



THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** May 14, 2009 **REPORT NO. PC-09-035**

**ATTENTION:** Planning Commission, Agenda of May 21, 2009

**SUBJECT:** VERIZON SAN DIEGO MTSO - PROJECT NO. 149313  
PROCESS FOUR

**OWNER/  
APPLICANT:** Verizon Wireless (VAW) LLC, a Delaware Limited Liability Company

### SUMMARY

**Issue(s):** Should the Planning Commission approve a request to maintain an existing wireless communication facility (WCF) on a 1.24-acre site located at 4777 and 4787 Mercury Street in the Kearny Mesa Community Plan Area?

**Staff Recommendation:** APPROVE Planned Development Permit No. 610410.

**Community Planning Group Recommendation:** On April 16, 2008, the Kearny Mesa Planning Group voted 12-0-0 to recommend approval with conditions (Attachment 12).

**Environmental Review:** This project is exempt from environmental review pursuant to Article 19, Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA). The environmental exemption determination for this project was made on February 26, 2009, and the opportunity to appeal that determination ended on March 12, 2009. This project is not pending an appeal of the environmental determination.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

**Code Enforcement Impact:** None with this action.

**Housing Impact Statement:** None associated with this action.

## **BACKGROUND**

The project site is located at 4777 and 4787 Mercury Street (Attachment 1), on the eastern side of Mercury Street, between Ronson Road and Vickers Street (Attachment 2). The site is located in the IL-2-1 Zone (Attachment 3) within the Kearny Mesa Community Plan (Attachment 4), Airport Environs Overlay Zone (AEOZ) and Federal Aviation Administration (FAA) Part 77 Noticing Area for the Marine Corps Air Station (MCAS) Miramar and the Montgomery Field. The purpose of the IL (Industrial-Light) zones is to provide for a wide range of manufacturing and distribution activities, and a WCF is an allowed use with limitations within the zone. There are no height limits for structures in the industrial zones except as limited by the regulations in the Land Development Code (LDC) Chapter 13, Article 2 (Overlay Zones). The two overlay zones that would apply to the project site are the AEOZ and the FAA Noticing Area. The Kearny Mesa Community Plan (KMCP) designates the site as Industrial and Business Parks, and the plan does not address WCFs.

The project site is a rectangular shaped lot with frontage on Mercury Street, with access from Mercury Street and Ronson Road. The site is relatively flat and is currently developed with two one-story office buildings, a 130 foot high steel lattice tower with 30 directional panel antennas and 21 dish antennas, auxiliary power generator, miscellaneous structures, parking facilities, hardscape, and landscaping. This existing multiple terminal switching office (MTSO) is one of the company's main switching stations for the Verizon network. The project site is immediately surrounded by industrial and commercial development. The land use designations for the areas adjacent to the site are Industrial and Business Parks, and are zoned IL-2-1.

This existing WCF was first approved on March 3, 1987, pursuant to Conditional Use Permit (CUP) No. CUP-86-0680 (Attachment 7). The original tower was permitted at a height of 110 feet; however, on August 22, 1995, an administrative amendment was approved for a 20 foot extension of the tower, pursuant to Permit No. CUP 91-0302-55 (Attachment 8). Building Permit No. B203326-95 was issued on October 23, 1995, for the 20 foot extension of the tower. The original CUP expired on March 3, 1997, and on August 20, 1997, a new CUP application was submitted to maintain the existing WCF. On January 29, 1998, CUP No. 96-7673 was approved for the existing facility with an expiration date of January 29, 2008 (Attachment 9).

## **DISCUSSION**

### **Project Description:**

The existing WCF consists of a 130 foot high steel lattice tower with 30 directional panel antennas and 21 dish antennas, and the existing equipment located in adjacent office buildings. The WCF Regulation, LDC Section 141.0420, became effective on April 4, 2007, and the existing facility would not require a CUP under current regulations.

Wireless Communication Facility (WCF) Regulation - The site is located within an industrial zone (IL-2-1 Zone) and is permitted as a Process 1 Limited Use pursuant to LDC Section 141.0420(c)(1)(A). However, the existing 130 foot high steel lattice tower does not comply with

the Design Requirements of the regulations pursuant to LDC Section 141.0420(g)(2). This section states: "The applicant shall use all reasonable means to conceal or minimize the visual impacts of the wireless communication facilities through integration. Integration with existing structures or among other existing uses shall be accomplished through the use of architecture, landscape, and siting solutions." Therefore, this existing WCF would require the approval of a Process 4 Planned Development Permit for a deviation to the design requirements.

City staff reviewed the existing WCF and the surrounding development. The 130 foot high steel lattice tower is located within an industrial area, and is surrounded by industrial and commercial development including other tall communication towers. Additional landscaping is proposed to be added to help screen the base of the facility from the street views along Mercury Street and Ronson Road (Attachment 14). There is no doubt that the tower is visible in the skyline, but it is not out of character with the surrounding development because there are other similar tower structures in the area.

Council Policy 600-43 - The guidelines establish a hierarchy from the most preferred locations (Preference 1) to the least preferred locations (Preference 4) for WCFs. The site is located within an industrial zone (IL-2-1 Zone) and is classified as a Preference 1 location. Considerations of the quality, compatibility of design and screening, impacts on public views, and the visual quality of the surrounding area are promoted in this Policy.

General Plan - The General Plan, section UD-A.15, states that WCFs should be concealed in existing structures when possible, or otherwise use camouflage and screening techniques to hide or blend the facilities into the surrounding area. The design of the facilities is to be aesthetically pleasing and respectful of the neighborhood context.

### **Project-Related Issues:**

Airport Environs Overlay Zone (AEOZ) - The project site is located within the AEOZ for the Marine Corps Air Station (MCAS) Miramar and the Montgomery Field. The San Diego County Regional Airport Authority, as the Airport Land Use Commission (ALUC) for San Diego County, reviewed the application for a determination of consistency for the project. The ALUC provided a letter dated December 8, 2008 (Attachment 10), and has determined that under the governing Airport Land Use Plans (ALUPs) to which this project is subject, existing land uses are not subject to ALUC review. Therefore, a determination of consistency with the ALUPs by the ALUC is not required.

Federal Aviation Administration (FAA) Part 77 Noticing Area - The project site is located within the FAA Part 77 Noticing Areas for the Marine Corps Air Station (MCAS) Miramar and the Montgomery Field. On August 14, 2008, the FAA issued a "Determination of No Hazard to Air Navigation" (Attachment 11).

Community Planning Group Recommendation - On April 16, 2008, the Kearny Mesa Planning Group voted 12-0-0 to recommend approval (Attachment 12). The group's vote included the recommendations that the project include some additional site landscaping to enhance the image to the street frontages, that some less visible paint color be used on the tower and if possible,

without a deterioration of service, any lowering of the antenna or reduction in the size or number of existing antennas.

Although the property is fully developed with the required landscaping, City staff also had concerns with the visual impact of the existing 130 foot high lattice tower from Mercury Street on the western boundary of the project site. To address these concerns, the applicant is proposing to add eight (8) 36-inch box eucalyptus trees to the property to comply with the WCF Regulations regarding the visual impacts. Four (4) of the proposed trees will be located across the southern boundary and the other four (4) trees will be located in the front yard setback. A complete inventory of the existing and proposed landscaping has been prepared by the applicant (Attachment 13).

City staff reviewed the color palette of the existing facility and lattice tower for visual quality and screening design. The existing buildings currently have a two tone battleship gray palette with a lighter gray on the lower 2/3 of the building and a darker gray on the upper 1/3, and the lattice tower contains a light gray palette from the bottom to the top of the structure (Attachment 14). This two tone color palette is consistent with the surrounding development and the light gray palette on the lattice tower minimizes the visual impacts of the WCF by aiding in blending it into the skyline. However, the existing facility requires the approval of a Process 4 Planned Development Permit for a deviation to the design requirements for integration of the existing 130 foot high lattice tower through the use of architecture, landscape, and siting. The applicant is not proposing the lowering of any of the antennas or reduction in the size or number of existing antennas.

**Conclusion:**

This existing WCF is one of the company's main switching stations for the San Diego area and has been permitted and in operation since 1987. Staff has reviewed the project and has determined that it does not comply with the current WCF Regulations for minimizing visual impacts through the use of architecture, landscape, and siting solutions. However, the tower is located in a developed industrial area where many other tall communication towers are located. This facility is the main switching station for the company in San Diego and much of the outlying network is connected to the antennas and dishes already on the tower. The tower, as designed, is industrial in appearance, and although it is very tall, its light gray color helps to minimize the appearance within the skyline. Additional eucalyptus trees will help to mitigate views along the street. Together, this will meet the purpose and intent of the guidelines of the General Plan and Council Policy 600-43 to help minimize the visual impact. Understanding Verizon's technical requirements and the importance of this facility to the network and San Diego subscribers, the strict application of the WCF Regulations could result in a bulkier tower version than its current open lattice design, and could increase impacts on public views and the visual quality of the surrounding area. Therefore, staff recommends that the Planning Commission approve the Planned Development Permit as presented.

**ALTERNATIVES**

1. **Approve** Planned Development Permit No. 610410, **with modifications.**
2. **Deny** Planned Development Permit No. 610410, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



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Mike Westlake  
Program Manager  
Development Services Department



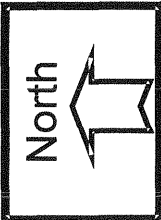
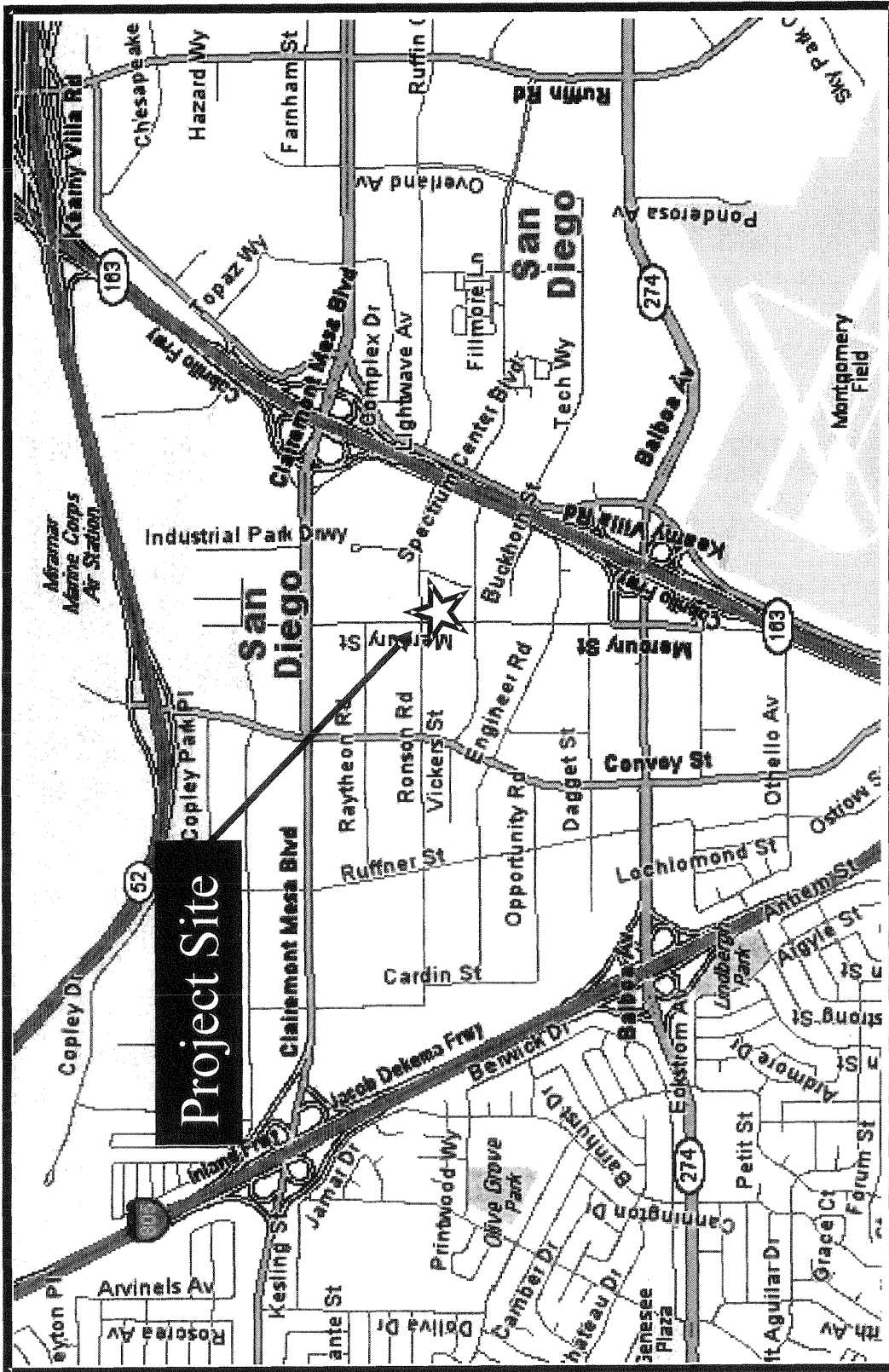
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Jeffrey A. Peterson  
Development Project Manager  
Development Services Department

WESTLAKE/JAP

Attachments:

1. Location Map
2. Aerial Photograph
3. Zoning Map
4. Community Plan Land Use Map
5. Project Data Sheet
6. Project Plans
7. Conditional Use Permit No. CUP-86-0680
8. Administrative Amendment Permit No. CUP 91-0302-55
9. Conditional Use Permit No. 96-7673
10. ALUC letter dated December 8, 2008
11. FFA "Determination of No Hazard to Air Navigation"
12. Community Planning Group Recommendation
13. Landscape Inventory
14. Photo Simulations
15. Draft Permit with Conditions
16. Draft Resolution with Findings
17. Ownership Disclosure Statement
18. Project Chronology
19. Copy of Environmental Document

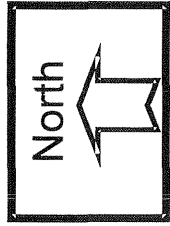
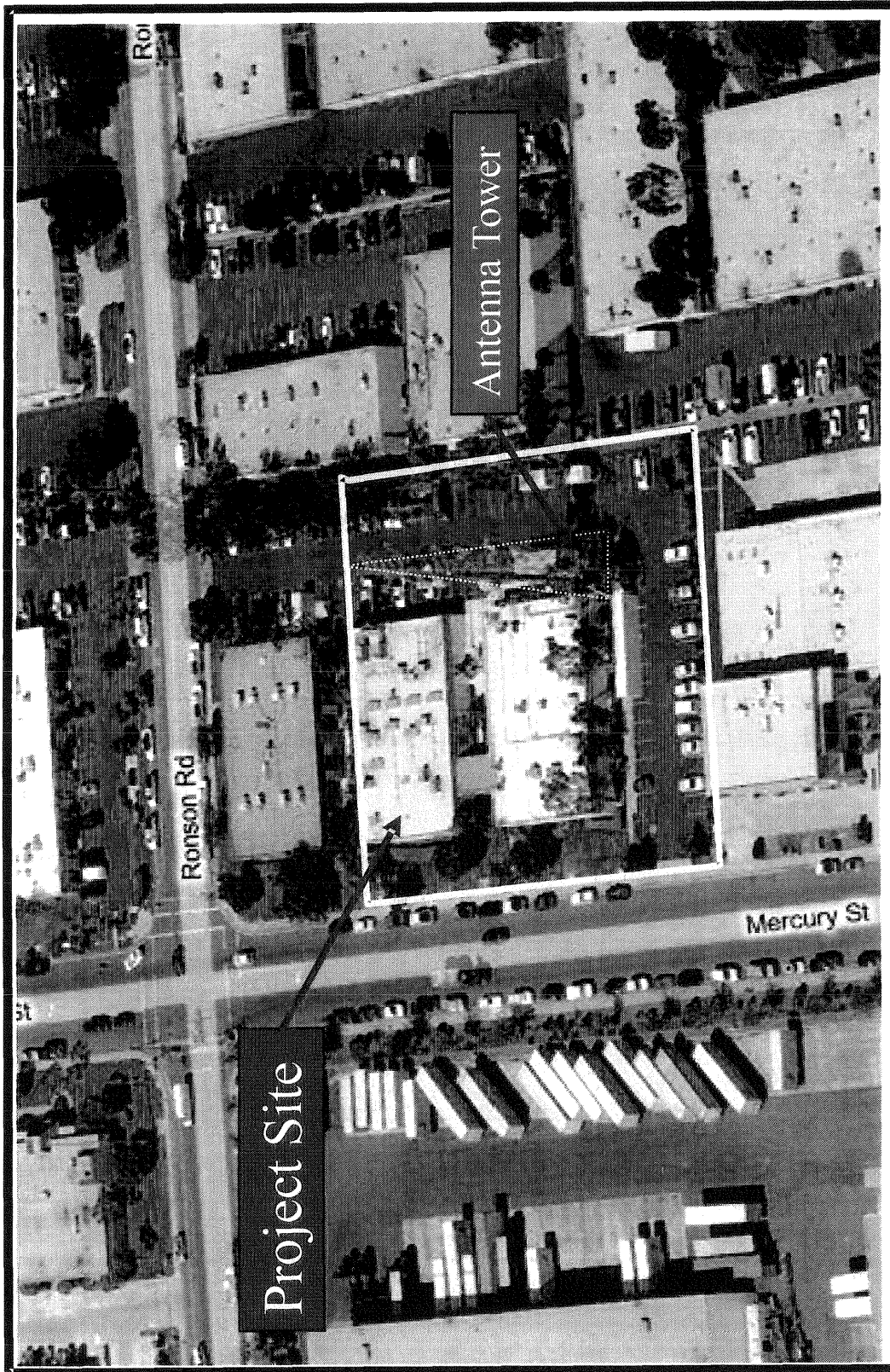


