

THE GITT OF BAIT DIEGO

REPORT TO THE HEARING OFFICER

HEARING DATE:	January 30, 2013	REPORT NO. HO 13-006	
ATTENTION:	Hearing Officer		
SUBJECT:	AT&T – NORMAL SCHOOL PTS PROJECT NUMBER: 260475	5	
LOCATION:	4452 Park Boulevard		
APPLICANT:	Glori James- Suarez, Technology A	ssociates, Inc.	

SUMMARY

Issue(s): Should the Hearing Officer approve a wireless communication facility on an office building located at 4452 Park Boulevard in the Uptown Community Planning area?

Staff Recommendation(s) - APPROVE Site Development Permit No. 1069965.

<u>Community Planning Group Recommendation</u> – On February 7, 2011, the Uptown Planners voted unanimously to approve the AT&T - Normal School project with no conditions (Attachment 8).

Environmental Review:

The project was determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301, Existing Facilities. This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on November 28, 2012 and the opportunity to appeal that determination ended **December 12, 2012** (Attachment 7).

BACKGROUND

This project is a Site Development Permit for a proposed Wireless Communication Facility (WCF) that includes replacement of the building parapet (with a two-foot height increase) in order to conceal AT&T's new antennas and associated components. The equipment is proposed to be located within the building in an equipment room on the second floor. The building is a three story office building located at 4452 Park Boulevard in the CV-3 zone of the Mid-City Communities Planned District within the Uptown Community Planning area. Surrounding uses include commercial to the north and east and a mixture of single- and multi-unit residential uses to the west and south (Attachments 1, 2 and 3).

Two other carriers operate WCF's on this property. Sprint Nextel and Verizon have antennas either façade mounted or located on the roof top behind the existing parapet (Attachment 10). WCF's are permitted in commercial zones as a Limited Use; however, because the replacement parapet will deviate slightly from the 50-foot height limit, a Site Development Permit is required.

DISCUSSION

The existing building height is 48-feet to the top of the parapet. AT&T is proposing to replace the existing parapet with a new one that is approximately two-feet taller. The new parapet will result in a building height just over 50-feet, but will conceal all of the antennas currently located on the roof top. The existing parapet wall will be raised two-feet and a new Fiberglass Reinforced Panel (FRP) screen wall will be installed 4'-6" out from the parapet to form what will appear as a new parapet wall (Attachments 11 and 14). Behind the new parapet screen wall, AT&T will have four sectors of four antennas each along with 32 Remote Radio Units (RRU's), four surge suppressors and two GPS antennas. Verizon's antennas are concealed behind the existing parapet and will continue to be concealed behind the new screen. Sprint's antennas are façade mounted in screen boxes and will not be affected by this project (Attachment 14).

Community Plan Analysis:

The Uptown Community Plan does not specifically address WCF's. However, the City's General Plan, Section UD-A.15, does address WCF's as follows:

Minimize the visual impact of wireless facilities.

- a) Conceal wireless facilities in existing structures when possible, otherwise use camouflage and screening techniques to hide or blend them into the surrounding area.
- b) Design facilities to be aesthetically pleasing and respectful of the neighborhood context.
- c) Conceal mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures.

This project complies with the requirements of the General Plan for WCF's. The project proposes to locate antennas and associated components behind a newly expanded parapet wall. The WCF will be completely concealed behind a newly designed parapet that integrates into the architecture of the building.

Conclusion:

With the exception of a slight deviation to height, this project complies with the applicable regulations of the Land Development Code and the City's General Plan. The Uptown Planners recommended approval of the project and draft findings (Attachment 5) have been made in the affirmative. Therefore, staff recommends approval of SDP No. 1069965.

ALTERNATIVES

- 1. Approve SDP No. 1069965, with modifications.
- 2. Deny SDP No. 1069965, if the Planning Commission makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

Karen Lynch-Ashcraft, Development Project Manager

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- Project Data Sheet 4.
- 5. Draft Permit Resolution with Findings
- Draft Permit with Conditions 6.
- 7. Environmental Exemption
- Community Planning Group Recommendation 8.
- **Ownership Disclosure Statement** 9.
- 10. Photos
- 11. Photosimulations
- Project Chronology 12.
- 13. Notice of Public Hearing
- 14. Project Plans

Rev 1/25/11 hmd



Aerial Photo

AT&T- NORMAL SCHOOL PROJECT NUMBER 260475





4452 PARK BOULEVARD

ATTACHMENT 1



UPTOWN COMMUNIT PLAN MAP

4452 PARK BOULEVARD



AT&T- NORMAL SCHOOL PROJECT NUMBER 260475



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ATTACHMENT 3



Project Location Map AT&T-NORMAL SCHOOL PROJECT NUMBER 260475 4452 PARK BOULEVARDD



PROJ	ECT DATA SE	IEET		
PROJECT NAME:	AT&T – Normal School			
PROJECT DESCRIPTION:	A wireless communication facility consisting of a total of 16 panel antennas, 32 RRH's, 4 Surge Suppressors and 2 GPS antennas located behind a replacement parapet screen wall. Equipment will be located on the 2 nd floor of the existing building.			
COMMUNITY PLAN AREA:	Uptown			
DISCRETIONARY ACTIONS:	Site Development Permit			
COMMUNITY PLAN LAND USE DESIGNATION:	Commercial/Residential 4			
5. 14 M	ZONING INFORMATIO	<u>N</u> :		
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE		
NORTH:	Commercial/Residential 4, MCCPD-CV-3.	Commercial		
SOUTH:	Commercial/Residential 4; MCCPD-CV-3.	Residential		
EAST:	Commercial; MCCPD- CV-3.	Commercial		
WEST:	Residential Medium Density; MCCPD-MR- 1500.	Residential		
DEVIATIONS OR VARIANCES REQUESTED:	Request to exceed the 40' height limit by 2' 3".			
COMMUNITY PLANNING GROUP RECOMMENDATION:	On February 7, 2011, the Uptown Planners voted unanimously to approve the AT&T – Normal School project with no conditions.			

