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All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Compliant submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
- **“Day of Hearing Submissions”**: Compliant submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

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If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3b. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission’s ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

All materials in response to a Recommendation Report or additional comments which were received by the Commission Executive Assistant electronically no later than 48 hours prior to the Commission meeting AND which do not exceed ten (10) pages including exhibits are included in this file.

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If you have any questions, please contact the Commission Office at (213) 978-1300.

**Testimony of Deni Mosser
before the
South Los Angeles Area Planning Commission
on October 30, 2018**

Project Site: 2512 South Robertson Blvd., Los Angeles, CA 90034
Case No.: ZA-2017-3013-CUW-1A
CEQA No.: ENV-2017-3014-CE

This is regarding a “Conditional Use” permit for an unmanned cell tower on an unoccupied, abandoned property.

Hello, my name is Deni Mosser. Thank you for allowing me to speak to you about this issue. I am respectfully asking that you stand by your previous decision, and REJECT Verizon’s application for a “conditional use” permit for an unsightly, and unnecessary cell tower at 2512 S. Robertson Blvd. (an unoccupied property).

I’ve lived near 2512 S. Robertson for the past 32 years (and in the greater So. Robertson area for over 65 years).

For more than 3 decades, 2512 S. Robertson has been continuously and permanently vacant and repeatedly uncared for, which results in the community having to manage illicit activity at the property, and deal with numerous health and safety concerns that arise due to the owner’s negligence.

The property owner never regularly inspects or maintains her property. She lives 22 miles away (which is a 44 mile round trip). This nuisance property has a very long history of complaints to LADBS, LAPD, Councilmember Herb Wesson’s office and the South Robertson Neighborhood Council (SORONC).

The nature of the complaints are for repetitive problems and building code violations such as trash and debris, dumping, broken glass, graffiti, homeless encampments, broken fences, leaking water, overgrown vegetation and human waste. Here are a few recent examples:

LEAKING WATER: In July 2018, I noticed water leaking near the curb in front of 2512. It must have been leaking for quite some time as the vegetation was overgrown, and the area was very damp with standing water (which, as you know, is a potential mosquito hazard.). Water was also dripping down the curb and running into the street. It only got fixed - one month later - when I filed a report with the DWP. (Report ID:2514821448)

HOMELESS ENCAMPMENT: In July 2018 there was a large homeless encampment in front of 2512. The individual who set up the encampment had furniture, clothes and misc. items blocking the sidewalk and he hung clothing on the parking lot fence and put plastic bags on the parking meters. He was living and sleeping there for nearly a week. It eventually was cleaned up (and the man received medical care) because residents reported it to the City and to the Council Office.

BROKEN GATE & FENCE + LOADS OF TRASH : Since February 2018 this property had a broken gate and fence and a 287 sq. ft. accumulation of trash, discarded furniture and what disgustingly looked like human waste. Only after residents complained to LADBS (and they issued an Order to Comply) did the gate and fence get repaired and the property got cleaned up 5 months later, in August 2018.

All these incidents (and dozens of incidents in the past) results in our neighborhood being unsanitary and less safe for children and adults. Should a cell tower be installed here, the never-ending neglected property will continue to be a health and safety hazard for our entire community.

For reasons unknown, this property has not had a tenant for over 32 years. To date, it continues to look shabby and remain unoccupied. The absentee owner has been repeatedly approached by local businesses who want to rent from her, yet she refuses. Unfortunately, she only wants to lease a tiny fraction of her 6,800 sq. ft. lot for an out of scale, out of character cell tower.

The property owner's last known attempts to alter or repair her building was in 2002 (16 years ago) and in 2005 (13 years ago). In both cases, she never followed through with the work, and permits were not issued. (Reference: LADBS application permit #02016-30000-12737 AND application permit #05016-10000-21923). Accordingly, any recent claims the property owner has made to find a tenant (after the cell tower is built) must be viewed with great skepticism.

Considering all the neglect and disrepair (and keeping the building vacant for over 32 years), the property owner has proven to be irresponsible and untrustworthy when it comes to taking care of her property. She simply has no vested interest in our community.

A "conditional use" permit for an unmanned tower at this location will all but guarantee massive, permanent blight for our neighborhood. With no one to regularly care for the property, it will become a bigger health and safety issue and nuisance.

Dear Commissioners, I implore you to reject Verizon's application for a conditional use permit at this particular location. It will bring us nothing but more stress and more blight. The cell tower will absolutely not contribute to the safety, welfare, improvement or beautification of our community. Thank you for caring.

Sincerely,

Deni Mosser (homeowner)
8971 W. 24th Street
Los Angeles, CA 90034

Submitted by email on October 25, 2018



Etta Armstrong <etta.armstrong@lacity.org>

ZA-2017-3013-CUW-1A and ENV-2017-3014-CE

Aaron Lennard <aalennard@gmail.com>

Thu, Oct 25, 2018 at 1:40 PM

To: etta.armstrong@lacity.org

Cc: norobertsoncelltower@reyniervillage.org

Re: ZA-2017-3013-CUW-1A and ENV-2017-3014-CE.

Hello Ms. Armstrong.

I'm a resident who lives on Beverlywood Street near the proposed Verizon cell tower. I strongly oppose the cell tower. It is not needed because Verizon's service already works well in the neighborhood. It is aesthetically not in keeping with the size and scale of nearby buildings. And if a large cell tower is installed in that location it guarantees that that critical lot will not be leased to a business that will contribute to the neighborhood, at a time when the city and neighborhood have been working together to try to revitalize this area.

Thank you.

Sincerely,

Thanks,

Aaron Lennard



Etta Armstrong <etta.armstrong@lacity.org>

NO CELL TOWER ZA-2017-3013-CUW-1A and ENV-2017-3014-CE.

1 message

Daniel Chitayat <danicointl@gmail.com>

Thu, Oct 25, 2018 at 3:00 PM

To: etta.armstrong@lacity.org

Cc: norobertcelltower@reyniervillage.org

This tower is offensive to Southern Robertson, a community that is looking forward to build the artistic integrity like the remainder of Robertson Blvd. Towers like this belong by the Freeway, as done by National and 10 FWY, not in any city trying to build a better community for its neighbors. You don't find such towers in Beverly Hills, Brentwood, or any nicer community.

This proposed tower is being objected by every neighbor and any business in the community you talk to. yet Verizon BIG BUSINESS with an infinite budget and lawyers battle the community endlessly over the years.

WE TRUST YOU WILL DO THE RIGHT THING AND REJECT BIG BUSINESS DOING THE WRONG THING

Sincerely,

Daniel Chitayat



Etta Armstrong <etta.armstrong@lacity.org>

Re: Appeal of Zoning Administrator Approval of ZA-2017-3013-CUW-1A/ENV-2017-3014-CE - 2512 South Robertson Boulevard.

1 message

Andrew Leavenworth <andrew.leavenworth@reyniervillage.org>

Thu, Oct 25, 2018 at 2:34 PM

To: etta.armstrong@lacity.org

Cc: norobertsoncelltower@reyniervillage.org, Michael Rozales <michael.rozales@reyniervillage.org>, Reynier Village Neighborhood Association <RVNA@reyniervillage.org>, John Paul Gutierrez <john.p.gutierrez@gmail.com>, Hector Garza <hector_e_garza@sbcglobal.net>, Angelica Hess <gelihess@gmail.com>, Anabel Aispuro <anabelaispuro@yahoo.com>, Joseph Martinez <jmar6482@gmail.com>, Edgardo Perez <edgardo.perez@sbcglobal.net>

Mr. Eric Bates, President
c/o Etta Armstrong, Commission Executive Assistant
South Los Angeles Area Planning Commission
200 North Spring Street, Room 272
Los Angeles, CA 90012

Re: Case #'s ZA-2017-3013-CUW-1A and ENV-2017-3014-CE

My name is Dr. Andrew Leavenworth and I am co-President of the Reynier Village Neighborhood Association (RVNA). Reynier Village is composed of over 600 households. RVNA is dedicated to the beautification, safety, community-building and general improvement of our local neighborhood and businesses and we work in conjunction with the South Robertson Neighborhood Council, Herb Wesson's office and LAPD to achieve these goals.

The western border of Reynier Village is located along South Robertson Blvd. right where Verizon Wireless has been to force the erection of an unsightly cell tower at 2512 S. Robertson Blvd. in the middle of a business/residential area that is not zoned for such use and which is in direct opposition to the "Great Streets" project magnanimously awarded by the City of Los Angeles. Reynier Village Neighborhood Association opposed Verizon's original application, has actively opposed their second application and is actively involved in the appeal of the recent Zoning Administrator's decision to grant Verizon's application for a variance.

The Zoning Administration and the Planning Commission both rightly turned down Verizon's original application for erecting this hideous fake tree cell tower at this location for due cause. It is clearly an inappropriate location for this structure. It is only due to Verizon suing the City of Los Angeles in Federal Court that this matter is being once again considered. Verizon has made very marginal changes to their original application, i.e. reducing the structure by 2 feet and adding additional fake branches to an obviously fake tree.

Reports came back to us that administrators in the Zoning Administration assumed from the start that Verizon's second application would be approved due strictly to Verizon's Federal lawsuit. We pray this is not the case. First and foremost, our City agencies should be working on behalf of those of us who live in Los Angeles and not just caving in to the pressures of large corporations that seek to impose heinous structures on neighbors seeking to upgrade and improve their communities.

Verizon's intent is to erect this behemoth fake tree cell tower right in the middle of the property's parking area. Very few businesses on South Robertson Blvd. have the luxury of space for parking. The erection of Verizon's cell tower, along with its additional generator equipment, will render unusable the precious space of a rare business parking lot. The rest of the building on that lot, which has an alcohol permit, was once a bar/dining business. The owner has

left that property fallow for 3 decades, refusing to meet with or rent it to any number of viable parties interested in providing a business that contributes to the local community. Erecting a massive fake tree cell tower in the middle of the building's parking lot will discourage if not eliminate any future development of the property.

Verizon's new application makes the marginal change in height of their fake tree cell tower from 54 feet to 52 feet and adds more branches. However, they are all still fake branches on a fake tree trying feebly to disguise a massive cell tower in a completely inappropriate residential/business area. No one is going to be fooled into believing such an eyesore is a real tree. In addition, there no other 52' foot trees located in this area of South Robertson Blvd. and certainly none that are eucalyptus. So, nothing about this proposed fake tree cell tower will mimic any trees on Robertson Blvd.

Further, these fake tree cell towers are subject to degradation over time. Below is a sample photo of what these "disguised cell towers" eventually start to look like with loss of branches or faded leaves/needles.



Our community is working to reduce urban blight, not increase it.

The Planning Commission should also be aware that there is a significant amount of pedestrian traffic around this location, mostly by teenage high school students traveling to and from Hamilton High School. The owner of this property, Amy Liu, has a long history of neglecting upkeep of the property and has for decades left it open to dumping, tagging, homeless encampment and vandalism. Erecting a giant cell tower in an area highly-trafficked area by students only invites more of the same egregious activity. Since the owner of the property will be the entity responsible for upkeep, her woeful history of neglect is a testament to what this property will be subject to. The local residential and business neighbors will have to continue to suffer her deteriorating property while she is rewarded for her misbehavior with profits from Verizon's lease.

Verizon is making the case that the need to erect this cell tower is due to coverage issues in the Beverlywood area. Yet, we do not have legions of Beverlywood neighbors voicing support for the erection of a cell tower at this location. Neighbors in Reynier Village who are Verizon customers also report no issues with their cell service. Verizon has stated in its own advertising that have full coverage in this area. If Verizon does, in fact, have holes in their coverage in the hilly Beverlywood area, then, perhaps, it would be advisable to place their tower in that location. One solution would be for them to approach the Beverlywood Homeowner's Association to garner feedback on an amenable location for their tower, e.g. Circle Park on Beverly Drive. We have seen no evidence that Verizon has contacted the Beverlywood HOA in this regard or made efforts to locate this tower in a more appropriate location in Beverlywood itself.

We hope that the Zoning Administration and Planning Commission do not feel that just because Verizon sued the City of Los Angeles in Federal Court that they must now rubberstamp approval of this ill-begotten cell tower application. The good offices of the Zoning Administration and the Planning Commission were created to protect the public and not to cave in to behemoth corporations like Verizon, nor to the FCC, which is currently headed by a former executive of Verizon, Ajit Pai.

The State of California and the City of Los Angeles have both been examples of governments that are willing to stand up to federal and corporate overreach. For example, the State of California and the City of Los Angeles do not cooperate with ICE officials in regard to undocumented residents and similarly our city is deemed a "sanctuary city." In addition, the City of Los Angeles and the State of California now allow for both medical and recreational marijuana use and sale, which is not considered legal under Federal law. With this in mind, we would hope that our Zoning Administration and our Planning Commission are willing to stand up on behalf of our community and oppose the strong-arm tactics of Verizon to impose their will via the pressure of a Federal lawsuit.

Our Reynier Village Neighbors have vehemently opposed Verizon's original and current application for a zoning variance for this location. Further, L.A. City Council President Herb Wesson, the South Robertson Neighborhood Council, LAPD Lead Officer Christopher Baker and our community at large oppose it.

Our neighbors are not opposed to cell towers generally, but they should be erected in areas that do not interfere with healthy business development and do not contribute to blight. The erection of a large, fake tree in the middle of a business parking lot, in an area that is slated for Great Streets project improvements, is not the appropriate location. Please use your good offices to remedy this situation and protect our community.

Sincerely,

Dr. Andrew Leavenworth
Co-President
Reynier Village Neighborhood Association





Etta Armstrong <etta.armstrong@lacity.org>

Appeal/Case #s ZA-2017-3013-CUW-1A and ENV-2017-3014-CE.

1 message

James Behrens <jamescbehrens@gmail.com>

Thu, Oct 25, 2018 at 2:59 PM

To: etta.armstrong@lacity.org

Dear Ms. Armstrong,

I oppose the cell tower that Verizon seeks to build at 2512 South Robertson Boulevard, which is currently on appeal before the South Los Angeles Area Planning Commission (case numbers ZA-2017-3013-CUW-1A and ENV-2017-3014-CE). Specifically, I am calling the Commission's attention to defects in Exhibits 7 and 12 to Verizon's rebuttal. These defects are laid out below.

Exhibit 7

In a letter dated October 18, 2018, RF Design Engineer Charaka Wijeweera (the "Engineer") would have many residents set aside years of their lived experience with their Verizon service—during which years the residents state they had adequate coverage—and would instead have the Commission rely on a single drive-by test that contradicts the residents' memories of their cell phone use in and around their homes (something with which the residents are obviously very familiar). The Engineer's one-off "drive test" is problematic for many reasons, not least of which that the Engineer attempts to use it to indicate that *in-building* coverage is bad. This is perplexing because, per the Engineer's letter, it appears that no one conducting the "drive test" ever exited the vehicle and went inside any buildings to test the signal. At best, this is a real head scratcher or a mistake that makes the Engineer look foolish. At worst it is disingenuous and is an attempt to mislead the Commission.

Given the obvious problem described above, perhaps Verizon did not give the "drive test" data to ZA Weintraub (whose decision is the subject of the appeal) because it was not compelling or could come across as disingenuous. The flipside of this argument—that Verizon believes the information it gave to ZA Weintraub was insufficient and must be supplemented by "drive test" data—would be an admission that Verizon does not believe ZA Weintraub had all of the relevant facts in the first place. Whether it's the former (the "drive test" data is not helpful and/or misleading) or the latter (the ZA had insufficient information when he made his decision), Exhibit 7 hurts Verizon's case.

In addition to the above, Exhibit 7 has other defects. The Engineer points out that there have been dropped calls in the relevant area. However, residents have indicated that dropped calls are not generally a problem. Even assuming that the Engineer is correct that there have been a number of dropped calls in the area, the Engineer provides no benchmark against which to judge whether the number of dropped calls during the time period tested is normal, worse than normal, or better than normal. Without such a benchmark, the Engineer's discussion of dropped calls is meaningless. That the Engineer fails to include a benchmark casts doubt on the Engineer's credibility.

A further defect/benchmark issue is that the Engineer asserts that a 20-foot cell tower would provide only 50% of the coverage that the proposed (much taller) tower would provide. Perhaps the coverage from a 20-foot tower would be sufficient, but the Commission cannot know because but the Engineer fails to provide a benchmark indicating whether or not such coverage would be adequate (note that residents maintain that current coverage is already adequate with no additional cell tower of any size). On a related note, the

Engineer also fails to provide a map, showing what such coverage from a 20-foot tower would look like. If, for the sake of argument, a 20-foot tower would not provide sufficient coverage (despite residents' assertions that coverage is already adequate with no tower), then maybe something slightly higher—perhaps 25 or 30 feet—would be adequate. However, the Engineer fails to provide sufficient evidence to make such a determination, leaving the Commission in the dark.

An additional defect in Exhibit 7 is contained in the Engineer's section positing that a "small cell program" would be significantly more expensive than the proposed cell tower, but the Engineer fails to give the Commission and the public a dollar figure, preventing anyone from determining how much more expensive this alternative would be. Also, while a small cell program may not provide as much coverage as a new tower, the amount of coverage provided by a small cell program may still be adequate (residents maintain that existing coverage is adequate without a tower or small cell program). Given this missing information, the Commission cannot evaluate whether or not a small cell program would be a good alternative. Also, taking a step back, it should be clear that no one is forcing Verizon to build anything--tower, small cell program, or otherwise. After all, the residents maintain that coverage is adequate. If Verizon wants to build something, and a small cell program is superior to the proposed tower, then Verizon should bear that cost—or it could choose build nothing at all.

Finally, the attachments to the Engineer's letter provide coverage maps that were apparently not provided to ZA Weintraub. That Verizon feels the need to include these maps here indicates that ZA Weintraub may have been given inadequate information. Worse, these coverage maps are *inconsistent* with the ones given to ZA Weintraub. Looking at them, it is obvious that the new maps are different (and this makes a certain sort of sense—if the new maps were the same as the maps provided to ZA Weintraub, and the Commission already has the maps provided to ZA Weintraub as part of the appeal, there would be no reason to provide new maps). However, the fact that the new maps are different from the ones provided to ZA Weintraub implies that Verizon either misled ZA Weintraub then or is attempting to mislead the Commission now. This is quite serious.

Exhibit 12

The letter from Delta Groups Engineering, Inc. ("Delta") is defective because Delta—an engineering firm that Verizon curiously tasked with interpreting the Los Angeles Municipal Code, despite Delta making no representation that it has legal expertise or other credentials related to interpreting statutes or ordinances—appears to misread the Los Angeles Municipal Code, as well as the Appellant's safety arguments, and Delta goes on to raise serious concerns about the proposed tower's height.

First, with regard to the Los Angeles Municipal Code, Delta indicated that LAMC 12.21.A.20(a)(6)(ii) requires that "the decision-maker may allow use of an alternate detailed plan and specifications for *landscaping and screening...*" (emphasis added by Delta to indicate that both landscaping and screening are required elements). However, making the tower look like a eucalyptus tree addresses only screening. It does nothing to satisfy the landscaping argument. Accordingly, because, as Delta emphasizes, both elements are required, the Code's requirements have not been met.

Further, Delta asserts that since ZA Weintraub was allowed to use alternate plans and specifications, it is "reasonable to conclude" that this is what happened. That Delta is attempting to infer this indicates that ZA Weintraub did not say he was doing this. Given that ZA Weintraub was apparently silent on this issue, it is just as reasonable—if not more—to assume that ZA Weintraub is not following alternate plans or speculation (usually when a decision-maker is veering from the norm, the decision-maker will indicate that he is making an exception).

In addition to Delta's, perhaps inattentive, misreading of the Los Angeles Municipal Code, Delta appears to willfully misread the appellants' arguments regarding safety. It is undoubtedly true that the proposed cell tower site is in close proximity to a nearby elementary school and a nearby high school. Children have been able to easily access the site, given that it is near schools and given that for months the fence around the site had holes big enough to drive a car through (as a result of a car having been driven through the fence). Delta boldly asserts that no fence is necessary—in which case, children would have even easier access to the site.

The reason, if it must be spelled out, that children's access to the site is potentially dangerous is that the absentee landlord who owns the site has a history of failing to remedy obvious dangers on the site. For months after a car crashed through the fence, there was broken glass and other debris strewn about the site. If a cell tower and utility panel are installed and something happens—e.g., the tower becomes unstable due to an earthquake, car crash, or other event; or the utility panel is opened or damaged—then it would be reasonable to expect the same landlord to act in the same way: namely, ignoring the problem for months, during which time children could come onto the site and risk falling debris or electric shock, either of which could result in serious injury or even death.

Finally, with regard to the proposed tower's height, Delta asserts that the proposed tower would not be the tallest structure in the vicinity because there are several 66' utility poles in the area. This raises the obvious question of why the cell tower equipment cannot be placed on one of these existing poles. Delta has no answer. Also, Delta appears to raise a new safety problem. Placing the 52' tower within 45' of the nearest 66' utility pole (which Delta asserts would be appropriate) is dangerous in its own right. If the proposed cell tower were to fall down, it could easily hurt someone—but putting a 52' tower within 45' of a utility pole means that the falling cell tower could also hit electrical lines, possibly injuring more people, disrupting electrical service, and/or starting a fire. Alarming, this risk is doubled because it works both ways—the close proximity also means that a 66' utility pole could fall on the cell tower, possibly injuring people, disrupting electrical service, and/or starting a fire. That Delta is raising this new safety issue is helpful because now the Committee can consider this along with the other defects discussed above.

Sincerely,
James C. Behrens
[8905 W. 24th St.](#)
Los Angeles, CA 90034

Verizon Cell Phone Tower Appeal

2512 S. Robertson Blvd. / Los Angeles, CA 90034
Case Numbers: ZA-2017-3013-CUW
ENV-2017-3014-CE



**More than 350
Residents &
Businesses are
against the
tower because . .**

It's Ugly.

It's Unsafe.

It's Unnecessary.

It's Unjust.



In 2016, SLAAPC Upheld The Denial Of A Cell Tower Permit At The Same Site

Nov. 10, 2014: Verizon seeks a conditional use permit (CUP) to install a cell phone tower at 2512 S. Robertson Blvd

Mar. 2016: Verizon appeals ZA Chiang's decision

July 7, 2016: Verizon files complaint against City of LA in federal court

July 27, 2017: Verizon reapplies for a CUP at the same site.



Mar. 10, 2016: Zoning administrator (ZA) Jack Chiang denies Verizon the CUP

June 20, 2016: the South Los Angeles Area Planning Commission (SLAAPC) upholds ZA Chiang's decision by a vote of 4 to 1

June 29, 2018: ZA David Weintraub grants a CUP to Verizon

July 16, 2018: 267 residents and businesses appeal

Sources:

<https://planning.lacity.org/pdiscaseinfo/Caseld/MTk5NzQ20>
<https://planning.lacity.org/pdiscaseinfo/Caseld/MjE1MjAw0>

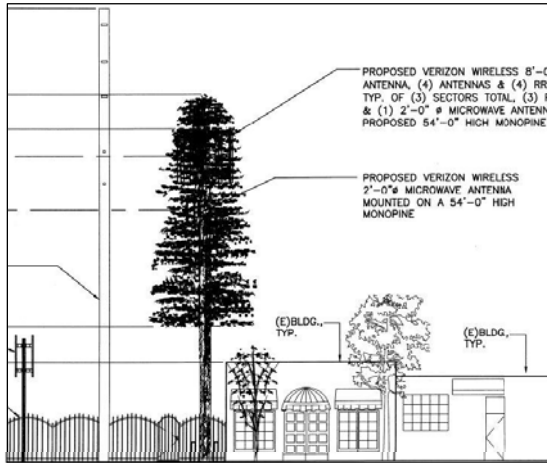
ZA Chiang and SLAAPC Said No in 2016



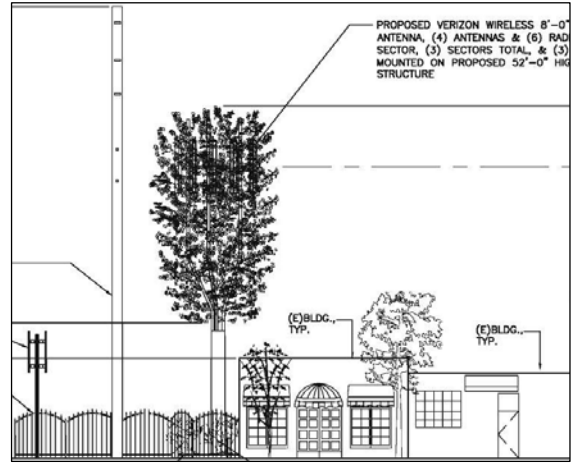
SLAAPC upheld ZA Chiang's findings that the tower:

- has "no structures in the vicinity [that] share the same height or similar appearance to integrate the cellular tower in disguise into the local environment"
- has a "location, size, height, operations and other significant features [that] will not be compatible with and will adversely effect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety"
- "does not substantially conform to the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan"
- "will not enhance the built environment in the surrounding neighborhood or . . . perform a function or provide a service that is essential or beneficial to the community, city or region"

Source: Appeal pp. 60–74



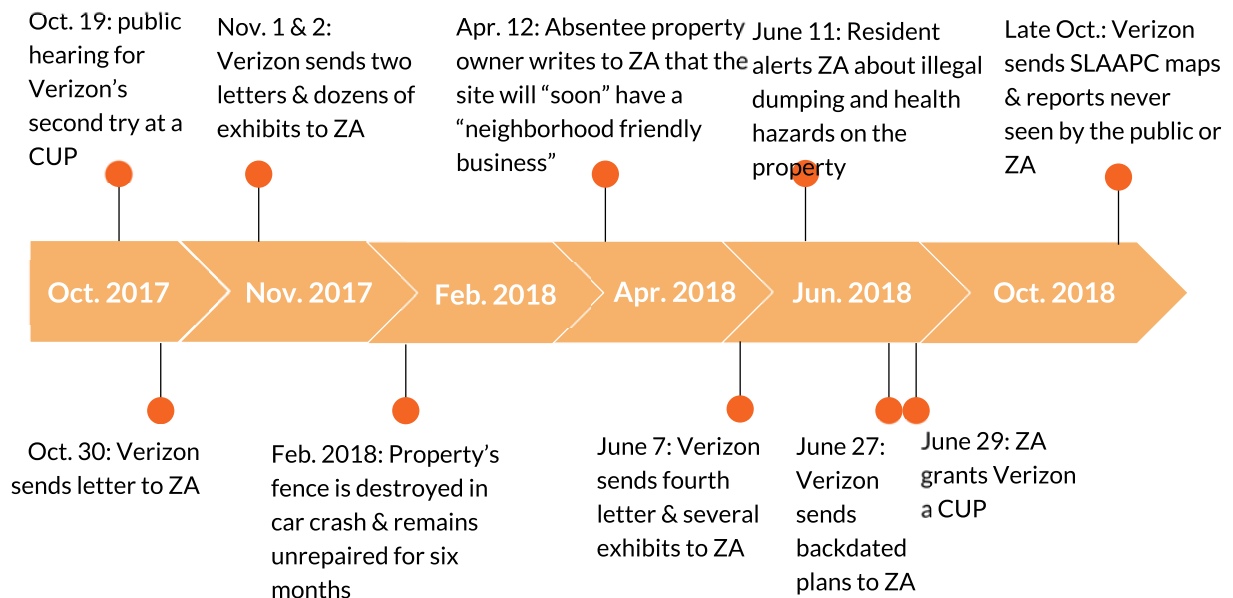
Nov. 2014 rendering by Verizon
(ZA Chiang & SLAAPC denied)



July 2017 rendering by Verizon
(ZA Weintraub approved, now pending appeal)

Two years later, Verizon is still trying to inflict a cell tower encased in a fake tree on a neighborhood that doesn't want or need it.

The ZA Granted A 2018 Permit By Relying On A Backdated Plan And Materials Verizon Sent After The Hearing



Source: Appeal pp. 7-8

It's Ugly

2512 S ROBERTSON BLVD		
★ Parcel Profile Report:		1
★ Permit Information found:		2
— Code Enforcement Information:		7
Date Received	Problem Description	Status
4/10/2009	OFF-SITE ADVERTISEMENT	UNDER INVESTIGATION
8/3/2011	BUILDINGS IN NEED OF GENERAL REPAIR	CLOSED
2/22/2012	TRASH OR DEBRIS ON PRIVATE PROPERTY	CLOSED
5/8/2014	ABANDONED OR VACANT BUILDING LEFT OPEN TO THE PUBLIC	CLOSED
5/17/2014	MISCELLANEOUS COMPLAINTS	CLOSED
7/2/2018	TRASH OR DEBRIS ON PRIVATE PROPERTY	CLOSED
7/2/2018	GRAFFITI ON THE BUILDING, FENCES OR WALLS	UNDER INVESTIGATION

Proposed cell tower site:

- Vacant for 30 years
- Attracts trash, graffiti, homeless encampments, health hazards, illegal activity
- Lots of code violations reported to LA Department of Building and Safety
- Has great potential for housing, retail, or restaurants because it is 1 of 3 adjacent parcels of land held by the same owner

Owner:

- Refuses to sell or lease despite offers
- Lives far away with no ties to community
- Easy money from a Verizon cell tower lease will remove any incentive to maintain or develop site

Source: Appeal pp. 9–10

A Tower Will Stop Robertson's Revitalization

Our community's potential can be unlocked with the recently approved **Expo Transit Neighborhood Plan**, the \$500,000 **Great Streets** grant to revitalize Robertson, nearby **Culver City** developments, and **new businesses moving in**.

