



City of Huntington Beach Planning and Building Department

STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Jill Arabe, Assistant Planner 
DATE: January 26, 2010

SUBJECT: APPEAL OF ZONING ADMINISTRATOR'S APPROVAL OF CONDITIONAL USE PERMIT NO. 09-015 (T-MOBILE WIRELESS COMMUNICATIONS FACILITY)

APPLICANT: Monica Moretta, Sequoia Deployment Services, Inc., One Venture, Suite 200, Irvine, CA 92618

APPELLANT: Dianne Larson on behalf of 350 Huntington Beach residents

PROPERTY

OWNER: Duane Hurtado, Community United Methodist Church of Huntington Beach, 18700 Beach Blvd., Suite 260, Huntington Beach, CA 92648

LOCATION: 6666 Heil Avenue, 92647 (south side of Heil Avenue, east of Edwards Street)

STATEMENT OF ISSUE:

- ◆ This item represents an appeal filed by Dianne Larson on behalf of a group of Huntington Beach residents of the Zoning Administrator's (ZA) approval of Conditional Use Permit (CUP) No. 09-015 for the construction of a 55 foot high wireless communications facility disguised as a church bell tower.
- ◆ Conditional Use Permit No. 09-015 represents a request for:
 - **(Original Request)** The construction of a 55 foot high wireless communications facility designed as a stealth design palm tree "monopalm" with 12 panel antennas and one (1) GPS antenna, including associated equipment surrounded by a 7 foot 6 inch high block wall. The request includes the relocation of a 5 foot high block wall trash enclosure.
 - **(As modified by ZA)** The construction of a 55 foot high wireless communications facility as a completely stealth designed church bell tower with six (6) panel antennas and one (1) GPS antenna, including the requirement to completely underground all associated ancillary equipment.

- ◆ Staff's Recommendation:
Approve Conditional Use Permit No. 09-015 based upon the following:
 - The proposed wireless communications facility will not be detrimental to the general welfare of persons in the vicinity and to improvements in the neighborhood because the antennas and associated equipment will be completely stealth. The proposed structure will be setback more than 125 feet from the adjacent residences. The project will not generate adverse impacts related to noise, traffic, or lighting.
 - The proposed wireless communications facility is compatible with surrounding uses, complies with the applicable codes, and is a feasible location to fill a gap in coverage.
 - The proposed wireless communications facility will not adversely affect the General Plan because it will improve signal transmission and reception in the project vicinity. The project is consistent with General Plan goals and policies related to land use and utilities.

RECOMMENDATION:

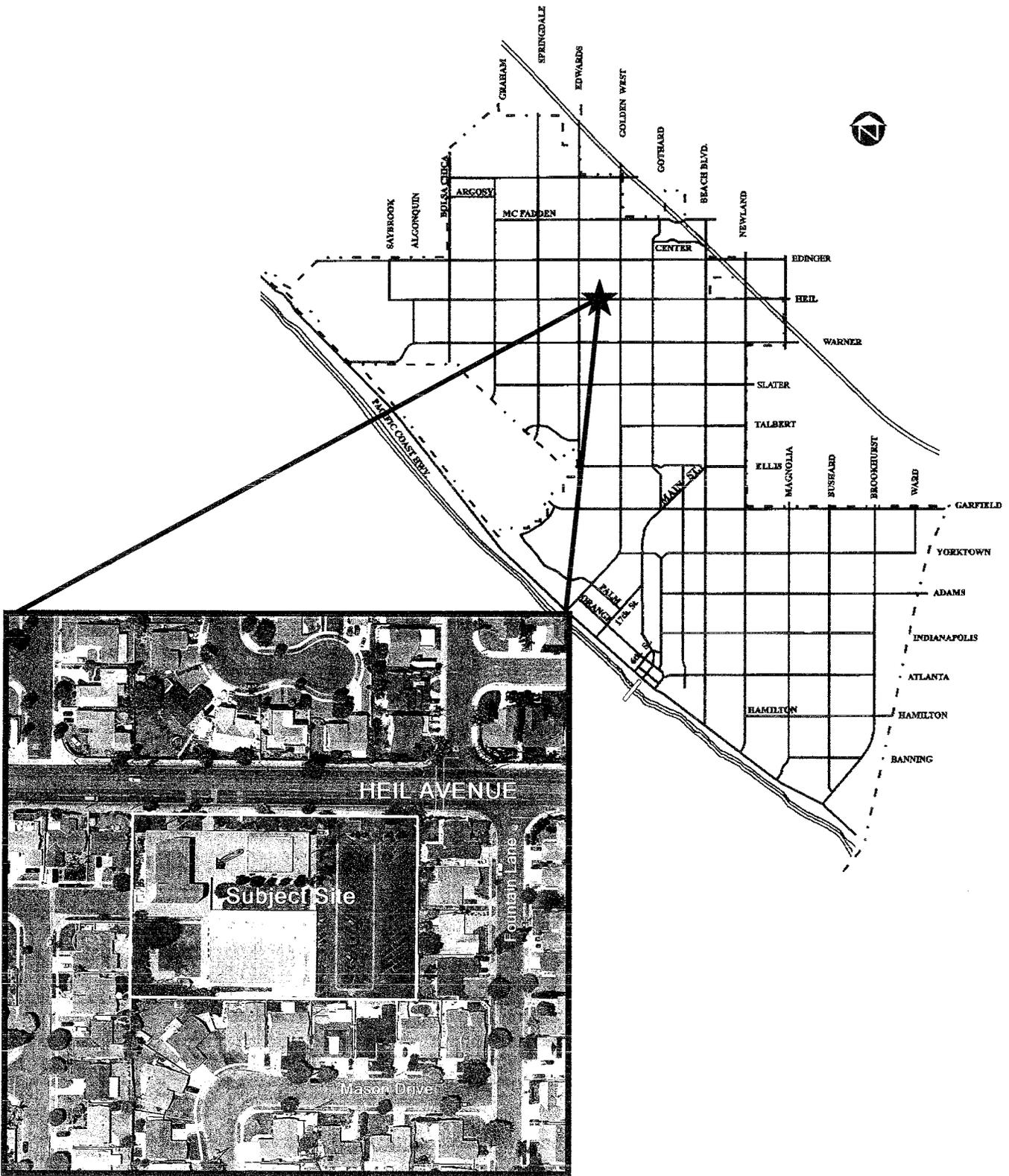
Motion to:

“Approve Conditional Use Permit No. 09-015 with suggested findings and conditions of approval (Attachment No. 1).”

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. “Continue the Appeal of the Zoning Administrator’s approval of Conditional Use Permit No. 09-015 and direct staff accordingly.”
- B. “Deny Conditional Use Permit No. 09-015 with findings for denial.” (**Appellant’s Request**)



VICINITY MAP
CONDITIONAL USE PERMIT NO. 09-015
(T-MOBILE WIRELESS COMMUNICATION FACILITY – 6666 HEIL AVE.)

PROJECT PROPOSAL:

Conditional Use Permit No. 09-015 represents a request, pursuant to Section 230.96(E) of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), for:

- **(Original Request)** The construction of a 55 foot high wireless communications facility designed as a stealth design palm tree “monopalm” with 12 panel antennas and one (1) GPS antenna, including associated equipment surrounded by a 7 foot 6 inch high block wall. The request includes the relocation of a 5 foot high block wall trash enclosure.
- **(As modified by ZA)** The construction of a 55 foot high wireless communications facility as a completely stealth designed church bell tower with six (6) panel antennas and one (1) GPS antenna, including the requirement to completely underground all associated ancillary equipment.

The subject site is an approximately 2.4 acre church property, located on the south side of Heil Avenue, between Goldenwest Street and Edwards Street, in the RL (Residential Low Density) zone. The site is developed with a church and preschool.

Background

A wireless permit application is required prior to installation of a wireless communications facility pursuant to HBZSO Section 230.96(D). On April 20, 2009, a wireless permit application was submitted for the construction of a 55 foot high stealth wireless communications facility designed as a palm tree “monopalm” with associated above-ground equipment surrounded by a seven (7) foot-six (6) inch high blockwall. In addition, staff considered the gap in coverage and feasible locations for the wireless facility. On May 12, 2009, the wireless permit application was conditionally approved with the determination that the proposed facility is subject to approval of a Conditional Use Permit by the City’s Zoning Administrator (ZA) and review by the Design Review Board (DRB) because the proposed height (55 feet) exceeded the maximum allowed (35 feet) in the district and was within 300 feet of residential uses.

Zoning Administrator Action:

A public hearing before the Zoning Administrator was held on September 30, 2009. The applicant’s request was for the construction of a stealth wireless communications facility designed as a palm tree “monopalm” with associated above-ground equipment surrounded by a 7 foot-6 inch high blockwall. A total of 28 members of the public were present at the hearing, including the applicant and T-Mobile representatives. Prior to public comments, the ZA announced that the public may speak about potential health risks, but federal law prohibited him from considering health concerns. Five people, including the applicant and property owner, spoke in favor of the request, noting that there were no impacts of noise and health effects associated to the wireless communications facility. A majority of the residents spoke in opposition citing various reasons as addressed in their letters such as health effects, aesthetics, and negative effects on property values (see Attachment No. 9). The ZA continued the item with the public hearing open to the October 28 meeting to provide the applicant an opportunity to prepare revised plans for a completely stealth facility that would screen all aspects of the wireless communications facility.

On October 28, 2009, the project was continued to the November 4 meeting at the applicant’s request for additional time to prepare plans and have the plans reviewed by staff.

On November 4, 2009, staff presented new plans submitted by the applicant as requested by the ZA. The revised plans proposed a replacement of the existing 52 foot high church bell tower with a new 55 foot high bell tower structure disguising the wireless antennas within the proposed bell tower. The number of panel antennas was reduced from 12 to six. Staff received 11 public comments citing concerns with the radio frequency exposure, aesthetics and detriment to property values, false coverage maps, noise, and FCC regulations. A T-Mobile representative, the property owner, and two residents spoke in favor of the project and provided additional letters from church members supporting the project. A total of 19 residents spoke in opposition as addressed in their letters (see Attachment No. 9). The ZA approved the proposed wireless communications facility designed as a 55 foot high completely stealth church bell tower with the requirement to completely underground all associated ancillary equipment.

Appeal:

The Zoning Administrator’s approval of Conditional Use Permit No. 09-015 was appealed by Dianne Larson on behalf of a group of Huntington Beach residents for reasons cited in an appeal letter dated November 16, 2009 (Attachment No. 3). The reasons for appeal are listed below:

1. The wireless communications facility will be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood.
2. No gap in coverage exists in the area.
3. The wireless communications facility does not meet code requirements.
4. The wireless communications facility does not meet the requirements of the Wireless Permit Application.
5. Plans were not available to the public prior to the Zoning Administrator’s action.
6. The Zoning Administrator did not review new written evidence submitted at the public hearing.

ISSUES:

Subject Property and Surrounding Land Use, Zoning and General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property	P(RL) – (Public underlying residential)	RL (Residential Low Density)	church
South, West, East, and North of the Subject Property (across Heil Avenue)	RL-7 – (Residential Low Density – 7 du/ac)	RL	residential

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is Public. The proposed project is consistent with this designation and the goals and policies of the City’s General Plan as follows:

A. Land Use Element

Goal – LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

B. Utility Element

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the proposed completely stealth facility is designed as a bell tower and will replace the existing onsite bell tower. The location of associated equipment will be underground so as to eliminate any visual impacts to surrounding uses. As conditioned, the project will have no visual impacts because the wireless communications equipment will be underground and the new bell tower will match the previous.

Zoning Compliance:

The project is located in the Residential Low Density District and complies with all the requirements of that zone, including land use and setbacks. The wireless communications facility at the proposed height of 55 feet is subject to approval of a conditional use permit.

Urban Design Guidelines Conformance: Not applicable.

Environmental Status:

The proposed project is Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, which states that projects consisting of the minor alteration of an existing structure are exempt from further environmental review. Staff made the determination based on the original design of a 55 foot high monopalm. The exemption still applies because the redesign consists of a minor alteration to replace a bell tower at an existing church site.

Coastal Status: Not applicable.

Redevelopment Status: Not applicable.

Design Review Board:

On September 10, 2009, the DRB recommended approval of the wireless communications facility designed as a palm tree “monopalm” and associated above-ground equipment within a 7 foot- 6 inch high enclosure with modifications to the Zoning Administrator. The DRB discussed concerns with the location and design of the wireless communications facility. The DRB recommended the following modifications:

- The equipment enclosure materials shall be composed of split-face block at the base, two maximum courses of precision block, and a decorative cap.
- The existing wall located on the westerly side of the monopalm shall be connected to the equipment enclosure.
- The wireless communication pole shall be designed as a date palm with the maximum amount of fronds as deemed necessary by the Planning Department.
- A 30 ft. high date palm shall be planted within the landscaped planter adjacent to the monopalm.

Commissioner Speaker clarified that the DRB’s recommendation was solely on the design and materials of the project, and that land use would be at the discretion of the ZA. The DRB did not review the revised plans that were approved by the ZA and based on that approval the DRB recommendations no longer apply.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Departments of Building and Safety and Public Works have reviewed the proposed project and identified applicable code requirements (see Attachment No. 8).

Public Notification:

Legal notice was published in the Huntington Beach Independent on January 14, 2009, and notices were sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Department’s Notification Matrix), applicant, and interested parties. As of January 19, 2009, one letter from the appellant was received (Attachment No. 11).

Application Processing Dates:

DATE OF COMPLETE APPLICATION:
August 24, 2009

MANDATORY PROCESSING DATE(S):
November 22, 2009 (includes 30-day extension)

The ZA approved CUP No. 09-015 on November 4, 2009, which complies with the State of California Planning, Zoning, and Development Laws relative to mandatory processing times.

ANALYSIS:

The primary issues for the Planning Commission to consider in evaluating the proposed project are the potential impacts to the general welfare of the community, compatibility with surrounding uses, wireless coverage, and the appeal letter.

General Welfare of the Community

The existing 52 foot high church bell tower will be replaced by a new 55 foot high bell tower. The six panel antennas will be concealed within the new tower. The ZA approved design is completely stealth due to the fact that the proposed design is integrated into the church facility by replicating an on-site structure in a manner that it cannot be identified as a wireless communications facility. In addition, the project was conditioned to completely underground all ancillary equipment. Based on the design and the

requirement to underground the equipment, the project will not have aesthetic impacts detrimental to the general welfare of the community and surrounding properties because the facility is designed as a bell tower and therefore will be consistent with the existing church use.

The proposed wireless communications facility is accessory to the church and located more than 125 feet from adjacent residential homes. The distance provides a sufficient buffer from residential uses to protect them from any potential noise generated by the facility. Potential noise associated with the facility is anticipated to be minimal due to the requirement to underground all associated equipment and subject to the noise ordinance of the City's municipal code.

Compatibility with Surrounding Uses

Existing single family residential uses are adjacent to the west, south, and east of the subject site. The subject site is used for religious assembly and a preschool. The proposed wireless communications facility will not generate traffic, noise, lighting, odor, or any other impacts detrimental to the area and based on its completely stealth design is considered a compatible use.

The proposed wireless communications facility complies with applicable requirements of the HBZSO, including land use. The HBZSO does not prohibit wireless communications facilities from locating on properties zoned for residential. Facilities that are proposed in residential zones are required to meet certain provisions including incorporating stealth techniques (refer to Attachment No. 4). Over the years, the City has approved several requests to allow wireless communications facilities adjacent to residential uses and at existing residential and commercial sites because they were found to comply with applicable zoning requirements as well as designed in a manner to be compatible.

Stealth facilities are typically designed as palm trees and completely stealth facilities are architecturally integrated into existing buildings. Stealth and completely stealth facilities are intended to minimize the visibility of the antennas and equipment by blending into the environment. Stealth techniques include incorporating colors and materials similar to surrounding uses or buildings. The approved design of the wireless communications facility as a bell tower is completely stealth and screens the antennas from public view. The requirement to underground equipment will eliminate visual impacts. The approved completely stealth facility is compatible because the bell tower is associated with the church use and no visual impacts will occur.

Wireless Coverage

The dominant purpose of the project is to increase the existing radio frequency (RF) signal level in an existing coverage area. Based on the existing coverage map provided by T-Mobile, there is a gap in (indoor) coverage. Staff considered the information and determined the proposed wireless communications facility will provide the necessary coverage objective. The methods performed to determine the most feasible location include site visits, propagation analysis, and drive test data (refer to Attachment No. 7).

Alternative locations that were considered include College View Elementary School, Ocean View Elementary School, College View Park, and Irby Park (Attachment No. 6). No lease was secured with the parks or schools because the property owners would not allow it. The Community United Methodist Church was the only site authorizing the leasing space for a wireless communications facility and located within the coverage gap.

Appeal

The appeal letter identifies six primary issues that the appellant believes should result in the denial of Conditional Use Permit No. 09-015. Below is an analysis of the issues raised in the appeal letter.

Issue 1: The wireless communications facility will be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood.

Several wireless communications facilities have been approved in the City, abutting residential uses. Some facilities are completely stealth that all aspects of the wireless communications facility are screened from public view, while other facilities incorporate stealth techniques such as a palm tree. No detrimental impact to property values or the general welfare of the surrounding neighborhood has been associated with approved wireless facilities. The wireless facilities do not generate noise, traffic, lighting, or adverse impacts that detrimentally affect surrounding uses. The completely stealth facility as approved by the Zoning Administrator will not have aesthetic impacts because the antennas and equipment will not be visible. Noise associated with the facility is minimal due to the requirement to underground the equipment and subject to the City's noise ordinance. The potential impacts to the preschool children are associated with health concerns, which the City is prohibited from considering as a basis for denial.

Issue 2: No gap in coverage exists in the area.

Pursuant to Section 230.96.D of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), submittal of a wireless permit application is required prior to installation of a wireless communications facility. The City reviewed the wireless permit application and submittal requirements, including architectural plans, coverage maps, and project information. Staff considered the coverage maps and determined that they were shown to demonstrate that there is a coverage gap (refer to Attachment No. 5). The proposed site was found to be the most feasible location. Based on the necessity to fill the coverage gap at the proposed location, the wireless permit was conditionally approved on May 12, 2009, subject to approval of a conditional use permit by the ZA and design review.

Issue 3: The wireless communications facility does not meet code requirements.

Wireless communications facilities are permitted in the residential district pursuant to HBZSO Section 210.04 and subject to requirements in HBZSO Section 230.96 (refer to Attachment No. 4). The project meets all minimum development standards including setbacks. Upon review of the submitted wireless permit application, the City determined that all requirements were satisfied and based on coverage maps and supplemental information, a coverage gap exists. The wireless permit was conditionally approved subject to approval of a conditional use permit and design review because the permitted height of 55 feet exceeded the maximum allowed (35 feet) in the district and was within 300 feet of residential uses. The application was processed in accordance with the applicable HBZSO requirements.

Issue 4: The wireless communications facility does not meet the requirements of the Wireless Permit Application.

The City reviewed the wireless permit application and considered supplemental information. The City determined that the coverage maps demonstrate a gap in coverage and the proposed wireless communications facility will provide the necessary coverage to fill the gap. Furthermore, supplemental

information to the wireless permit application described the process performed to assess the necessity of a wireless communications facility and propose the least obtrusive location for a cell site. The application was processed in accordance with the applicable HBZSO requirements.

Issue 5: Plans were not available to the public prior to the Zoning Administrator's action.

The revised plans proposing the replacement of the existing 52 foot high bell tower with a new 55 foot high bell tower structure were submitted to staff on October 28, 2009, and were available for the public to view prior to the November 4 meeting. Other aspects of the project, such as the above-ground equipment surrounded by a 7 foot-6 inch high blockwall and the trash enclosure relocation have not changed. These plans were presented and reviewed by the ZA on November 4, 2009.

The ZA has the discretion to apply conditions or request new plans in lieu of conditions; however, the ZA determined that applying conditions on the project was acceptable, such as requiring the ancillary equipment to be placed underground. The ZA approved the revised design based on new information, plans, and public comments with findings and conditions as recommended by staff.

Issue 6: The Zoning Administrator did not review new written evidence submitted at the public hearing.

The ZA considered and reviewed the written information supplied before and during the public hearing. The ZA has the discretion whether new evidence necessitates additional review. It is typical of the discretionary body to receive late communications without continuing the hearing to another date for review of new information. Based on all the information and revised plans, the ZA determined that action could be taken and approved the proposed project.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval – CUP No. 09-015
2. Photo simulations dated October 27, 2009 and Site Plans and Elevations dated October 28, 2009
3. Appeal letter from Dianne Larson on behalf of 350 HB residents, dated November 16, 2009
4. Applicable zoning provisions – HBZSO Section 230.96 and Section 210.04
5. Wireless Permit Application and applicable submittal requirements dated April 20, 2009
6. Alternative Site Locations dated September 28, 2009
7. RF Technical Report dated January 12, 2010
8. Departments of Building & Safety and Public Works Code Requirements (see 1/12/10 PC Study Session Item #A-3, Attachment No. 4, available at City Hall, 3rd Floor Planning & Building Department)
9. Public Comments submitted prior to January 12, 2010 (see 1/12/10 PC Study Session Item #A-3, Attachment No. 5, available at City Hall, 3rd Floor Planning & Building Department)
10. Information on Cell Towers (Commissioner Scandura) received and dated January 5, 2010 (see 1/12/10 PC Study Session Item #A-3, Attachment No. 6, available at City Hall, 3rd Floor Planning & Building Department)
11. Public Comments submitted since January 12, 2010

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 2009-015

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project consists of the minor alteration of an existing structure, involving no expansion of the existing church use.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 2009-015:

1. Conditional Use Permit No. 2009-015 for the establishment, maintenance and operation of a 55 ft. high wireless communications facility disguised as a bell tower with six (6) panel antennas and one (1) GPS antenna, including completely stealth associated equipment will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed facility will replace an existing 52 ft. high bell tower with a new bell tower structure. The structure will be setback more than 125 ft. from the adjacent residences located to the south, east, and west of the site. The design of the tower will disguise the associated antennas from public view. The project will not generate noise, traffic, or demand for additional parking above that which already exists on the subject site. As a condition of approval, the wireless communication equipment will be underground. Potential noise associated with the facility will be minimal because of the distance from residential uses and the undergrounding of equipment. The proposed height of the bell tower will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. The proposed project will satisfy the necessity for wireless coverage and applicable regulations.
2. The conditional use permit will be compatible with surrounding uses because the wireless communications facility and support structure will be designed as a bell tower to blend into the surrounding environment including the existing church located on site. The project involves the replacement of a bell tower with a tower of similar height and at an identical location onsite. The bell within the tower will be operational. The antennas will not be visible from public view as they will be concealed within the tower structure. All associated equipment, as conditioned, will be underground to further eliminate visual impacts of the wireless communications facility along Heil Avenue and on the property. The facility incorporates stealth techniques and is considered completely stealth because of its integration within the bell tower. The facility will not generate noise, traffic, lighting, odor or adverse impacts to surrounding uses. Based on information supplementing the necessity to close a gap in coverage, the project will improve the wireless network and benefit customers within the vicinity.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. Wireless communication facilities are permitted to exceed the maximum height of 35 ft. for the base

zoning district with approval of a conditional use permit. Based on the wireless permit application and supplemental maps and information, the project is necessary to fill a gap in coverage. Alternative locations were not feasible to provide the coverage objective in the vicinity. No lease was attempted or secured with the parks or schools because the property owners would not allow it. The Community United Methodist Church was the only site authorizing the leasing space for a wireless communications facility and located within the coverage gap.

4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of Public on the subject property. In addition, it is consistent with the following goals and policies of the General Plan:

A. Land Use Element

Goal - LU 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure, and public services.

Policy LU 2.1.1: Plan and construct public infrastructure and service improvements as demand necessitates to support the land uses specified in the Land Use Plan (as defined in the Circulation and Public Utilities and Services Elements of the General Plan).

B. Utility Element

Policy U 5.1: Ensure that adequate natural gas, telecommunication and electrical systems are provided.

Policy U 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service.

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the proposed completely stealth facility is designed as a bell tower and will replace the existing bell tower onsite. The location of associated equipment will be underground so as to eliminate any visual impacts to surrounding uses. As conditioned, the project will have minimal visual impacts because the wireless communications equipment will be underground and the new bell tower will match the previous.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 2009-015:

1. The photo simulations dated October 27, 2009 and site plans and elevations dated October 28, 2009, shall be the conceptually approved design.
2. All associated equipment to the wireless communications facility shall be underground.
3. The existing trash enclosure shall not be relocated and the existing block wall enclosure shall not be removed.

4. Incorporating sustainable or “green” building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green’s Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney’s fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.



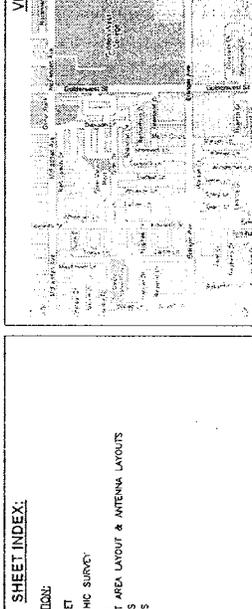
T-Mobile
stick togetherSM

3 MOUNTAIN PLAZ, SUITE 1100
DOWNTOWN, CA 92602

NOVACOM
NOVACOM COMMUNICATIONS CORPORATION
1351 POMONA RD, UNIT 250
DOWNTOWN, CA 92602
PHONE: (951) 808-8400
WWW.NOVACOM.COM

SEQUOIA
COMMUNICATIONS, INC.
1000 W. 10TH ST, SUITE 100
DOWNTOWN, CA 92602
PHONE: (951) 808-8400
WWW.NOVACOM.COM

SITE NUMBER: LA33421A CITY: **HUNTINGTON BEACH**
SITE NAME: COMMUNITY UMC COUNTY: **ORANGE**
SITE TYPE: RAWLAND / CHURCH TOWER JURISDICTION: **CITY OF HUNTINGTON BEACH**



SHEET INDEX:

SHEET NUMBER	DESCRIPTION
T-1	TITLE SHEET
LS-1	TOPOGRAPHIC SURVEY
A-1	SITE PLAN
A-2	EQUIPMENT AREA LAYOUT & ANTENNA LAYOUTS
A-3	ELEVATIONS
A-4	

PROJECT SUMMARY:

SITE ADDRESS: HUNTINGTON BEACH, CA 92647

PROPERTY OWNER: COMMUNITY UNITED METHODIST CHURCH OF HUNTINGTON BEACH, HUNTINGTON BEACH, CA 92647

APPLICANT: T-MOBILE USA, 1351 POMONA PLACE, SUITE 1100, SANTA ANA, CA 92707

REPRESENTATIVE: KELLEY CROSS
ZONING MANAGER: JIM THOMPSON
DEVELOPMENT MANAGER: DAN D'AMICO
PROJECT MANAGER: MONICA MORETTA

PROJECT DESCRIPTION: THE INSTALLATION OF (5) BTS AND (1) BBW T-MOBILE EQUIPMENT CABINETS WITHIN A CHURCH WAREHOUSE AND INSTALLATION OF (5) PANEL ANTENNAS AT 54'-0" A.C.L. TO TOP OF PANEL ANTENNAS AND (1) GPS ANTENNA MOUNTED ON A CHURCH TOWER. CHURCH TOWER POWER AND TELCO FROM EXISTING POWER AND TELCO SOURCES.