HEARING OFFICER RESOLUTION NO. SITE DEVELOPMENT PERMIT NO. 1069965 AT&T – NORMAL SCHOOL PROJECT NO. – 260475 DRAFT

WHEREAS, Park Professional Plaza COA, Inc., Owner and AT&T Mobility, Permittee, filed an application with the City of San Diego for a permit for a wireless communication facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1069965), on portions of a .32-acre site;

WHEREAS, the project site is located at 4452 Park Boulevard in the CV-3 zone of the Mid-City Communities Planned District within the Uptown Community Planning area;

WHEREAS, the project site is legally described as: A condominium comprised of Parcel 1: An undivided 19/36th interest in and to Lots 37 through 40, inclusive, Block 78, University Heights, in the City of San Diego, County of San Diego, State of California, according to Amended Map thereof made by G.A, d'Hemecourt in Book 8, Page 35, et seq. of Lis Pendens, filed in the Office of the County Recorder of San Diego; excepting therefrom the following: a) Units 101 through 106, inclusive, Units 201-215, inclusive, and Units 301 through 315, inclusive, as shown upon the Condominium Plan recorded November 17, 1983, as File Number 83-418950 of Official Records of said County. Parcel 2: Units 101-106, inclusive, 202 and 205, 210 through 213, inclusive, as shown upon the Condominium Plan above referred to.;

WHEREAS, on January 30, 2013, the Hearing Officer of the City of San Diego considered Site Development Permit No. 1069965 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 28, 2012, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301, Existing Facilities; and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated January 30, 2013.

FINDINGS:

Site Development Permit - Section 126.0504

1. The proposed development will not adversely affect the applicable land use plan;

Although the Uptown Community Plan does not address Wireless Communication Facilities (WCF's), the City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to

hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. In this case, the project consists of the addition of a new Fiberglass Reinforced Panel (FRP) screen designed to look like a new roof top parapet, which will continue to screen the existing Verizon panel antennas, but also screen the proposed AT&T antennas and associated components as well. The associated equipment will be located within an equipment room on the second floor of the building. Based on the design of this project, the WCF will not adversely affect the applicable land use plans.

2. The proposed development will not be detrimental to the public health, safety, and welfare; and

The Telecommunications Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require signage to be posted in the locations recommended by the report prepared by EBI Consulting on December 13, 2012 prior to the issuance of a building permit. Therefore, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the City.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The Wireless Communication Facility (WCF) Regulations, Land Development Code Section 141.0420, require that WCF's utilize the smallest, least visually intrusive antennas, components, and other necessary equipment. The applicant is required to use all reasonable means to conceal or minimize the visual impact of the WCF through integration utilizing architecture, landscape, and siting. In this case, AT&T is proposing to increase the height of the parapet by two-feet. The existing building height is slightly above 48-feet and the CV-3 zone permits a maximum building height of 40-feet. The addition of the parapet will result in an overall height of 50-feet, 3-inches. Deviations in the Mid-City Communities Planned District require a Mid-City Communities Development Permit, which translates in the Land Development Code to a Site Development Permit. Increasing the parapet height will result in a complete concealment of the antennas and associated components for AT&T. Verizon is currently screened on the roof top and will continue to be once the new parapet is installed. The new parapet will be constructed of Fiberglass Reinforced Panels (FRP) and will be painted and textured to match the existing building. It will be placed approximately four and a half feet from the existing parapet on the tile mansard roof, which will provide enough vertical space to locate the antennas behind. The AT&T and Verizon WCF's will be concealed from public view, which complies not only with the WCF regulations, but also the WCF Design Guidelines. The project deviates from the maximum height limit, a deviation which is being processed with this Site Development Permit/Mid-City Communities Development Permit. Therefore, the project complies with the regulations of the Land Development Code.

Mid-City Communities Development Permit Findings - Section 1512.0204

1. The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 1512.0101), and the following documents, as applicable to the site: the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan, the Uptown Community Plan, the Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate studies in Landscape Architecture; June, 1983), Design Manual for the Normal Heights Demonstration Area and the City Heights Demonstration Area (HCH Associates and Gary Coad; April, 1984), The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick), The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (The Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.), Sears Site Development Program (Gerald Gast and Williams-Kuebelbeck and Assoc.; 1987) and will not adversely affect the Greater North Park Community Plan, the Uptown Community Plan or the General Plan of the City of San Diego; Community Plan or the General Plan of the City of San Diego;

The purpose of the Mid-City Communities Planned District is to assist in implementing the goals and objectives of the adopted community plans for older. developed communities, such as Uptown and to assist in implementation of the Progress Guide and General Plan of The City of San Diego. The existing condominium office building will not be changed from its current use; however the existing roofline will be modified to accommodate AT&T's larger antennas while concealing them from view from the surrounding neighborhood. The Uptown Community Plan does not specifically address Wireless Communication Facilities (WCF's); however, the City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. In this case, the project consists of the addition of a new Fiberglass Reinforced Panel (FRP) screen designed to look like a new roof top parapet, which will continue to screen the existing Verizon panel antennas, but also screen the proposed AT&T antennas and associated components as well. The associated equipment will be located within an equipment room on the second floor of the building. Based on the design of this project, the WCF meets the purpose and intent of the Mid-City Communities Planned District and will not adversely affect the Uptown Community Plan or the General Plan of the City of San Diego.

2. Compatibility with surrounding development. The proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community will be achieved as far as practicable; The three-story condominium office building is approximately 48-feet tall where the CV-3 zone permits a maximum height of 40-feet. The replacement parapet proposed for this project will increase the overall building height by 2-feet (50-feet, three-inches) and will be located 4-feet, six-inches further down on the existing tiled mansard. Even though the new parapet screen wall is an overall 5-foot, 11-inches in height, the actual result is a two-foot increase in overall building height.

Existing development within the block is a mixture of one and two-story buildings. Within the Park Boulevard corridor, there are other three-story buildings. Architectural design is a mixture of older homes and commercial structures as well as more modern commercial and multi-unit residential structures. The office condominium complex is a modern glass and stucco building with a Spanish tile mansard roof. The modifications proposed as part of this project will add a two-foot parapet screen to the roof top and will conceal all wireless communication antennas on the roof top. The resulting project will be compatible with the existing and planned land use on adjoining properties and the building architecture will maintain its architectural harmony with the surrounding neighborhood as far as is practicable.

3. No Detriment to Health, Safety and Welfare. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity;

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require signage to be posted in the locations recommended by the report prepared by EBI Consulting on December 13, 2012 prior to the issuance of a building permit. Therefore, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the City.

4. Adequate Public Facilities. For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 1512.0203(b)(1)(A) or (B), the proposed development provides a minimum of 750 square feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located within any area of the site used for vehicle parking, or ingress and egress, and shall be configured to have a minimum of 10 feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities;

This project consists of a Wireless Communication Facility, which does not involve a residential use. Therefore, as this finding applies to residential and mixed residential/commercial projects, this permit finding is not applicable to this project.

5. Adequate Lighting. In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site; and

A double acorn-style pedestrian street light is located approximately 22-feet away from the property. No security lighting is proposed with this project.

