevin D. Jones, Hearing Officer
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PROJECT ANALYSIS

Project Summary

The proposed project involves the addition of an unmanned Wireless Telecommunication Facility (WTF) of the roof of an existing six-story commercial office building located at 11726 San Vicente Boulevard in the C1.5-1VL zone. Wireless facilities currently exist at the site. The project involves the installation of eight panel antennas mounted behind a new “RF transparent” screen, four new outdoor equipment cabinets mounted on a new platform with screening, and four face mounted antennas on the west wall of the existing penthouse. Other equipment will be located on the roof and will be screened. Portions of the proposed facility would be visible from the street, but the top of the new screen wall would not exceed the height of the existing mechanical penthouse structure.

Specific Plan Exception

The applicant requests a Specific Plan Exception from the provisions of the San Vicente Scenic Corridor Specific Plan to permit the location of a wireless telecommunication facility along a designated Scenic Highway.

Background

The proposed wireless equipment cabinets and antennas will be co-located with existing antennas and cabinets previously approved and situated on the rooftop of 11726 San Vicente Boulevard, an existing office building. An unmanned wireless facility on the site was approved in 1988 pursuant to Case Number ZA 1988-521 (CUZ). Currently, there are nine existing antennas on the roof of the building used by another wireless service provider. Several of the existing antennas are face mounted and visible from San Vicente Boulevard.

A Specific Plan Exception is requested because the proposed wireless facilities are located within the San Vicente Scenic Corridor Specific Plan and pursuant to Los Angeles Municipal Code Section 11.5.7.F1 (f) rooftop antennas located within a scenic corridor specific plan are subject to a Specific Plan Exception. Moreover, the proposed antennas are in addition to the number of antennas previously approved on site and not in conjunction with previous approvals [see prior relevant cases below], and therefore, a modification of a previous approval for wireless facilities is not applicable.

A Mitigated Negative Declaration (ENV-2007-2510-MND) issued on November 14, 2007 found that the proposed project conforms to the General and Community Plans and that Aesthetics is the only environmental factor potentially affected by this proposal and that the project would not contribute to impacts which are cumulatively considerable. The MND found that mitigation measures such as the use of paint or screening should be implemented to disguise the new equipment to ensure that it is less noticeable in its surroundings.

Prior relevant cases. Although there have been several Planning Department cases considered on the subject site, the following approvals are the most relevant.

Previous zoning related actions on the site and in the area include:

Subject property:

Case No. DIR 2004-1876 DRB-SPP – On April 27, 2004, the Director of Planning approved the installation of two (2) additional equipment cabinets within the rooftop lease area of a wireless telecommunications facility.
Case No. ZA 1988-0251 CUZ (PAD) – On January 5, 1998, the Zoning Administrator approved the addition of antennae above 45 feet in height on an existing conditional use site previously approved for wireless telecommunications facilities under Case No. ZA 88-0251 CUZ, effective June 10, 1988.

Surrounding Properties:

Case No. APCW – 2006 -2205 SPE - On May 22, 2007, the Director of Planning granted a specific plan exception to permit the expansion of an existing wireless facility involving the replacement of an existing equipment cabinet and the addition of two Omni antennas, located at 11999 San Vicente Boulevard.

Existing Uses

The proposed project is located on a 13,125 square foot lot in the C1.5-1VL zone in the San Vicente Scenic Corridor Specific Plan within the Brentwood-Pacific Palisades Community Plan Area. The site has a Community Commercial Land Use designation. The San Vicente Scenic Corridor is one of the few pedestrian-oriented scenic highways in Los Angeles.

Streets and Circulation

San Vicente Boulevard, adjoining the subject site to the north, is a Scenic Secondary Road dedicated to a width between 130 feet to 134 feet and improved with sidewalks, curbs and gutters.

Barrington Avenue, adjoining the subject site to the east, is a Secondary Highway, dedicated to a width of 75 feet and improved with sidewalks, curbs and gutters.

Gorham Avenue, located to the west of the subject site, is a Local Street, dedicated to a width of 80 feet and improved with sidewalks, curbs and gutters.

Granville Avenue and Dorothy Street to the south of the site are Local Streets, dedicated to a width of 60 feet and improved with sidewalks, curbs and gutters.