BUILDING SUMMARY: OCCUPANCY CLASSIFICATION: EQUIPMENT - B / MONOPALM - U
 TYPE: M-B BLDG WITH LOW DENSITY
 TOTAL PROPOSED T-MOBILE LEASE AREA: 638 SQ FT
 ASSESSOR'S PARCEL NUMBER: 148-483-79

DISCLAIMER: DRAWINGS SHOWN HERE FOR INFORMATIONAL PURPOSES ONLY AND ARE SUBJECT TO CHANGE.

NO. DATE DESCRIPTION BY:

NO.	DATE	DESCRIPTION	BY
0	12/31/08	SOFT ZD	INC
1	01/26/09	INTERNAL REVISION	KH
2	02/05/09	100% ZD	KH
3	10/02/09	REVISION TO CHURCH TOWER	RA

DATE: 01/26/09
OC/OA CHECK: N/C
SITE INFORMATION: COMMUNITY UMC
 LA33421A
 6666 HEIL AVENUE
 HUNTINGTON BEACH, CA 92647

ANTENNA SCHEDULE

SECTOR	AZIMUTH	CENTERLINE	# OF ANTENNAS	ANTENNA MODEL	# OF COAX LINES	COAX DIAMETER	COAX LENGTH
A	0°	31'-6"	2	TUB93-4511-R2M	6	1.5/8"	240' ±
B	130°	31'-6"	2	TUB93-4511-R2M	6	1.5/8"	240' ±
C	210°	31'-6"	2	TUB93-4511-R2M	6	1.5/8"	240' ±

APPROVALS:

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND ANY CHANGES AND REVISIONS THAT MAY ARISE.

PRINT NAME	SIGNATURE	DATE
LANGLORD		
A&E MGR		
FOPS		
DEVELOP. MGR		
CONST. INSP.		
RF ENGINEER		
ZONING MGR		
SAC REP.		
POWER		
TELCO		

CONSULTING TEAM:

SAC/ZONING/PERMITTING: AGRICULTURAL & ENGINEERING SERVICES, INC.
 1351 POMONA RD, UNIT 250
 DOWNTOWN, CA 92602
 PHONE: (951) 808-8400
 FAX: (951) 808-8400

REPRESENTATIVE: KELLEY CROSS
 1351 POMONA RD, UNIT 250
 DOWNTOWN, CA 92602
 PHONE: (951) 808-8400
 FAX: (951) 808-8400

APPLICABLE CODES:

CALIFORNIA ADMINISTRATIVE CODE
 2007 CALIFORNIA MECHANICAL CODE
 ANS/ISA-232-F LIFE SAFETY CODE NFPA-101
 2008 IBC (2005 M.E.C.)
 CITY/COUNTY ORDINANCES

UTILITIES CONTACTS:

POWER: SEE CONTACT, TBD
PHONE: TBD

TELCO: SEE CONTACT, TBD
PHONE: TBD

UTILITY CONTACTS:

THOMAS CURTIS
 10000 WILSON AVENUE
 IRVINE, CA 92618
 GRID # 0-7

TITLE SHEET

SHEET NUMBER: T-1

ATTACHMENT NO. 2.1

Mobile
stick together

1301 BROADWAY, SUITE 1100
SANTA ANA, CA 92707

NOVACOM
NOVACOM GROUP

1301 BROADWAY, SUITE 1100
SANTA ANA, CA 92707
PHONE: (949) 806-6550 FAX: (949) 806-6465
www.novacomgroup.com

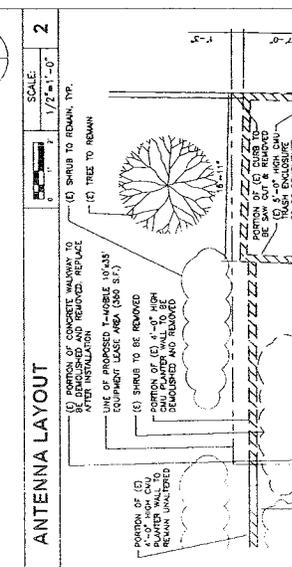
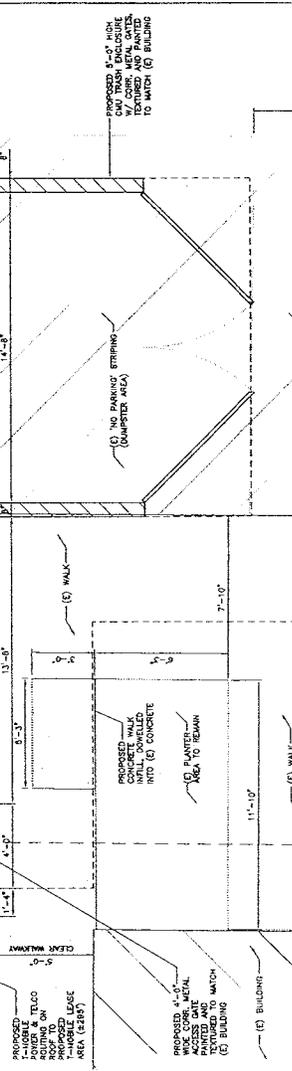
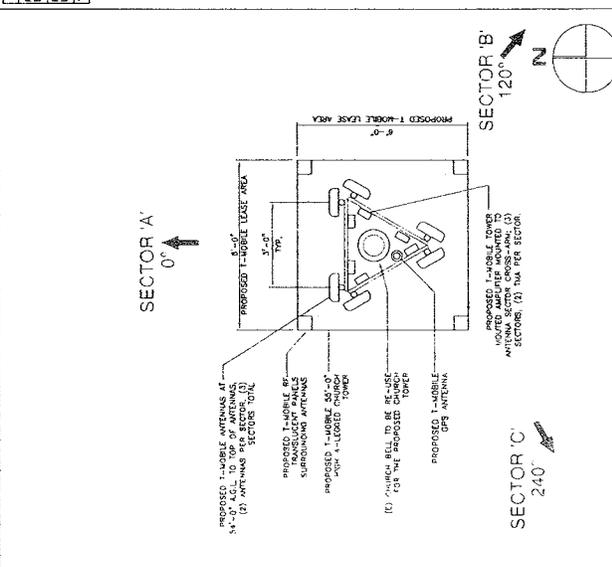
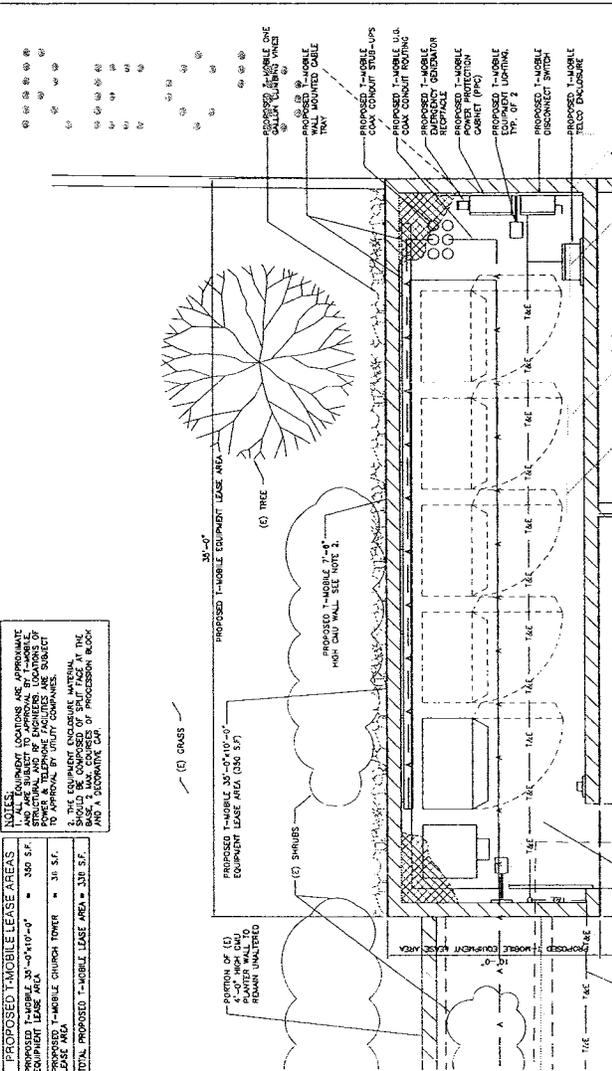
SEQUOIA
COMMUNICATIONS, INC.
10000 S. HUNTINGTON BLVD., SUITE 100
HUNTINGTON BEACH, CA 92647

NO.	DATE	DESCRIPTION	BY
0	12/31/08	90% ZD	NJC
1	01/28/09	INTERNAL REVISION	KH
2	02/05/09	100% ZD	KH
3	10/02/09	REVISION TO CHURCH TOWER	RA

COMMUNITY UMC
LA33421A
8664 HEIL AVENUE
HUNTINGTON BEACH, CA 92647

ENLARGED SITE PLAN & ANTENNA LAYOUT

SHEET NUMBER: **A-2**



NO.	DATE	DESCRIPTION	BY
0	12/31/08	90% ZD	NJC
1	01/28/09	INTERNAL REVISION	KH
2	02/05/09	100% ZD	KH
3	10/02/09	REVISION TO CHURCH TOWER	RA

COMMUNITY UMC
LA33421A
8664 HEIL AVENUE
HUNTINGTON BEACH, CA 92647

ENLARGED SITE PLAN & ANTENNA LAYOUT

SHEET NUMBER: **A-2**

APPACHMENT NO. 2.4

T-Mobile
 stick together!
 3 WOODBURN PLACE, SUITE 1100
 SANTA ANA, CA 92707

NOVACOM
 NOVACOM
 151 POUCH RD, UNIT 250
 SANTA ANA, CA 92705
 PHONE: (949) 802-8800 / FAX: (949) 802-4400
 www.novacomonline.net

EQUOJA
 CONSULTING GROUP
 10000 WILSON AVENUE, SUITE 200
 SANTA ANA, CA 92705

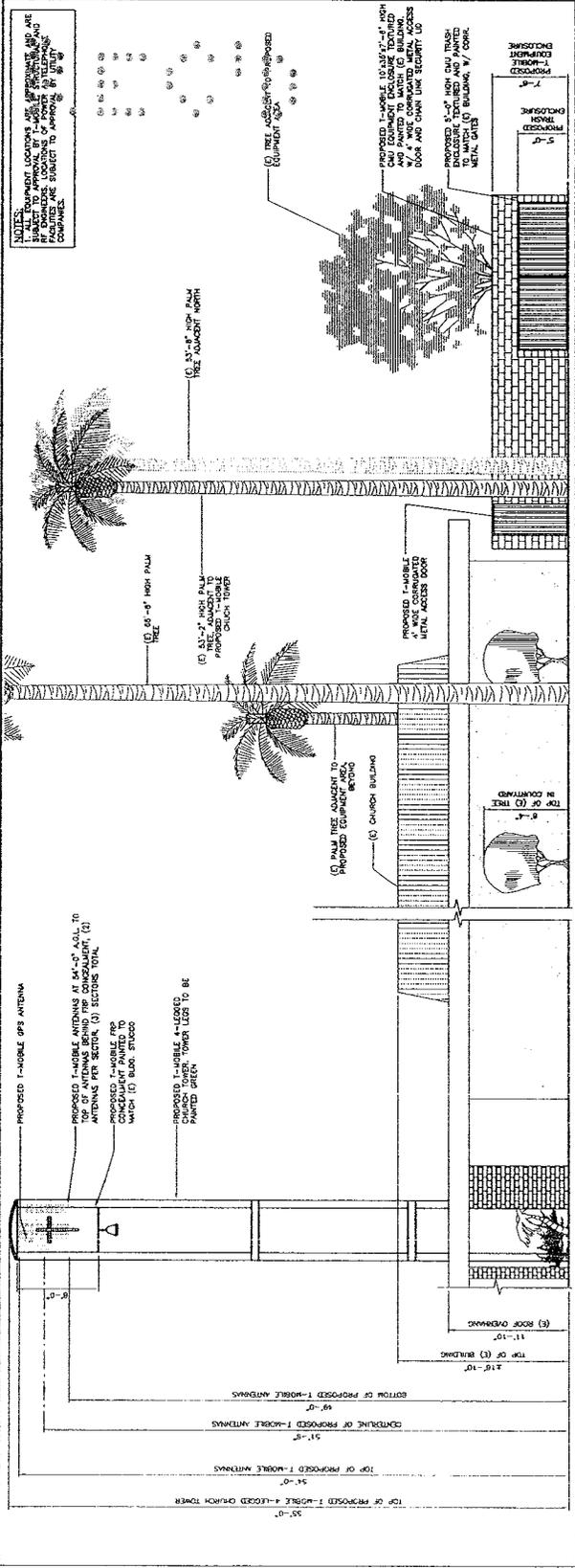
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1	01/28/09	INTERNAL REVISION	KH
2	02/05/09	100% CD	KH
3	10/02/08	REDESIGN TO CHURCH TOWER	RA

COMMUNITY UMC
 LA33421A
 6666 HEIL AVENUE
 HUNTINGTON BEACH, CA 92647

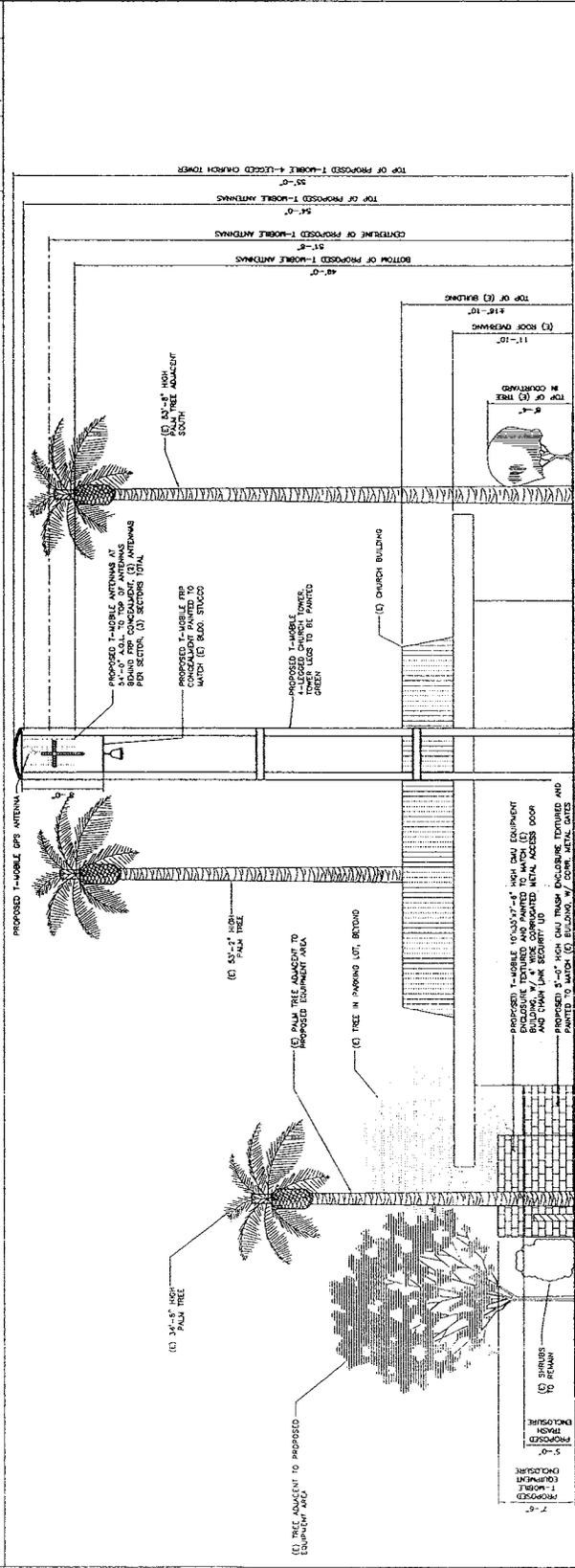
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SHEET TITLE:
ELEVATIONS

SHEET NUMBER:
A-3

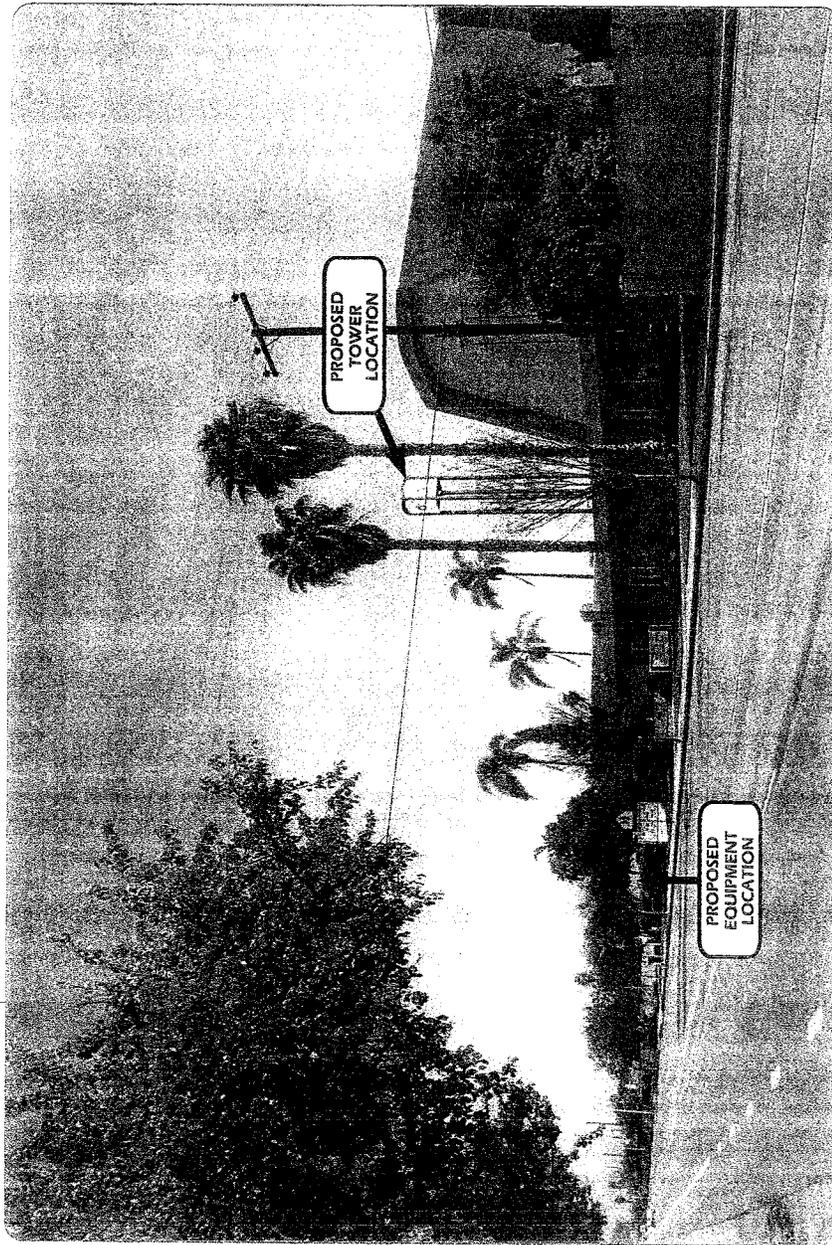


SOUTH ELEVATION



WEST ELEVATION

PROPOSED



City Comments: "Proposed tower will be painted green to match existing church tower. FRP material on proposed tower is designed to match stucco of existing church" Completed October 27, 2009

BLUE WATER DESIGN
 1741 Tustin Ave. 19A
 Costa Mesa, CA 92627
 bluewater-design.net
 mitchelle@bluewater-design.net
 p. 714.473.2942
 f. 949.631.2316

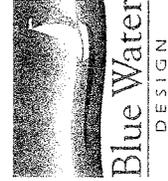
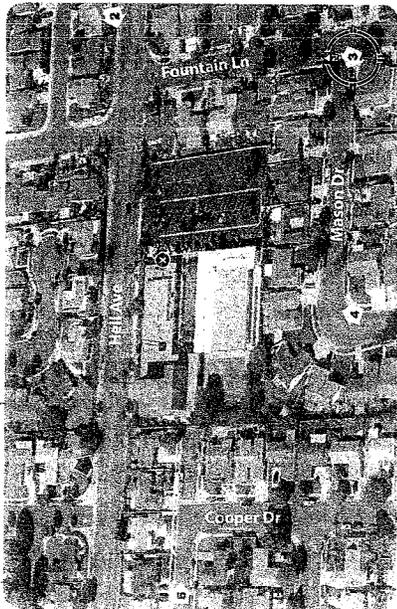


Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

CONTACT
 Secyria Deployment Services
 Monica Moretta
 1 Venture, Suite 200
 Irvine, CA 92618
 p. 949.241-0175

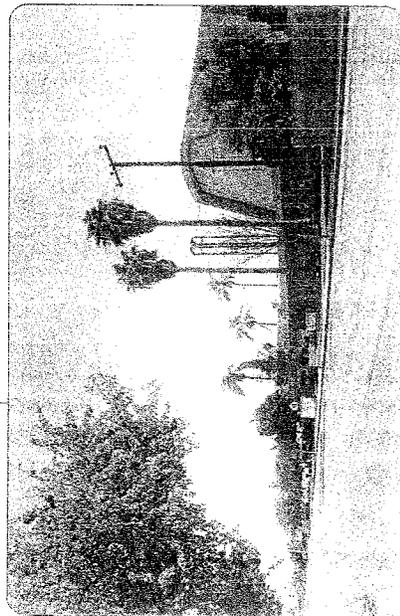
APPLICANT
 T-Mobile
 3 MacArthur Place Suite 1100
 Santa Ana, CA 92707

LOCATION



View from the Northwest to the Southeast

EXISTING

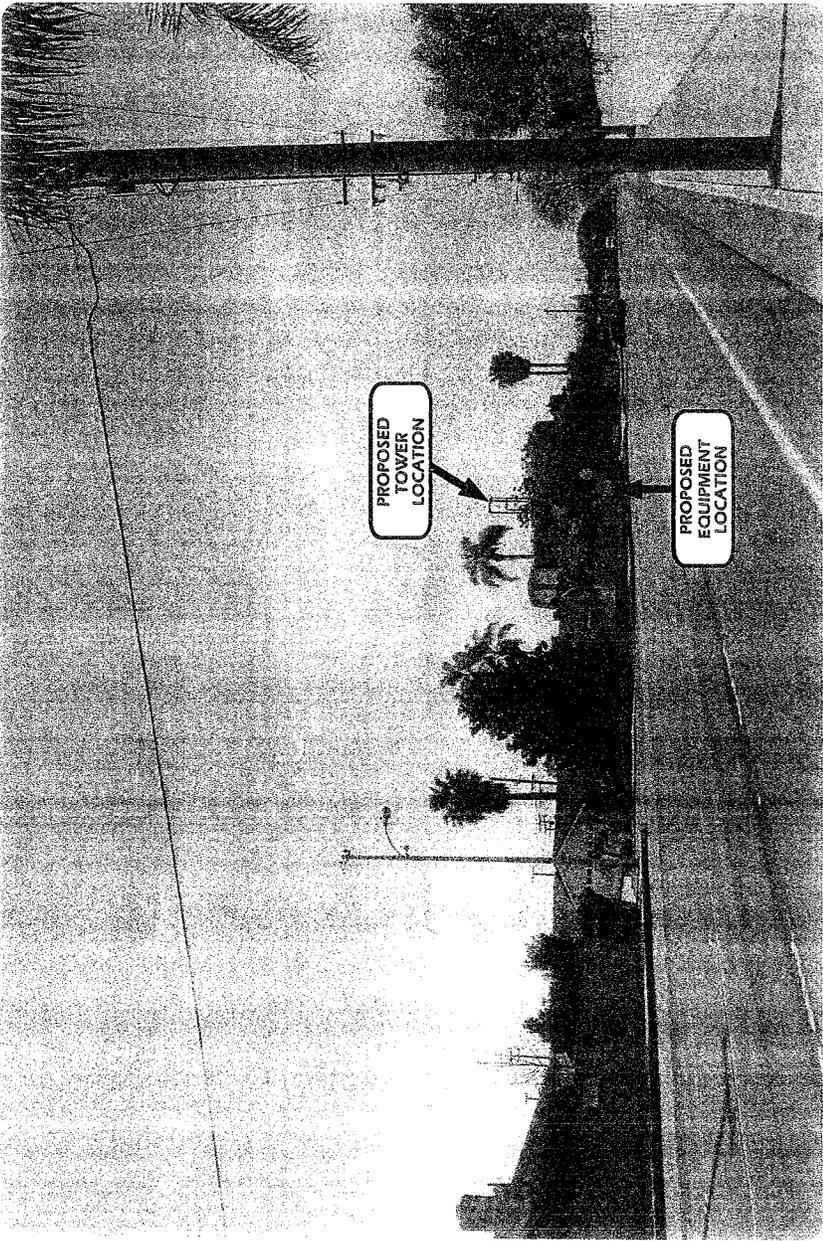


LA33421A
Community UMC

6566 Hill Avenue
 Huntington Beach, CA 92647

VIEW 1

PROPOSED



City Comments: "Proposed tower will be painted green to match existing church tower. FRP material on proposed tower is designed to match stucco of existing church." Completed October 27, 2009

BLUE WATER DESIGN
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 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 p 714.473.2942
 f 949.631.2316

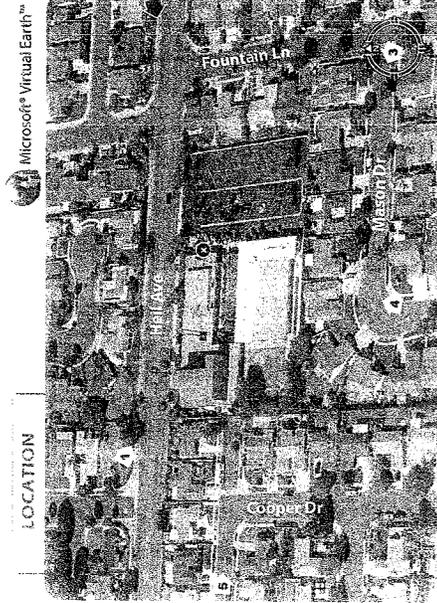


Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

CONTACT
 Sequoia Deployment Services
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 p 949.241-0175

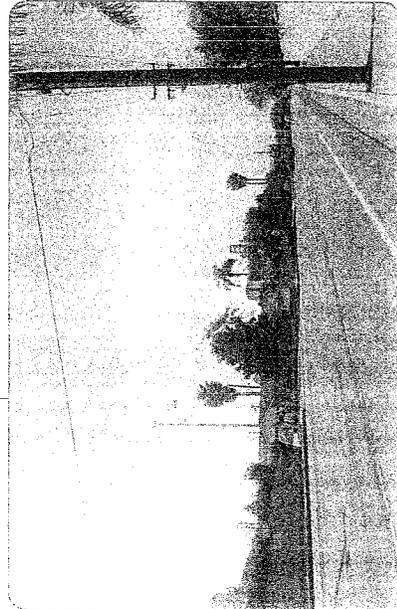
APPLICANT
 T-Mobile
 3 MacArthur Place Suite 1100
 Santa Ana, CA 92707