6. The proposed use will comply with the relevant regulations in the San Diego Municipal Code.

The project complies with the regulations of the Wireless Communication Facility Regulations, Land Development Code Section 141.0420, and with the zone development requirements of the MCCPD-CV-3 zone, with the exception of the height requirements. The allowable height is 40-feet or 50-feet for portions of buildings over enclosed parking. The existing office building is approximately 48-feet tall and with the addition of the parapet wall, the height will increase to 50-feet, 3-inches at its highest point. The deviation to the height is permitted through the processing of this Site Development Permit/Mid-City Communities Development Permit.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 1069965. is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 106965, a copy of which is attached hereto and made a part hereof.

Karen Lynch-Ashcraft Development Project Manager Development Services

Adopted on: January 30, 2013

Job Order No. 24002267

HEARING OFFICER RESOLUTION NO. SITE DEVELOPMENT PERMIT NO. 1069965 AT&T – NORMAL SCHOOL PROJECT NO. – 260475 DRAFT

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WHEREAS, the project site is located at 4452 Park Boulevard in the CV-3 zone of the Mid-City Communities Planned District within the Uptown Community Planning area;

WHEREAS, the project site is legally described as: A condominium comprised of Parcel 1: An undivided 19/36th interest in and to Lots 37 through 40, inclusive, Block 78, University Heights, in the City of San Diego, County of San Diego, State of California, according to Amended Map thereof made by G.A, d'Hemecourt in Book 8, Page 35, et seq. of Lis Pendens, filed in the Office of the County Recorder of San Diego; excepting therefrom the following: a) Units 101 through 106, inclusive, Units 201-215, inclusive, and Units 301 through 315, inclusive, as shown upon the Condominium Plan recorded November 17, 1983, as File Number 83-418950 of Official Records of said County. Parcel 2: Units 101-106, inclusive, 202 and 205, 210 through 213, inclusive, as shown upon the Condominium Plan above referred to.;

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hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. In this case, the project consists of the addition of a new Fiberglass Reinforced Panel (FRP) screen designed to look like a new roof top parapet, which will continue to screen the existing Verizon panel antennas, but also screen the proposed AT&T antennas and associated components as well. The associated equipment will be located within an equipment room on the second floor of the building. Based on the design of this project, the WCF will not adversely affect the applicable land use plans.

2. The proposed development will not be detrimental to the public health, safety, and welfare; and

The Telecommunications Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require signage to be posted in the locations recommended by the report prepared by EBI Consulting on December 13, 2012 prior to the issuance of a building permit. Therefore, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the City.

3. The proposed development will comply with the applicable regulations of the Land Development Code, including any allowable deviations pursuant to the Land Development Code.

The Wireless Communication Facility (WCF) Regulations, Land Development Code Section 141.0420, require that WCF's utilize the smallest, least visually intrusive antennas, components, and other necessary equipment. The applicant is required to use all reasonable means to conceal or minimize the visual impact of the WCF through integration utilizing architecture, landscape, and siting. In this case, AT&T is proposing to increase the height of the parapet by two-feet. The existing building height is slightly above 48-feet and the CV-3 zone permits a maximum building height of 40-feet. The addition of the parapet will result in an overall height of 50-feet, 3-inches. Deviations in the Mid-City Communities Planned District require a Mid-City Communities Development Permit, which translates in the Land Development Code to a Site Development Permit. Increasing the parapet height will result in a complete concealment of the antennas and associated components for AT&T. Verizon is currently screened on the roof top and will continue to be once the new parapet is installed. The new parapet will be constructed of Fiberglass Reinforced Panels (FRP) and will be painted and textured to match the existing building. It will be placed approximately four and a half feet from the existing parapet on the tile mansard roof, which will provide enough vertical space to locate the antennas behind. The AT&T and Verizon WCF's will be concealed from public view, which complies not only with the WCF regulations, but also the WCF Design Guidelines. The project deviates from the maximum height limit, a deviation which is being processed with this Site Development Permit/Mid-City Communities Development Permit. Therefore, the project complies with the regulations of the Land Development Code.

Mid-City Communities Development Permit Findings - Section 1512.0204

 The proposed use and project design meet the purpose and intent of the Mid-City Communities Planned District (Section 1512.0101), and the following documents, as applicable to the site: the Mid-City Community Plan, the Greater North Park Community Plan, the State University Community Plan, the Uptown Community Plan, the Mid-City Design Plan (California State Polytechnic University, Pomona; Graduate studies in Landscape Architecture; June, 1983), Design Manual for the Normal Heights Demonstration Area and the City Heights Demonstration Area (HCH Associates and Gary Coad; April, 1984), The Design Study for the Commercial Revitalization of El Cajon Boulevard (Land Studio, Rob Quigley, Kathleen McCormick), The North Park Design Study, Volume 1, Design Concept and Volume 2, Design Manual (The Jerde Partnership, Inc. and Lawrence Reed Moline, Ltd.), Sears Site Development Program (Gerald Gast and Williams-Kuebelbeck and Assoc.; 1987) and will not adversely affect the Greater North Park Community Plan, the Uptown Community Plan or the General Plan of the City of San Diego; Community Plan or the General Plan of the City of San Diego;

The purpose of the Mid-City Communities Planned District is to assist in implementing the goals and objectives of the adopted community plans for older, developed communities, such as Uptown and to assist in implementation of the Progress Guide and General Plan of The City of San Diego. The existing condominium office building will not be changed from its current use; however the existing roofline will be modified to accommodate AT&T's larger antennas while concealing them from view from the surrounding neighborhood. The Uptown Community Plan does not specifically address Wireless Communication Facilities (WCF's); however, the City's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. In this case, the project consists of the addition of a new Fiberglass Reinforced Panel (FRP) screen designed to look like a new roof top parapet, which will continue to screen the existing Verizon panel antennas, but also screen the proposed AT&T antennas and associated components as well. The associated equipment will be located within an equipment room on the second floor of the building. Based on the design of this project, the WCF meets the purpose and intent of the Mid-City Communities Planned District and will not adversely affect the Uptown Community Plan or the General Plan of the City of San Diego.

2. Compatibility with surrounding development. The proposed development will be compatible with existing and planned land use on adjoining properties and will not constitute a disruptive element to the neighborhood and community. In addition, architectural harmony with the surrounding neighborhood and community will be achieved as far as practicable; The three-story condominium office building is approximately 48-feet tall where the CV-3 zone permits a maximum height of 40-feet. The replacement parapet proposed for this project will increase the overall building height by 2-feet (50-feet, three-inches) and will be located 4-feet, six-inches further down on the existing tiled mansard. Even though the new parapet screen wall is an overall 5-foot, 11-inches in height, the actual result is a two-foot increase in overall building height.

