

Villa Park City Council Special Meeting

July 14, 2011
General Session - 9:00 a.m.



Rich Ulmer, *Mayor*
Brad Reese, *Mayor Pro Tem*
Bob Fauteux, *Councilman*
Bill MacAloney, *Councilman*
Deborah Pauly, *Councilwoman*

City of Villa Park, 17855 Santiago Boulevard, Villa Park, CA

The Villa Park City Council welcomes you to this meeting. We encourage your participation. This agenda contains a brief general description of each item to be considered.

If you wish to speak on an item contained on the agenda, please approach the podium at the time the item is being considered. Upon recognition by the presiding officer, state your name and address for the record prior to providing your comments. Speakers will be limited to a time period set by the presiding officer. Items on the agenda may be addressed in any order during the meeting at the discretion of the City Council, so please plan accordingly.

If you wish to speak on an item that is not on the agenda, please do so during the periods listed for Oral Communications. All supporting information is available for public review in City Hall during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday. Agendas are available on the City's Website at www.villapark.org. Meetings are broadcast live on VPCATV Channel 3.

In compliance with the Americans with Disabilities Act, the City of Villa Park will make every reasonable attempt to accommodate attendees or participants at this meeting who need special assistance beyond what is normally provided. Please contact City Hall at (714) 998-1500 at least 48 hours prior to this meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at the time of your call if special assistance is required to attend or participate in meetings on a regular basis.

GENERAL SESSION

9:00 a.m. – City Council Chambers

CALL TO ORDER

ROLL CALL

Councilmember Fauteux
Councilmember MacAloney
Councilmember Pauly
Mayor Pro Tem Reese
Mayor Ulmer

Any writings or documents provided to a majority of the Villa Park City Council regarding any item on this agenda will be made available for public inspection at City Hall located at 17855 Santiago Boulevard, Villa Park, California during normal business hours, Monday through Friday from 8:00 a.m. to 5:00 p.m. In addition, such writings and documents will be posted on the City's website at www.villapark.org.

PLEDGE OF ALLEGIANCE TO THE FLAG

ORAL COMMUNICATIONS

Members of the public in attendance wishing to address the City Council on matters not otherwise appearing on the agenda and within the jurisdiction of the City Council, upon recognition by the presiding officer, state their name, address, and subject. Oral Communications are governed by Government Code Section 54954.3 and Villa Park Municipal Code Section 2-3.10. Oral Communications shall be limited to a time period set by the presiding officer, three (3) minutes for individual speakers.

PUBLIC HEARINGS

- 1. Consideration of Conditional Use Permit No. 0710 – a request to install and operate antennas and a microwave dish on a wireless telecommunication facility enclosed within a tower element of the new City Hall façade. A request for Variance Permit No. 0711 to exceed the height limits in the C-N Zone to allow a 52-foot tower located at 17855 Santiago Boulevard (Applicant: Verizon Wireless).**

RECOMMENDATION: Adopt Resolution No. 2011-3151, a Resolution of the City Council of the City of Villa Park approving Conditional Use Permit No. 0710 and Variance No. 0711.

ADJOURNMENT

**PUBLIC HEARINGS
AGENDA ITEM # 1**

**CITY OF VILLA PARK
CITY COUNCIL
July 14, 2011**

To: Honorable City Council

From: Lori Sassoon, City Manager

By: Jennifer A. Lilley, AICP Planning Manager

SUBJECT: CONSIDERATION OF CONDITIONAL USE PERMIT NO. 0710: A REQUEST TO INSTALL AND OPERATE ANTENNAS AND A MICROWAVE DISH ON A WIRELESS TELECOMMUNICATION FACILITY ENCLOSED WITHIN A TOWER ELEMENT OF THE NEW CITY HALL FAÇADE. A REQUEST FOR VARIANCE PERMIT NO. 0711 TO EXCEED THE HEIGHT LIMITS IN THE C-N ZONE TO ALLOW A 52-FOOT TOWER LOCATED AT 17855 SANTIAGO BOULEVARD (APPLICANT: VERIZON WIRELESS) (CONTINUED FROM JUNE 28, 2011).