LOCATION



View from the Southeast to the Northwest

EXISTING



LA 33421A
Community UMC

666 Foli Avenue
 Huntington Beach, CA 92647

VIEW 2

PROPOSED



City Comments: Proposed tower will be painted green to match existing church tower. FRP material on proposed tower is designed to match stucco of existing church. Completed October 27, 2009

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 1741 Tustin Ave. 19A
 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 p 714.473.2942
 f 949.631.2316



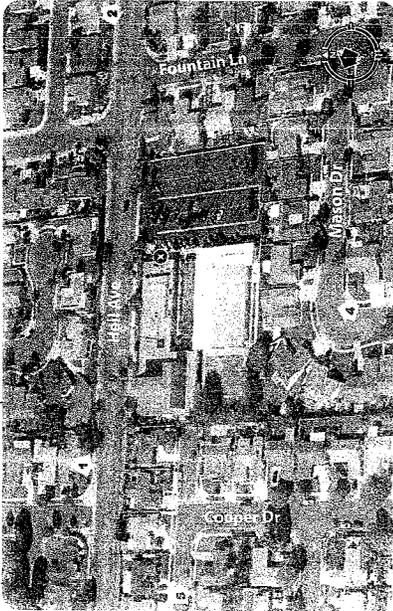
Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

CONTACT
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 Irvine, CA 92618
 p 919.241-0175

APPLICANT
 T-Mobile
 3 MacArthur Place Suite 1100
 Santa Ana, CA 92707

Microsoft® Virtual Earth™

LOCATION



View from the Southeast to the Northwest

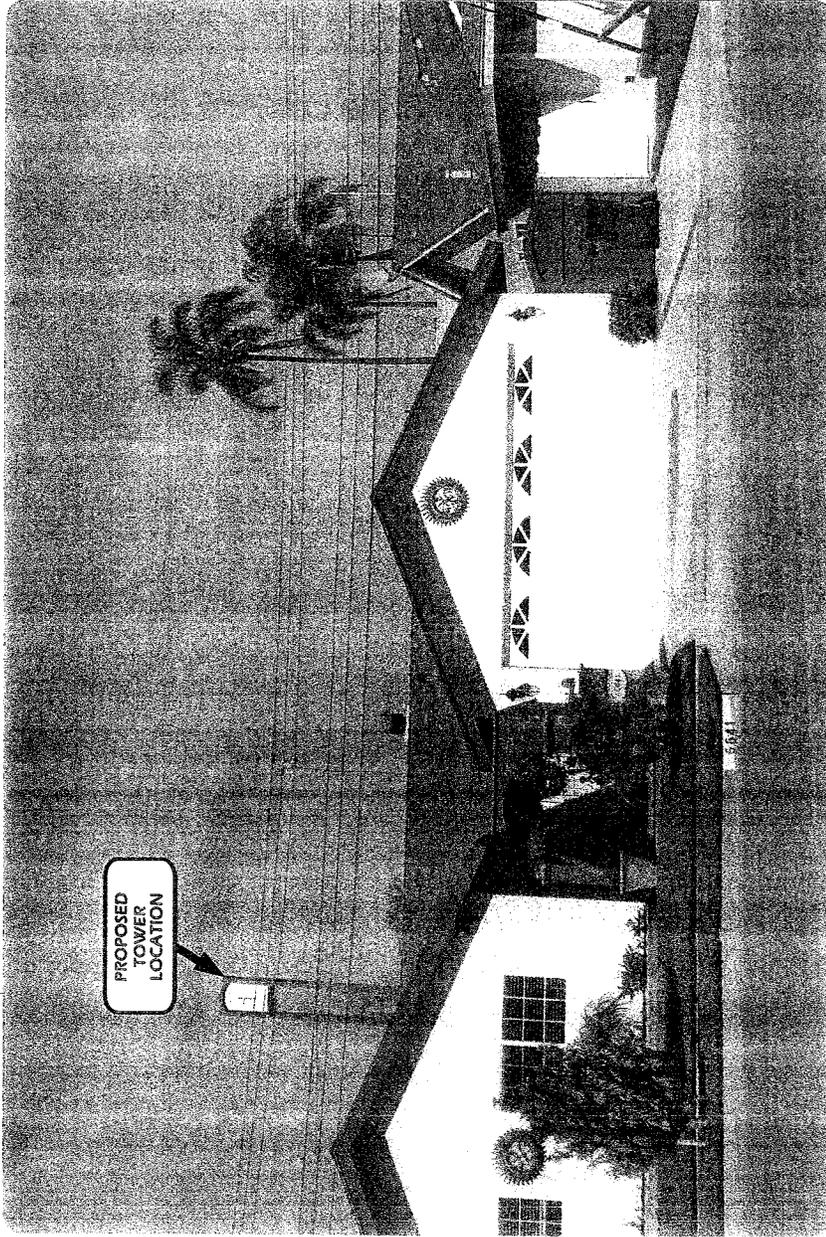
EXISTING



LA 33421A
Community UMC
 6566 Hair Avenue
 Huntington Beach, CA 92647

VIEW 3

PROPOSED



City Comments: "Proposed tower will be painted green to match existing church tower. FRP material on proposed tower is designed to match stucco of existing church." Completed October 27, 2009

CONTACT
 Secujia Deployment Services
 Monica Moretta
 1 Venture, Suite 200
 Irvine, CA 92618
 P 949.741-0175

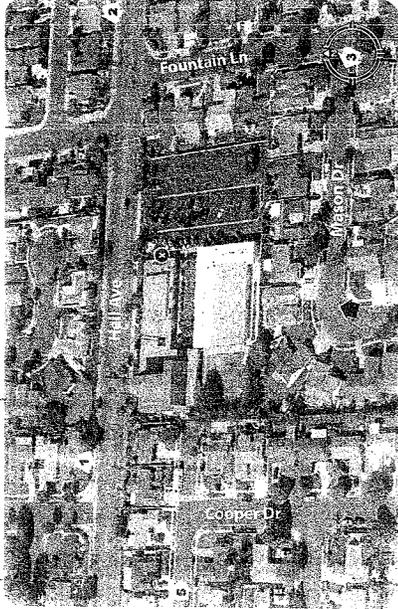
BLUE WATER DESIGN
 1741 Tustin Ave. 19A
 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 P 714.473.2942
 F 949.631.2316



Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

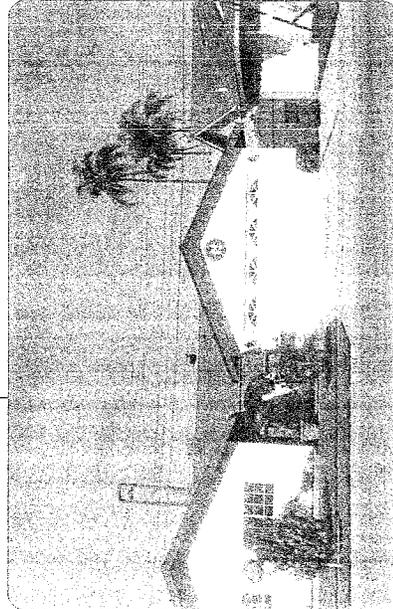
APPLICANT
 T-Mobile
 3 MacArthur Place Suite 1100
 Santa Ana, CA 92707

Microsoft® Virtual Earth™



View from the South to the North

EXISTING



LA 33421A
Community UMC

6666 Hill Avenue
 Huntington Beach, CA 92647

VIEW 4

PROPOSED



City Comments: Proposed tower will be painted green to match existing church tower. FRP material on proposed tower is designed to match stucco of existing church. Completed October 27, 2009

BLUE WATER DESIGN
 1741 Tuslin Ave. 19A
 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 p 714.473.2942
 f 949.631.2316

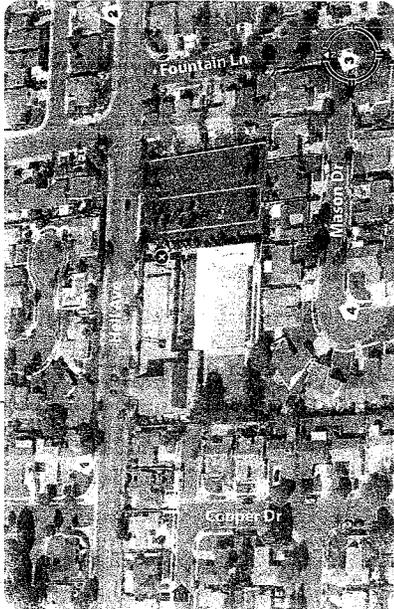


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CONTACT
 Secucia Deployment Services
 Monica Moretta
 1 Ventures, Suite 200
 Irvine, CA 92618
 p 949.241-0175

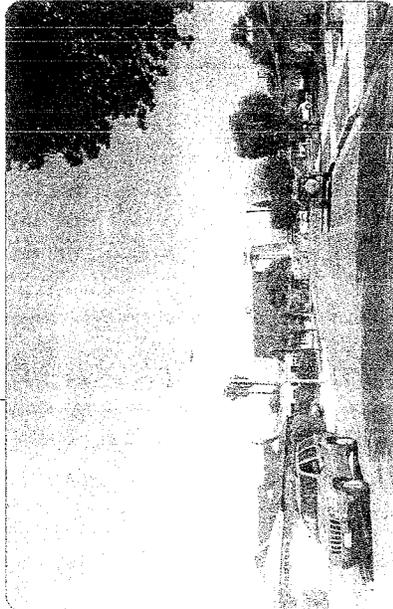
APPLICANT
 T-Mobile
 3 MacArthur Place Suite 1100
 Santa Ana, CA 92707

LOCATION



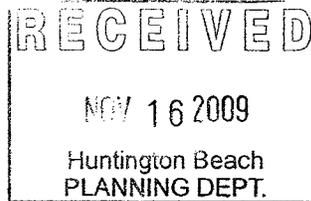
View from the West to the East

EXISTING



LA 33421A
Community UMC
 6666 Hill Avenue
 Huntington Beach, CA 92647
VIEW 5

City of Huntington Beach
 Planning Department
 2000 Main Street
 Huntington Beach, CA 92648



RE: CUP 2009-015 for T-Mobile's proposed cell tower at Community United Methodist Church (CUMC) and Pre-School located at 6666 Heil Avenue, Huntington Beach, CA 92647

A group of concerned neighbors, parents of CUMC Pre-School students and CUMC members wish to appeal the November 4, 2009, Zoning Administrator's ruling to grant Conditional Use Permit (CUP) No. 2009-015 for T-Mobile's proposed cell tower at CUMC.

The following is a partial list of reasons we feel that this ruling should be overturned and CUP 2009-015 should be denied:

T-Mobile failed to meet Finding #1 for the Conditional Use Permit.

241.10 Required Findings

A. For All Conditional Use Permits.

1. The establishment, maintenance and operation of the use will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood;
- Decrease in property value - Statements by appraisers and real estate journal articles were submitted into evidence stating that property values decrease if the home is in close proximity to a cell tower. The cell tower would have to be disclosed during a sale. Many people do not want to live or raise a family near a cell tower. Less demand = less market value.
 - Impact on Pre-school - A survey of CUMC Pre-School parents revealed that 50% of the parents would remove their children if the cell tower is built. The pre-school, which rents/leases space from the CUMC church, would probably close or move to another location. The children could lose a good learning and development center; the parents could lose this excellent neighborhood resource; the pre-school staff could lose their jobs; and, the church could lose the pre-school income.
 - Noise from the equipment is a major concern based on observing other below-ground and above-ground equipment at three nearby T-Mobile cell tower sites.

T-Mobile failed to prove a need for the cell tower.

- Adequate T-Mobile cell phone coverage already exists in this area.
- T-Mobile submitted erroneous cell phone coverage maps as justification for the cell tower.

- A cell phone coverage test conducted by T-Mobile users proved that T-Mobile's cell coverage maps were inaccurate.
- Many T-Mobile users stated that they currently have adequate cell coverage in their homes.
- T-Mobile's own website and Billshrink.com website both show that T-Mobile has excellent coverage in this area.
- An independent study should be required to determine if there is a need for this facility. There are four T-Mobile facilities within a mile of CUMC, and two are only ½ mile away.

T-Mobile failed to meet the requirements of Zoning and Subdivision Ordinance 230.96 D1. (Chapter 230 Page 50 of 55)

230.96 Wireless Communication Facilities

D. Wireless Permit Required.

1. Demonstrate existing gaps in coverage

- The HB Zoning and Subdivision Ordinance 230.96 D1 states that an existing gap in coverage must be demonstrated.
- Since T-Mobile failed to "demonstrate existing gaps in coverage," T-Mobile failed to meet the requirements of the city's Zoning and Subdivision Ordinance.

T-Mobile failed to meet the requirements of the Wireless Permit Application.

- Application requirement 6.07 demands a "technically expansive and detailed explanation supported as required by comprehensive radio frequency data".
- The most technical phrase on T-Mobile's Attachment 6.07 ("Site Justification Study for LA33421-A Community UMC") is "a hole in network coverage".
- The required technical explanation supported by "comprehensive radio frequency data" was not included, therefore, T-Mobile failed to meet the requirements of the Wireless Permit Application.

Plans showing the cell tower project as most currently proposed were not submitted to the Zoning Administrator or made available to the public prior to the November 4 Public Hearing.

- T-Mobile verbally informed the Zoning Administrator at the beginning of the public hearing that the project plans had changed – to an underground vault housing the equipment. The vault would be located in the grassy area (in the pre-school playground?). This location is adjacent to the wall that separates the church property and the neighbors' back yards.
- The prior submitted plans showed above-ground equipment enclosed by a wall on the Heil Avenue side of the church property by the current trash enclosure.
- The public did not have a chance to review modified plans showing the verbal changes.

The Zoning Administrator did not review the 30+ pages of new written evidence submitted at the public hearing before making a ruling.

Please read T-Mobile's applications and the evidence submitted at the two public hearings. I urge you to overturn the Zoning Administrator's ruling of November 4, 2009, and deny Conditional Use Permit 2009-015.

Sincerely,



Dianne Larson

on behalf of the nearly 350 concerned neighbors, CUMC Pre-School parents and CUMC members who signed the petition to stop this proposed cell tower.

Attached: a check for \$2002.00 for the appeal filing fee

7. Pedestrian traffic volumes; and (3249-6/95)

8. Handicapped accessibility. (3249-6/95)

C. Operating Requirements, Provisions and Conditions.

1. During hours of operation, the cart or kiosk must remain in the location specified on the approved site plan. (3249-6/95)

2. A cart or kiosk operator shall not sell to or solicit from motorists or persons in vehicles.

3. The cart or kiosk operator shall pay all fees and deposits required by the Huntington Beach Municipal Code prior to the establishment of the use. (3249-6/95)

4. All provisions of the Huntington Beach Municipal Code which are not in conflict with this section shall apply. (3249-6/95)

5. The prices of items sold from a cart or kiosk must appear in a prominent, visible location in legible characters. The price list size and location shall be reviewed and approved by the Planning Director. (3249-6/95; 3525-2/02)

6. The sale of alcoholic beverages shall be prohibited. (3249-6/95)

7. The number of employees at a cart or kiosk shall be limited to a maximum of two (2) persons at any one time. (3249-6/95)

8. Fire extinguishers may be required at the discretion of the Fire Department. (3249-6/95)

9. All cart and kiosk uses shall be self contained for water, waste, and power to operate. (3249-6/95)

10. A cart or kiosk operator shall provide a method approved by the Planning Director for disposal of business related wastes. (3249-6/95, 3525-2/02)

D. Parking. Additional parking may be required for cart or kiosk uses by the Planning Director. (3249-6/95, 3525-2/02)

E. Review; Revocation. The Planning Department shall conduct a review of the cart or kiosk operation at the end of the first six (6) month period of operation. At that time, if there has been a violation of the terms and conditions of this section or the approval, the approval shall be considered for revocation. (3249-6/95; 3525-2/02)

F. Neighborhood Notification. Pursuant to Chapter 241. (3525-2/02, 3710-6/05)

230.96 Wireless Communication Facilities

A. Purpose. The purpose of this Section is to encourage and facilitate wireless communications throughout the City, while preventing visual clutter by locating wireless communication facilities outside of residential zones and where they are invisible to pedestrians, and co-located with other facilities. All wireless communication facilities shall comply with these regulations with regard to their location, placement, construction, modification and design to protect the public safety, general welfare, and quality of life in the City of Huntington Beach. (3779-10/07)

B. Definitions. For the purpose of this section, the following definitions for the following terms shall apply: (3568-9/02)

ATTACHMENT NO. 4-1

1. Accessory Structure. Any structure or equipment that is to be located ancillary to an antenna or antennas in the establishment and operation of a wireless communication facility. (3568-9/02)
2. Co-Location or Co-Located. The location of multiple antennas which are either owned or operated by more than one service provider at a single location and mounted to a common supporting structure, wall or building. (3568-9/02)
3. Completely Stealth Facility. Any stealth facility that has been designed to completely screen all aspects of the facility including appurtenances and equipment from public view. Examples of completely stealth facilities may include, but are not limited to architecturally screened roof-mounted antennas, façade mounted antennas treated as architectural elements to blend with the existing building, flagpoles, church steeples, fire towers, and light standards. (3568-9/02, 3779-10/07)
4. Ground Mounted Facility. Any wireless antenna that is affixed to a pole, tower or other freestanding structure that is specifically constructed for the purpose of supporting an antenna. (3568-9/02, 3779-10/07)
5. Microwave Communication. The transmission or reception of radio communication at frequencies of a microwave signal (generally, in the 3 GHz to 300 GHz frequency spectrum). (3568-9/02)
6. Pre-existing Wireless Facility. Any wireless communication facility for which a building permit or conditional use permit has been properly issued prior to the effective date of this ordinance, including permitted facilities that have not yet been constructed so long as such approval is current and not expired. (3568-9/02)
7. Roof Mounted. Any wireless antenna directly attached or affixed to the roof of an existing building, water tank, tower or structure other than a telecommunications tower. (3568-9/02)
8. Stealth Facility or Techniques. Any wireless communication facility, which is designed to blend into the surrounding environment, typically, one that is architecturally integrated into a building or other concealing structure. See also definition of completely stealth facility. (3568-9/02)
9. Utility Mounted. Any wireless antenna mounted to an existing above-ground structure specifically designed and originally installed to support utilities such as but not limited to electrical power lines, cable television lines, telephone lines, non-commercial wireless service antennas, radio antennas, street lighting but not traffic signals, recreational facility lighting, or any other utility which meets the purpose and intent of this definition. (3568-9/02, 3779-10/07)
10. Wall Mounted. Any wireless antenna mounted on any vertical or nearly vertical surface of a building or other existing structure that is not specifically constructed for the purpose of supporting an antenna (including the exterior walls of a building, an existing parapet, the side of a water tank, the face of a church steeple, or the side of a freestanding sign) such that the highest point of the antenna structure is at an elevation equal to or lower than the highest point of the surface on which it is mounted. (3568-9/02, 3779-10/07)
11. Wireless Communication Facility or Facility. An antenna structure and any appurtenant facilities or equipment that transmits electronic waves or is used for the transmission or receipt of signals that are used in connection with the provision of wireless communication service, including, but not limited to digital, cellular and radio service. (3568-9/02, 3779-10/07)

ATTACHMENT NO. 4.2

C. Applicability.

1. All wireless communication facilities which are erected, located, placed, constructed or modified within the City of Huntington Beach shall comply with these regulations provided that: (3568-9/02, 3779-10/07)
 - a. All facilities, for which permits were issued prior to the effective date of this section, shall be exempt from these regulations and guidelines. (3568-9/02, 3779-10/07)
 - b. All facilities for which Building and Safety issued building permits prior to the effective date of section 230.96 shall be exempt from these regulations and guidelines, unless and until such time as subparagraph (2) of this section applies. (3568-9/02)
 - c. Any facility, which is subject to a previously approved and valid conditional use permit, may be modified within the scope of the applicable permit without complying with these regulations and guidelines. Modifications outside the scope of the valid conditional use permit will require submittal of a Wireless Permit application. (3568-9/02, 3779-10/07)
2. The following uses shall be exempt from the provisions of section 230.96 until pertinent federal regulations are amended or eliminated. See Section 230.80 (Antennae) for additional requirements. (3568-9/02, 3779-10/07)
 - a. Any antenna structure that is one meter (39.37 inches) or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service for television purposes, as defined by Section 207 of the Telecommunication Act of 1996, Title 47 of the Code of Federal Regulations, and any interpretive decisions thereof issued by the Federal Communications Commission (FCC). (3568-9/02)
 - b. Any antenna structure that is two meters (78.74 inches) or less in diameter located in commercial or industrial zones and is designed to transmit or receive radio communication by satellite antenna. (3568-9/02)
 - c. Any antenna structure that is one meter (39.37 inches) or less in diameter or diagonal measurement and is designed to receive Multipoint Distribution Service, provided that no part of the antenna structure extends more than five (5) feet above the principle building on the same lot. (3568-9/02)
 - d. Any antenna structure that is designed to receive radio broadcast transmission. (3568-9/02)
 - e. Any antenna structure used by authorized amateur radio stations licensed by the FCC. (3568-9/02)

D. Wireless Permit Required. No wireless communication facility shall be installed anywhere in the City without submission of a Wireless Permit Application that demonstrates that the antenna is located in the least obtrusive location feasible so as to eliminate any gap in service and also includes the following information: (3779-10/07)

1. Demonstrate existing gaps in coverage, and the radius of area from which an antenna may be located to eliminate the gap in coverage. (3779-10/07)
2. Compatibility with the surrounding environment or that the facilities are architecturally integrated into a structure. (3779-10/07)

3. Screening or camouflaging by existing or proposed topography, vegetation, buildings or other structures as measured from beyond the boundaries of the site at eye level (six feet). (3779-10/07)
4. Massing and location of the proposed facility are consistent with surrounding structures and zoning districts. (3779-10/07)
5. No portion of a wireless communication facility shall project over property lines. (3779-10/07)
6. Interference: To eliminate interference, the following provisions shall be required for all wireless communication facilities regardless of size: (3779-10/07)
 - a. Prior to issuance of a building permit, the applicant shall submit the following information to the Police Department for review: (3779-10/07)
 - i. All transmit and receive frequencies; (3779-10/07)
 - ii. Effective Radiated Power (ERP); (3779-10/07)
 - iii. Antenna height above ground, and (3779-10/07)
 - iv. Antenna pattern, both horizontal and vertical (E Plane and H Plane). (3779-10/07)
 - b. At all times, other than during the 24-hour cure period, the applicant shall comply with all FCC standards and regulations regarding interference and the assignment of the use of the radio frequency spectrum. The applicant shall not prevent the City of Huntington Beach or the countywide system from having adequate spectrum capacity on the City's 800 MHz voice and data radio frequency systems. The applicant shall cease operation of any facility causing interference with the City's facilities immediately upon the expiration of the 24-hour cure period until the cause of the interference is eliminated. (3779-10/07)
 - c. Before activating its facility, the applicant shall submit to the Police and Fire Departments a post-installation test to confirm that the facility does not interfere with the City of Huntington Beach Public Safety radio equipment. The Communications Division of the Orange County Sheriff's Department or Division-approved contractor at the expense of the applicant shall conduct this test. This post-installation testing process shall be repeated for every proposed frequency addition and/or change to confirm the intent of the "frequency planning" process has been met. (3779-10/07)
 - d. The applicant shall provide to the Planning Department a single point of contact (including name and telephone number) in its Engineering and Maintenance Departments to whom all interference problems may be reported to insure continuity on all interference issues. The contact person shall resolve all interference complaints within 24 hours of being notified. (3779-10/07)
 - e. The applicant shall insure that lessee or other user(s) shall comply with the terms and conditions of this permit, and shall be responsible for the failure of any lessee or other users under the control of the applicant to comply. (3779-10/07)

E. Additional Permit Required.

- I. Administrative approval by the Director may be granted for proposed wireless communication facilities (including but not limited to ground mounted, co-located, wall, roof, or utility mounted) that are: (3779-10/07)

ATTACHMENT NO. 4.4

- a. Co-located with approved facilities at existing heights or that comply with the base district height limit for modified facilities, and compatible with surrounding buildings and land uses by incorporating stealth techniques; or (3779-10/07)
 - b. Completely stealth facilities that comply with the base district height limit; or (3779-10/07)
 - c. Facilities in non-residential districts that are in compliance with the maximum building height permitted within the zoning district; and (3779-10/07)
 - i. Screened from view and not visible from beyond the boundaries of the site at eye level (six feet); or (3779-10/07)
 - ii. Substantially integrated with the architecture of the existing building or structure to which it is to be mounted; or (3779-10/07)
 - iii. Designed to be architecturally compatible with surrounding buildings and land uses by incorporating stealth techniques. (3779-10/07)
2. Following submission of a Wireless Permit Application, a Conditional Use Permit approval by the Zoning Administrator shall be required for all proposed wireless communication facilities (including but not limited to ground mounted, co-located, wall, roof or utility mounted) that are: (3779-10/07)
- a. Exceeding the maximum building height permitted within the zoning district; or
 - b. Visible from beyond the boundaries of the site at eye level (six feet); or
 - c. Not substantially integrated with the architecture of the existing building or structure to which it is to be mounted; or
 - d. Not designed to be architecturally compatible with surrounding buildings and land uses.
 - e. As a condition of the Conditional Use Permit, the Zoning Administrator shall minimize significant adverse impacts to public visual resources by incorporating one or more of the following into project design and construction: (3779-10/07)
 - i. Stealth installations; (3779-10/07)
 - ii. Co-location and locating facilities within existing building envelopes; (3779-10/07)
 - iii. Minimizing visual prominence through colorization or landscaping; (3779-10/07)
 - iv. Removal or replacement of facilities that become obsolete. (3779-10/07)
3. Design review shall be required for any wireless communication facilities located in redevelopment areas, on public right-of-ways, in OS-PR and PS zones, in areas subject to specific plans, on or within 300 feet of a residential district, and in areas designated by the City Council. Design review is not required for wireless communication facilities that comply with subsection 1.