Issues

Although most of the existing mechanical equipment is properly screened beyond the line of sight from the sidewalk along San Vicente, the proposed rooftop wireless panel antennas would be visible to pedestrians and motorists along the Scenic Corridor.

If feasible, antennas should be mounted to a location on the rooftop which is adequately screened and not visible from the street. If placement of the antennas on the penthouse wall is necessary to the operation of the equipment, new equipment should be painted and textured to match the existing building in order to minimize visibility. Mitigation Measure Conditions have been included to minimize the appearance of these panel antennas and associated equipment cabinets.

Although the addition of antennas and construction of screening equipment would exceed the 45-foot maximum height permitted in the C1.5-1VL zone, the new structures would be limited to a height of 66 feet which is below the height of the existing rooftop mechanical penthouse.

San Vicente Scenic Corridor Design Review Board

During the preparation of the Planning Department’s Recommendation Report, the Applicant was advised that the report should contain comments from the San Vicente Scenic Corridor Design Review Board (SVSCDRB) for the Area Planning Commission to consider due to the visibility of some equipment. The project was scheduled, noticed and reviewed by the SVSCDRB on February 14, 2008. The SVSCDRB asked the applicant to provide two additional design options and continued the matter to
the March 27, 2008 SVSCDRB meeting. The SVSCDRB reviewed three design options on March 27, 2008, selected one of the designs, and recommended approval of the design with conditions. The recommended design provided screening of the equipment cabinets but required limited amounts of antenna screening because that design was determined to be less obstructive compared to the other options. The SVSCDRB recommended design and conditions of approval have been included in this report.

CONCLUSION

Cellular communication is a vital element of the communications network for both emergency services and public convenience. As part of the licensing, the utilities are mandated to provide adequate coverage in each of the geographic areas that they serve. Cellular technology has stringent locational and elevational requirements, and this cellular facility is needed in the vicinity, especially in this commercial corridor along San Vicente, in order to maintain viable cellular telephone service to the surrounding community. This is an appropriate location for the placement of public utility facilities and the Los Angeles City Planning Department has previously approved similar equipment at this location.

The screened equipment areas will extend a maximum of 5 feet and 6 inches above the existing parapet. When painted to match the existing rooftop building materials, the enclosures and face-mounted equipment would not be highly visible from the street level. The proposed heights for the antennas and equipment cabinets will exceed the 45-foot height limit of the C1.5-IVL Zone set by Section 12.21.1 of the Zoning Code; however the new wireless equipment will not exceed the heights of the existing mechanical penthouse structure. The building upon which these structures will be mounted is an existing nonconforming building that exceeds both the 25-foot transitional height limit and the 45-foot height limit set by the zoning. The existing mechanical penthouse on the building reaches a height of approximately 67 feet. The proposed structures would not increase the existing height of the building.

The character of the development in the immediate area is defined with predominantly commercial uses. Provided that the cabinet equipment will be effectively screened, and that the antennas and screening are painted grey color to match the building exterior, the proposed equipment will not be detrimental to the character of development in the immediate neighborhood. No adverse impact to the character of the existing neighborhood would occur as a result of this wireless telecommunications facility. The use will not generate any smoke, odor or other adverse impacts to the adjacent land uses. It is an acceptable use and being unmanned, the proposed use requires no parking, and has no impact on traffic circulation or density.
CONDITIONS OF APPROVAL

A. Specific Plan Exception Conditions

1. **Use.** The installation, use and maintenance of a Wireless Telecommunication Facility (WTF) of eight panel antennas mounted on a “RF transparent” screen, five new outdoor equipment cabinets mounted on a new platform with screening, and three sets of four antennas on the existing roof equipment penthouse, shall be permitted on the subject site located along a designated Scenic Highway within the San Vicente Scenic Corridor Specific Plan Area.

2. **Plans.** The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit B, dated April 16, 2008, and attached to the subject City Plan Case file. Prior to the issuance of building permits, revised detailed development plans that show compliance with all conditions of approval, shall be submitted to the satisfaction of the Planning Department. Except as modified by this action, no change to the plans, hereby conditionally approved, will be made without prior review by the Department of City Planning, Community Planning Bureau, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.