SUMMARY

This item was tabled at the City Council meeting of June 28, 2011 and staff was directed to work with the applicant on a new submittal.

The applicant is proposing to install and operate a wireless telecommunication facility enclosed within a new tower element of the City Hall façade remodel. The Code requires satellite receiving antennas and communication equipment be reviewed through the Conditional Use Permit process. The request is to allow a tower feature to be constructed to a maximum of 52-feet in height, exceeding the height limitation for the C-N zone, thus requiring a variance. The wireless tower will be fully contained within the tower and screened from view. All of the associated equipment for the telecommunications facility will be contained within an 8-foot high enclosure located in the parking area behind City Hall.

Based on the facts and findings of the project, staff recommends approval of this request subject to the conditions of approval.

BACKGROUND

The purpose of this proposed wireless facility is to provide for cell phone coverage in and around Villa Park. This particular site has been selected due to the limited options for citing cell facilities within the City of Villa Park. The C-N zone is the only zone in the City of Villa Park that allows wireless facilities. This location is ideally suited for the applicant's needs given its accessibility, utility connections, zoning compatibility as well

as area to construct features to screen the equipment and the pole from view without compromising the aesthetics of the property or surrounding properties.

The proposed wireless telecommunications facility consists of the following components:

- Construction of one, 52-foot tall antenna support structure with 3 antenna panels housing 12, 4-foot tall antennas and one, 4-foot diameter microwave dish. The antennas and support structure will be constructed within a tower element incorporated into the new City Hall façade. This feature will be designed to stealth the facility to ensure it is not visible to the public.
- Construction of a 654 square foot structure to enclose 4 equipment cabinets, 4 GPS antennas, an emergency generator and a utility rack. This structure is proposed to be a concrete masonry unit 18-feet wide, 34 feet long and 8-feet tall.

Site and Surrounding General Plan, Zoning and Current Uses:

	General Plan	Zone	Current Use
Site	Commercial	C-N	City Hall Parking Lot
North	Low Density	R-1	Residential Homes
South	Commercial	C-N	Town Center
East	Commercial	C-N	Town Center
West	Commercial	C-N	Town Center

CEQA COMPLIANCE

The project has been reviewed for compliance with the California Environmental Quality Act (CEQA). Based on that assessment, the City has determined the project to be categorically exempt from CEQA pursuant to the provisions of Article 19 Section 15332 (In-Fill Development Project) of the CEQA Guidelines.

ANALYSIS

Verizon previously submitted a request to install a wireless telecommunication facility in the parking lot behind City Hall. After review and significant public testimony the City determined that while there was support in general for the use, an alternative location should be pursued to minimize impact on surrounding neighborhoods.

Staff has been working with the applicant to identify suitable alternatives. City Hall is going through a façade remodel including a tower element at the southwest corner of the building. This proposed construction offers a unique opportunity to consider a

redesign of the tower element to include a more prominent feature, enhancing the visual presence of City Hall while accommodating the wireless telecommunication facility. In order to accommodate the wireless facility the tower feature has to be redesigned from a 24 foot high tower to a structure that can allow the overall height of the antenna. This is a significant redesign including architectural consideration to ensure the feature blends with the building, minimizes bulk and mass and compliments the overall appearance of City Hall. Also, additional engineering of the structure is necessary to ensure proper support, wind resistance and structural integrity for safety purposes.

Verizon is in the process of working with the City to prepare a plan for a tower feature that will house the new wireless telecommunication facility. The base of the tower will be constructed first as part of the City Hall façade improvement project. The upper tower will be constructed at a later date by Verizon to house the installation of the wireless facility. Since Verizon has its own schedule for this construction, we have conditioned the project to ensure that the lower tower is a complete design feature and can stand alone from a design perspective without the completion of the upper portion (Special Condition 4). The plans for the redesign, engineering of the new tower, plan checking the building application and associated plans, design review by the City's consultant, KTG, as well as the incremental costs for construction that have yet to be determined by the lease will all be paid for by Verizon Wireless.