F. Facility Standards: The following standards apply to all wireless communication facilities: (3779-10/07)

1. Aesthetics:

ATTACHMENT NO. 4.c

- a. Facility: All screening used in conjunction with a wall or roof mounted facility shall be compatible with the architecture of the building or other structure to which it is mounted, including color, texture and materials. All ground mounted facilities shall be designed to blend into the surrounding environment, or architecturally integrated into a building or other concealing structure. (3568-9/02)
 - b. Equipment/Accessory Structures: All equipment associated with the operation of the facility, including but not limited to transmission cables, shall be screened in a manner that complies with the development standards of the zoning district in which such equipment is located. Screening materials and support structures housing equipment shall be architecturally compatible with surrounding structures by duplicating materials and design in a manner as practical as possible. If chain link is used, then it must be vinyl coated and not include barbed wire. (3568-9/02)
 - c. General Provisions: All Wireless Communication Facilities shall comply with the Huntington Beach Urban Design Guidelines. (3568-9/02)
2. Building Codes: To ensure the structural integrity of wireless communication facilities, the owners of a facility shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for facilities that are published by the Electronic Industries Association, as amended from time to time. (3568-9/02)
 3. Conditions of Approval: Acceptance of conditions by the applicant and property owner shall be ensured by recordation of the conditions on the property title. (3568-9/02)
 4. Federal Requirements: All Wireless Communication Facilities must meet or exceed current standards and regulations of the FCC, and any other agency of the state or federal government with the authority to regulate wireless communication facilities. (3568-9/02)
 5. Lighting: All outside lighting shall be directed to prevent “spillage” onto adjacent properties, unless required by the FAA or other applicable authority, and shall be shown on the site plan and elevations. (3568-9/02, 3779-10/07)
 6. Maintenance: All facilities and appurtenant equipment including landscaping shall be maintained to remain consistent with the original appearance of the facility. Ground mounted facilities shall be covered with anti-graffiti coating. (3568-9/02, 3779-10/07)
 7. Monitoring: For all wireless communication facilities, the applicant shall provide a copy of the lease agreement between the property owner and the applicant prior to the issuance of a building permit. (3568-9/02, 3779-10/07)
 8. Signs: The facility shall not bear any signs or advertising devices other than owner identification, certification, warning, or other required seals of signage.
(3568-9/02, 3779-10/07)
 9. Facilities on Public Property: Any wireless communication facility to be placed over, within, on, or beneath City property shall obtain a lease or franchise from the City prior to applying for a Wireless Permit and an administrative or conditional use permit.
(3779-10/07)
 10. Landscaping: Landscape planting, irrigation and hardscape improvements may be imposed depending on the location, the projected vehicular traffic, the impact on existing facilities and landscape areas, and the visibility of the proposed facility. Submittal of complete landscape and architectural plans for review and approval by the Directors of Public Works and Planning may be required. (3779-10/07)

ATTACHMENT NO. 4.6

11. Utility Agreement: If the proposed facility will require electrical power or any other utility services to the site, the applicant will be required to furnish the City's Real Estate Services Manager either a drafted utility franchise agreement between the City of Huntington Beach and the applicant to place those lines in the public right-of-way, or a written statement from the utility company that will be supplying the power or other services, that they accept all responsibility for those lines in the public right-of-way. (3779-10/07)
12. Facilities in the Public Right-of-Way. Any wireless communication facility to be placed over, within, on or beneath the public right-of-way shall comply with the following standards: (3568-9/02, 3779-10/07)
- a. Any wireless communication facilities to be constructed on or beneath the public right-of-way must obtain an encroachment permit from the City and the applicant must provide documentation demonstrating that the applicant is a state-franchised telephone corporation exempt from local franchise requirements. (3568-9/02, 3779-10/07)
 - b. All equipment associated with the operation of a facility, including but not limited to cabinets, transmission cables but excepting antennas, shall be placed underground in those portions of the street, sidewalks and public rights-of-way where cable television, telephone or electric lines are underground. At no time shall equipment be placed underground without appropriate conduit. (3568-9/02, 3779-10/07)
 - c. The City Engineer shall approve the location and method of construction of all facilities located within public rights-of-way and the installation of facilities within the public rights-of-way must comply with Title 12 of the Huntington Beach Municipal Code, as the same may be amended from time to time. (3568-9/02, 3779-10/07)
 - d. All wireless communication facilities shall be subject to applicable City permit and inspection fees, including, but not limited to, those pertaining to encroachment permits, administrative or conditional use permits, and all applicable fees. (3568-9/02, 3779-10/07)
 - e. Any wireless communication facility installed, used or maintained within the public rights-of-way shall be removed or relocated when made necessary by any "project." For purposes of this section, project shall mean any lawful change of grade, alignment or width of any public right-of-way, including but not limited to, the construction of any subway or viaduct that the City may initiate either through itself, or any redevelopment agency, community facility district, assessment district, area of benefit, reimbursement agreement or generally applicable impact fee program. (3568-9/02, 3779-10/07)
 - f. If the facility is attached to a utility pole, the facility shall be removed, at no cost to the City, if the utility pole is removed pursuant to an undergrounding project. (3568-9/02, 3779-10/07)
 - g. The service provider shall enter into a franchise agreement with the City. As of March 17, 2007, the California Supreme Court, in the case entitled Spring Telephony PCS v. County of San Diego, will determine whether California Public Utilities Code § 7901 grants a state-wide franchise to use the public rights-of-way for the purpose of installation of wireless communications facilities. Pending resolution of this legal question, any applicant seeking to use the public right-of-way must enter into a City franchise to install wireless communications facilities. The franchise shall provide that the franchise fee payments shall be refunded to the applicant and the franchise become null and void if and when the California Supreme Court establishes that the provider has a state-wide franchise to install a wireless communications facility in the public right-of-way. (3568-9/02, 3779-10/07)

13. Facility Removal.

- a. Wireless communication facilities affecting the public view and/or located in areas designated Water Recreation, Conservation, Parks and Shoreline, and Public Right of Ways shall be removed in its entirety within six (6) months of termination of use and the site restored to its natural state. (3779-10/07)
- b. Cessation of Operation: Within thirty (30) calendar days of cessation of operations of any wireless communication facility approved under this section, the operator shall notify the Planning Department in writing. The facility shall be deemed abandoned pursuant to the following sections unless: (3568-9/02, 3779-10/07)
 1. The City has determined that the operator has resumed operation of the wireless communication facility within six (6) months of the notice; or (3568-9/02, 3779-10/07)
 2. The City has received written notification of a transfer of wireless communication operators. (3568-9/02, 3779-10/07)
- c. Abandonment: A facility that is inoperative or unused for a period of six (6) continuous months shall be deemed abandoned. Written notice of the City's determination of abandonment shall be provided to the operator of the facility and the owner(s) of the premises upon which the facility is located. Such notice may be delivered in person, or mailed to the address(es) stated on the facility permit application, and shall be deemed abandoned at the time delivered or placed in the mail. (3568-9/02, 3779-10/07)
- d. Removal of Abandoned Facility: The operator of the facility and the owner(s) of the property on which it is located, shall within thirty (30) calendar days after notice of abandonment is given either (1) remove the facility in its entirety and restore the premises, or (2) provide the Planning Department with written objection to the City's determination of abandonment. (3779-10/07)

Any such objection shall include evidence that the facility was in use during the relevant six- (6) month period and that it is presently operational. The Director shall review all evidence, determine whether or not the facility was properly deemed abandoned, and provide the operator notice of its determination. (3568-9/02, 3779-10/07)

- e. Removal by City: At any time after thirty-one (31) calendar days following the notice of abandonment, or immediately following a notice of determination by the Director, if applicable, the City may remove the abandoned facility and/or repair any and all damage to the premises as necessary to be in compliance with applicable codes. The City may, but shall not be required to, store the removed facility (or any part thereof). The owner of the premises upon which the abandoned facility was located, and all prior operators of the facility, shall be jointly liable for the entire cost of such removal, repair, restoration and/or storage, and shall remit payment to the City promptly after demand thereof is made. The City may, in lieu of storing the removed facility, convert it to the City's use, sell it, or dispose of it in any manner deemed appropriate by the City. (3568-9/02, 3779-10/07)

ATTACHMENT NO. 4.8

210.04 RL, RM, RMH, RH, and RMP Districts: Land Use Controls

In the following schedules, letter designations are used as follows:

"P" designates use classifications permitted in residential districts.

"L" designates use classifications subject to certain limitations prescribed by the "Additional Provisions" that follow.

"PC" designates use classifications permitted on approval of a conditional use permit by the Planning Commission.

"ZA" designates use classifications permitted on approval of a conditional use permit by the Zoning Administrator.

"TU" designates use classifications allowed upon approval of a temporary use permit by the Zoning Administrator. (3334-6/97, 3410-3/99)

"P/U" designates that accessory uses are permitted, however, accessory uses are subject to approval of a conditional use permit if the primary use requires a conditional use permit. (3334-6/97, 3410-3/99)

Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Provisions" column refer to provisions following the schedule or located elsewhere in the zoning ordinance. Where letters in parentheses are opposite a use classification heading, referenced provisions shall apply to all use classifications under the heading.

(Rest of page not used)

ATTACHMENT NO. 4.9

RL, RM, RMH, RH, and RMP DISTRICTS: LAND USE CONTROLS	P = Permitted
	L = Limited (see <u>Additional Provisions</u>) (3334-6/97)
	PC = Conditional use permit approved by Planning Commission
	ZA = Conditional use permit approved by Zoning Administrator
	TU = Temporary Use Permit
	P/U = Requires conditional use permit on site of conditional use - = Not Permitted

	RL	RM	RMH RH	RMP	Additional Provisions	
Residential Uses					(A)(M)(Q)	(3334-6/97, 3410-3/99)
Day Care, Ltd.	P	P	P	P		
Group Residential	-	-	PC	-		
Multi-family Residential					(B)(C)(D)(R)	(3410-3/99, 3455-5/00)
2 - 4 units	ZA	P	P	-		(3334-6/97, 3410-3/99)
5 - 9 units	ZA	ZA	ZA	-		(3334-6/97, 3410-3/99)
10 or more units	PC	PC	PC	-		(3334-6/97, 3410-3/99)
Manufactured Home Parks	ZA	ZA	-	ZA	(E)(F)	
Residential, Alcohol Recovery, Ltd.	P	P	P	P		
Residential Care, Limited	P	P	P	P		
Single-Family Residential	P	P	P	P	(B)(D)(F)(P)(R)(S)	(3334-6/97, 3410-3/99, 3455-5/00, 3832-7/09)
Public and Semipublic					(A)(O)	(3334-6/97, 3410-3/99)
Clubs & Lodges	PC	PC	ZA	ZA		(3334-6/97, 3410-3/99)
Day Care, Large-family	L-6	L-6	L-6	L-6		(3334-6/97, 3761-2/07)
Day Care, General	L-1	ZA	ZA	ZA		(3334-6/97, 3410-3/99)
Park & Recreation Facilities	L-2	L-2	L-2	L-2		(3334-6/97, 3410-3/99)
Public Safety Facilities	PC	PC	PC	PC		
Religious Assembly	L-3	PC	PC	PC		(3334-6/97, 3410-3/99)
Residential Care, General	-	L-1	PC	PC		(3334-6/97, 3410-3/99)
Schools, Public or Private	PC	PC	PC	PC		
Utilities, Major	PC	PC	PC	PC		
Utilities, Minor	P	P	P	P		
Commercial						
Communication Facilities	L-5	L-5	L-5	L-5		(3568-9/02)
Horticulture	ZA	ZA	ZA	ZA		(3410-3/99)
Nurseries	ZA	ZA	ZA	ZA		(3410-3/99)
Visitor Accommodations						
Bed and Breakfast Inns	-	-	L-4	-		(3334-6/97, 3410-3/99)
Accessory Uses	P/U	P/U	P/U	P/U	(A)(G)(H)(I)(L)(M)	(3334-6/97, 3410-3/99)
Temporary Uses					(J)(M)	(3334-6/97, 3410-3/99)
Commercial Filming, Limited	P	P	P	P		
Real Estate Sales	P	P	P	P	(N)	(3334-6/97, 3410-3/99, 3706-6/05)
Personal Property Sales	P	P	P	P		
Street Fairs	TU	TU	TU	TU		
Nonconforming Uses					(K)(L)	

RL, RM, RMH, RH, and RMP Districts: Additional Provisions

- L-1 A conditional use permit from the Planning Commission is required and only allowed on lots 1.0 acre (gross acreage) or greater fronting an arterial in RL District. (3410-3/99)
- L-2 Public facilities permitted, but a conditional use permit from the Zoning Administrator is required for private noncommercial facilities, including swim clubs and tennis clubs. (3334-6/97, 3410-3/99)
- L-3 A conditional use permit from the Planning Commission is required, and only schools operating in conjunction with religious services are permitted as an accessory use. A General Day Care facility may be allowed as a secondary use, subject to a conditional use permit, if the Planning Commission finds that it would be compatible with adjacent areas and not cause significant traffic impacts. (3334-6/97, 3410-3/99, 3724-02/06)
- L-4 A conditional use permit from the Zoning Administrator is required and only allowed on lots 10,000 sq. ft. or greater in RMH-A subdistrict. See also Section 230.42: Bed and Breakfast Inns. (3334-6/97, 3410-3/99, 3706-6/05)
- L-5 Only wireless communication facilities permitted subject to section 230.96 Wireless Communication Facilities. (3568-9/02)
- L-6 Neighborhood notification is required pursuant to Section 241.24. No architectural plans shall be required. (3761-2/07)
- (A) Any addition or modification subsequent to the original construction that would result in an increase in the amount of building area, or a structural or architectural alteration to the building exterior, shall require an amendment to the previously approved conditional use permit, if any, or approval of a new conditional use permit. (3334-6/97, 3410-3/99, 3761-2/07)
- (B) A conditional use permit from the Planning Commission is required for residential uses requesting reduction in standards for senior citizens (See Section 210.08), for affordable housing (See Sections 210.10 and 230.14), or for density bonus (See Section 230.14).
- (C) A conditional use permit from the Zoning Administrator is required for any multiple family residential development that:
 - (1) abuts an arterial highway;
 - (2) includes a dwelling unit more than 150 feet from a public street; or
 - (3) includes buildings exceeding 25 feet in height. (3334-6/97, 3410-3/99)
- (D) See Section 210.12: Planned Unit Development Supplemental Standards. In addition, a conditional use permit is required for condominium conversion pursuant to Chapter 235.
- (E) See Section 210.14: RMP District Supplemental Standards. In addition, Neighborhood Notification pursuant to Chapter 241 is required for the addition of manufactured home space(s) to an existing Manufactured Home Park. (3334-6/97, 3410-3/99, 3706-6/05)
- (F) See Section 230.16: Manufactured Homes.
- (G) See Section 230.12: Home Occupation in R Districts.
- (H) See Section 230.08: Accessory Structures.
- (I) See Section 230.10: Accessory Dwelling Units.

ATTACHMENT NO. 4-11

ZL # 2009-013
RECEIPT # 146203

CITY OF HUNTINGTON BEACH
WIRELESS PERMIT APPLICATION FORM

This form is designed to elicit required technical information in support of an application for a new or modified permit (generally, the "Permit") for a wireless site within the City of Huntington Beach.

This application is a mandatory element of the application process. No application for a new wireless site Permit or for a modification of an existing wireless site Permit shall be considered for determination of completeness until this form and required attachments are provided to the City of Huntington Beach.

Every page of this form, including this page, must be completed and submitted to the City of Huntington Beach, and each page must be signed and/or initialed where indicated.

Questions about this form or the required information to be provided should be directed to the City Planner assigned to your project or to the Director of Planning at (714) 536-5271 for the City of Huntington Beach.

You are advised to be familiar with the City's Municipal Code and Zoning and Subdivision Ordinance, which establishes standards and guidelines for the installation of wireless communications facilities in the City of Huntington Beach.

<Continue to next page>



1.00: **Applicant Information**

1.01: Project Address: Community United Methodist Church located at
6666 Heil Ave.

1.02: Project Assessors Parcel Number: 146-483-29

1.03: Name of Applicant: Omnipoint Communications, Inc. a subsidiary
of T-Mobile USA, Inc. (T-Mobile).

1.04: Name of Property Owner: (Ms.) Pastor Jan Wiley, Senior Pastor

1.05: Applicant is: __ Owner xx Owner's representative __
Other

1.06: Applicant's Address Line 1: Agent Representative for T-Mobile

1.07: Applicant's Address Line 2: One Venture, Suite 200, Irvine CA 92618

1.08: Applicant's Address Line 3: 3 Imperial Promenade, Santa Ana CA 92707

1.09: Applicants Address Line 4: _____

1.10: Applicant's Phone number: 714.850.2414

1.11: Applicant's Mobile number: 949.350.5376

1.12: Applicant's Fax number: 714.850.6630

1.13: Applicant's Email address: joe.thompson@T-Mobile.com

Please contact: Monica Moretta Phone No: 949.241.0175 Fax No: 949.753.7203 monica.moretta@sequoia-ds.com Applicant Representative
--

If Applicant is the Property Owner and the name and contact information above is the same, initial here _____ and proceed to 3.01.

<Continue to next page>

2.00: **Project Owner Information**

2.01: Disclose the Names, Addresses, contact persons, and telephone numbers for all Project Owners (use additional sheets if required and mark as "Attachment 2.01"): Omnipoint Communications, Inc. a subsidiary

2.02: Project Owner Name (i.e., carrier or licensee): of T-Mobile USA, Inc. (T-Mobile).

2.03: Address (line 1): 3 Imperial Promenade, Santa Ana CA 92707

2.04: Address (line 2): One Venture, Suite 200

2.05: City: Irvine State: CA Zip: 92618

2.06: Contact Person Name: Monica Moretta

2.07: Contact Person's telephone number/extension: 949.241.0175

2.08: If the Applicant is not the project owner, attach a letter of agency appointing the Applicant as representative of the Project Owner(s) in connection with this application. Designate the letter of agency as "Attachment 2.08".

Initial here MM if Attachment 2.08 is attached to this application, and continue to 3.00.

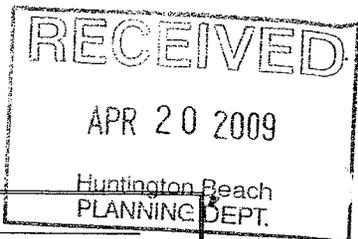
2.09: If the Applicant is not the property owner, attach a letter of agency appointing the Applicant as representative of the Property Owner in connection with this application. Designate the letter of agency as "Attachment 2.09".

Initial here MM if Attachment 2.09 is attached to this application, and continue to 3.00.

<Continue to next page>

Letter of Authorization

APPLICATION FOR ZONING/LAND USE ENTITLEMENTS



Property Address:	<u>6662 Heil Ave, Huntington Beach, CA</u>
Assessor's Parcel Number:	<u>146-483-29</u>

I/We, the owner(s) of the above-described property, authorize Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., with offices located at 3 MacArthur Place, #1100, Santa Ana, CA 92707, its employees, representatives, agents, and/or consultants, to act as an agent on my/our behalf for the purpose of creating, filing and/or managing any land use and building permit applications, or any other entitlements necessary to construct and operate a wireless communications facility on the above-described property. I/We understand that any application may be denied, modified, or approved with conditions, and that such conditions or modifications must be complied with prior to issuance of building permits.

I/We further understand that signing of this authorization in no way creates an obligation of any kind.

Owner(s): Community United Methodist Church of Huntington Beach, a California corporation

By: *Duane Ray Hurtado*
Signature

Print Name: DUANE RAY HURTADO

Title: PRESIDENT / TRUSTEES

Date: 12/30/2008

By: _____
Signature

Print Name: _____

Title: _____

Date: _____

State of California)
County of Orange)

On Dec 30, 2008 before me, Kelley D. Cross, Notary Public, personally appeared

Duane Hurtado who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: *Kelley D. Cross*



T



May 1, 2006

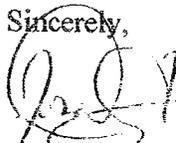
To Whom It May Concern,

Sequoia Deployment Services, its employees and agents are authorized representatives of T-Mobile, USA, Inc. (T-Mobile), and have been contracted to perform real estate leasing, land-use entitlements and architectural and engineering services for T-Mobile's telecommunications facilities.

As an authorized representative of T-Mobile, Sequoia Deployment Services may sign, submit, review land-use applications and permits, represent at meetings and hearings, accept conditions of approval, and negotiate leases on T-Mobile's behalf. All final land use documents are subject to T-Mobile's review and approval. Furthermore, all leases are contingent upon T-Mobile's signature.

If there are any questions or comments, please contact me immediately.

Sincerely,



Joseph Thompson
Zoning Manager
Southern California Market
T-Mobile USA
3 Imperial Promenade
Santa Ana CA, 92707

Desk 714/850-2414
Mobile 949/350-5376
Fax 714/850-6630

3.00: **Project Purpose**

3.01: Justification. Provide a non-technical narrative, accompanied by written documentation where appropriate, which explains the purpose(s) of the proposed Project.

3.02: Indicate whether the dominant purpose of the Project is to add additional network capacity, to increase existing signal level, or to provide new radio frequency coverage (check only one).

Add network capacity without adding significant new RF coverage area

Increase the existing RF signal level in an existing coverage area

Provide new radio frequency coverage in a significant area not already served by existing radio frequency coverage by the same Owner or affiliated entity (such as a roaming agreement with an affiliated entity for a cellular or PCS carrier).

Other

3.03 If the answer in 4.02 is not "Other" proceed to 5.00.

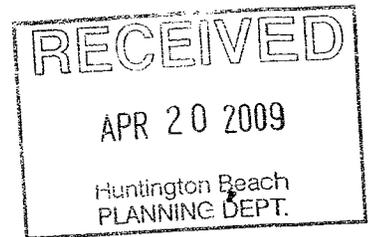
3.04 Attach a statement fully and expansively describing the "Other" dominant purpose of this project. Designate this attachment, "Attachment 4.04".

Initial here _____ to indicate that Attachment 4.04 is attached to this application.

<Continue to next page>



PROJECT DESCRIPTION FOR
LA33421-A COMMUNITY UMC
6666 HEIL AVE
HUNTINGTON BEACH, CA 92648
APN: 146-483-29



Omnipoint Communications, Inc. a subsidiary of T-Mobile USA, Inc. (T-Mobile) proposes to construct, operate and maintain a wireless telecommunications facility consisting of twelve (12) panel antennas in three (3) sectors, two (2) GPS antennas, five (5) BTS telecommunication, one (1) BBU equipment cabinets, coaxial cable runs from the antennas to the BTS, and power and Telco utility connections.

In order to completely conceal the wireless facility the panel antennas will be attached to a new fifty five (55) foot wireless facility designed as a palm tree. The facility is located in an area surrounded by mature landscaping as depicted in the attached photo simulations. The equipment cabinets will be located in a lease area inside of a new 6'-7" block wall design to be painted and textured to match the materials of the existing building. All utilities runs for the project will be routed underground. This location also provides for easy maintenance access from Heil Avenue Street.

The coverage objective of the site is primarily the residential neighborhoods located to the north, south, east and west of the intersection of Main Street and Palm Avenue. This area suffers a lack of coverage, resulting in poor service for T-Mobile's customers and limited wireless telecommunications service options for the residents and visitors to the area. T-Mobile underwent a search for potential site locations that included properties along Hail Avenue and Edwards Street. T-Mobile research the possibility of a facility in alternative locations such as; Redeemer Lutheran Church, St. Bonaventure Roman Catholic Church, and even city parks. However, both locations were further away from the coverage objective and closer to on-air sites. Community United Methodist Church is the best location considering that coverage objective for this area. The search was limited to these areas because they provide the only potentially zone-able site locations in the search area. The existing landscaping also provided an opportunity to locate the monopalm around existing mature palm trees, and more than 60 ft away from the front property line. The city code preference for disguising the facility and aesthetically integrated into their surroundings determined the site location and design. The properties within other parts of the search area were ruled out do their proximity to residential areas and lease restrictions. T-Mobile was also limited in where the facility could be sited in relationship to other nearby facilities in the area (surrounding facilities are shown on the RF propagation maps included with this application) which limited the ability of the site to be located at the intersection of Heil Avenue and Edwards Street.

The proposed site is currently developed as a church with a existing mature landscaping and this is the taller structure in the area. The surrounding area of subject site location is characterized by mature trees and thus a monopalm is not an uncommonly seen part of the landscape. The property is completely developed and encompasses the necessary infrastructure to serve both the existing and proposed facilities. The proposed wireless facility is located to approximately 185 feet from the southern property line and at this location it will not block access into the site and site circulation. Proposed access is adequate in serving the parking needs during maintenance visits. The proposed facility will not impact potential development in the surrounding area.

The proposed project will be unoccupied and only require a single maintenance visit per month. The project will make negligible noise that is most often less than the ambient noise level of the area surrounding the equipment. Wireless facilities are passive in nature and have been located in all zoning districts without impacting property values.

4.00: **Radio Frequency Coverage Maps**

4.01: Where a licensee intends to provide radio frequency geographic coverage to a defined area from the Project (including applicants in the cellular, PCS, broadcast, ESMR/SMR categories), the coverage maps and information requested below are required attachments. All others proceed to 7.00.

For the coverage maps required here, the following mandatory requirements apply:

1. The size of each submitted map must be no smaller than 8.5" by 11", and all maps must be of the same physical size, scale, and depict the same geographic area. Include major streets and street names on each map. All maps must share a common color scheme.
2. If the FCC rules for any proposed radio service define a minimum radio frequency signal strength level, that level must be shown on the map in a color easily distinguishable from the base paper or transparency layer, and adequately identified by RF level and map color or gradient in the map legend. If no minimum signal level is defined by the FCC rules you must indicate that in the legend of each RF coverage map. You may show other RF signal level(s) on the map so long as they are adequately identified by objective RF level and map color or gradient in the map legend.
3. RF coverage maps with labels such as, "In-Building" "In-Car" and "Outdoor" or referencing a link budget without corresponding signal strengths in units of "dBm" will be rejected.
4. Where the City of Huntington Beach determines that one or more submitted maps are inadequate, it reserves the right to require that one or more supplemental maps with greater or different detail be submitted.

4.02: Map of existing RF coverage within the City of Huntington Beach on the same network, if any (if none, so state). This map should not depict any RF signal coverage to be provided by the Project. Designate this map "Attachment 6.02".

Initial here MM to indicate that Attachment 6.02 is attached to this application.

4.03: Map of RF coverage to be provided only by the Project. This map should not depict any RF coverage provided by any other existing or proposed wireless sites. Designate this map "Attachment 6.03".

