



OFFICE OF THE CITY ATTORNEY
CITY OF CULVER CITY

(310) 253-5660
FAX (310) 253-5664

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

CAROL A. SCHWAB
City Attorney

March 6, 2018

Jennifer Carney
T-Mobile West, LLC
3257 E. Guasti Road, Ste. 200
Ontario, CA 91761

VIA
U.S. MAIL & E-MAIL

**SUBJECT: Wireless Telecommunications Facility Permit Application
(T-Mobile Site # LA33664E)**

SECOND NOTICE OF INCOMPLETENESS

Dear Ms. Carney:

This letter is in response to the Wireless Telecommunications Facility Permit Application resubmitted to the City of Culver City on January 17, 2018 by Synergy employee Fernando Flores. The city referred this resubmittal to Kapstone, planning consultants, and asked Kapstone to provide a second screencheck review of your application. Kapstone recently provided their second screencheck on this application and it is enclosed with this letter. We request that T-Mobile review the enclosed Kapstone screencheck and address all of the application deficiencies identified in this screencheck.

The responses in your Wireless Telecommunications Facility Permit Application contain an ambiguity which we need you to clarify. The ambiguity centers on whether or not T-Mobile contends that this application involves a Section 6409 eligible facilities request. On the one hand, T-Mobile's response to Item No. II.1 indicates that this application is governed by Section 6409(a) of the Middle Class Tax and Job Creation Act of 2012, which is applicable to collocation or modification of existing wireless facilities. On the other hand, T-Mobile's answer to Item No. II.2 indicates that the 150 day shot clock applies. As you know, the 150 day shot clock is applicable to new facilities and not to eligible facilities requests. In addition, T-Mobile's answer to Item No. XII.1 contends that this application does not involve an eligible facilities request. When T-Mobile responds to this Second Notice of Incompleteness, we would appreciate T-Mobile clarifying whether or not it contends that this application involves a Section 6409 eligible facilities request. If T-Mobile does not respond to this request for clarification, the city will assume that this application involves the installment of a new facility and that this application is, thereby, subject to 150 day shot clock.

Thank you.

Yours truly,



Roland Miranda
Deputy City Attorney

Enclosure (Kapstone Screencheck Dated February 26, 2018)

cc: Sammy Romo, Public Works Department
Cody Blandino, Synergy (via email, to cblandino@synergy.cc)



February 26, 2018

Sammy Romo
Senior Civil Engineer
City of Culver City
Public Works Department
9770 Culver Boulevard
Culver City, CA 90232

Subject: Second Screencheck Comments - Wireless Telecommunication Facility Permit T-Mobile Site #LA33664E; W/O 10876 Culver Blvd

Dear Mr. Romo,

Kapstone has completed its second screencheck review of the proposed Wireless Telecommunication Facility Permit for T-Mobile Site #LA33664E located west of 10876 Culver Boulevard in Culver City. The site is located in the parkway on the west side of Culver Boulevard, north of Elenda Street and south of Coombs Avenue. The proposal includes the placement of three antennas concealed inside a radome to be installed on a 30-foot slimline pole in the public right of way. Ground mounted equipment will include an equipment cabinet and power meter pedestal also installed in the public right of way.

The project application has been deemed **INCOMPLETE** pending submittal of missing information. Please note that the application is substantially incomplete, and this is reflected to the applicant in the detailed comments outlined in Attachment 1. Also, please be aware that additional comments may be forthcoming pending an analysis of missing information once it has been provided for review.

As part of our review, we have verified whether the applicant has provided the various technical studies/documents (i.e. structural calculations, RF exposure checklist, acoustical report, traffic control plan, etc) as required by the City's checklist. However, please be aware that Kapstone has not reviewed the content of these documents for technical accuracy/completeness as they fall outside our area of expertise and the scope of our planning review. We recommend that these documents be reviewed by the appropriate City staff and/or consultants to confirm the accuracy/completeness of the technical information contained within each respective document.

If you have any questions regarding the screencheck comments, please feel free to contact me at katie@kapstone.com or (949) 825-7028.

Mr. Sammy Romo
February 26, 2018
Page 2

Sincerely,



Katie Berg-Curtis
Senior Planner

Attachments:

1. Screencheck Comments
2. Redlined Plans

C: Roland Miranda, City Attorney
Trevor Lottes, Kapstone

**ATTACHMENT 1
SECOND SCREENCHECK COMMENTS
WIRELESS TELECOMMUNICATION FACILITY PERMIT
T-MOBILE SITE #LA33664E – W/O 10876 CULVER BLVD**

COMPLETENESS

The application has been deemed **INCOMPLETE** pending the submittal of the following items:

1. *Complete Application.* Respond to all questions and provide all supporting documentation requested in the Wireless Telecommunications Facility Permit Application. See detailed comments below for all missing items/information that are required with your next submittal. Staff will re-evaluate the completeness of the application with the following screencheck review.
2. *Technical Studies.* Provide a noise study demonstrating the proposed project complies with City noise standards as identified in Section IX of the application. The study shall demonstrate that the project complies with a Single Family Detached Home exterior standard of 65 dB CNEL and an interior standard of 45 dB CNEL.