It is necessary to review the approval of the use and height variance for this application prior to having full design plans available. Since the design of the project is only in concept at this time, staff has conditioned approval to bring the final design back to the City for final review (Special Condition 2). Timing is also a challenge with this project. It is important that City Hall construction not be delayed. However, the redesign of this tower is an integral part of that project. In order to ensure there are no unnecessary delays, staff has conditioned this approval to require Verizon to submit final design/engineered plans for City review and approval within 90 days of this approval (Special Condition 3).

The proposed telecommunication facility will be unmanned and will operate 24 hours a day, seven days a week. Periodic routine maintenance of the facility is anticipated several times each year. All associated antennas and equipment will be screened from view behind the tower feature (Special Condition 5). An emergency generator will be installed to provide uninterrupted operation in the event of a power outage. If a power outage occurs, the generator would be used until the situation is resolved. The noise level of this generator as well as all equipment associated with this use is designed to be maintained below the noise standards for the City. The project has been conditioned to ensure appropriate noise levels are maintained at all times (Special Condition 7) and the testing of the generator is limited to appropriate times of the day and days of the week to limit the impact on surrounding neighborhoods (Special Condition 6).

At this time there is no plan for other users to locate on this facility however, it is typical for other carriers to locate on existing facilities rather than constructing new towers whenever practical. Given the current industry equipment, standards for location and

limitations of this facility it is anticipated that only one other major carrier would be able to locate on this tower. However, it may be possible for other minor carriers to locate on the facility as well. Concerns have been raised by one member of the community related to the intensification of this use. Staff has addressed this concern with Verizon and rather than agreeing to limit the number of users allowed, the City has the benefit of reviewing each additional carrier, major or minor through the review of a Conditional Use Permit prior to locating on this facility (Special Condition 10).

The Federal Telecommunications Act of 1996 prohibits local governments from denying or regulating wireless telecommunication facilities on the basis of health concerns. The Federal Communication Commission (FCC) licenses and regulates wireless communication facilities and establishes safety thresholds for radio frequency (RF) emissions. Because wireless telecommunications facilities are regulated by the FCC, local agencies are preempted from considering perceived health effect in land use decisions for such facilities. However, it is important to note that Verizon Wireless states that it will operate this facility at the lowest possible power levels and well below the established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. The proposed facility will operate in full compliance with the U.S. standards for radio frequency emissions as published by the American National Standards Institute (ANSI).

FCC documentation is required for this project and is a conditional of approval (Special Condition 8). These types of telecommunication projects are generally categorically exempt from the California Environmental Quality Act because the FCC licensing process already incorporated an environmental finding for all telecommunications facilities to be developed under the wireless provider's license. However, staff has provided the appropriate environmental review for this application as it applies to the City's review process.

The proposed equipment building will be located within the existing fenced parking lot that serves City Hall. The equipment enclosure will be 8-feet in height and will not be visible by the residential properties to the north given its location behind existing structures on the property. While the project is proposed within the existing parking spaces behind City Hall, the lot is wide enough to allow for new striping to accommodate the same number of parking spaces after the installation of the facility is complete.

Proposed Lease

The applicant will be required to enter into a lease agreement with the City for the construction of the tower, the use of the facility, maintenance, access and other important deal points. This approval has been conditioned to require the approval of this agreement prior issuance of permits (Special Condition 1). Some of the key components of the agreement will include:

- The lease area is an 18' 8" by 34' 8" area in the southeast corner of our parking lot, which is the approximate size of three parking spaces. The parking lot will be

restriped following construction so that no parking is removed as a result of this project.

- 5 year term, with up to three 5-year renewals, unless the City informs Verizon our intent to not renew at least three months prior to the end of the then current term. Verizon has the option to terminate and remove its equipment at any time, based on its business needs.
- Lease payments to the City of (\$2,100 per month) \$25,200 annually, increasing by 3% annually each year, including each year of the renewals. Payments begin the month after construction begins, or the twelfth month following execution of the Agreement, whichever is first
- City can terminate if any interference is created with public safety communications equipment
- Grants Verizon 24/7 access for repairs and maintenance

Conditional Use Permit Request

The City of Villa Park Municipal Code permit per Section 23-7.6.K.1 installation of when a satellite dish antennas and associated equipment. The project meets the following findings for a conditional Use Permit:

- a. That the proposed location of the conditional use is in accord with the objectives of the Code and the purpose of the zone in which the site is located.
- b. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.
- c. That the proposed conditional use will comply with each of the applicable provisions of this Code except for approved variances
- d. With regard to antennae, supporting masts or towers, the granting of a conditional use permit shall be conditioned so that it will terminate on the sale or transfer of ownership of the property by the applicant.