3. **Rooftop Wireless Telecommunications Facilities.** Pursuant to LAMC Section 12.21 A.21 and Ordinance No. 177,120 effective December 26, 2005, the following standards shall apply to the proposed rooftop wireless antennas and the associated equipment cabinets.

   a. **Antennas.** The installation of three sets of four antennas each for a total of twelve (12) wireless telecommunication antennas on the subject property shall be authorized by this Specific Plan Exception, substantially in conformance to Exhibits "B ", dated April 16, 2008.

   b. **Equipment Cabinets.** The replacement of existing radio equipment cabinets with a new equipment cabinet in the same location shall be authorized by this Specific Plan Exception, substantially in conformance to Exhibit "B ", dated April 16, 2008.

   c. **Height.** The top of the antennas and equipment cabinets shall not exceed a height of 67 feet. The height of the wireless antenna structures and cabinet equipment shall not exceed the height of the existing screening and mechanical penthouse on the roof.

   d. **Aesthetics.** Subsections 12.21. A.20 (b) and (c) require that all rooftop wireless equipment be enclosed on all sides with a covering. In lieu of such covering, which would render the proposed antennae more visible from the public right-of-way, the two structures which project above the south parapet shall be painted to match existing antennas in order to minimize visibility.

   e. **Screening.** All equipment cabinets to be installed on the building shall be screened by the existing screen wall on the rooftop.

   f. **Sound insulation of Equipment Cabinets.** The equipment cabinets shall be enclosed or provided with sound insulation sufficient to prevent noise associated with their operation from being audible beyond the property line.

   g. **Non-Reflective Material.** All antennas and equipment cabinets shall be constructed of non-reflective materials.
h. **Valid Building Permit.** Prior to issuance of any building permit authorizing the rooftop installation of a wireless antenna structures and associated cabinets, the applicant shall provide the Department of Building and Safety with evidence that Council District 11 has been given a 20-day written notice prior to the issuance of such permit. The notification shall contain the name and address of the building permit applicant and the property address of the project and the approximate date of start of installation this notification shall be by certified mail, return receipt requested. The approved antennas and equipment cabinets shall be installed and constructed pursuant to a valid City of Los Angeles building permit and shall operate in compliance with all local, state, and federal regulations.

i. **Cessation of Use.** Should the use of the approved antennas and equipment cabinets cease, they shall be removed to the satisfaction of the Department of Building and Safety within 60 days.

j. **Frequency.** The applicant's facility shall not interfere with television, radio, or cordless phone reception or exceed limits established by the Federal Communications Commission.

B. **Variance Conditions**

4. **Height.** The equipment cabinets, “RF transparent” Screen, antennas, or any other structure associated with this project shall be mounted on but not exceed the height of the mechanical penthouse on the roof and in no event exceed 67 feet as measured from grade.

C. **Mitigated Negative Declaration Conditions (MM)**

5. **Aesthetics (Cellular Tower) –** The proposed WTF including antennae, equipment cabinets, and or towers shall be disguised so as to blend into the surrounding neighborhood to the satisfaction of the decision maker. This may involve: painting the equipment to match the existing building and/or background color, screening or disguising the equipment, integrating the equipment into other structures, and/or surrounding the equipment with landscaping. (MM)

D. **Conditions of Approval**

6. All other use, height, and area regulation of the Municipal code and all other Applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

7. All graffiti on the WTF shall be removed or painted over in the same color as the surface to which it is applied within 24 hours of its occurrence.

8. The applicant shall consult with the Departments of Animal Regulation and Fish & Game, Wildlife Specialist or Supervisor, in the spring of each year regarding the nesting habits of raptor birds to minimize disturbances to these birds when servicing the telecommunication equipment.

E. **Design Review Board Conditions**

9. The four antennas in Sector A, as shown in Exhibit B dated April 16, 2008, shall be located no less than 16 feet from the north façade and 19 feet from the east façade of the building. These antennas shall not be located behind a screening wall and shall be painted to match the existing rooftop screening.
10. The four antennas in Sector B, as shown in Exhibit B dated April 16, 2008, shall be located no less than 10 feet from the south façade of the building. These antennas shall be azimuth bracket-mounted to the south façade of the existing mechanical penthouse and shall protrude no more than two (2) feet from the mechanical penthouse wall. The antennas shall be be painted to match the existing screening.