But a cell phone tower creates a **dead zone** that **will stifle growth**.



It's Unsafe



The site in June during South Robertson's SORO Fest due to the owner's failure to repair the fence after a car crash in February 2018.

- Absentee property owner has a history of municipal code violations and neglect stretching back 30 years
- Site is a dumping ground for broken glass, mercury, graffiti, and human feces
- Children from the nearby elementary and high school have accessed this dangerous, vacant site
- With easy passive income, the owner has no incentive to improve the site

Source: Appeal p. 11

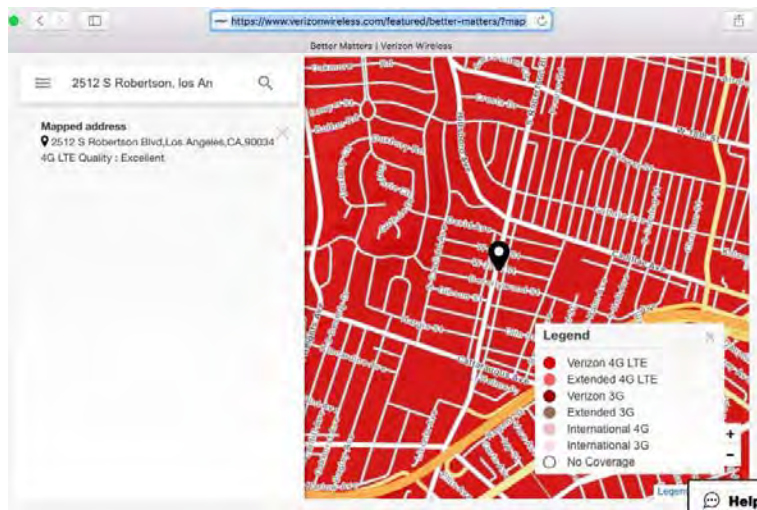
It's Unnecessary

Verizon's claim that it has a coverage gap is contradicted by

- Verizon's advertising boasting that the entire area has "excellent" coverage
- Verizon's own maps submitted with its permit application
- Verizon's untimely map submitted to this Commission in late October 2018
- Verizon's expert in other litigation
- Dozens of residents' experience as Verizon customers

Not one Verizon customer supports this cell tower!

Source: Appeal pp. 22–28



Appeal p. 84

Verizon advertises that coverage is “excellent” all around the proposed site.

Source: Appeal p. 24

Verizon’s advertising contradicts its coverage maps submitted with its permit application, which claim the proposed cell tower site (codenamed “Hillsboro”) has:

“Poor” (purple) coverage



“Weak/unreliable” (red) coverage



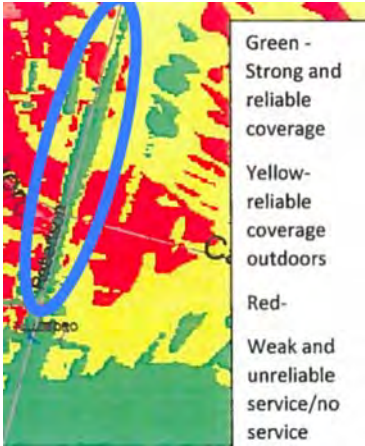
Source: Appeal pp. 133, 160

Verizon's 2 crude maps that claim to show a coverage gap are unreliable. They use subjective terms instead of data and contradict each other. For example, they show Robertson as having:

“Fair” (yellow) coverage



“Strong and reliable” (green) coverage



Source: Appeal pp. 133, 160

Verizon's 3rd coverage map actually shows that coverage exists both where Verizon plans to build the tower (Mid-City) and the neighborhood the tower will serve (Beverlywood). Verizon's expert in another case* testified that Verizon has a “target signal level of -95 dBm RSRP” and that only signal levels that “fell below that level” constitute a gap in coverage.



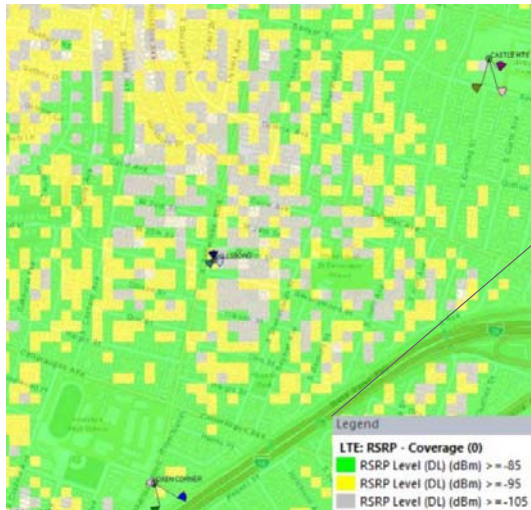
Most of the area around the proposed site has a signal level equal to or better than -95 dbm RSRP, meaning that there is no significant coverage gap.



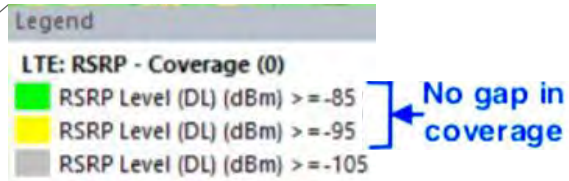
Source: Appeal pp. 25–28

* *Cellco Partnership v. Board of Sup'rs of Fairfax County, Va.*, 140 F.Supp.3d 548, 583 (E.D. Va. 2015).

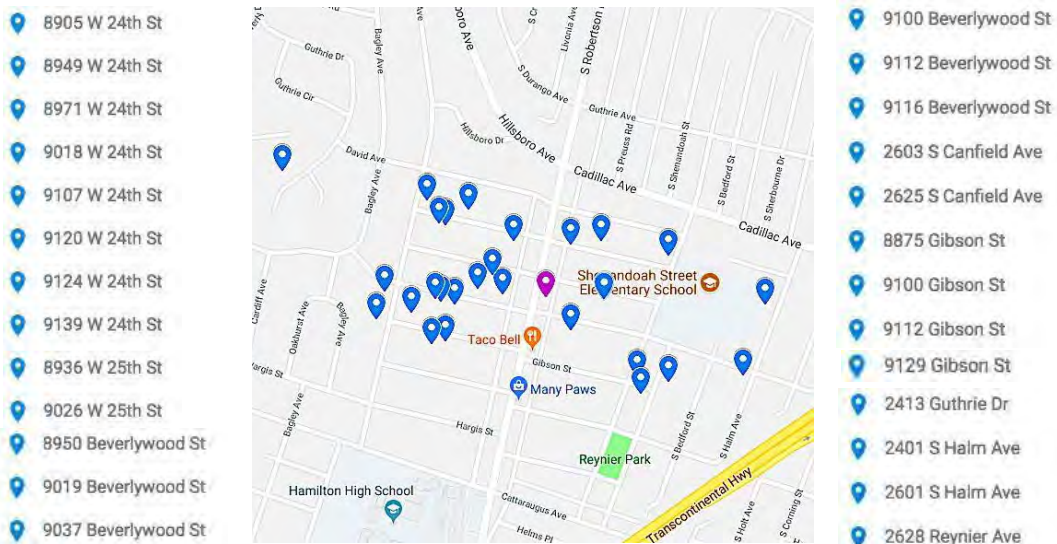
Verizon submitted an untimely 4th coverage map to this Commission in late October 2018 that neither the ZA nor the public have ever seen. Verizon does not explain why this new map is contrary to both Verizon's advertising and previous maps submitted to the ZA.



In any event, this new map also shows that most of the area around the proposed site has a signal level equal to or better than -95 dbm RSRP, meaning that there is no significant coverage gap.

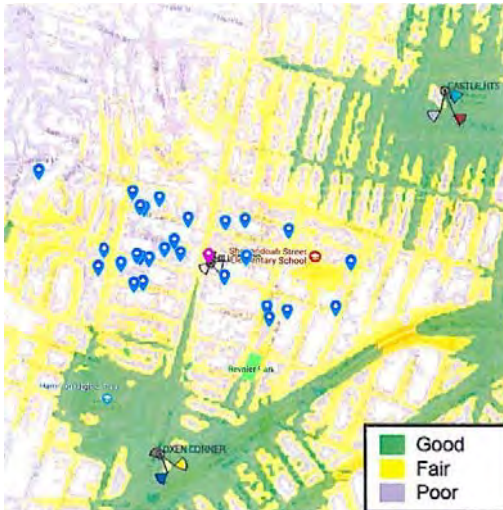


Verizon's coverage gap claim is also contradicted by dozens of Verizon customers who live near the proposed cell tower site and report no coverage problems, shown below by a . The proposed cell tower is shown by a .

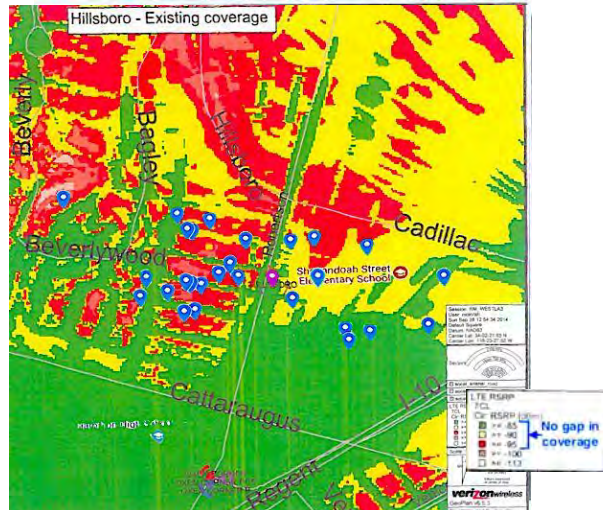


If you compare the addresses of Verizon customers against the maps Verizon submitted with its permit application, you see **customers who live where Verizon claims to have “poor” or “weak/unreliable” coverage actually report no coverage problems.**

“Poor” (purple) coverage

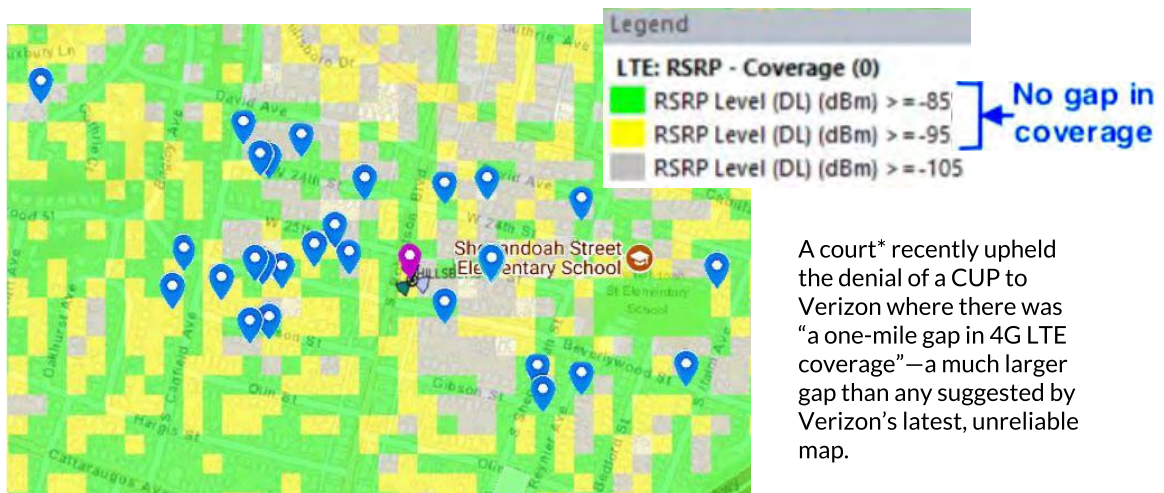


“Weak/unreliable” (red) coverage



Source: Appeal pp. 22–28

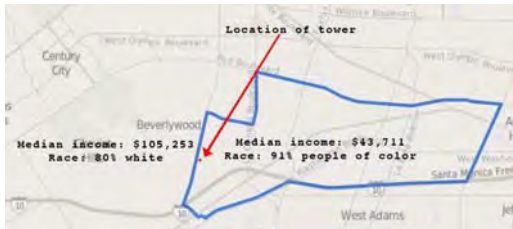
Likewise, if you compare Verizon’s untimely October 2018 map with the addresses of Verizon customers, you see **customers who live where Verizon claims to have a gap in coverage actually report no coverage problems.**



A court* recently upheld the denial of a CUP to Verizon where there was “a one-mile gap in 4G LTE coverage”—a much larger gap than any suggested by Verizon’s latest, unreliable map.

* *Cellco Partnership v. Board of Sup’rs of Fairfax County, Va.*, 140 F.Supp.3d 548, 583 (E.D. Va. 2015).

It's Unjust



- The cell tower site is in Council District 10 (Mid-City)
- But Verizon admits and the ZA found that the tower is designed to serve a wealthy, white neighborhood (Beverlywood) in Council District 5
- Beverlywood has a \$105,253 median income and is 80% white
- Mid-City has a \$43,711 median income and is 91% non-white

Source: Appeal p. 29

The handful of Beverlywood houses that Verizon says lack coverage are in an area that is more than 80% white.
But Verizon's cell tower site is in a majority-minority neighborhood just 800 feet from an elementary school that is 98.6% non-white.



Source: Appeal pp. 29 & navigatela.lacity.org/



Etta Armstrong <etta.armstrong@lacity.org>

ZA-2017-3013-CUW-1A and ENV-2017-3014-CE -- Verizon Cell Phone Tower on S. Robertson Blvd.

kathryn pellman <kathryn.pellman@gmail.com>

Thu, Oct 25, 2018 at 11:10 AM

To: etta.armstrong@lacity.org

Cc: norobertsoncelltower@reyniervillage.org, Linda Theung <linda.theung@gmail.com>

I have lived in the neighborhood for 21 years and am opposed to Verizon's six-story cell tower at [2512 S. Robertson Blvd.](#) I am requesting that The Planning Commission deny Verizon's request. As I am sure you know, in 2016, their permit was denied and they appealed and lost before the planning commission. They resubmitted again and it was approved by another zoning administrator in two days without any community input. This is unacceptable and needs to be reviewed. Surely, they should be able to find another suitable location if they put in the same amount of effort and money they have expended in fighting the neighborhood residents. Putting more leaves on the faux eucalyptus does not change the project or it's impact on the neighborhood.

Verizon's permit should be denied as the project is not appropriate for a street that has been awarded Mayor Garcetti's \$500,000 Great Streets Grant. This property has been vacant for over 30 years and the owner has refused to sell or rent despite numerous offers and efforts by SoRo. They appear to have no interest in the neighborhood and have not responded in any positive way over the years to consider leasing their space to a restaurant. With the income from the cell tower, they will have no motivation to lease or sell the property to someone who would utilize the building in a manner that is harmonious with the vision the community, SoRo and Councilman Wesson's office has for South Robertson Boulevard. This is one of the few buildings with off street parking and thus is prime real estate. It used to be a restaurant and if the owners would lease to a restaurant, it would have positive impact on the future development of Robertson Boulevard. It should be noted that Undergrind Cafe which caters to the local community has been enormously successful in bringing life and foot traffic to the street. They are busy from the time they open to the time they close. Imagine the impact is this property became a restaurant instead of a vacant cell tower space. No matter what Verizon does to camouflage the tower, it will still be a empty commercial building that does not serve the community.

I urge you to reconsider and think about what is best for the overall future of the South Robertson Boulevard community and not what is best for Verizon.

Respectfully,

Kathryn Pellman
[8937 Hargis Street](#)

Aleksander Tamm-Seitz, RA, NCARB

8963 Gibson St

Los Angeles, CA 90034

October 23, 2018

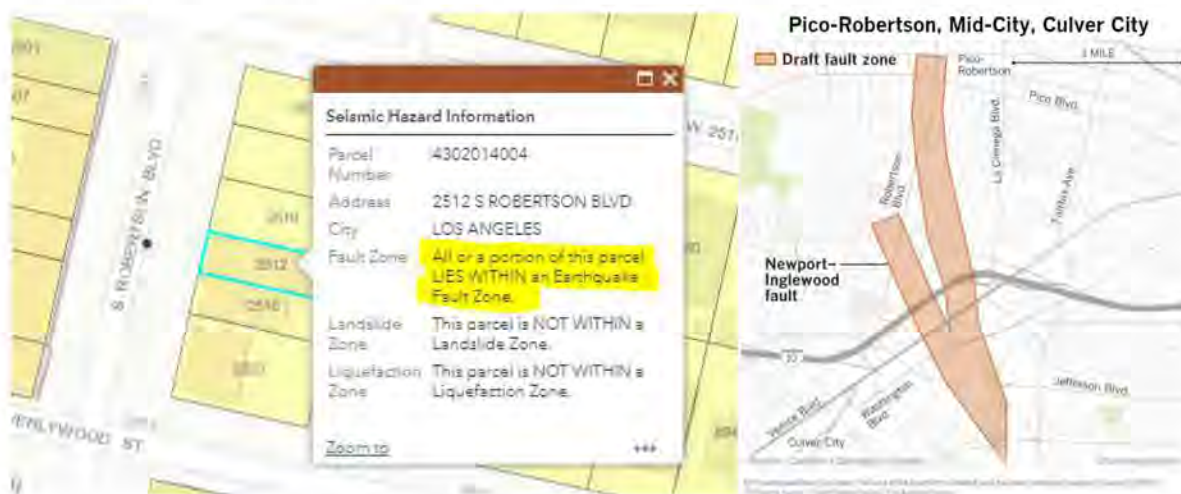
RE: Seismic Life Safety Concerns of Proposed Cell Phone Tower at 2512 S Robertson Blvd

Dear South Los Angeles Area Planning Commission:

As a Reynier Village resident I have safety concerns related to the proposed 52' tall cell tower proposed at 2512 S Robertson Blvd. This project site falls directly on a fault zone (Newport-Inglewood fault). The Building Official has the authority, and the duty, to require a full geological investigation of this site, to confirm there will be no loss of life in the event of a structural failure during a seismic event.¹

I have reviewed the soils report (dated 01/07/2015) that was filed with the City of Los Angeles in 2016 for this project. As of 2018, the soils report on file at the Department of Building and Safety uses outdated information. The report notes the maps used for the seismic hazards screening were "The Revised 2002 California Probabilistic Seismic Hazard Maps." The soils reports notes the closest fault as being 2.1 miles away. This is no longer accurate.

Revised Los Angeles earthquake fault maps were released in 2017. The most current information available for the site at 2512 S Robertson Blvd shows that this site falls directly on top of a fault zone. The below screenshot is taken from the current maps provided by the California Geological Survey (<https://maps.conservation.ca.gov/cgs/EQZApp/app/>). The maps show the site in question falls directly on a fault zone.



¹ The Los Angeles Building Code, Title 26, Section 111 notes "The Building Official may require an engineering geology or soils engineering report, or both, where in the Building Official's opinion, such reports are essential for the evaluation of the safety of the site."

October 23, 2018

RE: Seismic Life Safety Concerns of Proposed Cell Phone Tower at 2512 S Robertson Blvd

Page 2

The Alquist-Priolo Earthquake Fault Zoning Act (AP Act) was signed into California law in 1972, to mitigate the hazard of surface faulting to structures for human occupancy. The intent of the AP Act is to protect human life in buildings meant for human occupancy. While the AP Act does not apply to structures with a U (utility) occupancy, in this case the AP Act should be considered since a structural failure of the cell tower in a seismic event could cause direct loss of life in buildings with human occupancy on the same site (directly next to the tower). This cell phone tower is not proposed in a field. It is being proposed directly next to buildings that are to have a human occupancy. There are seismic safety concerns with building the tower directly on top of a fault zone without doing substantial geological investigations (a soils report using outdated information is not enough).

Sincerely,

A handwritten signature in black ink, appearing to read 'Aleksander Tamm-Seitz', is written over a light gray rectangular background.

Aleksander Tamm-Seitz, RA, NCARB

Reynier Village Resident and Licensed Architect

October 24, 2018

Eric Bates, Gail Willis, Antoinette Anderson, Jacqueline Orozco, Stevie Stern
c/o Etta Armstrong
South Los Angeles Area Planning Commission
200 N. Spring Street, Room 532
Los Angeles, CA 90012-4801
Via email: etta.armstrong@lacity.org

Dear Commissioners:

I am writing in response to the letter and corresponding exhibits dated October 19, 2018, that were sent by Kevin Sullivan on behalf of Verizon regarding the conditional use permit (CUP) at 2512 S. Robertson Blvd. The materials are part of the official commission packet for consideration in advance of the hearing before the South Los Angeles Area Planning Commission about this case on October 30, 2018.

New material, never before seen by the public or Zoning Administrator (ZA) David Weintraub, who issued a decision on this case on June 29, 2018, was sent as part of this letter. While Mr. Sullivan's letter itself contains versions of information that can be found throughout their original application and materials sent *after* the public hearing on October 19, 2017, some of the exhibits contain information that was not part of the ZA's consideration, namely:

- Exhibit 7: Letter from Charaka Wijeweera, RF design engineer with Verizon Wireless—Southern California. This exhibit provides numerous new maps outlining coverage before and after the installation of the “Hillsboro” site. Since it can be assumed that Verizon conducted extensive research before beginning the long process of requesting this CUP, it would also be safe to assume that the company would have created these maps as part of the initial investigation into possible sites. These maps should have been made available to both the ZA and the public for review.
- Exhibit 12: Letter from William Desmond, vice president of Delta Groups Engineering. This letter mostly addresses the issue of the cell tower's safety. The engineer raises the issue about designing a structure to “resist seismic (earthquake) shear force,” with explanations of how this tower will not be a risk to the public. This information was not raised in previous material to the ZA. In fact, upon further investigation, it is determined that the engineer designed this structure based on a soils reports from January 2015, which was conducted based on seismic maps from 2002. Recently released maps in 2017, after the soils report for this specific project was done, show that this site resides immediately over a fault zone, which means that the engineering is not congruent with the current conditions of the site.

Furthermore, in his letter, Mr. Sullivan continues to cite FCC laws “on radio frequency (RF) energy,” namely that “telecommunications service base stations (antenna sites) are safe.” We are unsure why this is included as a rebuttal, as none of the arguments in the appeal makes a case about RF waves. We believe that this is included to cast doubt and suspicion to the commission

about the arguments made by the community and the appellants, when, in fact, the community is fully aware that arguments related to RF cannot be considered by the commission.

Some appellants and members of the public have submitted new information to this commission in response to Verizon's post-hearing filings. Because of the procedural rules by the commission, Verizon had until Monday, October 22, to submit an unlimited amount of material to the commission. They took advantage of that deadline, and appellants had only 24 hours to review and respond to the new documents once they were made public. Verizon is the applicant in this case, so it is their burden to be transparent as possible with the public so the public has a chance to thoroughly review and consider their case with as much information as possible. This information should have been shared with the ZA in the original public hearing about this issue last October 2017. We object to these two items being admissible, as it was not properly shared before the commission.

Thank you for your consideration,

Linda Theung
Resident and appellant

List of Appellants, Residents, and Businesses Opposed to the CUP at 2512 S. Robertson Blvd.

Case Nos. ZA-2017-3013-CUW-1A and ENV-2017-3014-CE

Residents

- | | | |
|----------------------|-------------------------|--------------------------|
| 1. Ramzan Aaryan | 38. Elaine Brandt | 74. Gloria Dioum |
| 2. Michael Abedor | 39. Jeffrey Breuer | 75. Amy DiSalvo |
| 3. Alon Aboutboul | 40. Karen Breuer | 76. Bertha E. Perez |
| 4. Jim Agee | 41. Karen Brown | 77. Christopher |
| 5. Jacqueline Agroca | 42. Ina Buckner- | Eichorn |
| 6. Anabel Aispuro | Barnette | 78. Natalie Elazar |
| 7. Cecilia Aispuro | 43. Stephanie Caleb | 79. Pascual Eleazar Ruiz |
| 8. Doris Alcantar | 44. Kathryn Camp | Garcia |
| 9. Jason Alex | 45. Jami Carter | 80. Kimberly Elliott |
| 10. Dede Alva | 46. Marietta Castillo | 81. Margaret Emery |
| 11. Ron Anantavara | 47. Jade Chan | 82. Joe Fallon |
| 12. Romie Angelich | 48. Serena Chang | 83. Karen Feinberg |
| 13. Nancy Aquino | 49. Julie Chargualaf | 84. Lawrence Feinberg |
| 14. Yaniv Arbiv | 50. Dean Cheng | 85. James Feld |
| 15. Marc Archenault | 51. Joyce Cheng | 86. Marilyn Feld |
| 16. Ali Atefi | 52. Daniel Chitayat | 87. Leon Felus (sp?) |
| 17. Eden B. Pacana | 53. Francine Chitayat | 88. Quincy Ferguson |
| 18. Gunhild Badkar | 54. Luca Chitayat | 89. Dan Fink |
| 19. Dennis Bain | 55. Michael Clark Perry | 90. Doug Fitzsimmons |
| 20. Helen Bain | 56. Ari Cohen | 91. Amanda Foley |
| 21. Mitchel Balmayne | 57. Mitch Cohen | 92. John Foley |
| 22. Carmen Barahona | 58. Tracy Cohen | 93. Alexandra Foote |
| 23. Jessica Barclay- | 59. Jolene Collins | 94. Cynthia Forchielli |
| Strobel | 60. Michael D. | 95. Meysam Foruoghi |
| 24. Lisa Barnet | Shannon | 96. Steve Fraider |
| 25. William Barrett | 61. Kate D'Andrea | 97. Michael Francis |
| 26. Jeffrey Baughman | 62. Andrea Daniels | 98. Donna Frieden |
| 27. Randi Becker | 63. Michael Daniels | 99. Carol Fuchs |
| 28. James Behrens | 64. Anna Darnell | 100. Ron Fuglsby |
| 29. David Beran | 65. Doug Darnell | 101. Adrian Furchner |
| 30. Laura Berk | 66. Rafael Dayon (sp?) | 102. Alex Galvan (sp?) |
| 31. Mai Berman | 67. Jamela Debelak | 103. Alejandra Garcia |
| 32. Jill Blote Vogel | 68. Susan Demmer | 104. Melissa Garcia |
| 33. Joanna Bogos | 69. Jennifer Derwin | 105. Hector Garza |
| 34. Jackie Bonilla | 70. Andres Diana | 106. Gilbert Geronimo |
| 35. Cindy Boudov | 71. Rebecca Dienno | (sp?) |
| 36. Augustin Brajeux | 72. Mark DiMara | 107. Nena Geronimo |
| 37. David Brandt | 73. Alioune Dioum | (sp?) |

- | | | |
|-------------------------|-----------------------|-------------------------|
| 108. Dina Gibson | 151. Manjit Khalsa | 193. Tamara |
| 109. James Gierman | 152. Klaude Kimura | McCrossen |
| 110. Genevieve Goff | 153. Matt Klauschie | 194. Amy McKay |
| 111. Cassie Gold | 154. Jezmae Klein | 195. Carl McKay |
| 112. Nina Goldin | 155. Sam Klein | 196. Jason McKinley |
| 113. Laura Goldsmith | 156. Mary Koetting | 197. Rachel McKissick |
| 114. Teddy Goldsmith | 157. Linda Kontos | 198. Paula McQueen |
| 115. Carlos Gomez | 158. Glen Krinsky | 199. Zack Medway |
| 116. Alexander Granieri | 159. James Kung | 200. Joseph Mena (sp?) |
| 117. Tal Grinblat | 160. Noey Kupchan | 201. Aurora |
| 118. Sandey Grinn | 161. Shuli Kupchan | Meneghello |
| 119. John Gutierrez | 162. Luis Lam | 202. Marian Mihail |
| 120. Marcelo Gutierrez | 163. Paula Landau | 203. Emil Mondelo |
| 121. Michael Haft | 164. Ellen Lanet | 204. Frankie Mondelo |
| 122. Joyce Hallgren | 165. Anura Lawson | 205. Susan Mondelo |
| 123. Vern Hallgren | 166. Andrew | 206. Liz Montgomery |
| 124. Dan Halloran | Leavenworth | 207. Neri Moran |
| 125. John Hansen | 167. Kathy Lee | 208. Genna Moroni |
| 126. Nancy Hansen | 168. Chris Leggett | 209. Brad Morris |
| 127. Anne Hart | 169. Aaron Lennard | 210. Deni Mosser |
| 128. Abigail Hess | 170. Mercedes Leon | 211. Steve Mrozowski |
| 129. Angelica Hess | 171. Elisa Leonelli | 212. Elaine Mura |
| 130. Beth Hirsch | 172. Barry Levine | 213. Jonathan Nazish |
| 131. Farrell Hirsh | 173. Laurie Levine | 214. George Neil |
| 132. Andrew Hoffer | 174. Marion Levine | 215. Phoebe Neil |
| 133. Jamie Hoffer | 175. Lisa Littman | 216. Lucinda Newsome |
| 134. Jessica Hoffer | 176. Jim Livingston | 217. Kate Noonan |
| 135. Nina Hoffer | 177. Nicole LoSasso | 218. Jonathan Norton |
| 136. Diane Holskin | 178. Iris Luthi | 219. Atma Okazaki |
| 137. Matthew Holskin | 179. Eric Lynch | 220. Nate Orr |
| 138. Christy Hunter | 180. Sheila Maddox | 221. Jose Ortega |
| 139. Dexter Hutchison | 181. Maria Magallanes | 222. Antonia Otazu |
| 140. Willam Hwang | 182. Edwin Maldonado | 223. Nestor Otazu |
| 141. Blake Ingram | 183. Paydar Manouch | 224. Renato Pacana |
| 142. Joan Ingram | 184. Mina Marcos | 225. John Palmerton |
| 143. Leah Jalali | 185. Erin Marsh | 226. Dorothy Park |
| 144. Rebekah Jalali | 186. Seth Marsh | 227. Mary Parkinson |
| 145. Janice Jones | 187. Joseph Martinez | 228. Nicole Parvizshahi |
| 146. Faye Joseph | 188. Stephanie | 229. Alexander Paul |
| 147. Ilana Jurkowitz | Martinez | 230. Kathryn Pellman |
| 148. Avi Kadmon | 189. Linda Matthews | 231. Benjamin Perez |
| 149. Lucas Kanopa | 190. Tim Mayhew | 232. Alvaro Piccioni |
| 150. Marla Kanopa- | 191. Craig McCain | 233. Martin Porcelain |
| Bizzle | 192. Harold McCauley | 234. Justin Poulsen |