Variance Request

Exceptions to the height requirement in the C-N zone are allowed subject to the review and approval of a variance request provided in Section 23-19.11 of the Municipal Code. The height of the telecommunication pole is required in order to adequately provide the range of receiving and transmitting signals for the users. The tower must be free from obstructions. The request for the 52-foot high pole is the maximum height that has been deemed necessary by the applicant to maintain the appropriate level of service to support the function. The Code allows for structures 35-feet in height. While this pole exceeds this height limit the applicant has incorporated stealth functions and appropriate placement of the pole to minimize the impact of the height of this structure

on surrounding properties. The following are the necessary findings to approve a request for a Variance.

1. That the strict or literal interpretation and enforcement of the regulation would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Code.

Given the height of adjacent buildings restricting the telecommunication tower to a height of 35 feet would create a practical difficulty in the purpose and function of this use. The applicant has shown that the height of the tower is necessary to send and receive signal to provide the service for the users in this area. Restricting the height of this facility would be a difficulty that would disallow the use of this facility in this location.

2. That there are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use of the property that do not apply generally to other properties in the same zone.

The property is one of the only locations in the City of Villa Park where a telecommunications facility could be sited without interference or direct impact visually on surrounding properties. The property has the ability to house the equipment necessary for this use on-site without interference with other uses on site and without direct impact visually on adjacent land uses. Other locations have been reviewed and considered for this use but given the unique characteristics of this site, the telecommunication facility can be installed and operated where it would not on other properties in the same zone in the City.

3. That the strict or literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone.

Enforcing the height limitation would deprive this property owner and the applicant of privileges that are enjoyed by owners and other properties in the same zone. There are other telecommunication facilities in the City that have been allowed. Given the need for clear receiving and transmittal, the additional height is necessary to provide the needed service to the users in this area of the City. Without this facility service will be interrupted and limited in this area as other useable locations have not been identified.

4. That the granting of the variance will not constitute the granting of a special privilege.

The Code allows this same variance consideration for television antennae or radio receivers as well as other telecommunication facilities. Height

variances are also often considered for flag poles and other decorative features.

5. That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

The facility will be installed and operated in a manner to meet and/or exceed all requirements to protect the public health, safety and welfare. The tower will be screened from view using an architectural tower element. This feature is intended to blend into the surroundings and minimize the appearance of a wireless communication facility at this location. The equipment storage will be screened from view of any adjacent property behind an eight foot high enclosure and any noise from the use or equipment will be well below the limits allowed.

NOTICE OF PUBLIC HEARING

Public hearing notices were mailed to property owners within a 300-foot radius of the project site and the notice was posted at City's designated community posting sites.

FISCAL IMPACT

This project is anticipated to generate revenue for the City through the land lease with the service provider. There are no negative impacts to the General Fund anticipated by this approval.

STAFF RECOMMENDATION

Staff recommends the approval of the Conditional Use Permit and Variance request.

APPROVAL MOTION

Adopt Resolution No. 2011-3151, a Resolution of the City Council of the City of Villa Park approving Conditional Use Permit No. 0710 a request to install and operate antennas and a microwave dish on a wireless telecommunication facility enclosed within a tower element of the new City Hall façade and approving a request for Variance No. 0711 to exceed the height limit in the C-N zone to allow the 52-foot tower located at 17855 Santiago Boulevard.

ATTACHMENTS

1. Resolution 2011-3151
2. Public Notice

RESOLUTION NO. 2011-3151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VILLA PARK APPROVING CONDITIONAL USE PERMIT NO. 0710 A REQUEST TO INSTALL AND OPERATE ANTENNAS AND A MICROWAVE DISH ON A WIRELESS TELECOMMUNICATION FACILITY ENCLOSED WITHIN A TOWER ELEMENT OF THE NEW CITY HALL FAÇADE AND A REQUEST FOR VARIANCE NO. 0711 TO EXCEED THE HEIGHT LIMIT IN THE C-N ZONE TO ALLOW A 52-FOOT TOWER LOCATED AT 17855 SANTIAGO BOULEVARD (APPLICANT: VERIZON WIRELESS) (CONTINUED FROM JUNE 28, 2011).