11. The four antennas in Sector C, as shown in Exhibit B dated April 16, 2008, shall be located no less than 20 feet from the west façade of the building. These antennas shall be azimuth flush-mounted to the west façade of the existing mechanical penthouse and shall be painted to match the existing rooftop screening.

F. Administrative Conditions

12. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

13. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

14. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder’s Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder’s number and date shall be provided to the Department of City Planning for attachment to the file.

15. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

16. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency’s successor and in accordance with any stated laws or regulations, or any amendments thereto.

17. Building Plans. Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

18. Utilization of Entitlement. The applicant/owner shall have a period of two years from the effective date of the subject grant for the Specific Plan Exception to effectuate the terms of this entitlement by either securing a building permit or a certificate of occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to Section 11.5.7 of the Municipal Code. The applicant/owner shall have a period of three years from the effective date of the subject grant for the Site Plan Review to effectuate the terms of this entitlement by securing a building permit. Thereafter, the entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.
19. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend indemnify, or hold harmless the City.
FINDINGS

General Plan Findings

1. General Plan Land Use Designation. The subject property is located within the Brentwood-Pacific Palisades Community Plan, which was adopted by the City Council on June 17, 1998 (Case No. CPC-95-0351 CPU and Council File 98-0771). The Plan map designates the subject property as Community Commercial with corresponding zones of CR, C2, C4, P, PB, RAS3 and RAS4 and identifies it as being located within the San Vicente Scenic Corridor Specific Plan. San Vicente Boulevard is a designated Scenic Secondary Highway.

2. General Plan Text. The Brentwood-Pacific Palisades Community Plan text includes the following relevant land use objectives, policies and programs:

   A. Commercial Land Use

      Objective 2-3: To enhance the appearance of commercial districts and to identify pedestrian-oriented areas.

      Policy 2-3.3: Ensure that commercial projects achieve harmony with the rest of existing development.

      Objective 2-4: To enhance the appearance of commercial districts consistent with the character of, and quality of the surrounding neighborhoods.

      Policy 2-4.2: Preserve community character, scale and architecture diversity.

   B. Urban Design - Commercial

      Policy No 10: Screening of mechanical and electrical equipment from public view.

      Policy No 11: Screening of all rooftop equipment and building appurtenances from public view.

3. The Transportation Element of the General Plan will not be affected by the recommended action herein, because the project does not involve a change in density or intensity of use, and has been conditioned to adequately protect views along San Vicente Boulevard, a designated Scenic Highway.

4. San Vicente Scenic Corridor Specific Plan. The subject parcel is located within the boundaries of the San Vicente Scenic Corridor Specific Plan. The Specific Plan became effective on May 31, 1980 (Ordinance No. 153,639). The Plan was amended on December 26, 1986 (Ordinance No. 161,766) and August 7, 2000 (Ordinance No. 173,381). The subject parcel is a 13,251 sq. ft. parcel with a 150 foot frontage along San Vicente Boulevard and is zoned C1.5-1VL.

   a. No change of use is contemplated or approved by this determination. The existing use is a commercial office building.
b. The project does not propose any facade changes that would affect the design motif. The externally visible wireless equipment will be painted to match existing equipment to minimize visibility.

c. The project does not propose any facade changes that would affect its compliance with the landscape, setback, sidewalk and open space requirements of Sections 7, 8 and 9.

d. The subject proposal has been issued a Mitigated Negative Declaration (ENV-2007-2510-MND) pursuant to the California Environmental Quality Act (CEQA) and City of Los Angeles CEQA Guidelines.

5. **Specific Plan Exception Findings.** Pursuant to Los Angeles Municipal Code Section 11.5.7 of the Municipal Code:

A. *The strict application of the policies, standards and regulations of the Specific Plan to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Plan*

Section 12.21.A.21 of the LAMC permits rooftop wireless telecommunication facilities and associated equipment cabinets by-right in the C and M Zones. However it excludes those properties located within a scenic corridor specific plan (as in this case) and a Specific Plan Exception is required since it is not permitted by-right. The San Vicente Scenic Corridor Specific Plan does not specifically state design or location standards for wireless telecommunications facilities. The practical difficulty for this particular case is that while the LAMC permits rooftop wireless facilities in the C1.5 Zone, the site is located within a scenic corridor specific plan that has no provisions for rooftop wireless facilities. Provisions established in Section 12.21.A.21 of the LAMC and applicable sections of the San Vicente Corridor Specific Plan however are used to condition this project.

