



THE CITY OF SAN DIEGO

REPORT TO THE PLANNING COMMISSION

DATE ISSUED: March 11, 2010 **REPORT NO. PC-10-022**

ATTENTION: Planning Commission, Agenda of March 18, 2010

SUBJECT: VERIZON WIRELESS - BELMONT PARK
PROJECT NO. 193375, PROCESS 4

**OWNER/
APPLICANT:** Raymond Hamel
Verizon Wireless

SUMMARY

Issue(s): Should the Planning Commission approve the modification to an existing Wireless Communication Facility (WCF) to add three (3) additional panel antennas and two (2) equipment cabinets at 704 Ventura Place within the Mission Beach Community Plan?

Staff Recommendation: APPROVE Conditional Use Permit 684901

Community Planning Group Recommendation:

Due to the close proximity of residential dwellings, the Mission Beach Precise Planning Board voted 7-1-2 on October 20, 2009, to deny the Verizon Wireless Belmont Park project (Attachment 12). The board's basis for denial was primarily in reference to Radio Frequency Emissions.

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions.

Environmental Review:

The project does not have the potential to result in a significant impact on the environment. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA State Guidelines, Section 15301 [Existing Facilities] and Section 15303 [New Construction].

This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 15, 2009, and the opportunity to appeal that determination ended October 29, 2009.

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 with this action.

BACKGROUND

The project site is located at 704 Ventura Place in the VC-S and the RS zone within the Mission Beach community planning area (Attachment 7). The site is adjacent to Mission Beach with residential to the north and commercial to the east and west (Attachment 1). The modification is required to improve capacity issues in addition to implementing new technology within the surrounding area. Verizon Wireless originally obtained Limited Use Permit #320482 on September 21, 2006 for a total of three panel antennas and equipment inside the existing building (Attachment 15). Under the previous regulation, the project was reviewed as a Process 1 application. This proposed modification requires a permit amendment resulting in a new application. Under the City's current regulations, a Conditional Use Permit, Process 4, Planning Commission Hearing is required.

DISCUSSION

Project Description:

The project site is currently occupied with an existing commercial/residential use at 704 Ventura Place in the Mission Beach Community Planning Area. An application for a Conditional Use Permit has been submitted by Verizon Wireless to modify an existing wireless communication facility at this location. The modification proposed three (3) additional communication antennas completely concealed behind architectural FRP panels designed to appear as columns and the addition of two equipment cabinets located inside the Hamel's store property. Surrounding uses include residential to the north, and commercial to the south and east of the project location.

Verizon Wireless and other wireless services strive to provide cellular coverage to all areas. This necessitates efforts to fill areas with no coverage or limited capacity, called "coverage gaps", with additional wireless facilities. Additionally, the City recommends that these facilities be located outside of residential areas and designed to be completely concealed, minimizing all visual impacts whenever possible.

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction or modification of wireless communication facilities on the basis of the

environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require that Verizon Wireless provide staff with an RF report prior to the issuance of a building permit.

Wireless Communication Facility (WCF) Regulation – Per Municipal Code Section 141.0420(e)(1), a Conditional Use Permit is required for all Wireless Communication Facilities (WCF) on premises containing residential use within a residential zone. The property is located in both the Mission Beach Planned District (MBPD) RS and VC-S zone. Since a portion of the building is residentially zoned, the process has been elevated to take in the more restrictive of the two zoning designations. The project as designed, complies with 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." The existing and proposed antennas are completely concealed inside FRP panels designed to appear as columns on the existing tower. The additional equipment shall be placed inside the building, not visible to the public. Therefore, this proposed WCF complies with the design requirement as indicated in this section of the Code.

Council Policy 600-43 - These guidelines establish hierarchy from the most preferred locations (Preference 1) to the least preferred locations (Preference 4) for WCFs. The project is proposed within a Preference 4 location according to Council Policy 600-43, which categorizes WCF according to the land use in which they are located. The project is located on a mixed use property, however, all the antennas are located on the commercial lot and the WCF has been designed to comply with the City regulations.

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. The antennas are completely concealed behind FRP panels designed to appear as columns resulting in a stealth design effectively camouflaging the site from the public views consistent with this section of the General Plan. The equipment cabinets are completely inside the existing building with no visual impacts to the surrounding community. Staff has determined that the proposed WCF has been designed to be aesthetically pleasing and respectful of the neighborhood contact.

Community Plan Analysis - The project location has been designated for a commercial use in the Mission Beach Land Use Plan (Attachment 2). The Mission Beach Community Plan does not contain specific policies on wireless communication facility development.

Conclusion:

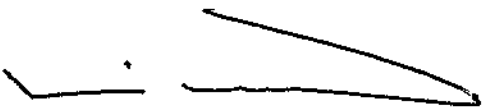
The project has been determined by staff to be consistent with the purpose and intent of the

applicable development regulations of the San Diego Municipal Code, which includes development regulations from the MBPD RS and MBPD VC-S zones and the Communication Antenna Regulations Section 141.0420. Although, the Mission Beach Precise Planning Board voted 7-2-1 to deny the project, their basis was primarily in reference to Radio Frequency emissions which cannot be regulated by any state or local government under the Telecommunication Act of 1996. Instead, all references to Radio Frequency emissions standards are regulated by the Federal Communications Commission. The proposed modification completely conceals both the existing and proposed panel antennas minimizing all visual impacts to the adjacent residential homes and visitors of Mission Beach. Additionally, the equipment has been placed inside an existing storage room, not visible to the public. The project complies with all applicable zoning requirements and has been determined to be consistent with the General Plan. Staff recommends that the Planning Commission approve Conditional Use Permit No. 684901.

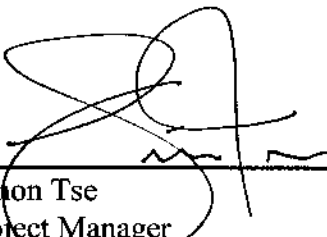
ALTERNATIVES

1. **APPROVE** Conditional Use Permit No. 684901, **with modifications.**
2. **DENY** Conditional Use Permit No. 684901, **if the findings required to approve the project cannot be affirmed.**

Respectfully submitted,



Mike Westlake
Program Manager
Development Services Department



Simon Tse
Project Manager
Development Services Department

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Plan
6. Draft Permit with Conditions
7. Draft Resolution with Findings
8. Ownership Disclosure Statement.
9. Project Chronology

10. Site Photos
11. Photo Simulations
12. Community Planning Group Minutes
13. Email from Community Planning Group
14. Copy of Public Notice
15. Coverage Map
16. Limited Use Permit 320482
17. Courtesy Notice of Ministerial Application for WCF



704 Ventura Place

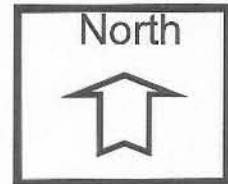
Project Site



Aerial Photo

Verizon Wireless Belmont Park - Project No. 193375

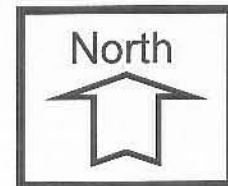
704 Ventura Place, San Diego, CA 92109





Community Land Use Map (Mission Beach)

Verizon Wireless Belmont Park - Project No. 193375
 704 Ventura Place, San Diego, CA 92109