WHEREAS, an application has been made by Verizon Wireless for a Conditional Use Permit and Variance requesting to install and operate antennas and a microwave dish on a new wireless telecommunication tower that is 52-feet in height exceeding the 35-foot height limitation in the C-N Zone; and

WHEREAS, the Villa Park Zoning Code requires that a Conditional Use Permit be obtained to install and operate satellite receiving antennas and communication equipment; and

WHEREAS, the Villa Park Zoning Code requires a Variance is obtained for any structure exceeding the height limitation in any zone; and

WHEREAS, this matter requires a Public Hearing before the City Council; and

WHEREAS, on April 26, 2011, May 24, 2011, and June 28, 2011, a Public Hearing was held and the Mayor invited public testimony either pro or con; and

WHEREAS, after the Public Hearings and the presentation of documentary evidence, the City Council decided to table this matter to allow for a new application and subsequent hearing; and

WHEREAS, on July 14, 2011, a Special Public Hearing was held and the Mayor invited public testimony either pro or con; and

WHEREAS, after the Public Hearing and the presentation of documentary evidence, the City Council does hereby find as follows with regard to the Variance:

1. That the strict or literal interpretation and enforcement of the regulation would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of the Zoning Code.
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property or the intended use of the property that do not apply generally to other properties in the same zone.

3. That the strict or literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone.
4. That the granting of the variance will not constitute the granting of a special privilege.
5. That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

WHEREAS, after the Public Hearing and the presentation of documentary evidence, the City Council does hereby find as follows with regard to the Conditional Use Permit:

1. The project as designed will comply with the objectives of the Villa Park Zoning Code and the purpose of the Zone in which it is located.
2. The project as conditioned will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
3. The project as designed will comply with all applicable provisions of the Zoning Code.
4. This project is exempt from CEQA pursuant to Sections 15303 (e).
5. That the project shall comply with the Conditions described in Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED that the Villa Park City Council does hereby adopt Resolution No. 2011-3151, approving Conditional Use Permit No. 0710 and Variance No. 0711. Location: 17855 Santiago Boulevard. Applicant: Verizon Wireless.

PASSED AND ADOPTED by the City Council of the City of Villa Park at special meeting held on the 14th day of July, 2011, subject to the conditions on file with the City Clerk and by this reference incorporated herein as Exhibit "A".

W. Richard Ulmer, Mayor
City of Villa Park

ATTEST:

Jarad L. Hildenbrand, City Clerk
City of Villa Park

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS
CITY OF VILLA PARK }

I, **Jarad L. Hildenbrand**, City Clerk of the City of Villa Park **DO HEREBY CERTIFY** that the foregoing Resolution was adopted at a special meeting of the City Council of the City of Villa Park held on the 14th day of July, 2011, and was carried by the following roll call vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

Jarad L. Hildenbrand, City Clerk
City of Villa Park

EXHIBIT "A"

CONDITIONS OF APPROVAL

SPECIAL CONDITIONS

1. The approval of this Conditional Use Permit and Variance are subject to the City Council's approval of a lease agreement with Verizon Wireless.
2. The approval of this Conditional Use Permit and Variance are subject to the City Manager's approval of final design plans for the tower feature.
3. Final design and engineered plans prepared by Verizon Wireless at their expense for the City's façade improvement shall be submitted to the City within 90 days of this approval.
4. The design of the bottom tower feature shall be a stand alone feature that appears complete and compatible with the overall City Hall improvement without the addition of the upper tower feature.
5. The wireless communication tower and all ancillary features shall be fully enclosed within the tower feature and not visible from any angle. No facilities of any kind shall be located outside of the tower.
6. The generator shall be limited to testing to daytime hours between 2:00 pm and 4:00 pm on weekdays only. This test shall be run no more than once a month and for no longer than 15 minutes each test only to ensure the operation and condition of the generator.
7. All equipment shall maintain noise levels far below the acceptable noise standards in this zone. At any time that it is determined that the equipment exceeds noise limitations, dampening, attenuation and other techniques will be employed to mitigate the issue to the full satisfaction of the City.
8. Any co-location facilities will be subject to the review and approval of a Conditional Use Permit prior to agreements and installation.
9. The use is approved for an equipment area of 654 square feet maximum. Any additional equipment necessary in the future would require review and approval by the City Council.
10. Verizon shall provide to the City the necessary FCC documentation to show that they have met all the requirements and are operating within the legal limits allowed by the industry standards.