It is the general purpose and intent of this Specific Plan to preserve and enhance the character of the Scenic Corridor. Though not specifically addressed in the San Vicente Specific Plan, the Plan does include provisions to ensure that mechanical equipment appurtenant to existing and proposed uses is adequately screened. The existing building located at 11726 San Vicente Boulevard is presently equipped with several existing wireless telecommunication facilities. The co-location of the proposed wireless communication facilities, as conditioned, will have minimal visual impact along the Scenic Corridor.

B. *There are exceptional circumstances or conditions that are applicable to the subject property or to the intended use or development of the subject property that do not generally apply to other properties within the specific plan area."

In accordance with LAMC Section 12.21.A.21, rooftop wireless telecommunication facilities are permitted by-right in Commercial zones, unless these facilities are located in scenic corridor specific plans. The purpose of this additional review is to ensure that the rooftop wireless facilities do not detract from views along scenic corridors.

As conditioned in this approval, the proposed cabinets and antennas will not damage views along San Vicente Boulevard. There are previously approved antennas on-site (ZA 1988-251-CUZ) and the proposed antennas will be of similar height, size, and color. The proposed cabinets will be constructed in a new additional screened portion of the rooftop, which is set back from the front of the building and screened such that it is not visible from to pedestrians or motorists.

C. *The requested exception is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the geographically Specific Plan area.*
Plan in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

The owners of other commercially zoned properties in the Specific Plan area generally possess the right to develop their properties with wireless telecommunications facilities. However, these properties as well as the subject property are required to obtain an approved exception from the geographically Specific Plan. The expansion of the wireless facility is a modest addition to a previously approved entitlement. By co-locating with existing wireless facilities, the project concentrates wireless facilities on one site and reduces the need for additional facilities throughout the Specific Plan area. This property was previously deemed suitable for the siting of a wireless telecommunication facility and the proposed project has been conditioned such that the additional equipment would create additional negative impacts on the Scenic Corridor or abutting residential uses.

D. The granting of the exception will not be detrimental to the public welfare and injurious to property or improvements adjacent to or in the vicinity of the subject property.

The exception will not be detrimental to property adjacent to or in the vicinity of the subject property in that the proposed project is an expansion of a use that is already present on the site and is placed approximately 57 feet above grade and not facing nearby residential uses. Due to their height and color, the antennas will not be immediately visible from the public right-of-way and therefore will not degrade the character of the Scenic Corridor. The antennas will comply with FCC regulations and have been conditioned to prevent interference with television, radio, and other frequencies.

E. The granting of the exception is consistent with the principles, intent and goals of the specific plan.

The San Vicente Scenic Corridor includes specific provisions for rooftop equipment requiring that equipment such as mechanical and electrical equipment be adequately screened. While the Specific Plan does not mention wireless telecommunications facilities as a use that is specifically prohibited or regulated, such facilities should be screened to the fullest extent feasible and not placed in a conspicuous manner. The proposed cabinets will be screened behind an existing screen wall and the proposed antennas will be placed in line with existing antennas along the parapet wall fronting San Vicente Boulevard. Granting the exception will be consistent with the intent of the Specific Plan since although not specified in the Specific Plan the intended use has been conditioned to comply with the plan to the fullest extent feasible.

8. Zone Variance Findings

A. The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

Section 12.21.A.21 of the LAMC permits rooftop wireless telecommunication facilities and associated equipment cabinets by-right in the C and M Zones. However it excludes those properties located within a scenic corridor specific plan (as in this case). The subject property is improved with a 56 foot high office building with a mechanical penthouse and the final structure height is 67 feet above grade. The 1VL Height District limits the height of new structures to 45 feet. The practical difficulty for this particular case is that while the LAMC permits rooftop wireless facilities in the C1.5-1VL Zone, the existing building was constructed prior to the adoption of the height limitation and is considered a legal non-conforming use. The proposed rooftop Wireless Telecommunication Facilities (WTF) are in addition to the existing ones and
would increase the area of the building that reaches 67 feet in height but does not increase the height of the existing structures.