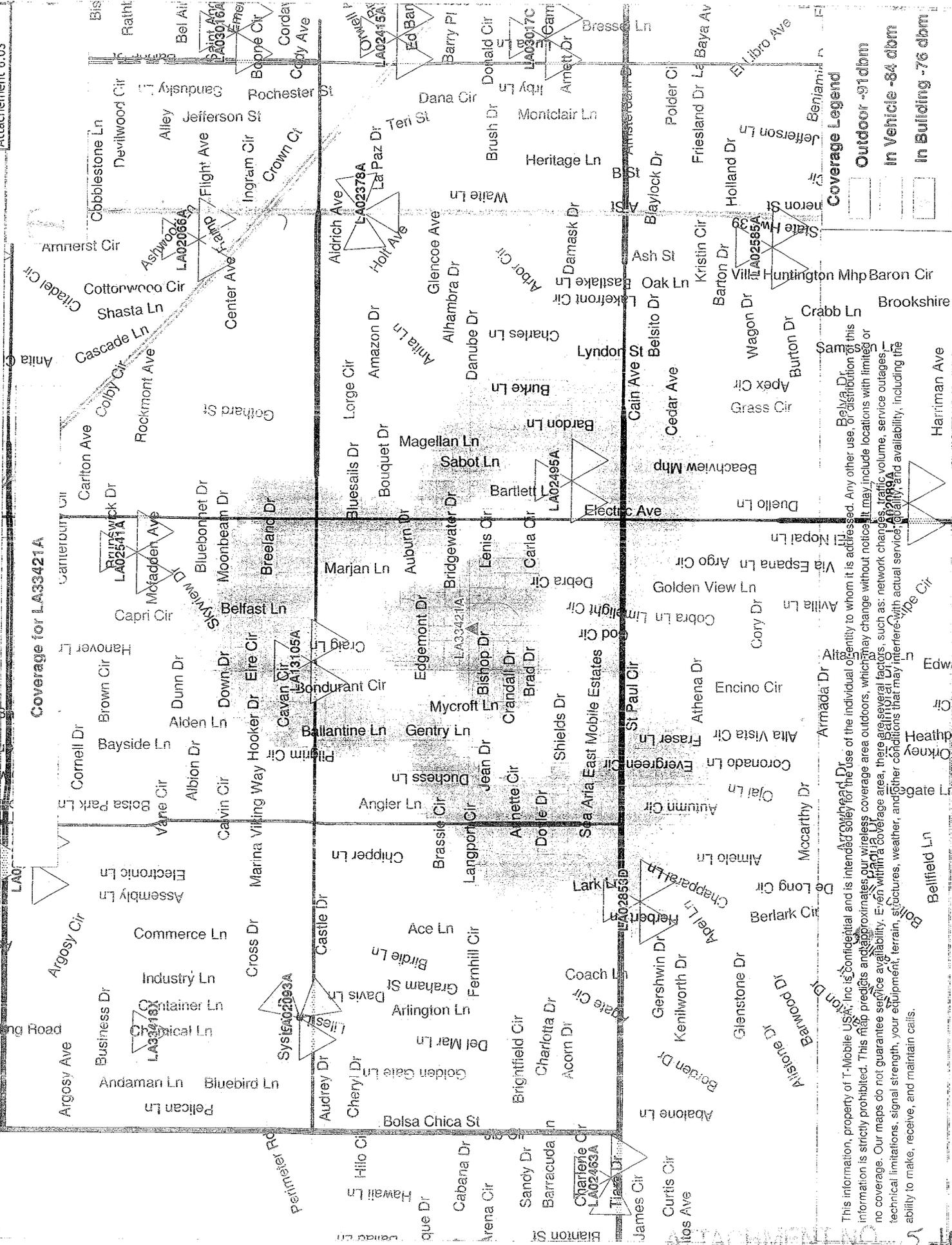
Initial here MM to indicate that Attachment 6.03 is attached to this application.

4.04: Map of RF coverage to be provided by the Project and by other wireless sites on the same network should the Project be approved. Designate this map "Attachment 6.04".

Initial here MM to indicate that Attachment 6.04 is attached to this application.

<Continue to next page>

Coverage for LA33421A



Coverage Legend

- Outdoor - 91dbm
- In Vehicle - 84 dbm
- In Building - 76 dbm

This information, property of T-Mobile USA, Inc. is confidential and is intended solely for the use of the individual or entity to whom it is addressed. Any other use, distribution or disclosure of this information is strictly prohibited. This map predicts approximate wireless coverage area outdoors, which may change without notice. It may include locations with limited or no coverage. Our maps do not guarantee service availability. Even within a coverage area, there are several factors, such as: network changes, traffic volume, service outages, technical limitations, signal strength, your equipment, terrain, structures, weather, and other conditions that may interfere with actual service availability, including the ability to make, receive, and maintain calls.

5.00: Project Photographs and Photo Simulations

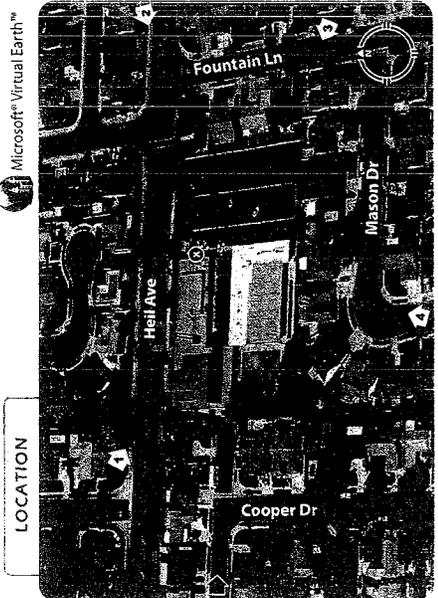
5.01: Where an Applicant proposes to construct or modify a wireless site, the Applicant shall submit pre-project photographs, and photo simulations showing the project after completion of construction, all consistent with the following standards:

1. Minimum size of each photograph and photo simulation must be 8.5" by 11" (portrait or landscape orientation);
2. All elements of the project as proposed by the Applicant must be shown in one or more close-in photo simulations.
3. The overall project as proposed by the Applicant must be shown in five or more area photos and photo simulations. Photos and photo simulation views must, at a minimum, be taken from widely scattered positions separated by an angle of no greater than 72 degrees from any other photo location.
4. For each photograph and photo simulation, show on an area map the location and perspective angle of each photograph and photo simulation in relationship to the Project location.
5. All 'before' and after photos and photo simulations must be of the same scale. For example, do not place a smaller 'before' photo in a box on the same page as a large 'after' photo simulation.

The number of site photos, and photo simulations, and the actual or simulated camera location of these photos and photo simulations are subject to City of Huntington Beach determination. The Applicant must submit photos and photo simulations consistent with these instructions, and be prepared to provide additional photos and photo simulations should they be requested by the City of Huntington Beach.

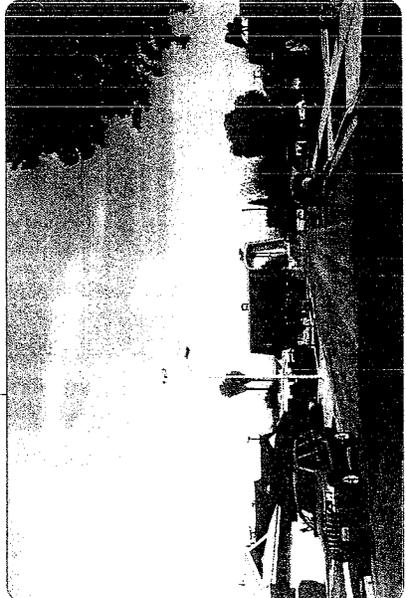
<Continue to next page>

LOCATION



View from the West to the East

EXISTING



PROPOSED



Completed April 5, 2009

LA33421A
Community UMC
 6666 Heil Avenue
 Huntington Beach, CA 92647
VIEW 5

APPLICANT

T-Mobile
 3 MacArthur Place Suite 1100
 Santa Ana, CA 92707

CONTACT

Sequoia Deployment Services
 Monica Moretta
 1 Venture, Suite 200
 Irvine, CA 92618
 p 949.241-0175

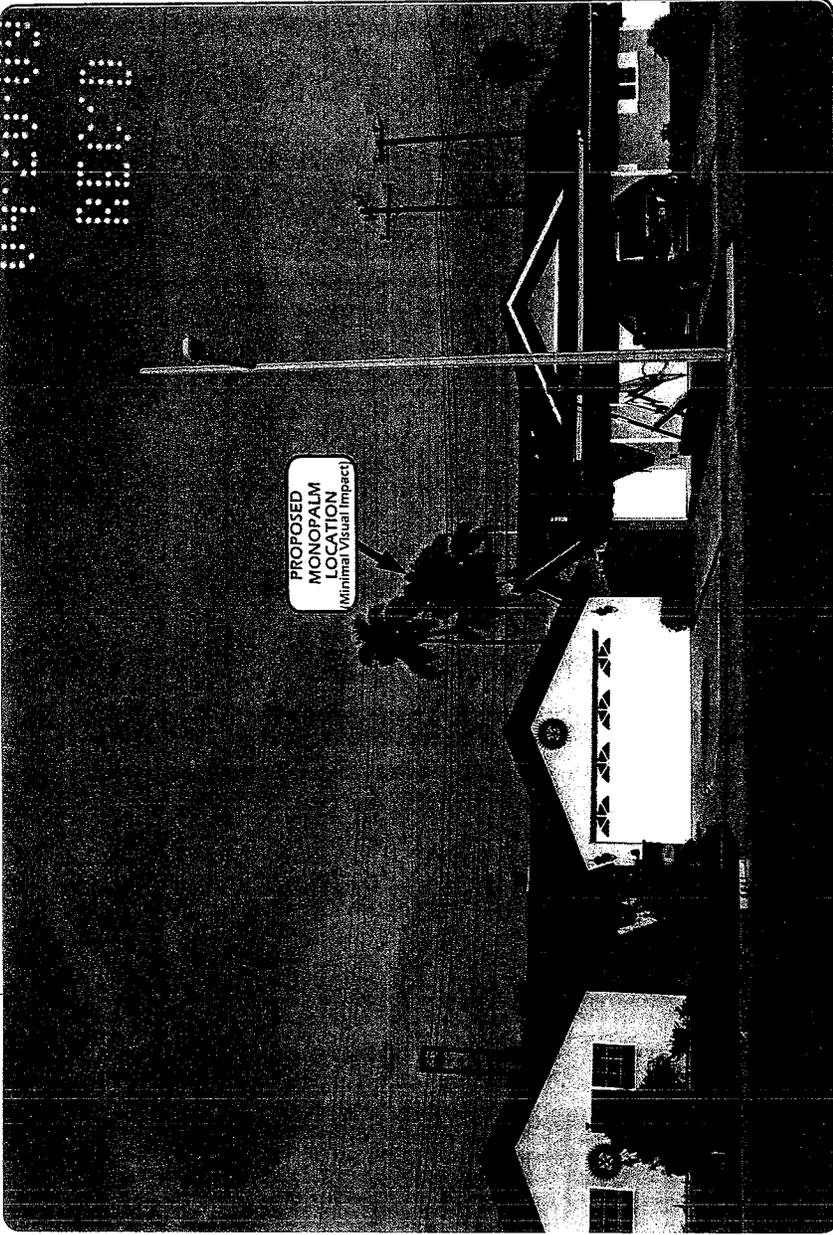


BLUE WATER DESIGN
 1741 Tustin Ave. 19A
 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 p 714.473.2942
 f 949.631.2316

Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

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

PROPOSED



Completed April 5, 2009

BLUE WATER DESIGN
 1741 Tustin Ave. #9A
 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 P 714.473.2942
 F 949.631.2316



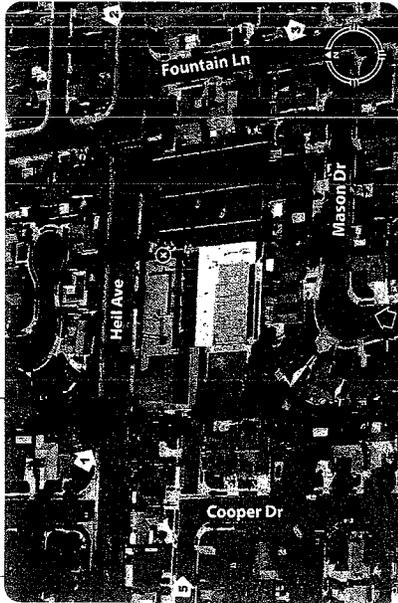
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 Sequoia Deployment Services
 Monica Moretta
 1 Venture, Suite 200
 Irvine, CA 92618
 P 949.241-0175

APPLICANT
 T-Mobile
 3 MacArthur Place Suite 1100
 Santa Ana, CA 92707

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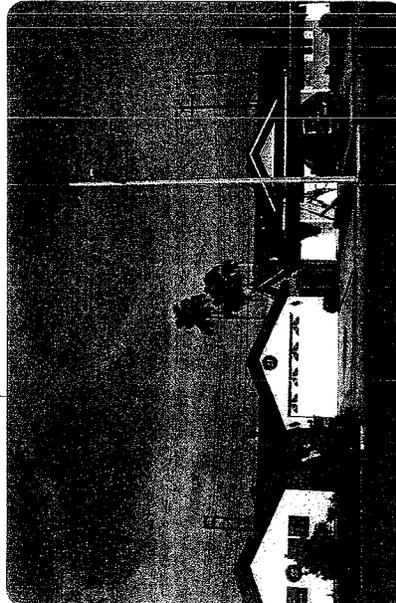
Microsoft® Virtual Earth™



View from the South to the North

LOCATION

EXISTING



LA33421A
Community UMC
 6666 Heil Avenue
 Huntington Beach, CA 92647

VIEW 4

PROPOSED



Completed April 5, 2009

BLUE WATER DESIGN
 1741 Tustin Ave. 19A
 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 p 714.473.2942
 f 949.631.2316

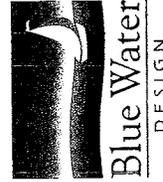


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 Monica Moretta
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 p 949.241-0175

APPLICANT
 T-Mobile
 3 MacArthur Place Suite 1100
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LOCATION



View from the Southeast to the Northwest

EXISTING



LA 33421A
Community UMC
 6666 Heil Avenue
 Huntington Beach, CA 92647

VIEW 3

PROPOSED



**PROPOSED
EQUIPMENT
LOCATION**

Completed April 5, 2009

BLUE WATER DESIGN

741 Tustin Ave. 19A
Costa Mesa, CA 92627
bluewater-design.net
michelle@bluewater-design.net
P 714.473.2942
F 949.631.2316



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CONTACT

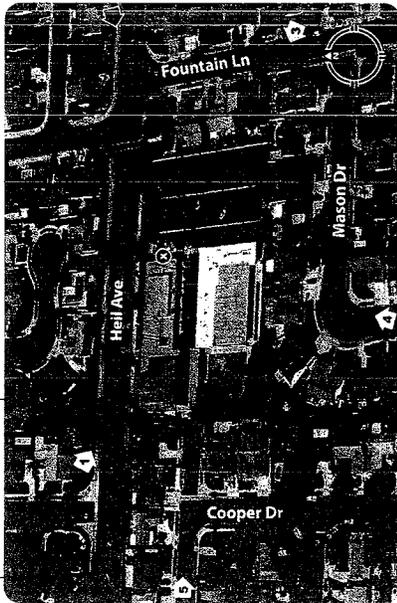
Sequoia Deployment Services
Monica Moretta
1 Venture, Suite 200
Irvine, CA 92618
P 949.241-0175

APPLICANT

T-Mobile
3 MacArthur Place Suite 1100
Santa Ana, CA 92707

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LOCATION



View from the Southeast to the Northwest

EXISTING

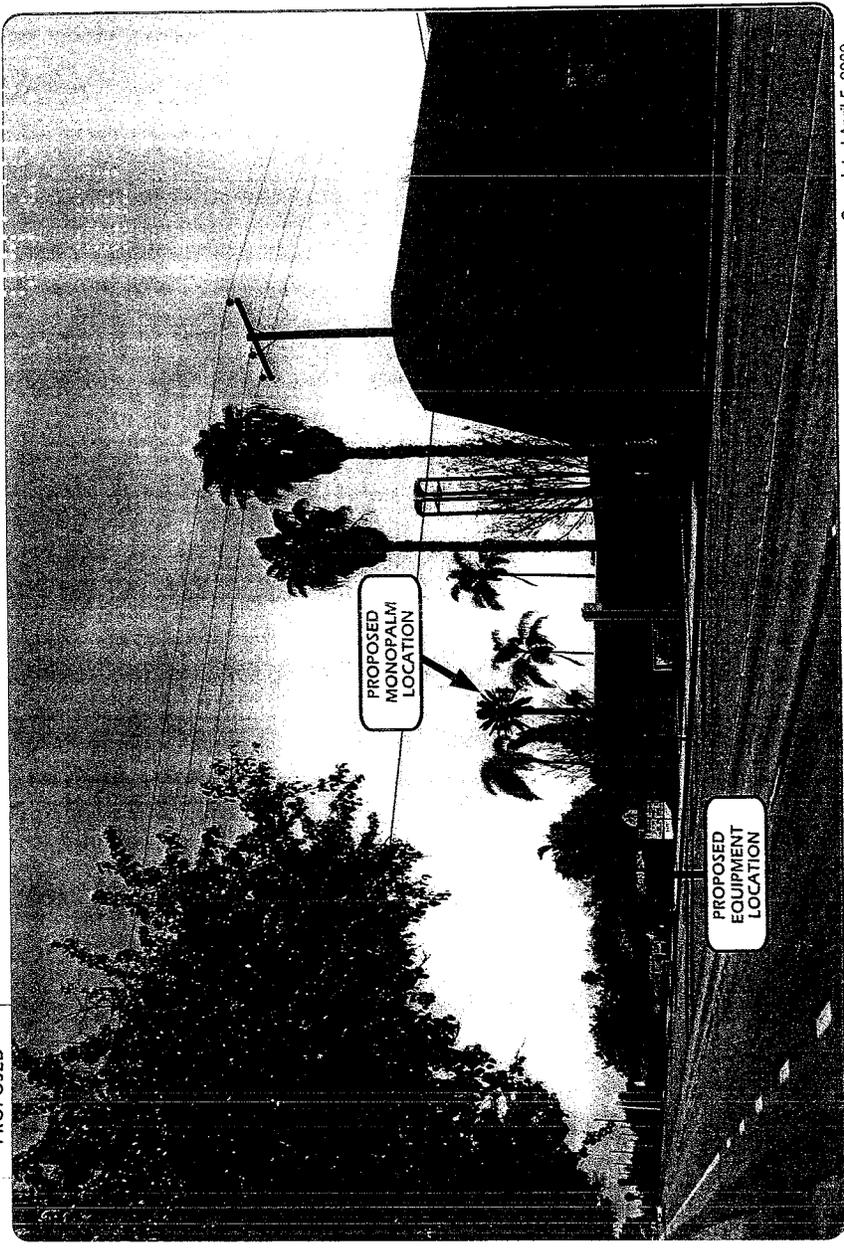


LA33421A
Community UMC

6666 Heil Avenue
Huntington Beach, CA 92647

VIEW 3

PROPOSED



Completed April 5, 2009

BLUE WATER DESIGN
 1741 Tustin Ave. 19A
 Costa Mesa, CA 92627
 bluewater-design.net
 michelle@bluewater-design.net
 p 714.473.2942
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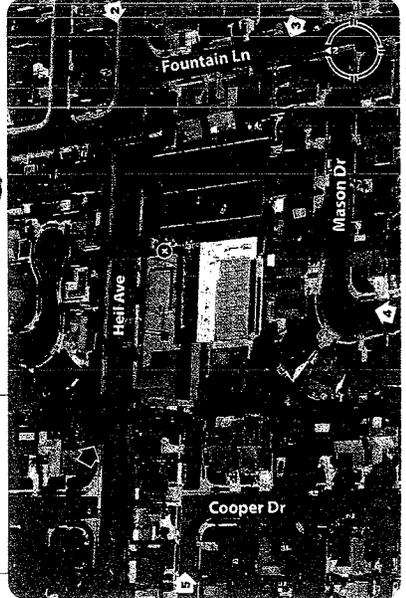
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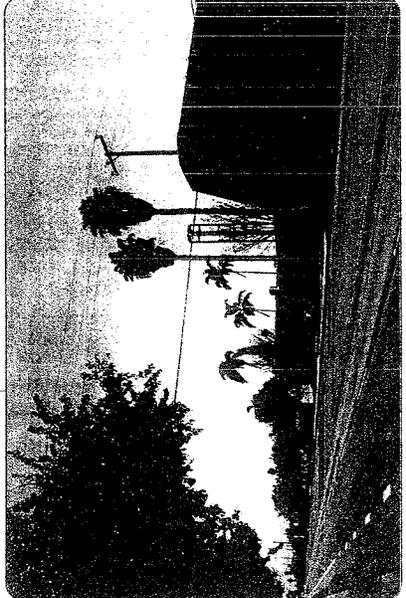
Microsoft® Virtual Earth™



View from the Northwest to the Southeast

LOCATION

EXISTING



LA33421A
Community UMC
 6666 Heil Avenue
 Huntington Beach, CA 92647
VIEW 1

6.00: **Candidate Sites**

6.01: For applicants in the cellular, PCS, broadcast, ESMR/SMR categories, and others as requested by the City of Huntington Beach, the information requested in Section 8 is required. All others proceed to 9.00.

6.02: Has the Applicant or Owner or anyone working on behalf of the Applicant or Owner secured or attempted to secure any leases or lease-options or similar formal or informal agreements in connection with this project for any sites other than the candidate site identified at 1.01 and 1.02? ___ Yes xx No

6.03: If the answer to 8.02 is NO, proceed to 8.05.

6.04: Provide the physical address of each such other location, and provide an expansive technical explanation as to why each such other site was disfavored over the Project Site. Designate this attachment "Attachment 8.04".

Initial here _____ to indicate that Attachment 8.04 is attached to this application.

6.05: Considering this proposed site, is it the one and only one location within or without the City of Huntington Beach that can possibly meet the objectives of the project?
xx Yes ___ No

6.06: If the answer to 8.05 is NO, proceed to 9.00.

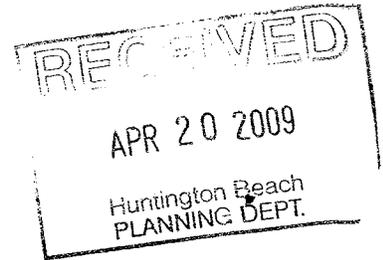
6.07: Provide a technically expansive and detailed explanation supported as required by comprehensive radio frequency data fully describing why the proposed site is the one and only one location within or without the City of Huntington Beach that can possibly meet the radio frequency objectives of the project. Explain, in exact and expansive technical detail, all of the objectives of this project. Designate this attachment, "Attachment 8.07".

Initial here MM _____ to indicate that Attachment 8.07 is attached to this application.

<Continue to next page>



**SITE JUSTIFICATION STUDY FOR
LA33421-A COMMUNITY UMC
6666 HEIL AVE
HUNTINGTON BEACH, CA 92647
APN: 146-483-29**



Omnipoint Communications, Inc. a subsidiary of T-Mobile USA, Inc. (T-Mobile) selected the proposed location for a needed wireless facility as it was the best location available for the facility when considering the needs of the network, land use patterns in the area, willingness of the landlord to enter into a lease for the facility, and the zoning code requirements of the City of Huntington Beach.

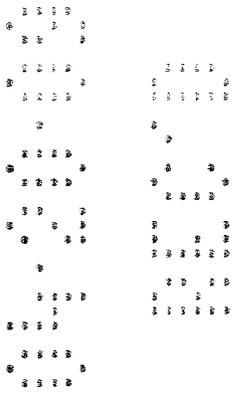
The facility is needed to correct a hole in network coverage created by the local demand on the existing network. As the number of users of the network increases the coverage area of existing sites decreases creating areas where it is difficult to make a call or keep a call connected. The area surrounding the proposed site, approximately at the intersection of Heil Avenue and Edward Street, suffers from this situation. This intersection and surroundings became the target search area for the facility. The facility will increase signal strength and the network capacity in and surrounding the neighborhood adjacent to the site to better serve the communications needs of the residents, workers and visitors in the City of Huntington Beach. Radio-frequency propagation maps shows the existing coverage and the modeled coverage after installation of the facility at the proposed height are attached. Approval of the facility at the proposed height provides the needed coverage for the surrounding neighborhood, providing a high quality signal for both indoor and outdoor users of the network.

The proposed site is zoned Residential Low Density (RL) developed as a church. All adjacent land uses are zoned residential but the facility is located more than 100 ft away from residential developments. In fact, the location was selected since is not developed or used for residential purposes. The alternative candidates were ruled out due to the lack of interest to lease space, and height restrictions that will not satisfy T-Mobile's coverage objective. The current location is best suited for the facility as it offers space for the equipment and antennas, when considering zoning restrictions and design compatibility and offers the best opportunity to screen the installation from public view through the use of screening.

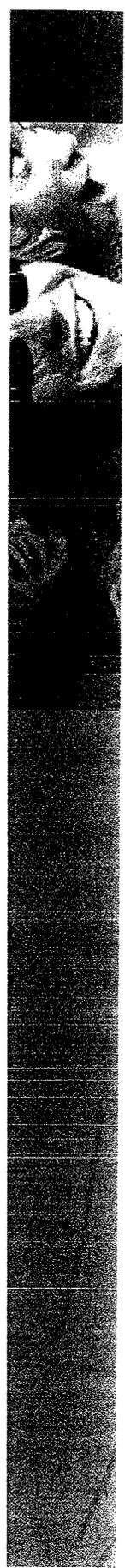
All equipment is proposed to be inside a CMU wall and behind a planter that separated the block wall from the front property line (approximately 20 ft.). This equipment location was selected as the space available created did not altered the functionality/ circulation patterns or character of the existing development.

The proposed facility is an unmanned telecommunications facility and has no habitable or occupied space. The facility will operate (transmit and receive calls) 24 hours per day for residents and visitors of Huntington Beach. The facility has no "employees" or "customers" per se. Customer use does not require any access to the facility and only periodic maintenance is performed on the facility (approximately one hour per month.) Existing streets, access drives, and circulation patterns are adequate to serve the project and will not be impacted by the project.