APPLICATION CHECKLIST

Section I

3. *2nd Request.* Provide the property address as requested in Section I.a of the application.

Section III

4. *2nd Request.* Modify Exhibit C1 "Project Overview" to provide details on how much landscaping will be removed, and the maintenance requirements and maintenance schedule for the proposed equipment.
5. *2nd Request.* Provide a response to questions 3. If not applicable to your project, indicate as such on the checklist.
6. A "No" response was provided to question 5; however the supporting documentation provided as Exhibit C2 indicates a "Yes" response. Correct as appropriate.

Section VI

7. Per Section VI.1, provide details on the engineering plans which include:
 - a. *2nd Request.* Evidence and other pertinent factors governing selection of the proposed design, together with evidence that demonstrates that the proposed facility has been designed to the minimum height and diameter required from a technological standpoint for the proposed site. The size of the radome/shroud is aesthetically unpleasing and visually obtrusive. A slimmer design will be more in scale with the pole. Mark as Exhibit F1.

- b. *2nd Request.* Provide structural calculations demonstrating the structural integrity of the proposed facility. Mark as Exhibit F6.
- c. *2nd Request.* Provide a wind velocity test. Mark as Exhibit F7.
- d. *2nd Request.* Provide a seismic analysis. Mark as Exhibit F8.

Section VII

- 8. *2nd Request.* Provide a site plan marked as Exhibit H1a that includes:
 - a. Location of existing utilities and adjacent land uses. Show on Sheet A-1. See redlined plans.
- 9. Per Section VII.1.d., the photo simulations must be scaled and dimensioned. This Section also requires a Visual Impact Analysis showing the maximum silhouette, viewshed analysis, color and finish palette and proposed screening for the facility. Provide this analysis and documentation within Exhibit H1d.

Section VIII

- 10. It is not clear how the sites identified in this section of the checklist relate to the sites listed in the table in Exhibits I1-I3. Provide additional detail in the table to identify Alternative Locations 1, 2 and 3.

Section IX

- 11. *2nd Request.* Per Section IX.1., provide a noise study for the proposed site at 10876 Culver Blvd which documents the level of noise to be emitted by the proposed facility and demonstrates compliance with the Culver City noise standards. The study shall demonstrate that the project complies with a single family detached home exterior standard of 65 dB CNEL and an interior standard of 45 dB CNEL. Mark as Exhibit J1.

Section X

- 12. *2nd Request.* Provide all other documentation certifying that all applicable licenses or other approvals required by the FCC have been obtained to provide the services proposed in connection with the application. Mark as Exhibit K1. **If no other licenses or approvals are required by the FCC, indicate these are not applicable on the checklist.**
- 13. Provide any copies of all documents the applicant is required to file pursuant to the Federal Aviation Administration regulations for the facility. Mark as Exhibit K2. **If no documents are required to be filed pursuant to FAA regulations, indicate these are not applicable on the checklist.**

EXHIBIT C3

- 14. Provide a legend that explains the colors used in the "Prediction of LTE 2100 Best Server Plot vs. Traffic" exhibit. Provide a legend on the "Master Plan" exhibit to identify the existing vs. the proposed sites.

EXHIBIT E – OPTIONAL CHECKLIST FOR DETERMINATION OF WHETHER A FACILITY IS CATEGORICALLY EXCLUDED

Page 2, Evaluation of Categorical Exclusion

15. *2nd Request.* Provide information to complete questions 18 and 21 in order for the determination to be made if this project qualifies for a Categorical Exclusion.

EXHIBIT H1A - ENGINEERING PLANS

Sheet A-1

16. *2nd Request.* Label surrounding buildings and land uses. See redlined plans.

17. Show setback dimensions from the ground equipment to the nearest residential property and from the new pole to the nearest residential property. See redlined plans.

Sheet A-2

18. Label all existing utilities. See redlined plans.

19. Clarify if note #7 in the Placement and Construction Data section is referring to the same equipment as that which is referred to as the “fiber cabinet” shown on Exhibit F3 and the “boxer cabinet” shown on Sheet D-3 of the engineering plans. If so, provide consistent labeling in all exhibits.

Sheet A-3

20. *2nd Request.* Add a note to the plans specifying the color of the pole. The pole shall be a neutral, non-glossy color.

21. Add a note indicating that the ground mounted equipment will be painted to match landscaping color. See redlined plans.