**Project Site**

# Location Map

Verizon San Diego MTSO-Project No. 149313  
4777 and 4787 Mercury Street

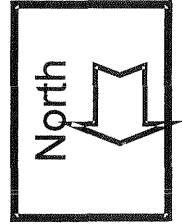




# Aerial Photograph (Bird's Eye View-Looking North)

Verizon San Diego MTSO-Project No. 149313  
4777 and 4787 Mercury Street





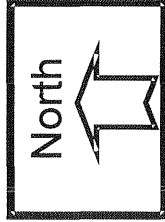
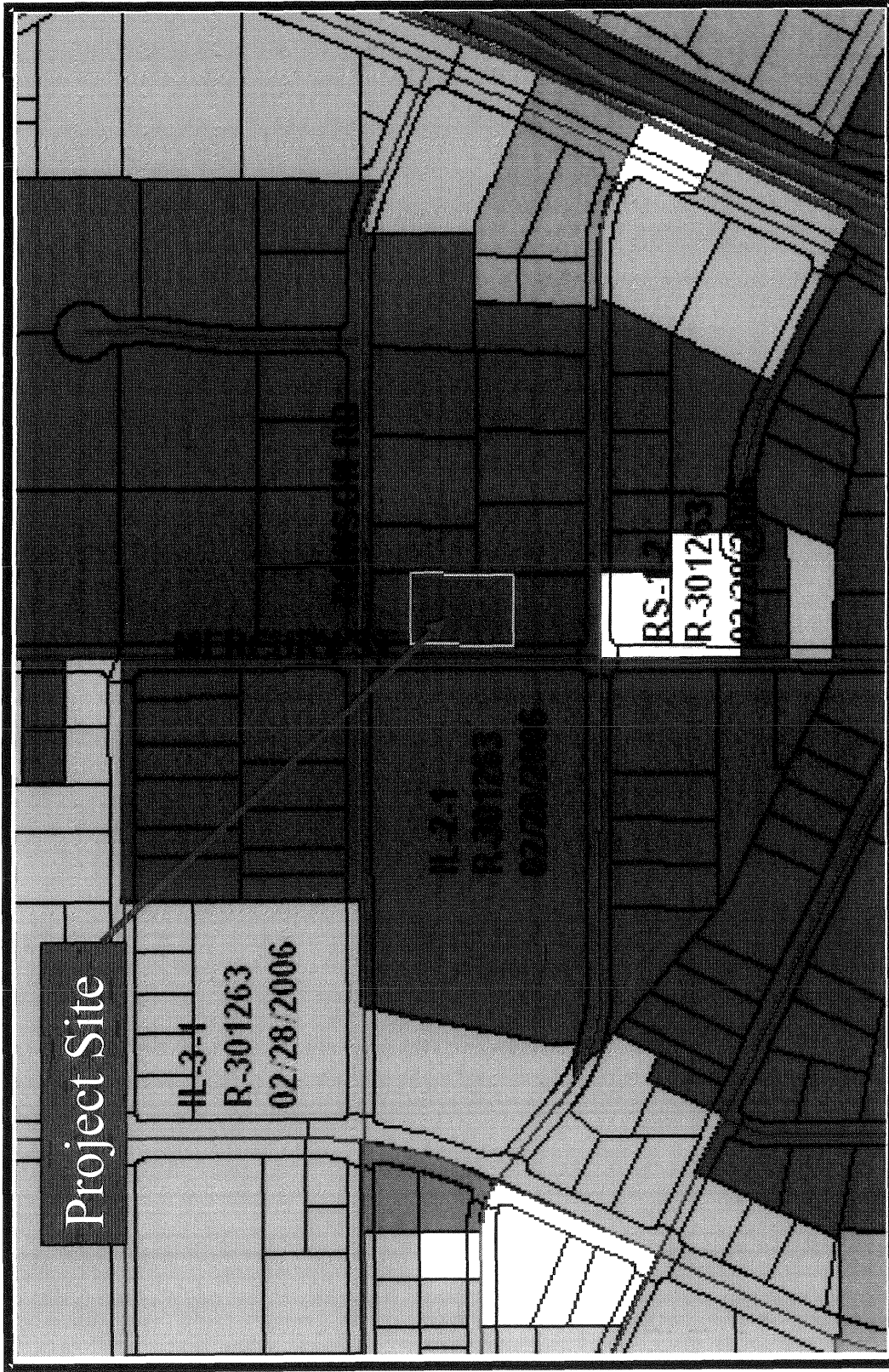
**Aerial Photograph (Bird's Eye View-Looking East)**

Verizon San Diego MTSO-Project No. 149313

4777 and 4787 Mercury Street



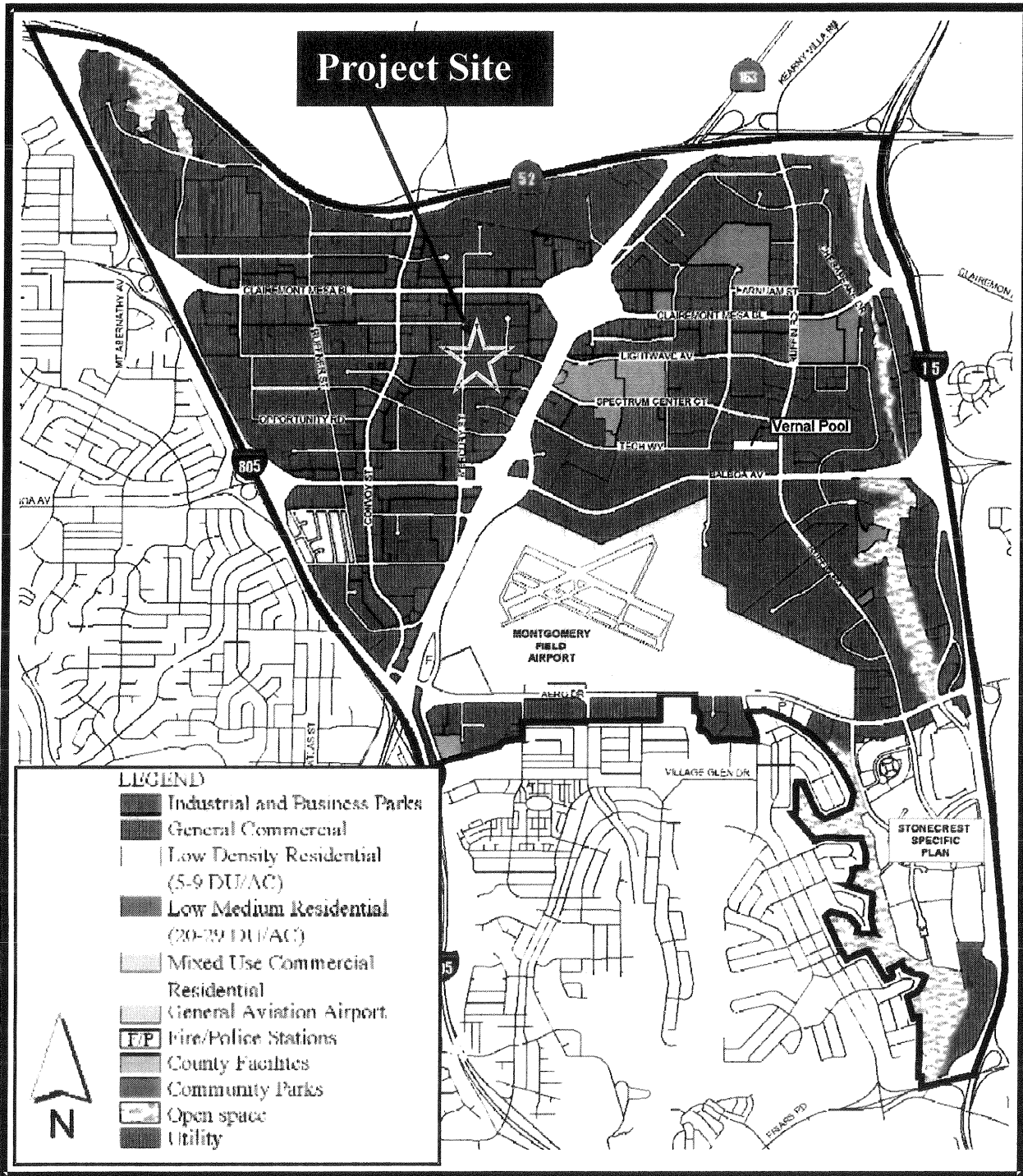




# Zoning Map

Verizon San Diego MTSO-Project No. 149313  
4777 and 4787 Mercury Street

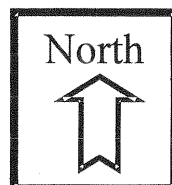




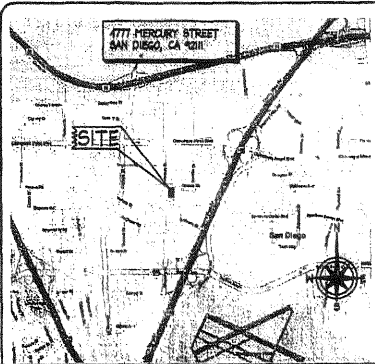
# Kearny Mesa Land Use Map

Verizon San Diego MTSO-Project No. 149313

4777 and 4787 Mercury Street



<b>PROJECT DATA SHEET</b>		
<b>PROJECT NAME:</b>	Verizon San Diego MTSO - Project No. 149313	
<b>PROJECT DESCRIPTION:</b>	A request to maintain an existing wireless communication facility.	
<b>COMMUNITY PLAN AREA:</b>	Kearny Mesa	
<b>DISCRETIONARY ACTIONS:</b>	Planned Development Permit	
<b>COMMUNITY PLAN LAND USE DESIGNATION:</b>	Industrial and Business Parks	
<b>ZONING INFORMATION</b>		
<b>ZONE:</b>	IL-2-1	
<b>HEIGHT LIMIT:</b>	None	
<b>LOT SIZE:</b>	15,000 square feet	
<b>FLOOR AREA RATIO:</b>	2.0	
<b>FRONT SETBACK:</b>	15'0" min. & 20'0" std.	
<b>SIDE SETBACK:</b>	10'0"	
<b>STREETSIDE SETBACK:</b>	NA	
<b>REAR SETBACK:</b>	25	
<b>PARKING:</b>	43 parking spaces	
<b>ADJACENT PROPERTIES:</b>	<b>LAND USE DESIGNATION &amp; ZONE</b>	<b>EXISTING LAND USE</b>
<b>NORTH:</b>	Industrial and Business Parks, IL-2-1 Zone	Industrial and Commercial
<b>SOUTH:</b>	Industrial and Business Parks, IL-2-1 Zone	Industrial and Commercial
<b>EAST:</b>	Industrial and Business Parks, IL-2-1 Zone	Industrial and Commercial
<b>WEST:</b>	Industrial and Business Parks, IL-2-1 Zone	Industrial and Commercial
<b>DEVIATIONS OR VARIANCES REQUESTED:</b>	Deviation from the Wireless Communication Facilities (WCF) Regulation design requirements.	
<b>COMMUNITY PLANNING GROUP RECOMMENDATION:</b>	On April 16, 2008, the Kearny Mesa Planning Group voted 12-0-0 to recommend approval with conditions.	



VICINITY MAP - N.T.S.



# SAN DIEGO MOBILE TELEPHONE SWITCHING OFFICE (MTSO)

### DIRECTIONS TO SITE

TAKE RAMP ONTO I-05 S TOWARD SAN DIEGO FLY/SAN DIEGO GO 4.2 MI. MERGE ONTO I-8 S GO 0.2 S MI. TAKE LEFT FORK ONTO I-05 S GO 4.7 MI. TAKE THE CA-52 EXIT ONTO CA-52 GO 1.8 MI. TAKE THE CANOY ST EXIT GO 0.3 MI. TURN RIGHT ON CANOY ST GO 0.3 MI. TURN LEFT ON CLAREMONT MEZA BLVD GO 0.3 MI. TURN RIGHT ON MERCURY ST GO 0.3 MI. ARRIVE AT 4777 MERCURY ST, SAN DIEGO, ON THE LEFT @ 0.1 MI.

### DRIVING DIRECTIONS

⊕ NEW ANTENNA	⊙ LIGHT POLE	⊕ ELEVATION REF.	—E— ELECT. CONDUIT	▨ PLASTER (E) MASONRY
⊙ EXISTING ANTENNA	⊙ FOUNDATION	⊕ SECTION REF.	—A— COAXIAL CABLE	▩ CONCRETE
⊙ GROUND RND	⊙ SPOT ELEV.	⊕ PROP./LEASE LINE	—T— OVERHEAD SERV. CONDUCTOR	▩ EARTH
⊙ GROUND BUS BAR	⊙ SET POINT	⊕ MATCH LINE	—X— CHAIN LINK FENCE	▩ GRAVEL
⊙ PEG/CL GRID. CONN.	⊙ REVISION	⊕ WORK POINT	—C— CENTERLINE	▩ PLYWOOD
⊙ CADFIELD	⊙ GRID REF.	⊕ GRND. CONDUCTOR	—H— HOOD CONT.	▩ SAND
⊙ GROUND ACC. WELL	⊙ DETAIL REF.	⊕ TELE. CONDUIT	—B— HOOD BLOCKING	▩ STEEL
⊕ ELECTRIC BOX				
⊕ TELEPHONE BOX				

### SYMBOLS, LINETYPES AND HATCH PATTERNS

### PLAN VERIFICATION

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE CIVIL ENGINEERS IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

### GENERAL CONTRACTOR NOTES

AC. ASPHALT CONCRETE	GV. GRAVEL	HC. HANDICAPPED
ANT. ANTENNA(S)	HC. HORIZONTAL	HT. HEIGHT
BEL. BELOW GRADE	HWAC. HTG./ VENT./ A/C	INCL. INCLUDE
B.L.D.G. BUILDING	LB. LBS.	LPT. LOW POINT
B.M. BENCH MARK	L.M.S. MASONRY	MAX. MAXIMUM
BRK. BRICK	L.M.T. MASONRY	MIN. MINIMUM
CAB. CABINET	M. M.	N. NORTH
CA. CATCH BASIN	M.F. MANUFACTURER	NOT IN CONTRACT
CEM. CEMENT	M.N. (N)	N.T.A. NOT TO SCALE
CFT. CUBIC FOOT	N. NORTH	P.F. POWER POLE
CL.P.C. CAST-IN-PLACE CONC.	N.I.C. NOT IN CONTRACT	P.L. PROPERTY LINE
CL.L. CONTRACT LEFT LINE	N.T.A. NOT TO SCALE	P.O.C. POINT OF CORN.
CLS. CLOSURE	P.F. POWER POLE	P.P. PROPERTY POINT
C.M.U. CONC. MASONRY UNIT	P.L. PROPERTY LINE	P.R. PROPERTY
CONC. CONCRETE	P.O.C. POINT OF CORN.	P.T. POINT
CONN. CONNECTION	P.P. PROPERTY	P.V.M.T. PAVEMENT REQUIRED
CONSTR. CONSTRUCTION	P.T. POINT	R.S.D. ROOF HATCH
CTR. CENTER	P.V.M.T. PAVEMENT REQUIRED	R.F.G. ROOFING
CTD. CURB	R.S.D. ROOF HATCH	R.O.H. RIGHT-OF-WAY
DEL. DOUBLE	R.F.G. ROOFING	S. SOUTH
DEM. DEMOLITION	R.O.H. RIGHT-OF-WAY	T. TELEPHONE
DI. DIMENSION	S. SOUTH	T.O.P. TOP OF PARAPET
DRWG. DRAWING	T. TELEPHONE	T.O.S. TOP OF SLAB (SURFACE)
DTL. DETAIL	T.O.P. TOP OF PARAPET	U.N.D. UNFINISHED
(E) EXISTING	T.O.S. TOP OF SLAB (SURFACE)	U.S.D. UNLESS NOTED OTHERWISE
E. EAST	T.O.M. TOP OF MALL	VERT. VERTICAL
E.L. ELEVATION	TYP. TYPICAL	M. MIST
ELECT. (ALL) ELECT. PANELBOARD	UNF. UNFINISHED	N.H. WATERPROOF
ENC. ENCLOSURE	U.N.D. UNLESS NOTED OTHERWISE	HT. HEIGHT
E.P. ELECT. PANELBOARD	VERT. VERTICAL	
EQUP. EQUIPMENT	M. MIST	
EX. EXISTING	N.H. WATERPROOF	
EXT. EXTERIOR	HT. HEIGHT	
FS. FINISH SURFACE		
FT. FOOT OR FEET		
FUT. FUTURE		
G.C. GENERAL CONTR.		
G.F. GROUND FACE		
GRD. GROUND		
GR. GRADE OR GRADING		
GV. GAS VENT		

### ABBREVIATIONS

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ACCEPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES:

- CALIFORNIA ADMINISTRATIVE CODE (INCL. TITLES 24 & 25)
- 2004 CALIFORNIA BUILDING CODE
- BUILDING OFFICIALS AND CODE ADMINISTRATORS (BOCA)
- UNIFORM MECHANICAL CODE
- ANSI/ISA-222-F LIFE SAFETY CODE NFPA-101
- 2001 UNIFORM PLUMBING CODE
- 2001 NATIONAL ELECTRIC CODE
- LOCAL BUILDING CODE
- CITY/COUNTY ORDINANCES

### CODE COMPLIANCE

SITE PARCEL NO.	356-120-03
JURISDICTION	CITY OF SAN DIEGO
ZONE	IL-2-1 (INDUSTRIAL-LIGHT)
OCCUPANCY	WIRELESS COMMUNICATION FACILITY
LATITUDE	32° 49' 41.7" N
LONGITUDE	117° 09' 54.12" W
ELEVATION	1307 A.M.S.L.
LEGAL DESCRIPTION	LOT 74 OF KEARNEY MESA INDUSTRIAL PARK, UNIT 1, LOCATED IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

### PROJECT DATA

SITE ADDRESS	4777 MERCURY STREET SAN DIEGO, CA 92111
OWNER	VERIZON WIRELESS 15505 SAND CANYON AVE. BUILDING 1D 1ST FLOOR IRVINE, CA 92618 PHONE (949) 286-7000
CONTACT	ELIZABETH MASOUL (949) 286-5785
APPLICANT	VERIZON WIRELESS 15505 SAND CANYON AVE. BUILDING 1D 1ST FLOOR IRVINE, CA 92618 PHONE (949) 286-7000
CONTACTS	THE PLANNING CONSORTIUM, INC. PROJECT MANAGER, JOHN BITTERLY 627 N. MAIN STREET ORANGE, CA 92668 (714) 764-2510
ARCHITECT	AGO ARCHITECTS, INC. 2470 ENTERPRISE WAY #600 LAKE FOREST, CA 92650 PHONE (949) 716-4940 FAX (949) 297-4786
CONTACT	ANTHONY ORTALA (949) 716-4940

### PROJECT DIRECTORY

VERIZON WIRELESS IS APPLYING FOR LAND USE PERMITS TO REINSTATE LAND USE ENTITLEMENTS FOR AN EXISTING WIRELESS COMMUNICATIONS RELAY SWITCHING FACILITY CONSISTING OF A 100'-0" HIGH ANTENNA SUPPORT STRUCTURE, THIRTY (30) DIRECTIONAL CELLULAR ANTENNAS, TWENTY-ONE (21) RELAY DSH ANTENNAS AND RELATED ELECTRONIC EQUIPMENT LOCATED INSIDE ADJACENT BUILDINGS. TO PROVIDE ADDITIONAL SCREENING OF THE EXISTING ANTENNA SUPPORT STRUCTURE BEYOND THE EXISTING NATURAL LANDSCAPING, VERIZON WIRELESS PROPOSES TO PLANT FOUR (4) ADDITIONAL 36-INCH BOX EUCALYPTUS SP. TREES ALONG THE SOUTHERN BOUNDARY WATERED BY EXISTING IRRIGATION LINES AND FOUR (4) ADDITIONAL 36-INCH BOX EUCALYPTUS SP. TREES ALONG THE WESTERN BOUNDARY.

