

THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED:	November 29, 2018	REPORT NO. PC-18-067
HEARING DATE:	December 6, 2018	
SUBJECT:	Verizon 52 and Genesee, Process Four Decision	
PROJECT NUMBER:	<u>439737</u>	
OWNER/APPLICANT:	Daniel Andrews and Debra Lundy /Verizon Wi	ireless

<u>SUMMARY</u>

<u>Issue</u>: Should the Planning Commission approve a Wireless Communication Facility (WCF) at 5763 Lodi Street in the Clairemont Mesa Community Planning Area?

<u>Staff Recommendation</u>: **Approve** Conditional Use Permit No. 2211105 and Neighborhood Development Permit 2211197.

<u>Community Planning Group Recommendation</u>: On September 18, 2018, the Clairemont Community Planning Group voted 12-0, with one abstention, to approve the project without conditions (Attachment 9).

<u>Environmental Review</u>: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on October 25, 2018. (Attachment 13).

Fiscal Impact Statement: Costs for project processing paid by applicant deposit.

BACKGROUND

The Verizon 52 and Genesee project is located at 5763 Lodi Street in the RS-1-7 zone of the <u>Clairemont Mesa Community Plan</u> (CMCP) within City Council District 6. The site is designated Single-Family (5-10 units/acre) in the CMCP. The site contains an existing facility operated by Verizon Wireless, which seeks a new permit to continue operation as a part of this project. This facility was first permitted in 2004 as Project No. 8545. The previous approval expired on April 14, 2014. Verizon made an application on August 15, 2015 to obtain a new permit for the site.

The subject property is in an established single-family residential neighborhood along the northern

edge/periphery of the CMCP. To the north lies open space zoned OP-1-1 adjacent to State Route 52 (SR-52), and to the east, west, and south are single family homes. The project site is adjacent to, but does not contain, the Multi-Habitat Planning Area (MHPA) to the north.

The City continues to impose a ten-year time limit on all WCF permits to allow the periodic re-evaluation of wireless facilities. This limit allows the City to determine if technology or concealment methods have advanced enough to modify or eliminate the facility. This facility remains essential to Verizon as it is considered part of the backbone of the network.

The WCF regulations have changed over the years; however, the requirement to integrate a facility into the surrounding environment has always been the intent of the regulations. Staff has reviewed the existing facility and has determined that it has been well-maintained over the years, and the appearance of a gazebo on a residential site complies with the WCF Regulations (Land Development Code Section 141.0420), the City's General Plan (Urban Design Element Policy UD-A.15 on Wireless Facilities) and the WCF Design Guidelines.

DISCUSSION

Project Description:

The project proposes the demolition of an existing gazebo that conceals Verizon antennas, and construction of a similar gazebo in the same location. The existing gazebo is within a brush management zone and does not meet current fire standards. Therefore, a new gazebo is required, which will contain six new antennas that will be concealed entirely within the gazebo structure, along with 8 new Remote Radio Units (RRUs) and two surge suppressors. Other equipment, including two additional surge suppressors and a battery rack, will remain in an existing 264-square-foot equipment area, located to the west of the house, enclosed by a concrete block wall and redwood fence. The project requires two temporary antennas to be installed onsite during construction. They will be removed once the permanent site is online.



Because it is located on a residential property, the proposed project requires a Process Four CUP per <u>SDMC 141.0420(f)(2)</u>, with the Planning Commission as the decision maker. A Process Two NDP

per <u>SDMC 141.0420(g)(3)</u> is also required to allow an equipment area larger than 250 square feet. The CUP and NDP are consolidated for processing with the Planning Commission as the decision maker. This process is consistent with <u>City Council Policy 600-43</u>, which outlines levels of preference for locating WCFs. As a residential property, the project site is a Preference 4 location, which is the lowest preference. Applicants for Preference 4 locations must explain why nearby Preference 1, 2, and 3 locations were not suitable.

As an existing facility, this site is critical to the maintenance of Verizon's network. The applicant's desired coverage area is the adjacent segment of SR-52. Due to the topography of the area, a facility that serves the freeway must be located close-by. A review of the submitted "Site Justification Map" (Attachment 7) shows that there are no viable lower preference alternatives in the area because of the topography (higher than the freeway) and zoning (all nearby properties are residential).

Community/General Plan Analysis:

The CMCP does not specifically address wireless facilities. However, the Plan does outline development standards for residential development in hillside conditions, requiring new development to "occur in a manner that protects the environmental resources and aesthetic qualities of the area. Development should be clustered on the flatter portions of sites and grading should be minimal in order to preserve natural landforms and vegetation". The proposed gazebo meets these standards.

In addition, the City's General Plan Urban Design Element <u>UD-A.15</u> states that the visual impact of WCFs should be minimized by concealing them in existing structures, or using camouflage and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Equipment associated with the WCF should be located in underground vaults or unobtrusive structures. The proposed gazebo conceals the antennas entirely within an expected component of a residential backyard, and conceals equipment on the side of the house, away from public view. Therefore, this project meets the intent of UD-A.15.