22. *2nd Request.* Provide a slimmer radome/shroud that is more in scale with the pole. As proposed, the large size of the radome/shroud is aesthetically displeasing and visually obtrusive.

Sheet D-3

23. *2nd Request.* Decrease the size of the concrete pad to minimize the impact to the landscaped parkway. Provide clarification on why there needs to be so much space between the cabinet and the meter pedestal. See redlined plans.

EXHIBIT H1B

24. Provide a legend showing which sites are existing and which are proposed.

- [illegible]

- [illegible]

- 1. CONTRACTOR SHALL SUBMIT SHAFER DRAWINGS AS REQUESTED AND LISTED IN THESE DRAWINGS TO THE OWNER FOR APPROVAL.**
- 2. ALL SHAFER DRAWINGS SHALL BE INVENTUAL, CHECKED AND CORRECTED BY CONTRACTOR PRIOR TO SUBMITTING TO THE OWNER.**
- APPROVAL & SUBSTITUTIONS**
- 1. VISUALLY CHECK OF EACH REQUEST FOR SUBSTITUTION - IN EACH REQUEST IDENTIFY THE PRODUCT OR MATERIAL OR INSTALLATION METHOD TO BE REPLACED BY THE NEW PRODUCT OR MATERIAL. INCLUDING EXPLAIN SPECIFIC REASON AND DISADVANTAGES AND ADVANTAGES. SUBSTITUTIONS MUST BE APPROVED BY THE OWNER PRIOR TO ANY SUBSTITUTION. SUBSTITUTIONS SPECIFICALLY COMING WITH THE EQUIPMENT FOR EQUIPMENT.**
- 2. PRESENT ALL REQUESTING PARTY DATA AND COST PRIOR WITH PROPERTY RECORD. AND IDENTIFY THE REQUEST, PRODUCT AND MATERIALS BEING REQUESTED. THE CONTRACTOR SHALL, OBTAIN NECESSARY BY THE OWNERS VISUAL ACTUAL SHAFER TO THE OWNERS FOR APPROVAL IN CASE OF COST SAVES.**
- LOCAL CONSULTING**
- ALL WORK SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL REQUIREMENTS. THESE SHALL INCLUDE BUT NOT BE LIMITED TO THE LATEST VERSION OF THE FOLLOWING:**

- 2013 CALIFORNIA INDUSTRIAL CODE
2013 CALIFORNIA ELECTRICAL CODE
2013 CALIFORNIA PLUMBING CODE
2013 CALIFORNIA MECHANICAL CODE
2013 CALIFORNIA CODE OF REGULATIONS FOR PUBLIC CONSTRUCTION,
PERMISSIONS AND PERMITS
1. CONTRACTORS SHALL AT THEIR OWN EXPENSE OBTAIN AND MAINTAIN FOR THE DURATION OF THE PROJECT ALL PERMITS REQUIRED AND LISTED.
2. CONTRACTORS SHALL NOT COME INTO CONTACT WITH THEM WORK WITH THEM HAVE PRESENTED AN ADEQUATE CERTIFICATE OF INSURANCE STATING ALL CONTACT TO THE OWNER.

- [illegible]

- [illegible]