### PROJECT DESCRIPTION

T-1	TITLE SHEET
A-1	SITE PLAN / LANDSCAPING PLAN
A-2	EAST ELEVATION
A-3	SOUTH ELEVATION
A-4	WEST ELEVATION

### SHEET INDEX

REV.	DATE/01/	REVISION DESCRIPTION
5	06-27-06 MY	CLIENT REVISION
6	07-22-06 MY	CLIENT REVISION
7	10-18-06 JT	CLIENT REVISION
8	10-21-06 MY	CLIENT REVISION
9	02-19-07 FN	CLIENT REVISION

### CONSULTANT:

THE  
PLANNING  
CONSORTIUM  
LAND PLANNING • ENVIRONMENTAL STUDIES  
GOVERNMENT RELATIONS

627 N. MAIN STREET  
ORANGE, CALIFORNIA 92668  
TEL: (714) 764-2510 FAX: (714) 764-1969

### SITE BUILDER:



15505 SAND CANYON AVE.  
BUILDING 1D 1st FLOOR  
IRVINE, CA 92618  
PHONE (949) 286-7000

### ARCHITECT:

AGO  
ARCHITECTS - INC.

2470 ENTERPRISE WAY #600  
LAKE FOREST, CA 92650  
TEL: 949-716-4940  
FAX: 949-297-4786

### ENGINEER:

### SITE INFO:

SITE NAME:  
**SAN DIEGO**  
MOBILE TELEPHONE  
SWITCHING OFFICE (MTSO)

SITE ADDRESS:  
4777 MERCURY STREET  
SAN DIEGO, CA 92111

### SHEET TITLE:

TITLE SHEET

### DRAWING INFO:

DWG. NAME:	DRAWN BY:	DATE:
TI	MY	01-22-06

### SHEET NUMBER:

1 OF 5 | T-1

REV#	DATE	REVISION DESCRIPTION
5	02-27-08	CLIENT REVISION
4	07-25-08	CLIENT REVISION
3	11-11-08	CLIENT REVISION
2	12-21-08	CLIENT REVISION
1	02-25-09	CLIENT REVISION

**THE PLANNING CONSORTIUM**  
LANDPLANNING/ENVIRONMENTAL STUDIOS  
GOVERNMENT RELATIONS  
617 N MAIN STREET  
DANA POINT, CALIFORNIA 92629  
TEL: (949) 945-5121 FAX: (949) 945-5199  
SITE BUILDER

**verizon** wireless  
1800 SAND CANYON AVE  
BUILDING 1000  
IRVINE, CA 92614  
PHONE: (949) 265-7000  
A/E DEVELOPMENT

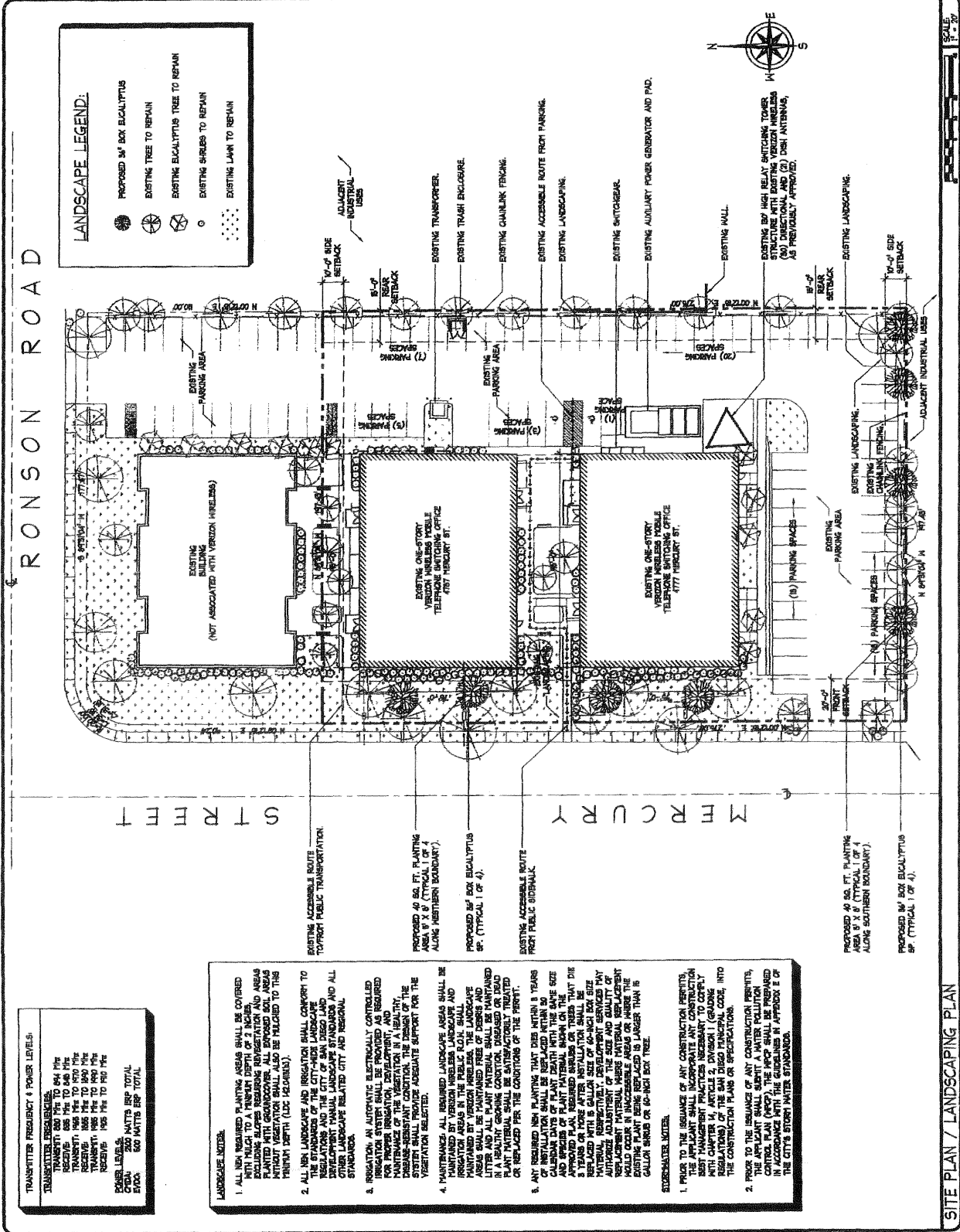
**AGCO**  
ARCHITECTS - INC.  
4010 ENTERPRISE WAY #600  
LA JOLLA, CA 92037  
TEL: 949-754-9440  
FAX: 949-271-4788  
ENGINEER

**SAN DIEGO**  
MOBILE TELEPHONE  
SWITCHING OFFICE (MTSO)  
SITE ADDRESS:  
4777 MERCURY STREET  
SAN DIEGO, CA 92111

**SAN DIEGO**  
MOBILE TELEPHONE  
SWITCHING OFFICE (MTSO)  
SITE ADDRESS:  
4777 MERCURY STREET  
SAN DIEGO, CA 92111

**SITE PLAN / LANDSCAPING PLAN**  
DRAWING NO. A1  
DATE: 01-22-08  
SHEET NUMBER:  
2 OF 5

**A-1**



SCALE: 1/8" = 1'-0"

SITE PLAN / LANDSCAPING PLAN

REV#	DATE/TIME	REVISION DESCRIPTION
5	02-27-08	CLIENT REVISION
6	07-22-08	CLIENT REVISION
7	12-17-08	CLIENT REVISION
8	02-24-09	CLIENT REVISION
9	02-24-09	CLIENT REVISION

**THE PLANNING CONSORTIUM**  
LAND PLANNING ENVIRONMENTAL STUDIES  
GOVERNMENT RELATIONS

321 N. MAIN STREET  
ORANGE, CALIFORNIA 92668  
TEL: (714) 763-3100 FAX: (714) 763-9999

SITE BUILDER

**verizon** Wireless

15046 SAND CANYON AVE.  
BUILDING 17 1<sup>ST</sup> FLOOR  
SAN DIEGO, CA 92128  
PHONE (619) 292-7000

AE DEVELOPMENT

**ACD**  
ARCHITECTS - INC.

2470 ENTERPRISE WAY #600  
LAKE FOREST, CA 92650  
TEL: (949) 451-7000  
FAX: (949) 451-7000

ENGINEER

SITE INFO

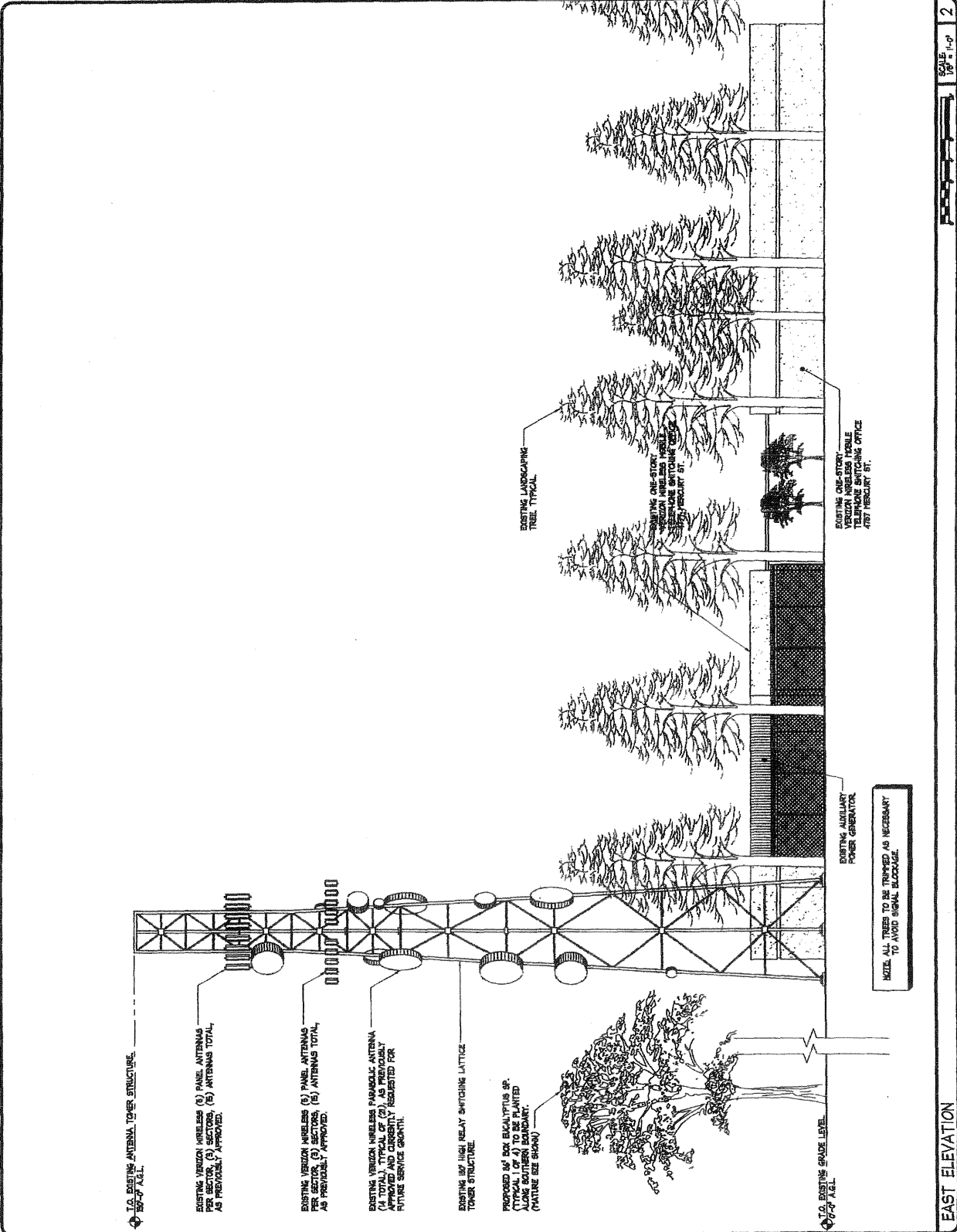
SITE NAME: **SAN DIEGO**  
MOBILE TELEPHONE SWITCHING OFFICE (MTSO)

SITE ADDRESS:  
4777 MERCURY STREET  
SAN DIEGO, CA 92111

SHEET TITLE:  
**EAST ELEVATION**

DATE: 02-25-08  
DRAWN BY: RT  
CHK. NAME: AJ

SHEET NUMBER:  
3 OF 5 **A-2**



REV#	DATE/REV	REVISION DESCRIPTION
5	06-27-08 NY	CLIENT REVISION
6	07-22-08 NY	CLIENT REVISION
7	08-05-08 NY	CLIENT REVISION
8	02-24-09 NY	CLIENT REVISION
9	02-24-09 NY	CLIENT REVISION

**THE PLANNING CONSORTIUM**  
LAND PLANNING / ENVIRONMENTAL STUDIES / GOVERNMENT RELATIONS

6111 MAIN STREET  
ORANGE CALIFORNIA 92668  
TEL: (714) 761-5100 FAX: (714) 761-1869

**SITE BUILDERS:**

**verizon** wireless

1605 SAND CANYON AVE.  
BUILDING 17 1st FLOOR  
SAN DIEGO, CA 92161  
PHONE (619) 294-7000

AAE DEVELOPMENT

**ABO**  
ARCHITECTS - INC.

2870 ENTERPRISE WAY #600  
LAKE FOREST, CA 92550  
TEL: 949-78-4940  
FAX: 949-471-4766

ENGINEER

SITE INFO

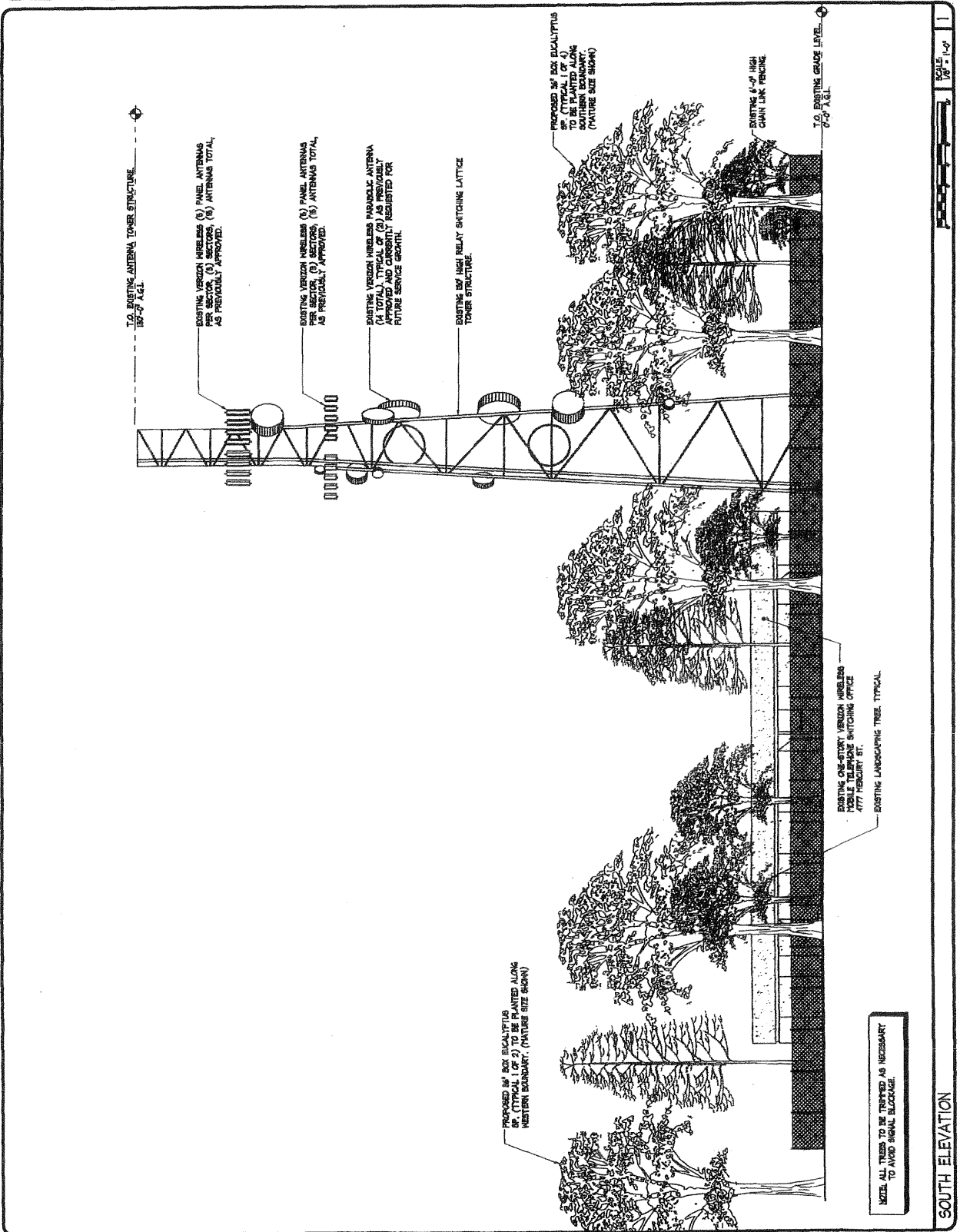
SITE NAME: **SAN DIEGO**  
MOBILE TELEPHONE SWITCHING OFFICE (MTSO)