Environmentally Sensitive Lands (ESL):

ESL in the form of Steep Hillsides and Sensitive Vegetation are mapped on the property. However, the project is exempt from the ESL regulations per <u>SDMC 143.0110(c)(2)</u> because it occurs entirely within the existing developed footprint of the lot and is separated from ESL by an existing fence. The project will comply with the <u>MHPA Adjacency Guidelines</u> as applicable.

Conclusion:

The project complies with the development regulations of the RS-1-7 zone and with the WCF Regulations (SDMC 141.0420). Staff has prepared draft findings in the affirmative to approve the project and recommends approval of Conditional Use Permit 2211105 and Neighborhood Development Permit 2211197 (Attachment 5).

ALTERNATIVES

- 1. Approve Conditional Use Permit 2211105 and Neighborhood Development Permit 2211197, with modifications.
- 2. Deny Conditional Use Permit 2211105 and Neighborhood Development Permit 2211197 if the Planning Commission makes written findings based on substantial evidence that the approval is not authorized by state or local zoning law.

Respectfully submitted,

PJ Fitzgerald Assistant Deputy Director Development Services Department

Travis Cleveland Development Project Manager Development Services Department

Attachments:

- 1. Aerial Photograph
- 2. Community Plan Land Use Map
- 3. Project Location Map
- 4. Project Data Sheet
- 5. Draft Permit Resolution with Findings
- 6. Draft Permit with Conditions
- 7. Coverage Maps
- 8. Photo Survey
- 9. Community Planning Group Recommendation
- 10. Ownership Disclosure
- 11. Photosimulations
- 12. Project Plans
- 13. Environmental Exemption



Aerial Photo



<u>Verizon 52 and Genesee, Project Number 439737</u> 5763 Lodi Street North

sandiego.gov



SD) Development Services Department



Project Location Map



<u>Verizon 52 and Genesee, Project Number 439737</u> 5763 Lodi Street

sandiego.gov

ATTACHMENT 3

PROJECT NAME:	Verizon 52 and Genesee (Project No. 439737)	
PROJECT DESCRIPTION:	 The project proposes the demolition of an existing gazebo that conceals Verizon antennas, and construction of a similar gazebo in the same location. The existing gazebo is within a brush management zone and is not currently fire-rated. Therefore, a new gazebo is required, which will contain six new antennas that will be concealed entirely within the gazebo structure, along with radio units and surge suppressors. Other equipment will remain in a 264-square-foot equipment area, located to the west of the house, enclosed by a concrete block wall and redwood fence. The project requires two temporary antennas to be installed onsite 	
COMMUNITY PLAN	And the second	oved once the permanent site is online
AREA:	Clairemont Mesa	
DISCRETIONARY ACTIONS:	Conditional Use Permit (CUP) and Neighborhood Development Permit (NDP)	
COMMUNITY PLAN LAND USE DESIGNATION:	Residential, 5-10 du/ac	
	ZONING INFORMATIO	N:
ZOM	VE: RS-1-7	
LOT SI	ZE: 0.576 acres	
ADJACENT PROPERTIES:	LAND USE DESIGNATION &	EXISTING LAND USE

ADJACENT PROPERTIES.	ZONE	EXISTING LAND USE	
NORTH:	Open Space, OP-1-1	Open Space	
SOUTH:	Residential, RS-1-7	Single-Unit Residential	
EAST:	Residential, RS 1-7	Single-Unit Residential	
WEST:	Residential, RS 1-7	Single-Unit Residential	
DEVIATION REQUESTED:	None		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On September 18, 2018, the Clairemont Community Planning Group voted 12-0, with one abstention, to approve the project without conditions.		

PLANNING COMMISSION RESOLUTION NO. _____-PC CONDITIONAL USE PERMIT 2211105 NEIGHBORHOOD DEVELOPMENT PERMIT 2211197 VERIZON 52 AND GENESEE PROJECT NO. 439737

WHEREAS, DANIEL ANDREWS AND DEBRA LUNDY, Owners, and VERIZON WIRELESS, Permittee, filed an application with the City of San Diego for a permit for a Wireless Communication Facility (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permits Nos. 2211105 and 2211197), on portions of a 0.576-acre site;

WHEREAS, the project site is located at 5763 Lodi Street in the RS-1-7 Zone of the Clairemont Mesa Community Plan;

WHEREAS, the project site is legally described as Lot 22 of San Clemente Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map No. 4814, filed in the office of the County Recorder of San Diego County on July 21, 1961;

WHEREAS, on December 6, 2018, the Planning Commission of the City of San Diego considered Conditional Use Permit No. 2211105 and Neighborhood Development Permit No. 2211197 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, that it adopts the following findings with respect to Conditional Use Permit No. 2211105 and Neighborhood Development Permit 2211197:

Conditional Use Permit Approval - Section §126.0305

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

The proposed development is located at 5763 Lodi Street in the RS-1-7 zone of the Clairemont Mesa Community Plan, which designates the property as Single-Family (5-10 units/acre). The project proposes the demolition of an existing gazebo that conceals cellular antennas, and construction of a similar gazebo in the same location. The new gazebo will contain six new antennas that will be concealed entirely within the gazebo structure, along with radio units and surge suppressors. Other equipment will remain in an existing 264-square-foot equipment area, located to the west of the house, enclosed by a concrete block wall and redwood fence. The project requires two temporary antennas to be installed onsite during construction. They will be removed once the permanent site is online.