235. Trina Quandt
 236. C. Rae Grieco
 237. Alfredo Ramirez
 238. Ashley Ranger
 239. Charles Rarta (sp?)
 240. Ava Reder
 241. Elle Reder
 242. Martin Reder
 243. Teresa Reder
 244. Clara Reyes
 245. Krystle Reyes
 246. Shola Richards
 247. Mari Richman
 248. Stephanie Ripps
 249. Kat Rivera
 250. SoYun Roe
 251. Michael Rogers
 252. Jenny Roman
 253. Paul Roman
 254. Sarah Romotsky
 255. Mark Ros
 256. Mike Rosen
 257. Harry Rosenfeld
 258. Barbara Rosenman
 259. Shoshana Ross
 260. Michael Rozales
 261. Estela Ruiz
 262. Allan Rutenberg
 263. Juan Saba
 264. Susan Salandra
 265. Lorraine Salk
 266. Carol Sanders
 267. James Scythe
 268. Carl Sealove
 269. Deborah Sealove
 270. Brian Segell
 271. Robert Semon
 272. Elena Shahdadi
 273. Pam Sirota
 274. Huli Sloane
 275. Noah Sloane
 276. Raphael Sloane
 277. Matt Sloustcher
 278. Jacob Smith

279. Ellen Snyder
 280. Nick Spark
 281. Larry Spektor
 282. Margy Sperry
 283. Marc Spigelman
 284. Catherine St.
 Claire
 285. William Stapleton
 286. Patricia Stewart
 Nolen
 287. Fran Sutton-
 Williams
 288. Haley Sweet
 289. Tiffany Sydelle
 Miller
 290. Aleksander
 Tamm-Seitz
 291. Patrice Taylor
 292. Paula Taylor
 293. Linda Theung
 294. Laura Thieme
 295. Trevor Thieme
 296. Tony Tith
 297. Edward Trujillo
 298. Robin Tucker
 299. Maybell Ulandez
 300. David Url
 301. Eliza V. Stern
 302. Jim Valdez
 303. Rosa Vazquez
 304. Abigail Vidikin
 305. Daniel Vidikin
 306. Kimberly Villa
 Toro
 307. Tess Vinnedge
 308. Vern Waldroal
 309. Jerome Walker
 310. Ken Walker
 311. Lora Walker
 312. Megan Walker
 313. Nik Ward
 314. Bryan Warman
 315. Nancy Weintraub
 316. Scott Weintraub

317. Shannon
 Weissman
 318. LE Welden
 319. Mara Werber
 320. Rose White
 321. Sandra Willard
 322. Greg Wootton
 323. Molly Wootton
 324. Josh Wozman
 325. Andrew Yip
 326. Lily Yovetich
 327. Lucas Yovetich
 328. Sue Yovetich
 329. Basil Zanda
 330. Heide Ziecker
 331. Russell Ziecker

Businesses

332. 777 Exotic Car
 Rental
 333. A-1 Construction
 Design
 334. Alcon Lighting
 335. Alicia Salon
 336. Antique Plus
 337. Arcpoint Labs—
 West L.A.
 338. Art and Soul
 Tattoo
 339. Art Deco
 Designers
 340. Beverlywood
 Swim School
 341. Brody-Pennell
 HVAC
 342. Campos Tacos
 343. Century 21
 Beverlywood Realty
 344. Creative Producers
 Group Inc
 345. Danny Custom
 Upholstery
 346. Dave's Liquor

- | | |
|---|--------------------------------------|
| 347. Dolce Isola | 377. The Empanada
Factory |
| 348. Domino's Pizza | 378. The Relational
Center |
| 349. Eli's Upholstery | 379. The X Change |
| 350. Eloise's Clip and
Fluff | 380. Tommy's Express
Car Wash |
| 351. Emil's Hardware | 381. Undergrind Café |
| 352. Esmerada's Mini
Market | 382. Wellness Source
Chiropractic |
| 353. eWork Shoppe | 383. Westside Electric |
| 354. Fancy Cleaners | 384. Wonder Kids
World |
| 355. Fine Art by
Barbara Mendes | |
| 356. Fred's Bakery | |
| 357. Gentleman's Suit
Outlet | |
| 358. German Autosport | |
| 359. Ivan Gallery | |
| 360. Knox Salon | |
| 361. Merit | |
| 362. MGM Fine
Upholstery | |
| 363. Miss Donut | |
| 364. Mostly Angels and
Magicals | |
| 365. Nationwide
Mortgage Corp | |
| 366. New Me Apparel | |
| 367. Palmer Addressing
and Mailing Co. | |
| 368. Passages
Beverlywood | |
| 369. R.P.M. Brake
Service | |
| 370. Rachel Rosenthal
Company | |
| 371. Roads R Us Auto
Inc | |
| 372. Sunset Plaza
Carpets Co. | |
| 373. Taco Bell | |
| 374. Techcare
Computers | |
| 375. The Bagel Factory | |
| 376. The Dance Store | |

October 25, 2018

South Los Angeles Area Planning Commission
200 N. Spring Street, Room 432
Los Angeles, CA 90012

Dear Commissioners,

I am a Verizon customer and a resident living a few hundred feet from where Verizon plans to build a 52-foot cell tower, diesel generator, and fake tree. This letter attaches:

- **Eight maps rebutting Verizon's claim of a "significant" coverage gap** in Beverlywood (the area West of Robertson to be served by the tower) as well as the Mid-City (the area East of Robertson that will be burdened by the cell tower)
- **A ninth map showing the discriminatory impact that Verizon cell tower has** on a poor, majority-minority residential neighborhood (Mid-City) for the benefit of a nearby wealthy, whiter area (Beverlywood) in a different City Council district

Yesterday, when looking at the agenda for the upcoming October 30 hearing, I was shocked to discover that Verizon had submitted in late October 2018 almost 100 pages of material to bolster its case, including coverage maps never before seen by the Zoning Administrator or the public. While 24 hours and 10 pages is hardly sufficient opportunity to respond, I will try to do so briefly here.

The **eight maps** that rebut Verizon's coverage gap claim do so by using:

- Verizon's advertising
- Verizon's prior expert testimony in another case
- Three coverage maps Verizon submitted to the Zoning Administrator
- A fourth coverage map Verizon submitted to the SLAAPC in late October 2018
- The coverage history of 26 appellants who are also Verizon customers

I created these maps after other appellants and I identified 26 Verizon customers who, like me, have fine coverage with Verizon and have joined this appeal to oppose the cell tower. I entered these 26 Verizon customers' addresses into Google Maps and then overlaid the resulting Google map on Verizon's coverage maps. The result shows that Verizon's claim of a coverage gap is contradicted by its customers.

The **ninth map** is a copy of one of Verizon's coverage maps submitted to the ZA with shapes I drew based on census¹ and school² data. The red shapes show that the handful of Beverlywood houses that Verizon says lack coverage are in an area that is more than 80% white. But Verizon's cell tower site is in a majority-minority neighborhood just 800 feet from an elementary school that is 98.6% non-white, where the vast majority of its students speak a language other than English at the home.

Sincerely,

Jess Barclay-Strobel
8905 W. 24th Street
Los Angeles, CA 90034

¹ navigatela.lacity.org/

² <https://dq.cde.ca.gov/dataquest/dqcensus/enrthlevels.aspx?aggllevel=School&year=2017-18&cds=19647336019160;>
<https://dq.cde.ca.gov/dataquest/longtermel/EverElType.aspx?cds=19647336019160&aggllevel=School&year=2016-17>

Appeal of Verizon Cell Tower CUP Application,
Case #ZA-2017-3013-CUW and #ENV 2017-3014-CE

My name is Karen Feinberg and I am a resident at 9129 W. 25th St., LA 90034.

Approval of the Verizon Cell Tower CUP violates LAMC 12.24.E.3 in at least 3 ways, and what's more, the cell tower is NOT required for the City's Emergency Notification System.

LAMC 12.24.E.3 requires that a project (or CUP) substantially conform to the General Plan, Community Plan and/or Specific Plan for its area. In our case, the relevant Community Plan is the West Adams-Baldwin Hills-Leimert (Plan) and Implementation Overlay (hereinafter referred to as the CPIO).

Regulations expressly state that decision makers should use the General Plan and our CPIO when evaluating the type of CUP Verizon is seeking here. I will show that ZA Weintraub essentially ignored this requirement in his decision, because he did not adequately address the objectives and intent of the City's General Plan and Community Plan vis-a-vis Verizon's CUP application.

The relevant portions of our CPIO (and the L.A. Municipal Code) require several things including: a) use of a project site to its fullest potential, b) a ban on blight-inducing uses, and c) burying or obscuring utilities and telecomm equipment from public view, and utilizing real vegetation for screening of utilities. By failing to adequately address all of these issues, Zoning Administrator Weintraub's decision is inherently defective and contains significant error in his finding that the cell tower satisfies the Code requirements that a project conform to the purpose, intent and provisions of the General Plan and Community Plan.

Violation A: LAMC 12.24.E.3 requires use of a project site to its fullest potential. Installation of the Verizon cell tower will make it virtually impossible to achieve full use of the remaining property by potential tenants and their patrons. The only way to ensure full potential use of this site is to make sure that NO cell tower installation, (and the accompanying enclosure for its diesel generator) is allowed on this property.

Just as a reminder to Commission members, the subject property involves 3 contiguous lots, totaling 6826 sf, with significant off-street parking on the NORTH side of the property, as well as BEHIND the commercial building. Because of its size, this property has the potential to become a premier commercial space in our neighborhood. However, the very presence of the cell tower/fake tree structure and surrounding landscaping at its base, will remove significant space from future tenant use on the NORTH SIDE of the commercial building. Similarly, the required 156-sf enclosure for the accompanying diesel generator will eliminate space DIRECTLY BEHIND the building from future tenant use as well. Adding this type of industrial equipment will blemish this site for uses such as additional boutique-style shops or a restaurant (which was its previous use) because many people will not want to be that close to a cell tower.

Violation B: LAMC 12.24.E.3 bans blight-inducing uses. These 3 properties have been vacant for almost 30 years, despite the landlord receiving offers to rent (or even buy) the property. As you will hear from others, the absentee landlord has allowed this property to deteriorate and become a magnet for rats, roaches, trash, hazardous waste, human excrement, etc. This has happened despite various complaints by residents to the City over the years. Giving the landlord access to easy rental income from Verizon will only incentivize the landlord to keep the property vacant and defer the necessary expenditures required to maintain the property in good condition. It will only perpetuate the very blight our neighborhood is trying to eliminate. This means the cell tower will CONTRIBUTE TO MAINTAINING THE EXISTING BLIGHT. And blight is a valid reason per the LAMC and our CPIO for denying a CUP application.

Violation C: LAMC 12.24.E.3 requires utilities and telecomm equipment to be buried or obscured from public view. The General Plan (in its Guidelines, Objective #6) and our CPIO, state that when new utility service is installed in conjunction with NEW OR EXISTING development, all proposed utilities on a project site should be placed underground or otherwise screened from view. ⁽¹⁾ The intent here is to HIDE these utilities from public view. In this instance, the opposite will happen.

All buildings in the immediate vicinity of the proposed cell tower installation are zoned for a MAXIMUM height of 30'. But Verizon is proposing a 52' cell tower installation, with fake vegetation no less! There is NO way that this cell tower will be hidden or "blend" in with the surrounding environment. The presence of utility or telephone poles will NOT make this cell tower "blend in" with its environment. These utility and telephone poles are eyesores as well. This is like saying "because we already have other eyesores here, we should be forced to accept one more" -- an absurd and ridiculous argument even on the face of it! As shown in Verizon's own rendering attached on p. 4 of this statement, there is NO building or vegetation immediately near the proposed cell tower that is even CLOSE to 52' in height. Only 1-story buildings are in the immediate area, and they are significantly less than 25' tall. What everyone WILL see is a fake tree towering above the buildings it is closest to. Rather than blending in harmoniously, the proposed cell tower will stick out like a sore thumb, thus violating the intent of this stated objective of the City's General Plan and CPIO!

Finally, the argument made by Verizon (and ZA Weintraub) regarding the City's Safety Plan which promotes an Emergency Notification System for reporting emergencies is specious, to say the least. ⁽²⁾

Under Federal law, a wireless telecommunications provider must transmit ALL wireless 911 calls, including those handled by another carrier. ⁽³⁾ For this reason, courts have rejected the argument that a gap in a provider's own coverage is sufficient to show that a provider's proposed cell tower is "necessary to improve the handling of wireless 911 calls in the neighborhood." ⁽⁴⁾

Nor should the Zoning Administrator rely solely on the California PUC's recognition of the value of "telecomm infrastructure" as a regional hub for public and private users. Whatever value "telecomm infrastructure" has in the abstract, does not justify its specific use here, which in this instance, contributes to blight. Rather, as stated in a 9th Circuit Court of Appeals decision in 2008, to the extent an abstract concept must be considered at all, a decision maker may "balance the competing goals of ... the provision of wireless services and other valid public goals such as safety and aesthetics." ⁽⁵⁾

On March 10, 2016, Zoning Administrator Chiang stated in his Findings of Fact #1 through #3 and #4(c), that the VERIZON cell tower failed to conform to, and therefore violated, sections of the City's Design Guidelines, the City's General Plan AND our CPIO. ⁽⁶⁾

Nothing has materially changed in this CUP application since the Commission's original decision in June 2016 -- Verizon is still asking for a cell phone tower that is inappropriate for the site using dubious claims about its need.

In June 2016, this Commission denied Verizon's CUP application (and upheld ZA Chiang's decision from March of that year). For the various reasons stated above, our community believes that the Planning Commission should once again deny Verizon's CUP application.

Thank you.

FOOTNOTES:

(1) General Plan Guidelines, Objective #6, p. 38 is available at:

<http://planning.lacity.org/urbandesign/ccontent/docs/ResidentialCitywideDesignGuidelines.pdf>

(2) Ex.1, (7/6/18 ZA Weintraub Decision), p.51

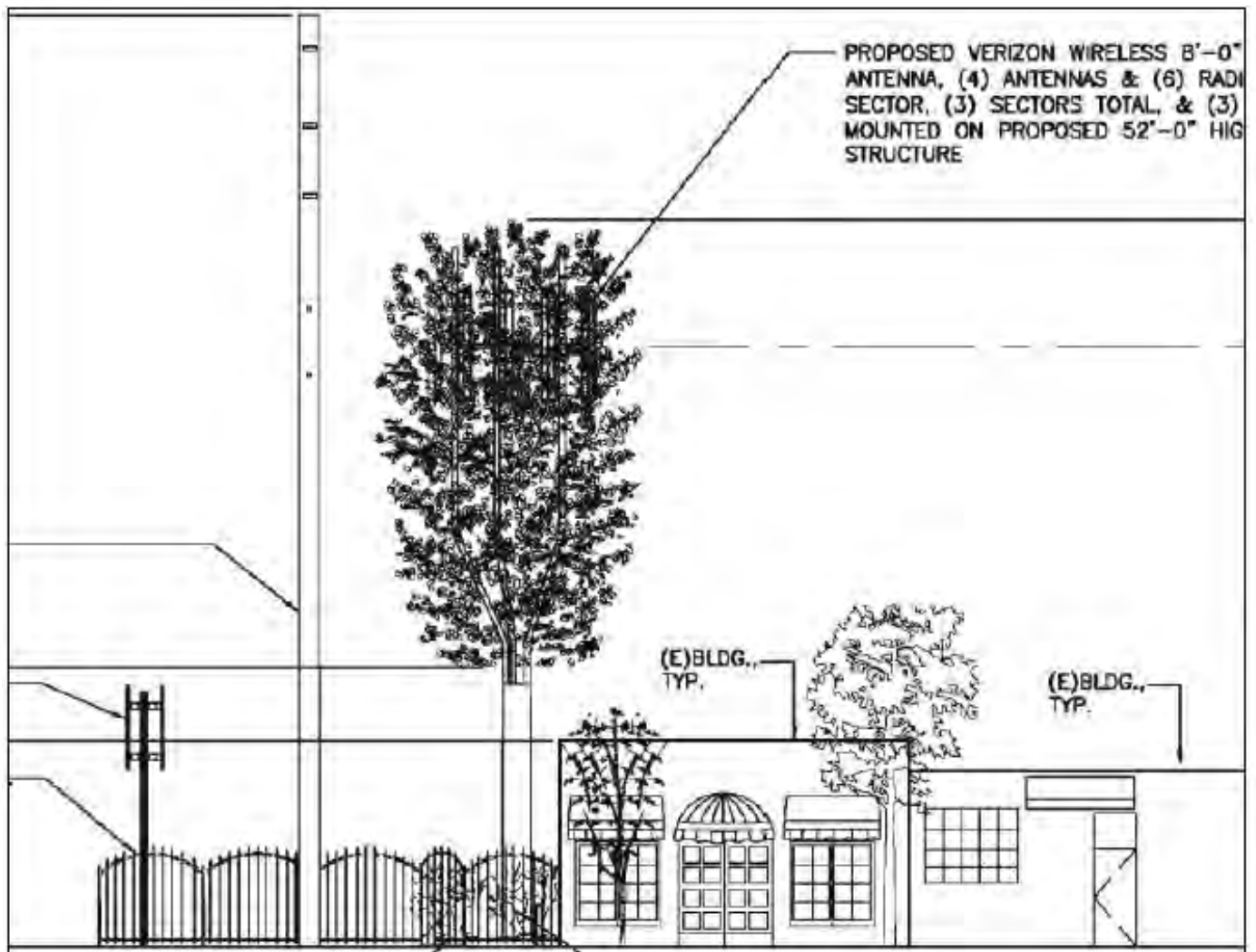
(3) T-Mobile West Corp v City and County of San Francisco, 2011 WL 570160 at *3 (N.D.Cal., Feb. 14, 2011, No. C 10-03011 CW), citing 47 CFR Section 20.18(b).

(4) T-Mobile West Corp v City and County of San Francisco, 2011 WL 570160 at *3 (N.D.Cal., Feb. 14, 2011, No. C 10-03011 CW)

(5) Sprint Telephony PCS, LP. v. County of San Diego, 543 F.3d 571, 580 (9th Cir. 2008) (en banc), reversing injunction sought by wireless provider challenging zoning ordinance.

(6) ZA Chiang's decision issued on March 10, 2016, pp. 9-11 (which was appealed and subsequently upheld in June 2016)

<http://planning.lacity.org/PdisCaseInfo/Home/GetDocument/MWRiNzFhZjctYmQxYi00Yzk2LWEwNmEtODhkMGFmN2Q0ZDUz0>



July 2017 rendering by Verizon
(ZA Weintraub approved, now pending appeal)





The state of the site in June 2018 during South Robertson's SORO Fest. These large gaps in the fence were caused by a car crash in February 2018. The owner only repaired it on August 10 after the City ordered the repairs in response to neighbor's complaints and this appeal.

Appeal of Verizon Cell Tower CUP Application
Case #ZA-2017-3013-CUW and #ENV 2017-3014-CE

My name is Lawrence Feinberg, and I live at 9129 W. 25th St, LA 90034.

I have a major concern that allowing Verizon's WTF will be just the beginning of a serious attack on the character of our community. We are NOT an industrialized neighborhood. We are a diverse residential community with light commercial businesses all along Robertson Blvd, including a growing collection of somewhat trendy shops and restaurants.

If Verizon is allowed to place their WTF here, there will be a precedent for other utility companies to place various pieces and types of equipment (back-up generators, etc.) in our neighborhood as well.

And it is inevitable that if Verizon is allowed to place their WTF here, other cell companies will ask to co-locate their antennas on the same WTF. This is standard industry practice, and Verizon will not refuse their requests. (It means more money in Verizon's pockets, so why would they want to refuse such requests?) But the co-location may require expansion of the generator and signal-processing unit.

Having other companies equipment placed at additional sites, and expansion of Verizon's site to accommodate co-located antennas, will attract yet more similar uses that will drive people away from the area, rather than developing businesses that attract residents and visitors to the neighborhood. This, in turn, will create even more (justifiable) concern from area residents and property owners about blight, safety, decline in property values, etc.

As a community we have invested a lot of time, money and effort to enhance this area and make it a more pleasant place to live. This is why we received a \$500,000 grant from the City's Great Streets Initiative program (not to mention other possible grants coming from LADOT and Street Services).

Verizon should not be granted any variance that will jeopardize all of our residents' efforts to date, and allows this ill-considered and inappropriate WTF to be set up in our community.

Thank you.



Doug Fitzsimmons
President

Ken Blaker
Vice-President

Jon Liberman
Treasurer

Beth Hirsch
Secretary

Martin Epstein
Corresponding Secretary

**South Robertson
Neighborhoods Council**

PO Box 35836
Los Angeles, CA 90035

P: (310) 295-9920
F: (310) 295-9906
E: info@soronc.org

soronc.org



City of Los Angeles Certified
Neighborhood Council

Alam Choudhury, City Planner
Los Angeles City Planning Department, Office of Zoning Administration
200 N. Spring Street, Room 720
Los Angeles, CA 90012

31 October 2017

Re: Case Number ZA-2017-3013-CUW / 2512 S. Robertson Blvd.

Dear Mr. Choudhury:

At our October 26, 2017 duly-noticed General Board meeting, the South Robertson Neighborhoods Council (SORO NC) by a vote of 11 yea, 3 nay, 2 abstention, and 1 recusal resolved to officially recommend that the City of Los Angeles deny the application for a zoning variance for Verizon's planned unmanned wireless telecommunication facility at 2512 S. Robertson Blvd. and **continue to defend that position legally**, if necessary.

The resubmitted application was first presented to SORO NC's Land Use committee on October 3, 2017 for a 52' cell tower disguised as a eucalyptus tree, along with equipment cabinets that include a diesel backup generator. The committee voted to recommend that the new application be denied. After additional (and extensive) public testimony and Board debate, the full SORO NC Board voted to accept that recommendation.

The Board found that compelling considerations for denial include, but are not limited to:

- After soliciting input from thousands of stakeholders, and holding multiple forums and working group sessions, the community has recently completed the planning phase of the Mayor's Great Streets initiative for this strip of South Robertson, with the goals of an integrated vision for the commercial district, and a safe, walkable, and vibrant commercial core. Visual aesthetics and active facades are key components to that transformation. For those reasons and others, the final Great Streets report submitted to the City identifies the cell tower as a project threat, undermining the decades-long effort and will of the community (a copy of the report is available at http://soroblvd.com/wp-content/uploads/2017/10/GreatStreetsSORO_FinalReport_100617.pdf);
- The location of the 11'x9' tower footprint would, at a minimum, result in loss of two parking spots (and arguably, render any parking unfeasible) on the property, making the empty location less desirable for new tenants or potential purchasers. The property has one of the few commercial kitchens paired with on-site parking on the South Robertson commercial corridor. According to area commercial realtors, lack of parking is the primary reason cited by potential businesses for rejecting South Robertson locations;
- The monthly income would make the property owner less likely to seek a tenant (or buyer) for the decades-long-vacant building, causing it to continue to be a blight on the neighborhood. The tower would also arguably be a disincentive for investment and development of adjoining properties;
- At 52', the proposed tower is dramatically out of scale with the neighborhood and surrounding single-story buildings. No other building or tree within the



vicinity is anywhere as tall, and the tower would visually dominate the area. The area is zoned for a maximum height of 45’;

- The industry is rapidly transitioning to 5G technology, which relies on a multitude of smaller, briefcase-sized transmitters. Verizon claims they still need the big tower, but actively supported California Senate Bill 649, which would have made installation of those smaller transmitters easier (<http://www.latimes.com/politics/la-pol-sac-skelton-telecom-att-verizon-california-bill-20170710-story.html>). Verizon in particular has publically announced they are aggressively deploying 5G (<https://www.cnet.com/news/verizon-to-hold-worlds-first-crazy-fast-5g-wireless-field-tests-next-year/>). The neighborhood would be stuck with the large tower even as Verizon and the industry moves away from them.

At the October 19, 2017 zoning hearing, Verizon testified that other options are possible (if less desirable) but maintained that they opted for a single massive tower over multiple smaller towers due to the City’s preference for consolidation of cell locations. Verizon also claimed that other buildings on the Blvd. would require substantial structural reinforcement in order to place the facility on the roof; however, they admitted they ruled out those locations based on “experience” with those types of buildings but without physical inspection or engineering analysis.

Please do not hesitate to contact me if you have any questions about this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Fitzsimmons".

Doug Fitzsimmons
President, South Robertson Neighborhoods Council

cc: Los Angeles Council President Herb Wesson, District 10
Los Angeles Councilmember Paul Koretz, District 5
Los Angeles City Attorney Mike Feuer
US Representative Karen Bass, District 37

**Stephanie Ripps
8911 Gibson Street
L.A., CA. 90034**

October 18, 2018

My name is Stephanie Ripps and I thank you for hearing me. I took time off from work to come down here because I want you to know how much the community around the proposed cell tower cares about this issue. As both a neighbor and as a real estate professional, I believe this proposed tower **was correctly denied the first time in 2016 by both the initial zoning administrator who reviewed the case and this same commission for a number of reasons.** The landlord will have NO incentive to properly develop the land will be gone when she has a STEADY stream of income from the cell tower. This means this lynchpin site at the heart of Robertson will STAY UNDEVELOPED AND BLIGHTED. This is anathema to this LA neighborhood's positive potential and hurts neighboring homeowners, businesses and the growth on Robertson that we have been working so hard for...

The cell tower is HUGE, more than double the height of the tallest structure on this stretch of Robertson. The site isn't ZONED for such height OR such a use. The city should not grant Verizon privileges on a sight on which such a use has already been deemed inappropriate by zone and by previous zoning administrators and THIS VERY COMMISSION. It will negatively impact the homes and businesses surrounding which will likely translate into a loss in value to their properties. NO ONE WANTS TO LIVE NEXT TO AN UGLY CELL PHONE TOWER, even if it's dressed up.

As the architect and my neighbor previously stated, the property where the tower is being proposed **has significant potential, ESPECIALLY given the development within a half mile radius and the recently passed Transit Neighborhood Plan, which I believe will positively benefit our neighborhood.** THIS TOWER GOING UP stifles the potential, ensuring that the already BLIGHTED PROPERTY STAYS BLIGHTED AND WILL NEVER BE DEVELOPED. This UNDERMINES LA'S PLAN TO ADD MORE HOUSING, ENCOURAGE SMART DEVELOPMENT AND CREATE A MORE ECONOMICALLY RESILIENT CITY.

Aleksander Tamm-Seitz, RA, NCARB

8963 Gibson St

Los Angeles, CA 90034

October 24, 2018

RE: Loss of renovation, future development, and parking potential for the site of the proposed cell phone tower at 2512 S Robertson Blvd

Dear South Los Angeles Area Planning Commission:

I am a California licensed architect currently living in Reynier Village, the neighborhood in which the proposed cell phone tower will reside. I have great concerns associated with the proposed cell tower related to loss of future parking, loss of future renovation potential, and loss of future development potential for the site. The proposed cell tower hinders and restricts the renovation or future development potential of the site and block, which will all but ensure the site stays abandoned and underutilized for decades to come.

Verizon provided a detailed parking analysis after the public hearing, which, upon review, includes several inaccurate and misleading statements and concussions. One example is given below:

This snippet is taken from a letter sent by Lisa Desmond, a representative of Verizon, the company requesting the conditional use permit, to the Zoning Administrator (ZA) on November 2, 2017, after the public hearing on October 19, 2017.

A) LAMC 12.21 requires a minimum of 50' separation between driveways. This cannot be achieved as there is a driveway at the southern side of the adjoining parcel to the north, serving the Goodwill Donation Center. The lot width precludes a provision of a driveway with the 50' separation.

But the actual LAMC 12.21 code states:

Whenever possible, two way driveways should be separated by a minimum of 50 feet of full curb height...