BUILDING DEPARTMENT CONDITIONS

1. The conditions of approval must be printed on the first page of construction plans.
2. The structure(s) shall be in accordance with approved plans on file with the City Clerk. Any significant deviation from the approved plans will require subsequent approval by the City Council through a separate Public Hearing. All work will be suspended on the project until such approvals are obtained.
3. Building permits and approvals must be obtained prior to commencement of construction. If the approval is after-the-fact, building permits and approvals are still required. Pursuant to section 9-2.20 of the Villa Park Municipal Code, every

permit issued by the City's Building Official shall expire by limitation and become null and void if the building or work authorized by such permit is not completed through final inspection within the allowed time from the date of issuance of such permit, which time shall be as follows: up to 5,000 square feet, 12 months; 5,000 to 10,000 square feet, 18 months; over 10,000 square feet, 24 months. Failure to complete the project within such time shall be grounds for revocation of the discretionary approval. Such revocation will place the property owner in violation of the City's Zoning Ordinance and subject the property owner to possible civil or criminal legal action by the City.

4. Noise associated with construction, repair, remodeling, or grading may only take place between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 8 p.m. on Saturday. Noise associated with the preceding shall not take place at any time on Sunday or a Federal holiday.
5. Separate review and approval by the City Engineer is required for all grading, driveway approaches, street improvements, sewer connections, and work within the right-of-way or City easement prior to issuance of any building permit for the project. Additional conditions may apply.
6. If deemed necessary by the City Engineer, a street dedication and improvement bond shall be required for all work exceeding three hundred (300) square feet of floor area prior to issuance of any building permit.
7. If deemed necessary by the Building Inspector or City Engineer, a cash bond in the amount of \$575 shall be posted to protect the City from any damages to any public improvements impacted directly or indirectly by the proposed improvements.
8. Temporary toilet facilities are not permitted in the front setback areas.
9. Per VPMC Article 6-3, the accumulation of refuse and debris, not limited to construction activities, on a property is prohibited. All construction debris shall be promptly removed from a property within 24 hours and/or contained in an appropriate refuse bin for a regularly scheduled commercial pickup.
10. This Conditional Use Permit shall lapse and become void one year following the date of approval unless prior to the expiration of one year, a building permit is issued and construction is commenced and diligently pursued toward completion on the site.
11. This Conditional Use Permit may be renewed for an additional period of one year, provided that prior to the expiration of one year from the date when it or the renewal of same became effective, an application for renewal is filed.
12. Construction activities must comply with all applicable NPDES Best Management Practices (BMP's), as determined by the City Building Inspector and City Engineer, to include, but not limited to: Erosion Control Measures, Perimeter Protection, Sediment Capturing, Waste Management, and Materials Management. All appropriate mitigation measures to ensure that debris, sediment, and runoff from the construction site are contained on site and do not enter the city's sewer or storm drain system shall be taken. Fact Sheets on Best Management Practices can be downloaded from <http://www.ocwatersheds.com/>. Failure to comply with applicable BMP's may lead to stop work orders. See Erosion Control and Environmental Conditions for full conditions of approval.