The Clairemont Mesa Community Plan does not specifically address wireless facilities. However, the Plan does outline development standards for residential development in hillside conditions, requiring new development to "occur in a manner that protects the environmental resources and aesthetic qualities of the area. Development should be clustered on the flatter portions of sites and grading should be minimal in order to preserve natural landforms and vegetation." The proposed gazebo, reconstructed on a previously-developed area, meets these standards.

In addition, the City's General Plan Urban Design Element (UD-A.15) states that the visual impact of WCFs should be minimized by concealing them in existing structures, or using camouflage and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Equipment associated with the WCF should be located in underground vaults or unobtrusive structures. The proposed gazebo conceals antennas entirely within an expected component of a residential backyard, and conceals equipment on the side of the house, away from public view. Therefore, this project meets the intent of UD-A.15.

A Conditional Use Permit (CUP) is required to allow a WCF in a residential zone. Due to its design and specific location, the proposed WCF complies with the City's Land Development Code, Section 141.0420, Wireless Communication Facilities, the Clairemont Mesa Community Plan, as well as the design and location requirements of the City's General Plan. Therefore, the proposed WCF will not adversely affect the applicable land use plan or the City's General Plan.

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

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities). The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety and welfare. All proposed improvement plans associated with the project will be reviewed prior to issuance of construction permits and inspected during construction to assure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing and fire codes.

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." An Electromagnetic Energy Exposure Report was prepared, which concluded that the project will follow FCC standards for RF emissions. Therefore, the project will 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 including any allowable deviations pursuant to the Land Development Code.

The project requires a Conditional Use Permit (CUP) pursuant to San Diego Municipal Code (SDMC) 141.0420(f)(2) because it is located in a residential zone. The purpose of the CUP, as stated in SDMC 126.0301, is to establish a review process for the development of uses that may be desirable under appropriate circumstances, but are not permitted by right in the applicable zone. The intent is to review these uses on a case-by-case basis to determine whether and under what conditions the use may be approved at a given site. Due to the project's specific location on the site, and the concealment of all antennas entirely within a gazebo, there will be no impact to the surrounding area.

In addition to the CUP Regulations, the WCF Regulations (SDMC 141.0420) contain design requirements for WCFs, including the requirement to utilize the smallest, least visually intrusive antennas, components and other necessary equipment and to 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 project, in proposing concealment with a residential structure, meets these requirements. The project meets the design requirements of SDMC 141.0420 and findings can be made in the affirmative for all permits required by this project; therefore, the project will comply with the applicable regulations of the SDMC.

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

The project site is 0.576 acres and contains other on-site buildings and structures, including a single-family home, outbuildings, fences, and walls. The WCF already exists at this location and is an integral part of Verizon's network, covering the adjacent State Route 52 corridor and surrounding residential area. By locating in this residential area, the project can utilize the existing topography to provide service to the desired coverage area.

City Council Policy 600-43 outlines levels of preference for locating WCFs. As a residential property, the project site is a Preference 4 location, which is the lowest preference. Applicants for Preference 4 locations must explain why nearby Preference 1, 2, and 3 locations were not suitable. As an existing facility, this site is critical to the maintenance of Verizon's network at this location. The applicant's desired coverage area is the adjacent segment of State Route 52. Due to the topography of the area, a facility that serves the freeway must be located close-by. A review of the submitted "Site Justification Map" shows that there are no viable lower preference alternatives in the area because of the topography (higher than the freeway) and zoning (all nearby properties are residential).

The project provides an important public need and presents as a gazebo, a structure typically found in residential backyards. A gazebo integrates into the surrounding area, ensuring that the proposed use is appropriate at the proposed location.

Neighborhood Development Permit Approval - Section §126.0404

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

The proposed development is located at 5763 Lodi Street in the RS-1-7 zone of the Clairemont Mesa Community Plan, which designates the property as Single-Family (5-10 units/acre). The project proposes the demolition of an existing gazebo that conceals cellular antennas, and construction of a similar gazebo in the same location. The new gazebo will contain six new antennas that will be concealed entirely within the gazebo structure, along with radio units and surge suppressors. Other equipment will remain in an existing 264-square-foot equipment area, located to the west of the house, enclosed by a concrete block wall and redwood fence. The project requires two temporary antennas to be installed onsite during construction. They will be removed once the permanent site is online. The Clairemont Mesa Community Plan does not specifically address wireless facilities. However, the Plan does outline development standards for residential development in hillside conditions, requiring new development to "occur in a manner that protects the environmental resources and aesthetic qualities of the area. Development should be clustered on the flatter portions of sites and grading should be minimal in order to preserve natural landforms and vegetation." The proposed gazebo meets these standards.