By stating "Whenever possible," the municipal code does not make hard and fast rules. It also notes this is only for "two way" driveways. A new driveway on this property doesn't need to be "two way." By using inaccurate and incorrect information, the conclusions reached in the letter by Lisa Desmond are not accurate or relevant. Contrary to the claims in the letter by Lisa Desmond, the site in question could be used to provide greatly needed parking for a future tenant of the site.

October 24, 2018

RE: Loss of renovation, future development, and parking potential for the site of the proposed cell phone tower at 2512 S Robertson Blvd

Page 2

In addition to the loss of future parking potential on the site, the proposed cell tower location will essentially lead to the loss of 3 parcels that are combined into one large property, which will ensure the site stays abandoned and underutilized for the next 50 years. I present examples:

1. The building on the site was a restaurant. With the proposed cell tower, the site cannot be a restaurant again. See attached Exhibit 1, which shows that the cell tower restricts future parking required for a restaurant, assuring the building cannot be renovated into a restaurant again.
2. Can the site be redeveloped as a mixed-use development, with the proposed cell tower? See attached Exhibit 2, which shows that the proposed cell tower restricts the site from being redeveloped as a mixed-use development.
3. Can the whole block be developed in the future, with the proposed cell tower? See attached Exhibit 3, which shows that the proposed cell tower restricts the sites on the block from being developed together.

There are many examples and precedents of the above 3 points being done throughout the city currently. One example is 11421 Olympic Blvd. This was a very similar underutilized site (coincidentally with a Good Will Center on it) and surface parking around it. In that case, the underutilized site was grouped together with other sites by a developer, allowing for a large area to be redeveloped creating greatly needed housing and community services.

In too many scenarios, the proposed cell tower hinders and restricts the renovation or future development potential of the site and block, which will ensure the site stays abandoned and underutilized. Permitting a project like this is anathema to the intention, laid out by many official strategic documents, to make LA into a truly global city with smart planning and infrastructure. It is embarrassing that LA would allow something like this—cities such as London, Paris, NY, and even Santa Monica would never allow a site to be doomed like this for the next 50 years. **LA planning should NOT restrict the renovation, future development, and parking potential for this site by allowing the cell tower at this location.**

Sincerely,



Aleksander Tamm-Seitz, RA, NCARB
Reynier Village Resident and Licensed Architect

WITH THE PROPOSED CELL TOWER, CAN THE BUILDING BE RENOVATED TO BE A RESTAURANT?

NO!

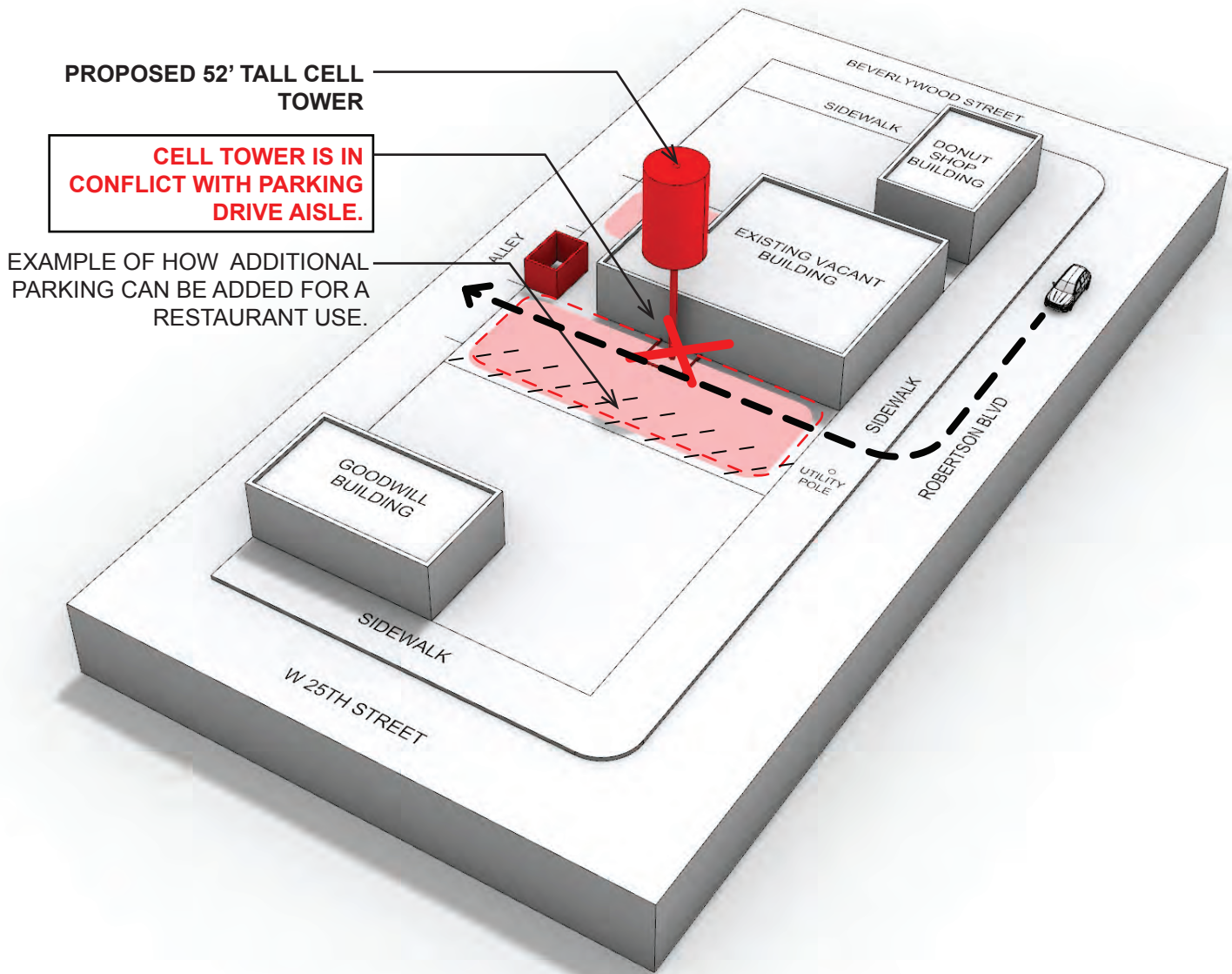


EXHIBIT 1

WITH THE PROPOSED CELL TOWER, CAN THE SITE BE
DEVELOPED IN THE FUTURE?

NO!

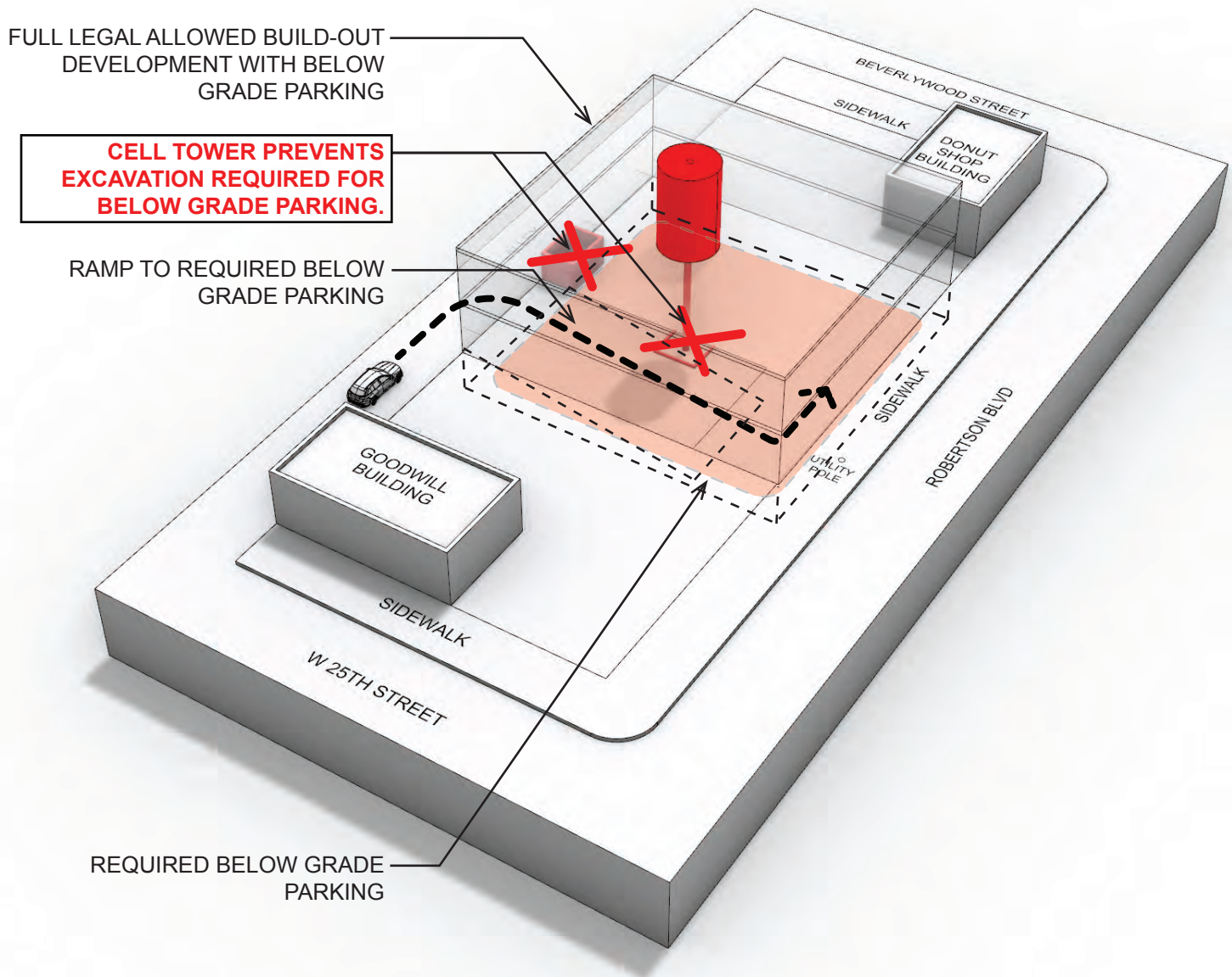


EXHIBIT 2

WITH THE PROPOSED CELL TOWER, CAN THE WHOLE BLOCK BE DEVELOPED IN THE FUTURE?

NO!

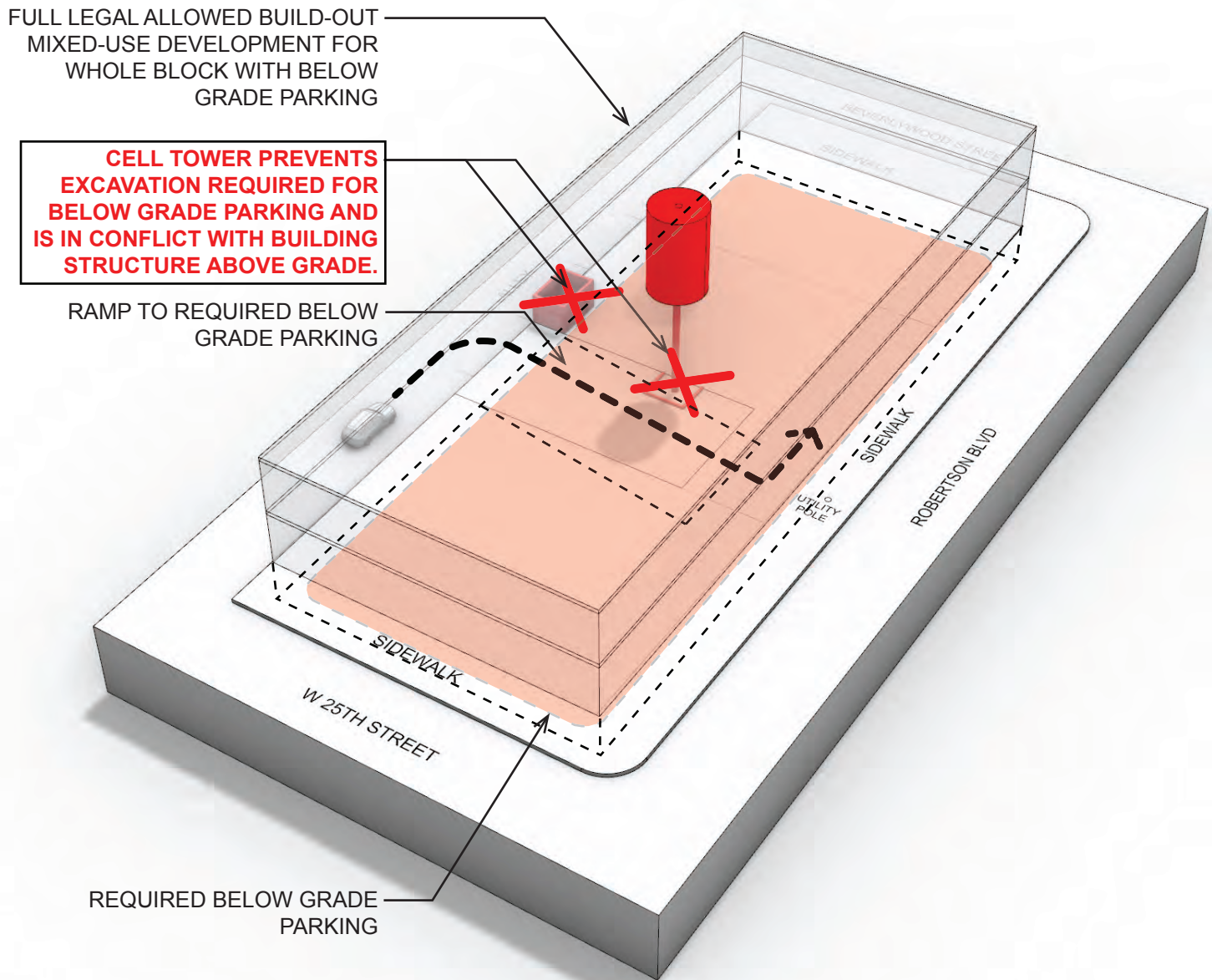


EXHIBIT 3

TAL GRINBLAT
8950 BEVERLYWOOD STREET
LOS ANGELES, CA 90034
TGRINBLAT@YAHOO.COM
310-842-9204

October 25, 2018

VIA EMAIL

apcsouthla@lacity.org and etta.armstrong@lacity.org

Commission Executive Assistant Etta Armstrong

200 North Spring Street, Room 532

Los Angeles, 90012

Re: Appeal of Zoning Administrator Approval of ZA-2017-3013-CUW-1A/ENV-2017-3014-CE for the Unmanned and Disguised Wireless Telecommunications Facility ("Hillsboro") at 2512 South Robertson Boulevard.
Case Nos.: ZA-2017-3013-CUW-1A and ENV-2017-3014-CE

Dear Commission Members,

My name is Tal Grinblat and I am a resident of Beverlywood Street and live less than 270 feet from the proposed Verizon cell tower at 2512 South Robertson Boulevard. I am writing to address Verizon Wireless' argument that there is a serious gap in coverage in the area where I live.

I am a Verizon Wireless subscriber and have been a Verizon Wireless subscriber for over 20 years. I have lived at my current residence at 8950 Beverlywood Street for nearly 15 years. Throughout this time, Verizon Wireless has been my and my wife's only cell phone carrier.

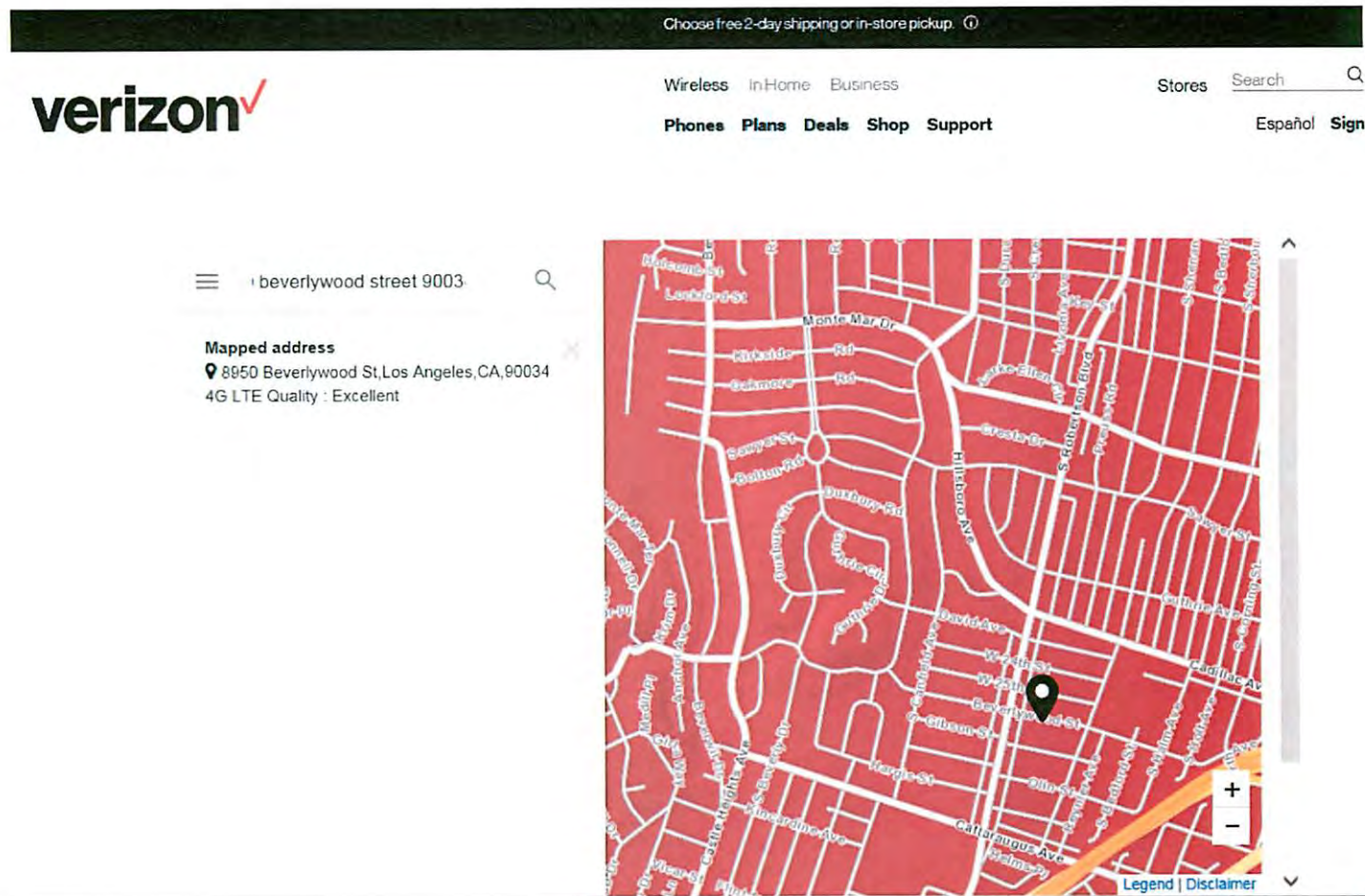
I wanted to state for the record the following:

1. I receive excellent cell phone coverage at my home;
2. I have never experienced dropped calls at my home or neighborhood;
3. I have no problem making calls;
4. I have no problem receiving calls;
5. I have no problem checking email;
6. I have no problem streaming movies, downloading or updating apps or downloading other intensive data or reports;
7. I have a choice of cell phone carriers, including T-Mobile, AT&T and Sprint. I would not have stayed with Verizon Wireless for the last 14+ years if I had problems with my cell phone coverage, reception or data streaming abilities.

My and my wife's years of experience with Verizon contradicts the new coverage maps that Verizon belatedly submitted on October 19, 2018 to this Commission. Verizon's October 19, 2018 Response, Exhibit 7, Attachments 2 and 6, purport to show my house is located in a coverage gap. Verizon did not submit this map to the Zoning Administrator when he made his decision, nor has any member of the public had an adequate opportunity to review and comment on it. This new map is contrary to the other coverage maps Verizon previously submitted, some

of which showed my house had adequate coverage. All of Verizon's maps cannot be correct. Which one is false: what Verizon gave to the Zoning Administrator before or to the Commission now?

Verizon's assertions that there is a serious gap in coverage is also inconsistent with my experience and with their own marketing materials which show strong 4G coverage in my neighborhood. See map below which I took myself from the Verizon Wireless website today. Notice the left side where it indicates **4G LT Quality: Excellent** in the entire area where there is an alleged coverage gap.

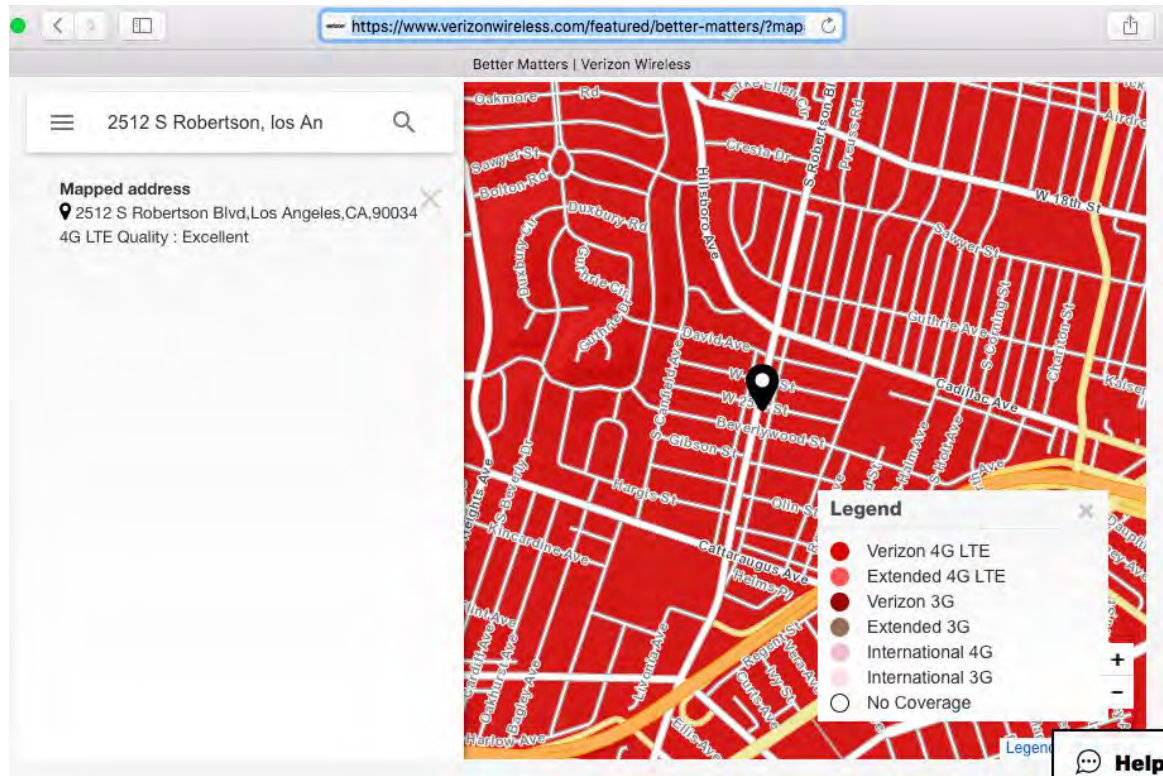


Verizon Wireless' assertions of a significant gap in coverage in my neighborhood and surrounding area is false and disingenuous.

I ask that you reverse the decision reached by the Zoning Administrator on July 6, 2018 to approve Verizon's request for a 52 foot unmanned cell phone tower as it is unsightly and unnecessary.

Sincerely,


Tal Grinblat



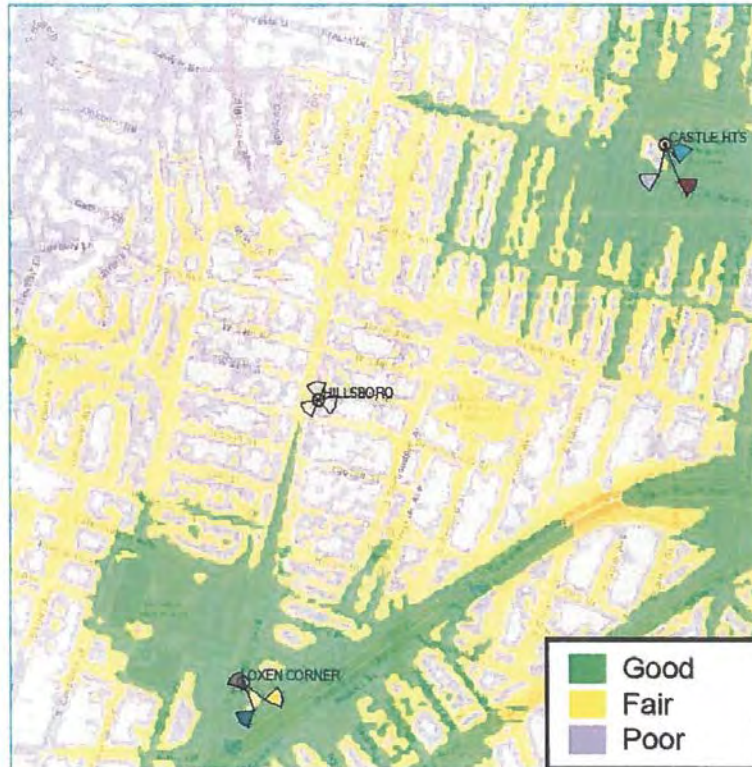
Appeal p. 84

Verizon advertises that coverage is “excellent” all around the proposed site.

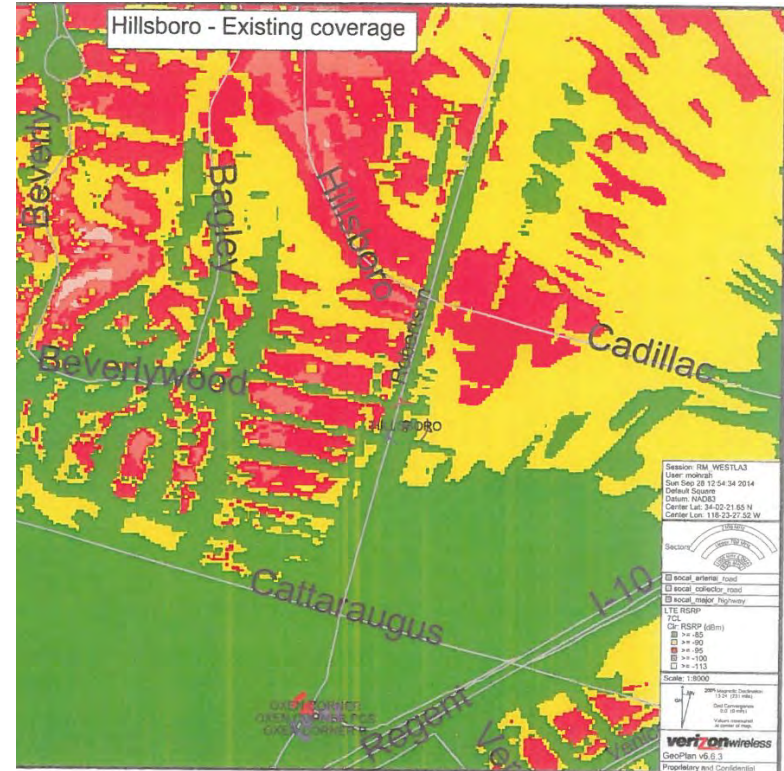
Source: Appeal p. 24

Verizon's advertising contradicts its coverage maps submitted with its permit application, which claim the proposed cell tower site (codenamed "Hillsboro") has:

"Poor" (purple) coverage

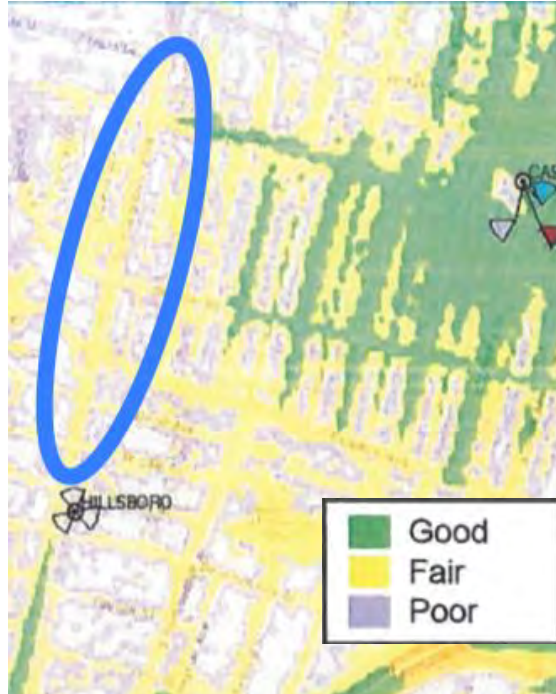


"Weak/unreliable" (red) coverage

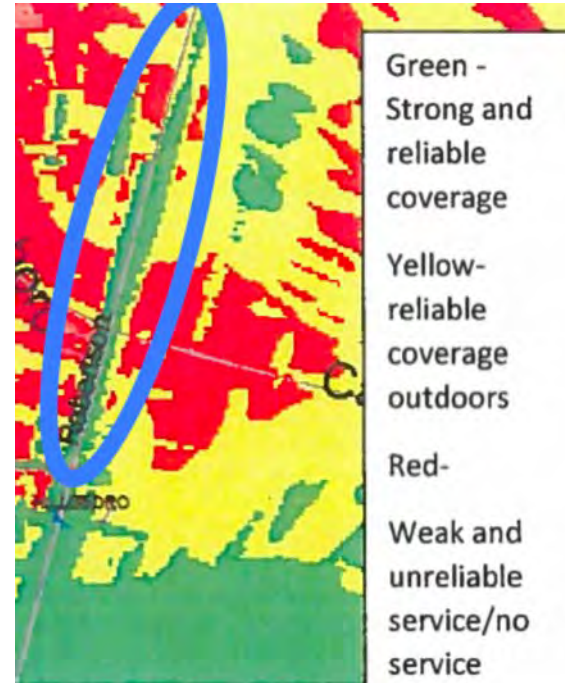


Verizon's 2 crude maps that claim to show a coverage gap are unreliable. They use subjective terms instead of data and contradict each other. For example, they show Robertson as having:

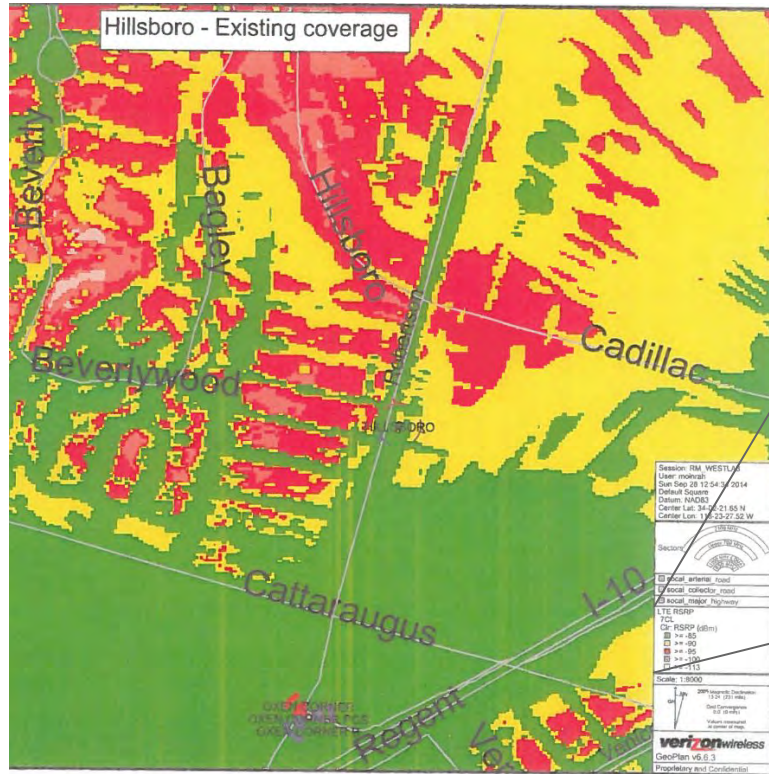
“Fair” (yellow) coverage



“Strong and reliable” (green) coverage



Verizon's 3rd coverage map actually shows that coverage exists both where Verizon plans to build the tower (Mid-City) and the neighborhood the tower will serve (Beverlywood). Verizon's expert in another case* testified that Verizon has a "target signal level of -95 dBm RSRP" and that only signal levels that "fell below that level" constitute a gap in coverage.