Existing development within the block is a mixture of one and two-story buildings. Within the Park Boulevard corridor, there are other three-story buildings. Architectural design is a mixture of older homes and commercial structures as well as more modern commercial and multi-unit residential structures. The office condominium complex is a modern glass and stucco building with a Spanish tile mansard roof. The modifications proposed as part of this project will add a two-foot parapet screen to the roof top and will conceal all wireless communication antennas on the roof top. The resulting project will be compatible with the existing and planned land use on adjoining properties and the building architecture will maintain its architectural harmony with the surrounding neighborhood as far as is practicable.

3. No Detriment to Health, Safety and Welfare. The proposed use, because of conditions that have been applied to it, will not be detrimental to the health, safety and general welfare of persons residing or working in the area, and will not adversely affect other property in the vicinity;

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require signage to be posted in the locations recommended by the report prepared by EBI Consulting on December 13, 2012 prior to the issuance of a building permit. Therefore, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the City.

4. Adequate Public Facilities. For residential and mixed residential/commercial projects within the park-deficient neighborhoods shown on Map Number B-4104 that are not exempted by Section 1512.0203(b)(1)(A) or (B), the proposed development provides a minimum of 750 square feet of on-site usable recreational open space area per dwelling unit. The on-site usable recreational open space area shall not be located within any area of the site used for vehicle parking, or ingress and egress, and shall be configured to have a minimum of 10 feet in each dimension. The area will be landscaped and may also include hardscape and recreational facilities;

This project consists of a Wireless Communication Facility, which does not involve a residential use. Therefore, as this finding applies to residential and mixed residential/commercial projects, this permit finding is not applicable to this project.

5. Adequate Lighting. In the absence of a street light within 150 feet of the property, adequate neighborhood-serving security lighting consistent with the Municipal Code is provided on-site; and

A double acorn-style pedestrian street light is located approximately 22-feet away from the property. No security lighting is proposed with this project.

6. The proposed use will comply with the relevant regulations in the San Diego Municipal Code.

The project complies with the regulations of the Wireless Communication Facility Regulations, Land Development Code Section 141.0420, and with the zone development requirements of the MCCPD-CV-3 zone, with the exception of the height requirements. The allowable height is 40-feet or 50-feet for portions of buildings over enclosed parking. The existing office building is approximately 48-feet tall and with the addition of the parapet wall, the height will increase to 50-feet, 3-inches at its highest point. The deviation to the height is permitted through the processing of this Site Development Permit/Mid-City Communities Development Permit.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Site Development Permit No. 1069965. is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 106965, a copy of which is attached hereto and made a part hereof.

Karen Lynch-Ashcraft Development Project Manager Development Services

Adopted on: January 30, 2013

Job Order No. 24002267

RECORDING REQUESTED BY CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24002267

SITE DEVELOPMENT PERMIT NO. 1069965 AT&T – NORMAL SCHOOL PROJECT NO. 260475 HEARING OFFICER DRAFT

This Site Development Permit No. 1069965 is granted by the Hearing Officer of the City of San Diego to Park Professional Plaza COA, Inc., Owner, and AT&T Mobility, Permittee, pursuant to San Diego Municipal Code [SDMC] section 141.0420 and Chapter 12, Article 6, Division 5. The .32-acre site is located at 4452 Park Boulevard in the CV-3 zone of the Uptown Community Planning area. The project site is legally described as: A condominium comprised of Parcel 1: An undivided 19/36th interest in and to Lots 37 through 40, inclusive, Block 78, University Heights, in the City of San Diego, County of San Diego, State of California, according to Amended Map thereof made by G.A, d'Hemecourt in Book 8, Page 35, et seq. of Lis Pendens, filed in the Office of the County Recorder of San Diego; excepting therefrom the following: a) Units 101 through 106, inclusive, Units 201-215, inclusive, and Units 301 through 315, inclusive, as shown upon the Condominium Plan recorded November 17, 1983, as File Number 83-418950 of Official Records of said County. Parcel 2: Units 101-106, inclusive, 202 and 205, 210 through 213, inclusive, as shown upon the Condominium Plan above referred to.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee for a wireless communication facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated January 30, 2013, on file in the Development Services Department.

The project shall include:

a. Sixteen panel antennas measuring 58" x 12" x 6"; 32 Remote Radio Units (RRU's); four surge suppressors and two GPS antennas all located behind a new parapet screen wall. Associated equipment is located in a second story equipment room;

- b. The parapet wall will exceed the 50-foot height limit by three-inches;;
- c. Off-street parking;

;

d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by February 13, 2016.

2. The project complies with the Telecommunication Facility Guidelines as a Complete Concealment Facility and as a result, the permit will not contain an expiration date. It is the responsibility of the wireless carrier and owner(s) to maintain the appearance of the approved facility to condition set forth in this permit unless the site is removed and restored to its original condition. Code compliance shall be notified if the appearance or the scope of the project has changed without the approval of the City Manager.

3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.

7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

9. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

10. All of the conditions contained in this Permit have been considered and were determinednecessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

11. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to,

settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

12. Prior to the issuance of any construction permit, the Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.

13. Prior to the issuance of any construction permit the Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

PLANNING/DESIGN REQUIREMENTS:

14. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

15. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

16. All facilities and related equipment shall be: maintained in good working order; free from trash, debris, graffiti; and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.

17. The Owner/Permittee shall notify the City within 30 days of the sale or transfer of this site to any other provider or if the site is no longer operational requiring the removal and the restoration of this site to its original condition.

18. The photosimulation(s) for the proposed project shall be printed (not stapled) on the building plans. This is to ensure the construction team building the project is in compliance with approved the 'Exhibit A.'

19. No overhead cabling is allowed for this project.

20. The final product shall conform to the stamp approved plans and approved photosimulations prior to final inspection approval.

21. All equipment, including transformers, emergency generators and air conditioners shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.

22. The Permittee shall place appropriate signage on the WCF as required by CAL-OSHA and the RF EME Compliance Report prepared by EBI Consulting on December 13, 2012, to the satisfaction of the Development Services Department.

23. Use of or replacement of any building façade or mechanical screen with FRP material for purposes of concealing antennas shall not result in any noticeable lines or edges in the transition to the original building. All FRP shall be painted and textured to match the original building.

INFORMATION ONLY:

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- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Please note that an Administrative Planning Hold will be placed on the project prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans and associated conditions. <u>Prior to calling for your Final Inspection from your</u> <u>building inspection official</u>, please contact the Project Manager listed below at (619 446-5351 to schedule an inspection of the completed facility. Please schedule this administrative inspection at least five working days ahead of the requested Final.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on January 30, 2013 by Resolution No.

Permit Type/PTS Approval No.: <u>PTS No. 260475/SDP No. 1069965</u> Date of Approval: <u>January 30, 2013</u>

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Karen Lynch-Ashcraft Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code Section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

AT&T Moibility Permittee

By_

Kevin Becker Senior Real Estate and Construction Manager

Park Professional Plaza, COA, Inc. Owner/Permittee

By_

NAME TITLE

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

DEVELOPMENT SERVICES DEPARTMENT

1222 FIRST AVENUE, MS 501

SAN DIEGO, CA 92101

NOTICE OF EXEMPTION

FROM: CITY OF SAN DIEGO

(Check one or both)

RECORDER/COUNTY CLERK TO: X P.O. BOX 1750, MS A-33 1600 PACIFIC HWY, ROOM 260

> OFFICE OF PLANNING AND RESEARCH 1400 TENTH STREET, ROOM 121 SACRAMENTO, CA 95814

SAN DIEGO, CA 92101-2422

PROJECT NO.: 260475

PROJECT TITLE: AT&T Park Boulevard

PROJECT LOCATION-SPECIFIC: 4452 Park Boulevard, CA 92116 (A portion of Lots 37 through 40, Block 78, University Heights)

PROJECT LOCATION-CITY/COUNTY: San Diego/San Diego

DESCRIPTION OF NATURE AND PURPOSE OF THE PROJECT: Site Development Permit (SDP) for the addition of four (4) new antennas to the existing twelve (12) antennas at an existing Wireless Communication Facility (WCF). The antennas would be located behind a parapet wall that would be increased a total of two (2) additional feet in height. The equipment associated with the antennas is and would remain within the building in a second floor equipment room. The project is located at 4452 Park Boulevard and the area is zoned MCCPD-CV-3 within the FAA Part 77 area within the Uptown Community Plan area.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of San Diego

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Monica Swing

5473 Kearny Villa Road Suite 300 San Diego, CA, 92123 714-931-6011

EXEMPT STATUS: (CHECK ONE)

- MINISTERIAL (SEC. 21080(b)(1); 15268); ()
- DECLARED EMERGENCY (SEC. 21080(b)(3); 15269(a));) (
- () EMERGENCY PROJECT (SEC. 21080(b)(4); 15269 (b)(c))
- (X) CATEGORICAL EXEMPTION: Section 15301(b) existing facilities, public or private utilities
- () STATUTORY EXEMPTIONS:

REASONS WHY PROJECT IS EXEMPT: This project is exempt because minimal changes are required to add antennas and increase the height of the existing parapet wall and would allow an existing WCF to continue operation. In addition the project is exempt because it meets the criteria set forth in CEQA section 15301(b) - existing facilities, public or private utilities - and where the exceptions listed in CEQA section 15300.2 would not apply.

LEAD AGENCY CONTACT PERSON: Lizzi IF FILED BY APPLICANT:

1. ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING.

HAS A NOTICE OF EXEMPTION BEEN FILED BY THE PUBLIC AGENCY APPROVING THE PROJECT? 2 () YES () NO

IT IS HEREBY CERTIFIED THAT THE CITY OF SAN DIEGO HAS DETERMINED THE ABOVE ACTIVITY TO BE EXEMPT FROM CEOA

Acus Man SIGNATURE/TITLE

CHECK ONE: (X) SIGNED BY LEAD AGENCY () SIGNED BY APPLICANT

DATE RECEIVED FOR FILING WITH COUNTY CLERK OR OPR:

11/28/12

TELEPHONE: (619) 446-5159



Meeting called to order at 6:00 p.m.

Present: Wilson, Jaworski, Dahl, Ferrier, Bonn, Bonner, Tablang, Grinchuk, Butler, Seidel, Pesquiera, Lamb, Winney (6:15), O'Dea (6:15), Mellos (6:25)

Absent: Liddell, Adler

I. Board Meeting: Parliamentary Items/ Reports:

Approval of Agenda:

1. Agenda Item 6 was taken off the agenda and continued at the request of the applicant.

Agenda Item 6: 502 UNIVERSITY AVENUE ("AT&T WASHINGTON HIGHWAY 163") – Process Three – Hospital District – Application to modify an existing Wireless Communications Facility (WCF); the modification consists of an expansion to the existing equipment enclosure. The existing antennas will also be removed and a total of twelve new antennas shall be installed on the roof behind Fiberglass Reinforced Panel (FRP) screenings. The property is located at 842 East Washington Street; Mid-Cities Community Planned District CN-1A.

Motion by Dahl, second by Ferrier, to move the following two agenda items to the Consent Agenda:

> Agenda Item 2: PARK BOULEVARD ("AT&T PARK BOULEVARD") – Process Three – University Heights –Application for an amendment an existing permit for Wireless Communications Facility (WCF) to allow for an increase in parapet height of 1.5 feet.

> Agenda Item 7: 741 UNIVERSITY AVENUE ("AT&T CASA GRANDE") – Process Two – Hillcrest -- Application for Neighborhood Use Permit for a Wireless Communications Facility consisting of antennas mounted on an existing building at 1751 University Avenue; CN-2A; FAA 77.

3. Motion by Ferrier to approve the consent agenda as revised; Motion passed by a voice vote.

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II. Approval of Minutes: December 2011 minutes not ready because of computer issues.

III. <u>Treasurer's Report</u>: A total of \$403.62 in the bank account. No further collection needed at this time.

IV. Website Report: Ferrier reported there have been updates to the website.

V. Chair/ CPC Chair Report:

Chair Wilson provided an update on two issues which came before the Community Planners Committee in January.

1.) On the issue of whether copyright protection prohibited the duplication of site plans and other documents provided to community planning committees. The CPC established a task force, which reviewed the issue with DSD staff and the City Attorney. The issue was resolved through a compromise in which project applicants would be required to sign a waiver allowing project documents such as site plans to be duplicated for the purpose of public review (copyright protection still remains in effect prohibiting private use of duplicated documents and site plans).

2.) The CPC considered a revision to City Council Policy 600-24 and 600-33, which clarified when a community planning group could review general park development plans. The policy revisions were the result of the actions of Uptown Planners regarding the West Lewis Street Mini-Park; where the City of San Diego did not have a local Recreation Council with jurisdiction to review the park plans. The revised polices now provide for review of such projects by the community planning group with jurisdiction over the proposed park where there is no Recreation Council.