It is the general purpose and intent to preserve and enhance the character of the Scenic Corridor. The Los Angeles Municipal Code (LAMC) contains provisions which regulate the placement and design of WTF on the roofs of existing structures. These provisions permit WTF if they meet certain design guidelines and are located on appropriately zoned parcels. The design of the proposed WTF meets the standards as it does not increase the height of the building and is setback from the sides of the building. The proposed design includes features to ensure that mechanical equipment appurtenant to the use is adequately screened. The existing building located at 11726 San Vicente Boulevard is presently equipped with several existing wireless telecommunication facilities. The co-location of the proposed wireless communication facilities, as conditioned, will have minimal visual impact along the Scenic Corridor.

B. There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

In accordance with LAMC Section 12.21.A.21, rooftop wireless telecommunication facilities are permitted by-right in Commercial zones, unless these facilities are located in scenic corridor specific plans. The purpose of this additional review is to ensure that the rooftop wireless facilities do not detract from views along scenic corridors. The subject property is improved with a 56 foot high office building with a mechanical penthouse and the final structure height is 67 feet above grade. The 1VL Height District limits the height of new structures to 45 feet. The practical difficulty for this particular case is that while the LAMC permits rooftop wireless facilities in the C1.5-1VL Zone, the existing building was constructed prior to the adoption of the height limitation and is considered a legal non-conforming use. The proposed rooftop Wireless Telecommunication Facilities (WTF) are in addition to the existing ones and would increase the area of the building that reaches 67 feet in height but does not increase the height of the existing structures.

As conditioned in this approval, the proposed cabinets and antennas will not damage views along San Vicente Boulevard. There are previously approved antennas on-site (ZA 1988-251-CUZ) and the proposed antennas will be of similar height, size, and color. The proposed cabinets will be constructed in a new additional screened portion of the rooftop, which is set back from the front and sides of the building and screened such that it is not visible from to pedestrians or motorists.

C. The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

The owners of other commercially zoned properties in the Specific Plan area generally possess the right to develop their properties with wireless telecommunications facilities. However, these properties as well as the subject property are required to obtain an approved variance. The expansion of the wireless facility is a modest addition to a previously approved entitlement. By co-locating with existing wireless facilities, the project concentrates wireless facilities on one site and reduces the need for additional facilities throughout the Community Plan area. This property was previously deemed suitable for the siting of a wireless telecommunication facility and the proposed project has been conditioned such that the additional equipment would create additional negative impacts on the Scenic Corridor or abutting residential uses.
D. The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

The variance will not be detrimental to property adjacent to or in the vicinity of the subject property in that the proposed project is an expansion of a use that is already present on the site and is placed at the same height of the existing facilities and not facing nearby residential uses. Due to their height and color, the antennas will not be immediately visible from the public right-of-way and therefore will not degrade the character of the Scenic Corridor. The antennas will comply with FCC regulations and have been conditioned to prevent interference with television, radio, and other frequencies.

E. The granting of the variance will not adversely affect any element of the General Plan.

The San Vicente Scenic Corridor includes specific provisions for rooftop equipment requiring that equipment such as mechanical and electrical equipment be adequately screened. While the Specific Plan does not mention wireless telecommunications facilities as a use that is specifically prohibited or regulated, such facilities should be screened to the fullest extent feasible and not placed in a conspicuous manner. The proposed WTF at the subject location as conditioned will be unmanned, have no impact on circulation systems, generate no noise, smoke or have any other adverse impacts on adjacent land uses. The proposed cabinets will be screened behind an existing screen wall and the proposed antennas will be placed in line with existing antennas set back from the parapet walls. Granting the variance will be consistent with the intent of the General Plan since the intended use has been conditioned to comply with the plan to the fullest extent feasible.


a. The project substantially complies with Section 16.50, Subsection E of the Los Angeles Municipal Code in that the applicant submitted the appropriate application materials for the proposed rooftop wireless telecommunications facility. The proposed project was reviewed by the Design Review Board (DRB) on February 14, 2008 and March 27, 2008. The DRB recommend conditional approval of the design, currently dated April 16, 2008, that is part of this report and the project has been conditioned in conformance with the San Vicente Scenic Corridor Specific Plan and Design Guidelines.