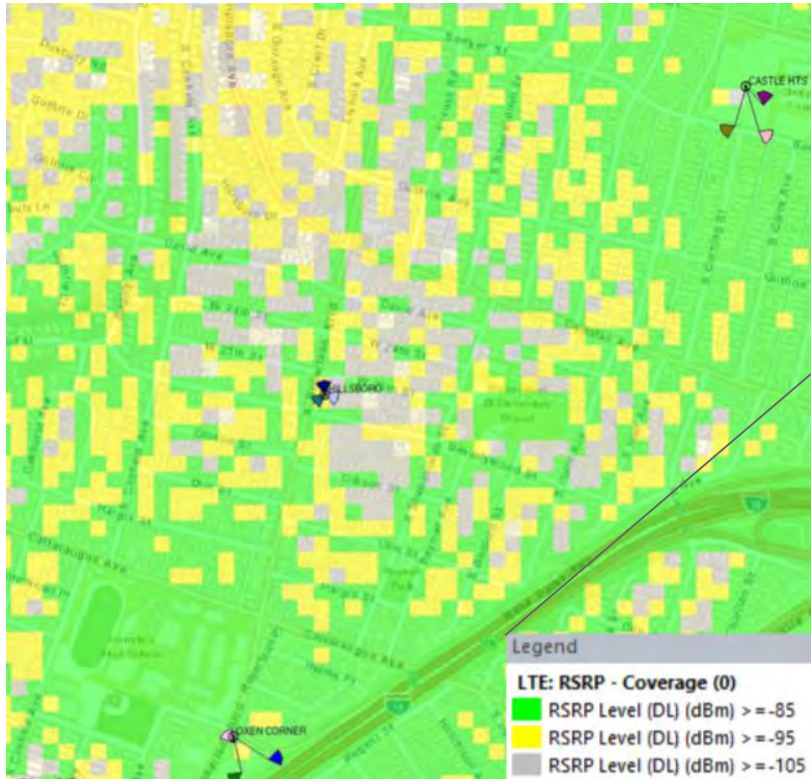
Most of the area around the proposed site has a signal level equal to or better than -95 dbm RSRP, meaning that there is no significant coverage gap.



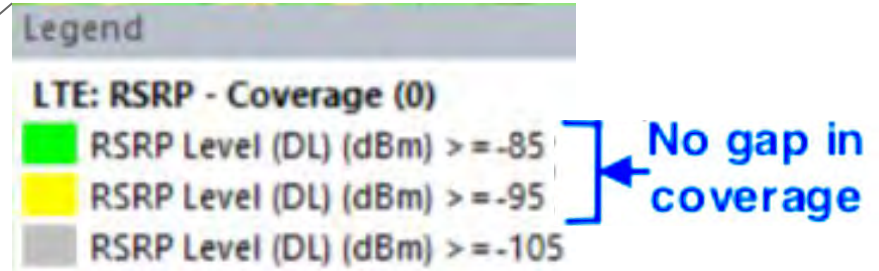
Source: Appeal pp. 25–28

* *Cellco Partnership v. Board of Sup'rs of Fairfax County, Va.*, 140 F.Supp.3d 548, 583 (E.D. Va. 2015).

Verizon submitted an untimely 4th coverage map to this Commission in late October 2018 that neither the ZA nor the public have ever seen. Verizon does not explain why this new map is contrary to both Verizon's advertising and previous maps submitted to the ZA.



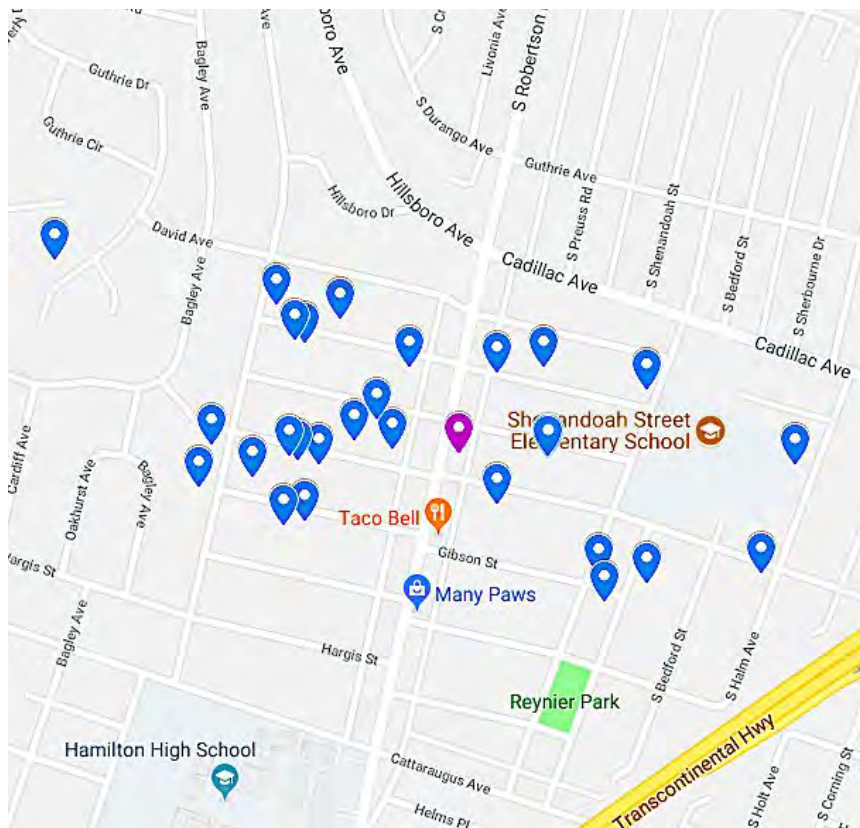
In any event, this new map also shows that most of the area around the proposed site has a signal level equal to or better than -95 dbm RSRP, meaning that there is no significant coverage gap.



Verizon's coverage gap claim is also contradicted by **dozens of Verizon customers** who live near the proposed cell tower site and report **no coverage problems**, shown below by a 📍

The proposed cell tower is shown by a 📍

📍 8905 W 24th St
📍 8949 W 24th St
📍 8971 W 24th St
📍 9018 W 24th St
📍 9107 W 24th St
📍 9120 W 24th St
📍 9124 W 24th St
📍 9139 W 24th St
📍 8936 W 25th St
📍 9026 W 25th St
📍 8950 Beverlywood St
📍 9019 Beverlywood St
📍 9037 Beverlywood St



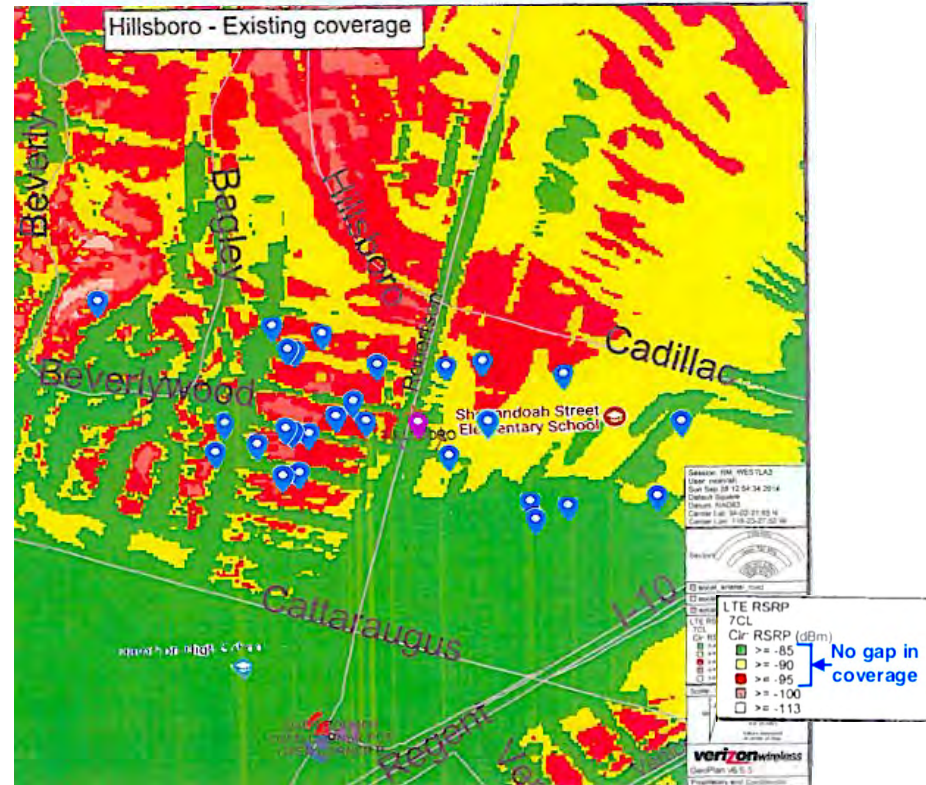
📍 9100 Beverlywood St
📍 9112 Beverlywood St
📍 9116 Beverlywood St
📍 2603 S Canfield Ave
📍 2625 S Canfield Ave
📍 8875 Gibson St
📍 9100 Gibson St
📍 9112 Gibson St
📍 9129 Gibson St
📍 2413 Guthrie Dr
📍 2401 S Halm Ave
📍 2601 S Halm Ave
📍 2628 Reynier Ave

If you compare the addresses of Verizon customers against the maps Verizon submitted with its permit application, you see customers who live where Verizon claims to have “poor” or “weak/unreliable” coverage actually report no coverage problems.

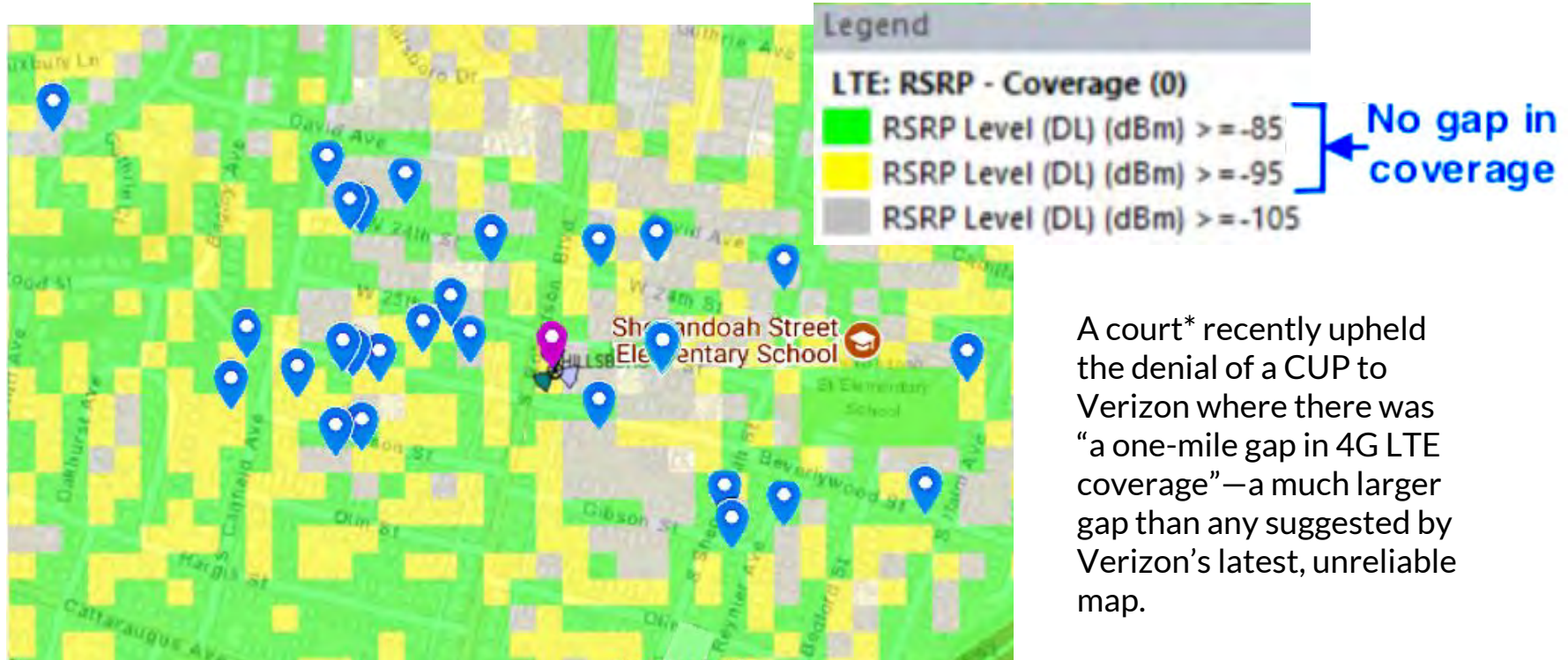
“Poor” (purple) coverage



“Weak/unreliable” (red) coverage



Likewise, if you compare Verizon's untimely October 2018 map with the addresses of Verizon customers, you see **customers who live where Verizon claims to have a gap in coverage actually report no coverage problems.**



A court* recently upheld the denial of a CUP to Verizon where there was “a one-mile gap in 4G LTE coverage”—a much larger gap than any suggested by Verizon’s latest, unreliable map.

* *Cellco Partnership v. Board of Sup’rs of Fairfax County, Va.*, 140 F.Supp.3d 548, 583 (E.D. Va. 2015).

The handful of Beverlywood houses that Verizon says lack coverage
are in an area that is more than 80% white.
But Verizon's cell tower site is in a majority-minority neighborhood
just 800 feet from an elementary school that is 98.6% non-white.





Etta Armstrong <etta.armstrong@lacity.org>

Robertson Cell Tower Opposition

Linda Kontos <lakontos@gmail.com>

Thu, Oct 25, 2018 at 1:18 PM

To: etta.armstrong@lacity.org

Cc: norobertsoncelltower@reyniervillage.org

Re: ZA-2017-3013-CUW-1A and ENV-2017-3014-CE.

Hello Ms. Armstrong.

Thank you to you and to the City for listening to the neighborhood's concerns in opposition to the cell tower proposed by Verizon.

I am a resident who lives within a block of the proposed cell tower as well as a Verizon customer. I work from home at least one day per week and use my Verizon service for phone calls during the work day. I have never had a call drop using my Verizon service.

I strongly oppose the cell tower.

Thank you.

Sincerely,

Linda Kontos

DAY OF HEARING SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3c. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission’s ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

All submissions distributed to the Commission during the Commission Meeting are included in this file.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

**If you are using Explorer, you need will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

Jamie Carr

OCT 30 2018

From: Kevin P. Sullivan
Sent: Monday, October 29, 2018 7:00 AM
To: Ernesto Velazquez
Subject: Verizon Wireless Hillsboro facility; City of LA Case Number ZA-2017-3013-CUW-1A
Attachments: FCC-18-133A1.pdf

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Ernesto -

This message addresses new standards for wireless facilities zoning decisions and network deployment efforts that were recently established by the Federal Communications Commission (FCC) as part of its Declaratory Ruling and Third Report and Order (FCC 18-133) dated September 26, 2018 (September 2018 FCC Ruling). These new standards apply to Verizon Wireless's application for its Hillsboro facility permit in Case No. ZA-2017-3013-CUW-1A.

The September 2018 FCC Ruling (attached) was issued under the FCC's rulemaking and regulatory authority pursuant to 47 USC §201(b), and as recognized in the case of *City of Arlington v. FCC*, 668 F.3d 229, 249-254 (5th Cir. 2012), *aff'd*, 569 U.S. 290 (2013).

September 2018 FCC Ruling on Substantial Gap in Coverage and Effective Prohibition of Service.

The September 2018 FCC Ruling determined that an effective prohibition of service occurs "where a state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service. This test is met not only when filling a coverage gap but also when densifying a wireless network, introducing new services or otherwise improving service capabilities." "Thus, an effective prohibition includes materially inhibiting additional services or improving existing services." (September 2018 FCC Ruling ¶137, pages 17-18.)

The FCC specifically held that the new effective prohibition of service standard applies to local regulations that materially inhibit a carrier's "facilities deployment to provide existing services more robustly, or at a better level of quality, all to offer a more robust and competitive wireless service for the benefit of the public ..." and "to accommodate increased in-building use of wireless services, necessitating deployment of small cells in order to ensure quality service to wireless callers within such buildings." (September 2018 FCC Ruling ¶140 and footnote 95, pages 19-21.)

The September 2018 FCC Ruling also rejected as too narrow the "coverage gap" test established by the Ninth Circuit in *T-Mobile USA, Inc. v. City of Anacortes*, 572 F.3d 987, 995-99 (9th Cir. 2009). (September 2018 FCC Ruling footnote 94, page 19.)

As explained in the materials submitted by Verizon for the Hillsboro site, the new facility is intended to address the lack of coverage, as well as the improvement and enhancement of network services in the area, including in building coverage. The Hillsboro application therefore meets the new coverage gap test set out by the FCC. (For the Hillsboro facility, note that Verizon has also demonstrated compliance with the coverage gap test articulated in the *City of Anacortes* case.)

September 2018 FCC Ruling on Aesthetic Regulations for Network Deployment Efforts.

The September 2018 FCC Ruling further identified the type of aesthetic requirements for telecommunications facilities that would violate the Act. To avoid federal preemption, local aesthetics requirements must be "(1) reasonable, (2) no more burdensome than those applied to other types of infrastructure deployments, and (3) objective [they must incorporate clearly-defined and ascertainable standards, applied in a principled manner]

and published in advance.” Moreover, “aesthetic requirements that are more burdensome than those the state or locality applies to similar infrastructure deployments are not permissible, because such discriminatory application evidences that the requirements are not, in fact, reasonable and directed at remedying the impact of the wireless infrastructure deployment.” (September 2018 FCC Ruling ¶¶86-88, page 45.)

As explained in the materials submitted by Verizon for the Hillsboro site, the new facility has an enhanced design to effectively conceal the antennas and related equipment. By contrast, many nearby electrical and land telephone poles and lines are unconcealed and fully visible to the public. Accordingly, any effort to overturn the Zoning Administrator’s detailed approval of the CUP issued for the Hillsboro facility based on alleged aesthetic grounds would violate the FCC’s new rules about aesthetic requirements and would constitute an effective prohibition of Verizon’s deployment of network service.

Please contact me if you have any questions about this message. Also, this message should be included in the administrative record for Verizon’s Hillsboro facility application. Thank you,

Kevin P. Sullivan
Partner
760.431.9501
www.gdandb.com

G | D | B Gatzke Dillon & Ballance LLP
L A W Y E R S

Additional Appellants as of October 30, 2018

1. Andy Rost
2. Blake Nawrocki
3. Erin Moore
4. Gary Loeb
5. Jane Allegro
6. Judy Parrott
7. Julie Plat
8. Nick Musleh

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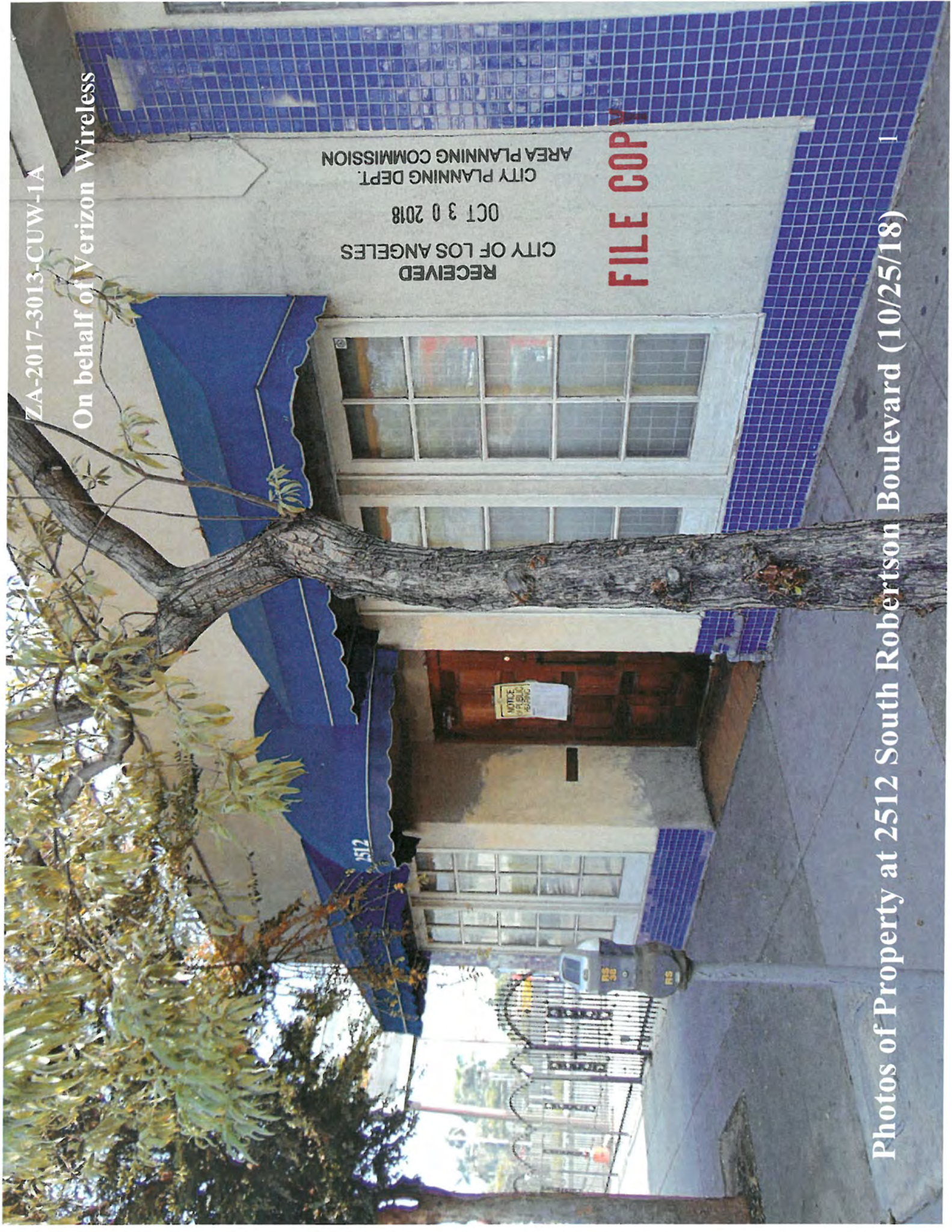
LA-2017-3013-CUW-1A

On behalf of Verizon Wireless

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Photos of Property at 2512 South Robertson Boulevard (10/25/18) 1