In addition, the City's General Plan Urban Design Element (UD-A.15) states that the visual impact of WCFs should be minimized by concealing them in existing structures, or using camouflage and screening techniques to hide or blend them into the surrounding area. Facilities should be designed to be aesthetically pleasing and respectful of the neighborhood context. Equipment associated with the WCF should be located in underground vaults or unobtrusive structures. The proposed gazebo conceals antennas entirely within an expected component of a residential backyard, and conceals equipment from view on the side of the house, away from public view. Therefore, this project meets the intent of UD-A.15.

A Neighborhood Development Permit is required to allow an equipment enclosure larger than 250 square feet at a WCF. At 264 square feet, the proposed equipment area is only nominally (5.5 percent) larger than what is allowed by right. This small increase can be attributed to the concrete block walls that enclose the area on the west and south, which serve to screen the facility. Due to its design and specific location, the proposed WCF complies with the City's Land Development Code, Section 141.0420, Wireless Communication Facilities, the Clairemont Mesa Community Plan, as well as the design and location requirements of the City's General Plan. Therefore, the proposed WCF will not adversely affect the applicable land use plan or the City's General Plan.

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

This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, (Existing Facilities). The conditions of approval for the project will require compliance with several operational constraints and development controls intended to assure the continued public health, safety and welfare. All proposed improvement plans associated with the project will be reviewed prior to issuance of construction permits and inspected during construction to assure the project will meet or exceed all relevant and applicable building, electrical, mechanical, plumbing and fire codes.

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." An Electromagnetic Energy Exposure Report was prepared, which concluded that the project will follow FCC standards for RF emissions. Therefore, the project will 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 including any allowable deviations pursuant to the Land Development Code.

The project requires a Neighborhood Development Permit (NDP) pursuant to San Diego Municipal Code Section 141.0420(g)(3) because it has an equipment area larger than 250 square feet. The purpose of the NDP, as stated in SDMC 126.0401, is to establish a review process for proposed development that may be desirable but may have some limited physical impacts on the surrounding properties. The intent of these procedures is to determine if the proposed development complies with the development regulations of the applicable zone, as well as supplemental regulations for the type of development proposed, and to apply limited conditions if necessary to achieve conformance with these regulations.

At 264 square feet, the existing equipment area is only 14 square feet larger than the 250square-foot limit. This nominal increase in size can be attributed to the concrete block wall adjacent to the property line, which serves to screen the facility from the adjacent property. The area, which is only visible from the adjacent property as a 22-foot-long wall face, has existed on the site since 2004.

The project meets the design requirements of SDMC 141.0420 and findings can be made in the affirmative for all permits required by this project; therefore, the project will comply with the applicable regulations of the SDMC.

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit 2211105 and Neighborhood Development Permit 2211197 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permits Nos. 2211105 and 2211197, a copy of which is attached hereto and made a part hereof.

Travis Cleveland Development Project Manager Development Services

Adopted on: December 6, 2018

10#: 24006126

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

INTERNAL ORDER NUMBER: 24006126

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT 2211105 NEIGHBORHOOD DEVELOPMENT PERMIT 2211197 VERIZON 52 AND GENESEE PROJECT NO. 439737 PLANNING COMMISSION

This CONDITIONAL USE PERMIT NO. 2211105 and NEIGHBORHOOD DEVELOPMENT PERMIT NO. 2211197 (Permit) is granted by the Planning Commission of the City of San Diego to DANIEL ANDREWS AND DEBRA LUNDY, Owners, and VERIZON WIRELESS, Permittee, pursuant to San Diego Municipal Code [SDMC] Sections 141.0420(f)(2) and 121.0420(g)(3). The 0.576-acre site is located at 5763 Lodi Street in the RS-1-7 zone of the Clairemont Mesa Community Plan,

The project site is legally described as Lot 22 of San Clemente Unit No. 1, in the City of San Diego, County of San Diego, State of California, according to Map No. 4814, filed in the office of the County Recorder of San Diego County on July 21, 1961.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owners and Permittee for a Wireless Communication Facility (WCF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated December 6, 2018, on file in the Development Services Department.

The project shall include:

- a. Six antennas (four measuring 72" x 14.6" x 7.3 and two measuring 55" x 11" x 4"), eight Remote Radio Units (RRUs), and two surge suppressors mounted within a gazebo structure that conceals all equipment from view,
- b. Two surge suppressors, batteries, and associated equipment cabinets located within an existing, 264-square-foot equipment area;
- c. On-site fencing as required to limit access and provide for RF safety, as shown on the site plan; and

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

Every aspect of this project is considered an element of concealment including (but not limited to) the dimensions, build and scale, color, materials and texture. Any future modifications to this permit/project must not defeat concealment.

STANDARD REQUIREMENTS:

1. This Permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by **December 20, 2021**.

2. This Permit and corresponding use of this site shall **expire on December 20, 2028.** Upon expiration of this approval, 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.

3. No later than ninety (90) days prior to the expiration of this approval, the Owner/Permittee may submit a new application to the Development Services Department 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 enforcement for noncompliance, which may include penalties and fines.