704 Ventura Place

Project Site



Project Location Map

Verizon Wireless Belmont Park - Project No. 193375

704 Ventura Place, San Diego, CA 92109



PROJECT DATA SHEET

| | | |
|---|--|--------------------------|
| PROJECT NAME: | Verizon Wireless Belmont Park | |
| PROJECT DESCRIPTION: | A modification to an existing wireless telecommunication facility consisting of three (3) additional panel antennas for a total of six (6) panel antennas concealed on the rooftop of 704 Ventura Place. The equipment associated with the project will be located inside the existing storage building not visible to the public. | |
| COMMUNITY PLAN AREA: | Mission Beach | |
| DISCRETIONARY ACTIONS: | Conditional Use Permit | |
| COMMUNITY PLAN LAND USE DESIGNATION: | Commercial | |
| <u>ZONING INFORMATION:</u> | | |
| Zone: | Mission Beach Planned District R-S/VC-S | |
| Coastal Height Limit: | 30 feet | |
| Ocean Front Walk Setback: | 15 feet | |
| Setbacks: | Previously Conforming | |
| ADJACENT PROPERTIES: | LAND USE DESIGNATION & ZONE | EXISTING LAND USE |
| NORTH: | Residential R-S | Residential |
| SOUTH: | Commercial VC-S | Commercial |
| EAST: | Commercial VC-S | Commercial |
| WEST: | Ocean | Ocean |
| DEVIATIONS OR VARIANCES REQUESTED: | None | |
| COMMUNITY PLANNING GROUP RECOMMENDATION: | <p style="text-align: center;">This project was presented to the Mission Beach Precise Planning Board on October 20, 2009 and was unanimously denied 7-1-2 due to the following reasons:</p> <p style="text-align: center;">1) Radio Frequency emission concerns to adjacent neighbors.</p> | |

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

INTERNAL ORDER NUMBER: 24000168

CONDITIONAL USE PERMIT NO. 684901
VERIZON WIRELESS BELMONT PARK PTS NO. 193375
PLANNING COMMISSION

This Conditional Use Permit No. 684901 is granted by the Hearing Officer of the City of San Diego to the **RAYMOND HAMEL**, Owner, and **VERIZON WIRELESS**, Permittee, pursuant to San Diego Municipal Code [SDMC] section Chapter 12, Article 6, Division 3 and Section 141.0420. The site is located at 704 Ventura Place, San Diego, CA 92109, in the Mission Beach Planned District RS/VC-S zones of the Mission Beach Community Plan. The project site is legally described as Lot "D" and the Southerly 17 feet of Lot "C", Block 95 of Mission Beach, in the City of San Diego, according to the Map thereof No. 1651 filed in the Office of the County Recorder of San Diego County, December 14, 1914.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee for a wireless communication facility, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 18, 2010, on file in the Development Services Department.

The project shall include:

- a. A modification to an existing Wireless Communication Facility for three (3) additional panel antennas (for a total of six (6) Verizon Wireless panel antennas on site) behind architectural screens and the addition of two equipment cabinets located inside the Owner's store property as illustrated in the approved 'Exhibit A' dated March 18, 2010.
- b. 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 permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
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 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.
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 Development Services Department.
4. 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.
5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
6. 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.).
7. 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.
8. 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.
9. 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.

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

11. The proposed design complies with the Telecommunication Facility Guidelines as a Complete Concealment Facility and as a result, the permit will not contain an expiration date. It is the responsibility of the Owner and the Permittee to maintain the appearance of the approved facility to the conditions set forth in this permit unless the site is removed and restored to its original condition. Code compliance shall be notified if the appearance or the scope of the project has changed without the approval of the Development Services Department.

ENGINEERING REQUIREMENTS:

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

PLANNING/DESIGN REQUIREMENTS:

13. The Permittee shall be required to place appropriate signs per CAL-OSHA requirements to the satisfaction of Development Services Department.
14. The proposed antennas shall be completely concealed inside the existing tower structure behind FRP materials, designed with textured and detailed to match.
15. Applicant's panel antennas shall NOT be visible from any public perspective.
16. 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 a condition of approval of this Permit. Where there is a conflict (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) for this Permit establishes a provision which is more restrictive than the corresponding regulation of the underlying zone, then the condition shall prevail.
17. The height(s) of the building(s) or structure(s) shall not exceed those heights set forth in the conditions and 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.
18. 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 Permittee.
19. Any future requested amendments 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.
20. No mechanical equipment, tank, duct, elevator, cooling tower, mechanical ventilator or air conditioner shall be erected, constructed, converted, established, altered, or enlarged on the roof of any building, unless all such equipment and appurtenances are contained within a completely enclosed, architecturally integrated structure whose top and sides may include grillwork, louvers, and latticework.
21. Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.
22. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.

23. Prior to the issuance of a building permit, the telecommunication provider shall provide a certified cumulative radio frequency model study demonstrating compliance with the Federal Communications Commission's Radio Frequency Guidelines. All significant contributors to the ambient RF environment should be considered in the radio frequency model study.

24. The photosimulation(s) for the proposed project shall be printed (not stapled) on the building plans. This is to ensure the construction team building the project is aware of what the completed design was approved to look like.

25. Final inspection shall not be granted until the final product conforms to the stamp approved plans and approved photosimulation(s).

26. Prior to issuance of construction permits, the applicant shall pay the Long Term Monitoring Fee in accordance with the Development Services Department Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

27. Per LDC Section §59.5.0404 Construction Noise (a), It shall be unlawful for any person, between the hours of 7:00 p.m. of any day and 7:00 a.m. of the following day, or on legal holidays as specified in Section 21.04 of the San Diego Municipal Code, with exception of Columbus Day and Washington's Birthday, or on Sundays, to erect, construct, demolish, excavate for, alter or repair any building or structure in such a manner as to create disturbing, excessive or offensive noise unless a permit has been applied for and granted beforehand by the Noise Abatement and Control Administrator.

28. All construction activities (including staging areas and/or storage areas) shall be restricted to the development area as shown on the approved Exhibit A. No equipment maintenance shall be conducted within or near the adjacent open space and/or sensitive areas and shall be restricted to the development area as shown the approved Exhibit A and shall not encroach into sensitive biological areas within either the open-space and/or MHPA areas.

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 March 18, 2010 and Resolution No. PC-10-022.

Date of Approval: March 18, 2010
PTS No. 193375; Int No. 24000168
Conditional Use Permit No. 684901

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Simon Tse, Associate Planner
City of San Diego

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

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

[RAYMOND HAMEL]
Owner

By _____
PRINT NAME:
PRINT TITLE:

[VERIZON WIRELESS]
Permittee

By _____
PRINT NAME:
PRINT TITLE:

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

PLANNING COMMISSION
RESOLUTION NO. PC-10-022
CONDITIONAL USE PERMIT NO.684901
VERIZON WIRELESS BELMONT PARK
PTS NO. 193375

WHEREAS, RAYMOND HAMEL, Owner, and VERIZON WIRELESS, Permittee, filed an application with the City of San Diego for a permit to modify an existing Wireless Communication Facility for three (3) additional panel antennas (for a total of six (6) Verizon Wireless panel antennas on site) behind architectural screens and the addition of two equipment cabinets located inside the Hamel's store property (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Conditional Use Permit No. 684901);

WHEREAS, the project site is located at 704 Ventura Place, in the Mission Beach Planned District RS/VC-S zones of the Mission Beach Community Plan;

WHEREAS, the project site is legally described as Lot "D" and the Southerly 17 feet of Lot "C", Block 95 of Mission Beach, in the City of San Diego, according to the Map thereof No. 1651 filed in the Office of the County Recorder of San Diego County, December 14, 1914;

WHEREAS, on March 18, 2010, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 684901 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

WHEREAS, on October 15, 2009, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guideline Section 15301 and 15303 and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

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

That the Hearing Officer adopts the following written Findings, dated March 18, 2010.

FINDINGS:

Conditional Use Permit - Section 126.0305

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

The Mission Beach Community Plan does not address wireless communication facilities as specific land use. However, the City of San Diego General Plan addresses these facilities, recommending that they minimize visual impacts by concealing the wireless facilities in existing structures when possible, designing facilities to be aesthetically pleasing and respectful to the neighborhood context and concealing mechanical equipment and devices associated with wireless facilities in underground vaults or unobtrusive structures. Pursuant to the San Diego Land Development Code, wireless communication facilities are permitted in all zones citywide with the appropriate permit process. Wireless communication facilities are separately regulated uses, which have limitations or require compliance with conditions in order to minimize potential impacts. The intent of the

regulations is to camouflage facilities from public view. All six (6) proposed/existing panel antennas will be completely concealed inside the existing tower behind Fiberglass Resistant Panels (FRP) designed to appear as columns and shall be painted and textured to match the existing architecture of the building. The associated equipment is also concealed inside an existing room on the first floor, not visible to the public. This project is located in a split zone (Mission Beach RS and VC-S zones) on a non-residential property. Since a portion of the building is residentially zoned, the project has been elevated to take in the more restrictive of the two zoning designations. As a result, a Conditional Use Permit, Process 3 review is required. The proposed development would not adversely affect the Mission Beach Community Plan or the City of San Diego General Plan and Progress Guide.