SITE ADDRESS:  
4777 HERCULEY STREET  
SAN DIEGO, CA 92111

SHEET TITLE  
**SOUTH ELEVATION**

DWG. NAME: AS  
DRAWN BY: NY  
DATE: 04-22-09

4 OF 5 **A-3**



REV#	DATE	REVISION DESCRIPTION
5	06-27-08	CLIENT REVISION
4	07-22-08	CLIENT REVISION
3	07-22-08	CLIENT REVISION
2	07-22-08	CLIENT REVISION
1	07-22-08	CLIENT REVISION

**THE PLANNING CONSORTIUM**  
LAND PLANNING/ENVIRONMENTAL STUDIES  
GOVERNMENT RELATIONS

8111 LAUREL STREET  
SAN DIEGO, CALIFORNIA 92121  
TEL: (619) 594-5500 FAX: (619) 594-5489

**SITE BUILDERS**

**verizon** wireless

15605 SAND CANYON AVE  
BUILDING 101, 102 FLOOR  
SAN DIEGO, CA 92128  
PHONE (619) 298-7000

**A/E DEVELOPER**

**ADD**  
ARCHITECTS - INC.

2470 ENTERPRISE WAY #400  
LAKE FOREST, CA 92650  
TEL: 949-716-4400  
FAX: 949-271-4785

**ENGINEER**

**SITE INFO**

**SAN DIEGO**  
MOBILE TELEPHONE  
SWITCHING OFFICE (MTSO)

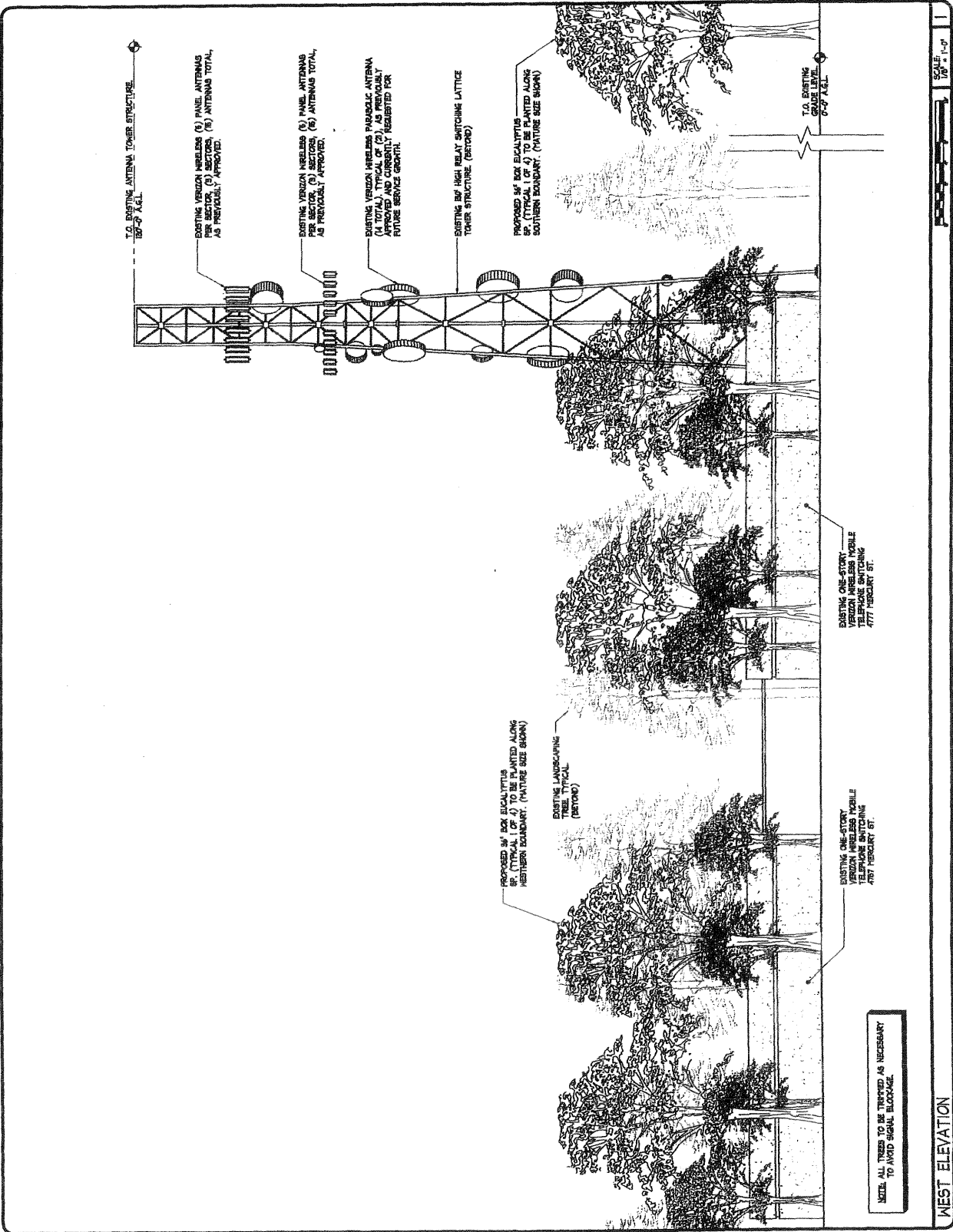
**SITE ADDRESS**  
4777 MERCURY STREET  
SAN DIEGO, CA 92111

**SHEET TITLE**

**WEST ELEVATION**

**DWG. NAME:** 44  
**DATE:** 01-22-08  
**DRAWN BY:** JTY  
**SHEET NUMBER:**

5 OF 5 A-4





CONDITIONAL USE PERMIT NO. CUP-86-0680  
City Council

This Conditional Use Permit is granted by the City Council of The City of San Diego to PacTel Mobile Access, Owner/Permittee, under the conditions in Section 101.0506 of the Municipal Code of The City of San Diego.

1. Permission is granted to Owner/Permittee to operate a 110-foot tower in concert with a central Multiple Terminal Switching Office located on the east side of Mercury Street between Vickers Street and Ronson Road, described as Lot 79 of Kearny Mesa Industrial Park Unit No. 7, Map No. 7025, in the M-1A Zone.
2. The facility shall consist of the following:
  - a. a 110-foot tower with seven dish antennae, five antennae will be located in the lower two-thirds of the tower;
  - b. a Multiple Terminal Switching Office to be located in the existing building;
  - c. Off-street parking; and
  - d. Accessory uses as may be determined incidental and approved by the Planning Director.
3. No fewer than 43 spaces off-street parking spaces shall be maintained on the property in the approximate location shown on Exhibit "A," dated March 3, 1987, on file in the office of the Planning Department. Parking spaces shall be consistent with Division 8 of the Municipal Code and shall be permanently maintained and not converted for any other use. Parking spaces and aisles shall conform to Planning Department standards. Parking areas shall be marked.
4. No permit for construction and operation of any facility shall be granted nor shall any activity authorized by this permit be conducted on the premises until:
  - a. The Permittee signs and returns the permit to the Planning Department; and
  - b. The Conditional Use Permit is recorded in the office of the County Recorder.
5. Before issuance of any building permits, complete grading and building plans shall be submitted to the Planning Director for approval. Plans shall be in substantial conformity to Exhibit "A," dated March 3, 1987, on file in the office of the Planning Department. No change, modifications or alterations shall be made unless appropriate applications for amendment of this permit shall have been granted.

6. All outdoor lighting shall be so shaded and adjusted that the light is directed to fall only on the same premises as light sources are located.
7. The antennae will be painted with a non-reflective, low-contrast color.
8. This permit shall expire ten years from the date of approval. If an extension is requested, the operation and conditions shall be reviewed at public hearings by the Planning Commission and City Council.
9. When technology becomes available that would render the tower obsolete, it shall be removed. Such technology shall be feasible as determined by the City Council and it must meet established community planning goals and objectives.
10. A standard navigational light (red obstruction light) shall be placed on the top of the tower.
11. This Conditional Use Permit must be used within 36 months after the date of City approval or the permit shall be void. An Extension of Time may be granted as set forth in Section 101.0510K of the Municipal Code. Any extension of time shall be subject to all standards and criteria in effect at the time the extension is applied for.
12. Construction and operation of the approved use shall comply at all times with the regulations of this or any other governmental agencies.
13. After establishment of the project, the property shall not be used for any other purposes unless:
  - a. Authorized by the City Council; or
  - b. The proposed use meets every requirement of the zone existing for the property at the time of conversion; or
  - c. The permit has been revoked by the City.
14. This Conditional Use Permit may be revoked by the City if there is a material breach or default in any of the conditions of this permit.
15. This Conditional Use Permit is a covenant running with the lands and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out.

Passed and Adopted by the City Council on March 3, 1987

AUTHENTICATED BY:

*Maureen O'Connor*

MAUREEN O'CONNOR, Mayor  
The City of San Diego

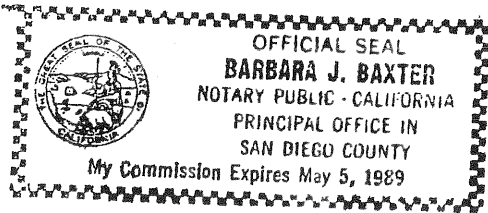
*Charles G. Abdelnour*

CHARLES G. ABDELNOUR, City Clerk  
The City of San Diego

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN DIEGO )

On this 21st day of April, 1987, before me, the undersigned, a notary public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared MAUREEN O'CONNOR, known to me to be the Mayor, and CHARLES G. ABDELNOUR, known to me to be the City Clerk, of The City of San Diego, the municipal corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the municipal corporation therein named, and acknowledged to me that such municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County of San Diego, State of California, the day and year in this certificate first above written.



*Barbara J. Baxter*  
Notary Public in and for the County  
of San Diego, State of California

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

**GENERAL ACKNOWLEDGMENT**

NO. 201

State of Calif  
County of San Diego } ss.

On this the 1 day of April, 19    , before me,

*Scott Ferguson*

the undersigned Notary Public, personally appeared

personally known to me  
 proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) \_\_\_\_\_ subscribed to the within instrument, and acknowledged that \_\_\_\_\_ executed it. WITNESS my hand and official seal.

*Linda Lee Rodriguez*  
Notary's Signature

(R-87-1785)

RESOLUTION NUMBER R- 267817ADOPTED ON MAR 3 1987

WHEREAS, the Planning Commission approved Conditional Use Permit No. CUP-86-0680 submitted by PACTEL MOBILE ACCESS, Owner/Permittee, to construct and operate a 110-foot tower with a dish antennae in conjunction with a Multiple Terminal Switching Office, on Lot 79 of Kearny Mesa Industrial Park Unit 7, Map No. 7025, located on the east side of Mercury Street, between Vickers Street and Ronson Road, in the Serra Mesa Community Plan area, in the M-1A Zone; and

WHEREAS, said appeal was set for public hearing on March 3, 1987, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council adopts the following findings with respect to Conditional Use Permit No. CUP-86-0680:

1. The proposed use will fulfill a need and will not adversely affect the neighborhood, General Plan or the Community Plan. The permit will upgrade the operation of PacTel's Cellular Microwave System. The existing overhead phone line system was built utilizing leased telephone lines, microwave is a natural transition from this system. It provides a higher quality signal and greater flexibility to meet peak demand. The Serra Mesa

Community Plan designates this area for light industrial uses and the proposal is isolated within industrially used property without being in close proximity to residential uses.

2. The proposed project, because of the 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 permit would specify that the project be located in the rear of the site and that this use would comply with regulations of this or any other governmental agencies.

3. The proposed use will comply with the relevant regulations in the Municipal Code. The proposed microwave tower will comply with all relevant regulations of the Municipal Code. Municipal Code Section 101.0510, paragraph 4.g., grants this Council authority to approve stationary facilities for transmission of electromagnetic signals including microwave relay stations and cellular mobile telephone transmitting facilities.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the decision of the Planning Commission is sustained and Conditional Use Permit No. CUP-86-0680 is hereby granted to PACTEL MOBILE ACCESS, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the Planning Department is directed to report to the Transportation and Land Use Committee at the conclusion of three years after the issuance of the permit as to the state of technology at that time to see whether or not it is feasible to make a change, and if no change is feasible, the committee shall make periodic updates and watch the advancement of said technology.

APPROVED: JOHN W. WITT, City Attorney

By



Frederick C. Conrad  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:cc:600  
03/09/87  
Or.Dept:Clerk  
R-87-1785  
Form=r.permit

Passed and adopted by the Council of The City of San Diego on

MAR 3 1987

by the following vote:

YEAS: Wolfsheimer, Cleator, McColl, Jones, Struiksma, Gotch,  
McCarty, Ballesteros, O'Connor.

NAYS: None.

NOT PRESENT: None.

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California

CHARLES G. ABDELNOUR  
City Clerk of The City of San Deigo, California

By JUNE A. BLACKNELL  
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true  
and correct copy of RESOLUTION NO. R- 267817 passed and  
adopted by the Council of The City of San Deigo, California, on

MAR 3 1987

CHARLES G. ABDELNOUR  
City Clerk of The City of San Deigo, California

By *June A. Blacknell*  
Deputy

(SEAL)



THE CITY OF  
**SAN DIEGO**

CITY OPERATIONS BUILDING • 1222 First Avenue • M.S. 501 • San Diego, California 92101

OFFICE OF  
DEVELOPMENT SERVICES  
DEPARTMENT  
236-6460

DATE: August 22, 1995

APPLICANT: Kevin McGee  
Airtouch Cellular  
5355 Mira Sorrento Place #500  
San Diego, CA 92121

PERMIT NO.: CUP 91-0302-55 MTSO Tower Extension

ADDRESS: 4777 Mercury Street

PROJECT: Increase existing antenna height by 20 feet and  
add 15 directional antennas.

DEVELOPMENT SERVICES DEPARTMENT ACTION:

It has been determined by the Development Services Department, that this proposal does not substantiate a major stationary facility and therefore will not be required to go through the Conditional Use Permit process. This approval is based on the departments Determination 15 for telecommunications. This proposal has been reviewed with the California Environmental Quality Act (CEQA) and has been determined to be exempt per Section 1506(b)(3).

The Development Services Department grants **APPROVAL** of your application, subject to the following description of work:

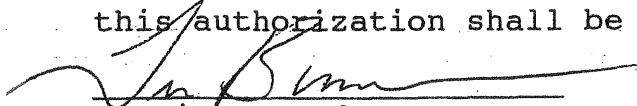
This proposal includes an addition of a 20'-0" extension to the existing 110 foot high 3 leg antenna tower. In addition (15) directional cellular antennas will be added for a total of (30)directional cellular antennas and (21)digital dish antennas. The digital dish antennas range between 2'-0" and 10'-0" with the directional antennas may vary in size from 1'-0" to 4'-2" high and 1'-0" to 1'-6" wide. All of the work proposed is included on the plans marked "Exhibit A," dated August 14, 1995 on file in the Development Services Department.



DIVERSITY



All work authorized by this permit shall be in conformance with the description of work contained herein and as indicated on the plans submitted to the Building Inspection Division and stamped with the Development and Environmental Planning (DEP) Division approval. All modifications to this structure or site not directly approved by this permit, shall require further review by DEP. Building permits must be obtained within six months from the date of this approval or this authorization shall be null and void.



---

Terri Bumgardner  
Associate Planner

cc: file

783

DOC # 1998-0659204

OCT 13, 1998 4:26 PM

RECORDING REQUESTED BY  
CITY OF SAN DIEGO  
DEVELOPMENT SERVICES

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 25.00

AND WHEN RECORDED MAIL TO  
PERMIT INTAKE  
MAIL STATION 501



SPACE ABOVE

Conditional Use permit 96-7673  
AirTouch Cellular - MTSO  
Planning Commission

This Permit, is granted by the Planning Commission of the City of San Diego to the RIVKIN FAMILY TRUST, Owner and AIRTOUCH CELLULAR, A CORPORATION, Permittee pursuant to Section 105.0510.3.1 of the Municipal Code of the City of San Diego. The 1.25 acre site is located at 4777 Mercury Street in the M-1B zone of the Kearny Mesa Community Plan area. The project site is legally described as Lot 79 of Kearny Mesa Industrial Park Unit 7, Map No. 7025.