1. ENVIRONMENTAL PROTECTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ASSURING THAT ALL CONTRACTS EXERCISING ANY OF THE RIGHTS OR POWERS GRANTED BY THE STATE OF CALIFORNIA TO THE CONTRACTOR SHALL BE SUBJECT TO THE ENVIRONMENTAL PROTECTION ACT OF 1970 (PUBLIC RESOURCES CODE, CHAPTER 5, DIVISION 2) AND ALL REGULATIONS THEREUNDER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES TO FULFILL ANY AND ALL OBLIGATIONS, REQUIREMENTS AND LAWS GOVERNING THE PROTECTION OF THE PEOPLE OF THIS COUNTRY.
2. PRIOR TO THE BEGINNING OF ANY CONSTRUCTION AND THROUGHOUT THE COURSE OF CONSTRUCTION WORK, THE CONTRACTOR SHALL COMPLY WITH ALL CALIFORNIA CONSTRUCTION AND SAFETY LAWS, AND ACT OF 1970 RELATING TO THE PROTECTION OF THE PEOPLE OF THIS COUNTRY.
3. ALL WORK SHALL COMPLY WITH THE LATEST EDITIONS OF C.O.P., I.A. and the National Fire Protection Association (NFPA) Code of Best Practices for the City of Orange.
4. THE PROVISIONS AND LOCATION OF UTILITIES AND OTHER AGENTS, INCLUDING A POWER METER, ARE CHARGED BY A SINGLE OR SEVERAL AGENCY. CONTRACTORS MUST OBTAIN THE NECESSARY DATA FROM THE CITY OF ORANGE, ORANGE COUNTY AND SHALL USE EXTREME CARE AND PROTECTIVE MEASURES TO PREVENT DAMAGE TO THESE UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES ON THE JOB SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PLUMBING AND ELECTRICAL SYSTEMS, THE LANDS OF THE COUNTY, WHETHER THEY ARE SHOWN ON THE PLANS OR NOT.
5. THE CONTRACTOR SHALL NOTIFY APPROPRIATE STREET AGENCIES AT LEAST TWO WEEKS PRIOR TO THE START OF ANY RECONSTRUCTION.
6. THE CONTRACTOR SHALL NOTIFY THE CITY OF ORANGE ON STATE LICENSED RECONSTRUCTION PROJECTS AT LEAST TWO WEEKS PRIOR TO THE START OF ANY WORK INCLUDING THE POWER WORK.
7. ALL WORK DATA AND STREET TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS OF THE WORKER DATA REPORT CONTROL BOARD AND SPECIFICATIONS FROM THE CITY OF ORANGE ON STATE.
8. THE CITY OF ORANGE SHALL PROVIDE THE EXPANSION PERIOD OF THE PERMIT FOR THE CONSTRUCTION PROJECT.
9. THE PERMITTER SHALL NOT ALLOW UNLAWFUL UNAUTHORIZED UNAUTHORIZED SHALL BE SUBJECT TO THE PERMITTING AGENCY AT ALL TIMES.
10. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND LICENSES TO FULFILL ANY AND ALL OBLIGATIONS, REQUIREMENTS AND LAWS GOVERNING THE PROTECTION OF THE PEOPLE OF THIS COUNTRY.
11. ALL C.R. WORKING CONTRACT AGREEMENTS SHALL BE REVIEWED AT THE DISCRETION OF THE CITY OF ORANGE.
12. THE CONTRACTOR SHALL COMPLY WITH ALL CALIFORNIA CONSTRUCTION AND SAFETY LAWS, AND ACT OF 1970 RELATING TO THE PROTECTION OF THE PEOPLE OF THIS COUNTRY.

- [illegible]

Development Service
First Building Ave. The Plaza
Ottawa, Ontario K1P 1H1
Canada Tel: (613) 993-3333

09-25-17
EXPIRATION DATE: 09-25-17

M.P.

DATE: _____

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SECRET

LA336

CULVER

FROM NEW

W/O JOHN CARL
CHERRY CITY

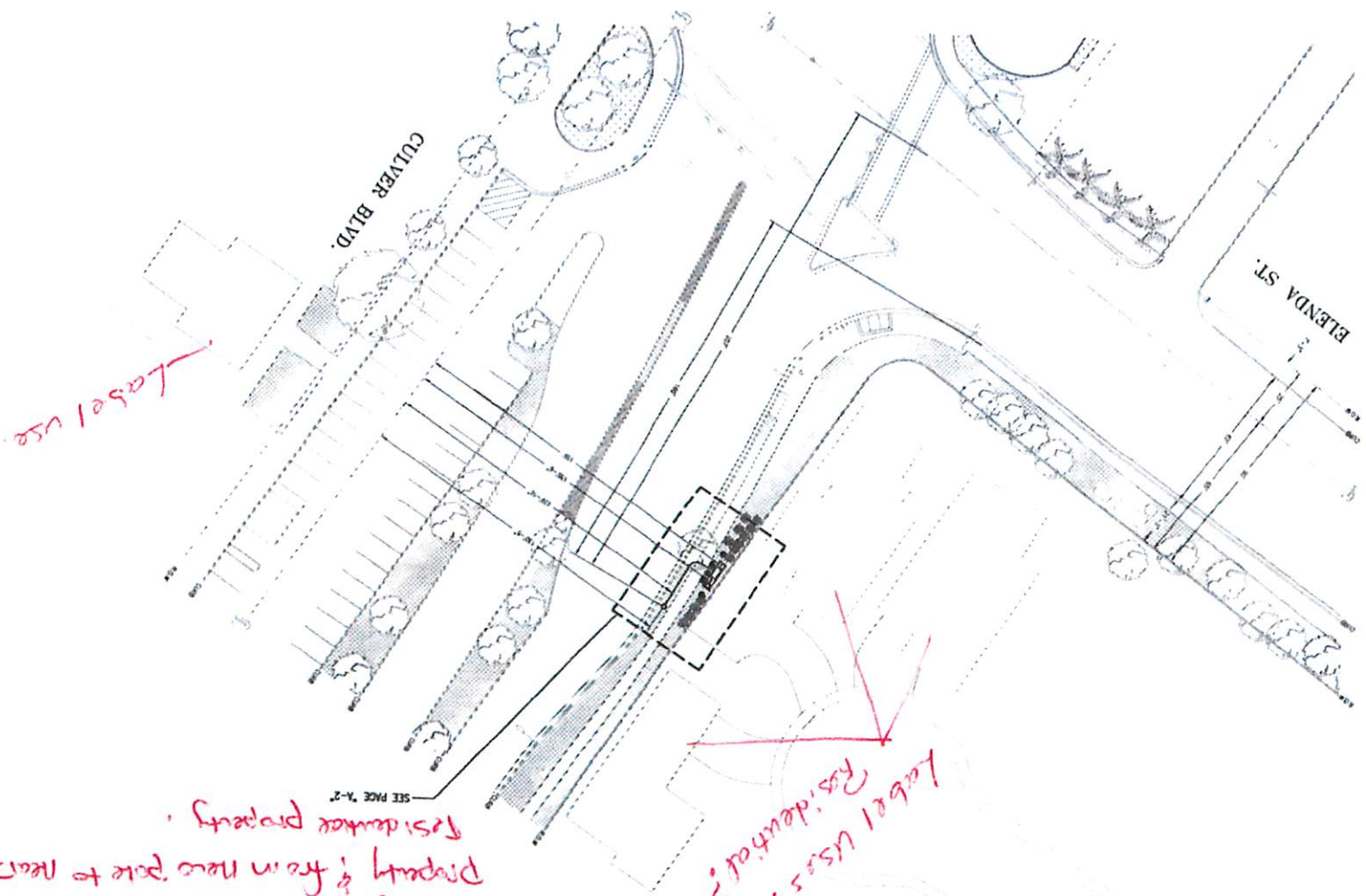
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AND NO