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

The Telecommunication Act of 1996 preempts local governments from regulating the “placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission’s (FCC) standards for such emissions.” The proposed project would be consistent with the FCC’s regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit requiring Verizon to provide an RF study prior to building permit issuance. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area.

3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and

The project complies with all applicable development regulations of the Land Development Code and the City of San Diego Communication Antenna Regulations (Land Development Code Section 141.0420). This section of the code requires telecommunication facilities to be minimally visible through the use of architecture, landscape architecture and siting solutions. The existing and proposed antennas are completely concealed behind FRP panels designed to appear as columns to match the existing building. This design will allow Verizon Wireless to operate and maintain their coverage objective while minimizing all visual impacts to the Belmont Park area. The cabinets associated with this project shall be placed inside the existing equipment room, not visible to the public. Since this wireless communication facility is designed to completely conceal all antennas and equipments from the public right-of-way, the project will also qualify as a Complete Concealment Facility resulting in no future expiration date. The design complies with the Land Development Code, The General Plan and The Wireless Communication Facility Guidelines.

4. The proposed use is appropriate at the proposed location.

Verizon is locating their Wireless Communication Facility on a split zone property, Mission Beach Planned District VC-S and RS zone. Since a portion of the building is residentially zoned, the project has been elevated to take in the more restrictive of the two zoning designations. This project site is considered a Preference 3 location in Council Policy 600-43, however, the community plan designates this property for commercial use. As a result, the use as a wireless communication facility is appropriate at the proposed location. Verizon’s proposal to completely conceal their wireless communication facilities inside the existing tower behind FRP materials with the associated equipment inside an existing room on the first floor complies with the Wireless Communication Facility regulations. As a condition, Verizon Wireless is required to submit an on-

air Radio Frequency Study demonstrating compliance with Federal Communication Commissions standards. This project has been designed to comply with Section 141.0420 and the Wireless Communication Facility Guidelines. Additionally, this site will provide E911 services as well as, address Verizon's limited network coverage to the roadways, homes, and business located near and around the Belmont Park area. Thus, the proposed use is appropriate for this site.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 684901 is hereby GRANTED by the Conditional Use Permit to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit No. 684901 copy of which is attached hereto and made a part hereof.

Simon Tse - Associate Planner
Development Services

Adopted on: February 24, 2010

Internal Order No. 24000168



PREPARED FOR
 P.O. BOX 49707
 RIVERSIDE, CA 92509-0707
 (951) 422-7000

APPROVALS

| DATE | DATE |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
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BELMONT PARK
 704 VENTURA PLACE
 MISSION BEACH, CA 92109
MTX-48
 SAN DIEGO

WORKING DATES
 07/13/09
 28 NOV 2009 (REV)
 1/7/2010
 CITY COMMENTS (REQ)

SHEET TITLE
TITLE SHEET
&
PROJECT DATA

PROJECTS: verizon\090714\090714.ctb

verizon wireless

BELMONT PARK
704 VENTURA PLACE
MISSION BEACH, CA 92109
MTX-48

SHEET SCHEDULE

TITLE SHEET & PROJECT DATA
 T-1
 SITE PLAN
 A-0
 ROOF PLAN
 A-1
 EQUIPMENT ROOM PLAN
 A-1.1
 ANTENNA PLAN
 A-2
 EXTERIOR ELEVATIONS
 A-3

APPLICABLE CODES

A.L. WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES:
 CALIFORNIA STATE BUILDING CODE, TITLE 24, 2007 EDITION
 CALIFORNIA PLUMBING CODE, 2007 EDITION
 CALIFORNIA ELECTRICAL CODE, 2007 EDITION
 CALIFORNIA FIRE CODE, 2007 EDITION
 CALIFORNIA INTERNATIONAL MECHANICAL AND PLUMBING CODE, 2007 EDITION
 IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL.

ACCESSIBILITY DISCLAIMER

THIS PROJECT IS A TELECOMMUNICATIONS FACILITY AND TELECOMMUNICATIONS FACILITY AND, ACCORDING TO WRITTEN TELECOMMUNICATIONS FACILITY AND TELECOMMUNICATIONS FACILITY ACCESSIBILITY REQUIREMENTS, ACCESSIBILITY REQUIREMENTS ARE NOT APPLICABLE TO THIS PROJECT.

PROJECT SUMMARY

APPLICANT:
 VERIZON WIRELESS
 1300 AVENUE
 IRVINE, CA 92614

CONTACT: JOE BITERMAN
 (951) 344-8624

OWNER:
 JACOBO SERRA, ADDRESSEE TO RENTAL TRUST
 4801 14TH STREET
 SAN DIEGO, CA 92161

SITE CONTACT: CHARLE SHAW
 (619) 444-2920

PROJECT DESCRIPTION:

- INSTALL VERIZON WIRELESS TELECOMMUNICATIONS EQUIPMENT (ANTENNA, EQUIPMENT ROOM, AND EXTERIOR ELEVATIONS).
- INSTALLATION OF THREE (3) ADDITIONAL PARASITIC ANTENNAS AT AN EXISTING VERIZON WIRELESS TELECOMMUNICATIONS FACILITY (ANTENNA, EQUIPMENT ROOM, AND EXTERIOR ELEVATIONS) LOCATED AT 704 VENTURA PLACE, MISSION BEACH, CA 92109.
- NO LANDSCAPE AND IRRIGATION IS PROVIDED FOR THIS PROJECT.

LEGAL DESCRIPTION:
 LOT 17 OF PARCEL 1, TRACT 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

CONSULTANT TEAM

ARCHITECT:
 WILLIAM BOOTH & ROBERT SUAREZ
 ARCHITECTURE & PLANNING
 4555 LA JOLLA VILLAGE DRIVE
 SAN DIEGO, CA 92037
 (619) 444-8624
 (619) 444-8665 (FAX)

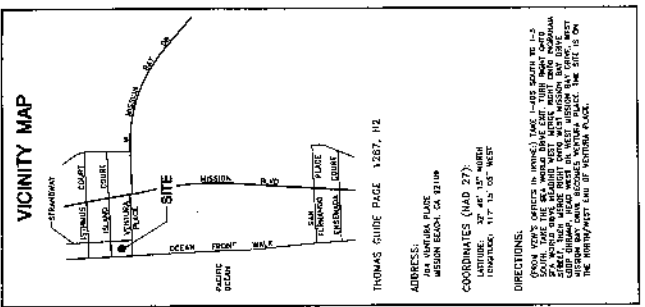
LEASING/PLANNING:
 PUNJON, INC.
 JOE BITERMAN
 4801 14TH STREET
 SAN DIEGO, CA 92161
 (619) 544-8655

PERMITS REQUIRED

• CONDITIONAL USE PERMIT

SCALE

THE GRAPHIC SCALE SHOWN ON THIS SET REFLECTS THE DIMENSIONS OF THE PROJECT AS SHOWN ON THE SET. THE SCALE IS NOT TO SCALE.





PREPARED FOR



P.O. BOX 82307
IRVING, CA 92623-9707
(949) 222-7000

APPROVALS

| NAME | DATE |
|------|------|
| ____ | ____ |
| ____ | ____ |
| ____ | ____ |
| ____ | ____ |
| ____ | ____ |
| ____ | ____ |
| ____ | ____ |

PROJECT NAME

BELMONT PARK

704 VENTURA PLACE
MISSION BEACH, CA 92109
MTX-48
SAN DIEGO

DRAWING DATES

07/11/09 TO REVIEW (nd)
07/21/09 REVISION COMMENTS (nd)
11/09/09 ON COMMENTS (nd)

SHEET TITLE

SITE PLAN

PROJECT: Verizon (057) (05/11/09) (nd) (nd)

A-0

1. The information contained in this drawing is based on the information provided to the architect by the client. The architect is not responsible for the accuracy or completeness of the information provided. The architect is not responsible for the accuracy or completeness of the information provided. The architect is not responsible for the accuracy or completeness of the information provided.