1. Subject to the terms and conditions set forth in this permit, permission is granted to Owner and Permittee to continue operation of the existing telecommunication facility described herein, and identified by size, dimension, quantity, type and location on the approved Exhibits "A", dated January 29, 1998 on file in the Office of Development Services. The facility shall include:

- a. An existing multiple terminal switching office (MTSO) that includes a 130-foot tall lattice tower mounted with 30 directional antennas and 21 dish antennas;
- b. Existing landscape (planting, irrigation and landscape related improvements); and
- c. Accessory improvements determined by the City Manager to be consistent with the land use and development standards in effect for this site per the adopted Community Plan, California Environmental Quality Act guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this permit, and any other applicable regulations of the Municipal Code in effect for this site.

ORIGINAL

FS  
7P

2. 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 Permittee signs and returns the Permit to Development Services; and
  - b. The Permit is recorded in the office of the San Diego County Recorder.
3. Unless this permit has been revoked by the City of San Diego the property included by reference within this permit shall be used only for the purposes and under the terms and conditions set forth in this permit unless otherwise authorized by the City Manager.
4. This permit is a covenant running with the subject property and shall be binding upon the Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this permit and all referenced documents.
5. The utilization and continued use of this permit shall be subject to the regulations of this and any other applicable governmental agencies.
6. Issuance of this permit by the City of San Diego does not authorize the applicant for said permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 U.S.C. Section 1531 et seq.)
7. No change, modifications or alterations shall be made unless appropriate applications or amendment of this permit shall have been granted.
8. All of the conditions contained in this permit have been considered and have been determined to be necessary in order to make the findings required for this discretionary permit. It is the intent of the City that the holder of this permit be required to comply with each and every condition in order to be afforded special rights which the holder of the Permit is obtaining as a result of this permit. It is the intent of the City that the Owner of the property which is the subject of this permit either utilize the property for any use allowed under the zoning and other restrictions which apply to the property or, in the alternative, that the Owner of the property be allowed the special and extraordinary rights conveyed by this permit, but only if the Owner complies with all the conditions of the Permit.

In the event that 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" condition(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 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.

9. This Conditional Use Permit and corresponding use of this site shall expire on January 29, 2008.

10. Prior to the expiration date of this Conditional Use Permit, the Permittee may submit a new Conditional Use Permit application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

**PLANNING/DESIGN REQUIREMENTS:**

11. There shall be compliance with the regulations of the underlying zone(s) unless a deviation or variance to a specific regulation(s) is approved or granted as condition of approval of this permit. Where there is a conflict between a condition (including exhibits) of this permit and a regulation of the underlying zone, the regulation shall prevail unless the condition provides for a deviation or variance from the regulations. Where a condition (including exhibits) of this permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.

12. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and the exhibits (including, but not limited to, elevations and cross sections) or the maximum permitted building height of the underlying zone, whichever is lower, unless a deviation or variance to the height limit has been granted as a specific condition of this permit.

13. Any future requested amendment to this permit shall be reviewed for compliance with the regulations of the underlying zone(s) which are in effect on the date of the submittal of the requested amendment.

LANDSCAPE REQUIREMENTS:

14. All existing landscape shall be maintained in a disease, weed and litter free condition at all times and shall not be modified or altered unless this Permit has been amended. Modifications such as severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The Permittee, or subsequent Owner shall be responsible to maintain all street trees and landscape improvements consistent with the standards of the *Landscape Technical Manual*.

15. If any landscape (including existing hardscape, landscape features, etc.) indicated on the approved plans is damaged, it shall be repaired and/or replaced in kind and equivalent size per the approved plans within 30 days of completion of construction by the Permittee. The replacement size of plant material after three years shall be the equivalent size of that plant at the time of removal (the largest size commercially available and/or an increased number) to the satisfaction of the City Manager.

APPROVED by the Planning Commission of the City of San Diego on January 29, 1998.

787

Planning Commission  
RESOLUTION NO. 2592-PC  
Conditional Use Permit 96-7673  
AIRTOUCH CELLULAR - MTSO

WHEREAS, on August 20, 1997, the RIVKIN FAMILY TRUST, Owner; and AIRTOUCH CELLULAR, A CORPORATION, Permittee; filed an application with the City of San Diego for a permit to continue operation of an existing telecommunication facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 96-7673, on portions of a 1.25 acre site and;

WHEREAS, the project site is located at 4777 Mercury Street in the M-1B zone of the Kearny Mesa Community Plan area and;

WHEREAS, the project site is legally described as Lot 79 of Kearny Mesa Industrial park Unit 7, Map No. 7025, and;

WHEREAS, on January 29, 1998, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 96-7673 pursuant to Sections 105.10.3.1 of the Municipal Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated January 29, 1997.

FINDINGS:

- A. THE PROPOSED USE WILL NOT ADVERSELY AFFECT THE NEIGHBORHOOD, THE GENERAL PLAN, OR THE COMMUNITY PLAN, AND, IF CONDUCTED IN CONFORMITY WITH THE CONDITIONS PROVIDED BY THE PERMIT, WILL NOT BE DETRIMENTAL TO THE HEALTH, SAFETY AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE AREA.

The proposed use will not adversely affect the neighborhood, the Progress Guide and General Plan or the Kearny Mesa Community Plan. The site is designated Industrial and Business Park in the Kearny Mesa Community Plan and is zoned M-1B (industrial). It is developed with the existing multiple terminal switch office (MTSO) which is comprised of an existing office/electronics building, and a 130-foot tall lattice tower mounted with 30 panel antennas and 21 dish antennas. Although the existing tower is visible from the surrounding commercial and industrial areas, landscape and siting have been used to diminish views to the base of the tower. Additionally, since the facility is existing, its continued operation would not result in further denigration of community character.

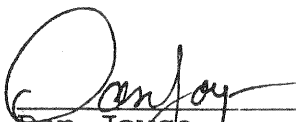
ORIGINAL

The proposed use, if conducted in conformity with the conditions provided by this permit, will not be detrimental to the health, safety and general welfare of persons residing or working in the area. Radio frequency emissions from the proposed facility are regulated by the Federal Communications Commission (FCC) which requires telecommunication facilities to comply with the safety standards established by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE).

**B. THE PROPOSED USE WILL COMPLY WITH ALL THE RELEVANT REGULATIONS IN THE MUNICIPAL CODE.**

The proposed telecommunication facility is permitted in any zone with a Conditional Use Permit. The facility complies with the City of San Diego Telecommunication Antenna Policy in that it has been designed to be minimally visible, to the extent possible. Architectural integration of the existing facility is limited to maintaining the gray non-reflective color of the tower, while the base of the tower has been effectively screened from view. Architectural integration of the tower would not be feasible given that the existing facility is structurally and operationally engineered for the current configuration.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit 96-7673 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 96-7673, a copy of which is attached hereto and made a part hereof.

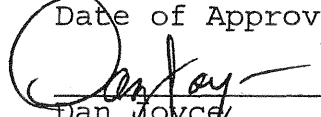
  
\_\_\_\_\_  
Dan Joyce  
Senior Planner

Adopted on: January 29, 1998

ALL-PURPOSE CERTIFICATE

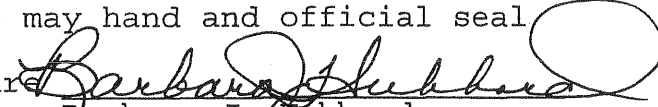
STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO

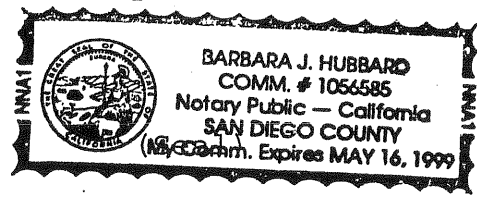
Type/Number of Document: CUP 96-7673  
Date of Approval: January 29, 1998

  
Dan Joyce  
Senior Planner

On September 28, 1998 before me, BARBARA J. HUBBARD (Notary Public), personally appeared DAN JOYCE, Senior Planner of Development Services of the City of San Diego, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.


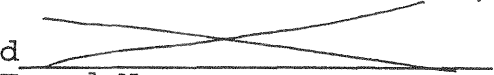
WITNESS my hand and official seal

Signature   
Barbara J. Hubbard



PERMITTEE(S) SIGNATURE/NOTARIZATION:

THE UNDERSIGNED PERMITTEE(S), BY EXECUTION THEREOF, AGREES TO EACH AND EVERY CONDITION OF THIS PERMIT AND PROMISES TO PERFORM EACH AND EVERY OBLIGATION OF PERMITTEE(S) THEREUNDER.

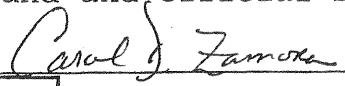
Signed  Signed   
Typed Name Arthur L. Rivkin Typed Name \_\_\_\_\_

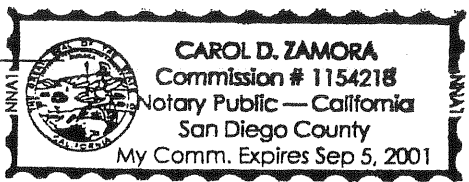
STATE OF California

COUNTY OF San Diego

On October 5, 1998 before me, Carol D. Zamora (Name of Notary Public) personally appeared ARTHUR L. RIVKIN, personally know to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature 



(Seal)

**ORIGINAL**



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY

ATTACHMENT 10

P.O. BOX 82776, SAN DIEGO, CA 92138-2776  
619.400.2400 WWW.SAN.ORG

December 8, 2008

Mr Jeffrey Peterson  
City of San Diego  
Department of Development Services  
1222 First Avenue  
San Diego, CA 92101

Re: Airport Land Use Commission Determination  
Existing Verizon Wireless Telecommunications Facility  
4777 Mercury Street; APN 356-120-83

Dear Mr Peterson:

As the Airport Land Use Commission (ALUC) for San Diego County, the San Diego County Regional Airport Authority acknowledges receipt of an application for a determination of consistency for the project described above. This project is located within the Airport Influence Areas (AIAs) for the Marine Corps Air Station (MCAS) Miramar and Montgomery Field Airport Land Use Compatibility Plans (ALUCPs).

Airport Authority review of the project description in the application indicates that the project consists of permitting existing utility infrastructure. Under the governing ALUCPs to which this project is subject, existing land uses are not subject to ALUC review. While the recently adopted MCAS Miramar ALUCP does make provision for ALUC review of unpermitted, existing uses, no such distinction is made within the ALUCPs to which this project would be subject, based upon the local agency's determination of completeness of the project's permit application.

Therefore, a determination of consistency with the ALUCPs by the Airport Land Use Commission is not required. Because no further Airport Authority action is required on the application, Authority staff is returning the application to you.

Sincerely,



*for* Sandi Sawa  
Manager, Airport Planning

Cc: Amy Gonzalez, SDCRAA, General Counsel  
Gary Cathey, Caltrans, Division of Aeronautics  
Tait Galloway, City of San Diego, Planning & Community Investment



SAN DIEGO  
INTERNATIONAL  
AIRPORT



Federal Aviation Administration  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-0520

Aeronautical Study No.  
2008-AWP-4895-OE  
Prior Study No.  
2005-AWP-5204-OE

Issued Date: 08/14/2008

Kathy Padgett  
Verizon Wireless (VAW) LLC  
1120 Sanctuary Parkway #150 GASA5REG  
Alpharetta, GA 30004-8511

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower SAN DIEGO MTSO  
Location: San Diego, CA  
Latitude: 32-49-41.17N NAD 83  
Longitude: 117-08-54.12W  
Heights: 130 feet above ground level (AGL)  
530 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

**See attachment for additional condition(s) or information.**

To coordinate frequency activation and verify that no interference is caused to FAA facilities, prior to beginning any transmission from the site you must contact SEE ADDITIONAL INFORMATION PAGE.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 02/14/2010 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2008-AWP-4895-OE.

**Signature Control No: 590379-103192508**  
Karen McDonald  
Specialist

(DNE)

Attachment(s)  
Additional Information  
Frequency Data  
Map(s)

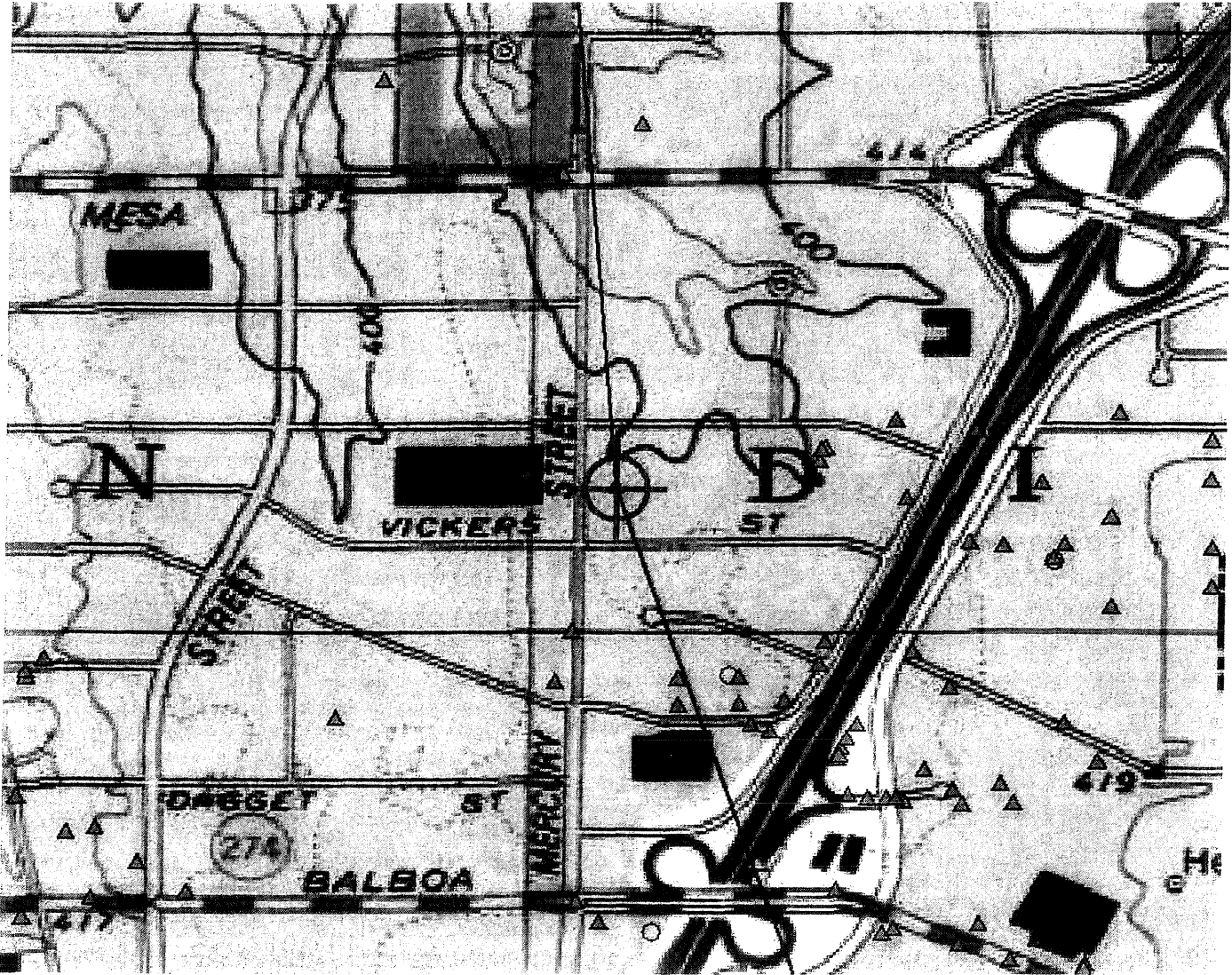
**Additional information for ASN 2008-AWP-4895-OE**

The proposed transmitter must provide at least 87 dB of spurious emission attenuation (7 dB greater than the FCC required 80 dB) in the 108-137, 225-400 MHz frequency bands.

## Frequency Data for ASN 2008-AWP-4895-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
1850	1910	MHz	1640	W
11015	11015	GHz	75	dBm
6226.89	6226.89	GHz	75	dBm
11075	11075	GHz	75	dBm
6286.19	6396.19	GHz	75	dBm
6315.84	6315.84	GHz	75	dBm
17890	17890	GHz	75	dBm
17930	17930	GHz	75	dBm
10815	10815	GHz	75	dBm
6197.24	6197.24	GHz	75	dBm
18040	18040	GHz	75	dBm
10735	10735	GHz	75	dBm
6345.49	6345.59	GHz	75	dBm
10915	10915	GHz	75	dBm
11565	11565	GHz	75	dBm
17800	17800	GHz	75	dBm
10935	10935	GHz	75	dBm
18080	18080	GHz	75	dBm
6375.14	6375.14	GHz	75	dBm
10875	10875	GHz	75	dBm
10735	10735	GHz	75	dBm

Verified Map for ASN 2008-AWP-4895-OE



# Kearny Mesa Planning Group

---

C/O Gibbs Flying Service, Inc.  
8906 Aero Drive, San Diego, CA 92123  
858-277-0162 FAX 858-277-0854  
[www.geocities.com/kearnymesapanninggroup](http://www.geocities.com/kearnymesapanninggroup)

May 22, 2008

German Murrillo, Project Manager  
Development Services  
City of San Diego  
1222 First Avenue  
San Diego, CA 92101

Re: VSW San Diego MTSO CUP  
Project 149313, JO 43-0277  
4777 Mercury Street

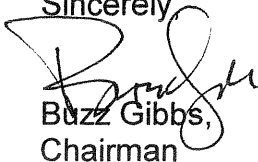
Dear Mr. Murrillo,

On April 16, 2008, Mr. Dave De Lorm representing Verison Wireless, appeared before our group and presented the above referenced CUP application. Mr. De Lorm explained that this existing facility, whose CUP has expired and is now is more than a simple wireless communication site but use the analogy as being like a "wired telephone's central station". He presented pictures and detailed the site improvement which consisted of mainly an enhanced security fence.