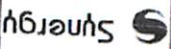
SECRET INFORMATION: -

T-2

SITE PLAN
SCALE 1" = 20'
0 10 20 30
50'



Dimension distance
from equipment to nearest residential
property & from new pole to nearest
residential property.



Development Services, Inc.
10000 Wilshire Blvd, Suite 1000
Beverly Hills, CA 90210
Phone: (310) 274-1111
Fax: (310) 274-1112

DATE: 09-25-17
ENGINEER DATE: 09-25-17
DRAFTED BY: M.P.
NO. 1 DATE: 09-25-17 BY: M.P.

7
6
5
4
3
2
1

SITE INFORMATION:
LA33664E
CULVER ROW
ROW MACRO
W/O TOWER CULVER BLVD
CULVER CITY, CA 90230

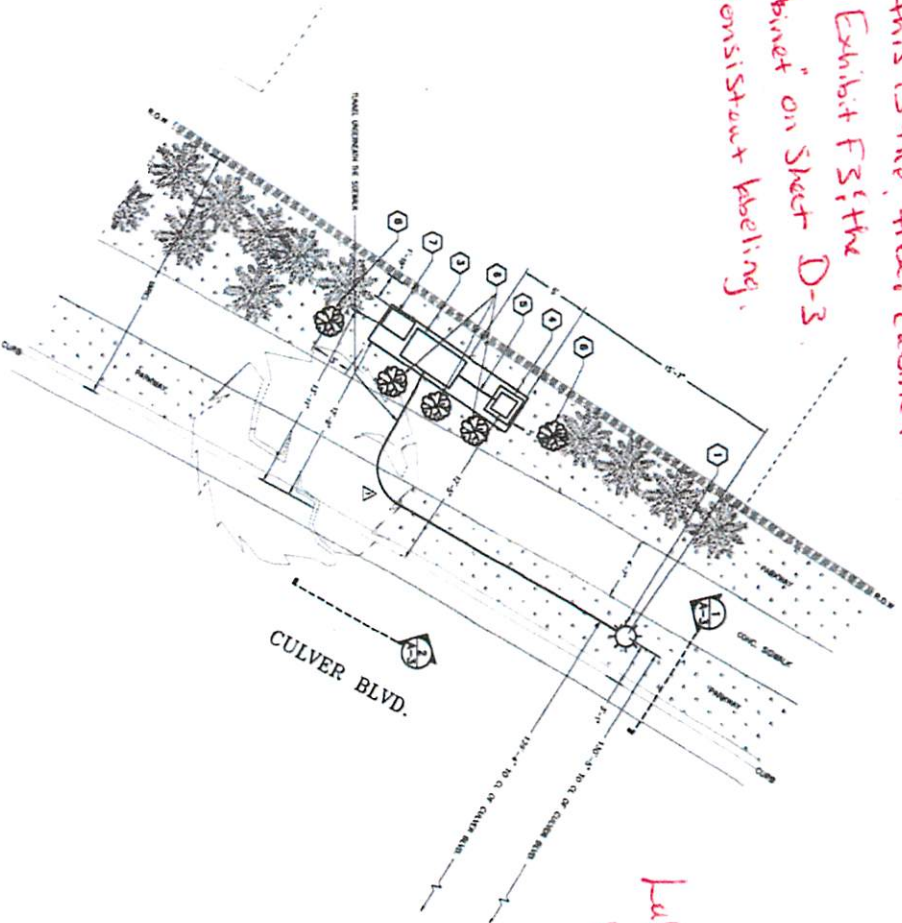
SHEET TITLE:
SITE PLAN
AND DETAILS
SHEET NUMBER:
A-1

F-Mobile
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PLACEMENT AND CONSTRUCTION DATA