The EIR for the proposed Plaza de Panama project had been released; the time for comment had been extended to later in February. Uptown Planners announced in its agenda a special meeting to review the Plaza de Panama project on February 16, 2012, it will be in the "Great Hall" at St. Paul's Cathedral on 2750 Fifth Avenue.

The Old Town Transitional Housing project in Middletown would likely come before Uptown Planners on March 6, 2012.

V. Election Committee Report:

Don Liddell, the Rules Committee Chair, was absent; so Chair Wilson announced a board election would be held at the March 6, 2012; prior to the regular board meeting. The Election Committee would consist of Don Liddell, Janet O'Dea, Roy Dahl and Rhett Butler. There would be seven seats that will be filled in the election; the election rules as attached to the February agenda, were read. The last day a candidate could submit an application to run for a board set was set by the board as February 24, 2012.

II. Non-Agenda Public Comment:

Ann Garwood announced the Hillcrest Town Council will meet February 14, 2012 in the Joyce Beers Community Center; and that a Hillcrest clean up has been scheduled for Park Boulevard south of University Avenue.

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III. Representatives of Elected Officials --

Ian Clampett representing City Council District Two spoke, and indicated the city was working on streamlining the permit process for special events, and a new pay parking station was being installed in Mission Hills.

Anthony Bernal representing City Council District Three announced the scheduled repaying of Sixth Avenue included the striping for cross walks and bike lanes. The City Council took action to extend the Interim Height Ordinance for two more years; it will not be co-terminus with the Uptown Community Plan update. Bernal also announced that the city will implement a fine system for improper demolitions of potentially historic structures of up to \$250,000. The fine money would be placed in a trust fund.

IV. Consent Agenda:

Motion by Ferrier to approve the Consent Agenda; second by Bonner; approved by a 13-0-1 vote (non-voting chair abstaining; Winney absent.

Agenda Item 2: PARK BOULEVARD ("AT&T PARK BOULEVARD") – Process Three – University Heights --Application for an amendment an existing permit for Wireless Communications Facility (WCF) to allow for an increase in parapet height of 1.5 feet.

Agenda Item 7: 741 UNIVERSITY AVENUE ("AT&T CASA GRANDE") – Process Two – Hillcrest – Application for Neighborhood Use Permit for a Wireless Communications Facility consisting of antennas mounted on an existing building at 1751 University Avenue; CN-2A; FAA 77.

V. Potential Action Items: Projects

NORMAL STREET/ UNIVERSITY AVENUE MEDIUM SDP ("MONUMENT FLAG POLE") – Process Five – Hillcrest – Site Development Permit/ Public Right-Of-Way Encroachment – Application to construct a 65 foct flag pole in existing medium at Normal Street and University Avenue; FAA-77.

Ben Nichols, the Director of the Hillcrest Business Association, presented the proposed project. A total of about \$10,000 would be raised and set aside for the insurance and ongoing maintenance of the flag. The funding would be raised from private donors; with San Diego Pride administering the funds. The Hillcrest Business Association would be responsible for raising and lowering the flag.

Marlon Pangilinan indicated planning staff would favor a smaller flag on a lower flag pole. Maintenance Assessment District funds would not be used to fund the maintenance of the flag. Public comment was made about the project; primarily in favor.

Many board members spoke in favor of the project; others indicated reservations about the size and height, and the placement of the flag monument on public land.

Motion by Ferrier to approve the project as presented; seconded by Dahl; Motion passed by an 8-6-1 vote. In favor: Ferrier, Dahl, O'Dea, Butler, Winney, Tablang, Grinchuk, Lamb; Opposed: Jaworski, Bonner, Seidel, Bonn, Pesqueira, and Mellos. Non-voting chair Wilson abstaining.

525 SPRUCE STREET ("INN @ THE PARK MAP WAIVER") – Process Three – Bankers Hill/Park West – Map Waiver application to waive the requirements of a Tentative Map to create 82 residential timeshare condominium units in an existing hotel; located at 525 Spruce Street in the CV-1 and MR-400; Residential Tandem Parking; Transit Area.

Applicant informed the board that the project will transform the site from currently being a hotel to 82 residential timeshare condominiums. There will be no exterior changes to the structure; the application is just for the map waiver for the condominiums.

Motion to approve the project by Butler, seconded by Grinchuk; motion passed by a 14-0-1; voting in favor were; Butler, Grinchuk, Jaworski, Winney, Bonn, Bonner, Seidel, Lamb, Ferrier, Tablang, O'Dea, Dahl, Pesquiera, Meilos; non-voting chair Wilson abstaining.

3102 SIXTH AVENUE ("PARK@SIXTH MAP WAIVER") – Process Three – Bankers Hill/Park West – Map Waiver application to waive the requirements of a Tentative Map to create 37 residential condominium units on a 0.34 acres site located at 3201 Sixth Avenue in the MR-400 Zone.

The initial project that was approved for the site was a high-end condominium project named the Biarretz, which was approximately 110 feet in height. The project was approved by Uptown Planners in 2004. The project has been revised to incorporate small units, and the height has been reduced to approximately 60 feet. There will still be 83 parking spaces. The revised project was found to be in substantial conformance with the original project, and approved ministerially by the city, and has begun construction. The map waiver for the condominiums is before Uptown Planners.

Motion to approve by Butler, seconded by Bonn; motion passed by a 13-1-1 vote. Voting in favor were Butler, Bonn, Jaworski, Seidei, Mellos, Pesquiera, Winney, Tablang, O'Dea, Lamb, Bonner, Ferrier, Grinchuk. Dahl voted against, based on his objection to map waivers being reviewed by Uptown Planners after a project is ministerially approved. Non-voting chair Wilson abstained.

3915 NINTH AVENUE ("GOLDEN PAW") – Process Two – Hillcrest -- Neighborhood Use Permit for a pet care facility in an existing building at 3915 Ninth Avenue in the CN-1A and NP-1 Zone; Residential Tandem Parking, Transit Area.

Applicant proposes to place a pet care facility on the site of a former used car lot. The existing building will remain; new fencing will be installed. A sound study was required because of the proximity of the site to I-163. The applicant has previous experience with pet care; the facility will board up to 18 dogs overnight. Canine daycare will also be provided with a play area.

Motion to approve as presented made by Winney; seconded by Dahl. Motion passes by a 13-0-2; voting in favor were Winney, Dahl, Tablang, Jaworski, Ferrier, Bonn, Bonner, Grinchuk, Pesquiera, Mellos, Seidel, Lamb, Butler. O'Dea abstained; non-voting chair Wilson abstained.