b. The San Vicente Scenic Corridor Design Review Board, upon making this recommendation, considered the criteria as listed in the San Vicente Scenic Corridor Design Review Board Specific Plan (Section 13.A).

   i. The subject property is located in the San Vicente Scenic Corridor Specific Plan area.

   ii. The proposed wireless telecommunication facility is consistent with the colors, materials, and nature of the existing wireless facility on site. The antenna structures and equipment cabinets are designed so that when viewed from the public street, they are screened to the fullest extent feasible from public view. The five sets of antennas proposed will have no additional impact as they are in the same location as the existing antennas, painted a similar color, and well above the public right-of-way.

c. The San Vicente Scenic Corridor Design Review Board, upon making this recommendation, considered the relevant criteria listed in the San Vicente Scenic Corridor Design Guidelines (adopted February 20, 1992) under Section II (Site Planning) and Section III (Architecture), pursuant to Section 15.B.3 of the Specific Plan, which authorizes the adoption of such Design Guidelines.
i. The project, located in a commercial building, meets the requirements set forth in Section II.A (Orientation of Structures) of the Corridor’s Design Guidelines. The proposed wireless facility will not dominate the San Vicente Boulevard frontage or obscure architectural elements. The proposed antennas will be installed so that they are set back from adjacent residences and protect the residents from visual blight. The cabinet equipment will be screened so that it is not visible from San Vicente Boulevard or the adjacent residential properties. The recommended design contains elements that were determined to be less of an impact on the San Vicente Corridor.

ii. The project meets the requirements set forth in Section III.D (Building Materials and Colors) of the Design Guidelines. Stark, bright colors have been avoided. The proposed antennas will be painted a neutral, silver-gray color to match the existing antennas.

10. West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP). The Specific Plan (Ordinance No. 171,492) was adopted by the City Council on March 8, 1997. The WLA TIMP methodology requires an analysis of PM peak-hour trips and payment of Transportation Impact Fees. The Specific Plan has established a mechanism and fee structure that requires certain Projects that generate 42 or fewer Trips, as calculated by the Department of Transportation (LADOT), to make the applicable highway dedications and improvements as required by LADOT or guarantee them pursuant to the Department of Public Works' B-permit procedures.

11. The approval of the requested Specific Plan Exception has been made contingent upon compliance with the conditions of approval imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

12. Environmental. An environmental review of the project has been conducted, in full compliance with the California Environmental Quality Act. Accordingly, a mitigated negative declaration has been prepared for the project, incorporating those mitigation measures which are required in order to reduce any potentially significant environmental effects to a level less than significant. The project will comply with all such mitigation measures. For the reasons set forth in Proposed Mitigated Negative Declaration No. ENV 2007-2510-MND, the project will not have a significant effect on the environment.

13. Fish and Game The subject project which is located in the County of Los Angeles, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.
PUBLIC HEARING AND COMMUNICATIONS

Summary of Public Hearing Testimony and Communications Received

The Public Hearing on this matter was held at West Los Angeles Municipal Building, 1645 Corinth Avenue, 2nd Floor Hearing Room, Los Angeles, CA 90025 on Monday, December 10, 2007, at 10:30 AM.

1. Present: Approximately six people attended the public hearing.

2. Speakers: Five speakers provided testimony.

Public Hearing Testimony Notes

Four speakers were opposed to the project. The project should comply with all provision of the Specific Plan and the Zone Code. One speaker mentioned concerns that are actually addressed by Federal Guidelines on the operation of Wireless Telecommunication Facilities.

Communications Received

Letters - Support:

Letters - Opposition: Four letters were received opposing the granting of any exceptions to the Specific Plan or variances. The reasons for the opposition include:

- The requested height would be precedent setting for all other buildings. Height increases should be prohibited.
- New Wireless Facilities should be fully co-located with existing facilities. Information was provided by the writer with an attached article outlining future technologies.
- Equipment could be abandoned and remain on the roofs indefinitely.
- The scenic character of the area should be preserved.
- There is a concern about neighborhood raptors (Falcons and Hawks) and their nesting habits. The letter included a statement about the need to comply with Federal and State guidelines concerning these birds.