1. PREPARED 30" STAINLESS STEEL WITH 6" X 5" ANCHORS
2. PLACE 30" OR 3'-4" 50# 40 PCC CONCRETE FOR C&G
3. PLACE 600 CONCRETE
4. PLACE 600# POWER FLEXBAR
5. PLACE 5" OR 7" 50# 40 PCC CONCRETE FOR POWER
6. 11. (1) INTERLOCKED ANCHORS (TYPICAL)
7. 11. (1) TYPICAL WITH SOFT

Clarify if this is the "fiber cabinet" labeled in Exhibit F3; the "Boxer cabinet" on Sheet D-3. Provide consistent labeling.



Label any existing utilities.



CONDUIT COUNT DATA			
1	2	3	4
1	5	307	4'-9"



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Sunergy

Project: LA33664E
 Engineer: J. J. J. J.
 Date: 09-25-17
 Drawn by: M.F.
 No. 1: DATE: 09-25-17
 By: 09-25-17

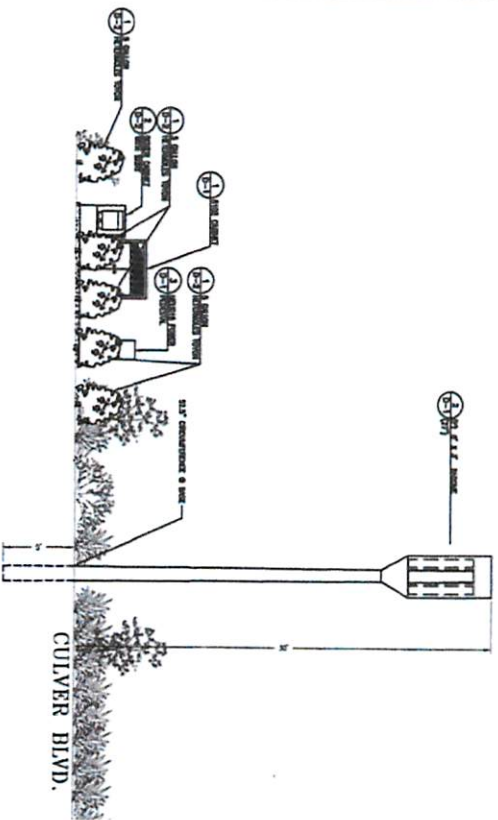
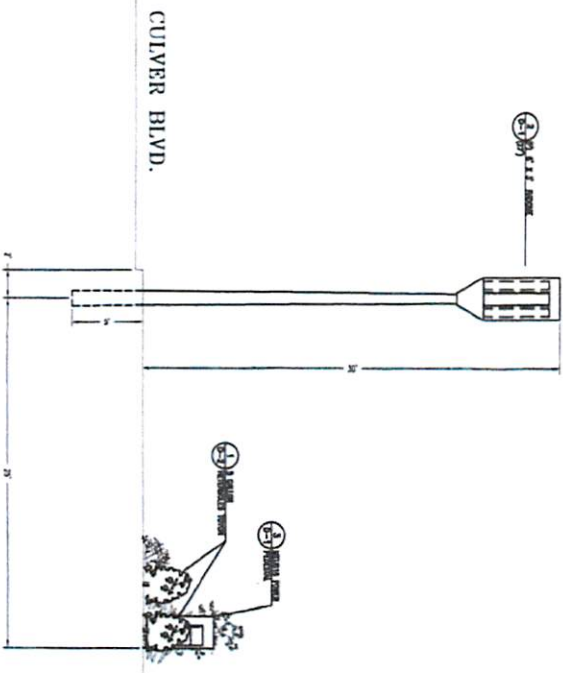
SITE INFORMATION:
 LA33664E
 CULVER ROW
 ROW MACRO
 W/O 100% CULVER BLVD
 CULVER CRT. CA 90230
 STAMP:

SHEET TITLE:
 SITE PLAN
 AND DETAILS
 SHEET NUMBER:
 A-2

NOTES:

- COLOR OF POLE TO MATCH NEAR BY SIGN LEADS
- SIGNS WILL BE MOUNTED TO MATCH POLE COLOR
- SIGNS WILL BE MOUNTED TO MATCH POLE COLOR
- A SIGN WILL BE PLACED ON CORNER WITH PHONE NUMBER FOR EMERGENCY CONTACT.