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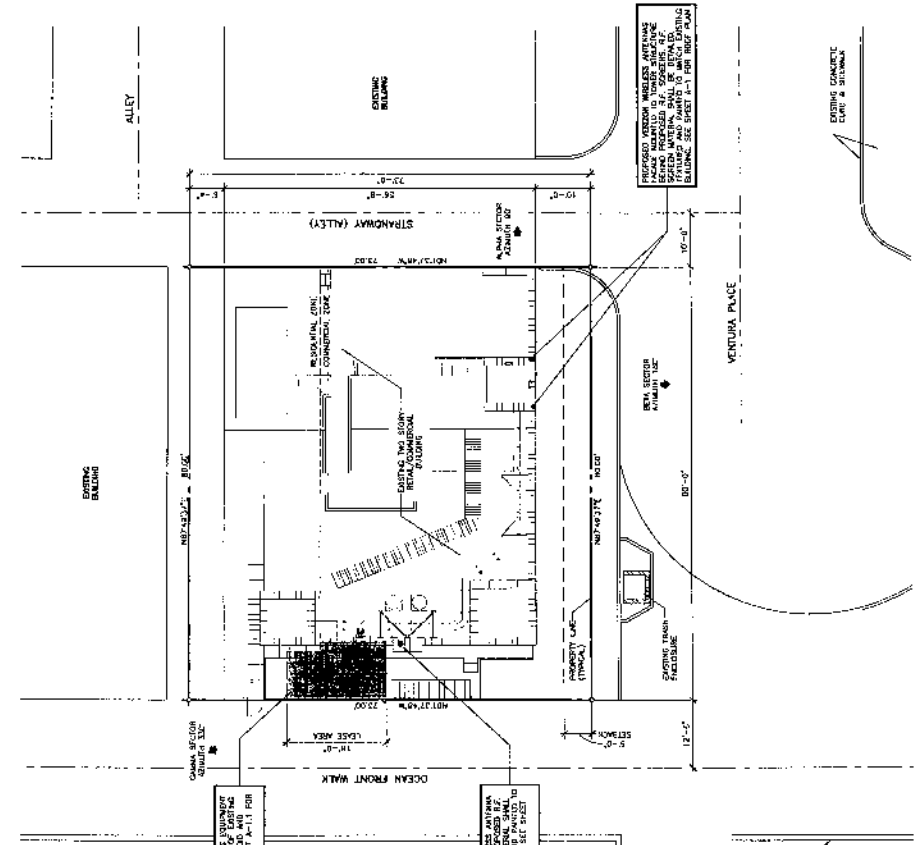
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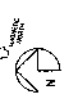
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NOTES

1. PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS, THE CLIENT SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF SAN DIEGO AND THE COUNTY OF SAN DIEGO. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROVIDING ALL NECESSARY INFORMATION TO THE CITY OF SAN DIEGO AND THE COUNTY OF SAN DIEGO.




SITE PLAN
DATE: 11-09



BOOTH & SQUARZ ARCHITECTURE
1000 10th Street, Suite 1000, San Diego, CA 92101
Tel: 619.594.1111

PREPARED FOR



verizon wireless

P.O. BOX 18700
IRVINE, CA 92623-9707
(949) 225-1000

APPROVALS

| | |
|------|--|
| DATE | |
| DATE | |
| DATE | |
| DATE | |
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PROJECT NAME

BELMONT PARK

704 VENTURA PLACE
MISSION BEACH, CA 92108
MTX-48
SAN DIEGO

DRAWING DATES

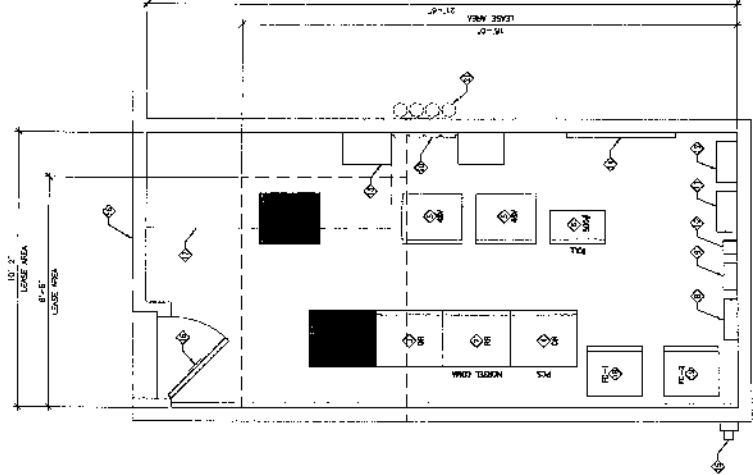
07/21/09 PLANNING COMMENTS (09)
11/06/09 CITY COMMENTS (09)

SHEET TITLE

EQUIPMENT ROOM PLAN

PROJECT: \vernon\080715\08071501.rvt

A-1.1



EQUIPMENT PLAN NOTES:

- 1. INSTALL NEW 2000 BAY RACK, 40" HIGH TO EXISTING RACK
- 2. INSTALL NEW BATTERY RACK, 36" WIDE x 37" HIGH x 24" DEEP, HEIGHT: 2016 USE
- 3. 24" WIDE x 36" HIGH x 24" DEEP, HEIGHT: 1800 USE
- 4. 24" WIDE x 36" HIGH x 24" DEEP, HEIGHT: 1800 USE
- 5. 24" WIDE x 36" HIGH x 24" DEEP, HEIGHT: 1800 USE
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- 99. 24" WIDE x 36" HIGH x 24" DEEP, HEIGHT: 1800 USE
- 100. 24" WIDE x 36" HIGH x 24" DEEP, HEIGHT: 1800 USE

EQUIPMENT PLAN



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



PREPARED FOR



| NAME | DATE |
|-------|------|
| AC | DATE |
| RC | DATE |
| RF | DATE |
| NR | DATE |
| EA/PH | DATE |
| RFP | DATE |
| ET/SP | DATE |

PROJECT NAME
BELMONT PARK

704 VENTURA PLACE
MISSION BEACH, CA 92109
MTX-49
SAN DIEGO

DRAWING DATES

| | |
|----------|-----------------|
| 09/13/09 | 2D REVIEW (M) |
| 09/11/09 | PLAN CHECKS (M) |
| 11/24/08 | 3D REVIEW (M) |

SHEET TITLE

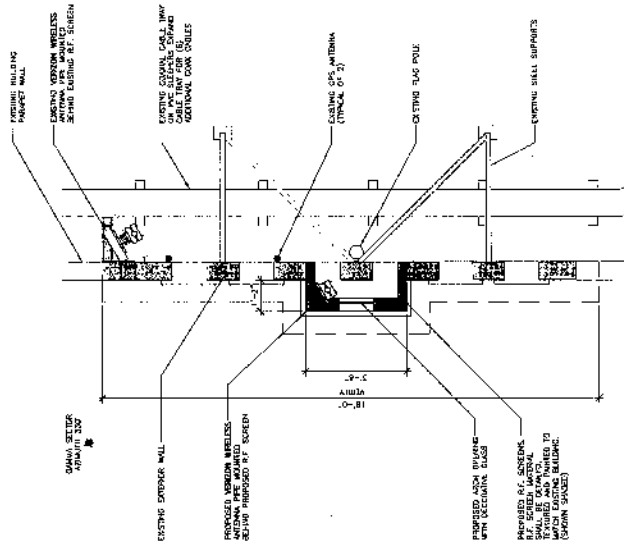
ANTENNA PLANS

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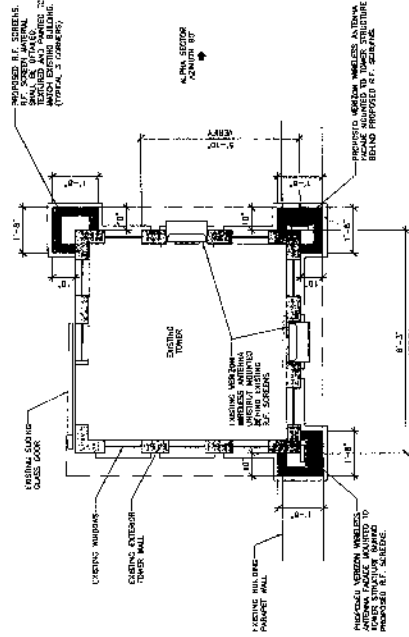
A-2

| SYMBOL | DESCRIPTION | ANTENNA MODEL | MODEL NAME | CONSOLE | WIND ANGLE | CONC. CORE # | ANTENNA # | ANTENNA TYPE | CONC. CORE # |
|--------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| 1 | 150cm x 150cm | 150cm x 150cm | 150cm x 150cm | 150cm x 150cm | 150cm x 150cm | 150cm x 150cm | 150cm x 150cm | 150cm x 150cm | 150cm x 150cm |