VI. Potential Action Items: Planning Issues

Uptown Interim Height Ordinance – Uptown – On January 24, 2012 the City Council voted to extend the Uptown Interim Height Ordinance, subject to a sunset provision that it would expire after two additional two years; a revised ordinance will be presented to the City Council

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incorporating the City Council's motion; the tentative date for consideration by the City Council is February 7, 2012; The current ordinance expired on January 23, 2012;

Barry Hager, on behalf of the Interim Height Ordinance Task Force, spoke, and indicated that although his committee would prefer the Interim Height Limit be extended so that it would not expire until the Uptown Community Plan update was completed, the motion passed by the City Council was acceptable. Ian Epiey spoke in opposition to the Interim Height Ordinance.

Motion by Bonn, seconded by Mellos, stating: "Uptown Planners supports the original city staff position to retain the Interim Height Ordinance (IHO), as previously approved, until the completion of the plan update process; however, Uptown Planners will reluctantly accept a two year expiration date on the IHO."

Amendment by Butler, seconded by Seidel, to remove the word "reluctantly" from the motion on the floor; the amendment failed by a vote of 6-8-1. Those voting in favor of the amendment were Butler, Seidel, Lamb, Winney, Ferrier, and Tablang; those against; Mellos, Pesquiera, Dahl, Grinchuk, Bonn, Bonner, Jaworski, O'Dea. Non-voting chair Wilson abstained.

Motion made by Bonn passed 9-5-1; voting in favor Bonn, Bonner, Jaworski, Ferrier, Grinchuk, Mellos, Dahi, O'Dea, Pesquiera; voting against Butler, Winney, Lamb, Tablang, Seidel. Non-voting chair Wilson abstaining.

Normal Street Linear Park -- Hillcrest -- in January 2012 the City of San Diego approved the submittal of a grant application pursuant to the California Statewide Park Program to fund the design and construction of the Normal Street Linear Park, located in the Normal Street right-ofway between Blaine and Lincoln Avenues.

Chair Wilson informed the board earlier in the meeting that a state grant application had been submitted for a proposed Normal Street Linear Park adjacent to the Hillcrest DMV; which sought funding in the range of four or five million dollars. The proposal did not come before Uptown Planners, which normally reviews grant applications for Uptown. Planning staff indicated the holiday season prevented Uptown Planners review prior to approval by the City Council of the grant application. Several board members expressed concerns over the grant proposal, which might have resulted in the loss of up to 50 angle parking spaces along Normal Street.

Butler expressed a concern that the Normal Street Linear Park would interfere with the approval and development of Mystic Park, north of Washington Avenue. Several other board members expressed concern over Uptown Planners not being notified.

VII. Adjournment:

A motion by Mellos to adjourn approved by voice vote, and the board adjourned at 8:15 p.m.

Respectfully submitted by Beth Jaworski, Secretary

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Development Services 1222 First Ave., MS-302 San Diego, CA 92101 THE CITY OF SAY DIROQ (619) 446-5000	Owi	nership Disclosure Statement
Approval Type: Check appropriate box for type of approval (s) reques Neighborhood Development PermitSite Development Permit VarianceTentative MapVesting Tentative MapMap W	sted: T Neighborhood Use Perm t Planned Development Perm laiver TLand Use Plan Amendri	it Coastal Development Permit it Conditional Use Permit ient • Other
Project Title SD0531 / Normal School		Project No. For City Use Only
Project Address: 4452 Park Blvd., SD CA 92103		
(proposed AT&T telecommunications facility)		······································
Part I - To be completed when property is neld by individual		
ndividuals who own the property). <u>A signature is required of at least o</u> rom the Assistant Executive Director of the San Diego Redevelopment Development Agreement (DDA) has been approved / executed by the Manager of any changes in ownership during the time the application is the Project Manager at least thirty days prior to any public hearing or information could result in a delay in the hearing process. Additional pages attached Yes No Name of Individual (type or print):	Agency shall be required for all p offy Council. Note: The applica s being processed or considered.	roject parcels for which a Disposition and nt is responsible for notifying the Project Changes in ownership are to be given to provide accurate and current ownership
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/L	essee Redevelopment Agency
Street Address:	Street Address:	<u> </u>
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City/State/Zip:		
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Phone No: Fax No: Signature : Date: Name of Individual (type or print):	Phone No: Signature : Name of Individual (type City/State/Zipx Phone No:	Date: or print); ssee Fax No:

Printed on recycled paper. Visit our web site at <u>www.sandlego.gov/devalopment-services</u> Upon request, this information is available in alternative formats for persons with disabilities. DS-318 (5-05)

Project Title;	Project No. (Far City Use Only)
Part II - To be completed when property is held by a corpora	tion or partnership
Legal Status (please check):	
Corporation CLimited Liability -or- CGeneral) What Stat	
the property. Please list below the names, titles and addresses of otherwise, and state the type of property interest (e.g., tenants wi in a partnership who own the property). <u>A signature is required of</u> <u>property</u> . Attach additional pages if needed. Note: The applicant ownership during the time the application is being processed or of Manager at least thirty days prior to any public hearing on the sut information could result in a delay in the hearing process. Additional pages is a state of the sub- information could result in a delay in the hearing process.	subject property with the intent to record an encumbrance against of all persons who have an interest in the property, recorded or the will benefit from the permit, all corporate officers, and all partners of at least one of the corporate officers or partners who own the is responsible for notifying the Project Manager of any changes in considered. Changes in ownership are to be given to the Project bject property. Failure to provide accurate and current ownership itional pages attached Yes X No
Corporate/Partnership Name (type or print): PARK PROFESSIONAL PLAZA COA INC	Corporate/Partnership Name (type or print):
Vowner Tenant/Lessee	Owner Tenant/Lessee
Street Address: YYS O PARK BLUD City/State/Zip:	Street Address:
SANDIRGO CA POILO	City/State/Zip:
Phone No: 619 749-6843 619 749-7357	Phone No; Fax No:
Name of Corporate Officer/Partner (type or print); MARK L. BURRY	Name of Corporate Officer/Partner (type or print):
Title (type or print): SECRETARY / TREASURER	Title (type or print):
Signature: Data: Data: Data: 10-18-11	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address;	Street Address;
City/State/Zip:	City/State/Zip;
Phone No: Fax No:	Phone No: Fax No;
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Pattner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Cowner Tenant/Lessee	Cwner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
Phone No: Fax No:	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print):	Name of Corporate Officer/Partner (type or print):
Title (type or print):	Title (type or print):
Signature : Date:	Signature ; Date:



Looking west towards project site





Looking SW towards project site





Looking north from project site



Looking south from project site



Looking east from project site





Looking west through roof area







SD0531 NORMAL SCHOOL 4552 PARK BLVD. SAN DIEGO, CA 92103





AERIAL MAP



SD0531 NORMAL SCHOOL 4552 PARK BLVD. SAN DIEGO, CA 92103





Project Chronology AT&T – Normal School PTS No. 260475

Date	Action	Description	City Review Time	Applicant Response
10/26/11	Submittal for Completeness Check			, ,, <u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>
11/21/11	Completeness Review Assessment		26 days	
5/14/12	First Full Submittal	Deemed Complete		5 months, 23 days
6/20/12	First Assessment		1 month, 6 days	
10/14/12	Second Submittal			3 months, 24 days
11/18/12	Second Assessment		1 month, 4 days	
11/28/12	Environmental Exemption			10 days
12/12/12	All Issues Resolved		14 days	
1/30/13	Hearing Officer Hearing		1 month, 18 days	
TOTAL STAF	F TIME**		4 months 28 days	
TOTAL APPLICANT TIME**				9 months, 27 days
TOTAL PROJECT RUNNING TIME**			1 year, 3 mo	nths, 4 days

**Based on 30 days equals to one month.



THE CITY OF SAN DIEGO

DATE OF NOTICE: January 17, 2013

NOTICE OF PUBLIC HEARING HEARING OFFICER

DEVELOPMENT SERVICES DEPARTMENT

DATE OF HEARING:	January 30, 2013
TIME OF HEARING:	8:30 A.M.
LOCATION OF HEARING:	Council Chambers, 12th Floor, City Administration Building,
	202 C Street, San Diego, California 92101
PROJECT TYPE:	SITE DEVELOPMENT PERMIT, PROCESS 3
	EXEMPT FROM CEQA
PROJECT NO:	260475
PROJECT NAME:	AT&T – NORMAL SCHOOL
APPLICANT:	GLORI JAMES-SUAREZ, TAIC ASSOCIATES, INC.
COMMUNITY PLAN AREA:	Uptown
COUNCIL DISTRICT:	District 3
CITY PROJECT MANAGER:	Karen Lynch-Ashcraft, Development Project Manager
PHONE NUMBER/E-MAIL:	(619) 446-5351 / klynchash@sandiego.gov

As a property owner, tenant, or person who has requested notice, please be advised that the Hearing Officer will hold a public hearing to approve, conditionally approve, or deny an application for a wireless communication facility consisting of 16 panel antennas, 32 Remote Radio Units and four surge suppressors behind a new parapet wall that will be approximately two-feet taller than the existing parapet. The associated equipment is proposed to be located in an equipment room inside the building on the second floor. The project site is located at 4452 Park Boulevard.

The decision of the Hearing Officer is final unless appealed to the Planning Commission. In order to appeal the decision you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Hearing Officer before the close of the public hearing. The appeal must be made within 10 working days of the Hearing Officer's decision. Please <u>do not</u> e-mail appeals as they will not be accepted. See Information Bulletin 505 "Appeal Procedure", available at <u>www.sandiego.gov/development-services</u> or in person at the Development Services Department, located at 1222 First Avenue, 3rd Floor, San Diego, CA 92101

The decision made by the Planning Commission is the final decision by the City.

This project was determined to be categorically exempt from the California Environmental Quality Act on December 3, 2012 and the opportunity to appeal that determination ended December 17, 2012.

If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing. If you have any questions after reviewing this notice, you can call the City Project Manager listed above.

This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call <u>Support Services at (619) 321-3208</u> at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request. Internal Order Number: 24002267.

Revised 04/08/10 HRD



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			08/23/11		SJV
		5	29/07/11		SJV
		8	09/13/11	DRM COMMENTS	S.N S.N
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GENERAL NOTES

- THIS PROJECT PROPOSES NO DEVELOPMENT IMPROVEMENTS OUTSIDE THE EXISTING BUILDING FOOTPRINT FOR THIS DISCRETIONARY REVEW AND THEREFORE DOES NOT REQUIRE ANY PERMANENT STORM WATER BEST MANAGEMENT PRACTICES.
- 2 NO EXISTING PARKING SPACE WILL BE USED OR REMOVED BY THIS PROJECT.
- THIS IS A ROOF TOP/INSIDE BUILDING INSTALLATION ON AN EXISTING FACILITY AND NO GROUND DISTURBANCE OR TRENCHING IS PROPOSED BY THIS PROJECT. 3.
- 4. THIS PROJECT PROPOSES NO WORK WITHIN THE PUBLIC RIGHT-OF-WAY.
- PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION, PERMIT, THE PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST WANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2, DIVISION 1 (GRADING REGULATIONS) OF THE SAN DEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS. 5.
- PRIOR TO THE ISSUANCE OF MAY CONSTRUCTION PERMIT. THE PERMITTEE Б. SHALL SUBMIT A WATER POLITION CONTROL PLAN (WPCP). THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.

Lessee's Certificate Standard Wireless Facility Project for Post Construction BMPs

17 we the undersigned as Lessee(a) of the property described as 4452 Park Blvd., San Diego, CA 92103 (Address or legal description)

understand that in accordance with the San Diego Municipal Code, Land Development Manual - Storm Water Standards, this project is required to "Identify Pollutants from the Project Area" and incorporate "Site Design" and "Source Control" BMPs.

I/We certify to the best of my knowledge, pollutants anticipated by the proposed land use are as follows:

Sediments Nutrients Trash & debris Oxygen Demanding Substance Oil & Grease Bacteria & Viruses Pesticides

I/We will incorporate the following into the site design -

- Maintain pre-development runoff characteristics
- Minimize impervious foot print by constructing walkways, patios and
- driveways with permeable surfaces. Conserve natural areas
- Use natural drainage systems as opposed to fined swales or underground drainage systems
- Drain roof tops, walkways, patios and driveways into adjacent landscaping prior to discharging to the public drainage system.
- Preserve existing native trees and shrubs Protect all slopes from erosion

Additionally l/we will:

- Minimize the use of pesticides
- Use efficient irrigation systems and landscape design incorporating rain shutoff devices and flow reducers

I/we will maintain the above Standard Permanent BMPs for the duration of the lease.

Lessee	KEVIN C BECKER	Company Name	ATET MO
Lessee	(print name)	Date 1/16/12	
	(signature)		

GENERAL NOTES	1	LESSEE'S CERTIFICATE	