ZA-2017-3013-CUW-1A

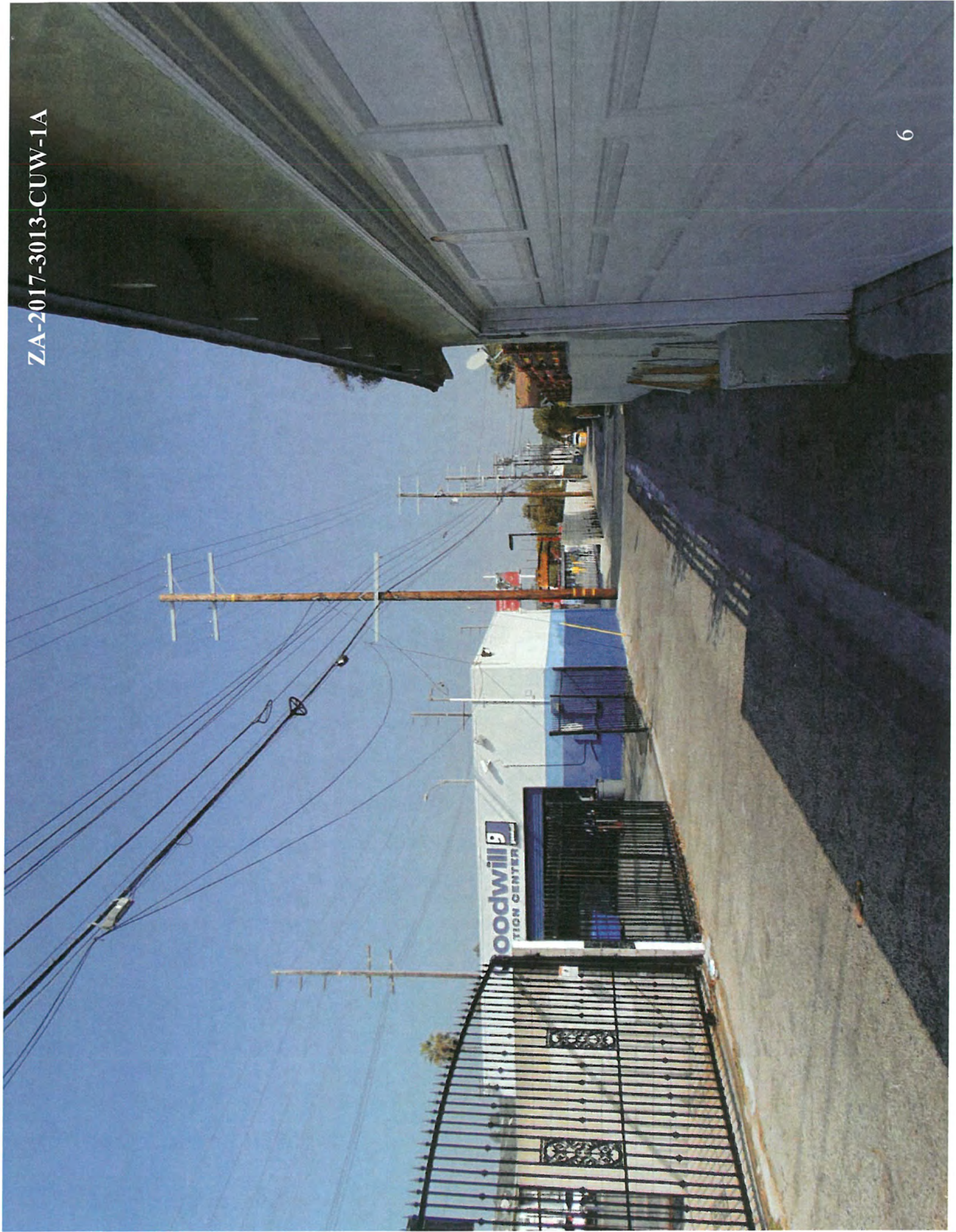


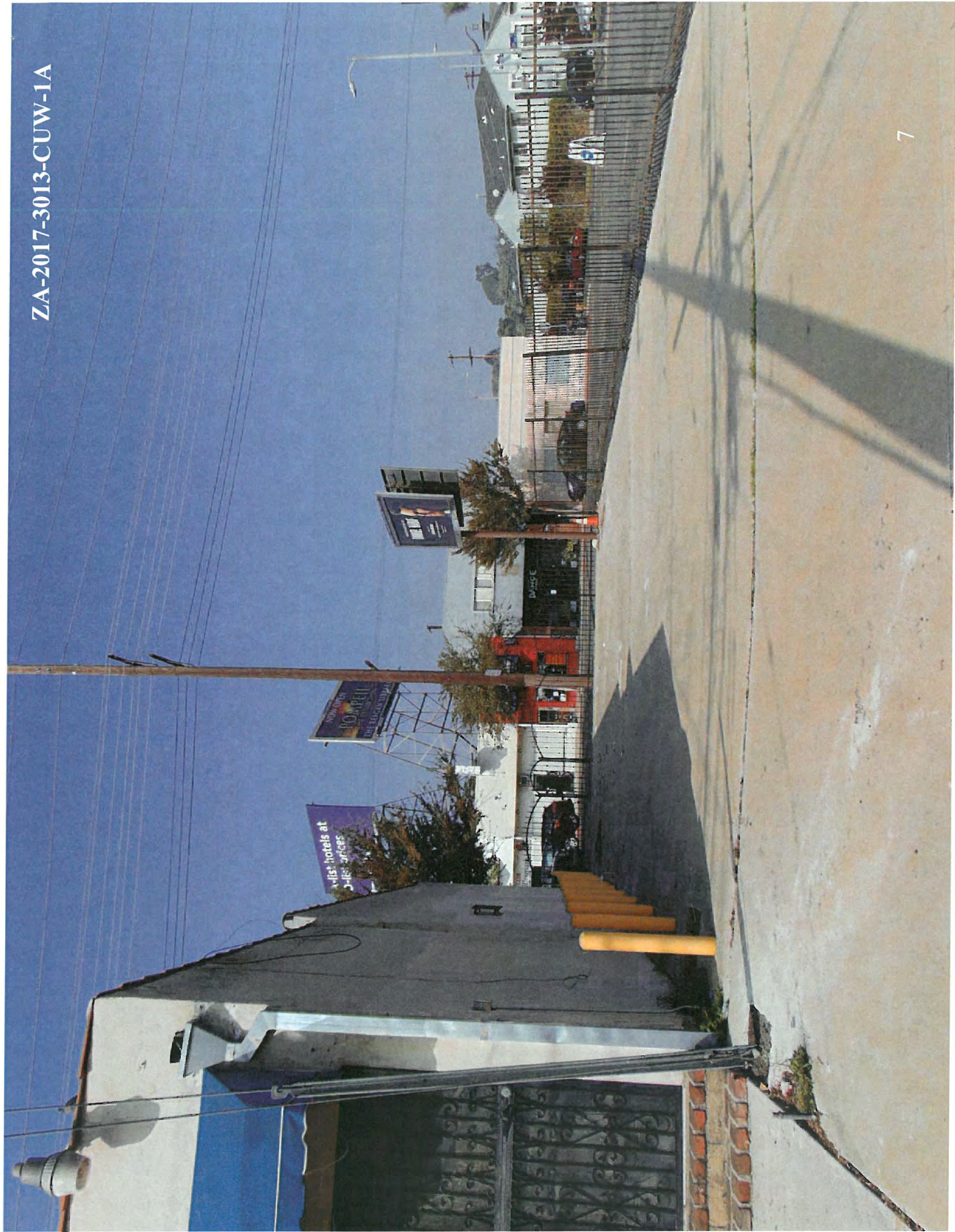
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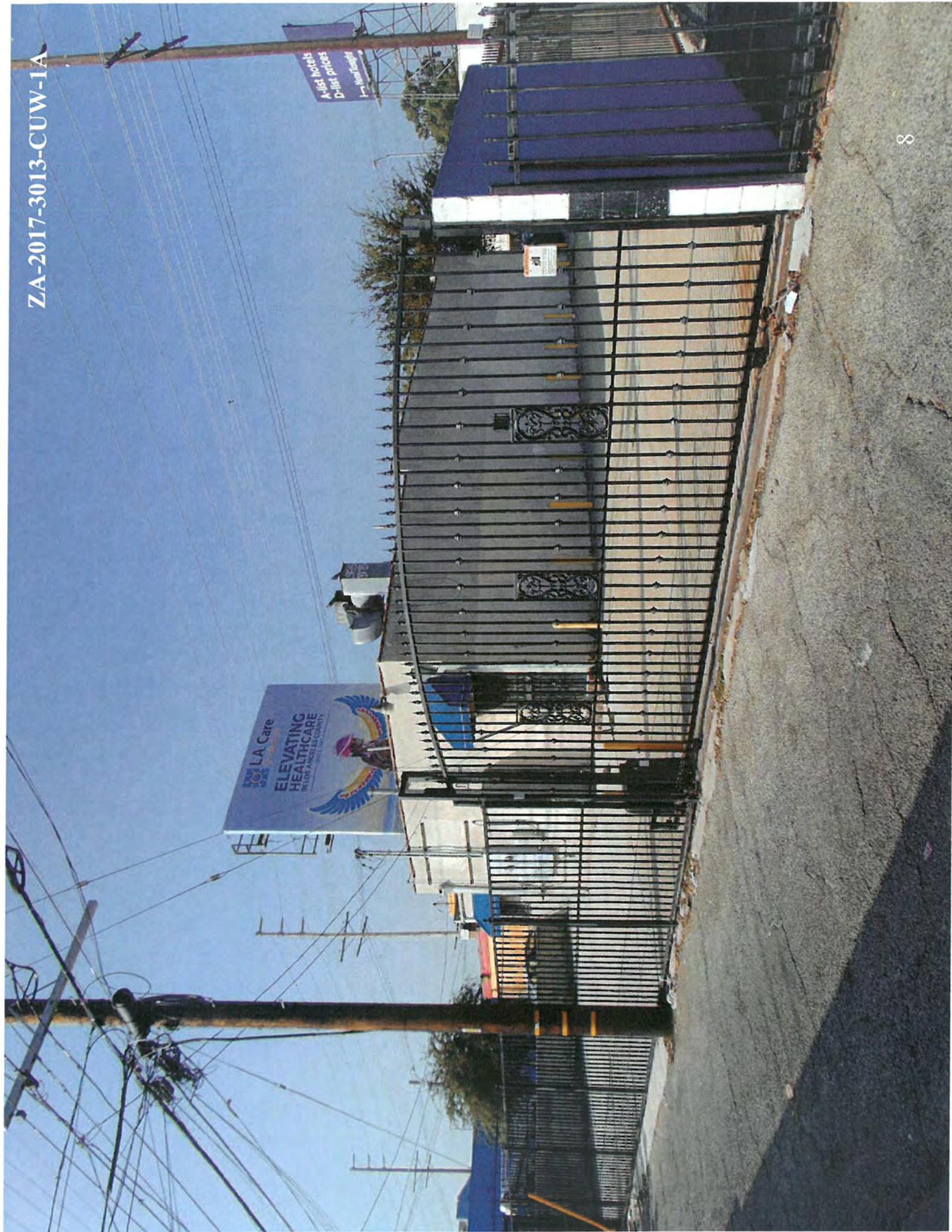
NOW OPEN
POMER
THE KICKAPOO

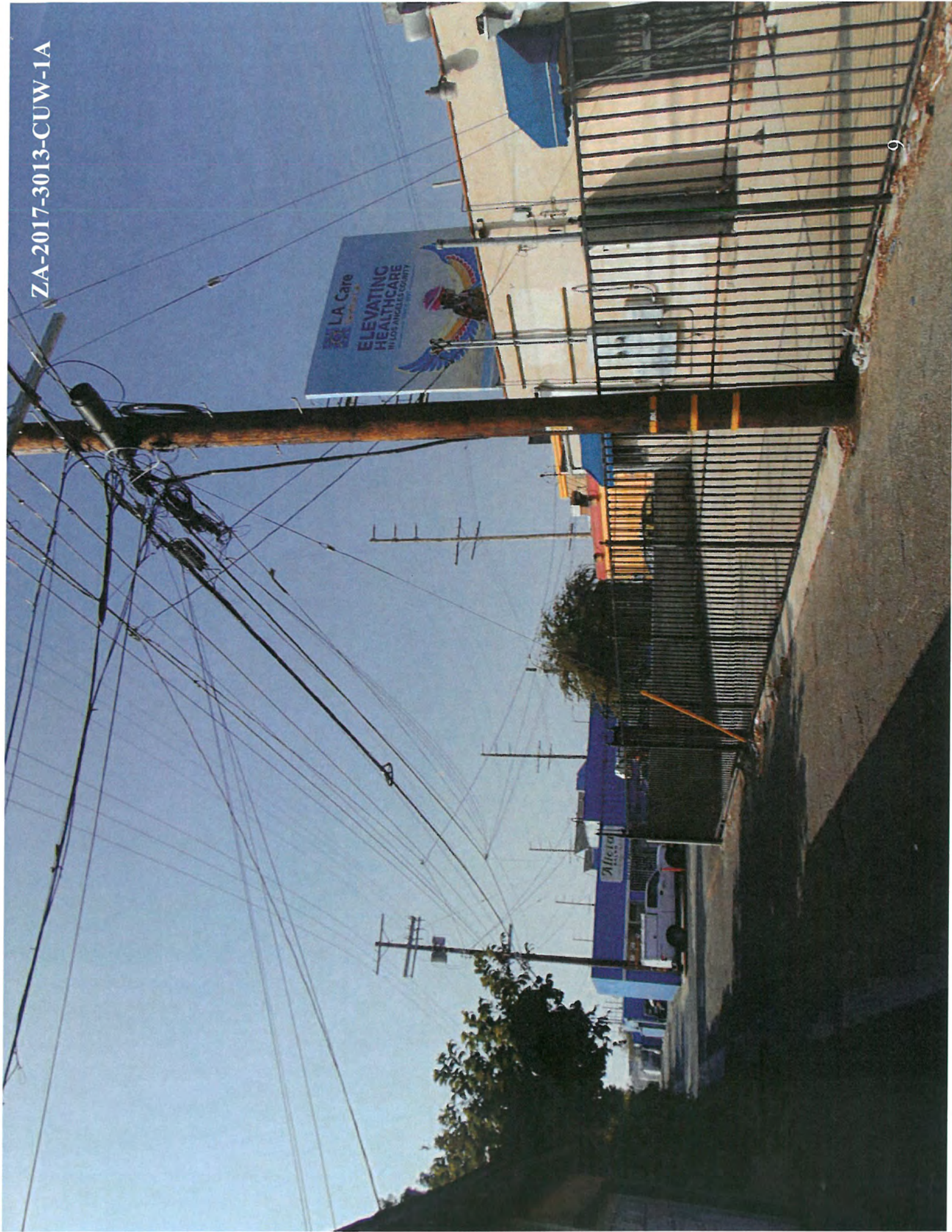




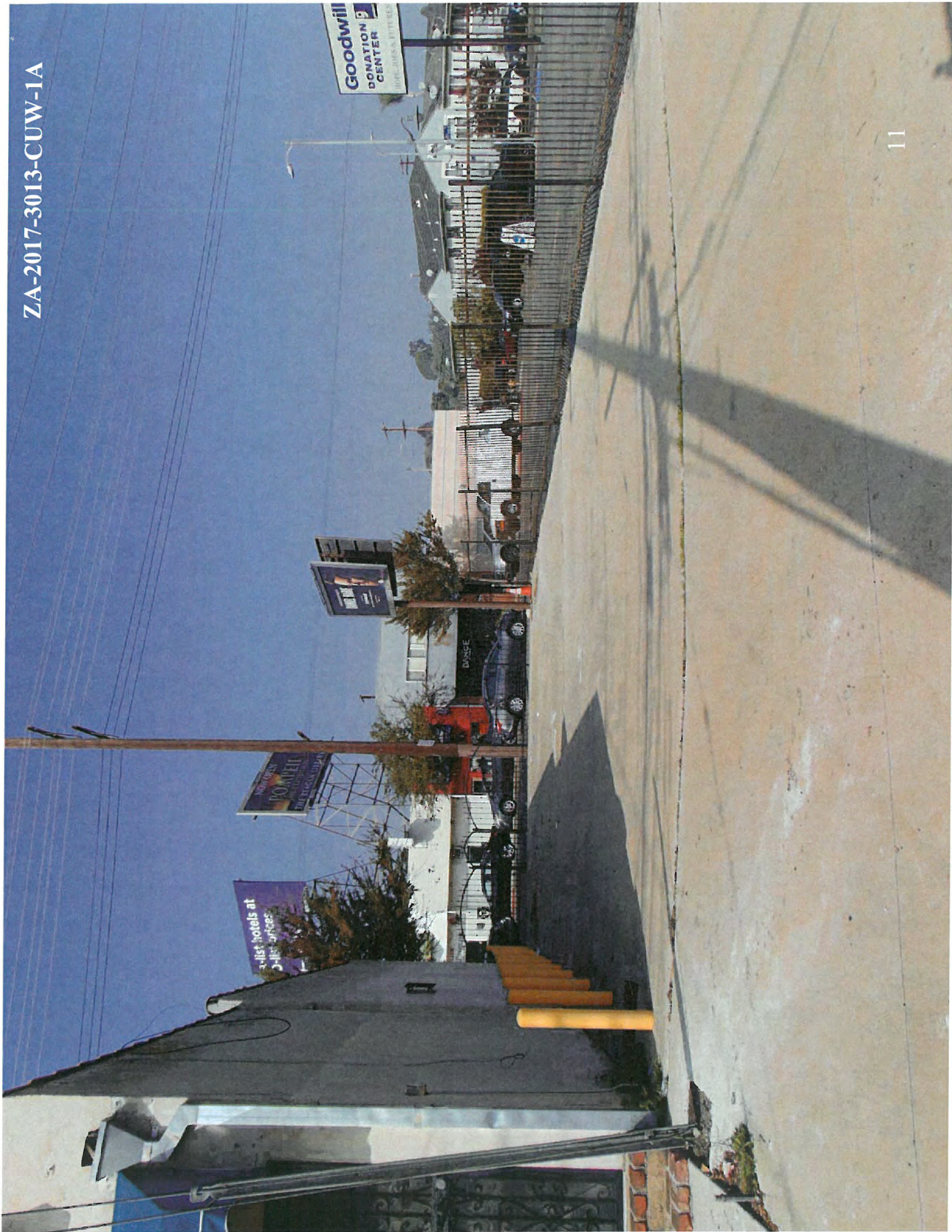










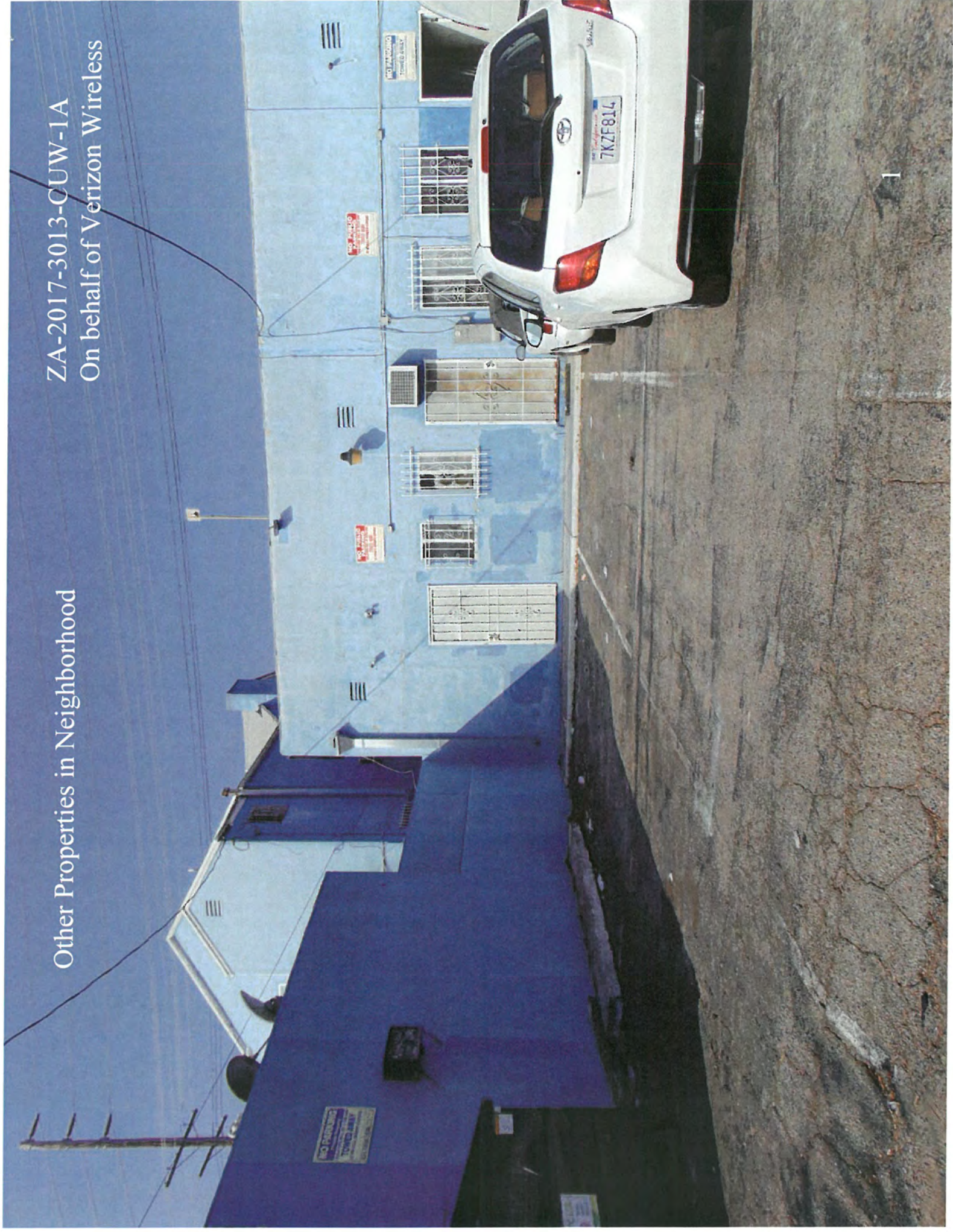




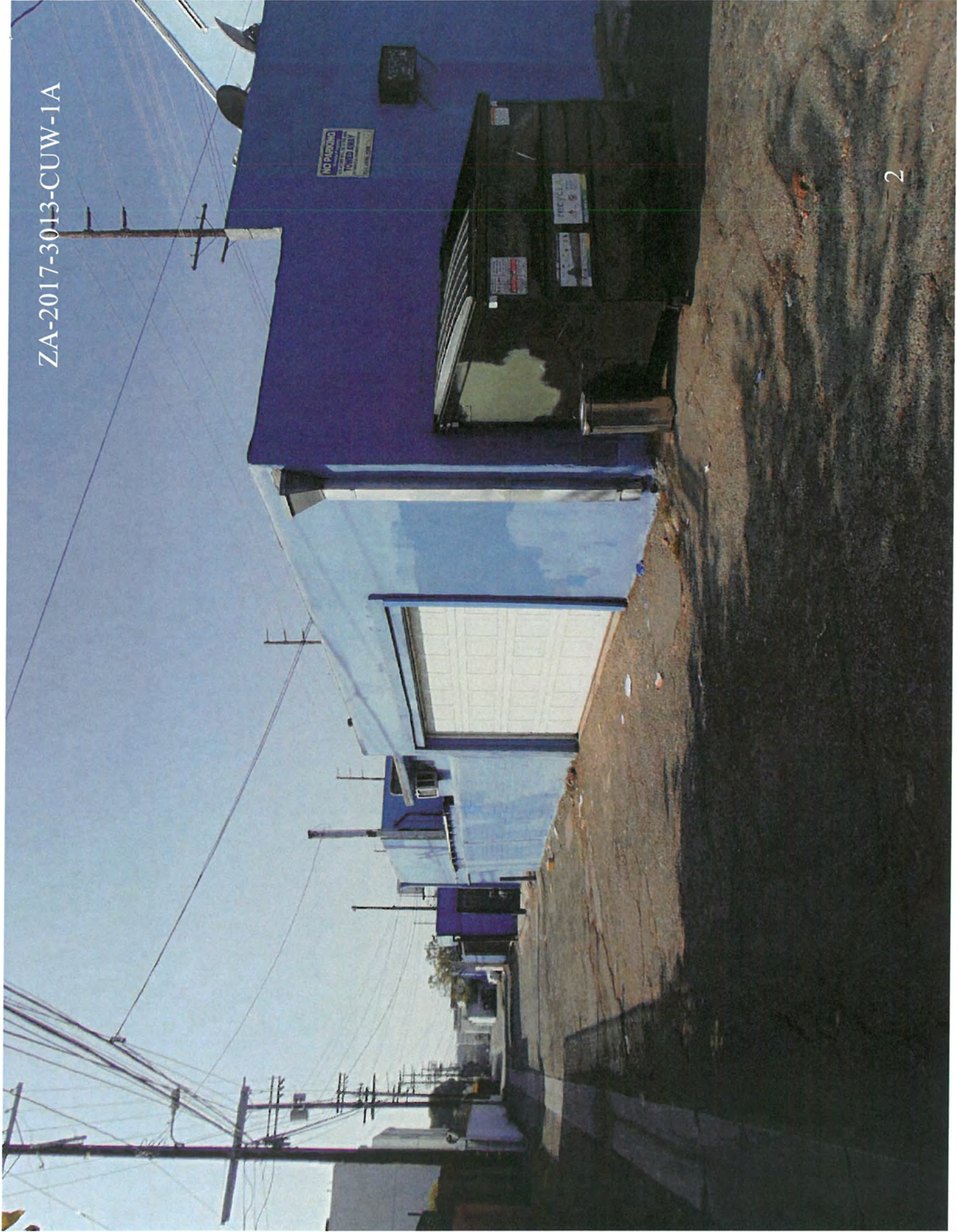


Other Properties in Neighborhood

ZA-2017-3013-CUW-1A
On behalf of Verizon Wireless



ZA-2017-3013-CUW-1A

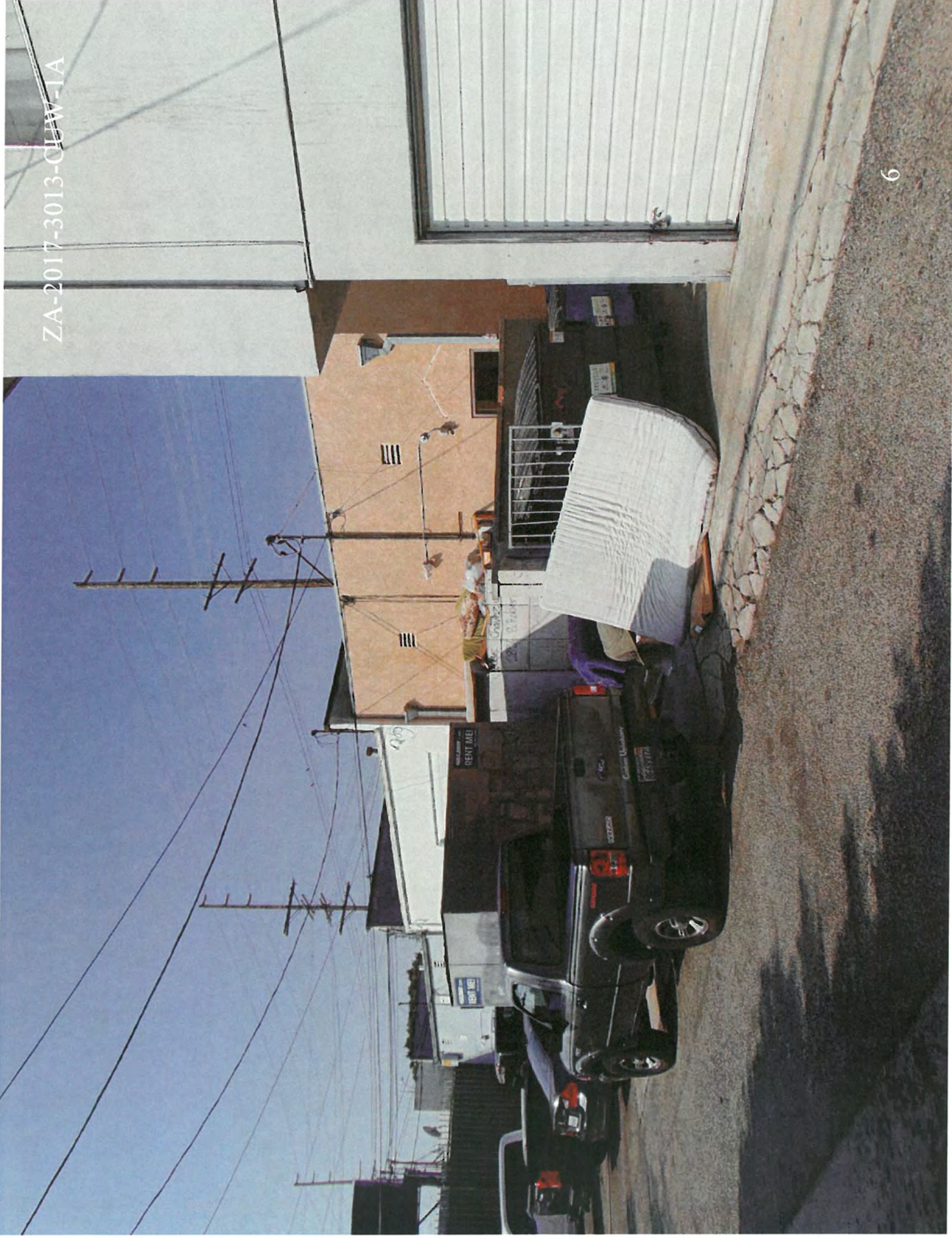


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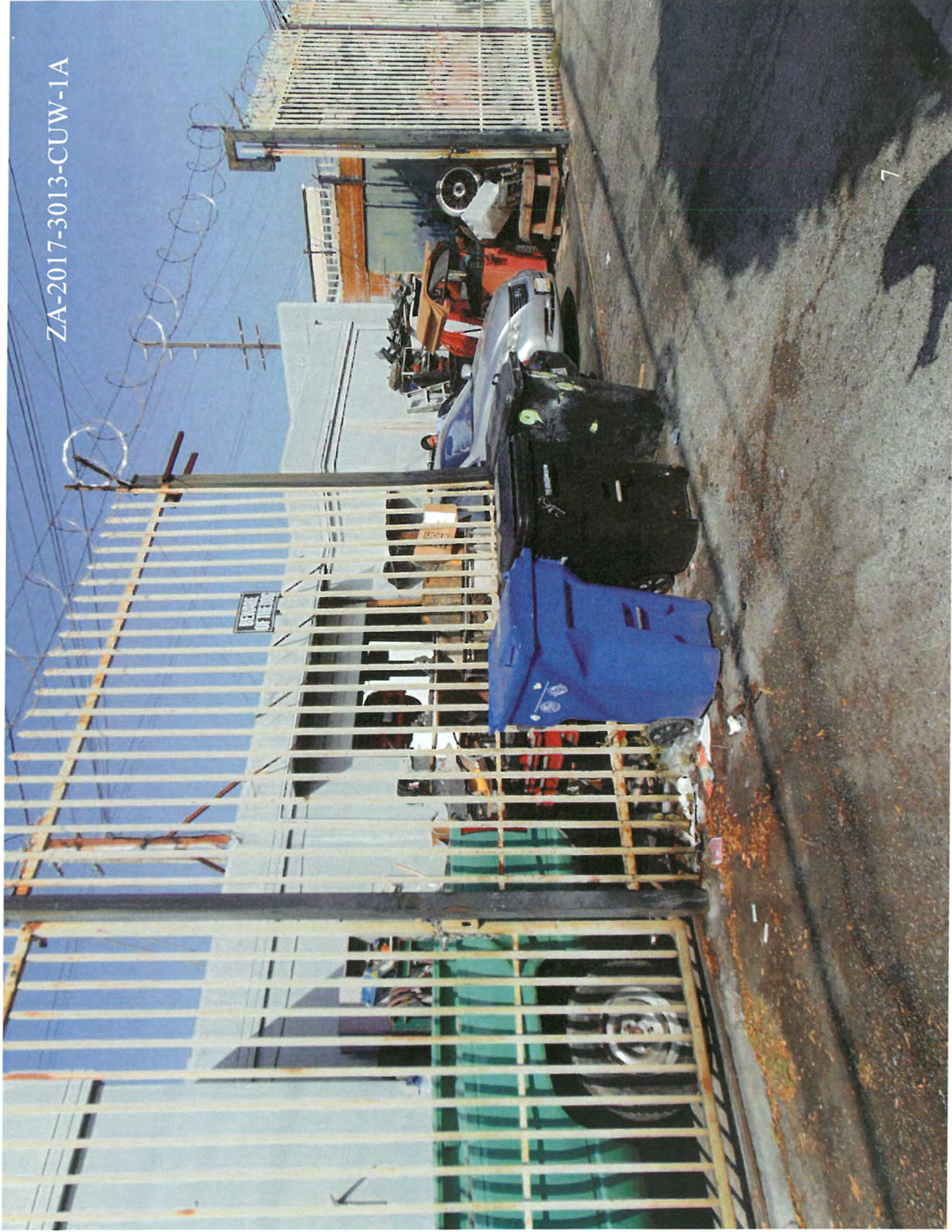