INSTALL 3 ANTENNA CORE CHILL ZIP SECTION FOR A TOTAL OF 6 NEW CORE CABLES

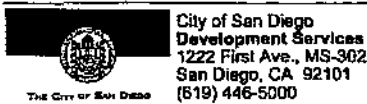


ANTENNA PLAN A
SCALE: 1/8" = 1'-0"



ANTENNA PLAN B
SCALE: 1/8" = 1'-0"

Ownership Disclosure Statement



Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval (s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit
 Variance Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other _____

Project Title: Belmont Park Project No. For City Use Only: 193375

Project Address: 704 Ventura Place, San Diego, CA 92109

Part I - To be completed when property is held by individual(s)

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 owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (a.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. 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 Yes No

Name of Individual (type or print): Raymond Hamel

Owner Tenant/Lessee Redevelopment Agency

Street Address: 704 Ventura Place

City/State/Zip: San Diego, CA 92109

Phone No: _____ Fax No: _____

Signature: [Signature] Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Name of Individual (type or print): _____

Owner Tenant/Lessee Redevelopment Agency

Street Address: _____

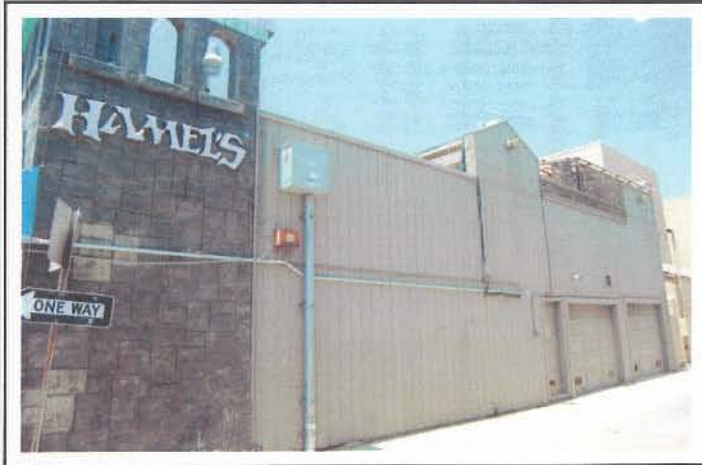
City/State/Zip: _____

Phone No: _____ Fax No: _____

Signature: _____ Date: _____

Verizon Wireless Belmont Park
PROJECT CHRONOLOGY
 PTS #193375 INT #24000168

| Date | Action | Description | City Review | Applicant Response |
|------------------------------------|-----------------------------------|--------------------------------------|-------------|--------------------|
| 9.17.2009 | First Submittal | Project Deemed Complete | | |
| 10.16.2009 | First Assessment Letter | | 29 days | |
| 11.13.2009 | Second Submittal | | | 28 days |
| 1.5.2010 | All issues resolved by applicant | | 53 days | |
| 2.26.2010 | Hear Officer Report | | 83 days | |
| 4.18.2010 | Scheduled for Planning Commission | | 20 days | |
| Total Staff Time: | | Including City Holidays and Furlough | 185 days | |
| Total Applicant Time: | | Including City Holidays and Furlough | | 28 days |
| Total Project Running Time: | | From Deemed Complete to PC Hearing | 213 days | |



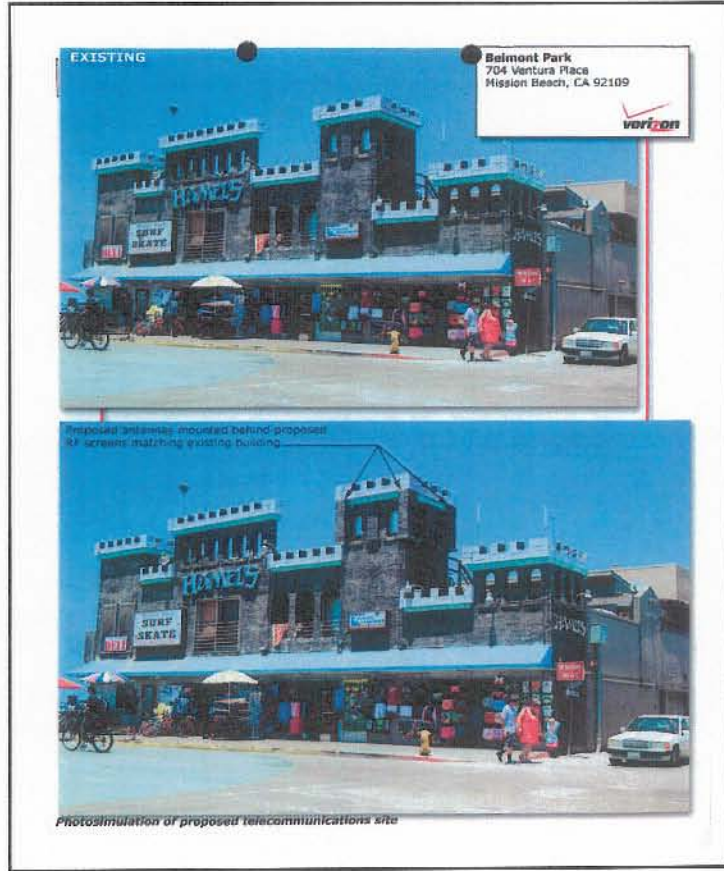
Site Photos

Verizon Wireless Belmont Park - Project No. 193375
704 Ventura Place, San Diego, CA 92109



Site Photos

Verizon Wireless Belmont Park - Project No. 193375
704 Ventura Place, San Diego, CA 92109



Photosimulations

Verizon Wireless Belmont Park - Project No. 193375
704 Ventura Place, San Diego, CA 92109

**Mission Beach Precise Planning Board
Tuesday, October 20, 2009
Belmont Park Community Room
Minutes of Meeting**

Board Members Present:

| | | | |
|----------------|---------------|-------------------|---------------|
| Peggy Bradshaw | Carole Havlat | Jim Keller | Dave Lombardi |
| Dennis Lynch | Mike Meyer | Carlton Nettleton | Ron Oliver |
| Robert Ondeck | Gernot Trolf | Debbie Watkins | |

Absent:

| | | |
|------------|-------------|---------------|
| Mary Saska | Mike Sultan | Mary Willmont |
|------------|-------------|---------------|

OPENING FUNCTIONS

Meeting was called to order by Chair Carlton Nettleton at 7:02 p.m.

- **Approval of Minutes** for September, 2009
Copies of the draft of the September 15, 2009 Minutes of Meeting were distributed and reviewed. Upon motion duly made, the Board approved the Minutes as written.

Motion 1 was made by Peggy Bradshaw and seconded by Carole Havlat to APPROVE the September 15, 2009 Minutes as written.

VOTE For: 9 Against: 0 Abstain: 1

[Abstain: R. Oliver – not present at September meeting]

Motion passes.

ADMINISTRATIVE ITEMS

- **Revisions to Agenda**
Copies of the September 15, 2009 Agenda were distributed and reviewed. There were no revisions to the Agenda.
- **Chair's Report**
Chair Carlton Nettleton informed the Board of the following matters:

(1) Historical Resource Training. The City is holding an information training session for planning group members to learn how the City's review process works to identify and protect San Diego's historical resources on Thursday, October 29, 2009 from 6:00 – 8:00 p.m. at the Metropolitan Operations Center in Kearny Mesa. For more information contact the City Planning & Community Investment Department.