T-Mobile

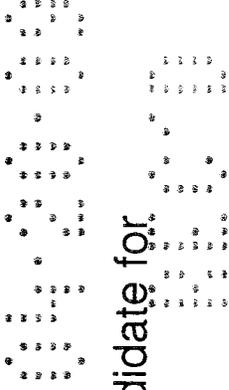


LA33421A RF Technical Report



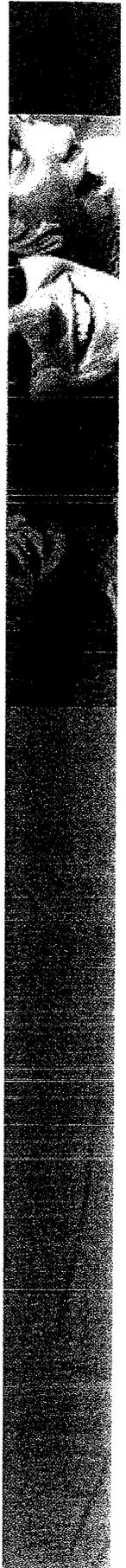


Guidelines used



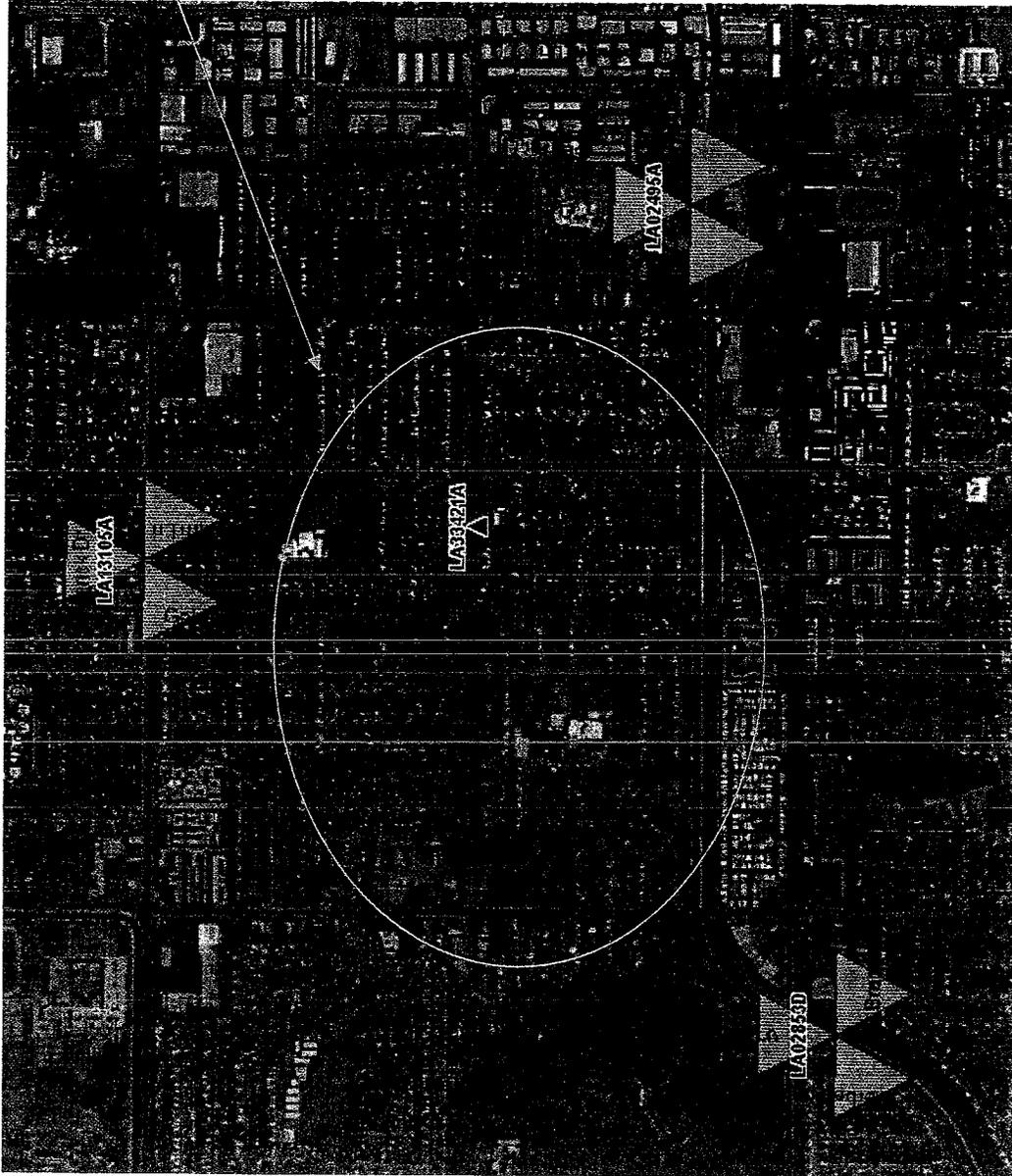
The following guidelines were used to determine the best candidate for site LA33421A:

1. Site Visit – Visual assessment of the area to search for viable candidates based on location, structure height, topography, lease area, etc.
2. Propagation Analysis – T-Mobile USA uses a prediction tool, known as Asset, to project the expected coverage of the new cell site.
3. Drive Test Data – T-Mobile USA uses real-time data collected from the field to determine the need of an additional site.



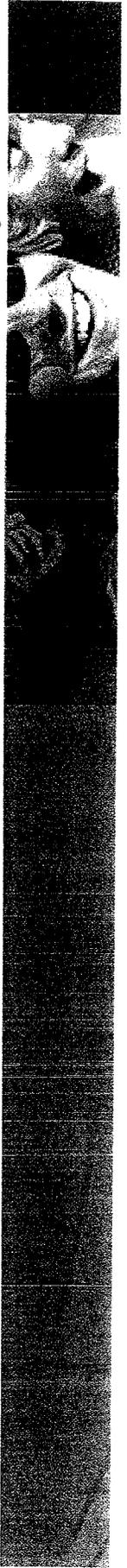
LA33421A Coverage Objective

LA33509A mainly designed to improve Residential coverage along the surrounding areas of Edward Street and Heil Avenue in city of Huntington Beach.



There are currently high customer complaint in the area due to weak indoor coverage. This can only be fixed by installing this proposed site.

Site can also be located at the corner of Heil Ave and Edward Street but there was no suitable candidate that will meet a minimum height of 50'.



T-Mobile

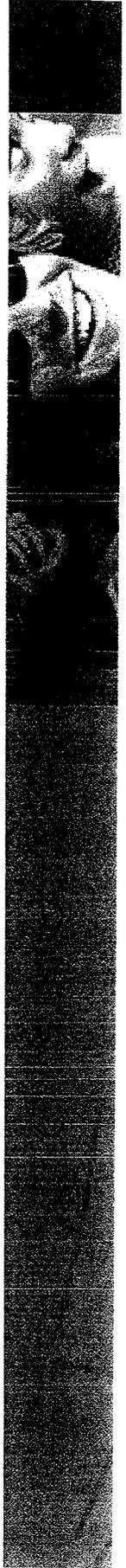
Overview



The FCC license required T-Mobile to build a wireless network that will provide the best network performance to customers as possible. Also, the FCC license required T-Mobile to put up a wireless network in accordance with the Federal Communication Commission requirements and under the compliance of Federal, State and local mandates laws.

The goals of the network performance are to provide best quality, lowest level of blocking, easy access to the network and continuous drop-free connections. Also, the site will operate below the radio frequency emission limits set forth by the Federal Communication Commission.

T-Mobile is proposing a site installation located at 6666 Heil Ave, Huntington Beach, CA 92647 with an effort to adhere all the requirements set by FCC, Federal, State and local mandates.



T-Mobile

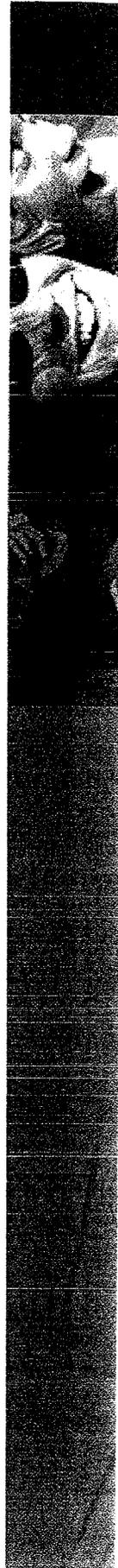
Site Details



Site ID : LA33421A

Site Name : Community UMC

Site Address: 6666 Heil Ave, Huntington Beach, CA
92647

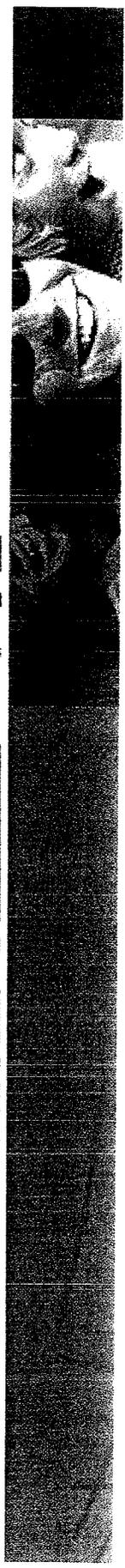
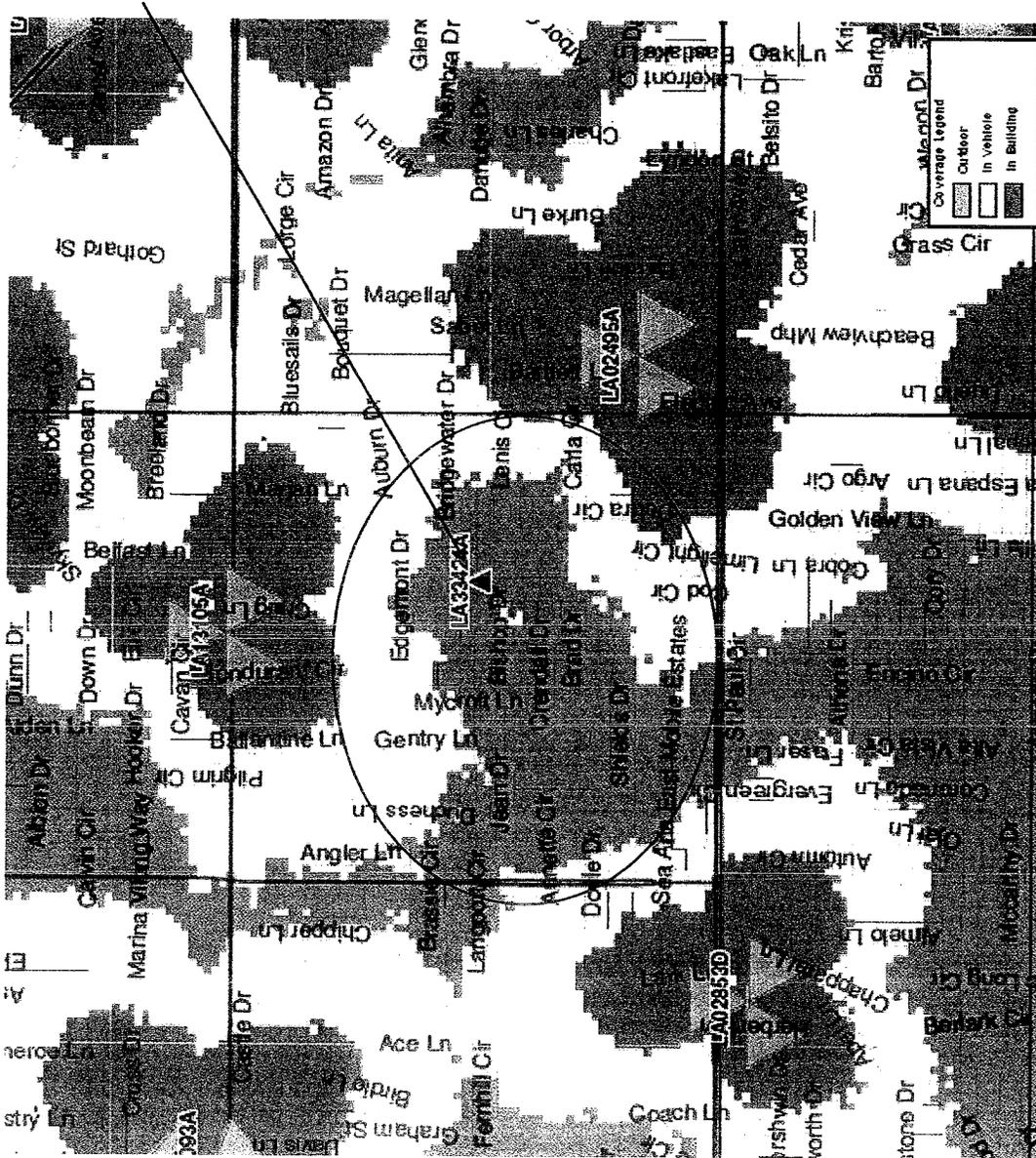


T-Mobile LA33421A Predicted Coverage Without the Proposed Site



Weak coverage on this area (low on-in vehicle and In Building Coverage) Existing sites LA13105A, LA02495A, and LA02853D cant provide enough coverage hence LA33421A is being proposed to be installed in Community UMC to provide the needed coverage as well as a balance coverage with existing sites.

Proposed site location is symmetrical with existing sites hence required coverage objective is meet



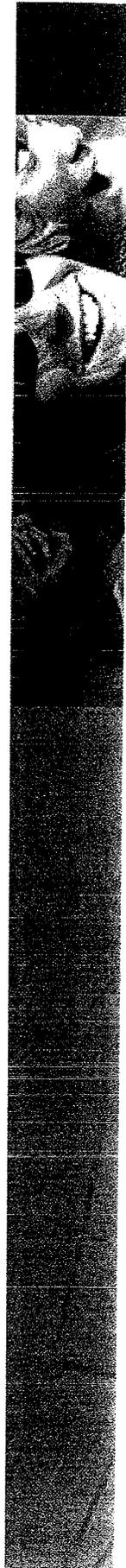
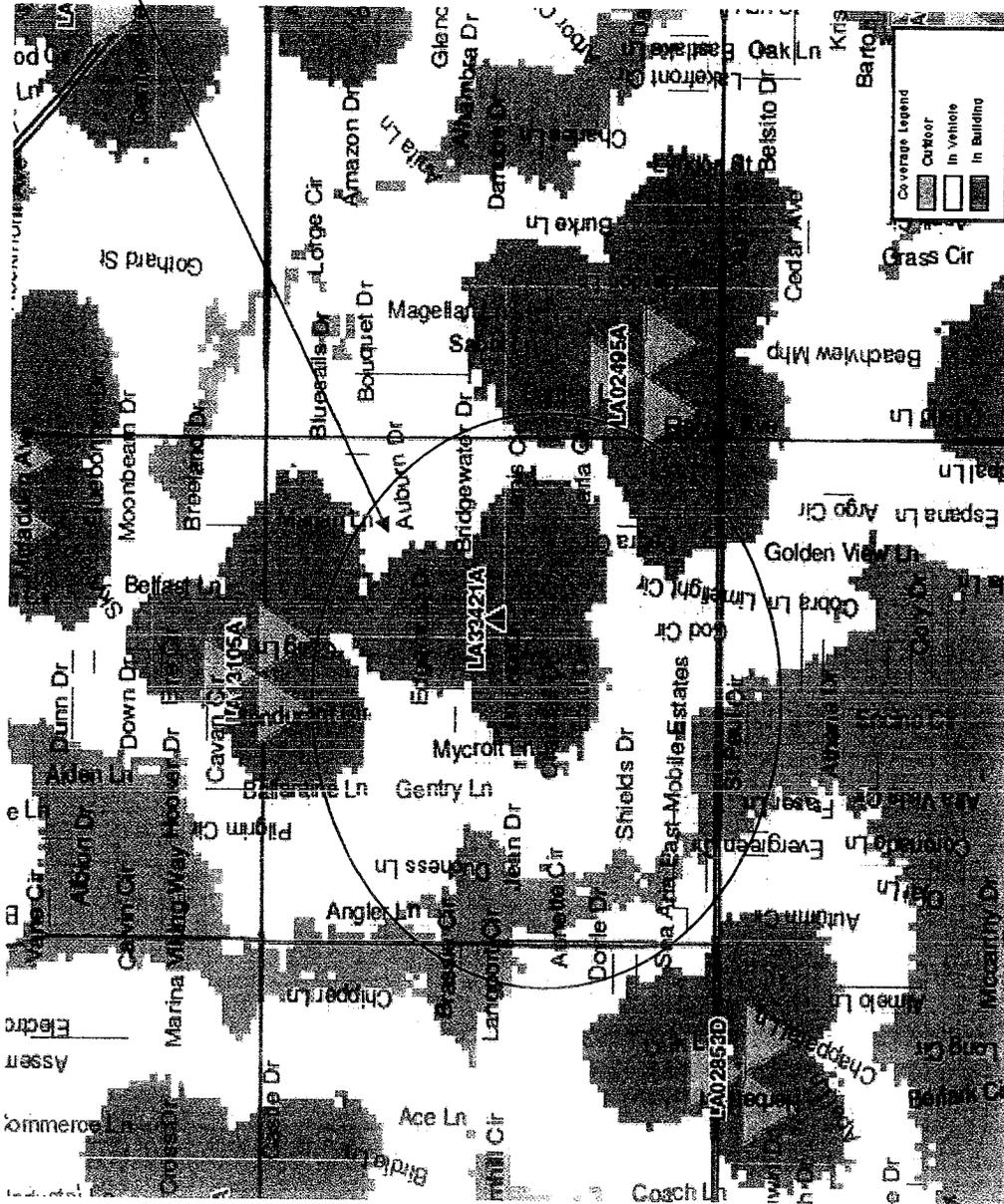
T-Mobile

**Coverage Map with the proposed site
LA33421A**



Prediction plot shows that the current proposed sites will meet the desired coverage objective. This also shows a balance coverage with existing sites.

LA33509A Community UMC is the best option for this site.



7.00: **Identification of Key Persons**

7.01: Identify by name, title, company affiliation, work address, telephone number and extension, and email address the key person or persons most knowledgeable regarding:

7.10 (1) The site selection for the proposed project, including alternatives;
7.11 Name: Monica Moretta
7.12 Title: Agent Representative
7.13 Company Affiliation: Sequoia Deployment Services, Inc.
7.14 Work Address: One Venture, Suite 200 Irvine, CA 92618
7.15 Telephone / Ext.: 949.241.0175
7.16 Email Address: monica.moretta@sequoia-ds.com

7.20 (2) The radio frequency engineering of the proposed project;
7.21 Name: Jose Pena
7.22 Title: RF Engineer
7.23 Company Affiliation: T-Mobile
7.24 Work Address: 3 Imperial Promenade Santa Ana, CA 92707
7.25 Telephone / Ext.: 310.279.9925
7.26 Email Address: Pena, Jose [Jose.Pena@T-Mobile.com]

7.30 (3) Rejection of other candidate sites evaluated, if any;
7.31 Name: Jose Pena
7.32 Title: RF Engineer
7.33 Company Affiliation: T-Mobile
7.34 Work Address: 3 Imperial Promenade Santa Ana, CA 92707
7.35 Telephone / Ext.: 310.279.9925
7.36 Email Address: Pena, Jose [Jose.Pena@T-Mobile.com]

7.40 (4) Approval of the selection of the proposed site identified in this project.
7.41 Name: Joe Thompson & Duan Dao
7.42 Title: Zoning Manager & District Manager
7.43 Company Affiliation: T-Mobile
7.44 Work Address: 3 Imperial Promenade Santa Ana, CA 92707
7.45 Telephone / Ext.: 714.850.2414
7.46 Email Address: joe.thompson@T-Mobile.com //

7.5 If more than one person is/was involved in any of the four functions identified in this section, attach a separate sheet providing the same information for each additional person, and identifying which function or functions are/were performed by each additional person. Designate this attachment "Attachment 7.5".

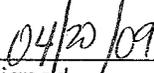
Initial here MM to indicate that the information above is complete and there is no Attachment 7.5, or initial here _____ to indicate that Attachment 7.5 is attached to this application.

<Continue to next page>

8.00: **Form Certification**

8.01: The undersigned certifies on behalf of itself and the Applicant that the answers provided here are true and complete to the best of the undersigned's knowledge.

Signature 	Agent Representative
_____	_____
Monica Moretta	monica.moretta@sequoia-ds.com
Print Name	Email Address
Sequoia Deployment Services, Inc.	
on behave of T-Mobile	949.241.0175
Print Company Name	Telephone Number/extension

Date Signed 	

<Stop Here. End of Form>



SITE NUMBER: LA33421A **CITY: HUNTINGTON BEACH**
SITE NAME: COMMUNITY UMC **COUNTY: ORANGE**
SITE TYPE: RAWLAND / MONOPALM **JURISDICTION: CITY OF HUNTINGTON BEACH**



PLANS PREPARED BY:
NOVACOM
 A Technical Consulting & Engineering Firm
 10000 S. Harbor Blvd., Suite 100
 Huntington Beach, CA 92647
 Phone: (949) 844-8800 Fax: (949) 844-8800
 www.novacom.com



NO.	DATE	DESCRIPTION	BY	CHK
0	12/31/08	90% 70% N/C		
1	01/28/09	INTERNAL REVISION	SH	
2	02/02/09	100% (0)	WT	

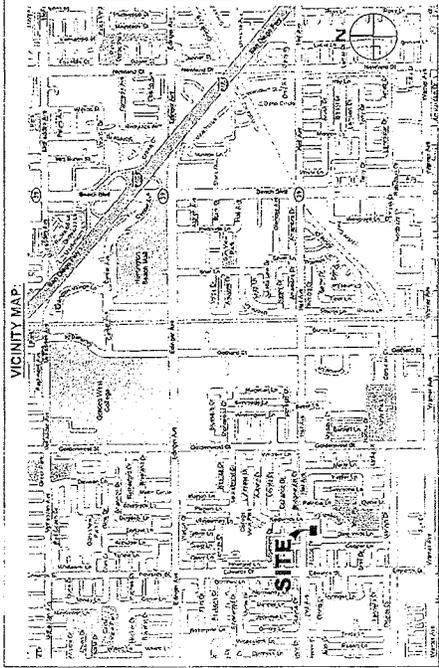
COMMUNITY UMC
 LA33421A
 6888 HEIL AVENUE
 HUNTINGTON BEACH, CA 92647

NOVACOM
 10000 S. Harbor Blvd., Suite 100
 Huntington Beach, CA 92647
 Phone: (949) 844-8800
 Fax: (949) 844-8800
 www.novacom.com

SEQUIOIA CONSULTING GROUP
 10000 S. Harbor Blvd., Suite 100
 Huntington Beach, CA 92647
 Phone: (949) 844-8800
 Fax: (949) 844-8800
 www.sequiointel.com

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SHEET TITLE
 T-1



ANTENNA SCHEDULE

SECTOR	AZIMUTH	CENTRELINE	OF ANTENNAS	ANTENNA MODEL #	COAX LINES	DIAMETER	COAX LENGTH
A	90°	90°-0'	4	NRK-816-17V	4	7/8"	120'
B	135°	90°-0'	4	NRK-816-17V	4	7/8"	120'
C	240°	90°-0'	4	NRK-816-17V	4	7/8"	120'

APPLICABLE CODES
 CALIFORNIA PENNSYLVANIA 800
 200 CALIFORNIA BUILDING CODE
 2006 CALIFORNIA ELECTRICAL CODE
 2006 CALIFORNIA FIRE SAFETY CODE
 2006 CALIFORNIA MECHANICAL CODE
 2006 CALIFORNIA PLUMBING AND MECHANICAL CODE

UTILITY CONTACTS
 TELCO: CALIFORNIA TELEPHONE SERVICE COMPANY
 POWER: SOUTHERN CALIFORNIA EDISON COMPANY
 GAS: SOUTHERN CALIFORNIA GAS COMPANY

SHEET INDEX:

SHEET NUMBER	DESCRIPTION
T-1	TITLE SHEET
A-1	TOPOGRAPHIC SURVEY
A-2	SITE PLAN
A-3	AREA LAYOUT & ANTENNA LAYOUTS
A-4	ELEVATIONS & DIMENSIONS

APPROVALS:

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND WARRANT THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF AND THAT THEY HAVE REVIEWED THE INFORMATION CONTAINED HEREIN AND AGREE TO BE BOUND BY THE INFORMATION CONTAINED HEREIN AND AGREE TO BE BOUND BY THE INFORMATION CONTAINED HEREIN AND AGREE TO BE BOUND BY THE INFORMATION CONTAINED HEREIN.

PRINT NAME	SIGNATURE	DATE
LANDLORD		
AAE MGR		
PRECON. MGR		
DEVELOP. MGR		
CONST. INSPR		
RF ENGINEER		
ZONING MGR		
SAC REP.		
POWER		
TELCO		

PROJECT SUMMARY:

SITE ADDRESS:
 6888 HEIL AVENUE
 HUNTINGTON BEACH, CA 92647

PROPERTY OWNER:
 COMMUNITY UNITED METHODIST CHURCH OF HUNTINGTON BEACH
 6888 HEIL AVENUE
 HUNTINGTON BEACH, CA 92647

ADJACENTS:
 1. 10000 S. Harbor Blvd., Suite 100
 2. 10000 S. Harbor Blvd., Suite 100

PREPARED BY: SEQUIOIA CONSULTING GROUP
DESIGNED BY: SEQUIOIA CONSULTING GROUP
CHECKED BY: SEQUIOIA CONSULTING GROUP
DATE: 02/02/09

PROJECT SUMMARY:
 THE INSTALLATION OF (3) BITE AND (1) BITE T-MOBILE EQUIPMENT CABINETS WITHIN THE EXISTING BUILDING AT 6888 HEIL AVENUE, HUNTINGTON BEACH, CA 92647. THE PROPOSED T-MOBILE EQUIPMENT CABINETS WILL BE INSTALLED ON THE ROOF OF THE BUILDING. THE PROPOSED T-MOBILE EQUIPMENT CABINETS WILL BE INSTALLED ON THE ROOF OF THE BUILDING. THE PROPOSED T-MOBILE EQUIPMENT CABINETS WILL BE INSTALLED ON THE ROOF OF THE BUILDING.

DISCLAIMER:
 ADVANTIS SHOWN ARE FOR INFORMATIONAL PURPOSES ONLY AND ARE SUBJECT TO CHANGE.

CONSULTING TEAM:

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 10000 S. Harbor Blvd., Suite 100
 Huntington Beach, CA 92647
 Phone: (949) 844-8800
 Fax: (949) 844-8800
 www.sequiointel.com

CLIENT:
 COMMUNITY UNITED METHODIST CHURCH OF HUNTINGTON BEACH
 6888 HEIL AVENUE
 HUNTINGTON BEACH, CA 92647
 Phone: (949) 844-8800
 Fax: (949) 844-8800

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PLANS PREPARED BY:
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NOVACORP
10000 WILSON AVENUE, SUITE 200
HUNTINGTON BEACH, CA 92647
(714) 841-8800 FAX (714) 841-8801
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CONSULTING GROUP:
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ISTOQUIA
1000 WILSON AVENUE, SUITE 200
HUNTINGTON BEACH, CA 92647
(714) 841-8800 FAX (714) 841-8801
WWW.ISTOQUIA.COM

NO.	DATE	DESCRIPTION	BY
0	12/31/08	SOX 20	NIC
1	01/29/09	INTERNAL REVISION	RH
2	02/05/09	100% 2D	RH

COMMUNITY UMC
LA33421A
6648 HELL AVENUE
HUNTINGTON BEACH, CA 92647

SITE PLAN

A-1

NOTES: UNLESS OTHERWISE SPECIFIED, ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING CODE, AND CALIFORNIA FIRE CODE. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA PLUMBING CODE, AND CALIFORNIA FIRE CODE.