After some questions and comments from members a motion was made, seconded and approved 12-0-0 to recommend approval of the CUP with some additional site landscaping to enhance the image to the street frontages, that some less visible paint color be use on the tower and if possible, without a deterioration of service, any lowering of the antenna or reduction in the size or number of existing antennas would be appreciated.

If you need any further information or have any questions on this item, please give me a call.

Sincerely,

  
Buzz Gibbs,  
Chairman

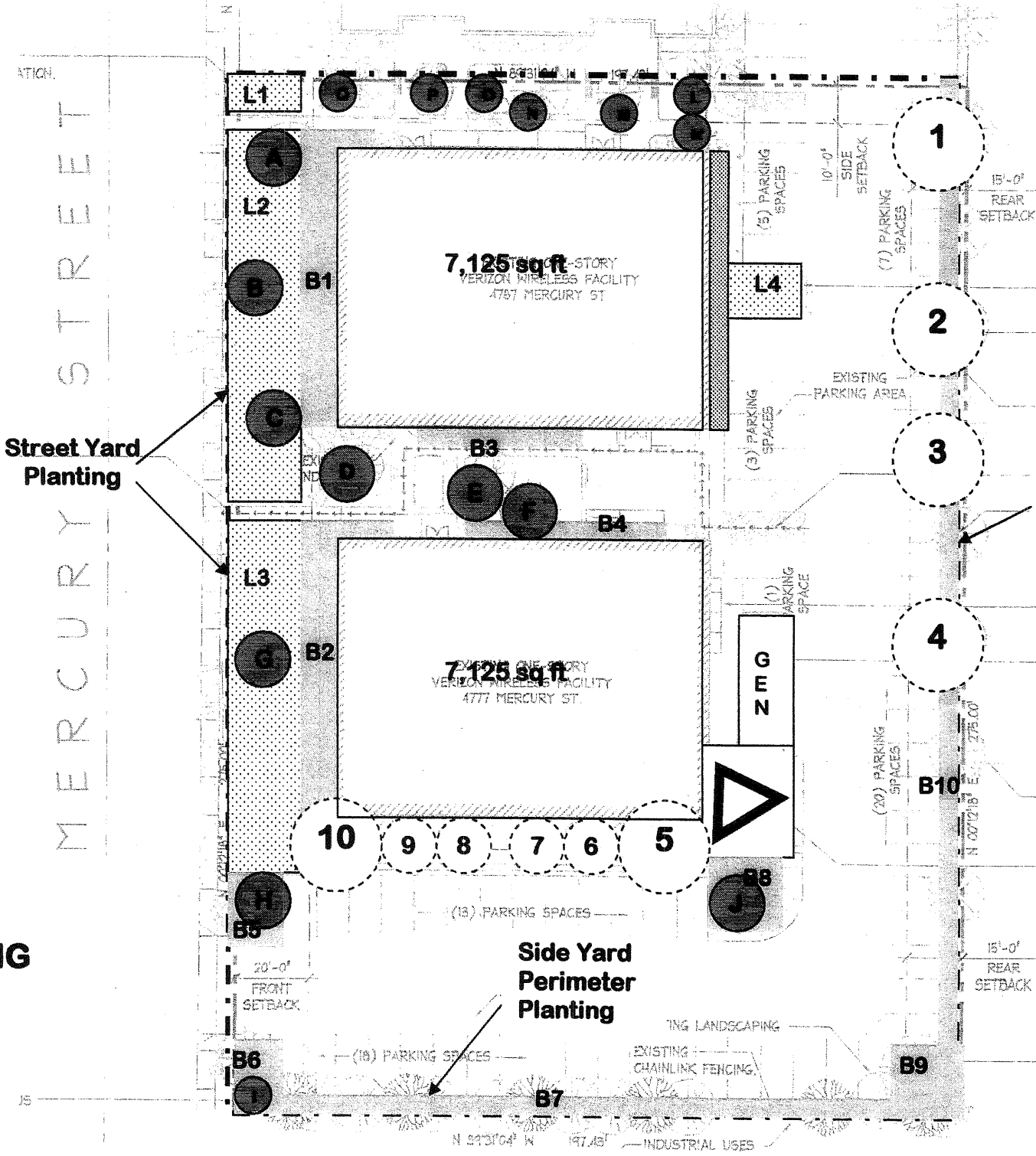
# **LANDSCAPE ORDINANCE COMPLIANCE REPORT AND LANDSCAPE PLAN**

**Project No: 149313  
Verizon Wireless  
"San Diego MTSO"  
4777 Mercury Street  
San Diego, California 92111**

**Prepared by:  
The Planning Consortium  
Land Planning and Environmental Studies  
627 North Main Street  
Orange, California 92868**

**February 16, 2009**





Street Yard  
Planting

Rear Yard  
Perimeter  
Planting

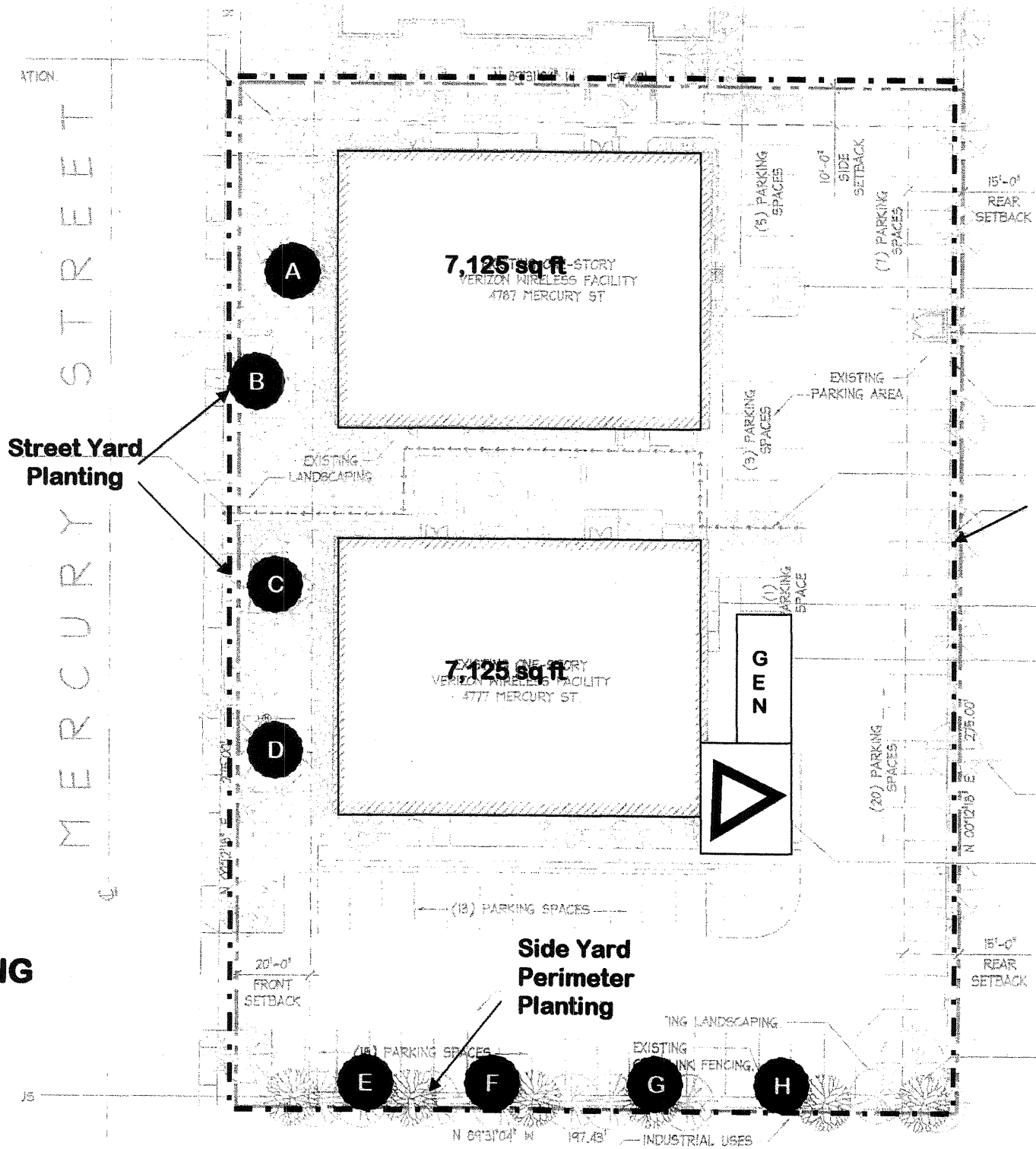
Side Yard  
Perimeter  
Planting

**NORTH**

**NOTE: Legend  
on following  
page**

**EXISTING  
LANDSCAPING  
INVENTORY  
Figure 1**

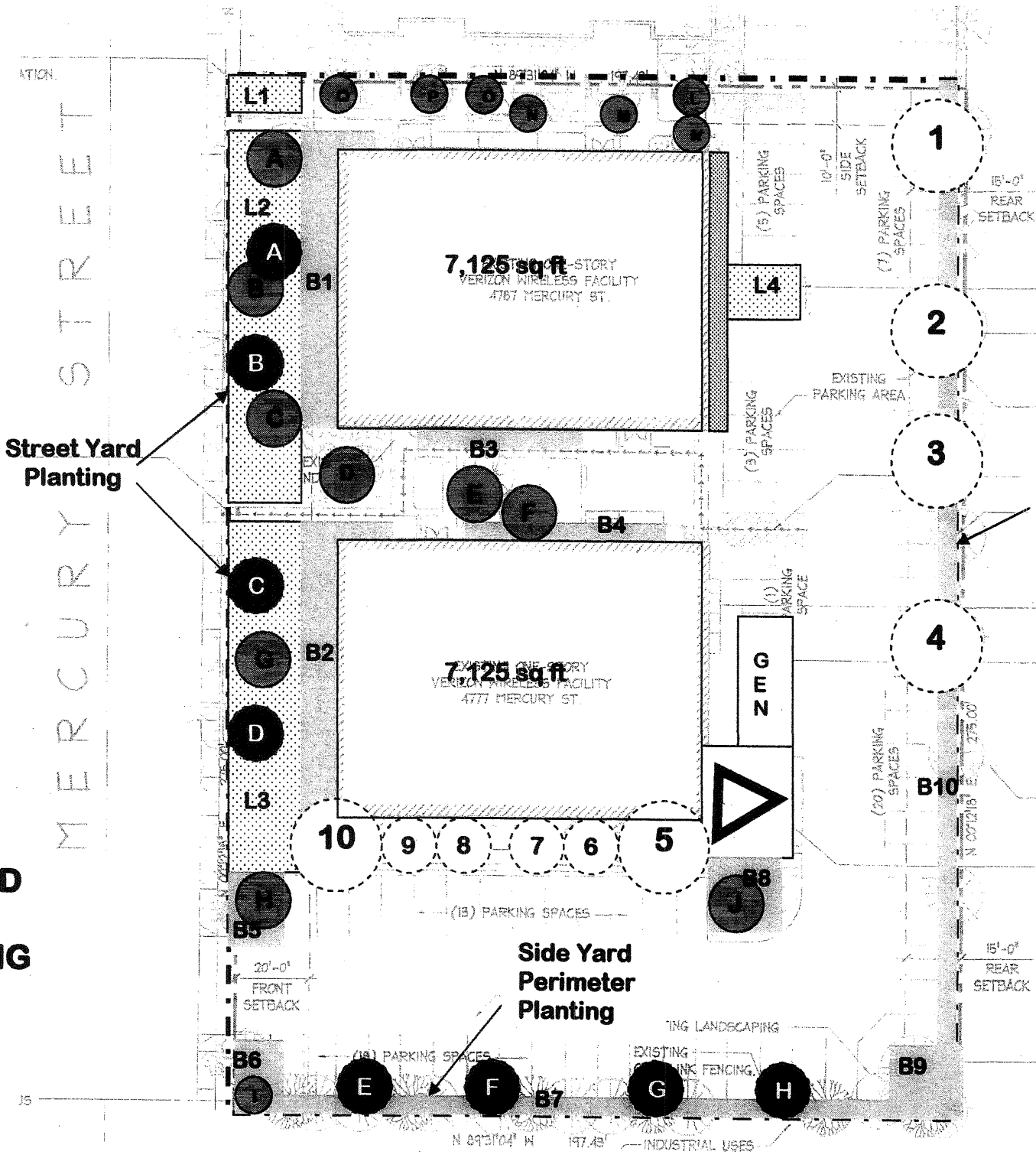
**PROPOSED  
LANDSCAPING  
INVENTORY  
Figure 2**



**Rear Yard  
Perimeter  
Planting**



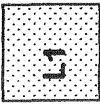


**NORTH**

**NOTE: Legend  
on following  
page**



**EXISTING AND PROPOSED LANDSCAPING INVENTORY Figure 3**

**NOTE: Legend on following page**

-  Existing Eucalyptus Tree  
(approximate crown size as shown)
-  Existing *Prunus* sp.  
(approximate crown size as shown)
-  Existing Lawn Area
-  Existing Bush Area
-  Proposed Eucalyptus Tree

**LANDSCAPING  
INVENTORY LEGEND  
Figure 4**

<b>Existing Tree Inventory</b>					
<b>Tree Species and Common Name</b>	<b>Number or Letter</b>	<b>Trunk Size</b>	<b>On-Site Location</b>	<b>Approx. Height</b>	<b>Points</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	1	18"	Rear Yard Perimeter	40'	450
<i>Eucalyptus</i> sp. "White Eucalyptus"	2	18"	Rear Yard Perimeter	40'	450
<i>Eucalyptus</i> sp. "White Eucalyptus"	3	18"	Rear Yard Perimeter	40'	450
<i>Eucalyptus</i> sp. "White Eucalyptus"	4	18"	Rear Yard Perimeter	40	450
<i>Eucalyptus</i> sp. "White Eucalyptus"	5	18"	Parking Area	40'	450
<i>Eucalyptus</i> sp. "White Eucalyptus"	6	12"	Parking Area	30'	300
<i>Eucalyptus</i> sp. "White Eucalyptus"	7	12"	Parking Area	30'	300
<i>Eucalyptus</i> sp. "White Eucalyptus"	8	12"	Parking Area	30'	300
<i>Eucalyptus</i> sp. "White Eucalyptus"	9	12"	Parking Area	30'	300
<i>Eucalyptus</i> sp. "White Eucalyptus"	10	18"	Parking Area	40'	450
<i>Prunus</i> sp. "Flowering Cherry"	A	12'	Street Yard	20'	300
<i>Prunus</i> sp. "Flowering Cherry"	B	12'	Street Yard	20'	300
<i>Prunus</i> sp. "Flowering Cherry"	C	12'	Street Yard	20'	300
<i>Prunus</i> sp. "Flowering Cherry"	D	14'	Interior Courtyard	20'	350
<i>Prunus</i> sp. "Flowering Cherry"	E	10'	Interior Courtyard	15'	250
<i>Prunus</i> sp. "Flowering Cherry"	F	10'	Interior Courtyard	15'	250
<i>Prunus</i> sp. "Flowering Cherry"	G	14'	Street Yard	20'	350
<i>Prunus</i> sp. "Flowering Cherry"	H	10'	Street Yard	15'	250
<i>Prunus</i> sp. "Flowering Cherry"	I	10'	Street Yard	15'	250
<i>Prunus</i> sp. "Flowering Cherry"	J	10"	Parking Area	20'	250
<i>Prunus</i> sp. "Flowering Cherry"	K	6"	Interior Courtyard	15'	150

<b>Existing Trees (Continued)</b>					
<b>Tree Species and Common Name</b>	<b>Number or Letter</b>	<b>Trunk Size</b>	<b>On-Site Location</b>	<b>Approx. Height</b>	<b>Points</b>
<i>Prunus</i> sp. "Flowering Cherry"	L	6"	Interior Courtyard	10'	150
<i>Prunus</i> sp. "Flowering Cherry"	M	8"	Interior Courtyard	15'	200
<i>Prunus</i> sp. "Flowering Cherry"	N	8"	Interior Courtyard	15'	200
<i>Prunus</i> sp. "Flowering Cherry"	O	8"	Interior Courtyard	15'	200
<i>Prunus</i> sp. "Flowering Cherry"	P	8"	Interior Courtyard	15'	200
<i>Prunus</i> sp. "Flowering Cherry"	Q	10"	Interior Courtyard	15'	250

**TOTAL EXISTING ON-SITE TREE POINTS = 8,100**

<b>Existing Bush Inventory</b>					
<b>Bush Species and Common Name</b>	<b>Number or Letter</b>	<b>Approx. Size</b>	<b>On-Site Location</b>	<b>Number</b>	<b>Points</b>
<i>Pittosporum tobira</i> "Variegata"	B1	48"	Street Yard	22	330
<i>Berberis</i> sp. "Barberry"	B1	24"	Street Yard	4	16
<i>Pittosporum tobira</i> "Variegata"	B2	48"	Street Yard	24	330
<i>Berberis</i> sp. "Barberry"	B2	24"	Street Yard	4	16
Unknown landscaping bush species	B3	24"	Interior courtyard	2	8
<i>Berberis</i> sp. "Barberry"	B3	24"	Interior courtyard	6	24
Unknown landscaping bush species	B4	24"	Interior courtyard	2	8
<i>Berberis</i> sp. "Barberry"	B4	24"	Interior courtyard	6	24
<i>Rhododendron</i> sp. "Rhododendron"	B5	48"	Street Yard	3	45
<i>Berberis</i> sp. "Barberry"	B5	24"	Street Yard	1	4
<i>Rhododendron</i> sp. "Rhododendron"	B6	24"	Street Yard	2	8
<i>Berberis</i> sp. "Barberry"	B6	24"	Street Yard	1	4