• Add note that ground mounted equipment landscaping color.
• Specify color of pole, ~~thru~~



1 | PROPOSED ELEVATION LOOKING SOUTHWEST

SCALE: 1/4"=1'

2 | PROPOSED ELEVATION LOOKING NORTHWEST

SCALE: 1/4"=1'

T-Mobile®
Get more from life®

Synergy

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DATE: 09-25-17

ENGINEER DATE: 09-25-17

DRAWN BY: M.P.

NO.: DATE: BY:

1

2

3

4

5

6

7

SITE INFORMATION:

LA33664E

CULVER ROW

ROW MICRO

W/O 100% CULVER ROW

CULVER CITY, CA 90230

STAMP:

SHEETLINE:

SITE ELEVATION

SHEET NUMBER:

A-3

T-Mobile
Get more from life



Dynatech International, Inc.
10000 E. 1st Ave.
Denver, CO 80231
Phone: 303.755.1100
Fax: 303.755.1101

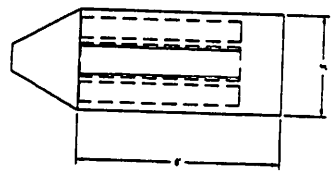
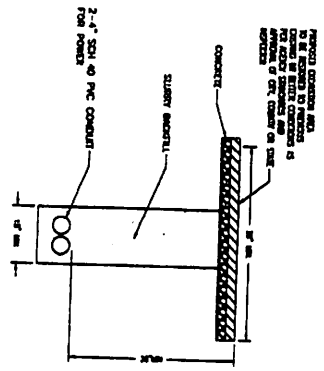
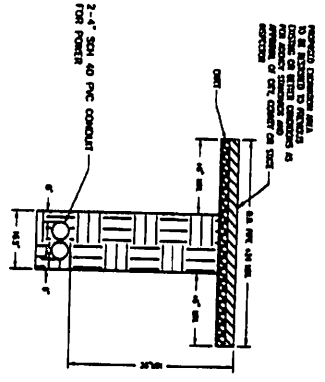
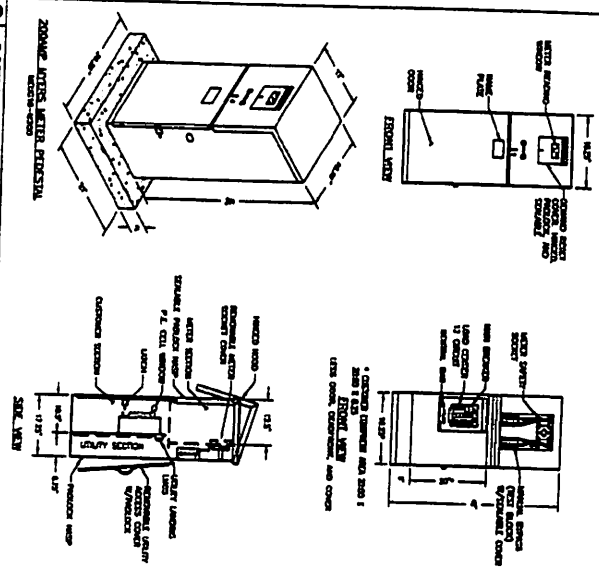
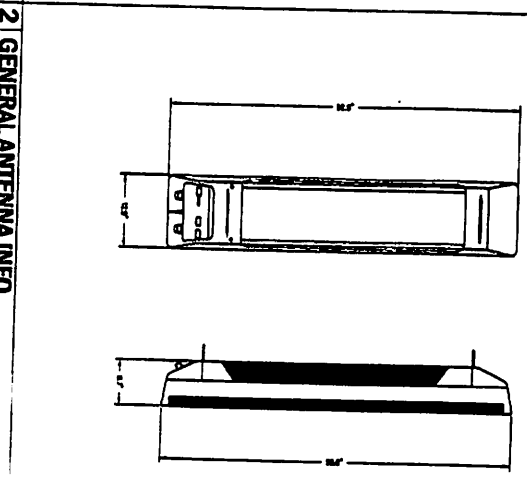
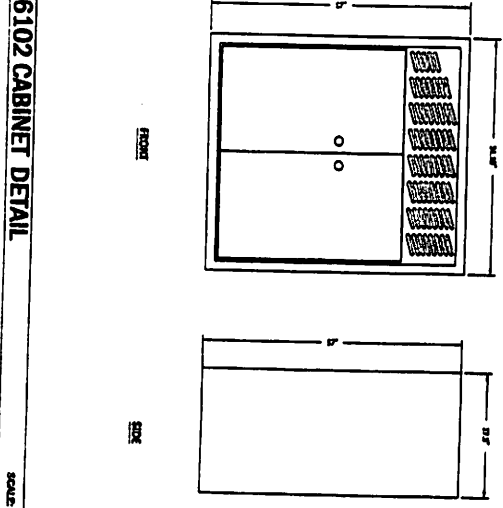
DATE: 09-25-17
ENGINEER: 09-25-17

DRAWN BY: M.P.
1. DATE: 07:

1
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3
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SITE INFORMATION:
LA33664E
CULVER ROW
ROW MACRO
W/O USER CABLE AND
CABLE CUT, CA 92220
SHEET NUMBER: D-1

SHEET TITLE:
EQUIPMENT
DETAIL



4. TRENCH DETAIL

SCALE 1/4" = 1'-0"

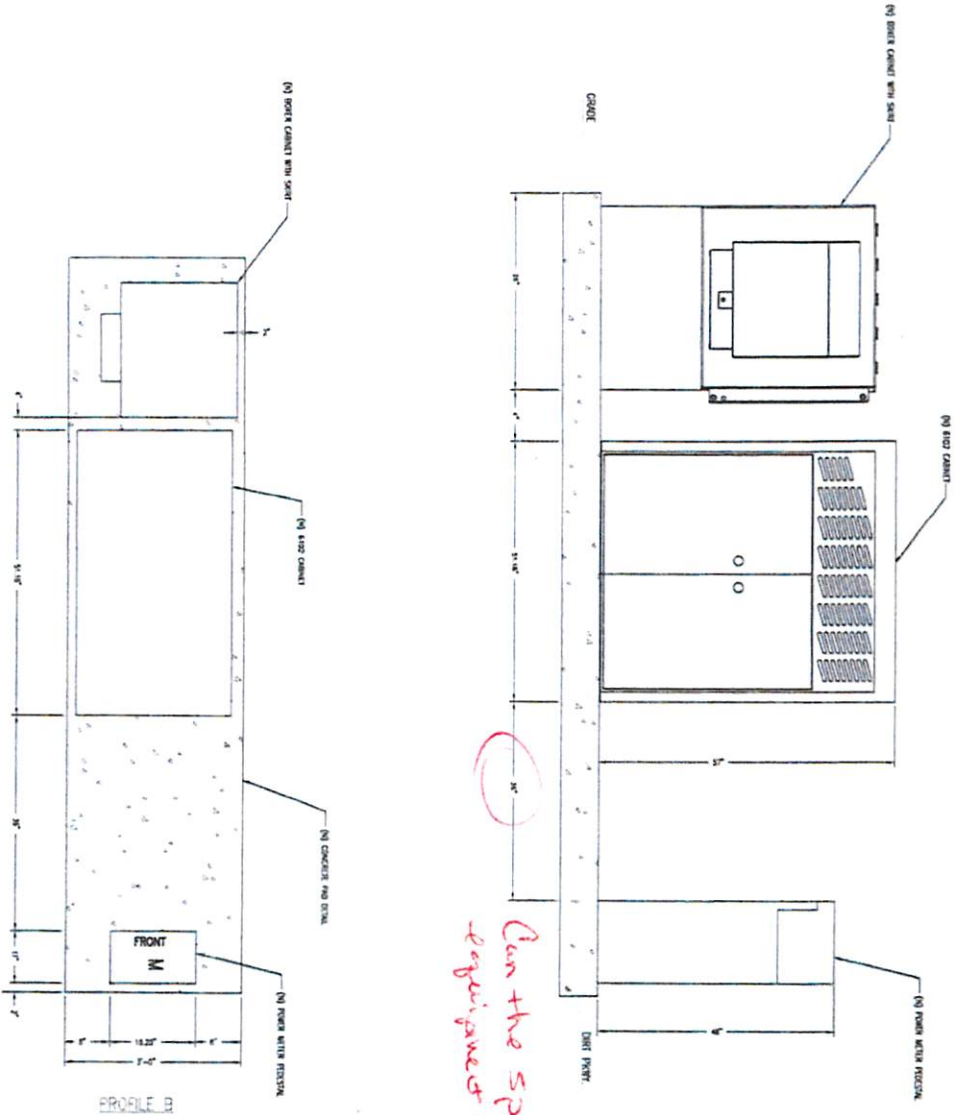
5. TRENCH DETAIL

SCALE 1/4" = 1'-0"

6. RADOME

1 NEW CONCRETE PAD DETAILS

TOP VIEW
PROFILE A



*Can the space between
equipment be minimized?*

SCALE: NTS

T-Mobile
Get more from life!

Synergy

Development Services, Inc.
10000 E. 1st Avenue, Suite 100
Denver, CO 80231

DATE: 09-25-17

ENGINEER DATE: 09-25-17

DRAWN BY: M.P.

NO.: DATE: BT:

1

2

3

4

5

6

7

SITE INFORMATION:

LA33664E
CULVER ROW
ROW MACRO

W/100% CULVER ROW
STAMP

SHEET TITLE:
CONCRETE
PAD

SHEET NUMBER:
D-3