(2) Archival Maps On-Line. In September, the Mayor announced that archival city maps are available on-line through the City Clerk's website. These historical maps depict San Diego from the early to mid-1900's and include city and county jurisdictional and legislative boundaries, urban development patterns, USGS Survey maps, and U.S. Census demographics.

(3) Medical Marijuana Task Force Meeting. This Task Force, created by the City Council, will hold a series of meetings in October and November to determine guidelines for enforcement. Interested parties can contact Thyme Curtis in Councilmember Faulconer's office for more information.

Secretary's Report

Debbie Watkins gave the following update:

- Airport Noise Advisory Committee "ANAC" Meeting. Next meeting is October 21st at 4:00 p.m. in the Commuter Terminal Building.

PUBLIC COMMENT

Concern was expressed by a long-time community homeowner/resident who has noticed an increase in noise from a continuous parade of airplanes flying over North Mission Beach, especially during early mornings. He was upset because when he decided to buy property 10 years ago, he eliminated Ocean Beach and Point Loma because of jet noise and built his home in North Mission Beach. He believes this is the result of the airport re-routing the take-off of planes in a more northerly direction away from the noise monitoring system at Dover Court in South Mission near Belmont Park. The homeowner was advised to attend the ANAC Meeting in the Commuter Terminal on October 21st and express his concerns during the public comment period.

REPORTS FROM GOVERNMENT OFFICIALS

- **Ricardo Flores**, Community Representative, Office of Congresswoman Susan Davis
Mr. Flores distributed "The Davis Dispatch" dated October 2009 for information purposes. He reported that Representative Davis held a Neighborhood Day town hall meeting in August as part of her health care outreach efforts to discuss the health care bills offered in the House and took questions from the audience.

He informed the Board that Congresswoman Davis' amendment to provide student loan forgiveness for service members called to active duty while attending college was approved by the House Education and Labor Committee and passed on September 17, 2009.

In addition, Representative Davis fought to keep open five retail post offices targeted for closure in her district because of the slumping economy and decrease in mail volume. So far, she has been successful in keeping three of the five from being removed from the list (Oak Park, Point Loma and University City). However, post offices in North Park and Golden Hill still remain on the list to be shuttered.

- **Thyme Curtis**, Community Representative, Councilmember Kevin Faulconer, District II
Ms. Curtis reported that the City Council created the Medical Marijuana Task Force to determine guidelines for enforcement, land use, and policy suggestions. Marty Emerald will Chair the task force. Meetings will take place in October and November and community constituents are welcome to attend and participate. Recommendations are expected in November. Anyone interested can contact Thyme.

OTHER

San Diego Triathlon. No representative was present to discuss this item on the Agenda.

BOARD COMMUNICATIONS**Action Item:**

- Wave House take over of Canes Bar & Grill. At the September 15th Board meeting, Tom Lochtefeld, the landlord of the property, apprised the Board that Canes' lease expires the end of September and will not be renewed. He said the Wave House will take steps to take over the lease, make cosmetic changes to the venue, and acquire an alcohol license, if

required. Mr. Lochtefeld asked the Board to consider the expansion and advised that Andrew Voralik, Manager of the Wave House, will attend the next meeting to give more details and answer questions.

At this meeting, Mr. Voralik apprised the Board that retrofitting is scheduled to begin with plans to open in March 2010. He stated that security issues in the south parking lot have been addressed. After further discussion, Mr. Voralik asked the Board to approve the project as discussed. The following motion was duly made and seconded to approve the project:

Motion 2 to was made by Carlton Nettleton and seconded by Gernot Trof to APPROVE the project as outlined and presented to the Board on September 15, 2009.

VOTE For: 9 Against: 0 Abstain: 1

Motion passes.

[Abstain: R. Oliver – not present at September meeting.]

MAP WAIVER

1. 805 Deal Court (Map Waiver) – Project No. 165207
The property owner was not present.

Dennis Lynch discussed the map waiver request. He advised the Board that the pop-out window encroachment was removed, which was a condition contained in a prior motion by the Board. Upon motion duly made and seconded the map waiver was approved as presented.

Motion 3 was made by Dennis Lynch and seconded by Peggy Bradshaw to APPROVE the map waiver at 805 Deal Court.

VOTE For: 9 Against: 0 Abstain: 0

Motion passes.

[Absent: C. Havlat was not present for the vote.]

BUILDING PLAN REVIEWS

2. 704 Ventura Place (Wireless Installation/Verizon) – Project No. 193375
No property owner or representative was present.

Mike Meyer apprised the Board that a Conditional Use Permit is being requested by Verizon Wireless for this location to add three (3) wireless communication antennas behind architectural screens, and the addition of two (2) equipment cabinets located on the Hamel's store property. After discussing the pros and cons of adding wireless antennas and how it would impact residents of the community, the following motion was duly made:

Motion 4 was made by Debbie Watkins and seconded by Dave Lombardi to NOT APPROVE the application as discussed above because of the impact on the residential area.

VOTE For: 7 Against: 1 Abstain: 2

Motion passes.

[Abstain: J. Keller; G. Trof]

3. **818 Seagirt.** No action was taken on this agenda item because after short discussion, the Board determined it had acted on plans at an earlier Board meeting and it was inadvertently added to this Agenda.

4. **825 San Juan Court (Demo/Build two units).**

The property owner was represented by Timothy Golba of Golba Architecture.

Mr. Golba presented the project plans. The Board asked questions regarding lot coverage size and setbacks to make sure density regulations contained in the PDO were met. After discussion, a motion was duly made to approve the plans but with a condition to update lot coverage on the plans pertaining to the second floor area ratio.

Motion 5 to was made by Dave Lombardi and seconded by Jim Keller to APPROVE the project plans at 825 San Juan Court as discussed above.

VOTE For: 10 Against: 0 Abstain: 0

Motion passes.

5. **3560 Bayside Walk.** No action was taken on this agenda item because after short discussion, the Board determined it had acted on plans at an earlier Board meeting and it was inadvertently added to this Agenda.

BOARD COMMUNICATIONS

Action Item:

- Airport Noise Subcommittee Formation. Chair Nettleton proposed that a subcommittee be formed to address residents concerns about increased airplane noise over Mission Beach. In addition, he said interested citizens from the community are encouraged to participate as committee members.

Motion 6 to was made by Peggy Bradshaw and seconded by Dave Lombardi to APPROVE the formation of the Airport Noise Subcommittee.

VOTE For: 10 Against: 0 Abstain: 0

Motion passes.

After discussion, it was determined that the subcommittee members shall consist of Debbie Watkins, Dave Lombardi, and Gernot Trolf. Chair Nettleton appointed Debbie Watkins as Subcommittee Chair.

Any additions to the agenda need to be to the Chair 10 days PRIOR to the scheduled Board meeting.

ADJOURNMENT

Motion 7 was made by Robert Ondeck and seconded by Peggy Bradshaw to ADJOURN the meeting.

VOTE For: 10 Against: 0 Abstain: 0

Meeting was adjourned at 8:15 p.m.

Completed by:
Debbie Watkins, Secretary

Tse, Simon

From: Carlton Nettleton [cnett858@hotmail.com]
Sent: Monday, November 09, 2009 6:43 PM
To: kerrigan.plancom@sbcglobal.net
Cc: Tse, Simon; shellykilbourn@cox.net
Subject: RE: PTS#193375 Belmont Park

Kerrigan, we received a copy of the plans for the project prior to the agenda cutoff date for our October meeting. As our customary practice, if the plans are received 10 days prior to the meeting date, we schedule a review and vote. The general sense of the Board in October was the proposed project was too close to existing residential dwellings to allow an expansion of cell phone towers at the location of your project.

FYI - the vote to deny the project was something along the lines of 10 for denial, 1 in support of the project.

If you want to present your project to the Board at our November meeting, I will offer a motion to rescind our recommendation from the October meeting. However, this is no guarantee you will get a different outcome and the passage of this motion will essentially be a test vote on your project. If that motion passes, you will be able to present the project and we will adopt a new motion either to approve or deny. If that motion fails, we will not proceed with a presentation and our original recommendation will remain in force.