<b>Existing Bush Inventory (continued)</b>					
<i>Berberis</i> sp. "Barberry"	B7	24"	Side Yard Perimeter	6	<b>24</b>
Unknown landscaping bush species	B7	48"	Side Yard Perimeter	10	<b>150</b>
<i>Rhododendron</i> sp. "Rhododendron"	B8	48"	Parking Area	4	<b>60</b>
<i>Rhododendron</i> sp. "Rhododendron"	B9	48"	Side Yard Perimeter	3	<b>45</b>
<i>Berberis</i> sp. "Barberry"	B10	24"	Rear Yard Perimeter	4	<b>16</b>

**TOTAL EXISTING ON-SITE BUSH POINTS = 1,112 POINTS**

<b>Existing Yard Inventory</b>					
<b>Species and Common Name</b>	<b>Number or Letter</b>	<b>Approx. Size</b>	<b>On-Site Location</b>	<b>Square Footage</b>	<b>Points</b>
<i>Poa</i> sp. Grass (+bushes/trees)	L1	27' x 10'	Street Yard	270 sf	See below
<i>Poa</i> sp. Grass (+bushes/trees)	L2	27" x 97'	Street Yard	2,619 sf	See below
<i>Poa</i> sp. Grass (+bushes/trees)	L3	27' x 95'	Street Yard	2,565 sf	See below
<i>Poa</i> sp. Grass (+bushes/trees)	L4	12' x 12'	Parking Area	144 sf	See below

<b>Existing Street Yard</b>		
Required Street Yard Area	275' x 20'	5,500 sf (front setback)
Street Yard Area Provided	275' x 27'	7,525 sf
- Non Planted Area (driveways and walkways)	NA	1,220 sf
- Planted Area	NA	6,205 sf
-Required Planting Area (25% of Street Yard Area	NA	1,375 sf
Remaining Existing Planted Street Yard Area	NA	4,830 sf
Points for Street Yard Required and Remaining Planting Area	4,830 sf x .05 pts	<b>241 Points</b>

**TOTAL EXISTING ON-SITE YARD POINTS = 241 POINTS**

<b>Existing Side Yard Perimeter</b>		
Existing Side Yard Perimeter Provided	5' x 172'	172 points required
Existing Side Yard Landscaping Points	NA	<b>174 points</b>
Total Points Deficit/Excess	NA	(2 points over required)

<b>Existing Rear Yard Perimeter</b>		
Existing Rear Yard Perimeter Provided	5' x 275'	275 points required
Existing Rear Yard Landscaping Points	NA	<b>1,816 points</b>
Total Points Deficit/Excess	NA	(1,541 points over required)

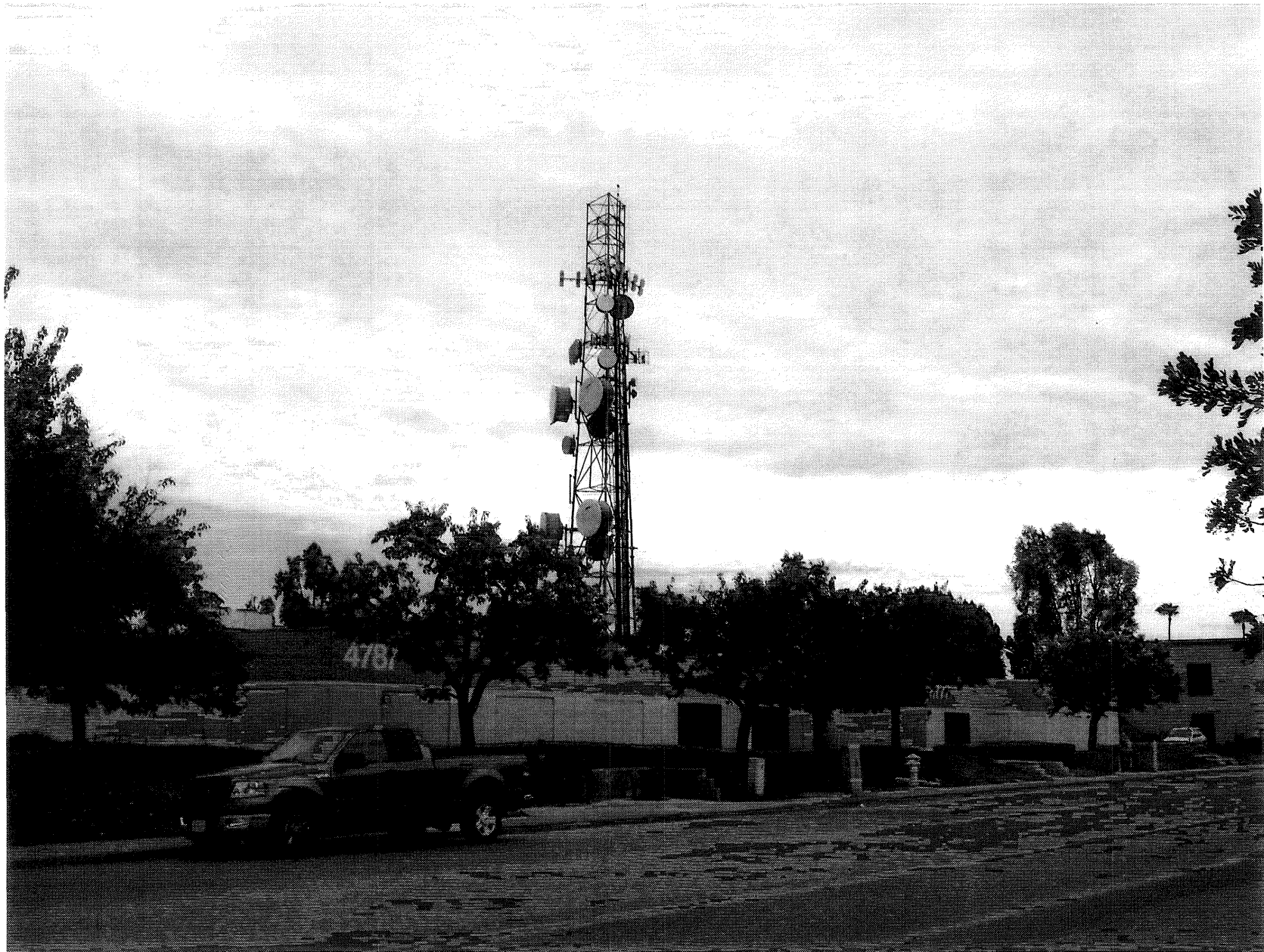
<b>TOTAL EXISTING LANDSCAPING POINTS</b>	
Existing Trees	8,100 points
Existing Bushes	1,112 points
Existing Street (front) Yard	241 points
Existing Side Yard Perimeter	174 points
Existing Rear Yard Perimeter	1,816 points
<b>TOTAL EXISTING LANDSCAPING POINTS</b>	<b>11,443 POINTS</b>

<b>PROPOSED TREE INVENTORY</b>				
<b>Tree Species and Common Name</b>	<b>Tree Letter On Plan</b>	<b>Box Size</b>	<b>On-Site Location</b>	<b>Points</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	A	36"	Street Yard	<b>50</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	B	36"	Street Yard	<b>50</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	C	36"	Street Yard	<b>50</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	D	36"	Street Yard	<b>50</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	E	36"	Side Yard Perimeter	<b>50</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	F	36"	Side Yard Perimeter	<b>50</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	G	36"	Side Yard Perimeter	<b>50</b>
<i>Eucalyptus</i> sp. "White Eucalyptus"	H	36"	Side Yard Perimeter	<b>50</b>
<b>TOTAL PROPOSED TREE POINTS</b>				<b>300 POINTS</b>



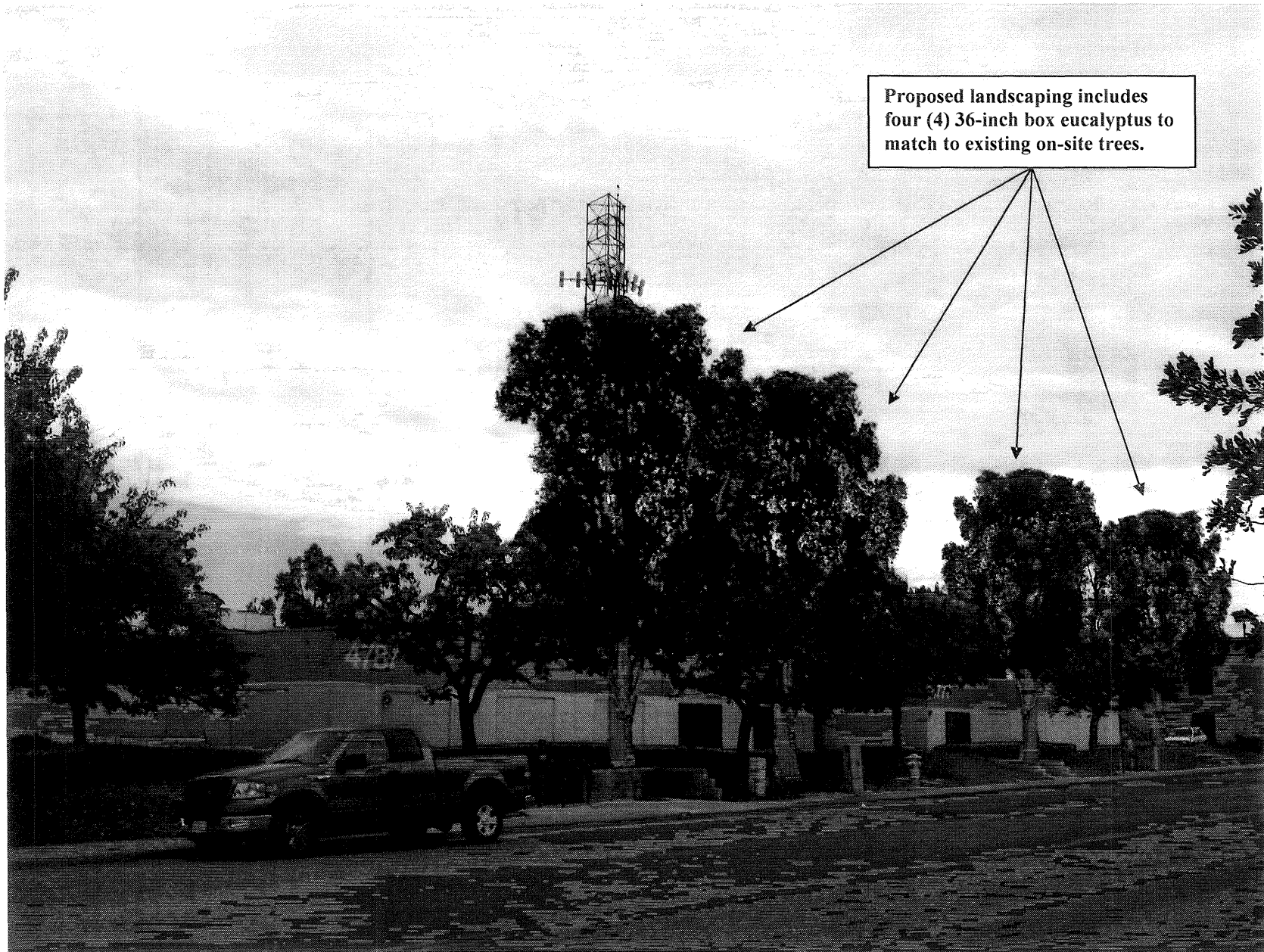
<b>TOTAL EXISTING AND PROPOSED LANDSCAPING POINTS</b>	
<b>TOTAL EXISTING LANDSCAPING POINTS</b>	<b>11,443 POINTS</b>
<b>TOTAL PROPOSED TREE POINTS</b>	<b>300 POINTS</b>
<b>TOTAL EXISTING AND PROPOSED LANDSCAPING POINTS</b>	<b>11,743 POINTS</b>

**Verizon Wireless San Diego MTSO (Mobile Telephone Switching Office)  
Request for Extension of Land Use Entitlements Project: 4777 Mercury Street, San Diego, CA 92111**



**View 1 (Before): View showing existing conditions of the site from Mercury Street. Verizon Wireless proposes to plant four (4) 36-inch box eucalyptus trees along this western boundary to match existing on-site landscaping trees for screening.**

**Verizon Wireless San Diego MTSO (Mobile Telephone Switching Office)  
Request for Extension of Land Use Entitlements Project: 4777 Mercury Street, San Diego, CA 92111**



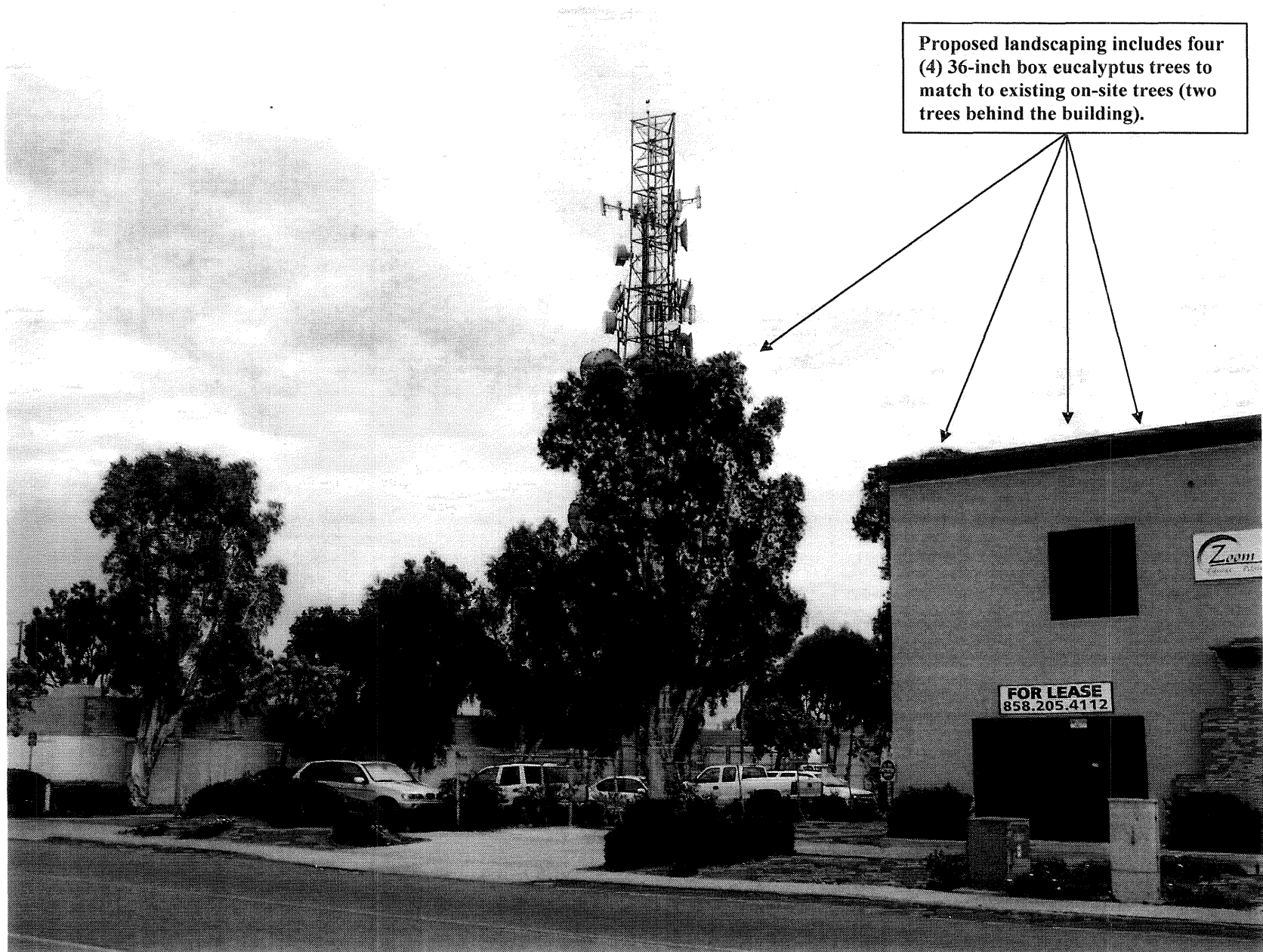
**View 1 (After): View showing proposed landscaping along the western boundary of the project site at the mature stage. Verizon Wireless proposes to plant four (4) 36-inch box eucalyptus trees along the western boundary to match existing trees.**

**Verizon Wireless San Diego MTSO (Mobile Telephone Switching Office)  
Request for Extension of Land Use Entitlements Project: 4777 Mercury Street, San Diego, CA 92111**



**View 2 (Before): View showing existing conditions along the southern boundary of the project site. Verizon Wireless proposes to plant four (4) 36-inch box eucalyptus trees along the southern boundary to match existing landscaping trees for screening.**

**Verizon Wireless San Diego MTSO (Mobile Telephone Switching Office)  
Request for Extension of Land Use Entitlements Project: 4777 Mercury Street, San Diego, CA 92111**



**View 2 (After): View showing proposed conditions along the southern boundary of the project site. Verizon Wireless proposes to plant four (4) 36-inch box eucalyptus trees along the southern boundary to match existing landscaping trees.**

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

**WHEN RECORDED MAIL TO**  
**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 43-0277

**PLANNED DEVELOPMENT PERMIT NO. 610410**  
**VERIZON SAN DIEGO MTSO-PROJECT NO. 149313**  
**PLANNING COMMISSION**

This Planned Development Permit No. 610410 is granted by the Planning Commission of the City of San Diego to Verizon Wireless (VAW) LLC, a Delaware Limited Liability Company, Owner/ Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0604. The 1.24-acre site is located at 4777 and 4787 Mercury Street in the IL-2-1 Zone within the Kearny Mesa Community Plan, Airport Environs Overlay Zone (AEOZ) and Federal Aviation Administration (FAA) Part 77 Noticing Area for the Marine Corps Air Station (MCAS) Miramar and the Montgomery Field. The project site is legally described as Lot 79 of the Kearny Mesa Industrial Park Unit No. 7, Map No. 7025.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner /Permittee to continue the operation of a wireless communication facility described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated May 21, 2009, on file in the Development Services Department.

The project shall include:

- a. An existing multiple terminal switching office (MTSO) that includes a 130 foot high antenna support structure (lattice tower) with 30 directional panel antennas and 21 dish antennas, auxiliary power generator, and miscellaneous structures;
- b. Deviation from the Design Requirements of the regulations pursuant to LDC Section 141.0420(g)(2) for integration through the use of architecture, landscape, and siting solutions;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking;

- e. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

**STANDARD REQUIREMENTS:**

1. This Planned Development Permit [PDP] and corresponding use of this site shall **expire on May 21, 2019**. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
2. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittee may submit a new application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for non-compliance, which may include penalties and fines.
3. Under no circumstances, does approval of this permit authorize the Owner/Permittee or their tenants to utilize this site for wireless communication purposes beyond the permit expiration date. Implicit use of this permit beyond the effective date of this permit is prohibited.
4. 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.
5. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
6. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
8. 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.).

9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.

10. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.

11. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that 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" condition(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.

12. The applicant 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 applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant 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, applicant 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 applicant 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 applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

13. Prior to issuance of building permit the applicant shall provide a valid "Determination of No Hazard to Air Navigation" issued by the Federal Aviation Administration (FAA).



**ENGINEERING REQUIREMENTS:**

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

15. Prior to the issuance of any construction permits, the applicant 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.

**LANDSCAPE REQUIREMENTS:**

16. In the event that the Landscape Plan and the Site Plan conflict, the Site Plan shall be revised to be consistent with the Landscape Plan such that landscape areas are consistent with the Exhibit "A" Landscape Development Plan.

17. Within 30 days of permit issuance, complete landscape and irrigation construction documents consistent with the Land Development Manual: Landscape Standards shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department. Construction plans shall take into account a 40 square foot area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)5.

18. Within 90 days of permit issuance, it shall be the responsibility of the Owner/Permittee to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.

19. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

20. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, it shall be repaired and/or replaced in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy or a Final Landscape Inspection.

21. Any required planting that dies within 3 years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan. Required shrubs or trees that die 3 years or more after installation shall be replaced with 15 gallon size or 60-inch box size material, respectively. Development Services may authorize adjustment of the size and quantity of replacement material where material replacement would occur in inaccessible areas or where the existing plant being replaced is larger than a 15 gallon shrub or 60-inch box tree.

**PLANNING/DESIGN REQUIREMENTS:**

22. No fewer than 43 off-street parking spaces shall be maintained on the property at all times in the approximate locations (the site contains 67 existing off-street parking spaces) shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the Development Services Department.
23. 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.
24. Within 90 days of issuance of this permit, the telecommunication provider shall provide certification describing evidence that the cumulative field measurements of radio frequency power densities for all antennas installed on the premises are below the federal standards.
25. Under no circumstances, does approval of this permit authorize the Owner/Permittee or their tenants to utilize this site for wireless communication purposes beyond the permit expiration date. Implicit use of this permit beyond the effective date of this permit is prohibited.
26. The Owner/Permittee is responsible for notifying the city prior to the sale or takeover of this site to any other provider.
27. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
28. 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.

**INFORMATION ONLY:**

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development 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 §66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on May 21, 2009, pursuant to Resolution No. xxxxxx.

Permit Type/PTS Approval No.: PDP No. 610410

Date of Approval: May 21, 2009

AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT

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Jeffrey A. Peterson  
Development Project Manager

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

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**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.

Verizon Wireless (VAW) LLC  
Owner/Permittee

By \_\_\_\_\_  
Name:  
Title:

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

PLANNING COMMISSION  
RESOLUTION NO. xxxx  
**PLANNED DEVELOPMENT PERMIT NO. 610410**  
**VERIZON SAN DIEGO MTSO-PROJECT NO. 149313**

WHEREAS, Verizon Wireless (VAW) LLC, a Delaware Limited Liability Company, Owner/ Permittee, filed an application with the City of San Diego for a permit to continue the operation of 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. 610410), on portions of a 1.24-acre site;

WHEREAS, the project site is located at 4777 and 4787 Mercury Street in the IL-2-1 Zone within the Kearny Mesa Community Plan, Airport Environs Overlay Zone (AEOZ) and Federal Aviation Administration (FAA) Part 77 Noticing Area for the Marine Corps Air Station (MCAS) Miramar and the Montgomery Field;

WHEREAS, the project site is legally described as Lot 79 of the Kearny Mesa Industrial Park Unit No. 7, Map No. 7025;

WHEREAS, on May 21, 2009, the Planning Commission of the City of San Diego considered Planned Development Permit No. 610410 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated May 21, 2009.

FINDINGS:

**Planned Development Permit - Section 126.0604**

**A. Findings for all Planned Development Permits**

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

The project site is located at 4777 and 4787 Mercury Street in the IL-2-1 Zone within the Kearny Mesa Community Plan, Airport Environs Overlay Zone (AEOZ) and Federal Aviation Administration (FAA) Part 77 Noticing Area for the Marine Corps Air Station (MCAS) Miramar and the Montgomery Field. The purpose of the IL (Industrial-Light) zones is to provide for a wide range of manufacturing and distribution activities, and a wireless communication facility (WCF) is an allowed use with limitations within the zone. There are no height limits for structures in the industrial zones except as limited by the regulations in the Land Development Code (LDC) Chapter 13, Article 2 (Overlay Zones). The two overlay zones that would apply to the project site are the AEOZ and the FAA Noticing Area. The Kearny Mesa Community Plan (KMCP) designates the site as Industrial and Business Parks, and the plan does not address WCFs.

The FAA issued a "Determination of No Hazard to Air Navigation" for the project and the Airport Land Use Commission (ALUC) for San Diego County has determined that under the

governing Airport Land Use Plans (ALUPs) to which this project is subject, existing land uses are not subject to ALUC review. Therefore, a determination of consistency with the ALUPs by the ALUC is not required. The proposed development will not adversely affect the applicable land use plan.

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

The project proposes to maintain an existing WCF consisting of a 130 foot high steel lattice tower with 30 directional panel antennas and 21 dish antennas, and the existing equipment located in adjacent office buildings, which has been permitted and in operation since 1987. 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) emission to the extent that such facilities comply with the Federal Communication Commission’s (FCC) standards for such emissions.” To insure that the FCC standards are being met, a condition has been added to the permit to require that Verizon Wireless to perform an on-air RF test and submit the findings in a report to the City of San Diego within 90 days of issuance of this permit. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within matters of the City’s jurisdiction.

**3. The proposed development will comply with the regulations of the Land Development Code;**

The project proposes to maintain an existing WCF consisting of a 130 foot high steel lattice tower with 30 directional panel antennas and 21 dish antennas, and the existing equipment located in adjacent office buildings, which has been permitted and in operation since 1987. The WCF Regulation, Land Development Code (LDC) Section 141.0420, became effective on April 4, 2007. The site is located within an industrial zone (IL-2-1 Zone) and is permitted as a Process 1 Limited Use pursuant to LDC Section 141.0420(c)(1)(A).

The existing 130 foot high steel lattice tower does not comply with the Design Requirements of the regulations pursuant to LDC Section 141.0420(g)(2). This section states: “The applicant shall use all reasonable means to conceal or minimize the visual impacts of the wireless communication facilities through integration. Integration with existing structures or among other existing uses shall be accomplished through the use of architecture, landscape, and siting solutions.” A Planned Development Permit has been applied for to deviate from the design requirements.

The proposed development is located within an industrial area, and is surrounded by industrial and commercial development including many other tall communication towers. This facility is the main switching station for the company in San Diego and much of the outlying network is connected to the antennas and dishes already on the tower. The tower, as designed, is industrial in appearance, and although it is very tall, its light gray color helps to minimize the appearance within the skyline. Additional eucalyptus trees will help to mitigate views along the street. Together, this will the purpose and intent of the guidelines of the General Plan and Council Policy 600-43 to help minimize the visual impact. Understanding Verizon’s technical requirements and

the importance of this facility to the network and San Diego subscribers, the strict application of the WCF Regulations could result in a more bulkier tower version than its current open lattice design, and would increase impacts on public views and the visual quality of the surrounding area.

**4. The proposed development, when considered as a whole, will be beneficial to the community; and**

The project proposes to maintain an existing WCF consisting of a 130 foot high steel lattice tower with 30 directional panel antennas and 21 dish antennas, and the existing equipment located in adjacent office buildings, which has been permitted and in operation since 1987. This existing multiple terminal switching office (MTSO) is one of the company's main switching stations for the Verizon network. The wireless communications service made possible by this facility has been and will continue to be beneficial to the community and to the city.

The proposed development is located within an industrial area, and is surrounded by industrial and commercial development including many other tall communication towers. This facility is the main switching station for the company in San Diego and much of the outlying network is connected to the antennas and dishes already on the tower. The tower, as designed, is industrial in appearance, and although it is very tall, its light gray color helps to minimize the appearance within the skyline. Additional eucalyptus trees will help to mitigate views along the street. Together, this will the purpose and intent of the guidelines of the General Plan and Council Policy 600-43 to help minimize the visual impact. Understanding Verizon's technical requirements and the importance of this facility to the network and San Diego subscribers, the strict application of the WCF Regulations could result in a bulkier tower version than its current open lattice design, and would increase impacts on public views and the visual quality of the surrounding area. Therefore, the proposed development, when considered as a whole, will be beneficial to the community.

**5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.**

The project proposes to maintain an existing WCF consisting of a 130 foot high steel lattice tower with 30 directional panel antennas and 21 dish antennas, and the existing equipment located in adjacent office buildings, which has been permitted and in operation since 1987. This existing multiple terminal switching office (MTSO) is one of the company's main switching stations for the Verizon network. The lattice tower does not comply with the Design Requirements of the regulations pursuant to LDC Section 141.0420(g)(2) in regards to the integration of the existing structure through the use of architecture, landscape, and siting. The project includes a request to deviate from these design requirements.

The proposed development is located within an industrial area, and is surrounded by industrial and commercial development including many other tall communication towers. This facility is the main switching station for the company in San Diego and much of the outlying network is connected to the antennas and dishes already on the tower. The tower, as designed, is industrial in appearance, and although it is very tall, its light gray color helps to minimize the appearance

within the skyline. Additional eucalyptus trees will help to mitigate views along the street. Together, this will be the purpose and intent of the guidelines of the General Plan and Council Policy 600-43 to help minimize the visual impact. Understanding Verizon's technical requirements and the importance of this facility to the network and San Diego subscribers, the strict application of the WCF Regulations could result in a bulkier tower version than its current open lattice design, and would increase impacts on public views and the visual quality of the surrounding area. Therefore, the requested deviation is appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Development Permit No. 610410 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 610410, a copy of which is attached hereto and made a part hereof.

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Jeffrey A. Peterson  
Development Project Manager  
Development Services

Adopted on: May 21, 2009

Job Order No. 43-0277

cc: Legislative Recorder, Development Services Department

Project Title: VERIZON SAN DIEGO MTSO Project No. (For City Use Only) 149313

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

Corporation [X] Limited Liability -or- [ ] General) What State? Corporate Identification No. Partnership [ ]

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property.. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached [X] Yes [ ] No

Corporate/Partnership Name (type or print): Verizon Wireless (VAW) LLC, dba Verizon Wireless [X] Owner [ ] Tenant/Lessee Street Address: One Verizon Way City/State/Zip: Basking Ridge, NJ 07920 Phone No: ( 949 ) 286-8623 Fax No: Name of Corporate Officer/Partner (type or print): Keith A. Surratt Title (type or print): West Area Vice President - Network Signature: [Signature] Date: 1/14/08

Corporate/Partnership Name (type or print): [ ] Owner [ ] Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:

Corporate/Partnership Name (type or print): [ ] Owner [ ] Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:

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Corporate/Partnership Name (type or print): [ ] Owner [ ] Tenant/Lessee Street Address: City/State/Zip: Phone No: Fax No: Name of Corporate Officer/Partner (type or print): Title (type or print): Signature : Date:



**VERIZON SAN DIEGO MTSO-PROJECT NO. 149313**

**Ownership Disclosure Statement Attachment**

Verizon Wireless (VAW) LLC d/b/a Verizon Wireless is a manager-managed Delaware limited liability company, which is wholly-owned by Celco Partnership d/b/a Verizon Wireless, a Delaware general partnership. The officers of Verizon Wireless (VAW) LLC are as follows:

Manager Managed

Alice C. Brennan – Manager

Lowell C. McAdam – President

Tami A. Erwin – West Area President

Jim McGean – South Area President

David J. Small – Northeast Area President

Marni Walden – Midwest Area President

Anthony J. Melone – Senior Vice President and CTO

Walter L. Jones, Jr. –Area Vice President, Network

Jack Plating – Executive Vice President and COO

John Townsend – Vice President and CFO

Margaret P. Feldman – Vice President, Business Development

Daniel J. Hess – Area Vice President, Finance

Rebecca S. Sallee – Area Vice President, Finance

William C. Sansalone – Vice President and Controller

Steven E. Zipperstein – Secretary

Alice C. Brennan – Assistant Secretary

Thomas Mahr – Assistant Secretary

Joseph Greco – Assistant Secretary

Barrington Lopez – Assistant Secretary

Karen M. Shipman – Assistant

DEVELOPMENT SERVICES DEPARTMENT  
**PROJECT CHRONOLOGY**  
**VERIZON SAN DIEGO MTSO - PROJECT NO. 149313**

<b>Date</b>	<b>Action</b>	<b>Description</b>	<b>City Review Time (Working Days)</b>	<b>Applicant Response</b>
1/28/08	First Submittal	Project Deemed Complete	-	-
3/10/08	First Assessment Letter		29 days	
7/3/08	Second Submittal			82 days
7/25/08	Second Assessment Letter		15 days	
10/24/08	Third Submittal			64 days
11/20/08	Third Assessment Letter		18 days	
2/19/09	Fourth Submittal			56 days
3/12/09	Issued Resolved	All review issues resolved	15 days	
5/21/09	Public Hearing	<b>First available date (No PC Hearing 4/23, 4/30, and 5/7/09)</b>	48days	
<b>TOTAL STAFF TIME</b>		(Does not include City Holidays or City Furlough)	<b>125 days</b>	
<b>TOTAL APPLICANT TIME</b>		(Does not include City Holidays or City Furlough)		<b>202 days</b>
<b>TOTAL PROJECT RUNNING TIME</b>		From Deemed Complete to Hearing	<b>327 working days (479 calendar days)</b>	

DETERMINATION OF  
**ENVIRONMENTAL EXEMPTION**

Pursuant to the California Environmental Quality Act (CEQA) and State CEQA Guidelines

**Agency:** CITY OF SAN DIEGO

**Project No.:** 149313

**Date:** February 26, 2009

**Action/Permit(s):** Planned Development Permit, Process 4

**Description of Activity:** Verizon San Diego MTSO Applicant proposes a Planned Development Permit (PDP) for an existing wireless communication facility, consisting of a 130 foot high antenna support structure with 30 panel antennas and 21 parabolic antennas, and the existing equipment, which is located in an adjacent office building, pursuant to Conditional Use Permit (CUP) No. 96-7673. The project is located at 4777 Mercury Street in the FAA Part 77 Noticing Area for the MCAS Miramar & Montgomery Field in the IL-2-1 Zone of the Kearny Mesa Community Planning area. Applicant: John Bitterly 714-349-5539 point of contact.

**Location of Activity:** 4777 Mercury Street, San Diego, California Lot 79 of Kearny Mesa Industrial Park, Unit 1, City and County of San Diego.

**(CHECK BOXES BELOW)**

1.  This activity is **EXEMPT FROM CEQA** pursuant to:
- Section 15060 (c)(3) of the State CEQA Guidelines (the activity is not a project as defined in Section 15378)
- Section 15061 (b)(3) of the State CEQA Guidelines (General Rule)
2.  This project is **EXEMPT FROM CEQA** pursuant to State CEQA Guidelines Section checked below:

**ARTICLE 19 of GUIDELINES  
CATEGORICAL EXEMPTIONS**  
(Incomplete list)


Section	Short Name
<input checked="" type="checkbox"/> 15301	Existing Facilities
<input type="checkbox"/> 15302	Replacement or Reconstruction
<input type="checkbox"/> 15303	New Construction or Conversion of Small Structures
<input type="checkbox"/> 15304	Minor Alterations to Land
<input type="checkbox"/> 15305	Minor Alteration in Land Use
<input type="checkbox"/> 15306	Information Collection
<input type="checkbox"/> 15311	Accessory Structures
<input type="checkbox"/> 15312	Surplus Government Property Sales
<input type="checkbox"/> 15315	Minor Land Divisions
<input type="checkbox"/> 15317	Open Space Contracts or Easements
<input type="checkbox"/> 15319	Annexation of Existing Facilities and Lots for Exempt Facilities
<input type="checkbox"/> 15325	Transfer of Ownership of Interest in Land to Preserve Open Space
<input type="checkbox"/> Other	

**ARTICLE 18 of GUIDELINES  
STATUTORY EXEMPTIONS**  
(Incomplete list)

Section	Short Name
<input type="checkbox"/> 15261	Ongoing Project
<input type="checkbox"/> 15262	Feasibility and Planning Studies
<input type="checkbox"/> 15265	Adoption of Coastal Plans and Programs
<input type="checkbox"/> 15268	Ministerial Projects
<input type="checkbox"/> 15269	Emergency Projects
<input type="checkbox"/> Other	

It is hereby certified that the City of San Diego has determined the above activity to be exempt:

**Distribution:** Jeffrey A. Peterson, DPM  
Allison Sherwood Senior Planner  
Reviewers file

  
Allison Sherwood, SENIOR PLANNER  
Environmental Analysis Section

Analyst: Lizzi