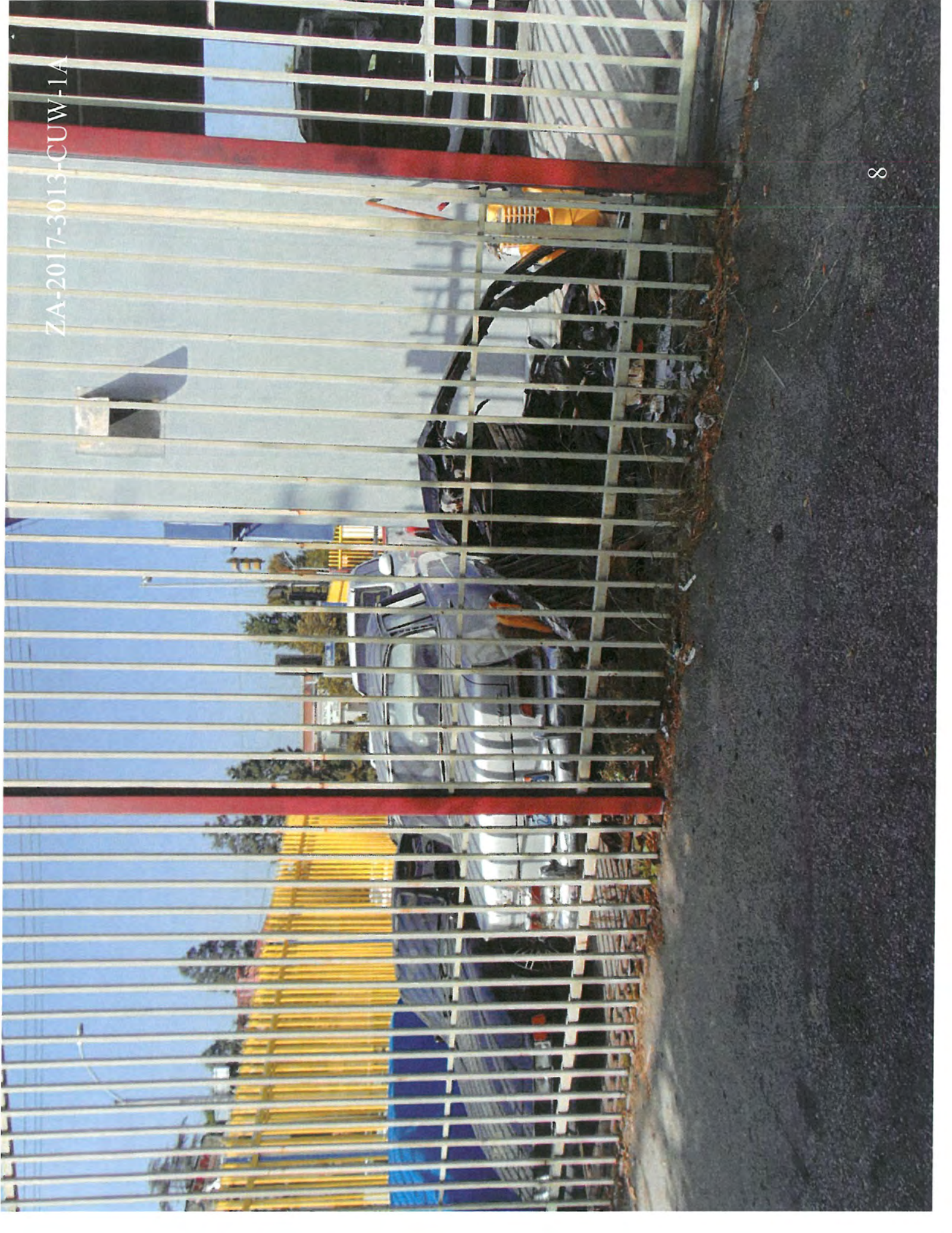




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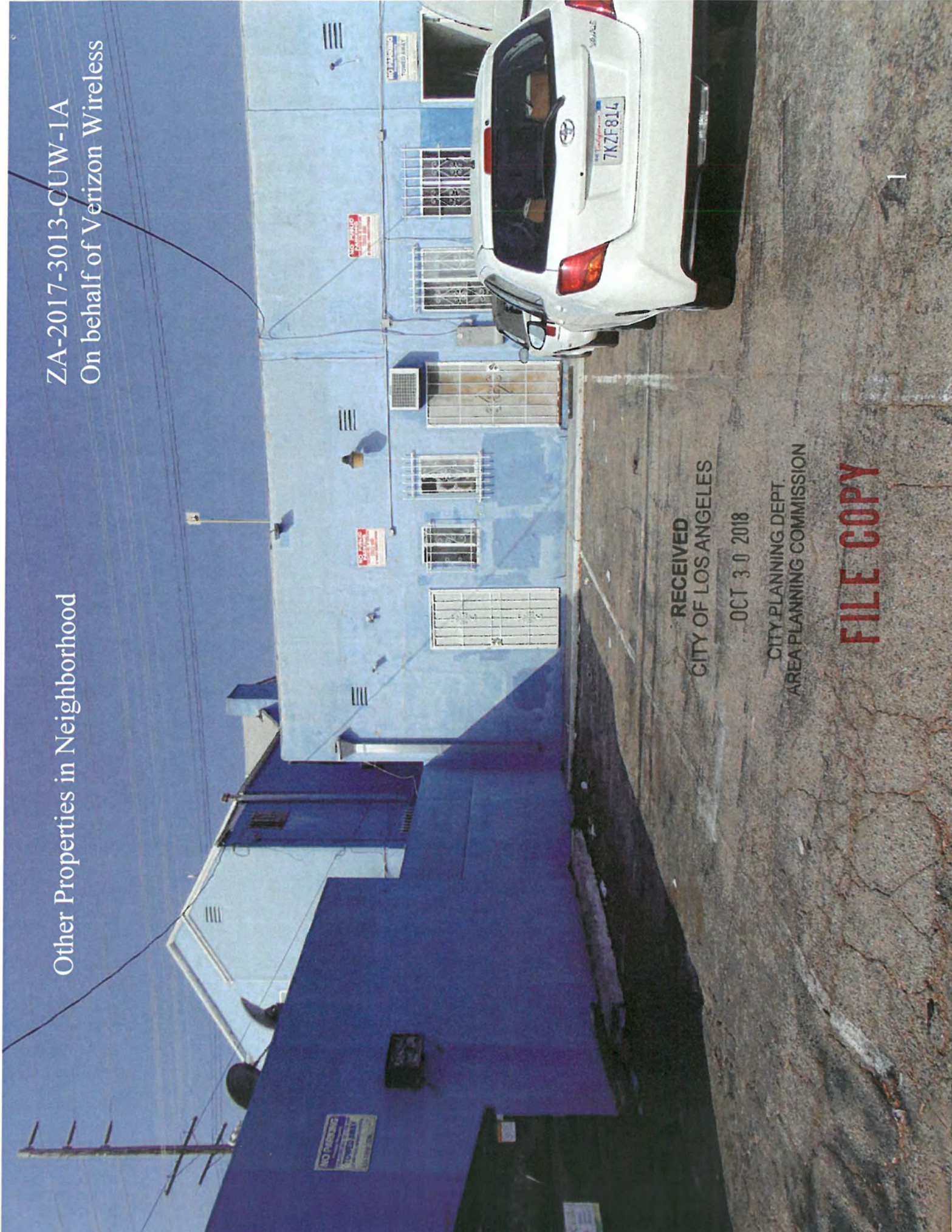


ZA-2017-3013-CUW-1A



Other Properties in Neighborhood

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On behalf of Verizon Wireless



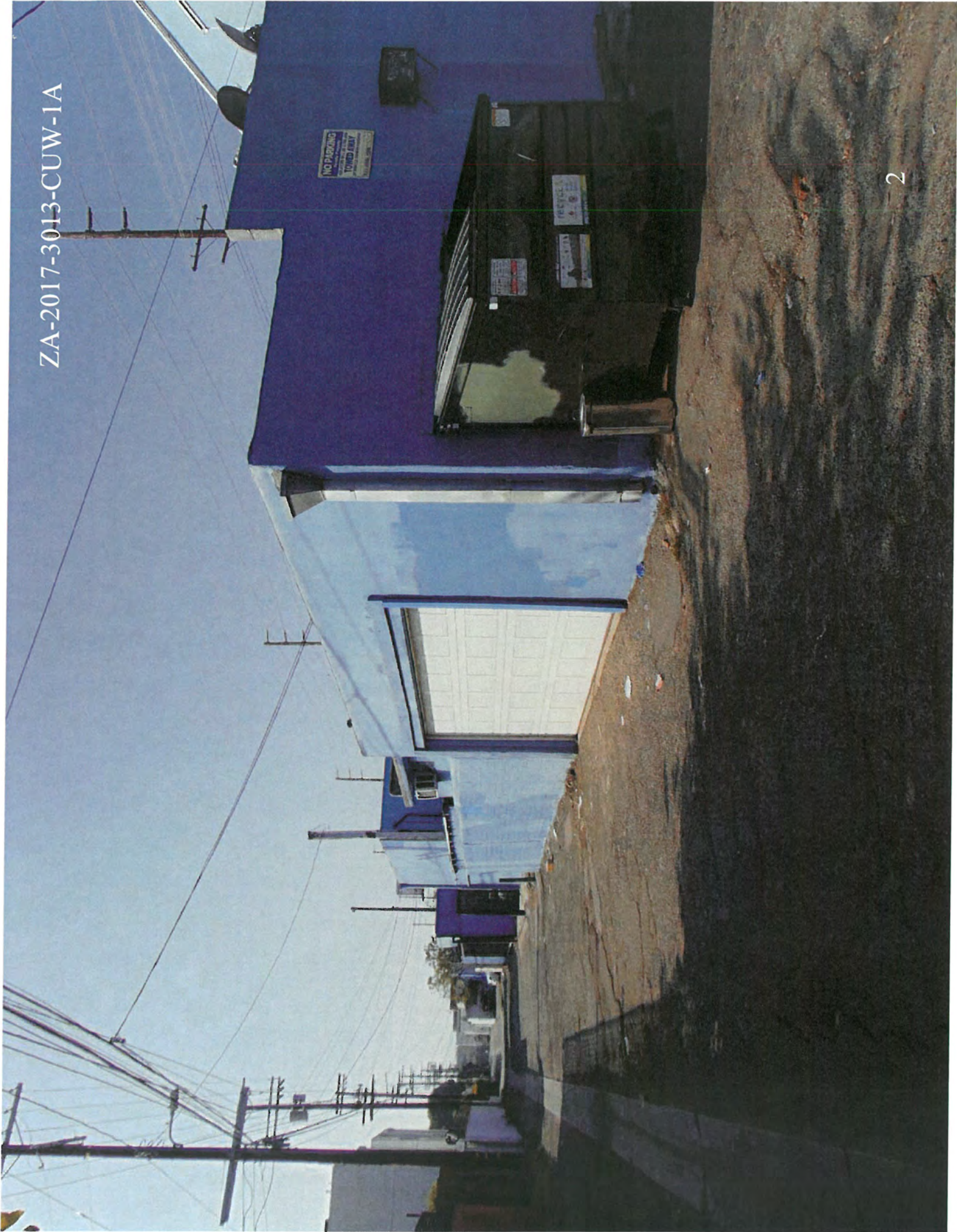
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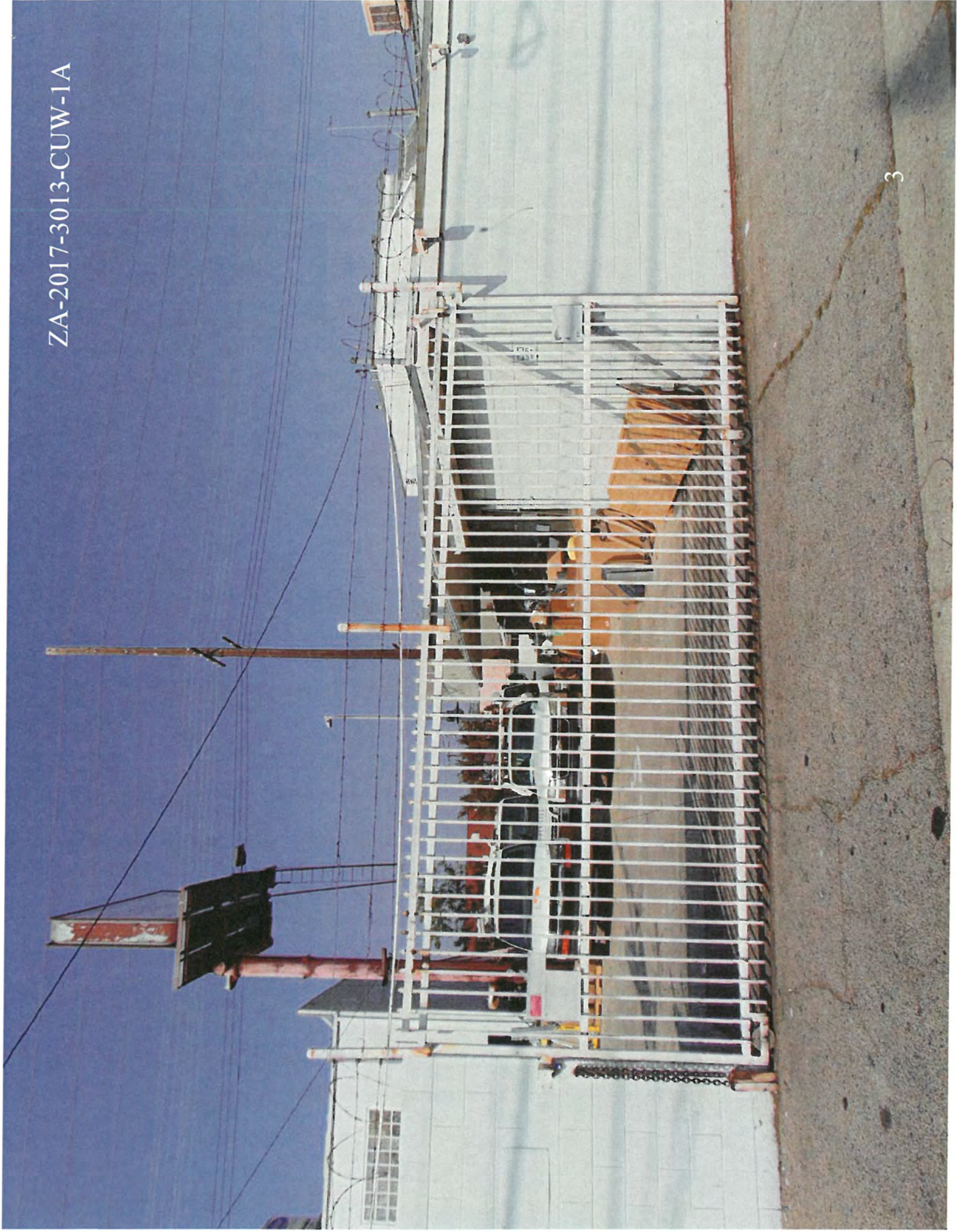
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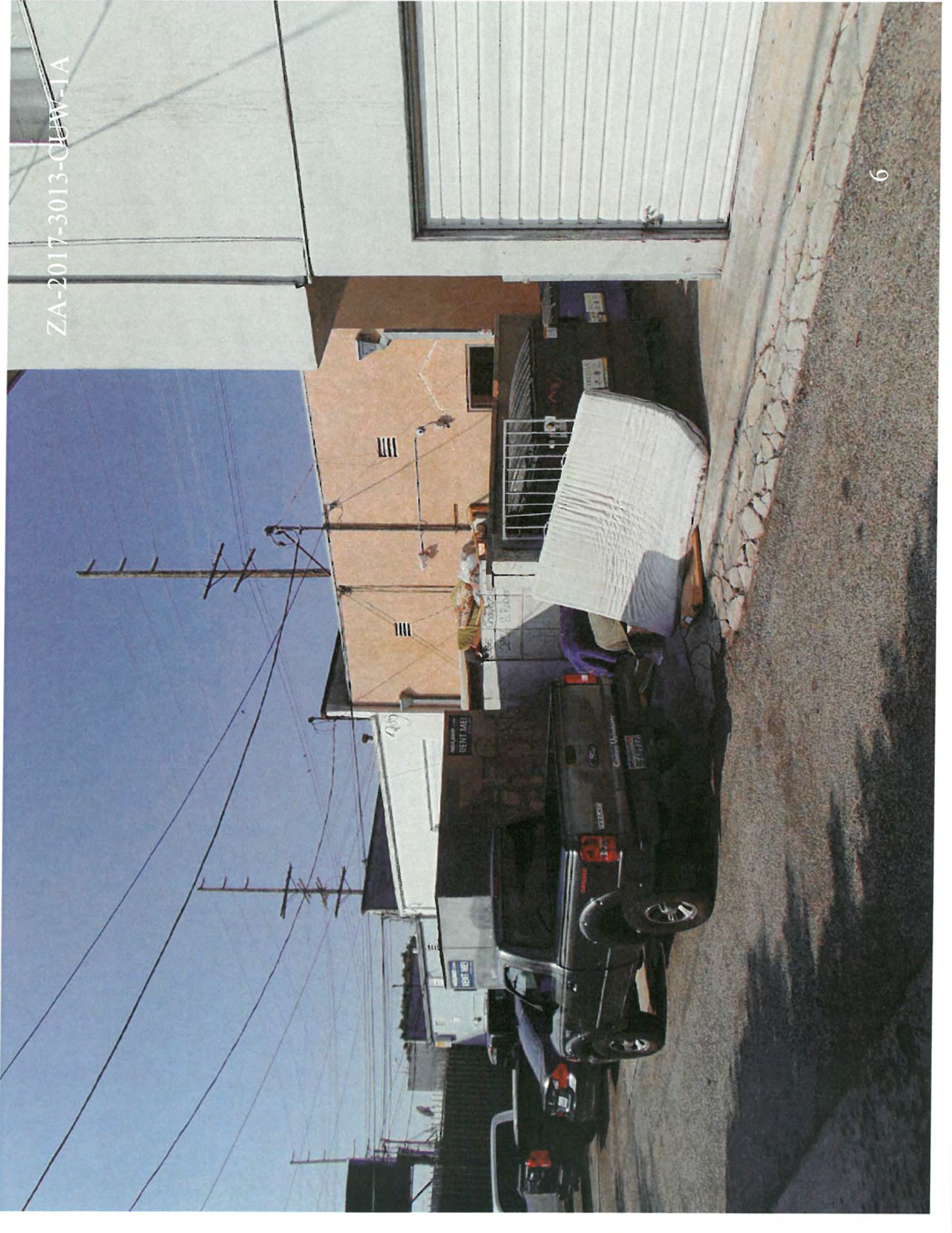


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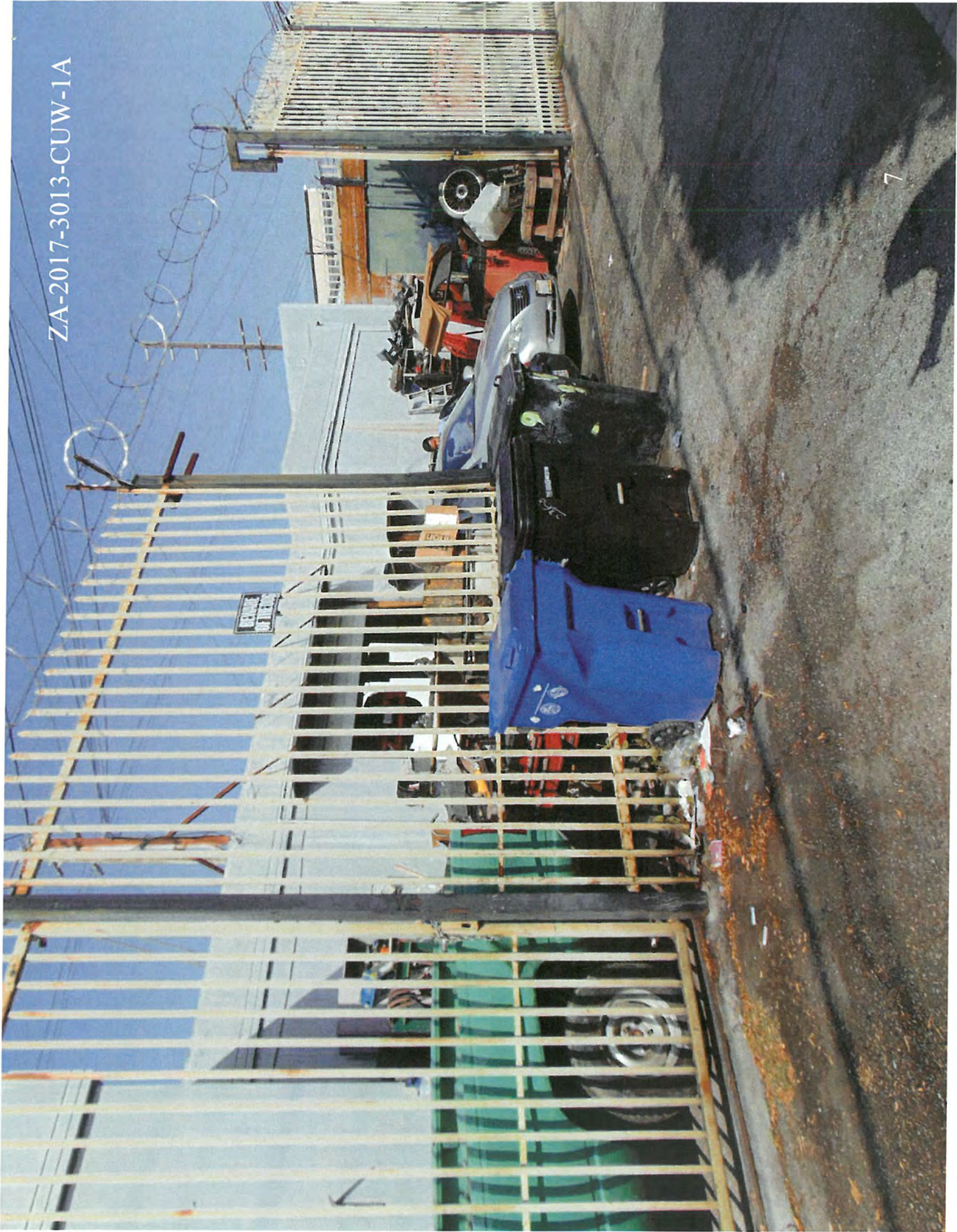








ZA-2017-3013-CUW-1A



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98% of the US population.

And over **2.58 million square miles**

or about 450,000 square miles more coverage than the nearest competitor.



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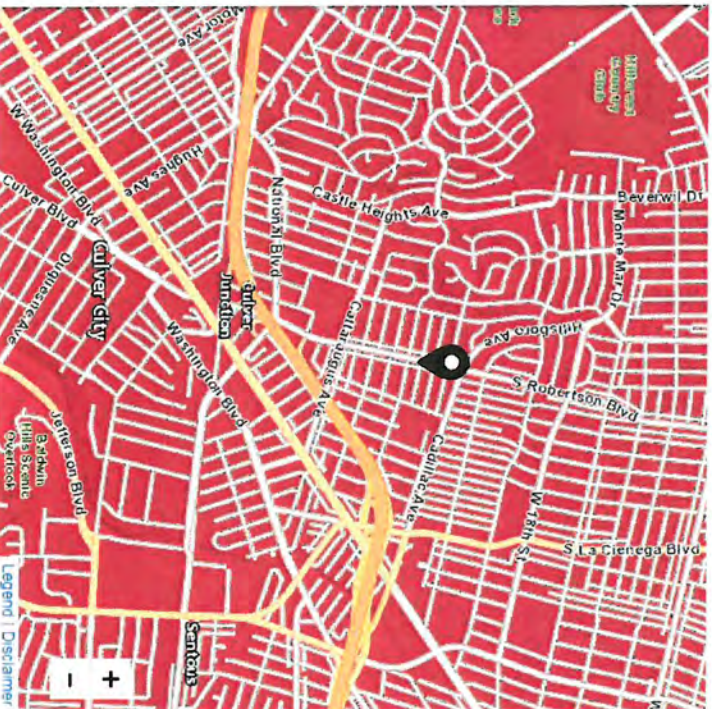
Hide interactive map



2512 s robertson blvd 90



Mapped address
2512 S Robertson Blvd Los Angeles, CA 90034
4G LTE Quality: Excellent



ZA-2017-3013-CUW-1A
CEQA: ENV-2017-3014-CE
Agenda Item #6

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Feedback ⓘ

98% of the US population.

And over
2.58 million
square miles

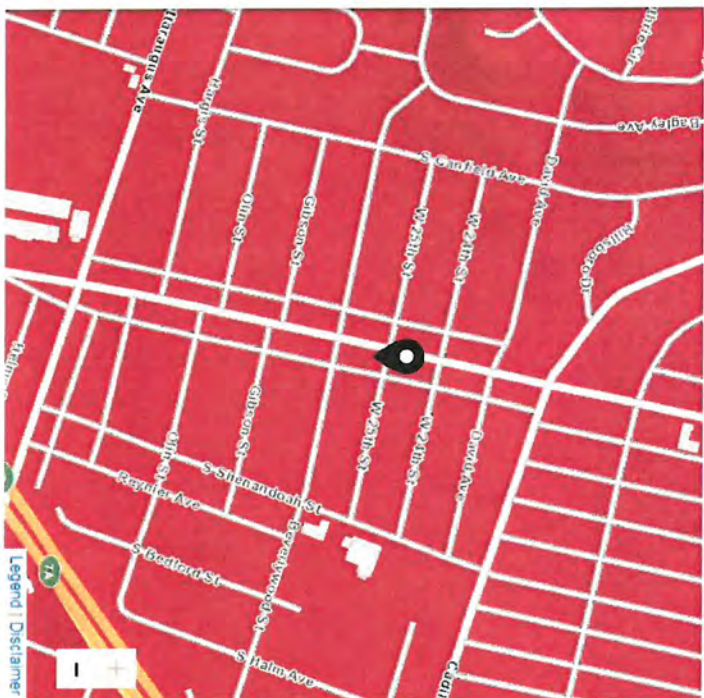
or about 450,000 square miles more coverage than the nearest competitor.



Hide interactive map

Search coverage map

Mapped address
 2512 S Robertson Blvd, Los Angeles, CA, 90034
 4G LTE Quality: Excellent





We qualify your connection

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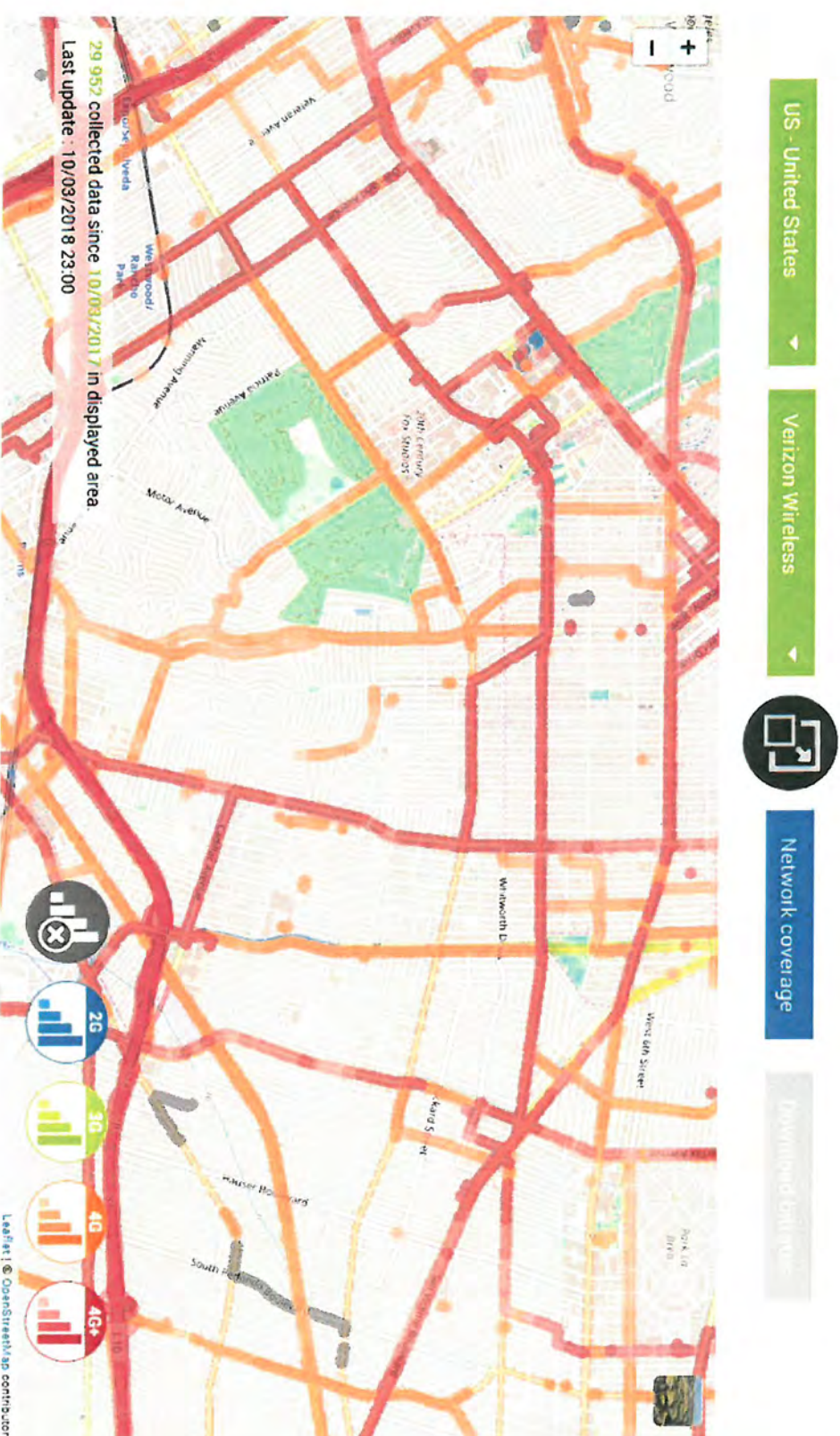
[About us](#)

Network coverage > United States > Verizon Wireless

Verizon Wireless 2G / 3G / 4G in Los Angeles coverage map, United States

Verizon Wireless cellular data network in Los Angeles, California, United States

This map represents the coverage of Verizon Wireless 2G, 3G and 4G mobile network in Los Angeles. See also: [Verizon Wireless mobile bitrates map in Los Angeles](#) and [I-Mobile, Union Wireless, AT&T Mobility, Sprint, Carolina West Wireless, Cellular One, U.S. Cellular](#) mobile networks coverage in Los Angeles.