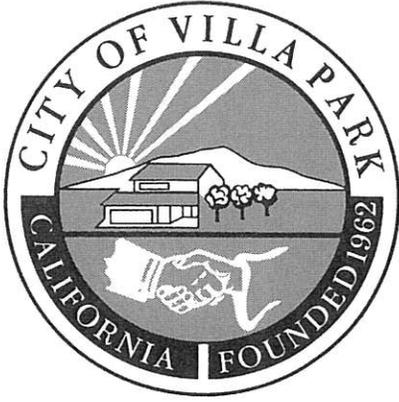
EROSION CONTROL

1. In the case of emergency water quality issue or pollution discharge, call the City of Villa Park at (714) 998-1500 24 hours a day.
2. Equipment and workers for emergency work shall be made available at all times during the rainy season. Necessary materials shall be available on site and stockpiled at convenient location to facilitate rapid construction of temporary devices when rain is imminent.
3. Erosion control devices shall not be moved or modified without the approval of the Building Official.
4. All removable erosion protective devices shall be in place at the end of each working day when the 5-Day Rain Probability Forecast exceeds 40%.
5. After a rainstorm, all silt and debris shall be removed from streets, check berms and basins.
6. Graded areas on the permitted area perimeter must drain away from the face of slopes at the conclusion of each working day. Drainage is to be directed toward desilting facilities.
7. The permittee and contractor shall be responsible and shall take necessary precautions to prevent public trespass onto areas where impounded water creates a hazardous condition.
8. The permittee and contractor shall inspect the erosion control work and insure that the work is in accordance with the approved plans.

ENVIRONMENTAL CONDITIONS

1. The permittee shall notify all general contractors, subcontractors, material suppliers, lessees, and property owners: that dumping of chemicals into the storm drain system or the watershed is prohibited.
2. Permittee shall maintain construction site in such a condition that an anticipated storm does not carry wastes or pollutants off the site. Potential pollutants include but are not limited to: solid or liquid chemical spills; wastes from paints, stains, sealants, glues, limes, pesticides, herbicides, wood preservatives and solvents; asbestos fibers, paint flakes or stucco fragments; fuels, oils, lubricants. And hydraulic, radiator or battery fluids; fertilizers, vehicle/equipment wash water and concrete wash water; concrete, detergent or floatable wastes; wastes from any engine/equipment steam cleaning or chemical degreasing and superchlorinated potable water line flushing. During construction, permittee shall dispose of such materials in a specified and controlled temporary area on-site, physically separated from potential stormwater runoff, with ultimate disposal in accordance with local, state and federal requirements.
3. Permittee may discharge material other than stormwater only when necessary for performance and completion of construction practices and where they do not: cause or contribute to a violation of any water quality standard: cause or threaten to cause pollution, contamination, or nuisance; or contain a hazardous substance in a quantity reportable under Federal Regulations 40 CFR Parts 117 and 302.

4. Dewatering of contaminated groundwater or discharging contaminated soils via surface erosion is prohibited. Dewatering of non-contaminated groundwater requires a National Pollutant Discharge Elimination System Permit from the respective State Regional Water Quality Control Board.



City of Villa Park

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN the City Council of the City of Villa Park will hold a public hearing, July 14, 2011 at 9:00 a.m., or as soon thereafter as the matter can be heard, in the Council Chambers, 17855 Santiago Boulevard, Villa Park, California to receive and consider all evidence and reports relative to the application described below:

Conditional Use Permit No. 0710: a request to install and operate antennas and microwave dish on wireless telecommunication facility enclosed within a tower element of the new City Hall façade.

Variance Permit No. 0711: requesting to exceed the height limits in the C-N zone to allow a 52-foot telecommunication facility within a tower element of the new City Hall façade.

Location: 17855 Santiago Boulevard; Applicant: Verizon Wireless.

Copies of plans and related documents are on file and available for public inspection at City Hall. City Hall is open Monday through Thursday from 8:00a.m. to 6:00p.m., and Friday from 8:00a.m. to 5:00p.m. Telephone: (714) 998-1500.

IF A CITIZEN WISHES TO CHALLENGE THE NATURE OF THE ABOVE ACTIONS IN COURT, THEY MAY BE LIMITED TO RAISING ONLY THOSE ISSUES THEY OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY OF VILLA PARK AT OR PRIOR TO THE PUBLIC HEARING.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF VILLA PARK.

Executed on June 28, 2011 at Villa Park, California.

Jarad L. Hildenbrand, City Clerk
City of Villa Park