How would you like to proceed?

Carlton Nettleton
 Mission Beach Precise Planning Board Chair

From: kerrigan.plancom@sbcglobal.net
To: cnett858@hotmail.com
CC: STse@sandiego.gov; shellykilbourn@cox.net
Subject: RE: PTS#193375 Belmont Park
Date: Mon, 9 Nov 2009 16:07:23 -0800

Hi Carlton,

We were not aware that we had been placed on the October agenda, perhaps there has been some confusion. We received our assessment letter on October 16th and had been addressing those comments and revising the drawings in response prior to coming before your board. We would still like the opportunity to present the project at a subsequent meeting. Can you advise as to the group's basis for the recommendation of denial?

Thanks very much,
 kd

From: Carlton Nettleton [mailto:cnett858@hotmail.com]
Sent: Thursday, November 05, 2009 4:16 PM
To: kerrigan.plancom@sbcglobal.net
Subject: RE: PTS#193375 Belmont Park

This was on our agenda for October and we voted not to support this project.

Carlton Nettleton
 Mission Beach Precise Planning Board Chair

Tse, Simon

From: Tse, Simon
Sent: Wednesday, January 06, 2010 3:17 PM
To: 'Carlton Nettleton'
Subject: IMPORTANT: Verizon Belmont Part PTS 193375 - INFORMATION REQUESTED
Attachments: SKMBT_C45010010616010.pdf

Importance: High

Hello Carlton-

Per our discussion, please review the attached site plan.

Here's the exact language in reference to the FCC Telecommunication Act 1996 for RF Frequency.

(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

You can access the entire document here:

<http://www.fcc.gov/Reports/tcom1996.pdf>

I will have the Notice of Hearing Officer sent out via email to your attention once it has been prepared. Feel free to contact me with any other questions, thank you.

ST

Simon Tse Planner Office: 619.687.5984 Fax: 619.446.5499
Development Services Department
1222 First Avenue, 5th Floor San Diego, CA 92101-4155



THE CITY OF SAN DIEGO

DATE OF NOTICE: March 3, 2010

NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING: March 18, 2010
TIME OF HEARING: 9:00 A.M.
LOCATION OF HEARING: Council Chambers, 12th Floor, City Administration Building,
202 C Street, San Diego, California 92101

PROJECT TYPE: **CONDITIONAL USE PERMIT, PROCESS LEVEL 4**
PROJECT NUMBER: 193375
PROJECT NAME: VERIZON WIRELESS BELMONT PARK
APPLICANT: Shelly Kilbourn

COMMUNITY PLAN AREA: Mission Beach
COUNCIL DISTRICT: District 2

CITY PROJECT MANAGER: SIMON TSE, Development Project Manager
PHONE NUMBER: (619) 687-5984

As a property owner, tenant or person who has requested notice, you should know that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application for a Conditional Use Permit for a modification to an existing Wireless Communication Facility at 704 Ventura Place. The project is located in the VC-S and R-S Zone of Mission Beach Planned District within the Mission Beach Community Plan. The modification consists of three additional panel antennas all completely concealed behind FRP panels designed to integrate with the existing structure. The equipment associated with this project shall be placed inside the building, not visible to the public. Verizon Wireless was initially approved for three panel antennas and associated equipment at this location in 2006. Subsequently, the regulations have changed, and the proposed modification requires a permit amendment resulting in a new Conditional Use Permit.

The decision of the Planning Commission is final unless the project is appealed to the City Council. In order to appeal the decision of the Planning Commission you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Planning Commission before the close of the public hearing. See Information Bulletin 505 "Appeal Procedure",

available at www.sandiego.gov/development-services or in person at the office of the City Clerk, 202 "C" Street, Second Floor. The appeal must be made within 10 working days of the Planning Commission decision. If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing.

This project was determined to be categorically exempt from the California Environmental Quality Act on October 15, 2009 and the opportunity to appeal that determination ended October 29, 2009.

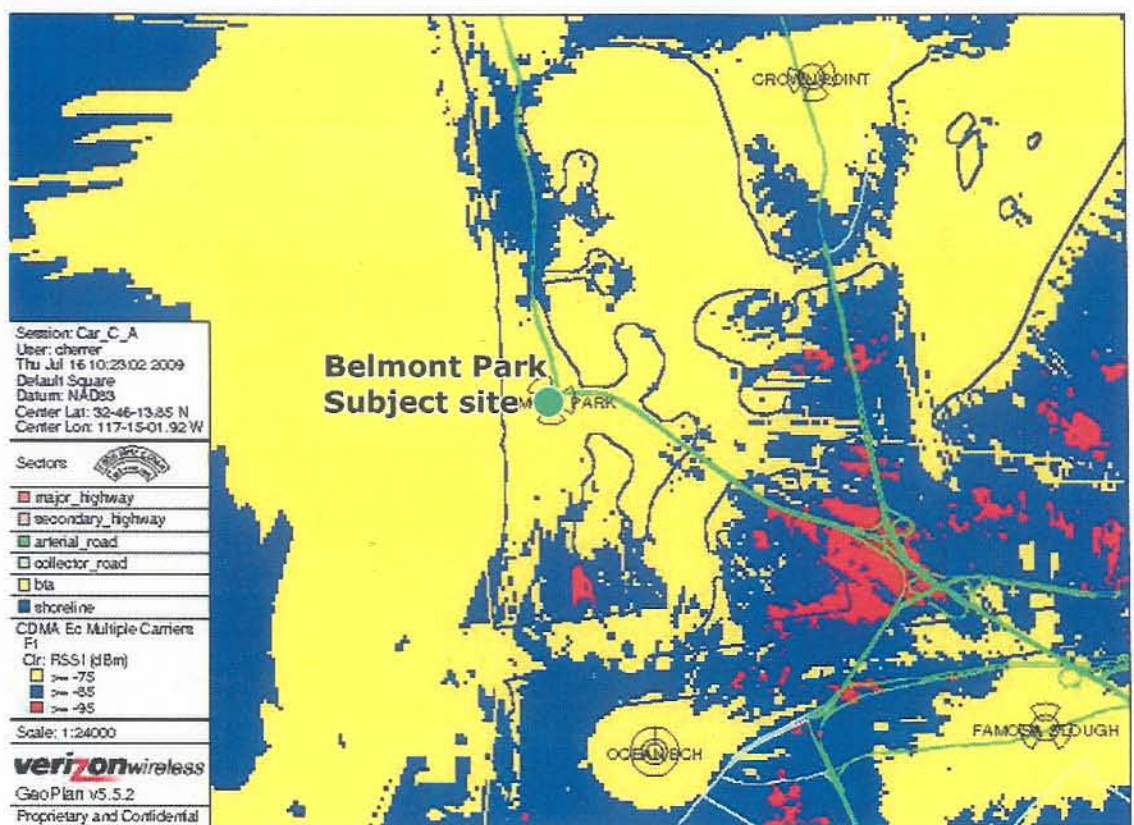
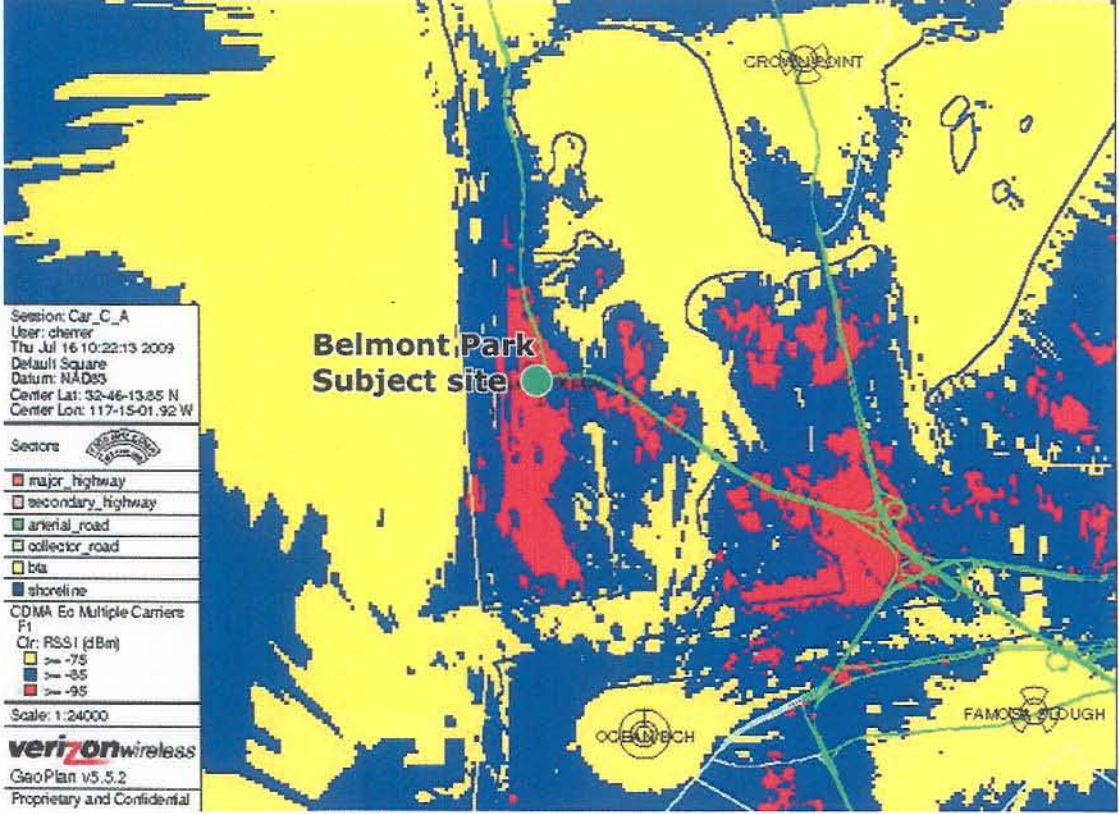
If you have any questions after reviewing this information, you can contact the City Project Manager listed above.

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

Internal Order No. 24000168

Revised 12/5/08 RH

Existing coverage



Coverage Levels:

- Excellent
- Good/Variable
- Poor

Proposed coverage



THE CITY OF SAN DIEGO

Date: September 21, 2006

Applicant: Delta Groups Engineering Inc.
Agent for:
Verizon Wireless
2362 McGraw Avenue
Irvine, CA 92614

Attention: **Carnell Hart**

Permit No.: 320482, Wireless Communication Antenna, Verizon Belmont Park

PTS/JO#: 98249/426192

Address: 704 Ventura Place, San Diego, CA 92109

Subject: **PROPOSED MINOR TELECOMMUNICATION FACILITY**

DEVELOPMENT SERVICES ACTION:

It has been determined by **Development Services** that this proposal complies with Section 141.0405, Communication Antennas, of the City of San Diego's Land Development Code. This proposal has been determined to be exempt per Section 15303 of the California Environmental Quality Act (CEQA).

Development Services grants **APPROVAL** of your application subject to the following:

- The facility shall be designed and constructed in accordance with the approved Exhibit "A", dated September 21, 2006. No modification or alteration shall be permitted to the approved Exhibit "A" unless revised plans are submitted and approved by Development Services.
- The project consists of three new façade mounted antennas concealed within the roof tower as illustrated on the approved Exhibit "A" dated September 21, 2006. The associated equipment is located inside the existing storage room not visible to the public.



Carnel Hart
September 21, 2006
Verizon Belmont Park -- Project No. 98249/42-6192
Page 2 of 3

- All proposed antennas are fully concealed inside the existing rooftop. All components from the antennas including wires, brackets, and pipes must be fully concealed inside the FRP shrouds.
- No antennas will be visible from the public perspective.
- The building materials and paint used for the shrouds and RF transparent screens shall not result in any noticeable lines or edges in the transition from the original roof screening.
- The height, color, and material of the shrouds shall be consistent to the existing building.
- All proposed Verizon Wireless equipments and antennas shall be located on the commercial property.
- No exposed wires or cables are permitted with this approval.
- This property is located within the Coastal Permit area of the Coastal Zone. A Coastal Development Permit issued from the California Coastal Commission will be required for this project.
- Prior to the issuance of a building permit, Verizon Wireless shall obtain an encroachment maintenance and removal agreement to the satisfaction of the City Engineer for trenching the telco conduit in the rear alley Right-Of-Way.
- All equipment, including transformers, emergency generators and air conditioners shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
- Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, bridges, dog houses and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.
- All facilities, related equipment and landscaping shall be maintained in good working order and free from trash, debris, graffiti and designed to discourage vandalism. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days.

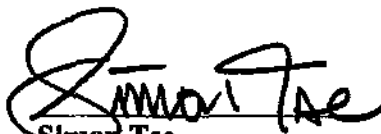
Carnel Hart
September 21, 2006
Verizon Belmont Park – Project No. 98249/42-6192
Page 3 of 3

- Prior to the issuance of a building 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.
- The Permittee must submit construction documents for building permits within six months from the date of this approval or this authorization shall be null and void.
- The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.
- This **APPROVAL** and corresponding use of this site shall expire on **September 21, 2016**. Upon expiration of this permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to it's original condition preceding approval of this permit.
- Prior to the expiration date of this Permit, the Permit Holder may submit a new Permit application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time.

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 Review Division and stamped with the Development Services "CONFORMS" stamp. All modifications to this structure or site not directly approved by this permit shall require further review by Development Services.

INFORMATION ITEM ONLY:

Please note that an **Administrative Planning Hold** will be placed on the project prior to Final Clearance from the City's Building Inspector to ensure compliance with the approved plans and associated conditions. Prior to calling for your Final Inspection from your building inspection official, please contact the Project Manager listed below at (619)446-5347 to schedule an inspection of the completed facility. Please schedule this administrative inspection at least five working days ahead of the requested Final Inspection date.



Simon Tse

Development Project Manager Assistant



THE CITY OF SAN DIEGO

DATE OF NOTICE: May 5, 2006

COURTESY NOTICE OF MINISTERIAL APPLICATION

DEVELOPMENT SERVICES DEPARTMENT

An application for a wireless communication facility has been filed with the City of San Diego. The property is located at 704 Ventura Place, San Diego, CA 92109, within the Mission Beach Planned District VC-S and VC-RS zone and Council District 2. The project consists of a total three (3) flushed mounted antennas concealed behind the existing roof tower. The associated equipment shall be located inside a storage room at ground level.

| | |
|------------------------------|----------------------|
| PROJECT NUMBER: | 98249 |
| PROJECT NAME: | VERIZON BELMONT PARK |
| CONTACT NAME: | CARNELL HART |
| COMMUNITY PLAN AREA: | MISSION BEACH |
| CITY PROJECT MANAGER: | SIMON TSE |
| MANAGER PHONE NUMBER: | (619) 446-5347 |

In accordance with Council Policy 600-43, this notice is being provided exclusively to the Mission Beach Precise Planning Board as a courtesy. The application is a ministerial action that may be approved or denied by the Project Manager listed above, pursuant to Section 141.0405 of the Land Development Code. A public hearing will not be held and no appeals may be filed.

If you have any questions regarding this application after reviewing this information, you can call the City of San Diego Project Manager listed above.

This information will be made available in alternative formats upon request.

Job Order No. 42-5507

Rev 3/8/05 dcj



Development Services

1222 First Avenue, MS 501 • San Diego, CA 92101-4155

Tel (619) 446-5460



THE CITY OF SAN DIEGO

May 10, 2006

Gary Glover
Mission Beach Precise Planning Board
2681 Mission Boulevard
San Diego, CA 92109

Dear Mr. Glover,

Subject: Verizon – Belmont - Project Number. 98249
Located at: 704 Ventura Place, San Diego, CA 92109 (Hamel's)

Please see attached for the information requested on May 10, 2006. Feel free to contact me with any questions you may have for this project. Thank you for your interest and patience.

Regards,

-Simon Tse-
Planning
Development Services Department
(619) 446-5347 office