4. Under no circumstances does approval of this permit authorize the Owner/Permittee to utilize this site for WCF purposes beyond the permit expiration date. Use of this permit approval beyond the expiration date of this permit is prohibited.

5. 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.

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

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

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

9. 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.).

10. The Owner/Permittee shall secure all necessary construction permits. At a minimum, a building permit will be required to construct the new project. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

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

13. 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.

MHPA LAND USE ADJACENCY:

14. The Development Services Department (DSD) Director's Environmental Designee (ED) and the Planning Department (MSCP Staff) shall review and approve all Construction Documents (CD), (plans, specification, details, etc.) to ensure the Permit Conditions requirements are incorporated into the design.

In addition, the ED and Planning Department shall verify that <u>the Permit Conditions/Notes that apply</u> ONLY to the construction phases of this project are included VERBATIM, under the heading, **"ENVIRONMENTAL/PLANNING DEPARTMENT REQUIREMENTS."**

Note: Permit Holder's Representatives must alert RE and MMC if there are any discrepancies in the plans or notes, or any changes due to field conditions. All conflicts must be approved by RE and MMC BEFORE the work is performed.

15. <u>Construction Protection Monitoring</u>: Construction Protection Monitoring shall be implemented in conjunction with the Land Use – Multiple Species Conservation Plan (MSCP) Land Use Adjacency Guidelines (LUAG) permit conditions. The Construction Protection Monitoring shall be implemented throughout construction of the project.

- I. Prior to Construction
 - A. **Biologist Verification:** The owner/permittee shall provide a letter to the City's Mitigation Monitoring Coordination (MMC) section stating that a Project Biologist (Qualified Biologist) as defined in the City of San Diego's Biological Guidelines (2012), has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
 - B. **Preconstruction Meeting:** The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow up mitigation measures and reporting including site-specific monitoring, restoration or revegetation, and additional fauna/flora surveys/salvage.
 - C. **Biological Documents:** The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports including but

not limited to, maps, plans, surveys, survey timelines, or buffers are completed or scheduled per City Biology Guidelines, Multiple Species Conservation Program (MSCP), Environmentally Sensitive Lands Ordinance (ESL), project permit conditions; California Environmental Quality Act (CEQA); endangered species acts (ESAs); and/or other local, state or federal requirements.

D. BCME: The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME) which includes the biological documents in C above. In addition, include: restoration/revegetation plans, plant salvage/relocation requirements (e.g., coastal cactus wren plant salvage, burrowing owl exclusions, etc.), avian or other wildlife surveys/survey schedules (including general avian nesting and USFWS protocol), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/ barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City ADD/MMC. The BCME shall include a site plan, written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

E. Avian Protection Requirements:

General Avian: To avoid any direct impacts to raptors and/or any native/migratory birds, removal of habitat that supports active nests in the proposed area of disturbance should occur outside of the breeding season for these species (February 1 to September 15). If removal of habitat in the proposed area of disturbance must occur during the breeding season, the Qualified Biologist shall conduct a preconstruction survey to determine the presence or absence of nesting birds on the proposed area of disturbance. The pre-construction survey shall be conducted within 10 calendar days prior to the start of construction activities (including removal of vegetation). The applicant shall submit the results of the pre-construction survey to City DSD for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the City's Biology Guidelines and applicable State and Federal Law (i.e. appropriate follow up surveys, monitoring schedules, construction and noise barriers/buffers, etc.) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. The report or mitigation plan shall be submitted to the City for review and approval and implemented to the satisfaction of the City. The City's MMC Section and Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction.

F. **Resource Delineation:** Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delimiting buffers to protect sensitive biological resources (e.g., habitats/flora & fauna species, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.

G. Education: Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside of the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers, flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas, etc.).

II. During Construction

- A. Monitoring: All construction (including access/staging areas) shall be restricted to areas previously identified, proposed for development/staging, or previously disturbed as shown on "Exhibit A" and/or the BCME. The Qualified Biologist shall monitor construction activities as needed to ensure that construction activities do not encroach into biologically sensitive areas, or cause other similar damage, and that the work plan has been amended to accommodate any sensitive species located during the pre-construction surveys. In addition, the Qualified Biologist shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR shall be e-mailed to MMC on the 1st day of monitoring, the 1st week of each month, the last day of monitoring, and immediately in the case of any undocumented condition or discovery.
- B. Subsequent Resource Identification: The Qualified Biologist shall note/act to prevent any new disturbances to habitat, flora, and/or fauna onsite (e.g., flag plant specimens for avoidance during access, etc.). If active nests or other previously unknown sensitive resources are detected, all project activities that directly impact the resource shall be delayed until species specific local, state or federal regulations have been determined and applied by the Qualified Biologist.

III. Post Construction Measures

A. In the event that impacts exceed previously allowed amounts, additional impacts shall be mitigated in accordance with City Biology Guidelines, ESL and MSCP, State CEQA, and other applicable local, state and federal law. The Qualified Biologist shall submit a final BCME/report to the satisfaction of the City ADD.