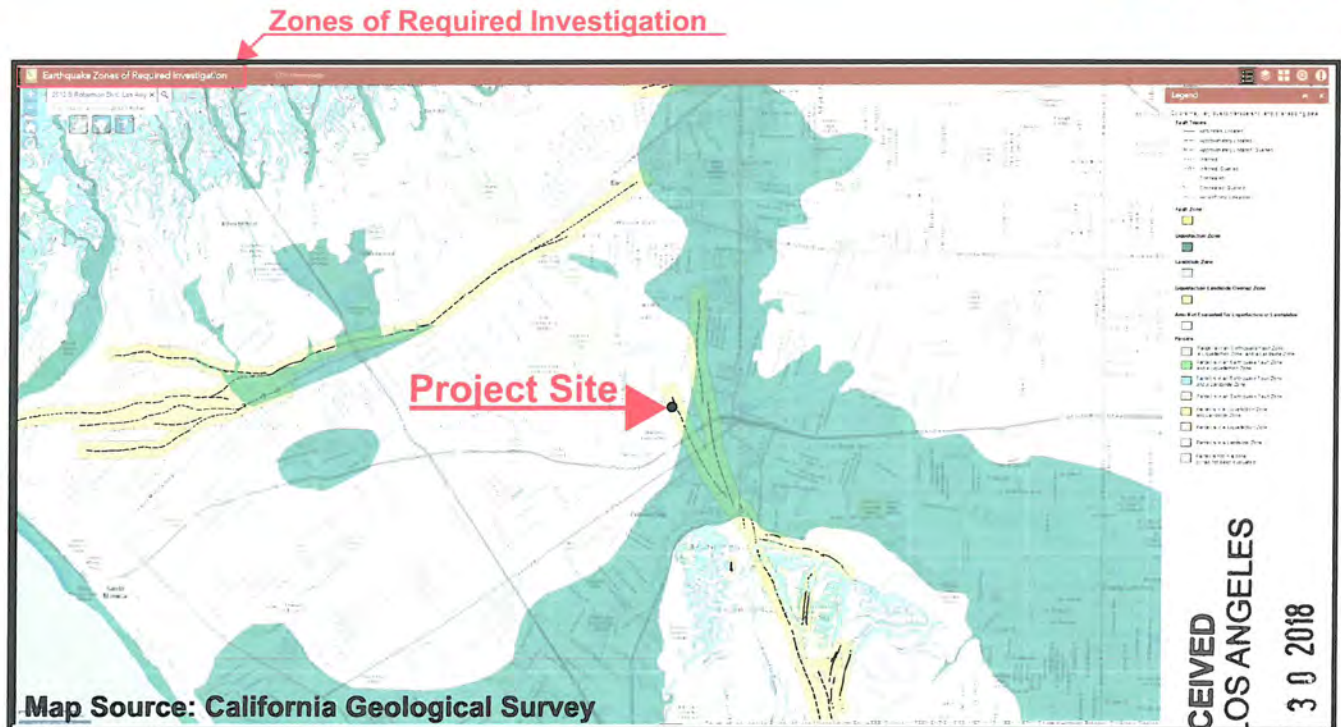


See also the Verizon Wireless 2G / 3G / 4G mobile network coverage in [New York City](#), [Los Angeles](#), [Chicago](#), [Houston](#), [Philadelphia](#), [Phoenix](#), [San Antonio](#), [San Diego](#), [Dallas](#), [San Jose](#), [Indianapolis](#), [Irvine](#), [San Francisco](#), [Austin](#), [Columbus](#) and in [California](#), [San Diego](#), [San Francisco](#), [Frederick](#), [San Francisco](#), [Irvine](#), [Beach](#), [National](#), [Beverly Hills](#), [Anheim](#).

The Verizon proposed cell tower falls directly on a fault zone (Newport-Inglewood fault).

- Soils report from 2015 uses now outdated information.
- The soils report from 2015 notes the closest fault as being 2.1 miles away.
- Current maps (2018) from the California Geological Survey now show the project site IN THE FAULT ZONE.

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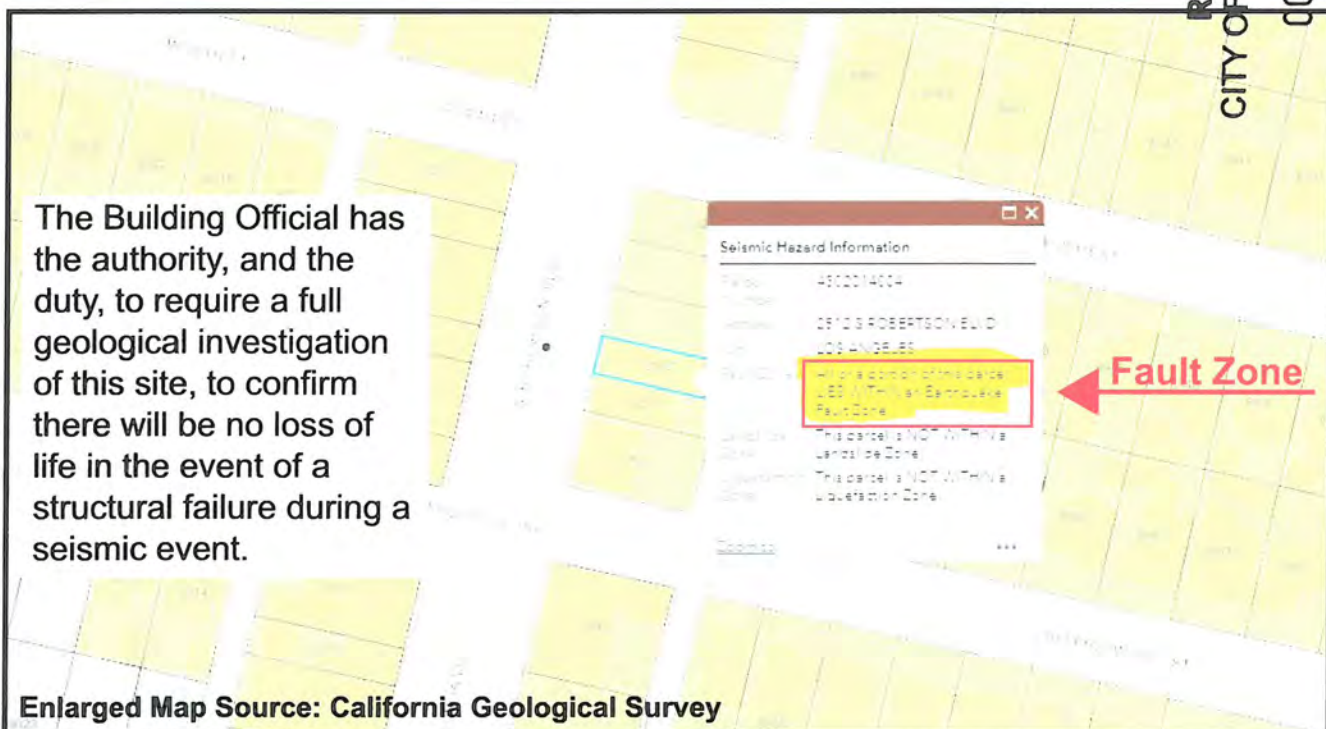


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The Building Official has the authority, and the duty, to require a full geological investigation of this site, to confirm there will be no loss of life in the event of a structural failure during a seismic event.



Verizon Hearing

Alternate Solutions and Sites Testimony

Over the past several years, the residents in this neighborhood have heard repeated excuses from Verizon about why they have not presented any viable alternate locations or solutions to this 52' tall tower opposed by so many residents in the area. One of the alternates the residents in this area have suggested would be using a series of much smaller, small cell sites (micro towers) placed on existing infrastructure (light poles, power poles, and billboards) that already exist, to mitigate the ugly and obtrusive nature of the 52' tall mega tower. Another solution could be using new "smart pole" technologies. **Just this last week, on October 26, 2018, AT&T installed a small cell site (micro tower) less than 200' away from Verizon's proposed tower.** The AT&T small cell site is for their advanced 5G network. The installation of the AT&T tower less than 200' shows this type of solution is viable and appropriate for this location. **The small cell site is appropriate in scale and appearance to the context. The small cell site is in conformance with the General Plan, the Zoning Code, and all applicable local plans, and as such didn't require a public hearing.** The attached image shows the installation of the small cell site on October 26th 2018.

While small cell sites may cost more, they are much more appropriate to these types of residential and commercial areas. Last year in 2017, AT&T had net income of **\$29.45 billion**¹. In the same year, Verizon had net income of **\$30.10 billion**². Verizon made *more* money than AT&T. **If AT&T can install small cell sites in the exact same area, at the exact same time, with the exact same zoning and city constraints as Verizon, there is no legitimate reason Verizon can't do the same. We request Verizon provide an alternate small cell site or smart pole solution, as clearly it is viable, possible, and appropriate.**

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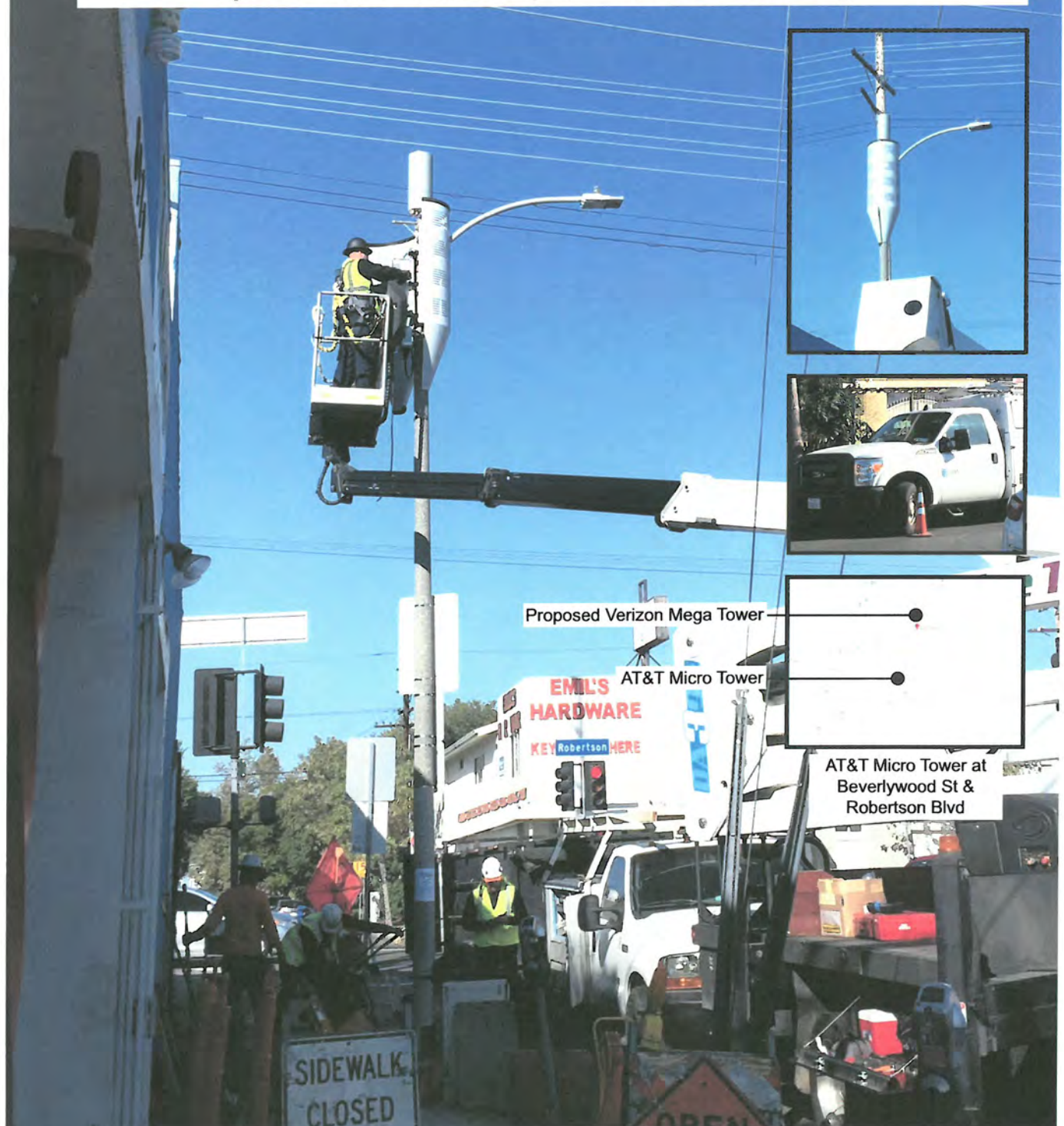
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¹ "Annual Report 2017". AT&T. February 1, 2018. Retrieved February 1, 2018.

² "Verizon Communications Inc. (VZ) Income Statement". NASDAQ.com. Retrieved 10 March 2018.

On October 26th, 2018, AT&T installed a 5G small cell site (micro tower) on an existing street light pole less than 200' from the proposed Verizon mega tower.

The small cell site is appropriate in scale and appearance to the context. The small cell site is in conformance with the General Plan, the Zoning Code, and all applicable local plans and didn't require a public hearing.



The ZA violated due process by relying on Verizon's untimely & misleading material: UNDISPUTED

Verizon does not dispute that ZA Weintraub violated appellants' due process rights and that Verizon abetted those violations by submitting roughly 100 pages of untimely, misleading, and backdated materials between October 30, 2017, through June 27, 2018, without notice of or opportunity for comment by the public. Verizon's new materials¹ sent to this Commission in late October 2018 continue this pattern. Verizon's new items are not credible because they contradict its prior statements to the public, the ZA, and this Commission.

Incompatible height: UNDISPUTED that the tower is taller than all buildings, trees, billboards & signs

Verizon's claim that the tower is a compatible height with its surroundings is disproved by Verizon's own exhibits, which show the tower is several stories taller than any trees or buildings and more than 11 feet taller than all billboards, signs, and all but one power pole. Moreover, the exhibits Verizon cites are the same misleading ones it gave the ZA: a backdated plan that does not accurately reflect the site conditions and photos of a fake tree amidst equally tall real trees in an area that bears no resemblance to the proposed site.

Aesthetics, Location, & Operations: the absentee property owner, who made misrepresentations to the ZA and has a history of code violations, is not up to the maintenance task

It is undisputed that the site will be operated by an absentee property owner who misrepresented to the ZA in an April 2018 letter that she would soon open a business at the site—even as she surrendered her liquor license and let 287 sq. ft. of trash, feces, and homeless encampments grow. To this day, the site remains vacant, as it has for the past 30 years. A cell tower in this dirty parking lot, which will be visible daily by more than 47,000 travelers, will further degrade a neighborhood already suffering from 30 years of neglect.

New use incompatible with the neighborhood: UNDISPUTED

It is undisputed that this 52' cell tower is a new use. As ZA Chiang found in rejecting Verizon's CUP in 2016, this new use is incompatible with this residential neighborhood.

Safety: UNDISPUTED that the tower is on a fault line in poorly maintained property near 2 schools

Verizon claims that the tower is safe because unidentified other WTFs have been put in schools or other areas. Verizon ignores the unique problems with this site, which is: (1) managed by an absentee property owner with a long list of code violations; and (2) on a fault line. If the tower is damaged, children at nearby schools or unhoused individuals will be able to access the site—as they were able to do for seven months this year, when the property owner failed to repair the gaping holes in the site's fence until ordered to do so by the City.

Economic Effects: UNDISPUTED that the tower will undermine the City's \$500k grant to fix Robertson

Unable to refute residents' testimony about the negative economic impact this tower will have, Verizon asserts, without authority, that some unspecified part of the "Telecommunications Act" bars consideration of these effects. That is not true. The negative economic effects of this tower are due to (among other things) Verizon's choice of an improper location, height, and ugly fake tree casing that stands out like a sore thumb on a street with no trees of similar species or height. Those aspects of the tower are a proper basis for denying a CUP because they are "not remotely equivalent to basing a zoning decision on a fear of RF emissions."²

The tower is not designed for the least possible visual impact (LAMC 12.21.A.20(a)(4)): UNDISPUTED

There are no trees, buildings, or anything else to screen this tower from view or with which it can blend. Nor did Verizon provide any evidence (as opposed to unsupported, self-serving assertions) that alternative sites or designs with a lesser visual impact were impossible. They clearly are; Sprint has a tower on a building just a few blocks away, and AT&T just recently installed a small cell facility on a pole a few feet from this site.

Verizon's unreliable and contradictory maps fail to show a coverage gap (LAMC 12.24.E.1)

Verizon's claim of a significant coverage gap is not supported by its unreliable maps. It is undisputed that those maps contradict each other, Verizon's advertising, and dozens of customers' coverage history.

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¹ See 10/19/18 Verizon letter, Exs. 7, 8, 11, 12.

² *MetroPCS, Inc. v. City and County of San Francisco*, 400 F.3d 715, 727 (9th Cir. 2005).

Landscaping: no landscaping on the property's perimeter (LAMC 12.21.A.20(a)(6)(i))

LAMC 12.21.A.20(a)(6) requires "landscaping" around the property's perimeter to hide a tower from view. Verizon claims that subsection (ii) allows the ZA "to make a finding that the code intent . . . for landscaping has been satisfied" by "the use of a faux tree camouflage."³ In fact, subsection (ii) reiterates that both "landscaping and screening" are required. A fake tree is not "landscaping"; at best, it is "screening." Accordingly, a fake tree does not meet the landscaping requirement. Furthermore, the ZA never cited or stated that he was relying upon subsection (ii) as an exception to the requirement that landscaping be around the perimeter. And the ZA did not find (nor could he have) that a handful of shrubs and bushes around the tower's base would conceal it anywhere near as well as the 5-foot tall hedges around the property's perimeter required by subsection (i).

Screening: no finding that screening hides 75% of the tower and antennas (LAMC 12.21.A.20(a)(5))

It is undisputed that the ZA never determined whether screening would conceal 75% of the tower and its antennas. Verizon claims this requirement need not be met, relying on a code section—LAMC 12.21.A.20(a)(6)(ii)—that does not mention, much less create, an exception to the screening requirement in LAMC 12.21.A.20(a)(5)(i). In any event, the ZA did not mention or rely on the code section Verizon cites.

Verizon omitted the requisite information to evaluate its claims (LAMC 12.21.A.20(b)): UNDISPUTED

It is undisputed that Verizon's CUP application omitted information—addresses and descriptions of its existing facilities—necessary to evaluate Verizon's claims of a coverage gap and good faith efforts to co-locate.

Verizon's CUP lacked the requisite underlying data to evaluate co-location or alternative sites and designs (LAMC 12.21.A.20(b)(5) & 12.21.A.20(a)(3)): UNDISPUTED

It is undisputed that the CUP application and Verizon's late October 2018 materials contain:

- No maps or data showing the coverage/capacity potential of any potential site other than the proposed one
- No maps or data showing that any site would create interference or be physically unable to support a tower
- No updated capacity analysis (and Verizon's outdated 2016 analysis shows its sites do not lack capacity)

Verizon's new materials actually show that a shorter tower and/or one at another location would fill Verizon's purported gaps in coverage. Verizon claims that a shorter tower (such as one placed on a building) would have a "footprint" of about 1/3 of a mile radius around the tower. That footprint is more than enough to fill purported gaps near the proposed site. Tellingly, Verizon's engineer does not provide any data or maps suggesting otherwise; rather, he dismisses other sites because they would not achieve "Verizon's coverage objectives" or "coverage footprint"—subjective terms that are irrelevant to the Commission's analysis.⁴

The tower fails to conform with the General Plan and CPIO requiring use of the site to its "fullest potential," screening of utilities, and use of real—not fake—trees (LAMC 12.24.E.3): UNDISPUTED

It is undisputed that the tower fails to conform with the General Plan Guideline #6, as ZA Chiang found, as well as the West Adams-Baldwin Hills-Leimert Community Plan Implementation Overlay ("CPIO").

No CEQA exemption applies because the tower is a new and unnecessary use

ZA Weintraub made no findings to support the CEQA exemption Verizon seeks here, which allows installation of "equipment" only if it is both: (1) a "negligible or no expansion of use"; and (2) "required for safety, health, the public convenience, or environmental control." The first requirement is not met because it is undisputed that a 52' cell tower is a new and significant use. And the second requirement is not met because the tower is not "required" for any purpose, given that Verizon's own coverage maps and customers confirm service is fine.

The case⁵ that Verizon cites is irrelevant because the tower there (unlike the one at issue) was 17 feet shorter, hidden from view by real—not fake—trees in a park, and nowhere near a residential area. Here, the tower will have a significant negative aesthetic impact because it will be visible from private and public view areas.⁶

³ 10/19/18, Ex. 12, p.5.

⁴ 10/19/18 Verizon letter, p. 8, Ex. 7, pp. 2-3, Ex. 12.

⁵ *Don't Cell Our Parks v. City of San Diego* (2018) 21 Cal.App.5th 338, 358-363.

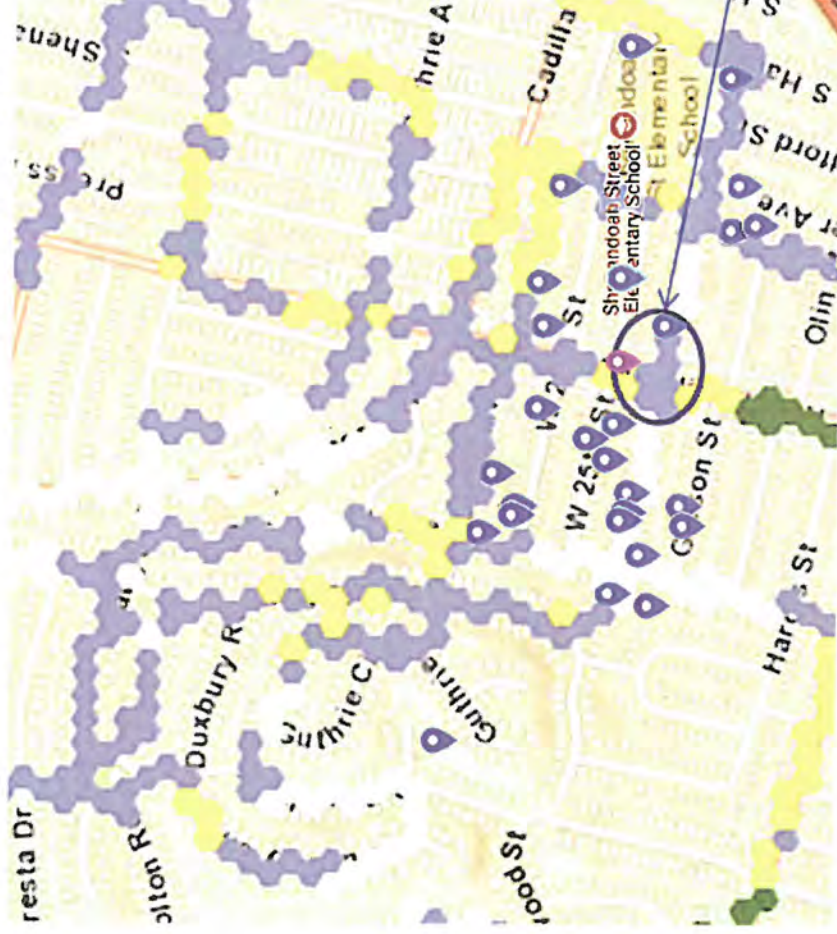
⁶ *Ocean View Estates Homeowners Ass'n, Inc. v. Montecito Water Dist.*, 116 Cal.App.4th 396 (2004) (significant negative aesthetic impact given that material would be visible from some private and public view areas, despite landscaping and screening).

Submitted at 10/30/18 SLAAPC hearing, item #6; Case Nos.: ZA-2017-3013-CUW & ENV-2017-3014-CE

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AREA PLANNING COMMISSION

Verizon's untimely October 2018 maps are unreliable for the same reasons its prior ones were: they contradict each other, Verizon's prior maps, its advertising, and its customers' coverage history.

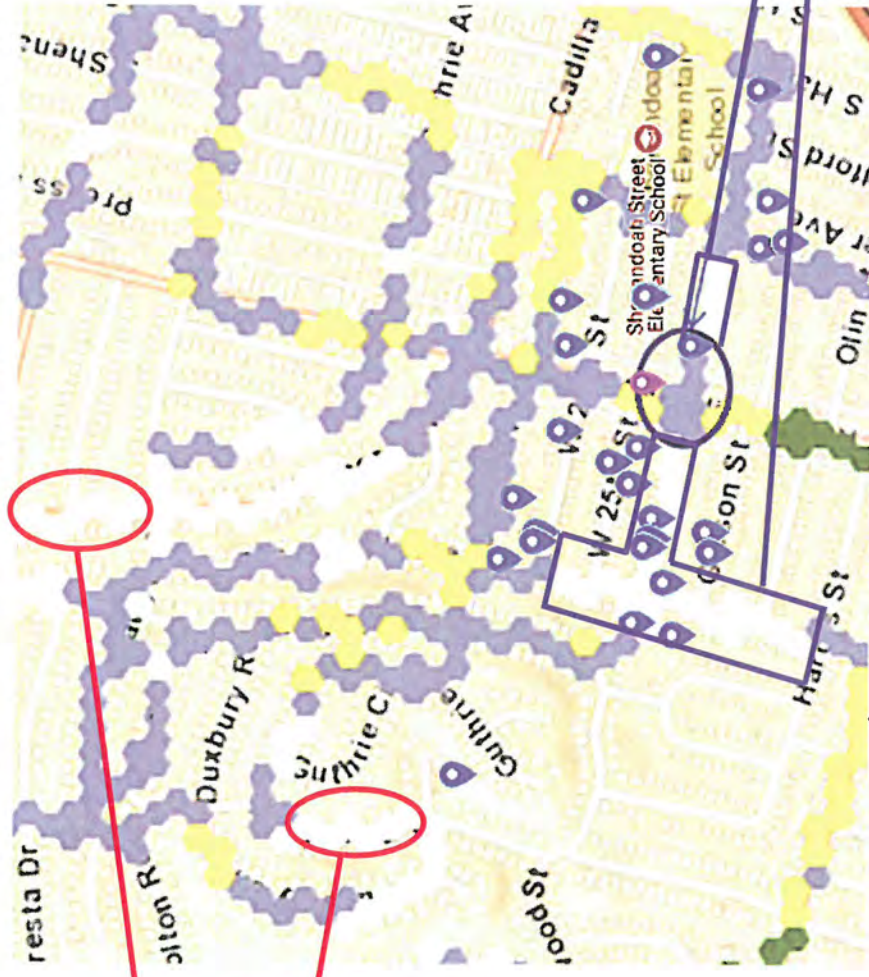


Plus, Verizon again uses subjective terms instead of data. For example, Verizon claims* the "white dots" on this map "represent the complete lack of any effective Verizon network signal"—but won't say the signal strength (dBm) at those dots.

And, as with every one of Verizon's maps, **customers who live at these white dots where Verizon claims to have a coverage gap actually report no coverage problems, as shown by a**

* 10/19/18 Verizon letter, Ex. 7, p.5 [discussing "drive test" map from September 2018].

Verizon's October 2018 maps also show the proposed tower won't eliminate purported gaps in Beverlywood and that the supposed gaps near the tower are too small to be "significant."



Verizon's maps show the proposed site will not fix the purported coverage gaps here, so this size gap must not be "significant"

And the supposed gaps here are each less than .25 miles, far less than the "one-mile gap" that a LTE coverage" that a court has held to be an insignificant gap.*