PROPOSED T-MOBILE LEASE AREAS

PROPOSED T-MOBILE 25'-0" X 10'-0" = 330 SF
CORPORATE LEASE AREA

PROPOSED T-MOBILE 18'-0" X 18'-0" = 324 SF
CORPORATE LEASE AREA

PROPOSED T-MOBILE 18'-0" X 18'-0" = 324 SF
CORPORATE LEASE AREA

PROPOSED T-MOBILE 18'-0" X 18'-0" = 324 SF
CORPORATE LEASE AREA

PROPOSED T-MOBILE 18'-0" X 10'-0" SITE ACCESS VESTIBULE

PROPOSED T-MOBILE 18'-0" X 10'-0" SITE ACCESS VESTIBULE

PROPOSED T-MOBILE 18'-0" X 10'-0" SITE ACCESS VESTIBULE

PROPOSED T-MOBILE 18'-0" X 10'-0" SITE ACCESS VESTIBULE

PROPOSED T-MOBILE 18'-0" X 10'-0" SHIELD PLASTER WALL AND CONCRETE FLOOR

PROPOSED T-MOBILE 18'-0" X 10'-0" SHIELD PLASTER WALL AND CONCRETE FLOOR

PROPOSED T-MOBILE 18'-0" X 10'-0" SHIELD PLASTER WALL AND CONCRETE FLOOR

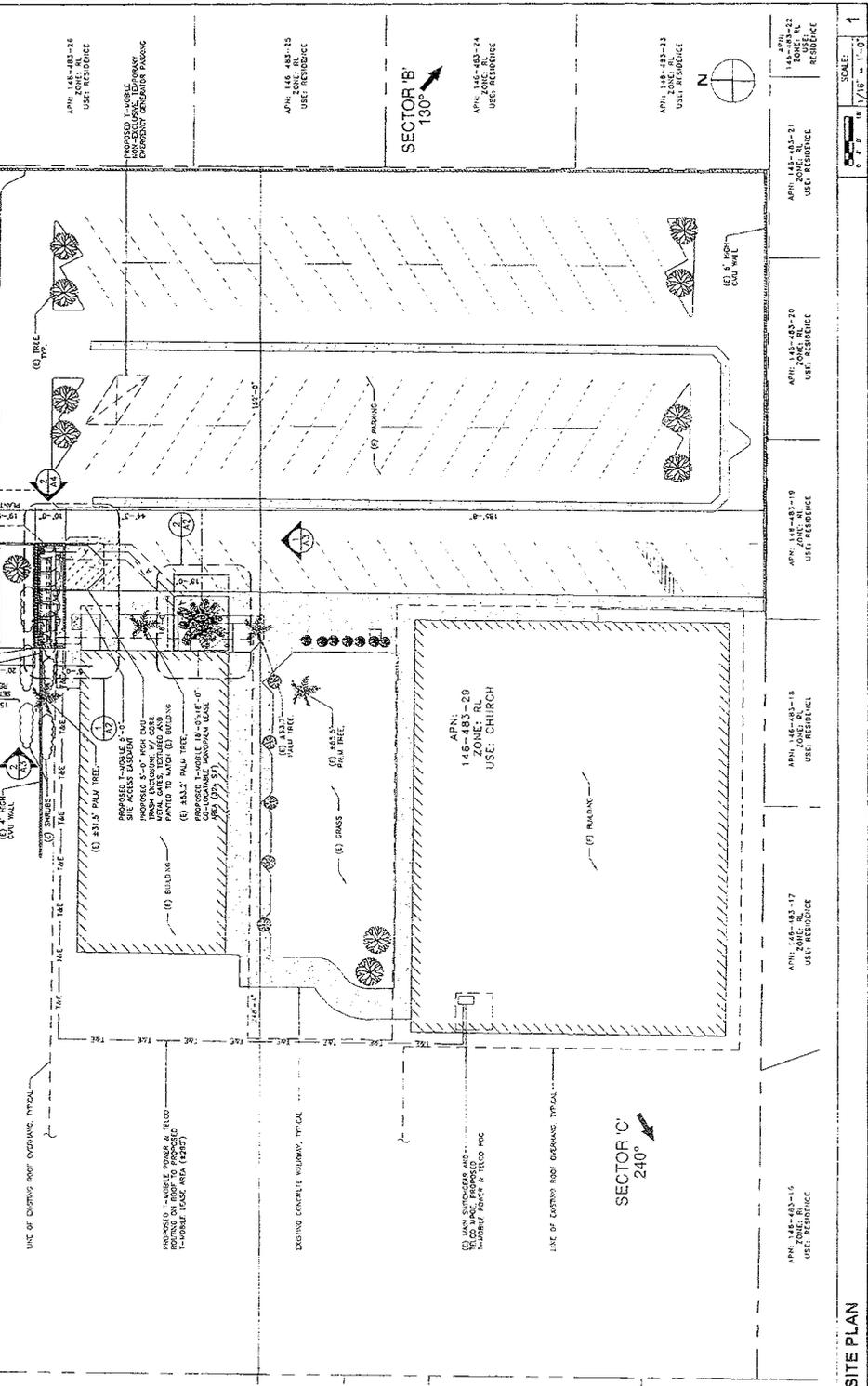
PROPOSED T-MOBILE 18'-0" X 10'-0" SHIELD PLASTER WALL AND CONCRETE FLOOR

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PROPOSED T-MOBILE 18'-0" X 10'-0" SHIELD PLASTER WALL AND CONCRETE FLOOR



ZONING ANALYSIS OF ADJOINING PROPERTIES

R-1 RESIDENTIAL LOW DENSITY
R-2 RESIDENTIAL LOW DENSITY
R-3 RESIDENTIAL LOW DENSITY
R-4 RESIDENTIAL LOW DENSITY
R-5 RESIDENTIAL LOW DENSITY

APN: 146-483-29
ZONE: RL
USE: CHURCH

APN: 146-483-19
USE: RESIDENCE

APN: 146-483-20
USE: RESIDENCE

APN: 146-483-21
USE: RESIDENCE

APN: 146-483-22
USE: RESIDENCE

APN: 146-483-18
USE: RESIDENCE

APN: 146-483-17
USE: RESIDENCE

APN: 146-483-16
USE: RESIDENCE

SCALE: 1/16" = 1'-0"

SHEET NUMBER: 1



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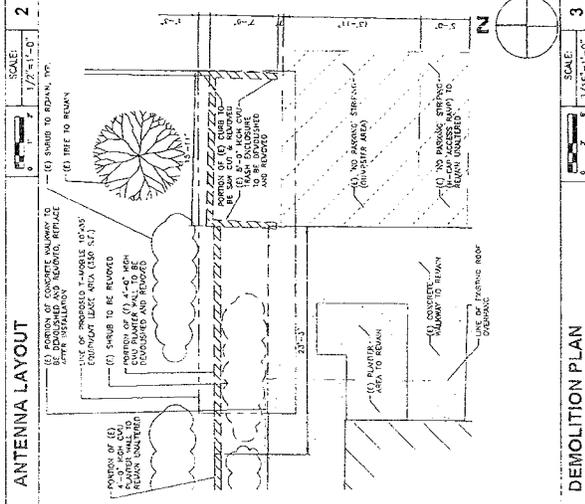
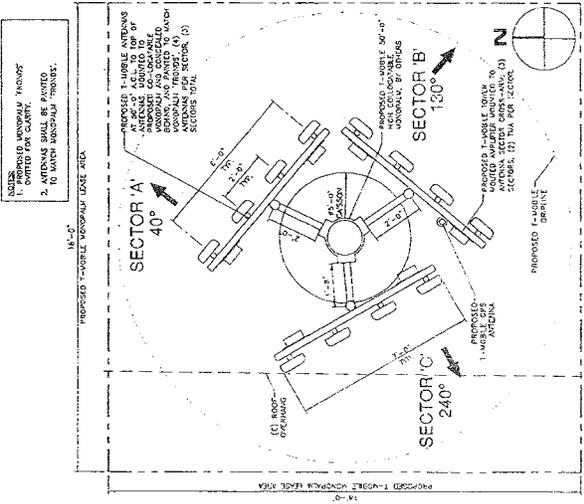
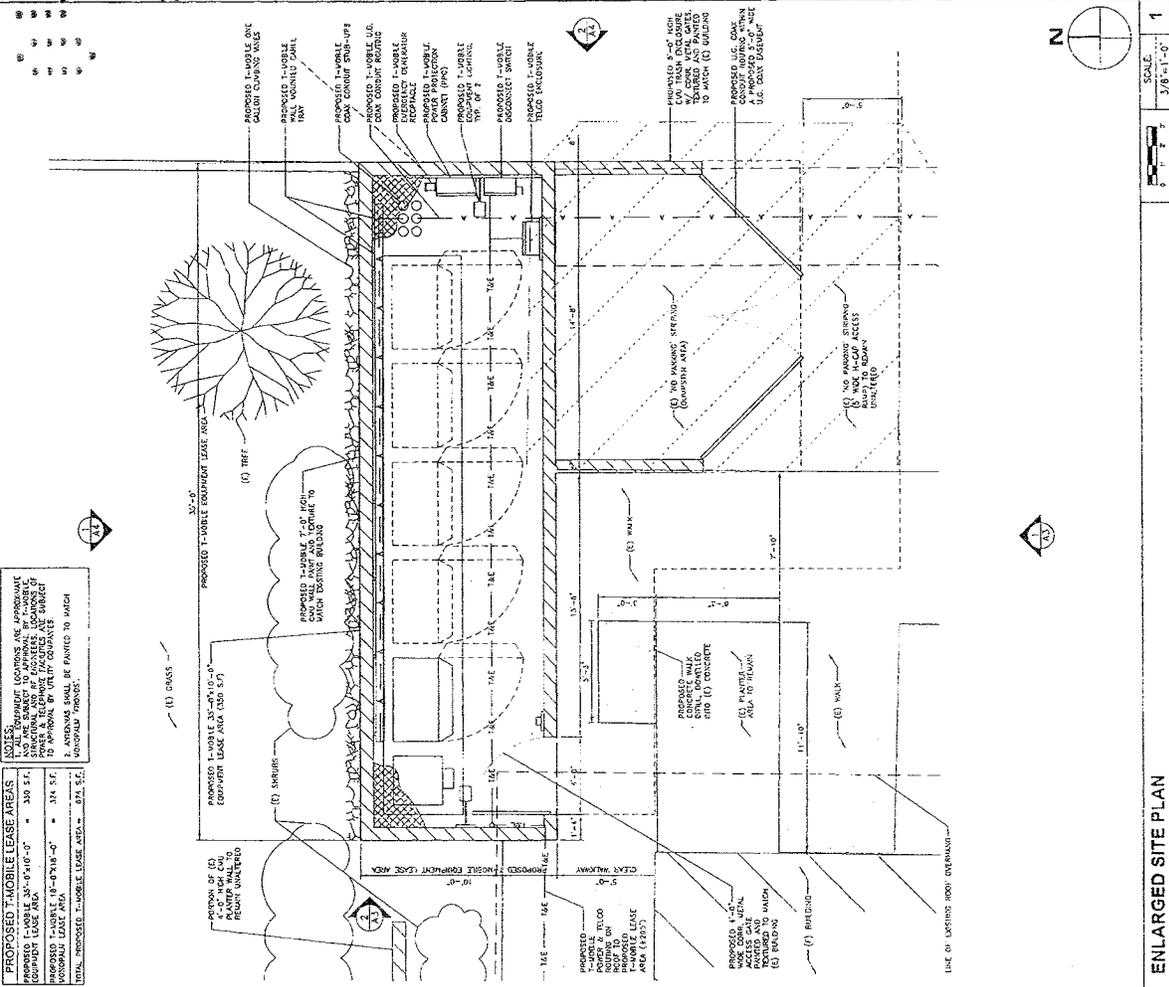
SEQUOIA
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 WWW.SEQUOIA-ENG.COM

NO.	DATE	DESCRIPTION	BY
0	12/31/08	90% ZD	NJC
1	01/28/09	INTERNAL REVISION	RFI
2	02/05/09	100% ZC	RFI

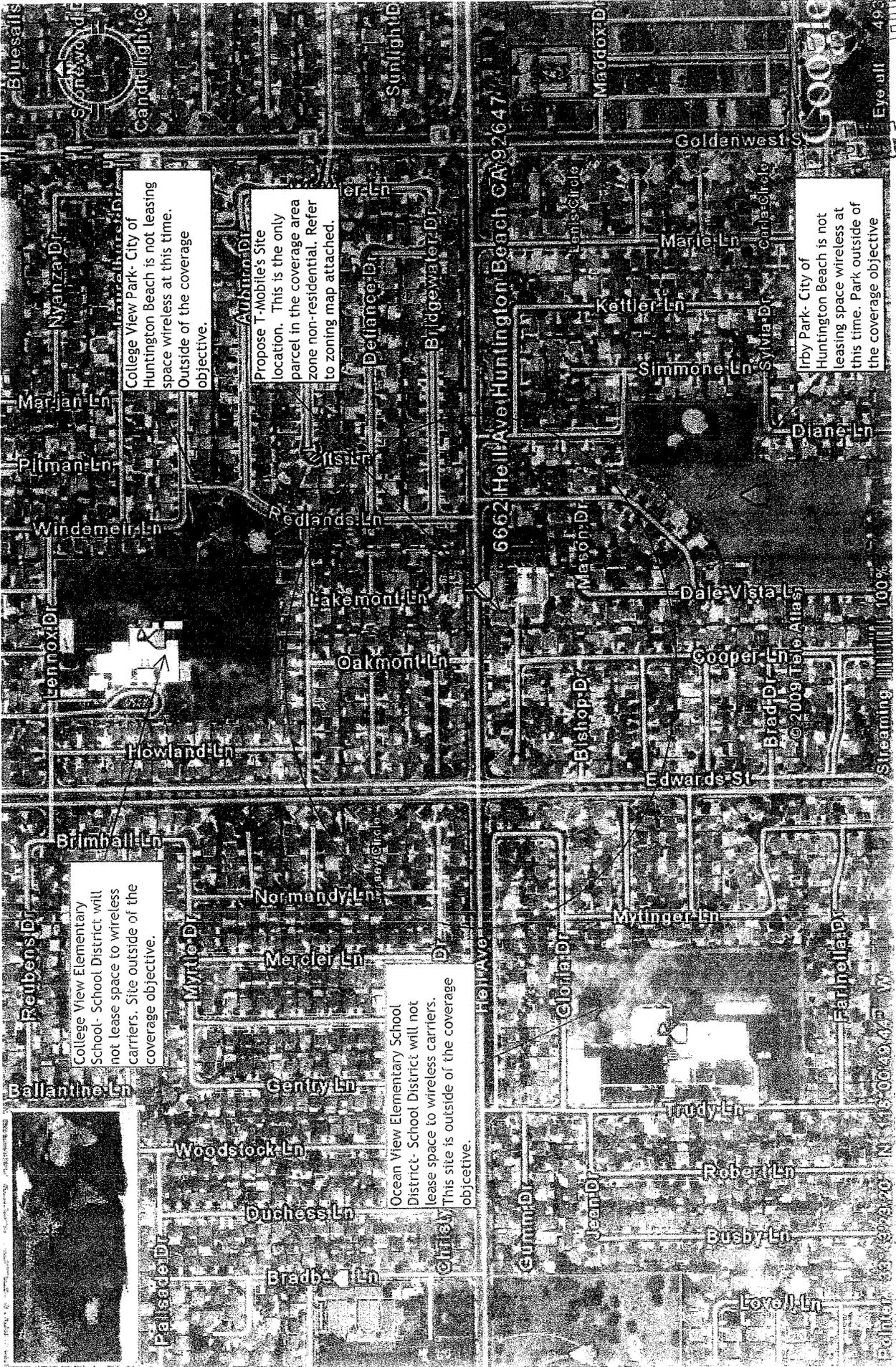
COMMUNITY UMC
 LA33421A
 6666 HILL AVENUE
 HUNTINGTON BEACH, CA 92647

ENLARGED SITE PLAN
 & ANTENNA LAYOUT

SHEET NUMBER
A-2



5.33



College View Park- City of Huntington Beach is not leasing space wireless at this time. Outside of the coverage objective.

Propose T-Mobile's Site location. This is the only parcel in the coverage area zone non-residential. Refer to zoning map attached.

Irby Park- City of Huntington Beach is not leasing space wireless at this time. Park outside of the coverage objective

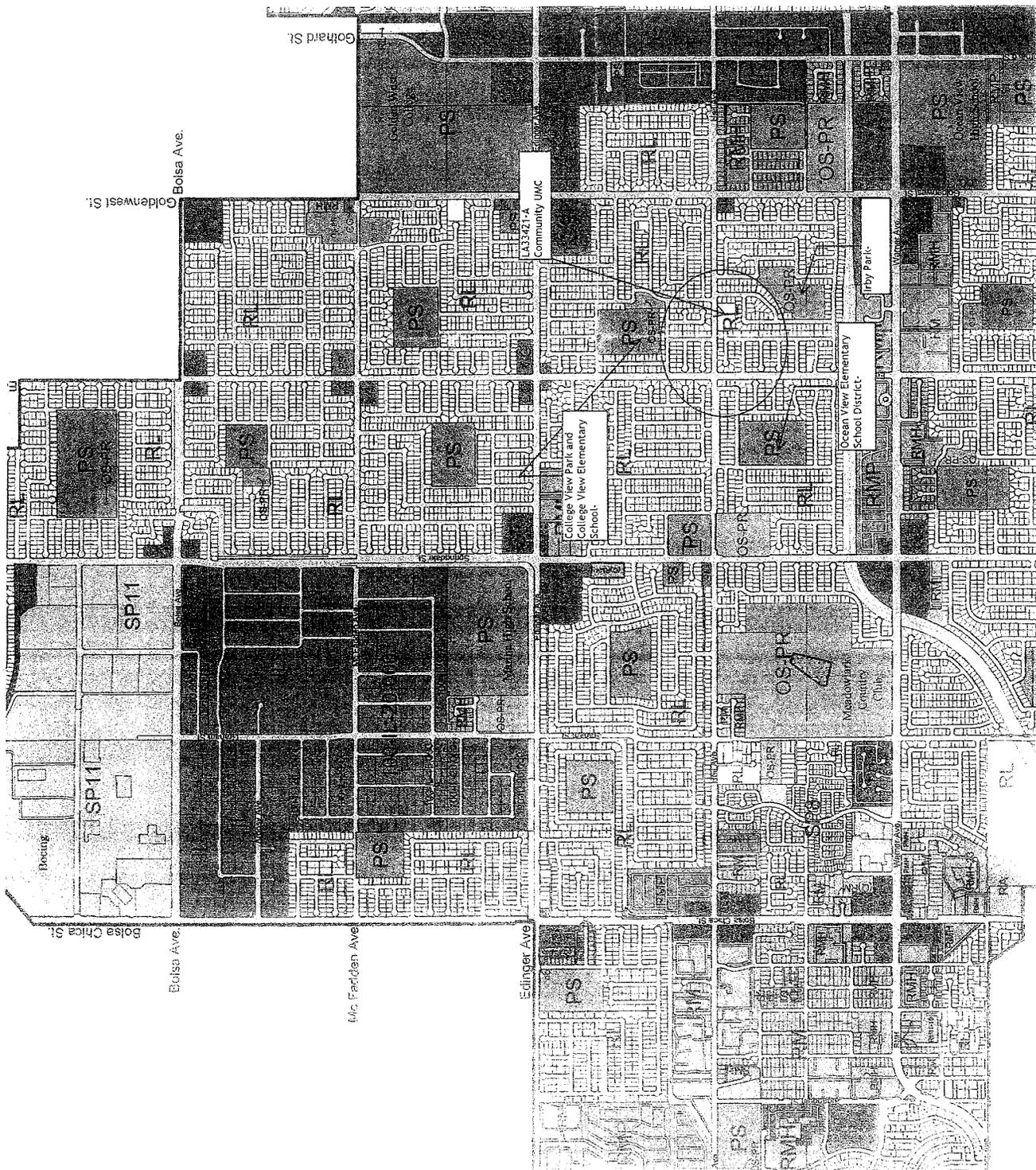
College View Elementary School- School District will not lease space to wireless carriers. Site outside of the coverage objective.

Ocean View Elementary School District- School District will not lease space to wireless carriers. This site is outside of the coverage objective.

RECEIVED
28 2009
Huntington Beach
FIRE DEPT.

T-Mobile's Alternative Locations Map

Notes:
Red Circle is the coverage objective of the proposed wireless facility.



RECEIVED
SEP 20 2010
Huntington Beach
PLANNING DEPT.

ATTACHED TO 16.8

T

LA33421A RF Technical Report

RECEIVED
JAN 12 2010
Huntington Beach
PLANNING DEPT.



The FCC license required T-Mobile to build a wireless network that will provide the best network performance to customers as possible. Also, the FCC license required T-Mobile to put up a wireless network in accordance with the Federal Communication Commission requirements and under the compliance of Federal, State and local mandates laws.

The goals of the network performance are to provide best quality, lowest level of blocking, easy access to the network and continuous drop-free connections. Also, the site will operate below the radio frequency emission limits set forth by the Federal Communication Commission.

T-Mobile is proposing a site installation located at 6666 Heil Ave, Huntington Beach, CA 92647 with an effort to adhere all the requirements set by FCC, Federal, State and local mandates.



T

LA 33421A

Site Details

Site ID : LA33421A

Site Name : Community UMC

Site Address: 6666 Heil Ave, Huntington Beach, CA
92647



T-Mobile Guidelines Used

The following guidelines were used to determine the best candidate for site LA33421A:

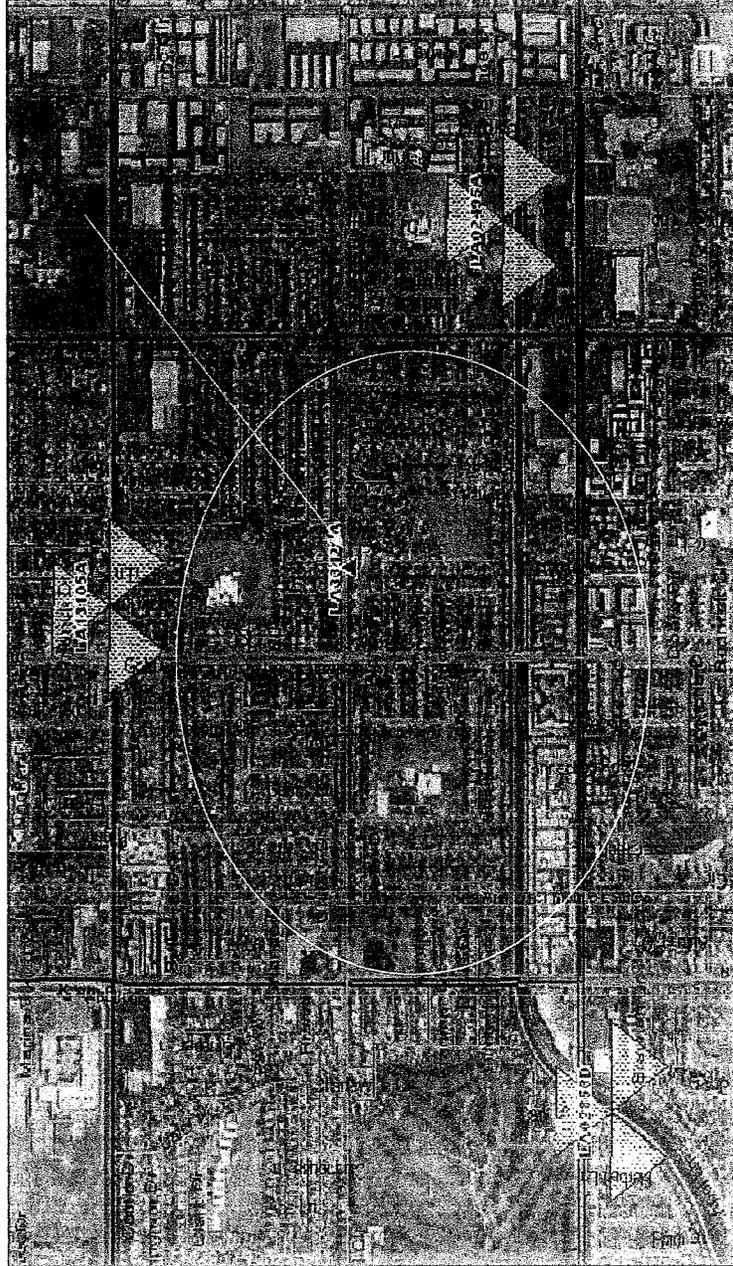
1. Site Visit – Visual assessment of the area to search for viable candidates based on location, structure height, topography, lease area, etc.
2. Propagation Analysis – T-Mobile USA uses a prediction tool, known as Asset, to project the expected coverage of the new cell site.
3. Drive Test Data – T-Mobile USA uses real-time data collected from the field to determine the need of an additional site.



T

LA33421 A Coverage Objective

LA33421 A mainly designed to improved indoor coverage on the surrounding Residential properties along Beach.



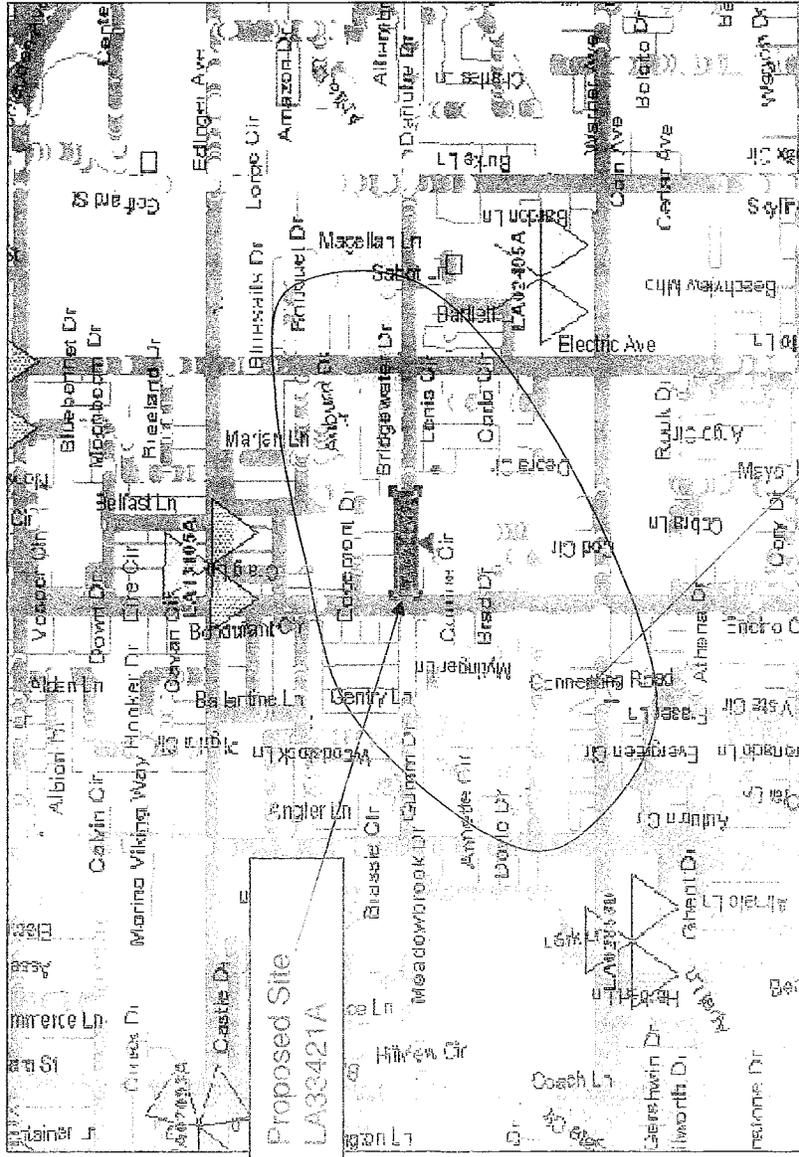
Site can also be located at the corner of Heil Ave and Edward Street but there was no suitable candidate that will meet a minimum height of 50'.



T-Mobile

Drive Test Data

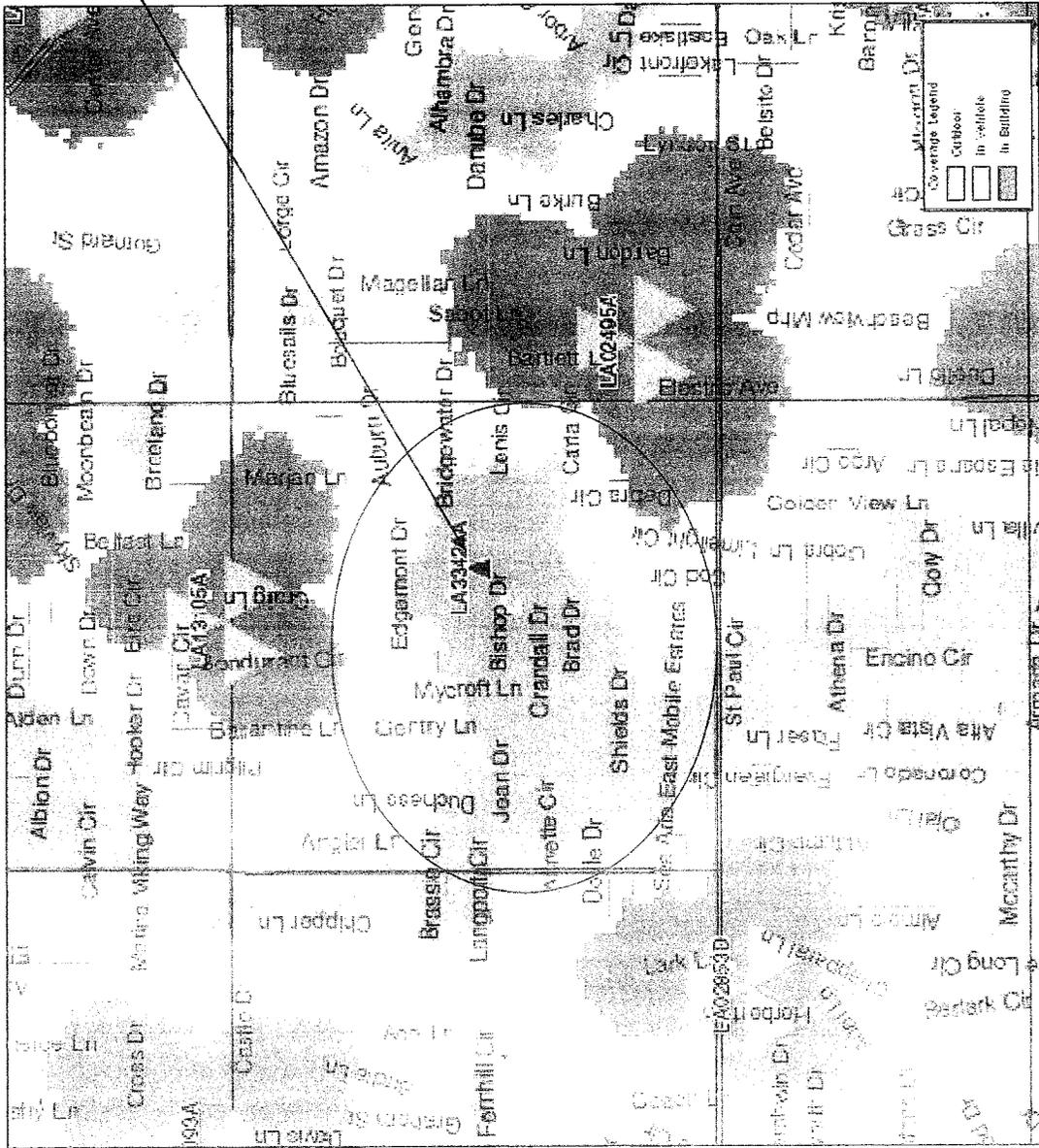
Drive Test Data is the real-time data collected from the field to determine the need of an additional site.



Site location for LA33421 was based on this drive test data which shows weak Indoor Coverage but has good Outdoor Coverage on the area above. T-Mobile needs to provide Indoor Coverage in this area by installing site LA33421A at Community UMC church.



LA33421A Predicted Coverage Without the Proposed Site



Weak coverage on this area (low on in vehicle and In Building Coverage) Existing sites LA13105A, LA02495A, and LA02853D cant provide enough coverage hence LA33421A is being proposed to be installed in Community UMC to provide the needed coverage as well as a balance coverage with existing sites.

Proposed site location is symmetrical with existing sites hence required coverage objective is meet



T

W

CONCLUSION

Proposed site location for LA33421A was chosen based on the coverage requirements aimed to better serve the customer and provide the best quality service.



January 12, 2010

HB Planning Commission

I am Dianne Larson, a resident living within 500 feet of the proposed cell tower.

I am opposed to this project, and will be discussing the lack of need for this cell tower and T-Mobile's failure to meet finding #1 for the Conditional Use Permit.

More than reasonable doubt exists as to whether the proposed cell tower at Community United Methodist Church (CUMC) is needed.

- The current cell coverage map ("Coverage Without LA33421A") submitted by T-Mobile as evidence for the need of a new cell tower is inaccurate. The map indicates that cell coverage in the targeted area is only strong enough to use a cell phone outdoors, and is not strong enough to use a T-Mobile cell phone inside a vehicle or in a building.
- Residents living in the coverage objective area that would be served by this proposed cell tower are currently able to make, receive and maintain T-Mobile cell phone calls in their homes, in their vehicles and outdoors in this area.
- Current coverage was proven by talking to neighbors who have T-Mobile cell phones and by conducting a simple one-hour cell phone coverage test. The test procedure and results are documented in the evidence previously submitted to the Zoning Administrator.
- T-Mobile's coverage map does not accurately represent current coverage conditions.
- T-Mobile's current cell coverage map also shows four T-Mobile cell towers within one mile of CUMC. Two of these cell towers are within one-half mile.
- The "Coverage for LA33421A" map submitted by T-Mobile shows the projected coverage for the proposed cell tower. Cell coverage from the CUMC site would extend one mile north, past College View School/Park and beyond the existing T-Mobile cell tower at McDonald's one-half mile away. Coverage would extend one mile southeast, past Irby Park and beyond the existing T-Mobile cell tower at Murdy Park one-half mile away. And coverage would extend one mile southwest, past Spring View School to the existing T-Mobile cell tower behind 24 Hour Fitness.
- The extensiveness of this coverage area directly contradicts another T-Mobile document.
- I requested and received, through the HB Planning Department, "T-Mobile's Alternative Locations Map" for this project.
- This T-Mobile document specifically identified College View Elementary School, College View Park, Irby Park and Spring View School as alternative locations but indicated that the school district and the City of HB would not lease space to wireless carriers.
- This document also stated that College View Elementary School, College View Park, Irby Park and Spring View School are "**outside of the coverage objective.**"
- Both of these contradictory T-Mobile coverage documents cannot be true.
- **Either** the coverage extends a mile to the north, southeast, and southwest, **or** it extends less than a quarter of a mile in those directions.
- **Which is correct? Was the city or the public given misleading information?**
- T-Mobile has a documented history of claiming a non-existent coverage gap as the justification for a proposed cell tower. Included in the document packet is a "New York Times" article (published January 9, 2009) covering one of the cases in which T-Mobile was denied permission to build a cell tower after an independent study showed that a coverage gap did not exist.

ATTACHMENT NO. 11.1

My views are based on personal observation and research. I believe that any interaction with T-Mobile requires careful scrutiny.

If you are considering allowing T-Mobile to build the proposed cell tower, I urge you to first have an independent study conducted to determine if a need actually exists.

T-Mobile failed to meet Finding #1 for the Conditional Use Permit.

241.10 Required Findings

A. For All Conditional Use Permits.

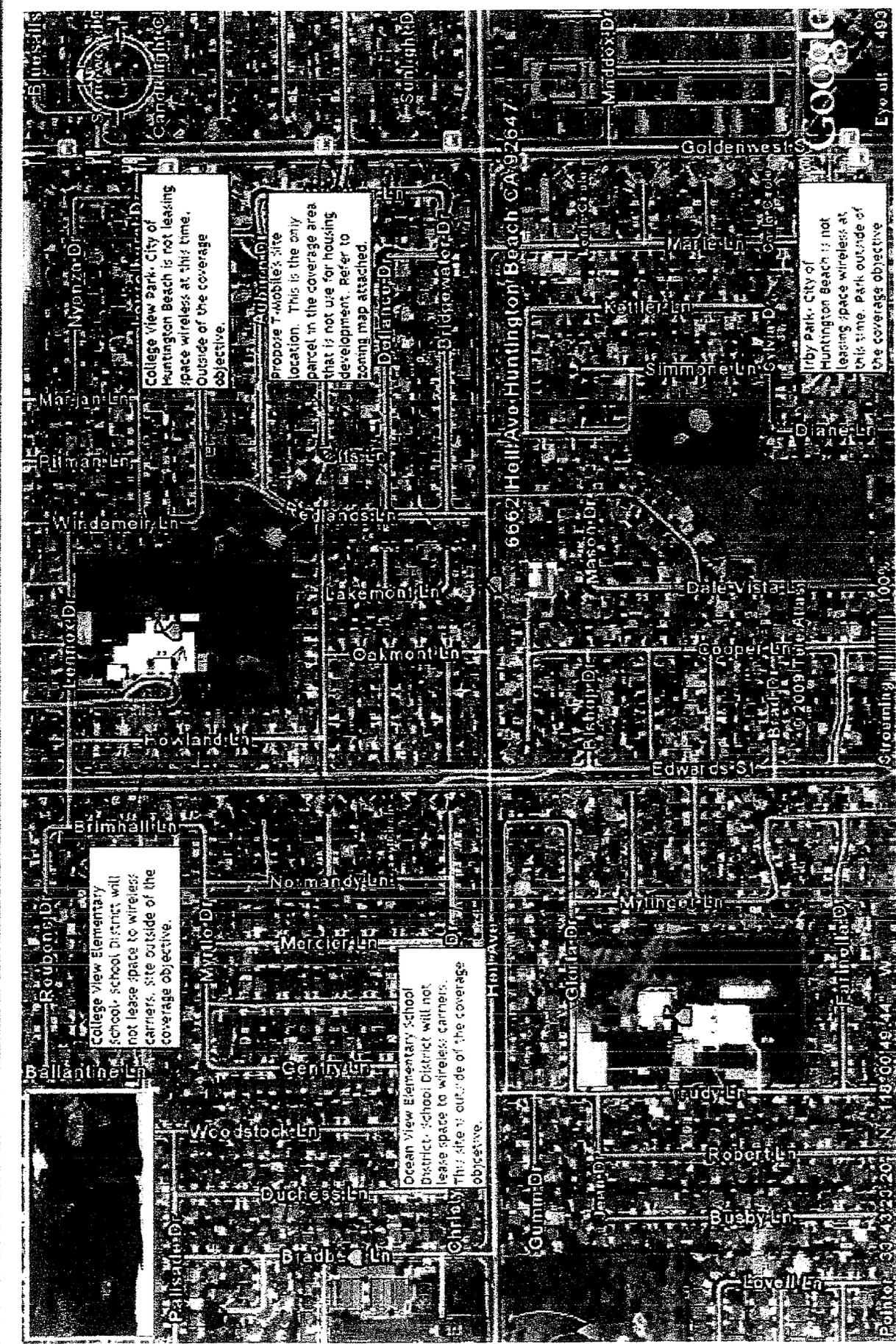
1. The establishment, maintenance and operation of the use will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood;

- If built, the proposed cell would negatively impact the neighborhood.
- Decrease in property value - Statements by appraisers and real estate journal articles were submitted into evidence stating that property values decrease if the home is in close proximity to a cell tower. The cell tower would have to be disclosed during a sale. More and more people perceive a stigma attached to the proximity of a home to a cell tower, and do not want to live or raise a family near one. These homes become harder to sell, or sell for less. Less demand = less market value.
- Impact on Pre-school – A survey of CUMC Pre-School parents revealed that 50% of the parents would remove their children if the cell tower is built. The pre-school, which rents/leases space from the CUMC church, would probably close or move to another location. The children could lose a good learning and development center; the parents could lose this excellent neighborhood resource; the pre-school staff could lose their jobs; and, the church could lose the pre-school income.

These are not insignificant issues. The proposed cell tower would be detrimental to our neighborhood.

On behalf of the nearly 350 concerned neighbors, CUMC Pre-School parents and CUMC members who signed the petition to stop this proposed cell tower, I urge you to overturn the Zoning Administrator's ruling and deny Conditional Use Permit 2009-015.

Thank you.



College View park. City of Huntington Beach is not leasing space wireless at this time. Outside of the coverage objective.

Propose T-Mobile's site location. This is the only parcel in the coverage area that is not use for housing development. Refer to coming map attached.

Irby Park. City of Huntington Beach is not leasing space wireless at this time. Park outside of the coverage objective.

College View Elementary School. School District will not lease space to wireless carriers. Site outside of the coverage objective.

Ocean View Elementary School District. School District will not lease space to wireless carriers. This site is outside of the coverage objective.

Alternative Locations map

Notes:

Red Circle is the coverage objective of the proposed wireless facility.

T-Mobile in the news ...

USING FALSE STATEMENTS OF "GAP IN COVERAGE" TO JUSTIFY THE NEED FOR A CELL TOWER.

THIS IS ONE OF SEVERAL INCIDENTS OF OPPOSITION TO OMNIPOINT (a.k.a. T-MOBILE) CLAIMING A CELL TOWER IS NEEDED BASED ON "GAP OF COVERAGE" FOUND IN A QUICK ONLINE SEARCH.

THESE RESIDENTS FOUGHT OMNIPOINT / T-MOBILE **AND WON.**

http://www.wirelessestimator.com/t_content.cfm?pagename=Cell%20Tower%20Leasing

Residents to pit their engineer against T-Mobile's on coverage needs

November 6, 2007

TOWN OF HEMPSTEAD, NY - Residents fighting a T-Mobile 65-foot cell tower on Dogwood Avenue, in front of the Franklin Bridge Centre Shopping Plaza in Franklin Square, have hired an engineer that disputes the carrier's claim that there is a gap in the cell phone coverage in that area.

Residents said they conducted a test last year to show there is no gap in cell coverage. They tried 100 cell phone calls from inside buildings, on the street, in cars, in homes and they all went through, they say.

On December 6 during a zoning hearing, attorneys for T-Mobile will question the residents' expert during a December 6 zoning hearing.

••• **more**

Mixed Signals on Cellphone Towers

By DERRICK HENRY

Published: January 9, 2009



Cellphone towers. From top left, a tower in New York City; a tower in New York City.

METROPCS wanted to install eight cellphone antennas on the roof of Biltmore Towers, a 12-story condominium building on Lake Street in White Plains. Verizon Wireless sought a similar deal.

MetroPCS negotiated a 25-year lease with the condominium association's board that would have paid \$27,600 a year.

But some Biltmore residents resisted, saying the board had violated its own bylaws in granting the lease. And eventually they won. Verizon walked away from its deal in September, three months before Justice Alan D. Scheinkman of State Supreme Court voided the MetroPCS lease.

Cellphone towers have proliferated throughout New York City's suburbs in recent years, often welcomed by municipalities and by residents who would benefit from the tens or hundreds of thousands of dollars a year that go into public coffers.

But in some places there is a fight — like the one at Biltmore Towers, but more often in a municipality. Some efforts start strong but fade; sometimes, opponents go to hearings without adequate resources or knowledge to defend their position.

"The expertise is with the industry," said Richard Comi, co-founder of the Center for Municipal Solutions, a consultant on municipal telecommunications.

The industry also has legal support for cellphone towers. "The courts tend to look favorably on this use," said Deborah M. Kole, a lawyer at the New Jersey State League of Municipalities, adding, "It's almost got to be disproved that this is a good use."

Still, acceptance of the towers varies among towns and states. One community might see potential revenue from a tower, while another might see it as an intrusion.

"Obviously, the issue of towers can be contentious when people want services but don't want the facilities," said Jackie McCarthy, a spokeswoman for PCIA — the Wireless Infrastructure Association, which lobbies for the tower and antenna siting industry.

James D. Taiclet, the chairman and chief executive of American Tower Corporation, of Boston, the nation's largest owner of cellphone tower properties, estimated that there were at least 1,000 towers in Westchester County and on Long Island. The company owns 107 towers inside an area that includes Monticello, N.Y.,

Danbury, Conn.; Long Island; and Morristown and Freehold, in New Jersey.

TowerSource, of Colorado Springs, which maintains an extensive database of cellphone tower sites, said the number of towers in Connecticut had increased 27 percent in the last two years, to 1,441 in 2008 from 1,135 in 2006; in New Jersey, the increase was 19 percent, to 2,630 towers in 2008 from 2,215 in 2006. TowerSource did not have numbers for Westchester or Long Island but said towers in New York State had increased by nearly 19 percent since 2006, to 6,180 in 2008 from 5,213.

Throughout the region, battles over the location of cellphone towers have been won and lost.

"It's no different than any other zoning or planning issues," like noise and dog leash ordinances, Mr. Comi, of the Center for Municipal Solutions, said.

The center says it does not take a stand on the proliferation of cellphone towers but works with municipalities to evaluate the justification for wireless services. On Long Island, a civic group in Franklin Square, a hamlet in Nassau County, hired Mr. Comi to evaluate an application by T-Mobile for a 65-foot tower by a strip mall; ultimately, the Board of Appeals in the Town of Hempstead denied the application.

Mr. Comi said that the center looks at about 200 applications a year and that only about 2 percent become contentious. Most of those cases end with the proposed tower being modified, he said.

But in Franklin Square, Mr. Comi said, the group's opposition relied on three factors: "resources, commitment and perseverance."

In addition to those, he said, opponents must understand how wireless companies demonstrate their need for the towers. "It's really one of the key issues," he said. "Do they really need it?"

In applying for towers, the industry often cites the federal Telecommunications Act of 1996, which was intended to help wireless companies increase the number of sites and to promote competition in the cellular telephone industry.

Under the act, municipalities cannot create laws that prevent or have the effect of preventing cellphone tower sites. It also prevents them from giving preference to one cellular provider over another, and applications must be

acted on in a reasonable time, usually determined by how a town would consider regular building applications.

The issue usually comes down to aesthetics, said Kevin Fry, president of Scenic America, which seeks to preserve and enhance the visual character of communities. Some solutions have included installing antennas on water towers, bridges, farm silos, tall buildings, even in church steeples. Sometimes a tower is used for multiple carriers. And some towns have decided that it is easier on the eyes to have more but shorter towers, Mr. Fry said.

"There's no single magic bullet for this," he said. "Every community has to decide what works for it."

At Biltmore Towers, the opponents earned a rare victory in court. Justice Scheinkman ruled that the condominium association's bylaws limit commercial uses of the building to those that benefit only its occupants. MetroPCS and the condominium board had argued that the rooftop was needed to provide cellphone service to White Plains.

"The industry still has a significant number of cases where there is controversy," said Douglas W. Dimitroff, the president of the New York State Wireless Association. "It's always been difficult to put cellphone towers up in residential areas."

Franklin Square on Long Island was one of those places. T-Mobile wanted to install the 65-foot tower at a strip mall. Six wireless antennas would be inside. For aesthetic purposes, the company proposed topping the pole with the American flag. Another option was to paint it brown.

Ron Lipsky, president of a neighborhood group, the Franklin Square United Neighborhood Association, said he realized that fighting T-Mobile would be a big task requiring a long-term effort. He and others organized fashion shows and other fund-raisers and campaigns with slogans like "Refuse to Lose" to maintain interest and momentum in their fight. They raised about \$30,000, he said.

"We had to find ways to keep people focused and united," said Mr. Lipsky, who is a lawyer. "Most communities are not prepared to fight the company."

For starters, raising health concerns over radio frequency emissions would not work, because if those

emissions meet federal standards, courts will not give weight to local concerns, Mr. Lipsky said. To fight on that issue would have been useless, he said.

Instead, the group focused on aspects like T-Mobile's aesthetics tests, which were conducted using a crane extending to 65 feet, the height of the proposed tower. When Mr. Lipsky heard about the second of the two tests, he arranged to have the crane photographed from all over the area where T-Mobile contended there was a coverage gap.

The 59 photographs were presented to the Board of Appeals at a hearing and, the board later ruled, contradicted T-Mobile's statements that the tower would have minimal visual impact.



When Hempstead's Board of Appeals denied T-Mobile's application last October — three years after the application was submitted — it said that the company had not proved that it needed the tower to close a gap in service. The ruling also said that T-Mobile had not made a good-faith effort to find alternative sites that were less intrusive, an important part of the Telecommunications Act.

T-Mobile did not appeal the decision. In a statement, it said, "Moving forward, we plan to go back to the community and work to find a solution that both addresses the concerns we've heard along the way and allows T-Mobile to provide seamless coverage throughout Franklin Square."

Although Mr. Lipsky's group won its fight, the demand for more wireless services and places to install antennas grows.

In Lewisboro, for example, the Town Board selected Verizon as the applicant to seek approval from the Town Planning Board to build a 120- to 160-foot-tall cellphone tower on town-owned land near a park on Route 35. Town officials have said that Lewisboro suffers from incomplete cellphone coverage and last year sent out a request for proposals to build a tower.

The industry has also seen an increase in demand for features other than voice. For example, the number of monthly text messages had grown to 75 billion last June from 7.2 billion in June 2005, according to CTIA — the Wireless Association, a trade group. Demand for features that allow people to surf the Web and use video- and music-based services are also on the rise, it said.

"We want to provide those services," said Joe Farren, a CTIA spokesman. "And the only way to provide those services is towers."

David Wendlandt, co-owner of TowerSource, said: "The whole thing is to find a willing landlord. Alternative sites are becoming much more attractive."

Mr. Wendlandt said that on average, a cellphone tower could bring in \$1,000 to \$1,500 a month in rent from a wireless company.

That can attract willing landlords, like the East Meadow Fire District on Long Island, which approved an 80-foot tower to be built next to a firehouse near Carman Avenue and Salisbury Park Drive. The tower will be topped with a flag; it is unclear when it will be built.

The Town of Hempstead approved that East Meadow tower in late November over the objections of some residents worried about health effects. Another tower, at a firehouse on East Meadow Avenue, is being reviewed.

Carey Welt, East Meadow's fire commissioner, said he expected T-Mobile to pay the district about \$2,000 a month for the tower. With each tower having space for equipment for five carriers, Mr. Welt said he expected them to bring in about \$240,000 a year in rent.

"We were pretty much told that if they didn't put it on our property, they would put it next door," Mr. Welt said.

Chuck May, a landscape architect from Fishkill, N.Y., whom Mr. Lipsky's organization hired to prepare a visual-impact study during the fight with T-Mobile, said there was another, more basic factor in winning the Franklin Square case. Besides the legal and technical issues involved, the residents had tenacity, he said.

"They didn't give up," Mr. May said. "That's what happens when people in their community band together and put their seat belts on. They're tough."

November 4, 2009

Regarding Huntington Beach CUP 2009-015, T-Mobile fails to meet:

241.10 Required Findings

A. For All Conditional Use Permits.

1. The establishment, maintenance and operation of the use will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood;

The CUMC Pre-school, which rents space from the CUMC church, surveyed parents of the enrolled pre-school students regarding the proposed T-Mobile cell tower.

The result of that survey was:

50% of the parents would pull their children out of the pre-school,
15% of the parents were as yet undecided, and
35% would keep their children in the pre-school.

If over 50% of the students leave, the pre-school would flounder financially and would probably either close or move to another location.

The children would lose a good learning and development center; the parents would lose the excellent neighborhood resource; the pre-school staff would lose their jobs; and, the church would lose the pre-school income.

The proposed T-Mobile cell tower would "be detrimental to the general welfare of persons working or residing in the vicinity."

DENY this permit for the welfare of our neighborhood!

Thank you.

City of Huntington Beach
Planning Department
2000 Main Street
Huntington Beach, CA 92648

RE: CUP 2009-015 for T-Mobile's proposed cell tower at Community United Methodist Church (CUMC) and Pre-School located at 6666 Heil Avenue, Huntington Beach, CA 92647

A group of concerned neighbors, parents of CUMC Pre-School students and CUMC members wish to appeal the November 4, 2009, Zoning Administrator's ruling to grant Conditional Use Permit (CUP) No. 2009-015 for T-Mobile's proposed cell tower at CUMC.

The following is a partial list of reasons we feel that this ruling should be overturned and CUP 2009-015 should be denied:

T-Mobile failed to meet Finding #1 for the Conditional Use Permit.

241.10 Required Findings

A. For All Conditional Use Permits.

1. The establishment, maintenance and operation of the use will not be detrimental to the general welfare of persons working or residing in the vicinity nor detrimental to the value of the property and improvements in the neighborhood;

- Decrease in property value - Statements by appraisers and real estate journal articles were submitted into evidence stating that property values decrease if the home is in close proximity to a cell tower. The cell tower would have to be disclosed during a sale. Many people do not want to live or raise a family near a cell tower. Less demand = less market value.
- Impact on Pre-school - A survey of CUMC Pre-School parents revealed that 50% of the parents would remove their children if the cell tower is built. The pre-school, which rents/leases space from the CUMC church, would probably close or move to another location. The children could lose a good learning and development center; the parents could lose this excellent neighborhood resource; the pre-school staff could lose their jobs; and, the church could lose the pre-school income.
- Noise from the equipment is a major concern based on observing other below-ground and above-ground equipment at three nearby T-Mobile cell tower sites.

T-Mobile failed to prove a need for the cell tower.

- Adequate T-Mobile cell phone coverage already exists in this area.
- T-Mobile submitted erroneous cell phone coverage maps as justification for the cell tower.

- A cell phone coverage test conducted by T-Mobile users proved that T-Mobile's cell coverage maps were inaccurate.
- Many T-Mobile users stated that they currently have adequate cell coverage in their homes.
- T-Mobile's own website and Billshrink.com website both show that T-Mobile has excellent coverage in this area.
- An independent study should be required to determine if there is a need for this facility. There are four T-Mobile facilities within a mile of CUMC, and two are only ½ mile away.

T-Mobile failed to meet the requirements of Zoning and Subdivision Ordinance 230.96 D1. (Chapter 230 Page 50 of 55)

230.96 Wireless Communication Facilities

D. Wireless Permit Required.

1. Demonstrate existing gaps in coverage

- The HB Zoning and Subdivision Ordinance 230.96 D1 states that an existing gap in coverage must be demonstrated.
- Since T-Mobile failed to "demonstrate existing gaps in coverage," T-Mobile failed to meet the requirements of the city's Zoning and Subdivision Ordinance.

T-Mobile failed to meet the requirements of the Wireless Permit Application.

- Application requirement 6.07 demands a "technically expansive and detailed explanation supported as required by comprehensive radio frequency data".
- The most technical phrase on T-Mobile's Attachment 6.07 ("Site Justification Study for LA33421-A Community UMC") is "a hole in network coverage".
- The required technical explanation supported by "comprehensive radio frequency data" was not included, therefore, T-Mobile failed to meet the requirements of the Wireless Permit Application.

Plans showing the cell tower project as most currently proposed were not submitted to the Zoning Administrator or made available to the public prior to the November 4 Public Hearing.

- T-Mobile verbally informed the Zoning Administrator at the beginning of the public hearing that the project plans had changed – to an underground vault housing the equipment. The vault would be located in the grassy area (in the pre-school playground?). This location is adjacent to the wall that separates the church property and the neighbors' back yards.
- The prior submitted plans showed above-ground equipment enclosed by a wall on the Heil Avenue side of the church property by the current trash enclosure.
- The public did not have a chance to review modified plans showing the verbal changes.

The Zoning Administrator did not review the 30+ pages of new written evidence submitted at the public hearing before making a ruling.

Please read T-Mobile's applications and the evidence submitted at the two public hearings. I urge you to overturn the Zoning Administrator's ruling of November 4, 2009, and deny Conditional Use Permit 2009-015.

Sincerely,

Dianne Larson

on behalf of the nearly 350 concerned neighbors, CUMC Pre-School parents and CUMC members who signed the petition to stop this proposed cell tower.

Attached: a check for \$2002.00 for the appeal filing fee