16. Land Use – Multiple Specific Conservation Plan (MSCP) Land Use Adjacency Guidelines (LUAG): The Land Use – MSCP LUAG shall be implemented in conjunction with the Construction Protection Monitoring Construction permit conditions. The Land Use – MSCP LUAG shall be implemented throughout construction of the project.

I. Prior to Permit Issuance

Prior to issuance of any construction permit or notice to proceed, MSCP staff shall verify the Applicant has accurately represented the project's design in or on the Construction Documents (CD's/CD's consist of Construction Plan Sets for Private Projects and Contract Specifications for Public Projects) are in conformance with the associated discretionary permit conditions and Exhibit "A", and also the City's Multi-Species Conservation Program (MSCP) Multi-Habitat Planning Area (MHPA) Land Use Adjacency Guidelines. The applicant shall provide an implementing plan and include references on/in CD's of the following:

- A. Grading/Land Development/MHPA Boundaries No grading will occur within or directly adjacent to the MHPA. MHPA boundaries on-site and adjacent properties shall be delineated on the CDs. DSD Planning and/or MSCP staff shall ensure that all grading is included within the development footprint, specifically manufactured slopes, disturbance, and development within or adjacent to the MHPA. For projects within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
- B. Drainage All new and proposed parking lots and developed areas in and adjacent to the MHPA shall be designed so they do not drain directly into the MHPA. All developed and paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
- C. Toxics/Project Staging Areas/Equipment Storage Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly-owned property when applications for renewal occur. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
- D. Lighting Lighting within or adjacent to the MHPA shall be directed away/shielded from the MHPA and be subject to City Outdoor Lighting Regulations per LDC Section 142.0740.
 - E. **Barriers** New development within or adjacent to the MHPA shall be required to provide barriers (e.g., non-invasive vegetation; rocks/boulders; 6-foot high, vinyl-coated chain link or equivalent fences/walls; and/or signage) along the MHPA

boundaries to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.

- F. **Invasives** No invasive non-native plant species shall be introduced into areas within or adjacent to the MHPA.
- G. **Brush Management** New development adjacent to the MHPA shall be set back from the MHPA to provide required Brush Management Zone 1 area on the building pad outside of the MHPA. Zone 2 may be located within the MHPA provided the Zone 2 management will be the responsibility of an HOA or other private entity except where narrow wildlife corridors require it to be located outside of the MHPA. Brush management zones will not be greater in size than currently required by the City's regulations, the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done and vegetation clearing shall be prohibited within native coastal sage scrub and chaparral habitats from March 1-August 15 except where the City ADD/MMC has documented the thinning would be consist with the City's MSCP Subarea Plan. Existing and approved projects are subject to current requirements of Municipal Code Section 142.0412.
- H. Noise Due to the site's location adjacent to or within the MHPA where the Qualified Biologist has identified potential nesting habitat for listed avian species, construction noise that exceeds the maximum levels allowed shall be avoided during the breeding seasons for the following: Least Bell's vireo (March 15 through September 15) and Southwestern Willow Flycatcher (May 1 through August 30). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys shall be required in order to determine species presence/absence. If protocol surveys are not conducted in suitable habitat during the breeding season for the aforementioned listed species, presence shall be assumed with implementation of noise attenuation and biological monitoring. When applicable (i.e., habitat is occupied or if presence of the covered species is assumed), adequate noise reduction measures shall be incorporated as follows:

ENGINEERING REQUIREMENTS:

17. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.

18. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.

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

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

LANDSCAPING REQUIREMENTS:

21. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department.

22. Prior to issuance of any Building Permits, a complete Brush Management Program shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit "A" on file in the Development Services Department. The Brush Management Program shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.

23. The Brush Management Program shall be based on a standard Zone One of 35-ft. in width and a Zone Two of 65-ft. in width, extending out from the structure towards the native/naturalized vegetation, consistent with §142.0412. Zone One shall range from 31-ft. to 61.5-ft. in width with a corresponding Zone Two of 26-ft. to 56.5-ft. in width, exercising Zone Two reduction options under §142.0412(f).

24. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or Type IV heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.

25. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

26. The WCF shall conform to the approved construction plans.

27. Photo simulations shall be printed on the construction plans.

28. The City may require the Owner/Permittee to provide a topographical survey conforming to the provisions of the SDMC may be required if the City determines 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.

29. The Owner/Permittee shall install and maintain appropriate warning signage on the WCF as required by State and Federal regulations. The Owner/Permittee shall be responsible for complying with all State and Federal regulations.

30. Antennas and associated components, such as, but not limited to, remote radio units (RRUs), surge suppressors, etc., shall not exceed the limits of any existing or proposed screening.

31. There shall be no visible seams or differences between FRP and the wooden part of the gazebo. Any visible differences, including (but not limited to) degradation of FRP materials, must be corrected within 30 days.

32. The accuracy and validity of the RF Compliance Report, submitted by the Permittee, shall be assured while the WCF is in operation. If requested by the City, Owner/Permittee shall provide an updated RF Compliance Report to address any issues associated with the emitting components of the WCF.

33. All equipment, including present and future transformers, emergency generators and air conditioners belonging to the Owner/Permittee 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.

34. All facilities and related equipment shall be maintained in good working order. Any damaged equipment shall be repaired or replaced within thirty (30) calendar days of notification by the City of San Diego.

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

36. A Building Permit shall be required for the improvements installed with this project. Prior to Building Permit issuance, the applicant shall provide color samples of the gazebo. Staff will preapprove the color sample prior to Building Permit issuance. The exact samples shall be used during the FINAL INSPECTION. The color approved by Planning Staff must be identical to the as-built facility.

37. 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.

38. As the Permittee for this site, Verizon Wireless (and any successors in interest) is responsible for the site and for the behavior of any future party that leases space at this location. Regardless of cause, it shall be the Owner/Permittees' shared responsibility to correct any code violations at the site, including payment of any penalties incurred.

INFORMATION ONLY:

 Please note that a Telecom Planning Inspection Issue 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) 446-5407 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.

- The issuance of this development permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.
- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Planning Commission of the City of San Diego on December 6, 2018 by Resolution No. _______PC.

ATTACHMENT 6

Conditional Use Permit No.: 2045909/Neighborhood Development Permit 2211197 Date of Approval: December 6, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Travis Cleveland Development Project Manager

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

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

Ву _____

DANIEL ANDREWS Owner By _____ DEBRA LUNDY Owner

VERIZON WIRELESS

Permittee

By_

NAME TITLE

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

Coverage With 52/Genesee



verizonwireless

Confidential and proprietary material for authorized Verizon Wireless personnel only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

1

Coverage Without 52/Genesee





Confidential and proprietary material for authorized Verizon Wireless personnel only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.



SITE PHOTOGRAPHS FOR VERIZON SITE HWY52/GENESEE 5763 LODI STREET SAN DIEGO, CA 92117 APN: 671-030-11



AERIAL AND KEY MAP



(1) VIEW LOOKING NORTH WEST TOWARDS THE PROJECT SITE





(2) VIEW LOOKING NORTH TOWARDS THE PROJECT SITE



(3) VIEW LOOKING NORTH EAST TOWARDS THE ANTENNA LOCATION



SITE PHOTOGRAPHS FOR VERIZON SITE HWY52/GENESEE 5763 LODI STREET SAN DIEGO, CA 92117 APN: 671-030-11



(3) VIEW LOOKING SOUTH EAST TOWARDS THE PROJECT SITE



(4) VIEW LOOKING SOUTH WEST TOWARDS THE PROJECT SITE

ATTACHMENT 9



THE CITY OF SAN DIEGO

City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name:	Proj	ect Number:	Distribution Date:
Verizon 52 & Genesee	i	439737	8/20/18
Project Scope/Location:	1		
CLAIREMONT MESA, PROCESS FOUR: Conditional Us suppressors, and replace battery equipment at a previou Lodi Street, RS-1-7, Airport, Part 77. CD 6. ESL (Veg a	isly entitled (permit e		
Applicant Name:		Applicant	Phone Number:
Monica Swing		(714) 931-	6011
Project Manager:	Phone Number:	Fax Number:	E-mail Address:
Travis Cleveland		(619) 446-5245	TCleveland@Sandiego.gov
Vote to Approve	Members Yes	Members No	Members Abstain
Vote to Approve	12 Members Yes	O Members No	Members Abstain
With Conditions Listed Below	Members Yes	Members No	Members Abstain
Vote to Approve With Non-Binding Recommendations Listed Belo		Wiembers No	Members Abstan
Vote to Deny	Members Yes	Members No	Members Abstain
No Action (Please specify, e.g., Need further infor quorum, etc.)	rmation, Split vote,	Lack of	Continued
CONDITIONS:			
NAME: KEVIN J. CANPENER, AIA TITLE:			HAR, COPS PRS
SIGNATURE:		DATE:	7/24/2018
Attach Additional Pages If Necessary.			

ATTACHMENT 10

THE GITY OF SAN DIEGO	City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000	Ownership Disclosure Statement
Contraction of the second		requested: Neighborhood Use Permit Coastal Development Permit t Permit Planned Development Permit Conditional Use Permit Map Waiver Land Use Plan Amendment • Other
Project Title		Project No. For City Use Only
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Project Address:	et, San Diego CA 92117	
5705 2001 300		
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ho have an interest dividuals who own om the Assistant E evelopment Agreer lanager of any char e Project Manager	in the property, recorded or otherwise, and the property). <u>A signature is required of a</u> vecutive Director of the San Diego Redeve ment (DDA) has been approved / execute nges in ownership during the time the appl at least thirty days prior to any public he ult in a delay in the hearing process.	eferenced property. The list must include the names and addresses of all persons distate the type of property interest (e.g., tenants who will benefit from the permit, all <u>Lleast one of the property owners</u> . Attach additional pages if needed. A signature lopment Agency shall be required for all project parcels for which a Disposition and d by the City Council. Note: The applicant is responsible for notifying the Project ication is being processed or considered. Changes in ownership are to be given to arring on the subject property. Failure to provide accurate and current ownership
ame of Individua	al (type or print)	Name of Individual (type or print):
Daniel R. Andrey		Debra S. Lundy
X Owner		cy X Owner Tenant/Lessee Redevelopment Agency
Street Address:		Street Address:
5763 Lodi Street		5763 Lodi Street
City/State/Zip:		City/State/Zip:
San Diego, CA	92117 Fax No:	San Diego, CA 92117 Phone No: Fax No:
358-342-9262	Fax No.	619-606-2991 / / /
Signature :	Date:	Signature: Date: Date: Date:
201	~ 5/1/15	Atta 1-Mas
Name of Individu	al (type or print):	Name of Individual (type or print):
	enant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:		Street Address:
City/State/Zip:		City/State/Zip:
Phone No:	Fax No:	Phone No: Fax No:
Signature :	Date:	Signature : Date:

Printed on recycled paper. Visit our web site at <u>www.sandiego.gov/development-services</u> Upon request, this information is available in alternative formats for persons with disabilities.







ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



EXISTIN



LOOKING SOUTHEAST FROM HIGHWAY 52







ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.



HWY 52/GENESEE ATTACHMENT 11

5763 LODI STREET SAN DIEGO CA 92117



LOOKING NORTHWEST FROM SITE

ROPOSED


HWY 52/GENESEE ATTACHMENT 11

5763 LODI STREET SAN DIEGO CA 92117



ACCURACY OF PHOTO SIMULATION BASED UPON INFORMATION PROVIDED BY PROJECT APPLICANT.

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÷	Jeffrey Rome Associates architecture telecommunications 131. Innovation Drive, Suite 100 Livine, California 92617 tel 949.760.3921 [dv 940.760.3931]
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REVEGETATION AND BRUSH MANAGEMENT NOTES BRUSH MANAGEMENT NOTES

THIS PROJECT SHALL COMPLY WITH ALL CURRENT REQUIREMENTS OF THE STATE PERMIT; CAUFORNIA REGIONAL WATER CUALITY CONTROL BOARD (SORWOCH), SAN DECO MUNICOPAL STORM WATER REPAINT; THE CITY OF SAN DEGO LAND DEVELOPMENT CODE, KNO THE STORM WATER STANDARDS WANDLA

NOTES BELOW REPRESENT KEY MINIMUM REQUIREMENTS FOR CONSTRUCTION RMP'S-

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ATTACHMENT 13

NOTICE OF EXEMPTION

(Check one or both)

TO: X_____

Recorder/County Clerk P.O. Box 1750, MS A-33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2400

Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814 FROM: City of San Diego Development Services Department 1222 First Avenue, MS 501 San Diego, CA 92101

Project Name/Number: Verizon 52 and Genesee/439737

SCH No .: N/A

Project Location-Specific: The project is located at 5763 Lodi Street, San Diego, CA 92117

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: A new Conditional Use Permit (CUP) and Neighborhood Development Permit (NDP) for previously-permitted Wireless Communication Facility (WCF). The project proposes the demolition of an existing gazebo that conceals Verizon antennas, and construction of a similar gazebo in the same location. The new gazebo will contain six new antennas that will be concealed entirely within the gazebo structure, along with radio units and surge suppressors. Other equipment will remain in a 264-square-foot equipment area, located to the west of the house, enclosed by a concrete block wall and redwood fence. The project requires two temporary antennas to be installed onsite during construction. They will be removed once the permanent site is online. Due to the project's proximity to the Multi-Habitat Planning Area (MHPA) and sensitive vegetation, a biological resources report was required, which did not identify impacts to sensitive resources. The project is not within or directly adjacent to the MHPA but will be conditioned to comply with the MHPA Land Use Adjacency Guidelines.

Name of Public Agency Approving Project: City of San Diego

Name of Person or Agency Carrying Out Project: Verizon Wireless,- contact Mark Nyhus, 15505 Sand Canyon Avenue, Building D-104, Irvine, CA 92618. 949 392-3175

Exempt Status: (CHECK ONE)

- () Ministerial (Sec. 21080(b)(1); 15268);
- () Declared Emergency (Sec. 21080(b)(3); 15269(a));
- () Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- (X) Categorical Exemption: 15301 (Existing Facilities)
- () Statutory Exemptions:

Reasons why project is exempt: The City conducted an environmental review which determined that the proposed project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, which allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing facilities (public or private), involving negligible or no expansion of use beyond that existing at the time of the determination. Since the proposed project would upgrade an existing WCF without expanding the use the project qualifies for the exemption. No environmental impacts were identified, and the exceptions described in CEQA Guidelines Section 15300.2 would not apply.

ATTACHMENT 13

Lead Agency Contact Person: Jeffrey Szymanski

Telephone: (619) 446-5324

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a notice of exemption been filed by the public agency approving the project? () Yes () No

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

Senior Planner

November 14, 2018 Date

Check One: (X) Signed By Lead Agency () Signed by Applicant

Date Received for Filing with County Clerk or OPR: